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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EXECUTION PETITION NO. 250/2022

Khyber Pakhtunkhwa
Service Tribunal

Haseeb Zeb Appellant No. 3239
Dated 30-1-2023

VERSUS

Govt. of Khyber Pakhtunkhwa & Others..... Respondents

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BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

EXECUTION PETITION NO. 250/2022

Haseeb Zeb **Appellant**

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary & Others **Respondents**

IMPLEMENTATION REPORT ON BEHALF OF RESPONDENTS NO. 1 & 2

Respectfully Sheweth,

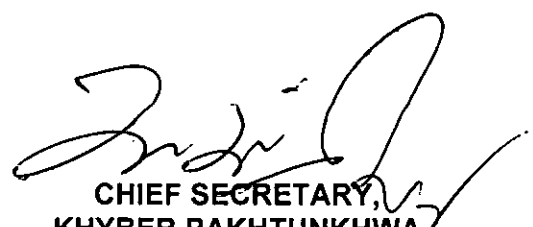
1. That the Hon'able Service Tribunal, in Service Appeal No. 1227/2020 directed the following:-

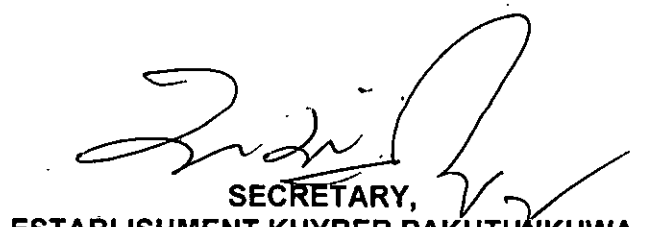
***“to adjust the appellants in their respective department i.e. Establishment & Administration Department against their respective posts and in case of non-availability of post, the same shall be created for the appellants on the same manner, as were created for other administrative departments vide Finance Department's Notification dated 11-06-2020. Upon their adjustment in their respective departments, they are held entitled to all consequential benefits. The issue of their seniority/promotion shall be dealt with in accordance with the provisions contained in Civil Servants Act, 1973 and Khyber Pakhtunkhwa Government Servants (Appointment, Promotion & Transfer) Rules, 1989, particularly section 17(3) of KPK Govt. Servants (Appointment, Promotion & Transfer) Rules, 1989.*”**

2. That being aggrieved of the said order, the respondents filed CPLA in the Supreme Court of Pakistan, Islamabad, which is pending adjudication.
3. That the appellants filed E.P No. 250/2022 in this Hon'able Tribunal. The respondents were directed vide order dated 19-12-2022 by the Tribunal to implement the judgment *ibid*.
4. In order to honor the judgment of Service Tribunal, Establishment Department conditionally adjusted Mr. Hanif-Ur-Rehman Mr. Qaiser Khan, Mr. Shoukat Hussain & Mr. Ashiq Hussain as Assistant (BS-16) in Civil Secretariat, Peshawar till final judgment of Supreme Court of Pakistan in CPLA No. 358-P/2022 dated 25-04-2022 which is pending adjudication before the Supreme Court of Pakistan.
5. That vacant posts of Computer Operators and Naib Qasid were not available, therefore, case was taken up with Finance Department for creation of the posts. Reminders have also been issued to Finance Department for expediting the matter/case. On creation of the posts, the appellants will be adjusted accordingly, conditionally subject to the final outcome of pending CPLA.
6. Thus, the respondents have complied with the orders of this Hon'able Tribunal in letter and spirit.

PRAYER:

Keeping in view the above submissions, the instant Execution Petition No. 250/2022, being devoid of legal merit may very kindly be dismissed with cost.


**CHIEF SECRETARY,
KHYBER PAKHTUNKHWA
(RESPONDENT NO. 01)**


**SECRETARY,
ESTABLISHMENT KHYBER PAKHTUNKHWA
(RESPONDENT NO.02)**

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BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

EXECUTION PETITION NO. 250/2022

Haseeb ZebAppellant

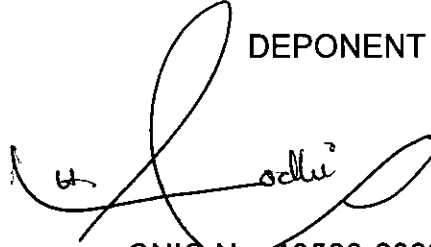
VERSUS

Govt. of Khyber Pakhtunkhwa & Others.....Respondents

AFFIDAVIT

I, Majid Hannan Lodhi, Section Officer (Litigation) BPS-17, Judicial Wing, Establishment Department, Govt. of Khyber Pakhtunkhwa do hereby solemnly declare that contents of the reply are correct to the best of my knowledge and record and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT



CNIC No. 13503-8092069-1

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