

17.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 08.06.2022 for the same as before.

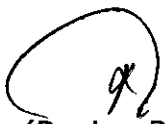

Reader

09.06.2022

Junior to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

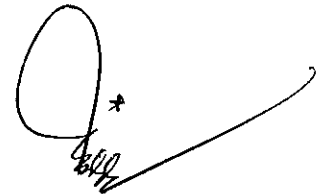
Lawyers are on general strike, therefore, case is adjourned. To come up for further proceedings on 28.07.2022 before S.B.


(Rozina Rehman)
Member (J)

01.12.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Learned counsel for the appellant seeks time to submit application for correction of nomenclature of respondents. Adjourned. To come up for submission of application as well as further proceedings on 18.01.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER (E)

18.01.2022

Learned counsel for the appellant present and seek time to submit application for correction of nomenclature of respondents. Last opportunity is granted. To come up for submission of application as well as further proceedings before the S.B on 17.03.2022.



(Atiq-Ur-Rehman Wazir)
Member (E)

1288/2018

26.05.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Respondent No. 3 has already submitted parawise comments. Learned AAG is directed to contact rest of the respondents for submission of written reply/comments in office within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, the office is required to submit the file with a report of non-compliance. File to come up for arguments on 15.09.2021 before the D.B.


Chairman

P.S

08.06.2021


Learned Addl. A.G be reminded about the omission and for submission of reply within extended time of 10 days.


Chairman

15.09.2021

Mr. Taimur Ali Khan, Advocate for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested that time may be granted to him for submission of application for correction of nomenclature of respondents. Adjourned. To come up for submission of application as well as further proceedings before the D.B on 01.12.2021


(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH UD DIN)
MEMBER (JUDICIAL)

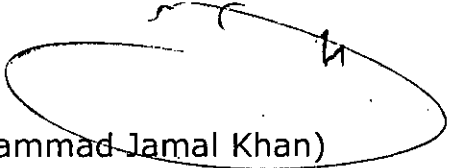
*Stipulated time passed
and reply of remaining
respondents has not been
submitted.*

Handwritten signature/initials

03.11.2020

Nemo for appellant. Mr. Kabirullah Khattak, Additional Advocate General is present.

Written reply on behalf of respondent No. 3 has already been submitted while neither written reply on behalf of respondents No. 1, 2, 4, 5 & 6 submitted nor any representative on their behalf is present, therefore, notices be issued to them for submission of written reply/comments. File to come up for written reply/comments on 19.01.2021 before S.B.


(Muhammad Jamal Khan)
Member (Judicial)

19.01.2021

Appellant with counsel present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Ilyas A.C.C for respondents present.

Written reply on behalf of respondents No.1, 2, 4, 5 & 6 is still awaited. Learned AAG made a request for time to furnish reply on behalf of the said respondents; granted. To come up for written reply/comments on 17.03.2021 before S.B.


(Rozina Rehman)
Member (J)

17.03.2021

Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 26.05.2021 before S.B.


Reader

16.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 13.07.2020 for the same. To come up for the same as before S.B.



Reader

13.07.2020

Counsel for the appellant and Addl: AG for respondents present.

Written reply on behalf of respondents No. 1,2,4,5 and 6 not submitted. Notices be issued to the respondents No. 1,2,4,5 and 6 for submission of written reply/comments. Last opportunity granted to them.

Adjourned to 14.09.2020 before S.B.


(Mian Muhammad)
Member(E)

14.09.2020

Appellant with counsel and Mr. Muhammad Ilyas, AAC on behalf of respondents No. 3 & 4 alongwith Addl. A.G on behalf of the respondents present.

Learned AAG seeks further time to furnish the requisite reply/comments. Adjourned to 03.11.2020 on which date reply/comments shall positively be furnished by the respondents.


Chairman

30.01.2020

Appellant in person present. Written reply not submitted. Bahraman ADEO, representative of the respondent department absent. Respondents as well as absent representative be put to notice for reply. Adjourn. To come up for written reply/comments on 09.03.2020 before S.B.



Member

09.03.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Behramand Khan, ADEO on behalf of respondent No. 3 present. Representative of respondent no. 3 submitted para-wise comments on behalf of respondent No. 3. The same is placed on record. Representative of respondent No. 3 also stated that he also representing respondents No. 2 & 5 and seeks further time to furnish written reply/comments on their behalf. Neither written reply on behalf of respondents No. 4 & 6 submitted nor their representatives are present, therefore, notices be issued to them with the direction to direct the representative to attend the court and submit written reply on the next date positively. Last chance is given to respondents No. 2, 4, 5 & 6 for filing of written reply/comments. To come up for written reply/comments on 16.04.2020 before S.B.



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

04.10.2019

Appellant in person present.

According to previous order sheet, the appellant was directed to submit correct address of respondent No. 1 but he failed to submit the same, therefore, he is again directed to submit correct address of respondent No. 1. None present on behalf of respondents No. 2 to 6 therefore, notices be issued to them for submission of written replies/comments.

Adjourned to 07.11.2019 before S.B.


CHAIRMAN

07.11.2019

Appellant in person Addl. AG alongwith Abdur Rashid, Legal Officer for respondents No. 2 to 5 present. Nemo for respondents No. 1 & 6.

Representative of respondents No. 2 to 5 seek further time to furnish the requisite reply/comments. Appellant is required to submit correct address of respondent No. 1 within a week. Fresh notices be issued to respondents No. 1 & 6 for the next date. To come up for written reply/comments of all the respondents on 18.12.2019 before S.B.


Chairman

18.12.2019

Appellant present in person and Addl. AG alongwith Behramand ADEO for the respondents present.

Representative of respondents seeks further time to furnish reply. Adjourned to 30.01.2020 for submission of written reply but as a last chance.


Chairman

02.07.2019 Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General present. None present on behalf of the respondents department nor written reply submitted therefore notice be issued to the respondent department with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 11.09.2019 before S.B.


Member

11.09.2019 Appellant in person and Mr. Ziaullah, DDA for respondents present.

According to office record notices could not be served upon respondent No. 1 as address the address is not correct. Appellant is directed to submit correct address of respondent No. 1. Thereafter, notices be issued to him. Learned DDA is also required to ensure attendance of representatives of the respondents and submission of requisite reply on the next date of hearing.


Adjourned to 04.10.2019 before S.B.


Chairman

01.04.2019

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that he was appointed against the post of PTC (BPS-07) in the Education Department vide order dated 05.05.1990. He was falsely implicated in a criminal case vide FIR no.229-30/P&T (U) dated 22.03.2016 and thereafter awarded five years rigorous imprisonment by the court of Assistant Political Agent, Bajaur Agency. He was released on bail. On the other hand he was dismissed from service vide impugned order dated 02.08.2016. He filed departmental appeal which remained unanswered. Thereafter, he filed service appeal no. 1194/2016 against the said impugned order which was decided by this Tribunal vide judgment dated 13.04.2018. The case was remitted to the respondents to decide his departmental appeal within a period of sixty days. A committee was constituted which decided his departmental appeal vide minutes of the meeting dated 25.06.2018 communicated to him on 19.09.2018, hence, the present service appeal. Major penalty was awarded without following the due process of law and opportunity of fair trial and was not tenable in the eyes of law.

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 02.05.2019 before S.B.


Appellant Deposited
Security & Process Fee


(AHMAD HASSAN)
MEMBER

20.05.2019

No one present on behalf of appellant. Written reply not submitted. Daud Jan Superintendent representative of respondent department absent. Respondents as well as absent representative be put to notice with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 02.07.2019 before S.B.


Member

23.01.2019 Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 27.02.2019 before S.B.


Member

27.02.2019

Counsel for the appellant present.


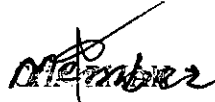
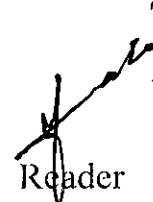

Learned counsel for the appellant seeks time to prepare the brief. Adjourned to 01.04.2019 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. _____ 1288/2018 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/10/2018	<p>The appeal of Mr. Adil Shah presented today by Mr. Muhammad Asif Yousafzai 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 10/10/18</p>
2-	12-10-18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26-10-2018</u></p> <p style="text-align: right;"> Member</p>
	26.10.2018	<p>Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 13.12.2018.</p> <p style="text-align: right;"> Reader</p>
	13.12.2018	<p>Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 23.01.2019 before S.B.</p> <p style="text-align: right;"> Muhammad Amin Khan Kundi Member</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 12-88 /2018

Adil Shah

V/S

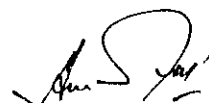
Education Department etc.

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S.NO.	Documents	Annexure	Page No.
1.	Memo of appeal	-----	01-05
2.	Copy of appointment order	---A---	06
3.	Copy of certificate	---B---	07-09
4.	Copy of order	---C---	10
5.	Copy of warrant commitment	---C1---	11
6.	Copy of Woola	---D---	12-13
7.	Copy of Bail order dt. 30.06.2018	---E---	14-15
8.	Copy of application dt. 04.07.2016	---F---	16-17
9.	Copy of application dt. 15.7.2018	---G---	18
10.	Copy of order dt. 02.08.2018	---H---	19
11. ✓	Copy of Departmental appeal	---I---	20-21
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Appellant

Through



(M. Asif Yousafzai)
Advocate Supreme Court



(Taimur Ali Khan)
Advocate High Court



(Asad Mahmood)
Advocate High Court

(Noman Bukhari)
Advocate High Court

Room No. Fr-8, 4th Floor,
Bilour Plaza, Peshawar Cantt:
Contact No. 03339103240

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

Service Appeal No. _____/2018

Mr. Adil Khan (Ex-PST) BPS-12
S/O Sher Bahadar Khan R/O Bajaur Agency.

.....APPELLANT

VERSUS

1. The Secretary (AI&C) FATA Secretariat, Peshawar
2. The Director Education (FATA), FATA Secretariat, Warsak Road, Peshawar
3. The Political Agent Bajaur Agency.
4. The Commissioner FCR, Malakand Agency
5. The Agency Education Officer, Bajaur Agency.
6. The Agency Accounts Officer, Bajaur Agency.

.....RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE KPK SERVICE
TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED
25.06.2018 RECEIVED BY THE APPELLANT ON 19.09.2018
WHEREBY THE DEPARTMENTAL APPEAL OF
APPELLANT HAS BEEN DISPOSED OF/REJECTED
AGAINST THE ORDER DATED 02.08.2016 WHEREBY THE
APPELLANT DISMISSED FROM SERVICE FOR NO GOOD
GROUNDS.**

PRAYER:

**THAT ON ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED ORDER DATED 25.06.2018 & 02.08.2016 MAY BE
SET ASIDE AND THE APPELLANT MAY KINDLY BE RE-
INSTATED INTO SERVICE WITH ALL BACK AND
CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY
WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND
APPROPRIATE MAY ALSO BE AWARDED IN FAVOUR OF
APPELLANT.**

RESPECTFULLY SHEWETH,

FACTS:

1. That the appellant was appointed against the post of PTC (BPS-7) in Education Department (FATA) vide order dated 05.05.1990 and the appellant had also completed training and courses; the appellant has performed his duties efficiently, to the best of his capabilities and to the entire satisfaction of his superiors. **(Copy of Appointment order, Training and Courses Certificates are attached as Annexure-A&B).**
2. That the appellant was falsely implicated in a murder case vide FIR No. 229-30/PNT (U) dated 22.03.2016 with malafide intention as appellant was not present at the time of occurrence of accident/incident. Moreover, there is no eye witness present at the spot of occurrence.
3. That the appellant was awarded punishment of five (05) years with Rigorous Imprisonment by the court of Muhammad Ali Khan, Assistant Political Agent/Addl: Magistrate, Khar, Bajaur Agency vide order dated 29.04.2016 without referring the matter to JIRGA and warrant of commitment was issued to the Superintendent Central Jail, Haripur. **(Copy of the order and warrant of commitment are attached as Annexure-C & C1)**
4. That the situation was brought under control and 'WOOLA' for the period of ten months was ordered amongst the concerned parties by the Political Agent and Local elders on 31.05.2016. **(Copy of the court order is attached as Annexure-D).**
5. That against the order by Political Administration, appellant filed bail application which was subsequently confirmed by the competent court of Commissioner FCR, Malakand vide order dated 30.06.2016. **(Copy of the court order is attached as Annexure-E).**
6. That after bail being confirmed by competent court of Commissioner FCR, Malakand, appellant moved an application for his release and to obey the order passed by court of Commissioner FCR but APA, Khar flouted its order and refused to release appellant. **(Copy of application dated 04.07.2016 is attached as Annexure-F).**
7. That an application has been moved, to respondents department, by appellant for not initiating partially and one sided proceedings against him but despite that appellant was proceeded one sided, without serving charge sheet, conducting departmental inquiry and final show cause

notice. As a sequel of so-called inquiry, appellant was dismissed from service vide order dated 02.08.2016. **(Copy of application dated 15.07.2016 & Order dated 02.08.2016 are attached as Annexure-G&H).**

8. That the appellant filed departmental appeal dated 09.08.2016 against the impugned order dated 02.08.2016, but no action has been taken on the departmental appeal of the appellant within statutory period of 90 days. **Copy of Departmental Appeal is attached as Annexure-I**
9. That the appellant filed service appeal No. 1194/2016 against the impugned order dated 08.02.2016 and against not taking action on the departmental appeal of the appellant which was finally decided on 13.04.2018 in which the Honourable Tribunal remitted back the case of the appellant to the respondent department to decide the departmental of the appellant within the period of 60 days. **(Copy of Judgment dated 13.04.2018 is attached as Annexure-J)**
10. That the committee was constituted by the respondent department to decide the departmental appeal of the appellant and the committee decided on 25.06.2018 that the service of the appellant cannot be restored under the relevant service law in present circumstances and as such the departmental representation of the appellant was disposed/rejected on the basis of above observations, however no proper order of rejection was passed by the appellate authority on the observation made by the committee and as such the meeting minutes of the committee was communicated to the appellant on 19.09.2018. **Copy of meeting minutes/rejection order is attached as Annexure-K.**
11. That now the appellant come to this Honourable Tribunal against the impugned order on the following amongst the others.

GROUND:

- A. That the impugned order dated 25.06.2018 & 02.08.2016 are against the law, facts, norms of justice, material on record and principle of fair play.
- B. That the impugned order and attitude of respondent department is in sheer violation of Article 4, 10(A), 25 and 38 of the Constitution of Pakistan 1973.

- C. That the appellant has also 26 years service at his credit but appellant with his family have been suffering a lot due to this impugned order of dismissal and taking harsh view at respondent's end.
- D. That at the time of occurrence of murder, appellant was engaged in attending funeral ceremony and law extend its protection to appellant under principle of Plea of Alibi. Moreover, absence of eye witness to prove an appellant guilty supports the contention of appellant.
- E. That passing an impugned order without affording an appellant with the chance of personal hearing is against the principle of Natural Justice, law and rules.
- F. That before passing impugned order codal formalities were fulfilled by the respondents and as such no proper procedure adopted by the respondents department which is violation of E&D Rules, hence the impugned order is sustainable and liable to be set aside.
- G. That no proper procedure has been followed before passing the impugned order and even, there is no show cause notice and statement of allegation was issued even no departmental inquiry was conducted thus the proceedings so conducted are defective in the eyes of law.
- H. That the appellant's punishment in criminal case has not yet been finalized by superior forum, which means that the appellant is still innocent and as per CSR-194 the respondent department was required to keep the appellant under suspension.
- I. That the penalty order was issued under 1962 Constitution and not under proper law, so the penalty order is illegal, ab-initio, defective and nullity in the eyes of law.
- J. That no proper and separate order of rejection was passed by respondent department and handed over the meeting minutes of the committee in which the departmental appeal/representation of the appellant was disposed of /rejected on the basis of some observation mention in the meeting minutes of the committee which shows that the arbitrary manner of the respondent department.
- K. That the appellant was condemned unheard and has not been treated according to law and rules.

- L. That the appellant seeks permission to advance others grounds and proofs at the time of advancing arguments.

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

Appellant

Adil Khan

Through



(M. Asif Yousafzai)

Advocate Supreme Court



(Taimur Ali Khan)

Advocate High Court



(Asad Mahmood)

Advocate High Court

(Noman Bukhari)
Advocate High Court

(X) (A) (B) (C)

OFFICE OF THE AGENCY EDUCATION OFFICER BAJAUR AGENCY AT KHAR,
APPOINTMENT.

As recommended by Sanator Bajaur Agency Mr. Adil Khan S/O Sher Bahadar Khan of Bajaur Agency is hereby appointed against PTC post in BPS 7 @ Rs. 750/- PM Fixed with usual allowances admissible under the rules at Govt. Primary School Khurina NO II. Vacant post from the date of his taking over charge in the interest of public service.

Terms/Conditions;-

1. Charge reports should be submitted induplicate to this office.
2. He should produce his health & Age certificate from Agency Surgeon.
3. His appointed purely made on temporary basis and liable to termination without any notice any time.
4. He should produce his original certificate before taking over charge.

Sd/-
(HAJI AQIL JAN KHAN),
Agency Edu; Officer
Bajaur Agency.

Endst; NO 935-38 /A-I/PTC dated 5/5/90.
Copy to the;-

1. Head Teacher concerned.
2. AAO(M) Concerned.
3. Candidate concerned.
4. Accountant of the local office.

Inam /

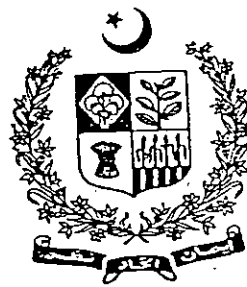
AJ Khan
Agency Edu; Officer
Bajaur Agency.

ATTESTED
A

(B) (6)

DIRECTORATE OF EDUCATION (F.A.T.A) N.W.F.P PESHAWAR.

IN SERVICE TEACHERS TRAINING 2006.



IN SERVICE TEACHERS TRAINING CERTIFICATE:

This Certificate is awarded to

Mr. Adil Khan PTC GPS Khawrina No 1 Bajaur Agency

*For successful completion of Refresher Course for FATA Primary Teachers held on
14th July, 2006 to 25th July, 2006 at Govt. High School Khar Bajaur Agency.*

ATTESTED

Chief Instructor:
Razi Hussain Bangash
(A.E.O Bajaur Agency)

Course Incharge
(Dr Abdur Rauf)
(DE FATA, Peshawar)

B
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DIRECTORATE OF EDUCATION F.A.T.A. PESHAWAR.

Refresher Course Certificate

Certified that Mr./Mrs./Miss. Adil Khan S/O Sher Bahadar Khan.

PTC/CT/SET Govt: Primary School Khurina NO I Bajaur Agency.

has participated in the Refresher Course in the subjects of

English, Urdu & Mathematics at Govt; High School Khar Bajaur Agency

From 26.6.2004 To 10.7.2004.

ATTESTED

(Prof: Dr. Abdur Rauf)

Director of Education F.A.T.A.

10/7/2004
Course Coordinator

C. H. S. Khar
Bajaur Agency

8

DIRECTORATE OF EDUCATION (FATA) N.W.F.P, PESHAWAR.

8

INSERVICE TEACHERS TRAINING



This Certificate is awarded to

Mr. ADIL KHAN P.T.C

For successful completion of Refresher Course for
FATA Primary Teachers During Summer Vacations 2005 at Govt. High
School Khar Bajaur Agency. With effect from 4th July to 15th July, 2005.

Chief Instructor
Razi Hussain Bangash
A.E.O Bajaur Agency

Course Incharge

DE (FATA, Peshawar)

ATTESTED

9

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IN THE COURT OF MUHAMMAD ALI KHAN, ASSTT: POLITICAL
AGENT/ ADDL: DISTT: MAGISTRATE, KHAR, BAJAUR AGENCY.

State V/S Adil Khan S/O Sher Bahadar R/O Gardai Manodehrai, Tehsil Utmankhel,
Bajaur Agency.

Charge: U/S 302 PPC/ 11-FCR.

ORDER.

29-04-2016

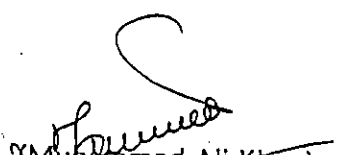
Accused Adil Khan S/O Sher Bahadar R/O Gardai Manodehrai, Tehsil Utmankhel, Bajaur Agency is reportedly involved in the murder of one Jabir Hussain S/O Manasib Khan of Gardai Manodehrai on main govt: road.

As such, the accused was apprehended and sent to the lock-up Khar, so as to proceed him against per law for the offence and violation of the road sanctity. Since, the initial inquiry conducted by the field staff is totally against the accused, hence, he was directed to deposit fine of violation of the road sanctity, to confess the offence, extend the wooia period/ceasefire and to explain his position regarding committing the offence with valid reasons, however, he failed to do so in the stipulated period, which shows that the atmosphere is still on risk at his hands. Though, he was granted with a respite as well but in vain and still found reluctant.

Consequent upon failure of accused regarding explaining his position in connection with the offence, confession of the offence, showing consent for extension of the ceasefire and deposition of the fine amount, he/ accused was found liable for legal punishment under the law. Accused Adil Khan S/O Sher Bahadar is therefore hereby sentenced to undergo Five years (05) years R.I and order passed accordingly.

Announced:
29-04-2016.

ATTESTED


(Muhammad Ali Khan)
Asstt: Political Agent/
Addl: Distt: Magistrate,
Khar.

"C-1"
③ ⑪ ⑫

IN THE COURT OF MUHAMMAD ALI KHAN, ASSTT: POLITICAL
AGENT/ ADDL: DISTT: MAGISTRATE, KHAR, BAJAUR AGENCY.

No. 2296 /APA/ADM (K)

Dated 29-04-2016.

WARRANT OF COMMITMENT.

To,

The Superintendent,
Central Jail Haripur.

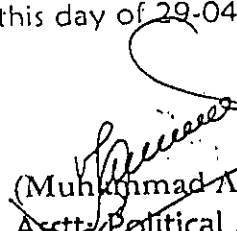
Charge: U/S 302 PPC/ 11-FCR.

Whereas, accused Jhangir Khan S/O Mandamin R/O Gardai Manodehrai, Tehsil Utmankhel, Bajaur Agency produced before me today on 29-04-2016. I examined the case of accused i.e. charges leveled against him and punishment of five years (05) years imprisonment recommended/ sentenced by this court i.e. court of the APA/ADM Khar. During minute perusal of the record. I personally found the recommendations correct and justified in the light of FCR. Resultantly, the accused is hereby sentenced to undergo five (05) years R.I.

This is to authorize and require you (the said superintendent) to receive accused Jhangir Khan S/O Mandamin R/O Gardai Manodehrai, Tehsil Utmankhel, Bajaur Agency into your custody together with this warrant and keep him safely in the said Jail for rigorous imprisonment of five (05) years R.I. duly recommended by the court. Upon completion of the punishment, this warrant should be returned with an endorsement certifying the manner of its execution:

Given under my hand and seal of the court this day of 29-04-2016.

ATTESTED


(Muhammad Ali Khan)
Asstt: Political Agent/
Addl: Distt: Magistrate,
Khar.

(12) (D) (101)

مولانا مابین فریقین

مورفہ 15/5/16

فریقین: عادل و بیوقوف و عثمان سیران بشیر اباہر سندھ لڑکی مالوڑ و صیبری اتمان
اور مناسب خان و جاگیر سیران محمد امین خاڑو (سندھ لڑکی مالوڑ و صیبری)

بہر مقدمہ ذیل جرگہ مشران نے مقدمہ بالا فریقین کے مابین رواج کے مطابق ایسی سالانہ
مولد میا درکھا یعنی 7 ج مورفہ 5/16 31 سے آئندہ 3/51 31 تک مولد ہوگا
رواج کے مطابق مولد کے مشران کا مقدمہ ذیل ہے -

(1) جہاں مولد میں قتل کے صورت میں ایک کروڑ روپیہ پاکستانی جرمانہ ہوگا -

(2) جہاں قتل کے صورت میں پچاس لاکھ روپیہ جرمانہ ہوگا -

(3) جہاں جھگڑا کے صورت میں پچیس لاکھ روپیہ جرمانہ ہوگا -

(4) رواج کے مطابق دوواں مولد نئے آبادی بنانے پر پابندی ہوگی - البتہ پیرانی آبادی
بیرن کے صورت میں پیرانے حد تک بنائے گا - جرگہ مشران کے مشورے کے مطابق

(5) صوریہ بنانے پر بھی پابندی ہوگی -

(6) پیرانے راستے آزاد ہوئے -

(7) جرمانہ ثبوت کے بنا پر خلاف ورزی کرنے والے سے وصول کیا جائے گا -

(8) فریقین کے مابین مولد کے جرم میں نافذ عمل ہوگا -

(9) جرمانہ حکومت اور جرگہ مشران مشترکہ طور پر وصول کیا جائے گا - اور وصولی کے بعد

آدھا حکومت اور آدھا جرگہ مشران کا ہوگا -

(10) راستہ پیدل جاننے کے لئے بند ہوگا - جبکہ خوشی اور غم میں کراچی کے نیچے آزاد ہوگا -

دستخط: فریقین: البتہ

بشیر اباہر
مناسیب خان
21107-1715099-9

بشیر اباہر
21107-3683815

Attested.
139
Political Party
Ullah Khan
Bajaur Agency

ATTESTED

F.O.

