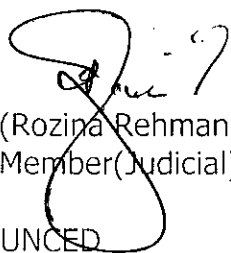


21.09.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned counsel for the appellant states that he is under instructions from the appellant that his grievance stands redressed, therefore, his appeal may be dismissed as withdrawn. Order accordingly. File be consigned to the record room.



(Rozina Rehman)
Member(Judicial)



Chairman

ANNOUNCED
21.09.2021

Noor Ali Jan 3486/2021

12.08.2021

Nemo for the appellant and Mr. Kabirullah Khattak,

Addl. AG for the respondents present.

The appellant as per his address given in the memorandum of appeal belongs to District Lakki Marwat and as a matter of legal remedy cases belonging to the said area were previously heard at Camp Court D.I.Khan. Pre-admission notice was given to the respondents vide order dated 26.03.2021 at camp court D.I.Khan for 25.05.2021. However, next date was adjourned by Note Reader. It seems that appellant and his counsel are not in attendance being under impression that this appeal will come up for preliminary hearing at Camp Court, D.I.Khan, therefore, attendance of the appellant and counsel for today is dispensed with. Having gone through the memorandum of appeal and copies of record annexed therewith, instant appeal is admitted for full hearing particularly for determination of the question of public interest in case of the impugned transfer. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 21.09.2021 before the D.B.

Notice to appellant/counsel be issued for deposit of security and process fee within the prescribed time.


Chairman

Handwritten notes:
D.B. Dated 21-09-21
D.B. 21-09-21
D.B. 21-09-21

Noor Ali Jan vs Govt

26.03.2021

Appellant alongwith his counsel Mr. Noor Gul Khan Marwat, Advocate present. Be registered in the relevant register.

The appeal is accompanied by an affidavit of the appellant to the effect that his departmental appeal has been disposed of on 09.03.2021, however the department is not providing him copy of the order, despite written application being submitted by the appellant for obtaining ^{of} copy of the order.

Preliminary arguments heard. Let pre-admission notice be issued to the respondents for reply/comments before S.B at Camp Court D.I.Khan on 25.05.2021.

The appeal is also accompanied by an application for suspension of the impugned office order bearing No. Dir/TPT/1-82/P&T/2505-07 dated 23.02.2021. Notice of the said application also be issued to the respondents for the date fixed.



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

29.04.2021

Due to demise of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 12.08.2021 for the same as before.




Reader

This is an appeal filed by Noor Ali Jan today on 16.03.2021 against the orders dated 23.02.2021 against which he preferred/made departmental appeal/ representation on 01.03.2021 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.


No. 546 /ST,

Dt. 16/03 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Gul Khan Marwat Adv. D.I. Khan


قراردہ 23-2-2021ء کے خلاف اس درخواست کو دائر کیا گیا ہے جس پر فیصلہ ہو گیا ہے
میں نے اس کے خلاف اپنی درخواستیں دائر کی ہیں اور اس کے خلاف
میں نے اپنی درخواستیں دائر کی ہیں اور اس کے خلاف
میں نے اپنی درخواستیں دائر کی ہیں اور اس کے خلاف
میں نے اپنی درخواستیں دائر کی ہیں اور اس کے خلاف


ASAC
16/3/21

Sir,

objection of this office and reply of
counsel for the appellant is sub-itted for
order please.

Harib Khan


16/3/2021

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

Service Appeal No. 31486 of 2021

Noor Ali Jan Vs. Govt. of Khyber Pakhtunkhwa etc


INDEX

S#	Description of Documents	Annexure	Page Numbers
1.	Service appeal with Civil Misc.	---	1-7
2.	Copy of order bearing No.DIR/TPT/1-82/P&T/372-477 dated 13.11.2020	A	8-11
3.	Copy of Order bearing No.DIR/TPT/1-82/P&T/2094-95 dated 04.02.2021	B	12
4.	copy of the charge report dated 08.02.2021	C	12-A
5.	Copy of Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021	D	13
6.	Copy of the Departmental Appeal	E	14-19
7.	Vakalatnama	---	20

Yours Humble Appellant


(Noor Ali Jan)
Through Counsel

Dt. _____ .03.2021


Noor Gul Khan Marwat
Advocate Supreme Court, at
D.I.Khan.

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

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 74/86 of 2021

Diary No. 3847

Dated 16/3/2021

Noor Ali Jan, son of Akhtar Jan, resident of Kheru Khel Pakka, Tehsil & District Lakki Marwat

APPELLANT

VERSUS

1. **Government of Khyber Pakhtunkhwa**, through Secretary, Transport and Mass Transit, Khyber Pakhtunkhwa, Peshawar.
2. **Secretary** to Govt of Khyber Pakhtunkhwa, Transport & Mass Transit, Peshawar.
3. **Director**, Transport and Mass Transit, Khyber Pakhtunkhwa, Peshawar.
4. **Deputy Director**, Transport and Mass Transit, Khyber Pakhtunkhwa, Peshawar.
5. **Motor Vehicle Examiner Office**, D.I.Khan.
6. **Motor Vehicle Examiner Officer**, Kohistan.

RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF THE K.P.
SERVICE TRIBUNALS ACT, 1974, AGAINST THE
OFFICE ORDER BEARING NO.DIR/TPT/1-
82/P&T/2505-07 DATED 23.02.2021 ISSUED BY
THE RESPONDENT NO.3.**

Filed to-day

Registrar

16/3/2021

PRAYER:

**ON ACCEPTANCE OF PRESENT SERVICE APPEAL AND BY
SETTING ASIDE OFFICE ORDER BEARING
NO.DIR/TPT/1-82/P&T/2505-07 DATED
23.02.2021, THE IMPUGNED TRANSFER OF
APPELLANT FROM THE D.I.KHAN TO KOHISTAN MAY**

GRACIOUSLY BE CANCELLED AND AS RESULT THEREOF THE OFFICE ORDER NO.DIR/TPT/1-82/P&T/2094-95 DATED 04.02.2021 MAY KINDLY BE RESTORED.

Respectfully Sheweth.

1. That the appellant is serving as Junior Clerk in the Motor Vehicle Examiner Office in the Transport & Mass Transit Department Khyber Pakhtunkhwa; and addresses of parties as given above are correct & sufficient for the purpose of service.
2. That the appellant was serving as Junior Clerk in the Motor Vehicle Examiner Office, Lakki Marwat, and he was transferred to Driving License Office, Karak, vide Order bearing No.DIR/TPT/1-82/P&T/372-477 dated 13.11.2020 (**Annexure A**). Accordingly, appellant after taking charge of the post, started performing duties at Karak.
3. That thereafter, on 04.02.2021 vide Order bearing No.DIR/TPT/1-82/P&T/2094-95 of even dated, the appellant stood transferred from Driving License Office Karak to Motor Vehicle Examiner Office, D.I.Khan. Accordingly appellant submitted his charge/arrival report at D.I.Khan office on 08.02.2021 and started to perform his official duties. Copy of the Order bearing No.DIR/TPT/1-82/P&T/2094-95 dated 04.02.2021 is enclosed as **Annexure B**, whereas, copy of the charge report dated 08.02.2021 is enclosed as **Annexure C**.
4. That just after 15 days of the transfer to D.I.Khan, the appellant once again stood transferred from M.V.E. Office D.I.Khan to Motor Vehicle Examiner Office, Kohistan vide Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021 (**Annexure D**).



5. That aggrieved of his rapid transfers, one after the other, just within a period of 3½ months, the appellant preferred a departmental appeal against the Office Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021 to the respondent No.2. Copy of the Departmental Appeal is enclosed as **Annexure E.**
6. That aggrieved of the office order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021, the appellant has been left with only option to invoke the jurisdiction of this Honourable Tribunal on, inter alia, the following grounds:

GROUND:

- i. That the impugned Office Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021 is the outcome of malafide, result of political victimization, without jurisdiction, without lawful authority and having no binding effect upon rights of appellant.

- ii. That firstly, the appellant was transferred from M.V.E. Office Lakki Marwat to Driving License Office, Karak on 13.11.2020.

Then within a period of less than three months, appellant was again transferred from Karak to M.V.E. Office D.I.Khan.

Thereafter, just withing 15 days of taking over the charge at M.V.E. Office D.I.Khan, the appellant stood transferred to M.V.E. Office Kohistan, and as such, the appellant is being kicked from one place to other place like a rolling stone.

- iii. That rapid transfer of the appellant is in violation of the verdict of Honourable Supreme Court of Pakistan reported as **2013 PLD SC 195**, which Judgment was communicated to all the administrative departments for compliance. Thus, impugned



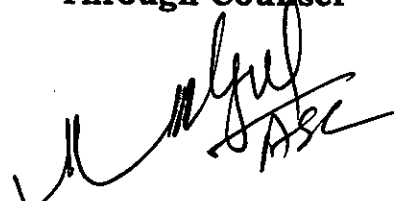
transfer amounts contempt of the Judgment of august Supreme Court of Pakistan

- iv. That the impugned order has been issued to oblige the political figures of the area and therefore, the same is having no legal sanctity and not worth to be maintained. Besides, ordinary tenure of the service of appellant at D.I.Khan has not yet been completed.
- v. That public officers and public functionaries are bound to obey the law, rules, procedure and being public servant, they are required to serve the public and it is not in their duties to bow before the politicians. Impugned office order is therefore nullity in the eyes of law and, rights of appellant are required to be protected from the influence of political figures.
- vi. That the counsel for appellant may be allowed to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that the present service appeal may graciously be allowed as prayed for and thereby the impugned office order may kindly be cancelled and as result thereof the Order bearing No.DIR/TPT/1-82/P&T/2094-95 dated 04.02.2021 may kindly be restored.

Yours Humble Appellant


(Noor Ali Jan)
Through Counsel


Noor Gul Khan Marwat
Advocate Supreme Court, at
D.I.Khan.

Dt. .03.2021

5

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

Service Appeal No. _____ of 2021

Noor Ali Jan Vs. Govt. of Khyber Pakhtunkhwa etc
SERVICE APPEAL

VERIFICATION:

I, the appellant, on this day of March, 2021, herein mentioned above, do hereby verify that all the contents of this appeal are true & correct and also that it is the first appeal on the subject matter and no such appeal has earlier been filed.

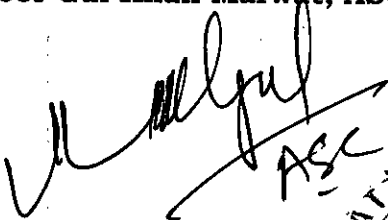

Appellant

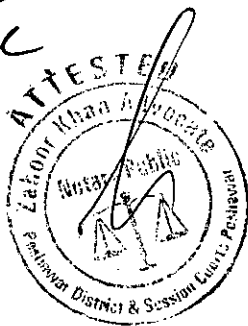
AFFIDAVIT:

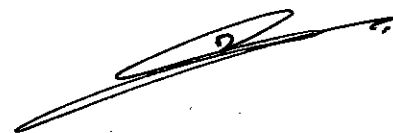
I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above **Service Appeal** are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.

