Ep 224/17

11.04.2019

Nemo for petitioner. Addl. AG on behalf of the respondents present.

On 07.03.2019 notice was required to be issued to the petitioner for appearance today. The record shows that notice was duly issued, however, no one is in attendance to represent the petitioner. The execution proceedings in hand are, therefore, consigned. The petitioner may, however, have the proceedings restored if any portion of his grievance has remained un-satisfied.

Chairman

ANNOUNCED 11.04.2019

02.01.2019

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Petitioner in person present. Mr. Kabirullah Khattak, Additional AG present. Representative of the respondents is not present therefore, notice be issued to respondents with the direction to direct the representative to attend the court on the next date positively. Adjourned. To come up for further proceeding on 07.03.2019 before S.B.

07.03.2019

Learned AAG present and stated that the present execution petition is not maintainable as the petitioner was not a party to the judgment of this Tribunal in question. Today the petitioner appeared before this Tribunal in the present case however when the case was called he did not turn up. Adjourn. Notice be issued the petitioner for 11.04.019To come up for further proceedings on the date fixed.

Muhammad Amin Khan Kundi Member

Member

16.08.2018

Neither petitioner nor his counsel present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Case to come up for further proceedings on 01.10.2018 before S.B.

Chairman

01.10.2018

None present on behalf of the petitioner. Mr. Kabirullah Khattak, Additional AG for the respondents present. Notice be issued to petitioner and his counsel for attendance for 14.11.2018 before S.B.

(Muhammad Amin Khan Kundi) Member

14-11-2018 Due to Retriement of Homorable chairmon the Tribunal is non functional therefore the care's functional therefore up for The adjourned to come up for The Same on 2-1-2019

Reader

27.03.2018

Learned counsel for the appellant and Mr. Usman Ghani, learned District Attorneyefor the respondents present C Learned District Attorney' seeksspimele for furnishing implementation report Adjourn. To come up fon further proceedings on 11:04.2018 rbefore S.B. Status quobe maintained tilh the date fixed fore S.B.



11.04.2018

Petitioner with counsel, Addl: AG for respondents present. As directed vide order sheet dated 08.03.2018, learned counsel for the petitioner did not produce copy of relevant rules for properly ascertain required amendments in these rules etc. Adjourned. To come up for further proceedings on 03/07/18. before S.B.



03.07.2018

Clerk to counsel for the petitioner and Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the petitioner seeks adjournment. Adjourned. To come up for further proceedings on 16.08.2018 before S₂B.

(Ahmad Hassan) Member

Execution Petition No. 224/2017 Farman Ali VS Grovt

Counsel for the petitioner and Addl. AG alongwith Abdul Matin Computer Operator for the respondents present.

08.03.2018

After perusing the file, it transpired that the petitioner seeks implementation of the judgment in which he was not appellant. He seeks implementation on the basis of para-7 of the judgment in which this Tribunal had directed the department to consider suitable amendments in the rules and where after appellants and other similarly placed employees may be considered for promotion.

The learned counsel for the petitioner argued that so far para-7 of the judgment dated 03.01.2017 of this Tribunal has not been implemented by the department. This Tribunal put a query to both the learned counsel for the petitioner and learned AAG regarding amendments in the rules and further proceedings before the august Supreme Court of Pakistan against that judgment. It was informed by the learned AAG that he would check the record from the concerned department regarding appeal before the august Supreme Court of Pakistan. However, the rules have not been amended so far as informed by the both the parties. The learned counsel for the petitioner requested that this execution petition may be fixed for 27.03.2018 at principal seat at Peshawar, where similar execution petitions have been fixed on the said date.

This Tribunal in order to reach a correct conclusion would first to determine whether the case of the present petitioner is at par with those who were appellants in the said judgment. For this purpose, the learned counsel for the petitioner is directed to produce the relevant rules in order to see what amendment is required and whether those rules are District-based, Divisional-based or Provincial-based. This would also to be seen that if the rules are amended whether same could be given retrospective effect and specially when there is a judgment of this Tribunal. To come up for arguments/further proceedings on 27.3.2018 alongwith similar execution petitions at principal seat. The application for interim relief shall be disposed of on the next date in the light of decision of prospectivity and retrospectivity. The restraint order shall continue till the date fixed.

