



Form- A

# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1103/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/07/2022	<p>The appeal of Mr. Dawood Khan resubmitted today by Uzma Syed Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	14-7-22  Note 4/8/22 18-7-2022	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>27-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Dawood Khan son of Abdul Wahid r/o village Shamshad Abad Toru Mardan received today i.e. on 04.07.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Memorandum of appeal may be got signed by the appellant.
- 4- Annexures of the appeal may be attested.
- 5- Annexure-A of the appeal is illegible which may be replaced by legible/better one.
- 6- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2145 /S.T,

Dt. 04/7 /2022

Uzma Syed Adv.  
High Court Pesh.

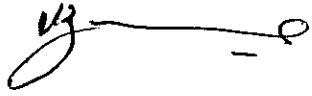
  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Sir,

submitted that.

All objection 1 to 7 were removed and

re-submitted again



7-7-2022

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

**CASE TITLE:** \_\_\_\_\_

**V/S** \_\_\_\_\_

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:	✓	
2	Whether Counsel/Appellant/Respondent/Deponents have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 1103 /2022

Mr. Dawood Khan

V/S

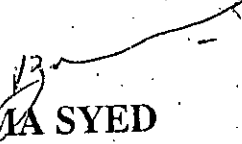
Edu Deptt:


**INDEX**

S.NO.	DOCUHIMNTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	1-7
2.	Copy of appointment order	-A-	08-09
3.	Copy of report	-B-	10-11
4.	Copy of letter	-C-	12-13
5.	Copy of charge report	-D-	14-15
6.	Copy of impugned order	-E-	16
7.	Copy of departmental appeal	-F-	17
8.	Walakat Nama	-----	18

  
APPELLANT

Through:

  
UZMA SYED  
Advocate, High Court

  
(SYED NOMAN ALI BUKHARI)  
Advocate, High Court

Cell NO: 0335-8390122

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. \_\_\_\_\_/2022

Mr. Dawood Khan S/o Abdul Wahid  
R/o Village Shamshad Abad Toru Mardan

Khyber Pakhtunkhwa  
Service Tribunal

Story No. 615

Dated 04-7-2022

(Appellant)

**VERSUS**

1. The Director Education, Elementary & Secondary Education Peshawar.
2. The District Education Officer (Male) Mardan.
3. The Assistant Sub Divisional education Officer, (Male) Mardan.

(Respondents)

-----

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACTS, 1974, AGAINST THE ORDER DATED 10.01.2022, WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT WAS WITHDRAWN AND AGAINST NOT RESPONDED WITHIN STATUTORY PERIOD OF 90 DAYS.

**PRAYER:**

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 10.01.2022 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to Registrar  
4/7/2022

## RESPECTFULLY SUBMITTED:

### FACTS:

1. That the appellant was appointed as PST vide order dated 02.04.2019 on adhoc basis. Appellant has performed his duties assigned to him with zeal and devotion and there was no complaint, what so ever regarding his performance. **(Copy of appointment order is attached as Annexure-A)**
2. That the appellant regularly performed his duties upto three years thereafter the appellant was called by the Pakistan Navy for clearance. The appellant properly submitted application and departure to Karachi for clearance. The absence report was submitted to DEO by ASDEO but no action was taken, Thereafter the appellant after return from Karachi properly submitted arrival report on 27.12.2021 and appellant was allowed to join his duties. Which is evident from the letter dated 16.10.2021 **(Copy of reports, letter and arrival report is attached as Annexure-B & C & D).**
3. That thereafter without any notice appellant's appointment order was withdrawn vide order dated 10.01.2022 without any prior notice which is mandatory in law, against which appellant filed departmental appeal which was not responded within statutory period of 90 days. **(copy of impugned order and departmental appeal is attached as Annexure-E & F.)**
4. Hence the appellant constrained to file the instant service appeal on the following grounds amongst others.

### GROUND:

- A. That the impugned order dated 10.01.2022, and not taken action against the departmental appeal within statutory period of 90 days are against the law, facts, norms of justice, and material on record, therefore not tenable and liable to be set aside.
- B. That the whole proceeding conducted by the respondent department is against the law and rules.
- C. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as **2019 CLC 1750** stated that Audi Alterum Partum" shall be read as part and parcel of the every statute.
- D. That the appellant have not been treated in accordance with law hence the appellant right secured and guaranteed under the law are badly violated.

