

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT, SWAT

CM _____ 21023
IN
EP # 662/2022
IN
S.A # 870/2019
Bakht Rawan.....

10046

22-12-2023

Appellant.

Versus

Govt. of Khyber Pakhtunkhwa
Through Chief Secretary Khyber Pakhtunkhwa
and others..... Respondents.

SUBJECT: APPLICATION FOR RELEASE OF SALARY OF RESPONDENTS NO. 3.

Respectfully Sheweth: -

Preliminary Objections: -

Facts: -

1. That the instant Execution Petition was pending before this Hon'ble Tribunal and was fixed for hearing on 04.12.2023.
2. That vide order dated 04.09.2023 salary of respondent no. 3 (Director Higher Education) was attached in the instant case (**Annex-A**).
3. That vide order dated 06.11.2023 salaries of Respondents no. 1 and respondent no. 2 (Chief Secretary, Khyber Pakhtunkhwa and Secretary Higher Education) were attached (**Annex-B**).
4. That compliance report in the instant Execution petition was submitted in Tribunal on 04.12.2023 (**Annex-C**) and this Hon'ble Tribunal vide order dated 04.12.2023 only released salary of respondent no. 1 and respondent no. 2 and did not release salary of respondent no. 3 (Director Higher Education).

Prayers: -

It is, therefore, humbly prayed that the salary of respondent no. 3 attached vide order dated 04.09.2023 may be released in the instant case.

Fareedullah Shah
Director,
Directorate of Higher Education
Respondent No. 03



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, CHAMKANI STOP, PESHAWAR**

Tel # 091-2650024 / Fax # 091-2260181

E-mail:- dhekpesh@gmail.com Facebook.com/dhekpeshawar Twitter.com/dhekpeshawar1

AUTHORITY LETTER

Mr. Ihtesham-Ul-Haq, Superintendent (BPS-17), Directorate of Higher Education, Khyber Pakhtunkhwa, Peshawar is hereby authorised to submit application for release of salary in EP# 662/2022 in S.A # 870/2019 Titled Bakht Rawan Versus Government of Khyber Pakhtunkhwa, on behalf of respondent no. 3.

Fareedullah Shah
Director,

Directorate of Higher Education,
Khyber Pakhtunkhwa Peshawar

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

CM 2023
IN
EP# 662/2022
IN
S.A # 870/2019

Bakht Rawan Appellant

Versus

Govt of Khyber Pakhtunkhwa,
Through Secretary, Higher Education,
Khyber Pakhtunkhwa, Peshawar
& others..... Respondents

AFFIDAVIT

I, Fareedullah Shah, Director, Higher Education, Khyber Pakhtunkhwa, do hereby declare and affirm on oath that the contents of application for release of salary are correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off.

Identified by:

Deponent
CNIC # 14101-0456092-7
Mobile No. 0333-9151399

ATTESTED

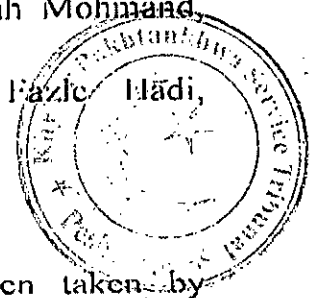


E.P. No. 662/2022
Bakht Rawan vs Govt

Ans-A

04.09.2023

1. Petitioner in person present. Mr. Fazal Shah Mohmand,
Additional Advocate General alongwith Mr. Fazle Hadi,
Associate Professor for the respondents present.



2. On the query as to what action has been taken by
respondents No. 3 on the letter from Principal GDC Chakesar
Shangla to the Director Higher Education dated 03.06.2023,
representative of the respondents stated that he has no information
which transpires that no action, whatsoever, has been taken despite
the direction given on previous hearing dated 03.07.2023 strictly
warning the respondents to submit proper implementation report
failing which coercive measures shall be taken against the
respondents. As no progress whatsoever, is coming on record,
therefore, salaries of respondent No. 3 is attached till further
orders of the Tribunal. The Accountant General Khyber
Pakhtunkhwa is directed to attach salaries of respondent No. 3.
All the three respondents are strictly directed to ensure submission
of proper implementation report on the next date positively. To
come up for implementation report on 02.10.2023 before S.B at
camp court Swat. Parcha Peshi given to the parties.

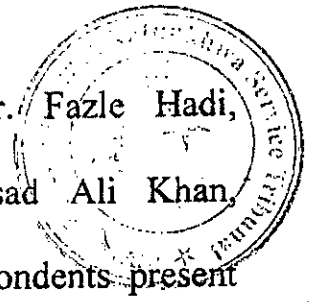
Certified to be true copy
MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Muhammad Akbar Khan)
Member (I)
Camp Court Swat

Anx-B

06.11.2023

Petitioner in person present. Mr. Fazle Hadi, Associate Professor alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present and stated that process for implementation of the judgment under execution is in progress. On previous date, absolute last chance was given to the respondents for submission of implementation report but they failed to submit the same and no plausible reason has been furnished for non-submission of the implementation report. The execution petition in hand is pending since 03.11.2022 and the respondents have been granted several opportunities for implementation of the judgment under execution, therefore, salaries of respondents No. 1 & 2 are hereby attached till further order. Salary of respondent No. 3 has already been attached vide order dated 04.09.2023. Registrar of this Tribunal shall send copy of this order to Accountant General Khyber Pakhtunkhwa, Peshawar for compliance. Respondents shall positively produce implementation of the judgment under execution in letter and spirit on 04.12.2023 before the S.B at Camp Court Swat. Parcha Peshi given to the parties.



Certified true copy
Naeem Amin
Registrar
Camp Court Swat
Peshawar

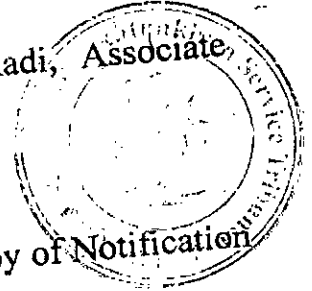
(Salah-Ud-Din)
Member (J)
Camp Court Swat

Naeem Amin

Ann-C

04.12.2023

1. Learned counsel for the petitioner present. Mr. Habib Anwar, Additional Advocate General alongwith Fazle Hadi, Associate Professor for the respondents present.



2. Representative of the respondents submitted copy of Notification dated 04.12.2023, wherein retirement/LPR and pension case in respect of the petitioner was allowed subject to the outcome of CPLA. Salaries of respondent No. 1 and 2 attached vide order dated 06.11.2023 are hereby released.

3. In view of the above, instant appeal is disposed of being fully satisfied. Consign.

4. Pronounced in open court at camp court Swat and given under my hand and seal of the Tribunal on this 4th day of December, 2023.

(Rashida Bano)
Member (J)
Camp Court, Swat

Certified to be true copy

Kaleemullah
Service Tribunal
Peshawar

Kaleemullah

Date of Presentation of Application 22/12/23
Number of Writs 37
Copying Fee 15/-
Urgent 5/-
Total 20/-
Name 22/12/23
Date of 22/12/23
Date of 22/12/23