

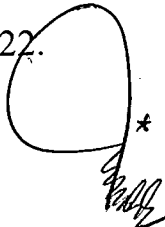
07.11.2022

Learned counsel for the appellant present. Mr. Asad Ullah,
Section Officer alongwith Mr. Kabirullah Khattak, Additional
Advocate General for the respondents present.

SCANNED
KPST
Peshawar

SCANNED

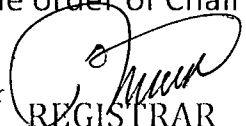

Representative of the respondents stated at the bar that the
service Tribunal judgement is under process for implementation. The
case for notional promotion to BS-20 in respect of the petitioner is
being submitted for consideration of the PSB. To come up for final
and conclusive implementation report on 19.12.2022.


(Mian Muhammad)
Member (E)

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 601/2022

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1 | 11.10.2022 | <p>The execution petition of Mr. M.Bashir Khan submitted today by Mr. Naveed Akhtar Advocate. It is fixed for implementation report before Single Bench at Peshawar on <u>19-10-22</u>. 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>By the order of Chairman</p> <p> REGISTRAR</p> <p>19th Oct, 2022 None for the petitioner. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.</p> <p>Learned AAG is directed to contact the respondents for submission of implementation report on 07.11.2022 before S.B.</p> <p> (Kalim Arshad Khan) Chairman</p> |

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Execution Petition No 601/2022

IN Re:

S.Appeal No.763/2018

Muhammad Bashir KhanAppellant

Versus

Govt. of Khyber Pakhtunkhwa through

Chief Secretary & othersRespondents

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Dated:

M B
Appellant

Through

Naveed Akhtar
Naveed Akhtar

Advocate

Supreme Court of Pakistan

&

Munir ud Din Ghor
Munir ud Din Ghor

Advocate High Court

Cell: 0300-9596181

office # A16 Nasir Mansion. khyber
bazar Shoba, Peshawar

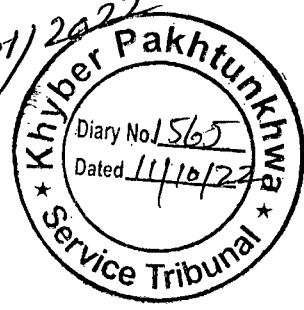
BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Execution petition no. 601/2022

IN Re:

S.Appeal No.763/2018



Muhammad Bashir KhanAppellant

Versus

Govt. of Khyber Pakhtunkhwa through

Chief Secretary & othersRespondents

**APPLICATION FOR IMPLEMENTATION OF
JUDGMENT DATED 12.07.2021 OF THIS
HON'BLE TRIBUNAL**

Respectfully Sheweth:

Appellant humbly submits as under:-

1. That the appellant filed titled appeal before this hon'ble Tribunal, which was deposed-off / allowed on 12.07.2021. (Copy of judgment is enclosed as Annex "A")
2. That the Hon'ble Tribunal observed as under:-



"the appellant has got a fit case where principle of "Le non cogit and impossibilia" would apply. Since the appellant could not surmount the obstacle of SMC in the way of his promotion simply for the reason that it was not possible for him in span of his service left to his retirement after appearance of the said necessity of SMC on his part. Therefore, we hold him entitled for notional promotion with all accruable benefits from the date when his promotion was recommended to be deferred for

want of SMC. The appeal stands disposed-of accordingly in favour of the appellant and against the respondents”

(Copy of order is attached)

3. That after announcement of judgment the appellant time and approached the respondents for implementation of judgment of this Hon'ble Tribunal, but in vain.
4. That till date, no any step whatsoever has been taken by the respondents, which amounts to contempt of Court order, hence are required to be dealt with in accordance with law.
5. That appellant approaches this Hon'ble Tribunal for implications of judgment of this Hon'ble Tribunal.

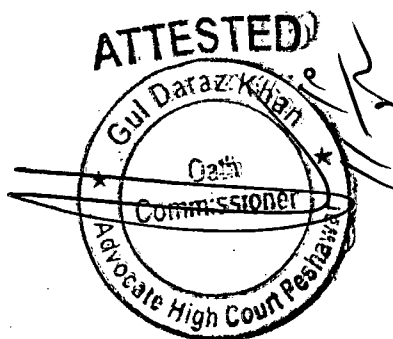
It is therefore, humbly requested to please direct respondents to implement the judgment dated 12.07.2021 of this Hon'ble Tribunal.


Appellant
Through 
Naveed Akhtar
Advocate
Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare as per instructions of my clients that the contents of this **Application** are true and correct and nothing has been concealed from this honorable court.


DEPONENT



④

③

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

Service Appeal No 763 /2018



Khyber Pakhtunkhwa
Service Tribunal

Case No. 1022

Dated 31-5-2018

Muhammad Bashir Khan S/o Muhammad Mamor Khan R/o Flat No.
33, Deans Complex, University road Peshawar.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat Peshawar.
2. Secretary Establishment Department, Government of Khyber
Pakhtunkhwa Peshawar.
- ✓ 3. Additional Chief Secretary, Planning and Development
Department (P&D) Khyber Pakhtunkhwa, Peshawar.
- ✓ 4. Provincial Selection Board through Secretary Establishment
(Secretary of the Board) Government of Khyber Pakhtunkhwa.

..... Respondents

31/5/18

**APPEAL UNDER SECTION 4 OF THE SERVICE
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED RECOMMENDATION OF
PROVINCIAL SELECTION BOARD IN ITS
MEETING HELD ON 28-12-2017, WHEREBY
PROMOTION OF THE APPELLANT WAS
DIFFERED FOR WANT OF MANDATORY
SENIOR MANAGEMENT COURSE (SMC)
TRAINING AND AGAINST THE NON
CONSIDERATION OF DEPARTMENTAL
APPEAL DATED. 31-01-2018.**

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 763/2018

Date of Institution ... 31.05.2018
Date of Decision ... 12.07.2021



Muhammad Bashir Khan S/O Muhammad Mamor Khan R/O Flat
No.33, Deans Complex, University Road, Peshawar.

... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa, through Chief
Secretary Civil Secretariat Peshawar and three others.

... (Respondents)

Naveed Akhtar,
Advocate

... For appellant.

Muhammad Adeel Butt,
Additional Advocate General

... For respondents.

AHMAD SULTAN TAREEN
ROZINA REHMAN

... CHAIRMAN
... MEMBER (J)

JUDGMENT

AHMAD SULTAN TAREEN CHAIRMAN: The question for
determination in this judgment is whether deferment of promotion of
the appellant by Provincial Selection Board (PSB) for want of Mandatory
Senior Management Course (SMC) was justified when he was unable to
overcome this barrier because of time factor linked with his soon
reaching retirement by superannuation?

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ATTESTED

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MEMBER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

02. Nutshell of the factual account given in the memorandum of appeal is that the appellant after his appointment as Research Officer (BPS-17) in Planning & Development (P&D) Department was promoted in BPS-18 in due course of time and then on Acting Charge Basis in BPS-19 followed by regularization of his promotion in the said scale on 18.10.2016 with condition of probation period for one year. The promotion of the appellant after termination of probation period on 11.12.2017 was due in BPS-20 as the post was vacant and the appellant in terms of his seniority position was entitled to be considered for promotion to the said post. However, his promotion for technical reason of lacking of SMC was deferred when his name was included in the Working Paper with other officers for promotion against 03 vacant posts of Senior Chief of Sections (BPS-20). The appellant on grievance from deferment of his promotion on recommendation of P.S.B, preferred departmental appeal and after its presumptive rejection on expiry of 90 days waiting period, he approached this Tribunal by the Service Appeal at hand. The respondents were put on notice who joined the proceedings and have contested the appeal by refuting the claim of appellant in their written statement as well as at the bar, as far as relief is concerned.

03. We have heard the arguments and have perused record.

04. Learned counsel for appellant argued that the impugned deferment order is against law and facts. He submitted that the

ATTESTED

 ATTESTING OFFICER
 Service Tribunal

probation period of the appellant was terminated on 11.12.2017 while the appellant was to be retired on 01.02.2018 so it was humanly impossible to undergo the found months training in 51 days. Further submitted that the respondents never offered the training to appellant nor was ever nominated for the same and they denied the due right to the appellant illegally and against the promotion policy; and that the competent authority promoted many officers by exempting from the training who were beyond the age of 58 years, thus, the appellant has been dealt with discrimination by the competent authority and requested for notional promotion from the date when the seat of Senior Chief of Sections fell vacant.

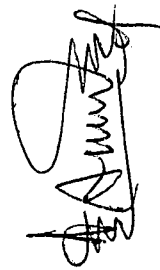
05. As against that learned A.A.G argued that appellant has rightly been deferred from promotion as the mandatory training i.e. Senior Management Course (SMC) is necessary for promotion to the post of Senior Chief of Section (BPS-20) and the appellant himself admitted that he had not undergone through the said training. Further submitted that appellant was on probation when the exemption in SMC mandatory training was waived off and on expiry of probation period, there was less time left to his retirement, therefore, appellant could not offered/recommended for SMC mandatory training. Lastly, he submitted that appellant was treated under the prescribed rules and policies of the Government and no right of the appellant has been violated.

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06. Coming to the question for determination as indicated in beginning of this judgment, needless to say that the appellant has

ATTESTED
[Signature]
 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

impugned the deferment of his promotion on grounds among others that his period of probation was terminated on 11.12.2017 while his retirement from service was due on 01.02.2018. So, it was humanly impossible for him to undergo the four months training in 51 days. It was added that he was never offered the training nor was ever nominated for the same. Parawise comments were submitted only on behalf of respondent No.3 i.e. Additional Chief Secretary, P&D Department. According to comments of the said respondent, facts narrated in the memorandum of appeal from Para-01 to 13 were not refuted with admission of their correctness. Ground-C of the memorandum of appeal relates to the point that appellant was never offered training nor was ever nominated for the same. Thus, denying the due right to him is against law and promotion policy. Ground-D relates to the exemption granted by the competent authority and P.S.B from the training to those whose age was about 58 years. The Ground-C was admitted as correct with the clarification that officer concerned was on probation when exemption in SMC mandatory training was waived off and after expiry of probation period, there was less time left to his retirement. Therefore, he could not be offered/recommended for SMC mandatory training. Ground-D was not commented upon by respondent No.3 because of its pertinence to the Establishment Department. However, the said Department being respondent No.2 in the memorandum of appeal did not file reply/comments despite last opportunity given as reflected in order dated 27.08.2019 of the proceedings of this appeal. Thus, in absence of rebuttal of the said



ATTESTED
 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

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ground by the respondents, presumption in favor of the appellant becomes absolute that he was discriminated in the matter of exemption from mandatory training due to his closeness to superannuation on account of age factor and it is an admitted position that he was unable to undergo the mandatory training because of his soon reaching retirement from service.

07. According to final seniority list of Chief of Sections (BPS-19) as stood on 30.11.2017, copy whereof is available on file as Annexure-F, the appellant is shown at Serial No.3. The Minutes of Meeting of P.S.B held on 28.12.2017 relating Item No.7, as available on file, would reveal that the P.S.B in the said Meeting was apprised about the availability of three posts of Senior Chief of Sections (BPS-20) lying vacant. It was noted in the said Minutes that the post was required to be filled by promotion on the basis of seniority-cum-fitness from amongst Chief of Sections fulfilling the conditions enumerated for said promotion. Accordingly, the appellant was not lacking in any of the conditions. One of his seniors Mr. Ali Raza Khan was recommended for promotion while the promotion of his other senior was deferred on two counts i.e. due to pendency of an inquiry against him and his having not undergone mandatory training. The promotion of appellant was deferred simply for the reason of his having not undergone the training.



08. If we take into account the admitted and un-rebutted facts and grounds as discussed before, the appellant has suffered because of denial of promotion to him firstly for the reason beyond his control as

ATTESTED
EXAMINER
Khalid Raza Khan
Service Tribunal

10. The Lahore High Court in the case "**Messrs Akhtar Brothers & Co. Lahore. Vs. Commissioner Income Tax, Lahore (1973 PTD 527)**" while applying the doctrine of impossibility held as follows: "Reference may in this connection be made to the maxim-"***Lex non cogit ad impossibilia***" which when rendered into English means " the law does not compel a man to do that which he cannot possibly perform". Sir W. Scott has been quoted by Broom to his classic book "The Legal Maxims", 10th Edn., p. 162, as having said- "the law itself and the administration of it, with reference to an alleged Infraction of the revenue laws, must yield to them to which everything must bend, to necessity, the law, in its most positive and peremptory injunctions, is understood to disclaim, as it does in its general aphorisms, all intention of compelling to impossibilities, and the administration of laws must adopt that general exception for the consideration of all particular cases."


11. What emerges from the foregoing discussion, the appellant has got a fit case where principle of "***Lex non cogit ad impossibilia***" would apply. Since the appellant could not surmount the obstacle of SMC in the way of his promotion simply for the reason that it was not possible for him in span of his service left to his retirement after appearance of the said necessity of SMC on his part. Therefore, we hold him entitled for notional promotion with all accruable benefits from the date when his promotion was recommended to be deferred for want of SMC. The appeal stands disposed of accordingly in favor

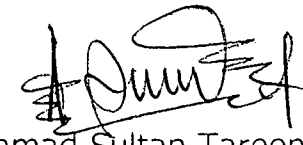
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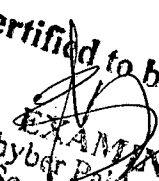
EXAMINER
#KINDLE D. KIRUKHWA
Service Tribunal
Dera Ismail Khan

of the appellant and against the respondents. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
12.07.2021


(Rozina Rehman)
Member (J)


(Ahmad Sultan Tareen)
Chairman

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 16-8-2021
Number of Words 2600
Copying Fee 28/-
Urgent 4/-
Total 42/-
Name of Copyiest _____
Date of Completion of Copy 16-8-21
Date of Delivery of Copy 16-8-21

11

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

Service Appeal No 763 /2018



Received at Peshawar
Date

1022

31-5-2018

Muhammad Bashir Khan S/o Muhammad Mamor Khan R/o Flat No.
33, Deans Complex, University road Peshawar.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat Peshawar.
2. Secretary Establishment Department, Government of Khyber
Pakhtunkhwa Peshawar.
- ✓ 3. Additional Chief Secretary, Planning and Development
Department (P&D) Khyber Pakhtunkhwa, Peshawar.
- ✓ 4. Provincial Selection Board through Secretary Establishment
(Secretary of the Board) Government of Khyber Pakhtunkhwa.

..... Respondents

Filed today

31/5/18

**APPEAL UNDER SECTION 4 OF THE SERVICE
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED RECOMMENDATION OF
PROVINCIAL SELECTION BOARD IN ITS
MEETING HELD ON 28-12-2017, WHEREBY
PROMOTION OF THE APPELLANT WAS
DIFFERED FOR WANT OF MANDATORY
SENIOR MANAGEMENT COURSE (SMC)
TRAINING AND AGAINST THE NON
CONSIDERATION OF DEPARTMENTAL
APPEAL DATED. 31-01-2018.**

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



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Respectfully Sheweth:-

1. That the appellant joined service as a research officer PBS-17 in P&D department having been selected on recommendation of Public Service Commission.
2. That the appellant was promoted as Assistant Chief BPS-18 in 1994.
3. That the appellant was promoted to BPS-19 on acting charge basis as chief of section in 2007 and ultimately his promotion was regularized in the same basic pay scale on 18-10-2016 while the appellant was to remain on probation for one year.(Copy of the order dated 29-05-2007 and 18-10-2016 are attached as annexure "A" & "B" respectively).
4. That it is pertinent to mention here that the appellant was the senior most Assistant Chief in the department and the post of chief of section was lying vacant since long and the appellant had time and again appealed before the competent authority for regularization of his promotion.(Copy of the final seniority list dated 04-08-2016 of Assistant Chief and appeal against delay for regularization of promotion are attached as annexure "C" & "D").
5. That on 11-12-2017 the competent authority was pleased to terminate the probation period of the appellant alongwith two other officers with effect from 17-10-2017.(Copy of the order dated. 11-12-2017 is attached as annexure "E").
6. That the appellant was placed at serial no.3 of the final seniority list of chief of section BPS-19 vide notification dated 05-12-2017. (Copy of the seniority list dated 05-12-2017 is attached as annexure "F").
7. That it is worth mentioning here that the notification for retirement of the appellant with effect from 01-02-2018 had

ATTESTED

EXAMINER
PUBLIC SERVICE COMMISSION

already been issued on 16-05-2017. (Copy of the notification dated 16-05-2017 is attached as annexure "G").

8. That working papers of the appellant along with other officers for promotion against the three vacant posts of senior chief of sections BPS-20 were prepared by the department and placed before the PSB in its meeting on 28-12-2017,

9. That to the astonishment of the appellant the worthy PSB was pleased to defer promotion of the appellant for not doing the necessary training . (Copy of the minutes of the PSB is attached as annexure "H").

10. That being a civil servant the services of the appellant were regulated by the service rules of the department amended from time to time.(Copy of the service rules of the P&D department is attached as annexure "I").

11. That on 17-08-2015 an amendment was introduced by the competent authority vide which the completion of Senior Management Course (SMC) was made mandatory for the purpose of promotion to the post of senior chief of section.(Copy of the notification dated. 27-08-2015 is attached as annexure "J").

12. That likewise the promotion policy 2009 was also amended on 05-12-2017 bringing certain provisions regarding undergoing SMC training. (Copy of the 2009 promotion Policy alongwith amendments is attached as annexure "K").

13. That the appellant filed departmental appeal against the impugned recommendation of the PSB on 31-01-2018 but the same remained un-responded.(Copy of the departmental appeal is attached as annexure "L").

That the appellant left with no other adequate remedy approaches this Hon'ble tribunal inter alia on the following grounds.

ATTESTED

EXAMINER
Syner Zakht
Service Tribunal
Peshawar

A

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GROUNDS:

- A. That the impugned deferment order is against the law and facts of the file.
- B. That the probation period of the appellant was terminated on 11-12-2017 while the appellant was due to retire from 01-02-2018 so it was humanly impossible to undergo the four months training in 51 days.
- C. That the appellant was never offered the training nor was ever nominated for the same thus denying the due right to the appellant is against the law and the promotion policy.
- D. That the competent authority and the PSB has exempted many officers from the training who were beyond the age of 58 years and thus was promoted without undergoing the training. (Copy of the promotion order is attached as annexure "M").
- E. That the notification dated 27-08-2015 amending the service rules for SMC has never been published in the Official Gazette, thus its enforcement was not mandatory in case of the appellant.
- F. That the appellant has been discriminated against.
- G. That the appellant is entitled to notional promotion from the date when the seat of Senior Chief of section fell vacant.
- H. That the appellant may please be allowed to adduce additional documents/ arguments at the time of hearing of the instant appeal.

It is, therefore, humbly prayed that on acceptance of the instant appeal, the impugned order/ recommendation of the worthy PSB may kindly be set aside and the appellant may kindly be granted notional promotion from the date when the post of Senior Chief of section fell vacant.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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Any other order/ relief deemed proper and in circumstances of the case may kindly be passed/ granted as well.

M. B. Q.

Appellant

Through

Naveed Akhtar

Naveed Akhtar
Advocate Supreme Court

Date: ___/ ___/2018

Certified to be true copy
[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 16-8-21
Number of Words 7000
Copying Fee 92/-
Urgent 4/26/21
Total _____
Name of Copy _____
Date of Completion of Copy 16-8-21
Date of Delivery of Copy 16-8-21

قیمت
50 روپے

129749



ایڈوکیٹ: خوید احمد

بار کونسل/ایسوسی ایشن نمبر: 10-7400

رابطہ نمبر: 0300.9596181

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سروس کنڈکشن کے لیے

| | |
|--------------------------|-----------|
| منجانب: <u>خوید احمد</u> | دعویٰ: |
| | علت نمبر: |
| | مورخہ: |
| | جرم: |
| | تھانہ: |

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام سروس کے لیے خوید احمد صاحب کو خوید احمد صاحب کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا مکمل اختیار ہوگا، نیز ذمیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل انگریزی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے لے کر اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا مستحقہ پر دستخط منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانے اتوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سہ ہے

المقوم: خوید احمد

مقام: پشاور

اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

“B”

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

No.

EP No - 601
Appeal No. 593 of 20 12
Nabannad Bashi Khan Appellant/Petitioner

Through Chief ^{Versus} Sey Peshawar Respondent
Respondent No. (1)

Notice in:

Through Chief Sey Peshawar

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 19/10/2022 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 17th

Day of Oct 2022

For Impl-ment-
tion
Deposit

[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.

[Signature] 17/10/2022

"B"

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

No.

Appeal No. EP No 601 of 2022
Muhammad Beshir Khan Appellant/Petitioner

Through Chief Secy Peshawar Respondent
Respondent No. (2)

Notice in:

Secy Establishment Deptt: Peshawar.

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 19/10/2022 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 17/10

Day of Oct 2022

For Impl-ment-ation report

[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.

17/10/22
PS/Secy ECAD KP
Diary No. _____
FTS No. _____
Date. _____

"B"

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

No.

Appeal No. EP No. 601 of 2012

Muhammad Zahir Khan Appellant/Petitioner

Tinogh Singh Versus Respondent
Respondent No. (3)

PS to ACS P&D Deptt. Gray
Diary No. Dated
17-10-12

Notice in:

Additional Chief Secy Planning & Development
Deptt: (P&D) KPK Peshawar

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 17/10/2012 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 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 17th

Day of Oct 20

For Imp-ment-
Registrar

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.

"B"

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

No.

Appeal No. EP No. 601 of 2022
Muhammad Basit Khan Appellant/Petitioner

Through Chief Secy Peshawar Respondent
Respondent No. (42)

Notice in:

Provincial Selection Board through Secy
Establishment (Secy of the Board) Govt of KP.

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 19/11/2022 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.

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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 17/11

Day of 21 2022.

For Imp-ment-ation
Request

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.

S/AS/Secy E&AD KF
Diary No. _____
FTS No. _____