


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 998/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.09.2024	<p>The application for restoration of service appeal No.1762/2022 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division Bench at Peshawar on 23.09.2024. Original file be requisitioned. Parcha Peshi given to the counsel for the applicant.</p> <p style="text-align: right;">By of order the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

RA
CM. No. 998 /2024

IN

APPEAL ON. 1762/2022

BASHIR AHMAD


V/S

POLICE DEPTT:

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APPELLANT

THROUGH: 
MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

RA
G.M. No. 998 /2024

IN
APPEAL ON. 1762/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15738

Dated 12-09-24

Mr. Bashir Ahmed, Ex-Constable No.1093,
Police Line, Dir Lower at Timergara.....APPELLANT

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
3. The District Police Officer, District Dir Lower.
4. The District Account officer, District Lower Dir.

.....RESPONDENTS

APPLICATION FOR RESTORATION OF THE ABOVE
MENTIONED SERVICE APPEAL

R/SHEWETH:

- 1- That, the above mentioned appeal was pending adjudication before this Honorable Tribunal in which 04-09-2024 date was fixed for hearing at Swat Bench.
- 2- That the appellant as well as his counsel was unaware that the above mentioned appeal was transferred from Peshawar Bench to Swat Bench and due to that reason Counsel for the appellant could not appear on the date fixed.
- 3- That due to non-appearance of the counsel for the appellant on the above mentioned date, the appeal of the appellant has been dismissed in default vide order dated 04.09.2024. Copy of the order is attached as annexure.....A.
- 4- That non-appearance of the appellant as well as his counsel was not intentional but due to cause the above mentioned reason.

It is, therefore, most humbly prayed that on acceptance of the instant application the above title execution petition may kindly be restored for further proceedings.

Dated: 12.09.2024.

APPLICANT

THROUGH: 

MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M. No. _____/2024

IN
APPEAL ON. 1762/2022

BASHIR AHMAD

V/S

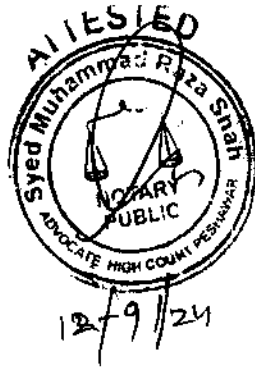
POLICE DEPTT:

AFFIDAVIT

I Mir Zaman Safi Advocate, on the instruction and on behalf of my client, do hereby solemnly affirm that the contents of this **application for restoration** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



MIR ZAMAN SAFI
ADVOCATE



'A' -3-

BEFORE THE KHYBER PAKHTUNJHWA SERVICE TRIBUNAL
PESHAWAR



APPEAL NO. 1762/2022

Mr. Bashir Ahmed, Ex-Constable No.1093,
Police Line, Dir-Lower at Timergara.....APPELLANT.

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
3. The District Police Officer, District Dir Lower.
4. The District Account officer, District Lower Dir.

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 18.05.2015 COMMUNICATED TO THE APPELLANT ON 25.07.2022 DURING THE COURT PROCEEDINGS IN APPEAL NO. 889/2018 WHEREBY MINOR PUNISHMENT OF FORFEITURE OF TWO YEARS APPROVED SERVICE AND ONE ANNUAL INCREMENT HAS BEEN AWARDED TO THE APPELLANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned order dated 10.01.2018 may very kindly be set aside and forfeited service of two years may very kindly be restored with all back benefits, and the annual increment which has been stopped by the department may also be released w.c.f the date of withholding. Any other relief which this August Tribunal deems appropriate that may also be granted in favor of Appellant.

R/SHEWETH:

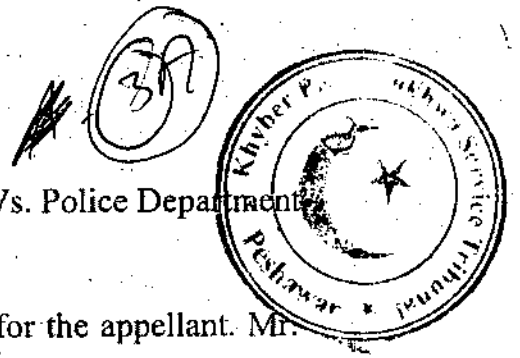
ON FACTS:

- 1) That the appellant was appointed as Constable in the respondent department and has served the respondent Department for quite considerable time quite efficiently and up to the entire satisfaction of his superiors.
- 2) That while posted at Police Station Haya Seri District Lower Dir had become ill and due to that reason, the appellant visited the District Headquarters Hospital Timergara for treatment. That after proper checkup the Doctor concerned advised complete bed rest to the appellant and on the

ATTESTED

[Signature]
F. J. JINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
06/9/22

Service Appeal No. 1762/2022 titled "Bashir Ahmad Vs. Police Department"




ORDER


04.09.2024 **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 Swat and given under our hands and seal of the Tribunal on this 4th day of September, 2024.*


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


(Kalim Arshad Khan)
Chairman
Camp Court, Swat

Kaleemullah

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ATTESTED

09-9-24
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar