


Form-A

FORM OF ORDER SHEET

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

**Restoration Application No. 325/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	-2	3
1	30.04.2024	<p>The application for restoration of Appeal No. 6616/2021 submitted today by Mr. Zeeshan Khan Dawar Advocate. It is fixed for hearing before touring Division Bench at Peshawar on .....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 SERVICE**

**TRIBUNEL PESHAWAR**

Restoration Application No 325/2024

Khyber Pakhtunkhwa  
Service Tribunal

CM NO \_\_\_\_\_ IN service appeal no 6616/2021

Diary No. 12464

Dated 30-04-2024

Waqar ahmad S/o pazir gull R/O Amba Dher Mohallah  
Gharib abad Shabqadar disdric charasada

.....**APPLICANT**

**VERSUS**

1. Local govt and rural development department Khybers Pakhtunkhwa through secretary Peshawar
2. Local government and rural development department Khyber Pakhtunkhwa through director general , Peshawar
3. Director admin/ HR local government and rural development department Khyber Pakhtunkhwa Peshawar
4. Govt of Khyber Pakhtunkhwa ,through advocate general Peshawar.
5. Assistant director local govt and rural development department Khyber Pakhtunkhwa charasada.
6. Asif khan s/o bashir ahmad
7. Muhammad wakeel s/o Muhammad yousaf.

.....**Respondents**

**APPLICATION FOR RESTORATION OF THE CAPTIONED  
CASE WHICH WAS DISMISSED IN DEFAULT FOR NON  
PROSECUTION VIDE ORDER DATED 22.04.2024**

---

**Respectfully Sheweth:-**

1. That the captioned case was fixed for hearing before this Honourable Court on 22.04.2024 and was dismissed in default for non prosecution on the same date. **(Copy of Order dated 22.04.2024 is attached)**
2. That the applicant filed the above mentioned service appeal Before the Hon'ble Khyber Pakhtunkhwa Service Tribunal Peshawar.
3. That now the applicant approached this Hon'ble court for restoration which was dismissed in default on 22/4/2024.
4. That the date was inadvertently noted in the diary of counsel as 24/4/2024 instead of 22/4/2024.
5. That the application in hand is within time.
6. That valuable right of the Petitioner is involved in the case in question.
7. That law favors decision on merit of avoids technicalities moreover the application is quit with in time.
8. That any other ground will be raised at the time of arguments with prior permission of this Hon'ble Court.

It is, therefore, most humbly prayed that on acceptance of this application the above tilted appeal may kindly be restored for its decision on merit.

*[Signature]*  
APPLICANT

Through

*[Signature]*  
Zeeshan Khan Dawar

Advocates,  
High Court Peshawar

**AFFIDAVIT:**

It is stated 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 kept concealed from this Hon'ble Court.

*[Signature]*

DEPONENT

ATTESTED  
Oath Commissioner  
AHMAD HOAIB  
Advocate High Court Peshawar  
Cell: 3114916816  
*[Signature]*  
29/11/2024

(13)

4

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

Service Appeal No. 646 /2021



Waqar Ahmad S/o Pazir Gul R/o Amba Dher Mohallah  
Gharib Abd Shabqadar District Charsadda.

..... **Appellant**

**VERSUS**

1. Local Govt and Rural Development Department  
Khyber Pakhtunkhwa through Secretary,  
Peshawar.
2. Local Government and Rural Development  
Department Khyber Pakhtunkhwa Through  
Director General, Peshawar.
3. Director Admin / HR, Local Government and  
Rural Development Department Khyber  
Pakhtunkhwa Peshawar.
4. Govt of Khyber Pakhtunkhwa, through Advocate  
General Peshawar.
5. Assistant Director Local Government and Rural  
Development Department Khyber Pakhtunkhwa  
Charsadda
6. Asif Khan S/o Bashir Ahmad
7. Muhammad Wakeel S/o Muhammad Yosuf

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

AS  
24/7/24



S.A No. 6616/2021

*Waqar Ahmad is Granted*

22.04.2024 1. Nobody present on behalf of appellant. Mr. Asif Masood Ali Shah learned Deputy District Attorney for the official respondents present. Learned counsel for private respondents No. 6 to 9 present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, 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 22<sup>nd</sup> day of April, 2024.

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



*[Signature]*  
(Rashida Bano)  
Member (J)

\*KaleemUllah

Date of Presentation of Application 24-4-24  
 Number of words page = 2  
 Copying Fee 10/-  
 Urgent 5/-  
 Total 15/-  
 Name of Copyist Shahzad  
 Date of Completion of Copy 24-4-24  
 Date of Delivery of Copy 24-4-24

Certified to be true copy  
*[Signature]*  
 EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

6

قیمت 50 روپے	39402	پشاور بار ایسوسی ایشن، خیبر پختونخواہ	
ایڈوکیٹ: ذیشان خان داور		PESHAWAR BAR ASSOCIATION	 
بار کونسل ایسوسی ایشن نمبر: Bc14.7741			
رابطہ نمبر: 033398258806			

بعدالت جناب: سرسی ریٹیل لٹائر

مخائب: Applicant	دعوی: Restotation
وفاحد احمد	علت نمبر:
بنام	مورخہ:
	جرم:
Local Court or other	تھانہ:

### بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام ذیشان خان داور کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر حالات و 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 بیکطرفہ 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 داخست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جائے التوائے مقدمہ کے سبب سے ہوگا وکالی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب ہابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: /20  
 العبد ذیشان خان داور العبد  
 مقام کے لیے منظور ہے۔

وفاحد احمد وکیل  
 ذیشان خان داور

E-mail: Zeeshankhandakzai@gmail.com

نوٹ: اس وکالت نامہ کی فوٹوکاپی ناقابل قبول ہوگی۔

Office: Basma New bus complex Peshawar