

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**SERVICE APPEAL NO. 1385/2018**

Date of institution ... 08.11.2018

Date of judgment ... 17.10.2019

Faheez Zaman Presently (Senior Clerk) District Attorney Office Hangu.

... (Appellant)

**VERSUS**

1. Secretary Law Parliamentary Affairs and Human Rights Department.
  2. Section Officer (General) Law Department.
  3. District Attorney Hangu.
  4. Government of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa Peshawar.
  5. Nisar Ahmad Senior Clerk District Attorney Office Haripur and 6 others private
- ... (Respondents)

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE ILLEGAL NOTIFICATION ISSUED BY THE RESPONDENTS SO (G)LD/15-14/2018 DATED 27.06.2018 REGARDING FINAL SENIORITY LIST OF SENIOR CLERK (BPS-14) AND AGAINST NOT DECIDING THE APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF 90 DAYS.

Miss. Sophia Noreen, Advocate.

.. For appellant.

Mr. Ziaullah, Deputy District Attorney

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. AHMAD HASSAN

.. MEMBER (EXECUTIVE)

**JUDGMENT**

**MUHAMMAD AMIN KHAN KUNDI, MEMBER: -**

Appellant

alongwith counsel and Mr. Ziaullah, Deputy District Attorney for the respondents present. Private respondents No. 5 to 11 have already been proceeded ex-parte vide order sheet dated 08.07.2019. Arguments heard and record perused.

*M. Amin*  
*17.10.2019*

2. Brief facts of the case as per present service appeal are that the appellant was serving as Senior Clerk in the office of District Attorney Hangu. The appellant was initially appointed as Naib Qasid in BPS-1 in the respondent-department vide order dated 04.03.2004 on contract basis and thereafter regularized on 12.11.2005. The appellant was promoted to the post of Junior Clerk by the Departmental Promotion Committee vide notification dated 30.05.2006. The appellant was further promoted to the post of Senior Clerk on regular basis vide order dated 18.03.2009 and as per seniority list dated 27.09.2012 of the Senior Clerks stood on 25.09.2012, the appellant was shown at serial no. 2 of the seniority list while one Haider Ali was show at the top of the said seniority list. Same way the respondent-department issued another seniority list of Senior Clerks of the District Government Pleaders Wing in the Khyber Pakhtunkhwa on 28.03.2014 wherein the appellant was shown at serial no. 2 while the private respondents No. 5 to 11 were shown junior to him. Same way as per tentative seniority list of Senior Clerks of Government Pleader Wing in the Khyber Pakhtunkhwa stood on 25.04.2016, the appellant was shown at serial no. 2 while the private respondents were shown junior to him. As per same seniority list he was shown regularly promoted to the post of Senior Clerk on 18.03.2009 while the private respondents were regularly shown promoted to the post of Senior Clerks on 15.11.2012. Same is the position of tentative seniority list of Senior Clerks of District Attorney in the Khyber Pakhtunkhwa stood on 04.12.2017 but in the final seniority list of Senior Clerks of the office of District Attorney Law Department issued on 27.06.2018 by the competent authority stood on 31.12.2017, the private respondents were shown senior to the appellant. Feeling aggrieved from the seniority list dated 27.06.2018 stood on 31.12.2017, the appellant filed departmental appeal which was not responded hence, the present service appeal.

*Alfonso*  
*17.10.2019*

3. Respondents were summoned who contested the appeal by filing written reply/comments.

4. Learned counsel for the appellant contended that the appellant was appointed as Naib Qasid on contract basis in the respondent-department vide order dated 04.03.2004. It was further contended that he was regularized on 12.11.2005. It was further contended that the appellant was promoted to the post of Junior Clerk by the Departmental Promotion Committee vide order dated 30.05.2006. It was further contended that the appellant was further promoted to the post of Senior Clerk on regular basis vide order dated 18.03.2009 while the private respondents were regularly promoted to the post of Senior Clerk on 15.11.2012 as revealed from the column no. 9 of the said seniority list therefore, <sup>will be</sup> the appellant was shown senior to the private respondents in the seniority list in the seniority list dated 04.12.2017 but the respondent-department without any notice to the appellant has shown the appellant junior to the private respondents in the final seniority list dated 25.06.2018 stood on 31.12.2017. It was further contended that from all the copies of seniority lists available on the record including the impugned seniority list dated 25.06.2018 issued on 31.12.2017 it is clear from column of regular promotion that the appellant was promoted to the post of Senior Clerk in the year 2009 while the private respondents were promoted to the post of Senior Clerk in the year 2012 therefore, the seniority was to be counted from the date of promotion to the post of Senior Clerk therefore, the appellant was senior to the private respondents but the respondent-department has illegally shown the private respondents senior to the appellant in the impugned seniority list therefore, prayed for rectification of the same and acceptance of appeal.

5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that

*W. Khan*  
17.10.2019

the inter-se seniority of the appellant and private respondents was fixed according to their age therefore, the appellant was placed at serial no. 9 as the private respondents are elder in age than the appellant as revealed from the column no. 5 of the seniority list dated 27.06.2018 stood on 31.12.2017 therefore, the respondent-department has rightly shown the appellant junior to the private respondents and prayed for dismissal of appeal.

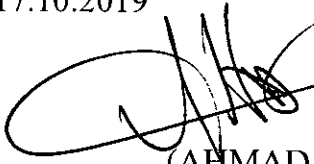
6. Perusal of the record reveals that the appellant was appointed as Naib Qasid (BPS-1) on contract basis vide notification dated 04.03.2004. He was regularized on 12.11.2005, the appellant was promoted to the post of Junior Clerk by the Departmental Promotion Committee on 30.05.2006 and later on he was further regularly promoted to the post of Senior Clerk on 18.03.2009 while the private respondents were promoted to the post of Senior Clerk on 15.11.2012 as reveals from column of regular promotion in the seniority list therefore, the appellant was shown senior to the private respondents in the tentative available on record till 2017 but astonishingly in the final seniority list dated ~~27~~<sup>m</sup>.06.2018 stood on 31.12.2017, the appellant was shown junior the private respondents, probably on the ground as argued by the learned Deputy District Attorney that the appellant was younger in age than the private respondents. Admittedly, the appellant was promoted to the post of Senior Clerk vide order dated 18.03.2009 while the private respondents were promoted to the post of Senior Clerk on 15.11.2012 therefore, the seniority of Senior Clerks would have been counted from the date of promotion to the post of Senior Clerk therefore, the appellant was senior to the private respondents and he was rightly shown senior to the private respondents in the tentative seniority lists till 2017 but the respondent-department has illegally shown the appellant junior to the private respondents in the final seniority list dated 27.06.2018 stood on 31.12.2017 probably on the basis of age therefore, the appeal is

*Perusal of record  
17.10.2019*

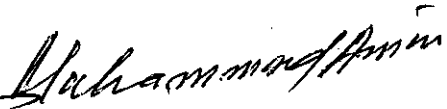
accepted, the impugned seniority list dated 27.06.2018<sup>Stand in</sup> on 31.12.2017 is set-aside with the direction to the respondent-department to rectify the impugned seniority list and place the name of the appellant senior to the private respondents. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

17.10.2019



(AHMAD HASSAN)  
MEMBER




(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

11.09.2019

Appellant in person present. Asst: AG for respondents present. Appellant seeks adjournment as his counsel is not available today. Adjourned. To come up for arguments on 17.10.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

17.10.2019

Appellant alongwith counsel and Mr. Ziaullah, Deputy District Attorney for the respondents present. Private respondents No. 5 to 11 have already been proceeded ex-parte vide order sheet dated 08.07.2019. Arguments heard and record perused.

Vide our detailed judgment of today consisting of five pages placed on file, the appeal is accepted, the impugned seniority list dated 27.06.2018 <sup>stood in</sup> on 31.12.2017 is set-aside with the direction to the respondent-department to rectify the impugned seniority list and place the name of the appellant senior to the private respondents. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
17.10.2019

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

  
(AHMAD HASSAN)  
MEMBER

22.04.2019

Appellant with counsel and Addl: AG alongwith Mr. Muhammad Ismail, Supdt for official respondents no. 1 to 4 present. Written reply on behalf of respondent no. 1 to 4 submitted which is placed on file. Neither representative of respondent no. 5 to 11 present nor their written reply submitted. Notice be issued to them. Last opportunity granted. Case to come up for written reply/comments of private respondents no. 5 to 11 on 11.06.2019 before S.B.

  
(Ahmad Hassan)  
Member

11.06.2019

None for the appellant present. Addl: AG for official respondents no. 1 to 4 present. Neither representative of respondents no. 5 to 11 present nor their written reply submitted despite last opportunity. Another last opportunity granted to them. Case to come up for written reply/comments of private respondents no. 5 to 11 on 08.07.2019 before S.B.

  
(Ahmad Hassan)  
Member

08.07.2019

Counsel for the appellant and Addl. AG for respondents No. 1 to 4 present. Nemo present on behalf of respondents No. 5 to 11.

Despite last opportunity the private respondents No. 5 to 11 have not submitted their written reply. They are not even represented today, therefore, are placed ex-parte.

Learned counsel for the appellant has submitted rejoinder which is placed on record. To come up for arguments before the D.B on 11.09.2019.

  
Chairman

Handwritten notes in Urdu script, including the date 11/7 and some illegible text.

06.03.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned to 22.04.2019 for written reply/comments before S.B.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

~~22.04.2019~~

~~Appellant in present and Addl: AG alongwith Mr. Muhammad Ismail, Supdt for official respondents no. 1 to 4 present. Written reply/comments on behalf of respondents no. 1 to 4 submitted which is placed on file. None present on behalf of private respondents no. 5 to 11 not submitted. Notice be issued to them. Last opportunity granted. Case to come up for written reply/comments of private respondents no. 5 to 11 on 11.06.2019 before S.B.~~

(Ahmad Hassan)  
Member



1385/2018

03.12.2018

Counsel for the appellant present.

Contends that the appellant was promoted to the post of Senior Clerk (BPS-09) on regular basis on 18.03.2009. He was placed at Sr.no.2 of final seniority list of Senior Clerks issued on 27.09.2012. The said position of the appellant was maintained in the tentative list of 2016-17. However, in the seniority list dated 27.06.2018 the appellant was placed at Sr. no. 9 which act of the respondents was without lawful authority. The appellant, thereafter, preferred departmental appeal on 17.07.2018 which remained un-responded, hence, the service appeal in hand.

Appellant Deposited  
Security & Process Fee



The Points raised through the memorandum of appeal and agitated at the bar merit admission of appeal for regular hearing. Admit. The appellant is directed to deposit security and process fee within 10 days. Notices be issued to the respondents for submission of written reply/comments on 28.01.2019 before S.B.

28.01.2019

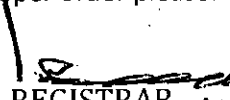
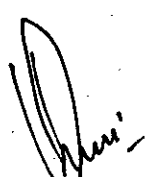
Appellant alongwith counsel present. Mr. <sup>Chairman</sup> Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Ismail, Section Officer for the respondents present. Written reply not submitted. Learned Additional AG requested for adjournment. Adjourned. To come up for written reply/comments on 06.03.2019 before S.B.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

Form- A  
FORM OF ORDER SHEET

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

Case No. 1385/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/11/2018  <i>17-11-2018</i>	<p>The appeal of Mr. Faheez Zaman resubmitted today by Sophia Noreen Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR <i>12/11/18</i></p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>3-12-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mr. Faheez Zaman presently Senior Clerk District Attorney Office Hango received today i.e. on 08.11.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellatant.
- 2- Departmental appeal having no date be dated.
- 3- Sub-rule-4 of rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect, shall also be shown as respondent.

No. 2907 /S.T,

Dt. 9-11 /2018.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Sophia Noreen Adv. Peshawar.

- (1) Memorandum of the appeal signed by the appellatant
- (2) Date is mentioned of departmental appeal
- (3) other respondents are added in the main appeal

Resubmitted after due completion

S.  
12/11/18

**BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR**

*Appeal no. 1385/2018*  
**FAHEEZ ZAMAN**

**VERSUS**

**SECRETARY LAW ETC**

S.NO	DESCRIPTION	ANNEXURE	PAGES
1.	Grounds of Appeal		1-5
2.	Affidivit		6
3.	Address to parties		7
4.	Copy of CNIC	A	8
5.	Copies of Notifications dated 04/03/2004, 12/11/2005	B & C	9-10
6.	Copy of Notification dated 30/05/2006	D	11
7.	Copy of Notification dated 18/03/2009	E	12
8.	Copy of final Seniority list dated 27/09/2012 and tentative lists 2014, 2016, 2017 and final seniority list of junior clerk dated 27/09/2012	F, G, H, I and J	13-23
9.	Copy of final seniority list dated 27/06/2018	K	24-25
10.	Copy of Departmental Representation/Appeal	L	26-27
11	Wakalatnama		28

Dated: 08/11/2018

Through

Appellant

*Si*  
**SOPHIA NOREEN, Advocate**  
High Court Peshawar

& *H Khan*  
**IMRAN KHAN**

**ADVOCATE, HIGH COURT  
PESHAWAR**

**0334 9164998**

**Al Mamtaz Hotel, room No.310 G.T  
Road Peshawar**

Cell #

Office Address: -

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWARService Appeal No. 1385 /2018Khyber Pakhtunkhwa  
Service TribunalDiary No. 1620Faheez Zaman Presently (Senior Clerk) District Attorney Office Hangu. Dated 08/11/2018

... APPELLANT

VERSUS

1. Secretary Law Parliamentary Affairs And Human Rights Department
2. Section Officer (General) law Department
3. District Attorney Hangu
4. Government of Khyber Pakhtunkhwa, through Chief Secretary Pakhtunkhwa Peshawar.
5. Nisar Ahmad Senior Clerk District Attorney Office Haripur.
6. Shahab Ali Senior Clerk District Attorney Office Swat.
7. Ismail Khan Senior Clerk District Attorney Office Laki Marwat.
8. Zafar Ali Senior Clerk District Attorney Office Nowshera.
9. Muhammad Ishfaq Senior Clerk District Attorney Office Charsadda.
10. Mazhar Khan Senior Clerk District Attorney Office Abbottabad.
11. Muhammad Ilyas Senior Clerk District Attorney Office lower Dir.

... RESPONDENTS

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT 1974 AGAINST THE ILLEGAL  
NOTIFICATION ISSUED BY THE RESPONDENTS SO (G)LD/15-  
14/2018 DATED 27/06/2018 REGARDING FINAL  
SENIORITY LIST OF SENIOR CLERK (BPS-14) AND AGAINST  
NOT DECIDING THE APPEAL OF THE APPELLANT WITHIN  
THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL THE  
ILLEGAL NOTIFICATION SO (G)LD/15-14/2018 DATED  
27/06/2018 OF FINAL SENIORITY LIST OF SENIOR CLERK  
(BPS-14) ISSUED BY THE RESPONDENTS, WHEREBY THE  
APPELLANT WRONGLY PLACED ON SERIAL NO.9 BY  
CHANGING HIS PREVIOUS POSITION ON SERIAL NO.2 MAY

Re-submitted to -d  
and filed.

Registrar

12/11/18

Filed to-day

Registrar

8/11/18

②

KINDLY BE DECLARED ILLEGAL UNCONSTITUTIONAL WITHOUT LAWFUL AUTHORITY VOID AND IS LIABLE TO BE SETASIDE AND THE APPELLANT BE PLACED ON SERIAL NO.2 ACCORDING TO HIS PREVIOUS POSITION IN THE FINAL SENIORITY LIST OF SENIOR CLERK (BPS-14) WITH ALL CONSEQUENTIAL BENEFITS.

Respectfully Sheweth,

1. That the appellant is serving the respondents department as Senior Clerk (BPS-14) and performing his duty as per according to the assignments (Copy of CNIC is attached as annexure A).
2. That the appellant was initially appointed as Naib Qasid in (BPS-1) in the respondents department on contract basis vide notification No.SLT:15(1)96 1261-68 dated 04/03/2004 and thereafter regularized on 12/11/2005 vide Notification No. E&A(LD)9-2/03/ALD & Lib)8065-75 (Copies of Notifications and regularization are attached as annexure B& C).
3. That the appellant was promoted to the post of Junior Clerk by Departmental Promotion Committee on 30/05/2006 vide notification E&A(LD)2-77/2003/7966-8008(Copy of Notification dated 30/05/2006 is attached as annexure D).
4. That the appellant is further promoted to the Post of Senior Clerk in (BPS-09) on regular basis on 18/03/2009 vide notification No. SO (G) E&A/LD/2-77/2006 (Copy of Notification dated 21/02/2009 is attached as annexure E).
5. That the final seniority list of senior clerk issued by respondents department vide notification No.E&A(LD)2-77

dated 27/09/2012 whereby the appellant was placed at serial No.2 and the same position serial No.2 of the appellant was remained maintained in the tentative list of 2014,2016,2017 respectively and the respondents department also issued final seniority list of junior clerks dated 27/09/2012 vide notification No. is E&A/LD/2-77/seniority list 2012.(Copies of tentative lists and final seniority list of junior clerks are attached as F, G, H, I and J).

2. That during all this period no employees mentioned in the seniority list ever challenged the seniority list.
3. That in the year 2018 through notification no. SO(G)LD/15-14/2018 dated 27/06/2018 respondents department issued the final seniority list of the senior clerk (BPS-14) where the appellant was illegally malafidely placed at serial No.9 instead of serial No.2 (Copy of final seniority list dated 27/06/2018 is attached as annexure J).
4. That to this effect the appellant has moved a departmental representation/Appeal to the respondents department but no weight was given to his Departmental appeal/representation and the same was not decided within the statutory time of 90 days. (Copy of Departmental Representation/Appeal is attached as annexure K).
5. That being aggrieved from illegal notification no. SO(G)LD/15-14/2018 dated 27/06/2018 the appellant is having no alternate remedy except to knock the door of this honourable tribunal on the following grounds amongst the others.

### **Grounds:**

- a) That the respondents are trying to deprive the appellant from his legal and constitutional rights without lawful authority.

- b) That the appellant is legally entitled to be placed on serial No. 2 but the respondents are denying his legal right hence the instant appeal.
- c) That the appellant is qualifying all the requirements of seniority list but the respondents are trying to kept their choice on the top of the seniority list, which is against the law and statutes.
- d) That if the act of the respondents is not stopped and if the respondents are not directed to follow the statutes/law on the subject matter above, the appellant would suffer irreparable loss.
- e) That the appellant is promoted to senior clerk in 2009 and till the final seniority list of 2018, no one ever challenge it which come under the law of estoppel.
- f) That the impugned seniority list is clear violation of article 4 and 25 of the constitution of Islamic republic of Pakistan 1973.
- g) That the name of the appellant at serial No.9 is not according to law, hence liable to be set aside and the appellant be placed on his original position serial No.2 instead of serial No.9.
- h) That any other grounds will be raised at the time of arguments with the prior permission of this honourable court.



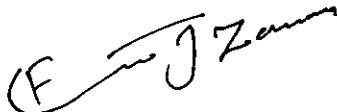


(5)

It is therefore most humbly prayed that on acceptance of the instant service appeal the illegal notification issued by the respondent SO (G)LD/15-14/2018 dated 27/06/2018 regarding final seniority list of senior clerk (bps-14) issued by the respondents, whereby the appellant wrongly placed on serial no.9 by changing his previous position on serial no.2 may kindly be declared illegal unconstitutional without lawful authority void and is liable to be set aside and the appellant be placed on serial no.2 according to his previous position in the final seniority list of senior clerk (BPS-14) with all consequential benefits.

Any other remedy which this August Tribunal deems fit and appropriate in the circumstances may also very kindly be awarded to the appellant in the larger interest on justice.

Dated: 08/11/2018

Through

  
Appellant   
**SOPHIA NOREEN**, Advocate  
HIGH COURT PESHAWAR  
&   
**Imran Khan**  
Advocate High Court  
&  
**SYED GHOUS AZAM SHAH**  
ADVOCATE PESHAWAR

Certificate: -

Certified that as per instructions of my client no such like appeal has been filed before this Honorable Tribunal .

  
Advocate

LIST OF BOOKS: -

1. Constitution of Islamic Republic of Pakistan 1973.
2. Any other book as per need.

  
Advocate

6

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2018

Faheez Zaman

VERSUS

Secretary Law Department etc

AFFIDAVIT

I, Faheez Zaman Presently (Senior Clerk) District Attorney Office Hangu, do hereby solemnly affirm and declare on oath that the contents of this service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

*F. Zaman*  
Deponent

19101-4343054-5

Identified by: *S*  
**SOPHIA NOREEN,**  
ADVOCATE,  
HIGH COURT PESHAWAR

ATTESTED  
Anwarzeb Advocate  
Oath  
Commissioner  
Peshawar High Court Peshawar  
*A*  
*21-11-18*

(7)

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

FAHEEZ ZAMAN

VERSUS

SECRETARY LAW ETC

ADDRESSES OF PARTIES

**ADDRESS OF APPELLANT:**

*Faheez Zaman Presently (Senior Clerk) District Attorney Office Hangu.*

**ADDRESSES OF RESPONDENTS**

1. *Secretary Law Department*
2. *Section Officer (General) law Department*
3. *District Attorney Hangu*
4. *Government of Khyber Pakhtunkhwa, through Chief Secretary Pakhtunkhwa Peshawar.*
5. *Nisar Ahmad Senior Clerk District Attorney Office Haripur.*
6. *Shahab Ali Senior Clerk District Attorney Office Swat.*
7. *Ismail Khan Senior Clerk District Attorney Office Laki Marwat.*
8. *Zafar Ali Senior Clerk District Attorney Office Nowshera.*
9. *Muhammad Ishfaq Senior Clerk District Attorney Office Charsadda.*
10. *Mazhar Khan Senior Clerk District Attorney Office Abbottabad.*
11. *Muhammad Ilyas Senior Clerk District Attorney Office lower Dir.*

Appellant

Through



**SOPHIA NOREEN**

*Advocate, High Court Peshawar*

&

**SYED GHOUS AZAM SHAH**

**ADVOCATE, PESHAWAR**

8

A



حکومت پاکستان

قومی شناختی کارڈ  
14101-4343054-5



نام: قید زماں  
جنس: مرد  
موجودہ نام: احمد خان  
پیدائشی حالت: گولی نہیں

تاریخ پیدائش: 31/05/1984

امریاز تاجور

دہلاؤ جسر جنرل

شمارہ کارڈ



شناختی نمبر: 14101-4343054-5 نامزدان نمبر: T7Z3F8

موجودہ پتہ: اوراستہ ڈاکخانہ بنگلہ تحصیل و ضلع بنگلہ

14494202184 قومی شناختی نمبر

سنگل پتہ: ایضاً

تاریخ اجراء: 23/01/2015 تاریخ ترمیم: 23/01/2025  
شمسہ کارڈ ہے برقی کسٹم میں ڈال دیں



9

13

**GOVERNMENT OF THE N.-W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.**

**Dated Peshawar the .03.2004.**

**ORDER.**

No.SLT:15(1)96.-The competent authority is pleased to appoint the following candidates as Naib Qasid (BS-01) in Muffasil Establishment of the Law Department (on contract basis as per Government policy) and post them in the offices noted against each with immediate effect:

S.NO.	NAME AND ADDRESS	PLACE AND DISTRICT OF POSTING.
1.	Mr. Nazim Ali s/o Mehrdil R/o Mitta Khan Ustarzai, Kohat.	Public Prosecutor, Kohat.
2.	Mr. Faheez Zaman s/o Haji Ahmed Khan, R/o Village Warsta Tehsil and District Hangu.	Public Prosecutor, Hangu.

**(AMIR GULAB KHAN)**  
**Secretary to Government of the N.-W.F.P.,  
Law, Parliamentary Affairs and  
Human Rights Department.**

No. No.SLT:15(1)96/

1261-68

Dated: 04/03/2004.

Copy forwarded to:

1. The District Accounts Officers concerned.
2. The Public Prosecutors/Additional Public Prosecutors concerned.
3. The P.S to Secretary to Government of N.-W.F.P., Law Department.
4. The officials concerned.
5. The Accounts "Litigation Cell" Law Department.

حقیقہ الرضا کو

Attested to be true

Copy

Slit

(Muhammad Asim Imam)  
Director Prosecution  
N.-W.F.P.  
Law Department.

(10)

e7

**GOVERNMENT OF THE N.-W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.**

Peshawar, dated the 10.2005.

**ORDER:-**

No. E&A(LD)9-2/03/(ALD&Lib.) -In pursuance of the provisions contained in sub-section (2) of section 19 of the North-West Frontier Province Civil Servants Act, 1973 (N.-W.F.P. Act No. XVIII of 1973), as amended by the North-West Frontier Province Civil Servants (Amendment) Act, 2005 (N.-W.F.P. Act No. IX of 2005), the competent authority is hereby pleased to regularize the services of the following Officials, who were appointed on contract basis, because of the policy then in vogue.

1. Mr. Latif Khan, Naib Qasid (BPS-01).	9. Mr. Muhammad Ilyas, Naib Qasid (BPS-01).
2. Mr. Alam Khan, Naib Qasid (BPS-01).	10. Mr. Muhammad Ishfaq, Naib Qasid (BPS-01).
3. Mr. Muhammad Yousaf, Naib Qasid (BPS-01).	11. Mr. Pazir Gul, Naib Qasid (BPS-01).
4. Mr. Faheez-uz-Zaman, Naib Qasid (BPS-01).	12. Mr. Raza Khan, Naib Qasid (BPS-01).
5. Mr. Shahab Ali, Naib Qasid (BPS-01).	13. Mr. Zafar Ali Khan, Naib Qasid (BPS-01).
6. Mr. Amir Muhammad, Naib Qasid (BPS-01).	14. Mr. <i>Mazhar Khan</i> Naib Qasid (BPS-01).
7. Mr. Shahid Azeem, Naib Qasid (BPS-01).	15. Mr. Ghulam Ali, Chowkidar (BPS-01).
8. Hafiz Ismail Khan, Naib Qasid (BPS-01).	

2. On regularization of their services, they shall, for all intents and purposes, be deemed to have been appointed as civil servants, except that they shall not be entitled to pensionary benefits, as already provided in the aforesaid section 19(2).

**AMIR GULAB KHAN**  
Secretary to Government of NWFP,  
Law, Parliamentary Affairs and  
Human Rights Department.

ENDST No. E&A(LD)9-2/03/(ALD&Lib) 8065-75-

Dated 12/10/2005.

- Copy forwarded for information and necessary action to:
1. The Chief Secretary, NWFP, Peshawar.
  2. The Secretary to Governor, NWFP, Peshawar.
  3. The Secretary to Chief Minister, NWFP, Peshawar.
  4. The Secretary to Establishment Department, NWFP, Peshawar.
  5. The Secretary to Finance Department, NWFP, Peshawar.
  6. The Accountant General, NWFP, Peshawar.
  7. The District Accounts Officer concerned.
  8. The Manager, Government Printing Press, for publication in the Extra Ordinary issue of Government Gazette.
  9. P.S to Secretary Law, NWFP, Peshawar.
  10. The official concerned.
  11. The personal file of the officer concerned.

SECTION OFFICER (GENERAL)  
LAW DEPARTMENT

Attached to be true

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SI.

GOVERNMENT OF THE N.-W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.

Peshawar, dated the 30.05.2006.

**ORDER.**

No. E&A(LD)/2-77/2003.---The competent authority on the recommendation of Departmental Promotion Committee is pleased to promote the Naib Qasids at serial No. 1 to 3 to the posts of Junior Clerks BPS-5 on regular basis and to appoint the Naib Qasids at serial No. 4 to 9 to the posts of Junior Clerks (BPS-5) on acting charge basis with immediate effect. The appointment on acting charge basis shall not confer any vested right for regular promotion to the post held on acting charge basis.

S.No	Name of the officials	Location of office
1.	Mr. Ali Haider, Naib Qasid.	AGP Office, Peshawar.
2.	Mr. Fahiz-uz-Zaman, Naib Qasid.	AGP Office, Hangu.
3.	Mr. Shahab Ali, Naib Qasid.	AGP Office, Swat.
4.	Hafiz Ismail, Naib Qasid.	AGP Office, Lakki Marwat.
5.	Mr. Muhammad Ilyas, Naib Qasid.	AGP Office, Malakand at Batkhela.
6.	Mr. Muhammad Ishfaq, Naib Qasid.	AGP Office, Charsadda.
7.	Mr. Raza Khan, Naib Qasid.	AGP Office, Nowshera.
8.	Mr. Zafar Ali, Naib Qasid.	AGP Office, Swabi.
9.	Mr. Mazhar Khan, Naib Qasid.	AGP Office, Abbottabad.

(SHAHID NASEEM KHAN CHAMKANI)  
Secretary to Government of the N.-W.F.P.,  
Law, Parliamentary Affairs and  
Human Rights Department.

Endst: No. E&A(LD)/2-77/2003/7966-8008 dated: 30.05.2006.

Copy forwarded to:

1. The Accountant General, NWFP, Peshawar.
2. The District Accounts Officers, concerned.
3. The Agency Accounts Officer, Malakand at Batkhela.
4. The Solicitor, NWFP, Law Department.
5. The Law Officer, Law Department.
6. The Additional Government Pleaders concerned.
7. The Officials concerned.
8. The Accountant, Mufassil Establishment, Law Department.
9. The personal files of the officials concerned.
10. The file bearing No. SLT. 15(1)96.
11. The P.S to Secretary Law Department.

(Sajjad-ur-Rehman)  
Section Officer (General)  
Law Department.

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GOVERNMENT OF THE N.W.F.P  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT

Dated Peshawar the 18/03/2009

ORDER

No. SO(G)E&A/LD/2-77/2006- In continuation of this department order No. SO(G)E&A/LD/2-77/2006 dated 21/02/2009, on completion of two years service as Junior Clerk. Mr. Fahiz-u-Zaman, Senior Clerk promoted on acting charge basis is hereby regularized as Senior Clerk.


(MUIAMMAD FAROOQ SARWAR)  
SECRETARY TO GOVERNMENT OF N.W.F.P  
LAW PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT

Ends: No. SO(G)E&A(LD)/2-77/2006

dated Peshawar the 18/03/2009

Copy forwarded to the:-

1. The PS to Secretary, Law Department.
2. The Accountant General NWFP, Peshawar.
3. The Solicitor, NWFP, Law Department.
4. The Accountant / Mufassil Establishment Law Department.
5. The official concerned.

  
(SAJJAD-UR-REHMAN)  
Section Officer (General)  
Law Department

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS & HUMAN  
RIGHTS DEPARTMENT

DATED PESHAWAR-THE 27/09/2012

NOTIFICATION:

No. P&A/LD/2-77/Seniority list/2012.

In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the following final seniority list of Senior Clerk (as stood on 25/09/2012), Law Department (Government Pleader's Wing) Khyber Pakhtunkhwa is hereby notified/circulated for general information.

S.NO	Name Of Officials With Designation and Qualification	Date Of Birth	Domicile	Date of Entry into Govt: Service	Date of Promotion	Remarks
1.	ALI HAIDER	18-12-1967	Peshawar	01-01-1994	01-02-2008	
2.	FAHEEZ ZAMAN	31-05-1984	Hangu	04-03-2004	20-02-2009	

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Dy: Secretary (Admn:)  
Law, Parliamentary Affairs & Human Rights Department  
Khyber Pakhtunkhwa

Endst: No. E&A/LD/2-77/Seniority list/2012/

Dated: 27/09/2012

Copy forwarded to :-

1. M/S Ali Haider and Faheez Zaman Senior Clerks.
2. PS to Secretary, Law, Parliamentary Affairs & Human Rights Department, Khyber Pakhtunkhwa
3. PA to Dy: Secretary (Admn), Law, Parliamentary Affairs & Human Rights Department, Khyber Pakhtunkhwa

  
(Sajjad-ur-Rahma)  
Section Officer (General)

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

**TENTATIVE SENIORITY LIST OF SENIOR CLERKS (BPS-09) OF THE DISTRICT GOVERNMENT  
PLEADERS WING IN THE KHYBER PAKHTUNKHWA as on 28/3/2014.**

S.NO	Name Of Officials With Designation and Qualification	Date Of Birth	Domicile	Date of Entry Into Govt: Service	Date of Promotion /Selection Grade/ Adjustment	Remarks
1	Ali Halder	18-12-1967	Peshawar	01-01-1994	01-02-2008	
2	Faheez Zaman	31-05-1984	Hangu	04-03-2004	20-02-2009	
3	Nisar Ahmad (D.Com)	19-04-1969	Abbottabad	01-01-1991	15-11-2012	
4	Shahab Ali, (B.A, DIT)	08-04-1981	Malakand	11.03.2004,	15-11-2012	
5	Muhammad Ismail Khan(F.A)	11-09-1981	karak	19-01-2005	15-11-2012	
6	Muhammad Ilyas (B.A)	01-04-1984	Peshawar	29-01-2005,	15-11-2012	
7	Muhammad Ishfaq (Matric)	08-03-1983	Charsadda	01-02-2005,	15-11-2012	
8	Raza Khan (F.A)	01-03-1987	Nowshera	10-03-2005	15-11-2012	
9	Zafar Ali	03-04-1982	Swabi	17-03-2005	30-05-2006	
10	Mazhar Khan (Matric)	02-03-1984	Abbottabad	09-05-2005,	15-11-2012	
11	Mazhar Ul Haq (B.A)	01-01-1982	Charsadda	05-10-2006	15-11-2012	
12	Rahmat Ullah (Matric)	12-01-1979	Hangu	01-02-2007	15-11-2012	
13	Abdul Haseeb	12-04-1982	Peshawar	14-04-2007	15-11-2012	
14	Inayat Ur Rehman (M.A)	12-07-1980	F.R Bannu	21-04-2007	15-11-2012	
15	Iqbal Hussain (B.A)	06-04-1983	Shangla	17-04-2007	15-11-2012	
16	Saeed Iqbal	07-09-1975	Peshawar	18-04-2007	15-11-2012	
17	Muhammad Jamil (M.A,DIT)	1979	Karak	18-04-2007	15-11-2012	
18	Manzoor Ahmed (B.A)	15-03-1982	Karak	18-04-2007	15-11-2012	
19	Wazir Ali (Matric)	02-03-1986	Swat	18-04-2007	15-11-2012	
20	Wajid Inayat (F.A)	05-26-1973	Peshawar	20-04-2007	15-11-2012	

Additional Secretary (General)  
Law Department

Endst: No. E&A/LD/2-77/Seniority Ilst//2012:

Dated: 28/3/2014

Copy forwarded to:-

1. All Senior Government Pleaders in Khyber Pakhtunkhwa.
2. The PS to Secretary, Law Department.
3. The PA to Deputy Secretary (Admn), Law Department

Section Officer (General)  
Law Department

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S.I.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

TENTATIVE SENIORITY LIST OF SENIOR CLERKS (BPS-14) SENIOR GOVERNMENT PLEADERS WING IN THE KHYBER PAKHTUNKHWA AS ON  
25/04/2016.

S.N O	Name Of Officials With Designation and Qualification	Date Of Birth	Domicile	Date of Entry into Govt: Service	Date of Regular Promotion/ Adjustment	Remarks
1	Ali Haider (Matric)	18-12-1967	Peshawar	01-01-1994	29-05-2008	By Promotion
2	Faheez Zaman (BA)	31-05-1984	Hangu	04-03-2004	18-03-2009	-do-
3	Nisar Ahmad (D.Com)	19-04-1969	Abbottabad	01-01-1991	15-11-2012	-do-
4	Shahab Ali, (B.A, DIT)	08-04-1981	Malakand	11.03.2004,	15-11-2012	-do-
5	Muhammad Ismail Khan (Matric)	11-09-1981	Lakki Marwat	19-01-2005	15-11-2012	-do-
6	Muhammad Ilyas (B.A)	01-04-1984	Peshawar	29-01-2005,	15-11-2012	-do-
7	Muhammad Ishfaq (Matric)	08-03-1983	Charsadda	01-02-2005,	15-11-2012	-do-
8	Raza Khan (BA)	01-03-1987	Nowshera	10-03-2005	15-11-2012	-do-
9	Zafar Ali (BA)	03-04-1982	Swabi	17-03-2005	15-11-2012	-do-
10	Mazhar Khan (Matric)	02-03-1984	Abbottabad	09-05-2005,	15-11-2012	-do-
11	Mazhar Ul Haq (B.A)	01-01-1982	Charsadda	05-10-2006	15-11-2012	-do-
12	Rahmat Ullah (Matric)	12-01-1979	Hangu	01-02-2007	15-11-2012	-do-
13	Abdul Haseeb (BA)	12-04-1982	Peshawar	14-04-2007	15-11-2012	-do-
14	Inayat Ur Rehman (M.A)	12-07-1980	F.R Bannu	21-04-2007	15-11-2012	-do-
15	Iqbal Hussain (B.A)	06-04-1983	Shangla	17-04-2007	15-11-2012	-do-
16	Saeed Iqbal (Matric)	07-09-1975	Peshawar	18-04-2007	15-11-2012	-do-
17	Muhammad Jamil (M.A,DIT)	1979	Karak	18-04-2007	15-11-2012	-do-

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*Abdul Haseeb*

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18	Manzoor Ahmed (B.A)	15-03-1982	Karak	18-04-2007	15-11-2012	-do-
19	Wazir Ali (Matric)	02-03-1986	Swat	18-04-2007	15-11-2012	-do-

Endst: No. SO(G)/LD/15-15/2016:

Copy forwarded to:-

1. All Senior Government Pleaders in Khyber Pakhtunkhwa.
2. The PS to Secretary, Law Department.
3. The PA to Deputy Secretary (Admn), Law Department

SECRETARY LAW,  
KHYBER PAKHTUNKHWA

Dated: 25/04/2016

*Amal Khan*  
Section Officer (General)  
Law Department

17



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

TENTATIVE SENIORITY LIST OF SENIOR CLERKS (BPS-14) DISTRICT ATTORNEYS OFFICES IN THE KHYBER PAKHTUNKHWA AS ON 04/12/2017.

S.N O	Name Of Officials	Designation	Qualification	Date Of Birth	Domicile	Date of Entry into Govt: Service	Date of Regular Promotion/ Adjustment	Remarks
1	Mr. Ali Haider	Senior Clerk	Metric	18-12-1967	Peshawar	01-01-1994	29-05-2008	
2	Mr. Faheez Zaman	Senior Clerk	B.A	31-05-1984	Hangu	04-03-2004	18-03-2009	By Promotion
3	Mr. Nisar Ahmad	Senior Clerk	D.Com	19-04-1969	Abbottabad	01-01-1991	15-11-2012	-do-
4	Mr. Shahab Ali,	Senior Clerk	B.A, DIT	08-04-1981	Malakand	11.03.2004,	15-11-2012	-do-
5	Mr. Ismail Khan	Senior Clerk	FA	11-09-1981	Lakki Marwat	19-01-2005	15-11-2012	-do-
6	Mr. Muhammad Ilyas	Senior Clerk	B.A	01-04-1984	Malakand	29-01-2005,	15-11-2012	-do-
7	Mr. Muhammad Ishfaq	Senior Clerk	Metric	08-03-1983	Charsadda	01-02-2005,	15-11-2012	-do-
8	Mr. Raza Khan	Senior Clerk	B.A.	01-03-1987	Nowshera	10-03-2005	15-11-2012	-do-
9	Mr. Zafar Ali	Senior Clerk	B. A.	03-04-1982	Swabi	17-03-2005	15-11-2012	-do-
10	Mr. Mazhar Khan	Senior Clerk	Metric	02-03-1984	Abbottabad	09-05-2005,	15-11-2012	-do-
11	Mr. Mazhar Ul Haq	Senior Clerk	B.A	01-01-1982	Charsadda	05-10-2006	15-11-2012	-do-
12	Mr. Rahmat Ullah	Senior Clerk	Metric	12-01-1979	Hangu	01-02-2007	15-11-2012	-do-
13	Mr. Saeed Iqbal	Senior Clerk	FA	07-09-1975	Peshawar	14-04-2007	15-11-2012	-do-
14	Mr. Wazir Ali	Senior Clerk	Metric	02-03-1986	Swat	14-04-2007	15-11-2012	-do-
15	Mr. Abdul Haseeb	Senior Clerk	B.A	12-04-1982	Peshawar	14-04-2007	15-11-2012	-do-

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16	Mr. Inayat Ur Rehman	Senior Clerk	M.A	12-07-1980	F.R Bannu	21-04-2007	15-11-2012	-do-
17	Mr. Iqbal Hussain	Senior Clerk	B.A	06-04-1983	Shangla	17-04-2007	15-11-2012	-do-
18	Mr. Muhammad Jamil	Senior Clerk	M.A, DIT	1979	Karak	18-04-2007	15-11-2012	-do-
19	Mr. Manzoor Ahmed	Senior Clerk	B.A	15-03-1982	Karak	18-04-2007	15-11-2012	-do-

19

**SECRETARY LAW  
KHYBER PAKHTUNKHWA**

**Ref. No. SO(G)/LD/15-15/2017:**

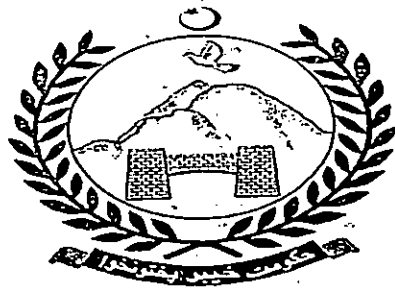
forwarded to:-

1. All District Attorneys in Khyber Pakhtunkhwa.
2. PS to Secretary, Law Department.
3. Reference & Research Officer Law Department is requested to upload on Law Department Website.

Attested  
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*[Signature]*  
Section Officer (General)  
Law Department

20



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

Dated Pesh; the 27/09/2012

NOTIFICATION:

No.E&A/LD/2-77/Seniority list/2012:- In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the following final seniority list of Junior Clerks (BPS-07) (as stood on 25-09-2012), Law Department (Government Pleader's Wing) Khyber Pakhtunkhwa, is hereby notified /circulated for genera' information.

S. No	Name of Official with Designation And Qualification	Date of Birth	Domicile	Date of Entry into Govt: Services (BPS)	Date Of Promotion / Adjustment (BPS)	Remarks.
1	Nisar Ahmad (D.Com)	19-04-1969	Abbottabad	01-01-1991 S.Pooi	03-01-2006	
2	Shahab Ali, (B.A, DIT)	08-04-1981	Malkand	11.03.2004,	30-05-2006	
3	Muhammad Ismail Khan (F.A)	11-09-1981	Lakki Marwat	19-01-2005	30-05-2006	
4	Muhammad Ilyas (B.A)	01-04-1984	Peshawar	29-01-2005,	30-05-2006	
5	Muhammad Ashfaq (Matric)	08-03-1983	Charsadda	01-02-2005,	30-05-2006	
6	Raza Khan (F.A)	01-03-1987	Nowshera	10-03-2005	30-05-2006	
7	Zafar Ali khan (F.A)	03-04-1982	Swabi	17-03-2005	30-05-2006	
8	Mazhar Khan (Matric)	02-03-1984	Abbottabad	09-05-2005,	30-05-2006	
9	Mazahar ul Haq (B.A)	1-1-1982	Charsadda	05-10-2006		
10	Rehmat Ullah (Matric)	12-01-1979	Hangu	01-02-2007		
11	Abdul Haseeb (FA)	12-04-1982	Peshawar	14-04-2007		
12	Inyat ur Rehman (M.A)	12-07-1980	F.R Bannu	15-04-2007		
13	Iqbal Hussain (B.A)	06-04-1983	Shangla	17-04-2007		

Attended by: The Clerk

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	Saeed Iqbal	(F.A)	07-09-1975	Peshawar	18-04-2007		
	Muhammad Jamil	(M.A,DIT)	1979	Karak	18-04-2007		
	Manzoor Ahmed	(B.A)	15-03-1982	Karak	18-04-2007		
17	Wazir Ali	(Matric)	02-03-1986	Swat	18-04-2007		
18	Wajid Inyat	(F.A)	05-26-1973	Peshawar	20-04-2007		
19	Fazal Satar	(Fsc)	15-04-1972	Mardan	25-04-2007		
20	Fayaz Ullah	(M.A)	01-04-1980	Peshawar	26-04-2007		
21	Ifthikar Jan	(Matric)	02-02-1971	Peshawar	02-05-2007		
22	Syed Shah Abdur Rehman	(Msc,M.A)	02-05-1976	Charsadda	02-05-2007		
23	Naeem Razzaq	(FA)	02-03-1977	Charsadda	02-05-2007		
24	Muhammad Imaran	(F.A)	28-02-1978	Peshawar	02-05-2007		
25	Alam Zeb	(F.A)	04-11-1981	Peshawar	02-05-2007		
26	Abdur Rehman	(F.A)	01-03-1971	Karak	15-12-2007		
27	M.shahid,	(M.A)	15-04-1981	Mardan	23-10-2004	15-12-2007	Through proper channel
28	Tariq Khan	(M.A)	12.10.1983	Bannu	15-12-2007		
29	Riaz Muahammad,	(F.A)	01-04-1976	Peshawar	17-12-2007		
30	Ghulam Distagir	(Matric)	11-2-1975	Bannu	01-02-2007	18-01-2011	
31	Zahid Khan,	(B.A)	23-04-1986	Peshawar	11-03-2005	01-02-2011	Through proper channel
32	Syed Imam Hussain	(FA)	15-01-1978	Peshawar	15-06-2006	27-05-2011	
33	Ismail Shah	(Matric)	10-04-1988	Charsadda	15-06-2006	27-05-2011	
34	Muhammad Tahir Zaib	(B.A)	27-02-1986	Nowshera	06-07-2006	27-05-2011	
35	Mubark Shah	(Matric)	02-04-1974	Karak	05-08-2006	27-05-2011	
36	Fazal karim	(Matric)	04-01-1976	Peshawar	21-03-2007	27-05-2011	
37	Shahid Ali	(S.Sc)	04-05-1977	DIK	18-04-2007	02-07-2011	
38	Jehan Khan	(F.A)	01-03-1976	Charsadda	21-02-2009	27-05-2001	
39	Mohammad Shoaib	(F.A)	12-02-1977	Dir Lower	01-02-2011		
40	Shahid Khan	(F.A)	1-1-1989	Dir Lower	07-02-2011		
41	Ijaz Ahmad,	(F.A)	04-02-1976	Charsadda	17-02-2011		
42	Muhammad Sadeeq	(B.A)	16-05-1987	Charsadda	18-01-2011		
43	Muhammad Rafiq	(F.A)	2.5.1988	Lakki	18-01-2011		
44	Sohail Khan	(F.A)	16-02-1988	Peshawar	18-01-2011		

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	Shahab	(Bsc)	03-02-1989	Karak	18-01-2011		
	Munhaj Uddin	(Fsc)	11-05-1984	Charsadda	20-01-2011		
	Nayyab Bibi	(B.A)	05-1-1990	Manshera	20-1-2011		
	Lubna Hussain,	(M.A)	17-10-1988	Peshawar	22-01-2011		
49	Muhammad Tariq Basheer	(B.A)	07-12-1991	Peshawar	19-06-2012		
50	Asfandyar,	(B.A)	28-03-1981	Charsadda	20-06-2012		
51	Mohammad Fahad	(Fsc)	03-03-1987	Charsadda	18-06-2012		
52	Muhammad Faheem	(F.A)	05-04-1984	Charsadda	19-06-2012		
53	Abbas Ali		24-03-1987	Charsadda	25-06-2012		
54	Tariq Ahmed		01-01-1975	Charsadda	06-08-2012		
55	Muhammad Israr	(B.A)	09-07-1977	Mohmand Ag:	18-06-2012		
56	Imad Khan	(F.A)	14-03-1989	Charsadda	18-6-2012		
57	Shah Saud,	(Matric)	04-09-1978	Charsadda	20-06-2012		
58	Muhammad Khawais	(B.A)	05-03-1987	Charsadda	18-06-2012		
59	Ubaid Ullah	(M.A)	22-03-1986	Swabi	20-06-2012		
60	Hassan Muhammad	(F.A)	20-1-1978	Charsadda	18-06-2012		
61	Muhammad Shakeel	(Matric)	05-04-1981	Manshera	20-06-2012		
62	Nazir Jan.	(M.A)	05-04-1979	Bajur Agency	18-06-2012		
63	Asif Ali	(B.A)	18-05-1990	Charsadda	18-06-2012		
64	Faiz Ullah Khan	(D.Com)	08-01-1992	Charsadda	18-06-2012		
65	Muhammad Waheed Jan	(F.A)	06-05-1986	Charsadda	18-06-2012		
66	Abdul Samad	(B.A)	12-2-1980	Laki Marwat	20-06-2012		

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Dy: Secretary (Admn:)  
Law, Parliamentary Affairs & Human Rights Department  
Khyber Pakhtunkhwa

Dated: 27/09/2012

Endst: No. E&A/LD/2-77/Seniority list//2012/

Copys forwarded to :

1. All Government Pleaders/Addl: Government Pleaders in Khyber Pakhtunkhwa.
2. PS to Secretary, Law, Parliamentary Affairs & Human Rights Department , Khyber Pakhtunkhwa
3. PA to Dy: Secretary (Admn), Law, Parliamentary Affairs & Human Rights Department , Khyber Pakhtunkhwa

(Sajjad-ur-Rahman)  
Section Officer (General)

23



24

GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

**Notification**

Dated Peshawar, the 27/6/2018

**NO.SO(G)/LD/15-14/2018:**

In pursuance of Section 8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the final seniority list of Senior Clerks (BPS-14) offices of the District Attorneys, Law Department approved by the Competent Authority (as stood on 31-12-2017) is hereby notified/circulated for general information.

**FINAL SENIORITY LIST OF SENIOR CLERKS (BPS-14) LAW DEPARTMENT IN KHYBER PAKHTUNKHWA AS ON 31.12.2017.**

S. NO	Name Of Officials	Designation	Qualification	Date Of Birth	Domicile	Date of Entry into Govt: Service	Date of junior clerk	Date of Regular Promotion/ Adjustment	Remarks
1	Mr.Nisar Ahmad	SC	D.Com	19/04/1969	Abbottabad	01/01/1991	05/01/2006	15/11/2012	
2	Mr. Ali Haider	SC	Metric	18/12/1967	Peshawar	01/01/1994	30/05/2006	25/02/2009	
3	Mr.Shahab Ali,	S C	B.A, DIT	08/04/1981	Malakand	12/11/2005	30/05/2006	15/11/2012	
4	Mr.Ismail Khan	S-C	FA	11/09/1981	Lakki Marwat	12/11/2005	30/05/2006	15/11/2012	
5	Mr.Zafar Ali	S C	B. A.	03/04/1982	Swabi	12/11/2005	30/05/2006	15/11/2012	
6	Mr.Muhammad Ishfaq	S C	Metric	08/03/1983	Charsadda	12/11/2005	30/05/2006	15/11/2012	
7	Mr.Mazhar Khan	S C	Metric	02/03/1984	Abbottabad	12/11/2005	30/05/2006	15/11/2012	
8	Mr.Muhammad Ilyas	S C	B.A	01/04/1984	Malakand	12/11/2005	30/05/2006	15/11/2012	
9	Mr.Faheez Zaman	SC	B.A	31/05/1984	Hangu	12/11/2005	30/05/2006	18/03/2009	

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Attested To RA  
True Copy

25

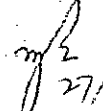
S. NO	Name Of Officials	Designation	Qualification	Date Of Birth	Domicile	Date of Entry into Govt. Service	Date of junior clerk	Date of Regular Promotion/ Adjustment	Remarks
10	Mr.Raza Khan	S C	B.A.	01/03/1987	Nowshera	12/11/2005	30/05/2006	15/11/2012	
11	Mr.Mazhar Ul Haq	S C	B.A	01/01/1982	Charsadda	12/10/2006	05/10/2006	15/11/2012	
12	Mr.Rahmat Ullah	S C	Metric	12/01/1979	Hangu	01/02/2007	01/02/2007	15/11/2012	
13	Mr.Saeed Iqbal	S C	FA	07/09/1975	Peshawar	14/04/2007	14/04/2007	15/11/2012	
14	Mr.Muhammad Jamil	S C	M.A,DIT	01/01/1979	Karak	14/04/2007	14/04/2007	15/11/2012	
15	Mr.Inayat Ur Rehman	S C	M.A	12/07/1980	F.R Bannu	14/04/2007	14/04/2007	15/11/2012	
16	Mr.Manzoor Ahmed	S C	B.A	15/03/1982	Karak	14/04/2007	14/04/2007	15/11/2012	
17	Mr.Abdul Haseeb	S C	B.A	12/04/1982	Peshawar	14/04/2007	14/04/2007	15/11/2012	
18	Mr.Wazir Ali	S C	Metric	02/03/1986	Swat	14/04/2007	14/04/2007	15/11/2012	
19	Mr.Iqbal Hussain	S C	MA	06/04/1983	Shangla	16/04/2007	16/04/2007	15/11/2012	

Secretary Law  
Khyber Pakhtunkhwa

Endst: No. SO(G)/LD/15-14/2018:

Copy forwarded to:-

1. All District Attorneys are requested to circulate the seniority lists amongst the officials.
2. PS to Secretary, Law Department.
3. Reference & Research Officer Law Department is requested to upload on Law Department Website.

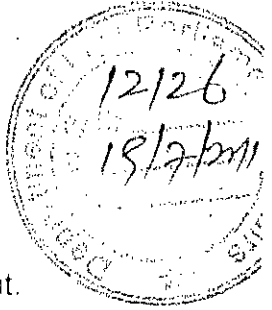
  
27/6/2018  
Section Officer (General)  
Law Department

26

IN THE OFFICE OF THE DISTRICT ATTORNEY HANGU.

No-236-DA/HG/Deptt Appeal

Dated the 18/07/2018



To

The Secretary to Government of Khyber Pakhtunkhwa,  
Law, Parliamentary Affairs and Human Rights Department.

*Handwritten signature and date: 18/7/18*

Subject:

DEPARTMENTAL APPEAL AGAINST FINAL SENIORITY LIST OF SENIOR CLERKS OF DISTRICT ATTORNEYS OFFICES

Dear Sir,

Enclosed please find herewith the Department Appeal in respect of Mr. Faheez Zaman, (Senior Clerk) for your kind perusal and necessary action, please.

Yours obediently

*Handwritten signature of Jamshed Khan Afridi*

(JAMSHED KHAN AFRIDI)  
District Attorney,  
Hangu.

*Handwritten initials 'JKA'*

*Attached to be from copy*

*Handwritten initials 'SI'*

To

(26) (A) L

The Worthy Secretary to Govt.  
Law Parliamentary Affairs and Human Rights Department,  
Khyber Pakhtunkhwa,  
Peshawar.

Through: PROPER CHANNEL

Subject: DEPARTMENTAL APPEAL AGAINST FINAL SENIORITY LIST ( SENIOR CLERKS OF DISTRICT ATTORNEYS OFFICES.

Respected Sir,

Reference to the subject noted above and state that Petitioner is serving as a Senior Clerk (BPS-14) at the office of District Attorney Hangu since 04/03/2004. In response to the subject list issued vide Law Department Letter No SO (G) LD/15/14/2018, Dated 27/06/2018 being aggrieved, the following lines hereby submitted for sympathetic consideration please

*Qasid*

- 1) That I was appointed as Naib Qasid (BPS-01) on contract basis vide Law Department Office Order No. SLT;15 (1)96/1261-68 Dated 04/03/2004 Muffasil Establishment. (Copy attached) Flag A
- 2) That the applicant along with other Naib Qasid, who were appointment at contract basis were regularized vide Office Order No E&A (LD) 9-2/03/ALD Lib) 8065-75 Dated 12/11/2005. (Copy attached) Flag B
- 3) That the applicant along with 03 Naib Qasid was promoted to the post of Junior Clerk vide Office Order No E&A (LD) 2-77/2003/ 7966-8008 Dated 30/05/2006 on the base of seniority (Copy attached) Flag C.
- 4) That the applicant Junior Clerk promoted to the post of Senior Clerk vide Office Order No SO(G) E&A (LD) 2-77/2006/ Dated 18/03/2009 (Copy attached) Flag (D)
- 5) In the year 2012, Law Department vide Notification No E&A (LD) 2-77/Seniority List/2012 Dated 27/09/2012 issued tentative Seniority list and Final Seniority list of Junior Clerk and Senior Clerks where in the petitioner was placed at serial No 02 of Senior Clerk and also tentative Seniority List 2014, 2016, and 2017, petitioner was placed at Serial No 02, (Copy attached).
- 6) Being aggrieved and suffered from said vide Notification No SO (G) LD/15/14/2018 Dated 27/06/2018 issued by SO (G) petitions have approached to your good self on the following grounds.

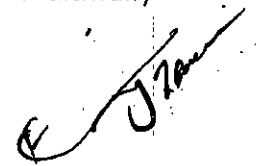
*Should be true copy*  
*Sd/-*

Ground:

- 1) That the said Notification is totally based on melafied and injustice.
- 2) That the said vide Notification was issued after 06 years which is against Law, rules and against judgment of August Supreme Court 2003 TD (Sc 417).
- 3) That till the issuance of said vide Notification No SO(G) LD/15-14/2018 27/06/2018 No Naib Qasid , Junior Clerk and Senior Clerk challenged Seniority of Senior Clerk at any stage.
- 4) As a result of said Notification No SO (G) LD/15-14/2018 Dated 27/06/ The petitioner has suffered a lot and also placed at Serial No 09 without solid justification and grounds.
- 5) The said vide Notification. No SO (G) LD/15-14/2018 Dated 27/06/2018. issued at the time when my promotion from Senior Clerk to Assistant almost matured and in pipe line.

Therefore it is humbly Prayed that on acceptance of this application the Seniority list issued vide Notification NO SO (G) LD/15-14/2018 Dated 27/06/ may kindly be revisited and the applicant may be graciously placed at serial No ( per rule and law.

Yours faithfully



(Faheez Zaman)  
Senior Clerk (BPS -14)  
District Attorney Hangu

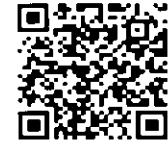


55014

ایڈووکیٹ: مہوشینہ نوزین انڈولیس

بار کونسل ایسیوی ایشن نمبر: BC 10-9195

رابطہ نمبر: 03349168998



پشاور بار ایسیوی ایشن، خیبر پختونخواہ

بعد االت جناب: محاسب سروس ٹریبیونل کے لٹاوار

مخانب: Faez zaman Presently (Senior) Clerk District Attorney Office Hangu Faez zaman بنام Secretary law & others	دعویٰ: Service Appeal Condu Section 4 Act S.T. Act. 1974 علت نمبر: مورخہ: جرم: تھانہ:
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**بابت تحریر آنگہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ ایڈووکیٹ مہوشینہ نوزین انڈولیس کے لیے مہوشینہ نوزین انڈولیس، محمد غوث اعظم شاہ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم 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: 8/11/2018

مقام پشاور

Accepted

نوٹ: اس وکالت نامہ کی فونو کالی ناقابل قبول ہوگی۔

Handwritten signatures and stamps, including a signature that appears to be 'Darius' and another that appears to be 'Faez zaman'.

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

Service Appeal No. 1385/2018

Faheez Zaman ..... Appellant.

Versus

Secretary Law, Parliamentary Affairs and Human Rights Department &  
others..... Respondents.

Parawise Comments on behalf of R. No 1-4.

Respectfully Sheweth.

**PRELIMINARY OBJECTION:**

1. That the appeal is not maintainable and incompetent.
2. That the appellant is estopped due to his own conduct.
3. That the appellant has got no cause of action and locus standi.
4. That the appellant has not come to the Tribunal with clean hands.
5. That the appeal is bad for misjoinder and non-joinder of necessary parties.
6. That the appellant has concealed the material facts from Hon'ble Tribunal.
7. That the Hon'ble Service Tribunal has no jurisdiction to entertain the instant appeal.

**ON FACTS:**

1. Correct.
2. Correct.
3. Not correct. He was appointed against the post of Naib Qasid (BS-01) on 04.03.2004 on contract basis. Later on his services were regularized vide Law Department's Notification No. E&AD(LG)9-2/03/(ALD&Lib) 8065-75 dated: 12.11.2005 as Naib Qasid (BS-01). Therefore, their inter-se-seniority was fixed according to their ages as such he was placed at S.No.9. As per sub rule 4 of rule 8 of Civil Servant Act, 1973 seniority in a post, service or cadre to which a Civil Servant is promoted shall take effect from the date of regular appointment to that post;

Provided that civil servant who are selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se-seniority as in the lower post. Similarly rule 17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 says that:

**Seniority:-** (1) The seniority inter se of civil servants (appointment to a service, cadre or post) shall be determined:-

- (a) In the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission [or as the case may be, the Departmental Selection Committee;] provided that persons selected for appointment to post in an earlier selection shall rank senior to the persons selected in later selection; and

(b) In the case of civil servants appointed otherwise, with reference to the date their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

4. Pertains to the record hence, no comments.
2. Pertains to the record hence, no comments.
6. Pertains to the record.
7. Incorrect. As explained in para-3.
8. The appeal was submitted for consideration of the competent authority which was disposed of in accordance with the relevant rules/regulations as contained in para-3 above.
9. The applicant has got no cause of action to file instant appeal.

**GROUND:**

- a. Incorrect and not admitted. The appellant was called on to Law Department on 11.06.218 and was given patant hearing. Subsequently, the final seniority list was issued in accordance with the relevant rules.
- b. Incorrect. Detail reply has been given in para 3 above.
- c. Incorrect. As replied in para 3 above.
- d. Incorrect. As replied in above paras.
- e. As replied in para 3 of facts.
- f. Not correct. The position has already been explained in para-3 above.
- g. As replied in para 3 of facts.
- h. That the respondents seek leave to raise additional grounds at the time of arguments.

**PRAYER:**

It is, therefore, most humbly prayed that on acceptance of the parwise comments, the appeal being a frivolous litigation and devoid of legal footing and merit may graciously be dismissed with cost.

*WAW*

SECRETARY LAW  
On behalf of Respondent No. 1 & 4

*[Signature]*  
DISTRICT ATTORNEY,  
MANGU  
Respondent No. 3

*[Signature]*  
SECTION OFFICER (C)  
Law Department  
Respondent No. 2



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW. PARLIAMENTARY AFFAIRS  
& HUMAN RIGHTS DEPARTMENT


NO. SO G)(LD) 15-14/2018  
Dated Peshawar the 05.06.2018

To

1.	Mr. Akbar Ali, Superintendent O/O LC Pesh
2.	Mr. Mushtaq Ahmad Superintendent O/O D I Khan
3.	Mr. Jahanzeb Superintendent O/O Bannu
4.	Mr. Afzal Haider Zahid Superintendent O/O Peshawar
5.	Mr. Rizwan Ullah Superintendent O/O Karak
6.	Mr. Saleh Shah Superintendent O/O Nowshera
7.	Mr. Akhtar Zaman Superintendent O/O Tank
8.	Mr. Muhammad Bilal Superintendent O/O Law department
9.	Mr. Muhammad Arif Superintendent O/O Bannu
10.	Mr. Jan Ali Superintendent O/O Charsadda
11.	Mr. Muhammad Qaiser Superintendent O/O Swat
12.	Mr. Shuja-Ud-Din Superintendent O/O Kohat
13.	Mr. Asif Khan Superintendent O/O ST Pesh
14.	Mr. Syed Mateen Abid Gillani Superintendent Law Department
15.	Mr. Mishkatullah Superintendent O/O Hangu
16.	Mr. Muhammad Imran Superintendent O/O Mardan.
17.	Mr. Misal Shah Superintendent O/O Swabi.
18.	Mr. Khalid Mehmood Superintendent O/O Lakki Marwat.
19.	Mr. Asad Ullah Khan Superintendent O/O Batkhela.
20.	Mr. Ali Haider , Senior Clerk o/o District Attorney Swabi
21.	Mr. Faheez Zaman Senior Clerk o/o District Attorney Hangu
22.	Mr. Nisar Ahmad Senior Clerk o/o District Attorney Haripur
23.	Mr. Shahab Ali, Senior Clerk o/o District Attorney Batkhela
24.	Mr. Ismail Khan Senior Clerk o/o District Attorney Lakki Marwat.
25.	Mr. Muhammad Ilyas Senior Clerk o/o District Attorney Dir Lower.
26.	Mr. Muhammad Ishfaq Senior Clerk o/o District Attorney Mardan.
27.	Mr. Raza Khan Senior Clerk o/o District Attorney LC Peshawar
28.	Mr. Zafar Ali Senior Clerk o/o District Attorney Nowshera
29.	Mr. Mazhar Khan Senior Clerk o/o District Attorney Abbottabad
30.	Mr. Mazhar Ul Haq Senior Clerk o/o District Attorney Charsadda.

Subject: Tentative Seniority List as on 31-12-2017.

I am directed to refer to the subject noted above and to state that tentative seniority list has been finalized. In this connection you may attend the office of the Deputy Secretary (Admn) Law Department on 11.06.2018 at 10.00 AM. alongwith supporting documents in order to resolve your observation if any on the seniority list.

  
(Muhammad Yasin)  
Section Officer (General)

Copy forwarded to the:

1. PS to Secretary Law Department.
2. Master File

  
Section Officer (General)

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

Service Appeal No. 1385/2018


Faheez Zaman ..... Appellant.

Versus

Secretary Law, Parliamentary Affairs and Human Rights Department &  
others..... Respondents.

**AFFIDAVIT**

I, Mr. Muhammad Ismail Superintendent (Lit) Directorate of Law & Human Rights Khyber Pakhtunkhwa , do hereby solemnly affirm and declare on oath that contents of Parawise Comments on behalf of Respondents No.1-4 are true to the best of my knowledge and belief that nothing has been concealed from this Hon'ble Tribunal.

  
Deponent

NIC No. 17301-0876331-9  
Cell# 03459782603

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR**

Faheez Zaman

Versus

Secretary Law & others.

**INDEX**

S.No	Description	Annexure	Pages
1.	Contents of Rejoinder		1-3
2.	Affidavit		4
3.	Copies of order dated: 3-12-2007 and 15/11/2012	A & B	5 6

Dated: 08/07/2019

Through

Petitioner



**SOPHIA NOREEN,**

Advocate, High Court  
Peshawar

1

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR**

Faheez Zaman

Versus

Secretary Law & others.

**REJOINDER ON BEHALF OF THE PETITIONER IN**  
**RESPONSE TO THE REPLY SUBMITTED BY THE**  
**RESPONDENTS' NO. 1 TO 4.**

**REJOINDER BY APPELLANT IN REPLY OF**  
**RESPONDENT NO. 1 TO 4.**

Respectfully Sheweth:-

**REPLY ON PRELIMINARY OBJECTION:**

All the objection raised by the respondents are incorrect the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

1. Para No. 1 needs no reply admitted as correct.
2. Para No. 2 needs no reply.
3. Para No.3 is correct to the extent that the appellant was initially appointed on 04-03-2004 on contract basis while the private respondents were appointed much after the appellant. The appellant was later on regularized on 12-11-2005 through an Act, where the name of the appellant was on serial No. 4 of the regulation order dated: 10-11-2005. The rest of the paras is incorrect. The respondents issued final list of senior clerks on 27-9-2012 where the name of the appellant was appeared / mentioned on Serial No. 2 similarly the tentative seniority list dated: 28-3-2014 issued by the respondent the name of the

appellant was shown on serial no. 2. During the time the respondent never cancelled the above mentioned seniority list, nor any one challenge the same on any forum till 27-6-2018, moreover the appellant was promoted as senior clerk on 18-3-2009, while the seniority list of junior clerk of private respondents was mentioned on 27-9-2012, later on the private respondents were promoted to Senior clerk on 15-11-2012. It is also pertinent to mention that the respondent No. 5 forgo his promotion on 3-12-2007 and dated: 15/11/2012 (Copies of order dated: 3-12-2007 and 15/11/2012 are attached as annex "A" "B").

4. Para No.4 is incorrect, not replied accordingly, and the relevant record already attached.
5. Para No. 5 is incorrect, not replied accordingly. The respondent Department never cancelled the same seniority list, nor the private respondent ever challenged (Record already attached).
6. Para No. 6 is incorrect, not replied accordingly. Till to date no employee / private respondents in the seniority list ever challenged the seniority of the appellant.
7. Para No. 7 is incorrect not replied accordingly, iterated as para No. 3.
8. Para No. 8 is incorrect, not replied accordingly being aggrieved from the impugned order dated: 27-6-2018 the appellant moved departmental representation, which was not decided within the stipulated time of 90 days.
9. Para No. 9 is incorrect, not replied accordingly, iterated as Para No. 9 of the main appeal.

**GROUND:-**

All the grounds taken by the answering respondent at this stage of the appeal is incorrect, illegal, without lawful authority, hence denied. The respondent



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department till today has not cancelled the seniority list of 28-3-2014 and 4-12-2017 till today, nor the private respondents ever challenged. Moreover, the appellant was promoted to senior clerk on 18-3-2009, while the private respondent were promoted as senior clerk on 15-11-2012. It is also pertinent to mention that the appellant was initially appointed on 04/03/2004 and was regularized through 2005 Act, while the private Respondents were appointed much after the appellant.

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

Dated: 08/07/2019

Appellant

Through

Council



**SOPHIA NOREEN**

Advocate High Court Peshawar

4

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR

Faheez Zaman

Versus

Secretary Law & others.

AFFIDAVIT

I, Faheez Zaman Presently (Senior Clerk) District Attorney office Hangu, do hereby solemnly affirm and declare on oath that the contents of the instant rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

  
Deponent

CNIC# 14101-4343054-5

Identified by:

  
SOPHIA NOREEN

Advocate High Court Peshawar

**ATTESTED**  
IRFAN ULLAH & ASSOCIATES  
NOTARY PUBLIC  


GOVERNMENT OF N.W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.

5

Peshawar, dated the 03 /12 /2007.

**ORDER.**

No. E&A(LD)2-77/2003.-on the recommendation of the Departmental Promotion Committee, the following Junior Clerks (PBS-07) of the Mufassil Establishment, Law Department are hereby promoted to the post of Senior clerks (BPS-09) on regular basis with immediate effect and posted in the Mufassil Establishment, Law Department against the vacant posts.

S.No	Name of Official	Place of posting
1.	Akbar Ali Junior Clerk Mufassil Establishment, Law Department.	Mufassil Establishment, Law Department.
2.	Nisar Ahmed Juior Clerk Office of the Additional - Government Pleader, Abbottabad.	Mufassil Establishment, Law Department.

(**SHAHID NASEEM KHAN CHAMKANI**)  
Secretary to Government of the N.-W.F.P.,  
Law, Parliamentary Affairs and  
Human Rights Department.

ENDST: No. E&A(LD)2-77/03

2559-68

Dated: 03.12.2007.

Copy forwarded to:

1. The Account General, NWFP, Peshawar.
2. The Solicitor ,NWFP Law Department.
3. The GP/AGP, Abbottabad.
4. The Officials concerned.
5. The Accountant Mufassil Establishment Law Department.
6. The personal files of the official concerned.
7. File bearing No.SLT.15(1)96.

(Sajjad-ur-Rehman)  
Section Officer (G)  
Law Department.

Allocated to Law copy

15.9.2012

what is this?

~~\*~~

2-24 percent 0-100





GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

Dated: Peshawar the 15 Nov-2012

**ORDER:**

No. E&A(LD)2-77/2012. On the recommendation of the Departmental Promotion Committee, the following Junior Clerks (BPS-07) are hereby promoted to the post of Senior Clerks (BPS-09) on regular basis with immediate effect. They shall be on probation for a period of one year.

S. No	Name of official	From	Posted and adjusted Place
1.	Nisar Ahmad	Government Pleader Abbottabad	Government Pleader office Haripur.
2.	Shahab Ali.	Government Pleader office Bathkela.	Government Pleader office Bathkela.
3.	Muhammad Ismail Khan,	Government Pleader office Lakki Marwat.	Government Pleader office Lakki Marwat.
4.	Muhammad Ilyas	Government Pleader office Bathkela.	Government Pleader office Dir Lower.
5.	Muhammad Ishfaq	Government Pleader office Charsadda.	Government Pleader office Charsadda.
6.	Raza Khan	Government Pleader office Nowshera	Government Pleader office Services Tribunal Peshawar.
7.	Zafar Ali	Government Pleader office Nowshera.	Government Pleader office Nowshera.
8.	Mazhar Khan	Government Pleader office Abbottabad.	Government Pleader office Abbottabad.
9.	Mazhar-ul-Haq	Government Pleader office Labour Court, Peshawar.	Government Pleader office Labour Court, Peshawar.
10.	Rehmatullah	Government Pleader office Hangu	Government Pleader office Peshawar.
11.	Abdul Haseeb	Government Pleader office Manshera.	Government Pleader office Manshera.
12.	Inayat-ur-Rehman	Government Pleader office Bannu.	Government Pleader office D.I Khan.
13.	Iqbal Hussain	Government Pleader office Shangla.	Government Pleader office Shangla.
14.	Saeed Iqbal	Government Pleader office Mardan.	Government Pleader office Mardan.
15.	Muhammad Jamil	Government Pleader office Kohat.	Government Pleader office Kohat.
16.	Manzoor Ahmad	Government Pleader office Kohat.	Government Pleader office Swabi.
17.	Wazir Ali	Government Pleader office Swat.	Government Pleader office Swat.
18.	Wajid Inayat	Government Pleader office Peshawar.	Government Pleader office Buner.

Secretary to Govt. of Khyber Pakhtunkhwa  
Law Department

Endtst: No.E&A(LD)2-77/2012

Dated: 15-11-2012

Copies forwarded for information & necessary action to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. All District s/Agencies Account Officer In Khyber Pakhtunkhwa.
3. All Government Pleaders in Khyber Pakhtunkhwa.
4. All the officials Concerned.
5. Personal files of the officials concerned.

Section Officer (General)

Allocated to  
be seen copy  
[Signature]

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR**

Faheez Zaman

Versus

Secretary Law & others.

**INDEX**

S.No	Description	Annexure	Pages
1.	Contents of Rejoinder		1—3
2.	Affidavit		4
3.	Copies of order dated: 3-12-2007 and 15/11/2012	A & B	5 6

Dated: 08/07/2019

Petitioner

Through



**SOPHIA NOREEN,**

Advocate, High Court  
Peshawar

1

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL PESHAWAR**

Faheez Zaman

Versus

Secretary Law & others.

**REJOINDER ON BEHALF OF THE PETITIONER IN**  
**RESPONSE TO THE REPLY SUBMITTED BY THE**  
**RESPONDENTS' NO. 1 TO 4.**

**REJOINDER BY APPELLANT IN REPLY OF**  
**RESPONDENT NO. 1 TO 4.**

Respectfully Sheweth:-

**REPLY ON PRELIMINARY OBJECTION:**

All the objection raised by the respondents are incorrect the respondents are estopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

1. Para No. 1 needs no reply admitted as correct.
2. Para No. 2 needs no reply.
3. Para No.3 is correct to the extent that the appellant was initially appointed on 04-03-2004 on contract basis while the private respondents were appointed much after the appellant. The appellant was later on regularized on 12-11-2005 through an Act, where the name of the appellant was on serial No. 4 of the regulation order dated: 10-11-2005. The rest of the paras is incorrect. The respondents issued final list of senior clerks on 27-9-2012 where the name of the appellant was appeared / mentioned on Serial No. 2 similarly the tentative seniority list dated: 28-3-2014 issued by the respondent the name of the

appellant was shown on serial no. 2. During the time the respondent never cancelled the above mentioned seniority list, nor any one challenge the same on any forum till 27-6-2018, moreover the appellant was promoted as senior clerk on 18-3-2009, while the seniority list of junior clerk of private respondents was mentioned on 27-9-2012, later on the private respondents were promoted to Senior clerk on 15-11-2012. It is also pertinent to mention that the respondent No. 5 forgo his promotion on 3-12-2007 and dated: 15/11/2012 (Copies of order dated: 3-12-2007 and 15/11/2012 are attached as annex "A" "B").

4. Para No.4 is incorrect, not replied accordingly, and the relevant record already attached.
5. Para No. 5 is incorrect, not replied accordingly. The respondent Department never cancelled the same seniority list, nor the private respondent ever challenged (Record already attached).
6. Para No. 6 is incorrect, not replied accordingly. Till to date no employee / private respondents in the seniority list ever challenged the seniority of the appellant.
7. Para No. 7 is incorrect not replied accordingly, iterated as para No. 3.
8. Para No. 8 is incorrect, not replied accordingly being aggrieved from the impugned order dated: 27-6-2018 the appellant moved departmental representation, which was not decided within the stipulated time of 90 days.
9. Para No. 9 is incorrect, not replied accordingly, iterated as Para No. 9 of the main appeal.

GROUNDS:-

All the grounds taken by the answering respondent at this stage of the appeal is incorrect, illegal, without lawful authority, hence denied. The respondent



department till today has not cancelled the seniority list of 28-3-2014 and 4-12-2017 till today, nor the private respondents ever challenged. Moreover, the appellant was promoted to senior clerk on 18-3-2009, while the private respondent were promoted as senior clerk on 15-11-2012. It is also pertinent to mention that the appellant was initially appointed on 04/03/2004 and was regularized through 2005 Act, while the private Respondents were appointed much after the appellant.

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

Dated: 08/07/2019

Appellant

Through

Council



**SOPHIA NOREEN**

Advocate High Court Peshawar

4

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR

Faheez Zaman

Versus

Secretary Law & others.

AFFIDAVIT

I, Faheez Zaman Presently (Senior Clerk) District Attorney office Hangu, do hereby solemnly affirm and declare on oath that the contents of the instant rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

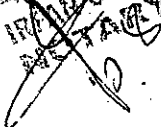
  
Deponent

CNIC# 14101-4343054-5

Identified by:

  
SOPHIA NOREEN

Advocate High Court Peshawar

  
ATTESTED  
BY MULLAH ASHRAF  
PUBLIC

GOVERNMENT OF N.W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.

5

Peshawar, dated the 03 /12 /2007.

**ORDER.**

No. E&A(LD)2-77/2003. on the recommendation of the Departmental Promotion Committee, the following Junior Clerks (PBS-07) of the Mufassil Establishment, Law Department are hereby promoted to the post of Senior clerks (BPS-09) on regular basis with immediate effect and posted in the Mufassil Establishment, Law Department against the vacant posts.

S.No	Name of Official	Place of posting
1.	Akbar Ali Junior Clerk Mufassil Establishment, Law Department.	Mufassil Establishment, Law Department.
2.	Nisar Ahmed Juior Clerk Office of the Additional Government Pleader, Abbottabad.	Mufassil Establishment, Law Department.

(**SHAHID NASEEM KHAN CHAMKANI**)  
Secretary to Government of the N.-W.F.P.,  
Law, Parliamentary Affairs and  
Human Rights Department.

ENDST: No. E&A(LD)2-77/03

2559-68

Dated: 03.12.2007.

Copy forwarded to:

1. The Account General, NWFP, Peshawar.
2. The Solicitor ,NWFP Law Department.
3. The GP/AGP, Abbottabad.
4. The Officials concerned.
5. The Accountant Mufassil Establishment Law Department.
6. The personal files of the official concerned.
7. File bearing No.SLT.15(1)96.

(Sajjad-ur-Rehman)  
Section Officer (G)  
Law Department.



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS &  
HUMAN RIGHTS DEPARTMENT

Dated: Peshawar the 15 Nov-2012

**ORDER:**

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Secretary to Govt. of Khyber Pakhtunkhwa  
Law Department

Endtst: No.E&A(LD)/2-77/2012.

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Section Officer (General)

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1925 /ST

Dated 4-11- / 2019

To

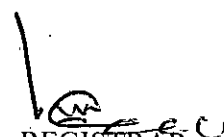
The Secretary Law, Parliamentary Affairs and Human Rights Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 1385/2018, MR. FAHEEZ ZAMAN.

I am directed to forward herewith a certified copy of Judgement dated  
17.10.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.