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Camp court, Swat

Wember

03.01.2018

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Petitioner with counsel and Addl. AG for the respondents present. Mr. Majid Hussain etc. have filed an application for impleading them as petitioner in the present petition through Mr. Shamsul Hadi Advocate. Copies provided to the learned AAG. To come up for reply on this application and also implementation report as directed on the last date of hearing on 31.1.2018 before S.B at camp court, Swat. The restraint order shall continue till the date fixed.

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Camp Court, Swat

31.01.2018

Gounsel for the petitioner present and Addl: AG for respondents present. Counsel for the petitioner seeks adjournment. Granted. To come up for reply on this application and implementation report on 08.03.2018 before S.B at Camp Court Swat. The restraint order shall continue till the date fixed.



FORM OF ORDER SHEET

S.No.	Date of order Proceedings	 Order or other proceedings with signature of Judge
1	2	3
1	30.11.2017	The Execution Petition of Mr. Farman Ali submitted to-day by Shamsul Hadi Advocate may be entered in the relevant Register and pu
n An Ann		to the Court for proper order please.
2-	18/12/17.	REGISTRAR SUM This Execution Petition be put up before Strang S. Bench Res on 19/12/17
	, . , .	CHAIRFTAN
		statien Natien ₩ ¹ · · · · · · · · · · · · · · · · · · ·
19.	12.2017	Learned counsel for the petitioner present. Notice of the present execution petition
-		be given to the respondent department. To come up for implementation report as well as reply of the present execution petition as well as reply of the application for interim relief for 03.01.2018. In the meanwhile the respondent
		department is directed to exercise restraint from issuing appointment orders in connection with advertisement dated 21.11.2017 for
		requirement of posts of Village Secretary and Junior Clerk in District Swat, till the next date.
		(Muhammad Hamid Mughal) MEMBER
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BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

Execution Petition NO. 224/2017

CM No: - /2017

In

Service Appeal No:- 1158/2015

Farman Ali

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Govt: KPK & others

.....Respondents

..... Petitioners

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S#	Description of the Documents	Annex	Pages 1-3 4-5	
1.	Application for implementation	*		
2.	Application for suspension	*		
3.	Copies of Service Appeal & order/judgment dated 03/01/2017 of this Honourable Tribunal	``A ″	6-10	
4.	Copy of advertisement dated 21/11/2017	"В″	11	
5.	Wakalat Nama		12	

Dated: - 30/11/2017

Applicant/Appellant

Through:-

&

Irfan Ali Yousafzai

Shamsul Hadi Advocates High Court Peshawar.

Swat

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR Exection Petition Petition NO-224/2017

CM No: - /2017

Khyber Pakhtukhwa Service Tribunal Diary No._1017

Service Appeal No:- 1158/2015

In

Farman Ali S/o Mian Gul Amber, Naib Qasid, BPS-02, Local Government & Rural Development Department District Swat.

..... Applicant/Appellant

ersus

- 1. Government of Khyber Pakhtunkhwa, Peshawar through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2. The Secretary Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Establishment Department & Rural Development, Khyber Pakhtunkhwa, Peshawar.
- 4. The Director General Local Government & Rural Development, Khyber Pakhtunkhwa, Peshawar.
- 5. The Assistant Director Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

APPLICATION FOR IMPLEMENTATION OF THE ORDER/JUDGMENT OF THIS HONOURABLE TRIBUNAL IN THE ABOVE TITLED SERVICE APPEAL.

Respectfully Sheweth:-

- That the above titled Service Appeal was decided in favour of the applicant/appellant and others vide order/judgment dated 03/01/2017. (Copy of Service and order dated 03/01/2017 are attached)
- 2. That this Honourable Tribunal give direction to the respondents, which is reproduced as under:-

"The right of the appellants and similarly placed employees, the respondents shall consider suitable amendments in the rules. Such an exercise shall be conducted and concluded within a period of 6 months form the date of receipt of this judgment and where-after appellants and other similarly placed employees may be considered for promotion in the mode and manners prescribed by the rules".

3. That the prescribed time period, which this Honourable Tribunal given to the respondents is being expired and they have not take any action of the judgment of this Honourable Tribunal and the respondents advertised new posts in Daily Mashriq dated 21/11/2017. (Copy of advertisement is attached). It is, therefore, most humbly prayed that on acceptance of this application, the respondents may kindly be direct to implement the order/judgment of this Honourable Tribunal dated 03/01/2017.

