

14.01.2021

Neither petitioner nor his respective counsel is present when the case was lastly called on for hearing on 12:15 P.M. Mr. Noor Zaman Khattak, District Attorney and Mr. Naqeeb Khan, Section Officer, for the respondents are present.

The representative of respondent submitted implementation report which is placed on file. Copy of the same has to be delivered to the petitioner in this regard petitioner and his respective counsel be noticed for 10.03.2021 before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

10.03.2021

Mr. Naeem Ullah Khan, son of the petitioner, on behalf of the petitioner present. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents present.

Mr. Naeem Ullah Khan son of the petitioner submitted copy of office order bearing No.SO(Estt-I)1-5/2019/HaqDad dated 28.10.2020 vide which petitioner has been allowed notional promotion from the post of Assistant Accountant BPS-16 to the post of Assistant Treasury Officer BPS-17 with effect from 12.02.2012 one day prior to his retirement, which is placed on record.

Son of the petitioner also produced/submitted formal request of the petitioner dated 08.03.2021, duly signed by him, seeking disposal of his execution petition on the ground that he has been compensated with his due rights. In this regard signature of Mr. Naeem Ullah Khan son of the petitioner was obtained on the margin of order sheet as a token of proof.

In view of the above, the instant execution petition is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
10.03.2021

(MIAN MUHAMMAD)
MEMBER (E)

Execution petition has been implemented therefore the case is withdrawn

*Naeem Ullah Khan
10/3/2021
S/o Haq Dad Khan*

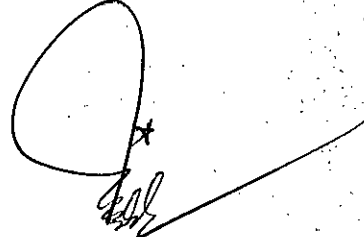
01.10.2020

None for the petitioner present.

Mr. Kabirullah, Khattak, Additional Advocate General
alongwith Mr. Sajid, Supdt: for respondents present.

Notices be issued to the appellant and his counsel for
appearance.

Adjourned to 25.11.2020 before S.B.

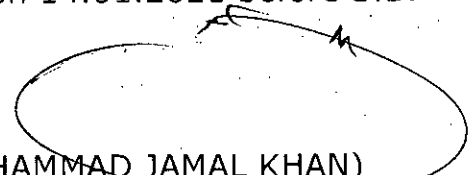


(Mian Muhammad)
Member (E)

25.11.2020

None for the petitioner is present. Mr. Kabirullah
Khattak, Additional Advocate General for the respondent is
present.

Respondents has submitted implementation report, the
same is placed on record. On attendance, its copy has to be
delivered to petitioner. File to come up for attendance of
petitioner and further proceedings on 14.01.2021 before S.B.



(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

30.06.2020

Counsel for petitioner present.

Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Sajid Khan Superintendent for the respondents present.

Again, a request was ^{made} on behalf of the respondents for submission of the outcome of summary which had reportedly been sent to the Chief Minister and is evident from the order of this court dated 26.02.2020. Last chance is given. To come up for implementation report on 17.08.2020 before S.B, with direction to learned AAG to make sure presence of any officer not below the Grade-17 on behalf of respondents, in order to apprise the court in respect of the outcome of summary.

Member (J)

17.08.2020

Muhammad Naeem son of the appellant present.
Mr.Ziaullah, DDA alongwith Mr. Muhammad Shamim, SO for respondents present.

Representative of the respondents stated that the department has ~~filed~~/submitted CPLA before the august Supreme Court of Pakistan which is fixed today and requested for adjournment for final outcome of the said CPLA before the august Apex Court.

Adjourned to 01.10.2020 before S.B.

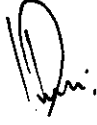
(Mian Muhammad)
Member(E)

15.01.2020

Mr. Naeemul Hassan for petition and Addl. AG alongwith Sajid Superintendent for the respondents present.

Former requests for adjournment due to general strike of the Bar today. Adjourned to 26.02.2020 for further proceedings.

Chairman



26.02.2020

Mr. Naeemullah son of the petitioner present. Mr. Kabirullah Khattak, Addl. AG alongwith Sajid Superintendent for the respondents present. Representative of the respondents states that summary to Chief Minister has been moved and the outcome is expected in the near future. To come up for implementation report/further proceedings on 07.04.2020 before S.B.

(Hussain Shah)
Member



07.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 30.06.2020 for the same. To come up for the same as before S.B.

Reader



EP 257/2019

31.10.2019

Petitioner in person and Addl. AG alongwith Sohail Ahmad, Assistant for the respondents present.

The representative of respondent No. 2 states that the requisite case of implementation of judgment is to be initiated by Director Treasury Khyber Pakhtunkhwa who is not a party to the proceedings.

The Treasury Department is an attached department of Finance Department Khyber Pakhtunkhwa. The respondent No. 2 is, therefore, required to obtain the requisite documents as well as initiation of case for implementation from the Director Treasury and proceed further ~~at~~ an early date. Adjourned to 04.12.2019 before S.B.

Chairman



04.12.2019

Petitioner with counsel and Addl. AG alongwith Sajid Superintendent for the respondents present.

The representative of Finance Department has submitted a copy of letter dated 28.11.2019 addressed to the Director, Treasuries & Accounts Khyber Pakhtunkhwa. Through the ~~letter~~^{et} the Director has been required to provide working paper for DPC regarding notional promotion of petitioner. He also states that the case of petitioner would positively be laid before the forthcoming DPC.


Adjourned to 15.01.2020 for further proceedings in the matter.

Chairman



05.09.2019

Petitioner in person present. Mr. Usman Ghani, District Attorney for respondents present. Fresh notices be issued to the respondents for submission of implementation report. To come up for further proceedings on 03.10.2019 before S.B.


(Ahmad Hassan)
Member

03/10/2019

Petitioner in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sajid, Superintendent for the respondents present.

The representative of respondents states that the matter of CPLA against the judgment under implementation is still pending before August Supreme Court of Pakistan and application for its early hearing has been moved.



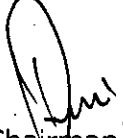
The respondents are required to furnish implementation report on next date of hearing in case the judgment of Tribunal is not suspended or set-aside till then. Adjourned to 31.10.2019 before S.B.


CHAIRMAN

Form- A
FORM OF ORDER SHEET

Court of _____

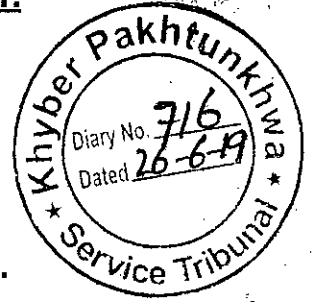
Execution Petition No. 257/2019

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 26.06.2019 | <p>The execution petition of Mr. Haqdad Khan submitted today may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/6/19</p> |
| 2- | | <p>This execution petition be put up before S. Bench on <u>29/07/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> |
| | 29.07.2019 | <p>Counsel for the petitioner, Mr. Usman Ghani, District Attorney for respondents present.</p> <p>Notices for the next date of hearing be issued to respondents.</p> <p>Adjourned to 05.09.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p> |

Before the Khyber Pakhtunkhwa, Service Tribunal Peshawar.

Execution Petition No. 257/2019

In Service Appeal No.1118/2012.



Haqdad Khan----- Petitioner/Applicant.

