


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1115/2024

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. 4295/2020 submitted today by Mr. Saif Ullah Khalil 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 COURT OF SERVICE TRIBUNAL PESHAWAR

①

Service Appeal No. 4295/2020

R.A. No. 1115/2024

Mr. Muhammad Ashraf TT GPS Ibrahim Tehsil Central Orakzai
Agency.....

Appellant.

Versus

1. The Secretary (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. District Education Officer (male) District Hangu....
3. Director Education (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.

Respondents.

Khyber Pakhtunkhwa
Service Tribunal
Case No. 16/06
27/9/24

APPLICATION FOR RESTORATION OF CASE MENTIONED ABOVE

Respectfully Sheweth:

The petitioner humbly submits as:

1. That the petitioner is complainant in the instead case and was unaware of date of hearing, which was untakingly mentioned as 09-09-2024.
2. That the petitioner today came to this august court and was informed that this case was dismissed by this August court.
3. That the petitioner being complainant was not able to take the remedy.
4. That absentee was not voluntary and due to mistake in date of hearing.
5. That the case for fixed for 26/09/2024 before this honorable Court for arguments, later on dated 09/08/2024 this honorable accelerated the case in hand to and early date for arguments for 09/09/2024 to be fixed before this honorable court and this regard no notice was served upon the parties and their council and on dated 09/09/202 the case in hand was illegal and unlawfully dismissed for non-prosecutions as law always prefer to disposed of cases on merits.
6. That the instant application is well with in time and there is no bar and acceptance of the same.

It is therefore requested that the order dated 09-09-2024 may kindly be recalled/cancelled and the trail of instant case may kindly be initiated from the stage in which it was dismissed please.

Dated: 27-09-2024

محمد اسرف

Petitioner

Through

SIAF ULLAH KHALIL

&

MURTAZA QURESHI

Advocate Peshawar

Affidavit

It is stated that all the contest of restoration application are true and correct to the best of my knowledge and belief and nothing has been concealed.





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4295 /2020

Mr. Muhammad Ashraf TT GPS Ibrahimo Tehsil Central
Orakzai Agency.....
.....Appellant.

Versus

1. The Secretary (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secreteriat, Peshawar.
 2. District Education Officer (male) District Hangu...
 3. Director Education (Elementary and Secondary Education) Khyber Pakhtunkhwa, Civil Secreteriat, Peshawar.
- ..Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS
ACT, 1974.**

Respectfully Sheweth,

1. That appellant the appellant was appointed in the respondents' department on dated 23/11/2009 as Theology Teacher; he has got more than 08 years of service to his credit with unblemished and clean-sheeted conduct record. No complaint or adverse entry has ever been made against him during the above-mentioned period.

(Copy of the appointment letter is attached as Annexure-A).

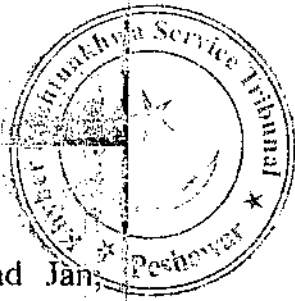
ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

26-09-2024

4295/2020

4



26th July, 2024 1.

Appellant in person present. Mr. Muhammad Jan,

District for respondents present.

2. Appellant seeks adjournment on the ground that his counsel is not available today. Granted but as a last chance to argue the case on the next date positively. To come up for arguments on 26.09.2024 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar

(Aurangzeb Khattak)
Member (J)

(Kalim Arshad Khan)
Chairman

Abbas Shabb P.A

ATTESTED

EXAMINER
Peshawar Service Tribunal
27-09-2024

09.08.2024

Counsel for the
appellant was informed
telephonically

This case was fixed for 26.09.2024 for arguments, as the appeal pertains to the year 2020 and is old one, therefore, the appeal file was requisitioned, and office is directed to accelerate and fix it for arguments on 09.09.24 before the D.B. Parties be informed accordingly.

[Signature]
12/8/24

Naeem Amin

(Rashida Bano)
Member (J)



ORDER

9th Sept, 2024

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

2. On 12.08.2024, the office had informed the learned for the appellant for the date fixed. Today 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 9th day of September, 2024.*

(Rashida Bano)
Member(J)

(Kalim Arshad Khan)
Chairman

Adnan Shah: P.A

Date of Presentation of Application	26-09-2024
Number of Words	4-P
Copying Fee	20/-
Stamp	5/-
Total	25/-
Name of Applicant	
Date of Completion	26-09-2024
Date of Delivery	26-09-2024

ORDER
9th Sept, 2024
ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
26-09-2024