Form- A

FORM OF ORDER SHEET

Court of

Execution Petition No.______448/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge	
1.	2	3	
1	03.08.2022 The joint execution petition of Mr. Nisar Ahmad and 437 of submitted today by Mr. Muhammad Liaqat Advocate may be entered relevant register and put up to the Court for proper order please. execution petition be put up before touring Single Bench at Abbottab Original file be requisitioned.		
		REGISTRAR	
		-	

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution Petition No. 446/2022

IN

Service Appeal No. 12889/2020

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Nisar Ahmad, PSHT, GPS Hotrol, Tehsil & District Abbottabad & Others.

VERSUS

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

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4	Copy of letter dated 13-01-2022	44	"C"
5	Copy of letter dated 17-06-2021	45	"D"
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(PETITIONERS)

Through

Muhammad Liagat Advocate High Court Abbottabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution Petition No. _of 2022 IN

Service Appeal No. 12889/2020

1.	Nisar Ahmad, PSHT, GPS Hotrol, Tehsil & District Abbottabad.
2.	Muhammad Asghar, PST, GPS Seri Khan Kalan, Tehsil & District Abbottabad.
3.	Sadaqat Hussain, PST, GPS Tarhatti, Tehsil & District Abbottabad.
4.	Shafaat Hussain, PST, GPS Tarhatti, Tehsil & District Abbottabad.
5.	Dildar Hussain, PSHT, GPS Tarhatti, Tehsil & District Abbottabad.
6.	Muhammad Asif, SPST, GPS Larri, Tehsil & District Abbottabad.
7.	Muhammad Ejaz, PSHT, GPS Marhais, Tehsil & District Abbottabad.
8.	Akhtar Hussain Shah, PSHT, GPS Larri, Tehsil & District Abbottabad.
9.	Muhammad Saleem, PSHT, GPS Banota, Tehsil & District Abbottabad.
10.	Muhammad Iftikhar, PST, GPS Larri, Tehsil & District Abbottabad.
11.	Muhammad Naseer, PST, GPS Beri Bagla, Tehsil & District Abbottabad.
12.	Raseed Ahmad, PSHT, GPS Beri Bagla, Tehsil & District Abbottabad.
13.	Muhammad Aftab, PSHT, GPS Bali Kote, Tehsil & District Abbottabad.
14.	Arshad Hussain, PST, GPS Bali Kote, Tehsil & District Abbottabad.
15.	Munir Riaz, PST, GPS Dana Aliabad, Tehsil & District Abbottabad.
16.	Umer Sarfraz, PST, GPS Sangal, Tehsil & District Abbottabad.
17.	Zulfiqar Ahmad, PST, GPS Masooma, Tehsil & District Abbottabad.
18.	Sajid Mehmood, PST, GPS Termuthian, Tehsil & District Abbottabad.
19.	Rukhsar Ahmad, PST, GPS Tandi Birote, Tehsil & District Abbottabad.
20.	Salauddin, PST, GPS Masooma, Tehsil & District Abbottabad.
21.	Abid Hussain, SPST, GPS Tarrch, Tehsil & District Abbottabad.
22.	Ayaz Hussain, PSHT, GPS Upper Malkote, Tehsil & District Abbottabad.
23.	Raza Ahmad, PSHT, GPS Sangrallan, Tehsil & District Abbottabad.
24.	Muhammad Haqiq, PSHT, GPS Nari Hotar, Tehsil & District Abbottabad.
25.	Muhammad Shakil, PSHT, GPS Sui Nakhater, Tehsil & District Abbottabad.
26.	Muhammad Munir, PSHT, GPS Patti Bandi, Tehsil & District Abbottabad.
27.	Najeeb ur Rehman, SPST, GPS Upper Lahoor, Tehsil & District Abbottabad.
28.	Niaz ur Rehman, SPST, GPS Bandi Birote, Tehsil & District Abbottabad.
29.	Atif Hussain, PST, GPS Dakhan Moolia, Tehsil & District Abbottabad.

- 30. Javed Saleem, PSHT, GPS Khan Khurd, Tehsil & District Abbottabad.
- 31. Sagheer Ahmad, PSHT, GPS Chaleesian, Tehsil & District Abbottabad.
- 32. Zafar Iqbal, PST, GPS Kalaban, Tehsil & District Abbottabad.
- 33. Waheed ur Rehman, PST, GPS Kalaban, Tehsil & District Abbottabad.
- 34. Muhammad Gul Faraz, PSHT, GPS Kalaban Bakote, Tehsil & District Abbottabad.
- 35. Abdur Razzaq, CT, GMS Rankote, Tehsil & District Abbottabad.
- 36. Muhammad Saleem, PSHT, GPS Chhak, Tehsil & District Abbottabad.
- 37. Sajjad Ahmad, PSHT (Retired), GPS Birote, Tehsil & District Abbottabad.
- 38. Muhammad Arif, PSHT, GPS Sarhan, Tehsil & District Abbottabad.
- 39. Ali Mardan, SPST, GPS Sarhan, Tehsil & District Abbottabad.
- 40. Muhammad Ilyas, PST, GPS Changli, Tehsil & District Abbottabad.
- 41. Tanveer, PST, GPS Changli, Tehsil & District Abbottabad.
- 42. Muhammad Ramzan, PST, GPS Bagla No. 4, Tehsil & District Abbottabad.
- 43. Waseem Ahmad, PSHT, GPS Khairagali, Tehsil & District Abbottabad.
- 44. Muhammad Zahid, PST (Retired), GPS Birote, Tehsil & District Abbottabad.
- 45. Nazakat Ali, PSHT, GPS Tarrch, Tehsil & District Abbottabad.
- 46. Muhammad Fahim ud Din, SPST, GPS Seri Khan Kalan, Tehsil & District Abbottabad.
- 47. Muhammad Asghar, PSHT (Retired), GPS Terimuthian, Tehsil & District Abbottabad.
- 48. Muhammad Zardad Khan, PSHT (Retired), GPS Lamian, Tehsil & District Abbottabad.
- 49. Muhammad Ehsan, PSHT (Retired), GPS Patti Bandi, Tehsil & District Abbottabad.
- 50. Hifzan Qureshi, PST (Retired), GMPS Santhi, Tehsil & District Abbottabad.
- 51. Muhammad Fiaz, PSHT, GPS Kahu Birote, Tehsil & District Abbottabad.
- 52. Khalid Hussain, PSHT (Retired), GPS Dhaka Malkote, Tehsil & District Abbottabad.
- 53. Muhammad Saeed, PSHT, GPS Sian Da Katha, Tehsil & District Abbottabad.
- 54. Zahoor Hussain Shah, PSHT, GPS Tori, Tehsil & District Abbottabad.
- 55. Muhammad Iltaf, PSHT, GPS Kuthiala, Tehsil & District Abbottabad.
- 56. Mujib ur Rehman, PST, GPS Kalabagh, Tehsil & District Abbottabad.
- 57. Raza Muhammad, PST, GPS Hal Lakhala, Tehsil & District Abbottabad.
- 58. Aamir Rabbani, PST, GPS Hal Lakhala, Tehsil & District Abbottabad.
- 59. Jawad Ali Shah, PST, GPS Pohar, Tehsil & District Abbottabad.
- 60. Muhammad Zahid, PST, GPS Thathi Sayedan, Tehsil & District Abbottabad.

- 61. Muhammad Rasheed, CT, GMS Salhad, Tehsil & District Abbottabad.
- 62. Muhammad Shoukat, PET, GMS Tharyati, Tehsil & District Abbottabad.
- 63. Bashir Khan, CT, GMS Tharyati, Tehsil & District Abbottabad.

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- 64. Abdul Qadir Hussain Shah, PST (Retired), Pulhar Pind Kargu, Tehsil & District Abbottabad.
- 65. Arshad Khan, PSHT, GPS Samundar Katha, Tehsil & District Abbottabad.
- 66. Muhammad Shamraiz, PST (Retied), GPS Sairan Nathiagali, Tehsil & District Abbottabad.
- 67. Muhammad Zafar, PST (Retired), GPS Bagan, Tehsil & District Abbottabad.
- 68. Muzaffar Ali, SST, ASDEO (Male), Tehsil & District Abbottabad.
- 69. Zakir Hussain, SPST, GPS Danna Bagan, Tehsil & District Abbottabad.
- 70. Muhammad Ali, Qari, GHS Bagh, Tehsil & District Abbottabad.
- 71. Abdul Waheed, PSHT, Sairan Nathiagali, Tehsil & District Abbottabad.
- 72. Muhammad Siddique, SPST, GPS Narrian, Tehsil & District Abbottabad.
- 73. Sajjad Ahmad, PSHT, GPS ____, Tehsil & District Abbottabad.
- 74. Muhammad Sabir, PSHT, GPS Kundla, Tehsil & District Abbottabad.
- 75. Muhammad Asif, PST, GPS Gatti Maira, Tehsil & District Abbottabad.
- 76. Muhammad Javed, PST, GPS Topa Khan Kalan, Tehsil & District Abbottabad.
- 77. Muhammad Fareed, SST (Retired), GMS Deedal, Tehsil & District Abbottabad.
- 78. Sohail Qayyum, PST, GPS Tarhana Bala, Tehsil & District Abbottabad.
- 79. Raqib ul Haq, PST (Retired), GPS Rahi Lora, Tehsil & District Abbottabad.
- 80. Muhammad Nawaz, PST (Retired), GPS Ghambir No. 1. Lora, Tehsil & District Abbottabad.
- 81. Sajid Munir, PST (Retired), GPS Malikpura, Tehsil & District Abbottabad.
- 82. Khurshid Muhammad, SST, ASDEO (Male), Tehsil & District Abbottabad.
- 83. Intezar Shah, PSHT, GPS Khoiyan Lora, Tehsil & District Abbottabad.
- 84. Ali Aksar, PST, GPS Jhafar, Tehsil & District Abbottabad.
- 85. Gulfraz, SPST (Retired), GPS Ratta Bagla, Tehsil & District Abbottabad.
- 86. Muhammad Nazeer, SPST, Kalakote, Tehsil & District Abbottabad.
- 87. Gul zeb, PST, GPS Sadial Akhrota, Tehsil & District Abbottabad.
- 88. Abdur Rasheed, DM (Retired), GMS Keri Sarafali, Tehsil & District Abbottabad.
- 89. Niaz Ahmad, PET, GMS Keri Sarafali, Tehsil & District Abbottabad.
- 90. Aurangzeb, PSHT (Retired), GPS Nakka Boi, Tehsil & District Abbottabad.
- 91. Sarjeel Ahmad, PET, GMS Kassaki, Tehsil & District Abbottabad.

- 92. Sabir Sultan, SPET (Retired), GHS Chamhati, Tehsil & District Abbottabad.
- 93. Sarfraz Ahmad, PET, GMS Hazeera, Tehsil & District Abbottabad.
- 94. Muhammad Sadique, SAT, GHS No.1 Havelian, District Abbottabad.
- 95. Waqas, DM, GMS Dalola, Tehsil & District Abbottabad.

