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).

the " a production and speak dime to Bud. The army for a forming form of Equilibrium as well

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

stipulated how possed and reply of removing acoponal and how riot been submitted.

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.

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)

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 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 preset, 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

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

0**7**.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 seeks 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.

Appellar to Deposited
Security & Process Fea

(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.

L'a

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 Member

27.02.2019

Counsel for the appellant present.

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

Chairman

Form- A

 Q_{i}

FORM OF ORDER SHEET

Court of	
Case No	1288 /2018

	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	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
2-	12-10-18	order please.
		This case is entrusted to S. Bench for preliminary hearing to be put up there on $26-16-26/8$
	?6.10.2018	Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 13.12.2018.
		Reader
	13.12.2018	Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminar hearing on 23.01.2019 before S.B. Muhammad Amin Khan Kund Member

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
13.	Copy of Judgment dt. 13.04.2018	J	22-25
14.	Copy of meeting of minutes	K	26-28
15.	Vakalat Nama		29

Appellant

Through

(M. Asif Yousafzai) Advocate Supreme Court

(Taimur Ali Khan) Advocate High Court

(Noman Bukhari) Advocate High Court (Asad Mahmood)
Advocate High Court

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

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service A	Appeal	No.	/2018

Mr. Adil Khan (Ex-PST) BPS-12	
S/O Sher Bahadar Khan R/O Bajaur Agency.	
<i>3 5 3</i>	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, 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. **OTHER** ANY REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT 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.

GROUNDS:

- 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

(Noman Bukhari) Advocate High Court

(Asad Mahmood)
Advocate High Court



OR ACCUMON AT EHAR.

OFFICE OF THE AGENCY EDUCATION OF TODE HADAUR ANDWOY AT KHAR.

APTOIN THERE.

As recommended by Sanstor Sajaur Agency Mr. Adil Khan S/O Sher Bahadar Khan of Bajaur Agency is hereby appointed against PTC post in BIS 7 @cks, 750/- PM Fixed with usual allowances by admistate under the rules at Govt; Primary School Khurina no I aga Vacant post from the date of his taking over charge in the interest 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 withou any notice any time,
- 4. He should produce his original certifi before taking over charge.

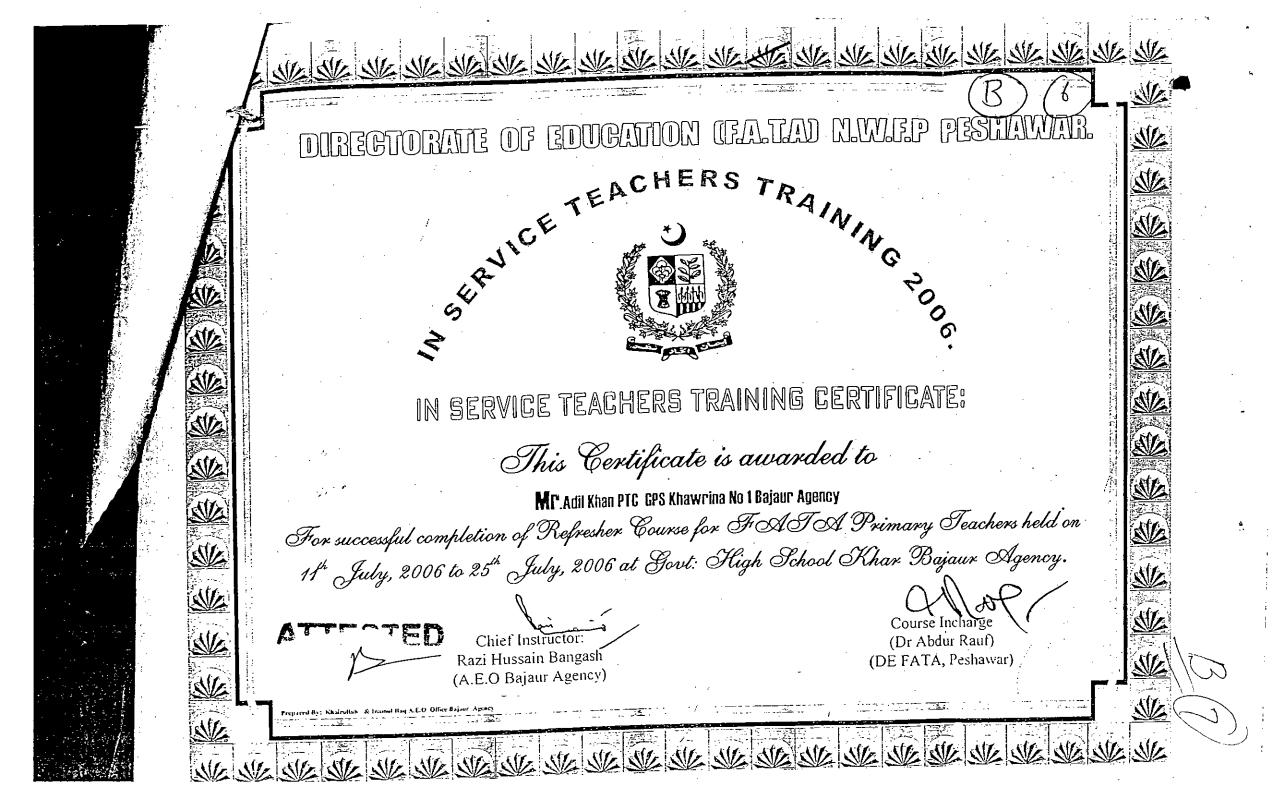
(HAJI AQIL JAN KHAN), Agency Edu;Officer Bajaur Acency.

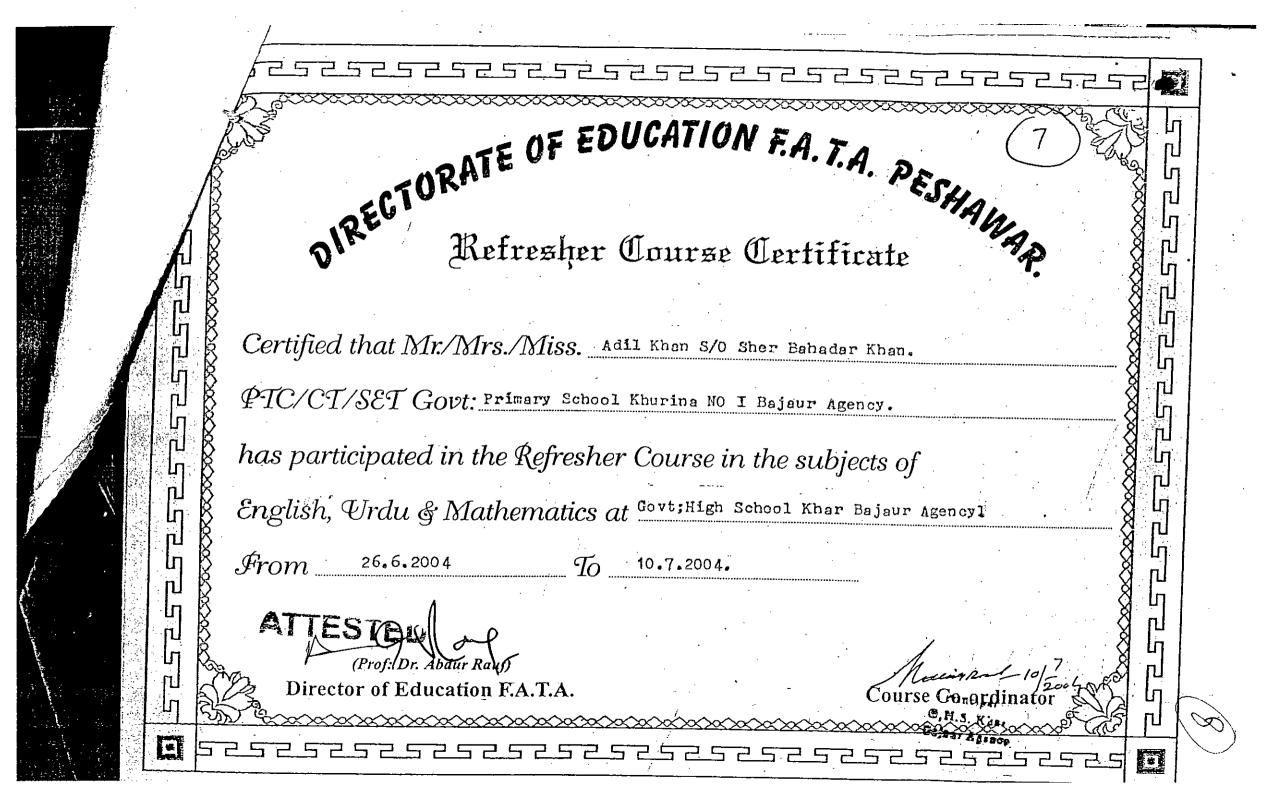
- 1. Heal Teacher concerned.
- 2. AAED(M)Concerned.
- 3. Candidate concerned.
- 4. Accountant of the local office.

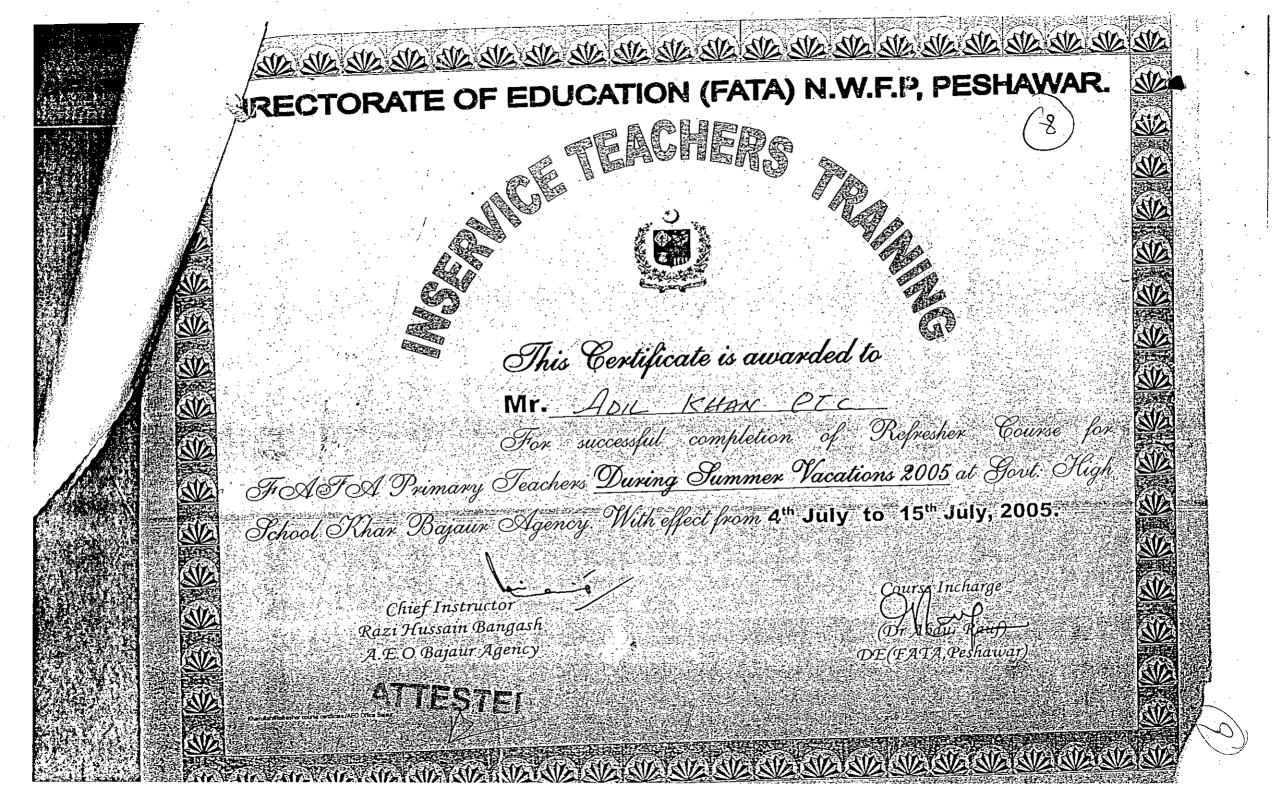
Inam /

Agency Edu; Officer Bajaya Agency.

VILEGIED











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.

A

Mupammad Ali Khan)
Asstr: Political Agent/
Addi: Distt: Magistrate,
Khar.

CI





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

No. 9.896 /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 Jihangir 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 Jihangir 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.

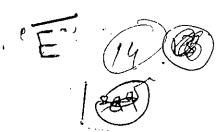
ATTEMEN

(Muhahmad Ali Khan) Asstt Political Agent/ Addl: Distt: Magistrate,

Khar.

priest:

ومركه ناقع عابين فرلقتن 15/016 pose مام مترم دیل مراد مشران نے مندرجہ مالا فرلقین کے مابین مورج کے مطابق اسسل مال وولا مسا دركها يتي 77 مورمنه 31 ق 31 سارين ما دركها يتي 77 مورمنه الا سارين الله ما دركه الله ما رداج کے مطابق وولوے ستراکی فقدرہ ذیل سے ۔ رن حمل وولرمس قال عموت عبل اید سرورد رویب یا لستانی جرطان سموال -رف زکی کے صورت میں : کیاس لاکھ رویب جرفانہ میونیا (4) روارا کے مطابل دوران وولر نئی آبادی بنانے میر یا پندی میوکی - الرح میرا ی آبادی ع صریع بنان میر کی یا بندی مرکی رف بیرانی را سنے ازار سرور کی میران را سے وقت فرنین بینا حفاظت تودر ا 8) جرط وزنت من برا مير خلاف ورزى مرف واف سے وصول برا جا ديا ر وی فرلقبل کے ما بین وولہ ملا کے بین نافن عمل سوفیا۔ De Super les de l'entre des à des les established les establis ادهامار مستران الروا مستران الروا مستران الروال ال 36306 N 18 وسالعاط شامارهان



Page 1 of 2

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

Case No. 06/B.I/Misc

Date of Institution: 10/06/20 11

Adil Khan s/o Sher Bahadar Khan r/o Gardai.

2. Yaqob Khan s/o Sher Bahadar Khan r/o Gardai, Mario Chord Tehsil Bajaur Agency......Accused/Appollam

Versus

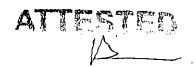
BAIL APPLICATION OF THE APPELLANT IN THE ABOVE TITLE CASE.

