

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present:

Justice Naeem Akhter Afghan

Justice Salahuddin Panhwar

Civil Appeal Nos.212-P to 217-P & 1782 of 2024

A/w.

CMA Nos. 1444-P/2024 IN C.A.212-P/2024, 1445-P/2024 IN C.A.213-P/2024, 1466-P/2024 IN C.A.214-P/2024, 1467-P/2024 IN C.A.215-P/2024, .1448-P/2024 IN C.A.216-P/2024, 1449-P/2024 IN C.A.217-P/2024 and C.M.A.14568/2024 IN C.A.1782/2024

Deputy Commissioner Charsadda & others

(CA 212-P, 214-P to 217-P/2024)

Secretary Govt. of Khyber Pakhtunkhwa,

(CA 213-P/2024)

Higher Education, Archives & Libraries

Department, Peshawar and others

Azam Jan Khan & others

(CA 1782/2024)

...Appellants

Versus

Azam Jan Khan & others

(CA 212-P/2024)

Mian Qaisar Shah and others

(CA 213-P/2024)

Qurban Ali Khan and others

(CA 214-P/2024)

Sunail Jan and others

(CA 215-P/2024)

Raj Wali and others

(CA 216-P/2024)

Mian Nadar Shah

(CA 217-P/2024)

Land Acquisition Collector/ District

(CA 1782/2024)

Collector Charsadda & others

...Respondents

For the Appellants:

(In all cases)

Mr. Zahid Yousaf Qureshi, Govt. AOR for KPK

(In all cases)

For the Respondents:

(In CA No. 212-P/2024 & CMA No. 1444-P/2024)

Mr. Muhammad Taif Khan,

(CA 213-P/2024, CMA 1445-P/2024, CA 217-P/2024, CMA 1449-P/2024)

Not represented

(CA 17821/2024 & CMA 14568/2024)

Nemo

Respondent Nos.1&2:

(CA 214-P, CMA 14666-P/2024, CA 215-P/2024, CMA 1467-P/2024) and for all respondents in CA 216-P/2024 & CMA 1448-P/2024)

Mr. Abid Ali, ASC

Respondent Nos.8&9

(in CA No.1782/2024, R. No. 4 in CA Nos.222-P to 224-P/2024 and R. No. 3 in CA No. 225-P/2-24)

Syed Taimoor Ali Shah, ASC

Date of Hearing:

11.09.2025

SLA

ORDER

Learned counsel for the appellant in Civil Appeal No. 212-P of 2024 requested for an opportunity to file concise statement with certain relevant documents. Since the land owners as well as the Land Acquisition Collector are aggrieved by the impugned judgment passed by the Peshawar High Court in appellate jurisdiction and the amount of compensation is at variance, therefore, all the parties in these appeals are held at liberty to file concise statements, if opted, and to place on record the relevant left-over documents for assistance of this Court.

2. Notices of CMAs in all the appeals filed by the Deputy Commissioner, Charsadda have already been issued to the contesting respondents. Today, learned counsel representing Deputy Commissioner, Charsadda stated that execution proceedings are pending before the learned Additional District Judge-I and III Charsadda for execution of the judgment of the Referee Judge whereby the compensation amount has been enhanced to Rs.45000/- per *marla* and the execution proceedings are fixed for tomorrow; the decree holder land owners are pressing hard for execution of the judgment of the Referee Judge to the above extent and in this regard, applications have also been filed for attachment of the official vehicles/movable properties of the Government.

In view of the above, learned counsel representing Deputy Commissioner, Charsadda requested to stay the execution proceedings till decision of all these appeals and to fix the same at the earliest.

3. Learned counsel for the contesting respondents strongly opposed the stay of the execution proceedings on the ground that the land owners are suffering since year 2013; they have already been deprived of their valuable land and the Government Officials are delaying payment of compensation on one pretext to another.

4. Since the amount of compensation is yet to be finalized by this Court therefore in order to avoid any inconvenience and further complications, the execution proceedings pending before the court of learned Additional District Judge-I and III, Charsadda for execution of judgment and decree dated 31st May 2022, passed by learned Referee

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Judge, are stayed till decision of these appeals. Office to fix all these appeals after two weeks.

Sd/-J
Sd/-J

Islamabad

11th September 2025

Atif/-

NOT APPROVED FOR REPORTING