


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 368/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	16.05.2024	<p>The application for restoration of Appeal No. 1375/2020 submitted today by Mr. Muhammad Aisf Yousafzai Advocate. It is fixed for hearing before Single Bench at Peshawar on . Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: center;"> REGISTRAR</p>

①

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

R. A. NO. 368/2024
Appeal No. 13575/2020

Arabistan, Ex-PST (PBS-12)
GPS Tango Zabit Khan District Khyber at Jamrud.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12841

Dated 16.05.2024

(APPELLANT)

V/S

- 1) The secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
- 2) The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
- 3) The district education officer (Male) District Khyber at Jamrud.
- 4) Zerman Ullah PST (BPS-12), Tango Zabit Khan District Khyber Jamrud.

(RESPONDENTS)

.....

**APPLICATION FOR RESTORATION OF THE INSTANT APPEAL
TILTED MENTIONED ABOVE**

.....

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal for directing the respondents to reinstate the appellant against the order dated 28.07.2020 with all pay and other service benefits.
2. That the appeal was in argument stage and fix for arguments on 07.05.2024 but the council for appellant was busy in Peshawar high court Peshawar and did not attend the case on date fixed due which the instant appeal was dismissed in default. (copy of order sheet is attached as Annexure-A)
3. That the appellant has good prime facie case it will in intrsut of justice to decide the case on merit.

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It is, therefore, most humbly prayed that on acceptance of this application, the instant appeal may be restored and decides on merit to meet the ends of justice. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of the appellant.

Dated 16.05.2024

Arabistan

Appellant
Arabistan

THROUGH:

M. Asif Yousafzai

(M. ASIF YOUSAFZAI)
ADVOCATES, PESHAWAR.

AFFIDAVIT:

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief and nothing has been concealed from Hon'able Tribunal.

M. Asif Yousafzai

Deponent



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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 13575/2020



Arabistan, Ex-PST (PBS-12)
GPS, Tango Zabit Khan District Khyber at Jamrud.

(APPELLANT)

VERSUS

1. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) District Khyber at Jamrud.
4. Zerman Ullah PST (BPS-12), GPS Tango Zabit Khan Jamrud.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 28.07.2020, WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT WAS WITHDRAWN AND RESPONDENT NO.4 WAS APPOINTED ON THE PLACE OF THE APPELLANT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STIPULATED PERIOD OF NINETY DAYS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 28.07.2020 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO, BE AWARDED IN FAVOUR OF APPELLANT.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

16-5-20


Appeal No. 13575/2020 (4)
Arabistan vs Govt

12th Jan. 2024

1. Learned counsel for the appellant and Mr. Muhammad Jan, District Attorney for the respondents present.
2. Former made a request for adjournment in order to prepare the brief. Adjourned by way of last chance. To come up for arguments on 07.05.2024 before D.B. P.P given to the parties.

SECRET
Peshawar
Mutazam Shah


(Rashida Bano)
Member (J)

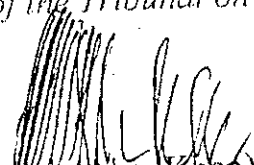

(Kalim Arshad Khan)
Chairman


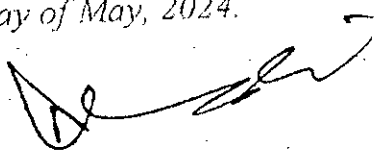
07th May, 2024


Nobody is present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present.

2. On previous date, last chance was given for arguments but today nobody put appearance on behalf of the appellant till rising of the court, therefore, 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 07th day of May, 2024.


(Muhammad Akbar Khan)
Member (Executive)


(Kalim Arshad Khan)
Chairman

ATTESTED

Naeem Anjum
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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