


Form-A

FORM OF ORDER SHEET

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

**Restoration Application No. 413/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.05.2024	<p>The application for restoration of Appeal No.1894/2022 submitted today by Mr. Yasir Rauf Advocate. It is fixed for hearing before Division Bench at Peshawar on 30.05.2024. 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 KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

**Muhammad Tahir**

**Versus**

**Govt of KP**

**Subject: APPLICATION FOR DECIDING THE CONNTECTED 11 SERVICE  
APPEAL BEFORE PRINICPAL SEAT AT PESHAWAR**

**Respected Sir:**

It is kindly stated that 11 connected service appeal are pending adjudication before principal seat i.e KP Service Tribunal Peshawar.

It is further stated that all the appeals are in last stage and ready for final arguments as well as the case is part heard.

It is therefore humbly requested that all the Service Appeals may very kindly be heard at Khyber Pakhtunkhwa Service Tribunal Peshawar.

Dated: 27/05/2024

Through Counsel

Appellant

  
Yasir Rauf

Advocate Peshawar

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

Restoration application No. 413 /2024  
In  
Service No.1894/2022

Muhammad Tahir

**VERSUS**

Secretary Home & Tribal Affairs Department Police Line  
Road, Finance Department, Civil Secretariat, Khyber  
Pakhtunkhwa, Peshawar & others

Index

**INDEX**

S.No.	Description of documents	Annex	Pages
1.	Restoration application		1-3
2.	Copies of order sheets	A & B	4-9
3.	Copy of Parcha Peshi	C	10
4.	Copy of cause list dated 27.05.2024	D	11-18
5.	Wakalat Nama		19

**Dated : 27.05.2024**

**Appellant**

Muhammad Tahir

Through

  
**YASIR RAUF**  
Advocate,  
Cell: 0332-9745361

①

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

Restoration application No. 413 /2024

In

Service No.1894/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 13028

Dated 27-05-24

Muhammad Tahir S/o Khusdil Khan Presently  
working in Police Department Sub Division Wazir  
Bannu.

Appellant

**VERSUS**

1. Secretary Home & Tribal Affairs Department Police  
Line Road, Finance Department, Civil Secretariat,  
Khyber Pakhtunkhwa, Peshawar.
2. Deputy Secretary (Judicial) Home & Tribal Affairs  
department, Police Line Road, Finance Department,  
Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
3. Provincial Police Officers Khyber Pakhtunkhwa,  
Peshawar.
4. Regional Police Officer, Bannu Region Bannu.
5. District Police Officer, District Bannu.
6. District Account Officer, District Bannu.

Respondents

**PETITION FOR THE RESTORATION OF  
SERVICE APPEAL NO.1894/2022 VIDE WHICH  
THE SERVICE APPEAL HAS BEEN  
DISMISSED IN DEFAULT ON 29.04.2024.**

**Respectfully Sheweth;**

1. That the appellant had filed a service appeal No.1894/2022  
which was dismissed in default vide judgment order dated  
29.04.2024.

(2)

2. That it is pertinent to mentioned here that 10 other similar nature service appeal had been pending before this Tribunal. All these appeals were clubbed by this tribunal. (Copies of order sheets are attached **as A & B**)
3. That on 22.04.2024 the instant service appeal No.1894/2022 was fixed and all the service appeal were fixed for next date of hearing i.e 27.05.2024. But inadvertently the instant service appeal along with 6 others were fixed on 29.04.2024 and the same were dismissed in default. (Copy of Parcha Peshi is annexed herewith **as C**)
4. That on 27.05.2024 only 4<sup>th</sup> similar nature cases titles as "Mushahid Wadood & three others" were fixed. (Copy of cause list dated 27.05.2024 is attached **as D**)
5. That he counsel for the appellant was present on each and every date of hearing but on 22.04.2024 the case was inadvertently fixed on 29.04.2024.
6. That the appellant has vast interest in the matter as the appellant is an employee of police department and has been reverted from his original rank illegally.
7. That on merit the appellant has prima facie good case and is hopeful about its success.
8. That there is no legal hurdle in the restoration of Application.
9. That the higher forums have thoroughly held in its various judgments that the matters shall be decided on merit instead on technicalities.
10. That if the application and appeal is not restored and decided on merit the appellant will be put to great irreparable loss, besides other agonies.

