

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

**EXECUTION PETITION NO. 690/2022**

**IN SERVICE APPEAL NO. 1006/2019**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 8678

Dated 30-10-23

**SCANNED  
KPST**

**Petitioner Peshawar**

30/10/23

**Syed Qamar Abbas**

**VERSUS**

**Chief Secretary, Khyber Pakhtunkhwa & others Respondents**

**Subject: IMPLEMENTATION REPORT ON BEHALF OF RESPONDENT NO. 01  
AND 02.**

**RESPECTIVELY SHEWETH:**

1. That this Hon'ble Tribunal vide its Order dated 17.08.2023 directed the following:

*"Implementation report not submitted. Representative of the respondents seeks time for submission of implementation Report. Last Opportunity is granted. To come up for implementation report on 28.09.2023 before SB PP given to parties."*

2. That in pursuance of the directions of the Hon'ble Tribunal a meeting was held on 20.09.2023 under the Chairmanship of Additional Secretary (Judicial) wherein it was decided that the interim Implementation Report to the extent of pay protection (Conditionally) sanctioned by the Finance Department may be submitted to the Hon'ble Tribunal as per instructions of Establishment Department letter dated 15.01.1999 **(Annex-I & II)**

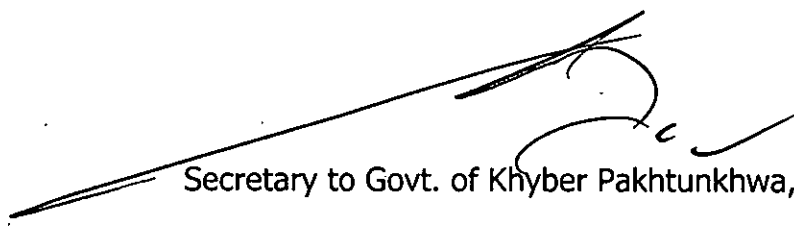
3. That in pursuance of Khyber Pakhtunkhwa Service Tribunal Judgement in Service Appeal No. 1006/2023 dated 19.01.2023 and Execution Petition No. 690/2023 dated 28.11.2022 Finance Department has already sanctioned pay protection (conditionally) to the appellant of his previous Service rendered in project from his first appointment i.e. 01.01.2003 vide letter 08.02.2023 subject to final decision of the Supreme court of Pakistan in CPLA **(Annex-III)**. Hence, the orders of the Honorable Tribunal in the instant Execution Petition with respect to pay protection to the appellant in Service Appeal has already been complied.

4. That in the instant Execution Petition No. 690/2022 in Service Appeal No. 1006/2019, a Civil Petition leave to Appeal No. 541-P/2022 against the judgement has already been filed, which is pending disposal before the Apex Supreme Court of Pakistan. therefore, the instant Execution Petition is not sustainable.

5. That a subsequent application for early hearing and suspension of judgment has also been filed in the Supreme Court of Pakistan **(Annex-IV)**.

Prayer.

It is, therefore humbly prayed that in light of the above facts the Execution Petition in hand may graciously be set aside, please.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

Secretary to Govt. of Khyber Pakhtunkhwa,

Irrigation Department

**MOST IMMEDIATE /  
COURT MATTER**



**GOVERNMENT OF KHYBER AKHTUNKHWA  
ESTABLISHMENT DEPARTMENT  
(JUDICIAL WING)**

No: SO(Lit-III)E&AD/3-375/2019  
Dated: Peshawar, 03-10-2023

To ✓  
The Secretary,  
Irrigation Department,  
Peshawar.

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Dairy No. 4935  
Date: 4-10-23  
Irrigation Department  
Peshawar

Attention: Section Officer (Lit.).

Subject: - **EXECUTION PETITION NO. 690/2022 TITLED SYED QAMAR  
ABBAS VS GOVERNMENT OF KHYBER PAKHTUNKHWA &  
OTHERS.**

Dear Sir,

I am directed to refer to your office's letter No. SO(Lit)Irr:/3-247-B/2022/ dated 20-06-2023 on the subject noted above and to state as per decision taken in the meeting held on 20-09-2023 under the chairmanship of Additional Secretary, (Judicial), interim Implementation Report to the extent of Pay Protection (conditionally) sanctioned by the Finance Department may be submitted to the Hon'ble Tribunal at the earliest as per instructions of this department's letter No.SOR-I (S&GAD)4-2/82 dated 15-01-1999 (copy is enclosed).

Yours faithfully

Section Officer (Lit-III)

Endst: of Even No. & Date:

Copy forwarded to the:

1. P.S to Secretary, Establishment Department.
2. P.S to Special Secretary, Establishment Department.
3. P.S to Additional Secretary (Judicial), Establishment Department.
4. P.S to Deputy Secretary (Judicial), Establishment Department.
5. Master file.

Secretary Irrigation

Section Officer (Lit-III)

So(Lit)188-109  
Date: 4/10/23

So(Lit)  
4/10

Obtain order sheet  
of KPST dated 20-09-23  
and put up.  
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### Better Copy

Govt. of NWFP,  
Services and General Admn: Deptt;  
(Regulation Wing)

No. SOR-I (S&GAD)4-2/82,  
Dated: 15.01.1999.

To

1. All Administrative Secretaries to Government of NWFP.
2. Secretary to Governor, NWFP.
3. Secretary to Chief Minister, NWFP.
4. All Divisional Commissioners in NWFP.
5. All Heads of attached Departments in NWFP.
6. All Heads of Autonomous/Semi-Autonomous Bodies in NWFP.
7. All Deputy Commissioners/Political Agents In NWFP.
8. The Registrar, Peshawar High Court, Peshawar.
9. All District and Session Judges in NWFP.
10. The Registrar, NWFP Services Tribunal, Peshawar.
11. The Secretary, NWFP Public Service Commission.
12. The Director, Anti-Corruption Establishment, Peshawar.
13. The Secretary, Board of Revenue, NWFP.

SUBJECT: - SIGNING OF PARA-WISE COMMENTS ETC. IN SERVICE APPEALS FILED IN THE NWFP SERVICES TRIBUNAL BY CIVIL SERVANTS.

Sir,

I am directed to refer to the subject noted above and to say that pursuant to Rule-12(2) of NWFP Services Tribunal Rules, 1974, the competent authority has been pleased to authorize the Administrative Secretaries concerned or a subordinate officer to be nominated by the Administrative Secretary to sign para-wise comments etc. on behalf of the Chief Minister, NWFP and Chief Secretary, NWFP, as the case may be in cases of service appeals filed by the Civil Servants before the NWFP Services Tribunal.

Yours Obedient Servant,

Sd/xxx

SECTION OFFICER (REGULATION-I)  
S&GAD.

Endst: Even No. and date.

A copy is forwarded for information to the: -

1. All Addl: Secretaries/Dy: Secretaries in S&GAD.
2. All Section Officers/Estate Officers in S&GAD.
3. P.S. to Chief Secretary, NWFP.
4. P.S. to Secretary S&GAD.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKPFD](https://www.facebook.com/GoKPFD) [twitter.com/GoKPFD](https://twitter.com/GoKPFD)

NO. FD(SOSR-1)12-4/2023/Syed Qamar Abbas  
Dated Peshawar the: 08-02-2023

To

The Secretary to Govt: of Khyber Pakhtunkhwa,  
Planning & Development Department,  
Peshawar

Subject: - PAY PROTECTION IN RESPECT OF SYED QAMAR ABBAS  
CHIEF COORDINATION, PLANNING & DEVELOPMENT  
DEPARTMENT.

Dear Sir,

I am directed to refer to the subject noted above and to convey that in pursuance of Khyber Pakhtunkhwa Service Tribunal's judgment in Service Appeal No.1006/2019 announced on 19.01.2022 and Execution Petition No. 690/22 dated 28.11.2022, Finance Department agrees to accord sanction of pay protection (conditionally) to the applicant of his previous service rendered in project from his 1<sup>st</sup> appointment i.e. 31.01.2003 and in case decision in CPLA comes against the applicant then the benefits received on account of pay protection will be recovered.

Your's faithfully,

SECTION OFFICER (SR-1)

Copy forwarded for information and necessary action to:-

1. Accountant General, Khyber Pakhtunkhwa w/r to the letter No.H-24/ Promotion Fixation/119 dated 26.10.2022.
2. Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
3. Section Officer (Lit-II), Finance Department.
4. Mr. Syed Qamar Abbas, Chief Coordination, Planning & Development Department w/r to his letter No.PF/2017 dated 17.01.2023.
5. Master file.

*Attested  
Shahid  
Adi*

*[Signature]*  
SECTION OFFICER (SR-1)



IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

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Case No. CPLA No. 541-P/2022

**Title:** Chief Secretary, Govt. of Khyber Pakhtunkhwa Peshawar and others Versus Mr. Syed Qamar Abbas

**SUBJECT:** APPLICATION FOR EARLY HEARING & TRANSFER

**CATEGORY OF CASE:** To grant allow/Pay fixation w.e.f 31/01/2003

**BRIEF OF CASE (FROM TRIAL COURT TO IMPUGNED ORDER):-**

**Nature of Proceeding before lower Court:-** (Execution Petition) before Khyber Pakhtunkhwa, Service Tribunal, Peshawar asking for implementation of the judgment and order dated 19-01-2022 which is impugned before this august Court in CPLA No. 541-P/2022.

**Relief claimed in main case.** That the impugned Judgment & Order dated 19-01-2022 passed in Service Appeal No. 1006/2019 be suspended.

**GROUND/ REASON OF URGENCY:**

1. Respondent filed Execution Petition before the Khyber Pakhtunkhwa, Service Tribunal, Peshawar for implementation of impugned order dated 19-01-2022. Grounds of E.P. No. 690/2022 is attached
2. Hon'ble Khyber Pakhtunkhwa, Service Tribunal, Peshawar vide order dated 01-06-2023 directed the petitioners to submit proper implementation report in respect of Judgment & Order dated 19-01-2022 in Service Appeal No. 1006/2019 on the date fixed i.e 13-07-2023. (Order dated 01-06-2023 is attached herewith).
3. That if the impugned Judgment & Order is compiled it will cause irreparable loss to the petitioners and also indulge the petitioners in multiplicity of litigations.

**PROOF OF URGENCY:**  Attached  Not attached

**APPLICANT IS:**  Decree Holder  Judgment Debtor  other

**PRAYER:**

It is respectfully prayed that the Petition may kindly transferred to the Principal seat at Islamabad and be fixed in the 1st Week of July, 2023.

**UNDERTAKING:**

Certified that this is 2<sup>nd</sup> application by the AOR/Applicant for early fixation of instant case.

SUPREME COURTS OF  
PAKISTAN

*Moin-ud-Din Humayun*  
(Moin-ud-Din Humayun)  
Advocate-on-Record  
Supreme Court of Pakistan  
Government/Petitioners