


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1305 /2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	29.10.2024	<p>The application for restoration of Service appeal No. 540/2022 submitted today by Mr. Taimur Ali Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on 05.11.2024. 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 PAKHTUKHWA SERVICE TRIBUNAL
PESHAWAR

R.A No: 1305/24

APPEAL NO. 540/2022

Khyber Pakhtukhwa
Service Tribunal

Discy No. 17295

Dated. 29/10/24

Muhammad Saood Qari, GHS Shalkiwal SD Dara Adamkhel
District Kohat.

(APPELLANT)

VERSUS

1. Director (elementary & Secondary Education), KPK, Merged Districts, Education Directorate, Peshawar.
2. Assistant Director (Estab), Merged Districts , Education Directorate, Peshawar.
3. District Education Officer (Male), Sub Division Dara Adam Khel, Kohat.

(RESPONDENTS)

APPLICATION FOR RESTORATION OF INSTANT APPEAL
WHICH WAS DISMISSED FOR DEFAULT ON 16.10.2024.

RESPECTFULLY SHEWETH:

1. That the service appeal of the appellant was pending before this Honorable Tribunal and fixed for arguments on 16.10.2024.
2. That the counsel for the appellant went abroad due to which he could not appeared in this Honorable Tribunal on the date fixed due to which the appeal of the appellant was dismissed in default on 16.10.2024 due to non-prosecution. (Copy of order sheet dated 16.10.2024 is attached as Annexure-A)
3. That the appellant has good prime facie case and interest of justice demand that the case of the appellant may be decided on merit.

It is, therefore, most humbly prayed that on the acceptance of this application the appeal of the appellant may kindly be restored and the appeal may be decided on merit to meet the ends of justice.

E. Aved
APPELLANT
THROUGH:
TA
TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

It is solemnly affirmed that the content of this applications are true and correct and nothing has been concealed from this Honorable Tribunal

E. Aved
DEFONENT





BEFORE KHYBER PAKHTUNWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 540 /2022

Muhammad Saood, Qari, Government High School Shpalkiwal SD, Dara Adamkhel, District Kohat

APPELLANT
Khyber Pakhtunkhwa Service Tribunal

Diary No. 346

Dated 23/2/2022

VERSUS

1. Director (Elementary & Secondary Education) KPK, Merged Districts, Peshawar
2. Assistant Director (Estab), Merged Areas, Education Directorate, Peshawar.
3. District Education Officer (Male), Sub-Division Dara Adam Khel, Kohat.

RESPONDENTS

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
27-11-21

Filed to-day

Registrar

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR DIRECTING THE RESPONDENTS TO CONSIDER APPELLANT FOR PROMOTION AGAINST THE VACANT POST OF SST (PHYSICS/MATHS) AND OBSERVE 3% QUOTA RESERVED FOR PROMOTION OF SR. QARI'S/QARI'S TO SST (PHYSICS/MATHS) IN ITS TRUE LETTER AND SPIRIT AND AGAINST THE REJECTION ORDER DATED 26TH JANUARY, 2022 WHEREBY DEPARTMENTAL APPEAL IS REJECTED IN VIOLATION OF LAW AND PROMOTION RULES:

PRAYER:

ON ACCEPTANCE OF THIS APPEAL, THE REJECTION ORDER DATED 26TH JANUARY, 2022 MAY KINDLY BE SET ASIDE AND RESPONDENTS MAY KINDLY BE DIRECTED TO CONSIDER APPELLANT FOR PROMOTION AGAINST THE VACANT POST OF SST (PHYSICS/MATHS) BY OBSERVING 3% SHARE FOR PROMOTION FROM THE TOTAL SANCTIONED POSTS OF SST (PHYSICS/MATHS) AND APPLY THE SERVICE RULES IN ITS TRUE LETTER AND SPIRIT TO MEET THE ENDS OF JUSTICE.

7th Oct, 2024

1. Appellant in person present. Mr. Muhammad Jan District Attorney alongwith Mr. Abdul Qayyum, ADEO for the respondents present.

2. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned but on payment of cost of Rs. 5000/- to be paid by the appellant. To come up for arguments on 16.10.2024 before D.B. P.P given to the parties.

SCANNED
16/10/24
Peshawar

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

ORDER

16th Oct, 2024

Kalim Arshad Khan, Chairman: Nobody present on behalf of the appellant. Mr. Muhammad Jan, District Attorney alongwith Mr. Abdul Qayyum, ADEO for the respondents present.

2. This case was previously adjourned on payment of cost of Rs. 5000/- but today case was called several times till last hours of the court but nobody turned up on behalf of the appellant. Therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 16th day of October, 2024.*

(Rashida Bano)
Member(J)

(Kalim Arshad Khan)
Chairman

Adnan Shahi, P.A.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal.
Peshawar

28-10-24

Khyber Pakhtunkhwa ^{Service} Tribunal, Peshawar
335 Date 28-10-14
Application No. _____
Name of Applicant _____
Number of Words/Pages 2-8
Copying Fee 10/-
Urgent/Ordinary 5/-
Total 15/-
Name & Sign of Copyist Zeestam
Date of Completion of Copy 28-10-14
Date of Delivery of Copy 28-10-14

VAKALAT NAMA

NO. _____/2024

IN THE COURT OF

Peshawar
Khyber Pakhtun Khwa Service Tribunal

M. Saood Aari

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt

(Respondent)
(Defendant)

I/We,

Muhammad Saood Aari

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2024

Saood

(CLIENT)

ACCEPTED

Taimur Ali Khan

TAIMUR ALI KHAN
Advocate High Court

BC-10-4240

CNIC: 17101-7395544-5

Cell No. 03339390916

Shahin

Adv. Shahin Ullah Torani

**BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 540/2022

Muhammad Saood Qari, GHS Shalkiwal SD Dara Adamkhel
District Kohat.

(APPELLANT)

VERSUS

1. Director (elementary & Secondary Education), KPK, Merged Districts, Education Directorate, Peshawar.
2. Assistant Director (Estab), Merged Districts , Education Directorate, Peshawar.
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E. A. A.
APPELLANT
THROUGH:
TA
TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

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E. A. A.
DEPONENT

BEFORE KHYBER PAKHTUNWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 540 /2022

Muhammad Saood, Qari, Government High School Shpalkiwal SD, Dara Adamkhel, District Kohat

APPELLANT
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 346

Dated 23/2/2022

1. Director (Elementary & Secondary Education) KPK, Merged Districts, Peshawar
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RESPONDENTS

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ATTACHED
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR
27-10-21

Filed to-day
Registrar

7th Oct, 2024

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ORDER

16th Oct, 2024

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(Rashida Bano)
Member(I)

(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A.

Notified to the court

EX-101/2024
Hyderabad Bench
Service Tribunal
Peshawar
28-10-24

VAKALAT NAMA

NO. _____/2024

IN THE COURT OF Khyber Pakhtun Khwa Service Tribunal *Peshawar*

M. Saood Bari

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt

(Respondent)
(Defendant)

I/We, Muhammad Saood Bari

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Saood

(CLIENT)

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