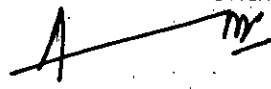


Form- A

FORM OF ORDER SHEET

Court of _____

Execution Petition No. 159/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	09.03.2023	<p>The execution petition Mr. Faizan ullah submitted today by Mr. Salim Shah Hoti Advocate. It is fixed for implementation report before Single Bench at Peshawar on _____. Original file be requisitioned. AAG has noted the next date. The respondents be issued notices to submit compliance/implementation report on the date fixed.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

..... Appellant

Versus

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: _____ <u>Advocate</u> _____ <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Saleem Shah hoti

Signature:- [Signature]

Dated:- 7/3/2023

PSC Pvt Composing Center, Peshawar High Court, Peshawar
Pioneer of legal drafting & composing
Cell No:- +923028838600/+923119149544/+923139737151
Email:- psc.pvt.composing@gmail.com

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

Execution Petition No. 159 /2022

In

Service Appeal No. 5794/2021

Faizan Ullah

..... Petitioner

Versus

Sajjad Rasheed and others

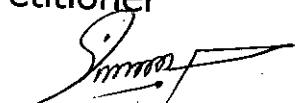
..... Respondents

INDEX

S.No	Description of Documents	Annex	Pages
1.	Execution petition with affidavit		1-5
2.	Copy of Order dated 23.06.2022	A	6-12
3.	Copies of ground of execution petition and order dated 17.11.2022	B & C	13-17
4.	Copy of office order dated 16.02.2023	D	18
5.	Copy of office order	E	19
6.	Wakalat Nama		20


Petitioner

Through


Salim Shah Hoti
Advocate
Supreme Court of Pakistan

Dated: 3.03.2023

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Execution Petition No. 159 /2022

In

Service Appeal No. 5794/2021

Khyber Pakhtunkhwa
Service Tribunal

Case No. 4200

Date: 09/3/2023

Faizan Ullah S/o Muhib Ullah R/o Hamdard Manzi, House No.
1/39-C, Mohallah Johar Street, Peshawar.

..... Petitioner

Versus

1. Sajjad Rasheed, Sub-Divisional Officer, SDO Office,
Town-III, Backside Govt. Higher Secondary School
No.2, Civil Quarters Road Peshawar Cantt.
2. Dr. Muhammad Arif, Deputy District Education Officer
(M), DEO (M) office, near Firdous, G. T. Road,
Peshawar.
3. District Education Officer (M) Peshawar.
4. Director, Elementary & Secondary Education, Khyber
Pakhtunkhwa, Peshawar

5. Govt. of Khyber Pakhtunkhwa through Secretary Education, Civil Secretariat, Peshawar.

6. Mohammad Kaleem Ullah S/o Abdul Manan, R/o Flat No. 5, Block-A/2, Peshawar.

..... Respondents

Execution Petition under Section 7 (D), Khyber Pakhtunkhwa Service Tribunal Act, 1974 in Service Appeal No. 5794/2021 passed on 23.06.2022.

Respectfully Sheweth:

The petitioner submits as under:

1. That this Hon'ble Court has allowed the Service Appeal No. 5794/2021 vide Order dated 23.06.2022. **(Copy of Order dated 23.06.2022 is annexure "A")**.
2. That this Hon'ble Tribunal has passed the following order / judgment vide dated 23.06.2022, the operative part of the Order is as under:

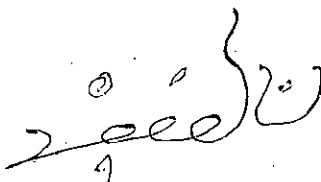
"Hence the appeal in hand is allowed and the order dated 12.02.2021 is set aside and respondents are directed to reinstate the

appellant in service with all back benefits (pay and Allowance), from the date of his appointment i.e. 19.08.2022."

