Form-A

FORM OF ORDER SHEET

Court of	<u> </u>	
	1	
	Restoration Application No.	1370/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1.	2	3
1	13.11:2024	The application for restoration of Service Appea
		No. 387/2022 submitted today by Mr. Fakhr ul Islam
		Advocate. It is fixed for hearing before touring Division
		Bench at A.Abad on 25.11.2024. Parcha Pehsi given to
		counsel for the applicant.
		,
·		By order of the Chairman
		REGISTRAR
	,	
	,	

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Restoration Application. No. 1370 of 2024

In Service Appeal No.387 of 2022

Niaz Ali Khan S/o Tariq	Khan Ex-Constable	, Resident of Near G.H.S
Boys High School, Sheikl	n-ul-Bandi Tehsil &	District Abbottabad.

..... Appellant

Versus

- 1. District Police Officer, Abbottabad.
- 2. Regional Police Officer, (RPO), Hazara Region, Abbottabad.
- 3. Provincial Police Officer (IGP) Khyber Pakhtunkhwa.
- 4. Secretary to Home Department, Government of Khyber Pakhtunkhwa Peshawar.

.....Respondents

APPLICATION FOR RESTORATION

INDEX

S.No.	Documents	Annexure	P. No.
1.	Application alongwith Affidavit		1-2
2.	Copy of order dated 30.10.2024	-A-	-
3.	Wakalatnama.		

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Restoration Application. No. 1370 of 2024

Nigher Pakhtubbya Service Prihumil Diary No. 17912 Dated 13-11-21

In Service Appeal No.387 of 2022

Niaz Ali Khan S/o Tariq Khan Ex-Constable, Resident of Near G.H.S Boys High School, Sheikh-ul-Bandi Tehsil & District Abbottabad.

..... Appellant

Versus

- 1. District Police Officer, Abbottabad.
- 2. Regional Police Officer, (RPO), Hazara Region, Abbottabad.
- 3. Provincial Police Officer (IGP) Khyber Pakhtunkhwa.
- 4. Secretary to Home Department, Government of Khyber Pakhtunkhwa Peshawar.

.....Respondents

APPLICATION FOR RESTORATION OF SERVICE APPEAL DISMISSED FOR NON PROSECUTION ON 30.10.2024

Respectfully Shewith:

- 1) That the above titled Service Appeal was pending for adjudication before this Hon'ble Tribunal and was fixed for arguments on 30.10.2024.
- 2) That on the date fixed, this Hon'ble Tribunal dismissed the titled service appeal in default due to non prosecution vide order dated 30.10.2024. (Copy of order dated 30.10.2024 is annexed as annexure "A").
- 3) That applicant had taken his ailing daughter to Rawalpindi for checkup and treatment, consequently, appellant neither could attend this Hon'ble Tribunal nor inform his counsel on the date fixed. Resultantly, appellant and his counsel could not attend this Hon'ble Tribunal.

- 4. That appellant's absence from this Honourable Tribunal is neither deliberate nor intentional but due to unavoidable circumstances.
- 5. That the valuable rights of appellant are involved.
- 6. That even otherwise, the instant application is well within time.

It is, therefore, humbly prayed that the titled service appeal may graciously be ordered to be restored in the highest interest of justice.

...APPELLANT /APPLICANT

Through

Dated: 12/11/2024

(FAKHR-UL-ISLAM)
Advocate High Court Abbottabad

AFFIDAVIT:-

I, Niaz Ali Khan son of Tarique Khan, Ex-Constable, Resident of Near G.H.S Boys High School, Sheikh-ul-Bandi Tehsil and District Abbottabad, do hereby declare on oath that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Court.

DEPONENT

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Niaz Ali Khan son of Tarique Khan; Ex-Constable, Resident of Near G.H.S Boys High School, Sheikh-ul-Bandi Tehsil and District Abbottabad.

..APPELLANT

VERSUS

- District Police Officer, Abbottabad.
- 2. Regional Police Officer, (RPO), Hazara Region, Abbottabad.
 - 3. Provincial Police Officer (IGP) Khyber Pakhtunkhwa.
 - 4. Secretary to Home Department, Government of Khyber Pakhtunkhwa, Peshawar.

... RESPONDENTS

SERVICE APPEAL UNDER ARTICLE 4 OF KPK TRIBUNAL ACT. **SERVICE** DECLARATION TO THE EFFECT THAT THE PETITIONER WAS REINSTATED IN THE SERVICES OF POLICE DEPARTMENT VIDE ORDER BEARING NO. 1218/PA DATED 08/04/2019 BUT THE GAPE IN WAS CONVERTED THE **SERVICE** FORFEITURE OF ONE YEAR APPROVED SERVICE AND REST OF PERIOD WAS CONVERTED INTO LEAVE WITHOUT PAY WHICH WAS AGAIN DEPARTMENTAL APPEAL **BEFORE** COMPETENT AUTHORITY I.E. RESPONDENT NO.

ATTENTON AND THE STATE OF THE S



KHYBER PAKHTUNKHW

Service Appeal No. 387/2022 Niaz Ali Versus Government of Khyber Pakhtunkhwa

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
Order-16 30 th	Presents
October, 2024.	1. Nobody on behalf of appellant.
	2. Mr. Asif Masood Ali Shah, Deputy District Attorney for the
	respondents.
	3. 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.
	4. Pronounced in open court at Peshawar and given under our hands
	and seal of the Tribunal on this 30th day of October, 2024.
	(Rashida Rano) (Kalim/Arshid Khan) Member (J) Chairman
rtified to be	ture copy
EXAM Khyber Pe	Michigan Khyber Pakhtunkhwa Sayisa Tribunal, Peshawar 24 Application No. Dale 13-11-24 Name of Applicant Na 3 All Number of 'Vordan'agus Copying Fee Urgen/Ordinary
	Name & Sign of Copylet 2eer Lm Date of Complet and Copy Date of Lancety of Capy 13-11-14

