


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1083/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	23.09.2024	<p>The application for restoration of service appeal No. 9264/2020 submitted today by him. It is fixed for hearing before touring Division Bench at Swat on 08.10.2024. Original file be requisitioned. Parcha Peshi given to the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL PESHAWAR CAMP
COURT SWAT

Service Appeal No. 9264/2020

Restoration No 1083 /24

Mr. Mehmood Idrees S/o Rahmat Jan R/o Dislower Tehsil Wari Upper Dir
_____ (Petitioner / Appellant)

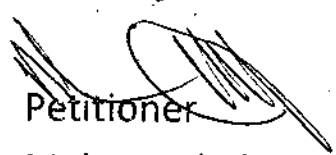
VERSUS

1. Govt of KPK through Secretary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Upper Dir.

_____ (Respondents)

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S.No.	Description of Documents	Annexure	Pages
1	Petition along with Affidavit		1-2
2	Copy of judgment	A	3-4
3	Wakalt Nama		


Petitioner
Mehmood Idrees S/o
Rahmat Jan
Cell:0313-8578537

①

**BEFORE THE SERVICE TRIBUNAL PESHAWAR CAMP
COURT SWAT**

Service Appeal No. 9264/2020

Restoration No 1083 /24

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15984

Dated 23-09-2024

Mr. Mehmood Idrees S/o Rahmat Jan R/o Dislower Tehsil Wari Upper Dir

_____ (Petitioner / Appellant)

VERSUS

1. Govt of KPK through Secretary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Upper Dir.

_____ (Respondents)

Application for the restoration of the above titled Service appeal No. 9264/2020 Which was Dismissed for non-prosecution on dated:04-06-2024


Respectfully sheweth:

The petitioner submits as under:-

1. That the above titled service appeal was pending adjudication before this Hon,ble Tribunal which was dismissed in default on dated:04-06-2024 through a short order. (Copy of the order is attached)
2. That the petitioner begs to restore the same on the following grounds:
 - I. That the above title case was dismissed in default at the stage of appearance of the parties and not on the hearing on merit.
 - II. That the non-appearance of the applicant was not intentional but due to serious illness.

- III. That the council of the appellant was out station for court proceeding.
- IV. That law and equity demands the decision of lis on merits and not on conjecture and surmises in this regard the apex courts declare their view in plethora of judgments.
- V. That precious right of the applicant is attached to the above titled case, Therefore the decision of which on merit is necessary for the ends of justice.

It is humbly prayed that on acceptance of this application the above titled service appeal may kindly be restored in the best Interest of justice.


Petitioner
Mehmood Idrees S/o
Rahmat jan
Cell:0313-8578537

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BEFORE THE SERVICE TRIBUNAL PESHAWAR CAMP
COURT SWAT

Service Appeal No. 9264/2020

Restoration No _____/24

Mr. Mehmood Idrees S/o Rahmat Jan R/o Dislower Tehsil Wari Upper Dir
_____ (Petitioner / Appellant)

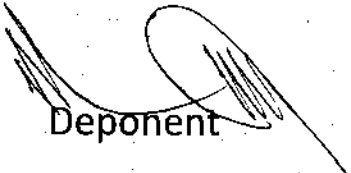
VERSUS

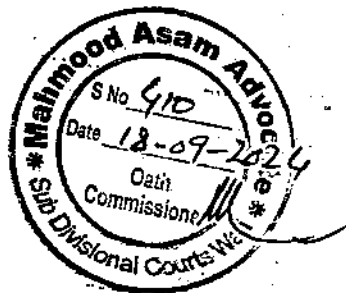
1. Govt of KPK through Secretary Education Peshawar.
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Upper Dir.

_____ (Respondents)

AFFIDAVIT

I, Mehmood Idres S/o Rahmat jan R/O Dislower Tehsil Wari District Dir Upper, do hereby solemnly declared and affirm on oath that the contents of the instant miscellaneous application are true and correct to the best of my Knowledge and belief and nothing has been concealed from this Hon'ble Court/ tribunal.


Deponent



A/ (9)



BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA AT PESHAWAR

Service Appeal No 9264 of 2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8622

Dated 11/8/2020

Mehmood Idress presently service as SPST, GPS Jughbanj,
District Dir Upper,

.....Appellant

VERSUS

- 1) Govt. of KP through Secretary Education at Peshawar.
- 2) Director Elementary & Secondary Education Khyber
Pakhtunkhwa at Peshawar.
- 3) District Education Officer Dir Upper.

.....Respondents

SERVICE APPEAL UNDER SECTION 4, OF
THE KPK SERVICE TRIBUNAL ACT, 1974,
AGAINST THE ORDER DATED 05-12-2019
(COMMUNICATED ON 20-12-2019),
WHEREBY THE APPELLANT WAS
REINSTATED IN SERVICE WITH
IMMEDIATE EFFECT AND THE
INTERVENING PERIOD CONVERTED AS
LEAVE WITHOUT PAY AND AGAINST
WHICH DEPARTMENTAL APPEAL WAS
FILED BEFORE THE COMPETENT

Filed to-day
11/08/2020
Registrar

ATTESTED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

9264/20

Mehmood Idrees vs Govt




8.05.2024


01. Counsel for the appellant present. Mr. Uzair Azam

Addl. AG for the respondents present.

02. Request for adjournment was made on behalf of both the learned counsel for the appellant as well as learned AAG. Absolute last chance is given. In case of failure, no other chance will be given and the case will be decided without the arguments. To come up for augments on 04.06.2024 before the D.B at camp court, Swat. PP given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member(E)
Camp Court, Swat.


(Rashida Bano)
Member(E)
Camp Court Swat

Fazle Subhan, P.S

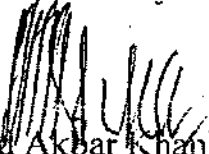
04th June, 2024


1. Nobody is present on behalf of the appellant. Mr. Umair Azam, Additional Advocate General for the respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed in default. Consign.

3. Pronounced in open court at camp court Swat and given

Certified true copy
MINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


(Muhammad Akbar Khan)
Member (E)
Camp Court Swat


(Rashida Bano)
Member (J)
Camp Court Swat

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Date of Presentation of Application	23-09-2024
Number of Works	2-P
Copying Fee	10/-
Urgent	51-
Total	151-
Name of	23-09-2024
Date of	23-09-2024
Date of Delivery	