3. That the petitioner filed execution petition No. 524/2020 which was satisfied vide office order dated 16.11.2022, hence the execution petition was disposed of vide order dated 17.11.2022. **(Copies of ground of execution petition and order dated 17.11.2022 are annexure "B" & "C").**
4. That the respondent No. 1 vide office order No. 1724 dated 16.02.2023 has withdrawn the regularization orders of the petitioner. **(Copy of office order dated 16.02.2023 is annexure "D").**
5. That the respondent No. 2 vide office Order Endst No. 52-26 dated 16.02.2023 has also passed the withdrawal of regularization order of the petitioner. **(Copy of office order is annexure "E").**
6. The ibid respondents have acted beyond their legal authority and it amounts to misconduct and contempt of the court for which besides the implementation of the order in appeal may be proceeded.

(4)

It is, therefore, prayed that on acceptance of this petition, directions may kindly be made for implementation / execution of the order / judgment dated 23.06.2022 in Service Appeal No. 5794/2021 against the respondents and in favour of the petitioner.



Petitioner

Through



Salim Shah Hoti
Advocate
Supreme Court of Pakistan

Dated: 03.03.2023

AFFIDAVIT

I, Faizan Ullah S/o Muhib Ullah R/o Hamdard Manzi, House No. 1/39-C, Mohallah Johar Street, Peshawar, do hereby solemnly affirm and declare on oath that the contents of the Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


DEPONENT



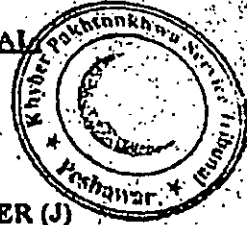
5

8

Annex

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



Service Appeal No. 5794/2021

BEFORE: MRS. ROZINA REHMAN ... MEMBER (J)
MISS. FAREEHA PAUL ... MEMBER (E)

Faizan Ullah S/O Muhib Ullah R/O Hamdard Manzil, House No. 1/19.C,
Mohallah Johnr Street, Peshawar Cantt.

... (Appellant)

Versus

1. Deputy District Education Officer (M), Peshawar.
2. District Education Officer (M), Peshawar.
3. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Govt. of Khyber Pakhtunkhwa through Secretary Education Civil Secretariat, Peshawar.
5. Mohammad Kaleem Ullah S/o Abdul Manan, Cantonment General Hospital, Flat No. 5, Block-A/2, Peshawar.

... (Respondents)

Mr. Muhammad Asif
Advocate

For appellant

Syed Naseer Ud Din Shah
Asstt. Advocate General

For respondents

Date of Institution.....03.06.2021
 Date of Hearing.....23.06.2022
 Date of Decision.....23.06.2022

JUDGEMENT

FAREEHA PAUL MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order dated 12.02.2021 with the prayer that it may be set aside and the appellant may be reinstated in service with all back benefits (pay and allowances) w.e.f 19.08.2020, the date of his appointment.

ATTESTED

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was a permanent resident of Hamdard Manzil, House No. 1/39.C, Mohallah Johar Street, Peshawar Cantt. After passing matriculation examination he obtained domicile certificate of Peshawar. The respondents advertised posts of PST with the conditions for applicants that they should have permanent domicile and CNIC of Peshawar and that they should be permanent residents of that Union Council. Appellant being qualified and permanent resident of Cantonment Board, Peshawar Union Council applied for that post. He appeared in the test and interview and qualified for the post and was posted at GPS Railway Quarter, Peshawar Cantt vide notification dated 19.08.2020. On 26.01.2021 he was given a notice through which he was asked for clarification of actual Union Council and correct permanent address to which he replied on 27.01.2021 alongwith all documentary proof that he was permanent resident of Hamdard Manzil, House No. 1/39.C, Mohallah Johar Street, Peshawar Cantt, and that he was living in Liqat Bazaar for the last 21 years. He annexed the property papers showing ownership of his family since 1996. He also attached utility bills of that property showing it to be in Peshawar Cantt. He annexed certificate issued by Additional Deputy Commissioner Peshawar regarding confirmation of his domicile. In spite of that appointment order of the appellant was withdrawn vide notification dated 12.02.2021. He filed departmental appeal to respondent No. 3 on 23.02.2021 which was not responded. Hence the service appeal.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Assistant Advocate General and perused the case file with connected documents in detail.

ATTESTED

4. Learned counsel for the appellant presented all the documentary evidence of the appellant which was submitted before the respondents also indicating him a permanent resident of Cantonment Board Peshawar. The record included a map of Military Estates Officer also which indicated his house at Johar Street within the limits of Cantonment Board. He invited the attention to judgement of hon'ble Peshawar High in writ petition filed by Muhammad Kaleem ullah against the appellant in which he had challenged the domicile of the appellant Faizan Ullah by stating that he was not a resident of Peshawar Cantonment area. That writ petition was dismissed by Hon'ble Peshawar High Court being devoid of merits through its judgement dated 24.05.2022.

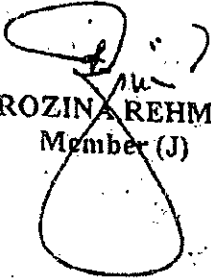
5. The learned Assistant Advocate General contended that appellant was not resident of Cantonment area Peshawar and relied on the letter of Cantonment Executive Officer, Peshawar dated 31.12.2020 which stated that Hamdard Manzil Mohallah Kotla Mohsin Khan was outside the limit of Cantonment area Peshawar whereas Hamdard Manzil at Johar Street was within the limits of Cantonment.

6. After going through the entire record available before us, it is clear that the appellant is a resident of Hamdard Manzil, 1/39.C, Mohallah Johar Street, Peshawar Cantt. and same has been certified by Military Estates Officer and Cantonment Executive Officer Peshawar also. Hence the appeal in hand is allowed and the order dated 12.02.2021 is set aside and respondents are directed to reinstate the appellant in service with all back benefits (pay and allowance) from the date of his appointment i.e 19.08.2020. Parties are left to bear their own costs. Consign.




ATTESTED

7. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 23rd day of June, 2022.


(ROZINA REHMAN)
Member (J)


(FARZEHA PAUL)
Member (E)

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 14-07-22
Number of Words 1600
Copying Fee 18/-
Urgent _____
Total 18/-
Name of Copyist _____
Date of Completion of Copy 18/07/22
Date of Delivery of Copy 18/07/22


ATTESTED

9

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR

Notification

Under the provision of Khyber Pakhtunkhwa Teachers (Appointment & Regularization of Services) Act, 2012 (Khyber Pakhtunkhwa Act No. XII of 2012), the services of the following Primary School Teachers Male (PST/BPS-12) appointed on Adhoc/Contract basis w.e.f. 13-03-2018 are hereby regularized in Teaching Cadre on the terms and conditions given below with effect from the date of their initial appointment till the commencement of the Act/Idid.

Table with columns: S.No., Roll No., Name of Teacher, Father Name, CNIC Number, Date of Birth, Total Marks (Test+Acad+EMIC), School Name, Advng & Date, Appointment Order No and Date, Last Extension Order No and Date.

ATTESTED

10

149	2922000264	Johnston Javed	Javed Fzail	17301-6631331-1	30-SEP-95	112381	GPS BHANA MARI	INF(P) 6714 DATED 26-11-2017	19-95 Dated: 16-05-2019	115307-5341 Dated: 05-05-2020 2nd emd: 58 Dated: 06-05-2021 3rd emd: 74 Dated: 07-05-2022
150	2919003747	Muhammad Nadeem Khan	Shamroz Khan	17301-88822515	24-APR-90	113174	GPS BHANA MARI	INF(P) 6714 DATED 26-11-2017	14-29-0783 Dated: 23-05-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022
151	2922001992	All Raza	Muhammad Hussain	17301-4189805	16-SEP-92	112381	GPS BHANA MARI	INF(P) 6714 DATED 26-11-2017	07-05-0708 Dated: 08-05-2019	111466-78 Dated: 30-07-2020 1st emd: 82 Dated: 30-08-2021 2nd emd: 92 Dated: 20-08-2022
152	2950107956	Faizan Ullah	Mohibullah	17301-8281673-7	25-10-92	111419	GPS Railway Quarters	INF(P) 253719 DATED 23-05-2017	12-61-13-416 Dated: 19-08-2020	111466-78 Dated: 30-07-2020 1st emd: 82 Dated: 30-08-2021 2nd emd: 92 Dated: 20-08-2022
153	2920002847	Indi Habib	Samin Khan	17301-5790859-7	10-SEP-93	129865	GPS No 2 Sarband	INF(P) 6714 & DATE 27/11/2017	14-29-0781 Dated: 08-Mar-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022
154	2920000090	Umer Farooq	Wali Khan	17301-5309785-7	28-02-1993	127541	GPS No 2 Sarband	INF(P) 6714 & DATE 27/11/2017	14-29-0781 Dated: 08-Mar-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022
155	2920007031	Ammir Naasim	Naasim Shahi	17301-6168532-7	1-Jan-92	112843	GPS Achini Pavan	INF(P) 6714 & DATE 27/11/2017	19-95 Dated: 16-May-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022
156	2919001629	Shahzad	Muhammad Amin	17301-5136656-7	23-05-1994	120531	GPS No 1 Sarband	INF(P) 6714 & DATE 27/11/2017	14-29-0781 Dated: 08-Mar-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022
158	2919003376	Muhammad Yasin	Mukarram Khan	17301-9263715-9	15/03/1992	118173	GPS No 1 Sarband	INF(P) 6714 & DATE 27/11/2017	14-29-0781 Dated: 08-Mar-2019	116758-4226 Dated: 18-06-2020 1st emd: 18 Dated: 22-06-2021 2nd emd: 28 Dated: 21-03-2022

