

Before the Khyber Pakhtunkhwa Service Tribunal, Peshawar.

S. Appeal No 5514/21

**Pervez Khan V Population Welfare Department, GOKPK.**

Application for amendment of the service appeal to the extent, seeking order of the tribunal to allow appellant to complete his continued public service upto 60 years of retirement as his Fundamental Rights guaranteed to him under Arts.9, 18, 25 & 27 of the Constitution as per dicta set by Supreme Court of Pakistan in its reported judgment 2010 P L C (C.S.) 820.

Respectfully Shewth:

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 4915

Dated 18/4/2023

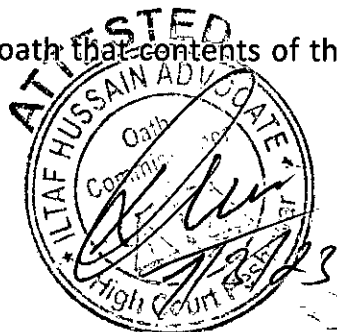
1. That the subject appeal is fixed before this august tribunal for today.
2. That, age of superannuation of the appellant is fast approaching whereas a very valuable time of the appellant was wasted in frivolous and vexatious litigation with the respondents imposed upon him by his departmental adversaries maliciously to settle personal score with the appellant.
3. The time from Removal dated 10.05.2012 till superannuation was wasted not due fault of the appellant but of the respondents, the period for which he was not allowed to perform his duties. Thus he could be entitled to continue in his service after 30.12.2023, the date of appellant's superannuation, to complete his service till 60s service of age at a stretch.
4. That, denial to the petitioner of his right to actively serve the department without any fault on his part if so established in the pending appeal, which had brought unnecessary humiliation and suffering to the appellant is the Fundamental Rights of the appellant guaranteed to him under Arts.9, 18, 25 & 27 of the Constitution. Thus appellant should be allowed to serve for a period equivalent to the period when he was out of public service as per dictum set by Supreme Court of Pakistan in its reported judgment **2010 P L C (C.S.) 820 [Supreme Court of Pakistan]**

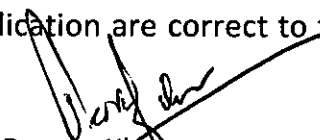
PRAYER:

In view of the above it is humbly requested that solicited amendment in appeal pending may kindly be considered accordingly by making instant application part of the pending appeal and respondent's authorities may kindly be directed to take appropriate measures in that regard as prayed herein above please.

  
Pervez Khan  
(Appellant)

AFFIDAVIT: Affirmed on oath that contents of the application are correct to the best of my knowledge & belief.



  
Pervez Khan  
(Deponent)