

Form- A
FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 153/2024

S.No

Date of order
proceedings

Order or other proceedings with signature of judge

1

2

3

20.02.2024

The implementation petition of Mr. Irfan Sher submitted today by Mr. Muhammad Nauman Sher Advocate. It is fixed for implementation report before Single Bench at Peshawar on 22/2/2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi is given to the counsel for the petitioner.

By the order of Chairman


REGISTRAR

In the Hon'ble Service Tribunal Khyber
Pakhtunkhwa Peshawar

Execution Petitioner No. 153 /2024

In Service Appeal No. 965/2018

Irfan Sher

vs

Govt of KP & Others

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S.No.	Description	Annexure	Pages
1.	Execution/ Implementation Petition + Affidavit		1-2
3	Copy of Order dated: 07-12-2023	"A"	3
4.	Application for implementation dated: 03-01-2024	"B"	4
5.	Wakalatnama		

Dated: _____/2024

Through

Petitioner

&

Muhammad Adnan Sher
Advocate, High Court Peshawar



Muhammad Nauman Sher
Advocate, High Court Peshawar

In the Hon'ble Service Tribunal Khyber
Pakhtunkhwa Peshawar

Execution Petitioner No. 153 /2024
In Service Appeal No. 965/2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11244

Dated 20-02-2024

Irfan Sher

Assistant Sub-Inspector, Excise and Taxation Office, Shami Road, Peshawar

..... (Petitioner)

vs

1. Government of Khyber Pakhtunkhwa
Through
Chief Secretary Civil Secretariat, Peshawar
2. Secretary Excise and Taxation Government of KP
Civil Secretariat, Peshawar
3. Director General Excise and Taxation
Shami Road, Peshawar

..... (Respondents)

PETITION FOR EXECUTION/ IMPLEMENTATION OF ORDER PASSED BY THIS
HON'BLE TRIBUNAL ON

Respected Sir,

1. That the Petitioner instituted the subject appeal against the Respondents for the grant of his seniority which was allowed by this Hon'ble tribunal on **07-12-2023. (Copy of order is annexed as "A")**
2. That the Petitioner waited for some time with the hope that the Respondents will comply with the order of this Hon'ble tribunal but they did not act upon so far. So, the Petitioner was compelled to move an application for the said purpose but it too, met the same fate. **(Copy of application is annexed as "B")**
3. That the Petitioner is left with on option but to approach this Hon'ble Tribunal for execution/ implementation of the subject order.

It is, therefore, requested that on acceptance of this Petition, the Respondents may kindly be directed to execute/ implement the order of this

Hon'ble Tribunal **dated: 07-12-2023** by placing the Petitioner as **serial no. 32** of the merit list as order by this Hon'ble Tribunal.

Any other remedy which this Hon'ble Tribunal deems proper, may kindly be granted in favor of the Petitioner.

Petitioner

Through

**Muhammad Adnan Sher
Advocate, High Court Peshawar**

&



**Muhammad Nauman Sher
Advocate, High Court Peshawar**

AFFIDAVIT

Verified that the contents of this Petition are correct and nothing has been concealed from this Hon'ble Tribunal.

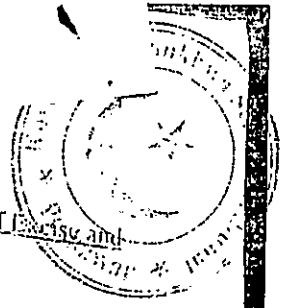


DEPONENT




**Adnan Sher
CNIC: 17801-1395108-9**


Service Appeal No. 965/2018 titled "Irfan Sher versus Directorate of Excise and
Taxation Department and others"

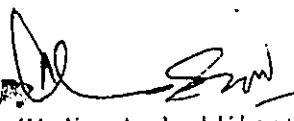


ORDER
7th Dec, 2023

1. Appellant in person present, Mr. Asad Ali Khan, Assistant Advocate General for respondent No.1 and Ms. Parkha Aziz Khan, Legal Advisor for respondents No. 2 and 3 present.
2. Learned counsel for the respondents produced copy of final seniority list of Assistant Sub-Inspectors circulated vide notification dated 21.03.2023, to which learned counsel for the appellant objected that the appellant alongwith others from serial No. 14 to serial No. 51 were batchmates of the same selection process and according to merit list, prepared and finalized by the selection committee, the appellant ranked at merit order No. 32. This merit position of the appellant was admitted by the learned counsel for the respondents. Therefore, in view of the provisions of Rule-17(1)(a) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989, being selectee of the same selection process, the appellant had to be placed in accordance with merit order No. 32 alongwith his batchmates i.e above Nascem Khan and below Inayat Ur Rehman and similarly the seniority, of the others, if any, disturbed from the merit order has also to be corrected. The appeal is disposed of as above
Consign.
3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 7th day of December, 2023.*


(Salah Ud Din)
Member(J)

Verified Signature copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


(Kalim Arshad Khan)
Chairman

Shah

To
The Director General
Excise, Taxation & Narcotics Control
Khyber Pakhtunkhwa, Peshawar

Subject: APPLICATION FOR CORRECTION IN SENIORITY LIST


Dear Sir,

Respectfully I submit to state that the honourable Khyber Pakhtunkhwa Service Tribunal, Peshawar has accepted my appeal for correction in the seniority vide its order dated 7th December, 2023 (Copy attached herewith, please)

It is therefore humbly requested that I may kindly be placed at Serial No. 32 instead of Serial No. 39, as directed by the honourable Tribunal.

I shall be highly grateful to your good self

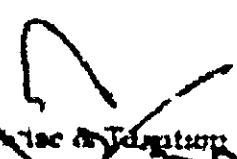
Obediently Yours,


IRFAN SHER, ASI,
O/E ETO-V Peshawar

OFFICE OF THE EXCISE AND TAXATION OFFICER-V, PESHAWAR
NO 1545 / ETO-V

Dated 27/12/2024

Application of Mr Irfan sher, ASI of this office is forwarded and recommended for favourable consideration, please.


Excise & Taxation Officer-V,
Muz. & Reg. Controlling Authority,
(Commercial), Peshawar

3748
27/12/24

5/1/24