


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1398/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.11.2024	<p>The application for restoration of Service Appeal No. 1095/2024 submitted today by Mr. Zulfiqar Ahmad Advocate. It is fixed for hearing before touring Single Bench at A.Abad on 27.11.2024. Parcha Pehsi given to counsel for the applicant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER

PAKHTUNKHWA PESHAWAR

R.A
EM No. 1398/2024

In

Service Appeal No. 1095/2024

Muhammad Akhtar

..... Petitioner

VERSUS

Government of Khyber Pakhtunkhwa and others..... Respondents

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Application for Restoration		1-2
2.	Affidavit		3
3.	Copy of Order dated 30.10.2024	A	4-5'

Applicants/ Petitioners

Through


Zulfiqar Ahmad

Advocate High Court, Abbottabad

Cell No. 0333-5054670

Dated 20.11.2024

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BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER

PAKHTUNKHWA PESHAWAR

R.A
~~CM~~ No. 1398/2024

In

Service Appeal No. 1095/2024

Muhammad Akhtar s/o ali Asghar, IHC Platoon # 39, Paras Camp
Tehsil Balakot District Mansehra Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary home and Tribal Affairs Department Peshawar
2. Inspector General of Police KPK Peshawar
3. SP Admin and Minority SSU (CPEC) KPK Peshawar
4. Commandant SSU (CPEC) Peshawar
5. Muhammad Saeed DSP SSU (CPEC) Hazara Region

..... Respondents

APPLICATION FOR RESTORATION OF THE ABOVE
TITLED SERVICE APPEAL WHICH WAS DISMISSED IN
DEFAULT ON 30.10.2024 DUE TO NON-PROSECUTION.

Respectfully Sheweth:

1. That the above titled Appeal was dismissed on the basis of non-prosecution vide Order dated 30.10.2024. (Copy of Order is attached as Annexure A).

2. That counsel of the appellant was busy before the Hon'ble High Court Abbottabad Bench and the appellant was on emergency Polio duty and when reached before the hon'ble Tribunal at 12 Noon, the case of the appellant was dismissed in default.
3. That due to unawareness, the security and process fees was not deposited by the appellant, so requested to give a chance for submission of security and process fee.
4. That the non-attendance of the applicant/appellant as well as counsel for appellant was not intentional or deliberate but due to the above said reason.
5. That the valuable rights of the appellant are involved in the Service Appeal in hand.
6. That the instant application is well within time and there is no legal bar in allowing the instant application.
7. That any other grounds may be raised with the permission of the Court during the course of the arguments.

It is, therefore, humbly prayed that on acceptance of the present Application, the titled case/Service Appeal may kindly be restored and be decided on merit, in the best interest of justice.


Applicants/ Petitioners

Through


Zulfiqar Ahmad

Advocate High Court, Abbottabad

Dated 20.11.2024

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BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

CM No. _____/2024

In

Service Appeal No. 1095/2024

Muhammad Akhtar


..... Petitioner

VERSUS

Government of Khyber Pakhtunkhwa and others..... Respondents

AFFIDAVIT

I, *Muhammad Akhtar s/o Ali Asghar, ASI District Police Abbottabad (Appellant/ Applicant)*, do hereby solemnly affirm and declare on Oath that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


Deponent



CNIC No. 131012854379-9

Cell. 0322 9854976

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BEFORE THE SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA PESHAWAR

Service Appeal No. 1095/2024

Mohammad Akhtar S/O Ali Asghar # IHC Paltoon #39 paras
camp Teshsil Balakot District Mansehra.

... APPELLANT

VERSUS

1. Government of KPK through Secretary home and TAs
Department Peshawar
2. Inspector General of Police KPK Peshawar.
3. SP Admin and minority SSU (CPEC) KPK Peshawar.
4. Commandant SSU (CPEC) Peshawar
5. Muhammad Saeed DSP SSU (CPEC) Hazara Region.

...RESPONDENTS

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APPEAL AGAINST THE ORDER OF RESPONDENT #3
PASSED VIDE OB # 546 DATED 23-08-2022 WHEREBY THE
ALLEGED ABSENCE PERIOD OF 83 DAYS WAS
TREATED AS LEAVE WITHOUT PAY ALONG WITH
STOPAGE OF ONE ANNUAL INCREMENT WITH
CUMALATIVE AFFECT AS WELL AS AGAINST THE
ORDER OF RESPONDENT #2 PASSED VICE LETTER
#1621 dated 16-06-2023 COMMUNICATED ON 2-8-2023
WHEREBY THE REVISION PETITION WAS FILED THAT
IS ILLEGAL, DISCRIMINATORY AGAINST THE SETTLED
NORMS OF JUSTICE AND IS RESULTED IN
MISCARRIAGE OF JUSTICE THEREFORE IS LIABLE TO
BE SET ASIDE.

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL THE
ORDERS OF RESPONDENTS NO 2 AND 3 MAY KINDLY
BE SET ASIDE AND THE PENALTY IMPOSED UPON
THE APPELLANT MAY ALSO BE SET ASIDE AND ANY
FURTHER PROCEEDINGS IN CONSEQUENCE OF
IMPUGNED ORDERS MAY ALSO BE SET ASIDE BEING
UNLAWFUL AND AGAINST THE SETTLED NORMS OF
JUSTICE AND THE ALLEGED ACCEPTANCE PERIOD
MAY VERY KINDLY BE TREATED LEAVE WITH PAY.

Filed to Day
Registrar

ATTACHED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

20-11-24

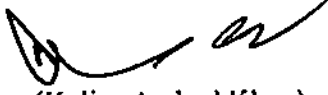
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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No. 1095/2024

M. Akhtar 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-10 30th October, 2024.</p>	<p>Present:</p> <ol style="list-style-type: none"> None for the appellant. Mr. Umair Azam, Additional Advocate General for the respondents. <p>Mr. Kalim Arshad Khan, Chairman: Nobody is present on behalf of the appellant nor security fees has been deposited, therefore, the instant appeal is dismissed in default as well as for non-compliance of the court order. Consign</p> <p>2. <i>Pronounced in open court at camp court Abbottabad and given under my hand and seal of the Tribunal on this 30th day of October, 2024.</i></p>
<p><i>Certified to be true copy</i></p> <p><i>E. MANER</i> Khyber Pakhtunkhwa Service Tribunal, Peshawar 20-11-24</p> <p><i>*Adham Shah*</i></p>	<p> (Kalim Arshad Khan) Chairman Camp Court Abbottabad</p> <p>Khyber Pakhtunkhwa Service Tribunal, Peshawar</p> <p>Application No. <u>838</u> Date <u>20-11-24</u></p> <p>Name of Applicant <u>M. AKHTAR</u></p> <p>Number of Words/Pages <u>2-8</u></p> <p>Copying Fee <u>10/-</u></p> <p>Urgent/Ordinary <u>5/-</u></p> <p>Total <u>15/-</u></p> <p>Name & Sign of Copyist <u>Zeeshan</u></p> <p>Date of Completion of Copy <u>20-11-24</u></p> <p>Date of Delivery of Copy <u>20-11-24</u></p>