

22nd June, 2022 Petitioner alongwith his counsel present. Syed Naseer Ud Din Shah, Assistant Advocate General alongwith Mr. Habib Nawaz, AD Local Government, Karak and Mr. Aizaz Ul Hassan, Supdt for respondents present.

The parties are directed to reconsider the matter outside the court and come up with some ^{Solution} To come up for further proceedings on 01.08.2022 before S.B.

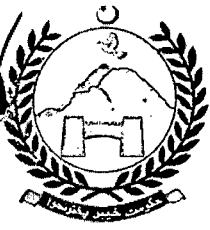
(Kalim Arshad Khan)
Chairman

01.08.2022 Learned counsel for the Petitioner present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Mr. Habib Nawaz, AD Local Government and Mr. Aizaz Ul Hasan, Superintendent for respondents present.

Despite clear direction from this Tribunal vide its judgment dated 03.06.2021, no enquiry was conducted within 90 days of the receipt of judgment. Moreover, parties did not settle the issue outside the court in the light of direction given on 22nd June, 2022. Today again the learned Advocate General stated that he needed time for submission of implementation report, however, he stated that the salary of the appellant had been released and he was receiving it on monthly basis. He informed that there was no vacant ^{post} of Naib Qasid in the office of Assistant Director Local Government and RDD Karak, and as soon as the post became available the petitioner would be considered on merit as per rules and law, but the petitioner did not agree with the suggestion.

As enough time has already passed and neither enquiry was conducted nor out of court settlement has been reached, there is no other choice but to give one last chance to settle the issue. Both parties are once again directed to settle it amicably to the satisfaction of the appellant. To come up for further proceedings on 09.09.2022 before S.B.

(Fareeha Paul)
Member (E)



**OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT, ELECTIONS & RURAL DEPARTMENT
GOVERNMENT OF KHYBER PAKHTUNKHWA KARAK**
Email Address: adkarak@gmail.com

Website: www.lgkp.gov.pk

Email address: adkarak@gmail.com

Phone Number: [0927-291204](tel:0927-291204)

No. 677/AD LG KK

Dated. 19/07/2022

Minutes of meeting regarding implementation of the order of Honorable Court of Service Tribunal Khyber Pakhtunkhwa Peshawar in execution Petition No, 217/2021 in service Appeal No, 1378/2019 on dated: 22/06/2022 under the chairmanship of AD LG & RDD Karak held on 18/07/2021.

A meeting was held on 18/07/2022 under the chairmanship of AD LG & RDD Karak in compliance of the order of Honorable Court of Service Tribunal Khyber Pakhtunkhwa Peshawar passed on 22/06/2022 in the execution Petition No, 217/2021 in Service Appeal No, 1378/2019 of Maqsood Islam VS Government.

The meeting was attended by the AD LG & RDD Karak, Progress Officer & Supervisor of the office of AD LG & RDD District Karak and Maqsood Islam along with his council.

The chair welcomed the participants and explained the aim/ objective of the meeting, the applicant i.e. Maqsood Islam was of the view that his pay may be drawn against the post of Naib Qasid instead of sound helper.

The chair explained that as per the order of Honorable Court of Service Tribunal of Khyber Pakhtunkhwa Peshawar passed on 22/02/2022 in the said execution petition, his pay has already been released and he has been receiving his pay regularly on monthly basis.

The chair further mentioned that at the present there is no vacant post of Naib Qasid in the office of the Assistant Director Local Government and RDD Karak, as and when the post of Naib Qasid becomes vacant then his case will be considered on merit as per rules and law. But the appellant was not agree with the suggestion of the chair. He said that matter /case will be decided by the Honorable Court of Service Tribunal of Khyber Pakhtunkhwa and was not ready to resolve the case outside the court.

The meeting was ended with the vote of thanks.

**Assistant Director
LG & RDD KARAK**

Endst: No & Date Even:

Copy forwarded to the:

1. Register Of Honorable Court of Service Tribunal Kyber Pakhtunkhwa Peshawar.
2. Assistant Director(Litigation) LG & RDD, Khyber Pakhtunkhwa Peshawar.
3. P.A to Director General LG & RDD Kyber Pakhtunkhwa Peshawar.

**Assistant Director
LG & RDD KARAK**



DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA

No. Director (LG) 3-1/Establishment/2020
Dated Peshawar, the 23rd November, 2020

1722

To

The Assistant Director,
LG&RD, Karak.

Subject:

ADVICE FOR STARTING OF SALARIES.

