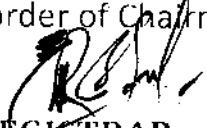


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 411/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.05.2024	<p>The implementation petition of Mr. Rasheed Ahmad submitted today by S. Zia Ur Rehman Farooqi Advocate. It is fixed for implementation report before touring Single Bench at Swat on 04 .06.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to the counsel for the petitioner.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE LEARNED
KP SERVICE TRIBUNAL PESHAWAR

E. P. No. 411/2024

Civil Misc. No. _____/2024

In Service Appeal No. 7722/2021

Khyber Pakhtunkhwa
Service Tribunal

Case No. 13019

D. 27-05-2024

Rasheed Ahmad S/o Dost Muhammad

R/o Gandagir Dir Upper, Presently serving as Constable Belt No.

1119, DPO Dir Upper

(Appellant)

VERSUS

- 1) Inspector General of Police, Khyber Pakhtunkhwa
- 2) Regional Police Officer, Malakand at Saidu Sharif, Swat
- 3) District Police Officer, Dir Upper

(Respondents)

Application for and on behalf of applicant for restoration of above mentioned service appeal, dismissed in non-prosecution on 07.05.2024.

Respectfully Sheweth,


- 1) That the above mentioned appeal was fixed for attendance on 07.05.2024, which was dismissed in non-prosecution vide Order dated 07.05.2024. (Copy of order dated 07.05.2024 is attached as Annexure A)

- 2) That the counsel for the appellant was in Saudi Arabia to perform Umrah. He could not appear before the court on the fixed dates, as he was unable even to communicate the date to his client.
- 3) That non-appearance was not intentional or deliberate, but due to the above reasons.
- 4) That it is settled principal enunciated by the superior courts that a case is to be decided on merits and litigants should not be knocked out on mere technicalities.
- 5) That valuable rights of the appellant are involved in the case and he will face irreparable loss, if the appeal is not restored.
- 6) That there is no legal embargo in restoration of the said petition.
- 7) That as prima facie the present petition is time barred so separate application for condonation of delay is being filling.
- 8) That any other ground may be agitated at the time of arguments with the kind permission of this hon'ble court / tribunal.

It is, therefore, most humbly prayed that on acceptance of this application, the titled appeal may kindly be restored and be heard / decided on its own merits in the best interest of justice.

Appellant

Through


S. Zia Ur Rehman Farooqi
Advocate High Court,
Peshawar

Date: 23.05.2024

AFFIDAVIT

I, do hereby solemnly affirmed 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 Honourable Court.


DEPONENT



23-5-2024

①

BEFORE THE LEARNED
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 7722 /2021



Khyber Pakhtunkhwa
Service Tribunal
Date: 7744
Date: 18/10/2021

Rasheed Ahmad S/o Dost Muhammad

R/o Gandagir Dir Upper presently serving as Constable Belt No.
1119, DPO Dir Upper

(Appellant)

VERSUS

- 1) Inspector General of Police, Khyber Pakhtunkhwa
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat
- 3) District Police Officer, Dir Upper

(Respondents)

Service Appeal Under Section 04 of the
Service Tribunal Act, against the order dated
14.10.2016 upto the extent whereby the
absence period from 06.06.2010 to
06.07.2020 and remaining intervening service
period was treated as Service without pay, as
well as decision upon departmental appeal
dated 13.09.2021 which was turned down.

Medha-day
Registrar
18/10/21

ATTESTED
Khyber Pakhtunkhwa
Service Tribunal
23-5-24

Appeal No-7722/2021
Ragheed Ahmad vs Govt

07.05.2024 1. Nobody present on behalf of appellant. Mr. Muhammad Jan, District Attorney alongwith Noroz Khan, DSP (Legal) for the respondents 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 at camp court Swat and given under our hands and seal of the Tribunal on this 7th day of May, 2024.



(Farook Paul)
Member (I)
Camp Court Swat

(Rashida Bano)
Member (J)
Camp Court Swat

*Kaleem Ullah

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

23-5-24

Date of Presentation of Application	23-5-2024
Number of Pages	2
Copying Fee	10/-
Urgent	5/-
Total	15/-
Name of Copyiest	Shahzad
Date of Completion of Copy	23-5-24
Date of Delivery of Copy	23-5-24