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- 96. Muhammad Rashid, PSHT, GPS Dalola, Tehsil & District Abbottabad.
- 97. Naseem Ahmad, PST, GPS Seri Dalola, Tehsil & District Abbottabad.
- 98. Khawaja Muhammad Amjad, CT, GMS Nowshera, Tehsil Havelian & District Abbottabad.
- 99. Khawaja Muhammad Majid, PSHT, GPS Rajoiya, Tehsil & District Abbottabad.
- 100. Zahid Saeed, SST, GHS Namli Maira, Tehsil & District Abbottabad.
- 101. Qamar Zaman, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad.
- 102. Waheed Akhtar, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad.
- 103. Ziafat Khan, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad.
- 104. Abdul Khalid Shah, PSHT, GPS Durban Langrial, Tehsil & District Abbottabad.
- 105. Waqar Ahmad, SPST, GPS Durban Langrial, Tehsil & District Abbottabad.
- 106. Shabir Anwar, PSHT, GPS Tarhori Langrial, Tehsil & District Abbottabad.
- 107. Muhammad Shoukat, SPST, GPS Tarhori Langrial, Tehsil & District Abbottabad.
- 108. Aamir Mehmood, PST, GPS Karhaki Langrial, Tehsil & District Abbottabad.
- 109. Naveed Anwar Qureshi, SPST, GPS Basera Langrial, Tehsil & District Abbottabad.
- 110. Muhammad Safeer, PST, GPS Sumbal Basera Langrial, Tehsil & District Abbottabad.
- 111. Tahir Abbas, PSHT, GPS Sumbal Basera Langrial, Tehsil & District Abbottabad.
- 112. Shoukat Hussain, AT, GMS Bandi Phullan, Tehsil & District Abbottabad.
- 113. Muhamad Sagheer, TT, GMS Bandi Phullan, Tehsil & District Abbottabad.
- 114. Saqib Zakir, TT, GMS Bandi Phullan, Tehsil & District Abbottabad.
- 115. Zahid Shah, DM, GMS Thunda, Tehsil & District Abbottabad.
- 116. Faisal Mehmood, DM, GMS Bandi Phullan, Tehsil & District Abbottabad.
- 117. Jehanzeb, DM (Retired), GHSS RichBhen, Tehsil & District Abbottabad.
- 118. Muhammad Naveed, SPST, GPS Grameri Chamhad, Tehsil & District Abbottabad.
- 119. Muhammad Tariq Khan, SPST, GPS Baldheri Maira, Tehsil & District Abbottabad.
- 120. Muhammad Naveed Khan, PSHT (Retired), GPS Ghumawan, Tehsil & District Abbottabad.
- 121. Ijaz Ahmad, PSHT (Retired), GPS No.3, Tehsil & District Abbottabad.
- 122. Muhammad Idrees, PSHT (Retired), GPS Katha Jabia, Tehsil & District Abbottabad.

123. Niaz Ahmad, PET, GMS Keri Sarafali, Tehsil & District Abbottabad.

124. Abdur Rasheed, DM (Retired), GMS Keri Sarafali, Tehsil & District Abbottabad.

125. Said Akbar, SPST, GPS Bagan, Tehsil & District Abbottabad.

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126. Abid Mehmood, AT, GMS Salhad, Tehsil & District Abbottabad.

127. Masood ur Rehman, PSHT, GPS Bagan, Tehsil & District Abbottabad.

128. Bilal Muzaffar, PST, GPS Chahan, Tehsil & District Abbottabad.

129. Abdur Samad, PST, GPS Dheri, Tehsil & District Abbottabad.

130. Atif Hussain Abbasi, PST, Dhakhan, Tehsil & District Abbottabad.

131. Ghulam Murtaza, SCT, GHS No. 1 Havelian, District Abbottabad.

132. Sajjad Ahmad, PSHT, GPS Kutli Bagh, Tehsil & District Abbottabad.

133. Abdul Basit, PSHT, GPS Majhot, Tehsil & District Abbottabad.

134. Muhammad Tariq, PST, GPS Majhot, Tehsil & District Abbottabad.

135. Abdul Sabokh, PST, GPS Majhot, Tehsil & District Abbottabad.

136. Akhtar Mehmood, CT, GMS Sawala, Tehsil & District Abbottabad.

137. Inayat ur Rehman, PST, Tehsil & District Abbottabad.

138. Qamar Zaman, PST, GPS Summwal, Tehsil & District Abbottabad.

139. Dildar Khan, SST, GMS Kiala, Tehsil & District Abbottabad.

140. Jameel Ahmad, DM, GMS Taror, Tehsil & District Abbottabad.

141. Muhammad Abdullah, AT, GMS Taror, Tehsil & District Abbottabad.

142. Muhammad Masood, CT, GMS Taror, Tehsil & District Abbottabad.

143. Toseef Ahmad, PET, GMS Taror, Tehsil & District Abbottabad.

144. Muhammad Shafqat, PSHT, GPS Kumar Bandi, Tehsil & District Abbottabad.

145. Saeed Hassan, PSHT, GPS Doong, Tehsil & District Abbottabad.

146. Muhammad Hanif, PSHT, GPS Barrian, Tehsil & District Abbottabad.

147. Adeel Yousaf, PST, GPS Barrian, Tehsil & District Abbottabad.

148. Wali ur Rehman, PSHT, GPS Kaghian, Tehsil & District Abbottabad.

149. Nasir Islam, PST, GPS Kaghian, Tehsil & District Abbottabad.

150. Waheed Ahmad, PSHT, GPS Nagri Bala, Tehsil & District Abbottabad.

151. Gul Faraz, PST, GPS Mahreen, Tehsil & District Abbottabad.

152. Muhammad Khalid, SPST, GPS Sahra Doga, Tehsil & District Abbottabad.

153. Muhammad Asif, SPST, GPS Banota, Tehsil & District Abbottabad.

154. Muhammad Tariq, SPST, GPS Gali Nagri Bala, Tehsil & District Abbottabad.

155. Masood ur Rehman, SPST (Retired), GPS Taiyal Batangi, Tehsil & District Abbottabad.

156. Chanzeb, SPST (Retired), GPS Kiyala, Tehsil & District Abbottabad.

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- 157. Muhammad Sajjad, PST, GMKS, Gul Bandi Dana, Tehsil & District Abbottabad.
- 158. Muhammad Saeed, PSHT, GPS Keri Srafali, Tehsil & District Abbottabad.
- 159. Muhammad Shoukat, PET, GMS Tharyati, Tehsil & District Abbottabad.
- 160. Muhammad Arshad, PST, GPS Sathal, Tehsil & District Abbottabad.
- 161. Qazi Jehanzeb, DM, GHS Richbhen, Tehsil & District Abbottabad.
- 162. Said Akbar, SPST, GPS Bagan, Tehsil & District Abbottabad.
- 163. Masood ur Rehman, PST, GPS Bagan, Tehsil & District Abbottabad.
- 164. Rashid Iqbal, PET, GMS Battangi Khurd, Tehsil & District Abbottabad.
- 165. Muhammad Gulzar, AT, GMS Battangi Khurd, Tehsil & District Abbottabad.
- 166. Sohail Qayyum, PST, GPS Tarhana Bala, Tehsil & District Abbottabad.
- 167. Muhammad Yousaf, PSHT, GPS Hazeera, Tehsil & District Abbottabad.
- 168. Muhammad Saleem, PSHT, GPS Baghran, Tehsil & District Abbottabad.
- 169. Muhammad Fiaz, SST, GMS Salyot, Tehsil & District Abbottabad.
- 170. Ammar Nadeem, PSHT, GPS kotera, PK Khan, Tehsil & District Abbottabad.
- 171. Amjad Ali, DM, GMS Nara, Tehsil & District Abbottabad.
- 172. Kala Khan, SST, GMS Nara, Tehsil & District Abbottabad.
- 173. Muhammad Fiaz, PST, GPS Kotera PK Khan, Tehsil & District Abbottabad.
- 174. Tariq Mehmood, PSHT, GPS Pathian, Tehsil & District Abbottabad.
- 175. Arshad Khan, PSHT (Retired), GPS Bajwan, Tehsil & District Abbottabad.
- 176. Raqib ul Haq, PST (Retired), GPS Rahi, Tehsil & District Abbottabad.
- 177. Muhammad Nawaz, PSHT (Retired), GPS Ghambhir No.1 Lora, Tehsil & District Abbottabad.
- 178. Syed Intazar Shah, PSHT, GPS Khuyian, Tehsil & District Abbottabad.
- 179. Muhammad Naeem, PST (Retired), GPS Hillan Sagana, Tehsil & District Abbottabad.
- Muhammad Irfan, PSHT (Retired), GPS Kangar Maira, Tehsil & District Abbottabad.
- Muhammad Javed, PSHT (Retired), GPS Dakhan Paiser, Tehsil & District Abbottabad.
- Muhammad Jahangir, PSHT, (Retired), GPS Dakhan Paisar, Tehsil & District Abbottabad.
- 183. Shahid, PST, GPS Bunj Berangali, Tehsil & District Abbottabad.
- 184. Bashir Ahmad, PST, (Retired), GPS Nagri Bala, Tehsil & District Abbottabad.

185.	Saqib Chan, TT, GMS Tehsil & District Abbottabad.
186.	Abdul Razzaq, PSHT, GPS Banda Ghazan, Tehsil & District Abbottabad.
187.	Sajjad Ahmad, SCT, GHS Dhamtour, Tehsil & District Abbottabad.
188.	Amjad Ali Khan, SST, GHS Dhamtour, Tehsil & District Abbottabad.
189.	Tahir Hussain Shah, SST, GHS Dhamtour, Tehsil & District Abbottabad.
190.	Faiz ur Rehman, SCT, GHS Dhamtour, Tehsil & District Abbottabad.
191.	Faheem ullah Khan, DM, GMS Choonakari, Tehsil & District Abbottabad.
192.	Abdul Aziz, PSHT, GPS Bandi Matrach Sherwan, Tehsil & District Abbottabad.
193.	Romail Khan, PST, GPS Bandi Matrach Sherwan, Tehsil & District Abbottabad.
194.	Abdul Qayyum, PST, GPS Jandala, Tehsil & District Abbottabad.
195.	Saqib Rehman, ASDEO (M), Lower Tanawal, Tehsil & District Abbottabad.
196.	Inayat ur Rehman, PSHT, GPS Kishna, Tehsil & District Abbottabad.
197.	Muhammad Imtiaz, PST, GPS Shadial, Tehsil & District Abbottabad.
198.	Amjad Khan, SST, GMS Nowshehra, Tehsil & District Abbottabad.
199.	Abdul Haleem, TT, GMS Nowshehra, Tehsil & District Abbottabad.
200.	Muhammad Arshad Khan, PSHT, GPS Chamhad, Tehsil & District Abbottabad.
201.	Muhammad Maqsood, PSHT, GPS Kassaki Khurd, Tehsil & District Abbottabad.
202.	Shakeel Ahmad Khan, PSHT, GPS Goorian, Tehsil & District Abbottabad.
203.	Muhammad Zafar Iqbal, PST, GPS Konsian, Tehsil & District Abbottabad.
204.	Muhammad Aamir, PST, GPS Banda Amlok, Tehsil & District Abbottabad.
205.	Basit Ali Khan, PST, GPS Chamhad, Tehsil & District Abbottabad.
206.	Muhammad Adeel, PST, GPS Baghati, Tehsil & District Abbottabad.
207.	Muhammad Tariq Khan, SPST, GPS ChamkMaira, Tehsil & District Abbottabad.
208.	Assad Naseem Khan, SPST, GPS ChamkMaira, Tehsil & District Abbottabad.
209.	Sanaullah Khan, PST, GPS Baghdara, SPST, GPS ChamkMaira, Tehsil & District
	Abbottabad.
210.	Ishfaq Ahmad, PSHT, GPS Baghdara, SPST, GPS ChamkMaira, Tehsil & District
	Abbottabad.
211.	Naveed Akhtar, PST, GPS Sherwan, Tehsil & District Abbottabad.
212.	Jahanzeb, PSHT, GPS Jabbi, Tehsil & District Abbottabad.
213.	Muhammad Mushtaq, SPST, GMPS Kot Gali, Tehsil & District Abbottabad.
214.	Muhammad Shamraiz, PST (Retired), GPS Sherwan, Tehsil & District Abbottabad.

