

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Execution Petition No. 181/2022.

In service Appeal No. 1183/2019

Misbah Akhbar

V/S

Government of Khyber

Pakhtunkhwa through Secretary
Population Welfare Department
& Others.

APPLICATION FOR EARLY HEARING IN THE ABOVE NOTED CASE.

Respectfully Sheweth,

1. That the above noted execution petition is fixed for hearing before the Tribunal on 31-03-2023 for submission of implementation report.
2. That the Judgment debtors have already executed the Judgment of the Honorable Tribunal on 08-04-2022 (Copy of the implementation is attached as **Annex-A**).
3. That nonattendance of the Judgment debtors on 24-02-2023 is not intentionally but due to lack of knowledge of the next date of hearing i.e. 24-02-2023.
4. That the Honorable Tribunal on 24-02-2023 attached the salaries of Judgment debtors i.e. Secretary Population Welfare, Director General Population Welfare and District Population Welfare Officer Haripur. (Copy of the order sheet is attached **Annex-B**).
5. That the respondents have no other source of income except salary and if it remained attached their families will be suffered.
6. That there is no legal bar on acceptance of this early hearing application.

It is therefore, requested that the above noted execution petition may kindly be fixed today i.e. 07/03/2023 in the best interest of Justice.

Ahmed APT Khan

Director General Population Welfare Khyber Pakhtunkhwa through Assistant
Director Litigation.

7/3/2023.

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AFFIDAVIT

I Mr. Ahmad Yar Khan, Assistant Director (Litigation) Directorate General of Population Welfare, do solemnly affirm and declare that the contents of Application is true and correct to the best of my knowledge and belief and that nothing has been concealed therein from this Honorable Court.



DEPONENT

Ahmad Yar Khan
Assistant Director (Lit)
CNIC: 17301-1165852-9
Cell No.0345-9023308





GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL POPULATION WELFARE
Plot No.18, Sector E-8, Phase-VII, Hayatabad, Peshawar

OFFICE ORDER

Dated Peshawar the 2/4/ 2022.

E.No.4 (35)/2022/Admn:- With approval of the Competent Authority, Mst. Misbah Akbar, Ex-Family Welfare Assistant (Female) BPS-07 of DPW-Office, Haripur is hereby conditionally re-instated into Govt. Service against her previous post of Family Welfare Assistant (Female) BPS-07 in DPW-Office, Haripur with immediate effect subject to the outcome of CPLA No: 195-P/2022 filed by the Department in the Supreme Court of Pakistan.

Sd/-

(Mrs. Ayesha Ihsan)
Director General/Competent Authority
Population Welfare, Khyber Pakhtunkhwa

Copy to:-

1. PS to Director General, Population Welfare, Khyber Pakhtunkhwa, Peshawar for information please.
2. District Account Office, Haripur.
3. DPWO, Haripur for information and necessary action.
4. Official concerned for information and with the direction to report for duty to DPWO, Haripur.
5. Master File Admn Section.

(Arif Abbas)
Assistant Director (Admn)



24th Feb, 2023

Learned counsel for the petitioner and Mr. Asif

Masood Ali Shah, Deputy District Attorney for the respondents present.

Last chance was given to submit implementation report on 20.10.2022 but nobody is present on behalf of the respondents. Learned Deputy District Attorney present on behalf of the respondents shall ensure compliance of the order. Last chance was already given, therefore, salaries of the respondents are attached. The Accountant General Khyber Pakhtunkhwa and District Accounts Officer, Haripur are directed to attach salaries of the judgment debtor i.e Government i.e Government of Khyber Pakhtunkhwa through Secretary Population Welfare Department Peshawar, Director General Population, Welfare Department Peshawar and District Welfare Population Officer Haripur till further orders by this Tribunal. To come up for implementation report on 31.03.2023 before the S.B at Camp Court Abbottabad. P.P is given to the parties.

(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Date of Presentation of Application 03/03/23
Number Page 1
Copying 5/-
Urgent 10/-
Total 10/-
Date of Judgment 03/03/23
Date of Delivery of Copy 03/03/23

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar