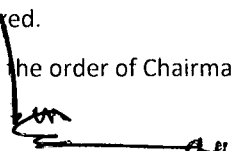


Form- A  
FORM OF ORDER SHEET

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

Execution Petition No. 560/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.09.2022  <b>SCANNED KPST Peshawar,</b>	<p style="text-align: center;">The execution petition of Muhammad Fayaz submitted today by Mr. Afrasiab Khan Wazir Advocate. It is fixed for implementation report before Single Bench at Peshawar on _____. Original file be requisitioned. AAG has noted the next date. The respondents be issued notices to submit compliance/implementation report on the date fixed.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Execution No. 560 /2022

In

APPEAL NO.874/2018

AA9

SCANNED  
12-31  
Peshawar

MUHAMMAD FAYAZ

VS

GOVT OF KPK:

**INDEX**

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of execution petition	.....	1-2
2	Affidavit	.....	3
3	Copy of Judgment	.....	4-5
4	Vakalatnama	.....	6

**APPELLANT**

**THROUGH:**

**AFRASIAB KHAN WAZIR  
ADVOCATE**

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

Execution petition No. \_\_\_\_\_/2022

**In appeal No.457/2018**

Mr. Muhammad Fayaz, Junior Clerk, in Planning cell Secretary to Government of KPK, Sports, Tourism, Archaeology, Youth Affairs & Museums department, Peshawar.....**Petitioner**

**VERSUS**

- 1- Chief Secretary, government of kpk, Peshawar.
- 2- Secretary to Government of khyber Pakhtunkhwa Establishment Department, Civil Secretariat, Peshawar.
- 3- Secretary to Government of KPK, Sports, Tourism, Archaeology, Youth Affairs & Museums department, Peshawar.
- 4- Secretary to Government of Khyber Pakhtunkhwa, finance Department, civil secretariat, Peshawar.
- 5- The accountant General, Khyber Pakhtunkhwa.

.....**RESPONDENTS**

**EXECUTION PETITION FOR DIRECTING THE**  
**RESPONDENTS DEPARTMENT TO IMPLEMENT THE**  
**JUDGMENT/ORDER DATED 24.05.2019 IN THE**  
**ABOVE TITLED APPEALS IN LETTER AND SPIRIT**

**R/SHEWETH:**

- 1- That the above mentioned appeal has been decided by this august Service Tribunal vide judgment/order dated 24.05.2019 in favor of the Petitioner. Copy of the judgment/order is attached as annexure.....**A.**
- 2- That the Petitioner filed the above mentioned appeal against the impugned order dated 25.06.2018 and regularization of his service and granting seniority from the date of his appointment.
- 3- That after final arguments this august Service Tribunal decided the appeal in favor of the Petitioner with the directions that:-

**" we consider that the request of the appellant is allowable to the extent of inclusion of his name in the relevant seniority list in case he has been regularized into service. The respondents, therefore, required to do the needful in accordance with law and rules. Instant appeal is disposed of in the said terms. The appellant may, however, approach the appropriate forum in the case he is left with any other grievance against**

the respondents. File be consigned to the record room.

4- That Petitioner after obtaining attested copy of the judgment submitted before the respondents but the respondents are not willing to implement the judgment passed by this august Service Tribunal.


It is therefore, most humbly prayed that on acceptance of this execution petition the respondents may be directed to implement the above mentioned judgment/order passed by this august Service Tribunal in letter and spirit.

Dated: 20.09.2022.

**PETITIONER**

  
**MUHAMMAD FAYAZ**

**THROUGH:**

  
**AFRASIAB KHAN WAZIR  
ADVOCATE**

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

Execution petition. \_\_\_\_\_/2022

In  
**APPEAL NO.874/2022**

**MUHAMMAD FAYAZ**

**VS**

**GOVT OF KPK:**

**AFFIDAVIT**

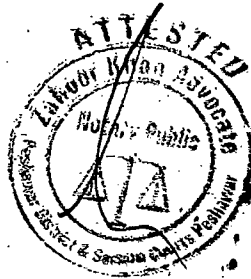
I **Afrasiab Khan Wazir, Advocate**, on the instructions and on behalf of my client, do hereby solemnly affirmed that the contents of this instant ~~service~~ *Execution petition* appeal is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

**AFRASIAB KHAN WAZIR**  
**ADVOCATE HIGH COURT**

**Certificate:**

No earlier Execution petition has been filed between the parties before this August Tribunal.

**AFRASIAB KHAN WAZIR**  
**ADVOCATE HIGH COURT**



BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

\*\*\*\*\*



A-4  
1

Service Appeal No. 874 /2018

126  
06-7-2018

Muhaminad Fayaz s/o Fida Muhammad (Junior Clerk) in Planning-Cell of Secretary to Government of KPK, Sports, Tourism, Archaeology, Youth Affairs & Museums Department, Peshawar, resident of Mohallah Hanzai Palosai Road Tehkal Bala, Peshawar.....Appellant.

--Vs--

- 1-Chief Secretary, Government of KPK, Peshawar
- 2-Secretary to Government of Khyber Pakhtunkhwa Establishment Department, Civil Secretariat, Peshawar.
- 3-Secretary to Government of Khyber Pakhtunkhwa, Sports, Tourism, Archaeology, Youth Affairs & Museums Department, 13-A Khyber Road, Peshawar Cantt.
- 4-Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar.
- 5-The Accountant General, Khyber Pakhtunkhwa, Peshawar.....Respondents.

Submitted to Registrar  
6/7/18

Service Appeal against the Order No. SOE.IV (E&AD) 1-10/2014, dated 25.06.2018 of the learned respondent No.2.

Re-submitted to Registrar  
10/7/18  
Registrar

Prayer in Appeal.

By acceptance of this appeal, the impugned Order dated 25.06.2018 of the learned respondent No.2 may be set aside and regularizing the service of the appellant and giving him seniority from the date of his appointment with all back benefits and

ATTESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Marked  
AD ✓

874/2018

Muhammad Faraz vs Govt



5

24.05.2019

Appellant alongwith his counsel (Haji Muhammad Zahir Shah Advocate) and Mr. Ziaullah DDA alongwith Mumtaz Qureshi, Junior Clerk for the respondents present.

The matter was argued at sufficient length. When learned counsel for the appellant was asked regarding the date of regularization of service of the appellant it was stated that throughout the record the said date was not available. The appellant also stated at the bar that the respondents were not handing him over any document pertaining to the date of regularization of his service although he has been in receipt of salary as a regular employee. In the circumstances, learned counsel stated that the appellant shall be satisfied at present in case his name is included in the seniority list from the date of his regularization in service in accordance with law and rules.

We consider that the request of appellant is allowable to the extent of inclusion of his name in the relevant seniority list in case he has been regularized into service. The respondents are, therefore, required to do the needful in accordance with law and rules. Instant appeal is disposed of in the said terms. The appellant may, however, approach the appropriate forum in case he is left with any other grievance against the respondents.

File be consigned to the record room.

Member

Chairman

Announced  
24.05.2019

Certified to be true copy

Chairman  
Khuzdar Pakhunkhwa  
Service Tribunal,  
Peshawar

Announcement of Appeal	27-5-19
Number of Words	800
Copying Fee	6.00
Stamp	6.00
Name of Copyist	
Date of Completion of Copy	12-6-19
Date of Delivery of Copy	12-6-19

M. Faraz  
A. Qureshi

**VAKALATNAMA**

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

\_\_\_\_\_ OF 2022

\_\_\_\_\_ Muhammad Fayaz

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

\_\_\_\_\_ Govt of kpk

(RESPONDENT)  
(DEFENDANT)

I/We \_\_\_\_\_ Muhammad fayaz

Do hereby appoint and constitute, **AFRASIAB KHAN WAZIR, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2022

\_\_\_\_\_  
CLIENT(S)

**ACCEPTED**  
**AFRASIAB KHAN WAZIR**  
&  
**NAZUREHMAN**  
**ADVOCATES**