


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 1406/2024

| 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. 1485/2022 submitted today by Mr. Mati ur Rehman Advocate. It is fixed for hearing before Division Bench at Peshawar on 26.11.2024. Parcha Pehsi given to counsel for the applicant.</p> <p>By order of the Chairman  REGISTRAR</p> |

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

R-A No. 1406/2024

S.A.No.1485/2022

Sadiq-ur-Rehman..... Appellant
Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others..... Respondents

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| 1 | Application for restoration with affidavit. | | 1-2 |
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Dated: 20.11.2024

Appellant

Through



Muti-ur-Rehman
Advocate High Court

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR.

S.A.No.1485/2022

RA No. 1406/2024

Khyber Pakhtunkhwa
Service Tribunal

Case No. 18151

Dated 20-11-24

Sadiq-ur-Rehman son of Tajul Islam Ajab Gul
Senior Theology Teacher (BPS-16) at GHSS Shagram
Tehsil Mastuj, District Chitral Upper..... Appellant
Versus

- 1) Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
- 2) Govt. of Khyber Pakhtunkhwa through Secretary Education, Civil Secretariat, Peshawar.
- 3) Govt. of Khyber Pakhtunkhwa through Accountant General (AG) Peshawar.
- 4) District Education Officer (Male) District Chitral
- 5) District Accounts Officer (DAO) Chitral..... Respondents

APPLICATION FOR RESTORATION OF
THE ABOVE NOTED APPEAL DISMISSED
IN DEFAULT FOR WANT OF
PROSECUTION ON 05.11.2024.

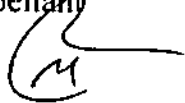
Respectfully Sheweth;

Applicant submits as under:

- 1) That the above noted appeal was fixed on 05.11.2024 and dismissed in default. (Copy of order is attached).
- 2) That earlier the above titled appeal was fixed on 04.11.2024 and on the request of appellant's counsel the case was fixed/ adjusted for 06.11.2024, but when the undersigned appeared before this Hon'ble Tribunal he was informed that the case has already been dismissed in default on 05.11.2024, hence this application.

- 3) That the application is well within time from the date of knowledge.
- 4) That the non-appearance of the counsel as well as of the appellant is/ was neither willful nor deliberate but due to the above mentioned reason.
- 5) That superior courts of the country always favour adjudication of the cases on merits rather than on technicalities and there is no legal impediment in the way of restoration of the case.

It is, therefore, requested that the above noted appeal may kindly be restored in the interest of justice and be decided on merits.

Appellant
Through 
Muti-ur-Rehman
Advocate High Court

AFFIDAVIT

I, Sadiq-ur-Rehman son of Tajul Islam Ajab Gul Senior Theology Teacher (BPS-16) at GHSS Shagram Tehsil Mastuj, District Chitral Upper, do hereby affirm and declare that the contents of the accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.




Deponent



①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1485/2022

Dis. No. 1398

Dated 21-9-2022

Sadiqur Rehman S/o Tajul Islam Ajab Gul, Senior Theology
Teacher BPS-16, at GHSS Shagram Tehsil Mastuj, District Chitral
Upper.

..... Appellant

VERSUS

- 1) Government of Khyber Pakhtunkhwa, Through Chief Secretary, Civil Secretariat, Peshawar.
- 2) Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
- 3) Government of Khyber Pakhtunkhwa, through Accountant General (AG) Peshawar.
- 4) District Education Officer (Male) District Chitral.
- 5) District Account officer (DAO), Chitral

..... Respondents

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

13-11-24

File-to-day
Registrar
21/9/2022

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER DATED
22.03.2022 WHEREBY; THE DEPARTMENTAL
APPEAL OF THE APPELLANT REGARDING THE
ANNUAL INCREMENT HAS BEEN REJECTED.**

Respectfully Sheweth: -

- 1) **That** the appellant belongs to a respectable family of District Chitral Upper and holds a Degrees / Sanads of Shahadat ul Alia Fil Uloom ul Islamia Wal Arabia (Bachelor

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL



Service Appeal No. 1485 of 2022

Sadiq ur Rehman Versus Government of Khyber Pakhtunkhwa, through Chief Secretary,
Civil Secretariat, Peshawar 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 |
|---|---|
| <p>Order-22 05th November, 2024.</p> | <p>Present:</p> <ol style="list-style-type: none">1. Nemo on behalf of the appellant.2. Mr. Muhammad Jan, District Attorney on behalf of the respondents. <p>On the previous date of hearing, Mr. Zakir Ullah, Advocate, junior to learned counsel for the appellant, appeared and requested for adjournment. Consequently, the case was adjourned and fixed for hearing today. However, despite repeated calls at various intervals, no one appeared on behalf of the appellant. In light of the appellant's failure to appear and the absence of any representation or explanation, it is evident that there is a lack of interest in prosecuting the matter. Accordingly, the instant appeal is hereby dismissed in default for want of prosecution. File be consigned to the record room.</p> <p>ANNOUNCED 05.11.2024</p> <p>(Fareha Paul) Member (Executive) Camp Court, Swat</p> <p>(Aurang Zeb Khattak) Member (Judicial) Camp Court, Swat</p> |

Certified true copy
EXEMPTED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
13-11-24

Khyber Pakhtunkhwa Se
 Journal, Peshawar (664)
 Date: 13-11-24
 2-1
 Application No. 2-1
 Name of Applicant: 2-1
 Number of Volumes: 2-1
 Copying Fee: 5/-
 Urgent/Ordinary: 15/-
 Total: 20/-
 Name & Sign of Applicant: 20/-
 Date of Copying: 13-11-24
 Date of Receipt: 13-11-24