

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

Khyber Pakhtunkhwa  
Service Tribunal

CIVIL Miscellaneous No: \_\_\_\_\_ / 2017

Diary No. 58

In Service Appeal No. 130 / 2016

Dated 1-2-17

Saleem Asmat

VS

Government of KPK etc

**APPLICATION FOR SUSPENDING THE OPERATION OF**  
**IMPUGNED ORDER DATED 19.09.2016 AND IMPUGNED**  
**APPELLATE ORDER DATED 23.12.2016 & RELEASE / PAYMENT**  
**OF SALARY.**

put up to the court  
with relevant appeal.

Respectfully Sheweth,

*[Signature]*


*[Signature]*

Application, on behalf of Applicants / Petitioners, is as under:


1. That, titled Service Appeal is recently instituted in which no date has yet been fixed for Preliminary Hearing.
2. That, even otherwise, the matter in dispute was pending in this Honourable Tribunal since long. however the Respondents issued the Impugned Orders with the aim to harm the service career of the Applicant / Appellant.
3. That, similar orders of other employees have also been suspended by this Honourable Tribunal in Service Appeal No. 498 / 2013, copy of the Order in this respect is attached for ready reference.
4. That, Applicant / Appellant is sanguine about his success in the titled case due to the facts contained therein moreover the Applicant / Appellant has got prima facie case and balance of convenience also lies in their favour.

5. That, Applicant / Petitioner will suffer irreparable loss and inconvenience if the Interim Relief is not granted.
6. That, it merits mentioning here that the Respondents under mala fide intention have also stopped the pay of the Applicant / Appellant against the law and the rules.
7. That, the contents of the main Service Appeal may also be treated as integral part of this Application.

It is, therefore, requested that on acceptance of this Application, the subject mentioned Impugned Orders may please be suspended till the disposal of instant Service Appeal and pay of the Applicant / Appellant may also be released in the interest of justice & fairness.

  
Applicant / Appellant,

Through,

  
BILAL AHMAD KAKAIZAI  
(Advocate, Peshawar)

BEFORE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.

CIVIL Miscellaneous No: \_\_\_\_\_ / 2017

In Service Appeal No. 130 / 2016

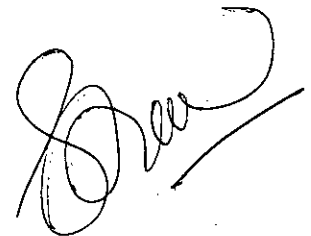
Saleem Asmat

VS

Government of KPK etc

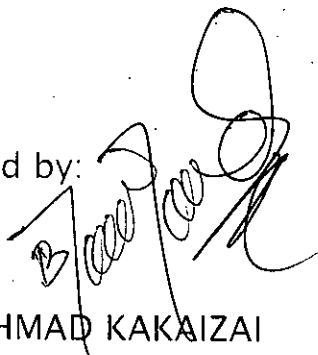
AFFIDAVIT

I, Saleem Asmat, Naib Tehsildar, Applicant/ Appellant, do hereby on oath affirm and declare that the contents of the Application are true and correct to the best of my knowledge and nothing has been kept secret from this Honourable Tribunal.

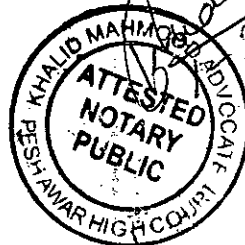


Deponent.

Identified by:



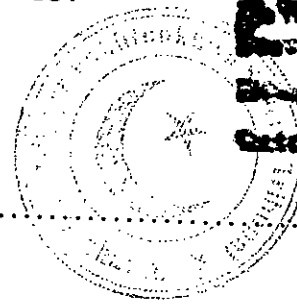
BILAL AHMAD KAKAIZAI  
(Advocate, Peshawar)



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

APPEAL NO. 498 /2013.

Hazrat Yousaf, Naib Tehsildar,  
Kander District Torghar.....



**KPK Peshawar**  
No. 382  
Dated 06-2-20

.....Appellant.

VERSUS

- ① The Senior Member Board of Revenue KPK Peshawar
- ② The Commissioner, Hazara Division Abbottabad
- ③ District Officer (R&E) Torghar.
- ④ Assistant Secretary (Estt:) Board of Revenue Govt:of Khyber Pakhtunkhwa Peshawar.

*All other private respondents except in circle are placed ex-parte vide order sheet dated 9-6-14*

- 5- Mr. Abdur Rehman Shah, Tehsildar Dagar Bunir on Acting Charge S.No. 19 of the seniority list.
- 6- Mr.Sarir Ahmed Tehsildar Reconciliation Peshawar on Acting Charge. S.No. 20 of the seniority list.
- 7- Mr. Muhammad Riaz Tehsildar Recovery Officer PESCO Peshawar Circle on Acting charge S.No.,22 of the seniority list.
- 8- Mr.Ataullah Tehsildar Charsadda on Acting charge S.No. 23 of the seniority list.
- 9- Mr Musadiq Hussain Tehsildar Inspector Stamps Bannu on Acting charge S.No. 24 of the seniority list.
- 10- Mr Abdul Qayyum Tehsildar Karak on Acting charge S.No. 25 of the seniority list.
- 11- Mr Muhammad Nawaz Tehsildar Battagram on Acting charge S.No. 26 of the seniority list.
- 12- Mr MIR Liaq Tehsildar Revenue Officer Khyber Bank Peshawar on Acting charge S.No. 27 of the seniority list.
- 13- Mr.Nouman Ali Shah Tehsildar Political Tehsildar lower Orakzai Agency on Acting charge S.No. 28 of the seniority list.

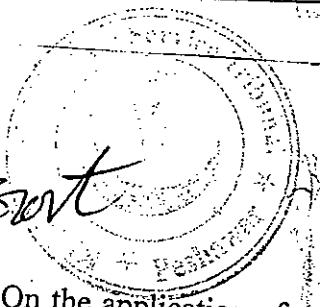
*Submitted to- [Signature] 6/2/13*

*Submitted to- [Signature] 28/2/13*

*[Signature]*  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

21.09.2016

Appeal No. 498/2013  
Harsat Jorabat vs Govt



Counsel for the applicant/appellant present. On the application of learned counsel for the applicant/appellant file requisitioned for today. The learned counsel for the applicant/appellant argued that the appellant worked as Naib Tehsildar for almost 10 years. He further argued that his promotion from Naib Tehsildar was made on the basis of directions of the Service Tribunal dated 22.02.2010 followed by Execution Petition decided on 29.11.2010 and the impugned order of reversion dated 09.09.2016 was illegal, one sided and based on malafide. He requested for suspension of the impugned order dated 09.09.2016 till the date fixed for hearing of the main appeal which is 03.11.2016. Request is accepted. The impugned order dated 09.09.2016 is suspended till the date of hearing of main appeal. To come up for arguments on 03.11.2016 before D.B. Notice be issued to the respondents accordingly.

Certified to  
[Signature]  
[Stamp]

[Signature]  
Munbar

Date of receipt 06-10-16  
No. 5600  
Copies 30  
Urgent 2  
Total 32  
Name of Officer [Signature]  
Date of receipt 06-10-16  
Date of audit 06-10-16