


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. **67/2023**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	07.02.2023	<p>The application for restoration of Execution Petition No.22/2011 submitted today by Mr. Afrasiab Khan Wazir Advocate. It is fixed for hearing before Single Bench at Peshawar on _____ . Original file be requisitioned. Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Restoration Appli No. 137/2023
C.M No _____/2023

IN

Execution petition No.22/2011

Appeal No.1542/2008

SOHRAB HAYAT

VS

EDUCATION DEPTT:

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APPELLANT

THROUGH:

AJ *siab*
AFRASIAB KHAN WAZIR
ADVOCATE HIGH COURT

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Restoration Appli. no. 67/2023
C.M No _____/2023

Execution petition No.22/2011

IN

Appeal No.1542/2008

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3469

Dated 07/02/2023

Mr. Sohrab Hayat S/O Umar Hayat CT Govt Middle School
Peshawar Cantt:

VERSUS

- 1- Govt of NWFP through Secretary School and literacy NWFP, Peshawar.
- 2- Secretary finance NWFP, Peshawar.
- 3- Director School and literacy NWFP Peshawar.
- 4- Executive District Officer (School & Literacy) Peshawar.

**APPLICATION FOR RESTORATION OF THE AFOREMENTIONED
EXECUTION PETITION**

R/SHEWETH:

- 1- That the aforementioned execution petition was pending before this August Tribunal for implementation vide dated 08.12.2022.
- 2- That on the aforementioned dated Mr. Adeel Butt, Additional Advocate General along with ADEO Mr Arshad Ali on behalf of respondents were present, sought time by the respondents via application from this August tribunal wherein last chance was granted till 09.01.2023 for implementation and further mentioned in order sheet that if in case implementation is not made on the date fixed this matter shall be fixed on daily basis being oldest on the diary of the tribunal. Copy of the order sheet is attached.....A.
- 3- That today dated 09.01.2023 the execution petition was fixed via abovementioned order sheet but the case was missing in today's cause list dated 09.01.2023.
- 4- That after knowing that the execution petition is consigned vide order sheet dated 22.12.2022 being implemented as the Additional advocate General submitted implementation report. Copy of the order sheet dated 22.12.2022.....B
- 5- That the implementation report submitted by the Additional Advocate general are just letters and not an implementation

report in letter and spirit being old delaying tactics of the respondents used repeatedly. Copy of the letter is attached.....C

- 6- The implementation report is to be submitted by the finance department while the letter which is placed on file is just to forwarding letter and nothing more than that.
- 7- The respondent hasn't got approval of the finance department for preparation of the bill neither sanctioned any amount to the petitioner till dated played tactics with the Honorable Tribunal.
- 8- For implementation of the execution petition proper approval is required from the finance department which are till dated not agitated by the respondents.
- 9- The main purpose of the respondents submission of the letters in the absence of the counsel for the appellant, to evade the judgment implementation in letter and spirit.
- 10- The petitioner till dated not received any report from the finance department of its implementation in the form of arrear.
- 11- The respondents prevaricated while submission of the implementation which is just letters only not an implementation report in letter and spirit in true sense of the judgment.
- 12- The above-mentioned execution can only be implemented if the finance department approves the bills and its arrears in vivid letters.
- 13- The respondents just wasted the precious time of the tribunal through different tactics which are visible from the day one of the execution petition filling.

It is therefore it is humbly prayed that on acceptance of this restoration of execution petition application the aforementioned execution petition may very kindly be restored for the sake of justice and implementation of Judgment of this August Tribunal.

APPLICANT
Sohrab Hayat
Sohrab Hayat

Through:

Afrasiab Khan Wazir
AFRASIAB KHAN WAZIR
ADVOCATE HIGH COUR

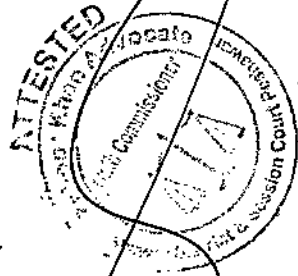
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M NO.# _____ /2023
IN
EXECUTION NO.# 22/2011
IN
APPEAL NO. 1548/20108

SOHRAB HAYAT VS EDUCATION DEPTT:

AFFIDAVIT

I SOHRAB HAYAT do hereby solemnly affirm that the contents of the instant Application of Restoration are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Sohrab Hayat


B.P. 22/2011



8th Dec, 2022

Petitioner alongwith his counsel present Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Arshad Ali, ADEO for respondents present.

Representative of the respondents submitted an application for granting time to submit proper implementation report. Granted but as last chance. Representative of the respondents is directed to submit implementation report on the next date positively on 09.01.2023 before S.B. In case implementation is not made on the date fixed, this matter shall be fixed on daily basis being oldest on the diary of Tribunal

(Kalim Arshad Khan)
Chairman

Certified Signature
Khalid Ahmad
Service Tribunal,
Peshawar

Date: 14-12-22

Number of copies: 200

Cost: 10/-

By: 4/-

15/-

Date: 14-12-22

Date of Delivery of copy: 15-12-22

ANNEX C (6)

OFFICE OF THE PRINCIPAL GOVT : SHAHEED ABDULLAH
GHANI HIGH SCHOOL LANDI ARBAB PESHAWAR

NO 1003

DATED 09/12/2022

TO

Accountant General
KHYBER PAKHTUNKHWA

SUBJECT : EXECUTION PETITION NO. 22/2011 IN SERVICE APPEAL NO. 1542/2008 TITLED MR.
SOHRAB HAYAT CT GMS PESHAWAR CANTT. VS GOVT : KHYBER PAKHTUNKHW E&SE
DEPARTMENT AND OTHERS

MEMO

Enclosed please find and arrear bill of the total financial implication of the total period along with all supporting documents of above named officer for onward submission to Finance Department for necessary action, please.


PRINCIPAL

Govt :Shaheed Abdullah Ghani high
School Landi Arbab Pesahwar

PRINCIPAL
Govt: Shaheed Abdullah Ghani
High School Landi Arbab
Peshawar

COPY FORWARDED TO THE

1. District Education officer (Male) Peshawar .
2. Office Record