Identified by Counsel:
Noor Gul Khan Marwat, ASC.

Deponent


ASC





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

Civil Misc. Petition No. _____ of 2021

In Service Appeal No. _____ of 2021

Noor Ali Jan Vs. Govt. of Khyber Pakhtunkhwa etc
Service Appeal

**APPLICATION FOR SUSPENSION OF THE OPERATION OF
IMPUGNED OFFICE ORDER BEARING NO.DIR/TPT/1-
82/P&T/2505-07 DATED 23.02.2021 TILL FINAL
DECISION OF SERVICE APPEAL; AND IN THE
MEANWHILE STATUS QUO MAY GRACIOUSLY BE
ORDERED TO BE MAINTAINED.**


Respectfully Sheweth,

1. That a Service Appeal is being filed before this august court and the grounds of same may please be considered as an integral part of this Petition.
2. That the petitioner/appellant has got a good prima case on law as well as on facts and there is every likelihood of the success of present Writ Petition; hence, balance of convenience tilts in favour of the appellant.
3. That malafide on the part of respondents is apparent on the face of record that the impugned office order has been issued just to oblige political figures of the area; therefore, in case of non-suspension of impugned office order, the petitioner/appellant will suffer an irreparable loss.

⑦

It is, therefore, humbly prayed that on acceptance of the present Civil Misc. Petition, the operation of impugned office Order may please be suspended till decision of Service Appeal and the in the meanwhile status quo may please be ordered to be maintained.

Yours Humble Appellant


(Noor Ali Jan)
Through Counsel

Dt. 03.2021

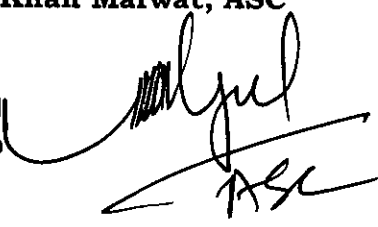

Noor Gul Khan Marwat
Advocate Supreme Court, at
D.I.Khan.

AFFIDAVIT

I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above **Service Appeal** are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.

Identified by Counsel:
Noor Gul Khan Marwat, ASC

Deponent

ATTESTED

Noor Gul Khan Marwat, ASC







DIRECTORATE OF TRANSPORT & MASS TRANSIT
KHYBER PAKHTUNKHWA
Ground Floor Benevolent Fund Building, Peshawar Cantt. Tell: 091-9214185/9212061

8

Dated: 13/11/2020

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Annex-A

ORDER

No. DIR/TPT/1-82/P&T/372477 The Competent Authority is pleased to transfer/post the following officials of Directorate of Transport & Mass Transit Khyber Pakhtunkhwa, Provincial Transport Authority, and Regional Transport Authorities made in the best public interest with immediate effect:-

S/No	NAME	DESIGNATION	FROM	TO
1.	Mr. Raees Khan	Assistant (BPS-16)	Provincial Transport Authority	Regional Transport Authority Peshawar
2.	Mr. Maazullah Khan	Assistant (BPS-16)	Regional Transport Authority Peshawar	Regional Transport Authority D.I. Khan
3.	Mr Ameer Khayyam	Assistant (BPS-16)	Regional Transport Authority Kohat	Regional Transport Authority Mardan
4.	Mr. Mir Baz	Assistant (BPS-16)	Regional Transport Authority D.I. Khan	Regional Transport Authority Abbottabad
5.	Mr. Baseer Ahmad	Assistant (BPS-16)	Directorate	MVE Office Mardan
6.	Muhammad Zubair	Assistant (BPS-16)	Regional Transport Authority Mardan	Provincial Transport Authority
7.	Muhammad Idrees	Assistant (BPS-16)	MVE Office Peshawar	Driving License Office Kohat
8.	Muhammad Alam	Assistant (BPS-16)	Provincial Transport Authority	Regional Transport Authority Peshawar
9.	Ms. Firdous	Assistant (BPS-16)	Directorate	Provincial Transport Authority
10.	Mr. Wasal Khan	Assistant (BPS-16)	Government Driving School Peshawar	Directorate
11.	Ms. Sadaf Shaheen	Computer Operator (BPS-16)	Directorate	MIS Cell
12.	Tahir Jamal	Computer Operator (BPS-16)	MIS Cell	MVE Office, Swat
13.	Mian Irfan	Computer Operator (BPS-16)	MIS Cell	Driving License Office, Nowshera
14.	Mr. Faizan Ahmad	Computer Operator (BPS-16)	MVE Office Peshawar	MVE office Nowshera

ATTESTED

Signature
13/11

(9)

