


Form-A  
FORM OF ORDER SHEET

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

**Restoration Application No. 660/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	04.07.2024	<p>The application for restoration service appeal No.833/2024 submitted today by Syed Salman Zahid Advocate. It is fixed for hearing before Single Bench at Peshawar on 08.07.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p>By the order of Chairman</p>  <p><b>REGISTRAR</b></p>

①

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Restoration application no- 660/2024  
Service Appeal No. 833/2024

Mubarak Shah, Ex-Constable, Belt No. 08, Resident of Mohallah Essa Zai, Sarband, Tehsil & District Peshawar.

..... Appellant

Versus

1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Capital City Police Officer Peshawar.
3. Superintendent of Police Headquarter, Peshawar.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 13980

Dated 04-07-2024


..... Respondents

Application for restoration of titled service appeal bearing service appeal no 833/24, which was dismissed in default vide order of this honorable tribunal dated 13-06-2024

Respectfully sheweth:-

1. That the appellant referred the caption service appeal before this honorable tribunal, whereby certain objections were raised by the registrar office where after the same were removed by the appellant on 12-06-2024.
2. That the case of appellant was fixed on very next date 13-06-2024 for preliminary hearing.
3. That the appellant nor is counsel was in knowledge of fixation of the date in caption appeal for preliminary hearing and thereafter on the same date, the appeal of the appellant was dismissed in default.
4. That the law always preferred adjudication upon merits and technicalities of any kind or to be avoided.
5. That the application is well in time and there is no legal hedge in allowing the instant application.

***It is therefore most humbly prayed that the acceptance of this application the service appeal of the appellant may kindly be restored.***



Appellant

Through



Syed Salman Zahid

Advocate High Court Peshawar

Note:

That no such like application has been moved prior to this.



Advocate

2

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

In S.A No. \_\_\_\_\_/2024

Mubarak Shah (Ex Constable)

VERSUS

Inspector General of Police & Others

**AFFIDAVIT**

I, Mubarak Shah S/o Maqbool Shah R/o Mohallah Esa Zai, Sarbund, Tehsil And District Peshawar, do hereby solemnly affirm and state on oath that all contents of Service Appeal are true and correct to the best of my knowledge and belief and nothing wrong has been stated by me in the matter.



*[Signature]*

04/07/24

DEPONENT *[Signature]*

Mubarak Shah

CNIC: 17301-1633357-3

*[Signature]*

Identified by

Syed Salman Zahid  
Advocate, High Court Peshawar

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR**

Service Appeal No. 833 /2024

**Mubarak Shah, Ex-Constable, Belt No. 08, Resident of Mohallah Essa Zai, Sarband, Tehsil & District Peshawar.**

..... Appellant

Versus

1. **Inspector General of Police, Khyber Pakhtunkhwa.**
2. **Capital City Police Officer Peshawar.**
3. **Superintendent of Police Headquarter, Peshawar.**

..... Respondents

**Appeal under Section 04 of the Khyber Pakhtunkhwa Services Tribunal Act 1974 against the impugned Office Order OB No. 4205 Dated 14-12-2016 of the Office of SP Headquarters Peshawar, whereby the Appellant was dismissed from service & against the impugned Office Order No. 1326-31/PA Dated 23-11-2018 of the Office of Capital City Police Office Peshawar, whereby the Departmental Appeal of the Appellant was turned down & against the impugned Office Order No. 985-990/24 Dated 07-05-2024 of the Office of Inspector General of Police Khyber Pakhtunkhwa, whereby the Revision Petition of the Appellant was rejected in a classical cursory and whimsical manner.**

**Respectfully Sheweth,**

1. **That the Appellant is a bona-fide citizen of Islamic Republic of Pakistan & hails from a respectable family of District Peshawar.**
2. **That the Appellant got on to the rolls of the Respondent Department years back as Constable. During the course of his employment, the Appellant remained a pragmatic and devoted fellow, who never left any stone unturned in performance of obligations bestowed upon his shoulders.**
3. **That it was in the backdrop of 2016, when the Appellant was charged in a false & fabricated case bearing FIR No. 760 Dated 08-07-2016, charged U/s 302,324,148,149,427 PPC of Police Station Sarband and thereafter, the Appellant went into hiding and was unable to attend his official duties. (Copy of FIR is annexed herewith as Annexure "A").**

Form-A

FORM OF ORDERSHEET

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

Case No. 833/2024



S.No.	Date of order proceedings	Order or other proceedings with signature of Judge
1	2	3

1      12.06.2024      As per direction of the Hon'ble Member Judicial the present appeal is fixed for preliminary hearing before Single Bench at Peshawar on 13.06.2024. Parcha Peshi given to counsel for the appellant.

*[Signature]*  
REGISTRAR

SCANNED  
KPST  
Peshawar

ORDER

13<sup>th</sup> June, 2024

1. Nobody is present on behalf of the appellant.
2. This case was called several times but nobody put appearance on behalf of the appellant till rising of the court. Therefore, the appeal in hand is dismissed in default. Consign.
3. *Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 13<sup>th</sup> day of June, 2024.*

Date of Presentation of Application 02-7-24

Number of Words/Pages 2

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\*Nasim Amir

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Date of Completion of Copy 02-7-24

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*[Signature]*  
(Kalim Arshad Khan)  
Chairman

ATTESTED

*[Signature]*  
Kyber Pakhtunkhwa  
Service Tribunal  
Peshawar

50	47068	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈویکٹ: سید سلمان زارید	PESHAWAR BAR ASSOCIATION	
بار کونسل ایسوسی ایشن نمبر: 17-8026		
رابطہ نمبر: 0311 8867667		

عدالت جناب KP Service Tribunal Peshawar

مخائب: Appellant	Restoration Application
Mubarrak Shah	علت نمبر:
Ex-Constable	مورخہ:
بنام Inspector General KP & others	جرم:
	تھانہ:

باعت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام سرویل منسٹر سید سلمان زارید کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقررات و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیقی زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری ایک طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساتھ پر دائرہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 26/07/2024  
PESHAWAR BAR ASSOCIATION  
KHYBER PAKHTOON

مقام Service Tribunal Peshawar کے لیے منظور ہے۔

Accepted

Mubarrak Shah Ex-Constable