

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Service Appeal No: 887/2020

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.....Applicants.

VERSUS

Jan Baz Khan AT District Bannu.....Respondent.

APPLICATION FOR RELEASE OF THE MONTHLY SALARY OF THE RESPONDENT NO. 1.

Respectfully Sheweth :-

The Applicant/Respondent No. 1 submits as under:-

- 1 That** the title case was pending for disposal before this Honorable Court for submission of reply on behalf of the official Respondent No. 1-2 which has been submitted by the Respondent No. 2 of being a competent authority in the titled case on last date of hearing on 25-05-2022.
- 2 That** vide order dated 25-05-2022, the Respondents No. 1& 2 were directed to appear in person along with all relevant record which was honored & submitted by the Respondent No.2 on date fixed but the Respondent No.1 could not appear before this Honorable Bench due to some urgent & important official meeting in Islamabad, hence, the non-attendance of the respondent No. 1 was not intentional rather was due to the aforesaid reason.
- 3 That** vide order dated 25-05-2022, this Honorable Bench has passed an order regarding attachment of monthly salary of the Respondent No. 1/Director E&SE on charges of non-appearance before this Honorable Tribunal ~~of the judgment dated 08-12-2020.~~ **(Copy of the order dated 25-05-2022 is attached as Annexure-A)**
- 4 That** the application in hand is within time & this Honorable Bench has got jurisdiction to entertain the instant case having no legal bar.

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to release the monthly salary of the applicant/Respondent No. 1 by re-calling order dated 25-05-2022 in the interest of justice please.

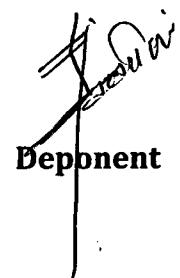


DIRECTOR

**E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1)**

AFFIDAVIT

I, Dr. Hayat Khan Asstt. Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Application for the release of monthly salary of the Respondent No. 1 are true & correct to the best of my knowledge & belief.


Deponent

25th May, 2022

Appellant alongwith his counsel present. Mr. Muhammad Rashid, DDA alongwith Mr. Zahid Muhammad, DEO (M) Bannu and Mr. Bakht Mal Jan, Assistant Director for respondents present.

Vide order sheet dated 23.05.2022, respondents No. 1 and 2 were directed to appear in person alongwith all relevant record. Mr. Zahid Muhammad, DEO (M) Bannu is present and directed to submit all the relevant documents on the next date failing which coercive measure were to be taken against them. Respondent No.2 i.e. Director Education has not appeared and instead an officer on his behalf is present and states that the Director Education is out of station and could not attend this Tribunal. The Accountant General Khyber Pakhtunkhwa is directed to attach salary of Director Education, Khyber Pakhtunkhwa till further orders of this Tribunal. To come up for arguments on 18.07.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman