


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1089/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	24.09.2024	<p>The application for restoration of Service appeal No. 6214/2020 resubmitted today by Mr.Ibad Ur Rehman Advocate. It is fixed for hearing before Division Bench at Peshawar on 30.09.2024. Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The C.M in appeal no. 6214/2020 received today i.e. on 29-8-2024 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. Approved file cover is used

No. 673 /S.T,

Dt. 9/9 /2024


ASSISTANT
TO REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

Mr. Ibad ur Rehman,
Advocate, Peshawar.

R/six,

The objection has been removed.

Bds

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

R. A. NO. 1089/2024
C.M. /2024

In

Appeal No. 6214/2020

Muhammad Umar

Appellant

VERSUS

Government of Khyber Pakhtunkhwa & other

Respondents

INDEX

S#	Description of Documents	Annexure	Page#
1.	Application for restoration along with affidavit		1-2
2.	Application for condonation of delay		3
3.	Order dated 30-07-2024	A	4-5

Dated 29/08/2024

Applicant

Through

Edr

Ibad Ur Rahman

Advocate High Court Peshawar

(P)

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

R- A . No. 1089/24
C.M. _____ /2024

Khyber Pakhtunkhwa
Service Tribunal

In

Diary No. 15305

Appeal No. 6214/2020

Dated 29.08.24

Muhammad Umar (AT), Government High School
Binyaminlower Kurram District Kurram.

Applicant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary
Elementary & Secondary Education Peshawar.
2. Director elementary & secondary education Peshawar.
3. District Education Officer Elementary & Secondary
Education District Kurram.
4. Additional District Officer Elementary & Secondary
Education Lower & Lower & Central Kurram District
Kurram.

Respondents

APPLICATION FOR RESTORATION

Respectfully Sheweth;

1. That the captioned case was pending adjudication before this Hon'ble Tribunal and has been dismissed in default for non-appearances on dated: 30/07/2024.
2. That my counsel was outstation and I stuck Parachinar due to worse law and order situation in District Kurram, therefore the appeal was dismissed for non-prosecution.
3. That the absence of the applicant/appellant was not intentional but due to un-avoidable circumstances.

- 4. That valuable rights of the applicant/appellant are involved in the captioned case hence need restoration.
- 5. That other grounds will be taken at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the instant petition, the captioned appeal case may graciously be restored and be decided on merits.

Dated: 29/08/2024

Applicant/Appellant

Through

IBAD UR RAHMAN

Advocate, High Court

Peshawar.

Affidavit:

Stated on oath that the contents of the above application are true and correct to the best of my knowledge and belief.

Deponent



BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

Misc application _____/2024

In

C.M No. _____/2024

In

Appeal No. 6214/2020

Muhammad Umar

Vs

Government of KP & others

**APPLICATION FOR CONDONATION OF
DELAY IN FILING OF APPLICATION.**

Respectfully Sheweth:

- 1) That the application for restoration is being filed with the application in hand, where no date of hearing has been fixed.
- 2) That I was struck in Parachinar due to worse law and order situation and mean while the event of the chehllum of Imam Hussain (R.A) was started due to which the whole city/area was sealed by the government officials therefore I could not persue my case in hand well with in time.
- 3) That it is in the interest of justice to condone the delay in filling the application.

it is, therefore, humbly prayed that on acceptance of this application the delay in filing of appeal may kindly be condone.

Dated 29/08/2024

Applicant

Through:



Ibad Ur Rahman

Advocate High Court Peshawar

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL
PESHAWAR.

APPEAL NO. 6219 /2020



Muhammad Umar (AT), Government High School
Bilyamin Lower Kurram, Distt: Kurram.

Appellant

Versus

- 1- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar.
- 2- Director, Elementary & Secondary Education, Peshawar.
- 3- District Education Officer, Elementary & Secondary Education, District Kurram.
- 4- Additional District Education Officer, Elementary & Secondary Education, Lower & Central Kurram, Distt: Kurram.

Respondents

APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 FOR DIRECTING THE RESPONDENTS TO GIVE ALL BACK BENEFITS & SENIORITY TO THE APPELLANT WEF 01/03/2013 WHEN THE OTHER TEACHERS WERE APPOINTED BUT THE APPELLANT HAS WRONGLY BEEN DEPRIVED FROM APPOINTMENT. AGAINST WHICH THE APPELLANT FILED A PROPER DEPARTMENTAL APPEAL ON 13-03-2020 AND STILL NO RESPONSE FROM THE RESPONDENTS.

Respectfully sheweth.

Appellant submits as under :-

ATTESTED
[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appal No. 6214/2020
M. Umar vs Govt

Annex: A

5

ORDER

30th July 2024


Kalim Arshad Khan, Chairman: Nobody present on behalf

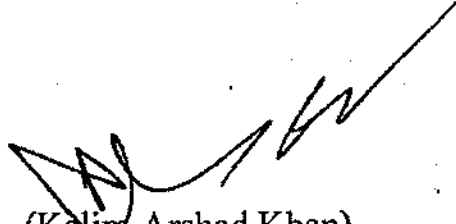
of the appellant. Mr. Muhammad Jan, District Attorney for the

respondents present.

2. On the previous, last chance was given to learned counsel for the appellant. 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.

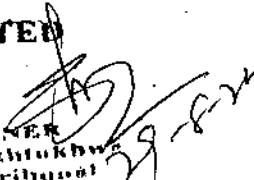
3. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 30th day of July, 2024.


(Rashida Bano)
Member(J)


(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 28/8/24
Number of Pages pages = 2
Copying Fee 10/-
Urgent _____
Total 20/-
Name of Copyist Shahzad
Date of Completion of _____ 29/8/24
Date of Delivery of _____ 29/8/24