

7. That as irregular inquiry was conducted against the appellant, as no opportunity of defense was provided to the appellant, therefore he filed application, on which denovo inquiry was conducted against the appellant in which the inquiry officer gave recommendation that all the charges levelled against the appellant are baseless and reinstated him and on the bases of finding and recommendation of the inquiry officer, the appellant was reinstated into service but the period w.e.f 11.07.2018 to 02.07.2019 was treated without pay vide order dated 21.08.2019. **(Copies of denovo inquiry reports and order dated 21.08.2019 are attached as Annexure-K and L).**
8. That as the appellant was compulsory retired on baseless allegation which was later on not proved in denovo inquiry proceeding and on the bases of that denovo inquiry the appellant was reinstated into service but the period w.e.f 11.07.2018 to 02.07.2019 was treated without paying vide order 21.08.2019. Therefore, he filed departmental appeal for grant of arrear/pay with e.f. 02.07.119 to 11.07.2015, which was not responded till date. **(Copy of departmental appeal is attached as Annexure-M).**
9. That the appellant filed the instant appeal with prayer for reinstatement with all back & consequential benefits and the appellant was reinstated by the respondent departmental, but without back and consequential benefits. Therefore, he filed application for amendment of instant appeal which was allowed by this Honorable Tribunal on 25.06.2020. **(Copies of application and order sheet dated 25.06.2020 are attached as Annexure-N and O).**
10. That now the appellant come to this August Service Tribunal on the following amongst others.

GROUNDS:-

- A. That not taking action on departmental appeal of the appellant and the order dated 21.08.2019 to extent of treating the period w.e.f. 11.07.2018 to 02.07.2019 as leave without pay are against the law facts norms of justice and denovo inquiry report. Therefore, not tenable and liable to be modified to the extent that the period w.e.from 11.07.2018 to 02.07.2019 may kindly be treated on full pay along with ancillary relief including seniority and other benefits as all the allegations levelled against appellant were not proved denovo inquiry proceeding.
- B. The inquiry officer gave his conclusion in denovo inquiry that the allegations levelled against the appellant were not proved but, responded no.3 with giving

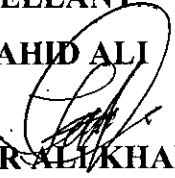
any reason deprived the appellant from full pay w.e.f 11.07.2018 to 02.07.2019 which is against the norms of justice and fair play.

- C. That in the impugned order dated 21.08.2019 it was mentioned that due to non performing of duties with effect from 11.07.2018 to 02.07.2019, that period was treated as leave without pay but it is pertinent to mention here that the appellant never refused from performing duty or remain absent from duty but he was compulsory retired from service on baseless allegations which were not proved during denovo inquiry proceeding and on the base of that inquiry report appellant was reinstated into service only and was deprived from full pay with effect from 11.07.2018 to 02.07.2019 for no fault on his part.
- D. That the allegations levelled against the appellant were not proved and was exonerated during denovo inquiry proceeding, therefore, there remain no ground to deprive the appellant from full pay for the period with effect from 11.07.2018 to 02.07.2019 along with ancillary relief including seniority and other service benefits.
- E. That the appellant seeks permission to advance other grounds and proof at the time of arguments.

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

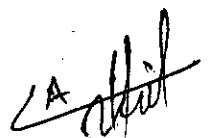

APPELLANT
MUJAHID ALI

THROUGH


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,

&

(ASAD MAHMOOD)
ADVOCATE HIGH COURT


ABDUL WAHID advocate

جناب عالی

Handwritten initials and numbers: A, 10, 15

گزارش کی جاتی ہے کہ ہم لیٹری سوسائٹی میں ایک خدمت میں
 ہیں کہ ہمارے اسکول میں جدید علی پٹر ایک ہے کارڈ
 روزانہ اسکول کو لپٹ ہوتا ہے۔ لیٹری کے ساتھ کلاس میں ایک ہے اور
 لیٹری اور کلاس میں بیٹھ کر پتے لڑتے چکرتے ہیں۔ اور ہر ماہ
 کے ساتھ ساتھ ہے۔ جس دن دوسرا استاد چھٹی پر ہوتا ہے۔ ہر ماہ
 اسکول کے ساتھ ساتھ ہے اور باہر لوگوں کے ساتھ ساتھ لپٹ لگاتے
 اور کلاس میں لڑتے چکرتے ہیں۔ جب اس کو شہادت کرتے ہیں تو لیٹری
 کو سزا دی جاتی ہے جس کی وجہ سے لیٹری رخصتی ہو گئے ہیں۔ یہ بات
 آپ ایڈز خود پوری ہو سکتی ہیں۔ رخصتی علی پٹر میں نے کی دفعہ سمجھا گیا ہے
 لیکن اس پر کوئی اثر نہیں۔ ہمیں معلوم ہوا ہے کہ یہ صاحب کوئی اسکول میں
 رہ چکا ہے اور اس کی ریکارڈ ابھی نہیں ہے۔
 صاحبان سے عاجزانہ التماس ہے کہ اگر آپ معلوم فرمادیں کہ اگر اسکول
 کے ساتھ ساتھ لیٹری کو ان کے پتے سے آڈال کر لیں اور ساتھ ساتھ
 اسکول کے ساتھ ساتھ لپٹ لگائیں

17/11/2017

بسم تعالیٰ دعاؤں میں نے
 بی بی سی گورنمنٹ پرائمری سکول سکول ہارڈ (گورنمنٹ)
 جسٹریٹ سی

Chairman P.T.
 G.P.S. Sada Bar
 (Gujrat)

سید خان
 030283774

جناب عالی

سید خان

درخواست

HEADTEACHER
 G.P.S. Sada Bar

RECEIVED

Handwritten signature

ATTESTED
 Handwritten signature

Handwritten mark

B6
B6

خدمت خراب ڈسٹرکٹ ایجوکیشن افسر خراب ۵۵۶

ضامی

مواد عامہ نگرانی ہے نہ سائن ڈسٹرکٹ سرکاری سکول
سید ایس ایس میں کھیت SPST خراب ایجوکیشن کے لیے
سائن ڈسٹرکٹ میں ہے۔ سائن ڈسٹرکٹ کے دفتر میں کھیت پر
SPST پیشکش ہو چکا ہے۔

خواب والا سائن ڈسٹرکٹ میں ہے۔ آر ڈی
کے دوران سائن ڈسٹرکٹ کے تعلیمات میں آئی تو اس کا ذکر
تعمیر میں ہے۔ SPST ڈسٹرکٹ میں ہے۔ آر ڈی میں رکاوٹ ہے
بہذا اس معاملہ کی خدمت میں آئی ہے۔ نہ ندرت اور سرور میں
یا سو فوڈ ڈسٹرکٹ میں ہے۔

سائن ڈسٹرکٹ میں ہے۔ آر ڈی میں رکاوٹ ہے۔

عین وزارت میں ہے

۱۹/۰۴/۲۰۱۵ء

بناوے۔ حیدر علی SPST ڈسٹرکٹ ایجوکیشن افسر سکول سید ایس ایس
(کھیتی باڑی)

Handwritten signatures and stamps including:
ASDEO (M)
Pry: Circle Gujrat
Mardan

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER(MALE) MARDAN

OFFICE ORDER

The transfer order issued vide this office under Endst No.397/G dated 12-01-2018 in r/o Mr. Mujahid Ali SPST GPS Sadabahr to GPS Peshkand is hereby withdrawn.

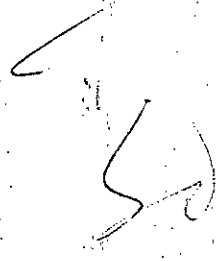

(Ijaz Ali Khan)

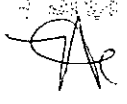
DISTRICT EDUCATION OFFICER
(MALE) MARDAN


Endst:No. 1327/G /IMU Teh Mdn/Dated: 14/2 /2018

Copy forwarded to the:-

1. SDEO(M) Mardan.
2. Official concerned.


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED



ATTESTED

Your office order a written Complaint was submitted against the SPSI Mr. Mujahid Ali Chairman PIC of the same school the allegations against him are as under.

He takes no interest in teaching to students.

He brings notorious persons to school

He sends children to shops.

PROCEDURE

I visited the school myself

I met the inhabitants of the area and took their views about the case.

I took written statement from the PSHI of the school

I took written statement from the Chairman PTC.

I served a questionnaire to Mr. Mujahid Ali SPSI.

I got the views of a member of PTC on Phone.

I got relevant copies of the record of the school.

FINDINGS.

Mr. Mujahid Ali SPSI is a complex Charter. He gets benefits from the customs and traditions of the area.

He is not equipped wwith the knowledge and personal tracts needed for a teacher even he has not improved his academic qualification after FA.

From the time of his arrival in this school time and again he has been advised and directed by his PSHI but of no use.

At last he was transferred to some other school on 12.01.2018 but after a month he has managed to cancel his transfer order.

The statements and school record shows that he is involved in late coming, early going, sending students to shops, bringing outsiders to school premises.

He does not take interest in educating of students Teaching is just an economical support for him.

RECOMMENDATIONS:

In the light of the above mentioned points and record is hereby recommended that in the greater interest the student Mr. Muhahid Sadh Bahar Gujrat may be given compulsory retirement after fulfilling all codal formalities.

Wasi Ullah Mayar
Principal

GHSS Mayar, Mardan

[Handwritten Signature]

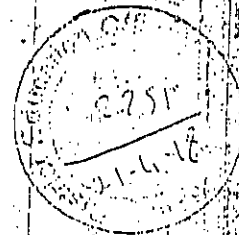
ATTESTED.

[Handwritten Signature]

Order No. 1138/G I have been appointed as enquiry officer in the enquiry
aid Ali SPST GSS Sadabahar Gujrat Mardan

Amixture

- your office under a written Complaint was submitted against the SPST Mr Mujahid Ali
- Chairman PTC of the same school. The allegations against him are as under.
- He takes an interest in teaching to students
- He brings numerous persons to school.
- He took children to shops.
- He takes
- He visited the school myself
- He took the inhabitants of the area and took their views about the case.
- He took written statement from the PSHT of the school
- He took written statement from the chairman PTC.
- He gave a questionnaire to Mr Mujahid Ali SPST
- He got the views of a member of PTC on phone.
- He got relevant copies of the record of the school.



Findings

Mr Mujahid Ali SPST is a complex character. He gets benefits from the customs and traditions of the area.

He has assumed sufficient knowledge and personal traits needed for a teaching position.

From the time of his arrival in this school time and again he has been advised and directed by the PSHT but of no use.

As he was transferred to some other school on 12-01-2018, but after a month he returned to school by transfer order.

The statements and school record shows that he is involved in late coming, early going, bringing students to shops, bringing outsiders to school premises.

He does not take interest in educating of students Teaching is just an economical job for him.

Recommendation

In the light of the above mentioned points and record it is hereby recommended that in the interest of the students Mr Mujahid Ali SPST GSS Sad Bahar Gujrat may be given immediate retirement after fulfilling all the formalities.

Wasi Ghis Mayar
Principal
GSS Mayar Mardan

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER(MALE) MARDAN

No. 3881-82 / Tech Req / Dated: 5-5- /2018

SHOW CAUSE NOTICE

I Ijaz Ali Khan District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Mujahid Ali SPST GPS Sadabahr Gujrat, show cause notice as follows:

- a. You often come late to school, leave school early, sending students to shops and bringing outsiders to school premises and do not take interest in your school duty as proved in the inquiry conducted against you.
- b. In exercise of the power conferred by the KPK Govt: servant (Efficiency & Discipline) Rules, 2011, the Competent Authority is hereby pleased to serve you with the instant show cause notice regarding your inefficiency with the direction to submit your defense in writing within a week time of the issuance of this notice as to why penalty of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.
- c. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and ex-parte decision will be taken against you.

(Ijaz Ali Khan)

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

To Mr. Mujahid Ali SPST GPS Sadabahr Gujrat

1. SDEO(M) Mardan to issue notice upon the cited teacher

No = 1009/9 Date = 0/5/18

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

No 1176

ATTESTED

F10

حکومت سندھ DEO (سید ع) ایجوکیشن سروس

نواب عیسیٰ سید

جناب عالی

گزارش ہے۔ کہ بندہ GPS سدا بہار سکول

گجرات میں اپنی ڈیڑھ سہرا جام کے رہا ہے۔

بندہ کے ذمے جو اعتراضات لگائے گئے ہیں۔

① مٹا۔ والا۔ میں وقت پر سکول جا رہا ہوں۔ اور وقت پر واپس کرتا ہوں۔

② طلسم کو کہہ کام کئی سکول سے دکان میں بیٹھا ہوں۔

③ غیر متعلقہ افراد کو سکول نہیں بلاتا ہوں۔


④ اپنی بساط کے مطابق پڑھائی کرتا ہوں اس لیے ڈیڑھ کرتا ہوں۔

زیادہ کوشش کروں مگر کہ اپنی ڈیڑھ ایسا انداز سے کروں۔

اور افغان مالاکو شکایت لا موقع نہیں دوں گا۔

19/5/18

العبد العاصی


Sajid Ali
Saadabharu.

مجاہد علی SPST

GPS سدا بہار

سکول گجرات سروس

19/5/18



ATTESTED.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

I, Ijaz Ali Khan District Education Officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rules, 2011, do hereby serve Mr. Mujahid Ali SPST GPS Sada Bahar (Gujrat), follows”

- Where as a complaint received against Mr. Mujahid Ali SPST GPS Sadabahar regarding non performing his duties.
- And where As, he was transferred on admin ground on the recommendations of SDEO concerned vide this office No. 397/G dated 12.01.2018.
- And where As, he submitted an application for cancellation his transfer order and appealed that his transfer under report is baseless.
- And where As, this office nominated an inquiry officer to conduct proper inquiry in the case vide this office No. 1358/G dated 15.02.2018, and inquiry officer recommended his compulsory retirement.
- And Where As, a show cause notice was issued to him vide this office No. 3881-82 dated 05.05.2018.
- And where AS his reply to the show cause notice was received to this office vide SDEO (M) Mardan office letter No. 1301 dated 05.06.2018 in which no clarification was submitted regarding charges against him.
- And where As he was called personal hearing twice vide this office No. 4283 dated 22.05.2018 and through SDEO vide this office No. 5006 dated 12.06.2018.
- And Where As, he attended the office of the undersigned on 26.06.2018.
- And whereas the Competent Authority, after having considered the charges and evidence on record is not satisfied from his written statement given by him at the time of personal hearing.
- And Where As, He found guilty misconduct under KPK Govt Servant E&D Rules, 2011.

Now in exercise of the power conferred to me under the Khyber Pakhtunkhwa Govt Servant E&D Rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement from the service upon Mr. Mujahid Ali SPST Sadabahar Gujrat with immediate effect.

(IJAZ ALI KHAN)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Copy forwarded to the:-

1. SDEO (M) Mardan.
2. District Accounts Officer Mardan.
3. Mr. Mujahid Ali SPST GPS Sadabahar Gujrat.

(IJAZ ALI KHAN)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

1. Haz. Ali Khan District Education Officer (Male) Mardan, as Competent Authority under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011 do hereby serve Mr. Mujahid Ali SPST GPS Sada Bahar (Gujrat) follows:

- Where As a complaint received against Mr. Mujahid All SPST GPS Sada Bahar regarding non performing his duties.
 - And Where As, he was transferred on admin ground on the recommendations of SDEO concerned vide this office No. 397/G dated 12-01-2018.
 - And Where As, he submitted an application for cancellation of his transfer order and appealed that his transfer under report is false.
 - And Where As, this office nominated an inquiry officer to conduct proper inquiry in the case vide this office No. 1358/G dated 15-02-2018 and inquiry officer recommended his compulsory retirement.
 - And Where As, a show cause notice was issued to him vide this office No. 3881-62 dated 05-05-2018.
 - And Where As his reply to the show cause notice was received to this office vide SDEO(M) Mardan office letter No. 1301 dated 05-06-2018 in which no clarification was submitted regarding charges against him.
 - And Where As he was called for Personal Hearing twice vide this office No. 4283 dated 22-05-2018 and through SDEO vide this office No. 3006 dated 22-06-2018.
 - And Where As, he attended the office of the undersigned on 26-06-2018.
 - And Where As the Competent Authority after having considered the charges and evidence on record is not satisfied from his written statement given by him at the time of personal hearing.
 - And Where As, he found guilty of gross misconduct under K.P.K. Govt servant E&D rules 2011.
- Now in exercise of the power conferred to me under the Khyber Pakhtunkhwa Govt servant E&D rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement from the service upon Mr. Mujahid All SPST GPS Sada Bahar, Gujrat with immediate effect.

(Haz. Ali Khan)
District Education Officer
(Male) Mardan

Endst: No. 397/G / Teach Req/ Dated: 11-7-2018

Copy forwarded to the:

1. SDEO(M) Mardan
2. District Accounts Officer Mardan
3. Mr. Mujahid All SPST GPS Sada Bahar Gujrat.

District Education Officer
(Male) Mardan

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (MALE) MARDAN

Endst: No. 114/C-7 / C-7 / Compulsory Retirement File No. 114/C-7 / Dated: 11/7/2018

Copy to:

1. ASDO (Male) Gujrat with the remarks to inform the concerned Teacher.
2. Mr. Mujahid All SPST GPS Sada Bahar Gujrat.
3. District Education Officer (Male) Mardan for information please.

SUB-DIVISIONAL EDUCATION OFFICER
(MALE) MARDAN

ATTESTED

Handwritten signature and notes at the bottom of the page.

12
11
10
9
8
7
6
5
4
3
2
1

ذریعہ عیادت ڈاکٹر بلکہ ماہ - ایلویشن دہلی

درخواست گزار: محمد اظہار علی
مدیر: محمد اظہار علی

جناب عالی! درخواست عیادت دہلی سے مل رہی ہے۔

یہ سائل ختم ایلویشن میں ہے۔
لیکن کوٹھوکا میں نوٹس مل رہا ہے۔
لیٹ پیپر ڈاکو سے سروس پر غصہ ہے۔

یہ سائل آئیٹیم پر آ رہا ہے۔
مال کو دور ہے اور عیادت دہلی سے مل رہی ہے۔
گنہگارہ ہوا ہے۔

16/7

1032
16/7

لیٹریٹ عیادت دہلی سے مل رہی ہے۔
اس کا حال بہتر ہے۔

1032
16/7

ATTESTED

محمد اظہار علی
16/7/18

کے لئے منظور ہے۔

محمد اظہار علی

مقام



**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.**

No. 86 / F. No. 162 / Vol: 17 / Appeal of
PST(M) General.

Dated Peshawar the 19/9 / 2018.

To,

The District Education Officer (M)
Mardan.

Subject: - **DEPARTMENTAL APPEAL.**

Memo:-

I am directed to refer to your letter No.5688 dated 23.07.2018 on the subject cited above and to state that the appeal of Mr. Mujahid Ali SPST GPS Sadabahr Gujrat District Mardan in light of DEO (M) Mardan report is hereby rejected.

I am further directed to ask you to inform the teacher concerned accordingly.

Deputy Director (Estab)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Endst: No. _____ /

Copy forwarded to the:-

1. P.A to Director Elementary and Secondary Education local office.

*The appellant received
his departmental appeal
today from the office of
Directorate E & SE Peshawar*

Deputy Director (Estab)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

Amund 29/10/18
ASSISTANT DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

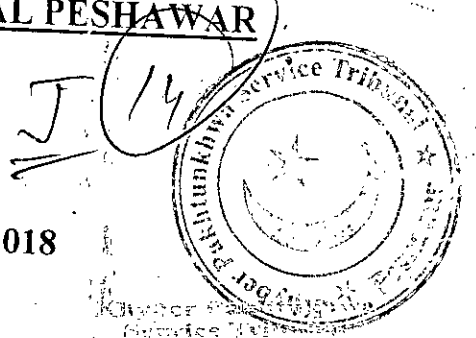
ATTESTED

کے لئے منظور ہے۔

Handwritten signature and initials

مقام

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR



SERVICE APPEAL NO. 1395 /2018

Diary No. 1598
05/11/2018

Mujahid Ali Ex- SPST,
GPS Sadabahr, Gujrat, Mardan.

