


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1122/2024

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. 1031/2024 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

CM 1122-X/2024

In

S.A No. 1031/2024

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

VERSUS

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

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1.	Application	<i>1</i>	<i>1-3</i>
2.	Affidavit	<i>2</i>	<i>4</i>
3.	Copy of the order dated 03.09.2024		<i>5-6</i>

Imad

Applicant/appellant through Counsel

SYED ABDUL HAQ

Advocate Supreme Court

BAR ROOM SWAT

Cell No 0333-9546154

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[Signature]

**BEFORE THE HONOURABLE SERVICE TRIBUNAL AT
PESHAWAR**

RA No. 5

~~SM~~ 1122-M/2024

In

S.A No. 1031/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16192

Dated 30-09-2024

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

VERSUS

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

**APPLICATION FOR RESTORATION OF THE APPEAL
TITLED ABOVE AND MAY KINDLY 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. 1031/2024 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. 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.

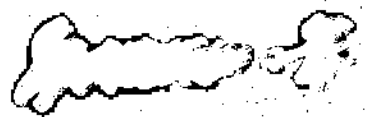
It is, therefore, humbly prayed that on acceptance of this application, the appeal may kindly be restored and be decided on merit.

him and
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. 1031/2024

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

VERSUS

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

AFFIDAVIT

*I, **Muhammad Azhar (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.*

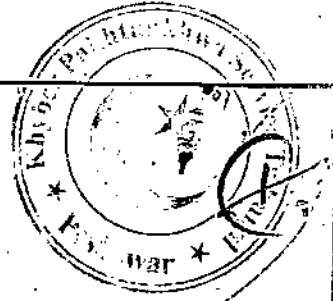
DEPONENT

Im and

ATTESTED Muhammad Azhar



30-9-2024



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

W.P. 873 -M/2020 *Service Appeal no-1031/2024*

1. Muhammad Azhar Son of Sikandar Hayat, Subject Specialist (I.T), Resident of Nasafa Tehsil Timergara District Dir Lower.
2. Rooh Ullah Jan Son of Ghulam Wahid Jan Subject Specialist(I.T) Resident of Sherkhanay Tehsil Balambat District Dir Lower.
3. Mukhtyar Son of Mehmood Zai, Subject Specialist (I.T) Resident of Kalpanai, Tehsil Daggar District Dir Buner.
4. Muhammad Khan Son of Khan Badshah Subject Specialist (I.T) Resident of Banda Tehsil Wari District Dir Upper.
5. Alim ur Rashid Son of Muhammad Afsar Khan SST (I.T), Resident of Bar Palaw, Tehsil Matta District Swat.
6. Mian Said Wahab, Son of Noor ul Wahab, (I.T) ,Working against Subject Specialist (I.T), Resident of Osakai, Tehsil Adenzai District Dir Lower..... **Petitioners**

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 Dir Lower. *aw*
- 6) District Education officer District Dir Upper.
- 7) District Education officer District Buner.
- 8) District Education officer District Swat..... **Respondents**

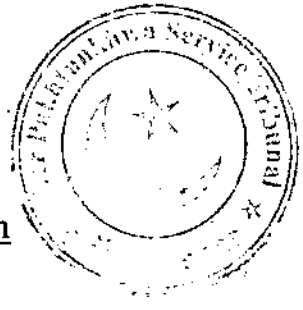
FILED TODAY

31 AUG 2020

Additional Registrar

ATTESTED

EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar
 30-09-24



Service Appeal No. 1030/2024 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
30-09-2024
Khyber Pakhtunkhwa Service Tribunal
Peshawar

Adnan Shah

(Kalim Arshad Khan)
Chairman
Camp Court Swat

Date of Presentation of Application: 30-09-2024
2-P
10/-
51/-
15/-
30-09-2024
30-09-2024
Date of Decision: 30-09-2024