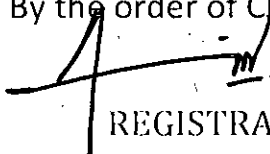


Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Implementation Petition No. 16/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.01.2024	<p>The implementation petition of Mr. Naheem ur Rehman and another received today by registered post through Mr. Rashid Iqbal Jadoon Advocate. It is fixed for implementation report before touring Single Bench at A.Abad on _____. Original file be requisitioned. AAG has noted the next date.</p> <p>By the order of Chairman  REGISTRAR</p>

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Execution Petition No: **16** of 2024

Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G), GHSS  
Harno Aziz Abad Abbottabad and one anther

Petitioners

**VERSUS**

District Comptroller of Accounts, Abbottabad and others..... Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL  
JUDGMENT DATED 12/05/2009 PASSED AS “JUDGMENT IN  
REM” IN APPEAL NO 1276 OF 2007,


READ WITH

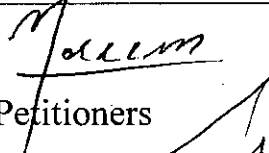
ORDER DATED 19/01/2022 PASSED IN EXECUTION PETITION NO  
84 OF 2021 BY THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR (CAMP COURT ABBOTTABAD).

**INDEX**

S.No	DESCREPTION OF DOCUMENTS	ANNEXURES	PAGE NO
1	Memo; of execution petition and affidavit	----	01 to 04
2	Copy of relevant pages judgment dated 12/05/2009.	A	05 to 08
3	Copy of relevant pages of service books along with ROP done by respondents	B	09 to 21
4	Copy of Order dated 19/01/2020 passed in Execution Petition No 84 of 2020	C	22 to 30
5	Wakalatnama & Power of attorney	D	31 to 33

Dated 01/01/2024  
Through

  
(Rashid Iqbal Khan Jadoon)  
Advocate IBC Islamabad  
Attorney Abbottabad.

  
(Shahzad Shakoor)  
Advocate High Court Abbottabad

Abbott Law Chamber

Office No 06, Ayub Tanoli lawyer plaza  
Abbottabad. 0333-5025002, 0316-9343818

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No: 10255

Execution Petition No: 16 of 2024

Dated 3-1-2024

- 1) Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G), GHSS Harno Aziz Abad Abbottabad. P. Computer No 4233.
- 2) Zafran Khan S/O Sultan Khan, SST (G), GHSS Harno Aziz Abad Abbottabad. P. Computer No 4744

Petitioners

**VERSUS**

- 1 District Comptroller of Accounts, Abbottabad.
- 2 Accountant General Khyber Pakhtunkhwa Peshawar.
- 3 Government of Khyber Pakhtunkhwa through Secretary Finance Department, Peshawar.
- 4 District Education Officer, Elementary & Secondary Education Department (Male) District Abbottabad.
- 5 Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Peshawar.

Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN REM" IN APPEAL NO 1276 OF 2007,  
READ WITH  
ORDER DATED 19/01/2022 PASSED IN EXECUTION PETITION NO 84 OF 2021 BY THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR (CAMP COURT ABBOTTABAD).

**PRAYER**

IT IS RESPECTFULLY PRAYED THAT RESPONDENTS MAY PLEASE BE DIRECTED TO RESTORE THE 04 ADVANCE

INCREMENTS OF MA INSTEAD OF 02 AND ADVANCE INCREMENTS/RECOVERY OF PAYMENT WHICH ALREADY DEDUCTED/RECOVERED PREVIOUSLY MAY BE RETURNED TO THE PETITIONER WITH ALL BACK BENEFITS.

ANY OTHER RELIEF FOR WHICH THE PETITIONER IS ENTITLED AND SAME IS NOT ASKED/PRAyed SPECIFICALLY MAY KINDLY BE GRANTED IN THE FAVOUR OF THE PETITIONER TOO.

Respectfully Sheweth,

- 1) That petitioners got 04 advance increments of MA/MSc on the basis of "**Judgment in Rem**" on 12/05/2009, passed by Khyber Pakhtunkhwa Service Tribunal Peshawar in appeal No 1276 of 2007 along with numerous same nature other appeals, whereupon respondents did not file petition (CPLA) before Apex Court against the judgment dated 12/05/2009 and thus it attained finality. Copy of relevant pages of judgment are annexed as Annexure "A".
- 2) That later respondents implemented the above Judgment in letter and spirit and the benefits of advance increments were being given to the petitioner regularly as a part and parcel of his salary, while after the year 2012, respondents, with out any notice or any legal reason, deducted 02 advance increments out of 04 advance increments of MA/MSc from his salary. Copy of relevant pages of service books along with ROP done by respondents are annexed as Annexure "B"
- 3) That the litigation of above illegal and unlawful matter of deduction/reduction of advance increments, reached to an end through order dated 8/11/2019, passed by Apex Court in the subject matter, now under same settled law point, this Honourable Tribunal has been pleased to decide the very law points in Execution Petition No 84 of 2020 along with some others on 19/01/2020 and redressed the same grievances. Copy of said order is annexed as Annexure "C"

- 4) That in the service matter, Apex Court decided law in numerous cases in the year 2022 reaffirmed it in a reported case, **2022 PLC (C.S) 610**, which is reproduce below, **citation (i) page 613**

“Where the Tribunal or the Supreme Court decides a point of law relating to the terms of service of a civil servant which covers not only the case of the civil servant who litigated, but also of other civil servants, who may have not taken up legal proceedings, in such a case, the dictates of justice and rules of good governance demand that the benefit of the judgment be extended to other civil servants, who may not be parties to the above litigation, instead of compelling them to approach the Tribunal or any other legal forum”

after deciding the point of law by the Supreme Court, as well as this Honourable Tribunal, implementation of the final judgment of this Honourable Tribunal dated 12/05/2009, once again will be implemented by this Honourable Tribunal and for the same reason instant implementation petition is being filed which is within time under the law.

It is respectfully prayed that respondents may please be directed to restore the 04 Advance Increments of MA instead of 02 and Advance Increments/Recovery of payment which already deducted/recovered previously may be returned to petitioners with all back benefits.

Any other relief for which the petitioner is entitled and same is not asked/prayed specifically may kindly be granted in the favour of the petitioners too.

Dated 01/01/2024

*Naheem*

1) Naheem ur Rehman Qureshi

Petitioners

*Zafran*

2) Zafran Khan

Through

*Rashid Iqbal Khan Jadoon*

(Rashid Iqbal Khan Jadoon)  
Advocate IBC Islamabad  
Attorney Abbottabad.

