


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1094/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	24.09.2024	<p>The application for restoration of Service appeal No. 6219/2020 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  REGISTRAR</p>


The C.M in appeal no. 6219/2020 received today i.e. on 29-8-2024 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

1. Memorandum of application is not signed by appellatant.

2. *Approved file cover be used*

No. 671 /S.T,

Dt. 9/9 /2024


ASSISTANT
TO REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

Mr. Ibad ur Rehman,
Advocate, Peshawar.

R/sid,

The objection has been removed.

(B)

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

R.A. NO - 1094/24
C.M. _____/2024

In
Appeal No. *6219/2020*

Fazal Ghani (T.T)

Appellant

VERSUS

Government of Khyber Pakhtunkhwa & other

Respondents

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Dated 29/08/2024

Applicant

Through:

Boz

Ibad Ur Rahman

Advocate High Court Peshawar

①

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

R.A. 1094/2024 Diary No. 15311

In Dated 29.08.2024

Appeal No. 6219/2020

Fazal Ghani (T.T) G.P.S
Takhtoo Central 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

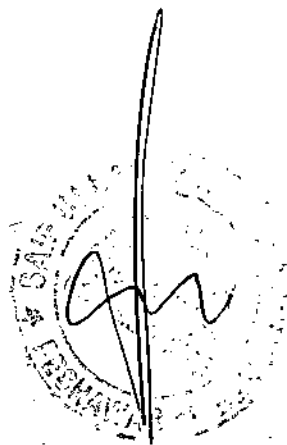
[Signature]
Applicant/Appellant

Through

[Signature]
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.



[Signature]
Deponent

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

Misc Application _____/2024

In

C.M No. _____/2024

In

Appeal No. 6219/2020

Fazal Ghani

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

(4)

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL
PESHAWAR.

APPEAL NO. 6219 72020.



Fazal Ghani (TT), Government Primary School
Takhtoo Central Kurram, Dist: Kurram.

.....Appellant

Versus

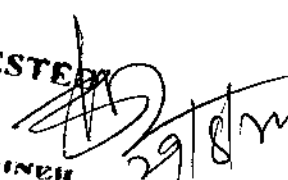
- 1- Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar.
- 2- Director, Elementary & Secondary Education, Peshawar.
- 3- District Education Officer, Elementary & Secondary Education, District Kurram.
- 4- Additional District Education Officer, Elementary & Secondary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

.....Respondents

A. APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 FOR DIRECTING THE RESPONDENTS TO GIVE ALL GIVE 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 NO RESPONSE FROM THE RESPONDENTS.

Respectfully sheweth.

ATTESTED


29/8/20
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No: 6219/2020
Fazal Ghani v/s Education

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ORDER

30th July 2024

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

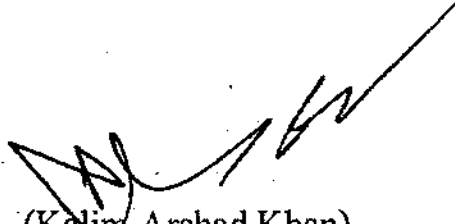


2. On the previous, last chance was given to learned counsel for the appellant. Today case was called several times but neither appellant nor his counsel turned up before the Tribunal, till its rising. Therefore, the appeal in hand is dismissed in default. Consign.

Anex: A


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


EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 28/8/24
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