

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

**Mr. Muhammad Ali Shah**  
**Service Appeal No. 615/2023**

**Appellant**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

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*Next Date - 15-08-23*

*Peshawar*

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

**In Service Appeal No.615/2023**

**MR. Muhammad Ali Shah**

Versus

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6807

Dated 21/08/23

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT,  
DEPARTMENT AND OTHERS.**

Subject: **APPICTION FOR REJECTION OF THE SAID APPEAL NOT BEING  
MAINTAINBLE.**

**Respectfully Shewith.**

The respondent humble submits as under

- (i). That the instant appeal in not maintainable on the ground that Cabinet has already approved the Exective Allowance for OSD Period.
- (ii). That under the Law, no retrospective effect of law is allowed.
- (iii). That grant of back benifts will cause irreparable loss to Govt exchequer.

It is therefor requested that: -

In view of the above explanation, it is humbly prayed that on acceptance of this application, the instant appeal being devoid of merits may kindly be dismissed with cost.

**Respondent No.03  
Finance Department**

**Dated:15.08.2023**

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

**Mr. Muhammad Ali Shah  
Service Appeal No. 615/2023**

Versus

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

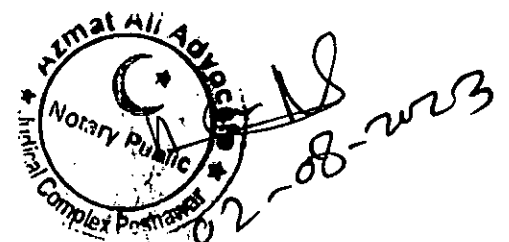
**Reply /Parawise Comments on Behalf of Secretary Finance Govt. of  
Khyber Pakhtunkhwa Respondent No.03.**

**AFFIDVAIT**

I, Hashmatullah Superintendent, Govt.of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Application in Service Appeal No.615/2023 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.The case is still subjudice in the court of law.

  
Deponent

**ATTESTED**





**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

**MOST IMMEDIATE  
COURT MATTER**

**AUTHORITY LETTER.**

Mr. Hashmatullah Superintendent (Litigation-II) Section, Finance Department is authorized to attend the Service Tribunal Khyber Pakhtunkhwa Peshawar, Service Appeal No.615/2023 in case titled Muhammad Ali Shah versus Government of Khyber Pakhtunkhwa and on behalf of Secretary Finance Government of Khyber Pakhtunkhwa.

Secretary to Government Khyber Pakhtunkhwa  
Finance Department