


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1164/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	11.10.2024	<p>The application for restoration of Service appeal No.800/2024 submitted today by Mr. Daris Khan Advocate. It is fixed for hearing before Single Bench at Peshawar on 15.10.2024. Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

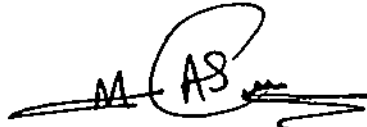
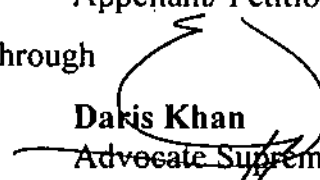
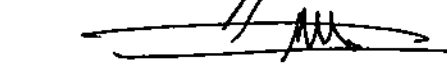
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

S.A.No.800/2024

Muhammad AshfaqV/S Assistant Director Local Govt. and others

I N D E X

S.No.	Description of documents.	Annexure	Pages.
1.	Application for restoration with affidavit.		1-2
2.	Copy of order sheet dated 18.09.2024		3


Appellant/ Petitioner
Through

Daris Khan
Advocate Supreme Court.


BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Misc: Application (for restoration)
S.A.No.800/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16617

Dated 11/10/2024

Muhammad Ashfaq son of Nadir Khan
Secretary Village Council-2 Mohib Banda,
Tehsil and District Mardan..... Appellant

Versus

- 1) Assistant Director Local Govt. Rural Development Mardan.
- 2) Director General Local Government and Rural Development
Mardan..... Respondents

APPLICATION FOR RESTORATION OF THE
ABOVE NOTED APPEAL DISMISSED FOR NON-
COMPLIANCE OF COURT ORDERS.

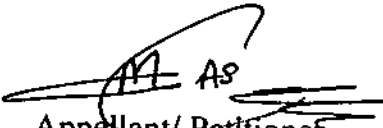
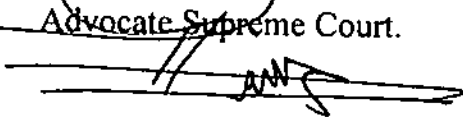
Respectfully Sheweth;

Applicant submits as under:

- 1) That the above noted appeal was pending adjudication before this Hon'ble Tribunal which has been dismissed for non-compliance of court orders on 18.09.2024.
- 2) That the clerk of the undersigned/ counsel marked his attendance before this Hon'ble Tribunal but the undersigned was busy before the Hon'ble Peshawar High Court, Peshawar but came back he was informed that the case has already been dismissed for non-compliance of court orders.

- 3) That the appellant was under impression that the payment of cost will be paid till 26.08.2025.
- 4) That the appellant is ready to comply the order of this Hon'ble Tribunal, but unfortunately the case was dismissed for non-compliance.
- 5) That justice demands adjudication on the basis of merit rather than on technicalities and the valuable rights of the appellant are involved in the matter in hand.
- 6) That the application is within time.

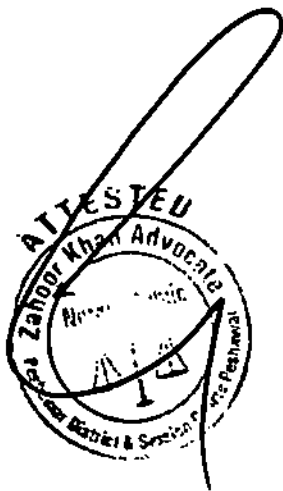
It is, therefore, requested that on acceptance of this application the above titled appeal may kindly be restored and be disposed of on merits


Appellant/Petitioner
Through
Daris Khan
Advocate Supreme Court.


AFFIDAVIT

I, do hereby affirm and declare that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

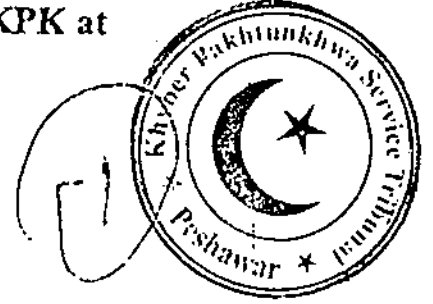

Deponent/Appellant



11 1 OCT 2024

Before The Hon'able Service Tribunal of KPK at
Peshawar

Appeal No. 800 /2024



Muhamamd Ashfaq son of Nadir Khan Secretary Village Council-2
Muhib Banda, Tehsil and District Mardan

.....Appellant

VERSUS

1. Assistant Director Local Government and Rural Development
Mardan
2. Director General local Government and Rural Development Mardan
..... Respondents

*Appeal U/S-4 of KPK Service Tribunal Act 1974 against
the order of respondent No.1 dated 20/02/2024 whereby,
appellant is terminated from his service which is illegal,
against law and facts.*

Respectfully Sheweth;

Appellant humbly submits as under

1. That appellant was appointed as Village Secretary and
was performed his duty in Village Council-2 Mubib
Banda Mardan.
2. That appellant was promoted as a Senior Secretary BPS-
11 on 08/10/2021. (Copy of order of promotion is hereby
attached).
3. That, the appellant submitted application for grant of long
leave such two years which was granted to the appellant
on 13/10/2021 w-e-f 18/10/2021 to 17/09/2023. (Copy of
order dated 13/10/2021 is hereby attached).

ATTESTED

EXAMINER
Khayber Pakhtunkhwa
Service Tribunal
Peshawar
11-10-24



SA 800/2024

26.08.2024 01. Nemo for the appellant.

02. On 13.06.2024, the appeal was dismissed in default which was restored on 31.07.2024 subject to payment of cost of Rs. 2000/- and the case was adjourned to 26.08.2025 for preliminary hearing. Today no one is present on behalf of the appellant nor cost of Rs. 2000/- deposited. Absolute last chance is given. To come up for preliminary hearing and cost on 18.09.2024 before the S.B.

(Fareeha Paul)
Member(E)

18.09.2024

01. Nemo for the appellant.

Fazle Subhan, P.S

02. On 13.06.2024 the appeal was dismissed in default which was restored subject to payment of cost of Rs. 2000/-. On the previous date, no one was present on behalf of the appellant nor the cost was deposited and absolute last chance was given for depositing the fee and preliminary hearing. Today again no one is present on behalf of the appellant which shows that he is not interested in pursuing the case. The case is dismissed for non-compliance of court orders. Consign.

and is, therefore, not complying the court orders.

03. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal on this 18th day of September, 2024.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

11-10-24

Fazle subhan P.S

(Fareeha Paul)
Member(E)

Date of Presentation of Application 20-09-2024
 Number of Words 28
 Copying Fee 10/-
 Urgent 0/-
 Total 10/-
 Name of Copyholder _____
 Date of Completion of _____ 30-09-2024
 Date of Delivery of Copy 11-10-2024