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REGISTERED
No. C.P.3531/2020 - SCJ
SUPREME COURT OF PAKISTAN

Islamabad, dated 23-06 2023

From The Registrar,
Supreme Court of Pakistan,
Islamabad.

To The Registrar,
Khyber PakhtunKhwa Service Tribunal,
Peshawar.

Khyber PakhtunKhwa
Service Tribunal
Case No. 6303
Dated 6/7/2023

Subject: **CIVIL PETITION NO. 3531 OF 2020**

Dr. Muhammad Noor
Versus

The Government of Khyber Pakhtunkhwa through Secretary Health to
Govt. of Khyber Pakhtunkhwa, Peshawar and others

**On appeal from the Judgment/Order of the Khyber PakhtunKhwa
Service Tribunal, Peshawar dated 09/10/2020 in A.-7241/2020.**


Dear Sir,

I am directed to enclose herewith a certified copy of the Order of this
Court dated 13/04/2023 dismissing the above cited case in the terms stated therein for
information and further necessary action.

Please acknowledge receipt of this letter along with its enclosure
immediately.

Encl: Order:

Yours faithfully,



(MUHAMMAD MUJAHID MEHMOOD)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present:

Mr. Justice Qazi Faez Isa
Mr. Justice Muhammad Ali Mazhar

Civil Petition No.3531 of 2020

Against the judgment dated 09.10.2020 passed by K.P.K.
Service Tribunal, Peshawar, in Appeal No.7241/2020

Dr. Muhammad Noor

...Petitioner

Versus

The Government of Khyber Pakhtunkhwa through
Secretary Health to Govt. of Khyber Pakhtunkhwa,
Peshawar and others

...Respondents

For the Petitioner:

Mr. M. Shoaib Shaheen, ASC
Mr. Ahmad Nawaz Chaudhry, AOR

For Respondent-5:

Mr. Muhammad Ajmal Khan, AOR
(through video link from Peshawar)

Date of Hearing:

13.04.2023

ORDER

Qazi Faez Isa, J. This petition for leave to appeal assails the judgment passed by the Khyber Pakhtunkhwa Service Tribunal Peshawar (**'the Tribunal'**). The Tribunal, *vide* impugned judgment, dismissed the petitioner's appeal as the departmental appeal was filed belatedly with a delay of eighteen months of the passing of the impugned order.

2. We enquired from the learned counsel whether an application to condone the said delay was filed. He states that none is available on the record. We have read the impugned judgment and regretfully decline leave to appeal as the learned counsel has not been able to bring his case within the parameters of Article 212(3) of the Constitution of Islamic Republic of Pakistan, 1973. Consequently, this petition is dismissed.

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Certified to be True Copy

Court Associate
Supreme Court of Pakistan
Islamabad