3

11. That other points will be raised at the time of arguments.

*It is therefore, prayed that on acceptance of this application the service appeal No.1894/2022 may very graciously be restored and be decided on merit.*

*Any other remedy deemed proper may also be granted.*

Dated: 27-05-2024

Appellant

Muhammad Tahir

Through

YASIR RAUF

Advocate,

Cell: 0332-9745361

AFFIDAVIT

I, Muhammad Tahir S/o Khushdil Khan Presently working in Police Department Sub Division Wazir Bannu, do hereby solemnly affirm and declare that all the contents of the instant application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.



DEPONENT

27/05/24

(U) "A"

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

Service Appeal No. 1894/2022

Muhammad Tahir S/o Khushdil Khan R/o Mattaki Bizen Khel, Tehsil & District Bannu, Presently working in Police Department Sub Division Wazir Bannu. .... (Appellant)

**VERSUS**

- 1) Secretary Home & Tribal Affairs department, Police Lines Road, Finance Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 2) Deputy Secretary (Judicial) Home & Tribal Affairs department, Police Lines Road, Finance Department, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
- 3) Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 4) Regional Police Officer, Bannu Region Bannu.
- 5) District Police Officer, District Bannu.
- 6) District Account Officer, District Bannu. .... (Respondents)


**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED STRUCK OFF/TERMINATION ORDER NO. 3897-3906 DATED 01/09/2022, WHEREBY THE APPELLANT HAS BEEN STRUCK OFF/TERMINATED FROM POLICE DEPARTMENT. IN THIS RESPECT THE DEPARTMENTAL APPEAL FILED BY THE APPELLANT ON 12/09/2022 BEFORE THE APPELLATE AUTHORITY (RPO BANNU) BUT UPTIL NOW HE NEITHER RESPOND NOR DECIDED THE SAME AFTER COMPLETION OF MANDATORY PERIOD.**



18/1/2022

24.01.2023

Learned counsel for the appellant present and stated that similar nature appeals are fixed on 08.02.2023, therefore, the appeal in hand may also be fixed on the said date. Adjourned. To come up for preliminary hearing on 08.02.2023 before the S.B.

  
(Salah-Ud-Din)  
Member (J)

SCANNED  
KPST  
Peshawar

07.02.2023

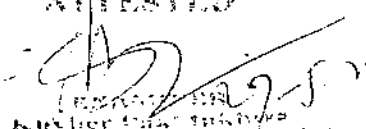
Learned Member (Judicial) is on leave, therefore, the case is adjourned for the same on 10.03.2023 before S.B.

  
Reader

10.03.2023

Learned counsel for the appellant present.

Let pre-admission notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 17.04.2023 before S.B. P.P given to learned counsel for the appellant.

ATTESTED  
  
(Muhammad Akbar Khan)  
Member (E)

MEMBER (E)  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



SA No: 1894

(6)

22.04.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam

learned Assistant Advocate General for the respondents present.

2. Learned counsel for the appellant requested for adjournment in

order to further prepare the brief. Absolute last chance is given to

argue the case on the next date, failing which case will be decided

on the basis of available record without providing further

adjournments and chance of arguments. Adjourned. To come up for

arguments on 29.04.2024 before D.B. P.P given to parties.



(Fareeha Paul)  
Member (E)



(Rashida Bano)  
Member (J)

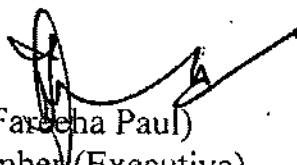
Kaleemullah

29<sup>th</sup> April, 2024

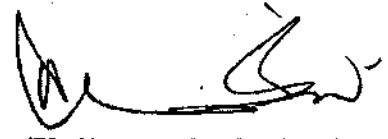
1. Nobody is present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

2. On 22.04.2024, absolute last chance was given to the appellant for arguments but today nobody put appearance on behalf of the appellant despite repeated calls at different intervals till rising of the court, therefore, the instant appeal is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 29<sup>th</sup> day of April, 2024.*



(Fareeha Paul)  
Member (Executive)





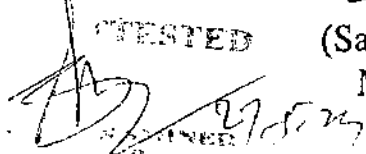
(Kalim Arshad Khan)  
Chairman

10 7 "B"

FORM OF ORDER SHEET

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

Case No.- 2017/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/12/2022	<p>The appeal of Mr. Mushahid Wadood presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>9-1-23</u> Notices be issued to appellant and his counsel for the date fixed.</p>
	<p><i>Noted H.H.H.H 05/1/23</i></p>	<p>By the order of Chairman  REGISTRAR</p>
	09.01.2023	<p>Learned counsel for the appellant present and requested for time for preparation of preliminary hearing. Adjourned. To come up for preliminary hearing on 18.01.2023 before the S.B.</p> <p> (Salah-Ud-Din) Member (J)</p>
		<p> TESTED MEMBER PESHAWAR</p>

SCANNED KPST Peshawar

(10)

(8)

2017/2022

2<sup>nd</sup> Aug. 2023

01. Counsel for the appellant present and informed that connected appeals No. 1893/2022 and others have been fixed before the Hon'ble Single Bench-II and requested that instant appeal might also be clubbed with the same. Allowed. This appeal is sent to Hon'ble S.B-II for further proceedings today. Parties are directed to appear before the said Bench today.

(FAREEHA PAUL)  
Member (E)

\*Fazle Subhan, P.S\*


02.08.2023

Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Mr. Sajjad, Inspector for the respondents present.

Reply/comments on behalf of respondents have already been submitted. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within ten days. To come up for arguments on 25.09.2023 before D.B. Parcha Peshi given to the parties.

ATTESTED

  
Muhammad Akbar Khan  
Secretary  
Peshawar

(Muhammad Akbar Khan)  
Member (I)

(10)


(9)


2017/2022

12.02.2024 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney alongwith Farooq Khan, DSP (Legal) for the respondents present.

2. Representative of respondent is directed to produce absorption order, record of all the three inquiry reports and any other documents in this respect through proper application within fortnight. Adjourned. To come up for production of record as well as arguments on 22.04.2024 before D.B. P.P given to the parties.


SCANNED  
KINET  
PESANT


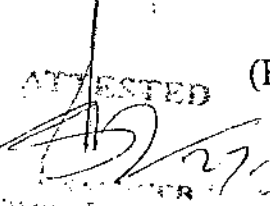
  
(Fareeha Paul)  
Member (E)

  
(Rashida Bano)  
Member (J)

22.04.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam learned Assistant Advocate General alongwith Sajjad Ahmad, Inspector for the respondents present.

2. Record mentioned vide order sheet dated 12.02.2024 not submitted. Representative of respondent sought time for submission of the same. Last chance is given with direction to submit the same within a fortnight positively. Adjourned. To come up for arguments on 27.05.2024 before D.B. P.P given to parties.

  
(Fareeha Paul)  
Member (E)

  
(Rashida Bano)  
Member (J)  
  
27/5/24  
DISTRICT JUDGE  
D. B. P. P.  
D. B. P. P.

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Police  
Mushaid Board

2017/22

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Cause List 27th May 2024 Peshawar | KPST

☎ 091-9212282 ✉ registrar@kpst.gov.pk



# Cause List 27th May 2024 Peshawar



**LIST OF SB – I CASES FIXED BEFORE MRS. RASHIDA  
BANO, MEMEBR (JUDICIAL)**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR**

## APPLICATION

S. NO.	APP. NO.	SA. NO.	TITLE
1	395/2024 RA	1195/2019	CHAMAN GUL -VS-POLICE

## PRELIMINARY HEARING

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	2438	2023	IJAZ AHMED -VS-E&SE	PROMOTION
2	284	2024	SAKHI MARJAN -VS-E&SE	PROMOTION
3	313	2024	AFSAR ALI -VS-POLICE	REPATRIATION
4	429	2024	ZUBAIR SHAH -VS-POLICE	DISMISSAL
5	530	2024	MIR AZAM KHAN -VS-P&D	PAY FIXATION

## EXECUTION

S. NO.	EP. NO.	SA. NO.	TITLE
1	320/2024	831/2022	WAHEEDULLAH -VS-E&SE
2	362/2024	895/2023	MUHAMMAD HASHIM -VS-P&D

3	396/2024	32/2015	MUHAMMAD AYUB -VS-E&SE
4	398/2024	7872/2021	BAKHT MINA -VS-E&SE

## REPLY - TRANSFER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	645	2024	HAMID ULLAH -VS-E&SE	TRANSFER

## REPLY

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	1869	2022	MAZHAR HUSSAIN -VS-JUDICIARY	PROMOTION
2	2352	2023	ADIL KHAN -VS-POLICE	DISMISSAL
3	351	2024	RASHI IQBAL -VS-JUDICIARY	WITHDRAWL OF RESIGNATION
4	502	2024	SAFDAR ALI SHAH -VS-E&SE	DEMOTION
5	630	2024	MUHAMMAD HASHIR -VS-E&SE	REMOVAL

**LIST OF SB - II CASES FIXED BEFORE MS. FAREEHA  
PAUL, MEMBER (EXECUTIVE)**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR**



## PRELIMINARY HEARING – TRANSFER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	194	2024	MUHAMMAD WARIS -VS-HEALTH	TRANSFER
2	405	2024	HAKAM KHAN -VS-E&SE	TRANSFER

## PRELIMINARY HEARING – OTHER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	1386	2022	FOZIA AKRAM -VS-POLICE	C.RETIRMENT
2	2494	2023	SAJJAD HAIDER -VS-POLICE	WITHDRAWL OF PROMOTION ORDER
3	690	2024	KHALID KHAN -VS-POLICE	DISMISSAL

## EXECUTION

S. NO.	EP. NO.	SA. NO.	TITLE
1	89/2024	1884/2022	ABDUL WAHAB -VS-E&SE
2	235/2024	347/2023	QAISER ALAM -VS-P&D
3	253/2024	4306/2020	ZIA UR REHMAN -VS-E&SE
4	289/2024	3989/2021	SOBIA -VS-E&SE
5	397/2024	1476/2023	GUL E LALA

			-VS-E&SE
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## REPLY - OTHER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	328	2024	MUHAMMAD AYUB -VS-E&SE	REDUCTION IN RANK

**LIST OF DB CASES FIXED BEFORE MRS. RASHIDA BANO,  
MEMEBR (JUDICIAL) &**

**MS. FAREEHA PAUL, MEMBER (EXECUTIVE)**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR**

## ARGUMENTS - TRANSFER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	2607	2023	ABDULLAH SHAH -VS-REVENUE	TRANSFER
2	393	2024	ASHFAQ AHMAD -VS-E&SE	TRANSFER
3	168	2024	PIR HASSANAT SHAH -VS-REVENUE	TRANSFER

## ARGUMENTS - ABBOTTABAD

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	1758	2023	TAYYAB SHAH -VS-LIVE STOCK	PROFORMA PROMOTION

## ARGUMENTS - BANNU

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	1554	2019	MUHAMMAD ZAHID -VS-PRISON	REDUCTION

2	1324	2019	RAQIBAZ (6) -VS-PRISON	REDUCTION
3	1367	2019	ASIF ALI SHAH -VS-PRISON	REDUCTION
4	5808	2020	ALEEMULLAH -VS-E&SE	APPO. FROM BACK DATE
5	1244	2022	SAKIN ULLAH KHAN -VS-JUDICIARY	SENIORITY
6	1337	2022	ARSHAD FAROOQ -VS-PRISON	STOPPAGE OF INCREMENT
7	2017	2022	MUSHAHID WADOOD (2) -VS-POLICE	REVISION

## ARGUMENTS – SWAT

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	1045	2019	JEHANZEB (1) -VS-POLICE	DISMISSAL
2	1662	2023	IZAT GUL -VS-AGRICULTURE	PROFORMA PROMOTION
3	1896	2023	BADSHAH HALIM -VS-AGRICULTURE	PREMATURE INCREMENT

## ARGUMENTS – OTHER

S. NO.	APPEAL	YEAR	TITLE	CASE NATURE
1	433	2018	ABDUL HAMEED -VS-EXCISE & TAXATION	PROMOTION
2	52	2019	MST. ROHI BIBI -VS-E&SE	PROMOTION
3	157	2019	ASHRAF ALI (1) -VS-POLICE	PROMOTION



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Cause List 27th May 2024 Peshawar | KPST

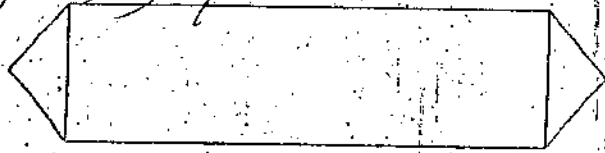
4	370	2019	SAMAR NASEEM -VS-AGRICULTURE	COUNT. OF SERVICE
5	1226	2019	MUHAMMAD SAQIB -VS-PRISON	REDUCTION
6	260	2019	HILAL KHAN -VS-JUDICIARY	REMOVAL
7	1133	2019	MUHAMMAD ZEESHAN (I) -VS-TEVETA	SENIORITY
8	1536	2019	MUHAMMAD SAID -VS- E&SE	INCREMENT
9	885	2020	HAIBI-UL-HAQ -VS-E&SE	ADJUSTMENT
10	15288	2020	SHAISTA BEGUM -VS-E&SE	SENIORITY
11	11467	2020	TAASBIHULLAH -VS-POLICE	DISMISSED
12	5688	2020	INAYAT KHAN -VS-POLICE	DOWNGRADATION
13	10524	2020	MISS AMINA BEGUM -VS-E&SE	
14	7744	2021	ZUBAIR ALI HAIDER -VS-ESTABLISHMENT	SERVICE RULES
15	1622	2021	SHAFIQ UR REHMAN -VS-POLICE	ACR
16	7843	2021	BANARAS KHAN -VS-E&SE	REGULARIZATION
17	470	2022	MUHAMMAD IQBAL -VS-IRRIGATION	RETIREMENT
18	561	2022	IHTISHAM -VS-POLICE	FORFIETURE OF TWO SE

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Cause List 27th May 2024 Peshawar | KPST

19	830	2022	MURSALEEN -VS-POLICE	DISMISSAL
20	612	2022	MIAN MUHAMMAD -VS-ESTABLISHMENT	INCREMENT
21	1642	2022	NAHEED KOUSAR -VS-HEALTH	PENSIONARY BENEFITS
22	152	2023	GUL RUKH -VS-E&SE	PROMOTION
23	1665	2023	MUDASIR KHAN -VS-POLICE	DISMISSAL
24	1451	2023	ELAHI BAKHSH -VS-E&SE	REMOVAL
25	717	2023	DILSHAD HUSSAIN -VS-ESTABLISHMENT	PROMOTION
26	1727	2023	IMTIAZ HUSSAIN -VS-JUDICIARY	PROMOTION
27	1773	2023	SABA BIBI -VS-JUDICIARY	REMOVAL
28	285	2023	WAHEED AHMAD -VS-REVENUE	SERVICE RULES



ایم ایس  
2 منتخب  
بنام

محمد طارق

مورث  
مقدمہ  
دعوی  
جرم

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیروی و جواب دی و کل کاروائی متعلقہ  
 آئی مقام کے لئے کل سرسوف اور سولڈر  
 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 دینے جواب دی اور اقبال دعوی اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ار عرضی دعوی 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 اختیار 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 داختم منظور قبول ہوگا و زمان مقدمہ میں جو خرچہ ہر جائن التوائے مقدمہ کے  
 سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا خد سے باہر ہو تو وکیل صاحب یا بندہ ہوں  
 گے۔ کہ بیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2024  
 Accepted  
 27  
 المقدم  
 المقدم