ORDER 30.06.2016

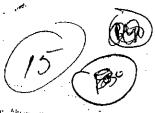
This is a ball application of the above mentioned accursed submitted by their counsel Saleem Zada advocate, whereby counsel for the applicants requested this court that the APA. Khar has arrested the above mentioned accused in a criminal construction of the above mentioned accused in a criminal construction of the above mentioned advocate, whereby counsel for the applicants requested this court that the APA. Khar has arrested the above mentioned accused in a criminal construction of the above mentioned accused.

enmity between the parties and during the month of March 2016, the parties exchanged fire, resultantly one member from box. The parties died. To normalize the situation the Political Adia and and focal elders intervened. The situation was brought used control and "Wools" for a period of ten months because the parties were affected. He further stated that as per section 17 or the FCR the lower court is law bound to refer the case within the days after the arrest of the accused to the council of elders is submission of its findings. But the lower court has not vaken action in this regard and the accused are languishing behind bars without any reason/crime.

Counsel for the accused has requested that the lower council may be directed to initiate proceedings in the case in tight of section 11 of the FCR and as both the parties have suffered one casualty each therefore, as per law and rewal of the sound had parties may be released on bail. Counsel for the account place submitted authorities in this regard i.e PLD 1990 Supreme Count 959, PLD 2014 Peshawar 108, PLD 2009 Supreme Count 2003 SCMR 107.



Page 2 of 2

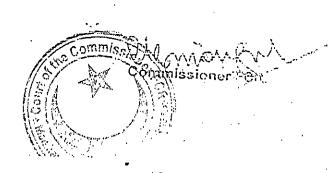


Arguments advanced by counsel for the account of as para-wise comments received from the APA, Khee points Perusal of the para-wise comments received from APA reveals that the murder incident has occurred on 22.68.26 to 16 the accused have already been arrested but no progress in the case has so for been made by the trial court, as section (1) (**) the FCR is very much clear in this regard. The relevant protein says "The Political Agent or District Coordination Officers & the case may be, shall appoint the members of the council a elders within ten days from the date of arrest of the ker in the and shall require the council of elders to submit he findings on the question referred to within ninety days". Forthermore applicant No. 01 is a government official and is in our action to Political Administration but they issued show coupe he had been to attend for his duties which is strange. Record covering $\hat{\phi}_{ij}$ applicant No. 02 is suffering from cancer. During the enther regi the parties have suffered one casualty each and "Woola" have also been affected between the parties and the local elders and making efforts to normalized situation between the particle

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

The APA is further directed to refer the case to the countries of elders constituted with concent of both the particle within that days as explained in section 11 (1) of the FCR and decide him same within three months' time.

Announced.





Page 1 of 2 Bews Copy E

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.

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.

Counsel for the accused has requested that the lower count 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 rewaj of the land 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 to by true Copy

Reader to Commissioner, Walstand 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 for 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.

Salau Sharif Swat.

Commissioner FCR.

Court Matter/Immediate



IN THE COURT OF COMMISSIONER FOR MALAKAND DIVISION SAIDU SHARIF SWAT

No. / 74-77/07/0.1/Mine 0 6 107/2010

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

Subject:

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

Versus

Government through Manasio s/o Muhammad Amin r/o Gurdai, Mano Dheral, Bajaur Agency......Respondent

APPLICATION.

Sir.

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

I am further to convey that If the applicants fulfill conditions 2. 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. // 78_/03/B.I/Misc

Copy forwarded to the Political Agent, Bajaur for information

please.

Secretary to Commissioner, Malakand Division

or a application a APA Kho

معدالت مها مخشراین سی آر مدانش زورزن منا م , GAP.A la opis als dele 1 bunky pos o aux A PA plans mei vy sur 30/6/2016 0 1 1 0 0 0 0 0 4-06-016 2 6 Garacia final 2 ar, 10, and 'Ul lis Elyportemin tile in an interestable in it bushing in and and for the wind in the (if wy gills fills low of shirt Empin (2) 30/6/11 = 3 fo ci), cm 1/1/4 = 6 (6) Uplus ilili civil cili d'isse d'in l' , his dus socie en l'is com con cons e-dlucipics by APA we eve 5:61 and 26 profue 21-0, 21 offer w . In Forward & solar of ging APA Similiste 11 1 2- working day 777 ~ ~ - Like is con co Elinber 1.6

المعارب مثان مهم خارب بامرث من مات ، APA الماني مه الموث منت منت من ب انزیشل برنته الین باحید عضان - درفواست رائ ممرروا مراس المالية الركس سي سير الما 102.3.20 كوافي حاد ادجاسون و المان سيد شوروم كان سيد شوروم كان سيد شوروم كا اسطام المطامع في والأت س م. المنتر ملاكة أن ما عرضانت رع ترن ع مع مارى بها به. في الله والله الله والله المین مامال حوالات میں ہے ، نیز کسل و برنکسٹن الله ما مرفا مرفعا - اب مناصان حوالات س لمند استعای عاقی ۴. تم حالات سے کلایک اس خلاف مکلونه ماردای مربیری الساتاج زيان المران فان سكنة حردي المرفع ما والى وعزورى اطلاع: المرفع ما ٥٤٠ ج٥٠ - ١٥ سزاز کمشن ملاکن بیمنه سیدر ستریف سولت برد بر سرزار ن ما سربیونیل ساید. برسانه سیرس سوشل سکم ناطا، مانا سکزرس دیشاور ATTESTED

OFFICE OF THE POLITICAL AGENT, BAJAUR

No. 5.341 JEC

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. 1229-39/PNT (U) dated 22/03/2016.

- 2. AND WHEREAS; the accused Adil Khan s/o Sher Bahadar was sentenced to undergo Five years regoulous by imprisonment in the court of Assistant Political Agent/Additional District Magistrate, Khar vide order dated 29/04/2016
- AND WHEREAS; the accused Adil Khan has been sent to Central Jail, Harlpur 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 1960 constitution and the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, and dismiss him from service with immediate effect in the public interest.

Date

Dated Khar the _2_/08/2016

No. 5342-419 JEC

Copy forwarded to the:

- 1. PS to Additional Chief Secretary FATA, FATA Secretariat Warsak Road, Pesqawar.
- 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 ेन्
- 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: (U333-31032 10)

in the interest of Public as no

termination order Para-4 is sel

سرجنات ڈارکر اکرکیے ناٹا، ناٹا سررسٹ لستار م ورواست رائع عدرواند ارم ، کارب لئے ساخل فیل موی رسان ی بركه سائل عراقيم المؤمري سول فود مينم مبيد مين ميت منع: - يوك ساخل عواي عامل موسوار شاسب ع سابق د شتی مردو یکی چی مرس ما کا صوبرار مناس ادر و سو بسید ما کا داکر ما کا ساکر مي سون ولي ماك س سي الله الماك المالي الون امر دُانگر ن سسل وار را العد مین خابر ش ستردع ی ر مع من مراجا ی حالواد نوستردان قرر با ورد ایوبر مرش ر ما من ما منا ما مناس ما ستا ما روس 四十一一一 منان در الله كالم سط فارعلات كاردي التب ست كاره منازه ميما ستريك عا- بي واردات وقعيم سوجود سي عا-مجع نائل مناس ع جمع طور بر ملوث تکاج - کوئی عث درد الحال موجود الناع سبه: - یه که ساخل کا معانی حالدار او سیردان مرر باجرته ایوم و د عَالَى سَاسَبِ إِدَر أَسَرَ مِنْ مَا مَنَ وَالْمَرِ عَالَى مَنَا كُرِي الْوَهاد صَوْ نا در کان کی مصر سے تنل سمائیہ ماجور میں کی سال میں اسروس کر میں کا معلم منا نعمال میرا ۔ در سی کا کا سال میں ا مراقع ، - لير مد سائل الله سائد و من الله من ا رلعاع م - دوسراطرف افرستروان دروح کی بیری بي مي كفالت جي سر در آيا . CONTRACTOR

يد لد سا در الم ما کوی امر دروسه ساستی سنی به e, Dismissal order out in I'm -: خلات ہے۔ خلاف رسے مدواج ہے۔ 一つしゃ アリン Ejérés Pismiss al orders 30 ju n 03/08/2016 (3)/1 السَّا عَامِ وَمِانَ عَادِلُ عَالَ اللَّهِ عَلَى اللَّهِ اللَّهُ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهُ اللّلْمُ اللَّهُ اللَّاللَّاللَّهُ اللَّاللَّاللَّا اللَّهُ الللَّهُ اللَّهُ اللَّهُ اللَّهُ Silippe File of the 1-1- 1 April 195 , a id of to Pismisell (1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNA PESHAWAR.

