

Restoration Application No.644/2024 of Service Appeal No.1551/2018 titled "Saeed Ahmad Khan Vs. Education Department"

ORDER

5th Sept. 2024

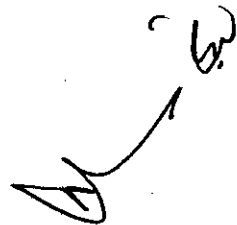
Kalim Arshad Khan, Chairman: Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General for the respondents present and heard.

2. This is an application for restoration of Service Appeal No.1551/2018 which was dismissed in default on 03.10.2023 by Division Bench of this Tribunal.

3. For restoration of an appeal, the period for filing application for restoration is 15 days, as per Rule 19(3) of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 and that too, after showing a reasonable ground. The said sub-rule is reproduced as under:

"(3) Where an appeal is dismissed under sub rule(1) or an ex-parte order made under sub-rule (2), the Tribunal may for sufficient cause on an application made within 15 days restore the appeal or as the case may be set aside the ex-parte order on such terms as to costs or otherwise as it thinks fit to impose."

4. The appeal was dismissed in default on 30.10.2023, while the instant application has been filed on 27.06.2024 (after passage of 7 months and 28 days). The application is not supported by any affidavit nor is there any reason stated in the application what to talk of its reasonableness.

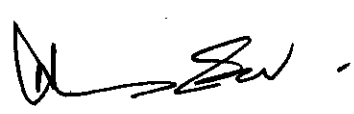


5. In view of the above, instant application being barred by time, is dismissed with costs. Consign.

6. *Pronounced in open Court at Swat and given under our hands and seal of the Tribunal on this 5th day of September, 2024.*



(Rashida Bano)
Member (J)
Camp Court, Swat



(Kalim Arshad Khan)
Chairman
Camp Court, Swat

Mutazem Shah