


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1308 /2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	29.10.2024	<p>The application for restoration of Service appeal No. 8279/2020 submitted today by Mr. Fazal Shah Mohmand Advocate. It is fixed for hearing before Division Bench at Peshawar on 01.11.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p style="text-align: right;">By order of the Chairman  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

PESHAWAR

RA. No 1308 /2024

In

Service Appeal No: 8279 /2020

Shahb Uddin.

.....Appellant

V E R S U S

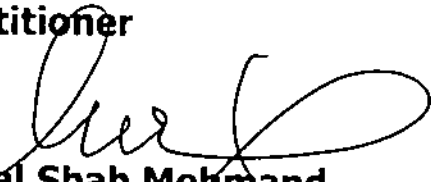
Secretary Health & Others

.....Respondents

I N D E X

S. No	Description of documents	Annexure	Pages
1.	Restoration Application with Affidavit		1-2
2.	Copy of Order Dated 05-09-2024	A	3-4

Dated:-28-10-2024

Petitioner
Through 
Fazal Shah Mohmand
Advocate Supreme Court
Of Pakistan.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar.

Cell:- 0301-8104841

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

①

PESHAWAR

R.A
C.M. No 1308 /2024

Khyber Pakhtunkhwa
Service Tribunal

In

Diary No. 17340

Service Appeal No: 8279 /2020

Dated 29-10-24

Shahab Uddin, Ex- Pharmacy Technician CHC Naeeme Khot R/O Tehsil
Khar District Bajour.Appellant

V E R S U S

1. Govt of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Service Khyber Pakhtunkhwa, Khyber Road, Peshawar.
3. District Health Officer, North Waziristan

.....Respondents

APPLICATION FOR THE RESTORATION OF TITLED APPEAL

Respectfully Submitted:-

1. That the above titled Appeal was pending before this honorable Tribunal which has been dismissed in default on 05.09-2024. **(Copy of Order dated 05.09.2024 is enclosed as Annexure A).**
2. That actually the appellant was of the view that date is fixed on 06-09-2024 but when the appellant came to this honorable Tribunal he was told that his appeal has been dismissed in default, and on the same day the appellant filed application for copy of attested order sheet.
3. That the absence was not willful and deliberate rather the same was due to the mentioned misunderstanding.
4. That the law as well as the superior Courts also favors decisions of cases on merit instead of technicalities.

5. That instant application is well within time and the valuable rights of the appellant are involved besides there is no bar on restoration of titled appeal.

It is therefore prayed, that on acceptance of this application, the mentioned appeal may kindly be ordered to be restored.

Dated:-28-10-2024

[Signature]
Appellant

Through

[Signature]
Fazal Shah Mohman

**Advocate Supreme Court
Of Pakistan.**

A F F I D A V I T :-

I, Shahab Uddin, Ex- Pharmacy Technician CHC Naeeme Khot R/O Tehsil Khar District Bajour, (the applicant/appellant), do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable Tribunal.

[Signature]
DÉPONENT



3

"A"

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. _____

Dated 1-7-2020

Appeal No. 8279
72020

Shahab uddin, Ex- Pharmacy Technician CHC Naeem
Khot R/O. Tehsil Khar District Bajour.

(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services Khyber Pakhtunkhwa, Khyber Road, Peshawar.

3. District Health Officer, North Waziristan.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the order dated 12.09.2009, whereby the appellant has been terminated from service against which his Departmental dated 07.01.2019, has not been responded despite the lapse of 90 days Statutory Period.

Filed to day
Registrar

Prayer in Appeal:

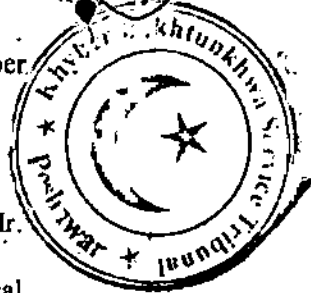
On acceptance of this appeal the Office Order dated 12.09.2009 being illegal, Unconstitutional, Coram-non-judice may please be set aside and the appellant may kindly be reinstated into service with further direction to the Respondents to treat the appellant at par with his similarly placed employees who have been granted regularization of service from due date with full back wages and benefits of service.

ATTESTED

Registrar
Khyber P
Service
Tribunal
Peshawar

29-10-20

4



Service Appeal No. 8279/2020 titled "Shahab Ud Din Vs: Government of Khyber Pakhtunkhwa through Secretary Health and others"

ORDER

12.09.2024

Kalim Arshad Khan, Chairman: Nemo for the appellant. Mr. Muhammad Jan, District Attorney alongwith Yousaf Jamal, Focal Person for the respondents present.

2. Case was called several times till last hours of the court but nobody turned up on behalf of the appellant. Therefore, the instant appeal is dismissed in default. Consign.


3. *Pronounced in open court at Peshawar given under our hands and seal of the Tribunal on this 12th day of September, 2024.*

SCANNED
KPST
Peshawar


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman

Certified true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
29-10-24

Khyber Pakhtunkhwa Service Tribunal, Peshawar
Application No. 7385 vs 25-10-24
Name of Appellant Abbas
Number of Pages 2
Filing Fee 10/-
Amount Paid 10/-
Date of Appeal 28-10-24
Date of Decision 29-10-24