


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1123/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.09.2024	<p>The application for restoration of Service appeal No. 1030/2024 submitted today by appellant. It is fixed for hearing before touring Single Bench at Swat on 10.10.2024. Original file be requisitioned. Parcha Peshi given to the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

**BEFORE THE HONOURABLE SERVICE TRIBUNAL AT
PESHAWAR**

RA No 5
~~SM~~ 1123/2024

In

S.A No. 1030/2024

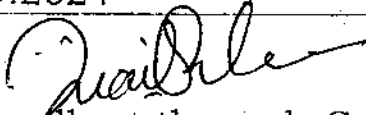
Zia Ur Rahman & other.....**Applicant/Appellant**

VERSUS

Govt of KP & others.....**Respondents**

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Applicant/appellant through Counsel

SYED ABDUL HAQ

Advocate Supreme Court

BAR ROOM SWAT

Cell No 0333-9546154

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL AT
PESHAWAR**

RA No
~~GM~~ 1123-A/2024

In
S.A.No. 1030/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16191

Dated 30-09-2024

Zia Ur Rahman & other.....**Applicant/Appellant**

VERSUS

Govt of KP & others.....**Respondents**

**APPLICATION FOR RESTORATION OF THE APPEAL
TITLED ABOVE AND MAY KINDYL BE DECIDED ON
MERIT.**

Respectfully Sheweth;

The facts of the instant application are, as under.

1. That the appellant/applicant filed the appeal bearing No. 1030/2024 and was fixed on 03.09.2024 for preliminary hearing as transmitted by the honorable Peshawar high Court Mingora bench.
2. That on 03.09.2024, the counsel for the appellant/applicant was not available due to summer vacation, and he was under the impression that there would be no court work on the said date, as the case was fixed for preliminary hearing.

However, the appeal was dismissed in default vide order dated 03.09.2024. (Copy of order dated 03.09.2024 is attached as Annexure-A)

3. That the absence of the appellant/applicant's counsel was not intentional or deliberate, but due to an unavoidable misunderstanding.
4. That the appellant/applicant has a good case on merits and is desirous of pursuing the appeal with utmost sincerity.
5. That if the appeal is not restored, the appellant/applicant will suffer irreparable loss and injury, whereas no prejudice will be caused to the respondent(s) if the appeal is restored and decided on merits.
6. That it is, therefore, respectfully prayed that this Honorable Court may graciously be pleased to restore the appeal to its original position and be decided on merits, in the interest of justice.
7. That the applicant/appellant have strong prima facie case and hopeful about its success, furthermore, the respondents has been proceeded ex-parte and in

such scenario the appellant is optimistic that the fate of the case be decided on his favor.

8. That the absence of the appellant and his counsel on the said date was purely a result of an inadvertent misunderstanding regarding the court schedule during the summer vacation period. The appellant was under the impression that the case would not be heard during the vacation, which led to his non-appearance. This was an unintentional error and should not be held against the appellant, who has diligently pursued the matter.

It is, therefore, humbly prayed that on acceptance of this application, the appeal may kindly be restored and be decided on merit.



Applicant/appellant

Through Counsel

SYED ABDUL HAQ.

Advocate, Supreme Court

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL AT
PESHAWAR**

C.M _____-M/2024

In

S.A No. 1030/2024

Muhammad Azhar & other.....**Applicant/Appellant**

VERSUS

Govt of KP & others.....**Respondents**

AFFIDAVIT

I, **Zia Ur Rahman (applicant/appellant No.1)**, do hereby solemnly affirm and declare on oath that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this honourable Court.

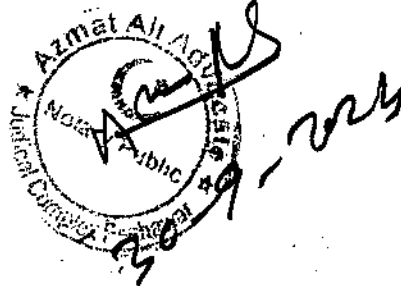
DEPONENT



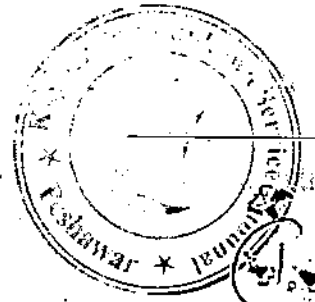
Zia Ur Rahman

ATTESTED

5-8-26-24
Notary Public
1961



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**BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH /
DARULQAZA SWAT**

W.P. 944-M-M/2022 Service Appeal No. 1030/2024

1. Zia ur Rahman (SS IT, BPS-17) Son of Atiq ur Rahman, Resident of Village Bajkata, Tehsil Gagra, District Buner..... **Petitioner**

VERSUS

- 1) Govt of KPK through Secretary Elementary & Secondary Education KPK at Peshawar.
- 2) Secretary Information and Technology Govt of Khyber Pakhtunkhwa, Peshawar.
- 3) Secretary to Government of KPK Finance Department at Peshawar.
- 4) Director Elementary and Secondary Education KPK Peshawar.
- 5) District Education officer District Buner at Daggar.
- 6) District Account Officer, Buner at Daggar..... **Respondents**

**WRIT PETITION UNDER ARTICLE 199 OF
THE CONSTITUTION OF ISLAMIC REPUBLIC
OF PAKISTAN 1973**

Respectfully Sheweth;

The facts of the instant are as under.

That the Petitioner is law abiding citizen, belong to Malakand Division, and his address mentioned against his name is sufficient for service upon him.

1.
FILED TODAY

18 AUG 2022

Additional Registrar

ATTESTED
[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
30-09-2024

Service Appeal No. 103/2024 titled "Zia Ur Rehman Versus Government of Khyber Pakhtunkhwa and others"

ORDER
3rd Sept, 2024

Mr. Kalim Arshad Khan, Chairman: Nobody is present on behalf of the appellant.

2. This appeal has been received from the Peshawar High Court, Peshawar, treating the writ petition as appeal. On 23.07.2024, the learned counsel for the appellant was informed telephonically for the date fixed. Today case was called several times till last hours of the court but nobody turned up on behalf of the appellant. Therefore, the instant appeal is dismissed in default. Consign.

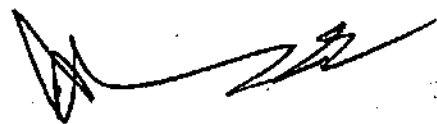
3. *Pronounced in open court in Swat and given under my hand and seal of the Tribunal on this 3rd day of September, 2024.*

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

30-09-2024

Adnan Shah



(Kalim Arshad Khan)
Chairman
Camp Court Swat

Date of Presentation of Application	30-09-2024
Number of Writs	2-8
Costing Fee	10/-
	51/-
	151/-
	30-09-2024
	30-09-2024

Let it be...