Asstt: Treasury Officer (Retd.)
R/O Basia Khel Surrani, Distt Bannu. Vs

1. Chief Secretary, Government of Khyber Pakhtunkhwa.
 2. Finance Secretary, Government of Khyber Pakhtunkhwa.
 3. Accountant General, Khyber Pakhtunkhwa
- } **Respondents**

Subject: **Application for initiating Contempt of Court Proceeding directing the respondents to implement the Judgement dated 16.10.2017 of this Honorable Tribunal in letter and Spirit.**

Respectfully sheweth,

1. That the applicant has filed Service Appeal No. 1182/12 in this Honorable Tribunal.
2. That Service Appeal was entertained and allowed vide Judgement dated 16.10.2017 (copy enclosed as **Annex-A**) in favour of the applicant in the following terms:-
"Consequently the departmental authority is directed to consider the case of appellant for notional promotion with pensionary benefits under the Law and convene the DPC/PSB Meeting in this respect."
3. That the applicant thereafter approached the respondents for implementation of the Judgement and orders of this Honorable Tribunal by submitting various applications and personal visits, however they gave a deaf ear to all requests of the applicant. (copies enclosed as **Annexure-B & C**).
4. That the respondents are willfully floating and violating the judgement dated 16.10.2017 of this Honorable Tribunal and not implementing in letter and spirit and had made themselves liable to be proceeded against for not complying with the orders of this Honorable Tribunal.

It is therefore humbly prayed that on acceptance of instant application, the respondents may be directed to implement the judgement of this Honorable Tribunal dated 16.10.2017 in Service Appeal No. 1118/2012 in letter & spirit without further delay for the sake of Justice and Rule of Law.

Your's Faithfully

Haqdad Khan
Haqdad Khan (In Person)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

ANNEX - A

No 2439/ST

Dated 14/11/2017

C

To



The Secretary Finance Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject:

JUDGEMENT IN APPEAL NO. 1118/12, MR. HAQ DAD KHAN.

I am directed to forward herewith a certified copy of judgment dated 16/10/2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR. 

2

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO: 1118 / 2012

K.W.F. Province
Peshawar
1156
16/10/12



HAQDAD KHAN,
Assistant Treasury Officer (Retd.)
R/o Basi Khel Surrani,
Tehsil & District Bannu.

..... *Appellant*

VERSUS

1. GOVERNMENT OF KPK,
Through Chief Secretary,
Government of Khyber Pakhtunkhwa,
Peshawar.
2. SECRETARY FINANCE,
Government of Khyber Pakhtunkhwa,
Finance Department, Civil Secretariat, Peshawar.
3. ACCOUNTANT GENERAL,
KPK, Peshawar.

..... *Respondents*

16/10/12

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974:

- I. AGAINST NON CONSIDERATION OF APPELLANT IN PSB / DPC MEETING,
- II. AGAINST IMPUGNED PROMOTION ORDER IN PURSUANCE OF THE DPC /PSB MEETING DATED 25.06.2012 WHEREBY JUNIORS TO THE APPELLANT WERE PROMOTED

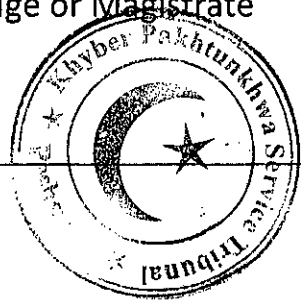
ATTESTED

[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

3

1.

| Sr. No | Date of order/proceedings | Order or other proceedings with signature of Judge or Magistrate |
|---|---------------------------|--|
| 1 | 2 | 3 |
| <p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Service Appeal No. 1118/2012</p> <p style="text-align: center;">Date of Institution ... 16.10.2012 Date of Decision ... 16.10.2017</p> <p>Haqdad Khan, Assistant Treasury Officer (Retd) R/o Basi Khel Surrani, Tehsil & District Bannu.</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <p>1. The Government of KPK, through Chief Secretary. 2. The Secretary Finance, Government of KPK Civil Secretariat, Peshawar. 3. The Accountant General, KPK, Peshawar.</p> <p style="text-align: right;">Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for the appellant and learned District Attorney of respondent present.</p> <p>2. The appellant has filed the present appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents wherein he made impugned promotion order dated 25.06.2012, passed in pursuance of the D.P.C/P.S.B meeting, on the ground that the D.P.C/P.S.B meeting was malafidely convened after the retirement of the appellant and the D.P.C/P.S.B in its meeting did not consider the appellant for promotion rather officials junior the</p> | | |



Bannu

16.10.2017

ATTESTED

[Signature]
EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

④

appellant were promoted. Prayer of the appellant is for notional promotion with pensionary benefits.


