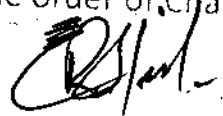


Form-A

FORM OF ORDER SHEET

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

**Restoration Application No. 778/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	24.07.2024	<p>The application for restoration service appeal No. 11138/2020 submitted today by Mr. Muhammad Maaz Madni Advocate. It is fixed for hearing before Division Bench at Peshawar on 26.07.2024. 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 =  
GM. NO. 778 /2024

IN

Appeal No. 11138/2020

WAKEEL KHAN

VS

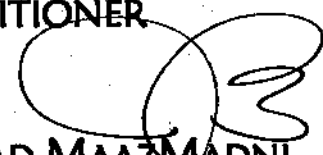
POLICE DEPTT:

**INDEX**

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Application	.....	1-2
3.	Judgment/order sheet	A	3-4

PETITIONER

THROUGH:

  
**MUHAMMAD MAAZMADNI**  
ADVOCATE HIGH COURT,  
PESHAWAR  
0333-9313113, 0314-9965666

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR**

**RA**  
**GM. NO. 778 /2024 IN Appeal No. 11138/2020**

WAKEEL KHAN, IHC No. 309 Police Line, Mardan.  
R/O Baghicha Dhery, District Mardan

.....APPELLANT

VERSUS

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 14472

Dated 24-07-2024

1. THE INSPECTOR GENERAL OF POLICE,  
Khyber Pakhtunkhwa, Central Police Office, Peshawar.
2. THE ADDITIONAL INSPECTOR GENERAL (ESTABLISHMENT),  
Central Police Office, Peshawar.
3. THE REGIONAL POLICE OFFICER,  
Mardan Rangion-1, District Mardan.

.....RESPONDENTS

**APPLICATION FOR RESTORATION OF THE ABOVE-MENTIONED  
SERVICE APPEAL**

**R/SHEWETH:**

- 1- That the above title service appeal is pending adjudication before this august Tribunal which was fixed for hearing on 12-07-2024.
- 2- That the appellant filed the above service appeal against the order dated 02-01-2020 whereby the appellant has been reverted back to the IHC.
- 3- That case was fixed for hearing on 12-07-2024 but inadvertently the case was noted to be fixed on 22-07-2024.
- 4- That due to non-appearance of the appellant or his Counsel on the date fixed dated 12-07-2024 was not deliberate rather due to the above-mentioned reason and the case of the appellant is dismissed in default by this Honourable Tribunal vide judgment/Order Sheet dated 12-07-2024.

**Copy of the order sheet dated 12.07.2024 is attached  
as Annexure .....A**

- 5- That the case was attended on each and every date rather the case was argued at some length but due to some deficiency in the case this Honourable bench allowed adjourned on the request of both the parties.
- 6- That today counsel for the appellant was informed that case has been dismissed in default on 12-07-2024.

- 7- That the non-appearance of the counsel was neither deliberate nor intentional but caused due to the above mentioned reasons.
- 8- That, valuable rights of the appellant are involved in the instant case and the case has also got finality as being fixed in arguments stage.

It is therefore, most humbly prayed that on acceptance of this application the above-mentioned appeal may very kindly be restored.

Dated: 22-07-2024

PETITIONER/APPLICANT

*Wakeel Khan*  
**WAKEEL KHAN**

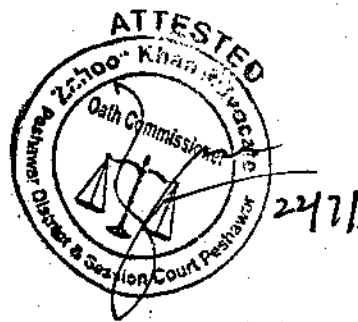
Through:

*Muhammad MAAZ MADNI*  
**MUHAMMAD MAAZ MADNI**  
Advocate, Peshawar

**AFFIDAVIT**

It is solemnly affirmed that the contents of the instant restoration petition are true and correct to the best of my knowledge and believe and nothing has been concealed from this Honourable Tribunal.

*Wakeel Khan*  
**DEPONENT**  
16102-0141975-9  
0345-9310016



1 (3) NA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

SERVICE APPEAL NO. 1188 /2020



WAKEEL KHAN, IHC No. 309  
Police Line, Mardan.  
R/O Baghicha Dhery, District Mardan

..... APPELLANT

VERSUS

1. THE INSPECTOR GENERAL OF POLICE,  
Khyber Pakhtunkhwa, Central Police Office, Peshawar.
2. THE ADDITIONAL INSPECTOR GENERAL (ESTABLISHMENT),  
Central Police Office, Peshawar.
3. THE REGIONAL POLICE OFFICER,  
Mardan Region-1, District Mardan.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 02-01-2020 WHEREBY THE APPELLANT HAS NOT BEEN CONFIRMED IN THE RANK OF ASI (OFFICIATING) AND REVERTED TO HIS SUBSTANTIVE RANK OF IHC AND AGAINST THE APPELLATE ORDER DATED 29-07-2020 WHEREBY THE DEPARTMENTAL APPEAL 24-03-2020 OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of this appeal the impugned orders dated 02-01-2020 and 29-07-2020 may very kindly be set aside and the respondents may be directed to restore and confirm the appellant on the Rank of ASI (officiating) from the date when the other colleague has been restore with all back & consequential benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Respectfully Sheweth:

FACTS:

Brief facts which give rise to the instant appeal are as under:-

1. That, the appellant is the Law abiding, peaceful & bonafide resident of District Mardan and is the employee of the respondent Department.

ATTESTED

SA No: 11138/2020 (4)

13<sup>th</sup> June, 2024



RECEIVED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
13/06/2024

1. Learned counsel for the appellant present. Mr. Atta-ur-Rehman, DSP (Legal) alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant seeks further time for preparation of brief. Granted. To come up for arguments on 12.07.2024 before the D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)  
Member (Executive)

(Kalim Arshad Khan)  
Chairman

\*Naem Amin\*

ORDER

12<sup>th</sup> July 2024

Kalim Arshad Khan, Chairman: Nobody present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

2. The case was called several times but neither appellant nor his counsel turned up before the Tribunal, till its rising. Therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 12<sup>th</sup> day of July, 2024.*

(Rashida Bano)  
Member(J)

(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, P.A.\*

Date of Presentation of Appeal: 22/7/24  
Number of Pages: page 2  
Copying Fee: 10/-  
Urgent: \_\_\_\_\_  
Total: 10/-  
Name of Copy: \_\_\_\_\_  
Date of Completion: 24/7/24  
Date of Delivery of Copy: 24/7/24

ATTESTED

24/7/24

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar