


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1194/2024

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. 401/2024 submitted today by Mr. Muhammad Asif Yousafzai Advocate. It is fixed for hearing before Division Bench at Peshawar on 23.10.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p>

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

RM No 1194 /2024
IN
Service Appeal No. 401/2024

Naveed Akhter

V/S

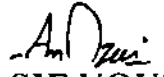
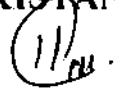
Health Department etc.

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APPELLANT

THROUGH:-


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT,
OF PAKISTAN.
& 
(HILAL ZUBAIR)
ADVOCATE

Room No. Fr-8, 4th Floor,
Bilour Plaza, Peshawar Cantt:
Contact No. 0333-9103240

BEFORE THE KP, SERVICE TRIBUNAL, PESHAWAR.

R.A
CM No 1194 /2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16816

IN

Service Appeal No. 401/2024

Dated 16.10.24

Naveed Akhter Driver,

Maternity Hospital Peshawar.....APPELLANT

VERSUS

1. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa Health Department, Civil Secretariat, Peshawar.....RESPONDENTS

**APPLICATION FOR RESTORATION OF SERVICE
APPEAL NO. 401/2024 WHICH WAS DISMISSED IN
DEFAULT VIDE ORDER DATED 07.10.2024.**

RESPECTFULLY SHEWETH:

1. That the instant appeal was pending before this august Tribunal which was fixed for before D.B on 07.10.2024.
2. That on 07.10.2024, the counsel for the appellant was engaged in Peshawar High Court, Peshawar and could not attend the case, due to which the appeal was dismissed in default due to non prosecution.
3. That the appellant has good prime facie case, if decide on merit.

It is therefore, most humbly prayed that on acceptance of this application, the appeal may kindly be restored which was dismissed in default due to non prosecution and decides the same on merit. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of the appellant.

Naveed Akhter Driver
APPELLANT

THROUGH:-

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT,
OF PAKISTAN.

Hilal Zubair
& (HILAL ZUBAIR)
ADVOCATE

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

CM No _____/2024
IN
Service Appeal No. 401/2024

Naveed Akhter

V/S

Health Department etc.

AFFIDAVIT

I, M. ASIF YOUSAFZAI, Advocate Supreme Court of Pakistan (Counsel for appellant), do hereby solemnly affirm and declare that the contents of the Application are true and correct to the best of my knowledge and belief.

DEPONENT

Handwritten signature and date: 16/10/24

Handwritten signature
(M. ASIF YOUSAFZAI)
ASC

A1

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 401 /2024



Nayeed Akhter Driver
Maternity Hospital Peshawar.

(APPELLANT)

VERSUS

1. The Director General Health Service , Khyber Pakhtunkhwa Peshawar.
2. The secretary to Govt; of KP Health deptt; Civil Secretariat Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED PREMATURE TRANSFER ORDER DATED 29.01.2024 AND ALSO AGAINST THE REJECTION ORDER DATED 28-02-2024 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL THE ORDER DATED 29.01.2024, 28.02.2024 MAY BE SET ASIDE, BEING PREMATURE AND AGAINST THE POST AND TRANSFER POLICY. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT.

TESTED
15-10-24



ORDER
07.10.2024

None present on behalf of the appellant. Mr. Asif

Masood Ali Shah, Deputy District Attorney for the respondents
present.

Despite repeated calls at different intervals until the
court's rising, none appeared on behalf of the appellant.

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

ANNOUNCED
07.10.2024

(Rashida Bano)
Member (Judicial)

(Aurangzeb Khattak)
Member (Judicial)

Naeem Amin

Handwritten notes:
15-10-24

Handwritten notes and stamps:
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Zubair
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Deeshan
15-10-24
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