3. Learned counsel for the appellant argued that since 05.07.2010 the appellant was the senior most Assistant Accountant and was also holding the post of Assistant Treasury Officer (BS-17) on current charge basis vide order dated 27.03.2009. Further argued that the appellant obtained the age of superannuation on 13.02.2012 and prior to the retirement of appellant six (06) posts of Assistant Treasury Officers (BS-17), were lying vacant, however the meeting of the D.P.C/P.S.B was delayed and convened after the retirement of the appellant and that the D.P.C/P.S.B did not consider the appellant for promotion from the date the vacancy in BS-17 was lying vacant in the 20% quota reserved for promotion of the Assistant Accountants rather promoted the Assistant Accountants who were junior to the appellant in the seniority list. Further argued that the appellant has not been treated in accordance with law. Learned Counsel for the appellant stressed that the appellant is entitled to be promoted as Assistant Treasury Officer (BS-17) for pensionary benefits.

4. As against that Learned District Attorney while opposing the present appeal argued that no vacancy was lying vacant in the quota of the appellant before his retirement as such his name was not considered by the D.P.C/P.S.B for promotion.

5. Arguments heard. File perused.

6. There is no dispute that as a result of Mr. Abbas Khan

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(5)

promotion to the next higher grade as Assistant Treasury Officer on 05.07.2010, the appellant became the senior most Assistant Accountant and then working paper with regard to the promotion of Assistant Accountants/Sub Accountants to the post of Assistant Treasury Officers/Sub Treasury Officers was prepared on 19.04.2012 after the retirement of the appellant. Resultantly the next meeting of D.P.C/P.S.B was convened.

7. Perusal of working paper would show that six (06) posts of Assistant Treasury Officers/Sub Treasury Officers were lying vacant since 01.05.2011, moreover as a result of promotion of six (06) Assistant Treasury Officers to the post of District Account Officers, in all twelve (12) vacancies became available. Out of these twelve (12) vacancies nine (09) vacancies were filled up by promotion on regular basis upon the recommendation of D.P.C/P.S.B vide promotion order dated 25.06.2012. Out of nine (09) promotees two officials were junior to the appellant in the seniority list while the appellant was not considered for notional promotion.

8. There is no denying the fact that according to the rules in vogue 20% of the vacancies of Assistant Treasury Officers/Sub Treasury Officers are required to be filled up by promotion on the basis of seniority cum fitness from amongst the holders of the post of Assistant Accountants.

9. As already observed that according to the working paper six (06) posts of Assistant Treasury Officers/Sub Treasury Officers

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

6

were lying vacant as on 01.05.2011 when the appellant had not yet attained the age of superannuation. However the meeting of D.P.C/P.S.B was held only after the retirement of the appellant. For the delay in convening the meeting of D.P.C/P.S.B, the appellant should not be made to suffer, consequently the departmental authority is directed to consider the case of appellant for notional promotion with pensionary benefits under the law and convene the SD.P.C/P.S.B meeting in this respect. Parties are left to bear their own costs. The present appeal is decided in the above terms. File be consigned to the record room after its completion.



(AHMAD HASSAN)
MEMBER



(MUHAMMAD HAMID MUGHAL)
MEMBER

ANNOUNCED
16.10.2017

Certified to be true copy
MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 16/10/2017

Number of Words 1600

Copying Fee 0.5.10/-

Urgent 25.2/

Total 121/-

Name of Copyist [Signature]

Date of Completion of Copy 16/10/2017

Date of Delivery of Copy 16/10/2017

To

Annex-B

The Chief Secretary,
Government of Khyber Pakhtunkhwa.

G

Subject: REQUEST FOR IMPLEMENTATION OF JUDGEMENT OF SERVICE TRIBUNAL DATED 16.10.2017.

Respected Sir,

With due respect I beg to submit that the Service Tribunal in appeal of the undersigned has passed orders dated 16.10.2017 with the direction to the Department and authority to consider the case of applicant for notional promotion with pensionary benefits under the Law and convene the DPC/PSB meeting (copy of the judgment is enclosed).

Despite my several visits to the concerned department requesting for implementation of the aforesaid judgement, the department concerned has not implemented the decision so far depriving me of my due right of notional promotion with pensionary benefits.

It is, therefore, requested that my application for implementation of above judgement may kindly be honored and obliged.

Thanks.

yours faithfully,

Dated Peshawar the 28.12.2017.

Haqdad Khan
28/12/2017

(HAQDAD KHAN)
Ex-Assistant Treasury Officer
R/O Basia Khel Surrani
District Bannu.

PS/C.S Khyber Pakhtunkhwa
Diary No. 5609
Date 20-05-2019

To

The Chief Secretary,
Government of Khyber Pakhtunkhwa.

Subject: REQUEST FOR IMPLEMENTATION OF JUDGEMENT OF SERVICE TRIBUNAL DATED 16.10.2017.

Respected Sir,

With due respect I beg to submit that I requested for implementation of judgement of Service Tribunal dated 16.10.2017 regarding my case for notional promotion with pensionary benefits under the law as well convening the DPC/PSB meeting (copy of my earlier request / court order is enclosed for ready reference).

The concerned department i.e. Finance has not taken any action in the implementation of the court order as per my request.

It is once again requested that the concerned department may kindly be directed to implement the court decision on its merit under the law without any further delay so that I could be compensated.

Thanks.

yours faithfully,

Dated: 17.05.2019

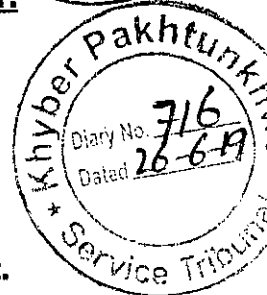
Haq Dad Khan
(HAQ DAD KHAN) *17/5/2019*
Ex-Assistant
Treasury Officer
R/O Basia Khel
Surrani Bannu



Before the Khyber Pakhtunkhwa, Service Tribunal Peshawar.

Execution Petition No. 257/2019

In Service Appeal No. 1118/2012.



Haqdad Khan----- Petitioner/Applicant.

Assft: Treasury Officer (Retd.)
R/O BASIA KHAN SURYANI, DISTT BANNU. Vs

1. Chief Secretary, Government of Khyber Pakhtunkhwa.
2. Finance Secretary, Government of Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa

Respondents

Subject: **Application for initiating Contempt of Court Proceeding directing the respondents to implement the Judgement dated 16.10.2017 of this Honorable Tribunal in letter and Spirit.**


Respectfully sheweth,

1. That the applicant has filed Service Appeal No. 1182/12 in this Honorable Tribunal.
2. That Service Appeal was entertained and allowed vide Judgement dated 16.10.2017 (copy enclosed as **Annex-A**) in favour of the applicant in the following terms:-
"Consequently the departmental authority is directed to consider the case of appellant for notional promotion with pensionary benefits under the Law and convene the DPC/PSB Meeting in this respect."
3. That the applicant thereafter approached the respondents for implementation of the Judgement and orders of this Honorable Tribunal by submitting various applications and personal visits, however they gave a deaf ear to all requests of the applicant. (copies enclosed as **Annexure-B & C**).
4. That the respondents are willfully floating and violating the judgement dated 16.10.2017 of this Honorable Tribunal and not implementing in letter and spirit and had made themselves liable to be proceeded against for not complying with the orders of this Honorable Tribunal.

It is therefore humbly prayed that on acceptance of instant application, the respondents may be directed to implement the judgement of this Honorable Tribunal dated 16.10.2017 in Service Appeal No. 1118/2012 in letter & spirit without further delay for the sake of Justice and Rule of Law.

