


Form-A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Restoration Application No. 1135/2024**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.10.2024	<p>The application for restoration of Service appeal No. 1733/2023 submitted today by Sardar Muhammad Asif Advocate. It is fixed for hearing before touring Single Bench at A.Abad on 28.10.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p style="text-align: right;">By order of the Chairman  REGISTRAR</p>

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

Restoration Petition No. 135 /2024

in Service Appeal No. 1733 /2023

Muhammad Haroon Qaisar, Sub Division Officer, Building Project Sub  
Division Haripur.

...APPELLANT

**V E R S U S**

Government of Khyber Pakhtunkhwa and others

...RESPONDENTS

**APPLICATION FOR RESTORATION OF INSTANT APPEAL WHICH**

**WAS DISMISSED IN DEFAULT ON 24.04.2024.**

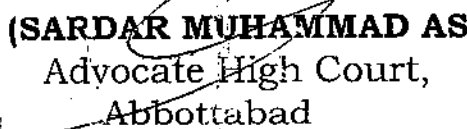
**INDEX**

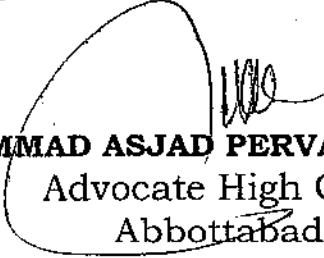
S.No.	Description of Document	Annexure	Page No.
1.	Application alongwith affidavit	--	1-3
2.	Copy of the Cause list	"A"	4
3.	Copy of the dismissal order of appeal	"B"	5- 8
4.	Vakalat Nama <i>already placed on file</i>	--	9--

Dated: 2 / 10 /2024

  
...APPELLANT

Through:

  
(SARDAR MUHAMMAD ASIF)  
Advocate High Court,  
Abbottabad

  
(MUHAMMAD ASJAD PERVAIZ ABBASI)  
Advocate High Court,  
Abbottabad

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

Restoration Petition No. \_\_\_\_/2024

in Service Appeal No.1733 /2023

Muhammad Haroon Qaisar, Sub Division Officer, Building Project Sub  
Division Haripur.

...APPELLANT

**V E R S U S**

Government of Khyber Pakhtunkhwa and others

...RESPONDENTS

**APPLICATION FOR RESTORATION OF**

**INSTANT APPEAL WHICH WAS**

**DISMISSED IN DEFAULT ON**

**24.04.2024.**

***Respectfully Sheweth;***

1. That, the appellant has filed the Instant Appeal for granting Senior Scale BS-16 under 25% quota in the Honourable Tribunal.
  
2. That, the instant appeal was filed before this Honourable Tribunal on 21.08.2023 at principle seat at Peshawar, but the same was transferred to Camp Court Abbottabad for preliminary hearing for 27.09.2023. **(Copy of the Cause list is attached as Annexure "A")**

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3. That, on 27.09.2023 when the case was fixed for hearing, due to lawyers strike case could not be heard and case was adjourned for 22.01.2024.
  4. That, on 22.01.2024 due to non-availability of bench case could not be fixed for hearing and later on notice were issued / received by the appellant.
  5. That, due to non-issuance of notices, the appellant/ applicant has no knowledge of instant date. **(Copy of the dismissal order of appeal is annexed as Annexure "B")**
  6. That, non-appearance of appellant and his counsel before this Hon'ble Court was not deliberate.
  7. That, valuable rights of the appellant are involved and due to the order of dismissal, the appellant is facing irreparable loss, as the law also demands that cases should be decided on merits.
  8. That, instant petition / application is well within time.

It is, therefore, humbly prayed that on acceptance of instant application, the titled Appeal

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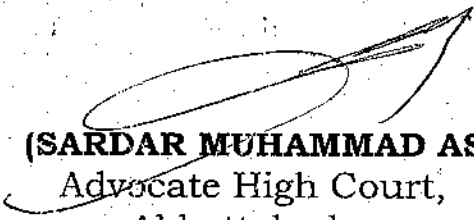
may graciously be ordered to restored and appellant  
be allowed to proceed in the matter in accordance  
with law.

Dated: 2/10/ /2024

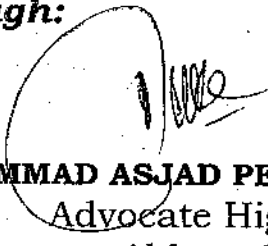


...APPELLANT

Through:

(SARDAR MUHAMMAD ASIF)  
Advocate High Court,  
Abbottabad

(MUHAMMAD ASJAD PERVAIZ ABBASI)  
Advocate High Court,  
Abbottabad

**AFFIDAVIT**

I, **Muhammad Haroon Qaisar, Sub Division Officer, Building Project Sub Division Haripur, Appellant / Applicant**, do hereby solemnly affirm and declare on Oath that the contents of instant **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 2/10 /2024

ATTESTED



...DEPONENT

LIST OF S.B-II CASES FIXED BEFORE MR. SALAH-UD-DIN LEARNED MEMBER (JUDICIAL), KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR AT CAMP COURT ABBOTTABAD 27/09/2023 (TUESDAY)

PRELIMINARY HEARING

S.No.	APPEAL NO.	YEAR	NAME	DEPARTMENT	NEXT DATE
1.	202	22	SAIF UR REHMAN	EDUCATION	Dismissed in Default
2.	966	23	GUL-DAD (4)	EDUCATION	29.11.2023
3.	1179	23	GULFAMILY	PRISONS	27.11.2023
4.	1791	22	TASLEEM AKHTAR	TEVA	29.11.2023
5.	826	23	RASHID NAWAZ	EDUCATION	27.11.2023
6.	1233	23	M HAROON QAISAR	CBW	27.11.2023
7.	1767	23	MUHAMMAD NAZIR	EDU	29.11.2023
8.	1781	23	MUHAMMAD HAROON	HEALTH	23.10.2023
9.	1784	23	BIBI FATIMA	EDU	29.11.2023
10.	1783	23	M. ARSHAD	EDU	29.11.2023
11.	1782	23	SHAKEEL AHMED	EDU	29.11.2023
12.	1715	23	MUHAMMAD ARSHID	EDU	29.11.2023

