


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 180/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	26.02.2024	3 <p>The application for restoration of Service Appeal No. 732/2023 submitted today by Mr. Ashraf Ali Khattak Advocate. It is fixed for hearing before Division Bench at Peshawar on _____. Original file be requisitioned. Parcha Peshi is given to counsel for the applicant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

Restoration Appli no. 180/2024

Service Appeal No. 732/2023

Wahid Ullah.....Appellant

VERSUS

The IGP, KPK & others.....Respondents

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Application for restoration		1-3
2.	Affidavit		4
3.	Copy of Order dated 20.02.2024	A	5-6

Wahid Ullah
Applicant/ Appellant.

Through

Dated: 26.02.2024

Ashraf Ali Khattak
ASHRAF ALI KHATTAK
Advocate, Supreme Court
Of Pakistan

Dated: 26.02.2024

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Restoration Application No 180/2024
Service Appeal No. 732/2023

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 11368

Dated 26-02-2024

Wahid Ullah, Ex-IHC No 622, Police Force Kohat

.....**Appellant**

VERSUS

- 1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar.**
- 2. The Deputy Inspector General, Kohat Region, Kohat.**
- 3. The District Police Officer, Kohat Region, Kohat.**

.....**Respondents**

APPLICATION FOR RESTORATION OF THE
ABOVE TITLED APPEAL DISMISSED IN
DEFAULT ON 20.04.2024.

Respectfully Sheweth:

1. That the above titled Appeal was fixed before this Hon'ble Tribunal on 20.02.2024.
2. That the Muharrir / Official of this Hon'ble Court Tribunal given the date i.e 22.02.2024 to the Appellant and the same was also conveyed to the

counsel as well but unfortunately the case was fixed for 20.02.2024, when the Appellant as well as Counsel for the Appellant appeared on 22.02.2024 before this Hon'ble Tribunal, they came into knowledge that the Appeal of the Appellant was dismissed in default for non prosecution on 20.02.2024. **(Copy of Order dated 20.02.2024 is attached as annexure A)**

~~counsel as well but unfortunately the case was~~
3. That the applicant wants the restoration of the titled Appeal for the following amongst other.

GROUND:

- A. That the absence of the Appellant was neither willful not intentional.
- B. That valuable rights of the Appellant is involved in the case in question.
- C. That the law otherwise favour the decision of cases on merit.
- D. That the application is within time.
- E. That there is no legal bar on acceptance of the instant Application.
- F. That any other ground will be raised at the time of arguments with prior permission of this Hon'ble Court.

(2)

It is, therefore, requested that by accepting this application the Appeal in question may be restored to its original number in the interest of justice.

Wahid-4

Applicant/ Appellant

Through

Dated: 26.02.2024

Ashraf Ali Khattak

ASHRAF ALI KHATTAK
Advocate, Supreme Court
Of Pakistan

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 732/2023

Wahid Ullah.....Appellant

V E R S U S

The IGP, KPK & others.....Respondents

AFFIDAVIT

I, **Wahid Ullah, Ex-IHC No 622, Police Force Kohat,** do hereby solemnly affirm and declare that the contents of the Instant **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT



Humaira Rehman Advocate 26/2/2024
Oath Commissioner
Endst. No. 3370-75

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

Service Appeal No. 72 /2023



Wahid Ullah,
Ex-IHC No.622
Police Force Kohat.....Appellant.

Versus

1. The Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Inspector General,
Kohat Region, Kohat.
3. The District Police Officer,
Kohat Region, Kohat.....Respondents.

Khyber Pakhtunkhwa
Service Tribunal

Case No. 3986

Date 1/3/2023

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED FINAL ORDER OF RESPONDENT NO.2 DATED 20-02-2023 PASSED ON THE DEPARTMENTAL APPEAL PREFERRED AGAINST THE IMPUGNED ORDER OF RESPONDENT NO.3 DATED 22-12-2022 VIDE WHICH THE APPELLANT WAS DISMISSED FROM SERVICE WITHOUT ANY LEGAL OR FACTUAL JUSTIFICATION.

Respectfully Sheweth,

The facts given rise to the present service appeal are as under;

1. That appellant joined the Police Deptt: as Constable in the year 1999. He has more than 24 years service at his credit with unblemished and clean sheeted conduct record. During the period of his service, he has worked with zeal, zest and devotion.

That unfortunately the appellant, while posted in Police Lines, Kohat, was charged sheeted on the ground that while deputed on challan duty and to produce hardened criminals including accused Najeeb Ullah S/o. Taj Ali Khan R/o Civil Lines, District Tank involved in case FIR No.35 dt: 30-03-2022 u/s 302/324/353/120-B PPC,

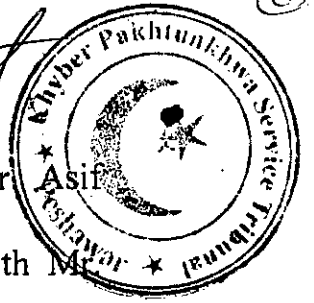
~~Filed to day~~

Registrar

01/03/2023

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

A. No 732/2023
Wahidullah vs Govt




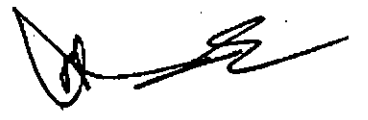
20th Feb, 2024

1. Nobody present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Ghulam Mustafa, Law Officer for the respondents present.

2. The case was called time and again but neither appellant nor his counsel put appearance, therefore, the appeal in hand is dismissed in default.

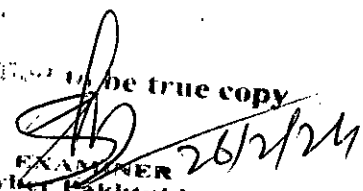
3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 20th day of February, 2024.


(Faleeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A.

Certified to be true copy


EXAMINER
Kyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 22-2-24
Number of Words Page 2
Copying Fee 10/-
Urgent
Total 10/-
Name of Copyist Shahjad
Date of Completion of Copy 26-2-24
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