


Form- A
FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 1212/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	16.10.2024	<p>The implementation petition of Mr. Bakht Zamin submitted today by Mr. Noor Muhammad Khattak 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  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

EP NO. _____/2024

Bakht Zaman VS GOVT OF KPK & OTHERS:

APPLICATION FOR FIXATION OF THE ABOVE TITLED CASE AT
PRINCIPAL SEAT, PESHAWAR.

Respectfully Sheweth:

1. That the above mentioned case is pending adjudication before this Hon'ble Tribunal in which no date has been fixed so far.
2. That according to Rule 5 of the Khyber Pakhtunkhwa Service Tribunal Rules 1974, a Tribunal may hold its sittings at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matters are to be heard.
3. That it is worth mentioning that the offices of all the respondents concerned are at Peshawar and Peshawar is also convenient to the appellant/applicant meaning thereby that Principal Seat would be convenient to the parties concerned.
4. That any other ground will be raised at the time of arguments with the permission of this Hon'ble court.

It is therefore prayed that on acceptance of this application the case may please be fixed at principal seat Peshawar for the Convenience of parties and best interest of justice.

Applicant

Dated: - 16 / 10 / 2024

Through


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1212 /2024

In

Appeal No. 1620/2024

MR. Bakht Zaman

VS

Secretary LG&RD & OTHERS

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Applicant

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1212 /2024

In

Appeal No. **1620/2024**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16839

Dated 16-10-24

Mr. Bakht Zaman, Village Secretary (BPS-09)
Village Council Kayal District Kohistan Lower
Under transfer to Office of the AD Local Govt: Pattan District Kohistan
Lower

..... APPELLANT

VERSUS

- 1- The Secretary LG&RD Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director General LG&RD Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Assistant Director Sr. LG&RD Department, District Kohistan Lower.
- 4- Mr. Saddam Hussain, Village Secretary Harigah Kayal District Lower Kohistan.
- 5- Mr. Tariq Aziz, Village Secretary Koli Palas, District Koli Palas, under transfer to VC Kayal District Lower Kohistan.

.....RESPONDENTS

IMPLEMENTATION PETITION FOR DIRECTING THE
RESPONDENTS TO OBEY THE JUDGMENT DATED
01/10/2024 IN LETTER AND SPIRIT.

R/SHEWETH:

- 1- That the applicant/petitioner filed Service Appeal bearing No. 1620/2024 before this August Service Tribunal against the impugned orders dated 25/07/2024, 02/09/2024, 06/09/2024, 13/09/2024 & appellate order dated 25/09/2024 and seeks issuing of directions to the respondents not to transfer the appellant from Village Council Kiyal District Koli Palas.
- 2- That the instant service appeal came up for hearing before this Honourable Tribunal on 01/10/2024 and this Honourable Tribunal was pleased is issue the following order, which are as follows:-

3. "Alongwith the service appeal, there is an application for suspension of operation of impugned transfer orders dated 05/07/2024, 06/09/2024, 13/09/2024 & appellate order dated 25/09/2024,

whereby the appellant was transferred till the disposal of the main appeal. Notice of said application be issued to the respondents for the date fixed. In the meanwhile, status quo be maintained till the next date, if not already acted upon." Copy of the order dated 01/10/2024 is attached as annexure.....A

- 3- That the petitioner submitted the application alongwith the order dated 01/10/2024 before the respondents for implantation of the same, but the respondents are flouting with the order of this Honourable Tribunal, hence instant implementation petition.
- 4- That the appellant has no other remedy but to file this implementation petition.
- 5- That any other ground will be raised at the time of arguments with kind permission of this Honourable Tribunal.

It is therefore, most humbly prayed that the respondents may be directed to implement the order dated 01/10/2024 in letter and spirit. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

Zaid Ali

APPLICANT/PETITIONER

Mr. Bakht Zaman

Dated: 11-10-2024

THROUGH:

**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

AFFIDAVIT

I, Bakht Zaman (the applicant/appellant), do hereby solemnly affirm 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 Court.



Zaid Ali
DEPONENT

"A" (3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 1620 /2024



Mr. Bakht Zaman, Village Secretary (BPS-09)
Village Council Kayal District Kohistan Lower
Under transfer to Office of the AD Local Govt: Pattan District
Kohistan Lower.

..... APPELLANT

VERSUS

- 1- The Secretary LG&RD Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director General LG&RD Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Assistant Director Sr. LG&RD Department, District Kohistan Lower.
- 4- Mr. Saddam Hussain, Village Secretary Harigah Kayal District Lower Kohistan.
- 5- Mr. Tariq Aziz, Village Secretary Koli Palas, District Koli Palas, under transfer to VC Kayal District Lower Kohistan.

.....RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, 1974 AGAINST THE IMPUGNED ORDERS 25/07/2024, 02/09/2024, 06/09/2024, 13/09/2024 & APPELLATE ORDER DATED 25/09/2024, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED WITH NO GOOD GROUND.

Prayer:-

That on acceptance of the instant service appeal, the impugned orders dated 25/07/2024, 02/09/2024, 06/09/2024, 13/09/2024 & appellate order dated 25/09/2024 may very kindly be set aside and the respondents may kindly be directed not to transfer the appellant from Village Council Kiyal District Koli Palas. Any other remedy which this august Tribunal deem fit may also be awarded in favour of the appellant.

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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01.10.2024

1. Learned counsel for the appellant 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 14.10.2024 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 the impugned transfer orders dated 05.07.2024, 06.09.2024, 13.09.2024 and appellate order dated 25.09.2024 whereby the appellant was transferred till the disposal of the main appeal. Notice of the said application be issued to the respondents for the date fixed. In the meanwhile, status quo be maintained till the next date, if not already acted upon.

(Muhammad Akbar Khan)
Member (E)

ATTESTED
EXAMINER
Khyber Pakhtunkhwa Service Tribunal
Peshawar

15-10-24

KURUMALAI

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Application No. 122 Date 15-10-24

Name of Applicant Hidayat

Number of Words/Pages 2-P

Copying Fee 10/-

Urgent/Ordinary S

Total 15/-

Name & Sign of Copyist Zeequm

Date of Completion of Copy 15-10-24

Date of Delivery of Copy 15-10-24

کمر میں حساباً اس وقت ڈائریکٹر کوئی نوڈلنگ نہیں بلکہ کوآپریٹنگ عمل کو ضمانت دینا

عنوان - درخواست گزار علیگڑھ میں 02.10.2024ء بعد الف سرور میں ڈیپوٹیشن
میں

میں یہ کہ مسائل کو ایچ ڈی بی کے مسائل کہاں دیکھ کر اس سے آگے بڑھنا چاہیے

یہ کہ مسائل کے ساتھ ساتھ دیگر مسائل بھی

یہ کہ مسائل کے ساتھ ساتھ دیگر مسائل بھی

یہ کہ مسائل کے ساتھ ساتھ دیگر مسائل بھی

میں درخواست دیا گیا تھا

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الذاتین۔ وقت زمان و بیچ سکرٹری و بیچ کونسل کیلئے و بیچ

Attested

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VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

EP No /2024

Bakht zaman

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt

(RESPONDENT)
(DEFENDANT)

I/we Bakht zaman

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. / / 2024


CLIENT

ACCEPTED


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT


WALEED ADNAN


UMAR FAROOQ MOHMAND

&


KHANZAD GUL
ADVOCATES

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
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