Dated:- 30/11/2017

Through:-

Applicant/Appellant

&

Irfan Ali Yousafzai

Peshawar.

Shamsul Hadi Advocates High Court

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

CM No: -____/2017 In Service Appeal No:- 1158/2015

Farman Ali ersus Govt: KPK & others PetitionersRespondents APPLICATION FOR SUSPENSION OF THE IMPUGNED ADVERTISEMENT DATED 21/11/2017, TILL THE FINAL DECISION OF THE APPLICATION FOR THE IMPLEMENTATION OF ORDER. DATED 03/01/2017.

Respectfully Sheweth:-

- 1. That the above noted Application for implementation of the order of this Honourable Tribunal is being filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.
- 2. That the petitioner has got a good prima facie case in their favour, and are sanguine about its success.
- 3. That the balance of convenience also lies in favour of the petitioner.



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That if the impugned advertisement mentioned above is not suspended, than the petitioners would suffer irreparable loss.

5. That the facts and grounds of the application for implementation may kindly be read as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the impugned advertisement dated 21/11/2017 may kindly be suspended, till the final decision of the case.

Dated:- 30/11/2017

4.

Applicant/Appellant

Through:-

&

Irfan Ali Yousafza

Shamsul Hadi Advocates High Court Peshawar.

AFFIDAVIT:-

As per instruction of my client, It is, stated that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal



DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1158 / 2015

Bervico Tribung Dary No. 2-9-Based 12: 15:25

.... RESPONDENTS

Mr. Shamsher Ali, Naib Qasid (BPS-02), O/O Assistant Director Local Government and Rural Development Department Malakand, District Malakand.

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
 - The Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
 - The Director General Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Assistant Director Local Government and Rural Development Department Malakand, District Malakand

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL THE OF INACTION THE AGAINST ACT 1974 PROMOTIING THE NOT No.4 BY RESPONDENT VILLAGE/ OF POST THE TO APPELLANT NEIGHBORHOOD COUNCIL SECRETARY (BPS-07) AND AGAINST THE SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED ON 26.1.1978 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

Alled to day

3.1.2017

 Counsel for the appellant and Mr. Muhammad Zubair, Senior Government Pleader alongwith Khursheed, Computer Operator for respondents present. Arguments heard. Record perused.

Vide our detailed judgment of today in connected service appeal No. 1157/2015, tiled Zahiq Hussain Versus the Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 4 others", we dispose off the present appeal also as per detailed judgment. Parties are left to bear their own cost. File be consigned to the record room.

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1157 / 2015

G.W.F. Provines Service Tribungl Diary No 1246 Cated 13. 10 . 201

Mr. Zahiq Hussain, Naib Qasid (BPS-02), O/O Assistant Director Local Government and Rural Development Department Malakand, District Malakand. ... APPELLANT

VERSUS

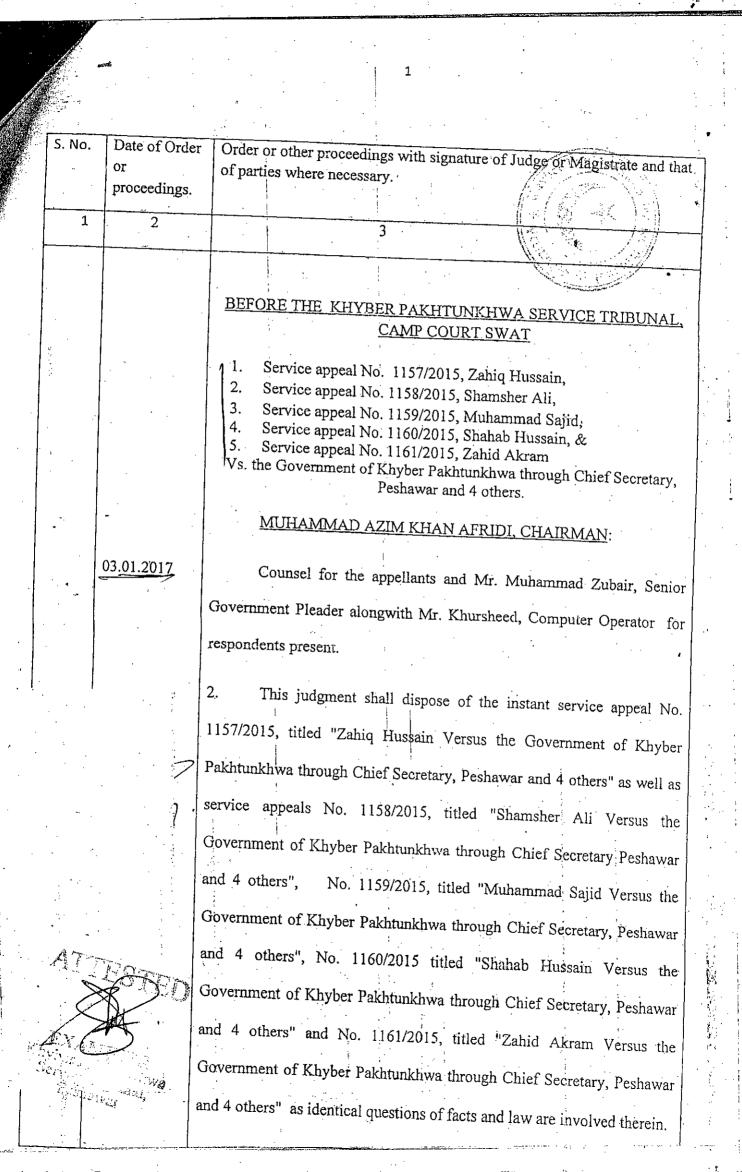
- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director General Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Assistant Director Local Government and Rural Development Department Malakand, District Malakand

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL 1974 AGAINST THE INACTION THE ACT OF RESPONDENT No.4 BY NOT PROMOTIING THE THE POST APPELLANT TO OF VILLAGE/ **NEIGHBORHOOD COUNCIL SECRETARY (BPS-07) AND** AGAINST THE SERVICE RULES OF THE RESPONDENT **DEPARTMENT NOTIFIED ON 26.1.1978 AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL** OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal this appeal the impugned service Rules dated 26.1.1978 of the respondent Department may kindly be modify to the extent that promotion quota may very kindly be allocated for class-iv to the post of Secretary village Council and the respondent No.5 may further kindly be directed to consider the appellant for promotion to the post of Village/ neighborhood Council Secretary (BPS-07) in light of the order dated 31.5.20008. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

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3. Brief facts of the case of the appellants are that they are serving as Class-IV employees in the establishment of Local Government & Rural Development Department District Malakand. In the rules in wogue till 2002 the appellants and similarly other employee were entitled to promotion as Junior Clerks subject to fulfilling the pre-requisites which provision of promotion was done away with in the year 2002 leaving no prospects for career/promotion of the appellants and similarly other placed employees.

4: We have heard arguments of learned counsel for the parties and perused the record.

5. Though appellants are seeking promotion to the post of Secretary Village Council and neighborhood Council Secretary however no such provision for promotion is available in the rules and therefore this court is in a position to entertain the appeals of the appellants.

6. It is an established principle of law that every person in the service of Pakistan has a right to career/progression//promotion including the appellants keeping in view the provisions of fundamental rights read with the judgments of the august Supreme Court of Pakistan including the case laws reported as 1991-SCMR-1041, 2010 PLC (C.S)68, 2010 PLC (C.S) 1075, 2011-PLC (C.S) 1130.

7. We therefore direct that keeping in view the said tights of the appellants and similarly placed employees the respondents shall consider suitable amendments in the rules. Such an exercise shall be conducted and concluded within a period of 6 months from the date of receipt of this judgment and where-after appellants and other similarly placed employees may be considered for promotion in the mode and manners prescribed by rules. The appeals are disposed of in the above terms. Parties are left to

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1.0 bear their own costs. File be consigned to the record room. Announced sof M. Arin (Khen Africh, 53.01.2017 Chow and Chow and Eval camp const Swat 03-01.2017 Certified kň Nei 10-01-2017 Complete 10-01-2017 Ursen 2 D Toto 12 0 Nombol C Mill Detroff Che 10-01-2017 Detroff Leuro 10-01-2017

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Advertisement No.1

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دنوندادى كى يەدەرىدى بىلىنى ئەردىدىدۇن دىرى ئىلىلىي ئىلىكى ئەتتىپى مىلوپ قابلىت اور دىگى ئىرىنى ئەترىمى بىزاسىن ئەركىيە تىكى ئىلانىن كەركىزار كى ئەتلىلىيىدى سەدقا ئى تلوپ يىدىنى مەرى كىدىنى تىمى مەن ئىل بىلى يەن يەركى بىلى تەر. مىلوپ قابلىت اور دىگى شرائىلە،

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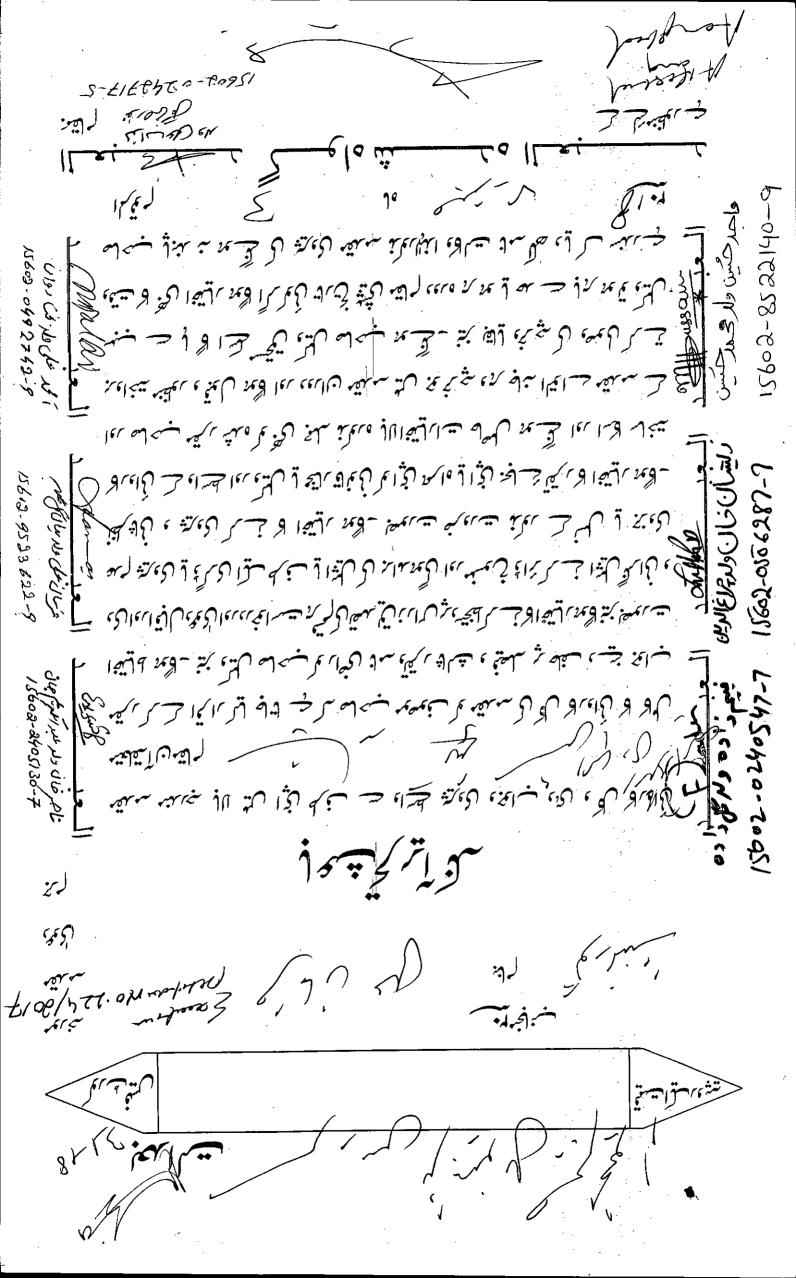
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در است مسته کار است. این از از انتشار ان الکران کار ب ماین به معند والدان بر 2017 مین کارکی . (دفاست می دید کارک کارک کارست دون کارک الک کارست داد و کارک از از از دادن در فارا ست داد و کارک از این از دادن در فارا ست در مند و کارک از است داد و کارک از این از دادن در فارا ست داد و کارک ا تاران فدان الاردواستاد بالت الت من بالميدادين الترويون الترويون التي 500 ب (18 فل نحس والتار مالي ماليك المالي المك كي كماروا التركي المحاول التركي المركول كي كاروا من التركي المكول كي كاروا من التركي التركي المركول التركي المركول التركي الت ير الماري الماري تمايير (بسيد مايز) كميدانة الوليان في تاريدان مياك الأملي المدارك تركين للدة لوكولي فديدا كما كمديتوم بركية كماكون تركيم و المحاسبين في 22 مكان في 13 مايز الموارك المديتوم بركية كماكون في 22 مكان في 13 مراية الماري تمايين الماري كم ETEA Copy روالكون الحرين الحري م الج الدي SMS التركيب والم المحت والتروي من الجاجية تحد المن الأو مرفوات في المرفوات في الدينية على الأكم القد العن المحت التروي على المرفوات في الدينية على الأكم القد العن المحت التروي على المرفوات في الدينية على الأكم القد العن المحت التروي المحت التروي المحت ال Picture (ياب دن الأتموي) مان كاني) + دولية مانسة تحكم مادخة التي تنائم المنافية فرق تاريخة ومجمة 2017 ب متم دوالدين أول أول تتراد وكار

