


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1287 /2024

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 24.10.2024 | <p>The application for restoration of Service appeal No.1868/2023 submitted today by Uzma Syed Advocate. It is fixed for hearing before Single-Bench at Peshawar on 31.10.2024. 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 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO.1868/2023

Imtiaz Ahmad

VERSUS

D.G Industries and Commerce Department Peshawar & Others

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APPELLANT/APPLICANT

Through:

mbt
Syed Noman ALI BUKHARI

&

Ug-a
UZMA SYED
Advocates High Court
Peshawar.

①

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Dinry No. 17137

Dated 24-10-24

APPEAL NO.1868/2023

Imtiaz Ahmad S/o Sher Zar Khan (Naib Qasid) Consumer
Protection Court Nowshera.

APPELLANT

VERSUS

1. Director General Industries and Commerce Department
Peshawar.
2. Secretary Industries and Commerce Department Peshawar.
3. ADMINISTRATIVE OFFICER Industries and Commerce
Department Peshawar.
4. Khan Zeb (Senior Clerk) Industries and Commerce
Department Peshawar.

Respondents

APPLICATION FOR RESTORATION OF APPEAL NO.
1868/2023 WHICH WAS DISMISSED IN DEFAULT VIDE
ORDER DATED 10/10/2024.

Respectfully Sheweth:

1. That the instant appeal No. 1868/2023 was filed before this Honorable Tribunal against the reduction order.
2. That the instant appeal was in arguments stage fixed on 10/10/2024 at Hon'able Service Tribunal. The counsel for the appellant attend the court & counsel was directed to submitted cost of Rs.2000, ~~thereby~~ submission of cost, the counsel for appellant names to High Court for heavy but the appellant was present, but despite that the appeal of the appellant was dismissed in default. **Copy of the order is attached as annexure-A.**

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3. That counsel for the appellant file application for attested order sheet, which was handed over to the counsel for appellant on 10/10/2024, so the instant restoration application is well in time.
4. That valuable right is involved in the instant appeal of the appellant, So, it is in the interest of justice that the appeal should be dealt on merit rather to dismiss in default.

It is therefore, most humbly prayed, on acceptance of this application, the above mentioned appeal No. 1868/2023 may be restore in interest of justice.

APPELLANT/APPLICANT

Through:

nm
SYED NOMAN ALI BUKHARI
& *uzma*
UZMA SYED
Advocates High Court
Peshawar.

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.

nm
DEPONENT



(B)

A

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 1868 2023

IMTIAZ AHMAD S/o SHER ZAR KHAN (NAIB QASID) Consumer
Protection Court Nowshera

.....(Appellant)

Versus

- 1) DIRECTOR, GENERAL Industries and Commerce Department
Peshawar.
- 2) SECRETARY Industries and Commerce Department Peshawar
- 3) ADMINISTRATIVE OFFICER⁰³ Industries and Commerce
Department Peshawar
- 4) Khan Zeb (Senior Clerk)⁰⁴ Industries and Commerce Department
Peshawar

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE PROMOTION GIVEN TO
RESPONDENT NUMBER 04 BY THE RESPONDENTS 01 TO 03 ON
24/01/2018 AND ON 02/03/2021 WHILE THE APPELLANT HAS BEEN
DEPRIVED OFF THE PROMOTION DESPITE SENIOR TO RESPONDENT
NUMBER 04 IN DATE OF APPOINTMENT.

Respectfully Sheweth:-

The Appellant humbly submits as follows:-


1. That the Appellant is serving as Naib Qasid in the office of
Consumer Protection Court Nowshera.
2. That the Appellant was appointed as Chowkidar in the office
of the respondents No 1 to 3 on 02/06/2015. (order attached)
3. That the designation of the Appellant is Naib Qasid presently.

SA 1868/2023

10.10.2024

01. After the case was called several times, the appellant appeared and produced receipt of cost of Rs. 2000/- deposited by him today, in pursuance of order dated 22.07.2024. Receipt is placed on file. He stated that his counsel was not available and requested for adjournment. Various adjournments had been given since submission of the service appeal on 15.09.2023, on one reason or the other. Today absence of learned counsel again shows that he is not interested in pursuing the case. The appeal is, therefore, dismissed in Default. Consign.

3. *Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal on this 10th day of October, 2024.*


(Farzha Paul)
Member(E)

Fazle Subhan, P.S