

06.06.2022

Petitioner in person present.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Toheed Iqbal AD for respondents present.

Implementation report was not submitted. Representative stated that the respondents have filed CPLA before the august Supreme Court of Pakistan. He is directed either to submit implementation report or stay order from the august Supreme Court.

Adjourned to 14.07.2022 for further proceedings before S.B.

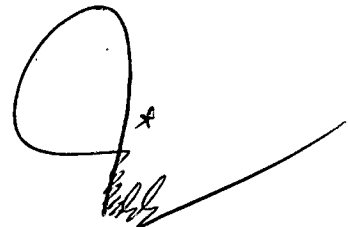


(Rozina Rehman)
Member (J)

14.07.2022

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Toheed Iqbal Assistant Director for the respondents present.

Learned Additional Advocate General submitted copy of an application in case No. CPLA 712-P/2021 requesting the august Supreme Court of Pakistan for early hearing. Moreover, it was stated at the Bar that the respondent department has initiated case for provisional implementation of the judgement of Service Tribunal dated 21.09.2021. Adjourned. To come up for further proceedings on 13.09.2022 before S.B.

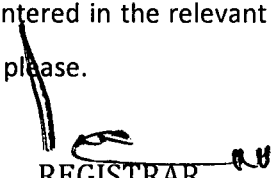

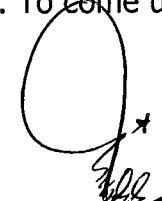



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 379 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	14.12.2021	<p>The execution petition of Mr. Abid Ur Rehman submitted today Mr. Nasir Mahmood Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This execution petition be put up before S. Bench at Peshawar on <u>21/01/22</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	21.01.2022	<p>Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.</p> <p>Notices be issued to the respondents for submission of implementation report on the next date positively. To come up for further proceedings on 09.03.2022 before S.B.</p> <p style="text-align: right;"> (Mian Muhammad) Member(E)</p>
	09.03.2022	<p>Due to retirement of the Hon'able Chairman, the case is adjourned to 06.06.2022 for the same as before.</p> <p style="text-align: right;"> Reader</p>



D/K

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Case No. CPLA No. 712-P/2021

Amirul Huda
on 18/06/2022
AM

Title: Govt. of KP thr. Agriculture Department & others Vs. Abid ur Rehman

SUBJECT: APPLICATION FOR EARLY HEARING & TRANSFER

CATEGORY OF CASE: Service Matter/ re-instatement

BRIEF OF CASE (FROM TRIAL COURT TO IMPUGNED ORDER):-

Nature of Proceeding before lower Court:- (Execution Petition) before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar asking for implementation of the judgment and order dated 21-09-2021 which is impugned before this august Court in CPLA No.712-P/2021.

Relief claimed in main case. Suspension of the impugned Judgment & Order dated 21-09-2021 passed in Service Appeal No.1708 of 2019.

GROUND/ REASON OF URGENCY:

1. Respondent filed Execution Petition before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar
2. Hon'ble Tribunal directed the petitioners to implement the judgment passed in Service Appeal No.1708 of 2019
3. Hon'ble Khyber Pakhtunkhwa Service Tribunal directed the petitioners vide order dated 21-09-2021 to implement the judgment and order dated 06-06-2022 otherwise coercive measures be taken against the petitioners.

PROOF OF URGENCY:

(Attached/ Not attached)

PRAYER:

It is respectfully prayed that the Petition may kindly be Transferred to the Principal seat at Islamabad and may kindly be fixed in the 1st Week of July, 2022

UNDERTAKING:

Certified that this is 1st application by the AOR/Applicant for early fixation of instant case.

M. D. Humayun
(Moin-ud-Din Humayun)
Advocate-on-Record
Supreme Court of Pakistan
For the Government of KP



AGRICULTURAL RESEARCH STATION AHMAD WALA KARAK

PHONE: 0927-304043

Website: www.aprcs.kp.gov.pk

E. mail: ar@ahmadwalakararak@yahoo.com

No 320 DARS Ahmad Wala Karak

Dated the Karak 05/07/2022

To

Mr. Abid Ur Rehman
S/o Mir Piro Khan
Khada Banda,
Takht-e-Nasrati Karak

Subject
Memo

Provision of Documents for processing of your Pension Case

In light of the decision dated 21-09-2021 of honorable service tribunal Peshawar and order sheet dated 06-06-2022 you are requested to provide the following documents for processing your pension case.

1. 1st Appointment order.
2. CNIC Copies (3 Nos).
3. Photograph (3 Nos).


(AMIN ULLAH KHAN)
DIRECTOR

No. 1345 RGL58816221

For Instructions, visit us on reverse
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received at _____
address _____
Date _____
Post Office _____
*Write here "letter" "postcard" or "parcel"
with the word "insured" before it when necessary.

Name and address of sender _____
Height _____ Kilo _____
Weight _____
Despatch No. 32015 77

original
Lying 15th
Javed Khan
D. Assistant
along with original
Date Receipt



PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN



Name
Muhammad Zakir



Father Name
Mir Pio



Gender | Country of Stay
M | Pakistan

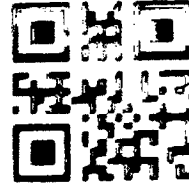
Identity Number | Date of Birth
14203-9-17513-9 | 30.04.2000

Date of Issue | Date of Expiry
15.05.2015 | 15.05.2028

Holder's Signature

کارت شناختی قومی پاکستان اسلامی جمہوریہ پاکستان

مستند پر رقم پانچ ہجرت شدہ قومی، ضلع کوئٹہ



1013400742

Shaukat H. Memon
Minister General of Pakistan

گمشدہ کارڈ ملنے پر قریبی لیئر بکس میں ڈال دیں

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Implementation Petition no. 379/2021

In

S.A No.1708-2019

Abid Ur Rehman S/O Mir Payoi Khan R/O Khadda Banda
Tehsil Takhti Nasrati District Karak.....Petitioner

Versus

Govt. of KPK through Secretary Agriculture and
others.....Respondents

INDEX

S.No	Description of Documents	Annexure	Pages
1.	Implementation Petition with Affidavit		1-2
2.	Judgment dt. 21.09.2020	A	3-7
3.	Wakalat Nama		8

Abid
Petitioner

Through

Nasir Mahmood
Nasir Mahmood Advocate.
Supreme Court of Pakistan
Off. No.622, 6th floor, Pak
Medical Centre, Khyber
Bazar Peshawar.

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

Implementation Petition no. 379...2021

In

S.A No.1708- 2019



Abid Ur Rehman S/O Mir Payoi Khan R/O Khadda Banda
Tehsil Takhti Nasrati District Karak.....Petitioner

Versus

1. Govt. of KPK through Secretary Agriculture Civil Secretariat Peshawar.
2. Director General, Agriculture Research System, KPK, Agriculture University Peshawar.
3. Director, Agriculture Research Station Ahmad Wala, Karak.....Respondents

PETITION FOR ISSUENCE OF DIRECTIONS TO RESPONDENTS TO IMPLEMENT THE ORDER DATED 21-09-2021 PASSED BY THIS HONOURABLE TRIBUNAL IN S.A NO.1708-P/2019 IN LITTER AND SPIRIT.

Respectfully Sheweth;

1. That the petitioner filed service appeal before this honorable tribunal for reinstatement of his service, which was allowed in the following terms:

“06. We, therefore, allow this appeal, set aside the impugned orders of the authority and convert his removal from service into compulsory retirement from the date of his removal from service.”

Copy of the order attached as annexure-A.

2. That the petitioner then approached the respondents for implementation of the judgment of this honorable tribunal but up till now no response has been received by the petitioner.

3. That the respondents are legally and morally bound to give respect to the order of this honorable tribunal but they are intentionally not implementing the same thus willfully disregarding and disrespecting the order of this honorable

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tribunal, consequently, liable themselves to be proceeded for committing contempt of this honorable tribunal.

For the aforesaid reasons, it is therefore, respectfully prayed that on acceptance of this petition respondents be directed to implement the order passed by this honorable tribunal as detailed in the heading of this petition and report compliance to this honorable tribunal. They may also be proceeded against in accordance with law for violating the order passed by this honorable tribunal.

Any other remedy deemed appropriate, but not specifically asked for may also be awarded to the petitioner.

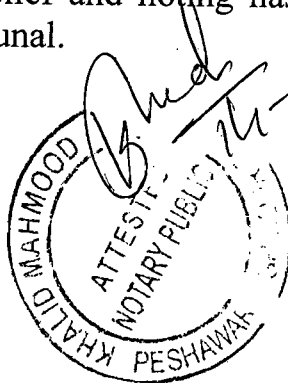
Abid B
Petitioner

Through

Nasir Mahmood
Nasir Mahmood Advocate.
Supreme Court of Pakistan
Off. No.622, 6th floor, Pak
Medical Centre, Khyber
Bazar Peshawar.

Affidavit

I, do hereby declare and affirm on oath that the contents of accompanying petition are true and correct to best of my knowledge and belief and nothing has been concealed from this honorable tribunal.



Abid B
Deponent

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1708/2019

Diary No. 1699

Dated 02/12/2019

Abid ur Rehman S/o Mir Pio Khan R/o Khanda Banda
Tehsil Takht-e- Nusrati District Karak

..... Appellant

VERSUS

1. Govt of Khyber Pakhtunkhwa through Secretary
Agriculture Peshawar
2. Director General Agriculture Research System,
Khyber Pakhtunkhwa, Agriculture University
Peshawar.
3. Director Agriculture Research Station Ahmad Wala,
Karak

..... Respondents

Filed to-day
Registrar
02/12/19

SERVICE APPEAL UNDER SECTION 4 OF
THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE ORDER

Re-submitted to -day **DATED 30.10.2019 PASSED BY**
and filed.

Registrar
9/12/19

RESPONDENT NO 2 VIDE WHICH APPEAL
OF THE APPELLANT WAS REJECTED

TESTED
Khyber Pakhtunkhwa
Service Tribunal

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1708/2019

Date of Institution ... 02.12.2019
Date of Decision ... 21.09.2021



Abid ur Rehman S/O Mir Pio Khan R/O Khanda Banda Tehsil
Takht-e-Nusrati District Karak.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary
Agriculture, Peshawar and two others.

... (Respondents)

Nasir Mehmood,
Advocate

... For Appellant.

Muhammad Adeel Butt,
Additional Advocate General

... For Respondents.

AHMAD SULTAN TAREEN
ROZINA REHMAN

... CHAIRMAN
... MEMBER (J)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The concise facts of the case are that appellant was appointed as Sweeper. He was removed from service on allegation of unauthorized absence from duty. Feeling aggrieved, he filed writ petition which was sent to the respondents with direction to decide the grievance of the appellant in accordance with law and vide order dated 30.01.2019 representation of the appellant was dismissed. Feeling aggrieved, present service appeal was filed.

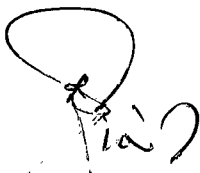
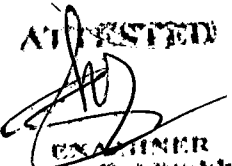
ATTORNEY

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

2. We have heard Nasir Mehmood Advocate appearing on behalf of appellant and Muhammad Adeel Butt learned Additional Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

3. Learned counsel for appellant contended that the impugned order is illegal, unlawful and not maintainable in the eye of law. He further contended that the appellant was a low grade employee and poor person having no other source of income and he faced long time illness. He argued that the appellant remained absent due to the reason beyond his control because he was suffering from "Lumber Spinal Pain with Vertebral Gape" and was not in a position to perform his duty and was thus advised by the doctor for bed rest. Lastly, he submitted that the appellant has put in considerable pensionable service of almost 13 years and that he would have no objection if major penalty in shape of removal from service is converted into major penalty in shape of compulsory retirement.

4. Conversely learned A.A.G submitted that removal from service order was issued in the light of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and that appellant was found absent from duty w.e.f 07.08.2017 till 05.01.2018 without any information and prior permission and he was called through written explanations time and again but in vain. Furthermore, a show cause notice was also served upon him through daily newspaper but appellant failed to join his duties. He further submitted that Director Agriculture Research Station also constituted a Committee to probe the unauthorized absenteeism of appellant and that the Committee


ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

6

Members submitted their report upon which the competent authority issued removal from service order of the appellant. Learned A.A.G further submitted that medical certificate of the appellant was forged and factitious which was not taken into consideration and that the Department treated the appellant in accordance with the rules and policy of the Provincial Government.

5. From the record, it is evident that the appellant was serving in the respondents Department as Sweeper. He remained absent from 07.08.2017 to 05.01.2018 and was proceeded against departmentally. Proper Inquiry Committee was constituted and Members of the Committee not only visited his house but also recorded the statement of his brother. He produced medical certificates from Civil Hospital Karachi but he failed to follow the advice of his doctor who held the appellant fit for duty on 02.01.2018. He once again failed to join duty on time and consequently order was passed on 05.01.2018 by the competent authority. He filed writ petition on 04.08.2018 i.e. after his removal which was sent to the respondents with direction to decide the grievance of appellant and vide order dated 30.10.2019 of Director General, his request for reinstatement was declined. Any civil servant could not stay away from his duty even for a day let alone weeks and months. However, there is nothing on record which could show that he was a habitual absentee. Keeping in view the last request of learned counsel for appellant and without touching other merits of the case we are of the view that since the appellant has put in considerable regular service for almost 13 years, it would be appropriate keeping in view the circumstances of the case to convert

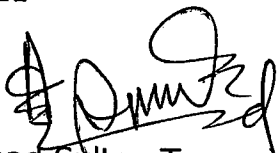
MUNIR
Khan
Principal

7


major penalty awarded in shape of removal from service into that of compulsory retirement.

6. We, therefore, allow this appeal, set aside the impugned orders of the authority and convert his removal from service into compulsory retirement from the date of his removal from service. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
21.09.2021


(Ahmad Sultan Tareen)
Chairman

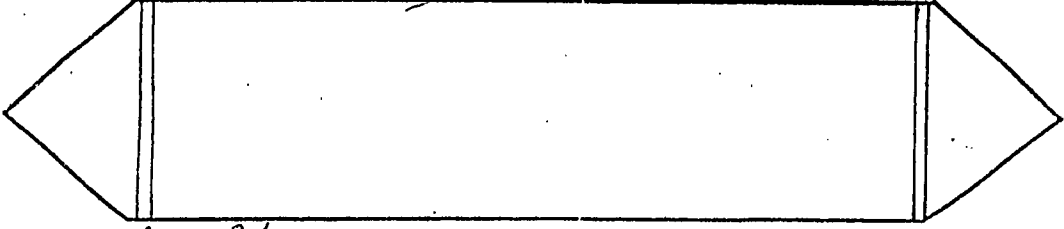

(Rozina Rehman)
Member (J)


Secretary
Services Division
Government of Punjab

28/9/21
1600
18/5
18/5
22/10/21
22/10/21

(8)

بعد التمسك بسبب تراخي كرك



2022

بنام لودنند اف كرك

عبدالرشيد

موزخه
مقدمه
دعوى
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے لئے ذات المحرمات اللہ کیس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثبالت ہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بسورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

Accepted
2022

المقوم
Abidul

بمقام
پیشاورد
کے لئے منظور ہے۔
واہ العب

“B”

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

No.

F.P. No. 379
Appeal No. of 20²¹
Abid us Khan

Appellant/Petitioner

Court of KPK Sup: Agriculture

Respondent

Respondent No. 3

Notice to:

Director Agriculture Research Station
Ahmad wala Karak.

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 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..... 27th

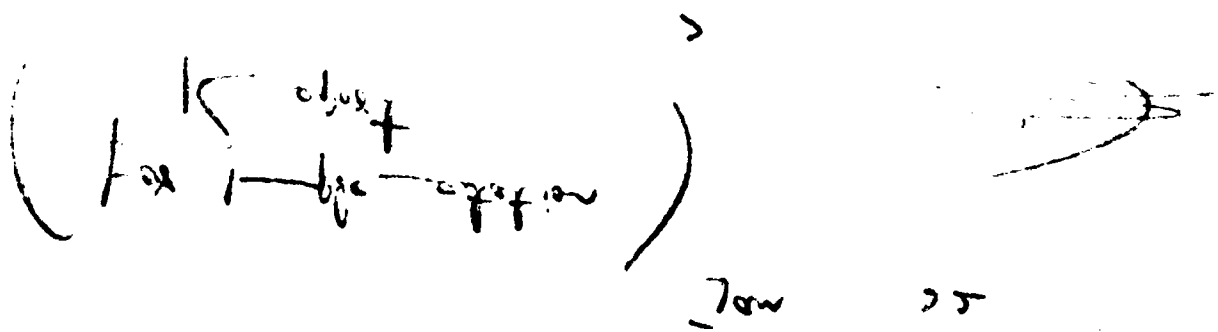
Day of..... Jan 20 22

(For Implementation Report)

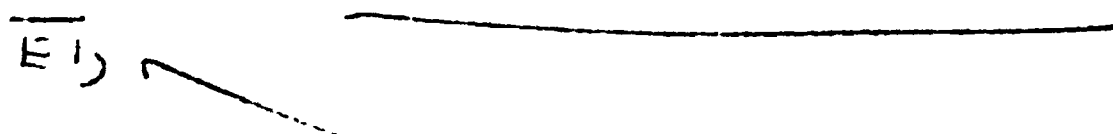
Registrar,

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.



AFK



2/3/55

not directly connected to the main system

connected to the main system

PTC on C.E. bid

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"B"

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

No.

Appeal No. E.P. No. 379 of 20 21

Abid vs Rehman Appellant/Petitioner

Versus

Govt. of KPK Secy: Agriculture Respondent

Respondent No. 1

Notice to: —

Govt. of KPK Through Secretary
Agriculture Peshawar

[Handwritten signature]
01/02/22

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.....9/3/22.....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.

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Copy of ~~appeal~~ ^{E.P.} 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.....27th.....

Day of.....Jan.....20 22

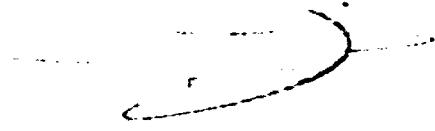
(For Implementation Report)

[Handwritten 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.

(for K-2000)



Jan 25

5 1/2

EB



5/3/05

Problem 2: Several right triangles

are shown in the diagram.

Find the length of the hypotenuse.

20

①

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA NO. 712-P /2021

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Livestock & Coop: Department, Peshawar.
2. Director General Agriculture Research, Khyber Pakhtunkhwa Peshawar.
3. Director Agriculture Research Station Ahmad Wala, Karak.

PETITIONERS

VERSUS

Abid-ur-Rehman S/o Mir Pio Khan R/o Khanda Banda Tehsil
Takht-e-Nusrati District Karak

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 DATED 21/09/2021 PASSED IN SERVICE
APPEAL NO.1708/2019.

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 the respondent provided any plausible reason for his willful unauthorized absence?
4. Whether the respondent was not proceeded in accordance with law, proper notices for his joining of duty was issued final show cause notice was also published but the respondent not responded for joining of his duty?
5. Whether the impugned judgment of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar is not against law and facts of the case as the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar has held that proper departmental proceedings has been conducted against the respondent but despite the same his removal from service has been converted into compulsory retirement?
6. Whether the medical certificate provided to the Tribunal for the 1st time is not a fake document?
7. Whether the medical documents provided to the Hon'ble Tribunal was provided to the department to be properly verified?
8. Whether the Hon'ble Peshawar High Court, Peshawar with respect had got the jurisdiction in the matter in hand as the matter was of term and conditions of service?
9. Whether the medical certificate provided to the Hon'ble Service Tribunal was properly probed by the Hon'ble Tribunal?
10. Whether the departmental appeal/representation was not time barred?
11. Whether the Service Appeal of respondent before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar is also not time barred?
12. Whether the conduct of respondent did not show that he is not interested in service but only interested in getting benefits from the government?

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FACTS

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

1. That the respondent was serving as Sweeper BPS-1 at Agriculture Research Station Ahmad wala, Karak when he absented himself from duty w.e.f. 07/08/2017 to 05/01/2018.
2. That the respondent was served through notices dated 15/8/2017, 30/8/2017, 25/9/2017, 25/10/2017, 14/11/2017 for attendance of his duties, lastly final show cause notice was also published in the newspaper but the respondent failed to join his duty.
3. That at the advice of Director General an inquiry committee was also constituted. The committee visited house of the respondent and also recorded statement of Mr. Hubab-ur-Rehman brother of the respondent. On the report of the inquiry committee the respondent was removed from service vide office letter dated 5/1/2018.
4. That the respondent filed WP NO.785-B/2018 before the Hon'ble High Court Bannu Bench which was disposed of vide judgment dated 25/6/2019 while treating the writ petition as representation and sent to the petitioners with direction to decide the grievance of the respondent in accordance with law and rule within a period of one month.
5. That the petitioner decided the representation of respondent vide appellate order dated 30/10/2019.
6. That the respondent filed Service Appeal No.1708/2019 before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar wherein comments of petitioners were called which were filed accordingly by denying stance of the respondent.

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7. That the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar accepted Service Appeal No.1708/2019 of respondent vide impugned judgment/ order dated 21/09/2021.
 8. That the petitioners being aggrieved from the impugned judgment/order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 21/09/2021 in Service Appeal No.1708/2019, prefer this CPLA before this august Court.
 9. That the petitioners seek leave to appeal against the impugned judgment / order dated 21/09/2021 in Service Appeal No.1708/2019.

It is, therefore, prayed that on acceptance of this petition, leave to appeal against the impugned judgment and order dated 21/09/2021 in service appeal No.1708/2019 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