I am directed to refer to your letter No. 939/ADLGKK dated 09.09.2020 on the subject cited above and to request you to provide the appointment orders of the officials and copy of Source form on which their salaries were stopped and reasons of stoppage of salaries.

ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD

Endst: No. & date even:

Copy forwarded to the:

1. PA to Director General, LG&RDD, Khyber Pakhtunkhwa.

ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD



OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT DISTRICT KARAK

Website: www.lgkp.gov.pk
Email address: adkarak@gmail.com
Phone Number: 0927-291204

No 939 /ADLGKK

Dated. 09/09 /2020

To

The Director General
Local Government & Rural Development
Govt: of Khyber Pakhtunkhwa Peshawar.

SUBJECT: - ADVICE FOR STARTING OF SALARIES

Kindly refer to the subject cited above.

It is stated that the following two no officials were appointed by the then AD LG&RDD vide no 1002/ADLGKK and 1005/ADLGKK dated 29/12/2017 after completion of all codal formalities. The appointees drawn their monthly salaries up to 13 months regularly. Later on, upon the transfer of the said AD LG&RDD Karak the newly posted AD LG &RDD stopped the salaries of the said officials without completion of coddle formalities i.e. issuing any order of removal from services/or withdrawl of order etc. Now the said officials have knocked the door of the Honorable service tribunal for restarting of their salaries and the instant case is fixed for hearing on 14/09/2020.

Keeping in view of the above scenario the undersigned may kindly be guided as to either the salaries of the said official may be started or otherwise please.


Assistant Director
LG & RDD Karak

Copy forwarded to the District Account Officer Karak for information please.


Assistant Director
LG & RDD Karak



OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT DISTRICT KARAK

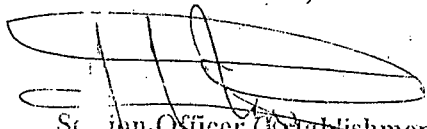
Dated.26/12/2017

Subject: MINUTES OF THE MEETING

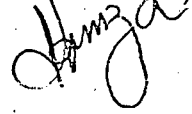
A meeting of the Departmental selection Committee under the Chairmanship of Assistant Director Local Government and Rural Development Department Karak was held on 26/12/2017 to consider recruitment against the vacant posts of Naib Qasid and Sweeper applications available/connected CVs were examined and checked and considered of the full scrutiny of the following candidates recommended for appointment against the posts.

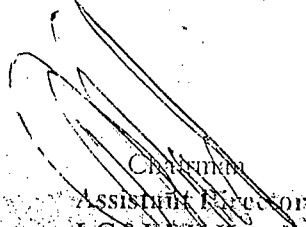
1. Mr. Maqsood Islam S/O Islam Badshah resident of Old Bazar Tehsil and District Karak. The Candidate is register in employment exchange District Karak Vide registration No.13260 he possessed medai Qualification. The applicants fulfil the criteria hence recommended for appointment for the post of Naib Qasid in the Office of the Assistant Director Local Government and Rural Development Department District Karak.
2. Arshad ul Haq S/O Kamia Gul resident of Teri Landoki Tehsil Banda Daud Shah District Karak. The Candidate is register in employment exchange District Karak Vide registration No. 15128 he possessed Metric Qualification. The applicants fulfil the criteria hence recommended for appointment for the post of Naib Qasid in the Village Council Mardan Khel in Local Government and Rural Development Department District Karak.
3. Mr. Balqiaz Sharcef S/O Muhammad Shareef resident of Ghundi Kalla P/O Dhub Tehsil and District Karak. The Candidate is register in employment exchange District Karak Vide registration No. 17277 he possessed Metric Qualification. The applicants fulfil the criteria hence recommended for appointment for the post of Sweeper in the Office of the Assistant Director Local Government and Rural Development Department District Karak.

(Member No. 1)


Section Officer (Establishment)
LG & RDD KPK

(Member No. 2)


Progress Officer
LG & RDD Karak


Chairman
Assistant Director
LG & RDD Karak

31.03.2022

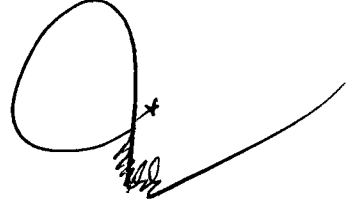
Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Habibi Nawaz, AD Local Government Karak and Mr. Azaz Ul Hassan, Supdt for respondents present.

The respondent-department produced a copy of pay slip in respect of the petitioner for the month of February 2022 substantiating that current salary has been released to the petitioner in pursuance of the judgement of Service Tribunal dated 03.06.2021 as well as order sheet dated 22.12.2021. On a question from the Bench regarding conducting proper enquiry as per spirit of the judgement of Service Tribunal, representative of the respondent-department could not advance any substantial reply/proof to show that proceedings have been initiated against the petitioner so far. Learned counsel for the petitioner raised objection on the pay slip of the petitioner (February 2022) wherein he has been shown as "Sound Helper" instead of his original post of Naib Qasid. DDO code statement was also produced reflecting at serial No. 66 one Muhammad Zeeshan Danish to have been appointed as Naib Qasid against the post of petitioner.

Learned AAG on the other hand substantiated that the appointment of the petitioner was illegal as there was no vacant post and the incumbent Assistant Director Local Government Karak (DDO) had been transferred and the petitioner was able to manoeuver for release of his salary in connivance with Accounts office on the basis of fake appointment letter dated 29.12.2017. A pertinent question was raised by the Bench before the learned AAG that if there was no vacant post at that point of time then how could the petitioner be appointed as Naib Qasid?. It was clarified that criminal proceedings have been initiated by registering FIR with Anti-Corruption Establishment against four accused persons including the petitioner. This point was rebutted by learned counsel for the petitioner stating that all this has been done during pendency of his execution petition when the Chapter had already been closed once the Service Tribunal decided his service appeal on 03.06.2021.

In view of the Pro & Contra arguments of the parties it is quite evident that basic issue remains the same i.e to conduct

enquiry within ninety days as per judgement of the Service Tribunal dated 03.06.2021 and order sheet dated 22.12.2021. The department is therefore, under obligation to conduct the enquiry against the petitioner as per directions specifically passed in the judgement of the Service Tribunal and produce the same for perusal of the court on the next date. Adjourned. To come up for further proceedings on 22.06.2022 before S.B.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a checkmark-like flourish.

(MIAN MUHAMMAD)
MEMBER(E)

22.12.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. AG alongwith Amir Abbas, (Litigation Officer) for the respondents present.

The petitioner has approached this Tribunal mainly on his grievance against stoppage of his salary and by judgment at his credit, his appeal was allowed giving liberty to the respondent department to conduct proper enquiry within ninety days after receipt of judgment. The judgment was passed on 03.06.2021 but learned AAG is clueless even today as to commencement of the enquiry. For the time being respondent department is directed to release current salary of the petitioner failing which appropriate coercive measure shall be taken as provided under the law against the responsible officer. Case to come up for compliance report on 10.02.2022 before S.B.


Chairman

10.02.2022

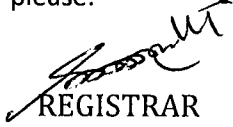


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 31.03.2022 for the same as before.


Reader

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 217 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	08.10.2021	<p>The execution petition of Mr. Maqsood Islam submitted today by Mr. Abdul Nasir Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This execution petition be put up before SB for hearing on <u>12/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	12.11.2021	<p>Counsel for the petitioner present.</p> <p>Notices be issued to the respondents for the date fixed. To come up for implementation report on 22.12.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution petition No. 217/2021

In

Service Appeal No: 1378/2019

Maqsood Islam

VERSUS

Govt of Khyber Pakhtunkhwa and Others

INDEX

S#	Description of Documents	Annex	Pages
1.	Execution Petition with Affidavit.		1-3
2.	Affidavit		4
3.	Addresses of Parties		5
4.	Copy of Judgment	"A"	6-8
5.	Copy of Appeal	"B"	9-14
5.	Wakalat Nama.		15

Dated: 08/10/2021

Maqsood
Petitioner

Through

Abdul Nasir
Advocate, High Court
Member District Bar
Association Karak.

A. Nasir
Cell no 0346 97 77 867

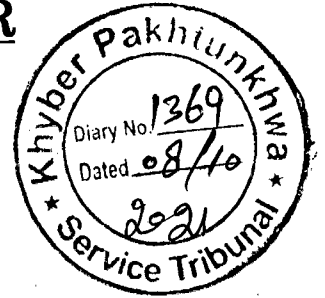
①

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution petition No. 217/2021

In

Service Appeal No: 1378/2019



Maqsood Islam S/o Islam Badshah, Naib Qasid Office Of
The Assistant Director , Local Government & Rural
Development Department, Karak

-----*Appellant*

VERSUS

1. Provincial Government of KP through Secretary
Local Govt & Rural Development, KPK
Peshawar.
2. Director General Local Govt & Rural
Development, KPK Peshawar
3. Assistant Director, local Govt & Rural
Development, Karak.

-----*(Respondents).*

EXECUTION PETITION
FOR IMPLEMENTATION
OF THE JUDGMENT OF
THIS HON'BLE TRIBUNAL
IN APPEAL No. 1378/2019
DECIDED ON 03/06/2021

Respectfully Sheweth,

1. That the above mentioned appeal was
decided by this Hon'ble Tribunal vide

Attest
A. N. Khan

(2)

Judgment dated 03/06/2021. (Copy of the judgment is annexed as annexure "A")

1. That the Petitioner after getting of the attested copy of the judgment of this Hon'ble Tribunal approached the Respondent for implementation of the decision of this Hon'ble Tribunal several time for implementation of the above mention judgment. However the respondents neither comply with the judgment of this Hon'ble Tribunal nor his filed has challenged the same before the appellate forum i.e Supreme Court Of Pakistan.

Attested
A. Noor

2. It is also submitted that the respondents has not conducted any inquiry nor initiated any proceeding as per direction of this Hon'ble Tribunal despite expiry of 90 days is fixed and specified in the judgment of the Tribunal.

3. That the respondent are legally and morally bound to obey order of this Hon'ble Tribunal and implement judgment of this Hon'ble Tribunal. But there are reluctant to implement the same.

(3)

4. That the respondents deliberately and intentionally dishonor judgment of the Honorable Tribunal and they have no regard to court orders and directions.


5. That there is nothing which prevent this Hon'ble Tribunal from implementing of its own judgment.

It is, therefore humbly, prayed that on acceptance of this execution petition, this Hon'ble Tribunal may be graciously be pleased to direct respondent to implement and comply with the judgment of this Hon'ble Tribunal.

Dated: 08/10/2021


Petitioner

Through


Abdul Nasir
Advocate, High Court
Member District Bar
Association Karak.

(4)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

Execution petition No. _____/2021

In

Service Appeal No: 1378/2019

Maqsood Islam

VERSUS

Govt of Khyber Pakhtunkhwa and Others

AFFIDAVIT

I, Maqsood Islam S/o Islam Badshah, Naib Qasid Office Of The Assistant Director , Local Government & Rural Development Department, Karak, do hereby solemnly affirm and declare that all the contents of the accompanied **appeal** is true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

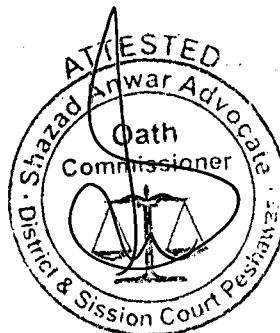
Identified By:

A. Nasir

Abdul Nasir ADVOCATE

Maqsood
DEPONENT

14262-1344852-9



5

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution petition No. _____/2021

In

Service Appeal No: 1378/2019

Maqsood Islam

VERSUS

Govt of Khyber Pakhtunkhwa and Others

ADDRESSES OF PARTIES

PETITIONER

Maqsood Islam S/o Islam Badshah, Naib Qasid
Office Of The Assistant Director , Local
Government & Rural Development Department,
Karak.


RESPONDENTS

1. Provincial Government of KP through Secretary
Local Govt & Rural Development, KPK
Peshawar.
2. Director General Local Govt & Rural
Development, KPK Peshawar
3. Assistant Director, local Govt & Rural
Development, Karak

Dated: 08/10/2021


Petitioner

Through

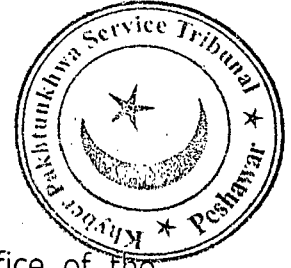

Abdul Nasir
Advocate, High Court
Member District Bar
Association Karak

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1378/2019

Date of Institution ... 21.10.2019
Date of Decision ... 03.06.2021



Maqsood Islam S/O Islam Badshah, Naib Qasid Office of the Assistant Director, Local Government & Rural Development Department, Karak.

... (Appellant)

VERSUS

Provincial Government of Khyber Pakhtunkhwa through Secretary Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

Abdul Nasir Khattak,
Advocate

... For appellant.

Kabir Ullah Khattak,
Additional Advocate General

... For respondents.

AHMAD SULTAN TAREEN
ROZINA REHMAN

... CHAIRMAN
... MEMBER (J)

JUDGMENT

ROZINA REHMAN, MEMBER : Brief facts of the case are that the appellant was appointed as Naib Qasid in the office of Assistant Director Local Government & Rural Development Department on the recommendation of Departmental Selection Committee. Accordingly he reported his arrival for duty. It was on 01.03.2019, when he was

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

7

informed by the bank official regarding the stoppage of his salary. He submitted departmental appeal which was not responded to, hence, the present service appeal.

2. Learned counsel for the appellant argued that the appellant was properly appointed on the recommendation of DSC, therefore, entitled to receive his salary. He submitted that he was allowed salary for thirteen (03) months which is evident from the last pay slip for the month of January 2019, therefore, the respondents were not authorized to stop his salary. He argued that he is performing his duty regularly but was deprived of his monthly pay and thus the respondents violated rule and regulations of the Government.

3. Conversely, learned A.A.G submitted that the appellant was neither appointed as Naib Qasid nor departmental Selection Committee recommended him for the said post as no DSC was constituted. He contended that appointment order dated 29.12.2017 was issued in back date by the then Assistant Director Local Government and Rural Development Department, Karak by way of Fraud. He, therefore, requested for the dismissal of the instant appeal as the appointment was bogus and fake.

4. From the record, it is evident that upon the recommendation of Departmental Selection Committee petitioner was appointed against the vacant post of Naib Qasid in the office of Assistant Director Local Government and Rural Development Department District Karak vide order dated 29.12.2017. He submitted his arrival

Naib Qasid
A.A.G

3/6/21

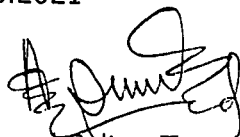
ATTESTED

EXAMINER
Karak
Service
Peshawar

2

report which is available on file where-after he started his service and he received salary which is evident from his payroll available on file. Different letters were produced by the appellant during arguments which are available on file vide which advice was sought by Assistant Director from Director General of Local Government in respect of the present appellant. From the comments of the respondents it is also evident that when the bogus appointment order was pointed out, pay of the appellant was stopped and high ups were informed for conducting inquiry regarding the fake appointment which is still awaited. It is not denied that pay of the appellant was stopped without conducting proper inquiry, therefore, this appeal is allowed with direction to the respondents to conduct proper inquiry within ninety (90) days of the receipt of this judgment. The appellant shall be provided proper opportunity of defense during the inquiry proceedings. The issue of back benefits is subject to the outcome of inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
03.06.2021


(Ahmad Sultan Tareen)
Chairman


(Rozina Rehman)
Member (J)

Certified to be true copy

MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 03/06/2021
 Number of Pages 18
 Copying Fee 1600
 Urgent 18
 Total 18
 Name of Clerk [Signature]
 Date of Completion of Copy 17/6/2021
 Date of Delivery of Copy 17/6/2021

Attested
[Signature]

(4)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

Service Appeal No: 1378 /2019

Maqsood Islam S/o Islam Badshah, Naib Qasid office
of the Assistant Director, Local Government & Rural
Development Department, Karak.

-----*(Appellant)*

VERSUS

1. Provincial Government of KP through Secretary
Local Govt & Rural Development Department, KP,
Peshawar.
2. Director General, Local Govt: & Rural Development
Deptt, KP, Peshawar.
3. Assistant Director, Local Govt & Rural Development
Deptt, Karak.

-----*(Respondents)*

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974, AGAINST THE IMPUGNED ORDER/ ACT OF
THE RESPONDENT NO.3, DATED 01/02/2019,
WHEREBY SALARIES (MONTHLY PAY) OF THE
APPELLANT HAS ILLEGALLY, UNLAWFULLY,
UNCONSTITUTIONALLY AND MALAFIDELY
BEEN STOPPED AND APPELLANT HAS BEEN
DEPRIVED OF HIS LEGAL, CONSTITUTIONAL
AND FUNDAMENTAL RIGHT WITHOUT ANY
WRONG AND FAULT.**

Respectfully Sheweth:

The appellant submit as following:-

1. That the appellant was appointed as Naib Qasid
in the office of the Assistant Director Local

*Attested
A.A.*

70

Govt; and Rural Development Karak on the recommendation of Departmental Selection Committee on 29/12/2017. (Copy of appointment order is annexed as Annexure "A")

2. That in pursuance of annexure "A", the appellant after Medical Fitness Certificate issued by Medical Superintendent District Headquarter Hospital Karak reported his arrival for duty in the office of Respondent No.3. (Copies of Medical Certificate & Arrival Report are annexed as Annexure "B & C" respectively).

3. That thereafter the appellant is performing his official duties regularly.

4. That on 01/03/2019 after 14 months of my service when I went to my bank for receiving of my salary for the month of February 2019, I was informed by the bank official that my pay for February 2019 has not been credited to the Bank concerned. So in such circumstances I went to the district accounts office which is situated nearby the bank.

5. That in the account office, I was told that Respondent No.3 has stopped my salaries

Attested
A. No.

1/

through impugned source form dated 1/02/2019.
(Copy of impugned documents i.e. Pay form 2,
i.e source 2, copy of impugned form 2 pay is
annexed as Annexure "D")

6. That the appellant approached to Respondent No.3 who first promised about release of my salary but later on refused to release it.
7. That being aggrieved by the act/ order of respondent No.3 the appellant submitted departmental representation before the Respondent No.2. But Respondent No.2 did not responded. (Copy of Representation is annexed as Annexure "E")
8. That meanwhile the appellant once again conveyed reminder to Respondent No.2 for decision on his representation but the Respondent No.2 has kept mum till date. (Copy of Reminder is annexed as Annexure "F"). Hence my reminder of represent may kindly be treated as Final Order.
9. That the appellant is being suffering from consecutive recurring loss for long time, has no other adequate remedy except to approach this Hon'ble Tribunal for redressal of his grievances

*Attested
A. M. M.*

42

and provision of justice on the following grounds inter-alia:-

Grounds:

- A. That the appellant being regular civil servant appointed on the recommendation of Departmental Selection Committee is entitled to get and receive salary of Naib Qasid post.
- B. That respondent No.3, who has allowed 13 months salaries to the appellant till 31/01/2019 as evident from last pay slip for the month of January 2019 is annexure "G". Now can't stop salary of the appellant without any prior notice.
- C. That stoppage of salary of appellant without issuing any notice to appellant is against law, rules and natural justice.
- D. That despite of regular performance of duty depriving of appellant of his monthly pay, is brutal injustice and is against the verdict of Superior Courts of the country.
- E. That the respondent No.3 has no authority to deprive appellant of his legal and constitutional right i.e. monthly pay.

Attested
A. Noor

153

F. That the respondent especially Respondent No.3 has no jurisdiction, to ignore & violate rules and regulations of the Govt.

G. That the appellant has been condemned unheard.

H. That the Respondent No.3 before stopping of salaries of appellant has not provided any opportunity of self defense nor has provided right of audience/ personal hearing.

I. That the impugned act of stopping of salaries of the appellant is against all laws, rules and statutes, hence not tenable in the eye of law.

J. That Respondent No.3 through impugned documents form Pay 2 i.e. Source form 2 has utterly ignored service rules and ethics.

K. That before the impugned action of stopping of pay of the appellant, no show-cause notice has been issued to appellant, no explanation has been called, nor any inquiry or other disciplinary proceeding has been initiated or conducted.

Attested
A. N. S.

#14

L. That any other ground not specifically raised here may graciously ~~to~~ be allowed to ^{be} raised at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of the Service Appeal the impugned act of Respondent No.3 dated 01/02/2019 regarding stoppage of monthly salaries / pay of the appellant may very graciously be declared illegal, unlawful, invalid, ineffective, null & void and respondent No.3 may kindly be directed to release monthly pay/ salaries of the appellant.

Miss Fool
A. M. V.

Interim Relief:

By way of Interim Relief, compliance of the impugned Form Pay 2, Source 2 of the Respondent No.3 may kindly be suspended till final decision of the main appeal.

Maqsood Islam
Appellant

Maqsood Islam

Through

A. Nasir
Abdul Nasir Khattak
Advocate, High Court




Dated: 19/10/2019

Karak.

Certificate:-

Certified that no such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.

Advocate.

50 روپے	101163			
ایڈووکیٹ عبدالناصر ABDUL NASIR		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل/ ایسوسی ایشن نمبر: bc-10-4514				
رابطہ نمبر: 03469777867				

بعدالت جناب: سروسز ٹریبیونل خیبر پختونخواہ پشاور، K.P. Service Tribunal

مخانب: سائل Petitioner	دعویٰ:
عد صود اسلام بنام صوبہ نوب	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام پشاور کیلئے عبدالناصر صاحب KTK ABDUL NASIR کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 8-10-2021

العبد العواہ شد

مقام پشاور
Peshawar

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

مقعود