Appeal No.

Mr. Adil Khan (Ex-PST) BPS-12 s/o Sher Bahadar Khan r/o Bajaur Agency. - 11-2-0/6

- Secretary (AI & C) FATA Secretariat, Peshawar.
- The Director Education (FATA), FATA Secretariat Warsak Road, Peshawar.
- The Political Agent Bajaur Agency.
- The Commissioner FCR, Malakand Agency.
- 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 DATED 02.08.2016 THE ORDER WHEREBY THE APPELLANT WAS DISMISSED AND AGAINST NOT THE SERVICE FROM DEPARTMENTAL ACTION ON THE TAKING APPELLANT THE OF. APPEAL STATUTORY PERIOD OF 90 DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, Combinistics to carry 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.

Registrar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUAL 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 Bahadar Khan r/o Bajaur Agency.

(Appellant)

VERSUS

1. Secretary (Al & 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.

FACTS

2. The brief facts are that the appellant has impugned order dated 02.08.2016 Peshawar 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

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

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(24)

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 62.08.2016. 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 *corum-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 Altorney 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

RDrybur Service Victorial

passed by him is corum-non-judice. Competent authority in this case is Agency Tidagation Officer.

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.

Sof Amad Hassan, Allinder Soft M. Hamid Mughal, Alamba

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To

The Registrar,

The KP Service Tribunal, Peshawar

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.

26/06/18 Assistant Director

(Litigation)

1. Copy to Mr. Adil kham (Appellant)

Dates

& EN

1



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)

doay 25/6/

Mr. Abdul Malik Khilji (Deputy Director Edu)

mali

Mst. Samreena Khan (AD Litigation)

Same



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 Utmankhal 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 appellate 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 TCR followed by another order dated 04-07-2016. Whereas the honourable FATA Tribunal passed orders dated 01-11-2016 and resultantly. Imran and Farmanuliah 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 the

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 Pribary Ceshawa
Adil Shab (Appellant) (Petitioner) (Plaintiff)
Education Deptle (Respondent) (Defendant)
I/We, Adil Shah
Do hereby appoint and constitute <i>M. Asif Yousafzai, Advocate Supreme Courte Peshawar</i> , 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 10 -1920/ 8 (CLIENT)

ACCEPTED

M. ASIF YOUSAFZAI
Advocate Supreme Court

TAIMUR ALT KHAN Advocate High Coast

Peshawar.

OFFICE:

Room # FR-8, 4th Floor, Bilour Plaza, Peshawar,

Cantt: Peshawar

Cell: (0333-9103240)

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

No.		8.8
	Appeal No2	Appellant/Petitioner
	Mr. Adil	Appellant/Petitioner
	the senj (A)2	Respondent No
		· · · · · · · · · · · · · · · · · · ·
· Notice to: _	- the Disector	Education (PATA) Hide the provision for Reconstruction in
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	/Tu-il	as been presented/registered for consideration, in Court and notice has been ordered to issue. You are
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the case in	ay be postponed either in p	erson or by authorised representative or by any
		r of Attorney. You are, therefore, required to file in he date of hearing <u>4 copies</u> of written statement
-		which you rely. Please also take notice that in e fixed and in the manner aforementioned, the
	tion will be heard and decide	
Notic given to you	ce of any alteration in the da u by registered post. You sh	te fixed for hearing of this appeal/petition will be ould inform the Registrar of any change in your
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notice poste this appeal/p		be deemed to be your correct address, and further ed post will be deemed sufficient for the purpose of
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Copy	of appeal is attached. Copy	of appeal has already been sent to you vide this
office Notice	e No	dated
Given	under my hand and the sea	l of this Court, at Peshawar this.
Day of		
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for Ro	July C	•
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	(2) 21 19	Registrar,
lote: 1. The ho		Khyber Pakhtunkhwa Service Tribunal, Peshawar.
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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.				
Sold	Appeal No	388	of 20	•
	My Adul		Appellant/Petitioner	
	-5e27 (A180	Tata S	Respondent	٠.
		•		
Notice to:	- The Agency	Accounts	Efficer, Ba	Jaur.
Province the above hereby in *on	EREAS an appeal/petition Service Tribunal Act, 1974, case by the petitioner in this aformed that the said appear petitioner of are at liberty may be postponed either in duly supported by your power t at least seven days before any other documents upon f your appearance on the etition will be heard and deci- tice of any alteration in the you by registered post. You If you fail to furnish such add given in the appeal/petition w sted to this address by regist- al/petition.	has been presented as Court and notice had/petition is fixed as 1,00 A.M. If you wis to do so on the date person or by authore of Attorney. You the date of hearing has been been which you rely. It is fixed and in the ded in your absence date fixed for hearing should inform the dress your address could be deemed to be your and to be your address or the court of the deemed to be your address or the court of the deemed to be your address or the court of the court of the deemed to be your address or the court of the court o	registered for consideras been ordered to issue for hearing before the sh to urge anything age fixed, or any other day orised representative are, therefore, required a 4 copies of written a Please also take notice manner aforementing of this appeal/petitic Registrar of any change ontained in this notice your correct address, and	ration, in e. You are Tribunal gainst the y to which or by any d to file in statement ce that in oned, the on will be ge in your which the ad further
Col	py of appeal is attached. Co	py of appeal has al	ready been sent to you	ı vide this
office No	tice No	dated		•
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Day of		Nov	Le.	•
To	rreply)	μ.	Du	
		Khyber F	Registrar, akhtankhwa Szvice Peshawar.	Tribunal,

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Always quote Case No. While making any correspondence.

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

No.
Appeal No. \288 of 20[8
Mr. Adil Khan Appellant/Petitioner
Secy (AIRC) FATA ed Respondent
Notice to: - Respondent No. I. Notice to: - Respondent No. I.
Poshawar.
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
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of 20 Cf.
(Too 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.

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

No.	•	•			e - •;• • 1•
	Appeal No	122	88	of 20 18	'
	Mr. Adi	1 Khan		Appellant/Petitio	ñer
		· · · · · · · · · · · · · · · · · · ·	u s [
0 h	e Senj 1	A180	FATA !	e La WAD Respondent	
(up)		/	Rosnandont Na	3	
	the D	oditical	Agent	e Hawas Respondent 3 - Bajaus	Agency
Notice to:					• • • •
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Province Service the above case by hereby informed *on	Tribunal Act, the petitioner that the said of the petitioner of the petitioner of the petitioner you are at postponed eit apported by you st seven days ther document appearance or	, 1974, has been in this Court in this Court in appeal/petitionat 8.00 A.M. liberty to do so ther in person our power of At before the daints upon which the date fixed	n presented/re and notice has on is fixed for L. If you wish to on the date fix or by authoritorney. You are te of hearing 4 h you rely. Pleed and in the	been ordered to in the hearing before to urge anything sed, or any other sed representation, therefore, required topies of writters also take new sed reservable.	sideration, in issue. You are the Tribunal g against the day to which we or by any ired to file in en statement otice that in
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The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

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

NO.		12.88	18
••• •	Appeal No	Rhom	of 20
\cap	the Surj	AI Riers & FATA	eshowad Respondent
logd .		•	4
Notice to: _	- ing commy	Jewid secure	2, Malakand
Province Set the above can hereby information appellant/pethe case may advocate, default of yappeal/petit siven to you address. If yaddress given	ervice Tribunal Act, 197 ase by the petitioner in to a second appropriate the said appropriate appropriate postponed either all supported by your part least seven days before any other documents upour appearance on the tion will be heard and detected to any alteration in the by registered post. You fail to furnish such a sen in the appeal/petitioned to this address by registered to this address by registered to the saddress by registered to the saddres	4, has been presented this Court and notice lead/petition is fixed at 8.00 A.M. If you winty to do so on the dat in person or by authower of Attorney. You pre the date of hearing pon which you rely. The date fixed and in the cided in your absence the date fixed for hearing should inform the address your address on will be deemed to be	ion of the North-West Frontier d/registered for consideration, in has been ordered to issue. You are for hearing before the Tribunal sh to urge anything against the e fixed, or any other day to which to ised representative or by any are, therefore, required to file in the statement Please also take notice that in the manner aforementioned, the end of this appeal/petition will be Registrar of any change in your contained in this notice which the your correct address, and further emed sufficient for the purpose of
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		∟_{Khyber P}	Registrar, akhtunkhwa Service Tribunal,

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.	12.28	v2
	Appeal No. 12-88 Mil Adil 1(han	of 2018.
		Appellant/Petitioner
Ω	the Sens (A12C) F	ATA (2 Shawar . Respondent
und	Respond	ent No
Notice	ice to: - the Agency Education Agency	on Officer, Psajaus
	Harry	•
the a herel *on appe the c Advo this (along defar	cellant/petitioner you are at liberty to do so on the case may be postponed either in person or by a vocate, duly supported by your power of Attorney. S Court at least seven days before the date of he ongwith any other documents upon which you result of your appearance on the date fixed and peal/petition will be heard and decided in your absented.	ated/registered for consideration, in ice has been ordered to issue. You are sed for hearing before the Tribunal wish to urge anything against the date fixed, or any other day to which authorised representative or by any You are, therefore, required to file in aring 4 copies of written statement ely. Please also take notice that in in the manner aforementioned, the ence.
addr addr notic	Notice of any alteration in the date fixed for he to you by registered post. You should inform dress. If you fail to furnish such address your address given in the appeal/petition will be deemed to tice posted to this address by registered post will be appeal/petition.	the Registrar of any change in your ess contained in this notice which the be your correct address, and further
	Copy of appeal is attached. Copy of appeal ha	s already been sent to you vide this
offic	Given under my hand and the seal of this Cou	ert at Peshawar this /3//
) 		20 LC
Day	r Repuly	
	Khybe	Registrar, er Pakhtunkhwa Service Tribunal,
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The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holldays.

2. Always quote Case No. While making any correspondence.

Note:

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

No.
Appeal No. 1288 St. of 20 %. 11/1: Hill MINET - 11/1/19 - 10 Color of 20 %. 11/1: Hill Milling Ex-1/1/19 Appelland Retitioner 11/1: Cartain film) F/+T/45 - 6-Respondent
Appear 100
Appellant/Retitioner
1111- Papade Misters Volle With in could
Let to 1110 CITIBE THE E
Respondent
Respondent No
Notice to: - 101-1011/11/11/11/11/11/11/11/11/11/11/11/11
16/16/100002 ·
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
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 Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
Khyber Pakhturkhwa Service Tribunel

1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

2. Always quote Case No. While making any correspondence.

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

No.	
Appeal	No. 1286 of 2018.
· Mux	Jalillun Bi- MET Blogger Spite Son
Sher Rah	fall lugue (Si Appellant/Petitioner
: Slen	Jan HIR PHINASARESpondent
	Respondent No.
Notice to: - Se Cre	Ady (ALAC) PHIT Selds
Melli	Lang (AIAC) PATA Seeth
WHEREAS an app	peal/petition under the provision of the North-West Frontier
Province Service Tribun	al Act, 1974, has been presented/registered for consideration, in
the above case by the pet	itioner in this Court and notice has been ordered to issue. You are
hereby informed that the	ne said appeal/petition is fixed for hearing before the Tribunal
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the case may be postnor	are at liberty to do so on the date fixed, or any other day to which ned 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 doc	cuments upon which you rely. Please also take notice that in
default of your appearan	nce on the date fixed and in the manner aforementioned, the
appeal/petition will be he	ard and decided in your absence.
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address. If you fail to furn	rish such address your address contained in this notice which the
address given in the appe	al/petition will be deemed to be your correct address, and further
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this appeal/petition.	
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The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

Always quote Case No. While making any correspondence.

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

No.		_		
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*on		A.M. If you v	vish to urge anyth	ing against the
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Advocate, duly support	ed by your power o	of Attorney. Yo	u are, therefore, r	equired to file in
this Court at least sev	en days before the	date of hear	ing <u>4 copies</u> of wr	itten statement
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time appear/permon.				
Copy of appeal i	s attached. Copy o	f appeal has a	already been sent	to you vide this
office Notice No		dated	******************************	
Given under my	hand and the seal	of this Court	, at Peshawar this	***************************************
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Day of	·····	<i>f</i>	.20 .	
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		Ž	Registrar,	
ı		Khyber	rakhtunkhwa Se	rvice Tribunal.
		~ }	Peshawar.	

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

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

No.
Appeal No
Notice to: - profesself sett, water the
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 Tribuna *on
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodated
Given under my hand and the seal of this Court, at Peshawar this
Day of

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

Khyber Pakhtunkhwa Service Tribunal,

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

No.	
Appeal No	مي
Appeal No. Respondent Respondent No.	
Butweller Man & lo Brospeller Agency	
School for Toland for Alf See Respondent	
Respondent No	• • • • •
Notice to: - political population of Project of Agency	
WHEREAS an appeal/petition under the provision of the North-West Front	
Province Service Tribunal Act, 1974, has been presented/registered for consideration, the above case by the petitioner in this Court and notice has been ordered to issue. You a hereby informed that the said appeal/petition is fixed for hearing before the Tribunat appellant/petitioner you are at liberty to do so on the date fixed, or any other day to whith the case may be postponed either in person or by authorised representative or by a Advocate, duly supported by your power of Attorney. You are, therefore, required to file 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 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 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 address given in the appeal/petition will be deemed to be your correct address, and further address given in the appeal/petition will be deemed to be your correct address, and further address given in the appeal of the province of the petition will be deemed to be your correct address, and further address given in the appeal of the petition will be deemed to be your correct address, and further address.	in are nal che ich in in in ihe be bur he
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Pakhtuńkhwa Service Tribunal,

Peshawar.