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15.	Mr. Irfan jahan	Computer Operator(BPS16)	MVE Office Mardan	MIS Cell
16.	Muhammad Faizan Shah	Computer Operator (BPS-16)	MIS Cell	MVE Office Charsada
17.	Mr. Wasim	Computer Operator (BPS-16)	Regional Transport Authority Mardan	Regional Transport Authority Peshawar
18.	Mr. Asim Ullah	Computer Operator (BPS-16)	Directorate	MVE Office Peshawar
19.	Mr. Basheer Ahmad	Computer Operator (BPS-16)	MIS Cell	MVE Office Peshawar
20.	Ms. Sheeba	Computer Operator (BPS-16)	Directorate	MIS Cell
21.	Mr Adnan Ayub	Assistant Accountant (BPS-14)	MIS Cell	MVE Office Malakand
22.	Mr. Zeeshan Ali Shah	Senior Clerk (BPS-14)	Regional Transport Authority Peshawar	Regional Transport Authority Abbotabad
23.	Mr. Amir Shah	Senior Clerk (BPS-14)	Regional Transport Authority Malakand	Provincial Transport Authority
24.	Mr. Asghar Khan	Junior Clerk (BPS-11)	MVE Office Lower Dir	MVE Office Upper Dir
25.	Muhammad Javed	Junior Clerk (BPS-11)	MVE Office Buner	MVE Office Malakand
26.	Mr. Sher Alam	Junior Clerk (BPS-11)	Regional Transport Authority Peshawar	Regional Transport Authority Mardan
27.	Mr. Saqib Khan	Junior Clerk (BPS-11)	Provincial Transport Authority	Regional Transport Authority Peshawar
28.	Mr. Sheraz Tabassum	Junior Clerk (BPS-11)	Directorate	MVE Office Peshawar
29.	Mr. Mian Suleman	Junior Clerk (BPS-11)	MVE Office Peshawar	Directorate
30.	Mr. Sayyar Ahmad	Junior Clerk (BPS-11)	MVE Office Nowshera	Directorate
31.	Mr. Irfan Khan	Junior Clerk (BPS-11)	Driving License Branch, Peshawar	MVE Office Peshawar
32.	Mr. Raja Majid Khan	Junior Clerk (BPS-11)	MVE Office Haripur	MVE Office Abbottabad
33.	Mr. Nayyab	Junior Clerk (BPS-11)	MVE Office Peshawar	MVE Office Nowshera
34.	Mr. Nasim Jan	Junior Clerk (BPS-11)	MVE Office Peshawar	MVE Office Kohat
35.	Mr. Shakir Ullah Khan	Junior Clerk (BPS-11)	MVE Office Kohat	MVE Office Lakki Marwat
36.	Mr. Abdul Jabbar	Junior Clerk (BPS-11)	MVE Office D.I. Khan	MVE Office Tank

[Handwritten Signature]
ATTESTED

[Handwritten Signature]
 18/11

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37.	Mr. Waheed Khan	Junior Clerk (BPS-11)	MVE Office Lakki Marwat	Motor Vehicle Examiner Office Karak
38.	Mr. Imran Khan	Junior Clerk (BPS-11)	MVE Office Abbottabad	MVE Office Haipur
39.	Mr. Mustafa Kamal	Junior Clerk (BPS-11)	MVE Office Karak	MVE Office Kohat
40.	Ms. Somia Bibi	Junior Clerk (BPS-11)	MVE Office Haripur	MVE Office Abbottabad
41.	Mr. Taqveem Ul Haq	Junior Clerk (BPS-11)	Regional Transport Authority Malakand	Regional Transport Authority Mardan
42.	Mr. Dilawar Khan	Junior Clerk (BPS-11)	Regional Transport Authority D. I. Khan	Regional Transport Authority Bannu
43.	Mr. Hazrat Ullah	Junior Clerk (BPS-11)	RTA D. I. Khan	Provincial Transport Authority
44.	Mr. Sajid	Junior Clerk (BPS-11)	Provincial Transport Authority	Regional Transport Authority Abbottabad
45.	Mr. Waheed Ullah Khan	Junior Clerk (BPS-11)	RTA Bannu	Provincial Transport Authority
46.	Mr. Ahsan Ali	Junior Clerk (BPS-11)	Regional Transport Authority Abbottabad	Regional Transport Authority Malakand
47.	Mr. Abdur-Ur Rehman	Junior Clerk (BPS-11)	Regional Transport Authority Bannu	Provincial Transport Authority
48.	Noor Ali	Junior Clerk (BPS-11)	MVE Office Lakki Marwat	Driving License Office Karak
49.	Mr. Shahid Abbassi	Junior Clerk (BPS-11)	MVE Office Abbottabad	MVE Office Haripur
50.	Mr. Kamran	Junior Clerk (BPS-11)	Driving License Branch, Peshawar	Directorate
51.	Mr. Siraj	Junior Clerk (BPS-11)	MVE Office Peshawar	Motor Vehicle Examiner Office Mardan
52.	Malik Hidayat Ullah	Junior Clerk (BPS-11)	MVE Office D.I. Khan	Directorate
53.	Mr. Zabeer Ahmad	Naib qasid (BPS-03)	MVE Office Haripur	MVE Office Abbottabad
54.	Mr. Zaid-Ur-Rahman	Chowkidar (BPS-03)	MVE Office Swat	MVE Office Shangla
55.	Mr. Niaz Ali Shah	Constable (BPS-07)	Regional Transport Authority Abbotabad	MVE Office Battagram

Attested

WAJID ALI
Election Officer
D.I. Khan Division

sd
DIRECTOR
Transport & Mass Transit
Khyber Pakhtunkhwa.

ATTESTED

18/11

ndst: No. & Date Even:

copy is forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. District Account Office Peshawar, Malakand, Abbottabad, Swat, D.I.Khan, Kohat, Mardan, Bannu.
3. PS to Secretary Transport & Mass Transit Department, Government Khyber Pakhtunkhwa.
4. PA to Director Transport & Mass Transit, Khyber Pakhtunkhwa.
5. All Secretaries Regional Transport Authorities in Khyber Pakhtunkhwa.
6. All Additional Deputy Commissioners, Khyber Pakhtunkhwa.
7. Chief Motor Vehicle Examiner Khyber Pakhtunkhwa, Peshawar.
8. Officials Concerned.

Dr. Tariq Usman Saeed
Deputy Director (Technical)
Transport & Mass Transit

ATTESTED

12/11

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Annex-B



DIRECTORATE OF TRANSPORT & MASS TRANSIT KHYBER PAKHTUNKHWA

Ground Floor Benevolent Fund Building, Peshawar Cantt: ☎ 091-9214185/9212061

ORDER:

Dated: 04-02-2021


No: Dir/TPT/1-82/ P&T/2094-95. The Competent Authority is pleased to order transfer of Mr. Noor Ali, Junior Clerk (BPS-11) from Driving License Office, Karak to Motor Vehicle Examiner Office, D.I. Khan, in the best public interest with immediate effect:-

— sd —

DIRECTOR
Transport & Mass Transit
Khyber Pakhtunkhwa

Endst: No & Date Even:

- 1. A copy is forwarded for information to the:
 - 1. Motor Vehicle Examiner Office, D.I. Khan.
 - 2. Official Concerned.

Attested

WAJID ALI
Election Officer
D.I. Khan Division

Dr. Tariq Usman Saeed
Deputy Director
Transport & Mass Transit
Khyber Pakhtunkhwa


ATTESTED

12-A


Amex - C

To

The Divisional Motor Vehicle Examiner,
D.I.Khan Division.

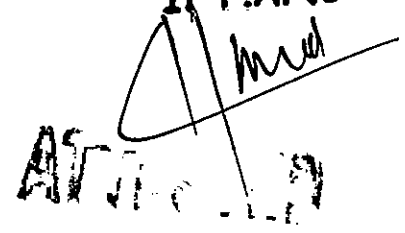
ARRIVAL/CHARGE ASSUMPTION REPORT

In pursuance of Order No. Dir/TPT/1-82/P&T/2094-95 dated:
04-02-2021 of Director Transport & Mass Transit, Khyber Pakhtunkhwa. I, Noor
Ali, Junior Clerk (BPS-11) do hereby submit my arrival in the office of Motor
Vehicle Examiner, D.I.Khan today on 08-02-2021 (A.N.)


Noor Ali
Junior Clerk(BPS-11)

Copy forwarded for information to the: -

- 1. P.A. to Director, Transport & Mass Transit, Khyber Pakhtunkhwa.





(13) Annex

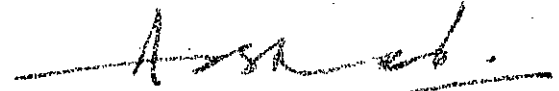
DIRECTORATE OF TRANSPORT & MASS TRANSIT KHYBER PAKHTUNKHWA

Ground Floor Benevolent Fund Building, Peshawar Cantt: ☎ 091-9214185/9212061

Dated 23-02-2021

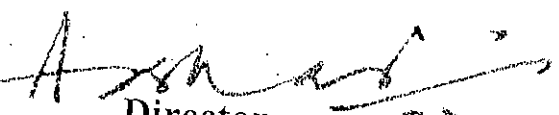
ORDER:

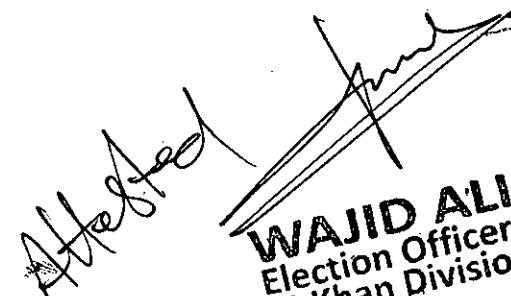
No.Dir/TPT/1-82/P&T/2505-07. The Competent Authority is pleased to transfer Mr. Noor Ali, Junior Clerk (BPS-11) from Motor Vehicle Examiner Office, D.I.Khan to Motor Vehicle Examiner Office, Kohistan in the best public interest with immediate effect.


Director
Transport & Mass Transit
Khyber Pakhtunkhwa
23/2/21

Endst: No & Date Even:

- A copy is forwarded for information to the:-
1. Motor Vehicle Examiner Office, D.I.Khan.
 2. Motor Vehicle Examiner Office, Kohistan
 3. Official Concerned


Director
Transport & Mass Transit
Khyber Pakhtunkhwa
23/2/21


WAJID ALI
Election Officer
D.I.Khan Division


ATTESTED

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Annex-E

**To: The Secretary,
Transport and Mass Transit Department,
Khyber Pakhtunkhwa, Peshawar.**


Through Proper Channel.

**Subject: DEPARTMENTAL REPRESENTATION AGAINST OFFICE ORDER
BEARING NO.DIR/TPT/1-82/P&T/2505-07 DATED
23.02.2021 ISSUED BY THE DIRECTOR TRANSPORT & MASS
TRANSIT, K.P.K. PESHAWAR.**

Most Respected Sir,

The applicant humbly submits as under:

1. That the applicant was serving as Junior Clerk in the Motor Vehicle Examiner Office, Lakki Marwat, and he was transferred to Driving License Office, Karak, vide Order bearing No.DIR/TPT/1-82/P&T/372-477 dated 13.11.2020. Accordingly, applicant after taking charge of the post, started performing duties at Karak. Copy of the office order is enclosed.
2. That thereafter, on 04.02.2021 vide Order bearing No.DIR/TPT/1-82/P&T/2094-95 of even dated, the applicant stood transferred from Driving License Office Karak to Motor Vehicle Examiner Office, D.I.Khan. Accordingly applicant submitted his charge/arrival report at D.I.Khan office on 08.02.2021 and started to perform his official duties. Copies of the Order bearing No.DIR/TPT/1-82/P&T/2094-95 dated 04.02.2021 and the charge report dated 08.02.2021 are enclosed.
3. That just after 15 days of the transfer to D.I.Khan, the applicant once again stood transferred from M.V.E. Office D.I.Khan to Motor


ATTESTED

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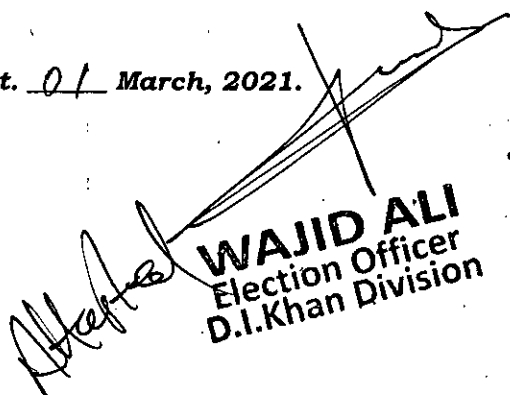
Vehicle Examiner Office, Kohistan vide Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021.

