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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Implementation report

Execution petition No.714/2022

In

Service Appeal No. 319/2019

Dr. Saeed Ur Rehman.....(Appellant)

Versus

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

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Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department

Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

**Khyber Pakhtunkhwa
Service Tribunal**

Service Appeal No. 319/2019

Diary No. 6476

Dated 14/07/23

Dr. Saeed Ur Rehman **Appellant**

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary and others
Peshawar.....**Respondents**

REPLY/ IMPLEMENTATION REPORT ON BEHALF OF RESPONDENTS

Respectfully Sheweth:

Preliminary Objections:-

1. That the Appellant has got no cause of action or locus standi to file the instant petition.
2. That the Appellant has deliberately concealed the material facts from the Honorable Tribunal hence, liable to be dismissed.
3. That the Appellant has not come to this Honorable Tribunal with clean hands.


FACTS:

1. Pertains to record.
2. Pertains to record.
3. Incorrect. After receiving the judgment dated 16-06-2022 the department filed a CPLA against the judgment dated 16-06-2022 of the honorable Tribunal before the Apex Court however it is added that the replying respondents already moved a note for the conditional implementation of the judgment dated 16-06-2022 of the honorable Tribunal for approval of the competent authority (Chief Secretary), and after approval of the same he may be conditionally re-instated into service till final outcome of the CPLA.
4. Incorrect. There is no mala-fide on the part of the replying respondent. Detail reply has been given in para 03 above.

5. Incorrect. No vested right of the Appellant has been violated by the replying respondents, however, detail reply has been given in para 03 above.
6. In reply to para 6 it is submitted that reply respondents also seek permission of this honorable Tribunal to adduce other grounds during final hearing of the case.

PRAYER:

It is therefore humbly prayed, that the instant petition of the Appellant may very graciously be rejected with costs.


Secretary to Govt. of Khyber Pakhtunkhwa
Health Department
(Respondent No. 01 & 02)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Implementation report
Execution petition No.714/2022

In
Service Appeal No. 319/2019

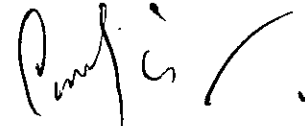
Dr. Saeed Ur Rehman**Appellant**

VERSUS

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

AFFIDAVIT

I Muhammad Tufail Section Officer (Lit-II) govt. of Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the implementation report execution petition No.714/2022 in Service Appeal No.319/2019 is submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.



Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department
Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa

Identified by:-

Add: Advocate General,
Khyber Pakhtunkhwa

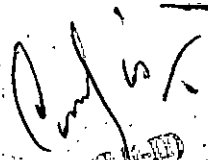


**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

AUTHORITY LETTER

Mr. Safi Ullah, Focal Person (Litigation-II), Health Department, Civil Secretariat is hereby authorized to attend/defend the Court Cases and file comments on behalf of Secretary Health Government of Khyber Pakhtunkhwa before the Service Tribunal and lower Courts.

(MAHMOOD ASLAM)
Secretary to Govt. of Khyber Pakhtunkhwa
Health Department
Secretary to Govt. of
Khyber Pakhtunkhwa
Health Department

9/15/23

Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa