


## Form- A

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Implementation Petition No. 1182 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	15.10.2024	<p>The implementation petition of Mr. Qaiser Iqbal submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for implementation report before Single Bench at Peshawar on 21.10.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to counsel for the petitioner.</p> <p>By order of the Chairman.</p> <p> REGISTRAR</p>

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

Implementation Petition NO: 1182 /2024


In  
Service Appeal no: 1680/2024

**I N D E X**

S.No.	Documents	Annexure	Page No.
1.	Memo of Execution Petition	-----	01-03
2.	Copy of order dated 03/10/24	- A -	04-05
3.	Copy of application	- B -	06
4.	Vakalat Nama	-----	07

**APPLICANT/PETITIONER**

**THROUGH:**

  
**(SYED NOMAN ALI BUKHARI)**  
**ADVOCATE, PESHAWAR.**

(1)

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

Implementation Petition NO: 1182 /2024

In  
Service Appeal no: 1680/2024

Khyber Pakhtunkhwa  
Service Tribunal

Qaiser Iqbal S/O Fazli Qadar,  
Supervisor , Registered Nursing Officer (BPS-16), ,  
DHQ Teaching Hospital, Mardan.

Distry No. 16723  
Dated 15-10-24

**APPELLANT.**

**VERSUS**

1. The Secretary, Health Deptt., Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. The Medical Superintendent, DHQ Teaching Hospital Mardan.

**RESPONDENTS**

**IMPLEMENTATION PETITION UNDER CPC,  
1908 FOR DIRECTING THE RESPONDENTS TO  
IMPLEMENT THE ORDER DATED 03/10/2024 OF  
THIS HONOURABLE TRIBUNAL IN LETTER  
AND SPIRIT.**

**RESPECTFULLY SHEWETH:**

**FACTS**

1. That the appellant has filed the instant appeal alongwith with suspension application against the order dated 13.06.2024 and against the ~~Yelenfy~~ order dated 22/06/2024.
2. That the instant appeal was fixed in Preliminary hearing on 03.10.2024 and Honorable Tribunal was kind enough to admit the appeal for

regular hearing and impugned orders were suspended. Copy of order sheet dated 03.10.2024 is attached as Annexure -A.

3. That on 13/06/2024 the appellant was transferred on direction of MPA PK-58 from DHQ Mardan to Saidu Group of teaching, Swat without showing any reason in violation of Public interest and in pursuance of the same the appellant was relieved via order dated 22/06/2024 and forceful the salary of the appellant was stopped but till date the appellant not acted upon the impugned order.
4. That the appellant didn't relieve his charge and performing his duties at Mardan till suspension order and onward. The appellant performing his duty regularly but stoppage of salary without any reason and justification amount to force labour which is violation of Article-13 of constitution of Pakistan as well as section 17 of Civil Servant Act, 1973.
5. That the appellant file application but despite that respondent not implemented the order dated 03/10/2024 which is violation of Tribunal order date 03/10/2024 and amount to contempt of court. Copy of application is attached as annexure-B.
6. That the appellant file the instant execution petition on following grounds.

**Grounds:**

1. That respondent not implementing the order dated 03/10/2024, despite of the Honorable Court's direction is the violation of Court's order and amounts to Contempt of Court.
2. That being the Apex Court of the Province, the respondents are legally bound to obey the same in letter and spirit, but the respondents are totally failed to reinstate the petitioner.
3. That the attitude and behaviour of the respondents amounts to Contempt of this august Court.
4. That the petitioners seek permission to advance the other grounds and proof at the time of hearing.
5. That the petitioner has having no other remedy to file this Implementation petition.

It is, therefore, most humbly prayed that the respondents may be directed to implement the order dated 03.10.2024 of

this august Tribunal in letter and spirit and allowed the appellant to work at his station DHQ Mardan , and issue order to release the salaries of the appellant. Any other remedy, which this august Tribunal deems fit and appropriate that, may also be awarded in favor of appellant.



APPELLANT  
Qaiser Iqbal

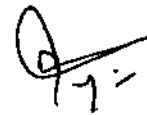
THROUGH:



(SYED NOMAN ALI BUKHARI)  
ADVOCATE, PESHAWAR.

**AFFIDAVIT:**

It is affirmed and declared that the content of the Implementation petition is true and correct to the best of my knowledge and belief and nothing has been concealed from the Honorable Tribunal.



DEPONENT



15-0-24

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### FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No. 1680/2024**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/09/2024	<p>The appeal of Mr. Qaiser Iqbal presented today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p style="text-align: right;">By order of the Chairman</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>

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KPST Peshawar



03.10.2024 1. Appellant alongwith his counsel present. Preliminary Arguments heard.

2. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 07 days. Respondents be summoned through TCS, the expenses of which be deposited by the appellant. Thereafter notice be issued to the respondents for submission of reply/comments. To come up for reply/comments on 15.10.2024 before S.B. P.P given to learned counsel for the appellant.

3. Alongwith the service appeal there is an application for suspension of operation of order dated 13.06.2024 & 22.06.2024 till the disposal of main appeal. Notice of the said application be issued to the respondents for the date fixed. In the meanwhile, the operation of impugned orders are suspended till the next date if not already acted upon.

ATTESTED  
*[Signature]*

EXAMINER  
Kyber Pakhtunkhwa  
Service Tribunal  
Peshawar

03-10-2024



(Muhammad Akbar Khan)

Member (E)

Date of Presentation of Application	03-10-2024
Number of Writs	1
Costing fees	5/-
Fig. of	5/-
Rs. of	10/-
Mark of	03-10-2024
Date of	03-10-2024

of kindness.  
(ORDER sheet is attached)

you are requested may please be issued  
office orders according R.P.S.T. direction  
I will be thankful to you for this act

K.P. SERVICES Tribunal on 3/10/24. Therefore  
4340-45/MS, 22-6-24) have be suspended by  
dated

my posting & reviewing orders (2449-59/ET dated  
13-6-24)

It is stated with due respect that

Respected:

Suspension of Posting/Reviewing  
orders: dated 13/6/24 & 22/6/24  
"temporarily"

Subject

Date: 3/10/2024

P. S. HANU  
B.G.H.S. K.P.

03-10-24  
29/6

M/S



## وکالت نامہ

بعدالت جناب (K.P. Service Tribunal)

مقدمہ بعنوان

Heal Dept نام Waiser Taha

منجانب Waiser Taha

دعویٰ

علت

موردہ

جرم

تھانہ

## باعث تحریر آنکہ

مقدمہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ / جملہ

آن مقام پیشا در کیلئے سعد نیماں علی بخاری ایڈوکیٹس

کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جواب دیہ جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

مقام کے لئے منظور ہے

دستخط ایڈوکیٹس سعد نیماں علی بخاری