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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa Service Tribunal

In Service Appeal. No. 493/2018

RA No = 983/2024

Diary No. 15509
Scanned
Dated 06/09/2024
KPST Peshawar

Shaukat Ali Khan, PSHT, GPS, Zaffar Maidan, Mansehra.
.....(APPELLANT / PETITIONER)

*******VERSUS*******

1. Secretary, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
3. DEO (Male), Khyber Pakhtunkhwa, Peshawar.
4. SDEO (Male) Circle, Mansehra.
5. ASDEO (Male) Circle, Mansehra.

.....(RESPONDENTS)

APPLICATION FOR RESTORATION OF THE ABOVE TITLE APPEAL, WHICH WAS DISMISSED IN DEFAULT VIDE ORDER DATED 25/07/2024.

Respectfully Sheweth:

1. That the above title Appeal was pending before this Hon,ble court and which was fixed on dated 05/07/2024.

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2. That the appeal was dismissed in default for non appearance. (*Attested copy of the order is annexed*)
3. That the petitioner pray for restoration of appeal on following grounds.

GROUND:

- A. That absence was not willful rather inadvertent counsel for petitioner / appellant was busy in another case in Anti-Corruption Court. Whereas petitioner / appellant was not available personally.
- B. That valuable rights of the petitioner / appellant are attached with the appeal.
- C. That the spirit of law is to decide the dispute on merit after affording an opportunity of hearing to the parties.
- D. That it is in the interest of justice to restore the appeal and decide the same on merit.
- E. That application is within time, however, if this Hon'ble Tribunal consider it out of limitation, the delay if any may be condoned in the interest of justice.
- F. That any other grounds will be raised at the time of arguments with the prior permission of this Hon'ble Court.

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It is, therefore, humbly prayed that on acceptance of this application, subject appeal may kindly be restored and decide on merit.

Dated: 06/09/2024

PETITIONER / APPELLANT

Through

BABAR ILYAS

Advocate High Court Peshawar

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

In Service Appeal. No. 1539/2023

Shaukat Ali Khan

~~Bakht Nawaz~~ S/o Muhammad Afzal, R/o Village & P.O Tehsil
& District Battagram.

.....(APPELLANT / PETITIONER)

*****VERSUS*****

1. Govt. of KP through Secretary C&W Department,
Peshawar.
2. Chief Engineer (Centre), Communication & Works
Department, KPK, Peshawar.
3. Superintending Engineer, C&W Department, Battagram
Division.
4. XEN, C&W Department, Battagram Division

.....(RESPONDENTS)

AFFIDAVIT

I, *Shaukat Ali Khan, PSHT, GPS, Zaffar Maidan, Mansehra.*, do hereby
solemnly affirm and declare that the contents of the above application,
are true and correct to the best of my knowledge and belief and nothing
has been concealed from this Hon'ble Court.

DEPONENT

CNIC No: 13503-9748318-3

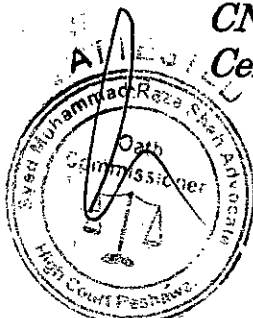
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IDENTIFIED BY:

Babar Ilyas

Advocate High Court

Peshawar



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A. No. 493/18

SCANNED
KPST
Peshawar

BEFORE THE HONORABLE SERVICE
TRIBUNAL K.P.K.

Shoukat Ali Khan, PSHT, GPS, Zaffar Maidan,
Manselhra.

Appellant

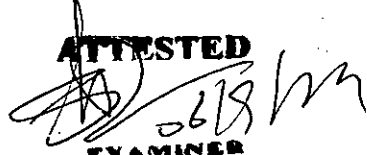
VERSUS

1. Secretary Elementary & Secondary Education
Department, KPK, Peshawar.
2. Director Elementary & Secondary Education
Department KPK, Peshawar.
- ✓ 3. DEO (Male) District, Mansehra.
4. SDEO (Male) Circle, Mansehra.
5. ASDEO (Male) Circle, Mansehra.

Respondents

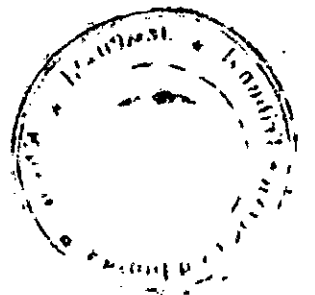
APPEAL AGAINST THE IMPUGNED DISMISSAL OF SERVICE ORDER VIDE
ENTT NO 21636-44/ESTT/MGDS ZAFFAR MAIDAN DATED 12/12/2017
AND ORDER ENDST NO 1880-83/F DATED 11/06/2018, ON THE BASIS
OF SO CALLED INQUIRY WHICH IS AGAINST THE LAW, RULE AND
REGULATION, MAY KINDLY BE SET ASIDE AND APPLICANT MAY
GRACIOUSLY BE REINSTATED.

PRAYER:

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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25th July, 2024

01. Nemo for the appellant. Mr. Arshad Assistant A.G for the respondents present.

02. Called several times, till rising of the court but nobody appeared on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

03. Pronounced in open Court at Camp Court, Abbottabad and given under our hands and the seal of the Tribunal on this 25th day of July, 2024.

Scanned
KPSI Peshawar

(Fareeha Paul)
Member (E)
Camp Court, A/Abad

(Rashida Bano)
Member(J)
Camp Court, A/Abad

Fazle Subhan PS

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation 06/9/23

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