

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

C. M. No _____/2024

In

Service Appeal No 717/2023

Dilshad Hussain.....**Petitioner/Appellant**

V E R S U S

Govt. & others.....**Respondents**

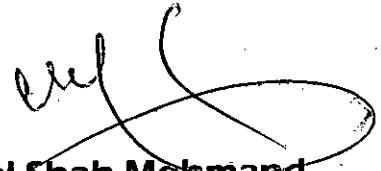
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1.	Application for interim relief with Affidavit		1-2
2.	Copy of Notification dated 29-03-2024	A	3

Dated:-25-04-2024

Applicant/Appellant

Through



Fazal Shah Mohmand

Advocate,

Supreme Court of Pakistan

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

C. M. No _____/2024

In

Service Appeal No 717/2023

Dilshad Hussain Librarian (BPS-18), Khushal Khan Khattak, Library, Akora Khattak, Nowshehra.Appellant

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 12384
Dated 25/4/24

V E R S U S

1. Government of Khyber Pakhtunkhwa through chief Secretary, civil Secretariat Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary Higher Education, Archives & Libraries Department civil Secretariat Peshawar.
3. Government of Khyber Pakhtunkhwa through Secretary Establishment Department civil Secretariat Peshawar.
4. Director archives & Libraries, Khyber Pakhtunkhwa Peshawar.

.....Respondents

Application for the suspension of Notification dated 29-03-2024 whereby Dr. Ashfaq Ahmad, has been promoted as Chief Librarian (BPS-18), despite the interim order of this honorable Tribunal till the final disposal of titled case.

Respectfully Submitted:-

1. That the accompanying appeal is pending before this honorable Tribunal which is fixed for today, i,e 25-04-2024.
2. That the interim order was granted in favor of the applicant whereby respondents were restrained from filling the post of Chief Librarian (BPS-18), vide Order dated 01-03-2024, however in blatant violation of such orders, respondents have filled the stated post by promoting Dr. Ashfaq Ahmad vide Notification dated 29-03-2024. **(Copy of Notification dated 29-03-2024 is enclosed as Annexure A).**
3. That the applicant has got good prima facie case in his favor and is sanguine of its success, besides the notification has been issued in violation of orders of this honorable Tribunal.
4. That the balance of convenience is also in his favor and if the impugned Notification is not suspended, the applicant would suffer irreparable loss.

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It is therefore prayed that on acceptance of this application, the impugned Notification dated 29-03-2024, may kindly be suspended, till the final disposal of titled appeal.

Dated:-25-04-2024

Applicant/Appellant

Through



Fazal Shah Mohmand

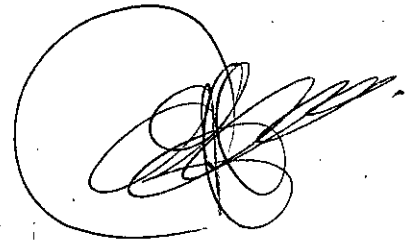
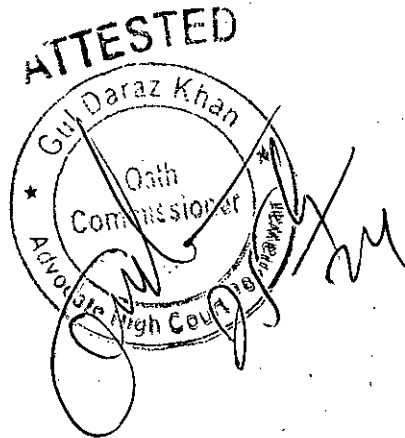
Advocate,

Supreme Court of Pakistan

AFFIDAVIT

I, Dilshad Hussain Librarian (BPS-18), Khushal Khan Khattak, Library, Akora Khattak, Newshehra (the appellant), do hereby solemnly affirm and declare on oath that the contents of this **Application**, are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

ATTESTED
Gul Daraz Khan
Oath
Commissioner
Advocate High Court
Punjab



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GOVERNMENT OF KHYBER PAKHTUNKHWA HIGHER EDUCATION, ARCHIVES AND LIBRARIES DEPARTMENT

Phone No. 9213501-2 Ext. 20 Fax #091-9210368

Dated Peshawar, March 29, 2024

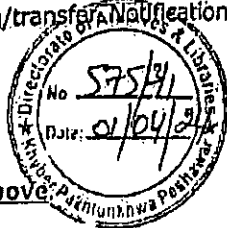
NOTIFICATION.

NO.SO(C-IV)/HED/2-7/Lib: (B-17) to Chief Lib/DAL/2023.

The Competent Authority (Chief Minister, Khyber Pakhtunkhwa) on the recommendations of the Provincial Selection Board in its meeting held on 18.03.2024, is pleased to promote Dr. Muhammad Ashfaq Ahmad, Librarian (BPS-18) Directorate of Archives and Libraries, Khyber Pakhtunkhwa to the post of Chief Librarian (BPS-18) on regular basis with immediate effect:-

2. The officer on promotion will remain on probation for a period of one year, in terms of Section-6 (2) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Government Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. The posting/transfer notification in respect of the above officer will be issued later on.



-Sd-
SECRETARY
HIGHER EDUCATION DEPARTMENT

Endst: No. & Date as above

Copy forwarded to:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Archives and Libraries, Khyber Pakhtunkhwa with the request to furnished posting proposal domicile based in respect of the promoted officer, please.
3. Deputy Director (HEMIS Cell) Higher Education Department.
4. The Manager, Government Printing Press Khyber Pakhtunkhwa.
5. Officer concerned.
6. PS to Secretary, Higher Education Department.
7. Master File

(Zahid Kamal)
SECTION OFFICER (C-IV)

*Supdt/Estt -
for m - hr
R*

Admitted