📢 المصفيص اسينئراسشن دائر يكثر بحكمه بلديات دديمي رقي صويه خيبر يحتونخواصلع سوات INF(P)6607

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Z Fright - Solowe 0 15 21 -610 1 6.1 °d 1º con 1/E- LIOG-11-05 جسم من الله على المراسية المرابع المرابع معالمة المرابع المرابع من المرابع المرابع المرابع المرابع الم ل ترويع مديرة مسر مديد ويديد مروريه التيبة فريراته ولي في تركرا الأيد مايتكاره لاست، جسر المهمة الرينية ألة بخبر سيحات المرز ليحسر والألو سريبه ک سویقه در اعما سرانه روه دور که سویقه دراره اور که اور کا بخ و رواری که سيجام الرسامية الشير محمد مسراه تساراتية الألو ومعارفة سلبخ الكوعر ومهته بركيعه سبحاك مادا - او من اتيجا الرسمي حرب افخرا قر «المو الجواعر (بم او مايج قر المترب» الحسرا، حر المايك في رويد أن المن حديد تعديد من المور التوالا في لايد ، رويد ، رواله ی ، بارو کیزا جسار براہ جن میں الوعد والم الم کی تیا **ای** ب کو الوں کر ہے والد کر کی الم کر کا الم کر کا الم کر کھ ت به الاعد، ایتجالاج بر ایجیه، شرکه این یکی مهق کرمینی میں ایک میں الدی کوی افغاری الدی میں ا ب اي خب ملك فر سلحة ، شاك ، تما شاك ولما مر ب له ولا المر م او او روای او روسه مر و موجه است اس مرحد او او ار ای احر کر این ر فراید کا میں دور، باید، درید کی اور سے نے کا رزا ریڈ الا مجدید، مدمقه 00 مرياته کي جه که 1000 لريخ الجحجر il sear (J. () J) ب الجبر الموالج المتبح المحر <u>مر شرا</u>



BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA

C.m No. ____/2017

Execution Petition No.224/2017.

Farman Ali.....Petitioner.

VS

Secretary Local Govt KPK and others......Respondents.

Application for impleadment, to array the applicant namely 1. Majid Hussain.

2. Fahim Zada.

3. Nasar Khan.

4. Amjad Ali.

5. Zeshaan Khan

Presently all working against the posts of "Naib Qasid" at Local Govt & Rural Devolopment Department at Mingora, Swat. as petitioners in the titled petition.

Respectfully Sheweth:

2.

That the captioned execution petition is pending for adjudication before of this august court with date fixed as 03/01/2017.

That the applicants have also the same grievances against the respondents and want the same relief from this august court like other petitioners of the title petition.

It is, therefore, humbly prayed that on acceptance of this application, the above named applicant may kindly be arrayed as petitioners/applicants in the titled petition.

Through

Applicants

Shams ul Hadi Advocate BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA

C.m No. ____/2017

Execution Petition No.224/2017.

Farman Ali.....Petitioner.

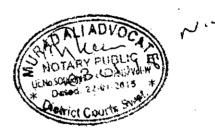
VS

Secretary Local Govt KPK and others......Respondents.

