


KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Restoration Application 1123/2024
Ziaur Rehman Versus Government of Khyber Pakhtunkhwa and others.

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-03 06 th November 2024.	<p>Present:</p> <p>01. Petitioner in person.</p> <p>01. Petitioner stated that his counsel was not available. According to him, against the order dated 03.09.2024 vide which the appeal was dismissed in default, instant restoration application was submitted on 30.09.2024. On the question of limitation, he stated that the application was within time. In this case, Rule 19 (3) of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 is referred which is reproduced as follows:-</p> <p><i>“19 (3)... Where an appeal is dismissed under sub-rule (1) or an ex-parte order made under sub-rule (2), the Tribunal may for sufficient cause on an application made within 15 days restore the appeal or as the case may be set aside the ex-parte order on such terms as to costs or otherwise as it thinks fit to impose.”</i></p> <p>The restoration application in hand was to be submitted within fifteen days after it was dismissed on 03.09.2024 but the same was submitted on 30.09.2024 which is time barred. There is no application for condonation of delay attached with the application.</p> <p>02. In view of the above discussion, instant Restoration Application is dismissed being time barred. Consign.</p> <p>03. <i>Pronounced in open court at Camp Court, Swat and given under my hand and the seal of the Tribunal on this 06th day of November, 2024.</i></p> <p style="text-align: right;"> (Fareeha Paul) Member (Executive) Camp Court, Swat</p> <p style="text-align: center;">*Fazle Subhan PS*</p>