

**BEFORE THE WORTHY CHAIRMAN, KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL, PESHAWAR**

C.M. No. _____ / 2024

In

Execution / Implementation Petition No. 313 / 2024

In

Service Appeal No. 1304 / 2022

Basharat Qayum

Vs.

**Chairperson Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar
and Other**

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Applicants/Respondents

Through

Registrar
Environmental Protection Tribunal,
Peshawar

Dated: 12/07/2024

23-07-24
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**BEFORE THE WORTHY CHAIRMAN, KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL, PESHAWAR**

C.M. No. _____ / 2024

In

Execution / Implementation Petition No. 313 / 2024

In

Service Appeal No. 1304 / 2022

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 14280

Dated 15.07.2024

Basharat Qayum

Vs.

**Chairperson Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar
and Other**

**APPLICATION FOR TRANSFER OF SUBJECT PETITION TO PRINCIPAL
SEAT AT PESHAWAR**

RESPECTFULLY SHEWETH:

1. **That** the subject petition is pending adjudication before this Tribunal in which the next date is 23.07.2024.
2. **That** the applicant/petitioner has filed the subject execution / implementation petition before the Khyber Pakhtunkhwa Services Tribunal at Camp Court, Abbottabad however the respondents in the same are permanently based at Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar and the said Tribunal does not have any other office/premises in other parts of the Khyber Pakhtunkhwa province.
3. **That** it has recently been observed and directed in appeal pertaining to an ex-employee of the Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar bearing service appeal no. **1093 / 2022** with title "**Hameed Ullah Vs Chairperson Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar and other**" that:

"24th July, 2023

1.....

1. This is an application for setting aside the ex-parte proceedings and allowing the applicants to defend the appeal by filing reply/comments. The original file was requisitioned. It appears from the description of the parties that the appellant had given his home address of Swat on the memo and grounds of appeal and it was because of that the matter was fixed at camp court Swat. However, it is noted that the appellant was Ex-Naib Qasid of the Environmental Protection Tribunal, Khyber Pakhtunkhwa Peshawar, which has its offices at Peshawar,

therefore, this appeal ought to have been fixed before the Principal seat. The appeal is thus directed to be fixed at the Principal seat on the date already fixed. Since the matter was fixed before the D.B, therefore, it is deemed appropriate that notice of this application be issued to the appellant for arguments on this application before D.B on 04.10.23 at Peshawar. PP given to the applicant. Since the main appeal has been transferred to Principal Seat, therefore, notices be issued to the appellant and his counsel in this respect.”

4. **That** as in the subject application / petition the applicant / petitioner has given his home address at Abbottabad, Tehsil and District Abbottabad, therefore in view of the above directions given in an appeal pertaining to an ex-employee of the Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar, it is in the interest of justice that the subject petition be fixed before the Principal seat of Khyber Pakhtunkhwa Services Tribunal at Peshawar.

PRAYER:

It is, therefore, humbly prayed that in light of the contents of this application, the subject petition may kindly be transferred to Principal seat at Peshawar of this Worthy Tribunal for further proceedings.


Applicants/Respondents

Through

Registrar
Environmental Protection Tribunal,
Peshawar

Dated: 12/10/2024

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TRIBUNAL, PESHAWAR**

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AFFIDAVIT

I, Naeem ulah S/o Arzela Khan, currently serving as
Registrar do hereby solemnly affirm and declare on oath that the contents
of the enclosed application are correct to the best of my knowledge and belief and that nothing
has been concealed or withheld from this Worthy Tribunal.


Deponent