- 215. Makhtoon ur Rehman, PST, GPS Lower Bakote, Tehsil & District Abbottabad.
- 216. Waseem, PST, GPS Kangrora, Tehsil & District Abbottabad.

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217. Muhammad Akram, SPST, GPS Tarhana, Tehsil & District Abbottabad.

- 218. Mehboob Hussain Shah, AT, GMS Galibannian, Tehsil & District Abbottabad.
- 219. Muhammad Javed, SST (Retired), GMS Battangi Khurd, Tehsil & District Abbottabad.
- 220. Saeed Akbar, PST, GPS Malikpura, Tehsil & District Abbottabad.
- 221. Mehboob Mustafa, PST, GPS Malikpura, Tehsil & District Abbottabad.
- 222. Muhammad Farooq, PSHT (Retired), GPS Bandian, Tehsil & District Abbottabad.
- 223. Muhammad Abid Khan, PST, GPS Sui Nakhetar, Tehsil & District Abbottabad.
- 224. Mubarak Ali, PST (Retired), GPS Galla Birote, Tehsil & District Abbottabad.
- 225. Junaid Iqbal, PST, GPS Haryala, Tehsil & District Abbottabad.
- 226. Abdul Sattar, PST, GPS Haryala, Tehsil & District Abbottabad.
- 227. Shakeel Ahmad, PSHT (Retired), GPS Dhera Birote, Tehsil & District Abbottabad.
- 228. Muhammad Arshad, PSHT, GPS Kuza Gali, Tehsil & District Abbottabad.
- 229. Shabraz Khan, PSHT, GPS Bandi Birote, Tehsil & District Abbottabad.
- 230. Muhammad Azkar, SPST, GPS Lamian Laran, Tehsil & District Abbottabad.
- 231. Muhammad Javed, PSHT (Retired), GPS Kasala, Tehsil & District Abbottabad.
- 232. Muhammad Bashir, PSHT, GPS Dhunian, Tehsil & District Abbottabad.
- 233. Muhammad Irshad, PSHT, GPS Paswal, Tehsil & District Abbottabad.
- 234. Muhammad Ijaz, PST (Retired), GPS Sangrallan, Tehsil & District Abbottabad.
- 235. Qasim Hussain, PST, GPS Hotrary, Tehsil & District Abbottabad.
- 236. Tahir Haleem Lodhi, PST, GPS Sian Da Katha, Tehsil & District Abbottabad.
- 237. Muhammad Ibrahim, PSHT, GPS Riyali, Tehsil & District Abbottabad.
- 238. Shakeel Muhammad, SPST, GPS Dhaka Malkote, Tehsil & District Abbottabad.
- 239. Afraiz Ahmad, PSHT, GPS Dhaka Malkote, Tehsil & District Abbottabad.
- 240. Nazir Ahmad, PSHT, GPS Ander Seri, Tehsil & District Abbottabad.
- 241. Muhammad Haroon, PST, GPS Khan Khurd, Tehsil & District Abbottabad.
- 242. Muhammad Umer, PST, GPS Patti Bandi, Tehsil & District Abbottabad.
- 243. Haseeb Ahmad, PST, GPS Beri Bagla, Tehsil & District Abbottabad.
- 244. Muhammad Aseem, SPST, GPS Leeran, Tehsil & District Abbottabad.
- 245. Abdul Majeed, PST, GPS Jhallan, Tehsil & District Abbottabad.
- 246. Irshad Ahmad, PSHT, GPS Leeran, Tehsil & District Abbottabad.
- 247. Abdul Samad Khan Abbasi, PST, GPS Kahu Birote, Tehsil & District Abbottabad.
- 248. Ishfaq Ahmad, PSHT, GPS Thora Kalan, Tehsil & District Abbottabad.
- 249. Wali ullah, PSHT, GPS Hotrary Birote, Tehsil & District Abbottabad.

250. Abdur Razzaq, PSHT, GPS Lamian Larran, Tehsil & District Abbottabad. 251. Naeem Ahmad, PSHT, GPS Galla Birote, Tehsil & District Abbottabad. 252. Saghir Ahmad, CT, GHS Nakkar Khan Kalan, Tehsil & District Abbottabad. 253. Iftikhar Ahmad Abbasi, CT, GMS Topa Khan Kalan, Tehsil & District Abbottabad. 254. Khalil ur Rehman, PSHT, GPS Chariali, Tehsil & District Abbottabad. 255. Abdul Ghafar, PST, Narra Nammal, Tehsil & District Abbottabad. 256. Muhmmad Mehboob, PST, GPS Kurli, Tehsil & District Abbottabad. 257. Aziz ur Rehman, PSHT, GPS Kurli, Tehsil & District Abbottabad. Abid Hussain, PST, GPS Kurli, Tehsil & District Abbottabad. 258. 259. Nisar Ahmad, PST, GPS Kurli, Tehsil & District Abbottabad. 260. Nisar Ahmad Abbasi, PSHT, GPS Bhan, Tehsil & District Abbottabad. Shams uz Zaman, SPST (Retired), GPS Narra, Tehsil & District Abbottabad. 261. Junaid Ahmad, PST, GPS Lower Malkote, Tehsil & District Abbottabad. 262. 263. Saif ur Rehman, PST, GPS Bhan, Tehsil & District Abbottabad. 264. Muhammad Khalid, PST, GPS Dana Khan Kalan, Tehsil & District Abbottabad. 265. Asif ur Rehman, PET, GMS Seri Khan Kalan, Tehsil & District Abbottabad. Muhammad Razzag, PSHT (Retired), GPS Aliabad, Tehsil & District Abbottabad. 266. Muhammad Gulfaraz, PSHT (Retired), GPS Kalaban, Tehsil & District Abbottabad. 267. 268. Muhammad Jameel, PSHT, GMPS Dana Aliabad, Tehsil & District Abbottabad. 269. Muhammad Younas, PSHT (Retired), GPS Balikote, Tehsil & District Abbottabad. 270. Muhammad Zaraib, PSHT, GPS Majuhan, Tehsil & District Abbottabad. 271. Misba ud Din, PSHT, GPS Narra, Tehsil & District Abbottabad. 272. Saqib Ali, PSHT, GPS Pattan Khurd, Tehsil & District Abbottabad. 273. Muhammad Tufail, PSHT, GPS Bandian, Tehsil & District Abbottabad. 274. Habib ur Rehman, SPST, GPS Bandian, Tehsil & District Abbottabad. 275. Muhammad Nadeem, SPST, GPS Jhallan, Tehsil & District Abbottabad. 276. Wagas Ahmad, PST, GPS Chaleesian, Tehsil & District Abbottabad. 277. Attiq ur Rehman, PST, GPS Majuhan, Tehsil & District Abbottabad. 278. Muhammad Zahoor, PSHT, GPS Dana Khan Kalan, Tehsil & District Abbottabad. 279. Ijaz Hussain, PSHT (Retired), GPS Darwaza, Tehsil & District Abbottabad. 280. Nisar Ahmad Abbasi, PST, GMPS Pagar Khan Kalan, Tehsil & District Abbottabad. 281. Zahid Hussain, PST, GPS Riyala Bandi, Tehsil & District Abbottabad. 282. Sajawal Khan, PSHT, GPS Bisala, Tehsil & District Abbottabad. 283. Muhammad Ishaq, DM, GMS Salol Bandi, Tehsil & District Abbottabad.

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284. Muhammad Tahir, AT, GMS Salol Bandi, Tehsil & District Abbottabad. 285. Aman ullah, TT, GMS Salol Bandi, Tehsil & District Abbottabad. 286. Waheed Khan, SPST, GPS Gali Baniyan, Tehsil & District Abbottabad. 287. Muhammad Ibrahim, PST, GPS Gali Baniyan, Tehsil & District Abbottabad. 288. Sarfraz Ahmad, PSHT, GPS Bisala, Tehsil & District Abbottabad. 289. Mushtag Ahmad, SST, GMS Tarhana, Tehsil & District Abbottabad. 290. Muhammad Rabnawaz, CT, GMS Tarhana, Tehsil & District Abbottabad. 291. Muhammad Farooq, CT, GMS Tarhana, Tehsil & District Abbottabad. 292. Wagar Ahmad, CT, GMS Tarhana, Tehsil & District Abbottabad. 293. Muhammad Ibrar, AT, GMS Tarhana, Tehsil & District Abbottabad. 294. Sardar Safeer Ahmad, PET, GMS Tarhana, Tehsil & District Abbottabad. 295. Junaid Khan, DM, GMS Tarhana, Tehsil & District Abbottabad. 296. Abdullah, TT, GMS Tarhana, Tehsil & District Abbottabad. 297. Khan Gul, DM, GMS Sando Gali, Tehsil & District Abbottabad. 298. Bilawal Shah, PST, GPS Bandi Phullan, Tehsil & District Abbottabad. 299. Gul Zareen, PSHT, GPS Dhaki Khaitar, Tehsil & District Abbottabad. 300. Gul Faraz Ahmad, SPST, GPS Dhaki Khaitar, Tehsil & District Abbottabad. 301. Muhammad Imran Khan, PST, GPS Kaali Dhaar, Tehsil & District Abbottabad. 302. Mohsin Ali, PST, GPS Kali Dhaar, Tehsil & District Abbottabad. 303. Muhammad Hafeez, SST, GHS Pattan Khurd, Tehsil & District Abbottabad. 304. Khushal Khan, SST, GHS Pattan Khurd, Tehsil & District Abbottabad. 305. Israr ul Haq, SST, GHS Pattan Khurd, Tehsil & District Abbottabad. 306. Khalil ur Rehman, PST, GPS Seentrar, Tehsil & District Abbottabad. 307. Muhammad Maqbool, CT, GMS Bandi Dhundan, Tehsil & District Abbottabad. 308. Khawaj Muhammad, PSHT, GPS Karati Bagh, Tehsil & District Abbottabad. 309. Muhammad Saeed, SPST, GPS Dhakki, Tehsil & District Abbottabad. 310. Muhammad Tauseef, PST, GPS Dhakki, Tehsil & District Abbottabad. 311. Muneer Ahmad, PSHT, GPS Salol Bandi, Tehsil & District Abbottabad. 312. Maqbool ur Rehman, SPST, GPS Tarla Khaitar, Tehsil & District Abbottabad. 313. Abdul Sattar Abbasi, SPST, GPS Tarla Khaitar, Tehsil & District Abbottabad. 314. Zakir Hussain, PST, GPS Gheyar, Tehsil & District Abbottabad. 315. Muhammad Azhar, PST, GMPS Kalas Dalola, Tehsil & District Abbottabad. 316. Waqas Ahmad, PST, GPS Palhair Bandi, Tehsil & District Abbottabad. 317. Muhammad Sharif, PST, GPS Salol Bandi, Tehsil & District Abbottabad.

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318. Arif Hussain, PSHT, GPS Khoi Bagla, Tehsil & District Abbottabad.

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- 319. Habib ur Rehman, PSHT (Retired), GPS Bagan, Tehsil & District Abbottabad.
- 320. Muhammad Ilyas, PSHT (Retired), GPS Dakhan Tupla, Tehsil & District Abbottabad.

321. Amjid Ali, SPST, GPS Dhamtour, Tehsil & District Abbottabad.

322. Abadil, SPST, SPST, GPS Dhamtour, Tehsil & District Abbottabad.

323. Jehan Zeb, PSHT (Retired), GPS Bareela, Tehsil & District Abbottabad.

324. Shehzad Ahmad, SST, GHSS Richbhen, Tehsil & District Abbottabad.

325. Tehseen Zulfiqar, DM, GMS Banda Lamba, Tehsil & District Abbottabad.

326. Muhammad Tariq, PSHT, GPS Usma Dehri, Tehsil & District Abbottabad.

327. Safeer Khan, SPST, GPS Langrial, Tehsil & District Abbottabad.

328. Ghulam Murtaza, PSHT, GPS Gali Batgran, Tehsil & District Abbottabad.

329. Shahid Naqash, PST, GPS Langrial, Tehsil & District Abbottabad.

330. Muhammad Mushtaq, PSHT, GPS Langrial, Tehsil & District Abbottabad.

331. Muhammad Banaras, SPST, GPS Gandiala, Tehsil & District Abbottabad.

332. Muhammad Sadiq, PSHT, GPS Gandiala, Tehsil & District Abbottabad.

333. Abdul Qadeer, SPST, GPS Sambli, Tehsil & District Abbottabad.

334. Muhammad Saleem, PSHT, GPS Sambli, Tehsil & District Abbottabad.

335. Muhammad Nazir, SPST, GPS Sambli, Tehsil & District Abbottabad.

336. Muhammad Nazir, PST, GPS Sambli, Tehsil & District Abbottabad.

337. Muhammad Zareen, PSHT, GPS Sehra Doga, Tehsil & District Abbottabad.

338. Ali Farman, PST, GPS Sehra Doga, Tehsil & District Abbottabad.

339. Muhammad Irshad, PST, GPS Sehra Doga, Tehsil & District Abbottabad.

340. Muhammad Naseer, SPST, GPS Battangi Khurd, Tehsil & District Abbottabad.

341. Muhammad Jehangir, SPST, GPS Salol Bandi, Tehsil & District Abbottabad.

342. Muhammad Tanveer, PSHT, GPS Sirla, Tehsil & District Abbottabad.

343. Muhammad Akram, PSHT, GPS Battangi Khurd, Tehsil & District Abbottabad.

344. Muhammad Siraj, PSHT, Maseena Battangi, Tehsil & District Abbottabad.

345. Muhammad Iqbal, PSHT, GPS Pulhair Bandi, Tehsil & District Abbottabad.

346. Arshad Mehmood, PSHT, GPS Dhara Seer, Tehsil & District Abbottabad.

347. Sardar Liaqat Mian, PSHT, GPS Karmala, Tehsil & District Abbottabad.

348. Rashid Iqbal, SPST, GPS Maira Kalan, Tehsil & District Abbottabad.

349. Muhammad Nazeer Khan, SPET (Retired), GHS Kuthwal, Tehsil & District Abbottabad.

351. Imdad Hussain Shah, TT (Retired), GHS Kuthwal, Tehsil & District Abbottabad. 352. Shehzad Ahmad, SST, GHS Richbhen, Tehsil & District Abbottabad. 353. Abdul Waheed, PSHT, GPS Sathal Boi, Tehsil & District Abbottabad. Tahir Mehmood, PST, GPS Sathal Boi, Tehsil & District Abbottabad. 354. 355. Ahsan Ishfaq, PST, GPS Sathal Boi, Tehsil & District Abbottabad. 356. Muhammad Farooq, PSHT, GPS Boi, Tehsil & District Abbottabad. 357. Muhammad Mushtaq, PSHT, GPS Barbeen, Tehsil & District Abbottabad. 358. Syed Najam ul Farooq, PSHT, GPS Naryat Kukmang, Tehsil & District Abbottabad. 359. Aurangzeb, PSHT, GPS Devli Bandi, Tehsil & District Abbottabad. 360. Zia ul Hassan Shah, SPST, GPS Devli Bandi, Tehsil & District Abbottabad. 361. Saif ur Rehman, PSHT, GPS Makreela, Tehsil & District Abbottabad. 362. Muhammad Fareed, PST, GPS Makreela, Tehsil & District Abbottabad. 363. Khaliq uz Zaman, PST, GPS Makreela, Tehsil & District Abbottabad. 364. Sajjad Ahmad, PSHT, GPS Rankote, Tehsil & District Abbottabad. 365. Noman Hussain, PST, GPS Dhera Birote, Tehsil & District Abbottabad. 366. Riasat Mehmood, PST, GPS Darwaza, Tehsil & District Abbottabad. 367. Tanveer Ahmad, PST, GPS Darwaza, Tehsil & District Abbottabad. Shujah ur Rehman, PST, Dana Khan Kalan, Tehsil & District Abbottabad. 368. Furqan Changez, PST, GPS Hill Termuthian, Tehsil & District Abbottabad. 369. 370. Muhammad Irshad ul Haq, PST, GPS Banda Said Khan, Tehsil & District Abbottabad. 371. Muhammad Younas, HM (Retired), GHS Samundar Katha, Tehsil & District Abbottabad. 372. Shafiq ur Rehman, SPST (Retired), GPS Chehar, Hajia Gali, Tehsil & District Abbottabad. 373. Abdul Waheed, PSHT, GPS Drar Boi, Tehsil & District Abbottabad. 374. Mujeeb ur Rehman, PST, GPS Dubran, Tehsil Havelian & District Abbottabad. 375. Zafar Iqbal, SST (Retired), GMS Hatrool, Birote, Tehsil & District Abbottabad.

376. Muhammad Mumtaz, PST, GMPS, Maira Amirabad, Tehsil & District Abbottabad.

377. Muhammad Shafique, PST (Retired), Nakka Gali, Tehsil & District Abbottabad.

378. Muhammad Shafique Khan, TT, GMS Hazeera, Tehsil & District Abbottabad.

379. Abdul Rauf, CT (Retired), GMS Noshera, Tehsil & District Abbottabad.

380. Abdur Rauf, CT (Retired), Tehsil & District Abbottabad.

Arshad Khan, SCT (Retired), GHS Kuthwal, Tehsil & District Abbottabad.

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381. Sagib Chaman, TT, GMS Gali Bannian, Tehsil & District Abbottabad. 382. Sheraz ud Din, PSHT, GPS Tarrch, Tehsil & District Abbottabad. 383. Nisar Ahmad Abbasi, SST, GHS Majuhan, Tehsil & District Abbottabad. 384. Muhammad Ilmas, GMPS Sehr Machi, Tehsil & District Abbottabad. 385. Muhammad Arif, PSHT, GPS Shahkote, Tehsil & District Abbottabad. 386. Safeer Ahmad, PSHT, GPS Charhan, Tehsil & District Abbottabad. 387. Muhammad Ishaq, PST, Danna Bai Gojri, Tehsil & District Abbottabad. Waseem Iqbal, PSHT (Retired), GPS Pathrairi, Tehsil & District Abbottabad. 388. 389. Taimour, PSHT, GPS Pando Thana, Tehsil & District Abbottabad. 390. Baidar Hussain, SPST, GPS Pathrairi, Tehsil & District Abbottabad. 391. Ismail, PST (Retired), GPS Gramri, Tehsil & District Abbottabad. 392. Muhammad Tariq Javed, PSHT, GPS Banseri, Tehsil & District Abbottabad. 393. Muhammad Anwar, PSHT, GPS Ghori, Tehsil & District Abbottabad. 394. Abdur Rehman, TT, GMS Todu Maira, Tehsil & District Abbottabad. 395. Muhammad Maroof, PSHT, GPS Chamak Maira, Tehsil & District Abbottabad. 396. Khan Afsar, PSHT, GPS Lalle di Bandi, Tehsil & District Abbottabad. 397. Noor Muhammad, PST, GPS Lalle Di Bandi, Tehsil & District Abbottabad. 398. Zia Shah, PST, GPS Lalle Di Bandi, Tehsil & District Abbottabad. 399. Gulfaraz Ahmad, PSHT, GPS Sohlan Bala, Tehsil & District Abbottabad. 400. Shakeel Ahmad Khan, PSHT, GPS Bairam Gali, Tehsil & District Abbottabad. 401. Aqeel Ahmad Khan, PSHT, GPS Shadial, Tehsil & District Abbottabad. 402. Babar Khan, SPST, GPS Paswal Mian, Tehsil & District Abbottabad. 403. Naveed Asghar, SPST, GPS Mohra Pawa, Tehsil & District Abbottabad. 404. Shamraiz, PSHT, GPS Bucha Gali, Tehsil & District Abbottabad. 405. Mushtaq Ahmad, SPST, GPS Bucha Gali, Tehsil & District Abbottabad. 406. Muhammad Waseem, PST, GPS Kishna, Tehsil & District Abbottabad. 407. Muhammad Shabbir, PST, GPS Bhuraj Khas, Tehsil & District Abbottabad. 408. Faisal Khan, PST, GPS Thana Khurd, Tehsil & District Abbottabad. 409. Muhammad Riaz, PSHT, GPS Thana Khurd, Tehsil & District Abbottabad. 410. Syed Abid Shah, PST, GPS Bisala, Tehsil & District Abbottabad. 411. Abdul Jalil, SPST (Retired), GPS Rankote, Tehsil & District Abbottabad. 412. Mushtaq Ahmad, PSHT (Retired), GPS Kundla, Tehsil & District Abbottabad. 413. Muhammad Iqbal, PST, GPS Toheed abad, Tehsil & District Abbottabad. Muhammad Akram, SST (Retired), GMS Nowshera, Tehsil & District Abbottabad. 414.

