




Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 442/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.08.2022	<p>The execution petition of Mr. Sikandar Shah submitted today by Mr. Asif Yousafzai Advocate may be entered in the relevant register. This execution petition be put up before Single Bench at Peshawar on <u>03-08-2022</u>. Original file be requisitioned. Notices to the parties be also issued for the date fixed.</p> <p style="text-align: right;"> REGISTRAR</p>
	3 rd August, 2022	<p>Nobody is present on behalf of the petitioner. Mr. Kabirullah Khattak, Addl: AG for respondents present.</p> <p>Notices be issued to the respondents for submission of implementation report on the next date positively through registered post. To come up for implementation report on 14.09.2022 before S.B.</p> <p style="text-align: right;"> (Kalim Arshad Khan) Chairman</p>
	<p><u>Let's Diary</u> 03/08/22</p>	<p>Let's on the Behr part appearance. To come up on the date fixed. Original file be also requisitioned </p>

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

Execution Petition No. 442 /2022
In Service Appeal 1959/2009

Sikandar Shah

VS

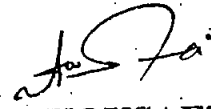
police Deptt

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S.No.	Documents	Annexure	Page No.
1.	Memo of Execution Petition	-----	01-02
2.	Copy of Judgment	- A -	03-04
3.	Vakalat Nama	-----	05


PETITIONER
Sikandar Shah

THROUGH:


M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT


SYED NOMAN ALI BUKHARI
ADVOCATE, HIGH COURT

Date: 01.08.2022

Cell No: 0306-5109438

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.

1

Execution Petition No. _____/2022
In Service Appeal 1959/2009

Mr. Sikandar Shah,

(PETITIONER)

VERSUS

1. The provincial Police Officer, KP Peshawar.
2. The Capital City Police Officer, KP, Peshawar.

(RESPONDENTS)

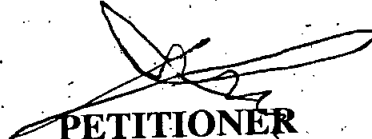
.....
**EXECUTION PETITION FOR DIRECTING THE
RESPONDENTS TO IMPLEMENT THE JUDGMENT
DATED 11/06/2018 OF THIS HONORABLE TRIBUNAL
IN LETTER AND SPIRIT.**

.....
RESPECTFULLY SHEWETH:

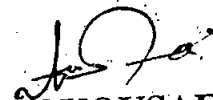
1. That the appellant filed an appeal bearing No.1959/2009 against the final order dated 27.09.2009.
2. That the said appeal was finally heard by the Honorable Tribunal on 11/06/2018 and the Honorable Tribunal was kind enough to accept the appeal and respondent no.2 is directed to decide the application dated 04.07.2009 of the appellant with speaking order. (Copy of judgment is attached as Annexure-A).
3. That the appellant also filed applications for implementation of judgment but in vain. So, in-action and not fulfilling formal requirements by the department after passing the judgment of this august Tribunal, is totally illegal amount to disobedience and Contempt of Court.

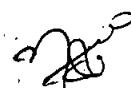
4. That the judgment is still in the field and has not been suspended or set aside by the Supreme Court of Pakistan, therefore, the respondents are legally bound to pass formal appropriate order.
5. That the petitioner has having no other remedy except to file this execution petition.

It is, therefore, most humbly prayed that the respondents may be directed to implement the judgment dated 11/06/2018 of this august Tribunal in letter and spirit. Any other remedy, which this august Tribunal deems fit and appropriate that, may also be awarded in favour of petitioner.


PETITIONER
Sikandar Shah

THROUGH:


M. ASIF YOUSAFZAI
ADVOCATE SUPREME COURT


SYED NOMAN ALI BUKHARI
ADVOCATE, HIGH COURT

AFFIDAVIT:

It is affirmed and declared that the contents of the execution petition are true and correct to the best of my knowledge and belief and nothing has been concealed from Hon'able Tribunal.


Deponent

Service Appeal No. 1959/2009

Date of Institution: 23.12.2009

Date of Decision: 11.06.2018

Sikandar Shah

Vs

The Provincial Police Officer, Khyber Pakhtunkhwa
Peshawar and 2 others.



Judgment/Order:

11.06.2018

MUHAMMAD HAMID MUGHAL, MEMBER (J) Learned counsel

for the appellant present. Learned Deputy District Attorney on behalf of respondents present.

Learned counsel for the appellant stated that the appellant submitted appeal/application dated 04.07.2009 to the respondent No.2/CCPO Peshawar, for the conversion of penalty of forfeiture of two (02) years service into minor punishment, which appeal/application was simply filed vide the final impugned order dated 27.09.2009. Learned counsel for the appellant argued that the final impugned/rejection order dated 27.09.2009 is not a speaking order and the appellant would feel contended if the respondent department/respondent No.2 is directed to decide his departmental appeal/application dated 04.07.2009 with speaking order.

Perusal of the final impugned order dated 27.09.2009 of respondent No.2 would show that vide the said order, the appellate authority/CCPO Peshawar has simply filed the application of the appellant without assigning any reason for the same. Hence this Tribunal is constrained to accede to the request of the learned counsel for the appellant. Consequently respondent No.2/CCPO Peshawar is directed to decide the application dated 04.07.2009 of the appellant afresh with speaking order. Copy of application dated 04.07.2009 be also sent to the respondent department for ready reference. The present service appeal is decided in the above terms. No order as to costs. File be consigned to the record room.

Sdf
(Ahmad Hassan)

Member

Sdf
(Muhammad Hamid Mughal)

Member

ANNOUNCED

11.06.2018

Certified to be true copy
[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

VAKALAT NAMA

(21)

NO. _____/2022

IN THE COURT OF KP Sexua Tribunal, Peshawar

Sikandar Sheli (Appellant)
(Petitioner)
(Plaintiff)

VERSUS


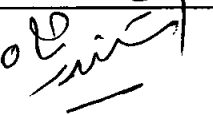
Police Deptt (Respondent)
(Defendant)

I/We, Sikandar Sheli


Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court of Pakistan**, 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/2022


(CLIENT) 

ACCEPTED


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT,
OF PAKISTAN.


&
(S. NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT,

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar