


Form-A

FORM OF ORDER SHEET

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

Restoration Application No. 940 /2024

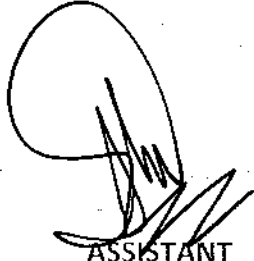
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	09.09.2024	<p>The application for restoration of service appeal No. 920/2021 submitted today by Mr. Kamran Sarwar Advocate. It is fixed for hearing before Division Bench at Peshawar on 16.09.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p>By of order the Chairman</p> <p> REGISTRAR</p>

The C.M in appeal no. 920/2021 received today i.e. on 19-8-2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Memorandum of application is not signed by appellant.
2. Appeal or CM shall be address to Khyber Pakhtunkhwa Service Tribunal, Peshawar.

No. 664 /S.T,

Dt. 9/9 /2024

  
ASSISTANT  
to REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR

Mr. Kamran Sarwar Adv. Pesh.

*objections  
have been removed*  
*ATG*  
*9/9/2024*



**BEFORE THE HON'BLE, KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL, PESHAWAR**

R.A. No. 940/2024

Khyber Pakhtunkhwa  
Service Tribunal

**APPLICATION FOR RESTORATION IN**

Diary No. 15067

**SERVICE APPEAL No: - 920 /2021**

Dated 19/8/2024

Gul Zar Khan Inspector (Rtd) Investigation unit CPO, Police  
Department Khyber Pukhtoonkhwa, Peshawar.

..... Appellant

**Versus**

1. The Inspector General of Police Khyber Pukhtunkhawa
2. The Additional Inspector General of Police, Establishment Department Khyber Pukhtunkhawa.

..... Respondents

**APPLICATION FOR RESTORATION  
UNDER THE ENABLING PROVISION OF  
LAW FOR SETTING ASIDE ORDER  
DATED 18/07/2024, WHEREBY THE  
SERVICE APPEAL NO: 920 /2021 WAS  
DISMISSED IN DEFAULT**

Respectfully Sheweth,

1. That the above captioned Appeal was pending disposal in this Hon'ble court and was fixed for 18-07-2024.
2. That The COUNSEL for Appellant was appeared before this Hon,ble Tribunal and made his attendance. In this regard the cause list and camera recording of the dated 18.07.2024 may be checked.
3. That the order and Judgment dated 18-07-2024 of this Hon,ble Tribunal is liable to be set aside and the appeal is to be restored and be decided on merits on the following grounds amongst other inter alia:-

**GROUND:-**

- A. That The COUNSEL for Appellant was appeared before this Hon,ble Tribunal and made his attendance. In this regard the cause list and camera recording of the dated 18.07.2024 may be checked.
- B. That the applicant is very vigilant in attending the case and he is regular in attending the appeal and has never remained absent from the court.
- C. That law favours adjudication on merits and abhors exparte decisions.
- D. That it is in the interest of Justice that technicalities should not come in the way of substantial Justice.
- E. That very valuable right of applicant is attached with the appeal and he will suffer irreparable loss if the appeal is not restored.
- F. That it is in the interest of justice that appeal must be decide on merits and technicalities should not come in the way of substantial justice.
- G. That there is no impediment in the way of restoration of appeal rather is according to law.

It is therefore humbly prayed that on acceptance of this application the appeal may kindly be restored and be decided on merits.

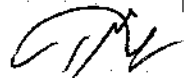
  
 APPLICANT

THROUGH

  
 KAMRAN SARWAR  
 ADVOCATE HIGH COUR

AFFIDAVIT

I do hereby solemnly affirm and declare on oath that contents of the petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able court.

  
 Applicant through Advocate



(3)  
10  
**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL, PESHAWAR**

SERVICE APPEAL No: - 920 /2021

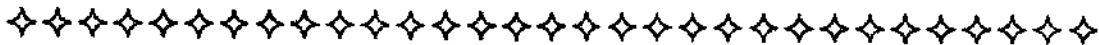
Gul Zar Khan Inspector (Rtd) Investigation unit CPO,  
Police Department Khyber Pukhtoonkhwa, Peshawar.

..... *Appellant*

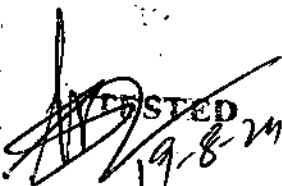
**Versus**

1. The Inspector General of Police Khyber Pukhtunkhawa
2. The Additional Inspector General of Police, Establishment Department Khyber Pukhtunkhawa.

..... *Respondents*



**APPEAL UNDER SECTION 4 OF THE**  
**KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL ACT, 1974 AGAINST THE**  
**IMPUGNED ACTION OF THE**  
**RESPONDENTS BY NOT ISSUING REVISED**  
**SENIORITY LIST AND NON-AWARDING**  
**PRO-FORMA PROMOTION TO THE**  
**APPELLANT TO THE POST OF DSP FROM**  
**THE DATE WHEN HIS COLLEGUES WERE**  
**PROMOTED AND AGAINST NG ACTION**  
**TAKEN ON THE**  
**DEPARTMENTAL APPEAL OF APPELLANT**  
**WITHIN THE STATUTORY PERIOD OF**  
**NINETY DAYS.**

  
19-8-21

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(4)



SA 920/21

*Gulzar Khan vs Govt*

18<sup>th</sup> July, 2024

01. Memo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

02. Called several times, till rising of the court but nobody appeared on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

03. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 18<sup>th</sup> day of July, 2024.

*R*  
(Rashida Bano)  
Member(J)

*Kalim Arshad Khan*  
(Kalim Arshad Khan)  
Chairman

\*Fazle Subhan PS\*

ATTESTED  
*[Signature]* 19-8-24  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 19-8-2024  
Number of ~~words~~ page 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyiest Shahzad  
Date of Completion of Copy 19-8-2024  
Date of Delivery of Copy 19-8-2024