415. Mukhtiar Ahmad, SST (Retired), GMS Mallah, Tehsil & District Abbottabad. Muhammad Ilyas, PST (Retd), GPS Kangar Payeen, Tehsil & District Abbottabad. 416. 417. M. Naeem Khan, PSHT (Retd), GPS Khalabat, Tehsil & District Abbottabad. Muhammad Javed, SST (Retired), GHS Pawa, Tehsil & District Abbottabad. 418. 419. Muhammad Shabbir, PST (Retired), GPS Chor Gran, Tehsil & District Abbottabad. Zia ur Rehman, PST (Retired), GPS GMPS Bhrongiala, Tehsil & District Abbottabad. 420. 421. Zeeshan Khalid, PST, GPS Rankote, Tehsil & District Abbottabad. Muhammad Aadil, PST, Jandar Dhakki, Tehsil & District Abbottabad. 422. Muhammad Sarad, PST (Retired), GPS Pehall, Tehsil & District Abbottabad. 423. 424. Zareen Ahmad, PSHT, GPS Sial, Tehsil & District Abbottabad. Muhammad Taj Abbasi, PST, GPS Pattan Kalan, Tehsil & District Abbottabad. 425. Muhamamd Zahid, PSHT, GPS Pattan Kalan, Tehsil & District Abbottabad. 426. Mehmood, PST, GMPS Akhora Bala, Tehsil & District Abbottabad. 427. Muhammad Nazir, PST, GPS Akhora Bala, Tehsil & District Abbottabad. 428. 429. Sajjad Ahmad, PST, GPS Akhora Bala, Tehsil & District Abbottabad. Muhammad Tariq, TT (Retired), GMS Mallah, Tehsil & District Abbottabad. 430. Wagas Tarig, DM, GMS Seri Khan Kalan, Tehsil & District Abbottabad. 431. Mohsin Ali, AT, GMS Seri Khan Kalan, Tehsil & District Abbottabad. 432. Shabbir Hussain, PSHT, GPS Boutiala, Tehsil & District Abbottabad. 433. Sohail Sultan, PSHT, GPS Thathi Sayedan, Tehsil & District Abbottabad. 434. Muhammad Younas, PST, GPS Ratta, Tehsil & District Abbottabad. 435. Muhammad Shamraiz, PST, GPS Sherwan, Tehsil & District Abbottabad. 436. 437. Ghulam Jan, PST, GPS Ratta, Tehsil & District Abbottabad.

438. Haqnawaz, PSHT, GPS _____, Tehsil & District Abbottabad.

.....(Petitioners)

VERSUS

- 1. Govt of 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 (Male), 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.

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. ς,

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 <u>Annexure "A"</u>).

- 3. That in pursuance of the <u>judgment in rem</u> 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 <u>judgment in rem</u> but respondent No. 6 categorically refused to implement the judgment and issued directions to all the DDEOs that no Notification was endorsed by the department regarding conveyance allowance vide letter No. 298-392 dated 13-01-2022 whereas Respondent No. 7 is reluctant to implement the judgment. (Copies of the application & letter dated 13-01-2022 are annexed herewith as Annexure "B" & "C" respectively).
- 4. That the respondents are legally bound to implement the <u>judgment in rem</u> 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. Maqsad 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 "D"**)

- 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

(PETITIONERS)

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

Nisar Ahmad, PSHT, GPS Hotrol, Tehsil & District Abbottabad & Others.

.....Petitioners

..... Respondents

VERSUS

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

EXECUTION PETITION

AFFIDAVIT

I, Mr. Nisar Ahmad, PSHT, GPS Hotrol, 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.



Nead have

DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Nasvellin ? 1. Nisar Ahmad, PSHT, GPS Hotrol, Tehsil & District Abbottabad. Muhammad Asghar, PST, GPS Seri Khan Kalan, Tehsil & District Abbottabad. 2. ulal 3. Sadaqat Hussain, PST, GPS Tarhatti, Tehsil & District Abbottabad. that. Shafaat Hussain, PST, GPS Tarhatti, Tehsil & District Abbottabad. 4. 5. Dildar Hussain, PSHT, GPS Tarhatti, Tehsil & District Abbottabad. Mas 6. Muhammad Asif, SPST, GPS Larri, Tehsil & District Abbottabad. 7. Muhammad Ejaz, PSHT, GPS Marhais, Tehsil & District Abbottabad. 8. Akhtar Hussain Shah, PSHT, GPS Larri, Tehsil & District Abbottabad. 9. Muhammad Saleem, PSHT, GPS Banota, Tehsil & District Abbottabad. 10. Muhammad Iftikhar, PST, GPS Larri, Tehsil & District Abbottabad. 11. Muhammad Naseer, PST, GPS Beri Bagla, Tehsil & District Abbottabad. 12. Raseed Ahmad, PSHT, GPS Beri Bagla, Tehsil & District Abbottabad. 13. Muhammad Aftab, PSHT, GPS Bali Kote, Tehsil & District Abbottabad. 14. Arshad Hussain, PST, GPS Bali Kote, Tehsil & District Abbottabad. 15. Munir Riaz, PST, GPS Dana Aliabad, Tehsil & District Abbottabad. 16. Umer Sarfraz, PST, GPS Sangal, Tehsil & District Abbottabad. 17. Zulfiqar Ahmad, PST, GPS Masooma, Tehsil & District Abbottabad. Tur Sajid Mehmood, PST, GPS Termuthian, Tehsil & District Abbottabad. 18. 19. Rukhsar Ahmad, PST, GPS Tandi Birote, Tehsil & District Abbottabad. 20. Salauddin, PST, GPS Masooma, Tehsil & District Abbottabad. 21. Abid Hussain, SPST, GPS Tarrch, Tehsil & District Abbottabad. Ayaz Hussain, PSHT, GPS Upper Malkote, Tehsil & District Abbottabad 22. 23. Raza Ahmad, PSHT, GPS Sangrallan, Tehsil & District Abbottabad. μ 24. Muhammad Haqiq, PSHT, GPS Nari Hotar, Tehsil & District Abbottabad. 25. Muhammad Shakil, PSHT, GPS Sui Nakhater, Tehsil & District Abbottabad \checkmark Muhammad Munir, PSHT, GPS Patti Bandi, Tehsil & District Abbottabad. Nuv 26. 27. Najeeb ur Rehman, SPST, GPS Upper Lahoor, Tehsil & District Abbottabad. N Niaz ur Rehman, SPST, GPS Bandi Birote, Tehsil & District Abbottabad. 28. 29. Atif Hussain, PST, GPS Dakhan Moolia, Tehsil & District Abbottabad. 30. Javed Saleem, PSHT, GPS Khan Khurd, Tehsil & District Abbottabad. Sagheer Ahmad, PSHT, GPS Chaleesian, Tehsil & District Abbottabad. 31. 32. Zafar Iqbal, PST, GPS Kalaban, Tehsil & District Abbottabad. Z Waheed ur Rehman, PST, GPS Kalaban, Tehsil & District Abbottabad. 33.

34. Muhammad Gul Faraz, PSHT, GPS Kalaban Bakote, Tehsil & District Abbottabad. durit 35. Abdur Razzaq, CT, GMS Rankote, Tehsil & District Abbottabad. Muhammad Saleem, PSHT,, GPS Chhak, Tehsil & District Abbottabad. 36. Sajjad Ahmad, PSHT (Retired), GPS Birote, Tehsil & District Abbottabad. Sajjad 37. 38. Muhammad Arif, PSHT, GPS Sarhan, Tehsil & District Abbottabad. Ali Mardan, SPST, GPS Sarhan, Tehsil & District Abbottabad. 39. 40. Muhammad Ilyas, PST, GPS Changli, Tehsil & District Abbottabad. Tanveer, PST, GPS Changli, Tehsil & District Abbottabad. 41. aw Muhammad Ramzan, PST, GPS Bagla No. 4, Tehsil & District Abbottabad. 42. Waseem Ahmad, PSHT, GPS Khairagali, Tehsil & District Abbottabad. (war 43. 44. Muhammad Zahid, PST (Retired), GPS Birote, Tehsil & District Abbottabad. 🌫 Nizale Nazakat Ali, PSHT, GPS Tarrch, Tehsil & District Abbottabad. 45. 46. Muhammad Fahim ud Din, SPST, GPS Seri Khan Kalan, Tehsil & District tice Abbottabad. Muhammad Asghar, PSHT (Retired), GPS Terimuthian, Tehsil & District 47. Abbottabad. 48. Muhammad Zardad Khan, PSHT (Retired), GPS Lamian, Tehsil & District Zarhad Abbottabad. 49. Muhammad Ehsan, PSHT (Retired), GPS Patti Bandi, Tehsil & District Abbottabad Hifzan Qureshi, PST (Retired), GMPS Santhi, Tehsil & District Abbottabad. 50. Muhammad Fiaz, PSHT, GPS Kahu Birote, Tehsil & District Abbottabad 51. treach 52. Khalid Hussain, PSHT (Retired), GPS Dhaka Malkote, Tehsil & District Abbottabad. Muhammad Saeed, PSHT, GPS Sian Da Katha, Tehsil & District Abbottabad. 53. Zahoor Hussain Shah, PSHT, GPS Tori, Tehsil & District Abbottabad. 54. Muhammad Iltaf, PSHT, GPS Kuthiala, Tehsil & District Abbottabad. 55. Mujib ur Rehman, PST, GPS Kalabagh, Tehsil & District Abbottabad. 56. 57. Raza Muhammad, PST, GPS Hal Lakhala, Tehsil & District Abbottabad. 58. Aamir Rabbani, PST, GPS Hal Lakhala, Tehsil & District Abbottabad. aw 59. Jawad Ali Shah, PST, GPS Pohar, Tehsil & District Abbottabad. 60. Muhammad Zahid, PST, GPS Thathi Sayedan, Tehsil & District Abbottabad. Muhammad Rasheed, CT, GMS Salhad, Tehsil & District Abbottabad. 61. Mag 62. Muhammad Shoukat, PET, GMS Tharyati, Tehsil & District Abbottabad. 63. Bashir Khan, CT, GMS Tharyati, Tehsil & District Abbottabad. 64. Abdul Qadir Hussain Shah, PST (Retired), Pulhar Pind Kargu, Tehsil & District Abbottabad.

Arshad Khan, PSHT, GPS Samundar Katha, Tehsil & District Abbottabad. 65. Muhammad Shamraiz, PST (Retied), GPS Sairan Nathiagali, Tehsil & District here 66. Abbottabad. Muhammad Zafar, PST (Retired), GPS Bagan, Tehsil & District Abbottabad. ズ 67. 68. Muzaffar Ali, SST, ASDEO (Male), Tehsil & District Abbottabad. Wa 69. Zakir Hussain, SPST, GPS Danna Bagan, Tehsil & District Abbottabad. Mle 70. Muhammad Ali, Qari, GHS Bagh, Tehsil & District Abbottabad. Abdul Waheed, PSHT, Sairan Nathiagali, Tehsil & District Abbottabad. 11.09 71. 72. Muhammad Siddique, SPST, GPS Narrian, Tehsil & District Abbottabad. 7 Sailad Sajjad Ahmad, PSHT, GPS ____, Tehsil & District Abbottabad. 73. 74. Muhammad Sabir, PSHT, GPS Kundla, Tehsil & District Abbottabad. 75. Muhammad Asif, PST, GPS Gatti Maira, Tehsil & District Abbottabad. 76. Muhammad Javed, PST, GPS Topa Khan Kalan, Tehsil & District Abbottabad. 77. Muhammad Fareed, SST (Retired), GMS Deedal, Tehsil & District Abbottabad. (F-1) Dath. 78. Sohail Qayyum, PST, GPS Tarhana Bala, Tehsil & District Abbottabad. Kagel 79. Raqib ul Haq, PST (Retired), GPS Rahi Lora, Tehsil & District Abbottabad. 80. Muhammad Nawaz, PST (Retired), GPS Ghambir No. 1. Lora, Tehsil & Distric Abbottabad. 81. Sajid Munir, PST (Retired), GPS Malikpura, Tehsil & District Abbottabad. Khurshid Muhammad, SST, ASDEO (Male), Tehsil & District Abbottabad (82. 83. Intezar Shah, PSHT, GPS Khoiyan Lora, Tehsil & District Abbottabad. Ali Aksar, PST, GPS Jhafar, Tehsil & District Abbottabad. 84. Gulfraz, SPST (Retired), GPS Ratta Bagla, Tehsil & District Abbottabad. 85. Can 86. Muhammad Nazeer, SPST, Kalakote, Tehsil & District Abbottabad. 71/2 87. Gul zeb, PST, GPS Sadial Akhrota, Tehsil & District Abbottabad. 88. Abdur Rasheed, DM (Retired), GMS Keri Sarafali, Tehsil & District Abbottabad. 89. Niaz Ahmad, PET, GMS Keri Sarafali, Tehsil & District Abbottabad. (90. An Aurangzeb, PSHT (Retired), GPS Nakka Boi, Tehsil & District Abbottabad. Sarjeel Ahmad, PET, GMS Kassaki, Tehsil & District Abbottabad. 91. 92. Sabir Sultan, SPET (Retired), GHS Chamhati, Tehsil & District Abbottabag) 1/2 Sarfraz Ahmad, PET, GMS Hazeera, Tehsil & District Abbottabad. 93. 94. Muhammad Sadique, SAT, GHS No.1 Havelian, District Abbottabad. 95. Waqas, DM, GMS Dalola, Tehsil & District Abbottabad. 96. Muhammad Rashid, PSHT, GPS Dalola, Tehsil & District Abbottabad. 97. Naseem Ahmad, PST, GPS Seri Dalola, Tehsil & District Abbottabad.

