


159/2024

17.10.2024

01. Petitioner present in person. Mr. Arshad Azam, Assistant AG alongwith Sohrab Khan, Litigation Officer and Muhammad Raziq, AAO for the respondents present.

02. Departmental representative produced a copy of pay roll for the month of October, 2024 according to which ~~some~~ adjustment has been made. He stated that benefits to which the petitioner was entitled have been given to him. Placed on file. Learned counsel for the petitioner has observations on calculation of salaries and deduction. He is directed to come up with his own calculation alongwith solid reason to rebut the calculation done by the department. Case is adjourned to 07.11.2024 before the S.B. PP given to the learned AAG.

SCANNED  
BY  
S. K. S. I.  
Rashwan

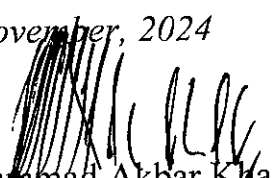
  
(Fareeha Paul)  
Member(E)

*\*Fazle subhan P.S\**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

Execution Petition No. 159/2024

Fazal Karim versus Government of Khyber Pakhtunkhwa

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
Order-13 07 <sup>th</sup> November, 2024.	<p><b><u>Muhammad Akbar Khan, Member, (E)</u></b></p> <p>Present:</p> <ol style="list-style-type: none"><li>1. Mr. Muhammad Ilyas Orakzai, Advocate on behalf of petitioner.</li><li>2. Mr. Arshad Azam, Assistant <del>Chairman</del> <del>Azam</del>, <del>Additional</del> Advocate General for the respondents present</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 07<sup>th</sup> day of November, 2024</i></li></ol> <p style="text-align: right;"> (Muhammad Akbar Khan) Member (E)</p>