

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

Execution Petition No. 618/2024

in

Service Appeal No. 7549/2021

Muhammad Zeb.....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa & others.....Respondents

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Senior Law Officer  
Public Service Commission

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal  
Diacs No. 16577  
Date: 10/10/24

Execution Petition No. 618/2024

in

Service Appeal No. 7549/2021

Muhammad Zeb.....Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa & others.....Respondents

**DELETION APPLICATION OF THE RESPONDENT NO. 03**

**RESPECTFULLY SHEWETH:**  
**PRELIMINARY OBJECTIONS:**

1. That the instant Execution Petition is not maintainable against the replying Respondent.
2. That the name of the Respondent No. 03 has already been deleted in the similar like execution petition (Annex-A)

**ON FACTS:**

1. Correct.
2. That the Honorable Service Tribunal has allowed the Service Appeal No. 7549/2021 on 04.03.2024 in the following terms:

"As a sequel to above discussion, we set aside the impugned notifications and reinstate the appellant for the purpose of de-novo inquiry and remand the cases back to the respondents to conduct de-novo inquiry within a period of sixty days, by providing proper opportunity of self-defense and cross examination. The issue of back benefits shall be decided subject to the outcome of de-novo inquiry. Costs shall follow the event."

- 3-4. Does not pertain to the replying respondent. However, it is pertinent to mention that the Khyber Pakhtunkhwa Public Service Commission has always implemented the judgement of this Honorable Tribunal in letter and spirit. The implementation of the judgment in the instant appeal does not fall within the purview of Respondent No. 03.

*Handwritten signature/initials*

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It is, therefore, most humbly prayed that in light of the submissions made herein above the name of the Respondent No. 03 may be deleted from the panel of respondents.



**CAPT. SIKANDER QAYYUM (RETD.)  
CHAIRMAN  
KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
(RESPONDENT NO.03)**



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**BEFORE THE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Execution Petition No. 618/2024

in

Service Appeal No. 7549/2021

Muhammad Zeb.....Appellant

**VERSUS**

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**AFFIDAVIT**

I, Capt. Sikander Qayyum (Retd.) Chairman Khyber Pakhtunkhwa Public Service Commission Peshawar, do hereby solemnly affirm and declare that the contents of the accompanying Para-wise comments are correct and true to the best of my knowledge and belief, nothing has been concealed from this Honorable Tribunal and the answering respondent have neither been placed ex-parte nor defense has been struck off.



*[Handwritten Signature]*

**DEPONENT**  
**CNIC: 17301-1277842-3**  
**Phone: 091-9213500**

(9)

Annex -A"

Restoration Application No.669/2024 titled "Shakir Ullah Vs. Government of Khyber Pakhtunkhwa"

ORDER:

25<sup>th</sup> July, 2024 Kalim Arshad Khan, Chairman: Learned counsel for the petitioner present. Mr. Muhammad Jan, District Attorney alongwith Mr. Hamid Salim. Law Officer and Mr. Rizwanullah, Assistant Director for the respondents present.

2. Representative of respondent No.3 i.e. Chairman Khyber Pakhtunkhwa Public Service Commission submitted that the order of the Tribunal has to be implemented by the Education Department, therefore, respondent No.3 might be deleted from the panel of respondents. Request is acceded and the respondent No.3 stands deleted from the panel of respondents. Office is directed to make necessary entries accordingly.

3. Vide order dated 12.06.2024, the execution application was decided with the direction that the respondents should hand over copy of inquiry report as well as any order passed in consequence of inquiry, to the petitioner, not later than 25<sup>th</sup> June, 2024, but the respondents did not, therefore, this application is allowed and execution petition stands restored. Representative namely Rizwaullah, Assistant Director, is directed to produce copy of the inquiry report as well as order on the next date, positively. To come up on 05.08.2024 before S.B. P.P given to the parties.

4. *Pronounced in open Court at Peshawar given under my hand and seal of the Tribunal on this 25<sup>th</sup> day of July, 2024.*

(Kalim Arshad Khan)  
Chairman

\*Muazzem Shahi\*

Attested

LAW OFFICER  
Kyber Pakhtunkhwa  
Public Service  
Commission

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**KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION  
2-FORT ROAD, PESHAWAR CANTT  
(NEAR GOVERNOR HOUSE)**

**AUTHORIZATION**

Mr. Mehtab Gul (CNIC No: 17301-1972107-9), Law Officer-II (BS-17), Khyber Pakhtunkhwa Public Service Commission, Government of Khyber Pakhtunkhwa is hereby authorized to do all the acts pertaining to litigation including appearance, vetting, submission and signing of Power of Attorneys, Affidavits, Reports, Para-wise Comments and Appeals etc. on behalf of the Khyber Pakhtunkhwa Public Service Commission before all the Courts of Pakistan, particularly the CPLA/Appeals against the orders of the High Court.

**Secretary**

**Khyber Pakhtunkhwa  
Public Service Commission**

*Nadir Khan Rana*

**ATTESTED BY**

**Deputy Director  
Public Service Commission  
K.P.K Peshawar**