4. That aggrieved of his rapid transfers, one after the other, just within a period of 3½ months, the applicant is filing present a departmental appeal against the Office Order bearing No.DIR/TPT/1-82/P&T/2505-07 dated 23.02.2021.
5. That the present transfer of petitioner to Kohistan is without any exigency and without any plausible reason for transfer in such a short span of time.
6. That rapid transfer of the applicant is in violation of the verdict of Honourable Supreme Court of Pakistan reported as **2013 PLD SC 195**, which Judgment was communicated to all the administrative departments for compliance. On this score too, the impugned transfer order is liable to be set aside.
7. That normal tenure of the service of petitioner at D.I.Khan has not yet been completed.

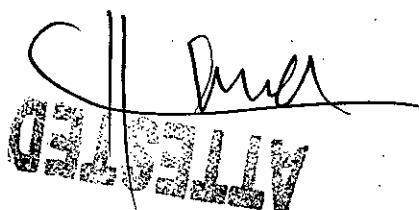
In view of the foregoing submissions, the applicant most humbly requests your kind honour to please cancel the Office Order bearing No.Dir/TPT/1-82/P&T/2505-07 dated 23.02.2021 and applicant may please be allowed to serve ordinary tenure of his service at D.I.Khan.

Yours Most Obedient Servant

Dt. 01 March, 2021.


WAJID ALI
Election Officer
D.I.Khan Division


Noor Ali Jan
Junior Clerk, M.V.E. Office D.I.Khan.


ATTENDED



(16)

**OFFICE OF THE
DIVISIONAL MOTOR VEHICLE EXAMINER
DERA ISMAIL KHAN DIVISION**

No. 587 /MVE//DIK

Dated: 02-03-2021

To

The Director,
Transport & Mass Transit department
Khyber Pakhtunkhwa.

Subject: **APEAL FOR MERCY.**

Refer to the subject noted above, it is stated that the undersign has received on appeal to Secreatry transport from Noor Ali Jan , Junior Clerk (BPS-11) Motor Vehicle Examiner office D.I.Khan on 01-03-2021 seeking mercy regarding his 3 time transfer/posting since 13-11-2021.

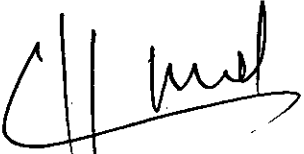
Applicant has requested to kindly review his rapid transfer from one office to another and that to let him complete the normal tenure of service in one office .

The applicant has also requested to kindly cancel the office order No.DIR/TPT/1-82/P&T/2505-07 dated 23-02-2021, so that the applicant may complete the ordinary tenure Motor Vehicle Examiner office, D.I.Khan .

The application (copy attached) is forwarded to your office . sir ,for consideration and further necessary actions, please.

Attested
WAJID ALI
Election Officer
D.I.Khan Division


Divisional Motor Vehicle Examiner
Dera Ismail Khan Division


ATTESTED

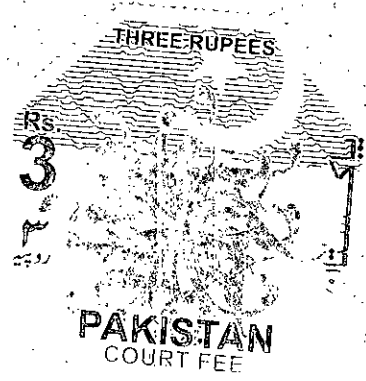
17

ڈاکٹر گلبرگ مرزا زین العابدین صاحب خیر پور صاحب

مقدمہ نمبر	مقدمہ دیوانی فوجداری
مدعی	مدعی المدعیان نور علی خاں
مدعا علیہ	سیکرٹری ڈپارٹمنٹ مدعا علیہ المدعیان
توثیق دعویٰ	ڈپٹی کمشنر ایس ایچ
جائے وقوعہ	ڈیرہ اسماعیل خان
حاکم فیصلہ کنندہ	ڈاکٹر گلبرگ مرزا زین العابدین خان
تاریخ فیصلہ	9-3-2021
تقریر کیلئے مطلوب ہے	بائے ضروریات خود یا اپنے وکیل
تفصیل نقل	9-3-2021

پتہ درخواست دہندہ

ساکن	نور علی خاں
ولدیت	خندرجان
قومیت	مہرو
سکونت	خیر تحصیل کپہ
تحصیل	لاہور
ضلع	مہرو



