


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 540/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	11.06.2024	<p>The application for restoration of appeal No. 1372/2019 submitted today by Mr. Kabir Ullah Khattak Advocate. It is fixed for hearing before Single Bench at Peshawar on 13.06.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. 1372/19

R. A. No. 540/24

Sana Ullah

VERSUS


Inspector General of Police

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S#	Description of Documents	Annexure	Pages
1.	Application with affidavit		1-2
2.	Copy of order sheet dated 03.06.2024	"A"	3-4


APPELLANT

Through


Roeda Khan
Advocate, High Court
Peshawar.

Dated:03/06/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1372/19

R. A. No. 540724

Sana Ullah No.510 Ex-Police Driver Constable R/o Tehsil Takht Nusrati Karak

VERSUS

1. Inspector General of Police KPK Peshawar
2. Deputy Inspector General of Police Kohat Region Kohat.
3. District Police Officer Karak.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13245

Dated 07-06-2024

APPLICATION FOR RESTORATION OF THE ABOVE TITLE
SERVICE APPEAL NO. 1372/19 WHICH HAS BEEN DISMISSAL
AND DEFAULT ON 03.06.2024

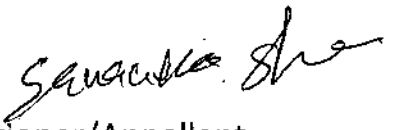

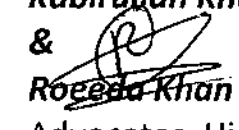
Respected Shewith,

1. That the above titled Service Appeal was pending before this Hon'ble Tribunal which has been dismissal in default on 06.06.2024. **(Copy of order is attached).**
2. That the council of the petitioner was not present due to death of his close relative while the appellat' was present before this Hon'ble Tribunal when the case was called the appellat was present in the courts and stated that his counsel was busy funeral of his closed relative.
3. That the instant application is well within time and there is no legal bar for acceptance for this application.

It is, therefore most humbly prayed that on the acceptance of the instant restoration application the appeal of the appellat may kindly be restore.

Dated: 03/06/2024

Through


Petitioner/Appellant

Kabirullah Khattak
& 
Rozana Khan
Advocates, High Court,
Peshawar

(2)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. 1372/19

Sana Ullah

VERSUS

Inspector General of Police

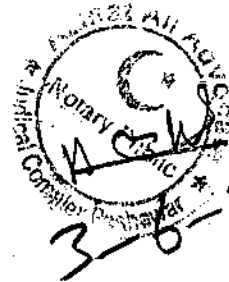
AFFIDAVIT

I, Sana Ullah No.510 (Ex-Police Driver Constable) R/o Tehsil Takht Nusrati Karak, do hereby solemnly affirm and declare on oath that 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 Tribunal.

Sana Ullah S.H.

Deponent

ATTESTED



1A^y (3)

(2)

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 1372 / 2019.

Sana Ullah No-510 (Ex-Police Driver Constable R/o Tehsil Takht Nusrati Karak

(Appellant)

Versus

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION KOHAT
3. DISTRICT POLICE OFFICER KARAK.



APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 07-02-2017 O.B No 72 IN WHICH THE RESPONDENT NO.-3 WITHOUT ANY LAWFUL JUSTIFICATION DISMISSED THE SERVICE OF APPELLANT WITH IMMEDIATE EFFECT & APPELLANT FEELING AGGRIEVED FILE DEPARTMENTAL REPRESENTATION DATED 12-12-2018 WHICH WAS NOT ENTERTAIN AND THE SAME WAS REJECTED ON DATED 12-12-2018

Pray:

It is respectfully prayed that on acceptance of instant service appeal the Hon-ble Tribunal may be blessed with the order to set aside impugned order dated 07-02-2019 and the Appellant may graciously be re-instated in service with all back benefits and be blessed with any other remedy in the larger interest of Justice.

Respectfully Sheweth,

With great veneration the instant appeal is preferred by the appellants on the following grounds:-

FACTS

1:- That the brief facts of the appeal are that the appellant were consider absent from his lawful duty vide DD No.22 from Police Lines Karak without any leave or prior permission (Copy of Impugned Order annexed as annexure A).

2:- That the appellant was dismissed without any personal hearing, nor provided any opportunity of cross examine nor observed any enquiry proceeding rules and by just stroke of pen blessed with the impugned order expartly

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

P-2

07-6-29

A. No. 1372/19

(4)

Sanaullah vs Govt



2nd May, 2024

1. Learned counsel for the appellant and Mr. Asif Masood-Ah Shah, Deputy District Attorney for the respondents present.
2. Despite absolute last chance on the previous date, again request for adjournment was made by the counsel for appellant, therefore, case is adjourned on payment of cost of Rs. 2000/- to be paid by the appellant. To come up for arguments on 03.06.2024 before D.B. P.P given to the parties.

SCANNED
KFST
Peshawar

Mutazem Shah

(Muhammad Akbar Khan)
Member (E)

(Kalim Arshad Khan)
Chairman

3rd June, 2024

1. Nobody present on behalf of the appellant. Mr. Arshad Azam, Assistant Advocate General for the respondents present.
2. On the previous date absolute last chance was given to the appellant to argue the case but request for adjournment was made by the learned counsel. The case was adjourned on payment of cost of Rs. 2000/- to be paid by the appellant. Today the case was called time and again but neither appellant nor his counsel put appearance till 12:30 PM, 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 3rd day of June, 2024.*

(Eneeha Paur)
Member(E)

ATTESTED

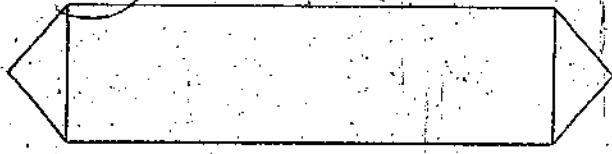
(Kalim Arshad Khan)
Chairman

Attiha Shah, P.A.

EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar 6/6/24

Date of Presentation of Application 07-6-23
Number of Vols. 2
Copying Fee 10/-
Urgent 15/-
Total 15/-
Name of Copy: Shri...
Date of Completion of 07-6-23
Date of Delivery of Copy 07-6-23

بعد التمام سے طالع نقل کا نام



اللہ اعلم
لو لکھ

ماہ 2024

بنا عالہ بنام

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیروی و جواب وہی وکل کاروائی متعلقہ

بعد التمام سے

آن مقام

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب وہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و بیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیش مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ بیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

اللہ اعلم

2024

ماہ

6

المرقوم

اللہ اعلم

کے لئے منظور ہے۔

مقام

عدالت مشفقہ مارت
چوک مشفقہ پٹاروشی فون: 2220193
Mob: 0345-9223239

Accepted
M