


## Form-A

## FORM OF ORDER SHEET

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

**Restoration Application No. 743/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	19.07.2024	<p>The application for restoration service appeal No. 2203/2023 submitted today by Mr. Anwar Ali Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on 23.07.2024. 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**

**RA**  
S.M No. 743/2024

In  
Service Appeal No.2203/2023

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 14292

Dated 19-07-2024

Aleem Khan, Ex. Constable No.4472,  
S/o Kroy Khan R/o Village Parkusap, Tehsil  
Mastuj, District Chitral Upper.

.....**APPLICANT/APPELLANT**

**VERSUS**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

**APPLICATION FOR RESTORATION OF THE ABOVE  
TITLED APPEAL**


**Respectfully Sheweth:**

1. That the above tilted appeal was pending for adjudication before this Hon'ble Tribunal, which was fixed for comments of the respondents, on 03.07.2024 which was dismissed in default.
2. That a day earlier, the applicant/appellant and his counsel were in contact with each other and it was decided that the applicant's counsel shall attend the

hearing, therefore, the applicant did not come to attend the hearing.

3. That on the night of 03.07.2024, the counsel of the applicant fell ill, and consequently could not proceed early in the morning to attend the case at Swat Camp Court.
4. That the absence of the counsel or applicant was not deliberate or intentional rather the same was on account of above-mentioned compulsion, and natural acts.
5. That the restoration of the above titled appeal is utmost necessary for the ends of justice.

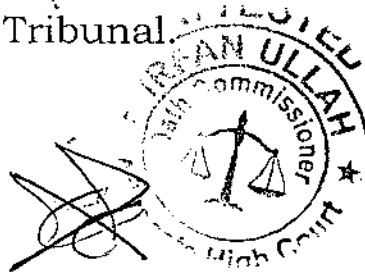
It is, therefore, most humbly prayed that on acceptance of this application, the above titled appeal may please be restored to its original number and be decided on merits.

Applicant/Appellant  
Through  
  
**ANWAR ALI KHAN**  
Advocate High Court

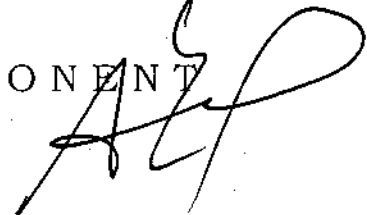
Dated: 19.07.2024

### AFFIDAVIT

I, Anwar Ali Khan Advocate High Court, as per information conveyed to me by my client, do hereby solemnly affirm and declare on oath that the 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.



DEPONENT



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

**RA**  
~~C.M~~ No. 743 /2024

In  
Service Appeal No.2203/2023

Aleem Khan, Ex. Constable No.4472,  
S/o Kroy Khan R/o Village Parkusap, Tehsil  
Mastuj, District Chitral Upper.

.....**APPLICANT/APPELLANT**

**VERSUS**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.
3. Deputy Commandant Elite Force, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**


**APPLICATION FOR CONDONATION OF DELAY**  
**OF ONE DAY IN SUBMITTING RESTORATION**  
**APPLICATION IN THE ABOVE TITLED APPEAL.**

**Respectfully Sheweth:**

1. That the above titled appeal has been dismissed in default on 03.07.2024.
2. That the applicant/appellant is filing instant restoration application on 19.07.2024 with a delay of one day.

3. That the delay occurred on account of inadvertent mistake of the counting of date and days.
4. That besides, the camp court order and record was at Camp Court Swat till the end of the week and it was not possible for the applicant to obtain copy of the same till 08.07.2024.

It is, therefore, most humbly prayed that on acceptance of this application, the delay of one day in filing of the restoration application may please be condoned, in the best interest of justice.

Applicant/Appellant  
Through  
  
**ANWAR ALI KHAN**  
Advocate High Court

Dated: 19.07.2024

### AFFIDAVIT

I, Anwar Ali Khan Advocate High Court, as per information conveyed to me by my client, do hereby solemnly affirm and declare on oath that the 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.



  
DEPONENT



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

Service Appeal No. 2203 /2023

Aleem Khan Ex. Constable No. 4472 S/o Karoye Khan R/o Village Parkusap Tehsil  
Masuj, District Chitral Upper.....  
"Appellant"

**VERSUS**

1. Inspector General Police, KPK, Peshawar.
2. Commandant Elite Force, KPK, Peshawar
3. Deputy Commandant Elite Force, KPK, Peshawar..... "Respondents"

**SERVICE APPEAL U/S 04 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST**  
**THE IMPUGNED ORDER DATED 12.05.2023 WHEREBY THE APPELLANT**  
**WAS DISMISSED FROM SERVICE AND AGAINST THE INACTION OF THE**  
**RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE**  
**APPELLANT WITHIN THE STATUTORY PERIOD.**

**PRAYER:**

**ON ACCEPTANCE OF THE INSTANT APPEAL, THE IMPUGNED ORDER**  
**DATED 12.05.2023 MAY KINDLY SET-ASIDE AND THE APPELLANT MAY**  
**KINDLY BE RE-INSTATED INTO SERVICE WITH ALL BACK BENEFITS.**

**RESPECTFULLY SHEWETH:**

1. That the appellant was initially appointed as a Constable vide office order dated 22.08.1995.
2. That after initial appointment, the appellant performed his duties regularly, honestly and up to the entire satisfaction of his superiors.
3. That it is pertinent to mention here that at the hard days of Swat Operation against Taliban, when a number of District Police Swat personnel deserted from service, the appellant was transferred to District Swat and served there from 2008 to 2014.
4. That the appellant was transferred to District Police, Chitral in 2014 and was serving there till 2022.

**ATTESTED**

**EXAMINER**  
**Khyber Pakhtunkhwa**  
**Service Tribunal**  
**Peshawar**

Appeal No. 2203/2023  
Aleem Khan vs Govt.




05.06.2024 1. Junior to learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Written reply on behalf of respondent received through office which is placed on file. A copy whereof is handed over to junior counsel for the appellant. Adjourned. To come up for rejoinder, if any, and argument on 03.07.2024 before D.B at Camp Court Swat. P.P given to the parties.

SECRET  
Peshawar.


Kabemedia

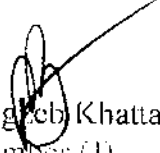
  
(Rashida Bano)  
Member (J)  
Camp Court, Swat

03.07.2024 1. None present on behalf of the appellant. Mr. Muhammad Jan, District Attorney alongwith Mr. Niaz Muhammad, DSP (Legal) for the respondents present.

02. The appeal in hand was called on for hearing after various intervals, however, neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default. Consign.

03. Pronounced in open court at Camp Court Swat and given under our hands and seal of the Tribunal on this 03<sup>rd</sup> day of July, 2024

  
(Muhammad Akbar Khan)  
Member (E)  
Camp Court Swat

  
(Aurangzeb Khattak)  
Member (J)  
Camp Court Swat

Kamranullah

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 18/7/23  
Number of ~~Pages~~ page = 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Client Shreyas  
Date of Completion 18/7/23  
Date of Delivery of Copy 18/7/23