(12)

(12)

13

دستور جرگہ مشران

سرمد اکبر قزافی

رسول خان زبیر

راجی محمد

الرحمن

محمد رفیق

میرزا دہ

دفعہ صباغہ

ملا اکبر ملوڑ

نادر خان

شاہنواز خان

شاہین ظفر ملوڑ

عبدالقادر

شیبا

حضرت شاہ

Attested.

13th. 9/6/2016
Political Naib Konsidar
Uman Khail
Bajaur Agency

E
14
S&A

IN THE COURT OF COMMISSIONER FCR, MALAKAND DIVISION
AT SAIDU SHARIF SWAT.

Case No. 06/B.I/Misc

Date of Institution: 10/05/2016

1. Adil Khan s/o Sher Bahadar Khan r/o Gardai.
2. Yaqob Khan s/o Sher Bahadar Khan r/o Gardai, Manco Dherai Tehsil Bajaur Agency.....Accused/Appellant

Versus

Government through Manasih s/o Muhammad Amin r/o Gardai, Manco Dherai, Bajaur Agency.....Respondent

BAIL APPLICATION OF THE APPELLANT IN THE ABOVE TITLED CASE.

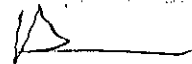
ORDER
30.06.2016

This is a bail application of the above mentioned accused submitted by their counsel Saleem Zada advocate, whereby counsel for the applicants requested this court that the APA, Khar has arrested the above mentioned accused in a criminal case under section 302 PPC, therefore, they may release on bail.

Counsel for the accused explained that there exist an enmity between the parties and during the month of March 2016 the parties exchanged fire, resultantly one member from both the parties died. To normalize the situation the Political Administration and local elders intervened. The situation was brought under control and "Woola" for a period of ten months between the parties were affected. He further stated that as per section 11 of the FCR the lower court is law bound to refer the case within ten days after the arrest of the accused to the council of elders for submission of its findings. But the lower court has not taken any action in this regard and the accused are languishing behind the bars without any reason/crime.

Counsel for the accused has requested that the lower court may be directed to initiate proceedings in the case in light of section 11 of the FCR and as both the parties have suffered one casualty each therefore, as per law and reward of the law the parties may be released on bail. Counsel for the accused also submitted authorities in this regard i.e PLD 1990 Supreme Court 959, PLD 2014 Peshawar 108, PLD 2009 Supreme Court 58, 2003 SCMR 107.

ATTESTED



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1970
BSC

Arguments advanced by counsel for the accused as para-wise comments received from the APA, Khar. Perusal of the para-wise comments received from APA reveals that the murder incident has occurred on 22.03.2011 and the accused have already been arrested but no progress in the case has so far been made by the trial court, as section 11(1) of the FCR is very much clear in this regard. The relevant part says "The Political Agent or District Coordination Officer, in the case may be, shall appoint the members of the council of elders within ten days from the date of arrest of the accused and shall require the council of elders to submit its findings on the question referred to within ninety days". Furthermore applicant No. 01 is a government official and is in custody of the Political Administration but they issued show cause notice to him to attend for his duties which is strange. Record shows that applicant No. 02 is suffering from cancer. During the employment of the parties have suffered one casualty each and "Woola" have also been affected between the parties and the local elders are making efforts to normalized situation between the parties.

In light of the above facts bail application of the above mentioned accused in the instant case are accepted and the APA, Khar is directed to release the accused from detention after obtaining strong surety bonds from them, preferably surety of the local council of elders who participated in the Woola process. Bail application of the respondent side may also be considered on merit if they desire so.

انقرضت

The APA is further directed to refer the case to the council of elders constituted with consent of both the parties within ten days as explained in section 11 (1) of the FCR and decide the same within three months' time.

Announced.



ATTESTED

[Handwritten signature]

IN THE COURT OF COMMISSIONER FCR, MALAKAND DIVISION
AT SAIDU SHARIF SWAT.

Case.No. 06/B.I/Misc

Date of Institution: 10/06/2016

1. Adil Khan s/o Sher Bahadar Khan r/o Gardai.
2. Yaqob Khan s/o Sher Bahadar Khan r/o Gardai, Mano Dherai, Tehsil Bajaur Agency.....Accused/Appellant

Versus

Government through Manasib s/o Muhammad Amin r/o Gardai, Mano Dherai, Bajaur Agency.....Respondent

BAIL APPLICATION OF THE APPELLANT IN THE ABOVE TITLED CASE.

ORDER
30.06.2016

This is a bail application of the above mentioned accused submitted by their counsel Saleem Zada advocate, whereby counsel for the applicants requested this court that the APA, Khar has arrested the above mentioned accused in a criminal case under section 302 PPC, therefore, they may release on bail.

Counsel for the accused explained that there exist an enmity between the parties and during the month of March 2016 the parties exchanged fire, resultantly one member from both the parties died. To normalize the situation the Political Administration and local elders intervened. The situation was brought under control and "Woola" for a period of ten months between the parties were affected. He further stated that as per section 11 of the FCR the lower court is law bound to refer the case within ten days after the arrest of the accused to the council of elders for submission of its findings. But the lower court has not taken any action in this regard and the accused are languishing behind the bars without any reason/crime.

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Attested to be true Copy

Reader to Commissioner,
Malakand Division,
Saidu Sharif Swat.

Arguments advanced by counsel for the accused as well as para-wise comments received from the APA, Khar perused. Perusal of the para-wise comments received from APA, Khar reveals that the murder incident has occurred on 22.03.2016 and the accused have already been arrested but no progress in the case has so far been made by the trial court, as section 11 (1) of the FCR is very much clear in this regard. The relevant portion says *"The Political Agent or District Coordination Officer, as the case may be, shall appoint the members of the council of elders within ten days from the date of arrest of the accused and shall require the council of elders to submit its findings on the question referred to within ninety days"*. Furthermore, applicant No. 01 is a government official and is in custody of the Political Administration but they issued show cause notice to him to attend for his duties which is strange. Record reveals that applicant No. 02 is suffering from cancer. During the enmity both the parties have suffered one casualty each and "Woola" have also been affected between the parties and the local elders are making efforts to normalized situation between the parties.

In light of the above facts bail application of the above mentioned accused in the instant case are accepted and the APA, Khar is directed to release the accused from detention after obtaining strong surety bonds from them, preferably surety of the local council of elders who participated in the Woola proceedings. Bail application of the respondent side may also be considered on merit if they desire so.

The APA is further directed to refer the case to the council of elders constituted with consent of both the parties within ten days as explained in section 11 (1) of the FCR and decide the same within three months' time.

Announced.

Attested to be true Copy

Reader to Commissioner,
Muzaffargarh Division,
Sardar Sharif Swat.



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Court Matter/Immediate



IN THE COURT OF
COMMISSIONER FOR MALAKAND DIVISION
SAIDU SHARIF SWAT

No. 176-77/07/D./Misc
Dated: 06/07/2016

To,

1. The Assistant Political Agent, Khar, Bajaur Agency.
- ✓ 2. The Assistant Political Agent, Nawagai, Bajaur Agency.

Subject:

1. Adil Khan s/o Sher Bahadar Khan r/o Gardai.
2. Yaqob Khan s/o Sher Bahadar Khan r/o Gardai, Mano Dherai, Tehsil Bajaur Agency..... Accused/Appellant

Versus

Government through Manasib s/o Muhammad Amin r/o Gardai, Mano Dherai, Bajaur Agency..... Respondent

APPLICATION.

