

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

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

In Service Appeal No.35 of 2023

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 4928

Dated 19/4/2023

Hawaldar Noor Ali Syed & others.....Applicants/Appellants


**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary  
and others.....Respondents

**INDEX**

S. No.	Description	Annexure	Pages No.
1.	Civil Miscellaneous Application with certificate		1-2
2.	Affidavit		3
3.	Copy of withdrawal application	A	4-7

نور علی سیّد  
Applicants/Appellants  
Through Counsel

  
Waqas-ur-Rahman  
Advocate High Court  
Cell No. 0334-2472723

waqas.rahman 7162 (@)  
gmail - com  
BC. 14-4726

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

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

**In Service Appeal No.35 of 2023**

Hawaladar Noor Ali Syed & others.....*Appellants*

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary  
and others.....*Respondents*

APPLICATION FOR PLACING ON FILE CERTAIN  
DOCUMENTS NECESSARY FOR THE JUST DISPOSAL OF  
APPEAL;

---

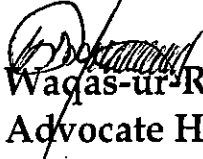
**Respectfully Sheweth:**

1. That the above captioned Appeal is pending before this Hon'ble Tribunal, which is fixed for hearing on **04-05-2023**.
2. That in the instant matter, applicants have also approached the august Supreme Court of Pakistan through CPLA No.818/2023, against the judgment of larger bench of Peshawar High Court, Peshawar.
3. That applicants now want to withdraw the ibid CPLA regarding which they have moved an application under Order XXXIII Rule 6 of the Supreme Court Rules, 1980 which is pending adjudication before the august Apex Court (Copy of withdrawal application is attached as Annexure "A").

4. That the appending documents are necessary for the just disposal of the main Appeal.
5. That there is no bar in accepting this petition, it is rather in the interests of justice that each party is provided an opportunity to plead his case by way of documentary evidence.

It is, therefore, humbly prayed that on acceptance of this application, the attached documents may be placed on main file of the captioned Appeal.

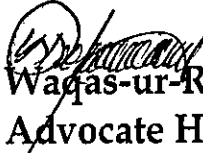
نور علی سید  
Applicants/Petitioners  
Through Counsel

  
Waqas-ur-Rahman  
Advocate High Court

CERTIFICATE:

It is certified that no such like application has earlier been filed before this Hon'ble Tribunal on the cited subject.

نور علی سید  
Applicants/Petitioners  
Through Counsel

  
Waqas-ur-Rahman  
Advocate High Court

3

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

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

**In Service Appeal No.35 of 2023**

Hawaladar Noor Ali Syed & others.....*Applicants/ Appellants*

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary  
and others.....*Respondents*

**AFFIDAVIT**

**I, Hawaldar Noor Ali Syed S/o Bacha Sahib, No. 1474, as per**  
instructions of my clients, do hereby affirm and declare that all  
contents of this application are true and correct to the best of my  
knowledge and nothing has been kept concealed from this  
Hon'ble Court.

DEPONENT

نور علی سیّد

**Hawaladar Noor Ali Syed**



(4)

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

CMA No. \_\_\_\_\_/2023  
IN  
CPLA No. 818/2023  
Withdrawal of case filed on behalf of  
the Petitioners on 06.04.2023

Hawaladar Noor Ali Syed & others

.....*Petitioners*

**V E R S U S**

Government of Khyber Pakhtunkhwa through Chief Secretary,  
Peshawar and others

.....*Respondents*

Counsel for the Petitioners: Barrister Dr. Adnan Khan, ASC  
Mohammad Sharif Janjua, AOR

Counsel for the Respondents:

**I N D E X**

S. No	Description of Documents	Date	Pages
1.	CMA for withdrawal of case	06.04.2023	1
2.	Affidavit of Facts	06.04.2023	2
3.	Affidavits of Service	06.04.2023	3

Certified that paper books as bound are complete and correct.

**Muhammad Sharif Janjua**  
Advocate on Record  
Supreme Court of Pakistan  
Islamabad  
For the Petitioners

Dated: 06.04.2023

C.T.C  
✓

⑤

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

CMA No. \_\_\_\_/2023  
IN  
CPLA No. 818/2023

Hawaladar Noor Ali Syed & others

.....*Petitioners*

**V E R S U S**

Government of Khyber Pakhtunkhwa through Chief Secretary,  
Peshawar and others

.....*Respondents*

**APPLICATION UNDER ORDER XXXIII RULE 6 OF THE  
SUPREME COURT RULES, 1980 ON BEHALF OF THE  
PETITIONERS FOR WITHDRAWAL OF THE CASE**

Respectfully Sheweth:-

1. That the above titled Civil Petition is pending adjudication before this Honourable Court.
2. That the petitioners want to withdraw the present Petition, hence, this application.

It is, therefore, respectfully prayed that the above titled Civil Petition may very kindly be withdrawn on instructions of the petitioners.

Barrister Dr. Adnan Khan  
Advocate  
Supreme Court of Pakistan

Muhammad Sharif Janjua  
Advocate on Record  
Supreme Court of Pakistan

Dated: 06.04.2023

C.T.C  
↓

G

6

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

2

CMA No. \_\_\_\_/2023  
IN  
CPLA No. 818/2023

Hawaldar Noor Ali Syed & others

.....*Petitioners*

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary,  
Peshawar and others

.....*Respondents*

**AFFIDAVIT OF FACTS**

**Muhammad Sharif Janjua**

Advocate on Record,

Supreme Court of Pakistan, Islamabad

I the above named deponent do hereby solemnly affirm and declare  
as under:-

1. That the facts as stated in the accompanying above noted **CMA for withdrawal of the case**, are true and correct to the best of my knowledge and information received from the Petitioners.
2. That the said facts have been obtained from the perusal of the record as well as from the Petitioners.

SWORN at Islamabad on this    day of April, 2023

**DEPONENT**

C.T.C  
E

7

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

3-

CMA No. \_\_\_\_/2023

IN

CPLA No. 818/2023

Hawaldar Noor Ali Syed & others

.....*Petitioners*

**V E R S U S**

Government of Khyber Pakhtunkhwa through Chief Secretary,  
Peshawar and others

.....*Respondents*

**AFFIDAVIT OF SERVICE**

**Muhammad Sharif Janjua**  
Advocate on Record,  
Supreme Court of Pakistan, Islamabad

I, the above named deponent do hereby solemnly affirm and declare  
as under:-

1. That I did serve the Respondents of my having filed the above  
CMA for withdrawal of the case, in the Supreme Court of  
Pakistan at Islamabad.

SWORN at Islamabad on this    day of April, 2023

**DEPONENT**

C-T-C  
L