


Form-A

FORM OF ORDER SHEET

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

Restoration Application No. 1215/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	16.10.2024	<p>The application for restoration of Service appeal No. 276/2024 submitted today by Mr.Mujeebullah Advocate. It is fixed for hearing before Division Bench at Peshawar on 21.10.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p>

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

In Re,

Service Appeal No. 276/2024

*L.A. NO. 1215/2024*

Khyber Pakhtunkhwa  
Service Tribunal

Page No. 168-7

Dated 16/10/2024

Sahib Ullah

Versus

Govt. Khyber Pakhtunkhwa and others

**APPLICATION FOR FIXATION OF THE ABOVE TITLED**  
**RESTORATION APPLICATION AT PRINCIPAL SEAT, PESHAWAR**

Respectfully Sheweth,

1. That the above-mentioned Appeal was pending adjudication before this Hon'ble Tribunal which was dismissed in default vide order dated 19-09-2024.
2. That according to Rule 05 of Khyber Pakhtunkhwa Service Tribunal Rules, 1974, a tribunal may hold its sitting at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matter are to be heard.
3. That it is worth mentioning that the offices of the Respondents concerned are at Peshawar and Peshawar is also convenient to the Appellant/Applicant meaning thereby that principal seat would be convenient to the parties concerned.
4. That any other grounds will be raised at the time of arguments with prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this application may please be fixed at Principal Seat, Peshawar for the convenience of parties and best interest of justice.

*Sahib Ullah*

Appellant/Applicant

Through

Mujeeb Ullah

*Mujeeb Ullah*

Advocate High Court

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

**In Re**

**Service Appeal No.....276/2024**

**Sahib Ullah, LHC No. 1701 District Police Officer, Timergara, Lower Dir.**

**Versus**

**Govt. of Khyber Pakhtunkhwa through secretary Home and Tribal Affairs  
Department & others**

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*Sahib Ullah*

**Appellant**

**Through**

**Mujeeb ullah**

*Mujeeb ullah*  
**Advocate**

**Khalid & Law Associates**  
**46-C, 2<sup>nd</sup> Floor, Cantonment Plaza,**  
**Peshawar Cantt**

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 16807

Dated 16-10-24

**In Re**

**Service Appeal No.....276/2024**

**Sahib Ullah, LHC No. 1701 District Police Officer, Timergara, Lower Dir.**

..... **Appellant**

**Versus**

1. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Secretariat Peshawar.
2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar
3. Regional Police Officer, Malakand.
4. District Police Officer, Timergara Lower Dir.

..... **Respondent**

**APPLICATION FOR RESTORATION OF ABOVE TITLE SERVICE  
APPEAL WHICH WAS DISMISSED IN DEFAULT VIDE ORDER DATED  
19/09/2024**

Respectfully Sheweth,

1. That the Appellant filed the above titled Service Appeal before this Hon'ble Tribunal and was fixed on 19/09/2024.
2. That on the day fixed the counsel of appellant was present before this Hon'ble Tribunal but was unfortunately the appeal was dismissed in default vide order dated 19-09-2024.

**{Copy of impugned order dated 19/09/2024 is annexed as annexure A}**

3. That the Appellant prays for the restoration of above titled appeal inter alia on the following grounds

**GROUND**

- A. That instant application is with in time and there is no legal impediment on acceptance of the same.

- B. That on the date fixed, the counsel for the Appellant was duly in attendance/available before this Hon'ble Tribunal. Furthermore the counsel for Appellant was part of argument on 11-A of the Police Rules CCTV photage or recording may be perused if available.
- C. That the Appellant is pursuing his case vigilantly before this Hon'ble Tribunal.
- D. That valuable right of the Appellant is involved in the instant case.
- E. That equity and justice demands that lis should be decide on merit rather than technicalities.

It is therefore most humbly prayed that in the light of above stated facts and grounds the case before this Hon'ble Tribunal may kindly be restored for the ends of justice.

Appellant *Jehit Ullah*

Through

Mujeeb ullah *Mujeeb*  
Advocate

*Khalid & Law Associates*  
46-C, 2<sup>nd</sup> Floor, Cantonment Plaza,  
Peshawar Cantt

**AFFIDAVIT**

I, Mujeeb Ullah Advocate, as per instruction of my client do hereby solemnly declared and affirm that the contents of the accompanying application are true & correct to the best of my knowledge and belief and nothing has been concealed from this August Court

Mujeeb Ullah *Mujeeb*  
Advocate,  
Peshawar High Court, Peshawar



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

Service Appeal No. 276 /2024.

Sahib Ullah LHC No. 1701 District Police Office, Timergara Lower Dir.

**APPELLANT**

**VERSUS**

1. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs Department, Secretariat Peshawar.
2. Inspector General of Police Khyber Pakhtunkhwa, Peshawar
3. Regional Police Officer, Malakand.
4. District Police Officer, Timergara Lower Dir.

**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDERS DATED 03/06/2022, 19/09/2022 & 22/12/2023 COMMUNICATED TO APPELLANT ON 05/01/2024 WHEREBY MAJOR PENALTY OF "REDUCTION IN PAY BY THREE STAGES" WAS IMPOSED ON THE APPELLANT WITH IMMEDIATE EFFECT IMPOSE UPON APPELLANT WAS CONVERTED INTO MINOR PENALTY OF STOPPAGE OF ONE ANNUAL INCREMENT BY RESPONDENT NO. 2.**

**Prayer:**

By accepting of this service appeal, the impugned order dated 22/12/2023 of Respondent No. 2 to the extent of stoppage of one annual increment may kindly be declared null and Void and kindly be set aside, consequently stoppage of one annual increment may kindly be restored. Any other relief, which this honorable court deems fit and appropriate, may also be granted in favor of appellant for the ends of justice.

**Respectfully Sheweth:**

**Brief facts leading to the instant appeal are;**

- 1- That appellant is an employee of the Respondents department and is performing his duties as Police Constable since 2010 at Timergara Lower Dir.

**ATTESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

16-10-24

Service

(9)

(41)



31<sup>st</sup> July, 2024

1. Learned counsel for the appellant present.

Mr. Umair Azam, Additional Advocate General :   
alongwith Mr. Muhammad Ibrahim, DSP for the  
respondents present.

2. Similar nature of appeals have been fixed  
on 19.09.2024 before D.B, therefore, let if be fixed  
alongwith those appeals on 19.09.2024 before D.B. P.P  
given to the parties.



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PESHAWAR  
2024

(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, P.A.\*

Service Appeal No. 27/2024 titled "Dawood Khan Vs. Secretary Home. & Tribal Affairs  
Department and others"

ORDER

19.09.2024 Kalim Arshad Khan, Chairman: Nemo for the appellant. Mr.  
Muhammad Jan, District Attorney for the respondents present.

2. Case was called several times till last hours of the court but  
nobody turned up on behalf of the appellant. Therefore, the instant  
appeal is dismissed in default. Consign.

3. Pronounced in open court at Peshawar given under our hands  
and seal of the Tribunal on this 19<sup>th</sup> day of September, 2024.

(Rashida Bano)  
Member (J)

(Kalim Arshad Khan)  
Chairman

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

16-10-24

RECEIVED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
30-09-2024

Kalcanullah

Khyber Pakhtunkhwa Service Tribunal, Peshawar  
Application No. 134 Date 16-10-24  
Name of Applicant Maria Afi  
Number of Words/Pages 2-0  
Copying Fee 10/-  
Urgent/Ordinary 5/-  
Total 15/-  
Name & Sign of Copyist Zeebhan  
Date of Completion of Copy 16-10-24  
Date of Delivery of Copy 16-10-24