Sir,

I am directed to enclose herewith a copy of an application submitted by counsel for the applicant.

2. I am further to convey that if the applicants fulfill conditions contained in this court order dated 30.06.2016; then they may be released and compliance report may be submitted to this court please.

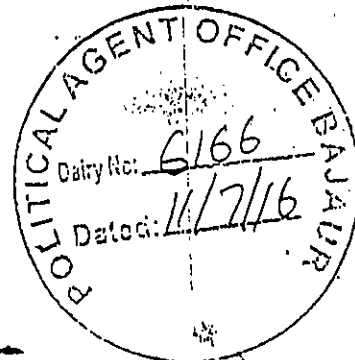
Secretary to Commissioner,
Malakand Division

No. 1178 107/B./Misc

Copy forwarded to the Political Agent, Bajaur for information please.

Secretary to Commissioner,
Malakand Division

ROM
8/17/16



No. 4784/ROM dated 13/07/2016

Copy alongwith application is forwarded to APA Khar for n/a under intimation to this office please

POLITICAL AGENT BAJAUR

ATTESTED

(102)

(17)

بعد ازاں چار مکتوبات ایف سی آر کے ساتھ ڈیڑھ لاکھ روپے کی رقم پیش کی گئی

عادل خان وغیرہ نام A.P.A کا

Reader

✓

Commissioner

4-06-016

روایت ہے کہ A.P.A کے بارے میں کوئی اطلاع نہیں ہے
تو وہ کل مجسٹریٹ 30/6/2016 عدالت کے فیصلے
کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی

جناب عالی: حسب ذیل گزارشت ہے۔

1۔ ایڈیشنر سائیکل کے عدالت کے فیصلے کے تحت عدالت کے فیصلے کے تحت
کھینچے گئے ہیں کہ عدالت کے فیصلے کے ساتھ ساتھ
روایت مندرجہ ذیل کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی
افصاحت یہاں ہے۔

2۔ یہ تمام بعد میں سائیکل کے عدالت کے فیصلے کے تحت
کو عدالت میں پیش کرنے کے تحت عدالت کے فیصلے کے ساتھ ساتھ
پیش ہے۔ A.P.A کے بارے میں دیگر تفصیلات پیش کی گئی

3۔ یہ تمام ایف سی آر کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی
پیش ہے اور عدالت کو ایف سی آر کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی

4۔ یہ تمام ایف سی آر کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی
کا رٹ قانون کے ساتھ ساتھ دیگر تفصیلات پیش کی گئی
ہیں جن میں سے

5۔ ایڈیشنر سائیکل کے بارے میں A.P.A کے بارے میں
کا رٹ کوئی اطلاع نہیں ہے

67

67

محفوظ گزشتہ اثبات

POLITICAL AGENT OFFICE BAJAUR
DAILY No: 6403
Dated: 19/7/16

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

حوالہ: درخواستیں کے پھر روانہ آدیل

مقامی اثبات

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

Handwritten signature and date 29/7/16

Handwritten signature and date 29/7/16

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

مقامی سرگرمیوں میں شرکت میں باجوڑ

ATTESTED

OFFICE OF THE POLITICAL AGENT, BAJAUR.

No. 5341 /EC

Dated Khar the 2/08/2016.

OFFICE ORDER.

1. WHEREAS; the accused Adil Khan PST BPS-12 GPS Khawrina No. 2 Tehsil Utmankhel s/o Sher Bahadar was charged in the murder of one Jabir Hussain s/o Manasib Khan r/o Gardai Manodehrai Teshil Utmankhel on main Govt: Road vide FIR No. 229-30/PNT (U) dated 22/03/2016.
2. AND WHEREAS; the accused Adil Khan s/o Sher Bahadar was sentenced to undergo Five years rigorous by imprisonment in the court of Assistant Political Agent/Additional District Magistrate, Khar vide order dated 29/04/2016.
3. AND WHEREAS; the accused Adil Khan has been sent to Central Jail, Haripur vide order No. 2897/ADM/APA (K) dated 29/04/2016 by the Assistant Political Agent, Additional District Magistrate, Khar.
4. AND WHEREAS; Estacode volume I-II S.No. 158 (V) and S.No. 160 provides that all Govt: Servants convicted of a criminal charge involving moral turpitude should be dismissed from Government Service. For this purpose, Government servants (Efficiency and Discipline) Rules, 1973 (SI:No. 85) provide for dispensation for the normal disciplinary procedure.

NOW, THEREFORE, I Engineer Aamir Khattak the Political Agent, Bajaur Agency being competent Authority by viewing of the formal proceeding hereby impose major penalty of removal from service upon the accused Adil Khan PST BPS-12 as provided vide Article 181 (2) proviso (a) Rule 55 of the Civil Services Rules [Article 177 (I) (b) of the 1962 constitution and the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, and dismiss him from service with immediate effect in the public interest.

POLITICAL AGENT, BAJAUR.

Dated Khar the 2/08/2016.

No. 5342-49 /EC

Copy forwarded to the:-

1. PS to Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Peshawar.
2. PS to Secretary (AI & C) FATA Secretariat, Peshawar.
3. The Director Education FATA FATA Secretariat Warsak Road, Peshawar.
4. The Commandant Bajaur Scouts at Khar.
5. Additional Political Agent, Bajaur for information with reference to above.
6. Agency Accounts Officer, Bajaur.
7. The Agency Education Officer, Bajaur.
8. Officials concerned.

POLITICAL AGENT, BAJAUR.

ATTESTED

Cell: (0333-910021)

in the interest of Public as no
termination order Para-4 is set

جنوری جناب ڈائریٹر آف ایجوکیشن ناٹا سٹیٹسٹکس لیسٹریٹسٹکس بورڈ
درواست برائے پمپروانہ آرٹیکل

جناب عالی!

سائل ذیل عرضی رسالہ میں

بنا۔۔۔ یہ کہ سائل PPS میں انٹری سوال خود میں بنا میں جسٹ
دے رع تھا۔ BPS=12, PST ایسا ڈیوٹی نہایت ایسا ڈیوٹی سے سہرا مجام

بنا۔۔۔ یہ کہ سائل کے اپنے عجاذاد جاتی تامل صوبیدار مناسب
کے ساتھ ڈسٹری مڈوٹس تھے۔

بنا۔۔۔ تامل صوبیدار مناسب اور ڈسٹری بیٹے تامل ڈاکٹر تامل سائرس
میں بیٹوں کو لے کر سے تامل میں بیٹے تھے۔ کہ ایسا تامل لورڈ
اور ڈاکٹروں سے تامل وارڈ۔ بعد میں فائرنگ شروع کی۔
جس میں سہرا جاتی خالوار نو سٹروان محروم باجوڈ لیونز موقع پر
جانتی ہوا۔ جبکہ تامل صوبیدار مناسب تامل سٹا جا رہیں
آئی کی فائرنگ سے تامل ہوا ہے۔

بنا۔۔۔ یہ کہ سائل دریا دار علاقہ کارڈ میں ایک سیت کے عازرہ جبارہ
میں شریک تھا۔ میں واردات کے موقع پر موجود نہیں تھا۔
مجھے تامل مناسب نے جوڑ لکھ کر ملوٹ لکھا ہے۔ کوئی شیج دیں
تو وہ موجود نہیں ہے۔

بنا۔۔۔ یہ کہ سائل تامل جاتی خالوار نو سٹروان محروم باجوڈ لیونز جو
تامل مناسب اور آئے بیٹے تامل ڈاکٹر تامل سائرس کے انڈھادھنو
فائرنگ کی وجہ سے تامل ہوا ہے، باجوڈ لیونز میں 24 سائل
سروس کر گیا تھا۔ مجھے کتنا نقصان ہوا۔

بنا۔۔۔ یہ کہ سائل کے سٹوڈنٹ میں مختلف لیونز میں
فری تعلیم ہے۔ دوسری طرف نو سٹروان موقع کی بھری
بچے کی کفالت ہی سر رہا آیا۔

o T. J. ATTENTION

Khyber
Service
Peshawar

(2)

(2)

یہ کہہ سکتے ہیں کہ اس کا کوئی امر ذریعہ حاصل نہیں ہے۔

21

یہ کہہ مندرجہ order کے Dismiss، غیر قانونی، غیر مشروطی،

خلاف آ رہا ہے، خلاف رسم درج ہے۔

البتہ آپ یہاں سے

مردانہ ارسال ہے۔

کہ بندہ کی Dismiss کے کوئی کر کے

میں سرورس کو دوبارہ بحال کرنے کے احکامات جاری کر دیں۔

عین نواز شہزاد

الموقع 03/08/2016

القائم

اساتذہ فریاد عادل خان پیسٹ پیسٹ BPS=12

کے خود سنبھالنے کے لیے آغا قیل باغیچہ

Dismiss کا کوئی لف ہے،

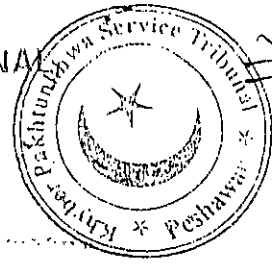
3516

ATTESTED

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15/08/2016

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.



