


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1328/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	04.11.2024	<p>The application for Service Tribunal No. 1795/2022 submitted today by Roeda Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on 08.11.2024. Original file be requisitioned. Paracha Peshi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR



Service Appeal No. ^{1795/2022} 095/2022 R.A. NO. 1328/2024

Mst Rehana Yasmeen VERSUS Chief Minister Govt of KPK etc

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S.No.	Description of documents	Annexure	Pages
1.	Copy of petition along with affidavit		1-3
2.	Copy of order sheet dated 23.09.2024	A	4-5
3.	Wakalat Nama		6

Dated 01/11/2024


- Petitioner
Through 
Roeeda Khan
Advocate High Court Peshawar

(11)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

R-A - NO. 1328/2024

Service Appeal No. 1795/2022

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 17857
Dated 04/11/24

Mst Rehana Yasmeen District Education Officer female Mansehra.

BEFORE Appellant

Versus

1. Chief Minister Khyber Pakhtunkhwa (Competent Authority) through Chief Secretary, Govt of Khyber Pakhtunkhwa Peshawar.
2. Chief Secretary Govt of Khyber Pakhtunkhwa Peshawar.
3. The Secretary to govt of Khyber Pakhtunkhwa E&SE Education Department Peshawar.
4. Director of Elementary and Secondary Education Khyber Pakhtunkhwa

BEFORE Peshawar.

..... Respondents

APPLICATION FOR RESTORATION OF THE ABOVE MENTION SERVICE APPEAL NO. 1795/2022 WHICH HAS BEEN DISMISSED IN DEFAULT ON 23/09/2024.

BEFORE

RESPECTED SIR,

1. That the above mentioned Service Appeal was pending before this Hon' able tribunal which has been dismissed in default on 23/09/2024. (Copy of order dated 23/09/2024 is attached as Annexure-A).
2. That the above titled service appeal of the petitioner along with other connected appeal No. 195/2022 were fixed on 25.07.2024 which were adjourned for 28.10.2024. It is pertinent to mention here that, when the petitioner appeared before the Hon' able Service Tribunal on 28.10.2024 as usual for Court proceedings, the petitioner came to know that her service appeal No. 1795/2022 has already been dismissed in default on 23.09.2024

other

(2)

while other connected service appeal No 195/2022 was fixed on 28.10.2024.

3. That nonappearance of the Petitioner was not intentionally but due to the reason mentioned above.

4. That the instant application is well within time.

5. That there is no legal bar for acceptance of the instant application.

It is therefore, most humbly submitted that on acceptance of the instant restoration application the Service Appeal of the appellant may kindly be restore.

Dated 01/11/2024



Petitioner

Through



Roeeza Khan

Advocate High Court Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 195/2022

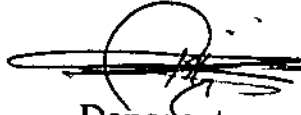
Mst Rehana Yasmeen VERSUS Chief Minister Govt of KPK etc

BEFORE

AFFIDAVIT

I, Mst Rehana Yasmeen District Education Officer female Mansehra do hereby affirm and declare on oath that the contents of the instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

B.F


Deponent

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

SERVICE APPEAL NO. 1795 /2022

MST. REHANA YASMEEN DISTRICT EDUCATION OFFICER (FEMALE) MANSEHRA
(APPELLANT)

VERSUS

1. CHIEF MINISTER KHYBER PAKHTUNKHWA (COMPETENT AUTHORITY) THROUGH CHIEF SECRETARY, GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR
2. CHIEF SECRETARY, GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR
3. THE SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY EDUCATION, DEPARTMENT PESHAWAR
4. DIRECTOR OF ELEMENTARY & SECONDARY EDUCATION, KHYBER PAKHTUNKHWA, PESHAWAR

(RESPONDENTS)

SERVICE APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNEL ACT, 1974, AGAINST THE IMPUNGED NOTIFICATION NO:SO(SF)/ESSED/4-17/2021/INQUIRY AGAINST ZUBAIDA HANIF & OTHERS DATED 16/08/2022, WHEREBY THE COMPETENT AUTHORITY (CHIEF MINISTER) IMPOSED MINOR PENALTY OF "WITHHOLDING OF TWO ANNUAL INCREMENT FOR TWO YEARS" UPON THE APPELLANT AND SUBSEQUENTLY REJECTION OF REVIEW PETITION BY THE COMPETENT AUTHORITY VIDE NO.SO(INQ)E&SED/4-17/2022/ZUBAIDA HANIF & OTHERS DATED 01-11-2022 RECEIVED THROUGH REGISTERED POST ON 17-11-2022, IS ARBITRARY, ULTRA VIRES, MALAFIDE IN LAW AND FACTS, WITHOUT LAWFUL AUTHORITY, IGNORING THE MATERIAL FACTS THAT NO SPECIFIC ALLEGATION PROVED AGAINST THE APPELLANT. THE SAME MAY PLEASE BE SET ASIDE DECLARING IT AS ILLEGAL, NULL AND VOID, VOID AB-INITIO AND INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT.

Respectfully Sheweth;

FACTS:

Brief facts leading to the instant service appeal are as under: -

- 1) That Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar (Respondent No.4) initiated recruitment process through advertisement dated 18-11-2017 in leading daily newspapers inviting applications for appointment against three categories of post of SSTs (Senior School Teacher) in BPS-16 through NTS on contract/Adhoc basis under

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
01-11-24

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ORDER
23rd Sept, 2024

Kalim Arshad Khan, Chairman: Nobody present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Case was called after various intervals, however, neither appellant nor his counsel put appearance before the Tribunal, till its rising. Therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open court at camp court Abbottabad and given under our hands and seal of the Tribunal this 23rd day of September, 2024.*


(Farzha Paati)
Member(I)
Camp Court Abbottabad


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Adnan Shah, P.A.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
01-11-2024

Khyber Pakhtunkhwa Service Tribunal, Peshawar	01-11-2024
Application No. 430	
Name of Applicant	Ajjeem Siv
Number of Words: P. 1	2-8
Copying Fee	10/-
Urgent Ordinary	5/-
Total	15/-
Name & sign of Clerk	2024
Date of Receipt	01-11-2024
	01-11-2024