


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1324 /2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	01.11.2024	<p>The application for restoration of Service appeal No. 904/2023 submitted today by Mr. Abid Ayub Advocate. It is fixed for hearing before Division Bench at Peshawar on 07.11.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The application for restoration of appeal no. 904/2023 received today i.e. on 29.10.2024 is returned to the counsel for the applicant with the following remarks.

1- Application is not on proper format.

No. 1004 /Inst./2024/KPST,

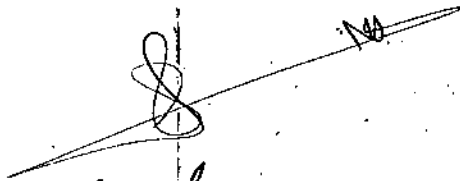
Dt. 30/10 /2024.

for Amalullah
REGISTRAR
KHYBER PAKHTUNKWA
SERVICE TRIBUNAL
PESHAWAR

Mr. Abid Ayub Adv.
High Court Peshawar.

01-11-2024
note:

Re-submitted, after necessary completions.


Counsel.

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

R.A
EM# 1324 of 2024

In

Service Appeal No. 904 / 2023

Imran Khan


Vs

Govt. of KPK & other


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3.	Cause List of High Court dated 17.10.2024		4
4.	Copy of order dated 17.10.2024 of this Honorable Court		5-6


Dated: - 28th Oct, 2024


Imran Khan
Applicant / Appellant

Through


Abid Ayub
Advocate High Court,
Peshawar

&


Saad Ul Mabood Khattak
Advocate High Court,
Peshawar

①

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWA

R.A. CM# 1324 of 2024

In

Service Appeal No. 904 / 2023

Imran Khan s/o Momin Khan r/o Lateef Abad, District Peshawar.
(Constable, Police Department, KPK, No. 6944)

Applicant / Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa *through* Inspector General of Police.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operations), Peshawar.
4. Account Officer, Police Department, Peshawar.

Respondents

**APPLICATION for restoration of Service
Appeal No. 904 / 2023 and to decide the
same on merits**

Respectfully Sheweth,

1. That the above-mentioned Service Appeal was fixed before this Honorable Court on 17.10.2024.
2. That the counsel for applicant / Appellant busy before Peshawar High Court, Peshawar in connection of case i.e. "*Munir Ahmad ..Vs.. Mst. Jan Sultan*" CR No.164-P/2024 before Honorable Justice S.M Attique Shah, therefore, could not attend this Honorable Court at the time of call. (*Copy of High Court cause list is attached*)
3. That due to non-appearance of applicant / Appellant and his counsel, the case has been dismissed for non-prosecution on 17.10.2024. (*Copy of order dated 17.10.2024 is attached*)
4. That the counsel for applicant / appellant inquired about the fate of the case at tea break and was told that the case has been dismissed for non-prosecution and thus, this

①

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

CM# _____ of 2024

In

Service Appeal No. 904 / 2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 17296

Dated 29-10-24

Imran Khan

Vs

Govt. of KPK & other

**APPLICATION for restoration of Service
Appeal No. 904 / 2023 and to decide the
same on merits.**

Respectfully Sheweth,

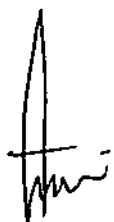
1. That the above-mentioned Service Appeal was fixed before this Honorable Court on 17.10.2024.
2. That the counsel for applicant / Appellant busy before Peshawar High Court, Peshawar in connection of case i.e. "*Munir Ahmad ..Vs.. Mst. Jan Sultan*" CR No.164-P/2024 before Honorable Justice S.M Attique Shah, therefore, could not attend this Honorable Court at the time of call.
(Copy of High Court cause list is attached)
3. That due to non-appearance of applicant / Appellant and his counsel, the case has been dismissed for non-prosecution on 17.10.2024. *(Copy of order dated 17.10.2024 is attached)*
4. That the counsel for applicant / appellant inquired about the fate of the case at tea break and was told that the case has been dismissed for non-prosecution and thus, this

application after obtaining certificate copies is being filed without any further delay.

5. That the absence of counsel for applicant / appellant was not intentional but was due to the above mentioned reason which is excusable.
6. That in the interest of justice, the case in which the valuable rights of the applicant / appellant are involved is to be decided on merits and there is no legal or factual bar in restoration of the above titled Service Appeal.
7. That if the Service Appeal is not restored and is not decided on merits, the applicant / appellant may sustain irreparable loss.

It is, therefore, humbly & respectfully prayed that on acceptance of this application, the above mentioned Service Appeal may kindly be restored and may be decided on merits.

Dated: - 28th Oct, 2024



Abid Ayub
Advocate High Court,
Peshawar

Through



Imran Khan
Applicant / Appellant

&



Saad Ul Mabood Khattak
Advocate High Court,
Peshawar

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

CM# _____ of 2024

In

Service Appeal No. 904 / 2023

Imran Khan

Vs

Govt. of KPK & other

AFFIDAVIT

I, Abid Ayub, Advocate (*Counsel for applicant / appellant*) do hereby solemnly affirm and declare that the contents of this application are true and correct to the best of my knowledge & belief and nothing has been kept secret from this Hon'ble Court.

Dated: - 28th Oct, 2024

DEPONENT
BC-09-2432
Mob: 0313-9011599

ATTESTED
28/10/2024



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PESHAWAR HIGH COURT, PESHAWAR
DAILY LIST FOR THU, 17 OCTOBER, 2024

BEFORE:-

MR. JUSTICE S.M. ATTIQUE SHAH

Court No: 3

NOTICE CASES

- | | | | |
|----|--|--|--|
| 25 | CM 329/2024 With
C.R 164/2024
(Decree-Declaration)
(226083) | Munir Ahmed and another
V/S
Mst Jan Sultan and others | Mr Abid Ayub
<hr/> |
| 26 | C.M 437/2024(N), C.R
240/2024 With C.M
593/2024(M)
(Orders-12(2) CPC)
(227186) | Sangeen Shah
V/S (Date By Court)
Liaqat Ali and others | Mr Arshad Hussain Awan
<hr/>
Mr Inam Ullah |
| 1 | C.M 578/2024(N)
With C.R 338/2024
(Orders-Possession)
(228716) | Sangeen Shah
V/S (Date By Court)
Qaisar Ali and Others | Mr Arshad Hussain Awan
<hr/>
Mr Misbah Ullah, Mr Inam
Ullah |
| 2 | C.R 441/2024
(Orders-12(2) CPC)
With CM 765/2024
(230334) | Haji Muhammad Tahir and Others
V/S
Liaqat and Others | Mr Khursheed Khan
<hr/> |
| 3 | C.R 442/2024
(Orders-12(2) CPC)
With C.M 766/2024
(M) (230336) | Haji Muhammad Tahir and Others
V/S (Date By Court)
Mst. Asia and Others | Mr Khursheed Khan
<hr/> |
| 27 | CM 964/2024 With
C.R 561/2024
(Decree-Injunction)
(231965) | Zain Khan and Another
V/S
Sifat Ali Deceased Through Lrs. and
Another | Mr Abdul Sattar Khan
<hr/> |
| 28 | CM 1200/2024 With
C.R 667/2024
(Decree-Declaration)
(233398) | Zar Khan and others
V/S
Hussain Shah and others | Arbab Yasir Hayat
<hr/> |

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BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal# 904 of 2023

Imran Khan s/o Momin Khan r/o Lateef Abad, District
Peshawar.
(Constable, Police Department, KPK, No. 6944)

Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa *through* Inspector General of Police.
2. Capital City Police Officer, Peshawar.
3. Senior Superintendent of Police (Operations), Peshawar.
4. Account Officer; Police Department, Peshawar.

Respondents

APPEAL under section 4 of the Khyber Pakhtunkhwa Services Tribunal Act-1974 against order dated 02/11/2022 issued by the respondents whereby the appellant has been wrongly dismissed from service.

Prayer:

To set-aside the impugned order dated 02/11/2022 & order 27/03/2023 and to reinstate the appellant with all back benefits and also absent period from 21/06/2022 to 29/08/2022 be granted in favour of appellant.

ATTESTED
[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
28-10-24

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ORDER


17th 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 17th day of October, 2024.*


(Rashida Bano)
Member(J)


(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
28-10-24

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Application No. 287 Date 23-10-24

Name of Applicant H. J. Gul.

Number of Words/Pages 10/-

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