*Shahzad Shakoor*

(Shahzad Shakoor)  
Advocate High Court Abbottabad

Abbott Law Chamber

Office No 06, Ayub Tanoli lawyer plaza  
Abbottabad. 0333-5025002, 0316-9343818

4

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**Execution Petition No:                      of 2024**

Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G), GHSS  
Harno Aziz Abad Abbottabad and one anther

Petitioners

**VERSUS**

District Comptroller of Accounts, Abbottabad and others..... Respondents

**JOINT AFFIDAVIT**

We enlisted below

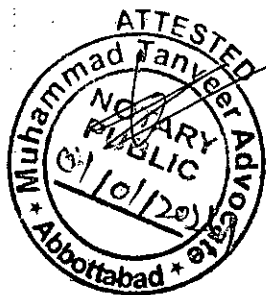
- 1) Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G), GHSS Harno Aziz Abad Abbottabad.
- 2) Zafran Khan S/O Sultan Khan, SST (G), GHSS Harno Aziz Abad Abbottabad. Deponents, do here by affirm on oath that contents of instant execution petition (for restoration of advance increments of MA) is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and it is also declared on oath that respondents are not restoring the deducted advance increments and instant execution/implementation petition is first petition & same nature of any other petition is not pending before this Honourable Tribunal.

*Naheem*

1) Naheem ur Rehman Qureshi  
CNIC 13101- 8374480-3

*Zafran*

2) Zafran Khan  
CNIC 13101- 7577691-5



Annexure (A)

BEFORE THE NWFP SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD.



Appeal No. 1276/2007

Date of institution – 27.12.2007

Date of decision - 12.05.2009

Muhammad Akram, S/O-Sikandar Khan, C.T. Teacher, Government High School, Kuthwal, Abbottabad.....(Appellant)

VERSUS

1. District Coordination Officer, Abbottabad.
2. Executive District officer (S &L) Abbottabad.
3. District Accounts Officer, Abbottabad.
4. Director (S&L) Department, Peshawar.
5. Secretary to Government of NWFP (S&L) Department Peshawar.
6. Accountant General NWFP Peshawar.
7. Secretary to Government of NWFP Finance Department, Peshawar.

Appellant in person present.

Arshad Alam, A.G.P.....For respondents.

MR. ABDUL JALIL.....MEMBER.

MR. BISMILLAH SHAH.....MEMBER.

JUDGMENT.

ABDUL JALIL, MEMBER : This judgment/order will dispose of this Service Appeal No. 1276 of 2007, by Muhammad Akram and the following Service Appeals. The reason is that the broad facts and the legal issues in all the below mentioned appeals are the same, and need consolidated judgment and joint disposal.

<u>Sr. No.</u>	<u>Appeal No.</u>	<u>Name of appellant.</u>
1.	1277/2007	Saidur Rahman,
2.	1278/2007	Munibur Rahman,
3.	1279/2007	Muhammad Siddique,
4.	01/2008	Maroof Khan
5.	02/2008	Amjad Hussain Awan

NWFP Service Tribunal  
Peshawar  
EXAMINER  
ATTESTED

6

257.	504/2009	Muhammad Shamraiz
258.	505/2009	Ali Bahadur
259.	506/2009	Muhammad Haroon
260.	523/2009	Naureena Maqsood
261.	524/2009	Yasmeen Akhtar
262.	525/2009	Shabana Nazir
263.	681/2009	Nighat Bibi
264.	682/2009	Waseem Sultan
265.	683/2009	Bibi Hajra
266.	684/2009	Abdul Razaq
267.	685/2009	Fatiha Gul

2. The appellant of Service Appeal No. 1276 of 2007, contended that he was appointed as untrained P.E.T. Teacher in Education Department on 27.6.1990. The appellant being C.T trained, was adjusted against the C.T post on 06.05.1996 on regular basis. He acquired higher qualification of M.A on 25.08.1999. The appellant was entitled to advance increments in the light of the Finance Department notification dated 11.8.1991. The same was not given to him. Some of the teachers came to this Tribunal whose Service Appeals were dismissed in Service Appeal No. 498 of 2006 decided on 24.4.2007. The August Supreme Court of Pakistan, while deciding C.P.L.A No. 525 of 2007 and CPLA No. 526 of 2007 decided that all the teachers were entitled to the advance increments like all other civil servants. On the request of the appellant, the same benefit was not given to him. Hence, he filed the present Service Appeal. As already mentioned, the broad facts and the legal issues in all other appeals are almost on the same lines.

3. The respondents contested the appeal and contended that either the appellants had not submitted applications or their applications were time-barred. And there was no judgment in favour of the appellants.

4. We heard the arguments and perused the record.

5. The judgment in CPLA Nos. 525 of 2007 and 526 of 2007 is as under:-

3. *Learned Additional Advocate General attempted to argue that in view of the higher scale granted to Elementary School Teachers in*

EXAMINER  
NWFP Service Tribunal  
Peshawar.

ATTESTED



*pursuance of the circular letter dated 07.8.1991, which was personal to them, the petitioners would not be entitled to the incentive of advance increments contemplated by circular letter dated 11.8.1991 but he is unable to cite any principle of law or authority for placing this interpretation. We find that, while circular letter dated 7.8.1991 exclusively deals with the scales of pay of school teachers in different categories, circular letter dated 11.8.1991, provides for the revision of basic pay scales and grant of annual increments and advance increments for all Provincial civil servants in NWFP without any exception. Since the teachers or the employees in Education Department have never been expressly or impliedly excluded from the operation of the circular letter, view taken by the Tribunal being erroneous cannot be sustained at law. In fact, it suffers from clear misconception of law and misconstruction of the circular letter (supra)."* *[Signature]*

While disposing of the C.R.P No. 216 and 217 of 2007 in C.P Nos. 525 and 526 of 2007, the August Supreme Court of Pakistan held:-

*"The learned Addl. Advocate General has contended that this Court while interpreting the circulars in question has taken a view contrary to the correct legal position, according to which private respondents were entitled to the benefit of advance increments. We are afraid, the learned Addl. A.G instead of pointing out any mistake of law and fact in the judgment made an attempt to re-open the case on merits. The scale of review is very limited and the points already considered in the judgment under review cannot be allowed to be re-agitated in review jurisdiction. These review petitions being without any substance are accordingly dismissed."*

While disposing of Crl. O.P. No. 66 & 67 of 2007, it was held by the August Supreme Court of Pakistan:-

*"The learned Addl. A.G. has given an undertaking for implementation of the judgment of this Court within a period of two weeks and in view thereof, this criminal original is disposed of with the direction that the*

NWFP Services Tribunal  
 EXAMINER  
 ATTESTED  
 Peshawar

judgment should be implemented in letter and spirit within two weeks under intimation to the Registrar of this Court."

6. In the above circumstances, and in view of the judgment in rhyme by the August Supreme Court of Pakistan, and keeping in view the provisions of Article 189 of the Constitution of Islamic Republic of Pakistan, we have no other alternative but to declare that all the appellants, after ascertainment that they are the persons similarly placed with the appellants who had previously litigated and in whose favour the judgment mentioned above was given by the August Supreme Court of Pakistan, are entitled to the same benefits as have been given to the appellants of the judgments quoted above. The appeals of such similarly placed persons, after such ascertainment, stands accepted without costs. Each party will bear the cost of the litigation.

*Quinn*

7. The official respondents in the above mentioned appeals as well as the other concerned officers/officials in the province are directed to follow the above quoted judgments in their true letter and spirit and without compelling the respective right holders to enter into litigation with the respective official respondents, otherwise the costs of their litigation shall be recovered from the pay and pension as well as person and property of the defaulting concerned officer, though after fixation of responsibility on them as a result of proper enquiry.

8. The remaining similarly placed persons may submit applications/representations to their concerned authorities directly, who shall have to decide their cases as above within a reasonable time.

ANNOUNCED.  
12.05.2009.

*sd -*  
(BISMILLAH SHAI)  
MEMBER.

*sd -*  
(ABDUL JALIL)  
MEMBER.  
CAMP COURT ABBOTTABAD.

Name of presentation of	6/400 2/7/09
Number of words	24-00
Copying fee	24-00
Stamp	24-00
Total	24-00
Date of completion of copy	13/7/09
Date of delivery of copy	12/7/09

*sd -*  
*FR*  
Stamp Services Division  
Abbottabad

# Annexure B

9

P.C. No. 994-90-20288

G.P.F. Q/E. No. W-Ed. 15347/CSS/AJD

(For use in Police Department only).

Heirs,

① Passed 8<sup>th</sup> Exam 1982(A) of the A.S.T. Peshawar under Roll No. 42704 obtaining 56 marks out of 650 with Grade 'B' 1-2-1981  
*Asst. Dir. Peshawar*

② Passed Diploma of Associate Engineer N.W.F.P. Board of Tech. Verification Roll No. 1597/300 dated in the month of December 1987 securing 597/300 marks with Grade 'B' 1-2-1991  
*Asst. Dir. Peshawar*  
 Government High School  
 KANIKHAR - Peshawar  
 Left thumb-impression.

③ Passed C.T. (Industrial Arts) Session 1989-1990 under Roll No (71) securing 865/1400 in 1<sup>st</sup> Division. Result declared passed on 14-11-1990.

Qualification	Date	Qualifications	Date
④ Passed BA Exam, Govt. University of Peshawar under Roll No. 64099, Session 1994 obtaining 261/550 marks. Result declared on 12-3-97.		<i>Asst. Dir. Peshawar</i> First Arts	
Urdu		B. L. or B. A. <i>Mr</i>	
Plan-drawing		Pleadership examination	
⑤ Passed B.Ed. Examination from University of Peshawar under Roll No. 2312 Session 1987 (Practical) obtaining 469 marks out of 1000 in Second Division. Result declared on 30-4-1997.		Training School Final examination	
Drill instructing		Other qualifications—	
Court duties			
⑥ Passed M.A. Examination from University of Peshawar under Roll no. 21224 Session 1989 (Practical) obtaining 641 marks out of 1100 in Second Division. Result declared on 26-6-2000.			

N. B.—Line to be drawn under the qualification possessed.

10

The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name *Naeem ur Rehman*

2. Race *Qureshi*

3. Residence *Navabian Tehsil Hanjra Abbthal District Abbthal*

4. Father's name and residence *Asis ur Rehman*

5. Date of birth by Christian era as nearly as can be ascertained *Tenth May No. 4 7 Sixty Seven, 10-5-1967*

6. Exact height by measurement *5-6*

7. Personal marks for identification *Scar over top of chin,*

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger	Ring Finger
Middle Finger	Fore Finger
Thumb	

9. Signature of Government servant. *Naeem ur Rehman Qureshi*

10. Signature and designation of the Head of the Office, or other Attesting Officer. *Asis ur Rehman Head Master Government High School NALIMIAN - Navab* 1-2-1991

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
C.T. GHS Haji. AZIZUDDIN	Temp./Per.		Rs 12780/-	P.M.		14/1/2011	[Signature]
		(Scale Revised B.P.S-15-8500-100-2950)	19700/-			17/2/2011	[Signature]
-do-	-do-		Rs (21100/-)	P.M.		17/2/2011	[Signature]
-do-	-do-		20400/-			1/12/2011	[Signature]
-do-	-do-		Rs (21800/-)	P.M.		1/12/2011	[Signature]
-do-	-do-		21100/-			1/12/2012	[Signature]
CT		Notification issued by The Director (E/S) Educ. KPK Peshawar F.No 3279-85/ F.No 2 Promotion Senior ET BPS 15 to BPS 16 dated 21-7-2013	21200/-				[Signature]
GHS Harnoi Atd	-do-		Rs (22800/-)				[Signature]
		premat inc Dmat 800/-	Rs (23600/-)	P.M.		13/2/2013	[Signature]
			22000/-				
<p>Revised Entries of the pay ref 1-7-2007 as well as 1-12-2007 due to husband of BPS-15 under upgradation of scales and due to the grant of premature increments as moved by the Govt of KPK, Finance Dept. Notification issued on 30.5.2014.</p>							
<p>[Signature] Principal G.S.S Harnoi (Atd)</p>							

Under Taking

12

By Mr. Naqem-ur-Rehman G.S.S. undertake in the refraction 13 in RPS 15 to BPS-16 in future

The same may be refunded from my pension

9	10	11	Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or reward or praise of the Government			
								Period	Government to which debitable				
Govt High School Harno Aizabed	2011	Transferred to LHS Harnol in Harno	Principal Govt High School Harno Aizabed	30/11/2011		Principal Govt High School Harno Aizabed				Principal G.S.S. Harno Atd. Services Verified w.e.f. 01-12-2008 to 30-11-2009.	Principal G.S.S. Harno Atd.	2008	from the attendance roll & other records of the school.
Govt High School Harno Aizabed	30/11/2011		Principal Govt High School Harno Aizabed	30/11/2011		Principal Govt High School Harno Aizabed				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed	30/11/2012	A/D.M.H	Principal G.S.S. Harno Atd.	30/11/2012		Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed	30/11/2012	A/D.M.H	Principal G.S.S. Harno Atd.	30/11/2012		Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed	28/2/2012	Promoted BPS 15 & 16	Principal G.S.S. Harno Atd.	28/2/2012		Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed			Principal G.S.S. Harno Atd.			Principal G.S.S. Harno Atd.			Service Verified w.e.f. 1-11-2012 to 30-11-2017 for acq: Roll and other school record	Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed			Principal G.S.S. Harno Atd.			Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed			Principal G.S.S. Harno Atd.			Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		
Govt High School Harno Aizabed			Principal G.S.S. Harno Atd.			Principal G.S.S. Harno Atd.				Principal G.S.S. Harno Atd.	Principal G.S.S. Harno Atd.		

UNDERTAKING

I, MR. NAQEM-UR-REHMAN QURESHI (G.S.S. No. 1, Harnol) IS HEREBY AN UNDERTAKING TO THE EFFECT THAT IF ANY OVERPAYMENT IS MADE TO ME AS A RESULT OF IN-CORRECT AWARD OF INCREMENT (UNTRAINED SERVE HERE) OR DETECTED LATER ON, SHOULD BE DEDUCTED FROM MY PENSION AND GRATUITY AS MAY BE FIXED BY THE DEPTT/EDU.