98. Khawaja Muhammad Amjad, CT, GMS Nowshera, Tehsil Havelian & Distri Marga Abbottabad. Khawaja Muhammad Majid, PSHT, GPS Rajoiya, Tehsil & District Abbottabad, Zah 99. 100. Zahid Saeed, SST, GHS Namli Maira, Tehsil & District Abbottabad. 101. Qamar Zaman, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad Waheed Akhtar, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad. 102. 103. Ziafat Khan, PST, GPS Danna Nooral Langrial, Tehsil & District Abbottabad. Abdul Khalid Shah, PSHT, GPS Durban Langrial, Tehsil & District Abbottabad. 104. Waqar Ahmad, SPST, GPS Durban Langrial, Tehsil & District Abbottabad. 105. Shabir Anwar, PSHT, GPS Tarhori Langrial, Tehsil & District Abbottabad. 106. Muhammad Shoukat, SPST, GPS Tarhori Langrial, Tehsil & District Abbottabad. 107. 0 108. Aamir Mehmood, PST, GPS Karhaki Langrial, Tehsil & District Abbottabad. 109. Naveed Anwar Qureshi, SPST, GPS Basera Langrial, Tehsil & District Abbottabad. Nave 110. Muhammad Safeer, PST, GPS Sumbal Basera Langrial, Tehsil & District Abbottabad. Tahir Abbas, PSHT, GPS Sumbal Basera Langrial, Tehsil & District Abbottabad. Taxin 111. Shoukat Hussain, AT, GMS Bandi Phullan, Tehsil & District Abbottabad. 112. Muhamad Sagheer, TT, GMS Bandi Phullan, Tehsil & District Abbottabad. 113. Yal 114. Sagib Zakir, TT, GMS Bandi Phullan, Tehsil & District Abbottabad. 115. Zahid Shah, DM, GMS Thunda, Tehsil & District Abbottabad. Faisal Mehmood, DM, GMS Bandi Phullan, Tehsil & District Abbottabad. Fai 116. alianne 117. Jehanzeb, DM (Retired), GHSS RichBhen, Tehsil & District Abbottabad. 118. Muhammad Naveed, SPST, GPS Grameri Chamhad, Tehsil & District Abbottabad. Muhammad Tariq Khan, SPST, GPS Baldheri Maira, Tehsil & District Abbottabad. 119. 120. Muhammad Naveed Khan, PSHT (Retired), GPS Ghumawan, Tehsil & District Abbottabad. 121. Ijaz Ahmad, PSHT (Retired), GPS No.3, Tehsil & District Abbottabad. Muhammad Idrees, PSHT (Retired), GPS Katha Jabia, Tehsil & District Abbottabad. 122. 123. Niaz Ahmad, PET, GMS Keri Sarafali, Tehsil & District Abbottabad. Abdur Rasheed, DM (Retired), GMS Keri Sarafali, Tehsil & District Abbothabad 124. 125. Said Akbar, SPST, GPS Bagan, Tehsil & District Abbottabad. 126. Abid Mehmood, AT, GMS Salhad, Tehsil & District Abbottabad. 127. Masood ur Rehman, PSHT, GPS Bagan, Tehsil & District Abbottabad. 128. Bilal Muzaffar, PST, GPS Chahan, Tehsil & District Abbottabad. 129. Abdur Samad, PST, GPS Dheri, Tehsil & District Abbottabad.

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 130. 	Atif Hussain Abbasi, PST, Dhakhan, Tehsil & District Abbottabad.
131.	Ghulam Murtaza, SCT, GHS No. 1 Havelian, District Abbottabad.
132.	Sajjad Ahmad, PSHT, GPS Kutli Bagh, Tehsil & District Abbottabad.
133.	Abdul Basit, PSHT, GPS Majhot, Tehsil & District Abbottabad.
134.	Muhammad Tariq, PST, GPS Majhot, Tehsil & District Abbottabad.
135.	Abdul Sabokh, PST, GPS Majhot, Tehsil & District Abbottabad.
136.	Akhtar Mehmood, CT, GMS Sawala, Tehsil & District Abbottabad.
137.	
138.	Qamar Zaman, PST, GPS Summwal, Tehsil & District Abbottabad.
139.	Dildar Khan, SST, GMS Kiala, Tehsil & District Abbottabad.
140.	Jameel Ahmad, DM, GMS Taror, Tehsil & District Abbottabad.
141.	Muhammad Abdullah, AT, GMS Taror, Tehsil & District Abbottabad.
142.	Muhammad Masood, CI, GMS Taror, Tehsil & District Abbottabad.
143.	Toseef Ahmad, PET, GMS Taror, Tehsil & District Abbottabad.
144.	Muhammad Shafqat, PSHT, GPS Kumar Bandi, Tehsil & District Abbottabad
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146.	Muhammad Hanif, PSHT, GPS Barrian, Tehsil & District Abbottabad.
147.	
148.	Wali ur Rehman, PSHT, GPS Kaghian, Tehsil & District Abbottabad. W/ Alalan
149.	Nasir Islam, PST, GPS Kaghian, Tehsil & District Abbottabad.
150.	Waheed Ahmad, PSHT, GPS Nagri Bala, Tehsil & District Abbottabad.
151.	Gul Faraz, PST, GPS Mahreen, Tehsil & District Abbottabad.
152.	Muhammad Khalid, SPST, GPS Sahra Doga, Tehsil & District Abbottabad.
153.	Muhammad Asif, SPST, GPS Banota, Tehsil & District Abbottabad.
154.	Wandhimad Tariq, St St, Gt S Gui Wagit Bala, Terisit & District Abbottabad.
155.	Masood ur Rehman, SPST (Retired), GPS Taiyal Batangi, Tehsil & District
	Abbottabad.
156.	Chanzeb, SPST (Retired), GPS Kiyala, Tehsil & District Abbottabad.
157.	Muhammad Sajjad, PST, GMKS, Gul Bandi Dana, Tehsil & District Abbottabad
158.	Muhammad Saeed, PSHT, GPS Keri Srafali, Tehsil & District Abbottabad.
159.	Muhammad Shoukat, PET, GMS Tharyati, Tehsil & District Abbottabad.
160.	Muhammad Arshad, PST, GPS Sathal, Tehsil & District Abbottabad.
161.	Qazi Jehanzeb, DM, GHS Richbhen, Tehsil & District Abbottabad.
162.	Said Akbar, SPST, GPS Bagan, Tehsil & District Abbottabad.
163.	Masood ur Rehman, PST, GPS Bagan, Tehsil & District Abbottabad. Mere

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Rashid Iqbal, PET, GMS Battangi Khurd, Tehsil & District Abbottabad 164. Muhammad Gulzar, AT, GMS Battangi Khurd, Tehsil & District Abbottabad. 165. Sohail Qayyum, PST, GPS Tarhana Bala, Tehsil & District Abbottabad. 166. $\mathbf{\sigma}$ Muhammad Yousaf, PSHT, GPS Hazeera, Tehsil & District Abbottabad 167. 168. Muhammad Saleem, PSHT, GPS Baghran, Tehsil & District Abbottabad. MFEan 169. Muhammad Fiaz, SST, GMS Salyot, Tehsil & District Abbottabad. Ammar Nadeem, PSHT, GPS kotera, PK Khan, Tehsil & District Abbottabad. 🏼 🎽 170. Amjad Ali, DM, GMS Nara, Tehsil & District Abbottabad. 📿 🖉 171. Kalan 172. Kala Khan, SST, GMS Nara, Tehsil & District Abbottabad. Muhammad Fiaz, PST, GPS Kotera PK Khan, Tehsil & District Abbottabad. 173. Tariq Mehmood, PSHT, GPS Pathian, Tehsil & District Abbottabad. 174. Arshad Khan, PSHT (Retired), GPS Bajwan, Tehsil & District Abbottabad. 175. Raqib ul Haq, PST (Retired), GPS Rahi, Tehsil & District Abbottabad. 176. Muhammad Nawaz, PSHT (Retired), GPS Ghambhir No.1 Lora, Tehsil & District Naway 177. Abbottabad. Syed Intazar Shah, PSHT, GPS Khuyian, Tehsil & District Abbottabad. 178. Muhammad Naeem, PST (Retired), GPS Hillan Sagana, Tehsil & District Nation 179. Abbottabad. Muhammad Irfan, PSHT (Retired), GPS Kangar Maira, Tehsil & District \mathcal{U}_{\perp} 180. Abbottabad. Muhammad Javed, PSHT (Retired), GPS Dakhan Paiser, Tehsil & District Taveed 181. Abbottabad. 182. Muhammad Jahangir, PSHT, (Retired), GPS Dakhan Paisar, Tehsil & District hang Abbottabad. 183. Shahid, PST, GPS Bunj Berangali, Tehsil & District Abbottabad. Bashir Ahmad, PST, (Retired), GPS Nagri Bala, Tehsil & District Abbottabad. Bashee 184. Saqib Chan, TT, GMS _____ Tehsil & District Abbottabad. 185. 186. Abdul Razzaq, PSHT, GPS Banda Ghazan, Tehsil & District Abbottabad. 187. Sajjad Ahmad, SCT, GHS Dhamtour, Tehsil & District Abbottabad. 188. Amjad Ali Khan, SST, GHS Dhamtour, Tehsil & District Abbottabad. 189. Tahir Hussain Shah, SST, GHS Dhamtour, Tehsil & District Abbottabad. 190. Faiz ur Rehman, SCT, GHS Dhamtour, Tehsil & District Abbottabad. Faheem ullah Khan, DM, GMS Choonakari, Tehsil & District Abbottabad. 191. tah foll 192. Abdul Aziz, PSHT, GPS Bandi Matrach Sherwan, Tehsil & District Abbottabad. 193. Romail Khan, PST, GPS Bandi Matrach Sherwan, Tehsil & District Abbottabad.

