


Form-A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Restoration Application No. 1304 /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. 419/2022 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:- 1304/24

APPEAL NO. 419/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 17293

Dated 29/10/24

Dr. Fakhruddin Retired-SMO (BPS-18)  
Health Department, Khyber Pakhtunkhwa.

(APPELLANT)

VERSUS

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

(RESPONDENTS)

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**APPLICATION FOR RESTORATION OF INSTANT APPEAL  
WHICH WAS DISMISSED FOR DEFAULT ON 16.10.2024.**  
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**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 was busy in other courts 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.

*Fahdud Din Khan*

APPELLANT

THROUGH:

*TAKS*

TAMUR 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

*Fahdud Din Khan*

DEPONENT





BEFORE THE  
**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 413

Date 16/03/2022

APPEAL NO. 419 /2022

Mr. Dr. Fakhruddin, Retired-SMO (BPS-18),  
Health Department, Khyber Pakhtunkhwa.


(APPELLANT)

VERSUS


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

(RESPONDENTS)

ATTESTED

  
Registrar  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
28-10-21

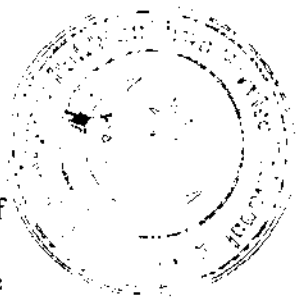
Filed to-day

  
Registrar  
16/03/2022

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 04.03.2022, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ACTUALIZATION OF HIS PROMOTION TO THE POST OF PRINCIPAL MEDICAL OFFICER. (BPS-19) WITH EFFECT FROM 02.01.2018 HAS BEEN REJECTED AND AGAINST THE NOTIFICATION DATED 04.03.2021, WHEREBY THE APPELLANT WAS RETIRED FROM SERVICE AS SENIOR MEDICAL OFFICER (BPS-18) WITH EFFECT FROM 05.06.2020 ON ATTAINING THE AGE OF SUPERANNUATION.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE REJECTION ORDER DATED 04.03.2022 MAY KINDLY



ORDER  
16<sup>th</sup> Oct, 2024

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

2. The 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 16<sup>th</sup> day of October, 2024.*

*Handwritten notes and signature:*  
28-10-24

*(Signature)*  
(Rashida Bano)  
Member(J)

*(Signature)*  
(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, P.A\*

Hyder Pakhtunkhwa Tribunal, Peshawar	355
Application No.	28-10-24
Name of Applicant	M. Khan
Number of Words/Paragraphs	2-8
Copying Fee	10/-
Urgent/Ordinary	5/-
Total	15/-
Name & Sign of Officer	Zeeshan
Date of Completion of Case	28-10-24
Date of Filing of Case	28-10-24