Signature of Official: MR. NAQEM-UR-REHMAN QURESHI G.S.S. No. 1, Harnol (C.I.D.)

ALLOWED 4- ADVANCE INCREMENTS OF MAINE 26-06-2000 AGAINST THE POST OF CT WITH ALL BACK BENEFITS, IMPROPERANCE OF THE JUDGEMENT DT 19-07-2009 IN C.P.O. No. S25 & S26 OF 2007 BY HONOURABLE SUPERIOR COURT OF PAKISTAN ISLAMABAD JUDGEMENT DT 12-05-2007 PASSED IN SERVICE BN- BASES OF PART-5(C) OF THE NOTIFICATION No. FDC (PRC)-1-89 DT 11-08-89 PASSED BY THE PD NATIONAL AWARDS. (THE SAME IS CANCELLED) SANCTIONED NOTIFICATION No. SO (FE) IS ISSUED) ADV JACR 109-2008 BY GOVT OF NATIONAL AWARDS EDUCATION PESHAWAR-DT 28-07-2008. FURTHER AWARDED BY THE EDUCATION OFFICER (SR) NATIONAL AWARDS SECTION OFFICER (SR) NATIONAL AWARDS, NOTIFICATION No. FDC (SR)-1/23/2010

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
		BPS-14 (4100-315-13550)					
<p>Pay Fixed on 7-2002 - Rs 9400 (Revised BPS-2002)</p>							
		BPS-15 (4350-350-14850)	1-12-2007	Rs 9455			
			1-12-2007	Rs 9600			
		BPS-15 (5220-420-17820)		9950			
			1-7-2008	11940			
			1-12-2008	12350			
			1-12-2009	12780			
		BPS-15 (8500-73-29500)	1-12-2010	13200			
			1-7-2011	21800			
			7-12-2011	22500			
			1-12-2012	23200			
<p>Revised Entries due to 2 Advance increments 400 A The increments of M. A. in BPS 14 - (2065-161-4480)</p>							
				Rs 3192/-		26/6/2000	M. J. Alam
				Rs 3353/-		12/2000	M. J. Alam
				3514/-		12/2001	M. J. Alam
				Rs 5260/-		12/2001	M. J. Alam
				Rs 5500/-		12/2002	M. J. Alam
				Rs 5740/-		12/2003	M. J. Alam
				Rs 5980/-		12/2004	M. J. Alam

Principal  
G.S. Haro Atd.

M. J. Alam





12  
1/014

15

(For use in Police and other similar Departments).

RECORD OF POSTINGS

District and post	No of District Order	Date	District and post	No of District Order	Date
Principal G.H.S Harno Atd			Recovery of over payment w.o.f 1-6-75/2 & 76/10 C.R. 1401+4600 = P.M. 22/88 C.R. 44400/		
	30 11 2/12		12th installment recovery C.R. 3200/P.M		
Principal G.H.S Harno Atd			12th installment Principal G.H.S Harno Atd		
			Recovery of over payment M.A increment 37 Months R. 94862/- 12th installment C.R. 7905/- P.M		
			MA S 84 2/6/15 MA R.P. 94800/2 C. 7905/2 1-6-15		
			Pay Actn 23600/2 1-6-15 D.A		
			MA		

(For use in Police Department only).

16

④ Heirs, Passed FA Examination (A) 1986

- 1. Under R. NO 24346 & obtained marks 431
- 2. III Division Grade 'D' from BISE Peshawar.
- 3.

Verification Roll No. dated received back

⑤ Passed BA Examination Annual 1989 from University of N.W.F.P Peshawar Under RNO 16477 obtaining marks 263/550 II Division - Result declared on 19-2-90

Left thumb-impression. *[Signature]*

⑥ Passed CT Short Examination Condence Course 1992 held in July 1992 Under R. NO 24 Securing marks obtained 267 marks in II Division RDE by result declared on 21-11-92.

Qualification	Date	Qualifications	Date
⑦ Passed CT General examination English Under Roll No. 3118 obtaining 667/1200 RDE Peshawar: Result declare - 25-5-97	1995	First Arts	1995
Pashtu		B.E. or B. A.	
Urdu		Pleadership examination	7/8/95

⑧ Passed M.A. (Islamiat) Examination (Plan-drawing Annual (Final) 1995 from the University of Peshawar Under Roll No. 225391) obtaining marks 238+247= 485 II Division - Result declared on 26 Couft duties 1997

Other qualifications -  
 1) Passed SSC Exam (A) 1983 Under R. no. 4460 & obtained marks 491 from BISE Peshawar on 10-8-1983  
 2) Passed PT Exam (A) 1986 Under R. no. 24346 & obtained marks 431 from BISE Peshawar on 12/12/86

Reserve duties. *[Signature]*

⑨ Passed BEd Exam - 1997 (A) from university of Peshawar under Roll no. 3591 securing marks 533/1000 (2nd divn). Result declared on 16-9-98

3) Passed PTC Exam; Under Roll No. 183 obtaining 651 marks in 2nd Division from Govt. College of Education for Elementary Teachers Hazipind. Result declared on 17-09-1988

*[Signature]*  
 Principal  
 G.H.S.S. Nowansheri  
 (Distt: Abbottabad)

*[Signature]*  
 Assistant Sub-Divisional  
 Education Officer (Male)  
 Abbottabad

Not -The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

(17)

1. Name ... ZARRAN KHAN

2. Race ... Pathan

3. Residence ... Vill BELMLIAL P/O NANANSHER  
ABBOTTABAD

4. Father's name and residence ... Sultan KHAN

5. Date of birth by Christian era as  
nearly as can be ascertained 16.10.1967  
Sixteen October N.Y Sixty Seven

6. Exact height by measurement ... 5-6

7. Personal marks for identification ... NIL

8. Left hand thumb and Finger impres-  
sion of (non-gazetted) officer

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb.

9. Signature of Government servant.

10. Signature and designation of the  
Head of the Office, or other Attesting  
Officer.

Mr. Divisional  
Education Officer (M)  
Abbottabad

Rea Hester

3/14/97

Secretary

re of  
ment  
ant

9	10	11	12	13		14	15		
				Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment			Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer
				Natu- re and dura- tion of leave taken	Period	Government to which debitable			
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/97	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/98	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/99	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/2000	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/2001	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/2002	Scale Revised	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/2003	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/04	Annual Leave	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	
<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad	30/11/05	Scale Revised	<i>[Signature]</i> PRINCIPAL Govt. High Schol Dhamtour Abbottabad					<i>[Signature]</i>	

1/11/2007 20/11/2008

1-12-08

30/11/2009

*[Signature]*

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 391 G. S. B.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
C.T.							
GHS, Dhamtary		Scale Revised BPS-14 (4100-315-13550)	7699/RS	(8240) =		01/07/05	[Signature]
Do			RS 8515/ =			11/05/05	[Signature]
Do			RS 8790/ =			01/12/06	[Signature]
Do		Scale Revised (BPS-14 (4100-315-13550))				01/07/07	[Signature]
Do			9459/RS	(10085) =		01/07/07	[Signature]
Do		Up gradation of Scale BPS-15 (4350-350-14250)	RS 10300/ =			01/10/07	[Signature]
Do			R. 10650/ =			01/12/07	[Signature]
Do		Scale Revised BPS-15 (5220-420-17820)	11940/RS	(12780) = PM		01/07/08	[Signature]
Do			12360/RS	(13200) = PM		01/12/08	[Signature]
Do			12780/RS	(13620) = PM		01/12/09	[Signature]
Do			13200/RS	(14040) = PM		01/12/10	[Signature]
Do		Revised Pay Scale in BPS-15 (8500-700-29500)	RS (23200) = PM			01/07/11	[Signature]
Do			21800/-				[Signature]

Signature of Government servant

PRINCIPAL Govt. High Dhamtary

PRINCIPAL Govt. High Dhamtary

PRINCIPAL Govt. High Dhamtary

PRINCIPAL Govt. High Dhamtary

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PRINCIPAL Govt. High Dhamtary

PRINCIPAL Govt. High Dhamtary

*[Handwritten signature]*

15	14	13	12	11	10	9
Reference to any recorded punishment or censure, or reward or praise of the Government servant.	Signature of the head of the office or other attending officer	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government servant.	Signature of the head of the office or other attending officer	Reason of termination (such as promotion, transfer, dismissal, etc).	Date of termination or appointment	Signature and designation of the head of the office or other attending officer in attestation of columns 1 to 8
		Period to which Government is debtable	Period of leave taken			

Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad	Principal Govt. High School Dhamtouri Abbottabad
11/05	11/06	11/06	11/07	11/07	11/08	11/08
11/08	11/08	11/08	11/08	11/08	11/08	11/08
11/09	11/09	11/09	11/09	11/09	11/09	11/09
11/10	11/10	11/10	11/10	11/10	11/10	11/10
11/11	11/11	11/11	11/11	11/11	11/11	11/11
11/16	11/16	11/16	11/16	11/16	11/16	11/16
11/30	11/30	11/30	11/30	11/30	11/30	11/30

*Allegation by relative. Incomplete of P.O. No. 25-5-96 with Govt. of NWFP. Forward copy No. K/L/P.C. (S-1) 2-12/2005 dt. 3/12 and sanction with D.C. Abbottabad. No. 6849-72 dt. 8-8-10.*

*Principal Govt. High School Dhamtouri Abbottabad*

*5.3148*

*10-6-10*

*Pay allowed on P.O. 15-10*

*All to form am. Govt. work at high school on 1/10*

*2/13/2007*

*Division Abbottabad. Pay & allowances with 26-1-97 to 31-5-10 date to 4-11-2007 to 153801/*

*District Abbottabad*

*Controller of Accounts Abbottabad*

*1-2-9*

*30-11-10*

*Roll a other*

11/11

11/16

11/09

11/08

11/08

11/08

11/07

11/07

11/09

11/07

11/06

11/06

11/05

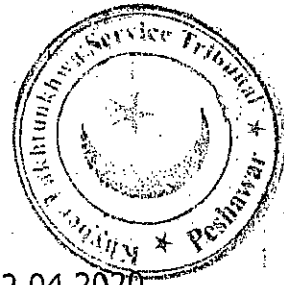
(For use in Police and other similar Departments).

RECORD OF POSTINGS.

District and post	No. of District Order	Date	District and post	No. of District Order	Date
2m-A 11940/08 21800/011					
<del>0/Post</del>					
		2/97	11/01 322x 58 = 18676		
		14/08	6/05 480x 43 = 20640		
		7/05	6/07 550x 24 = 13200		
2008 OFFICE OF THE ACCOUNTANT GENERAL N.W.F.P. PESHAWAR PAY FIXE: ... BASIC ... SCA, 1		7/07	11/07 610x 5 = 3050		
5220 420 17820 11940/08 1-07-2008 1-12-2008		12/07	6/08 700x 7 = 4900		
Mansur Ahmad Accounts Officer Pay Fixation Party N.W.F.P. Peshawar		7/08	6/11 840x 36 = 30240		
Basic Pay Scales 2011 Office of The Accountant General Khyber Pakhtun Khawar Pay Fixed in R.E.P.S.		7/07	9/11 1400x 32 = 44800		
For 2008-09 At Rs. 295- With Next increment on		Total = 94900			
Mansur Ahmad Accounts Officer Pay Fixation Party K. Pakhtun Khawar Peshawar		Mansur Ahmad Accounts Officer Pay Fixation Party K. Pakhtun Khawar Peshawar			

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

**Execution Petition No. 84/2020  
In Service Appeal No. 1276/2007**



Date of Institution... 22.04.2020

Date of Decision. ... 19.01.2022

Muhammad Bashir S/O Muhammad Yousaf, CT Teacher Government Higher Secondary School Bandi Dhundan Abbottabad R/O village Tarhana (Zafar Market) Branch Post office, Tehsil and District Abbottabad.

... (Petitioner)

Versus

1. The Chief Secretary, Government of Khyber Pakhtunkhwa Peshawar and four others. ... (Respondents)

Sardar Muhammad Ghazi,  
Advocate

... For petitioner.

Mr. Noor Zaman Khattak,  
District Attorney

... For respondents.

ORDER

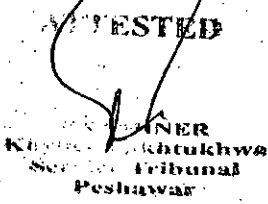
AHMAD SULTAN TAREEN, CHAIRMAN.

This order is meant to

dispose of Execution Petition as described above in the heading and connected Execution Petitions as listed below:-

1. Execution Petition No. 85/2020, Abdul Majid,
2. Execution Petition No. 86/2020 Wajid Ali Shah.
3. Execution Petition No. 212/2021, Sultan Khan,

*Majeem*





23

4. Execution Petition No. 213/2021, Khalida Bibi
5. Execution Petition No. 214/2021, Abida Bibi,
6. Execution Petition No. 215/2021, Shujjah Ali,
7. Execution Petition No. 216/2021, Maroof Khan,
8. Execution Petition No. 240/2021, Mazhar-UI-Haq,
9. Execution Petition No. 248/2021, Syed Arif Hussain Shah,
10. Execution Petition No. 267/2021, Muhammad Sarwar Khan,
11. Execution Petition No. 40/2022, Aftar,
12. Execution Petition No. 46/2022, Akmal Hussain,
13. Execution Petition No. 47/2022, Jahangir Iqbal, and
14. Execution Petition No. 51/2022 Muhammad Riaz Khan

2. The Execution Petitions enumerated above have arisen from different judgments but as far as the executable relief is concerned, the same is common for all of them. Therefore, this order shall stand to dispose of all the Execution Petitions listed above in the terms and findings as follow herein after. The very scope of the controversy having arisen in relation to the Execution Petition has already been captured in order dated 05.08.2021 which for the purpose of this order is reproduced herein below:-

*"Counsel for the petitioner and Mr. Kabirullah Khattak, Addl. AG for the respondents present.*

*Having heard the parties and going through the record, the controversy related to the present Execution Petition revolves around the factual account that there was judgment of August Supreme Court of Pakistan in Civil Appeals No, 1504-1505/2007 dated 19.07.2007 titled "Rashid Iqbal Khan Vs. District Coordination Officer Abbottabad and others" and*

TESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*M. Iqbal*

"Muhammad Haroon Qureshi Vs. District Coordination Officer, Abbottabad and others" respectively, whereby a consolidated direction was given. Accordingly, it was observed that circular letter dated 07.08.1991 exclusively deals with the scales of pay of school teachers in different categories, circular letter dated 11.08.1991 provides for the revision of basic pay scales and grant of annual increments and advance increments for all Provincial civil servants in NWFP without any exception. Since the teachers or the employees in Education Department have never been expressly or impliedly excluded from the operation of the circular letter, view taken by the Tribunal being erroneous cannot be sustained at law. In fact, it suffers from clear misconception of law and misconstruction of the circular letter (supra). Consequently, it was directed and declared that the petitioners would be entitled to four advance increments with effect from the date of qualifying of M.A/M.Sc examination.

The Service Appeals filed by a large number of teachers and enumerated in a consolidated judgment of this Tribunal in Service Appeal No. 1276/2007 titled "Muhammad Akram Vs. District Coordination Officer, Abbottabad and others" were disposed of by the said judgment. For relevancy with the issue at hand paragraphs 6, 7 and 8 of the judgment are reproduced below:-

"6. In the above circumstances, and in view of the judgment in rhyme (rem) by the August Supreme Court of Pakistan, and keeping in view the provisions of Article 189 of the Constitution of Islamic Republic of Pakistan, we have no other alternative but to declare that all the appellants, after ascertainment that they are the persons similarly placed with the appellants who

ATTESTED  
 ENAMUL HUSSAIN  
 Member, Peshawar  
 Service Tribunal  
 Peshawar

*[Signature]*

had previously litigated and in whose favour the judgment mentioned above was given by the August Supreme Court of Pakistan, are entitled to the same benefits as have been given to the appellants of the judgments quoted above. The appeals of such similarly placed persons, after such ascertainment, stands accepted without costs. Each party will bear the cost of the litigation.

7. The official respondents in the above mentioned appeals as well as the other concerned officers/officials in the province are directed to follow the above quoted judgments in their true letter and spirit and without compelling the respective right holders to enter into litigation with the respective official respondents, otherwise the costs of their litigation shall be recovered from the pay and pension as well as persons and property of the defaulting concerned officer, though after fixation of responsibility on them as a result of proper enquiry.

8. The remaining similarly placed persons may submit applications/representations to their concerned authorities directly, who shall have to decide their cases as above within a reasonable time."

The judgment of this Tribunal dated 12.05.2009 as Para 3 of the Execution Petition reveals, was implemented. It was after implementation of the said judgment that the department suddenly withheld two increments out of four increments w.e.f. 01.04.2016. The petitioner challenged the said order of departmental authority firstly in departmental appeal and then by Service Appeals No. 826/2016 and 827/2016 but their appeals were dismissed and where-against they filed CPLAs which were converted into Civil Petitions No. 5128-5130 of 2017. The August Supreme Court of Pakistan also

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 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

*[Signature]*

dismissed the same on 28.11.2019 with particular observations copied herein below:-

"The grievance of the petitioners is that on attaining the Master's Degree, the petitioners were granted four increments and subsequently, the respondents have tried to reduce the four advance increments to two increments. The Tribunal in the impugned judgment has allowed the petitioners four increments, which judgment of the Tribunal has not been challenged by the respondents before this Court and thus, has attained finality, to the extent of the respondents. The very grievance of the petitioners having been redressed by the Tribunal and there being no further claim by the petitioners' side, the petitions, thus, fail and are dismissed."

With the above mentioned factual positions in view, the following questions are apt to arise:-

1. Whether the department after having implemented the judgment dated 12.05.2009 of this Tribunal in Service Appeal No. 1276/2007, how and under what lawful authority was competent to withhold 02 increments out of four increments previously granted to the petitioner?
2. Whether the Service Appeals No. 826/2016 and 827/2016 including other of similar nature were maintainable within the meaning of Rule 23 of Khyber Pakhtunkhwa Service Tribunal Rules, 1974 and Section 47(1) CPC r/w Section 7(2)(d) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974; and if not, has the judgment of this Tribunal in said appeal got any adverse effect in relation to the present Execution Petition?
3. Whether the stoppage of two increments out of four increments previously granted in pursuance to the judgment of this Tribunal dated 12.05.2009 in Service Appeal No.

ATTESTED  
 EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

*[Signature]*

1276/2007 was a question relating to execution of said judgment requiring determination by the Tribunal as an executing court under sub-section (1) of Section 47 CPC r/w Section 7(2)(d) of Khyber Pakhtunkhwa Service Tribunal Act, 1974?

4. Whether the present Execution Petitions No. 84/2020, titled "Muhammad Bashir Vs. Accountant General Khyber Pakhtunkhwa Peshawar and others", No. 85/2020 titled "Abdul Majid Vs. Accountant General Khyber Pakhtunkhwa, Peshawar and others" and No. 86/2020 titled "Wajid Ali Shah Vs. Accountant General Khyber Pakhtunkhwa Peshawar and others" are maintainable for execution of judgment dated 12.05.2009.

It is deemed appropriate to afford the parties with an opportunity of hearing before passing any order as to determination of the above questions. Case to come up on 08.09.2021 before S.B."

3. The questions as formulated vide order dated 05.08.2021 were further narrated merit down in view of the discussion made vide order dated 01.12.2021 and in order to avoid the repetition, the same is copied herein below:-

"Counsel for the petitioner, Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Sohail Ahmad Zaib, Litigation Officer, Amanatullah Qureshi, Deputy Secretary (Litigation) Finance department, Gul Moveed, Accounts Officer, Sabir Sultan, Senior Auditor for the respondents present."

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*[Signature]*

Partial arguments were heard on previous date. Today, the parties have exhaustively presented their viewpoints although without any reference to the questions formulated vide order dated 05.08.2021 but their submission revolved around the same questions. The submission of the parties have worked usefully to enable this Tribunal to narrow down the issue having regard to the conclusive stand of the parties dug out from today's arguments. The stand of the petitioner moves around the judgment of august Supreme Court of Pakistan passed on 19.07.2007 in C.Ps No. 1504 - 1505/2007. The judgment of this Tribunal passed in Service Appeal No. 498/2006 was in question in said C.Ps. The Honourable Supreme Court noted the grievance of the petitioners with observations that after induction in BPS-14 as Elementary School Teachers in terms of NWFP Government Circular dated 07.08.1991 they were entitled to four advance increments in terms of NWFP Government circular letter No. FD(PRC)1-1/89, dated 11.08.1991 on acquiring higher qualification of MA/M.Sc. The Honourable Supreme Court while thrashing out the arguments of the parties vide Para 2 of the judgment dated 19.07.2007, referred to Para-5 clause(e) of the circular meant for grant of four increments on attaining M.A/M.Sc where prescribed qualification is FA/F.Sc. However, it was simultaneously noted there in the same para that it would be seen that the petitioners were placed in BS-14 by reason of having acquiring the qualifications of BA/B.Sc Second Division which is the prescribed qualification for the post of Elementary School Teacher. In the operative part of the judgment vide Para-4, Honourable Supreme Court on converting the petitions into appeals and on their

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ATTESTED

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 EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

*[Handwritten signature]*

acceptance, declared that the petitioners would be entitled to four advance increments with effect from the date of qualifying M.A/M.Sc. examination. However, there is no direction/declaration in the operative part about the point noted by the august Supreme Court of Pakistan with reference to the petitioners who were placed in BPS-14 by reason of having acquired the qualification of B.A/B.Sc second division as the prescribed qualification for the post of Elementary Schools Teacher. The petitioner are still firm with their stand that notwithstanding the fact that those who were granted BPS-14 on account of acquiring B.A/B.Sc qualification were/are entitled to four increments by virtue of their qualification being the holders of the degree of M.A/M.Sc, on the basis of ibid judgment of august Supreme Court of Pakistan. On the other hand, the respondents have elaborated their view point that those teachers who were granted BPS-14 on acquiring B.A/B.Sc second division were not entitled for four increments rather they were entitled for two increments as they had already availed the benefit of higher qualification of B.A/B.Sc in term of availing higher grade in BPS-14. Let the parties come up for further arguments on the narrowed down controversy, on 27.12.2021 before S.B at camp court, Abbottabad."

4. With the given position herein above, the only question for determination remain whether the recovery of the payment of advance increments as directed vide Para-3(4) of the letter circular bearing No. FD(SR-I)2-123/2010 dated 15.12.2010 is doable or not. The answer to the said question is negative. This is for the reason that the advance increments (if availed) by the petitioners over and above their

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*M. J. Khan*

30

entitlement on academic qualification was not the result of any fraud or wrong doing on their part. They availed the benefit of advance increments, at the most, because of miscomprehension of the Notification of the Government by the Department. The advance increments so availed, albeit over and above the entitlement have become part of emoluments of the petitioners. Therefore, the respondents are estopped by their conduct to give effect to Para-3(4) of the Notification dated 15.12.2010 to the extent of petitioners. Thus, they are restrained from recovery of the increments having already become part of emoluments of the petitioners being a past and closed transaction. If any of the petitioners has not availed the benefit of two advance increments after having been granted higher grade in BPS-14, this order shall not be operative in his favour seeking the grant of such increments. All the Execution Petitions enumerated herein above stand disposed of accordingly. There is no order as to cost. File be consigned to the record room.

*Muzam*

ANNOUNCED  
19.01.2022

*Ahmad Sultan Tareen*  
(AHMAD SULTAN TAREEN)  
Chairman

Certified to be true copy

*Muzam*  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Disposal of Application 19-1-2022  
 Number of Copies 6000  
 Date of Copy 15/2/22  
 Date of Copy 15/2/22



S.No. 214349

Mob: \_\_\_\_\_

Name of Advocate \_\_\_\_\_

DBA NO. \_\_\_\_\_

TBA NO. \_\_\_\_\_

BC No. \_\_\_\_\_



R.s.200/=

وکالت نامہ (3)

Ch Muhammad Naseem  
Finance Secretary  
District Bar Association  
Abbottabad

K.P. سروس ٹریڈنگ کمپنی

بعدالت

عنوان: لقم الرحمن قسری صاحب بنام مکتبہ K.P.

E.P.

منجانب: Petitioners نوعیت مقدمہ

باعث تحریر آنکہ

مقدمہ مندرجہ الاعنوان میں ان طرف سے واسطے پیروی و جوابدہی پر پیشی یا تصفیہ مقدمہ بمقام اسٹریٹ ایبٹ آباد کے لئے

کے لئے اسٹریٹ ایبٹ آباد کے لئے

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہونا ہوں گا اور بروقت پکارے جانے مقدمہ مکمل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات سے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا معافی مانگنے کے لئے اس کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو مکمل ساختہ پرواختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ذمہ داری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر پیشی و رائی نامہ و فیصلہ برحلیف لکھنے اور آواز دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از کچہری صدر اپیل و درآمدگی مقدمہ یا منسوخی ڈگری یا کسٹرز درخواست حکم انتظامی یا قری یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا ایسی علیحدہ مختار پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کارروائی کے یا بصورت اپیل کسی دوسرے وسیلے کو واسطے چاہئے یا نہ چاہئے اور ہر قسم کے امور مقرر کریں اور ایسے وکس کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