Your's Faithfully

Haqdad Khan
Haqdad Khan (In Person)

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Execution Petition No. 257/2019



14.01.2021

Neither petitioner nor his respective counsel is present when the case was lastly called on for hearing on 12:15 P.M. Mr. Noor Zaman Khattak, District Attorney and Mr. Nageeb Khan, Section Officer, for the respondents are present.

The representative of respondent submitted implementation report which is placed on file. Copy of the same has to be delivered to the petitioner in this regard petitioner and his respective counsel be noticed for 10.03.2021 before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

Execution petition has been implemented there fore
the case.

10.03.2021

Mr. Naeem Ullah Khan, son of the petitioner, on behalf of the petitioner present. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents present.

Mr. Naeem Ullah Khan son of the petitioner submitted copy of office order bearing No.SO(Estt-I)1-5/2019/HaqDaddated 28.10.2020 vide which petitioner has been allowed notional promotion from the post of Assistant Accountant BPS-16 to the post of Assistant Treasury Officer BPS-17 with effect from 12.02.2012 one day prior to his retirement, which is placed on record.

Son of the petitioner also produced/submitted formal request of the petitioner dated 08.03.2021, duly signed by him, seeking disposal of his execution petition on the ground that he has been compensated with his due rights. In this regard signature of Mr. Naeem Ullah Khan son of the petitioner was obtained on the margin of order sheet as a token of proof.

In view of the above, the instant execution petition is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
10.03.2021

Certified to be true copy

MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(MIAN MUHAMMAD)
MEMBER (E)

Date of Presentation of Application _____
Number of Words 800
Copying Fee 10.00
Urgent _____
Total 16.00
Name of Copyist _____
Date of Completion of Copy _____
Date of Delivery of Copy _____

20/3/2021 Naeem Ullah Khan
S/o Haq Dad Khan

Munir Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 28-10-2020.

Finance Department Civil Secretariat, Peshawar <http://www.finance.gkp.pk> Telephone: 091-9211532

OFFICE ORDER

No.56(Ess-11-D/2019/Fin. Dept) In pursuance of Khyber Pakhtunkhwa Service Tribunal Judgment dated 16-07-2017, in Revision against No. 1118/2012 of Mr. Haq Dad Khan vs Govt: of Khyber Pakhtunkhwa & others, subsequent order of Hon'ble Court of Pakistan dated 17-08-2019 in OPL No.56-P/2018 and recommendation of Departmental Promotion Committee the competent authority has been pleased to order the promotion of Mr. Haq Dad Khan, Extensionary No. 10001 PPS-16, to the post of Assistant Treasury Officer BPS-17 on national costs w.e.f. 12-01-2020 till the day prior to his retirement.

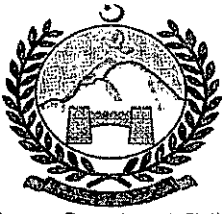
Munir Khan

Endst: No: & Date even

Copy forwarded for information to:-

1. The Accountant General, Khyber Pakhtunkhwa.
2. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
3. The District Controller of Accounts, Bannu.
4. PS to Secretary, Finance Department.
5. PS to Special Secretary, Finance Department.
6. PS to Audit Secretary (Admn), Finance Department.
7. PS to Joint Chief Inspector (FIAC), Finance Department.
8. Mr. Haq Dad Khan for his promotion to the post of Assistant Treasury Officer BPS-17.
9. Office order file.

Munir Khan
28/10/2020



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 28-10-2020.

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKPPD](https://www.facebook.com/GoKPPD) twitter.com/GoKPPD

OFFICE ORDER

No.SO(Estt-I)1-5/2019/Haq Dad/ In pursuance of Khyber Pakhtunkhwa Service Tribunal Judgment dated 16-10-2017, in Service Appeal No. 1118/2012 of Mr. Haq Dad Khan vs Govt: of Khyber Pakhtunkhwa & others, subsequent order of Supreme Court of Pakistan dated 17-08-2020 in CPLA No.36-P/2018 and recommendation of Departmental Promotion Committee, the competent authority has been pleased to order the promotion of Mr. Haq Dad Khan, Ex-Assistant Accountant BPS-16, to the post of Assistant Treasury Officer BPS-17 on notional basis w.e.f. 12-02-2012 i.e. one day prior to his retirement.

