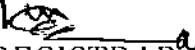


# FORM OF ORDERSHEET

Court of \_\_\_\_\_

**Misc. application No. 99/2023**

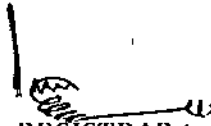
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	23/02/2023	<p>The Misc. application in 12(2) Petition no. 754/2022 resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for hearing before Single Bench at Peshawar on _____ Original file be requisitioned. Parcha Peshi is given to applicant/counsel.</p> <p>By the order of Chairman  REGISTRAR</p>

The Misc application of Mr. Asmatullah & others received today [REDACTED] i.e. on 17.02.2023 is incomplete on the following scores which is returned to the counsel for the petitioners for completion and resubmission within 15 days.

- 1- Application is not on proper shape.
- 2- Copy of order dated 7.2.2023 is not attached with the application.
- 3- Spare copies/sets for respondents be submitted with the application.

No. 654 /S.T,


Dt. 21-02 /2023

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Noor Muhammad Khattak Adv.  
High Court Peshawar.

R/Siv,

Obj No: 1, Application attached in Proper shape.  
Obj No: 2, order Attached.  
Obj No: 3, spare copies attached.

  
23/2/23

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

CM. No. \_\_\_\_\_/2023

In

CM 12(2).No **754/2022**

IN

APPEAL No. 5200/2021

~~Khyber Pakhtunkhwa  
Service Tribunal~~

~~Case No. 3657~~

~~Date: 17-2-2023~~

**ASMAT ULLAH & OTHERS VS JUDICIARY**

**APPLICATION FOR SUSPENSION OF THE ORDER DATED  
07.02.2023 TILL THE DISPOSAL OF THE 12 (2) PETITION  
NO. 754/2022.**

**R/SHEWETH:**

- 1- That the above-mentioned petition along with application for the suspension of the operation of the judgment dated 25.11.2022 is pending adjudication which is fixed for 27.02.2023.
- 2- That the appellant filed the above mentioned 12(2) petition against the judgment date 25.11.2022 in appeal no.5200/2021 whereby the appeal of the respondent/ appellant was accepted.
- 3- That petitioners were not arrayed in the mentioned appeal against which the petitioners preferred the titled 12(2) petition which is pending adjudication but the official respondents by complying the mentioned judgment mentioned above issued an order dated 07.02.2023 and the same is affecting the valuable rights of the petitioners. Copy of the order dated 07.02.2023 is attached as annexure.....**A.**
- 4- That all the three ingredients necessary for the stay is in favor of the petitioner.

It is therefore, most humbly prayed that on acceptance of this application the order dated 07.02.2023 may very kindly be suspended till the disposal of the instant 12(2) petition.

Dated: 17.02.2023

**APPLICANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK  
ADVOCATE SUPREME COURT**

**AFFIDAVIT**

I, **Asmatullah the applicant**, do hereby solemnly affirm and declare on Oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

**DEPONENT**



①

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

CM. No. 99 /2023  
In  
CM 12(2).No 754/2022  
IN  
APPEAL No. 5200/2021

1. Asmat Ullah, Assistant
2. Sami Ullah, Assistant
3. Muhammad Iqbal, Assistant
4. Haji Zardad Khan, Assistant/Civil Nazir  
District Judiciary, Lakki Marwat..... **Applicant**

**VS**

1. Tariq Saleem, Assistant Anti-Terrorism Court, Bannu.
2. The Registrar, Peshawar High Court, Peshawar.
3. The Special Judge, Anti-Terrorism Court, Bannu.
4. The District & Sessions Judge, Lakki Marwat.....**Respondents**

**APPLICATION FOR SUSPENSION OF THE ORDER DATED 07.02.2023  
TILL THE DISPOSAL OF THE 12 (2) PETITION NO. 754/2022.**

**R/SHEWETH:**

- 1- That the above-mentioned petition along with application for the suspension of the operation of the judgment dated 25.11.2022 is pending adjudication which is fixed for 27.02.2023.
- 2- That the appellant filed the above mentioned 12(2) petition against the judgment date 25.11.2022 in appeal no.5200/2021 whereby the appeal of the respondent/appellant was accepted.
- 3- That petitioners were not arrayed in the mentioned appeal against which the petitioners preferred the titled 12(2) petition which is pending adjudication but the official respondents by complying the mentioned judgment mentioned above issued an order dated 07.02.2023 and the same is affecting the valuable rights of the petitioners. Copy of the order dated 07.02.2023 is attached as annexure.....**A.**
- 4- That all the three ingredients necessary for the stay is in favor of the petitioner.

**It is therefore, most humbly prayed that on acceptance of this application the order dated 07.02.2023 may very kindly be suspended till the disposal of the instant 12(2) petition.**

Dated: 17.02.2023

  
**APPLICANTS**

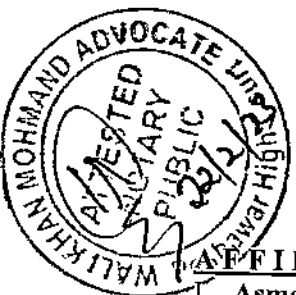
**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE SUPREME COURT**

**AFFIDAVIT**

I, **Asmatullah (the applicant)**, do hereby solemnly affirm and declare on Oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

  
**DEPONENT**



"A"

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**PESHAWAR HIGH COURT, PESHAWAR**

**ORDER**

Dated Peshawar the 07<sup>th</sup> February, 2023

In pursuance of the Judgment dated 25.11.2022, passed in Service Appeal No.5200/2021 by the Khyber Pakhtunkhwa Service Tribunal, Peshawar, the Competent Authority has been pleased to withdraw this Court's order bearing Endst: No.296-301/Admn: dated 08.01.2021 and restore Mr. Tariq Saleem to his previous position as Assistant/Reader in the establishment of District & Sessions Judge, Lakki Marwat.

By order of Hon'ble the Chief Justice

*(Signature)*  
(INAMULLAH KHAN)  
REGISTRAR

Endst: No. 2484-90 /Admn:

Dated Pesh the 14/02/2023

Copy forwarded to: -

1. The Member Inspection Team, Peshawar High Court, Peshawar.
2. The Director (HR&W) SDJ, Peshawar High Court, Peshawar.
3. The District & Sessions Judge, Lakki Marwat.
4. The Judge, Anti-Terrorism Court, Bannu.
5. The District Accounts Officers, Bannu & Lakki Marwat.
6. The SCS to Hon'ble Chief Justice, Peshawar High Court, Peshawar.
7. The official concerned by name.

*(Signature)*  
(INAMULLAH KHAN)  
REGISTRAR

5

*Attyeed*