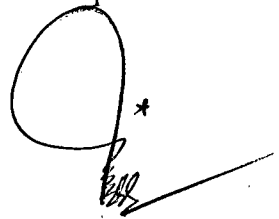


20.07.2022

Counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Nosherawan, Inspector (Legal) for the respondents present.

Learned Additional Advocate General produced copy of CPLA No. 478-P/2022 filed in the august Supreme Court of Pakistan. The respondent department is under obligation to either get the Service Tribunal judgement dated 28.01.2022 suspended or to implement the judgement conditionally subject to the outcome of the said CPLA. Adjourned. To come up for further proceedings on 21.09.2022 before S.B.




A handwritten signature in black ink, consisting of a large, stylized loop followed by a vertical stroke and a horizontal line extending to the right. A small asterisk is placed above the vertical stroke.

(Mian Muhammad)  
Member (E)

Form- A  
FORM OF ORDER SHEET

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

Execution Petition No. 273/2022

| S.No. | Date of order proceedings                                    | Order or other proceedings with signature of judge  |
|-------|--|---|
| 1     | 2  | 3   |
| 1     | 09.05.2022   | <p>The execution petition of Mr. Mushtaq Ahmad submitted today by Uzma Syed Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"><br/>REGISTRAR</p>   |
| 2-    | <p><i>25-5-22</i></p> <p><i>Note</i><br/><i>1-6-2022</i></p> | <p>This execution petition be put up before to Single Bench at Peshawar on <u>10-6-22</u>. Original file be requisitioned. Notices to the parties be also issued for the date fixed.</p> <p style="text-align: right;"><br/>CHAIRMAN</p>  |
|       | 10.06.2022   | <p>Junior to counsel for the petitioner present.</p> <p>Muhammad Adeel Butt, learned Additional Advocate General present.</p> <p>Despite notice, respondents are not in attendance. They be put on notice with direction to DPO Buner to attend the Tribunal in person alongwith implementation report. To come up for implementation report on 20.07.2022 before S.B.</p> <p style="text-align: right;"><br/>(Rozina Rehman)<br/>Member (J)</p> |

1

**IN THE SUPREME COURT OF PAKISTAN**  
**(Appellate Jurisdiction)**

CPLA NO. 478-P/2022

1. Regional Police Officer, Malakand Region, Swat
2. District Police Officer, Buner

**PETITIONERS**

**VERSUS**

Mushtaq Ahmad, Ex-Constable No.1007 Buner District

**RESPONDENT**

**CIVIL PETITION FOR LEAVE TO APPEAL UNDER ARTICLE  
212(3) OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973 AGAINST THE IMPUGNED JUDGMENT/  
ORDER OF THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR 28/01/2022 PASSED IN  
SERVICE APPEAL No.624/2018**

**RESPECTFULLY SHEWETH**

Substantial questions of law of general public importance and grounds, inter alia, which falls for determination of this august Court are as under:-

1. Whether the impugned judgment / order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar does not suffer from material illegality, factually and legally incorrect and requires interference by this august Court?
2. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has properly and legally exercised its jurisdiction in the matter in hand?
3. Whether proper charge sheet and statement of allegations were not issued and served upon the respondent?

4. Whether proper inquiry was not conducted against the respondent in which respondent was duly informed but he willfully not participated in the inquiry proceeded?
5. Whether the respondent was not issued final show cause notice and opportunity of personal hearing was not given to respondent which the respondent did not avail?
6. Whether without filing of departmental appeal Service Appeal is competent?
7. Whether the Service Appeal of respondent is not time barred?
8. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has taken into consideration that during his short term of service the respondent had earned 5 penalties including major punishment?
9. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar had taken into consideration that the respondent is a habitual absentee?
10. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has taken into consideration that neither the Doctor advised him medical rest nor the respondent sent his medical documents to his high ups?
11. Whether the punishment imposed upon the respondent was not commensurate with the gravity of the guilt of respondent?
12. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has got jurisdiction in the matter?
13. Whether the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has given any cogent ground/reason for awarding lesser punishment?
14. Whether the impugned judgment is not based of presumption, conjunctures and surmises?

15. Whether the impugned judgment is not the result of misreading and non-reading of material facts of the case and law involved in the matter?

**FACTS**

**II-** Facts relevant to the above points of law, inter alia, are as under:-

1. That respondent was enlisted in Police Department as Constable on 20/12/2010.
2. That the respondent while posted in police line Daggar District Buner willfully absented himself from duty w.e.f. 21/2/2017 and remained absent without leave or prior permission hence ultimately a charge sheet and statement of allegation was issued vide dated 7/7/2017 for his willful and deliberate absence and an inquiry officer was appointed to conduct proper inquiry in the matter.
3. That the inquiry officer conducted proper inquiry and submitted his recommendations. The respondent was given chance of personal hearing but failed to appear. On receipt of recommendations of the inquiry officer, the Competent Authority issued final show cause notice to the respondent and ultimately major punishment of dismissal from service was imposed upon the respondent vide order dated 24/8/2017.
4. That the respondents filed Service Appeal No.624/2018 before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in which comments of petitioners were called which were filed by refuting/denying the stance of the respondents.
5. That the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar was pleased to accept and allow the Service Appeal No.624/2018 of respondent vide impugned judgment/ order dated 28/01/2022.
6. That the petitioners being aggrieved from the impugned judgment/order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 28/01/2022 in Service Appeal No.624/2018, prefer this CPLA before this august Court.

7. That the petitioners seek leave to appeal against the impugned judgment / order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 28/01/2022 passed in Service Appeal No.624/2018.

It is, therefore, prayed that on acceptance of this petition, leave to appeal against the impugned judgment and order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 28/01/2022 passed in Service Appeal No.624/2018 may graciously be granted.

**(Moin-ud-Din Humayun)**  
Advocate-on-Record  
Supreme Court of Pakistan  
For Government

**NOTE:**

Learned Advocate General, KPK/ Addl. AG /State Counsel shall appear at the time of hearing of this petition.

**ADDRESS**

Office of the Advocate General, KPK, High Court Building, Peshawar.  
(Telephone No.091-9210119, Fax No.091-9210270)

**CERTIFICATE** Certified that no such petition has earlier been filed by Petitioners/ Government against the impugned judgment mentioned above.

**Advocate-On-Record**

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

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

Execution Petition No. 273 /2022

In Service Appeal No. 624/2018

Mushtaq Ahmad, Ex-Constable No. 1007 Buner District Buner.

**Petitioner**

**VERSUS**

1. The Regional Police Officer, Malakand Region, Swat.
2. The District Police Officer Buner.

**Respondents**

**INDEX**

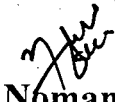
| S. No. | Documents         | Annexure | Pages |
|--------|-------------------|----------|-------|
| 1.     | Memo of Execution | .....    | 01-02 |
| 2.     | Copy of Judgment  | A        | 03-06 |
| 3.     | Vakalat Nama      | .....    | 7     |



**Petitioner**

**Through**

  
**Uzma Syed**  
**Advocates High Court Peshawar**

  
**Syed Noman Ali Bukhari**  
&

①

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

Execution Petition No. 273 /2022



In Service Appeal No. 624/2018

Mushtaq Ahmad, Ex-Constable No. 1007 Buner District Buner.

**Petitioner**

**VERSUS**

1. The Regional Police Officer, Malakand Region, Swat.
2. The District Police Officer Buner.

**Respondents**

.....

**EXECUTION PETITION FOR DIRECTING THE**  
**RESPONDENTS TO IMPLEMENT THE**  
**JUDGMENT DATED: 28/01/2022 OF THIS**  
**HONOURABLE TRIBUNAL IN LETTER AND**  
**SPIRIT.**

.....

**RESPECTFULLY SHEWETH:**

1. That the applicant/Petitioner filed Service Appeal No. 624/2018 against the impugned order dated 24/08/2017 where by the appellant was removed from service.
2. That the said appeal was finally heard by the Honorable Tribunal on 28/01/2022. The Honorable Tribunal is kind enough to accept the appeal partially. The penalty of removal from service is



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converted into minor penalty of stoppage of increment for two years and the intervening period is treated as new without pay. Respondents however, are at liberty to conduct inquiry, if they so desired. (Copy of Service Tribunal Judgment is attached).

3. That in-action and not fulfilling formal requirements by the respondent after passing the judgment of this august Tribunal, is totally illegal amount to disobedience and Contempt of Court.
4. That the judgment is still in the field and has not been suspended or set aside by the Supreme Court of Pakistan, therefore, the respondents are legally bound to pass formal appropriate order.
5. That the petitioner has having no other remedy to file this Execution Petition.

It is, therefore, most humbly prayed that the respondents may be directed to obey the judgment dated 28.01.2022 of this august Tribunal in letter and spirit. Any other remedy, which this august Tribunal deems fit and appropriate that, may also be awarded in favor of applicant/appellant.

Dated 09/05/2022



**PETITIONER**

**THROUGH:**



(UZMA SYED)

ADVOCATE HIGH COURT.



(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT.

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**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**



APPEAL NO. 624/2018

Mughdaq Ahmad , EX- Constable, No.1007  
Bunnir District.  
*Buner*

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 669

Dated 08-5-2018

.....(Appellant)

**VERSUS**

1. The Regional Police officer, Malakand Region, Swat.
2. The District Police officer Buner.

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 24.08.2017, WHEREBY THE APPELLANT HAS BEEN DISMISSED FROM THE SERVICE AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

**PRAYER:**

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 24.08.2017 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED IN TO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day  
Registrar  
27/5/18

**ATTESTED**

*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 624/2018

Date of Institution ... 08.05.2018

Date of Decision ... 28.01.2022



Mushtaq Ahmad, Ex-Constable, No. 1007 Buner District.

... (Appellant)

**VERSUS**

The Regional Police Officer, Malakand Region, Swat and one another.

... (Respondents)

Uzma Syed,  
Advocate

... For Appellant

Muhammad Adeel Butt,  
Additional Advocate General

... For respondents

**AHMAD SULTAN TAREEN** ...  
**ATIQU-UR-REHMAN WAZIR** ...

**CHAIRMAN**  
**MEMBER (EXECUTIVE)**

**JUDGMENT**

**ATIQU-UR-REHMAN WAZIR MEMBER (E):-**

Brief facts of the

case are that the appellant while serving as Constable in Police Department was proceeded against on the charges of absence from duty and was ultimately dismissed from service vide order dated 24-08-2017. Feeling aggrieved, the appellant filed departmental appeal dated 07-02-2018, which was not responded within the statutory period, hence the instant service appeal instituted on 08-05-2018 with prayers that the impugned order dated 24-08-2017 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that the impugned order is against law, facts and norms of natural justice, therefore not tenable and liable to be set aside; that the impugned order was passed with retrospective effect,

**ATTESTED**  
  
**EX-CHAIRMAN**  
**Khyber Pakhtunkhwa**  
**Service Tribunal**  
**Peshawar**

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which is void in the eye of law. Reliance was placed on 2002 SCMR 1129 and 2006 PLC CS 221; that no regular inquiry was conducted; rather the so called inquiry officer accepted his stance of illness of the appellant; that absence of the appellant was not intentional but was due to serious illness of the appellant, which does not constitute gross misconduct, hence the penalty so awarded is harsh and needs revision; that the appellant has been condemned unheard as no proper inquiry was conducted nor the appellant was associated with proceedings of the inquiry; that the appellant has not been afforded opportunity of personal hearing, hence was condemned unheard.

03. Learned Additional Advocate General for the respondent has contended that the appellant was earlier awarded with major punishment as well as minor punishments, but the appellant did not mend his ways and again absented from lawful duty, for which he was served with notices, but he did not respond either to notices or to the proceedings of the inquiry, hence he was awarded with major punishment of dismissal from service vide order dated 14-06-2018; that the appellant is a habitual absentee, neither the doctor advised him medical rest nor the appellant sent the medical documents to the department for information; that the appellant did not join the inquiry proceedings inspite of repeated reminders, hence he was rightly penalized in absentia.

04. We have heard learned counsel for the parties and have perused the record.

05. It is un-disputed that the appellant remained absent from duty for some time, but the respondents proceeded the appellant in absentia and did not take into consideration his illness. It otherwise is mandatory that regular inquiry is must before imposition of major penalty. The appellant was not treated as per law, as in case of willful absence, the appellant was required to be proceeded against under Rule-9 of the Khyber Pakhtunkhwa Government Servants

ATTESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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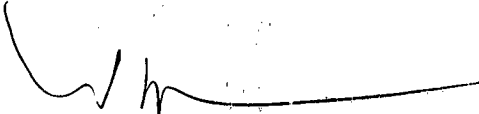
(Efficiency & Discipline) Rules, 2011, but the respondents acted in arbitrary manner and dismissed the appellant.

06. The appellant was not guilty of charges of gross misconduct or corruption, therefore, extreme penalty of dismissal from service for the charge of absence is on higher side, hence, quantum of the punishment needs to be reduced. Reliance is placed on 2006 SCMR 1120. Charge against the appellant was not so grave as to propose penalty of removal from service, such penalty appears to be harsh, which does not commensurate with nature of the charge. The appellant has admitted his absence but such absence was not willful, which does not constitute gross misconduct entailing major penalty of removal from service. Competent authority had jurisdiction to award any of the punishments mentioned in law to the government employee but for the purpose of safe administration of justice such punishment should be awarded which commensurate with the magnitude of the guilt, Otherwise the law dealing with the subject would lose its efficacy. Reliance is placed on 2006 SCMR 1120.

07. In view of the foregoing discussion, the instant appeal is partially accepted. The penalty of removal from service is converted into minor penalty of stoppage of increments for two years and the intervening period is treated as leave without pay. Respondents however, are at liberty to conduct inquiry, if they so desire. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED  
28.01.2022

  
(AHMAD SULTAN TAREEN)  
CHAIRMAN

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

Certified to be true copy

  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Prescription of Application 28/01/22  
Number of Words 1600  
Copying Fee 18/-  
Urgent ✓  
Total 18/-  
Name of Copyist 06/04/22  
Date of Completion of Copy 06/04/22  
Date of Delivery of Copy 06/04/22

7

VAKALATNAMA

NO. \_\_\_\_\_ /20

IN THE COURT OF KP Service Tribunal, Peshawar

Mushfaq Ahmad

Appellant  
Petitioner  
Plaintiff

VERSUS

Police deptt

Respondent (s)  
Defendants (s)

I/WE Mushfaq Ahmad  
UZMA Syed &  
do hereby appoint and constitute the SYED NOMAN ALI BUKHARI Advocate

High Court for the aforesaid Appellant(s), Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party to commence and prosecute / to appear and defend this action / appeal / petition / reference on my / our behalf and al proceedings that may be taken in respect of any application connected with the same including proceeding in taxation and application for review, to draw and deposit money, to file and take documents, to accept the process of the court, to appoint and instruct council, to represent the aforesaid Appellant, Petitioner(S), Plaintiff(s) / Respondent(s), Defendant(s), Opposite Party agree(s) ratify all the acts done by the aforesaid.

DATE 9/15/2022

[Signature]

(CLIENT)

ACCEPTED UZ

UZMA Syed

7/16/22  
SYED NOMAN ALI BUKHARI  
ADVOCATE HIGH COURT

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD 5.B**  
**PESHAWAR.**

No.

*Recd*  
 Appeal No. E.P. No. 273 of 20 22  
Mushlag Ahmad Appellant/Petitioner  
 Versus  
R. P. O Swat. Respondent

Respondent No. 1

Notice to:

The Regional Police offices, Malakand  
Region Swat.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 16/6/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this...1<sup>th</sup>.....

Day of.....June.....2022.

*[Signature]*

**Registrar,**  
**Khyber Pakhtunkhwa Service Tribunal,**  
**Peshawar.**

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.



Note: 1. Always quote Case No. While making any correspondence.  
2. The hours of attendance in the court are the same as of the High Court of the State except on Public Holidays.

REGISTRAR

PROVINCE SERVICE TRIBUNAL

DESHAMAR

Day of ..... 11th 2017

Given under my hand and the seal of this Court at Deshwar, this 11th

office notice No. .... dated .....

Copy of appeal is attached. Copy of appeal has already been sent to you under this

notice posted to this address by registered post will be deemed sufficient for the purpose of address given in the appeal/petition will be deemed to be your correct address and further address. If you fail to furnish such address contained in this notice which is given to you by registered post, you should inform the Registrar of any change in your notice of any alteration in the date fixed for hearing of this appeal/petition will be

appeal/petition will be heard and decided in your absence. default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition along with any other documents upon which you rely. Please also take notice that in this Court at least seven days before the date of hearing 4 copies of written statement advocates, duly supported by your power of Attorney. You are, therefore, required to file in the case may be postponed either in person or by authorized representative or by any appeal/petitioner you are at liberty to do so on the date fixed, or any other day to which you are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal the above case by the petitioner in this Court and notice has been ordered to issue. You are Province Service Tribunal Act, 1974, has been presented/registered for consideration, in

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa

Notice to:

*Kashim Zoya*  
*Mrs Kashim Zoya, P.O. of A.C.O. > Muzakka*

Respondent No. 1

Respondent

*K.P.O. Zoya*

Appellant

*Kashim Zoya*

Appellant/Petitioner

*E.P. No. 517*

of 2017

DESHAMAR

JUDICIAL COMPLEX (OGD), KHYBER ROAD 2/B

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, DESHAMAR

“B”

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR. S.B

No. /

Appeal No. E.P.No. 273 of 22

Mashayq Ahmad Appellant/Petitioner

Versus

P.P.O. Swat Respondent

Respondent No. ....

Recd  
I

Notice to: The Dist. Police Officer Buner.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal E.P. attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 9 th  
Day of..... June 20 22

[Signature]  
Registrar,

[Signature]  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

Note: Always quote case No. While marking any correspondence. The names of appellants in the court are the same as in the original petition.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
REGISTRAR

Day of

JUNE 25 30

Given under my hand and the seal of this Court at Peshawar this 1<sup>st</sup> 4<sup>th</sup>

office Notice No. dated

Copy of app<sup>n</sup> filed. Copy of app<sup>n</sup> has already been sent to you vide this  
this app<sup>n</sup> petition.

notice posted to this address by registered post will be deemed sufficient for the purpose of  
address given in the app<sup>n</sup> petition will be deemed to be your correct address and further  
address. If you fail to furnish such address your address contained in this notice which has  
given to you by registered post. You should inform the Registrar of any change in your  
Notice of any alteration in the date fixed for hearing of this app<sup>n</sup> petition will be

app<sup>n</sup> petition will be heard and decided in your absence.  
default of your appearance on the date fixed and in the manner aforementioned, the  
along with any other documents upon which you rely. Please also take notice that in  
this Court at least seven days before the date of hearing 4 copies of written statement  
Advocate, duly supported by your power of Attorney you are, therefore, required to file in  
the case may be postponed either in person or by authorized representative or by any  
app<sup>n</sup> petitioners are at liberty to do so on the date fixed, or any other day to which

on  
you are hereby informed that the said app<sup>n</sup> petition is fixed for hearing before the Tribunal  
the above case by the petitioner in this Court and notice has been ordered to issue. You are  
Province Service Tribunal Act, 1974, has been presented/registered for consideration in  
WHEREAS an app<sup>n</sup> petition under the provision of the Khyber Pakhtunkhwa

Notice to: - Mr. Asif Ali Khan Bano

Respondent No. ....

B B O Respondent

Appellant

Mrs. A. J. Khan Appellant/Petitioner

App<sup>n</sup> No. E B No 513 of 30

303

No.

PESHAWAR

JUDICIAL COMPLEX (OGD) KHYBER ROAD

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

“B”



**KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

No: 2167 /ST Dated: 06/07 /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

To,

1 DISTRICT POLICE OFFICER BUNER

**Subject: PERSONAL APPEARANCE IN EXECUTION PETITION NO. 273/22 IN CASE TITLE MUSHTAQ AHMAD VS POLICE**

I am directed to forward herewith a certified copy of Order dated 10.06.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.

  
(WASEEM AKHTAR)

REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR