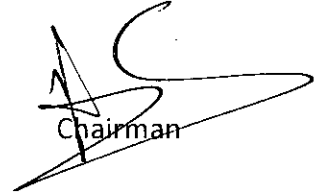


01.03.2016

None present for appellant despite repeated calls. Mr. Kabirullah Khan Khattak, Assistant AG for respondents present. Dismissed for want of prosecution. File be consigned to the record room.


Chairman

ANNOUNCED
01.03.2016

22.12.2015

Counsel for the petitioner, counsel for respondent No. 2 to 6 alongwith Assistant AG for respondents present. Wakalat Nama submitted. Arguments heard and record perused.

Since the appeal was dismissed for want of prosecution at the stage of preliminary hearing as such the application is accepted with the directions to the appellant and his counsel to remain vigilant in future. The appeal is restored. To come up for preliminary hearing on 26.1.2016 before S.B.

Chairman

26.1.2016

Counsel for the appellant present. Learned counsel for the appellant seeks adjournment as he is to address the Court on the points including the maintainability of the appeal on the ground as to whether the appellant is a civil servant or otherwise. Adjourned for preliminary hearing to 22.2.2016 before S.B.

Chairman

22.02.2016




Agent of counsel for the appellant and Addl: A.G present. Counsel for the appellant is not in attendance due to death of his relative. To come up for preliminary hearing including arguments on maintainability of appeal on 1.3.2016 before S.B.

Chairman

FORM OF ORDER SHEET

Court of _____

Misc. Application No. 121/2015

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	16/10/2015	<p>The application for restoration of appeal no. 757/2015 submitted by Mr. Ismail Khan through Mr. Muhammad Imran Khan Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p style="text-align: center;">This Misc. application be put up before S. Bench on <u>29-10-15</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-	29.10.2015	<p>Counsel for the petitioner present. Notice be issued to respondents for 22.12.2015 before S.B. Record be also requisitioned for the date fixed.</p> <p style="text-align: right;"> Chairman</p>

1

BEFORE THE CHAIRMAN SERVICE
TRIBUNAL KHYBER PUKHTOON
KHAWA PESHAWAR.

MISE application no. 121/2015
in appeal no. 757/15

ISMAIL KHAN

VERSUS

A.W.F. Provincial
Service Tribunal
Diary No. 1216
Dated 16-10-15

GOVERNMENT OF KPK AND OTHERS

Appeal Dismissed in
Default on: 21.09.2015.

Date of Institution:
Case appeal No: 757/2015

APPLICATION FOR RESTORATION OF ABOVE TITLED
SERVICE APPEAL.

Respectfully Sheweth;

1. That above captioned service appeal was pending adjudication before this Hon'ble court in which 21.09.2015 was fixed for hearing.
2. That the above captioned service appeal was dismissed in default by the Hon'ble judge on 21.09.2015 due to non-appearance of the Applicant's counsel.
3. That the applicant moved this application for restoration of above titled case on the following grounds inter-alia:

Grounds:

- A. That counsel for applicant was busy in Peshawar High Court Peshawar in case titled "Salma vs the State" fixed before Justice Waqar Ahmad Seth" and in other case titled "Abdul Waheed Kamran Vs Nadia Ijaz" that's why he could not appear before this Hon'ble Court on the date fixed.

(Copy of Cause list of Peshawar High Court is attached)

- B. That the absence on the part of applicant was neither intentional nor deliberate.
- C. That the applicant will suffer an irreparable loss, if the instant service appeal has not been restored.
- D. That valuable rights of the applicant are connected to the present service appeal and if it is not restored, the purpose of law would be defeated and serious miscarriage of justice would be done to the applicant.

- E. That the service appeal is in early stage and there is no legal embedment / hurdle in the way of allowing this application, while acceptance of this application for restoration would enhance the demands of justice.

**IT IS, THEREFORE, PRAYED THAT ON ACCEPTANCE
OF THIS APPLICATION THE ABOVE TITLED SUIT MAY
KINDLY BE RESTORED.**

Applicant

Dated: 13.10.15

 Through

**MUHAMMAD IMRAN KHAN
MUHAMMAD ZIA ULLAH**
Advocates, High Court Peshawar.

Affidavit

It is hereby verified upon oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Deponent

BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER PUKHTOON KHAWA PESHAWAR.



Appeal no. 757/2015

ISMAIL KHAN S/O: MASKEEN KHAN R/O: PAWAKA PESHAWAR.
APPELLANT

VERSUS

A.W.F. Province Service Tribunal

Diary No. 755
dated 30/6/2015

1. GOVERNMENT OF KPK THROUGH CHIEF SECRAETARY
2. TOWN OFFICER (TO) TMA TOWN III PESHAWAR (*Gulshan Iqbal, Arbab*)
3. TOWN OFFICER (F) TMA TOWN III PESHAWAR. (*road, Peshawar.*)
4. THE RESIDENT ASSISSTANT DIRECTOR (AUDIT) TMA TOWN III PESHAWAR.
5. ADMINISTRATIVE OFFICER TMA TOWN III PESHAWAR.
6. ESTABLISHMENT ASSISTANT TMA III PESHAWAR.
7. CHIEF MUNICIPAL OFFICER M.C PESHAWAR.
8. ALAM KHAN S/O: ZARIF KHAN APPOINTED AS ROAD GANG COOLI TOWN IIPESHAWAR.

RESPONDENTS

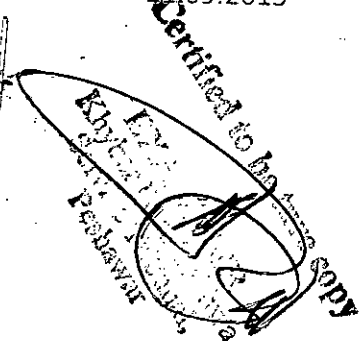
APPEAL U/S: 4 OF THE NWFP SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 02.06.2015 AND ORDER NO: 1427/ADT-III/PESH DATED 03.04.2010, WHEREBY THE ORDER OF DISMISSAL FROM SERVICE HAS BEEN PASSED AGAINST THE APPELLANT AND RESPONDENT NO: 8 IS APPOINTED ON HIS POST.

21.09.2015

None present for appellant despite repeated calls. The Court time is about to over. Dismissed for want of prosecution. File be consigned to the record.

SDY Chairman

ANNOUNCED
21.9.2015



1-10-2015

400

4

4

05-10-2015

05-10-2015

Date

SINGLE BENCH LIST FOR MONDAY THE 21st SEPTEMBER, 2015

Mr. Justice Waqar Ahmad Seth

Urgent Notice Cases

- | | | | | |
|----|---|--|----|--|
| 1 | Cr.M. 1444/2015
For Bail | Ilyas
(Akbar Zaman Khattak) | vs | Ajab Khan etc (Date by court)
(Advocate General) |
| 2 | Cr.M. 1606/2015
For Bail | Fazal Malik
(Faqr Hussain) | vs | State etc
(Advocate General) |
| 3 | Cr.M. 1478/2015
For Bail | Muhammad Imran Khan
(Hidayatullah Afridi) | vs | State etc
(Advocate General) |
| 4 | Cr.A. 701/2010 | Mst.Saima
(Muhammad Fakhre Alam Jhagra) | vs | Sher Gulab etc (Date by court)
(Muhammad Ziaullah) |
| 5 | C.R. 879/2003 | Qazi Saeed Anwar etc
(Shakeel Ahmad) | vs | Mst.Zahida Parveen etc
(Abdul Latif Akhunzada)
(Abrarul Haq, Hasnain Qadir)
(Date by court) |
| 6 | C.R. 1209/2006 | Sher Afzal etc
(Muhammad Jamil Khan Khattak) | vs | Sohbat etc (Date by court) |
| 7 | C.R. 187/2007 | Taj Muhammad
(Muhammad Asif)
(Fayaz Ahmad) | vs | Jan Gul etc (Date by court)
(Muhammad Ismail Khalil) |
| 8 | C.R. 965/2009 | Fazal Raziq
(Abdul Samad Khan Zaida) | vs | Motabar Khan (Date by court)
(Khalid Mehmood) |
| 9 | C.R. 997/2009 | Qader Nosh
(Khalid Mehmood) | vs | Israrul Haq
(Shakeel Ahmad)
(Abdul Samad Khan Zaida) |
| 10 | C.R. 1980/2010 | Muhammad Iqbal Khan etc
(Abdul Sattar Khan) | vs | Mst.Naseem Akhtar (Date by court)
(Qamar Zaman Tangi) |
| 11 | C.R. 158/2011 | Mst.Naseem Akhtar
(Haji Qamar Zaman Tangi) | vs | Muhammad Iqbal Khan etc
(Abdul Sattar Khan) |
| 12 | Cr.A. 491/2014
Senior Part on the List | Roohul.Amin
(Khawaja Muhammad Khan Gara) | vs | State |
| 13 | Cr.A. 61/2015 | Mian Altaf Hussain etc
(Shakeel Ahmad) | vs | State |

SINGLE BENCH LIST FOR MONDAY THE 21st SEPTEMBER, 2015

Mr. Justice Qaiser Rashid Khan

Motion Cases

- | | | | |
|---|--|---|-------------------------------|
| 1 | C.R 502/2015 with
C.M 818-P/2015 | Amin ur Rehman
(Naveed ur Rehman) | vs Aminullah |
| 2 | C.R 531/2015 with
C.Ms 843-844-P/2015 | Badi uz Zaman
(Abdul Maabood Khattak) | vs Hidayatullah |
| 3 | RFA 286/2015 | Banat Khan
(M. Ayub Khan Shinwari) | vs Collector Land Acquisition |
| 4 | RFA 287/2015 | Aurangzeb
(M. Ayub Khan Shinwari) | vs Collector Land Acquisition |
| 5 | RFA 288/2015 | Muhammad Tariq
(M. Ayub Khan Shinwari) | vs Collector Land Acquisition |

