


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 112/2024

S No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
	29.01.2024	<p>The application for restoration of Service Appeal No. 922/2022 submitted today by Mr. Muhammad Amin Khattak Lachi Advocate. It is fixed for hearing before touring Division Bench at Swat on _____</p> <p>Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

①

BEFORE THE HONORABLE SERVICE TRIBUNAL

PESHAWAR

CR. NO. 112/2024.

In

Service Appeal No. 922/2022.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10857

Dated 29-1-2024

Ghulam Hakeem S/o Muhammad Zaman R/o Surbaat District and Tehsil
Dir Upper. Driver Police Line Dir (U) **Applicant/Appellant.**

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, Khyber Pakhtunkhwa Peshawar.
3. Mr. Bacha Khan, Driver/ Head Constable, Police Lines Dir Upper.
4. Regional Police Officer, Malakand Region, Saidu Sharif Swat.

Respondents.

**APPLICATION FOR RESTORATION OF THE ABOVE TITLED
SERVICE APPEAL BEARING NO.922/2022 DISMISSED IN
DEFAULT ON 01/03/2024.**

Respectfully Sheweth,

The appellant/applicant most humbly submit as under:

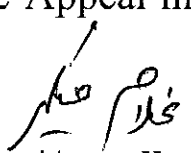

1. That the above captioned appeal was pending in this Honorable Tribunal, which was dismissed in default on 03-01-2024, by this Honorable Tribunal.
2. That the above mentioned case/ appeal was fixed on dated 03-01-2024, before Camp Court Swat but date was wrongly noted by the clerk of the counsel, due to which neither the counsel nor the Appellant were present at the said date.

(The attested copy of the impugned order is annexed herewith)

- ②
3. That absence of the Applicant/ Appellant on above mentioned date was neither deliberate nor willful, but due to the above mentioned facts.
 4. That the Application is with in time and there is no legal bar on the acceptance of this application moreover, valuable rights of the Applicant/Appellant are involved in the instant Appeal.

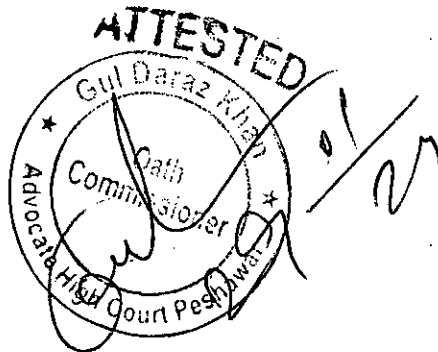
It is therefore most humbly prayed that the Appeal may graciously be restored.

Through


Applicant/Appellant

M. Amin Khattak Lachi
Advocate, Supreme Court.

AFFIDAVIT:

I, **Ghulam Hakeem S/o Muhammad Zaman** R/o Surbaat District and Tehsil Dir Upper, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.




DEPONENT

3

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 922/2022

Ghulam Hakeem S/o Muhammad Zaman R/o Surbaat District and tehsil Dir Upper.

VERSUS

Khyber Pakhtunkhwa
Service Tribunal

Duty No. 207

Date: 2/6/2022

1. Inspector General of police, Khyber Pakhtunkhwa Peshawar.
2. District police officer, Khyber Pakhtunkhwa Peshawar.
3. Mr. Bacha Khan, Diver / Head Constable, Police lines Dir Upper
4. Regional police officer, Malakand Region, Saidu Sharif Swat.



APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA TRIBUNAL
ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 05/01/2022 WHEREBY
HEAD CONSTABLE MR BACHA KHAN IS PROMOTED AS DRIVER ASSISTANT SUB
INSPECTOR IS UTTER VIOLATION OF LAW AND RULES AND AGAINST THE
JUDGMENT OF SUPREME COURT AS IN C.P 137 OF 2020 WHEREBY THE
DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN DECIDED WITHIN
90 DAYS.

Respectfully Sheweth.

Waste-day

Registrar

1. That appellant was serving as driver assistant sub-inspector in upper Dir.
2. That appellant joined the post and performed his duty to the entire satisfaction of their superior and there was no complaint what so ever against the appellant by the defendant or anyone else.
3. That one Bacha Khan Head constable Number 236 of dir upper challenged appellant promotion order dated 11/03/2015 before the service tribunal and

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

ORDER
03.01.2024

Nemo for the appellant. Mr. Asad Ali Khan, Assistant Advocate General for official respondents present. Mr. Umer Farooq Mohmand, Advocate on behalf of private respondent No. 3 also present.



The appeal in hand was called on for hearing after various intervals, however nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal in hand stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room

ANNOUNCED
03.01.2024

(Rashida Bano)
Member (Judicial)
Camp Court Swat

(Salah-ud-Din)
Member (Judicial)
Camp Court Swat

Naeem Amin

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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