AFFIDAVIT

I, Shams ul Hadi, Advocate, Peshawar do hereby as per information convoyed to me by my client solemnly affirm and declare that the contents of the **impleadment application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

ADVOCATE



BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA

C.m No. ____/2017 In Execution Petition No.224/2017.

Farman Ali.....

VS

Secretary Local Govt KPK and others......Respondents.

ADDRESSES OF THE PARTIES

Applicants:

- 1. Majid Hussain.
- 2. Fahim Zada.
- 3. Nasar Khan.
- 4. Amjad Ali
- 5. Zeshaan Khan

Presently all working against the posts of "Naib Qasid" at Local Govt & Rural Devolopment Department at Mingora, Swat

Applicants Through

.Petitioner.

Dated: 03/01/2017

Advocate.

Shams-ul-Hadi

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Execution Petition No.224/2017

Farman Ali Son of Mian Gul Ambar Naib Qasid BPS-02 Local Government &Rural Development Department District Swat and others.....Petitioner

Versus

Written reply to the execution petition No. 224/2017 on behalf of respondents No.1 to 5

Respectfully Shewith:-

Preliminary objections

- a) That Petitioners has got no cause of action
- b) That instant petition is barred by time
- c) That the present petitioners have neither approached the Honourable Service Tribunal nor the Service Tribunal has passed any decision in favor of the petitioners.
- d) That the petitioners has got no locus standai

Facts,

- 1. Incorrect. Neither the present petitioners have submitted appeal before the Honourable Service Tribunal nor the Honourable Service Tribunal has passed any judgment in favor of the present petitioners. Hence the petitioners are misleading/ misrepresenting the court in the instant case.
- 2. Incorrect. The honourable Service Tribunal has passed Judgment in Service appeals namely.
 - 1. Service appeal No.1157/2015, Zahiq Hussain
 - 2. Service appeal No.1158/2015, Shamsher Ali
 - 3. Service appeal No.1159/2015, Muhammad Sajid
 - 4. Service appeal No.1160/2015, Shahab Hussain &
 - 5. Service appeal No.1161/2015, Zahid Akram

VS

The Govt: of Khyber Pakhtunkhwa through Chief Secretary Peshawar and 4 others wherein the present petitioners have not impleaded there self as necessary party to the above appeals therefore the Honourable Service Tribunal has not passed any Judgment in favor of the present Petitioners and the petitioners are trying to mislead the Honourable Service Tribunal accordingly.

3. Incorrect. The Honourable Service Tribunal has not given the prescribed time period in this regard. The advertisement for newly posts of Secretaries of VC/NCs in District Swat has been published in the leading News Papers but no appointments against these vacant/advertised Posts have been made as yet because these posts will be filled through ETEA result for which date 04.03.2018 was fixed for screening. There exist no such Service rules in LG&RDD Khyber Pakhtunkhwa under which a Naib Qasid could be promoted to the post of Secretary Village Neighbourhood Council.

The present Petitioners have wasted the precious time of the Honorable Service Tribunal Khyber Pakhtunkhwa by filing the instant execution petition.

Prayer

Keeping in view the above facts and circumstances, it is humbly prayed that the instant execution petition of the petitioners may kindly be dismissed with cost, please.

Chief Secretary Khyber **P/Rhtunkhwa** Peshawar

Respondent No.2

Respondent No.1

Respondent No.3

Respondent No.4

Respondent No.5

Secretary to Government of Khyber Pakhtunkhwa Local Government Elections & Rural Development Department Peshawar,

Secretary to Government of Establish Department Khyber Pakhtunkhwa, Peshawar **Secretary** Establishment

Director General LG&RDD Khyber Pakhtunkhwa Peshawar

Assistant Director (Seniour) LG&RDD, Swat

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Department Peshawar,

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Respondent No.1

Chief Sedretary Khyber PyRhtunkhwa Peshawar

Respondent No.2

Respondent No.3

Secretary to Government of Establishmen

Secretary to Government of Khyber Pakhtunkhwa Local Government Elections & Rural Development

Government of Establishment Department Khyber Pakhtunkhwa, Peshawar

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Respondent No.4

Director General LG&RDD Khyber Pakhtunkhwa Peshawar

Respondent No.5

Assistant Director (Seniour) LG&RDD, Swat