SECRETARY FINANCE

Endst: No: & Date even

Copy forwarded for information to:-

1. The Accountant General, Khyber Pakhtunkhwa.
2. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
3. The District Comptroller of Accounts, Bannu.
4. PS to Secretary, Finance Department.
5. PS to Special Secretary, Finance Department.
6. PS to Addl: Secretary (Admn), Finance Department.
7. PA to Provincial Coordinator (PIAC), Finance Department.
8. Mr. Haq Dad Khan c/o District Comptroller of Accounts, Bannu.
9. Office order file.

MJ Blw
28/10/20
Section Officer(Estt-I)

To

The Registrar,
Services Tribunal,
Khyber Pakhtunkhwa Peshawar.

SUBJECT:- **EXECUTION PETITION NO. 257 OF 2019 IN RESPECT OF HAQDAD KHAN**

Respected Sir,

With reference to the subject Execution Petition Notice dated Nil fixing therein hearing on 10.03.2021, the applicant would like to bring the following facts in kind notice of the Hon'ble Service Tribunal Khyber Pakhtunkhwa Peshawar:-

1. That after filing the subject execution petition in the Service Tribunal two or three hearing on various dates have already been attended by the applicant;
2. That the Provincial Government also challenged the judgement of the Service Tribunal dated 16.10.2017 in the Supreme Court of Pakistan;
3. That the Supreme Court of Pakistan in its judgment dated 17.08.2020 in the CPLA No. 36-P/2018 accepted the Service Tribunal decision dated 16.10.2017 (copy enclosed for ready reference);
4. That pursuant to the Supreme Court of Pakistan order dated 17.08.2020, the Provincial Government (Finance Department) has issued the promotion order vide No. SO(Estt-I)1-5/2019/Haq Dad/ dated 28.10.2020 in favour of the applicant as such the subjudice case stand resolved in favour of the applicant. (Copy enclosed)

2. In view of the above explained position, since the applicant has already been compensated with his due rights, therefore subject execution petition filed by the applicant may kindly be disposed off accordingly please.

Dated 08.03.2021

Haq Dad Khan
(Haqdad Khan) 8/03/2021

Assistant Treasury Officer (Rdt)
R/o Basiakhel Tehsil & District Bannu
Mobile No. 0333 973 0974
CNIC No. 11101-1434659-7

"A"

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

No.

Execution Petition 257
APPEAL No..... of 20 19

S.B

Haqdad Khan

Appellant/Petitioner

Versus

Through Chief Secretary KPK Peshawar.

RESPONDENT(S)

Notice to Appellant/Petitioner

Haqdad Khan Assistant
Treasury Officer. (Retd) R/O Basim
Surgani Tehsil & Distt. Bannu.

Take notice that your appeal has been fixed for Preliminary hearing, replication/ affidavit/counter affidavit/record/arguments/order before this Tribunal on 10/3/2021 at 9: am.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Haqdad Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 28-10-2020.

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKPFD](https://www.facebook.com/GoKPFD) twitter.com/GoKPFD

OFFICE ORDER

No.SO(Estt-I)1-5/2019/Haq Dad/ In pursuance of Khyber Pakhtunkhwa Service Tribunal Judgment dated 16-10-2017, in Service Appeal No. 1118/2012 of Mr. Haq Dad Khan vs Govt: of Khyber Pakhtunkhwa & others, subsequent order of Supreme Court of Pakistan dated 17-08-2020 in CPLA No.36-P/2018 and recommendation of Departmental Promotion Committee, the competent authority has been pleased to order the promotion of Mr. Haq Dad Khan, Ex-Assistant Accountant BPS-16, to the post of Assistant Treasury Officer BPS-17 on notional basis w.e.f. 12-02-2012 i.e. one day prior to his retirement.

SECRETARY FINANCE

Endst: No: & Date even

Copy forwarded for information to:-

1. The Accountant General, Khyber Pakhtunkhwa.
2. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
3. The District Comptroller of Accounts, Bannu.
4. PS to Secretary, Finance Department.
5. PS to Special Secretary, Finance Department.
6. PS to Addl: Secretary (Admn), Finance Department.
7. PA to Provincial Coordinator (PIAC), Finance Department.
8. Mr. Haq Dad Khan c/o District Comptroller of Accounts, Bannu.
9. Office order file.

M. B. Khan
28/10/2020
Section Officer (Estt-I)

F.No.Order 2020 (P-97)

munir.khan@finance.gkp.pk

(091) 9211532



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 28-10-2020.

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKPFDD](https://www.facebook.com/GoKPFDD) twitter.com/GoKPFDD

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8. Mr. Haq Dad Khan c/o District Comptroller of Accounts, Bannu.
9. Office order file.

M. J. Khan
28/10/20
Section Officer(Estt-I)



DIRECTORATE GENERAL OF LAW & HUMAN RIGHTS
KHYBER PAKHTUNKHWA, STREET B.2 PLOT NO. 21
PHASE 5, HAYATABAD PESHAWAR

No.SOL/DG/Law/9-9(2)Finance/2017/____
Dated Peshawar the 6/9/2019

To

The Secretary,
Government of Khyber Pakhtunkhwa,
Finance Department.

Attention: Section Officer (Lit-I).

SUBJECT: SERVICE APPEAL NO.1118/2012 TITLED AS HAQDAD KHAN VS
GOVERNMENT OF KHYBER PAKHTUNKHWA.

Dear Sir,

I am directed to refer to your letter No. SO(LIT-I)/FD/1-5/2019/Haqdad, dated: 26.08.2019 on the subject noted above and to inform you that Advocate General, Khyber Pakhtunkhwa has already been requested to file an application for early hearing before the Supreme Court of Pakistan alongwith an application for suspension of impugned judgment dated: 16.10.2017 passed by the Khyber Pakhtunkhwa Services Tribunal Peshawar in the subject case at an early date vide this Directorate letter No. SOL/DG/Law/9-9(2)Finance/2017/10311-12, dated: 29.08.2019 (copy attached for ready reference). You are, therefore, requested to depute Departmental Representative to the office of Advocate General Khyber Pakhtunkhwa / Advocate on Record alongwith complete record of the subject case for doing the needful, please

Yours faithfully,

ASSISTANT SOLICITOR (Lit)

Endst: No.& Date Even.

Copy is forwarded to the Advocate-on-Record, Office of the Advocate General, Khyber Pakhtunkhwa, Peshawar with reference quoted above.

ASSISTANT SOLICITOR (Lit)

[Handwritten signature]

AS/A/lit



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar <http://www.financekpp.gkp.pk> [facebook.com/GoKPPD](https://www.facebook.com/GoKPPD) twitter.com/GoKPPD

NO:SO(ESTT-I)FD/1-5/2019/Haq Dad/

Dated Pesh: the 28-11-2019

To

The Director,
Treasuries & Accounts,
Khyber Pakhtunkhwa.

Subject:- SERVICE APPEAL NO.1118/2012 TITLED HAQDAD KHAN
VERSUS GOVT: OF KHYBER PAKHTUNKHWA

I am directed to refer to your letter No. 1-55/DT&A/19/Up-gradation/2002 dated 08-11-2019 on the subject noted above and to state that a working paper for notional promotion of Mr. Haq Dad Khan, Ex-Assistant Accountant may be furnished at the earliest for placement before the Departmental Promotion Committee for consideration.


Section Officer(Estt-I)

Endst:No: & date even

Copy forwarded for information to the:-

1. Section Officer (Lit-II), Finance Department.
2. PA to Dy:Coordinator (PIAC), Finance Department


Section Officer(Estt-I)