Note:

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. 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	of 20 / 8
Appeal No. July State of Control (Nersus) Constant July Confirm of the Results	Appellant Petitioner
Mulhadlankla Wersus	Musicala Agently.
Constant / 11200 (2) [45]	Respondent
Res	pondent No
Notice to 1 1 1/41 Try 110 Till	Suppliff there of
Notice to: - In 11/12 DIVITA SILLA WHEREAS an appeal/petition under the Province Service Tribunal Act 1974 has been pr	7/HTH Getthe Winsukin
WHEREAS an appeal/petition under the	provision of the North-West Frontier
Fruvince Service Tribunal Act, 1014, mas been pr	escriped, registered for comments.
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 *on	s fixed for hearing before the Tribunal
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 Attory	ey. 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 yo default of your appearance on the date fixed a	nd in the manner aforementioned, the
appeal/petition will be heard and decided in your	
Notice of any alteration in the date fixed f	or hearing of this appeal/petition will be
given to you by registered post. You should info	rm the Registrar of any change in your
address. If you fail to furnish such address your adadress given in the appeal/petition will be deeme	d to be your correct address, and further
notice posted to this address by registered post wi	ll be deemed sufficient for the purpose of
this appeal/petition.	
<u>~</u>	
Copy of appeal is attached. Copy of appea	I has aiready been sent to you vide this
office Notice Nodated.	***************************************
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- a second	an K
Day of	20
	11/11
	Registrar,
KI-	wegistrar, Lyber Pakhtunkhwa Service Tribunal,
15.1	Peshawar.
Note: 1. The hours of attendance in the court are the same that of the High	
2. Always quote Case No. While making any correspondence.	

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

	•
No.	
Appeal No	:
1117-Holefkliau. Appellant/Petitioner	
77	1.1
Continu (HIAC) FHTH cett Respondent	' محر د
Respondent No	
Notice to: - 16 Ce Coneterne (HIDC) 1-H7/4 Section	
WHEREAS an appeal/petition under the provision of the North-West From	ntier
Province Service Tribunal Act, 1974, has been presented/registered for consideration the above case by the petitioner in this Court and notice has been ordered to issue. You hereby informed that the said appeal/petition is fixed for hearing before the Trib ton	n, in l are unal the hich any le in nent t in the
this appeal/petition.	
a li	thic
Copy of appeal is attached. Copy of appeal has already been sent to you vide	£1113
office Notice Nodateddated	•
Given under my hand and the seal of this Court, at Peshawar this	•••••
Day of 2019	
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Registrar,	·

2. Always quote Case No. While making any correspondence.

[.] The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

	JUDICIAL COMPLEX (OLD), KHYBER ROAD,
•	PESHAWAR.
No.	
▼	Anneal No. 19 00 of 20 19
•	10
*	Appeal No. 12.88 of 20 18 MD Adi Whom Appellant/Petitioner
•	11- 0 Versus
	The North A180 FAIA Collect Partondent
	Respondent No. 1
•	Respondent No. 4
Notice to:	the Secretary (ATRC) FATA Secretorie
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	Deshawas.
WHER	EAS an appeal/petition under the provision of the North-West Frontier
Province Ser	vice Tribunal Act, 1974, has been presented/registered for consideration, in e by the petitioner in this Court and notice has been ordered to issue. You are
hereby infor	med that the said appeal/petition is fixed for hearing before the Tribuna
*on	f_{total} at 8.00 A.M. If you wish to urge anything against the
appellant/je	itioner you are at liberty to do so on the date fixed, or any other day to which be postponed either in person or by authorised representative or by any
Advocate dir	ly supported by your power of Attorney. You are, therefore, required to the h
this Court at	least seven days before the date of hearing 4 copies of written statemen
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at a second	of any alteration in the date fixed for hearing of this appeal/petition will be by registered post. You should inform the Registrar of any change in you
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Given	under my hand and the seal of this Court, at Peshawar this
Day of	
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//	or Keply
. / /	Registrar
1/	Khyber Pakhtunkhwa Service Tribun
i) Peshawar.

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

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

•	PESHAV	ν <u>λι</u> ν.	3-1	•
No.			_	
Appeal No	, 12	<i>80</i>	of 20 /8	
Appeal No	i/ Khan	1	.Appellant/Petitio	
11 0 1	Versus	\sim	- 4	.*
the Secy (1	118C)F	AIA 191	hawkesponden	
	, K	Respondent No	.1	*****************
Notice to: _ the Sure	taxy/	AIRC)1	=ATA8	excitoriat
	eshawad			٠.
WHEREAS an appeal/peti	tion under t	he provision	of the North-V	Vest Frontier
Province Service Tribunal Act, 19 the above case by the petitioner in	974 has been	presented/reg	istered for con	SIGET GOLDEN, THE
		ic tived for I	nearing octors	fife irround
*on	.at <u>8.00 A.M.</u> Serty to do so :	If you wish to on the date fix	ed, or any othe	r day to which
the case may be postponed either Advocate, duly supported by your	ar in merson (or nv autnoris	60 Lehreseman	7140 OI 103 03
13. C A set least serious dove be	sfore the date	of hearing 4	CODIES OF MITTE	POTT DESCRIPTION
alongwith any other documents default of your appearance on t	unan which	vou reiv. Fie	ase also ranc .	MOSTOO DEFENS
appeal/petition will be heard and	decided in yo	ur absence.		<i>7</i> .
Notice of any alteration in	the date fixe	d for hearing	of this appeal/p	etition will be
given to you by registered post.	You snould II	norm the fleg raddress cont	ained in this no	tice which the
address given in the appeal/petition notice posted to this address by rethis appeal/petition.	egisterea post	, will be deeme	u suiliciciii loi	
Copy of appeal is attached	d Conv of an	neal has alrea	dy been sent t	o you vide this
•	•	* -	* · · ·	
office Notice No	dai	ted		10 #
Given under my hand and	l the seal of t	his Court, at I	Peshawar this	
Day of	•••••	NOW 20	20	
				•
1/1-1/1/4				
1 for Kepyy)	<i>!</i>		Registrar,	
	•	\ Khyhor Pak	. •	rvice Tribunal

. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Peshawar.

Always quote Case No. While making any correspondence.

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

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No.
Appeal No
Appeal No
Versus
Les Jery (AJ. 20) FATA Les has will should not
The year Addition of the Addit
Respondent No
Nonce to: - the Director Education (FATA) FATA Secretariat wassak Road Desho
HATA Secretariat Wassak Road Jesus
WHEREAS an appeal/petition under the provision of the North-West Frontic Province Service Tribunal Act, 1974, has been presented/registered for consideration,
the above case by the netitioner in this Court and notice has been ordered to issue. Iou a
hereby informed that the said appeal/petition is fixed for hearing before the Tribun
*on
the case may be postponed either in person or by authorised representative of by an Advanta duly supported by your power of Attorney. You are, therefore, required to file
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 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
given to you by registered post. You should inform the Registrar of any change in your state of the farmish such address your address contained in this notice which t
1'1 - La composition will be deemen to be vous control and
notice posted to this address by registered post will be deemed sufficient for the purpose this appeal/petition.
the state of the s
Copy of appeal is attached. Copy of appeal has already been sent to you vide the
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
for Registrate. Registrate. Khybor Pakhtunkhwa, Service Tribut
Registrar
Khyber Pakhtunkhwa Service Tribur Peshawar.
* The same that of the High Court except Sunday and Gazetted Holidays.
Note: 1: The hours of attendance in the Court are the stand that of the tright. 2. Always quote Case No. While making any correspondence.

