


Form-A

FORM OF ORDER SHEET

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

**Restoration Application No. 651/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.07.2024	<p>The application for restoration service appeal No.2465/2023 submitted today by Mr. Muhammad Anwar Advocate. It is fixed for hearing before Single Bench at Peshawar on 04.07.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR**

CM No. \_\_\_\_\_/2024

R.A. No. 651/2024

In

Service Appeal No. 2465/2023

Aamir .....Petitioner/Appellant

**VERSUS**

Secretary and others.....Respondents

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Appellant

Through

  
**Inamullah Alizai**

**Muhammad Anwar**

**Jahanzeb Shinwari**

Advocates High Court,

Cell: 0333-8866902

Date: 29/06/2024

①

**BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR**

CM No. \_\_\_\_\_/2024

In

*R.A - No: 651/2024*

Service Appeal No. 2465/2023

**Khyber Pakhtukhwa  
Service Tribunal**

Diary No. 13896

Dated 07.07.24

Aamir Ahmad S/O Abdul Manaan

Computer Operator BPS-16 DG Health Office, KPK Peshawar

.....**Petitioner/Appellant**

**V E R S U S**

1. Secretary to Government of KPK, Health Department, Peshawar
2. Director General (Admn) Directorate General, Health Services KPK, Peshawar
3. Deputy Director (Admn) Directorate General, Health Services KP, Peshawar
4. Additional Director General (HR) Directorate General, Health Services KP, Peshawar
5. Accountant General KP, Peshawar
6. Accounts Section DHIS Cell, KP, Peshawar

.....**Respondents/ Defendants**

**Application for restoration of Service appeal under Rule-19(3) of the Service Tribunal Rules, 1974 which has been dismissed in default vide Order dated 13/06/2024 to be heard and to be decided on merit. (Copies annexed)**

**Respectfully Sheweth,**

- 1) That appeal titled above was pending and fixed for 13/06/2024 for preliminary hearing.
- 2) That the petitioner requests for setting aside the Order dated 13/06/2024 and restoration of the case on the following grounds inter alia.

**GROUND:**

- A) That the nonappearance of the counsel for the petitioner was not intentional but due to engagement in the Peshawar High Court, Peshawar at time of call of the appeal.

- B) That when the counsel for the petitioner, after getting free from the Peshawar High Court, Peshawar at about 1:00 PM, came to the Hon'ble Tribunal, wherein he was informed about the impugned order.
- C) That valuable interests of the petitioner are attached to case.
- D) That in the light of judgments of the superior courts, the cases are to be decided on merits rather than technicalities.
- E) That the application is well within time.
- F) That it will be in the best interest of justice, if this Hon'ble court is pleased to restore the case and decide the same on merits.

It is, therefore, very humbly prayed that on acceptance of this application the order dated 13/06/2024 may kindly be set aside and the suit be restored to meet the ends of justice.

Petitioner

Through

Dated: 29/06/2024

Jahanzeb Shinwari

Muhammad Anwar

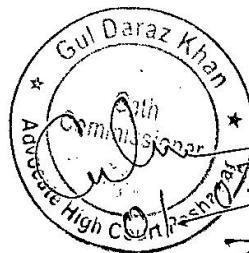
Inamullah Alizai

Advocates, Peshawar

**Affidavit:**

I, do hereby solemnly affirm and declare on oath that contents of this application are true and correct and nothing has been kept concealed.

DEPONENT



Annex A  
①

③



**BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 2465 of 2023

Case No. 9086  
Dated 15-11-2023

Aamir Ahmad S/O Abdul Manana  
Computer Operator BPS-16, DG Health Office, KP, Peshawar  
.....Appellant

**VERSUS**


1. Secretary to Government of KPK, Health Department, Peshawar
2. Director General <sup>Health</sup> ~~(Admn)~~ Directorate General, Health Services KPK, Peshawar
3. Deputy Director (Admn) Directorate General, Health Services KP, Peshawar
4. Additional Director General (HR) Directorate General, Health Services KP, Peshawar
5. Accountant General KP, Peshawar
6. Accounts Section DHIS Cell, KP, Peshawar

.....Respondents

Appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned office order bearing No. 5863 dated 16/10/2023 whereby departmental appeal/application of the appellant has been regretted (Copy annexed hereto marked A).

18/10/23  
Regd. 9/11/23

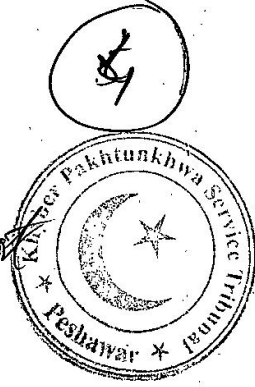
ATTESTED

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
21-6-23

13.06.2024

A. No. 2465/2023

Amir Ahmad vs Govt



01. Nemo for the appellant.

02. Perusal of order sheets shows that the case has been adjourned several times either by the learned counsel for the appellant or his junior. On the previous date last chance was given but today no one is present on behalf of the appellant which indicates that the appellant is not interested in pursuing the matter. The appeal is dismissed in default. Consign.

03. 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.

ATTESTED



(FAREEHA PAUL)  
Member(E)

\*Fazle Subhan, PS\*

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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5

قیمت 50 روپے	48156	پشاور بار ایسوسی ایشن، خیبر پختونخوا
ایڈریس:		PESHAWAR BAR ASSOCIATION
بار کونسل ایسوسی ایشن نمبر: BC-10-3363		
رابطہ نمبر: 0333-8800902		

بعدالت جناب: سرور کسبہ دم بیرون کی درخواست نمٹوانا

مخانب: سید	دعوی:
فقوح ایمان	علت نمبر:
بنام سید	مورخہ:
	جرم:
	تھانہ:

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام پر کیے گئے تھے۔ صاحب موصوف کو مقدمہ کی کل کارروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو رضی نامہ کرنے و تقررات فیصلہ بر حلف دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا کٹرفہ یا اپیل کی برآمدگی اور منسوفی، 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 ساختہ پر داخلہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا کوئی تازیح پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب یا بندنہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 10/12/2022

المواہد

Accept

نوٹ: اس وکالت نامہ کی فوٹو کاپی نامتابل قبول ہوگی۔