


Form-A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Restoration Application No. 1395/2024**

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. 2288/2022 submitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for hearing before Division Bench at Peshawar on 27.11.2024. Parcha Pehsi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p>

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

*R.A.*  
**CM. NO. 1395 /2024**

**IN**  
**APPEAL No. 1288/2022**

**FALAK SHER VS POLICE DEPT:**

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**Dated: 15/11/2024**

**PETITIONER/APPLICANT**

**Through:**

**NOOR MUHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**

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

R.A  
CM. NO. 1395 /2024

IN  
APPEAL No. 1288/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1841

Dated 20/11/24

Mr. Falak Sher,  
Constable/Wireless Operator No 794,  
Police Telecommunication, Khyber Pakhtunkhwa, Peshawar.

..... **APPLICANT**

**VERSUS**

- 1) The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2) The Deputy Inspector General of Police, Telecommunication & Transport, Peshawar.
- 3) The Deputy Inspector General of Police, Training (CPO), Khyber Pakhtunkhwa, Peshawar.
- 4) The Commandant Police Training College, Hangu
- 5) The Assistant Inspector General of Police, Telecommunication & Transport, Peshawar.
- 6) The Assistant Inspector General of Police/Establishment, Peshawar.

..... **RESPONDENTS**

**APPLICATION FOR RESTORATION OF THE ABOVE MENTIONED APPEAL.**

**R/SHEWETH:**


- 1- That the above titled service appeal was pending adjudication before this Honorable Tribunal, Principal Seat at Peshawar, which was fixed on 14/11/2024.
- 2- That the counsel for the petitioner was busy before the Honourable Peshawar High Court at Peshawar
- 3- That the mentioned service appeal was dismissed in default vide order dated 14/11/2024. Copy of the order sheet dated 14/11/2024 is attached as annexure.....**A**

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- 4- That as the matter pertaining in the instant appeal has not been decided on merit, therefore the mentioned service appeal may be restored for the sack of justice.
- 5- That there is no legal bar in restoring the mentioned appeal.

It is therefore, most humbly prayed that on acceptance of this application the above mentioned service appeal may very kindly be restored.

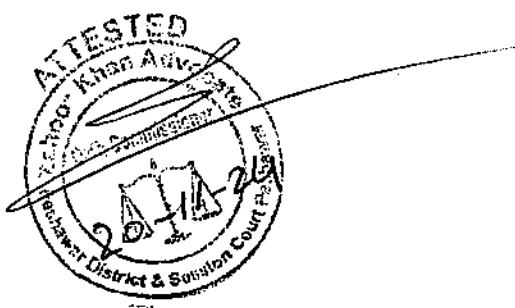
Dated: 15/11/2024

  
**PETITIONER/APPLICANT**  
Through:  
**NOOR MUHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**

**AFFIDAVIT**

I, Mr. Falak Sher, Constable/Wireless Operator No 794, Police Telecommunication, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

  
**DEPONENT**



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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**APPEAL NO. 1288 /2022**



Mr. Falak Sher, Constable/wireless operator No.794,  
Police Telecommunication, Khyber Pakhtunkhwa, Peshawar

.....(APPELLANT)

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Deputy Inspector General of Police, Telecommunication & Transport, Peshawar.
- 3- The Deputy Inspector General of Police, training (CPO) Khyber pakhtunkhwa Peshawar.
- 4- The Commandant police training college, hangu.
- 5- The Assistant Inspector General of Police, Telecommunication & Transport, Peshawar.
- 6- The assistant Inspector General of Police/ Establishment, Peshawar.

..... **RESPONDENTS**

**APPEAL UNDER SECTION -4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST NON-ISSUING OF FINAL SENIORITY LIST SINCE, 2017 TO 2022 AS WELL AS GRANTING UNLAWFUL, ILLEGAL AND IRREGULAR PROMOTIONS TO RECRUIT COURSE UNQUALIFIED/JUNIOR OFFICIALS ON THE BASIS OF SO CALLED/ UNSANCTIONED TRADES/ INCOMPLETE DISREGARD OF SENIORITY AND IGNORING THE APPELLANT FROM PROMOTION TO THE NEXT HIGHER RANKS AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

10-11-24

**Prayer:**

That on acceptance of this appeal the respondents may kindly be directed to issue final seniority list according to initial appointment/absorption and in light of Section-8 of the Civil servant Act, 1973 read with rule 17 of the appointment, promotion and transfer Rules, 1989. That the illegal, unlawful and irregular promotions granted to unqualified/ junior officials on the basis of so called/unsanctioned trades may kindly be set aside. That the respondents may further please be directed either to grant/allow seniority to appellant from the date of initial appointment in the tele unit or in the parent unit along with their original batch mats with all back benefits in accordance to section-8 of the Civil servant Act, 1973 read with Rule 17 of the APT rules, 1989. Any other remedy which this



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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

Service Appeal No. 1288/2022

Falak Sher 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-19 11<sup>th</sup> November, 2024.</p>	<p><b><u>Mr. Kalim Arshad Khan, Chairman:</u></b></p> <p>Present:</p> <ol style="list-style-type: none"> <li>1. None for the appellant.</li> <li>2. Mr. Muhammad Jan, District Attorney for the respondents.</li> <li>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</li> <li>4. <i>Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 14<sup>th</sup> day of November, 2024.</i></li> </ol> <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> <div style="margin-top: 20px;"> <p><i>15-11-24</i> *Adnan Shah*</p> </div> <div style="margin-top: 20px;"> <p>Khyber Pakhtunkhwa Service Tribunal, Peshawar</p> <p>Application No. <u>982</u> Date <u>14-11-24</u></p> <p>Name of Applicant <u>M. Sayyid</u></p> <p>Number of Words/Pages <u>2-7</u></p> <p>Copying Fee <u>6/-</u></p> <p>Urgent/Ordinary _____</p> <p>Total <u>6/-</u></p> <p>Name &amp; Sign of Copyist <u>Zeeshan</u></p> <p>Date of Completion of Copy <u>18-11-24</u></p> <p>Date of Delivery of Copy <u>19-11-24</u></p> </div>

Certified to be true copy

EX. 11/11/24  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

*15-11-24*  
\*Adnan Shah\*

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

Resitvation NO: \_\_\_\_\_ OF 20<sup>24</sup>

Faizullah Shao

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Govt

(RESPONDENT)  
(DEFENDANT)

I/We Faizullah Shao

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/202

CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**  
(BC-10-0853)  
(15401-0705985-5)

**UMAR FAROOQ MOHMAND**

**WALEED ADNAN**

**KHANZAD GUL**

&

**MUJEEB UR REHMAN**  
**ADVOCATES**

**OFFICE:**

Flat No. (TF) 291-292 3<sup>rd</sup> Floor,  
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(0311-9314232)