E. That the appellant regularly performed his duties upto three years thereafter the appellant was called by the Pakistan Navy for clearance. The appellant properly submitted application and departure to Karachi for clearance. The absence report was submitted to DEO by ASDEO but no action was taken, Thereafter the appellant after return from Karachi properly submitted arrival report on 27.12.2021 and appellant was allowed to join his duties. So, the absence of the appellant was not willful but due to compelling reason. And according to supreme court judgment without permission if station was leave in case of compelling reason cannot amount to misconduct or inefficiency. On the basis of which maximum penalty cannot be imposed

F. That according to Federal Shariyat court Judgment cited as *PLD 1989 FSC 39* the show cause notice is must before taking any adverse action, non-issuance of show cause notice is against the injunction of Islam. Hence the impugned order is liable to be set-aside.

G. That the show cause is the demand of natural justice and also necessary for fair trial and also necessary in light of injunction of Quran and Sunnah but show cause was not given to the appellant. So, fair trail denied to the appellant which is also violation of Article 10-A of the constitution. Further it is added that according to reported judgment cited as *1997 PLD page 617* stated that every action against natural justice treated to be void and unlawful order. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel according to superior court judgment cited as *2017 PLD 173 and 1990 PLC cs 727.*

H. That according to decision of larger bench rendered in Appeal titled *Fazal Ghani vs Police deptt*: in case of willful absence Rule-9 of the E&D Rules 2011 should be followed before awarding punishment.

I. That according to supreme court judgment if the order was not passed according to law without following proper procedure, the said order termed as to be void order, hence the impugned order is void and liable to be set-aside.

J. That the charges leveled against the appellant were never proved in the enquiry, the enquiry officer gave his findings on surmises and conjectures.

K. That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant's appointment order has been withdrawn. Which is violation of reported judgment cited as 1997 PLC cs 564.

L. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. The same principle held in the Superior Court judgments cited as 2016 SCMR 943 and 2020 PLC(cs) 67.

M. That no show cause notice was issued before taking adverse action which is violation of rule *Rule-5(a) Read with Rules -7* in case inquiry was not necessary and *Rule-14(b) of the E&D Rules 2011*, in case where inquiry is necessary. which were totally ignored before taking adverse action. The same principle held in the Superior Court judgments cited as 1987 SCMR 1562, 2019 PLC cs 811 and 209 SCMR 605. Further it is added that inquiry report was also not provided to the appellant which was also violation of *Rule 14(c) of the E&D rules 2011*, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as 1981 PLD SC 176 and 1987 SCMR 1562.

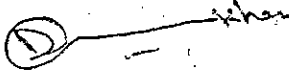
N. that no proper regular inquiry was conducted if any then the appellant not associated with the inquiry, neither the statement recorded in presence of appellant nor was the chance of cross examination provided to the appellant which is violation of *Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011*, which were totally ignored before imposing punishment. The same principle held in the Superior Court judgments cited as 2010 SCMR 1554, 2016 SCMR 108 and 2008 PLC cs 1107.




O. That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of **Rule 7(d)** in case inquiry was not necessary and **14(5) of the E&D rules 2011** in case where inquiry is necessary. The same principle held in the Superior Court judgments cited as **2006 SCMR 1641.**

P. That the appellant seeks permission to advance other grounds at the time of arguments.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for

  
**Appellant**  
Mr. Dawood Khan

**Through:**

  
**UZMA SYED**  
Advocate, High Court

  
**SYED NOMAN ALI BUKHARI**

Advocate, High Court

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. \_\_\_\_\_/2022

Mr. Dawood Khan

V/S

Edu Deptt:

**CERTIFICATE:**

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.

  
DEPONENT

**LIT OF BOOKS:**

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need

  
(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. \_\_\_\_\_/2022

Mr. Dawood Khan

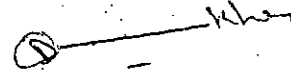
V/S

Edu Deptt:

**AFFIDAVIT**

I, Dawood Khan , (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honorable Tribunal.

DEPONENT



DAWOOD KHAN



OFFICE OF THE  
DISTRICT EDUCATION OFFICER  
(MALE) MARDAN



**OFFICE ORDER.**

Consequent upon recommendation of the Departmental Selection Committee meeting held on 02.04.2019, appointment of the following candidates are hereby ordered against the vacant posts of PST, School based, in BPS-12 (Rs.13320-960-42120) @ Rs. 13320/- fixed plus usual allowances as admissible under the rules on adhoc basis on Contract under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge:

**GHALLA DHER**

Sr	RollNo	School	Name	FATHER NAME	CNIC Address	DOB	Total Score	Remarks
1.	2721002262	GPS Khawo	SHAH QASIM	MUHAMMAD KHAN	MOH AWAN VILLAGE KHAT KILLI PO RASHAKAI DISTRICT MARDAN	1995-8-27	128.90	AVP
2.	2719007508	GPS Saeed Abad No 2	DAWOOD KHAN	ABDUL WAHID	VILLAGE WALIABAD P/O SHAMSHAD ABAD TORU DISTT MARDAN	1989-1-26	118.33	AVP
3.	2721002136	GPS Ghalla Dher	SYED WAQAR AHMAD SHAH	SYEDIZZAT GUL	MOH BIANKIWALL VILL P/O GHALLADHER MARDAN	1990-4-9	118.10	AVP

**TERMS & CONDITIONS**

- No TA/DA etc is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointment is purely on temporary & contract basis initially for one year from the date of issuance.
- They should not be handed over charge if he exceeds 35 years or below 18 years of age.
- If any candidate is over age less than 2 years, their upper age limit less than 2 years is hereby relaxed.
- Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the D&O Office, anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action and his services shall be immediately terminated.
- Their services are liable to termination on one month's notice from either side. In case of resignation without notice their one-month pay/allowances shall be forfeited to the Government.
- Pay will not be drawn until and unless a certificate regarding verification of their documents is issued by this office.
- They should join their post within 15 days of the issuance of this notification. In case of failure to join the post within stipulated period, their appointment will stand expired automatically and no subsequent appeal etc shall be entertained.
- Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge to the DDO concerned and the same date of birth shall be reckoned till retirement.
- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Their services shall be terminated at any time, in case their performance is found unsatisfactory during contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
- Their appointment is made on School based, they will have to serve at the place of posting, and their service is not transferable to any other station.
- Before handing over charge, once again their document may also be checked by the DDO concerned, if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.

15. In case of miscalculation of their marks affecting merit at any stage will be rectified accordingly which may affect the place of posting and withdrawal of appointment order resultantly.
16. In case one/more than one appointee does not take their charge of his post (for any reason) the next on merit shall be appointed and the previous placement shall be shuffled/readjusted accordingly.
17. Copy of professional standards, core competencies and job description issued vide Govt. of Khyber Pakhtunkhwa E&SED Notification No. SO(PE)4-3/PST/2014 dated 17-09-2014 is attached with the appointment order.

(ZULFIQAR UL MULK)  
District Education Officer (M)  
Mardan.

Endst: No 3424/G V-I/PST NTS Dated 2-4/2019

Copy forwarded for information and necessary action to the:

1. Director ESSE Khyber Pakhtunkhwa, Peshawar
2. District Comptroller of Accounts Mardan.
3. Principal/ Headmaster of Concerned Schools.
4. PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
5. Budget & Accounts Officer Local Office.
6. Candidates Concerned.

District Education Officer (M)  
Mardan.

(5)  
مکتوباً  
(10)

SD.Fo صاحب پرائمری اسکول کی طرف سے

Saeed Abad No 2  
درخواست گزار کے معلومات داؤد خان پست

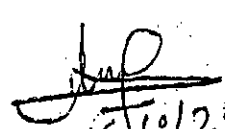
تذریعہ کی جاتی ہے کہ سر ایف ڈی جی ایس سعید آباد مظفر آباد

میں داؤد خان پست سے خود رابطہ کیا گیا۔ لیکن ابھی تک رابطہ نہیں ہو سکا۔

ذرائع سے معلوم ہوا کہ رجسٹرڈ اداروں کے نمائندے کہ کراچی ہے۔

اور ایسا کیمپیشن کراچی ہے۔ اس لیے درخواست فرم سے

ان طرف سے بند کر دی گئی ہے۔ اس سے سعید آباد مظفر آباد

  
18/10/2021  
HEAD TEACHER  
GPS No.2 Saeed Abad  
Mardan

ASDEO Sharqi Hoti Mardan -  
No- 369. Dated 16/10/2021

(14)

51

To  
the SDEO(M), Piry Mardan.

(A)

Subject: Repor regarding absentceism of Dawood Ichan, Pst  
GPS Saeed Abad NO2.

Sir

Reference DEO(M) Mardan endst NO 6952 dated  
12/10/2021 and SDEO(M) Mardan letter Endst NO 384  
Dated 13/10/2021.

It is stated that Mr. Dawood Ichan (Pst), has been  
absent from duty since 21-09-2021, he has  
submitted application for Earned leave but he does  
not deserve it as per rule.

Moreover, his presence for personal hearing  
is not possible due to lack of channel  
communication.

He was also a servant of Pakistan Navy before  
joining Education department, but he did  
not clear himself from Pakistan Navy.  
Now he has been called by Pak. Navy for  
clearance.

It is therefore requested to solve  
this issue as per Existing rule.

No. 397  
Dated 16/10/21

S.D.E.O (M)  
Mardan

16/10/2021  
A.S.D.E.O CIRCLE  
SHARQI HOTI MARDAN



53

**OFFICE OF THE  
SUB DIVISIONAL EDUCATION OFFICER (MALE) MARDAN**  
No. 1533 /Estab:A-9 Absent File Dated: 30/10/2021.

To

The District Education Officer  
(Male) Mardan.

*(Handwritten signature)*  
*(Handwritten initials)*

SUBJECT:

ABSENT REPORT.

Memo;

I have the honour to submit herewith the original report received from Head Teacher against Mr. Dawood Khan PST/<sup>NTS</sup>Govt:Primary School No.2 Saeed Abad Mardan and duly forwarded by ASDEO-circle Sharqi Hoti on the subject cited above for perusal and further necessary action please.

Encl: (as above)

*(Handwritten signature)*  
SUB: DIVISIONAL EDUCATION OFFICER  
(MALE) MARDAN

612  
06-11-21



13



OFFICE OF THE  
SUB DIVISIONAL EDUCATION OFFICER (MALE) MARDAN  
No. 16.33 /Estab:A-9 Absent File Dated: 25/11/2021.

To

The District Education Officer  
(Male) Mardan.

SUBJECT:

ABSENT REPORT.

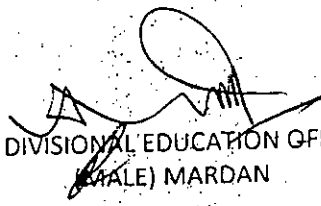
Memo;

Reference show cause notice issued vide your good office letter No.7495/GEMA/EMIS (M) Dated;30-10-2021, and this office absent report vide No.1533 dated;30-10-2021 on the subject cited above.

I have the honour to submit herewith the original application in respect of Mr. Dawood Khan PST (NTS 2019) Govt:Primary School No.2 Saeed Abad Mardan and duly forwarded by Head Teacher/ ASDEO circle Sharqi Hoti as reported absent from duty w.e.f 21-09-2021 till date for favour of further necessary action please.

Encl: (as above)

6515  
28-11-2021

  
SUB-DIVISIONAL EDUCATION OFFICER  
(MALE) MARDAN



372  
28/12/2021

سرگرمیت خان - ASDEO صاحب میل سرداران

57

خان عالی (14)

(10)

منوڈرائے گزارش ہے کہ نائب مدرس

00921519

داؤد خان

آج وائس سکول یہاں میں ڈیوٹی سر ایام دے پے پے

عالم ہو گیا

اس لیے آپ صاحبان کی خدمت التماس کی جاتی ہے

کہ تعلقہ پتھر آج سوچو 27-12-21 پر سکول بڑا

میں حاضر ہو گیا

عین نوآرٹس ہو گئی

27-12-21 P, سو

السلام

Forwarded to the  
worthy - DFO (M) Mardan  
for further direction. Please  
note this. Already replied  
1633 dated 25/11/21

درخواست گزار  
مید پتھر درویش خان

جی پی ایس نمبر 02 سعید آباد غلہ ذخیرہ سرد

Forwarded to SDEO (M)

for m/action

27/12/2021

Sub-Div. Education  
Officer (M) Mardan

HEAD TEACHER  
GPS No.2 Saeed Abad  
Mardan

SDEO CIRCLE  
SHARQI HOTI MARDAN

The D.E.O (M) Mardan

(15)

R/sir

Reference your letter No 284/G Dated 10-01-21  
That Dawood Ichan Pst GPS Saeed Ahmad No 2  
willful absent from duty w.e.f. 18.09.2021  
without approval of leave from Competent  
Authority.

Respected Sir just after two days of his  
Departure to Karachi absentee report of the  
said teacher submitted to SDEO office for prompt  
Action.

Furthermore, the rejoining report of Dawood Ichan Pst  
sent by Head teacher late he <sup>was</sup> also unaware  
of rules.

So, I assure you this kind of negligence  
will not be repeated in future and your  
kind instructions and guidance must be  
followed.

Thanks

Yours Abdul Naveab

ASDEO Sharqi

A.S.D.E.O CIRCLE  
SHARQI HOTI, MARDAN

12/1/22

67

(E) (10)

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN.**

**OFFICE ORDER**

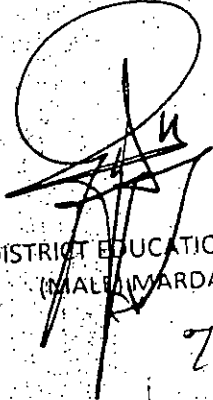
The adhoc contract issued vide this office under Endst No.3424/G dated 02-04-2019 in respect of Mr. Dawood Khan, PST(adhoc employee) GPS No.2 Saeed Abad Mardan at S.No:02 is hereby **Withdrawn w.e.f** 18-09-2021 (i.e date of absenteeism) in light of terms & condition of appointment order S.No 3 &12 due to willful absent from duties as reported by ASDEO and SDEO concerned.

(Zulfiqar ul Mulk)  
DISTRICT EDUCATION OFFICER  
(MALE) MARDAN.

Endst No. 283 /Abs M:1/ Dated: 10-01-2021

Copy forwarded to the:-

1. SDEO(M) Mardan alongwith service book.
2. DAO Mardan
3. Official Concerned

  
DISTRICT EDUCATION OFFICER  
(MALE) MARDAN.

Zc

To,

F

17

The Director of Elementary & Secondary Education  
Govt of Khyber Pakhtunkhwa, Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGN ORDER  
DATED 10-01-2022, WHERE BY APPLICANT 'S APPOINTMENT  
ORDER DATED 02-04-2019 HAS BEEN WITHDRAWN.

Sir,

Appellant humbly submitted as under:

1. That the appellant was initially appointed through DSC (Departmental Selection Committee) as PST on 02-04-2019 in GPS Saeed Abad No 2, Mardan. ( Copy Of Order is Attached )
2. That the appellant's documents has checked and verified by the competent Authority and issued Pay release sanction of the appellant.
3. That the appellant has performed his duties satisfactory for two years and five months, without any complaint.
4. That the appellant has submitted an application for Earned Leave and has gone to Karachi. (Copy of letter leave dated 12-10-2021 is attached)
5. That the appellant had come to join his duty and the Head Master submitted an application to the DEO (M) Mardan to inform him but the DEO (M) Mardan call the appellant in his office and handed over the withdrawn order of the appellant on 16-02-2022. ( copy application is attached)
6. That astonishingly on 10-01-2022, the appointment order of the appellant has been withdrawn by the competent authority without any cogent reason. ( Copy of withdrawn is attached)
7. That the appellant belongs to very much poor family and has two little kids, the family responsibility on his shoulder.
8. That the appellant is jobless and has no any resource of income.

It is, therefore humbly prayed that, withdrawal order Dated 10-01-2022, may please be set-aside and appellant may please be reinstated in service with all back benefits.

Dated: 04-03-2022

Appellant

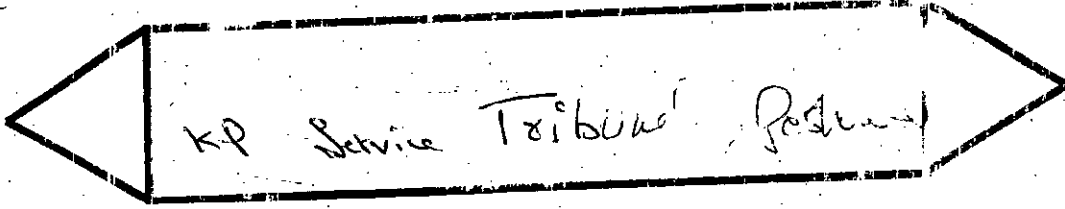
*[Signature]*  
04-03-2022  
Dawood Khan

S/O Abdul Wahid

R/O village Shamshad Abad

Toru Mardan

# بعدالت



2 مخائب  
بنام  
M/s Dawood Khan

VS

Education Deptt

مورخہ

مقدمہ

دعویٰ

جرم

## باعث تحریر آنکے

مقدمہ مندرجہ عدالت برائے اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ

آن مقام پشاور کیلئے عظمیٰ جسٹس ایڈووکیٹس

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو رائیں نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کیخلاف یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا بزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ در صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر درجہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

20/02/2022

6 ماہ 4 المرقوم

العبد دگ واہ العبد

Peshawar

مقام