ATTESTED

11

475	473238	Abdur Raziq	Habib ur Rehman	17301-58097291	18-Dec-91	127.89	GPS Mughal Akbar	Inf(P)A/36/204-12/2020	2997-3019/26-5-2022	
476	46816	Muhammad Arif	Shah Zareen	22501-69864695	13-Jan-93	126.92	GPS Pakhl Kandaw	Inf-P (P) 21/12/2018	365-69 dated 29-05-2020	
477	490335	Ihsanullah	Muhammad Anwar	17301-8497330-1	19-5-97	99.62	GPS MIAMIKHEL	Inf-P/1236/2014-12-2020	2997-3019/26-5-2022	
478	2921003711	Nadeem Khan	Zaman Khan	17301-9118574-9	1-Mar-88	118.36	GPS Irrigation Colony	Inf-P/5714/27-11-2019	No. 200 dated 29-3-2019	4168-98 dated 24-3-2022

Terms & Conditions

1. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, Posting and Transfer of Teachers, Lecturers, Instructor, and Doctors) regularity act, 2011, and such rules and regulation as may be issued from time to time by Government.
2. Their services will be considered regular and they shall be eligible for pension/deduction of GP Fund in terms of Khyber Pakhtunkhwa Civil servant act, 1973, as amended in 2013, however, the teachers appointed on or after 07-06-2022, shall be dealt with Section(2)(2) of the Khyber Pakhtunkhwa (Amendment) Act, 2022.
3. Their services are liable to termination on one month notice from either side. In case of resignation without notice, their one month pay/ allowances shall be forfeited to the Government.
4. They shall possess the same qualification and experience required for the subject position regular basis as specified in Section (3) (a) of the Act.
5. Their regularization shall not affect the service promotion quota of all service cadres as specified in Section (3) (c) of the Act.
6. They shall be entitled for seniority and pay from the date of initial appointment on adhoc/contract basis as specified in Section (3) (d) of the Act.
7. They shall perform duty for at least three years from the date of taking over charge where they were appointed/ posted initially.
8. The regularization shall not be in favor of those teachers who have not taken over charge, remain absent from duty and resign from service.
9. The teacher regularized through this notification shall conform after successful completion of in-service mandatory training as specified in their Service Rules notified vide Notification No. SO (PE) 4-5/SSRC/Meeting/2012/Teaching Cadre/ 2017 dated 07-03-2018, within two consecutive attempts otherwise the appointment orders of the candidates failed to qualify induction program within two consecutive attempts shall be considered as withdrawn/cancelled from the date of declaration of result of the second attempt made in induction program.

ATTESTED

12

10. The SDEOs are directed to check/verify the documents/extension order etc., service of the regularized teachers once again as per criteria mentioned for regularization. If any teachers does not meet the criteria, his service shall be considered as ceased.

(Sajjad Akhter Iqbal)
District Education Officer
(Male) Peshawar


DY: District Education Officer
(Male) Peshawar

Peshawar Dated: 24-12-2022

Endst No: 3210-3709/Regularization file...

Copy forwarded for information and necessary action to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. P.S to Secretary, E& SE Khyber Pakhtunkhwa Peshawar.
3. P.A to Director, E& SE Khyber Pakhtunkhwa Peshawar.
4. All SDEO (M) Concerned.
5. All ASDEO (M) Concerned.
6. Officials Concerned.
7. M/ File

ATTESTED

13

Anne 20

" B "

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Execution Petition No. 524 /2022

In Service Appeal No. 5794/2021

Khyber Pakhtunkhwa
Service Tribunal

Case No. 1175

Dated 06/9/2022



FAIZAN ULLAH

S/o Muhib Ullah

R/o Hamdard Manzil, House No. 1/39-C,

Mohallah Johar Street, Peshawar Cantt.

.....Petitioner

VERSUS

1. Deputy District Education Officer (M) Peshawar
2. District Education Officer (M) Peshawar
3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Govt of Khyber Pakhtunkhwa, through Secretary Education Civil Secretariat, Peshawar.
5. Mohammad Kaleem Ullah S/o Abdul Manan, Flat No 5 Block-A/2, Peshawar.

..... Respondents / Judgment Debtors

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

8 14

EXECUTION PETITION UNDER SECTION 7
(D), KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 IN SERVICE APPEAL
NO 5794/2021 PASSED ON 23.06.2022.

Respectfully Sheweth:

The Petitioner submits as under:-

1. That this Hon'ble Court has allowed the Service Appeal No 5794/2021 vide order dated 23.06.2022. **(Copy of Order dated 23.06.2022 is Annexure A)**
2. That the Petitioner has approached the Respondents for the implementation of the Order / Judgment of this Hon'ble Tribunal, However, the Respondents are reluctant to implement the order / Judgment of this Hon'ble Tribunal. **(Copy of Application is Annexure B)**
3. That this Hon'ble Tribunal has passed the following order / judgment vide dated 23.06.2022, the operative part of the Order is as under:

“Hence the Appeal in hand is allowed and the order dated 12.02.2021 is set aside and Respondents are directed to reinstate the Appellant in service with all back benefits (Pay and Allowance), from the date of his appointment i.e 19.08.2022.”

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

EXECUTION PETITION UNDER SECTION 7
(D), KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 IN SERVICE APPEAL
NO 5794/2021 PASSED ON 23.06.2022.

Respectfully Sheweth:

The Petitioner submits as under:-

1. That this Hon'ble Court has allowed the Service Appeal No 5794/2021 vide order dated 23.06.2022. **(Copy of Order dated 23.06.2022 is Annexure A)**
2. That the Petitioner has approached the Respondents for the implementation of the Order / Judgment of this Hon'ble Tribunal, However, the Respondents are reluctant to implement the order / Judgment of this Hon'ble Tribunal. **(Copy of Application is Annexure B)**
3. That this Hon'ble Tribunal has passed the following order / judgment vide dated 23.06.2022, the operative part of the Order is as under:

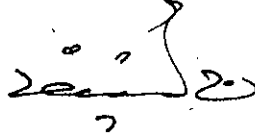
“Hence the Appeal in hand is allowed and the order dated 12.02.2021 is set aside and Respondents are directed to reinstate the Appellant in service with all back benefits (Pay and Allowance), from the date of his appointment i.e 19.08.2022.”

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(B) 16

It is, therefore, prayed that on acceptance of this Petition, directions may kindly be made for implementation / Execution of the Order / Judgment dated 23.06.2022 in Service Appeal No. 5794/2021 against the Respondents and in favour of the Petitioner.



Petitioner

Through

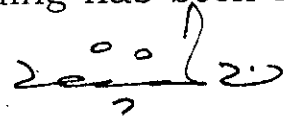
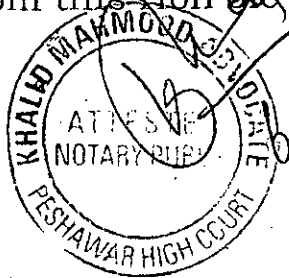
Dated: 02.09.2022



SALIM SHAH HOTI
Advocate, Supreme Court
Of Pakistan

AFFIDAVIT:

I, **FAIZAN ULLAH** S/o Muhib Ullah R/o Hamdard Manzil, House No. 1/39-C, Mohallah Johar Street, Peshawar Cantt, do hereby solemnly affirm and declare on oath that the contents of the instant Petition are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.



