


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1218/2024

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.4999/2021 submitted today by Mr.M. Zafar Tahikheli Advocate. It is fixed for hearing before Division Bench at Peshawar on 24.10.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

R. Application 1218 / 2024
in
Service Appeal No. 4999 / 2021

Miskeen Shah,

VERSUS

Govt of Khyber Pakhtunkhwa etc.

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I N D E X

S.No	Particulars	Annexure	Pages
1	Memo of Petition	-	1-3
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3	Order dated 27-09-2024		5
4	Cause List dated 19-09-2024		6-7
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Date:- 11th October, 2024


Muhammad Zafar Khan (Tahirkheli)
A S C,

87 – Al-Falah Street,
Peshawar Cantt
Mob: 0300-9597670

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Application _____ / 2024
in
Service Appeal No. 4999 / 2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16837

Dated 16-10-24

Miskeen Shah,
Assistant Professor Computer Science,
Government College of Management Sciences Haripur.

.....Applicant

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary Higher Education, Libraries and Archives Department, Government of Khyber Pakhtunkhwa.
3. Secretary Finance Department Government of Khyber Pakhtunkhwa, Peshawar.
4. Director General, Commerce Education & Management Sciences, Khyber Pakhtunkhwa Rano Ghari, Peshawar.
5. Mrs. Rakhshanda Younis, Assistant Professor B-18, Government College of Management Sciences Haripur.
6. Muhammad Nazir Shah, Assistant Professor B-18, Government College of Management Sciences, Jallozai
7. Muhammad Tahir, Assistant Professor B-18 Government College of Management Sciences Abbottabad
8. Muhammad Yasir, Assistant Professor B-18, Government College of Management Sciences Mansehra
9. Wilayat Shah, Assistant Professor B-18, Government College of Management Sciences Hangu
10. Naik Muhammad, Assistant Professor B-18, Government College of Management Sciences Bunir
11. Bahadar Khan, Assistant Professor B-18, Government College of Management Sciences Thana
12. Humayun Akhtar, Assistant Professor B-18, Government College of Management Sciences Bannu
13. Sahhi Yar Khan, Assistant Professor B-18, Govt Commerce College No.2 Nowshera
14. Hussain Ullah, Assistant Professor B-18, Government College of Management Sciences Chitral
15. Waseem Ullah Khan, Assistant Professor B-18, Government College of Management Sciences Mardan
16. Shakil Ahmad, Assistant Professor B-18, Government College of Management Sciences, Jamrud

- ✓
17. Munawar Khan, Assistant ProfessorB-18, Directorate General of Commerce Peshawar
 18. Farukh Sultan, Assistant ProfessorB-18, Govt Commerce College No. 2 Hayatabad
 19. Zarrar Zia Ud Din, Assistant ProfessorB-18, Government College of Management Sciences Kohat
 20. Gul Faiz Khan, Assistant ProfessorB-18, Government College of Management Sciences Chitral
 21. Kiramat Ullah Khan, Assistant ProfessorB-18, Government College of Management Sciences Jamrud
 22. Ikram Ud Din, Assistant ProfessorB-18, Government College of Management Sciences KharBajaur
 23. Shoukat Hayat Khan, Assistant ProfessorB-18, Government College of Management Sciences Chitral
 24. Tanveer Hussain Shah, Assistant ProfessorB-18, Government Commerce College No. 2 Peshawar
 25. Momin Khan, Assistant ProfessorB-18, Government College of Management Sciences Sangota Swat
 26. Gohar Rahman, Assistant ProfessorB-18, Government College of Management Sciences Mardan
 27. Yasir Muhammad Imran, Assistant ProfessorB-18, Government College of Management Sciences D.I. Khan
-Respondents

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APPLICATION FOR RESTORATION OF APPEAL, DISMISSED IN DEFAULT FOR WANT OF PROSECUTION VIDE ORDER DATED 27-09-2024.

RESPECTFULLY SHEWETH;

1. The above titled appeal was pending before the Hon'ble Tribunal and was last fixed for 27-09-2024, wherein the same was dismissed in default for non-prosecution.
2. That the appeal No. 4999 / 2021 was fixed along with 05 other appeals including the main service appeal No. 5004 / 2021, titled "Mujeeb ur Rehman Vs Govt." for 19-09-2024 as serial No. 13 of the red cause list.
3. That on 19-09-2024 the next date of hearing in appeal No. 4999/2021 was fixed for 26-09-2024, appeal No. 5000 was fixed for 24-09-2024, appeal 5002 for 26-09-2024, appeal No. 5003 for 24-09-2024 and appeal No. 5004 for 27-09-2024, through automated date fixing system.

That all the cases were de-clubbed and different dates of hearing were fixed for the above mentioned connected service appeals.

4. That the absence of the appellant on 27-09-2024 was not intentional but due to confusion of automated date fixation procedure.

5. That the applicant has strong prima facie on merits and is hopeful about his success. The applicant solemnly pledges to appear before the Hon'ble Tribunal as and when so directed. The application is also well within time.

In view of the above, it is most humbly requested that by accepting this application, the order dated 27-09-2024 may kindly be set aside and the appeal may be restored for its decision on merits.



Applicant

Dated / Peshawar.
11th October, 2024

Through,



Muhammad Zafar Khan (Tahirkheli)
A S C.

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Application _____ / 2024
in
Service Appeal No. 4999 / 2021

Miskeen Shah,

VERSUS

Govt of Khyber Pakhtunkhwa etc.

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AFFIDAVIT
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I, Miskeen Shah, Assistant Professor Computer Science, Government College of Management Sciences Haripur, the appellant, do hereby solemnly affirm and declare on Oath that contents of this application are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Court.

Peshawar, dated
11th October, 2024



[Handwritten Signature]
DEPONENT

CNIC No. 13301-1328584-3
Cell No. 0333 5061424

Identified by:

[Handwritten Signature]
Muhammad Zafar Khan (Tahirkheli)
Advocate Supreme Court,



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S.A No. 4999/2021

ORDER
27/09/2024

None present on behalf of the appellant. Mr. Muhammad Sohrab, Lecturer alongwith Mr. Muhammad Jan, District Attorney for official respondents and Mr. Ali Gohar Durrani, Advocate for private respondents No. 5, 6, 8, 20, 22, 23, 26 & 27 present.

On the previous date, learned counsel for the appellant was present and requested for further time to prepare arguments. However, today, no one appeared on behalf of the appellant, despite repeated calls at different intervals until the court's rising.

In view of the above, this appeal is dismissed in default for want of prosecution. File be consigned to the record room.

ANNOUNCED
27/09/2024

(Rashida Bano)
Member (Judicial)

(Aurangzeb Khattak)
Member (Judicial)

Naeem Amin

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
10-10-24

Date of Presentation of Application	04-10-2024
Number of Words	1-P
Copying Fee	5/-
Urgent	01/-
Total	06/-
Name of Copyist	
Date of Completion of Copy	30-09-2024
Date of Delivery of Copy	10-10-24

S. No.	App. No.	SA. No.	Title	Remarks
1	B24/2024	6646/2021	Islam Badshah -VS- Police	

ARGUMENTS - TRANSFER (RED CASES)

S. No.	Appel	Year	Title	Case Nature	Advocate Name	Remarks
1	1074	2024	ABDUR REHMAN	Transfer	Mir Zaman Saif	

ARGUMENTS (RED CASES)

S. No.	Appel	Year	Title	Case Nature	Advocate Name	Remarks
1	7729	2020	Raja Waqas	Dismissed	A/ABAD	
2	9138	2020	M. Asad Faizan	Removal		
3	11154	2020	M. Aarif Khan	Promotion	D.I.KHAN	
4	11966	2020	Farzana Naz	Seniority	D.I.KHAN	
5	14444	2020	Ahmad Seed	Promotion		
6	14548	2020	Saif ur Rehman	Agriculture		
7	14550	2020	Laiq Zaman	Termination		
8	15899	2020	Zarwail Khan	Seniority		
9	1677	2021	Ihtesham ul Haq (2)	Promotion		
10	2222	2021	Munir Akbar	Allowance		
11	4800	2021	Amyad Ali	Promotion		
12	4811	2021	M. Kathif Ali	Promotion		
13	5004	2021	Mujeeb ur Rehman (5)	Promotion		
14	5738	2021	Hayat Khan (1)	Seniority		
15	6646	2021	Islam Badshah	Dismissal		
16	7577	2021	Mohsin Ali Khan	Increment		
17	7843	2021	Banaras Khan	Regularization		

ARGUMENTS (GREY CASES)

S. No.	Appel	Year	Title	Case Nature	Advocate Name	Remarks
1	142	2022	M. Nisar	Compulsory Retirement	A/ABAD	
2	109	2022	Syed Ataulah	Seniority		

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7815	2021	Shahzad Jamal --VS-- Police	Dismissal	ARGUMENTS DB-I	25/9/2024	Peshawar	
4999	2021	Miskeen Shah --VS-- E&SE	Promotion	ARGUMENTS DB-I	26/9/2024	Peshawar	
5000	2021	Latifullah --VS-- E&SE	Promotion	ARGUMENTS DB-I	24/9/2024	Peshawar	
5002	2021	Nasir Jamal --VS-- E&SE	Promotion	ARGUMENTS DB-I	26/9/2024	Peshawar	
5003	2021	Muhammad Waseem --VS-- E&SE	Promotion	ARGUMENTS DB-I	24/9/2024	Peshawar	
5004	2021	Mujeeb ur Rehman --VS-- E&SE	Promotion	ARGUMENTS DB-II	27/9/2024	Peshawar	
7577	2021	Mohsin Ali Khan --VS-- Mines & Mineral	Increment	ARGUMENTS DB-II	25/9/2024	Peshawar	
7582	2021	Mst. Kausar Parveen --VS-- E&SE	Seniority	ARGUMENTS DB-I			
1677	2021	Ihtesham ul Haq --VS-- E&SE	Promotion	ARGUMENTS DB-II	26/9/2024	Peshawar	
7843	2021	Banaras Khan --VS-- E&SE	Regularization	ARGUMENTS DB-II	23/9/2024	Peshawar	
6581	2021	Imdadullah --VS-- Prison	Removal	ARGUMENTS DB-II	26/9/2024	Peshawar	
7357	2021	Mian Abdur Rehman --VS-- Judiciary	Dismissal	ARGUMENTS DB-I		Peshawar	
1473	2022	ALIM KHAN --VS-- E&SE	Antidated Promotion	ARGUMENTS DB-I		Peshawar	AI RE M
1474	2022	AMJAD HUSSAIN --VS-- E&SE	Antidated Promotion	ARGUMENTS DB-I		Peshawar	AI RE M
1475	2022	AMANULLAH JAN --VS-- E&SE	Antidated Promotion	ARGUMENTS DB-I		Peshawar	AI RE M
1227	2022	IMTAIZ KHAN --VS-- Police	Dismissal	ARGUMENTS DB-I	30/10/2024	Peshawar	Q H
		Muhammad					

VAKALATNAMA

In the Court of

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No.

4999/2021

ID No.	B.C- 10-7764
Advocate	M. Zafar
Cell No.	0300-9597670
CNIC	17301-1639615-3

Miskeen Shah

Petitioner
Plaintiff
Applicant
Appellant
Complainant
Decree-Holder

VERSUS

Govt of Khyber Pakhtunkhwa etc

Respondent
Defendant
Opponent
Accused
Judgment-Debtor

I / We **Miskeen Shah** the above noted appellant, do hereby appointed and constitute, **Muhammad Zafar Khan Tahirkheli, Advocate Supreme Court of Pakistan** to appear, plead, act, compromise, withdraw or refer to arbitration for me / us as my / our counsels / advocates in the above noted matter, without any liability for his default and with the authority to engage any other Advocate / Counsel at my / our cost.

The Client / Litigant will ensure his presence before the Court on each and every date of hearing and the counsel would not be responsible if the case is proceeded ex-parte or is dismissed in default of appearance. All cost awarded in favour shall be the right of Counsel or his nominee, and if awarded against shall be payable by me/us.

I / We authorize the said Advocates to withdraw and receive on my / our behalf all sums and amounts payable or deposited on my / our account in the above noted matter.



Client

M. Zafar Khan Khan (Tahirkheli)

A S C.

Attested & Accepted (Advocates)

Dated, 10/09/2024

Office **ATIQ LAW ASSOCIATES,**
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E-mail : zafark.advocate@gmail.com