العبد

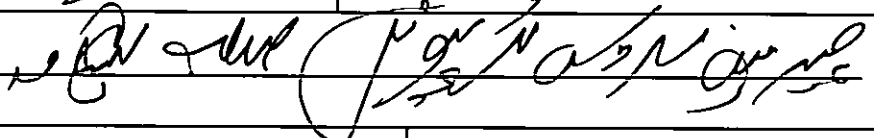
12-3-2021

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ATTESTED

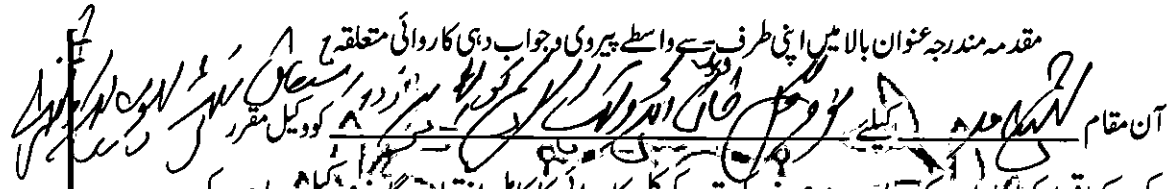
MAJID ALI
Election Officer
D.I. Khan Division

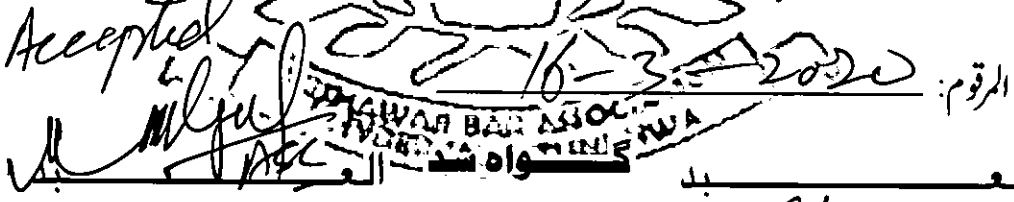
قیمت 50 روپے	80261	  
ایڈوکیٹ:  بار کونسل / ایسوسی ایشن نمبر: 3095-80 رابطہ نمبر: 0313 9930313		
پشاور بار ایسوسی ایشن، خیبر پختونخواہ		

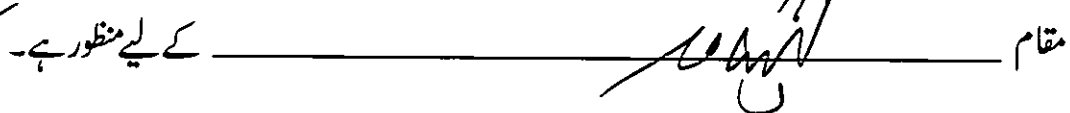
بعدالت جناب: 

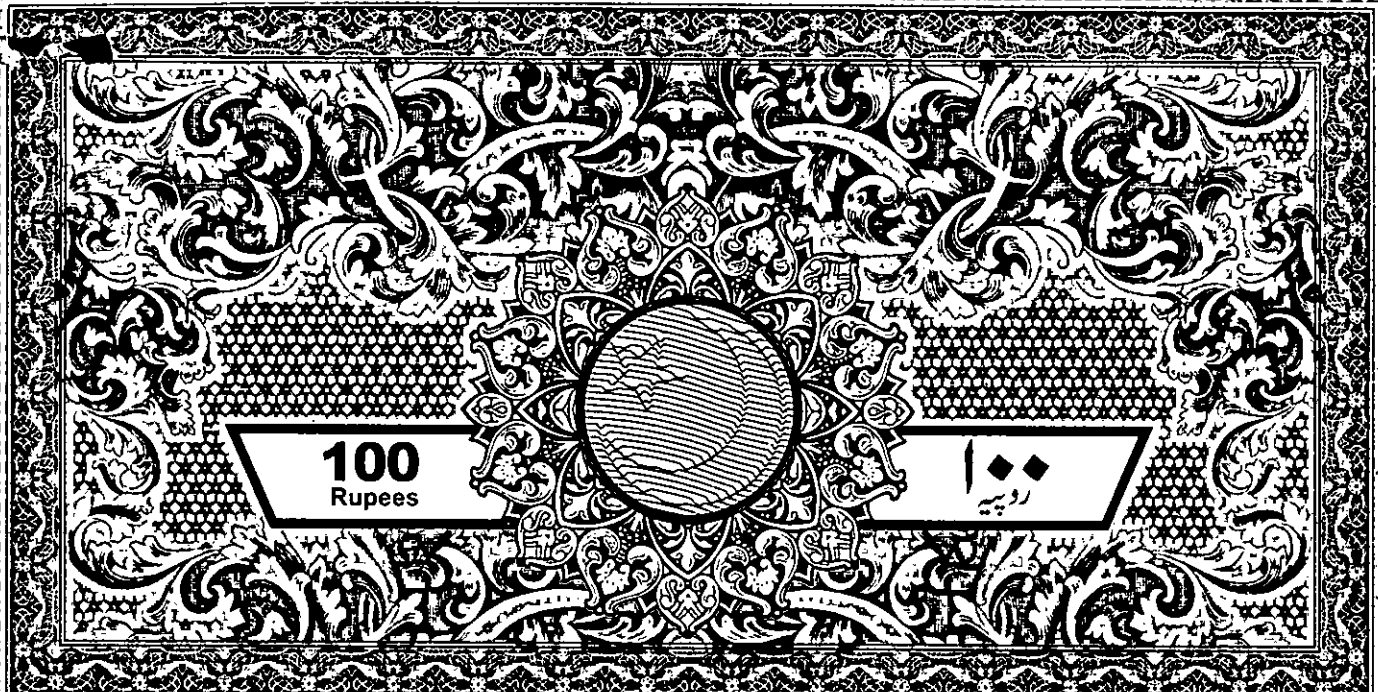
	مخائب:
	دعویٰ:
	علت نمبر:
	مورخہ:
	جرم:
تھانہ:	

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی کاروائی متعلقہ
 آن مقام  کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز ڈیکل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جو اب 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 بگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمزاء یا اپنے بجائے بقرار اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ برداشتہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانہ اتوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 
 2020-11-16
 PESHAWAR BAR ASSOCIATION
 خیبر پختونخواہ

مقام  کے لیے منظور ہے۔



100
Rupees

۱۰۰
روپے

بھارتیہ مسلم لیگ، پاکستان کے صدر اور چیف ایگزیکٹو آفیسر
نور علی خان منجم حکومت

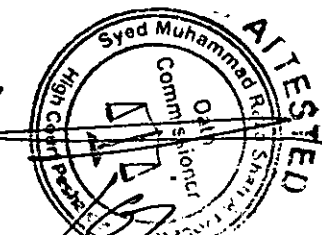
بیان علی

میں نے گامی پیکر ایبلز میں جو رقم 2021-3-1 کو ڈیپازٹ کی تھی اس پر ٹیکس
ٹرانسپیرنٹ اینڈ ماسٹ ڈیپازٹس فیڈ بک میں ڈیپازٹ کیا ہے اور
2021-3-9 کو جو رقم خازن خان نے جس کے لیے من ایبلز میں باقاعدہ طور پر
توڑی گامی پیکر ایبلز میں ڈیپازٹ کی تھی وہ منجم منجم کے نام سے ہے لیکن
مسئلہ ڈیپازٹس علی غورم 2021-3-9 کو دیئے گئے تھے ان کے بارے میں
منجم منجم

حورم
2021-3-16

ایبلز میں

نور علی خان و لدا اہل خانہ جو منجم منجم کے نام سے
توڑی گامی پیکر ایبلز میں



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11201-0398777-1

بوقت
بدر آن لحظه که من صبح کردم و در آن وقت که من خواب بودم

نو، علی جان بنام حکومت

درخواست کردم از شما که برای من اسامی را بنویسید که در آن وقت که من خواب بودم

فایده ای که از این اسامی می آید

1- برای اسامی فرزندانم که در آن وقت که من خواب بودم

2- برای اسامی فرزندانم که در آن وقت که من خواب بودم

کتابت فرموده ام

بدر آن لحظه که من صبح کردم و در آن وقت که من خواب بودم

Be laid before 1st available
SB at d/kham.

16/3/21

نو، علی جان

نو، علی جان

16/3/2021

BEFORE THE HON'BLE SERVICE TRIBUNAL, KP, PESHAWAR



Appeal No. _____/2021

Put up to the court with relevant appeal

Noor Ali Jan VS Govt of KP and others

29/3/2021

APPLICATION FOR EARLY HEARING OF THE SUBJECT APPEAL TO BE HEARD AT PRINCIPAL SEAT AT PESHAWAR.

Reader

Respectfully Sheweth

1. That the subject appeal is pending disposal for hearing regarding urgent matter of transfer and is fixed for hearing on 25.04.2021 at D.I. Khan.
2. That the said post is lying vacant as no one was posted against the said post, applicant was posted at Kohistan on account of Political Pressure. Yet applicant has not relinquished his post till date.
3. That the appellant was transferred from one station to another station in one month and has been made a rolling stone which is against the law as well as Transfer policy.
4. That being a District Cadre post, applicant can not be posted at District Kohistan.

It is therefore, most humbly requested that the application be accepted as prayed for.

Date: 29.03.2021

[Signature]
Applicant

Through

[Signature]
Saadullah Khan Marwat
Advocate, Peshawar

Because of temporary suspension of transfer, it may be fixed at Peshawar at in last week of April, 2021. Notice, cost to be borne by the Applicant/Appellant.

11/4/21
29/04

بعد التّ جہاں سہرسرگس ٹریڈ پورٹل صفحہ پندرہ پشاور

مستجاب ایڈوائس

گورنری جان بنام محمد ٹرانسپورٹ

دعویٰ اپیل

باعضرت شکر سہ ایٹک

مترجم مندرجہ عنوان بالا میں اپنی طرف سے واپس پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور
کیسٹیم سٹیل انڈسٹریز کے ایڈووکیٹ، ہائی کورٹ کو وکیل مقرر کر کے اجازت کیا جاتا ہے کہ صاحب
مذکورہ کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل صاحب کو کرنے دہنی نامہ و آفٹرنالٹ، وٹیمہ برٹاف
یہ جواب دہی اور قبیل دعویٰ اور لیکچرنگ ڈگری کرنے اجراء اور دوسری چیک و ریویہ اور مرضی دعویٰ اور درخواست
ہر قسم کی تقدیرات اور اس پر دستخط کرنے کا اختیار ہوگا نیز لیکچرنگ عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برابری
اور سبھی چیز داہر کرنے اپیل ٹکرائی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور لیکچرنگ ضرورت مقدمہ ہر
کے کل یا ہجڑوں کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا
اور وہ یہ مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منٹا اور
قبول ہوگا و دوران مقدمہ میں جو خرچہ و تر جانہ الزام مقدمہ کے حساب سے ہوگا اس کے مستحق وکیل صاحب
مذکورہ ہوں گے نیز لیکچرنگ دفعہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ
پر ہو یا عدسے باہر ہو تو وکیل صاحب یا ہمد نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا کالت نامہ رکھ دیا کہ سند ہے۔

المرقوم 21-03-29

ارباب سینگ سنگھ
ایڈووکیٹ

محمد اللہ خان
ایڈووکیٹ

Ali
Noor Ali
Appellant

محمد نواز
ایڈووکیٹ