


**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

Execution Petition No.274/2023

Muhammad Arif                      Versus                      Government of Khyber Pakhtunkhwa through  
Elementary & Secondary Education Department

S.No. of Order & Date of proceeding	<b>Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary</b>
<u>Order-15</u> 12 <sup>th</sup> November, 2024.	<p><b><u>RASHIDA BANO, Member (J):</u></b></p> <p>Present:</p> <ol style="list-style-type: none"><li>1. Mr. Waqar Alam, Advocate, on behalf of petitioner.</li><li>2. Mr. Arshad Azam, Assistant Advocate General also put appearance.</li><li>3. Learned counsel for the petitioner submitted that he would like to argue the point that even if Clause-(d) of Section-7(2) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 has been deleted by the Provincial Assembly from the Act of 1974, the Tribunal would still have the power to implement the judgment on which the learned AAG submitted that the amendment has been challenged by a number of people before the Peshawar High Court and notices have also been issued to the Government, therefore, it would be appropriate to adjourn this petition sine die and may be taken after decision by the Hon'ble Peshawar High Court. Order accordingly. Parties are at liberty to get the same restored and reconsider after decision of the High Court. Consign.</li><li>4. <i>Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 12<sup>th</sup> day of November, 2024</i></li></ol> <p style="text-align: right;"> (RASHIDA BANO) Member (J)</p> <p>*Kaleemullah*</p>