


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1222/2024

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.5003/2021 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</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Application _____ / 2024
in
Service Appeal No. 5003 / 2021

Muhammad Waseem,

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
2	Affidavit		4
3	Order dated 27-09-2024		5
4	Cause List dated 19-09-2024		6-7
5	Vakalatnama	-	8

Date:- 11th October, 2024


Muhammad Zafar Khan (Tahirkheli)
A S C,

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

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BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Application _____ / 2024
in
Service Appeal No. 5003 / 2021

Muhammad Waseem,
Assistant Professor Computer Science,
Government College of Management Sciences Haripur.

.....Applicant

VERSUS

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 16833

Dated 16-10-24

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 ProfessorB-18, Government College of Management Sciences Haripur.
6. Muhammad Nazir Shah, Assistant ProfessorB-18, Government College of Management Sciences, Jallozai
7. Muhammad Tahir, Assistant ProfessorB-18Government College of Management Sciences Abbottabad
8. Muhammad Yasir, Assistant ProfessorB-18, Government College of Management Sciences Mansehra
9. Wilayat Shah, Assistant ProfessorB-18, Government College of Management Sciences Hangu
10. Naik Muhammad, Assistant ProfessorB-18, Government College of Management Sciences Bunir
11. Bahadar Khan, Assistant ProfessorB-18, Government College of Management Sciences Thana
12. Humayun Akhtar, Assistant ProfessorB-18, Government College of Management Sciences Bannu
13. Sahhi Yar Khan, Assistant ProfessorB-18, Govt Commerce College No.2 Nowshera
14. Hussain Ullah, Assistant ProfessorB-18, Government College of Management Sciences Chitral
15. Waseem Ullah Khan, Assistant Professc:B-18, Government College of Management Sciences Mardan
16. Shakil Ahmad, Assistant ProfessorB-18, Government College of Management Sciences, Jamrud

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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.

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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. 5003 / 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.

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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.

Waseem
Applicant

Dated / Peshawar.
11th October, 2024

Through,

Muhammad Zafar Khan (Tahirkheli)
A S C.

S.A No. 5003/2021



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

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


(Rashida Bano)
Member (Judicial)


(Aurangzeb Khattak)
Member (Judicial)

Naem Amin

Date of Presentation of Application	09-10-24
Number of Words	1-P
Copying Fee	5/-
Urgent	72 01/-
Total	06/-
Name of Copyist	— Aurangzeb Khattak
Date of Completion	30-09-2024
Date of Delivery	10-10-24

APPLICATION

S. No.	APP. No.	SA. No.	Title	Remarks
1	824/2024 RA	6646/2021	Islam Badshah --VS-- Police	

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ARGUMENTS -- TRANSFER (RED CASES)

S. No.	Appeal	Year	Title	Case Nature	Advocate Name	Remarks
1	1074	2024	ABDUR REHMAN --VS--E&SE	Transfer	Mir Zaman Safi	

ARGUMENTS (RED CASES)

S. No.	Appeal	Year	Title	Case Nature	Advocate Name	Remarks
1	7729	2020	Raja Waqas --VS--Police	Dismissed		A/ABAD
2	9138	2020	M. Asad Falzan --VS--P.H.E	Removal		
3	11154	2020	M. Arif Khan --VS--E&SE	Promotion		D.I.KHAN
4	11966	2020	Farzana Naz --VS--E&SE	Seniority		D.I.KHAN
5	14444	2020	Ahmad Seed --VS--P.H.E	Promotion		
6	14548	2020	Saif ur Rehman --VS--E&SE	Agriculture		
7	14550	2020	Laiq Zaman --VS--Police	Termination		
8	15899	2020	Zarwall Khan --VS--Police	Seniority		
9	1677	2021	Ihtesham ul Haq (2) --VS--E&SE	Promotion		
10	2222	2021	Muniza Akbar --VS--E&SE	Allowance		
11	4800	2021	Amjad Ali --VS--E&SE	Promotion		
12	4811	2021	M. Kashif Ali --VS--E&SE	Promotion		
13	5004	2021	Mujeeb ur Rehman (5) --VS--E&SE	Promotion		
14	5738	2021	Hayat Khan (1) --VS--Police	Seniority		
15	6646	2021	Islam Badshah --VS--Police	Dismissal		
16	7577	2021	Mohsin Ali Khan --VS--Mines & Mineral	Increment		
17	7843	2021	Banaras Khan --VS--E&SE	Regularization		

ARGUMENTS (GREY CASES)

S. No.	Appeal	Year	Title	Case Nature	Advocate Name	Remarks
1	142	2022	M. Nisar --VS--Unknown	Compulsory Retirement		A/ABAD
2	109	2022	Syed Attaullah --VS--E&SE	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	(7)
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	AE RE M
1474	2022	AMJAD HUSSAIN --VS-- E&SE	Antidated Promotion		ARGUMENTS DB-I		Peshawar	AE RE M
1475	2022	AMANULLAH JAN --VS-- E&SE	Antidated Promotion		ARGUMENTS DB-I		Peshawar	AE 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. /

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

Petitioner
Plaintiff
Applicant
Appellant
Complainant
Decree-Holder

Muhammad Waseem

VERSUS

Respondent
Defendant
Opponent
Accused
Judgment-Debtor

Govt of Khyber Pakhtunkhwa etc

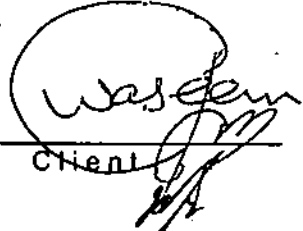
I / We **Muhammad Waseem** the above noted appellant, do hereby appointed and constitute, **Muhammad Zafar Khan Tahirkheli, Advocate Supreme Court of Pakistan** to appear, plead, act, compromise, withdraw or refer to arbitration for me / us as my / our counsels / advocates in the above noted matter, 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.

Dated. /10/2024

Office **ATIQU LAW ASSOCIATES,**
87, Al-Falah Street, Besides State Life Building,
Peshawar Cantt, Phone: 091-5279529
E-mail : zafark.advocate@gmail.com



Client

M. Zafar Khan Khan (Tahirkheli)
A.S.C.
Attested & Accepted (Advocates)