


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 992/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1.	2	3
1	11.09.2024	<p>The application for restoration of service appeal No. 1125/2022 submitted today by Muhammad Javed Khan Advocate. It is fixed for hearing before touring Division Bench at Swat on 10.10.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p>By of order the Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

C.M No. 992 of 2024

In

Service Appeal No. 1125 of 2022

Usman Ali

VERSUS

Director General Health Services

K.P.K & others.

INDEX

S.No	Description	Annexure	Page No
1	Application for restoration	1-2
2	Affidavit	3
3	Copies of order sheet dated 03/9/2024	A	4-5

APPLICANT / APPELLANT

Usman Ali

Usman Ali

Through Counsel

MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

Office: Near Allah-u-Akbar Masjid, College

Colony Saidu Sharif Swat.

Cell No. 0343-9607492

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL/
CAMP COURT AT GULKADA, SWAT.**

C.M. No. 998 of 2024

In
Service Appeal No.1125/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15722

Dated 11-09-2024

Usman Ali S/O Niamat Khan R/O Faiz Abad,
Saidu Sharif, District Swat.

..... Appellant

Versus

1. Director General Health Services Govt of KP at Civil Secretariat Peshawar.
2. Secretary Health, Government of KP at Civil Secretariat, Peshawar.
3. M/S Saidu Group of Teaching Hospital at Saidu Sharif District Swat.

**Application for restoration of above titled appeal, which
was dismissed in default vide order dated 03.09.2024.**

Respectfully Sheweth;

1. That the above titled case was pending in this Hon'ble Tribunal which was dismissed in default on 09.09.2024. (Copy of order sheet is attached as Annexure "A").
2. That the applicant/ appellant prays for the restoration of the above titled service appeal on the following grounds:-

GROUND:

- i. That absence of the applicant/ appellant was not willful or deliberate.
- ii. That on the said date of hearing the applicant/ appellant has gone to Islamabad for his personal work, therefore, the applicant/ appellant was not present before this Hon'ble Tribunal and clerk of counsel for the applicant appeared before the Hon'ble Tribunal and orally requested for adjournment, which was turndown. Whereas, the counsel was not present due to illness/ throat infection.

- iii. That, very valuable and precious rights of the applicant / appellant are involved in the titled appeal.
- iv. That the application of the applicant / appellant is within time and there is no legal bar against acceptance such like application.
- v. That the applicant / appellant will attend the court in future regularly and in time.


It is, therefore, humbly prayed that on acceptance of this application the above titled Service appeal may kindly be restored.

Usman Ali

APPLICANT / APPELLANT

Usman Ali

Through Counsel


MUHAMMAD JAVAID KHAN

Advocate, Supreme Court of Pakistan

4

3

BEFORE THE KHYBAR PAKHTUNKHWA SERVICE TRIBUNAL
/CAMP COURT AT GULKADA SWAT

C.M No. _____ of 2024

In

Service Appeal No. 1125 of 2022

Usman Ali

VERSUS

Director General Health Services

K.P.K & others.

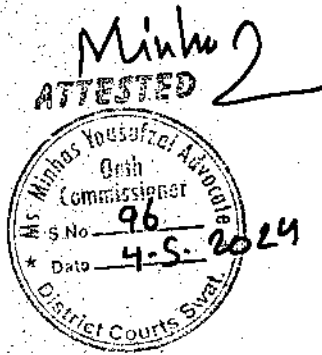
AFFIDAVIT

I, Mr. Usman Ali S/o Niamat Khan Resident of Faiz
Abad Saidu Sharif Swat, do hereby stated on oath that the
contents of this application are true and correct to the best of
my knowledge and belief.

DEPONENT

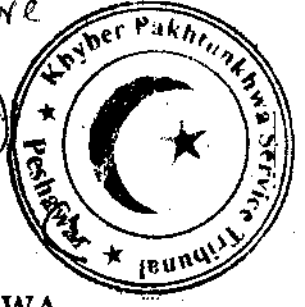
Usman Ali

Mr. Usman Ali S/o Niamat Khan



Amerexere

A-4



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR CAMP COURT AT SWAT

Service Appeal No. 1125 /2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 730

Dated 19-7-2022

Usman Ali S/o Niamat Khan R/O Faiz Abad, Saidu Sharif District
Swat.Appellant

VERSUS


VERSUS

- 1) Director General Health Services Government of KP at Civil
Secretariat Peshawar.
- 2) Secretary Health Government of KP at Civil Secretariat
Peshawar.
- 3) MS Saidu Group of Teaching Hospitals at Saidu Sharif
District Swat.Respondents

Usman Ali

SERVICE APPEAL UNDER SECTION 4 OF SERVICE
TRIBUNAL ACT READ WITH OTHER RELEVANT
PROVISIONS AGAINST THE IMPUGNED ORDER NO.
E-II/SGTH/3236 DATED: 29th MARCH, 2022 OF THE
MEDICAL SUPERINTENDENT SAIDU GROUP OF
TEACHING HOSPITALS SAIDU SHARIF SWAT,
WHEREBY THE APPELLANT HAS BEEN TERMINATED
FROM THE SERVICE ILLEGALLY, UNLAWFULLY AND
UNCONSTITUTIONALLY.

A mi

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

5

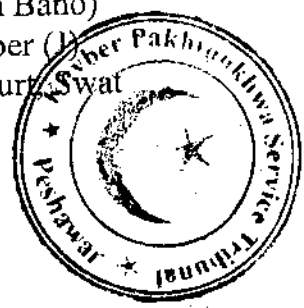
04.06.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 03.09.2024 before D.B at Camp Court, Swat. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar

(Muhammad Akbar Khan)
Member (E)
Camp Court, Swat

(Rashida Bano)
Member (J)
Camp Court, Swat



Kaleemullah

Service Appeal No. 1125/2022 titled "Usman Ali Vs. Government of Khyber Pakhtunkhwa through Secretary Health and others"

ORDER

03.09.2024 Kalim Arshad Khan, Chairman: Nemo for the appellant. Mr.

Muhammad Jan, District Attorney for the respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed in default. Consign.

3. *Pronounced in open court at camp court, Swat and given under our hands and seal of the Tribunal on this 3rd day of September, 2024.*

(Rashida Bano)
Member (J)
Camp Court, Swat

(Kalim Arshad Khan)
Chairman
Camp Court, Swat

Date of Presentation of Application 10-9-24
Number of Words Pages = 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyist Shahzad
Date of Completion 10-9-24
Date of Delivery of Copy 10-9-24

Kaleemullah

ATTESTED
EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar