

Form- A

FORM OF ORDER SHEET

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

Execution Petition No. 447/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.08.2022	<p>The joint execution petition of Mst. Syeda Nafeesa Khanum and 187 others submitted today by Mr. Muhammad Liaqat Advocate may be entered in the relevant register and put up to the Court for proper order please. This execution petition be put up before touring Single Bench at Abbottabad on _____ . Original file be requisitioned.</p> <p style="text-align: right;">REGISTRAR</p>

SCANNED  
KPST  
Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Execution Petition No. 447/2022

IN

**Khyber Pakhtunkhwa  
Service Tribunal**

Service Appeal No. 12889/2020

Diary No. 908

Dated 03/08/2022

Mst. Syeda Nafeesa Khanum (Retired), PST, GGPS Payian, Tehsil & District Abbottabad & Others.

.....Petitioners

**SCANNED  
KPST  
Peshawar**

VERSUS

Government Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa Peshawar & others.

..... Respondents

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*Nafeesa*  
(PETITIONERS)

**Through**

*Muhammad Liaqat*  
Muhammad Liaqat  
Advocate High Court Abbottabad

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Execution Petition No. \_\_\_\_\_ of 2022

IN

Service Appeal No. 12889 / 2020

1. Mst. Syeda Nafeesa Khanum (Retired), PST, GGPS Payian, Tehsil & District Abbottabad.
2. Mst. Humaira Khatoon, PSHT, GGPS Banda Ali Khan, Tehsil & District Abbottabad.
3. Mst. Shama Parveen, PST (Retired), GGPS Bassian, Tehsil & District Abbottabad.
4. Mst. Nighat Yasmin, PSHT (Retired), GGPS Birote, Tehsil & District Abbottabad.
5. Mst. Tasneem Kousar, PSHT, (Retired), GGPS Termuthian, Tehsil & District Abbottabad.
6. Mst. Shaheena Kousar, PST (Retired), GGPS Bassian, Tehsil & District Abbottabad.
7. Mst. Mehmooda Iqbal, PST, GGPS Riyala, Tehsil & District Abbottabad.
8. Mst. Shereen Akhtar, PST (Retired), GGPS Birote, Tehsil & District Abbottabad.
9. Mst. Kousar Nasreen, SST, GGMS Bassian, Tehsil & District Abbottabad.
10. Mst. Rizwana Bibi, PST, GGPS Geri Nammal, Tehsil & District Abbottabad.
11. Mst. Shazia Malik, PSHT, GGPS Kunj, Tehsil & District Abbottabad.
12. Mst. Naheed Kausar, PST, GGPS Kunj, Tehsil & District Abbottabad.
13. Mst. Tazeem Akhtar, PSHT, GGPS Kunj, Tehsil & District Abbottabad.
14. Mst. Salma Parveen, PST, GGPS Kunj, Tehsil & District Abbottabad.
15. Mst. Shirin Gul, PST, GGPS Kunj, Tehsil & District Abbottabad.
16. Mst. Rozina Bibi, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad.
17. Mst. Nadia Anjum, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad.
18. Mst. Rizwana Bibi, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad.
19. Mst. Waseem Gul, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad.
20. Mst. Anam Rehman, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad.
21. Mst. Irum Qureshi, CT, GGMS Bandi Chamiali, Tehsil & District Abbottabad.
22. Mst. Irsa Shabbir, PST, GGPS Boi, Tehsil & District Abbottabad.
23. Mst. Shazia Hussain, PST, GGCPs Abbottabad, Tehsil & District Abbottabad.
24. Mst. Sidra Beenish, SCT, GGHS No. 1, Tehsil & District Abbottabad.
25. Mst. Farzana Bibi, SST, GMS Kasala, Tehsil & District Abbottabad.

26. Mst. Khush Niaz Jadoon, DM, GMS Kasala, Tehsil & District Abbottabad.
27. Mst. Shabnam Begum, TT, GMS Kasala, Tehsil & District Abbottabad.
28. Mst. Shabana Bibi, PST, GGPS Noormang, Tehsil & District Abbottabad.
29. Mst. Shehla Bibi, PSHT, GGPS Samundar Katha, Tehsil & District Abbottabad.
30. Mst. Rifhat Hameed, SPST, GGPS Khuri Banda, Tehsil & District Abbottabad.
31. Mst. Parveen Bibi, SPST, GGPS Samundar Katha, Tehsil & District Abbottabad.
32. Mst. Mussarat Nazir, PSHT, GGPS Khuri Banda, Tehsil & District Abbottabad.
33. Mst. Rukhsana Sadiq, PSHT, GGPS Chithar Nath, Tehsil & District Abbottabad.
34. Mst. Anjum Naz, SPST, GGPS Chithar Nath, Tehsil & District Abbottabad.
35. Mst. Nadia, PSHT, GGPS Noormang, Tehsil & District Abbottabad.
36. Mst. Fozia Bibi, SPST, GGPS Seri Bagnetar, Tehsil & District Abbottabad.
37. Mst. Shazia Bibi, PST, GGPS Noormang, Tehsil & District Abbottabad.
38. Mst. Kalsoom Akhtar, PSHT (Retired), GGPS Ghari Nammal, Tehsil & District Abbottabad.
39. Mst. Saima Fareed Jadoon, SST, GGMS Sarbhana, Tehsil & District Abbottabad.
40. Mst. Misbah Jadoon, DM, GGMS Sarbhana, Tehsil & District Abbottabad.
41. Mst. Sidra, SST, GGMS Ghora Bazgran, Tehsil & District Abbottabad.
42. Mst. Shazia Gul, CT, GGMS Ghora Bazgran, Tehsil & District Abbottabad.
43. Mst. Naheed Akhtar, PSHT, GGPS Tharyati, Tehsil & District Abbottabad.
44. Mst. Sobia, TT, GGMS Kiala, Tehsil & District Abbottabad.
45. Mst. Maisra Naz, AT, GGMS Sialkot, Tehsil & District Abbottabad.
46. Mst. Gul Khanda, PST, GGPS Kehal, Tehsil & District Abbottabad.
47. Mst. Mussarat Sadiq, PST, GGPS Garga, Tehsil & District Abbottabad.
48. Mst. Shahnaz Iqbal, SS, GGHS Ricbhen, Tehsil & District Abbottabad.
49. Mst. Atika Parveen, Qaria (Retired), GGHS Nawanshehr, Tehsil & District Abbottabad.
50. Mst. Rabia Basry, PST, GGPS Talhiar Charnhad, Tehsil & District Abbottabad.
51. Mst. Sidra Saif Abbasi, PST, GGPS Chabgran, Tehsil & District Abbottabad.
52. Mst. Umamah Bano, DM, GGMS Pawa, Tehsil & District Abbottabad.
53. Mst. Abida Bibi, PST, GGPS Chahan, Tehsil & District Abbottabad.
54. Mst. Tahira Khurshid, AT, GGMS Bagan, Tehsil & District Abbottabad.
55. Mst. Sofia Bibi, PST, GGPS Kashka, Tehsil & District Abbottabad.
56. Mst. Maqsooda Begum, PSHT, GGPS Kashka, Tehsil & District Abbottabad.

57. Mst. Kousar Naheed, PSHT, GGPS Seri Bagnotar, Tehsil & District Abbottabad.
58. Mst. Sadia Shahmir, SST, GGMS Bagan, Tehsil & District Abbottabad.
59. Mst. Mehreen Yousaf, PSHT, GGPS Kaghian, Tehsil & District Abbottabad.
60. Mst. Sobia Sabir, PST, GGPS Kaghian, Tehsil & District Abbottabad.
61. Mst. Bushra, PST, GGPS Kaghian, Tehsil & District Abbottabad.
62. Mst. Asma Saeed, DM, GGMS Dakhan Tatreela, Tehsil & District Abbottabad.
63. Mst. Alia Amreen, SST, GGMS Dakhan Tatreela, Tehsil & District Abbottabad.
64. Mst. Kosar Bibi, PET, GGMS Dakhan Tatreela, Tehsil & District Abbottabad.
65. Mst. Ayesha Banaras, TT, GGMS Dakhan Tatreela, Tehsil & District Abbottabad.
66. Mst. Naveeda Khatoon, DM, GGMS Kiala, Tehsil & District Abbottabad.
67. Mst. Bushra Akbar, PET, GGMS Sarbhana, Tehsil & District Abbottabad.
68. Mst. Samina Bibi, CT, GGMS Sarbhana, Tehsil & District Abbottabad.
69. Mst. Khalida Bibi, AT, GGMS Sarbhana, Tehsil & District Abbottabad.
70. Mst. Gul Khatoon Bibi, TT, GGMS Sarbhana, Tehsil & District Abbottabad.
71. Mst. Ghazala Bibi, PST, GGPS Sarbhana, Tehsil & District Abbottabad.
72. Mst. Naheeda Begum, PST, GGPS Takia Hall, Tehsil & District Abbottabad.
73. Mst. Summar Iqbal, AT, GGMS Kiala, Tehsil & District Abbottabad.
74. Mst. Nosheen, CT, GGMS Nalotha, Tehsil & District Abbottabad.
75. Mst. **Maqsooda Begum, PSHT, GGPS\_\_\_ Tehsil & District Abbottabad.**
76. Mst. Saima Irfan, PST, GGPS Kotli, Tehsil & District Abbottabad.
77. Mst. Shabana Bibi, PSHT, GGPS Leeran, Tehsil & District Abbottabad.
78. Mst. Gul Nisa, SPST, GGPS Aliabad, Tehsil & District Abbottabad.
79. Mst. Naheed Khalil, SPST, GGPS Aliabad, Tehsil & District Abbottabad.
80. Mst. Robina Riaz, SPST, GGPS Aliabad, Tehsil & District Abbottabad.
81. Mst. Farzana Taimoor, SPST, GGPS Aliabad, Tehsil & District Abbottabad.
82. Mst. Tehmina Durrani, SPST, GGPS Aliabad, Tehsil & District Abbottabad.
83. Mst. Ummah Bibi, DM, GGMS Pawa, Tehsil & District Abbottabad.
84. Mst. Nizakat Bibi, SPST, GGPS Havelian, Tehsil & District Abbottabad.
85. Mst. Zahida Perveen, PST, GGPS Bacchha Kalan, Tehsil & District Abbottabad.
86. Mst. Amina Khatoon, PSHT, GGPS Thora, Tehsil & District Abbottabad.
87. Mst. Nasreen Akhtar, PST, GGPS Garga Thanda Choa, Tehsil & District Abbottabad.
88. Mst. Aqeela Naz, PST (Retired), GGPS Sultanpur, Tehsil Havelian & District Abbottabad.

89. Mst. Naureen Kausar, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
90. Mst. Ayesha Tasleem, SDM, GGCHSS Atd, Tehsil & District Abbottabad.
91. Mst. Rizwana Jadoon, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
92. Mst. Samina Farhat, STT, GGCHSS Atd, Tehsil & District Abbottabad.
93. Mst. Ayesha Maqsood, SST, GGCHSS Atd, Tehsil & District Abbottabad.
94. Mst. Zainab Khan, CT, GGCHSS Atd, Tehsil & District Abbottabad.
95. Mst. Rafia Khatoon, SST, GGCHSS Atd, Tehsil & District Abbottabad.
96. Mst. Bushra Syed, SPET, GGCHSS Atd, Tehsil & District Abbottabad.
97. Mst. Samina Shaheen, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
98. Mst. Tayyabunnisa, STT, GGCHSS Atd, Tehsil & District Abbottabad.
99. Mst. Rabia Basri, CT, GGCHSS Atd, Tehsil & District Abbottabad.
100. Mst. Sumaira Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
101. Mst. Faria, SPET, GGCHSS Atd, Tehsil & District Abbottabad.
102. Mst. Sadia Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
103. Mst. Tooba Batool, SST, GGCHSS Atd, Tehsil & District Abbottabad.
104. Mst. Sehrish Naveed, CT, GGCHSS Atd, Tehsil & District Abbottabad.
105. Mst. Saeeda Khatoon, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
106. Mst. Bibi Nighat Sultan, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
107. Mst. Kalsoom Bibi, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
108. Mst. Bushra Begum, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
109. Mst. Shahnaz Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
110. Mst. Mehreen Abbasi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
111. Mst. Samina Bibi, SAT, GGCHSS Atd, Tehsil & District Abbottabad.
112. Mst. Sajida Rafique, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
113. Mst. Nazneen Shams, SST, GGCHSS Atd, Tehsil & District Abbottabad.
114. Mst. Naila Hassan, SST, GGCHSS Atd, Tehsil & District Abbottabad.
115. Mst. Abida Asghar, SST, GGCHSS Atd, Tehsil & District Abbottabad.
116. Mst. Amat us Saeed, SST, GGCHSS Atd, Tehsil & District Abbottabad.
117. Mst. Nusrat Bibi, CT, GGCHSS Atd, Tehsil & District Abbottabad.
118. Mst. Riffat Akram, AT, GGCHSS Atd, Tehsil & District Abbottabad.
119. Mst. Qurat ul Ain, CT, GGCHSS Atd, Tehsil & District Abbottabad.
120. Mst. Sidra Beenish, SCT, GGCHSS Atd, Tehsil & District Abbottabad.

121. Mst. Shazia Hussain, PSHT (Retired), GPS Comprehensive Atd, Tehsil & District Mst. Abbottabad.
122. Mst Saeeda Begum, PST (Retired), SDEO (Female) Atd, Tehsil & District Abbottabad.
123. Mst. Shabeena Bibi, PST, GGPS Sambli Khoi, Tehsil & District Abbottabad.
124. Mst. Warda Sana, PST, GGPS Lahoor Kass, Tehsil & District Abbottabad.
125. Mst. Shazia Begum, PST, GGPS Doong Malach, Tehsil & District Abbottabad.
126. Mst. Nasreen Akhtar, PSHT, GGPS Kasala, Tehsil & District Abbottabad.
127. Mst. Saeeda Younas, SPST, GGPS Batta Keri, Tehsil & District Abbottabad.
128. Mst. Badr un Nisa, PSHT, GGPS Bandian, Tehsil & District Abbottabad.
129. Mst. Saima Munir, PSHT, GPS Maseena Kalan, Tehsil & District Abbottabad.
130. Mst. Saira Khatoon, SPST, GGPS Majuhan, Tehsil & District Abbottabad.
131. Mst. Samina Bibi, PST, GGPS Bandian, Tehsil & District Abbottabad.
132. Mst. Tanveer Kousar, PST, GGPS Khirpir, Tehsil & District Abbottabad.
133. Mst. Zahreen, PSHT, GGPS Sial Chamhad, Tehsil & District Abbottabad.
134. Mst. Imtiaz Afsar, SAT, GGMS Deesal, Tehsil & District Abbottabad.
135. Mst. Dilnaz Bibi, PSHT (Retired), GGPS Singude Sari Dhamtour, Tehsil & District Abbottabad.
136. Mst. Salma Chand, PST (Retired), GGPS Darkana Dhamtour, Tehsil & District Abbottabad.
137. Mst Yasmeen Bibi, PSHT (Retired), GGPS Singude Sari Dhamtour, Tehsil & District Abbottabad.
138. Mst Kousar Naqvi, PSHT, GGPS Langrial, Tehsil & District Abbottabad.
139. Mst Saima Bibi, PST, GGPS Darwaza, Tehsil & District Abbottabad.
140. Mst. Nasira Naheed, PSHT, GGPS Karhaki, Tehsil & District Abbottabad.
141. Mst. Samina Bibi, PST, GGPS Ziarat Khoi, Tehsil & District Abbottabad.
142. Mst. Shahida Bibi, PST, GGPS Sambli Khoi, Tehsil & District Abbottabad.
143. Mst. Farzana Sarwar, PSHT, GGPS Choona, Tehsil & District Abbottabad.
144. Mst. Fozia Bibi, PST, GGPS Choona, Tehsil & District Abbottabad.
145. Mst. Shabnam Meer, PSHT, GGPS Sarbhana, Tehsil & District Abbottabad.
146. Mst. Yasmin Khursheed, PST, GGPS Dana, Pattan Kalan, Tehsil & District Abbottabad.
147. Mst. Nuzhat Naz, PSHT, GGPS Sarbhana, Tehsil & District Abbottabad.
148. Mst. Narma, PSHT, GGPS Sabal Sarbhana, Tehsil & District Abbottabad.

149. Mst. Saima Bibi, PSHT, GGPS Maira Bagh, Tehsil & District Abbottabad.
150. Mst. Sajida Perveen, GGPS Gali Baniyan, Tehsil & District Abbottabad.
151. Mst. Nazia Mushtaq, SPST, GGPS Okhreeela, Tehsil & District Abbottabad.
152. Mst. Naheed Akhtar, SPST, GGPS Bandian, Tehsil & District Abbottabad.
153. Mst. Robina Bibi, PST, GGPS Geri Nammal, Tehsil & District Abbottabad.
154. Mst. Shahnaz Bibi, PST (Retired), GGPS Majuhan, Tehsil & District Abbottabad.
155. Mst. Shireen Bibi, PST (Retired), GGPS Payian, Tehsil & District Abbottabad.
156. Mst. Tazeem Akhtar, PSHT, GGPS Tarrch Nammal, Tehsil & District Abbottabad.
157. Mst. Naseem Akhtar, PST (Retired), GGPS Lower Kurli, Tehsil & District Abbottabad.
158. Mst. Shaista Kausar, SPST, GGPS Musa Zai, Tehsil & District Abbottabad.
159. Mst. Maria Khanum, PST, GGPS Longal, Tehsil & District Abbottabad.
160. Mst. Ghazala Parveen, SPST, GGPS Kahu Birote, Tehsil & District Abbottabad.
161. Mst. Nageena Waqar, PSHT, GGPS Dubran, Tehsil Havelian & District Abbottabad.
162. Mst. Kalsoom Bibi, PSHT, GGPS Gali Thiper, Tehsil Havelian & District Abbottabad.
163. Mst. Razia Khtaoon, PSHT, GGPS Kalar Khaitar, Tehsil Havelian & District Abbottabad.
164. Mst. Neelum, PSHT, GGPS Patheel, Tehsil Havelian & District Abbottabad.
165. Mst. Nabeela Taj, PST, GGPS Sherwan Kalan, Tehsil Havelian & District Abbottabad.
166. Mst. Ayesha Bibi, PST, GGPS Takia Hall, Tehsil Havelian & District Abbottabad.
167. Mst. Riffat Jabeen, SST, GMS Tatreela, Tehsil Havelian & District Abbottabad.
168. Mst. Khalida Perveen, PSHT (Retired), GGPS Thathi Faqir Sahib, Tehsil & District Abbottabad.
169. Mst. Nighat Perveen Qureshi, SST, GGMS Malsa, Tehsil & District Abbottabad.
170. Mrs. Gulshan Ara, SST, GGMS Mahmda, Tehsil & District Abbottabad.
171. Mst. Raeesa Bano, CT, GGMS Chamhatti, Tehsil & District Abbottabad.
172. Mst. Farhat Zeb, CT, GGMS Chamhatti, Tehsil & District Abbottabad.
173. Mst. Shumaila Bano, CT, GGMS Chamhatti, Tehsil & District Abbottabad.
174. Mst. Surriya Begum, CT, GGMS Mahmda, Tehsil & District Abbottabad.
175. Mst. Noushi Maqsoom, PST, GGPS Dannah, Tehsil & District Abbottabad.
176. Mst. Anjum Naz, PST, GGPS Dannah, Tehsil & District Abbottabad.
177. Mst. Perveen Abbasi, PST, GGPS Pattan Khurd, Tehsil & District Abbottabad.
178. Mst. Shamim Abbasi, PST, Tarla Khaitar Pattan, Tehsil & District Abbottabad.
179. Mst. Kousar Abbasi, PST, GGPS Pattan Kalan, Tehsil & District Abbottabad.



180. Mst. Shazia Mateen, PSHT, GGPS Pattan Kalan, Tehsil & District Abbottabad.
181. Mst. Samina Bibi, PSHT, GGPS Bagla, Tehsil & District Abbottabad.
182. Mst. Shamim Abbasi, PST, GGPS Bagla, Tehsil & District Abbottabad.
183. Mst. Asma Ali Asghar, SPST, JICA Model School Mirpur, Tehsil & District Abbottabad.
184. Mst. Shabana Aman, PST, JICA Model School Mirpur, Tehsil & District Abbottabad.
185. Mst. Salma Nazeer, SPST, JICA Model School Mirpur, Tehsil & District Abbottabad.
186. Mst. Nazima Zeb, DM, GGMS Kakot, Tehsil & District Abbottabad.
187. Mst. Saeeda Bibi, CT, GGMS Malsa, Tehsil & District Abbottabad.
188. Mst. Humaira Jabeen, PST, GGPS Narrian Bun, Tehsil & District Abbottabad.

.....(Petitioners)

VERSUS

1. Government Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary (E&SE) Department Khyber Pakhtunkhwa, Peshawar.
3. The Secretary (Finance) Department Khyber Pakhtunkhwa, Peshawar
4. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. The District Education Officer (Female), Abbottabad.
7. The District Accounts Officer, Abbottabad.

..... (Respondents)

**EXECUTION PETITION**

**EXECUTION PETITION SEEKING FOR IMPLEMENTATION OF JUDGMENT**

**IN REM DATED 12/07/2021 PASSED IN SERVICE APPEAL**

**NO. 12889/2020 BY THIS HONOURABLE KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL, PESHAWAR.**

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Respectfully Sheweth,

1. That the appellant Mr. Jalal ud Din filed Service Appeal No. 12889/2020 before this Honorable Tribunal with the prayer that respondents may kindly be directed not to make deduction of conveyance allowance during vacations period (Summer & Winter Vacations) and make the payment of all outstanding amount of conveyance allowance which have been deducted previously with all back benefits.

2. That this Honorable Tribunal allowed the Service Appeal No. 12889/2020 dated 12-07-2021 and the operative part of the judgment is reproduced as under:

“The appeal in hand as well as clubbed appeals mentioned in the appendix-A stands allowed and the respondents are directed not to deduct the conveyance allowance from the salaries of the appellants during summer/ winters vacations. The conveyance allowance if any already deducted should be reimbursed to the appellants forthwith. The instant judgment shall be considered as judgment in rem, therefore, the respondents should pay the said allowance to all similarly placed employees of the Education Department so as to avoid the discrimination under Article-4 & 25 of the Constitution of Islamic Republic of Pakistan as well as unnecessary Litigation”. (Attested copy of Judgment dated 12-07-2021 is annexed herewith as Annexure “A”).

3. That in pursuance of the judgment in rem dated 12-07-2021 being similar placed employees of the Education Department an application alongwith the judgment dated 12-07-2021 was submitted before Respondent No. 6 regarding implementation of the judgment in rem but respondent No. 6 categorically refused to implement the judgment. (Copy of the application dated 12-03-2022 Annexure "B").
4. That the respondents are legally bound to implement the judgment in rem of this Honourable Tribunal in its true letter & spirit but respondents are reluctant to implement the same.
5. That when the Tribunal decides a point of law relating to the Terms of services of a civil servant which covers not only the case of the civil servants might not taken any legal proceeding, the dictates of justice and rules of good governance demand that the benefits of the decision be extended to other civil servants, who might not be parties to the litigation instead of compelling them to approach the Tribunal or any other legal forum (2005-SCMR-499) and the same is mentioned in the judgment of this Honorable Tribunal at page-9.
6. That as the judgment of this Honorable Tribunal dated 12-07-2021 has been considered as judgment in rem, therefore, petitioners being similarly placed employees of the education department are

entitled for benefit of this judgment and respondents are bound to implement the judgment in order to avoid discrimination under Article 4 & 25 of Constitution of Islamic Republic of Pakistan as well as unnecessary litigation.

7. That one Mr. Maqсад Hayat filed Execution Petition No. 145/20 in Service Appeal No. 1452/19 regarding admissibility of conveyance allowance and respondent No. 3 issued letter No. SO(SR-II) FD/8-7/2017/40 dated 17-06-2021 to respondent No. 4 wherein, it is mentioned that Competent Authority has been pleased to provisionally implement the decision of the Khyber Pakhtunkhwa Service Tribunal in Service Appeal No. 1452/19 as the case is regarding payment of conveyance allowance to Civil Servants (Vacation Departments) during summer & winter vacations. The decision will be provisionally implemented and shall be recoverable subject to final decision / outcome of Supreme Court of Pakistan in CPLA. Hence, petitioners are also entitled for the same benefit. (Copy of letter No. SO(SR-II) FD/8-7/2017/40 dated 17-06-2021 is annexed herewith as Annexure "C")
8. That the present petitioners submitted separate Execution Petitions in Service Appeal No. 12889/20 on 22-02-2022 but the same were returned by the Registrar of this Honorable Tribunal with the remarks that as the judgment dated 12-07-2021 is judgment in rem and there is no need to file separate Execution Petitions as this

Honorable Tribunal already entertained the joint Execution Petition No. 94 of 2010 hence, the instant Execution Petition is being filed jointly on the same precedent.

9. That the identical Execution Petitions Nos. 129/2022 and 130/2022 have already been implemented by the respondents some other Execution Petitions are subjudice before this Honorable Tribunal and next date of hearing is fixed on 18-08-2022.

It is therefore, very humbly prayed that on acceptance of instant execution petition judgment in rem dated 12-07-2021 passed by this Honourable Tribunal may graciously be implemented in its true letter & spirit and any other relief which this Honorable Tribunal deems fit may also be granted accordingly.

Through

*Nazir*  
(PETITIONERS)

*Muhammad Liaqat*  
Muhammad Liaqat  
Advocate High Court Abbottabad

0317-0552573

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Execution Petition No. \_\_\_\_/2022

IN

Service Appeal No. 12889/2020

Mst. Syeda Nafeesa Khanum (Retired), PST, GGPS Payian, Tehsil & District Abbottabad & Others.

.....Petitioners

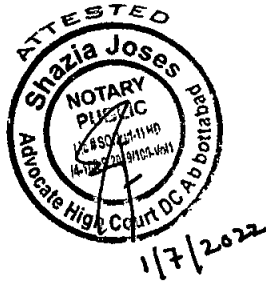
VERSUS

Government Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa Peshawar & others.

..... Respondents

**EXECUTION PETITION****AFFIDAVIT**

I, Mst. Syeda Nafeesa Khanum (Retired), PST, GGPS Payian, Tehsil & District Abbottabad do hereby affirm and declare on oath that the contents of forgoing Execution Petition are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Tribunal.



*Nafeesa*  
DEPONENT

## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

1. Mst. Syeda Nafeesa Khanum (Retired), PST, GGPS Payian, Tehsil & District Abbottabad. *Nafeesa*
2. Mst. Humaira Khatoon, PSHT, GGPS Banda Ali Khan, Tehsil & District Abbottabad. *Humaira*
3. Mst. Shama Parveen, PST (Retired), GGPS Bassian, Tehsil & District Abbottabad. *Shama*
4. Mst. Nighat Yasmin, PSHT (Retired), GGPS Birote, Tehsil & District Abbottabad. *Nighat*
5. Mst. Tasneem Kousar, PSHT, (Retired), GGPS Termuthian, Tehsil & District Abbottabad. *Tasneem Kousar*
6. Mst. Shaheena Kousar, PST (Retired), GGPS Bassian, Tehsil & District Abbottabad. *Shaheena*
7. Mst. Mehmooda Iqbal, PST, GGPS Riyala, Tehsil & District Abbottabad. *Mehmooda*
8. Mst. Shereen Akhtar, PST (Retired), GGPS Birote, Tehsil & District Abbottabad. *Shereen*
9. Mst. Kousar Nasreen, SST, GGMS Bassian, Tehsil & District Abbottabad. *Kousar Nasreen*
10. Mst. Rizwana Bibi, PST, GGPS Geri Nammal, Tehsil & District Abbottabad. *Rizwana*
11. Mst. Shazia Malik, PSHT, GGPS Kunj, Tehsil & District Abbottabad. *Shazia Malik*
12. Mst. Naheed Kausar, PST, GGPS Kunj, Tehsil & District Abbottabad. *Naheed*
13. Mst. Tazeem Akhtar, PSHT, GGPS Kunj, Tehsil & District Abbottabad. *Tazeem*
14. Mst. Salma Parveen, PST, GGPS Kunj, Tehsil & District Abbottabad. *Salma Parveen*
15. Mst. Shirin Gul, PST, GGPS Kunj, Tehsil & District Abbottabad. *Shirin Gul*
16. Mst. Rozina Bibi, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad. *Rozina*
17. Mst. Nadia Anjum, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad. *Nadia*
18. Mst. Rizwana Bibi, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad. *Rizwana*
19. Mst. Waseem Gul, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad. *Waseem Gul*
20. Mst. Anam Rehman, PST, GGPS Malikpura No.1, Tehsil & District Abbottabad. *Anam*
21. Mst. Irum Qureshi, CT, GGMS Bandi Chamiali, Tehsil & District Abbottabad. *Irum Qureshi*
22. Mst. Irsa Shabbir, PST, GGPS Boi, Tehsil & District Abbottabad. *Irsa Shabbir*
23. Mst. Shazia Hussain, PST, GGPS Abbottabad, Tehsil & District Abbottabad. *Shazia*
24. Mst. Sidra Beenish, SCT, GGHS No. 1, Tehsil & District Abbottabad. *Sidra*
25. Mst. Farzana Bibi, SST, GMS Kasala, Tehsil & District Abbottabad. *Farzana*
26. Mst. Khush Niaz Jadoon, DM, GMS Kasala, Tehsil & District Abbottabad. *Khush Niaz*
27. Mst. Shabnam Begum, TT, GMS Kasala, Tehsil & District Abbottabad. *Shabnam*
28. Mst. Shabana Bibi, PST, GGPS Noormang, Tehsil & District Abbottabad. *Shabana*
29. Mst. Shehla Bibi, PSHT, GGPS Samundar Katha, Tehsil & District Abbottabad. *Shehla*
30. Mst. Rifhat Hameed, SPST, GGPS Khuri Banda, Tehsil & District Abbottabad. *Rifhat*
31. Mst. Parveen Bibi, SPST, GGPS Samundar Katha, Tehsil & District Abbottabad. *Parveen*

- 32. Mst. Mussarat Nazir, PSHT, GGPS Khuri Banda, Tehsil & District Abbottabad. *Mussarat*
- 33. Mst. Rukhsana Sadiq, PSHT, GGPS Chithar Nath, Tehsil & District Abbottabad. *Rukhsana*
- 34. Mst. Anjum Naz, SPST, GGPS Chithar Nath, Tehsil & District Abbottabad. *Anjum*
- 35. Mst. Nadia, PSHT, GGPS Noormang, Tehsil & District Abbottabad. *Nadia*
- 36. Mst. Fozia Bibi, SPST, GGPS Seri Bagnotar, Tehsil & District Abbottabad. *Fozia*
- 37. Mst. Shazia Bibi, PST, GGPS Noormang, Tehsil & District Abbottabad. *Shazia*
- 38. Mst. Kalsoom Akhtar, PSHT (Retd), GGPS Ghari Nammal, Tehsil & District Abbottabad. *Kalsoom*
- 39. Mst. Saima Fareed Jadoon, SST, GGMS Sarbhana, Tehsil & District Abbottabad. *Saima*
- 40. Mst. Misbah Jadoon, DM, GGMS Sarbhana, Tehsil & District Abbottabad. *Misbah*
- 41. Mst. Sidra, SST, GGMS Ghora Bazgran, Tehsil & District Abbottabad. *Sidra*
- 42. Mst. Shazia Gul, CT, GGMS Ghora Bazgran, Tehsil & District Abbottabad. *Shazia*
- 43. Mst. Naheed Akhtar, PSHT, GGPS Tharyati, Tehsil & District Abbottabad. *Naheed*
- 44. Mst. Sobia, TT, GGMS Kiala, Tehsil & District Abbottabad. *Sobia*
- 45. Mst. Maisra Naz, AT, GGMS Sialkot, Tehsil & District Abbottabad. *Maisra*
- 46. Mst. Gul Khanda, PST, GGPS Kehal, Tehsil & District Abbottabad. *Gul Khanda*
- 47. Mst. Mussarat Sadiq, PST, GGPS Garga, Tehsil & District Abbottabad. *Mussarat*
- 48. Mst. Shahnaz Iqbal, SS, GGHSS Ricbhen, Tehsil & District Abbottabad. *Shahnaz*
- 49. Mst. Atika Parveen, Qaria (Retired), GGHS Nawanshehr, Tehsil & District Abbottabad. *Atika*
- 50. Mst. Rabia Basry, PST, GGPS Talhian Chamhad, Tehsil & District Abbottabad. *Rabia*
- 51. Mst. Sidra Saif Abbasi, PST, GGPS Chabgran, Tehsil & District Abbottabad. *Sidra*
- 52. Mst. Umamah Bano, DM, GGMS Pawa, Tehsil & District Abbottabad. *Umamah Bano*
- 53. Mst. Abida Bibi, PST, GGPS Chahan, Tehsil & District Abbottabad. *Abida*
- 54. Mst. Tahira Khurshid, AT, GGMS Bagan, Tehsil & District Abbottabad. *Tahira*
- 55. Mst. Sofia Bibi, PST, GGPS Kashka, Tehsil & District Abbottabad. *Sofia*
- 56. Mst. Maqsooda Begum, PSHT, GGPS Kashka, Tehsil & District Abbottabad. *Maqsooda*
- 57. Mst. Kousar Naheed, PSHT, GGPS Seri Bagnotar, Tehsil & District Abbottabad. *Kousar*
- 58. Mst. Sadia Shahmir, SST, GGMS Bagan, Tehsil & District Abbottabad. *Sadia*
- 59. Mst. Mehreen Yousaf, PSHT, GGPS Kaghian, Tehsil & District Abbottabad. *Mehreen*
- 60. Mst. Sobia Sabir, PST, GGPS Kaghian, Tehsil & District Abbottabad. *Sobia*
- 61. Mst. Bushra, PST, GGPS Kaghian, Tehsil & District Abbottabad. *Bushra*
- 62. Mst. Asma Saeed, DM, GGMS Dakhan Tatreela, Tehsil & District Abbottabad. *Asma*
- 63. Mst. Alia Amreen, SST, GGMS Dakhan Tatreela, Tehsil & District Abbottabad. *Alia*
- 64. Mst. Kosar Bibi, PET, GGMS Dakhan Tatreela, Tehsil & District Abbottabad. *Kosar*
- 65. Mst. Ayesha Banaras, TT, GGMS Dakhan Tatreela, Tehsil & District Abbottabad. *Ayesha*



- 66. Mst. Naveeda Khatoon, DM, GGMS Kiala, Tehsil & District Abbottabad. *Naveeda*
- 67. Mst. Bushra Akbar, PET, GGMS Sarbhana, Tehsil & District Abbottabad. *Bushra*
- 68. Mst. Samina Bibi, CT, GGMS Sarbhana, Tehsil & District Abbottabad. *Samina*
- 69. Mst. Khalida Bibi, AT, GGMS Sarbhana, Tehsil & District Abbottabad. *Khalida*
- 70. Mst. Gul Khatoon Bibi, TT, GGMS Sarbhana, Tehsil & District Abbottabad. *Gul Khatoon*
- 71. Mst. Ghazala Bibi, PST, GGPS Sarbhana, Tehsil & District Abbottabad. *Ghazala*
- 72. Mst. Naheeda Begum, PST, GGPS Takia Hall, Tehsil & District Abbottabad. *Foida*
- 73. Mst. Summar Iqbal, AT, GGMS Kiala, Tehsil & District Abbottabad. *Summar*
- 74. Mst. Nosheen, CT, GGMS Nalotha, Tehsil & District Abbottabad. *Nosheen*
- 75. Mst. **Maqsooda Begum, PSHT, GGPS\_\_\_ Tehsil & District Abbottabad** *Maqsooda*
- 76. Mst. Saima Irfan, PST, GGRS Kotli, Tehsil & District Abbottabad. *Saima*
- 77. Mst. Shabana Bibi, PSHT, GGPS Leeran, Tehsil & District Abbottabad. *Shabana*
- 78. Mst. Gul Nisa, SPST, GGPS Aliabad, Tehsil & District Abbottabad. *Gul Nisa*
- 79. Mst. Naheed Khalil, SPST, GGPS Aliabad, Tehsil & District Abbottabad. *Robina*
- 80. Mst. Robina Riaz, SPST, GGPS Aliabad, Tehsil & District Abbottabad. *Foizana*
- 81. Mst. Farzana Taimoor, SPST, GGPS Aliabad, Tehsil & District Abbottabad. *Farzana*
- 82. Mst. Tehmina Durrani, SPST, GGPS Aliabad, Tehsil & District Abbottabad. *Tehmina*
- 83. Mst. Ummah Bibi, DM, GGMS Pawa, Tehsil & District Abbottabad. *Ummah*
- 84. Mst. Nizakat Bibi, SPST, GGPS Havelian, Tehsil & District Abbottabad. *Zahida*
- 85. Mst. Zahida Perveen, PST, GGPS Bacchha Kalan, Tehsil & District Abbottabad. *Zahida*
- 86. Mst. Amina Khatoon, PSHT, GGPS Thora, Tehsil & District Abbottabad. *Amina*
- 87. Mst. Nasreen Akhtar, PST, GGPS Garga Thanda Choa, Tehsil & District Abbottabad. *Nasreen*
- 88. Mst. Aqeela Naz, PST (Retired), GGPS Sultanpur, Tehsil Havelian & District Abbottabad. *Aqeela*
- 89. Mst. Naureen Kausar, SCT, GGCHSS Atd, Tehsil & District Abbottabad. *Naureen*
- 90. Mst. Ayesha Tasleem, SDM, GGCHSS Atd, Tehsil & District Abbottabad. *Ayesha*
- 91. Mst. Rizwana Jadoon, SCT, GGCHSS Atd, Tehsil & District Abbottabad. *Rizwana*
- 92. Mst. Samina Farhat, STT, GGCHSS Atd, Tehsil & District Abbottabad. *Samina*
- 93. Mst. Ayesha Maqsood, SST, GGCHSS Atd, Tehsil & District Abbottabad. *Ayesha*
- 94. Mst. Zainab Khan, CT, GGCHSS Atd, Tehsil & District Abbottabad. *Zanib*
- 95. Mst. Rafia Khatoon, SST, GGCHSS Atd, Tehsil & District Abbottabad. *Rafia*
- 96. Mst. Bushra Syed, SPET, GGCHSS Atd, Tehsil & District Abbottabad. *Bushra*
- 97. Mst. Samina Shaheen, SCT, GGCHSS Atd, Tehsil & District Abbottabad. *Samina*
- 98. Mst. Tayyabunnisa, STT, GGCHSS Atd, Tehsil & District Abbottabad. *Tayyabunnisa*

- 99. Mst. Rabia Basri, CT, GGCHSS Atd, Tehsil & District Abbottabad.
- 100. Mst. Sumaira Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 101. Mst. Faria, SPET, GGCHSS Atd, Tehsil & District Abbottabad.
- 102. Mst. Sadia Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 103. Mst. Tooba Batool, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 104. Mst. Sehrish Naveed, CT, GGCHSS Atd, Tehsil & District Abbottabad.
- 105. Mst. Saeeda Khatoon, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 106. Mst. Bibi Nighat Sultan, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 107. Mst. Kalsoom Bibi, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 108. Mst. Bushra Begum, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 109. Mst. Shahnaz Bibi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 110. Mst. Mehreen Abbasi, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 111. Mst. Samina Bibi, SAT, GGCHSS Atd, Tehsil & District Abbottabad.
- 112. Mst. Sajida Rafique, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 113. Mst. Nazneen Shams, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 114. Mst. Naila Hassan, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 115. Mst. Abida Asghar, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 116. Mst. Amat us Saeed, SST, GGCHSS Atd, Tehsil & District Abbottabad.
- 117. Mst. Nusrat Bibi, CT, GGCHSS Atd, Tehsil & District Abbottabad.
- 118. Mst. Riffat Akram, AT, GGCHSS Atd, Tehsil & District Abbottabad.
- 119. Mst. Qurat ul Ain, CT, GGCHSS Atd, Tehsil & District Abbottabad.
- 120. Mst. Sidra Beenish, SCT, GGCHSS Atd, Tehsil & District Abbottabad.
- 121. Mst. Shazia Hussain, PSHT (Retired), GPS Comprehensive Atd, Tehsil & District Mst. Abbottabad.
- 122. Mst Saeeda Begum, PST (Retired), SDEO (Female) Atd, Tehsil & District Abbottabad.
- 123. Mst. Shabeena Bibi, PST, GGPS Sambli Khoi, Tehsil & District Abbottabad.
- 124. Mst. Warda Sana, PST, GGPS Lahore Kass, Tehsil & District Abbottabad.
- 125. Mst. Shazia Begum, PST, GGPS Doong Malach, Tehsil & District Abbottabad.
- 126. Mst. Nasreen Akhtar, PSHT, GGPS Kasala, Tehsil & District Abbottabad.
- 127. Mst. Saeeda Younas, SPST, GGPS Batta Keri, Tehsil & District Abbottabad.
- 128. Mst. Badr un Nisa, PSHT, GGPS Bandian, Tehsil & District Abbottabad.
- 129. Mst. Saima Munir, PSHT, GPS Maseena Kalan, Tehsil & District Abbottabad.
- 130. Mst. Saira Khatoon, SPST, GGPS Majuhan, Tehsil & District Abbottabad.
- 131. Mst. Samina Bibi, PST, GGPS Bandian, Tehsil & District Abbottabad.