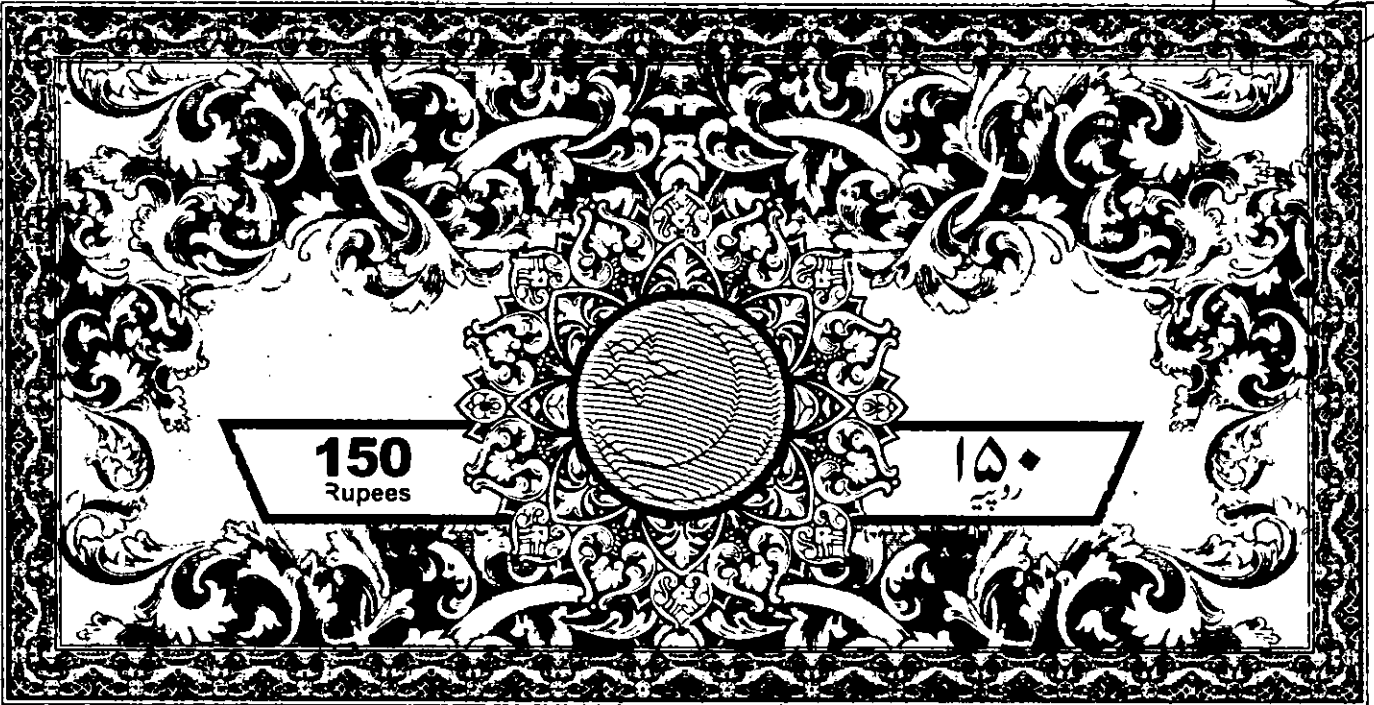
مورخہ: 01/01/2019

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

نوٹ: وکالت نامہ کی فوٹو کاپی قابل قبول نہ ہوگی

لقم الرحمن قسری



**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**Execution Petition No: of 2024**

Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G), GHSS  
Harno Aziz Abad Abbottabad and one anther

Petitioners

**VERSUS**

District Comptroller of Accounts, Abbottabad and others..... Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL  
JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN  
REM" IN APPEAL NO 1276 OF 2007,

READ WITH

ORDER DATED 19/01/2022 PASSED IN EXECUTION PETITION NO  
84 OF 2021 BY THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR (CAMP COURT ABBOTTABAD).

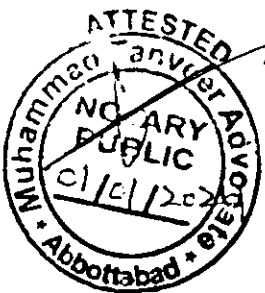
**POWER OF ATTORNEY**

NAME & OTHER PARTICULARS OF ATTORNEY

Mr Rashid Iqbal Khan Jadoon Advocate IBC Islamabad. Abbott Law  
Chamber Office No 06, Ayub Tanoli lawyer plaza Abbottabad.

We

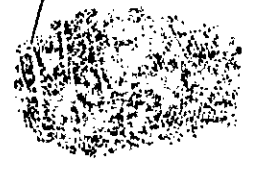
- 1) Naheem ur Rehman Qureshi S/O Aziz ur Rehman Qureshi, SST (G),  
GHSS Harno Aziz Abad Abbottabad
- 2) Zafran Khan S/O Sultan Khan, SST (G), GHSS Harno Aziz Abad



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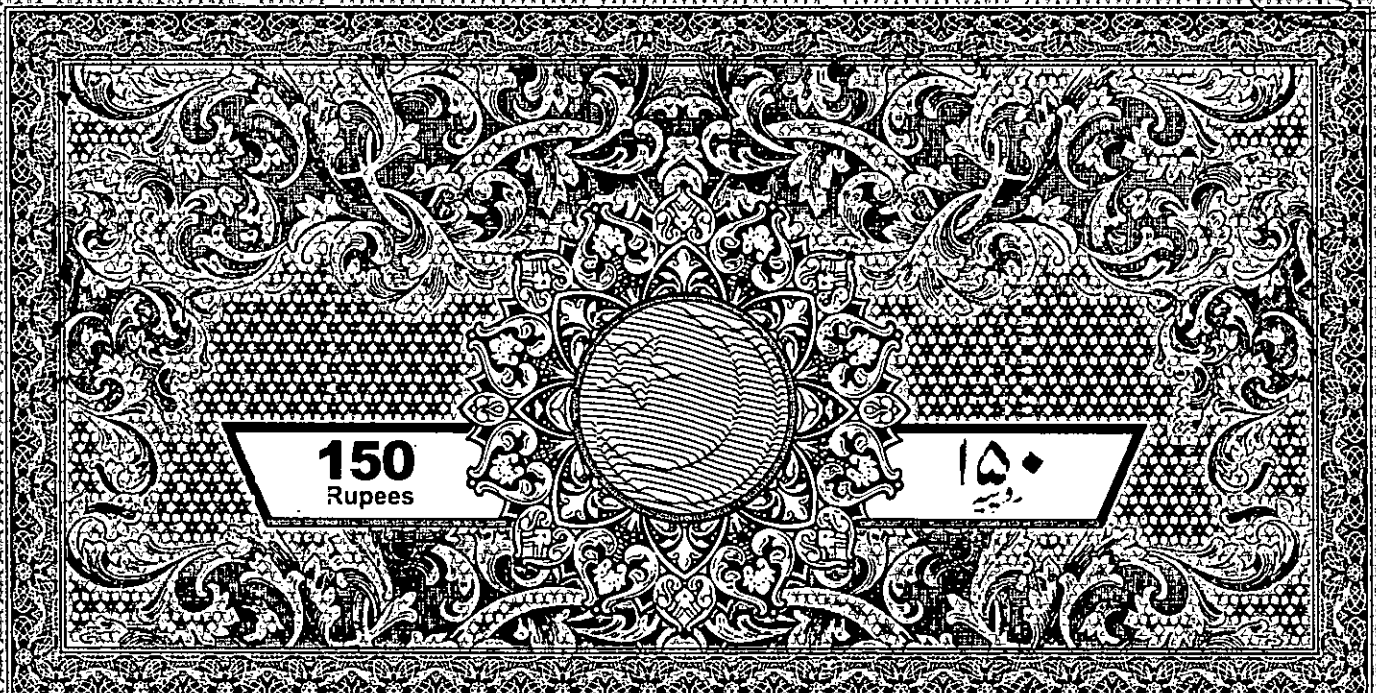
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Kashmir Government

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deponents, do hereby solemnly affirm and declare on oath that we appoint above named (Mr Rashid Iqbal Khan Jadoon Advocate) as attorney, to act on our behalf, to appear, plead for us in the titled case in which the same may be tried or heard and any other proceedings arising out of or connected herewith and he would be competent to exercise all the powers which we our self hold as petitioners, he is authorized all powers, to insitute case, to submit any kind of application or reply, argue the case, in short, all powers or authority which we are entitled being petitioners, would be transferred to above named attorney through instant power of attorney.

Sworn at Abbottabad on this 01th day of January, 2024.

1) Naheem ur Rehman Qureshi  
CNIC 13101- 8374480-3

2) Zafran Khan  
CNIC 13101- 7577691-5

