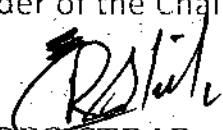


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1067/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	18.09.2024	<p>The application for restoration of service appeal No. 1408/2024 submitted today by Mr. Ijaz Ahmad Malik Advocate. It is fixed for hearing before Single Bench at Peshawar on 20.09.2024. Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

**BEFORE THE CHAIRMAN, PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

RA No- 1067/2024

Lalzar Khan S/o Noor Ghulam Constable (1154), Police
Station Ghaljo, District Orakzai.

.....(APPELLANT / PETITIONER)

*****V E R S U S*****

1. District Police Officer, Orakzai.
2. District Accountant Officer, Orakzai

.....(RESPONDENTS)

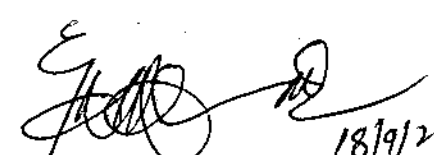
INDEX

S#	Description of Documents	Annex	Pages
1	Applications		1-3
2	<i>Application</i>		4-5
3	Copy of Appeal and Order		6-7

Dated: 18/09/2024

APPELLANT / PETITIONER

Through


IJAZ AHMAD MALIK
Advocate, Supreme Court
Pakistan

18/9/24

①

BEFORE THE CHAIRMAN, PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

RANO = 1067/2024

Lalzar Khan S/o Noor Ghulam Constable (1154), Police Station Ghaljo, District Orakzai.

.....(APPELLANT / PETITIONER)

*****V E R S U S*****

Khyber Pakhtunkhwa Service Tribunal

Diary No. 15826

Dated 18-09-2024

1. District Police Officer, Orakzai.
2. District Accountant Officer, Orakzai

.....(RESPONDENTS)

APPLICATION FOR RESTORATION OF THE SERVICIAL APPEAL NO. 1408/24 DISMISSED FOR NON PROSECUTION VIDE ORDER DATED 13/09/2024 OF THIS HON'BLE TRIBUNAL.

Respectfully Sheweth:

1. That the appellant / petitioner filed a Service Appeal No. 1408/24 before this Hon'ble Tribunal on 13/09/2024, wherein the staff of this Hon'ble Tribunal granted 16/09/2024 as date of hearing before the court and the counsel for the petitioner also noted the same date in his diary.
2. That the appellant / petitioner before the Tribunal on 16/09/2024 before the Tribunal and has come to know that the case has been dismissed for non-

②

prosecution on 13/09/2024. *(Copy of the dismissal order is attached as Annexure "A")*.

3. That the appellant / petitioner has not attended the court on 13/09/2024 due to the aforesaid misconceptual and inadvertently.
4. That the nonappearance of the appellant / petitioner is not intentional but due to the aforesaid mention reason.
5. That the vast interest of the appellant / petitioner is attached with the matter in hand as the appellant / petitioner is working as constable and his salary is withheld for the last 02 years.
6. That if the appeal is not restored, the appellant / petitioner will face great loss.

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

Dated: 18/09/2024

APPELLANT / PETITIONER

Through

[Signature]
Ijaz Ahmad Malik

**Advocate, Supreme Court
Pakistan**

18/9/24

3

**BEFORE THE CHAIRMAN, PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Lalzar Khan S/o Noor Ghulam Constable (1154), Police
Station Ghaljo, District Orakzai.

.....(**APPELLANT / PETITIONER**)

*******V E R S U S*******

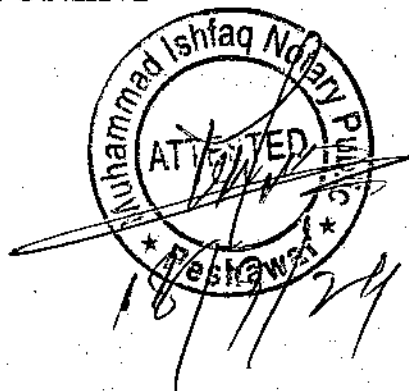
1. District Police Officer, Orakzai.
2. District Accountant Officer, Orakzai


.....(**RESPONDENTS**)

AFFIDAVIT

I, **Lalzar Khan S/o Noor Ghulam Constable (1154), Police Station
Ghaljo, District Orakzai**, do hereby solemnly affirm and declare that
the contents of the above **application**, are true and correct to the best of
my knowledge and belief and nothing has been concealed from this
Hon'ble Court.

DEPONENT




BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

In Re:
Service Appeal No _____ / 2024

Lalzar KhanAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary
Home & Tribal Affairs and others.....Respondents

*Application for grant of temporary
injunction to the effect that till final
decision of titled appeal, the respondents
may be directed to release the current and
future salaries of the petitioner till final
decision of titled appeal.*

Respectfully Sheweth:


- 1) That the above titled appeal is being filed before this hon'ble Court alongwith instant application.
- 2) That the grounds of main appeal may kindly also be considered as integral part and parcel of this application.
- 3) That the appellant is having a good prima-facie case in his favour and is also sanguine about its success.
- 4) That appellant is a poor person and his salary is the only source of his income and if his current and future salaries are also withheld the appellant will suffer great hardships.

5) That there is no legal bar for allowing the instant application.

It is, therefore, prayed that on acceptance of this application, the respondents may graciously be directed not to stop/ *silk-held* the current and future salaries of the appellant till final decision of titled appeal.

Appellant

through


Ijaz Anwar Malik
Advocate Supreme Court

AFFIDAVIT

I, Lalzar Khan S/o Noor Ghulam Constable (1154) Police Station Ghaljo District Orakzai (Appellant), do hereby affirm and declare on oath that the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.

Deponent

CNIC No.21604-5374301-5

Cell No.0332-5719113



(6)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**



Service Appeal No 1408 / 2024

Lalzar Khan S/o Noor Ghulam
Constable (1154) Police Station Ghaljo
District Orakzai.

.....Appellant

VERSUS


- 1) District Police Officer (DPO), District Orakzai.
- 2) District Accounts Officer, Orakzai.

.....Respondents

**APPEAL U/S 4 OF THE SERVICES
TRIBUNAL ACT, 1974 AGAINST THE
ORDERS OF THE RESPONDENTS,
WHEREBY, THE SALARIES OF THE
APPELLANT HAS BEEN WITHHELD
SINCE JULY 2022 TILL NOW.**

Prayer

**On acceptance of this appeal, the
impugned orders, whereby the
salaries of the appellant has been
withheld may very graciously be set-
aside and the appellant may be
returned the salaries since, July 2022,
till date with all back benefits.**

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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FORM OF ORDER SHEET



Court of _____

Appeal No. 1408/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3

1- 04-Sep-24

The appeal of Mr. LALZAR KHAN presented today by Mr. IJAZ AHMAD MALIK Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 13-Sep-24. Parcha Peshi given to counsel for the appellant.

By order of the Chairman

[Signature]
REGISTRAR

ORDER
13th Sept, 2024

Kalim Arshad Khan, Chairman: Nobody present on

behalf of the appellant.

2. The 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.

3. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 13th day of September, 2024.

Certified to be true copy

[Signature]
EXAMINER
Kyber Pakhtunkhwa
Service Tribunal
Peshawar

(Kalim Arshad Khan)
Chairman

Date of Presentation of Application 18-9-24
 Number of Pages 2
 Copying Fee 10/-
 Urgent 15/-
 Total 15/-
 Name of Copyist [Signature]
 Date of Completion of Copy 18-9-24
 Date of Delivery of Copy 18-9-24

Members