

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

Syed Musadiq Shah.....Appellant

**VERSUS**

Government of Khyber through Chief Secretary & others.....Respondents

**Request for Release of salaries of Respondents No. 01, 02, & 03**

**Execution Petition No. 326/2021 in Service Appeal No. 1184/2019**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 4939

Dated 19/4/2023

Respectfully Sheweth:

1. That the above titled Execution Petition is pending before this Hon'ble forum wherein next date of hearing has been fixed as 01.06.2023.
2. That salary of above noted respondents have been attached by the Khyber Pakhtunkhwa Service Tribunal on 14.04.2023 for not filing implementation report.
3. That the respondents most humbly pray for release of their salaries on the following amongst other grounds:
  - a. That the appellant's name could not be included in the seniority list maintained by Establishment Department as the post of Junior Clerk was required to be filled in as per the relevant service rules, 67% by initial recruitment and 33% through promotion quota and there is no provision whatsoever for adjustment/ absorption against the post outside from other Departments as the appellant was appointed against House hold post in KP House Islamabad by Administration Department.
  - b. That the respondents have already filed CPLA in the Apex Court against the order/ judgment of Khyber Pakhtunkhwa Service Tribunal.
  - c. That the appellant was initially appointed against an house hold post in KP House Islamabad by Administration Department without observing legal formalities of advertisement, competitive test & interviews.
  - d. In view of above, it is most humbly prayed that the order dated 14.04.2023 may kindly be recalled and kindly direct the Registrar/ Accountant General, Khyber Pakhtunkhwa to release the salaries of the respondents at the earliest as the salary is the main source of living for respondents and their families.

Respondents

Through

Additional Advocate General

19.4.23