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

	I LOHAWAIX.	3.13
No.		
Anneal No	- 13.88	of 20 18-
178	Adıl Khan	Appellant/Petitioner
Secy (1	418C JEATA Pe	Sha Pasnandant
Rend	Respondent No	4
the	Commission of	FCR.
Notice to:	Respondent No Commission of Malakard Agent	¥
Province Service Tribunal Act the above case by the petitione hereby informed that the said *on	t, 1974, has been presented/re in this Court and notice has a appeal/petition is fixed forat 8.00 A.M. If you wish t liberty to do so on the date fither in person or by author our power of Attorney. You are before the date of hearing ints upon which you rely. Plant the date fixed and in the and decided in your absence. In the date fixed for hearing st. You should inform the Re	of the North-West Frontier egistered for consideration, in been ordered to issue. You are hearing before the Tribunal to urge anything against the ixed, or any other day to which ised representative or by any e, therefore, required to file in 4 copies of written statement ease also take notice that in manner aforementioned, the gistrar of any change in your tained in this notice which the
address given in the appeal/per notice posted to this address by	tition will be deemed to be you	ur correct address, and further ed sufficient for the purpose of
this appeal/petition.		
Copy of appeal is attacl	hed. Copy of appeal has alre	ady been sent to you vide this
office Notice No	dated	17 K
Given under my hand a	and the seal of this Court, at	Peshawar this
Day of	C(41308 20	19
(for Reply		
	Thyber Pak	Registrar, htunkhwa Service Tribunal, Peshawar.

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

Note:

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

No.	
	Appeal No
•	1. 46. A-Oll Chan Appellant/Petitioner
•	Versus
Pend	Respondent No.
17	Respondent No
Notice to:	the Agency Accounts Officer,
~	Bajaar Agency.
Province Se the above ca hereby info *on appellant/pe the case ma Advocate, do this Court a alongwith a default of y appeal/petit Notice given to you address lify address give	REAS an appeal/petition under the provision of the North-West Frontier revice Tribunal Act, 1974, has been presented/registered for consideration, in use by the petitioner in this Court and notice has been ordered to issue. You are med that the said appeal/petition is fixed for hearing before the Tribunal formulation at 8.00 A.M. If you wish to urge anything against the etitioner you are at liberty to do so on the date fixed, or any other day to which may be postponed either in person or by authorised representative or by any culy supported by your power of Attorney. You are, therefore, required to file in at least seven days before the date of hearing 4 copies of written statement may other documents upon which you rely. Please also take notice that in our appearance on the date fixed and in the manner aforementioned, the cion will be heard and decided in your absence. The of any alteration in the date fixed for hearing of this appeal/petition will be a by registered post. You should inform the Registrar of any change in your outfail to furnish such address your address contained in this notice which the can in the appeal/petition will be deemed to be your correct address, and further and to this address by registered post will be deemed sufficient for the purpose of
Сору	of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice	e Nodated
Given	under my hand and the seal of this Court, at Peshawar this
Day of	CLICDAY 20/9
los f	Reply)
\	Registrar, Khyber Pakhtunkhwa Service Tribunal,

2. Always quote Case No. While making any correspondence.

^{1.} The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

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

.		,		SB	•
No.		/	•	270	·
•	Appeal No	1288	····· <i>o</i>	f 20 18	
•••	,	dil Khar	7.2	pellant/Petitioner	
	e In	Versus	. 1.2.	•	•
2.1	Seny (A)	SC) FAIL	1 / Piho	Respondent	
- ga	•	Rest	ondent No		
Notice to:	the Ac	Jency Ed	lu castion	Officer,	
	Ba	Jany A	joney.		; · · · .
Province Service the above case be hereby informe *on	S an appeal/petice Tribunal Act, 19 by the petitioner in that/the said appear and either appearance on the will be heard and of any alteration in registered post, all to furnish such this address by retion.	974, has been protein this Court and appeal/petition is at 8.00 A.M. If perty to do so on a power of Attornation which you he date fixed and decided in your attention and dress your adon will be deeme	esented/registernotice has been fixed for hear you wish to urthe date fixed, or you are, there hearing 4 copurely. Please and in the manubsence. The registration of the manufactures contained to be your corrections of the correction of the corre	red for considered to issuring before the ge anything agor any other day epresentative refore, required is appeal/petitian of any changed in this notice rect address, as	eration, in inc. You are a Tribunal gainst the y to which or by any d to file in statement ce that in ioned, the ion will be ge in your which the nd further
Copy of a	ppeal is attached	. Copy of appea	has already be	en sent to you	ı vide this
office Notice No)	dated.	***************************************		1 /
Given und	der my hand and	the seal of this	Court, at Pesha	war this	+16
Day of			De8 20 19		
(for Re	1	ʹ) Κh	R yber Pakhtunl	egistrar, khwa Service	Tribunal,
\			. TO.		

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

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

No.					
	Appeal No	12.8	₹	of 20 /8	
•	Mir Adi	1 Khan	••••	Appellant/Petitio	oner
~	the Suy	Vers.	us)FATA	dshawad. Respondent	t.
lad	,		Respondent No	6	
Notice to:	the ,			> Offices	5
	No.	Berjany	Washer (1	
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address. If you address given	i fail to furnish s in the appeal/pe to this address by	uch address you tition will be de	ır address cont emed to be you	ained in this not r correct addres	ice which the s, and further
Copy of	.appea l is attac l	hed. Copy of ap	peal has alrea	dy been sent to	you vide this
office Notice N	Vo	da	ted	•••••	
Given u	nder my hand a	and the seal of t	his Court, at P	eshawar this	1315
Day of	*****************	******	J-26 20		
for Ka	'aly)			4	
<i>V</i>			Khyher Pakh	Registrar, tunkhwa Serv	ice Tribunal
	10 may 2		Luis voi i ann	unimiwa Delv	ree rrinaniai,

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

Peshawar.

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

No.	100	5	
Appeal N	70	of 2018	
MX.	1288 Adil 1 Chan	Appellant/Petitioner	
the Sten	Adl (non) Versus FATI Responden	A leshawas. Respondent	
V	Responder	nt No	
Notice to: - FRIF	Director Februariant Nove	carting (FATA) sak Road Poshowo	ひ
Province Service Tribunal the above case by the petit hereby informed that the *on	I Act, 1974, has been present ioner in this Court and notice said appeal/petition is fixed and appeal and a soon the december of a soon and a soon the date of heat and the date fixed and in a rd and decided in your absentation in the date fixed for heat a soon and the date fixed for heat and in the date fixed for heat and the date fixed fixed for heat and the date fixed fixed fixed fixed fixed fixed fixed	aring of this appeal/petition will l	in re al he ch ny in ht in
given to you by registered address. If you fail to furni address given in the appea notice posted to this addre this appeal/petition.	l post. You should inform thish such address your address l/petition will be deemed to best by registered post will be d	ne Registrar of any change in you s contained in this notice which the your correct address, and furthed leemed sufficient for the purpose	ur he er of
Copy of appeal is at	tached. Copy of appeal has	already been sent to you vide th	ЦS
office Notice No	dated	* 7 H	
Given under my ha	nd and the seal of this Cour	t, at Peshawar this 13/5	****
Day of	J-65	20 2-0	•
for Rophy)	Tul W Khyhar	Registrar, Pakhtunkhwa Service Tribuna	al.
	7 Zimyber	Peshawar.	•

