


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1116/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.09.2024	<p>The application for restoration of Service appeal No. 2041/2023 submitted today by Mr. Amjid Ali Advocate. It is fixed for hearing before Division Bench at Peshawar on 01.10.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p style="text-align: right;">By order of the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

R.A NO: 1116 /2024
IN

APPEAL NO.2041/2020

Muhammad Farooq

VS

E&SE Deptt: & Others

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S.No.	Documents	Annexure	P. No.
1.	Memo of Application	-----	1-2
2.	Copy of order	-A-	3-4

APPELLANT

THROUGH:



AMJAD ALI
ASC

D

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

R.A NO: 1116 /2024
IN

APPEAL NO.2041/2023



Muhammad Farooq Khan S/o Radi Khan R/o Mohallah Naro Banda,
Maneri Bala Post Office Swabi Tehsil and District Swabi.

APPELLANT

VERSUS

1. Govt of KPK through Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar.
2. Chief Secretary Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
3. Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar

Khyber Pakhtunkhwa
Service Tribunal

16114

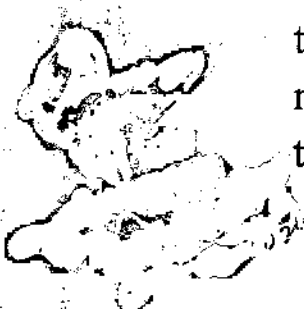
27/9/24

RESPONDENTS

**APPLICATION FOR RESTORATION OF APPEAL NO.
2041/2023 WHICH WAS DISMISSED IN DEFAULT VIDE
ORDER DATED 25/09/2024.**

RESPECTFULLY SHEWETH:

1. That the instant appeal No. 2041/2023 was filed before this Honorable Tribunal against for the adjustment order.
2. That the instant appeal was in arguments stage fixed on 25/09/2024 at Hon'able Service Tribunal. We were present in the court since morning then later on 03:00 P.M we were told to make the attendance and go home, my lawyer and myself make the attendance accordingly. Later on its comes to know that my appeal was put in default and dismissed.



5

Therefore I am requested to hon'ble court to restore my appeal. (Copy of the order is attached as annexure-A).

It is therefore, most humbly prayed, on acceptance of this application, the above mentioned appeal No. 2041/2023 may be restore in interest of justice.

[Handwritten Signature]

APPELLANT/APPLICANT

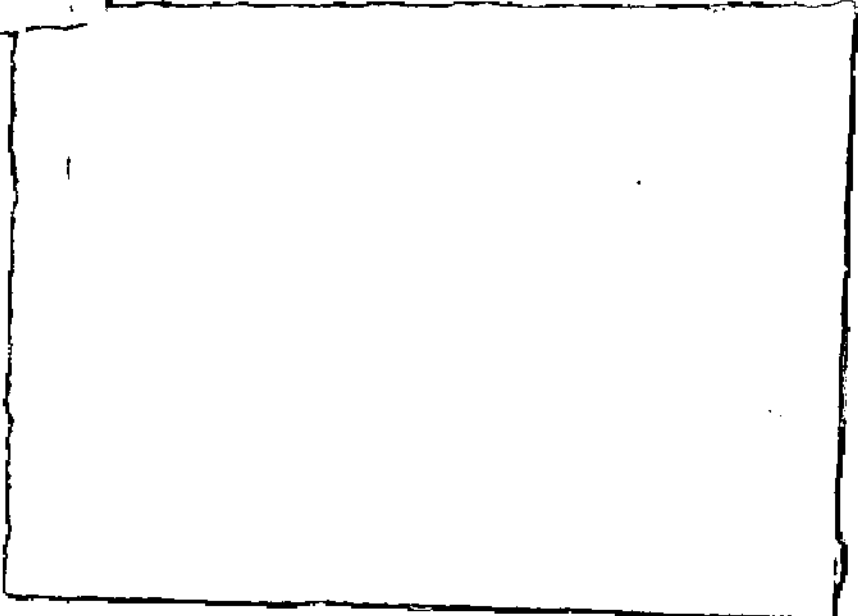
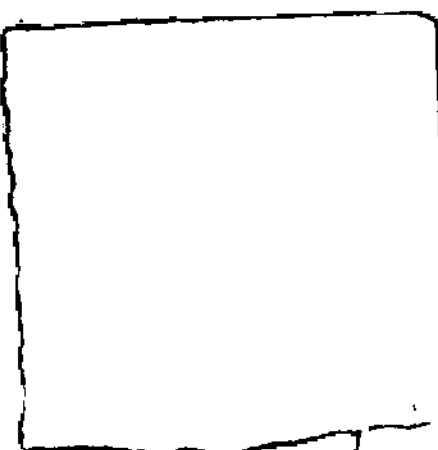
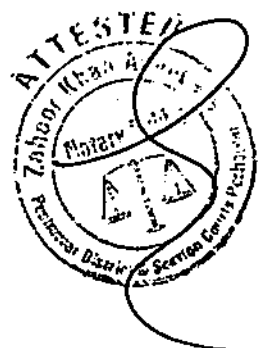
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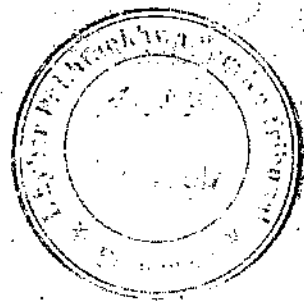
[Handwritten Signature]
AMJAD ALI
ASC

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.

[Handwritten Signature]
27/09/24
DEPONENT





3

**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 2041 /2023

Muhammad Farooq Khan S/O Redi Khan R/O Mohallah Naro Banda,
Maneri Bala Post Office Swabi Tehsil and District Swabi

.....Appellant

VERSUS

1. Govt of KPK through Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar.
2. Chief Secretary Khyber Pakhtunkhwa at Civil Secretariat Peshawar
3. Secretary Elementary and Secondary Education KP, Civil Secretariat Peshawar.

.....Respondents

SUBJECT: Appeal under Section 4 of Service Tribunal Act, against the final appellate order dated 11/04/2023 received on 03/05/2023 passed on departmental appeal dated 12/10/2020 wherein departmental appeal filed by the appellant for acceptance of his arrival report dated 18/10/2019/adjustment is rejected which is illegal, void ab initio, without lawful authority, of no legal effect and liable to be set aside.

Respected Sir,

Appellant humbly submits as under:

1. That appellant is permanent resident of District Swabi as evident from his CNIC (Copy of the CNIC is attached as Annexure A)
2. That appellant is appointed as CT (Trained) (BPS-9) vide appointment letter dated 16/10/1995 (Copy of the appointment letter dated 16/10/1995 is attached as Annexure B)
3. That after satisfactory service of two years, appellant stood confirmed by operation of law.
4. That appellant drawn his last pay as CT in November 1999 which shows that annual increments have been added after satisfactory service for each complete year of service (Copy of the last pay certificate is attached as Annexure C)
5. That appellant is later on appointed as Male Subject Specialist (BPS-17) on regular basis through Public Service Commission vide notification

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



ATTENDED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

27-09-2026

25.06.2024

01. Learned counsel for the appellant present. Mr. Umair Azam, Addl. AG alongwith Mehran, Assistant for the respondents present and heard.

02. Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security within 10 days. Reply/comments already submitted. Rejoinder, if any, in within a fortnight and case to come up for arguments on 25.09.2024 before the D.B. Parcha Peshi given to the parties.

(Fareeha Paul)
Member(E)

Fazle subhan P.S

ORDER
25/09/2024

None present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

Despite repeated calls at different intervals until the court's rising, none appeared on behalf of the appellant.

In view of the above, this appeal is dismissed in default for want of prosecution. File be consigned to the record room.

ANNOUNCED
25/09/2024

(Rashida Bano)
Member (Judicial)

(Aurangzeb Khattak)
Member (Judicial)

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

27-09-2024