

Ph: 9214461  
Fax: 9220406

REGISTERED  
No. C.P.525-P/2019 - SCJ  
**SUPREME COURT OF PAKISTAN**

Islamabad, dated 30-12-2023

(7) From The Registrar,  
Supreme Court of Pakistan,  
Islamabad.

**Khyber Pakhtunkhwa  
Service Tribunal**

To The Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Diary No. 11054

Dated 07-02-2024

Subject: **CIVIL PETITION NO. 525 - P OF 2019**

Govt fo Khyber Pakhtunkhwa through Chief Secretary Peshawar & others  
Versus  
Muhammad Fayaz

On appeal from the Judgment/Order of the Khyber Pakhtunkhwa  
Service Tribunal, Peshawar dated 24/05/2019 in Appeal.874/2018.

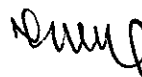
Dear Sir,

I am directed to enclose herewith a certified copy of the Order/Judgment  
of this Court dated 04/12/2023 dismissing the above cited case in the terms stated  
therein for information and further necessary action.

Please acknowledge receipt of this letter along with its enclosure  
immediately.

Encl: Order/Judgment:

Yours faithfully,



(MUHAMMAD MUJAHID MEHMOOD)  
ASSISTANT REGISTRAR (IMP)  
FOR REGISTRAR

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Mr. Justice Qazi Faez Isa, CJ  
Mr. Justice Amin-ud-Din Khan  
Mr. Justice Athar Minallah

**Civil Petition No. 525-P of 2019**

(Against the order dated 24.05.2019 of the Khyber Pakhtunkhwa Service Tribunal, Peshawar passed in Service Appeal No. 874/2018)

*Govt. of Khyber Pakhtunkhwa through  
Chief Secretary, Peshawar and others.*

... *Petitioners*

**Versus**

*Muhammad Fayaz.*

... *Respondent*

For the Petitioners:

Mr. Sultan Mazhar Sher Khan,  
Additional Advocate General, KP.  
a/w Mr. Gohar Ali, Dy. Secretary, Sports.  
Mr. Azhar Khan, SO, (Lit-I), Establishment.  
Mr. M. Wisal, SO (Lit-I), Sports.  
Mr. Sultan Shah, Superintendent, Estab.

For the Respondent:

Not represented.

Date of Hearing:

04.12.2023.

**ORDER**

**Qazi Faez Isa, CJ.** The impugned order dated 24 May 2019 had left the matter in the discretion of the Government of the Khyber Pakhtunkhwa and cannot be categorized as an order by which the government could be aggrieved. Moreover, the matter does not come within the ambit of Article 212(3) of the Constitution of the Islamic of Pakistan to justify the grant of leave to appeal. Therefore, this petition is dismissed. Sd/- HCB

Sd/-  
Sd/-  
Sd/-

Certified to be True Copy

*[Signature]*  
Court Associate  
Supreme Court of Pakistan  
Islamabad