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

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

No	
g E	Appeal No. 12.88 of 2018
	1-18 A-alil Khan Appellant Petitioner
· .	
	the Suy (AIRC) FATA Brownson
	Respondent No.
Notice to:	- the Secretary (A18C) FATA Surrectariant Deshawar
	Suretariant poshawas.
· WHO	EREAS an appeal/petition under the provision of the North-West Frontier
he above	Service Tribunal Act, 1974, has been presented/registered for consideration, in case by the petitioner in this Court and notice has been ordered to issue. You are formed that the said appeal/notition is fixed for bearing before the Waltsmall
on	formed that the said appeal/petition is fixed for hearing before the Tribunal Ω . Ω . Ω . at 8.00 A.M. If you wish to urge anything against the
ippellant/	petitioner you are at liberty to do so on the date fixed, or any other day to which
	hay be postponed either in person or by authorised representative or by any duly supported by your power of Attorney. You are, therefore, required to file in
his Court	t at least seven days before the date of hearing 4 copies of written statement
_	any other documents upon which you rely. Please also take notice that in your appearance on the date fixed and in the manner aforementioned, the
	tition will be heard and decided in your absence.
Not	ice of any alteration in the date fixed for hearing of this appeal/petition will be
	ou by registered post. You should inform the Registrar of any change in your
	f you fail to furnish such address your address contained in this notice which the
	ven in the appeal/petition will be deemed to be your correct address, and further sted to this address by registered post will be deemed sufficient for the purpose of
	d/petition.
Con	by of appeal is attached. Copy of appeal has already been sent to you vide this
	ice Nodated
Give	en under my hand and the seal of this Court, at Peshawar this
of	[Ill 2026
ſ	
K	-epsy)
	Registrar,
	Khyber Pakhtunkhwa Service Tribunal,
	Peshawar.

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

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. 8 8

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~	Appeal No.	12-88		of 20 (8	
****		Adil Kh	an	Appellant/Petitio	ne r
<i>l</i> .	the 8cm	4 (A) 80	sus) FATA.	Parhawat . Respondent	
			Respondent N	4	# 94 8 9 9 8 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
tice to: —	the server	Secretary () FATA	
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e above case by reby informed a	the petition that the second are you are postponed upported by st seven dather docum appearance will be heard any alterating stered postponed if to furnish the appeal/p	ner in this Court aid appeal/petit aid appeal/petit at liberty to do s either in person your power of A ays before the da nents upon whice on the date fix d and decided in y ion in the date fix post. You should a such address you petition will be d	and notice hat ion is fixed for M. If you wish so on the date in or by authorate of hearing ch you rely. Fixed and in the your absence. xed for hearing inform the Rour address core eemed to be you rely.	registered for consists been ordered to is been ordered to is hearing before a to urge anything fixed, or any other rised representative, therefore, requived a copies of writted ease also take not manner aforementations of any characteristic of this appeal/peristrar of any characteristic of the correct address and sufficient for	the Tribunal gagainst the day to which ve or by any ired to file in en statement otice that in entioned, the state which the s, and further
is appeal/petiti					
Copy of ap	peal is atta	ached. Copy of a	ppeal has alre	eady been sent to	you vide this
fice Notice No.		d	ated		
Given und	er my hand	l and the seal of			13/h
of	,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Feb 20	20	
Repr	ly)		·		
				Registrar,	
			Khyber Pal	khtunkhwa Servi	ice Tribunal,

Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Always quote Case No. While making any correspondence.

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

No.	1288 18
'AND	Appeal No. 1288 of 2018 M8: Adil Uhim Appellant/Petitioner
	Appellant/Petitioner
A	the Secy: (A 18 () FATA Shawa 8. Respondent
	Respondent No.
	- the Commissioner FCK
Notice to:	- the Commissioner FCR Malakand Agency
Province Se the above ca hereby info *on appellant/pe the case ma Advocate, du this Court a alongwith a default of y	EAS an appeal/petition under the provision of the North-West Frontier rvice Tribunal Act, 1974, has been presented/registered for consideration, in se by the petitioner in this Court and notice has been ordered to issue. You are midd that the said appeal/petition is fixed for hearing before the Tribunal at 8.00 A.M. If you wish to urge anything against the difference of the in person or by authorised representative or by any aly supported by your power of Attorney. You are, therefore, required to file in the least seven days before the date of hearing 4 copies of written statement my other documents upon which you rely. Please also take notice that in our appearance on the date fixed and in the manner aforementioned, the ion will be heard and decided in your absence.
given to you address. If y	of any alteration in the date fixed for hearing of this appeal/petition will be by registered post. You should inform the Registrar of any change in your ou fail to furnish such address your address contained in this notice which the n in the appeal/petition will be deemed to be your correct address, and further d to this address by registered post will be deemed sufficient for the purpose of petition.
Copy	of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice	e Nodated
Given	under my hand and the seal of this Court, at Peshawar this
Hov	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.

Always quote Case No. While making any correspondence.

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

·	PESHAWAR.	-
No.	1288	18
Appeal No.	Adil Khan	of 20 18
4-0	AT Dersus PATA	Appellant/Petitioner
· The Jely	(AI Serous) FATA	(.Respondent
	Agency Edu C	
Notice to:		miles Office.
•	18 along 14	gency.
WHEREAS an appeal Province Service Tribunal A	l/petition under the provision act, 1974, has been presented/re	of the North-West Frontier gistered for consideration, in
the above case by the petition	ner in this Court and notice has hidsappeal/petition is fixed for	been ordered to issue. You are
*onappellant/petitioner you are	at <u>8.00 A.M.</u> If you wish t at liberty to do so on the date fix	to urge anything against the ked, or any other day to which
Advocate, duly supported by	either in person or by authori your power of Attorney. You are	, therefore, required to file in
this Court at least seven da alongwith any other docum	ys before the date of hearing 4 nents upon which you rely. Ple	<u>copies</u> of written statement ase also take notice that in
	on the date fixed and in the and decided in your absence.	manner aforementioned, the
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	ched. Copy of appeal has alrea	dy been sent to you vide this
• .	dated	
Given under my hand	and the seal of this Court, at I	Peshawar this
Day of	mi 7 20	20
	1	Ct
11 / / 200		
1 FOX KEDWA)	Registrar, ntunkhwa Service Tribunal,

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

Peshawar.

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

	PESHAWAR.
	No. <u>5 B</u>
	·
	Appeal No
•	Annallant/Patitionar
ı.	178: Hall Khan
•	Versus 1
	1 N. T. Q. J. T. A. J. Bestondenwo &
	the Sery! (AI &) FATA DESTRUCTIONS. Respondent No.
	Respondent No
	Notice to:
	Notice to: - the Agency Accounts Officer,
*	
	WHEREAS an appeal/petition under the provision of the North-West Frontier
	Province Service Tribunal Act, 1974, has been presented/registered to 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
	*on
	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 enneel/netition will be deemed to be your correct address, and turiner
	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 Nodateddated
	Given under my hand and the seal of this Court, at Peshawar this
	Day of
	Registrar,
	Khyber Pakhtunkhwa Service Tribunal,
	Peshawar.
	Note: 1. The hours of attendance in the countare the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

. H	KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
A	JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.
4	37-
(). ().	Appeal No. 1288 of 2018 Appeal No. 1288 Appellant/Petitioner
a3(Appellant/Petitioner
	1 Sery (AT&C) FATA Deshaved.
	Respondent No2
·. ·	Notice to: - The Director Education FAIA
٠	Notice to: - the Director Education FATA FATA Servert artait warrant Respondent No
. ,	WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in
4	the above case by the netitioner in this Court and notice has been ordered to issue. Iou are
	hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on
	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. If you fail to furths reached the second to be your correct address, and further 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 Nodateddated
•	Given under my hand and the seal of this Court, at Peshawar this
	Day of
` , `	
	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. Always guote Case No. While making any correspondence.