EXECUTION

S.No.	APPEAL YEAR	NAME	DEPARTMENT	NEXT DATE
1.	392	ZAHIER AHMAD	CBW	24.10.2023
2.	11	AMNAT KHAN	EDUCATION	Sent to Bench
3.	736	GUL FARAZ	EDUCATION	Sent to Bench
4.	518	ABOULLA JAVED	EDUCATION	Chairman Bench

REPLY

S.No.	APPEAL YEAR	NAME	DEPARTMENT	NEXT DATE
1.	1335	IRUM BIBI	EDUCATION	29.11.2023
2.	1490	SYED AHSAN ALI SHAH	EDUCATION	05.10.2023

27/09/23

*Amir*



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Anna 'B'

BEFORE THE KHYBER PAKHTUNKAWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. 1733/2023

Muhammad Haroon Qaisar, Sub Division Officer, Building Project Sub  
Division Haripur.

...APPELLANT

V/S

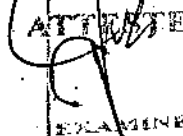
1. The Secretary, Government of Khyber Pakhtunkhwa through Secretary  
C&W Civil Secretariat, Peshawar
2. The Chief engineer, C&W Khyber Pakhtunkhwa Peshawar
3. The Chief engineer, C&W Abbottabad
4. The Secretary, Government of Khyber Pakhtunkhwa, Finance Department,  
Civil Secretariat, Peshawar.

...RESPONDENTS

APPEAL U/S 4 OF KPK SERVICE TRIBUNAL ACT, 1974 FOR GRANT OF  
SENIOR SCALE/SELECTION GRADE (BS-11) WHEREBY THE  
DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN  
DECIDED WITHIN STIPULATED PERIOD AND FOR IMPLEMENTATION  
OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT DATED  
06-04-2021; PESHAWAR HIGH COURT DECISION DATED 29-11-  
2021, AND OTHERS DECISION/JUDGMENTS ISSUED BY THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL, BEING SIMILARLY PLACED.

PRAYER:

ON THE ACCEPTANCE OF THE INSTANT APPEAL, THE RESPONDENTS  
MAY GRACIOUSLY BE DIRECTED TO GRANT SENIOR SCALE GRADE  
(BS-16) WITH ALL BACK BENEFITS AND PETITIONER BE TREATED AT  
PAR WITH OTHER SIMILARLY PLACED EMPLOYEES AND THE  
JUDGMENTS/DECISION OF THE KPK SERVICE TRIBUNAL BE  
IMPLEMENTED WITH ITS SPIRIT AND ANY OTHER RELIEF WITH THE

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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FORM OF ORDER SHEET



Court of \_\_\_\_\_  
Appeal No. 1733/2023

S.No. Date of order proceedings  
1 2  
1- 29/08/2023

Order or other proceedings with signature of judge

SCANNED  
KPST  
Peshawar

The appeal of Mr. Muhammad Haroon Qaiser is presented today by Mr. Muhammad Asjad Pervez Abbasi Advocate. It is fixed for preliminary hearing before Single Bench at Abbottabad on 27-09-2023

By the order of Chairman

*(Signature)*  
REGISTRAR

27.09.2023

Clerk of learned counsel for the appellants present and requested for adjournment on the ground that learned counsel for the appellants is busy in the Hon'ble Peshawar High Court, Abbottabad Bench. Adjourned. To come up for preliminary hearing on 27.11.2023 before the S.B at Camp Court Abbottabad. Parcha Peshi given to clerk of learned counsel for the appellants.

*(Signature)*  
(Salah-Ud-Din)  
Member (J)  
Camp Court Abbottabad

APPROVED  
*(Signature)*

\*Naseem Amin\*




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27.11.2023

Clerk of learned counsel for the appellant present.

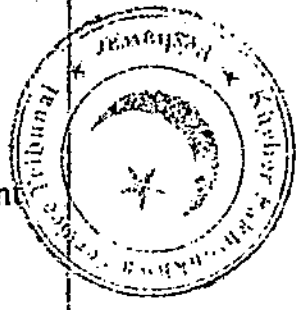
Lawyers are not appearing in the court due to death of Mr. Mushtaq Ahmed Tahir Kheli, Advocate. Adjourned. To come up for preliminary hearing on 22.01.2024 before the S.B at Camp Court Abbottabad. Parcha Peshi given to clerk of learned counsel for the appellant.

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

\*Naeem Arin\*

  
(Salah-Ud-Din) Member (J)  
Camp Court Abbottabad

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**ORDER**

24<sup>th</sup> April, 2024 KALIM ARSHAD KHAN, CHAIRMAN: Nobody present

on behalf of the appellant.

2. The case was 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 Abbottabad and given under my hand and seal of the Tribunal on this 24<sup>th</sup> day of April, 2024.*

**ATTESTED**  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

Adnan Shah, P.A\*

Date of Presentation of Application	25-09-2024
Number of Words	4-P.
Copying Fee	20/-
Urgent	5/-
Total	25/-
Name of Copyist	
Date of Completion	25-09-2024
Date of Delivery of Copy	26-09-2024

17/01/2018  
 الیوم:

مقام:

خود کے لئے اور دوسروں کے لئے بھی...  
 بہترین سے بہترین...  
 اللہ سے دعا ہے کہ...

13503-96085798-1

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