Appeal No. 1194 /2016

Mr. Adil Khan (Ex-PST) BPS-12
s/o Sher Bahadar Khan r/o Bajaur Agency.

1182-

14-11-2016

APPELLANT

VERSUS

1. Secretary (AI & C) FATA Secretariat, Peshawar.
2. The Director Education (FATA), FATA Secretariat Warsak Road, Peshawar.
3. The Political Agent Bajaur Agency.
4. The Commissioner FCR, Malakand Agency.
5. The Agency Education Officer Bajaur Agency.
6. The Agency Account Officer Bajaur Agency.

RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974
AGAINST THE ORDER DATED 02.08.2016
WHEREBY THE APPELLANT WAS DISMISSED
FROM THE SERVICE AND AGAINST NOT
TAKING ACTION ON THE DEPARTMENTAL
APPEAL OF THE APPELLANT WITHIN
STATUTORY PERIOD OF 90 DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED ORDER DATED 02.08.2016 MAY BE SET
ASIDE AND THE APPELLANT MAY BE REINSTATED IN TO
SERVICE WITH ALL BACK AND CONSEQUENTIAL
BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST
TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE
AWARDED IN FAVOUR OF APPELLANT.

ATTESTED

Registrar
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Submitted to day
and filed.

Registrar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1194/2016

Date of Institution ... 14.11.2016

Date of Decision ... 13.04.2018



Mr. Adil Khan (Ex-PSt) BPS-12,
S/o Sher Bahadur Khan r/o Bajaur Agency.

... (Appellant)

VERSUS

1. Secretary (AI & C) FATA Secretariat Peshawar and 5 others.
... (Respondents)

MR. MUHAMMAD ASIF YOUSAFZAI,
Advocate.

--- For appellant.

MR. MUHAMMAD JAN,
Deputy District Attorney

--- For respondents.

MR. AHMAD HASSAN,
MR. MUHAMMAD HAMID MUGHAL

--- MEMBER (Executive)
--- MEMBER (Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER. - Arguments of the learned counsel for the
> parties heard and record perused.

ATTESTED

(Signature)
MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

FACTS

2. The brief facts are that the appellant has impugned order dated 02.08.2016
) vide which he was awarded major punishment of dismissal from service. He filed
departmental appeal on 09.08.2016 which was not responded within the stipulated
period, hence, the instant service appeal on 14.11.2016.

ARGUMENTS

3. Learned counsel for the appellant argued that he was serving as PTC in the
Education Department since 05.05.1990. After having been falsely implicated in a


murder case through FIR no. 229-30/PNT(U) dated 22.03.2016, he was awarded five years rigorous imprisonment by the court of Political Agent, Bajaur Agency vide order dated 29.04.2016. On the other hand disciplinary proceedings were initiated against him and upon conclusion major penalty of dismissal from service was imposed on him vide impugned order dated 02.08.2016. Feeling aggrieved he filed departmental appeal on 09.08.2016 which was not decided within the stipulated period, hence, the instant service appeal. Impugned order was passed by the incompetent authority, hence, the same is *coram-non-judice*. The competent authority for the appellant is Agency Education Officer. Reliance was placed on case law reported as 2017 SCMR 1249.

4. On the other hand learned Deputy District Attorney argued that impugned order passed by the Political Agent, Bajaur Agency as competent authority was in accordance with law and rules. Before passing this order all codal formalities required under the rules were observed. The departmental appeal filed by the appellant was not available on record.

CONCLUSION

5. Major penalty of dismissal from service was imposed on the appellant vide impugned order dated 02.08.2016, against which he filed departmental appeal on 09.08.2016 which was not responded within stipulated period. According to Appeal Rules the respondents were bound to dispose of his departmental appeal through a speaking order within a period of 90 days but they failed on this account. That as a result of inaction on the part of the respondents, the appellant was deprived of the relief available under the aforementioned rules. We deem it appropriate to remand back the case to the respondents for decision on his departmental appeal. In addition to above, Political Agent is not competent authority for the appellant so the order

ATTORNEY


 Attorney
 vs
 Government

25

passed by him is *coram-non-judice*. Competent authority in this case is Agency
Education Officer.

6. As a sequel to above, the case is remitted back to the respondent-department
to decide the departmental appeal of the appellant within a period of 60 days after
receipt of this judgment. Parties are left to bear their own costs. File be consigned to
the record room.

Announced
13-04-2018

Sd/- Ahmad Hassan
Member

Sd/- M. Hamid Nughal,
Member

Certified to be true copy
E. J. Khan
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application	27-04-18
Number of Words	1600
Copying Fee	10.00
Urgent	2.00
Total	12.00
Name of Applicant	M. P. Khan
Date of Completion of Work	27-04-18
Date of Delivery of Copy	27-04-18

To,
The Registrar,
The KP Service Tribunal, Peshawar

K (26)

APPEAL No. 1194/2016

Mr. Adil Khan (Ex-PST) BPS-12

VS

Secretary FATA Secretariat, Peshawar

In compliance of the Honorable Service Tribunal order dated 13.04.2018 whereby service appeal No. 1194/2016 was converted into departmental representation under para 6 of the judgement. Enclosed herewith, please find a copy of the minutes of the meeting regarding departmental disposal in service appeal No. 1194/2016 filed by Mr. Adil Khan (Ex-PST) for your kind persual and necessary action, please.

J. Anwar
26/06/18
Assistant Director
(Litigation)

1. Copy to Mr. Adil Khan (Appellant)

Received on Date
19/09/2018 from
DE FATA (LJ)

Minutes of the meeting regarding Departmental Disposal in service Appea..
No 1194/2016 filed by Mr.Adil Khan Ex-PST VS Secretary AI&C .

In compliance of the Service tribunal order dated 13-4-2018 whereby service appeal no 1194/2016 was converted in to departmental representation and remanded to the department for disposal following committee was constituted for disposal of representation in light of the service tribunal order. The appellant concerned was called to appear before the committee for personal hearing keeping in view the principal of natural justice.

- Mr: Hanif Ur Rehman (Addl: Director Establishment) Chairman
- Mr: Abdul Malik Khilji (Deputy Director Edu)..... Member
- Mst: Samreena Khan (AD Litigation)..... Member

Brief History / Background:

Appellant namely Mr. Adil Khan was serving as PTC in the Education Department since 05.05.1990. during hearing proceeding appellant informed that he had been falsely implicated in a murder case through FIR No. 229-30/PNT(U) dated 22.03.2016 and as result was awarded five years rigorous imprisonment by the court of Political Agent, Bajaur Agency vide order dated 22.04.2016. On the other hand disciplinary proceedings were initiated against him and upon conclusion major penalty of dismissal from service was imposed on him vide impugned order dated 02.08.2016. Feeling aggrieved, Mr. Adil Khan went for appeal before KP Service Tribunal where said appeal was instituted on 14.11.2016. In said appeal, appellant has prayed that the impugned order dated 02.08.2016 vide which he was awarded major punishment of dismissal from service, may be set aside and the appellant may be reinstated with all back and consequential benefits which is remanded for disposal to department.

Conclusion

The Court of Assistant Political Agent upon recommendations of Jirga had decided to impose fine of Rs.2000000/- with the condition that If Mr.Adil Khan deposited the fine amount just after the announcement of the very order, his services will be reinstated however if he failed to do so, he has to undergo 08 years of rigorous imprisonment. The instant representation is unanimously regretted on the basis of following grounds.

1. As appellant has been convicted by the Court of Assistant Political Agent for committing murder which has been impugned by the appellant before commissioner FCR through independent appellate petition copy of which have been produced by appellant himself which is a pending adjudication before appellate authority.
2. The appellant has been convicted and has not been absolved/acquitted from the charges levelled against him which is criminal with the meaning of criminal procedure Code 1898 which empower the Political administration to take cognizance of such cases and proceed accordingly as per provision of law.
3. The competency of political agent for removal /dismissal cannot be controvert as in FATA in each Agency Political administration act as chairman of recruitment committee vide notification No. FS/E/100-19 (Vol-28)/6981-84 otherwise no official could be legally reinstated in service where proper FIR has been lodged, person charged with criminal offence and convicted.
4. Services of the appellant cannot be restored under relevant service law in present circumstances.

Keeping in view the above legal and factual observation the representation is stand disposed.

Mr. Hanif Ur Rehman (Addl: Director Establishment)

25/6/

Mr. Abdul Malik Khilji (Deputy Director Edu)

Khilji

Mst. Samreena Khan (AD Litigation)

Samreena

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1288/2018.

Mr. Adil Khan (Ex-PST) BPS-12 S/O Sher Bahadar Khan R/O Gardai Manodehrai, Tehsil Utmankhel Tribal District, Bajaur. (Petitioner).

VERSUS

The Secretary (AI&C) FATA Secretariat, Peshawar and others. (Respondents).

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 03/ DEPUTY COMMISSIONER, BAJAUR TRIBAL DISTRICT. (FORMER NAME POLITICAL AGENT)

Respectfully Sheweth.

Preliminary objections:

1. That the appellatn has no locus-standi and cause of action against the answering respondent No. 3 to file the instant appeal.
2. That the appeal is not maintainable/ entertain-able and is incompetent therefore liable to be dismissed.
3. That the appellant is stopped by his own conduct to bring the present appeal.
4. That no vested right of the appellant has been infringed, thus the appeal is not maintainable.
5. That the appellant has not come to the court with clean hands.
6. Brief of the case is that on 22-03-2016, altercation took place between Manasib Khan versus Adil Khan Residents of Gardai Manodehrai, Tehsil Utmankhel that resulted into firing, causing the murder of Jabir Khan son of Manasib Khan and Nowsherawan brother of Adil Khan and some injuries to the parties (copies of the information reports are attached for ready reference). Due to human losses from either party, their men were arrested and sent to lock-up Khar. Two persons out of arrestees (one person from each party) kept in lock-up Khar for legal proceedings. Arrestees showed reluctance to face the legal proceedings and tried to take law into their hands: they were sentenced to undergo 05 years RI each and sent to the central prison Haripur. Eventually Manasib Khan filed his statement and in the meantime, the Commissioner Malakand passed orders dated 30-06-2016, to the effect that arrestees be released on bail of strong sureties and the case be referred to a council of elders under section 11 FCR followed by another order dated 04-07-2016. Whereas the honourable FATA Tribunal passed orders dated 01-11-2016 and resultantly, Imran and Farmanullah son of Adil Khan also agreed to file their statement in the case and with consent of parties, the case was referred to the council of elders vide order of reference dated 29-12-2016.

In the light of above, the convictees were retrieved from the Central Prison Haripur and released on bail. The Trial court received a verdict of Jirga and a formal court order was passed upon the verdict of Jirga, imposing a fine of Rs. 2,000,000/- on Adil Khan under the condition that in case of depositing the fine amount forthwith, his services will have to be reinstated in case of abiding by the decision within the timeframe. A fine of rupees ten million each was proposed to be imposed in case of violation. Though, Adil Khan challenged the decision before the commissioner Malakand, however, his appeal was dismissed. Proceedings on the local level were stopped in obedience of the orders of the honourable Peshawar High Court Peshawar.

REPLY TO FACTS:

1. No comments.
2. Incorrect. Copies of the self-detailed information reports charging the appellant for the offence are attached for ready reference.
3. Para-3 of the facts is pertaining to record and the detail is discussed in Para-7 of the preliminary objections.
4. Para-4 of the facts is pertaining to record that is sent to the honourable Peshawar High Court Mingora Bench/ Darul Qaza Swat as desired by the said learned court.
5. Para-5 of the facts is pertaining to record and the detail is discussed in Para-7 of the preliminary objections.
6. Incorrect. The order of the Commissioner Malakand Division was challenged by Manasib party in the honourable FATA Tribunal and no decision was passed by the said learned court by that time.
7. The Education department will be in better position to explain the Para.
8. The Education department will be in better position to explain the Para.
9. As above.
10. As above.
11. No comments.

REPLY TO GROUNDS:

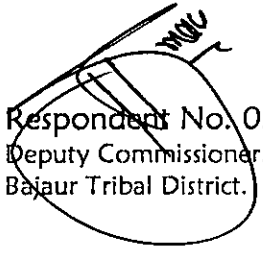
- A. Ground-A of the appeal is incorrect. The proceedings have been completed according to prevailing law and orders passed therein have been made under the relevant sections of law of the erstwhile FATA.
- B. Incorrect. As above.
- C. No comments.
- D. Incorrect. The information reports are self-explanatory and the detail is given in Para-7 of the preliminary objections.
- E. Incorrect. It has been explained in the Para-7 of the preliminary proceedings that the arrestees showed reluctance to face the legal proceedings and tried to take law into th

(03)

hands, hence, they were sentenced to undergo 05 years RI each and sent to the central prison Haripur.

- F. Incorrect as above.
- G. Incorrect as above.
- H. Incorrect as above.
- I. Incorrect as above.
- J. The education department will be in better position to explain/ reply the Para.
- K. Incorrect as above.

It is therefore, respectfully prayed that on acceptance of this Para-wise comments on behalf of Respondent No. 3, the instant appeal may graciously be dismissed with cost.


Respondent No. 03.
Deputy Commissioner,
Bajaur Tribal District.

VAKALAT NAMA

NO. _____/20

IN THE COURT OF K.P.K Service Tribunal, Peshawar

Adil Shah (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Deptt (Respondent)
(Defendant)

I/We, Adil Shah

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 20-10-2018

Adil Shah
(CLIENT)

ACCEPTED

M. Asif Yousafzai
M. ASIF YOUSAFZAI
Advocate Supreme Court
Peshawar.

Taimur Ali Khan
TAIMUR ALI KHAN
Advocate High Court

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 1288 of 20 18
Mr. Adil Khan Appellant/Petitioner
Versus

The Secy (A&C) FATA Pesh Respondent
Respondent No. 2

Notice to: - The Director Education (FATA)

FATA Secretariat, Morsak Road, Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 17/11/2019 at 8.00 A.M. If you wish to urge anything against the appellat/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 17/11/2019

Day of.....October.....2019

(for Reply)

21/11/19



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Regd

Appeal No. 1288 of 2018

Mr. Adil Khan Appellant/Petitioner
Versus

Secy (A&C) Fata etc, Respondent
Respondent No. 1

Notice to: - The Agency Accounts Officer, Bajaur.

WHEREAS an Agency appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 12-11-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of ~~appeal~~ has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 19 12

Day of.....Nov 2018

(for reply)

M. Raj
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Recd

Appeal No. 1288 of 2018

Mr. Adil Khan Appellant/Petitioner

Versus

Secy (AIBC) FATA etc. Respondent

Respondent No. I

Notice to: —

The Secretary (AIBC) FATA Secretariat,
Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 18-12-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 19/12

Day of Nov 2018

(for reply)

al
[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 1288 of 20 18

Mr. Adil Khan Appellant/Petitioner

Repl

the Secy (AIRC) FAIA Peshawar Respondent

Respondent No. 3

Notice to: the Political Agent Bajaur Agency

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 9/3/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 13th

Day of Feb 20 20

(for Reply)

[Signature]

Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

1288
Appeal No. of 20 18

Mr. Adil Khan
..... Appellant/Petitioner

The Secy (AIR) FATA Peshawar
..... Respondent

Respondent No.
The Commissioner FCR, Malakand
Agency.

Read

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... 9/3/2018at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 13th

Day of..... Feb 20 20

(for Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 1288 of 2018.

Mr. Adil Khan Appellant/Petitioner

The Secy (AIRC) FATA Peshawar Respondent

Respondent No. 5

Notice to:

The Agency Education Officer, Bajaus Agency.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 9/3/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 13th

Day of Feb 2020

(for Reply)



Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No. 1288 of 2018.

M. H. Khan Appellant/Petitioner

Secretary, PAFITAS Respondent

Respondent No. 1

Notice to: Secretary, PAFITAS

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-9-2019 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

-Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 15

Day of Aug 2018

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No.....1284..... of 2018.

Mr. Asad Khan (B-151) PPS-125/0
Appellant/Petitioner
Sher Bahadur Khan P/03/2018
Secretary (A.I.C.) PATA Seath
Respondent

Respondent No.....I.....

Notice to: - Secretary (A.I.C.) PATA Seath
Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....11-9-2018.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....11/9/2018.....

Day of.....Aug.....2018.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No. 18/2018 of 20 18

M. A. Khatun Appellant/Petitioner
Versus
Government of K.P. Respondent

Respondent No. 5

Notice to:

Government of K.P. Peshawar
Department of Public Works

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-9-2019 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....
Day of.....20.....

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No..... of 20

Appellant/Petitioner
Versus
Respondent
Respondent No.....

Notice to: -

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No. 1278 of 20 18.

M. Adil Khan, F-105, P.O. 12/05/02
Appellant/Petitioner

Political Agent, Bajaur Agency
Versus
Secretary (P.D.C.), P.A.T.S. Peshawar
Respondent

Respondent No. 3

Notice to: Political Agent, Bajaur Agency

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-9-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 11/9/2018

Day of 11/9/2018 20 18.

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No. 1177 of 20 18.

Mrs. Zahida Khan (Wife of Mr. Zahid Khan) Appellant/Petitioner
Secretary, Peshawar District Council Respondent

Respondent No. 1

Notice to:

Mr. Mr. Dawood Khan Secretary District Council Peshawar
Director General Education Peshawar
Director General Health Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 7/2/19 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 2/2/19

Day of Monday 20 19.

11-6-19

[Signature]
 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

“B”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No.....1288..... of 2018

.....Mr. Habib Khan.....Appellant/Petitioner

Versus

.....Secretary (AIOE), FATTA Sectt.....Respondent

Respondent No.....1.....

Notice to:

.....The Secretary (AIOE), FATTA Sectt,
Peshawar.....

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....20/4.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....4/4/18.....

Day of.....April.....2018.....

.....
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No.

Appeal No..... *1288* of 20 *18*

..... *Mr. Adil Khan* Appellant/Petitioner

Versus

The Secy (AIRC) FATA Peshawar Respondent

Respondent No..... *1*

Notice to: —

*The Secretary (AIRC) FATA Secretariat
Peshawar.*

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... *19/11/2018* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already ~~been sent~~ to you vide this office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... *10th*

Day of..... *Nov* 20 *20*

(for Reply)

[Signature]
Registrar

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. *S.B*

No.

Appeal No. 1288 of 20 18

Mr. Adil Khan Appellant/Petitioner

The Secy (AIRC) FATA Peshawar Respondent

Respondent No. 1

Notice to: The Secretary (AIRC) FATA Secretariat
Peshawar


WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 19/1/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 10th Day of Nov 20 20

(for Reply)


 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No.

Appeal No...../288..... of 20 18

.....*Mr. Adil Khan*.....Appellant/Petitioner

Versus

.....*The Secy (AI & C) FATA Peshawar*.....Respondent

Respondent No.....2.....

[Handwritten signature]
17/11/18

Notice to: —

The Director Education (FATA)
FATA Secretariat Wazirak Road Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....*19/11/2018*.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....*10/11*.....

Day of.....*Nov*.....20 *18*

(for Reply)

[Handwritten signature]
Registrar

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

S.B

Appeal No. 1388 of 20 18

Mr. Adil Khan

Appellant/Petitioner

Secy (AIRC) FATA Peshawar

Respondent

Respondent No. 4

Recd

Notice to: —

the Commissioner FCR,
Malakand Agency

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....7/11/2019.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

17/11

Given under my hand and the seal of this Court, at Peshawar this.....
Day of.....October 20 19

(for Reply)

**Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.**

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

S.B

Appeal No. 1388 of 20 18

Mr. A. Dil Khan Appellant/Petitioner

Versus

Secy (A.S.C) FATA Peshawar Respondent
Respondent No. 6

Recd

Notice to: —

The Agency Accounts Officer,
Bajaur Agency.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 17/10/19 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 17/10

Day of October 20 19

(for Reply)



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

S.B

Appeal No. 1388 of 20 18

Mr. Adil Khan Appellant/Petitioner

Secy (A & C) FATA Peshawar Respondent

Respondent No. 5

Recd

Notice to: —

The Agency Education Officer,
Bajaur Agency.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....7/11/2019.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....OCTOBER 19.....20

(for Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

“B”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

Appeal No.....1288..... of 2018

Mr. Adil Khan..... Appellant/Petitioner

Versus

The Secy (A&C) FAIA Peshawar..... Respondent

Respondent No.....6.....

Recd

Notice to: —

the Agency Accounts Officers
Bajaur Agency.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....7/7/2020.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....13/5.....

Day of.....Feb.....20 20

(for Reply)


Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

Appeal No. 1288 of 2018

Mr. Adil Khan

Appellant/Petitioner

The Secy (AIRC) FATA Peshawar.

Respondent

Respondent No. 2

Notice to: —

The Director Education (FATA)
FATA Secretariat Waisak Road Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 9/3/2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 13th

Day of Feb 20 20

(for Reply)

Adil Khan
15-2-20

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S B

No.

Appeal No. 1288 of 2018

Mr. Aalil Khan **Appellant/Petitioner**

Versus

The Secy (AIRC) FATA Peshawar **Respondent**

Respondent No. 1

Notice to: —

The Secretary (AIRC) FATA
Secretariat Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal **on** 9/3/2020 **at 8.00 A.M.** If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing **4 copies** of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 13/3/2020

of 13/3/2020

Reply


Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

818

No.

Appeal No. 12-88 of 2018

Mr: Adil Khan **Appellant/Petitioner**

The Secy (AIRC) FATA Peshawar **Respondent**

Versus

Respondent No. 1

Notice to: —

The Secretary (AIRC) FATA
Secretariat Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 9/3/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.


Copy of appeal is attached. Copy of appeal has already been sent to you vide this

Office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....13/11.....

of.....Feb 2020.....

Reply)



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD
PESHAWAR. *SB*

No.

Appeal No. *1288* of 20 *18*

Mr. Adil Khan Appellant/Petitioner

The Secy: (AIRC) FATA Peshawar Respondent

Respondent No. *4*

The Commissioner FCR
Malakand Agency

Notice to:

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *14/9/2020* at **8.00 A.M.** If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative, or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing **4 copies** of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *14/9* Day of *July* 20 *20*

(for Reply)

[Signature]
Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S.B

No.

Appeal No. 1288 of 20 18
Mr. Adil Khan

The Secy: (AI & C) FATA Peshawar
Appellant/Petitioner
Respondent

The Agency Education Officer
Respondent No.
Bajaur Agency.

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....
Day of.....July 20 20

(for Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

No.

S.B

Appeal No. of 20

1288 18
Mr. Adil Khan Appellant/Petitioner
Versus

The Secy: (AI & C) FATA Peshawar Respondent No. 6

Notice to: —

The Agency Accounts Officer,
Bajaur Agency

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 14/9/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 14th Day of July 2020

(for Reply)

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

S.B

No. *23/7/20*

Appeal No. *1288* of 20 *18*

Mr. Adil Khari Appellant/Petitioner

Versus

Sey (A.T.C) FATA Peshawar Respondent

Respondent No. *2*

Notice to: *The Director Education FATA*
FATA Secretariat Warsak Road Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *14/7/2020* at **8.00 A.M.** If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing **4 copies** of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *14th* Day of *July* 20 *20*

(For Reply)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.