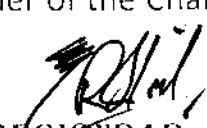# Form-A

FORM OF ORDER SHEET

Court of_____

Restoration Application No.   1110/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	25.09.2024	The application for restoration of Service appeal No. 2421/2023 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Single Bench at Peshawar on 30.09.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.

By order of the Chairman

REGISTRAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

R.A NO: 1110 /2024
IN

APPEAL NO.2421/2023

Bilal Ahmad   **VS**   Police Deptt:

INDEX

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

APPELLANT

THROUGH:

(SYED NOMAN ALI BUKHARI)
&
(UZMA SYED)
Advocates, High Court Peshawar

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

R.A NO: 11 10 /2024
IN
APPEAL NO.2421/2023

Mr. Bilal Ahmad Ex-Constable PBS-07
S/o Said Alam R/o Sohbat Dhand Shalobar Road Bara District Khyber.

APPELLANT

VERSUS

1.   Inspector General of Police Khybe Pakhtunkhwa Peshawar.
2.   Capital City Police Officer, Peshawar.
3.   The District Police Officer Khyber.

RESPONDENTS

APPLICATION FOR RESTORATION OF APPEAL NO. 2421/2023 WHICH WAS DISMISSED IN DEFAULT VIDE ORDER DATED 12/09/2024.
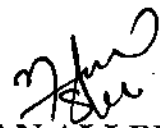
RESPECTFULLY SHEWETH:

1.   That the instant appeal No. 2492/2023 was filed before this Honorable Tribunal against the dismissal order.

2.   That the instant appeal was in preliminary hearing stage fixed on 12/09/2024 at Hon'able Service Tribunal. The counsel for the appellant not attends the court due to his illness. Therefore, the above mentioned appeal was dismissed in default vide order dated 12/09/2024. Now the appellant engaged undersigned as counsel. **Copy of the order is attached as annexure-A.**

3.   That counsel for the appellant file application for attested order sheet, which was handed over to the counsel for appellant on 25/09/2024, so the instant restoration application is well in time.

4.   That valuable right is involved in the instant appeal of the appellant, So, it is in the interest of justice that the appeal should be dealt on merit rather to dismiss in default.

It is therefore, most humbly prayed, on acceptance of this application, the above mentioned appeal No. 2421/2023 may be restore in interest of justice.

APPELLANT/APPLICANT

Through:
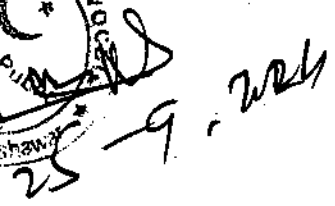
SYED NOMAN ALI BUKHARI
ADVOCATE, HIGH COURT
PESHAWAR.

AFFIDAVIT

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

DEPONENT

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No.2421/2023.

Bilal Ahmad (Ex-constable BPS-07) S/O Said Alam R/O Sohbat Dhand Shalobar Road Bara District Khyber.

....Appellant.

....VERSUS...

1- District Police officer Khyber.
2- Capital City Police Officer at Peshawar.
3- Inspector General of Police Khyber Pakhtunkhwa Peshawar.

...............................RESPONDNETS.

APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 20.10.2021 VIDE WHICH THE APPELLANT WITHDRAWN FROM SERVICE.

Prayer:
That on acceptance of this instant service appeal the impugned orders dated 20.10.2021my graciously be set asid & the respondents may kindly be directed to reinstate the appellant of his job with all back benefits. Any other appropriate relief which this august Tribunal deems fit that may also be awarded in favor of the appellant.

RESPECTFULLY SHEWETH:
ON FACTS:

Brief facts of the appeal are as following:

1. That the appellant was appoint as a police constable BPS-7 through the appointment order dated 28.06.2021 and join the department.

Copy of appointment order dated 28.06.2021
Is attached as annexure........A

2. That the appellant after joining serve the department diligently honestly and efficiently and up to the entire satisfaction of his superior and the appellant recommended for training on serial No. 52 to the police training center hangu on dated 11.09.2021.

Copy of order dated 11.09.2021 & training list & attendance list are attached as annexure....B.

3. That the following allegations were leveled against the appellant the above mentioned was informed time and against though his mobile and also through local police station but the above name candidate neither came for joining his duty nor giving his statement for resign.

21.08.2024

1. Junior to counsel for the petitioner present. Mr. Arshad Azam, Assistant Advocate General for the respondents present.

2. Junior to counsel for the appellant requested for adjournment that time may be granted him to file rejoinder. He may do so within 07 days. To come up for preliminary hearing on 12.09.2024 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)
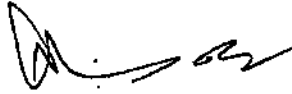
12th Sept. 2024 **Kalim Arshad Khan, Chairman:** Nobody is present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

2. In this case, pre-admission notice had been issued to the respondents, in response of which, the respondents had filed reply/comments, and the same is pending for preliminary hearing. Today, the case was called several times but nobody put appearance on behalf of the appellant till rising of the Court. Therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 12th day of September, 2024.*

(Kalim Arshad Khan)
Chairman

Muttazem Shah

Date of Presentation of Application _____ 25-09-2024
Number of Words _____ 2-P
Copying Fee _____ 10/-
Urgent _____ —
Total _____ 10/-
Name of Copyist _____ —
Date of Completion _____ 25-09-2024
Date of Delivery of Copy _____ 25-09-2024

وكالت نامہ

بعدالت جناب ... Service ...

مقدمہ بعنوان 242/202 ... No. ... بنام Addeem

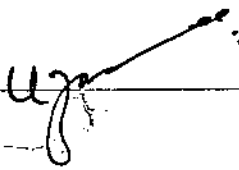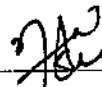| علت	
مورخہ	منجانب
جرم	دعویٰ
تھانہ	

باعث تحریر آنکہ

مقدمہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ/جملہ

آن مقام متعلق کیلئے ... علی ... ایڈوکیٹ

کو وکیل مقرر کرکے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا مختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جواب دیہ جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تا کہ سند رہے

مقام _____ کے لئے منظور ہے

دستخط ایڈوکیٹ _____