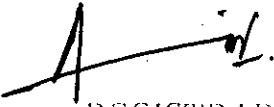


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 509/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	19.07.2023	<p>The application for restoration of Execution Petition no. 212/2022 submitted today Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Single Bench at Peshawar on <u>25-07-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

(1)

BEFORE THE K.P SERVICE TRIBUNAL, PESHAWAR.

Restoration Application no. 509/2023

C.M No: _____/2023

In

Execution petition no. 212/2022 ✓

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6628

Dated 19/07/23

Zubair Ahmad S/O Nisar Ahmad R/O Khat Killi Tangi,

Tehsil Tangi District Charsadda, Reader/Senior Clerk,

Of the Establishment Of Respondents..... (Appellant)

VERSUS

1. The Appellate Judge through Registrar, Peshawar High Court Peshawar.
2. District and session Judge Buner at Dagger.

RESPONDENTS

SUBJECT: APPLICATION FOR RESTORATION OF EXECUTION
PETITION NO.212/2022.

RESPECTFULLY SHEWETH :-

1. That the service appeal of the appellant was accepted and the appellant filed execution petition for implementation of judgment and the instant Execution Petition was disposed-off vide order dated 21/03/2023 with the permission that if petitioner observed that any part of the judgment is not implemented that he may make fresh application. **Copy of order is attached as annexure-A.**
2. That thereafter, appellant filed application to department for compliance of the order and asked for promotion but deptt till date no action taken on the same.

3. That the applicant there is no other remedy, therefore, applicant file application for restoration of execution petition.

It is , therefore, most humbly requested that on acceptance of this application the execution petition No. 212/2022 may be restored .Any other remedy which tribunal , deems fit & appropriate may also be awarded to petitioner .


APPLICANT

Muhammad Zubair

Through:


(SYED NOMAN ALI BUKHARI)

Advocate High Court

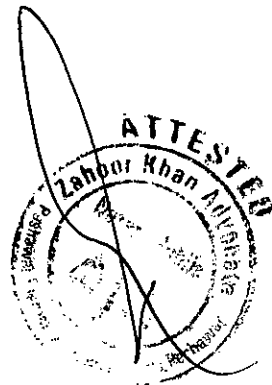
Peshawar.


UZMA SYED

Advocate High Court

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.




DEPONENT

①

A ③

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Execution Petition No. _____/2022

In

Appeal No. 41 /2016

Zubair Ahmad S/o Nisar Ahmad R/o Khat Killi Tangi, Tehsil Tangi District Charsadda,
Ex- Reader/Senior Clerk, of the Establishment of respondent.

..... Appellant

Versus

1. The appellate Judge through Registrar, Peshawar High Court Peshawar.
2. District and Session Judge Buner at Daggar.

RESPONDENTS

.....

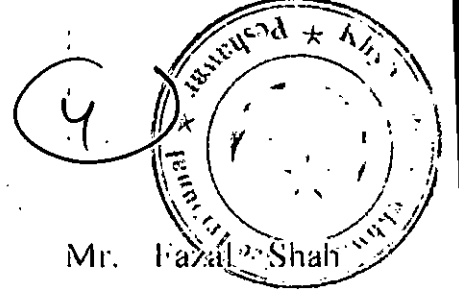
EXECUTION PETITION FOR DIRECTING THE
RESPONDENTS TO IMPLEMENT THE JUDGMENT
DATED: 25/01/2022 OF THIS HONOURABLE
TRIBUNAL IN LETTER AND SPIRIT.

.....

Respectfully Sheweth:

1. That the appellant/Petitioner filed Service Appeal No.41/2016 before this Hon' able Tribunal which has been accepted by this Hon' able Tribunal vide Judgment dated 25/01/2022 which was accepted and the impugned order dated 06/08/2011 and 16/11/2015 are set aside and the appellant is reinstated in service with all back benefits. (Copy of the Judgment is attached as Annexure-A).
2. That the Petitioner after getting of the attested copy approached the respondents several times for implementation of the above mention Judgment and properly moved an application to respondent Department. However they using delaying and reluctant to implement the Judgment of this Hon' able Tribunal.

EP 212/2022



21st Mar. 2023


Petitioner in person present.

Mr. Fazal Shah

Mohmand, Addl. Advocate General alongwith Shah Rawan, Superintendent and Bakht Wali, Assistant for the respondents present.

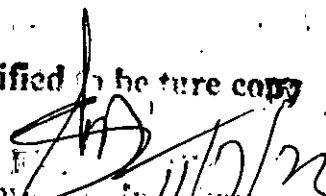
Representative of the respondents submitted implementation report, according to which the petitioner was reinstated into service as Senior Clerk (BPS-14) with all back benefit vide office order dated 25.06.2022 and order dated 02.01.2023, subject to final decision of CPIA. This application be thus filed. It is, however, observed that in case the petitioner considers that any part of the judgment is not yet implemented, he may make fresh application. Disposed of accordingly. Consign.

Pronounced in open Court and given under my hand and the seal of the Tribunal on this 21st day of March, 2023.


(Farzha Paul)
Member(E)

Date of Presentation of Application 11/7/23
Number of Pages Page 1
Copying Fee 5/-
Urgent 10/5/23
Tax 10/5/23
Name of Applicant Shahzad
Date of Court 11/7/23
Date of Delivery of Copy 11/7/23

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

بعدالت

KP Service Tribunal, Faisalabad

2 منجانب
بنام

Zubair Ahmed
vs

Judiciary Depth

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام ہیشا اور کیلئے مسٹر حفصان علی بخاری

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زراییں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے

سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔

کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

20

ماہ

المرقوم

العبد د گ واہ العبد