


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1300 /2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	28.10.2024	<p>The application for restoration of Service appeal No.10008/2020 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division 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

R.A NO:-1300/24

APPEAL NO.10008/2020

Riaz Hussain

VERSUS

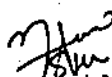
The DEO E&SE D.I.Khan & Others

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S.No.	Documents	Annexure	P. No.
1.	Memo of Application	-----	1-2
2.	Copy of order	-A-	3-4


APPELLANT/APPLICANT

Through:


Syed Nouman Ali Bukhari
Advocate High Court
Peshawar.

①

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.

R.Aⁿ No: -1309/24

APPEAL NO.10008/2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 17278

28-10-24

Riaz Hussain S/o Ghulam Akbar of House No.295/B Himat Wala
Tehsil & District D.I.Khan. (presently Tohya Fazli Tehsil &
District D.I.Khan Ex-Chowki GGPS Chah Jegu Wala D.I.Khan

APPELLANT

VERSUS

1. The DEO E&SE D.I.Khan
2. The DEO (Male) Department, D.I.Khan
3. The Secretary Education Department, Khyber Pakhtunkhwa,
Peshawar.
4. The Director of (E&SE) Department, Khyber Pakhtunkhwa,
Peshawar.
5. M.Ramzan Naib Qasid GMS Dinpur, Tehsil & District DI
Khan now adjusted at GGPS Chah Jaggu Wala Tehsil &
District D.I.Khan.

Respondents

APPLICATION FOR RESTORATION OF APPEAL NO.
10008/2020 WHICH WAS DISMISSED IN DEFAULT VIDE
ORDER DATED 23/09/2024.

Respectfully Sheweth:

1. That the titled appeal was pending for adjudication before this
Hon'ble Tribunal and was fixed for 23.09.2024
2. That the appellant appear on 18.09.2024 at camp court D.I.Khan
but the bench of Hon'ble Service Tribunal has not come to
D.I.Khan, due to security reason and appellant was not informed
regards the fixation of appeal at, Peshawar on 23.09.2024.

(2)

Therefore, the above mention reason the appellant and counsel can not attend the Tribunal and the appeal of the appellant was dismissed in default on 23.09.2024.


3. That the appellant was not informed regards the same so when the appellant got knowledge forwith file application for attested copy.
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, that on acceptance of this application, the above mentioned appeal No. 10008/2020 may be restore in interest of justice.

Dated: 28.10.2024

APPELLANT/APPLICANT

Through:


Syed Nouman Ali Bukhari
Advocate 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.


DEPONENT



23-9-20

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(1)



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 10008 /2020

Diary No. 2656

Dated 24/04/2020

Riaz Hussain S/o Ghulam Akbar R/o of House no. 295/B Himat Wala
Tehsil and district DI. Khan. *(Pesently Tohya Fazil Tehsil And district
Di.Khan Ex-Chowkidar GGPS Chah Jegu Wala DI Khan.

.....APPELLANT

VERSUS

1. The EDO E &SE D.I Khan.
2. The DEO (Male) Department, D.I Khan.
3. The Secretary Education Department, Khyber Pakhtunkhwa, Peshawar.
4. The Director of (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
5. M.Ramzan Naib Qasid GMS Dinpur, Tehsil and District DI Khan now adjusted at GGPS Chah Jaggu wala Tehsil And district DI Khan

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE IMPUGNED ORDER DATED 16.02.2009 AND AGAINST
REJECTION ORDER DATED 09.06.2016 RECEIVED TO
APPELLANT IN EXECUTION PETITION VIDE ORDER
SHEET DATED 25.02.2020.

Registrar
Peshawar

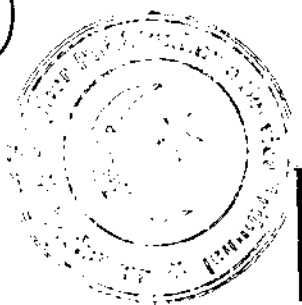
Filed to-day PRAYER:

Registrar
24/11/2020

THAT ON ACCEPTANCE OF THIS APPEAL THE
IMPUGNED ORDER DATED 16.02.2009 AND REJECTION
ORDER DATED 25.02.2020 MAY KIDNLY BE SET AISDE
AND THE APPELALNT MAY BE RE-INSTATED INTO
SERVICE WITH ALL BACK AND CONSEQUENTIAL
BENIFITS. ANY OTHER REMEDY WHICH THIS AUGUST
TRIBUNAL DEEMS FIT THAT MAY ALSO BE AWARDED IN
FAVOR OF THE APPELLANT.

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
28-10-24

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S.A No. 10008/2020


ORDER
23/09/2024


None present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for official 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
23/09/2024


(Rashida Bano)
Member (Judicial)


(Aurangzeb Khattak)
Member (Judicial)

Naeem Amin

RECEIVED
28-10-24

Khyber Pakhtunkhwa	Judicial Tribunal Peshawar
Application No. 342	Date 28-10-24
Name of Applicant Riaz	
Number of Words/Petitions 2-2	
Copying Fee 10/-	
Urgent/Ordinary 5/-	
Total 15/-	
Name & Design of Counsel 2000 km	
Date of Completion of Fee 28-10-24	
Name of Officer, of C.S. 28-10-24	