Form-A FORM OF ORDER SHEET

Court of			
	Postoration Application	n No	1120/2024

Date of order Proceedings	Order or other proceedings with signature of judge
2	3
01.10.2024	The application for restoration of Service appear
	No. 274/2024 submitted today by Mr. Mujeeb Ulla
	Advocate. It is fixed for hearing before Division Benc
	at Peshawar on 04.10.2024: Original file b
•	requisitioned. Parcha Peshi given to the counsel for
	the applicant.
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	By order of the Chairman
	Wall of the state
	REGISTRAR'
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	Proceedings 2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

In Re

R.A. No. 1129/2024

Service Appeal No. 274/2024

Dawood Khan

Versus

Govt. Khyber Pakhtunkhwa & others

APPLICATION FOR FIXATION OF THE ABOVE TITLED RESTORATION APPLICATION AT PRINCIPAL SEAT, PESHAWAR

Respectfully Sheweth:

- 1. That the above mentioned appeal was pending adjudication before this Hon'ble Tribunal which was dismissed indefault on 19-09-2024.
- 2. That according to Rule 5 of the Khyber Pakhtunkhwa Service Tribunal Rules 1974, a Tribunal may hold its sittings at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matters are to be heard.
- 3. That it is worth mentioning that the offices of all the respondents concerned are at Peshawar and Peshawar is also convenient to the appellant/applicant meaning thereby that Principal Seat would be convenient to the parties concerned
- 4. That any other ground will be raised at the time of arguments with the permission of this Hon'ble tribunal.

It is therefore prayed that on acceptance of this application may please be fixed at Principal Seat, Peshawar for the the Convenience of parties and best interest of justice.

Appellant/Applicant

Through

Mujeeb Ullah

Advocate High Court

Welsh

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

In Re Service Appeal No_______274/2024

Dawood khan

Versus

Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs

Department & others

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Appellant

Through

MUJEEB ULLAH

Advocate

Khalid & Law Associates

46-C, 2nd Floor, Cantonment Plaza,

Peshawar Cantt-

4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

R. A. No . 1129/2024	Khyber Pakhtukhwa Service Tribunal
Service Appeal No274/2024	Diary No. 16234
Dawood khan, LHC No. 1346	Dated 01-10-2024
District Police Officer, Timergara, Lower Dir.	, —
· · · · · · · · · · · · · · · · · · ·	Appellant
•	· ·

Versus

- 1. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Secretariat Peshawar.
- 2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar
- 3. Regional Police Officer, Malakand.
- 4. District Police Officer, Timergara Lower Dir.

.....Respondent

(Service Appeal No. 274/2024)

APPLICATION FOR RESTORATION OF ABOVE TITLE SERVICE APPEAL WHICH WAS DISMISSED IN DEFAULT VIDE ORDER DATED 19/09/2024.

Respectfully Sheweth,

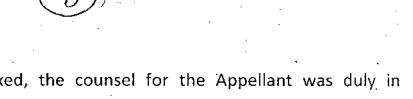
- That the Appellant filed the above titled Service Appeal before this Hon'ble Tribunal and was fixed on 19/09/2024. Furthermore two other connected appeal No. 275 & 276/24 were also clubbed with the instant appeal.
- 2. That on the day fixed the counsel of appellant was present before this appeals were Hon'ble Tribunal but was unfortunately all the dismissed in default vide order dated 19.09.2024.

{Copy of impugned order dated 19/09/2024 is annexed as annexure A}.

3. That the Applicant/Appellant prays for the restoration of above titled appeals were alongwith connected appeal inter alia on the following grounds;

GROUNDS

A. That instant application is with in time and there is no legal impediment on acceptance of the same.



- B. That on the date fixed, the counsel for the Appellant was duly in attendance/available before this Hon'ble Tribunal. Furthermore the counsel for appellant was part of the argument on 11-A of the police rules CCTV photoge or recording may be perused if available.
- C. That the Appellant is pursuing his case vigilantly before this Hon'ble Tribunal.
- D. That valuable rights of the Appellant are involved in the instant case
- E. That equity and justice demands that its should be decide on merit rather than technicalities.

It is therefore most humbly prayed that in the light of above stated facts and grounds the Appeals of the appellant alongwith other connected appeals may kindly be restored for the ends of justice.

Appellant

Through

MUJEEB U(LAH

Advocate

Khalid & Law Associates

46-C, 2nd Floor, Cantonment Plaza,

Peshawar Cantt

AFFIDAVIT

I, Mujeeb Ullah Advocate, as per instruction of my client do hereby solemnly declared and affirm that the contents of the accompanying application are true & correct to the best of my knowledge and belief and nothing has been concealed from this August Court.

ADVOCATE





BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No 277/2024.

Dawood Khan LHC No. 1346	District Police Office, Timergara Lower Dir.
	APPELLANT

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Secretariat Peshawar.
- 2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar
- 3. Regional Police Officer, Malakand.
- 4. District Police Officer, Timergara Lower Dir.

RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE 1974 <u>AGAINST</u> THE ORDERS <u>19/09/2022</u> TO APPELLANT ON 05/01/2024 OF "REDUCTION PAY THREE BY STAGES" **IMPOSED** ON THE IMPOSE UPON APPELLANT WAS CONVERTED INTO MINOR PENALTY OF STOPAGGE OF ONE ANNUAL INCREMENT BY RESPONDENT NO. 2.

Prayer:

By accepting of this service appeal, the impugned order dated 22/12/2023 of Respondent No. 2 to the extent of stoppage of one annual increment may kindly be declared null and Void and kindly be set aside, consequently stoppage of one annual increment may kindly be restored. Any other relief, which this honorable court deems fit and appropriate, may also be granted in favor of appellant for the ends of justice.

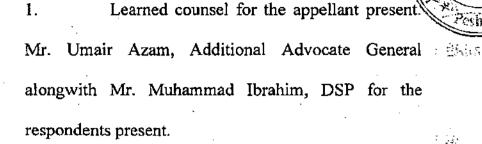
Respectfully Sheweth:

Brief facts leading to the instant appeal are;

1- That appellant is an employee of the Respondents department and is performing his duties as Police Constable since 2010 at Timergara Lower Dir.



31st July, 2024



2. Similar nature of appeals have been fixed on 19.19.2024 before D.B, therefore, let if be fixed alongwith those appeals on 19.09.2024 before D.B. P.P given to the parties.

9-

(Kalim Arshad Khan) Chairman

登場の

*Adnan Shah, P.A

Service Appeal No. 274/2024 titled "Dawood Khan Vs. Secretary Home & Tribal Affairs Department and others"

ORDER 19.09.2024

Kalim Arshad Khan, Chairman: Nemo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

- 2. Case was called several times till last hours of the court but nobody turned up on behalf of the appellant. Therefore, the instantant appeal is dismissed in default. Consign.
- 3. Pronounced in open court at Peshawar given under our hands and seal of the Tribunal on this 19th day of September, 2024.

(Rashida bano) Member (J) (Kalim Arshad Khan) Chairman

30-09-30

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Date of Presentation of Application 30-0 9-2074

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Date of Delivery 2009

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