Rabia  
Sumaira  
Faria  
Sadia  
Tooba  
Sehrish  
Saeeda Khatoon  
Nighat  
Kalsoom  
Bushra  
Shahnaz  
Mehreen  
Samina  
Sajida  
Nazneen  
Naila  
Abida  
Amat  
Nusrat  
Riffat  
Qurat ul Ain  
Sidra  
Shazia  
Saeeda  
Shabeena  
Warda  
Shazia  
Nasreen  
Saeeda  
Badr un Nisa  
Saima  
Saira  
Samina

- 132. Mst. Tanveer Kousar, PST, GGPS Khirpir, Tehsil & District Abbottabad. *Tanveer*
- 133. Mst. Zahreen, PSHT, GGPS Sial Chamhad, Tehsil & District Abbottabad. *Zahreen*
- 134. Mst. Imtiaz Afsar, SAT, GGMS Deesal, Tehsil & District Abbottabad. *Imtiaz*
- 135. Mst. Dilnaz Bibi, PSHT (Retired), GGPS Singude Sari Dhamtour, Tehsil & District Abbottabad. *Dilnaz*
- 136. Mst. Salma Chand, PST (Retired), GGPS Darkana Dhamtour, Tehsil & District Abbottabad. *Salma*
- 137. Mst Yasmeen Bibi, PSHT (Retired), GGPS Singude Sari Dhamtour, Tehsil & District Abbottabad. *Yasmeen*
- 138. Mst Kousar Naqvi, PSHT, GGPS Langrial, Tehsil & District Abbottabad. *Kousar*
- 139. Mst Saima Bibi, PST, GGPS Darwaza, Tehsil & District Abbottabad. *Saima*
- 140. Mst. Nasira Naheed, PSHT, GGPS Karhaki, Tehsil & District Abbottabad. *Nasira*
- 141. Mst. Samina Bibi, PST, GGPS Ziarat Khoi, Tehsil & District Abbottabad. *Samina*
- 142. Mst. Shahida Bibi, PST, GGPS Sambli Khoi, Tehsil & District Abbottabad. *Shahida*
- 143. Mst. Farzana Sarwar, PSHT, GGPS Choonaa, Tehsil & District Abbottabad. *Farzana*
- 144. Mst. Fozia Bibi, PST, GGPS Choonaa, Tehsil & District Abbottabad. *Fozia*
- 145. Mst. Shabnam Meer, PSHT, GGPS Sarbhana, Tehsil & District Abbottabad. *Shabnam*
- 146. Mst. Yasmin Khursheed, PST, GGPS Dana, Pattan Kalan, Tehsil & District Abbottabad. *Yasmin*
- 147. Mst. Nuzhat Naz, PSHT, GGPS Sarbhana, Tehsil & District Abbottabad. *Nuzhat*
- 148. Mst. Narma, PSHT, GGPS Sabal Sarbhana, Tehsil & District Abbottabad. *Narma*
- 149. Mst. Saima Bibi, PSHT, GGPS Maira Bagh, Tehsil & District Abbottabad. *Saima*
- 150. Mst. Sajida Perveen, GGPS Gali Baniyan, Tehsil & District Abbottabad. *Sajida*
- 151. Mst. Nazia Mushtaq, SPST, GGPS Okhreela, Tehsil & District Abbottabad. *Nazia*
- 152. Mst. Naheed Akhtar, SPST, GGPS Bandian, Tehsil & District Abbottabad. *Naheed*
- 153. Mst. Robina Bibi, PST, GGPS Geri Nammal, Tehsil & District Abbottabad. *Robina*
- 154. Mst. Shahnaz Bibi, PST (Retired), GGPS Majuhan, Tehsil & District Abbottabad. *Shahnaz*
- 155. Mst. Shireen Bibi, PST (Retired), GGPS Payian, Tehsil & District Abbottabad. *Shireen*
- 156. Mst. Tazeem Akhtar, PSHT, GGPS Tarrch Nammal, Tehsil & District Abbottabad. *Tazeem*
- 157. Mst. Naseem Akhtar, PST (Retired), GGPS Lower Kurli, Tehsil & District Abbottabad. *Naseem*
- 158. Mst. Shaista Kausar, SPST, GGPS Musa Zai, Tehsil & District Abbottabad. *Shaista*
- 159. Mst. Maria Khanum, PST, GGPS Longal, Tehsil & District Abbottabad. *Maria*
- 160. Mst. Ghazala Parveen, SPST, GGPS Kahu Birote, Tehsil & District Abbottabad. *Ghazala*
- 161. Mst. Nageena Waqar, PSHT, GGPS Dubran, Tehsil Havelian & District Abbottabad. *Nageena*

- 162. Mst. Kalsoom Bibi, PSHT, GGPS Gali Thiper, Tehsil Havelian & District Abbottabad. *Kals*
- 163. Mst. Razia Khtaoun, PSHT, GGPS Kalar Khaitar, Tehsil Havelian & District Abbottabad. *Razia*
- 164. Mst. Neelum, PSHT, GGPS Patheel, Tehsil Havelian & District Abbottabad. *Neelum*
- 165. Mst. Nabeela Taj, PST, GGPS Sherwan Kalan, Tehsil Havelian & District Abbottabad. *Nabeela*
- 166. Mst. Ayesha Bibi, PST, GGPS Takia Hall, Tehsil Havelian & District Abbottabad. *Ayesha*
- 167. Mst. Riffat Jabeen, SST, GMS Tatreela, Tehsil Havelian & District Abbottabad. *Riffat*
- 168. Mst. Khalida Perveen, PSHT (Retired), GGPS Thathi Faqir Sahib, Tehsil & District Abbottabad. *Khalida*
- 169. Mst. Nighat Perveen Qureshi, SST, GGMS Malsa, Tehsil & District Abbottabad. *Nighat*
- 170. Mrs. Gulshan Ara, SST, GGMS Mahmda, Tehsil & District Abbottabad. *Gulshan*
- 171. Mst. Raeesa Bano, CT, GGMS Chamhatti, Tehsil & District Abbottabad. *Raeesa*
- 172. Mst. Farhat Zeb, CT, GGMS Chamhatti, Tehsil & District Abbottabad. *Farhat*
- 173. Mst. Shumaila Bano, CT, GGMS Chamhatti, Tehsil & District Abbottabad. *Shumaila*
- 174. Mst. Surriya Begum, CT, GGMS Mahmda, Tehsil & District Abbottabad. *Surriya*
- 175. Mst. Noushi Maqsoom, PST, GGPS Dannah, Tehsil & District Abbottabad. *Noushi*
- 176. Mst. Anjum Naz, PST, GGPS Dannah, Tehsil & District Abbottabad. *Anjum*
- 177. Mst. Perveen Abbasi, PST, GGPS Pattan Khurd, Tehsil & District Abbottabad. *Perveen*
- 178. Mst. Shamim Abbasi, PST, Tarla Khaitar Pattan, Tehsil & District Abbottabad. *Shamim*
- 179. Mst. Kousar Abbasi, PST, GGPS Pattan Kalan, Tehsil & District Abbottabad. *Kousar*
- 180. Mst. Shazia Mateen, PSHT, GGPS Pattan Kalan, Tehsil & District Abbottabad. *Shazia*
- 181. Mst. Samina Bibi, PSHT, GGPS Bagla, Tehsil & District Abbottabad. *Samina*
- 182. Mst. Shamim Abbasi, PST, GGPS Bagla, Tehsil & District Abbottabad. *Shamim*
- 183. Mst. Asma Ali Asghar, SPST, JICA Model School Mirpur, Tehsil & District Abbottabad. *Asma*
- 184. Mst. Shabana Aman, PST, JICA Model School Mirpur, Tehsil & District Abbottabad. *Shabana*
- 185. Mst. Salma Nazeer, SPST, JICA Model School Mirpur, Tehsil & District Abbottabad. *Salma*
- 186. Mst. Nazima Zeb, DM, GGMS Kakot, Tehsil & District Abbottabad. *Nazima*
- 187. Mst. Saeeda Bibi, CT, GGMS Malsa, Tehsil & District Abbottabad. *Saeeda*
- 188. Mst. Humaira Jabeen, PST, GGPS Narrian Bun, Tehsil & District Abbottabad. *Humaira*

.....(Petitioners)

“A”

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,  
PESHAWAR.

19

Service Appeal No. 12889/2020

Date of Institution ... 27.10.2020

Date of Decision ... 12.07.2021

Jalalud Din, SCT (BPS-16),  
GHSS Asbanr, Dir Lower

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary,  
Khyber Pakhtunkhwa, Peshawar and four others.

... (Respondents)

Mr. NOOR MUHAMMAD KHATTAK,  
Advocate

--- For appellant.

MR. JAVED ULLAH,  
Assistant Advocate General

--- For respondents.

MR. SALAH-UD-DIN

---

MEMBER (JUDICIAL)

MR. ATIQU-UR-REHMAN WAZIR

---

MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Through this single judgment, we intend to dispose of the instant Service Appeal as well as the clubbed appeals mentioned in appendix-A consisting of 141 sheets, appended with this judgment as its part, as all the appeals involve similar questions of law and facts.

2. The appellant has filed the instant Service Appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned action of the respondents, making deduction of conveyance allowance from the salaries of the appellant during the summer/winter vacations and not responding

to the departmental appeal of the appellant within the statutory period of ninety days.

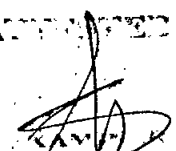
3. In order to have a clear picture of the matter in issue, the admitting note dated 18.06.2021 of the instant appeal is reproduced as below:-

"Counsel for the appellant present.

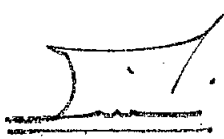
Due to influx of abnormally large number of service appeals by individual appellants against the same set of respondents, and including one and the same subject matter with common questions of fact and law; the Registrar of this Tribunal, vide order dated 27.05.2021 on a miscellaneous application, was required to prepare a chronological list of all the appeals obviously for the sake of their management in a way to make their disposal doable by a single judgment instead of hearing each and every appeal separately for disposal by separate orders. For merger of the order dated 27.05.2021, contents thereof are reproduced below:-

*Application for early hearing has been put up by the Reader with file. Counsel for the appellant present and heard.*

*Learned counsel for the appellant seeks early hearing of Appeals No. 13797/2020 and 38 others. It has been brought into the notice of this Bench that this appeal pertains to grievance of the appellant relating to grant of Conveyance Allowance and thousands of similar appeals are pending before this Tribunal at preliminary*

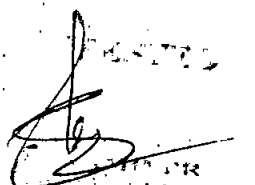
  
Khaydar Khan  
Service Tribunal

hearing stage. It would result in abuse of the process of Tribunal, if the similar appeals are separately heard despite being the similarity of claim in all the appeals. Therefore, it would be in the fitness of things to club all appeals with one the oldest in order of chronology in light of the time of institution. The Worthy Registrar of this Tribunal has been called and assigned the duty that list of all the appeals be prepared in chronological order and all the appeals be clubbed with the oldest one, and be submitted for preliminary hearing before this Bench on 18.06.2021, irrespective of the previous dates given on the diary. This application is disposed of accordingly.



The order dated 27.05.2021 as reproduced above has been placed on this file vide order dated 17.06.2021, as the appeal in this file is the oldest in chronological order from the date of institution. Rest of appeals enumerated/described in the chronological list making part of this file, due to commonalty of the subject matter and questions of law and facts, are clubbed with the appeal at hand for disposal conjointly to prevent multiplicity of processes, when judgment passed in a single appeal will enable to settle the particular issue of conveyance allowance similarly in respect of the other appellants who have filed appeals individually because of procedural constraints.

Preliminary arguments have been heard. A brief history of Conveyance Allowance as

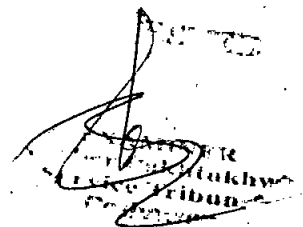


CHUKHWA  
Tribunal

submitted by learned counsel for the appellant has been placed on this file. The copy of judgment dated 11.11.2019 in Service Appeal No. 1452/2019 titled "Maqsad Hayat Versus the Government" has also been annexed with the said brief. According to which a Single Bench of this Tribunal disposed of the said appeal while relying on the judgment of the Hon'ble Peshawar High Court Peshawar in Writ Petition No. 3162-P/2019 with the direction for implementation of the said judgment by the respondents within shortest possible time. The course was also kept open for the appellant to seek remedy in accordance with law, in case his grievance is not redressed by the respondents within reasonable time. There is no cavil to the resolution of matter by judgment dated 11.11.2019 but the likelihood of multiplicity of proceedings cannot be ruled out unless a self-speaking judgment is passed by the Tribunal under due course of law to settle the matter once for all.

The proceedings for hearing will take-place in appeal in hand and shall be deemed to have been applied to clubbed appeals without repetition/replication.

During pendency of this appeal, if any fresh appeal is instituted involving similar questions of law and facts relating to the Conveyance Allowance against the same departmental authorities, office shall also club the same with this appeal.

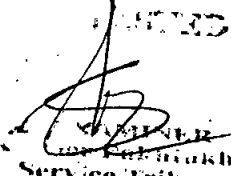


Handwritten signature and stamp of the Tribunal. The stamp includes the text "Tribunal" and "Peshawar".



*Points raised need consideration. The appeal, alongwith all clubbed appeals, is admitted to regular hearing. The appellant in this appeal is directed to deposit security and process fee within 10 days. Thereafter, notices of this appeal alongwith list of clubbed appeals be given to the respondents but their comments/written reply as filed in connection with appeal in hand shall be deemed to have been filed in all the clubbed appeals. There is no need of filing reply/comments individually in each and every clubbed appeal. Similarly, the appellants in all the clubbed appeals are exempted from the deposit of security and process fee. The respondents shall submit written reply/comments, as discussed above, in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 12.07.2021 before the D.B"*

4. Precise facts of the instant Service Appeal as well as the clubbed Service Appeals are that the appellants are employees of Education Department, who were receiving conveyance allowance as admissible under the law and rules but the respondents without any valid and justifiable reasons stopped/deducted the payment of conveyance allowance for the period of summer as well as winter vacations on the ground that as the said vacations is leave period, therefore, the employees are not entitled to be paid conveyance allowance during the summer/winter vacations. After availing the remedy of departmental appeal, the appellants have approached

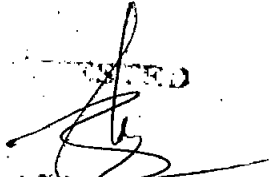
  
MEMBER  
Public Service Tribunal  
Peshawar



this Tribunal through filing of the appeals for redressal of their grievance.

5. Comments on behalf of respondents submitted, which are placed on file.

6. Learned counsel for the appellant has contended that conveyance allowance is being paid by both provincial as well as central government to the civil servants, in order to accommodate them in their travel expenses incurred by them in travelling to and from the workplace; that the summer and winter vacations are not granted upon the request of the employees, rather they remain available for any call of duty, therefore, the respondents are wrong in considering the summer and winter vacations as kind of leave for deduction of conveyance allowance for the said period; that the civil servants of vacation departments are allowed only 01 leave in a month and thus earned leave for 12 days per year is credited to their account, while civil servants of other departments can avail 04 leave in a month, making 48 days earned leave as credited to their account, therefore, the respondents are required to consider the said aspect, while dealing with conveyance allowance of the appellants; that action of the respondents is in utter violation of Article-4 and Article-25 of the Constitution of Islamic Republic of Pakistan 1973; that conveyance allowance is part and parcel of salary/pay and the appellant is entitled to its payment, even during the period of summer/winter vacations. Reliance was placed on an unreported judgment of august Peshawar High Court, Peshawar in Writ Petition No. 3162-P/2019 titled "Akhtar Hussain and 607 others Versus Government of Khyber Pakhtunkhwa", order/judgment dated 11.11.2019 of Khyber Pakhtunkhwa Service Tribunal rendered in Service Appeal No. 1452/2019 titled "Maqсад Hayat Versus Government of Khyber Pakhtunkhwa", judgment of Federal Service Tribunal in

  
CHIEF JUSTICE  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL

Appeal No. 1888(R) CS/2016, 2020 PLC (C.S) 741 [Supreme Court (AJ&K)] and 2020 PLC (C.S) 747.


7. Respective learned counsel for the appellants in the clubbed Service Appeals have adopted the arguments advanced by the learned counsel for the appellant in the instant appeal.

8. Conversely, learned Assistant Advocate General for the respondents has contended that the teaching staff remains on leave during the period of winter and summer vacations and do not perform any duty during the said period, therefore, they are not entitled to any conveyance allowance during the summer/winter vacations; that being employees of vocational department, the appellants cannot claim any conveyance allowance during the vacation period and in respect of conveyance allowance, they cannot be treated at par with civil servants of non vocational departments. Reliance was placed on 2020 SCMR 1689 and 2020 SCMR 98.

9. We have heard the arguments of learned counsel for the appellants as well as learned Assistant Advocate General for the respondents and have perused the record.

10. The controversy, which needs to be resolved, is with regard to the issue as to whether the appellants, who are employees of vacation department, are entitled to payment of conveyance allowance during the period of summer/winter vacation or not. In order to appreciate the matter in a proper legal way, it would be advantageous to reproduce Clause-(b) of FR-82 as below:-

*"(b) Vacation counts as duty but the period of total leave in rules-77, 81 (a) and 81 (b) should ordinarily be reduced by one month for each year of duty in which the government servant availed himself of the vacation. If a part only of the vacation has been taken in any year, the period to be*

  
Secretary, Jammu & Kashmir  
Services Tribunal


*deducted will be a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation".*

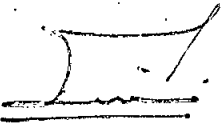
In light of Clause (b) of FR-82, it is crystal clear that vacation counts as duty. Even during vacation, the employees of Education Department remain on call for any duty assigned to them. Moreover, the summer vacations are not granted on demand or option of the employees of the Education Department, rather the period of their earned leave is curtailed by one month for each year. The respondents are wrong in considering the summer/winter vacations as kind of leave. The conveyance allowance is admissible to the government servants who are on duty and in view of clause (b) of FR-82, the summer/winter vacation period also count as duty, therefore, the respondents are not justified in depriving the employees of the Education Department from the receipt of conveyance allowance during summer/winter vacations. The deduction of conveyance allowance from the salaries of the appellants and other teaching staff during summer/winter vacations is in violation of their rights available to them under the Constitution of Islamic Republic of Pakistan 1973. Reliance is placed on 2020 PLC (C.S) 741. The judgment dated 17.10.2017 passed by Federal Service Tribunal in identical nature appeals bearing No. 289 to 298 (R) C.S/2015 has been upheld by august Supreme Court of Pakistan vide order dated 13.07.2018 passed in CPs No. 4957 to 4966 of 2017. Furthermore, this Tribunal has also granted such relief to other employees of Education Department in identical nature appeals.

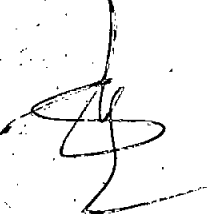
11. In light of the above discussion, the appeal in hand as well as clubbed appeals mentioned in the appendix-A stands allowed and the respondents are directed not to deduct the conveyance allowance from the salaries of the appellants during summer/winter vacations. The conveyance allowance if any,

already deducted should be reimbursed to the appellants forthwith. The instant judgment shall be considered as judgment *in rem*, therefore, the respondents should pay the said allowance to all similarly placed employees of the Education Department so as to avoid the discrimination under Article-4 & 25 of the Constitution of Islamic Republic of Pakistan as well as unnecessary litigation. Attested copy of this judgment be placed on files of all the clubbed appeals mentioned in appendix-A. Parties are left to bear their own costs. This file as well as files of clubbed Service Appeals mentioned in appendix-A be consigned to the record room.

ANNOUNCED  
12.07.2021

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)



28/5/22  
3/5/22  
3/5/22  
3/5/22

To

The District Education Officer (Female)  
Abbottabad

Subject:

**ANNEXURE "B"**  
**(28)**  
IMPLEMENTATION OF THE JUDGMENTS OF HONOURABLE SUPREME COURT OF PAKISTAN AND KHYBER PAKHTUNKHWA SERVICE TRIBUNAL REGARDING DEDUCTION OF CONVEYANCE ALLOWANCE FROM THE SALARIES DURING SUMMER/WINTER VACATIONS.

Memo:

It is submitted as under:

1. That one Mr. Muhammad Sikandar Dar filed appeal No. 1888(R)/CS/2016 before the Honourable Federal Service Tribunal Islamabad regarding the deduction of conveyance allowance from the salaries during the summer/winter vacations and on 03-12-2018 Honourable Federal Service Tribunal Islamabad accepted the appeal and directed the respondents not to deduct the conveyance allowance during summer and winter vacations. This judgment is considered in Rem not Personam. (Copy of the judgment of Federal Service Tribunal is annexed as Annexure "A").
2. That the Civil Petition No. 450 of 2019 was filed before August Supreme Court of Pakistan against judgment dated 03-12-2018 passed by the Honourable Federal Service Tribunal in Appeal No. 1888(R)/CS/2016 and the same was dismissed on 28-08-2019. (Copy of the judgment of August Supreme Court of Pakistan dated 28-08-2019 is appended herewith as Annexure "B").
3. That Mr. Jalalud Din SCT, District Dir Lower filed Service Appeal No. 12889/2020 before the Khyber Pakhtunkhwa Service Tribunal regarding the illegal deduction of conveyance allowance from the salaries during summer/winter vacations.
4. That on 12-07-2021, Honourable Khyber Pakhtunkhwa Service Tribunal Peshawar allowed the appeal. For convenience and ready reference the operative part of the judgment is reproduced as under:-

"Respondents directed not to deduct the conveyance allowance from the salaries during summer/winter vacations. The conveyance if already deducted should be reimbursed to the appellants forthwith. The instant judgment shall be considered as judgment in rem. Therefore, the respondents should pay the said allowance to all similar placed employees of the education department so as to avoid the discrimination under Article 4 and 25 of the Constitution of Islamic Republic of Pakistan as well as unnecessary litigation." (Annexure "C")

5. That as per judgment of the Honourable Supreme Court of Pakistan reported as 2009 SCMR 1 the operative part of the judgment is reproduced as under:

"If a Tribunal or the Supreme Court decides a point of law relating to the terms and conditions of a civil servant who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the said decision be extended to the other civil servants also, who may not be parties to that litigation, instead of compelling them to approach the Tribunal or any other legal forum."

6. As per letter of Government of Khyber Pakhtunkhwa Finance Department No. SO (SR-II)FD/8-7/2017/40 dated 17-06-2021 competent authority has been pleased to provisionally implement the decision of the Khyber Pakhtunkhwa Service Tribunal. The decision will be provisionally implemented and shall be recoverable subject to final decision/outcome of the Supreme Court of Pakistan in CPLA file by the Provincial Government against the decision of Khyber Pakhtunkhwa Service Tribunal Peshawar. (Annexure "D").

It is therefore, in view of the above facts and circumstances it is requested that all the DDOs under your kind jurisdiction may please be directed to prepare and signed the source of arrears of conveyance allowance in accordance with the above referred judgments as well as letter of Finance Department (Regulation Wing).

Yours Faithfully

Zulfiqar Ahmed  
President All Teacher Association  
District Abbottabad

Attested

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

NO.SO(SR-II)FD/8-7/2017/40  
Dated Peshawar the 17.06.2021

To

The Accountant General,  
Govt. of Khyber Pakhtunkhwa,  
Peshawar.

Subject:-

IMPLEMENTATION OF THE JUDGEMENT OF EXECUTION PETITION  
145/2019 IN SERVICE APPEAL REGARDING ADMISSIBILITY OF  
CONVEYANCE ALLOWANCE DURING SUMMER & WINTER  
VACATIONS TO THE EMPLOYEES OF VACATION DEPARTMENT.

Dear Sir,

I am directed to refer to your department's letter No.Lt/S.T/S.A/1452-2019. Muqsd Hayat/2018-19/259-61 dated 22.02.2021 on the subject noted above and to state that the Competent Authority has been pleased to provisionally implement the decision of the Khyber Pakhtunkhwa Service Tribunal in Service Appeal No.1452/2019 filed by Mr.Maqsd Hayat, SCT versus Government of Khyber Pakhtunkhwa through Chief Secretary. The case is regarding payment of Conveyance Allowance to Civil Servants (Vacation Departments) during summer & winter vacations. The decision will be provisionally implemented and shall be recoverable subject to final decision/outcome of the Supreme Court of Pakistan in CPLA file by the Provincial Government against the decision date 11.11.2019 of Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Yours faithfully,

(Muhammad Ilyas Khattak)  
SECTION OFFICER (SR) IN

Attested

# وکالت نامہ

کورٹ فیس

بعدالت جناب صدر عدالت صاحب فیضہ کٹوخواہ سید وس مری بیونس لشار اور

عنوان: سیدہ نسیم شاہ بنام گورنمنٹ فیڈریشن کٹوخواہ وٹون

منجانب: فیضہ کٹوخواہ

نوعیت مقدمہ:

## باعث تحریر آنکے

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام

محمد سعید احمد وکالت

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا محکمہ صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر محکمہ مقرر کردہ میں کوئی جزو بتایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست براد تجارت ناشر، بیخہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المقوم: 01 جولائی 2022

Accepted

بمقام:

السید سعید احمد