


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1378/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	15.11.2024	<p>The application for restoration of Service Appeal No. 1888/2022 submitted today by Mr. Mir Zaman Safi Advocate. It is fixed for hearing before Division Bench at Peshawar on 21.11.2024. Parcha Pehsi given to counsel for the applicant.</p> <p style="text-align: right;">By order of the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

R.A
C.M. No. 1378 /2024

IN
APPEAL ON. 1888/2022

MUHAMMAD AYAZ

VS

C&W DEPARTMENT

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of application	1.
2.	Affidavit	2.
3.	Order/judgment	A	3-4.

APPLICANT

THROUGH: *M. Zaman Safi*
MIR ZAMAN SAFI
ADVOCATE

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

R.A
C.M. No. 1378 /2024

IN

APPEAL ON. 1888/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 17957

Dated 15/11/24

Mr. Muhammad Ayaz, Tracher (BPS-07),
O/O the XEN Building Division No.1, Peshawar.....APPLICANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary Communication & Works Department, Civil Secretariat, Peshawar.
- 2- The Chief Engineer, Centre, Communication and Works Department, Peshawar..... **RESPONDENTS**

APPLICATION FOR RESTORATION OF THE ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That, the above mentioned appeal was pending adjudication before this Honorable Tribunal in which 08.11.2024 date was fixed for hearing.
- 2- That the above mentioned appeal was fixed for hearing on 08.11.2024 and on the same date Counsel for the appellant was busy before the Peshawar High Court and due to that reason Counsel for the appellant could not appear before this Hon'ble Tribunal.
- 3- That due to non-appearance of the counsel for the appellant on the date fixed, the above mentioned appeal has been dismissed in default vide order dated 24.10.2024. **Copy of the order sheet is attached.**
- 4- That non-appearance of the appellant and Counsel for the appellant was neither deliberate nor intentionally but caused due to the above mentioned reason.

It is, therefore, most humbly prayed that on acceptance of the instant application the above title writ petition may kindly be restored.

Dated: 15-11-2024.

APPELLANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

R.A
C.M. No. 1378 /2024

IN
APPEAL ON. 1888/2022

MUHAMMAD AYAZ

VS

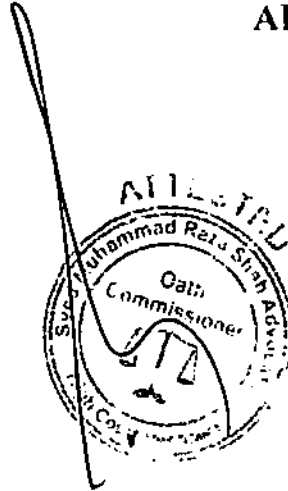
C&W DEPARTMENT

AFFIDAVIT

I Mir Zaman Safi Advocate, High Court, do hereby solemnly affirm that the contents of this **application for restoration** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



MIR ZAMAN SAFI
ADVOCATE



A-3

MEMO OF COSTS
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Amended Service Appeal No.1888/2022

Date of presentation of Appeal 17.10.2024
Date of hearing 08.11.2024
Date of Decision 08.11.2024

Muhammad Ayaz, Tracer (BPS-07), O/O the XEN Building Division No.1,
Peshawar.....(Appellant)

Versus

1. The Government of Khyber Pakhtunkhwa through Secretary Communication and Works Department, Civil Secretariat, Peshawar.
2. The Chief Engineer, Centre, Communication and Works Department, Peshawar and others.....(Respondents)

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SENIORITY LIST DATED 20.05.2022. WHEREBY NAME OF THE APPELLANT HAS WRONGLY BEEN ENLISTED AT SERIAL NO. 38 WHILE JUNIORS TO THE APPELLANT HAVE BEEN ENLISTED AS SENIOR AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRESENT

None for the appellant
Mr. Naseer Ud Din Shah, Assistant Advocate GeneralFor respondents.

Appellants	Amount	Respondent	Amount
1. Stamp for memorandum of appeal	Rs. Nil	1. Stamp for memorandum of appeal	Rs. Nil
2. Stamp for power	Rs. Nil	2. Stamp for power	Rs. Nil
3. Pleader's fee	Rs. Nil	4. Pleader's fee	Rs. Nil
4. Security Fee	Rs.100/-	4. Security Fee	Rs. Nil
5. Process Fee	Rs. Nil	5. Process Fee	Rs. Nil
6. Costs	Rs. Nil	6. Costs	Rs. Nil
Total	Rs. 100/-	Total	Rs. Nil

Note: 1. Counsel Fee is not allowed as the required certificate has not been furnished.

Given under our hands and the seal of this Court, this 8th day of November 2024.

Rashida Bano
Member (Judicial)

Kajim Arshad Khan
Chairman

4



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL


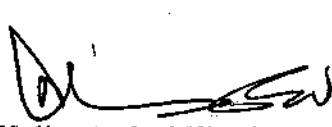
Service Appeal No. 1888/2022

Muhammad Ayaz

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
<p>Order-15 8th November, 2024.</p>	<p><u>Mr. Kalim Arshad Khan, Chairman:</u></p> <p>Present:</p> <ol style="list-style-type: none"> 1. None for the appellant. 2. Syed Naseer Ud Din Shah, Assistant Advocate General for the respondents. 3. 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 4. <i>Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 8th day of November, 2024.</i> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (Rashida Bano) Member(J) </div> <div style="text-align: center;">  (Kalim Arshad Khan) Chairman </div> </div>

Adnan Shah

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

14-11-24

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Application No. 671 Date 12-11-24

Name of Applicant Tawaj

Number of Words/Page 1-1

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