(APPELLANT)

VERSUS

1. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) Mardan.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE 'KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 19.09.2018 RECEIVED BY THE APPELLANT ON 29.10.2018, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AGAINST THE ORDER DATED 11.07.2018, WHEREIN MAJOR PENALTY OF COMPULSORY RETIREMENT WAS IMPOSED UPON THE APPELLANT FOR NO GOOD GROUNDS.

05/11/18 PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 19.09.2018 AND 11.07.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO REINSTATE THE APPELLANT INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

13/11/18

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

18

**RESPECTFULLY SHEWTH:
FACTS:**

1. That the appellant was working on the post of Senior Primary School Teacher (SPST) in GPS Sadabahar Gujrat and was performing his duty with great devotion and honesty whatever so ever assigned to him.
2. That complaint of baseless allegations has been filed against the appellant and on the basis of that complaint, the appellant was transfer to GPS Peshkand. The appellant filed application for cancellation of that transfer order or posting in some other place as the appellant has enmity and due to which the transfer order of the appellant withdrawn vide order dated 14.02.2018. **(Copies of the complaint, application and order dated 14.02.2018 are attached as Annexure-A,B&C)**
3. That without communicating charge sheet and statement of allegations to the appellant, irregular inquiry was conducted against the appellant on that baseless compliant in questionnaire form without providing opportunity of defence to the appellant as neither statements of the witnesses were recorded in the presence of the appellant nor gave him opportunity of cross examination of that witnesses, but despite that the inquiry officer held him responsible. **(Copy of inquiry report is attached as Annexure-D)**
4. That show cause noticed was issued to the appellant in which it was mentioned that you often come late to school, leave school early, sending students to shop and brining outsiders to school premises and do not take interest in your school duty, the appellant submitted reply to show cause notice in which he denied all allegations. **(Copies of show cause notice and reply to show cause notice are attached as Annexure-E&F)**
5. That on the basis of baseless allegations and irregular inquiry, the appellant was compulsory retired from service vide order dated 11.07.2018. The appellant filed departmental appeal on 16.07.2018 which was rejected on 19.09.2018 without any reason and the rejection order was received by the appellant on 29.10.2018. **(Copies of order dated 11.07.2018, departmental appeal & rejection order dated 19.09.2018 are attached as Annexure-GH&I)**
6. That now the appellant come to this august Service Tribunal on the following grounds amongst others.

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

GROUNDS:

- A) That the impugned orders dated 19.09.2018 and 11.07.2018 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That no regular inquiry was conducted against the appellant as no proper opportunity of proper defence was provided to the appellant as neither statements of the witnesses were recorded in the presence of the appellant nor providing opportunity of cross examination of the witnesses, but despite that the appellant was held responsible by the inquiry officer, which is violation of law and rules, therefore the impugned orders are liable to be set aside on this ground alone.
- C) That the inquiry was conducted against the appellant in questionnaire form which is under permissible under the law and violation of superior courts judgments.
- D) That one allegation in show cause notice was that, that the appellant often come late to school, leave school early but the appellant never come late to school and the leave the school early and which is evident from the attendance register of the school. **(Copy of attendance register is attached as Annexure-J)**
- E) That the concerned ASDEO regularly visited to the school of the appellant, but he never objected on the performance of the appellant the said visit can be evident from the attendance register of the school.
- F) That as no regular inquiry was conducted against the appellant, therefore the appellant filed an application for re-inquiry in the matter which was conducted, but that de-inquiry report was not provided to the appellant, which may be requisite from the department. **(Copy of application for re-inquiry is attached as annexure-K)**
- G) That no charge sheet was communicated to the appellant which is mandatory under the law which means that respondents department did not fulfill the codal formalities before passing the impugned order, therefore the impugned orders are liable to be set aside.
- H) That appellant was also transferred on the baseless complaint which was later on withdrawn due the enmity of the appellant which means that the appellant was punished twice for the baseless complaint which is not permissible under the law.

ATTES/ED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

- I) That people of the locality has given written statements that the appellant is regularly performing his duty with honesty and devotion but despite that the appellant was punished on complaint of baseless allegations, which means that the respondents intend to punish the appellant at any cost. (Copies of the statements of the people are attached as Annexure-L)
- J) That the departmental appeal of the appellant was rejected without giving any reason which is violation of 24-A of General Clause Act as well as superior court judgments.
- K) That the appellant has been condemned unheard and has not been treated according to law and rules.
- L) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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



APPELLANT
MUJAHID ALI

THROUGH:



(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,




(ASAD MAHMOOD)
ADVOCATE HIGH COURT

Certified to be true copy



Secretary
Peshawar

Date of Presentation of Appeal 12-8-2020
 No. of Pages 2000
 Cost 22 -
4 -
26 - 
 Date 12-8-20
 Date 12-8-20

K (18)

A DE NOVE INQUIRY REPORT AGAINST
MUJAHID ALI SPST GPS SADABAHAR GUJRAT



SUBMITTED TO

THE DISTRICT EDUCATION OFFICER
E&SE (Male) MARDAN
August, 2019


ATTESTED

ATTESTED

To

The District Education Officer
E& SE (Male) Mardan

Sir,

In response to your letter No. 8244-45 on dated July, 15th 2019, the undersigned is hereby nominated as inquiry officer against Mr. Mujahid Ali SPST GPS Sadabahar Gujarat. As inquiry Officer constituted by you, will submit his report on basis of evidence and relevant interviews for your necessary action. The inquiry officer went to the following personnel and stations on 28th and 30th July of this year, and prepared the report on the basis of-

A). Minutes of the meeting (enclosed) with:

- i). Mr. Ihsan Ali Chowkidar GPS Sadabahar Gujarat.
- ii). Mr. Mujahid Ali SPST GPS Sadabahar Gujarat..
- iii). Mr. Zahir Muhammad Head Teacher GPS Sadabahar Gujrat.
- iv). Mr. Muhammad Asim Chowkidar GPS Bako Muhammad Khail Mardan

B). Other documents from-

Inquiry Report of Wasi Ullah Principal GHSS Mayar Mardan
 Inquiry Report of Hameed Khan Principal GHSS Sowaryan Mardan.
 Attendance Register photo Copies of GPS Sadabahar Gujrat Mardan
 Attendance Register photo Copies of GPS Bako Muhammad Khail Mardan

- The inquiry officer visited the following places -

1. Office of the DEO M Mardan.
2. GPS Sadabahar Gujarat Mardan.
3. GPS Bako Muhammad Khail Mardan.

C). Brief history of the Inquiry-

In the light of both earlier conducted inquiries against Mr. Mujahid Ali SPST in connection of Head teacher of the said school Mr. Zahir Muhammad and PTC Chairman written complaint, the accused official has been compulsory retired. Now the competent authority has re-instated him into service with immediate effect, with the direction to conduct departmental inquiry strictly accordance with rules, law and policy.

F). Actual finding of the Inquiry-

According your office order a written report was submitted against the SPST Mr. Mujahid Ali by the PTC Chairman and Members of the said school. The allegations were as under:-


ATTESTED.

G) Allegations and Findings

The allegations were as under:-

Allegation 1 (1. He takes no interest in teaching to students)

The PTC Chairman has been claimed that Mr. Mujahid Ali SPST did not take interest in teaching learning process. (Annex 1 Inquiry report by Wasi Ullah)

Finding 1

When I visited the school on 28-7-2019, the school' gate was locked from the inner side. I knocked the main gate; the Chowkidar came to the gate and open it. Due to his family was in the school we sit in nearby shop. I asked about the presence of Mr. Mujahid Ali SPST in the school during his duty. He replied that the said teacher has arrived always in time.

