


Form-A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Restoration Application No. 361/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	14.05.2024	<p>The application for restoration of Appeal No. 1678/2021 submitted today by Mr. L.Nawab Ali Noor Advocate. It is fixed for hearing before Division Bench at Peshawar on . Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p>By the order of Chairman</p> <p> <b>REGISTRAR</b></p>

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Restoration application NO. <sup>361/2024</sup> IN S.Appeal no.1678/21

1.Junid S/O Nasir Khan GPS Khalid Abad Tehsil Takht Bhi Distt Mardan. ....Applicant/Plaintiff.

**VERSUS**

1.Govt of K.P.K & others. ....Respondents.

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**Through**

**Applicant/ Appellant**

**L.Nawab Ali Noor**  
**Advocate**  
**High Court Peshawar.**  
**03469076945**

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Restoration application NO. <sup>361/2024</sup> IN S.Appeal no.1678/21

1. Junid S/O Nasir Khan GPS Khalid Abad Tehsil Takht Bhi Distt  
Mardan. ....Applicant/Plaintiff.

**VERSUS**

1. Govt of K.P.K Through Chief Secretary (E & SE) Civil Secretariat  
Peshawar.

2. Secretary E& SE KPK Civil Secretariat, Peshawar.

3. Director E & SE KPK Peshawar. ....Respondents

**Application with utmost respect to Restore / set seaside order  
dated 13.11.23 through which the titled above S. Appeal was  
dismiss in default.**

**Respectfully submitted,**

1. That cited above titled S. appeal was fixed before this Honorable  
tribunal along with club cases titled Shah Zaman & 24 others ,  
Zahib & 48 others for 13.12.23 on cited date all mentioned  
appeals including appeal in question decided but later on 13.5.24  
appellant got information that same not decided with club cases  
rather dismissed in default on 13.11.23 . Copy attached as A.

3. That applicant/ appellant being aggrieved approach this  
Honorable tribunal to restore on following amongst others

**Grounds,**

a. That applicants/appellant not appear was not intention but  
due to no knowledge of the date nor any notice was served

over the applicants/ appellant rather same was club right from the begging with other 73 appeals.

- b. That applicants/appellants counsel on cited date was busy in High Court Peshawar in W.P NO.4421/23 ,1637/22,2392/22 & one other titled Ishaq Khan vs vs Muqader Khan along with other cases were also before the different courts.
- c. That applicants valuable rights are very much attached with the case in question & no bar/ nor any legal hurdle nor non appearance was not deliberate nor intention but due mentioned reason.

It is therefore most humbly prayed that on acceptance of this application your honor may graciously be pleased to set aside the order dated 13.11.23 & may please restore the S Appeal and decide the same on merit.

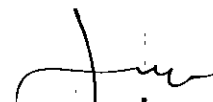
**Applicant/ Appellant**  
**L.Nawab Ali Noor**  
**Advocate High Court Peshawar.**  
 03469076945

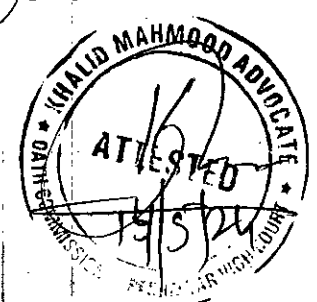
**Certificate:** Certified that mentioned above are true and correct.

**Applicant**

**AFFIDAVIT.**

I, Junid S/O Nasir Khan GPS Khalid Abad Tehsil Takht Bhi Distt Mardan, do solemnly affirm and declare on oath that the contents of the accompanying restoration application are true and correct to the best of my knowledge and belief and nothing been kept concealed from this Honorable court.

  
**Deponent**



Mr. A. (3)

**BEFORE THE SERVICE TRIBUNAL K.P.K PESHAWAR**

S. Appeal No. <sup>1678</sup> of 2021.



1. Junid Ali S/O Nasir Khan GPS Khalid Abad Tehsil Takht Bhi Distt Mardan.

.....Appellant

**VERSUS**

1. Govt of K.P.K through Chief Secretary Civil Secretariat Peshawar.

2. Secretary Elementary and Secondary education K.P.K Civil Secretariat , Peshawar.

3. Director Elementary and Secondary education K.P.K ~~Nasir No. School~~, Peshawar.

.....Respondents

APPEAL UNDER SECTION-4 OF THE KHYBER PUKHTOONKHWA SERVICE TRIBUNAL ACT 1974 AGASINST THE IMPUGNED SERVICE RULES NOTIFICATION DATED 24.7.2014 WHEREBY NOT INCLUDING THE COMPUTER SCIENCE SUBJECT/DEGREE HOLDER IN THE CRITERIA OF ELIGABILITY FOR THE PROMOTION OF PST,IT TO THE POST OF SST BPS-16 SAME IS AGAINST THE SERVICE RULES NOTIFIED IN THE NOTIFICATION DATED 24.4.2018 TO THE EXTENT OF SERIAL NO.2 COLUMN NO.5 OF THE TABLE WHEREBY NO QUOTQ HAS BEEN ALLOCATED FOR APPELLANT CADER AS PST IT AND SAME TIME AWARDED TO ALL OTHERS AND TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINTY DAYS.

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
13-5-24

**ORDER**  
13.11.2023



Nemo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents 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**  
13.11.2023

*[Signature]*  
(Fareeha Paul)  
Member (Executive)

*[Signature]*  
(Salah-ud-Din)  
Member (Judicial)

\*Naeem Amin\*

**Certified to be true copy**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
*[Signature]*  
13-5-24

Date of Presentation of Application 13-5-2024  
Number of ~~Words~~ <sup>Page = 2</sup> 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Clerk Shahzad  
Date of Copy 13-5-24  
Date of Delivery of Copy 13-5-24