DEPONENT

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(17)

Annex

"C"



17.11.2022

Petitioner in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Ihsan Dawar, Assistant Director for the respondents present.

02. The department produced office order dated 16.11.2022 whereby the petitioner has been reinstated into service conditionally/provisionally subject to the outcome of CPLA pending before the august Supreme Court of Pakistan. Copy of the order is placed on court file as well as provided to the petitioner who expressed satisfaction on the implementation report. As such, Service Tribunal judgement dated 23.06.2022 stands implemented. Consign.

03. *Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 17th of November, 2022.*

(Mian Muhammad)
Member (E)

Date of Presentation of Application 27-2-23
Number of ~~Words~~ ^{Page} 5
Copying Fee 25/-
Urgent sf
Total 30/-
Name of Copied _____
Date of Completion of Copy 27-2-23
Date of Delivery of Copy 27-2-23

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

18

Annex

"0"



SUB DIVISION EDUCATION OFFICER (MALE) TOWN-III PESHAWAR

NO: 1724

Dated: 16/02/2023

File No. General 2-27 SDEO T-III Peshawar

To,

The Accounts Officer,
Payroll -III, AG Office, Peshawar.

SUBJECT:

**WITHDRAWAL OF THE REGULARIZATION ORDER AND
ARREARS IN R/O MR. FAIZAN ULLAH PST GPS RAILWAY
QUARTERS PESHAWAR:**

Memo.

Reference to the Endst No. 4404-05 dated: 16.11.2022 District Education Officer (M) Peshawar regarding the subject noted above is hereby withdrawn and subject to the final decision of the august Supreme Court of Pakistan in CP No.711/2022 and submitted for further necessary action please.

Enclosed: as above.

16/2/2023

SUB DIVISIONAL EDUCATION OFFICER
(MALE) TOWN-III PESHAWAR

Copy to:-

1. District Education Officer (M) Peshawar.
2. Office file.

SUB DIVISIONAL EDUCATION OFFICER
(MALE) TOWN-III PESHAWAR

22/11

637



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) PESHAWAR**

Phone # 091-9225458, Email: emispehavar@gmail.com
Address: Opposite Sarhad Chamber of Commerce & Industry,
Hashtnagri Peshawar City



OFFICE ORDER

In compliance of order dated 24th Oct, 2022 passed by the worthy Khyber Pakhtunkhwa Service Tribunal Peshawar in execution petition No.524/2022 in service appeal No.5794/2021 titled Faizan Ullah VS. Education Department Mr.Faizan Ullah PST, GPS, Railway Quarters Peshawar is hereby conditionally re-instated in service with effect from 12-02-2021 with all back benefit as per judgment of Khyber Pakhtunkhwa Service Tribunal Peshawar.

Note:

1. This re-instatement order is subject to the final decision of the August Supreme Court of Pakistan in CP No.711/2022.

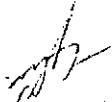
District Education Officer,
(Male) Peshawar


Endst: No. 4404-05/Appeal File/P.F

Dated Peshawar the 16/11/2022

Copy of the above is forwarded for information to the:

1. PA to Director, E & SE, Khyber Pakhtunkhwa, Peshawar
2. All Committee Members


Dy: District Education Officer,
(Male) Peshawar

قیمت 50 روپے	60525			
ایڈویٹ: <u>سید شاہ بیٹوں الدوسری</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل/ ایسوسی ایشن نمبر: <u>10-7881</u>				
رابطہ نمبر: <u>0300 5977897</u>				

بعدالت جناب: سروس ٹریبونل جج صاحب لیسٹاور

منجانب: <u>صرعی</u>	دعویٰ: <u>191</u>
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

باعت تحریر آنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام سید شاہ بیٹوں الدوسری کیلئے سید شاہ بیٹوں الدوسری کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور مستثنوی، نیز دائر کر گزرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پر داخلہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند ہے

Accepted
Attested



المقوم:

مقام سید شاہ بیٹوں الدوسری کے لیے منظور ہے

نوٹ: اس وکالت نامہ کی خوشنویسی کا قابل قبول ہوگی۔