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1 94.	Abdul Qayyum, PST, GPS Jandala, Tehsil & District Abbottabad.
195.	Saqib Rehman, ASDEO (M), Lower Tanawal, Tehsil & District Abbottabad
196.	Inayat ur Rehman, PSHT, GPS Kishna, Tehsil & District Abbottabad.
197.	Muhammad Imtiaz, PST, GPS Shadial, Tehsil & District Abbottabad.
198.	Amjad Khan, SST, GMS Nowshehra, Tehsil & District Abbottabad.
199.	Abdul Haleem, TT, GMS Nowshehra, Tehsil & District Abbottabad.
200.	Muhammad Arshad Khan, PSHT, GPS Chamhad, Tehsil & District Abbottabad.
201.	Muhammad Maqsood, PSHT, GPS Kassaki Khurd, Tehsil & District Abbottabad,
202.	Shakeel Ahmad Khan, PSHT, GPS Goorian, Tehsil & District Abbottabad. Ray (
203.	Muhammad Zafar Iqbal, PST, GPS Konsian, Tehsil & District Abbottabad.
204.	Muhammad Aamir, PST, GPS Banda Amlok, Tehsil & District Abbottabad. \mathcal{H}
205.	Basit Ali Khan, PST, GPS Chamhad, Tehsil & District Abbottabad.
206.	Muhammad Adeel, PST, GPS Baghati, Tehsil & District Abbottabad.
207.	Muhammad Tariq Khan, SPST, GPS ChamkMaira, Tehsil & District Abbottabad. Tariq
208.	Assad Naseem Khan, SPST, GPS ChamkMaira, Tehsil & District Abbottabad.
209.	Sanaullah Khan, PST, GPS Baghdara, SPST, GPS ChamkMaira, Tehsil & Districtul
	Abbottabad.
210.	Ishfaq Ahmad, PSHT, GPS Baghdara, SPST, GPS ChamkMaira, Tehsil & District
	Abbottabad.
211.	Naveed Akhtar, PST, GPS Sherwan, Tehsil & District Abbottabad.
212.	Jahanzeb, PSHT, GPS Jabbi, Tehsil & District Abbottabad.
213.	Muhammad Mushtaq, SPST, GMPS Kot Gali, Tehsil & District Abbottabad.
214.	Muhammad Shamraiz, PST (Retired), GPS Sherwan, Tehsil & District Abbottabad.
215.	Makhtoon ur Rehman, PST, GPS Lower Bakote, Tehsil & District Abbottabad.
216.	Waseem, PST, GPS Kangrora, Tehsil & District Abbottabad.
217.	Muhammad Akram, SPST, GPS Tarhana, Tehsil & District Abbottabad.
218.	Mehboob Hussain Shah, AT, GMS Galibannian, Tehsil & District Abbottabad. Mehbodry.
219.	Muhammad Javed, SST (Retired), GMS Battangi Khurd, Tehsil & District •
	Abbottabad.
220.	Saeed Akbar, PST, GPS Malikpura, Tehsil & District Abbottabad.
221.	AT -room
222.	Muhammad Farooq, PSHT (Retired), GPS Bandian, Tehsil & District Abbottabad,
223.	Muhammad Abid Khan, PST, GPS Sui Nakhetar, Tehsil & District Abbottabad
224.	Widdarak All, PST (Retired), GPS Galla Birote, Tensil & District Abbottabad.
225.	Junaid Iqbal, PST, GPS Haryala, Tehsil & District Abbottabad.

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	227.	Shakeel Ahmad, PSHT (Retired), GPS Dhera Birote, Tehsil & District Abbottabad.
:	228.	Muhammad Arshad, PSHT, GPS Kuza Gali, Tehsil & District Abbottabad. Winad
:	229.	Shabraz Khan, PSHT, GPS Bandi Birote, Tehsil & District Abbottabad.
:	230.	Muhammad Azkar, SPST, GPS Lamian Laran, Tehsil & District Abbottabad.
:	231.	Muhammad Javed, PSHT (Retired), GPS Kasala, Tehsil & District Abbottabad.
:	232.	Muhammad Bashir, PSHT, GPS Dhunian, Tehsil & District Abbottabad.
	233.	Muhammad Irshad, PSHT, GPS Paswal, Tehsil & District Abbottabad.
	234.	Muhammad Ijaz, PST (Retired), GPS Sangrallan, Tehsil & District Abbottabad.
:	235.	Qasim Hussain, PST, GPS Hotrary, Tehsil & District Abbottabad.
:	236.	Tahir Haleem Lodhi, PST, GPS Sian Da Katha, Tehsil & District Abbottabad. Johiy
:	237.	Muhammad Ibrahim, PSHT, GPS Riyali, Tehsil & District Abbottabad.
	238.	Shakeel Muhammad, SPST, GPS Dhaka Malkote, Tehsil & District Abbottabad. M.
	239.	Afraiz Ahmad, PSHT, GPS Dhaka Malkote, Tehsil & District Abbottabad.
	240.	Nazir Ahmad, PSHT, GPS Ander Seri, Tehsil & District Abbottabad. Naver
	241.	Muhammad Haroon, PST, GPS Khan Khurd, Tehsil & District Abbottabad.
	242.	Muhammad Umer, PST, GPS Patti Bandi, Tehsil & District Abbottabad.
	243.	Haseeb Ahmad, PST, GPS Beri Bagla, Tehsil & District Abbottabad.
	244.	Muhammad Aseem, SPST, GPS Leeran, Tehsil & District Abbottabad.
	245.	Abdul Majeed, PST, GPS Jhallan, Tehsil & District Abbottabad.
	246.	Irshad Ahmad, PSHT, GPS Leeran, Tehsil & District Abbottabad.
	247.	Abdul Samad Khan Abbasi, PST, GPS Kahu Birote, Tehsil & District Abbottabad.
	248.	Ishfaq Ahmad, PSHT, GPS Thora Kalan, Tehsil & District Abbottabad.
	249.	Wali ullah, PSHT, GPS Hotrary Birote, Tehsil & District Abbottabad.
	250.	Abdur Razzaq, PSHT, GPS Lamian Larran, Tehsil & District Abbottabad.
	251.	Naeem Ahmad, PSHT, GPS Galla Birote, Tehsil & District Abbottabad.
	252.	Saghir Ahmad, CT, GHS Nakkar Khan Kalan, Tehsil & District Abbottabad.
	253.	Iftikhar Ahmad Abbasi, CT, GMS Topa Khan Kalan, Tehsil & District Abbottabad.
	254.	Khalil ur Rehman, PSHT, GPS Chariali, Tehsil & District Abbottabad.
	255.	Abdul Ghafar, PST, Narra Nammal, Tehsil & District Abbottabad.
	256.	Muhmmad Mehboob, PST, GPS Kurli, Tehsil & District Abbottabad.
	257.	Aziz ur Rehman, PSHT, GPS Kurli, Tehsil & District Abbottabad.
	258.	Abid Hussain, PST, GPS Kurli, Tehsil & District Abbottabad.
	259.	Nisar Ahmad, PST, GPS Kurli, Tehsil & District Abbottabad.
	260.	Nisar Ahmad Abbasi, PSHT, GPS Bhan, Tehsil & District Abbottabad.

Shams uz Zaman, SPST (Retired), GPS Narra, Tehsil & District Abbottabad. 261. Junaid Ahmad, PST, GPS Lower Malkote, Tehsil & District Abbottabad. Junaid 262. aturket Saif ur Rehman, PST, GPS Bhan, Tehsil & District Abbottabad. 263. Muhammad Khalid, PST, GPS Dana Khan Kalan, Tehsil & District Abbottabad.u264. Asif ur Rehman, PET, GMS Seri Khan Kalan, Tehsil & District Abbottabad. 265. Muhammad Razzag, PSHT (Retired), GPS Aliabad, Tehsil & District Abbottabad (7 266. Muhammad Gulfaraz, PSHT (Retired), GPS Kalaban, Tehsil & District Abbottabad 🖉 267. Muhammad Jameel, PSHT, GMPS Dana Aliabad, Tehsil & District Abbottabad. 268. Muhammad Younas, PSHT (Retired), GPS Balikote, Tehsil & District Abbottabad. Youma 269. my 270. Muhammad Zaraib, PSHT, GPS Majuhan, Tehsil & District Abbottabad. Misbert Misba ud Din, PSHT, GPS Narra, Tehsil & District Abbottabad. 271. Janb Sagib Ali, PSHT, GPS Pattan Khurd, Tehsil & District Abbottabad. 272. Muhammad Tufail, PSHT, GPS Bandian, Tehsil & District Abbottabad. 273. Hab Habib ur Rehman, SPST, GPS Bandian, Tehsil & District Abbottabad. 274. Muhammad Nadeem, SPST, GPS Jhallan, Tehsil & District Abbottabad. 🜔 275. Wagas Ahmad, PST, GPS Chaleesian, Tehsil & District Abbottabad. 276. Attiq ur Rehman, PST, GPS Majuhan, Tehsil & District Abbottabad. 277. Muhammad Zahoor, PSHT, GPS Dana Khan Kalan, Tehsil & District Abbottabad. Zahe 278. Jun Ijaz Hussain, PSHT (Retired), GPS Darwaza, Tehsil & District Abbottabad. 279. Nisar Ahmad Abbasi, PST, GMPS Pagar Khan Kalan, Tehsil & District Abbottabad. 280. Zahid Hussain, PST, GPS Riyala Bandi, Tehsil & District Abbottabad. 281. alaw Sajawal Khan, PSHT, GPS Bisala, Tehsil & District Abbottabad. 282. Ishag/ Muhammad Ishaq, DM, GMS Salol Bandi, Tehsil & District Abbottabad. 283. Muhammad Tahir, AT, GMS Salol Bandi, Tehsil & District Abbottabad. 284. o Aman ullah, TT, GMS Salol Bandi, Tehsil & District Abbottabad. 285. Waheed Khan, SPST, GPS Gali Baniyan, Tehsil & District Abbottabad. 286. Muhammad Ibrahim, PST, GPS Gali Baniyan, Tehsil & District Abbottabad. 287. Sarfraz Ahmad, PSHT, GPS.Bisala, Tehsil & District Abbottabad. 288. Mushtagi 289. Mushtaq Ahmad, SST, GMS Tarhana, Tehsil & District Abbottabad. Muhammad Rabnawaz, CT, GMS Tarhana, Tehsil & District Abbottaba 290. 291. Muhammad Farooq, CT, GMS Tarhana, Tehsil & District Abbottabad. uea Wagar Ahmad, CT, GMS Tarhana, Tehsil & District Abbottabad. 292. 293. Muhammad Ibrar, AT, GMS Tarhana, Tehsil & District Abbottabad. 294. Sardar Safeer Ahmad, PET, GMS Tarhana, Tehsil & District Abbottabad. 295. Junaid Khan, DM, GMS Tarhana, Tehsil & District Abbottabad.

Abdullah Abdullah, TT, GMS Tarhana, Tehsil & District Abbottabad. 296. Khan Gul, DM, GMS Sando Gali, Tehsil & District Abbottabad. Khenga 297. Bilawal Shah, PST, GPS Bandi Phullan, Tehsil & District Abbottabad. 298. Gul Zareen, PSHT, GPS Dhaki Khaitar, Tehsil & District Abbottabad. 299. Gul Faraz Ahmad, SPST, GPS Dhaki Khaitar, Tehsil & District Abbottabad.(300. Muhammad Imran Khan, PST, GPS Kaali Dhaar, Tehsil & District Abbottabad, 301. Mohsin Ali, PST, GPS Kali Dhaar, Tehsil & District Abbottabad. MShuffa 302. Muhammad Hafeez, SST, GHS Pattan Khurd, Tehsil & District Abbottabad 303. Khushal Khan, SST, GHS Pattan Khurd, Tehsil & District Abbottabad. 🦊 304. Israr ul Haq, SST, GHS Pattan Khurd, Tehsil & District Abbottabad. 305. Khalil ur Rehman, PST, GPS Seentrar, Tehsil & District Abbottabad. 🐰 306. Muhammad Maqbool, CT, GMS Bandi Dhundan, Tehsil & District Abbottabad. Maphar 307. Khawaj Muhammad, PSHT, GPS Karati Bagh, Tehsil & District Abbottabad. 🕰 308. Muhammad Saeed, SPST, GPS Dhakki, Tehsil & District Abbottabad. 309. Muhammad Tauseef, PST, GPS Dhakki, Tehsil & District Abbottabad. 310. Nase Muneer Ahmad, PSHT, GPS Salol Bandi, Tehsil & District Abbottabad. 311. Maqbool ur Rehman, SPST, GPS Tarla Khaitar, Tehsil & District Abbottabad. Mag 312. Abdul Sattar Abbasi, SPST, GPS Tarla Khaitar, Tehsil & District Abbottabad. 313. Zakir Hussain, PST, GPS Gheyar, Tehsil & District Abbottabad. 314. La Muhammad Azhar, PST, GMPS Kalas Dalola, Tehsil & District Abbottabad. M. A 315. Waqas Ahmad, PST, GPS Palhair Bandi, Tehsil & District Abbottabad. 316. Muhammad Sharif, PST, GPS Salol Bandi, Tehsil & District Abbottabad. 317. Arif Hussain, PSHT, GPS Khoi Bagla, Tehsil & District Abbottabad. 318. Habib ur Rehman, PSHT (Retired), GPS Bagan, Tehsil & District Abbottabad. 🟾 🖊 319. Muhammad Ilyas, PSHT (Retired), GPS Dakhan Tupla, Tehsil & 320. District Abbottabad. Amjid Ali, SPST, GPS Dhamtour, Tehsil & District Abbottabad. 321. HA Abadil, SPST, SPST, GPS Dhamtour, Tehsil & District Abbottabad. 322. 323. Jehan Zeb, PSHT (Retired), GPS Bareela, Tehsil & District Abbottabad. 324. Shehzad Ahmad, SST, GHSS Richbhen, Tehsil & District Abbottabad. Tehseen Zulfigar, DM, GMS Banda Lamba, Tehsil & District Abbottabad. 325. 326. Muhammad Tariq, PSHT, GPS Usma Dehri, Tehsil & District Abbottabad. feer Safeer Khan, SPST, GPS Langrial, Tehsil & District Abbottabad. a 327. Ghulam Murtaza, PSHT, GPS Gali Batgran, Tehsil & District Abbottabad. 328. 329. Shahid Naqash, PST, GPS Langrial, Tehsil & District Abbottabad.

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.....(Petitioners)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR.



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)

(Respondents)

VERSUS

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

Mr. NOOR MUHAMMAD KHATTAK, Advocate

MR. JAVED ULLAH, Assistant Ad 'ocate General

MR. SALAH-UD-DIN MR. ATIQ-UR-REHMAN WAZIR .

For appellant.

For respondents.

MEMBER (JUDICIAL) 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 merger of the order orders. For 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

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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

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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.





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 submit written respondents shall reply/comments, as discussed above, in office days of the receipt of notices within 10 positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report non-compliance. File of to for come up arguments on 12.07.2021 before the D.B"

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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

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

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

Learned counsel for the appellant has contended that 6. 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 "Maqsad Hayat Versus Government of Khyber Pakhtunkhwa", judgment of Federal Service Tribunal in

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Appeal No. 1888(R) CS/2016, 2020 PLC (C.S) 741 [Supreme Court (A1&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.

Conversely, learned Assistant Advocate General for the 8: 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 vacational 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 vacational 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

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 respondents are year. The 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,

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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)

23/5/

The District Education Officer (M) Abbottabad

Subject:

Memo:

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IMPLIMENTATION OF THE JUDGMENTS OF HONOURABLE SUPREME COURT OF PAKISTAN AND KHYBER PAKITUNKHWA SERVICE TRIBUNAL REGARDING DEDUCTION OF CONVEYANCE ALLOWANCE FROM THE SALARIES DURING SUMMER/WINTER VACATIONS.

It is submitted as under:

- That one Mr. Multammad Sikandar Dar filed appeal No. 1888(R)/CS/2016 before the Honoumble 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 <u>Annextire "A"</u>).
- That the Civil Petilion 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").
- 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 solaries 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")

 That as per judgment of the Honourable Supreme Court of Pakistan reported as <u>2009_SCMTR_1</u> 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 errears of conveyance allowance in accordance with the above referred judgments as well as letter of Finance Department (Regulation Wing).

Yours Falthfully Zulfigar Ahm 19-President All Teacher Association District Abyottabad

OFFICE OF THE DISTRICT EDUCATION OFFICER MALE AREOTTABAD

Dated 12

Ta.

The District Education Officer Male Abbottabad AN SDEO Tehsils Abbottabad. All Principals/Headmasters High/Higher Secondary Schools Abbottabad. All Headmaster GMS Abbottabad, DDO of the Middle Schools.

Subject: Memo:

CONVEYANCE ALLOWANCE ARREAR,

It has come to the notice of undersigned that with reference to Accountant General office Khyber Pakhtunkhwa KPK letter addressed to District Accounts Officers regarding Conveyance Allowance, the errear bills of the teachers duly signed/Countersigned by the heads/DDO of the institutes have abundantly been submitted to District Accounts Office.

To this effect it is categorically stated that such like notification/Circular neither endorsed through Department nor addressed to DEOs from any end so far.

Hence all such like practice is without legal footings. All Heads /000s who exercised such practice are directed to observe all codel formalities under the rules falling which concerned will be held responsible and face the consequences.

01/721 DISTRICT EDUCAT ION OFFICES FOD ABBOTTABAD

No. 298-392 /Accounts Branch

Endst No._____

Copy to

- I. District Accounts Officer Abbottabed.
- 2. Director Elementary and Secondary Education Khyber Pakhnukhwa Peshawar,
- 3. PS to Secretary Elementary and Secondary Education Department Khyber Pakhtenkhwa Peshawar
- 4, PA to local office.

DISTRICT EDUCATION OFFICER (NI) ADCOTTADAD

Attested

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LEGIBLE COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER MALE ABBOTTABAD

(35)

No. 298-392 / Accounts Branch

Dated : 13-01-2022

To,

The Deputy District Education Officer Male Abbottabad All SDEO Tehsils Abbottabad All Principals/Headmaster High/ Higher Secondary Schools Abbottabad All Headmasters GMS Abbottabad DDO of the Middle Schools

Subject: CONVEYANCE ALLOWANCE ARREAR

Memo:

It has come to notice of the undersigned that with reference to Accountant General Office Khyber Pakhtunkhwa KPK letter addressed to District Accounts Officers regarding Conveyance Allowance, the arrear bills of the teacher duly signed / Countersigned by the heads / DDO of the institutes have abundantly been submitted to District Accounts Office.

To this effect it is categorically stated that such like notification / Circular neither endorsed through Department nor addressed to DEOs from any end so far.

Hence all such like practice is without legal footings. All Heads / DDOs who exercised such practice are directed to observe all codal formalities under the rules failing which concerned will be held responsible and face the consequences.

DISTRICT EDUCATION OFFICER (M) ABBOTTABAD

Endst No. /

Copy to

- 1. District Accounts Officer Abbottabad
- 2. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar
- 3. PS to Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar
- 4. PA to local office

DISTRICT EDUCATION OFFICER (M) ABBOTTABAD

ERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING) NO.SO(SR-II)FD/8-7/2017/40 Dated Peshawar the 17.06.2021 The Accountant General, Govt. of Khyber Pakhlunkhwa, Peshawar, Subject:-IMPLEMENTATION OF THE JUDGEMENT OF EXECUTION PE 145/2020 TN SERVICE REGARDING CONVEYANCE ALLOWANCE DURING TO THE EMPLOYEES OF VACA Dear Sir. I am directed to refer to your department's letter No.Lit/S.T/S.A/1452-2019. Maqsad Hayat/2018-19/259-61 dated 22.02.2021 on the subject noted above and to state 1 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.Maqsad Hayai, SCT versus Government of Khyber Pakhunkhwa 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,

ጣጣ (Muhammad Ilyas Khatta) SECTION OFFICER (SR)ID

Alleslee

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وكالت نامه كورمه فير في مب جسر من ها جير جريد تحتويوا و سروس مريبوس ليتسادر بوداله. _ بتام _ تكور نحني مبرو تحدود و تنون is Breen عنوان: مخانب: نوعيت مقدمه: مأعث تح برآنكه مقدمه مندرجه مي ابني طرف سے داسط بيروى و جواب دين كل كاردائى متعلقه آل مقام م محد من مت ارز و من كودكيل مقرركر اقراركرتا بول كدمها حب موصوف كومقدمه ككل كارداني كاكال اختيار بوكانيز وكمل مساحب موصوف کوکر نے دامنی تامددتغر روائث وفیصلد برملت ودینے اقبال دموی اور بصورت و بکر ڈکری کران ابتراء دمولى جبك رويبه ومرضى دموي كيقصديق ادراس يرد يتخط كرن كاالغتيار بوكا ادربصورت ضرورت مقدمه خدكور کی کل ماکسی جزوی کاردائی کے لیے کسی اور وکیل یا مخارصا حب کا نوٹی کواپیے جمراہ اپنی بجائے تقرر کا اختیار بمجى بوكااورصاحب مقرر شده كوبجى وي اوروب بى افتيارات بول محادراس كاساخت يرداخت محدك منظورو تبول ہوگا۔ددران مقدمہ جوخر چہ دہر جاندالتوائے مقدمہ کے سبب ہوگا اس کے متحق وکیل ماحب ہوں گے۔ نیز بقایار قم وصول کرنے کا بھی انتہار ہوگا۔ اگرکوئی پیشی مقام دورہ پر ہویا جد سے پاہر ہوتو وکیل صاحب موصوف یا بند ہوں کے کہ چردی مقدمہ ندکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بتایا ہوتو وکیل صاحب موسوف مقدمہ کی پیردی کے بابندنہ ہوں کے - نیز درخواست بمراد استجارت نائش بسیخہ ملسی کے دائر کرنے اور اس کی بيردى كالجمى مساحب موصوف كوافقتيار بوكا-لېذادكالت تامة تحري كردياتا كەسندر ----Accepted المرقوم: <u>10 جرمرى</u> بمقام: