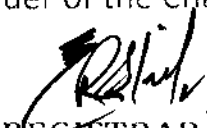


## Form-A

## FORM OF ORDER SHEET

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

**Restoration Application No. 1303 /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. 541/2022 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><br/>REGISTRAR</p> |

**BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL  
PESHAWAR**

R.A No: 1303/24

**APPEAL NO. 541/2022**

**Khyber Pakhtukhwa  
Service Tribunal**

Diary No. 17294

Dated 29/10/24

Rehmat Salam SST, GHS TSD Dara Adam Khel

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)**

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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 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.

  
APPELLANT

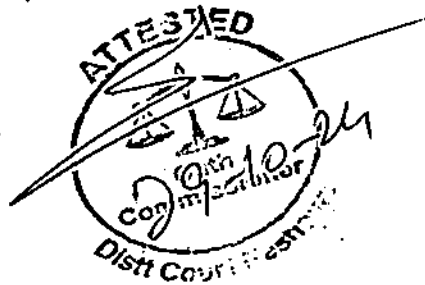
THROUGH:

  
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

  
DEPONENT





**BEFORE KHYBER PAKHTUNWA SERVICE TRIBUNAL,  
PESHAWAR.**

Appeal No. 591 /2022

Rehmat Salam, STT, Government High School, TSD Dara Adamkhel,  
District Kohat

.....**APPELLANT**  
Khyber Pakhtunkhwa  
Service Tribunal

**VERSUS**

Diary No. 347

Dated 23/2/2022

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

.....**RESPONDENTS**

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 (BIOLOGY/CHEMISTRY) AND OBSERVE 4% QUOTA RESERVED FOR PROMOTION OF SR. THEOLOGY TEACHER/THEOLOGY TEACHER TO SST (BIOLOGY/CHEMISTRY) IN ITS TRUE LETTER AND SPIRIT AND AGAINST THE REJECTION ORDER DATED 26<sup>TH</sup> JANUARY, 2022 WHEREBY DEPARTMENTAL APPEAL IS REJECTED IN VIOLATION OF LAW AND PROMOTION RULES.

**PRAYER:**

ON ACCEPTANCE OF THIS APPEAL, THE REJECTION ORDER DATED 26<sup>TH</sup> JANUARY, 2022 MAY KINDLY BE SET ASIDE AND RESPONDENTS MAY KINDLY BE DIRECTED TO CONSIDER APPELLANT FOR PROMOTION AGAINST THE VACANT POST OF SST(BIOLOGY/CHEMISTRY) BY OBSERVING 4% SHARE FOR PROMOTION FROM THE TOTAL SANCTIONED POSTS OF

RECEIVED

28-10-21

Filed to-day

Registrar

7<sup>th</sup> 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

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

(Rashida Bano)  
Member(J)

(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, P.A.\*

Certified to be true copy

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
28-10-24

Khyber Pakhtunkhwa Services Tribunal, Peshawar

Application No. 333 Date 28-10-24  
Name of Applicant M. Khan  
Number of Words/Pages 2  
Copying Fee 10/-  
Urgent/Ordinary 5/-  
Total 15/-  
Name & Sign of Copyist Seeshwar  
Date of Completion of Copy 28-10-24  
Date of Delivery of Copy 29-10-24

**VAKALAT NAMA**

NO. \_\_\_\_\_/2024

IN THE COURT OF

Rhyber Pakhtun Khwa Service Tribunal  
Peshawar  
Rehmat Salam

(Appellant)  
(Petitioner)  
(Plaintiff)

Education VERSUS Department

(Respondent)  
(Defendant)

I/We, Rehmat Salam

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT AND SHAKIR ULLAH TORANI ADVOCATE**, 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.

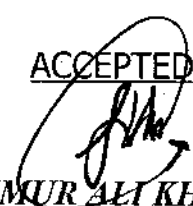
I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding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

Dated \_\_\_\_\_/2024

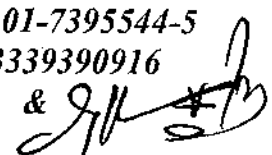


(CLIENT)

**ACCEPTED**

  
**TAIMUR ALI KHAN**  
Advocate High Court

**BC-10-4240**  
**CNIC: 17101-7395544-5**  
**Cell No. 03339390916**

  
**SHAKIR ULLAH TORANI**  
Advocate Peshawar  
**BC-22-4994**  
**03409146056**