Pre-Admission Notice

- | | | | |
|---|----------------------------------|---|---|
| 6 | C.R 297/2012 with
C.M 80/2014 | Syed Jabbar Shah
(Aamir Shehzad Malik, Zahidullah
Khan) | vs Muhammad Hassan
(Rahim M., Saheebul Muneem Bukhari) |
| 7 | C.R 350/2012 | Mashooq Ali
(Yaqoob Khan) | vs Shah Zaman
(Ahmad Ali) |
| 8 | C.R 783/2013 | Muhammad Iqbal
(M. Imran Khan) | vs Abdul Khaliq |

SINGLE BENCH LIST FOR MONDAY THE 21st SEPTEMBER, 2015


Mr. Justice Haider Ali Khan

Urgent Notice Cases


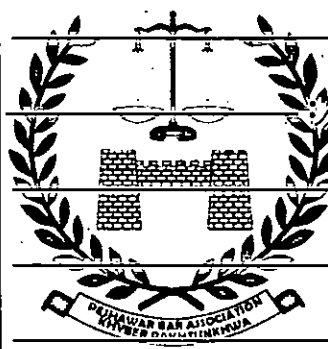
- | | | | | |
|---|----------------------------------|--|----|---|
| 1 | C.M. 12/2013
in C.R. 461/1996 | Mst. Altaf Begum
(Muhammad Riaz Painsa Khel)
(Khalid Mehmood Khan) | vs | Munir Khan etc
(Gul Jalil Khan Mardan) |
| 2 | C.R. 33/2005 | Zarif Khan etc
(Muhammad Asif) | vs | Bahadar Khan etc
(Tariq Kakar) |
| 3 | C.R. 413/2010 | Said Ghafoor
(Rahim Muhammad)
(Muzammil Khatt) | vs | Muhammad Raziq
(Amjad Ali) |

Other Notice Cases

- | | | | | |
|----|---|--|----|--|
| 4 | Cr.M. 158/2015
Bail Cancellation | Ikramullah
(Imtiazur Rehman) | vs | Junaid etc |
| 5 | Cr.R. 149/2014 | Abdul Waheed Kamran
(Matiullah Baloch) | vs | Mst. Nida Bibi etc
(Muhammad Zia) |
| 6 | Cr.R. 66/2015
With Cr.M. 189-P/2015 | Basheer etc
(Muhammad Saleem Mardan) | vs | Muhammad Iltaf Khan |
| 7 | C.M. 289-P/2012(N)
With C.R. 1425/2011 | Said Muhammad etc
(Muhammad Shoaib Khan) | vs | Mst. Hussan Afroza etc
(Rahim Muhammad)
(Saheebul Muneem Bukari) |
| 8 | C.M. 637-P/2013(N)
With C.R. 717/2012 | Abdul Majeed etc
(Abdul Samad Khan Zaida) | vs | Sultan Begum etc
(Nasir Mehmood)
(Abdul Hafeez) |
| 9 | C.M. 12-P/2014(N)
With C.R. 8/2014 | Haji Fazal Hakim
(Muhammad Shoaib Khan) | vs | Raj Muhammad etc
(Muhammad Humayun)
(Abid Ali Khan) |
| 10 | C.R. 86/2015 | Rahmancee Gul etc
(Asfandyar Umar) | vs | Muqadam Khan etc
(Date by court)
(Amir Afzal Khan) |
| 11 | C.M. 752-P/2015(N)
With C.R. 453/2015 | Khan Bahadar
(Khan Ghawas Khan) | vs | Said Rehman |
| 12 | C.R. 1351/2005 | Muhammad Ayub etc
(Tanveer Ahmad Chughaiपुरa) | vs | Muhammad Amin etc
(Date by court) |

			30408
ایڈووکیٹ/دستخط بار کونسل ابار ایسوسی ایشن رابطہ نمبر: 0333-9800600	پشاور بار ایسوسی ایشن، خیبر پختونخواہ		

بعدالت جناب:

Respondents No 2 - No.6 منجانب:	دعوی: علت: موضوع: جرم: تھانہ:
	
باعتبار آگہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 ان مقام لیسٹ اور ایڈووکیٹ جعفر علی صاحب اور ایڈووکیٹ شریف الرحمن کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقریر جانت و فیصلہ برطاعت دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز ضرورت ہر قسم پیروی یا اجراء کی تکلیف یا اجراء کی فراہمی اور منسوخی، نیز
 دائر کرنے اجیل نگرانی و نظربانی و پیروی کرنے کا اختیار ہوگا اور ضرورت ہر قسم مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا ایڈووکیٹ قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سامنے ہر ذمہ منظور و قبول ہوگا دوران مقدمہ
 میں جو خرچہ ہر جہان التوائے مقدمہ کے حسب سے ہوگا وہ وکیل موصوف وکیل کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام
 دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی یا جزوی ہوگا کہیں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 22-12-2015

العبد _____ واہ شد _____ العبد

مقام پشاور کے لئے منظور ہے۔