The Complaint of PTC chairman is baseless, because how can realize a PTC chairman the performance of a teacher within school. A Head teacher is the back bone and leader of a school, responsible for the education of all pupils, management of staff, and for school policy making. Head teachers are ultimately responsible for the smooth running of a school, the academic achievement of its pupils and the management of its staff.

The role of the PTC Committee will make efforts for increase in enrollment, discourage dropouts, motivate parents concerning education of their children, create awareness of importance of education and motivate parents to send their children, particularly girls, to schools, organize walks etc. The task of the PTC chairman and members is to indicate the weaknesses of the said teacher, and should forward to ASDI-O M Mardan through Head Teacher of the said school.

Allegation 2 (2. He brings notorious persons to school)

The accuser PTC committee blamed the said teacher that he has involved in the ingress of irrelevant notorious persons into the school.

Finding 2

I asked from Ihsan Ali Chowkidar about the entrance of irrelevant people in the school by Mr. Mujahid Ali SPST of this school. He totally denied such type of people brought by the said teacher in the school. (Statement of Chowkidar is hereby attached)

Allegation 3 (3. He sends children to shops)

The PTC Chairman accused Mujahid Ali in his complaint letter that he sent the students outside the school for personal matters.


ATTESTED.

Finding 3

Honourable sir! With investigation of this allegation from Ihsan Ali Chowkidar of the said school, his response was once again in negative form. He said that there is no fact in this assertion. He added that my duty is on gate and I have never seen such notorious type people with the said teacher. He also included that there was a conflict between the Head Teacher Mr. Zahir Muhammad and Mr. Mujahid Ali due to unknown reason. So this assertion is also baseless. (Statement of Chowkidar is hereby attached)

Conclusion and Recommendations

Upon completion of the inquiry, the inquiry officer produces a written report to District Education Officer that states what evidence was reviewed and summarizes relevant interviews

Keeping the above findings in view, Mr. Mujahid Ali SPST GPS Sadabahar is innocent regarding all allegations. The attendance registers of GPS Sadabahar and GPS Bako Muhammad shall also reflect his punctuality in the relevant schools. (Photo Copies attached)

Honourable sir! All the charges are baseless and may please think over on these facts and remove him anywhere vacant post in his circle.

Principal
GHS Bakhshali
Mardan


ATTESTED

L (29)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

WHEREAS, Mr. Mujahid Ali SPST. GPS Sadabahar Gujrat has been compulsory retired from services vide this office order No.5557-58 dated 11-07-2018.

AND WHEREAS, He has been reinstated in service by Secretary E&SE Khyber Pakhtunkhwa, Peshawar vide No.SO(LIT-I)/E&SE/1-1/2012/ dated 26-06-2019 with the condition to conduct denve inuiry in the case.

WHEREAS, charge sheet, statement of allegation and show cause notice was served upon Mr. Mujahid Ali through inquiry officer.

AND WHEREAS, the inquiry officer conducted inquiry in cited case and submit his recommendations vide No.775 dated 07-08-2019 with the remarks to permanent reinstate Mr. Mujahid Ali.

Now in exercise of the power conferred under Khyber Pakhtunkhwa Govt servants E&D rules 2011, the undersigned being Competent Authority is pleased to REINSTATE Mr. Mujaid Ali with effect from 03-07-2019 and adjust him at GMPS Sadabahar on the basis of STR.

Note: The non performing duties w.e.f 11-07-2018 to 02-07-2019 is treated as leave without pay. If he receive pay of the mentioned period, the same may be recovered from him and forfeit in Govt treasury

Officer

Endst No.

9244-45 / Dated: 21-8-2019

(Zulfiqar ul Mulk)
District Education Officer
(Male) Mardan

copy forwarded for information and necessary action to the:-

1. Secretary E&SE Khyber Pakhtunkhwa with his letter No mentioned above.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. DMO(IMU) Mardan.
4. SDEO(M) Mardan with the remarks to made entry in his service book.
5. Mr. Mujahid Ali GMPS Sadabar Gujrat (Registry)

District Education Officer
(Male) Mardan

ATTENDED

حضرت جناب سیکرٹری آف ایجوکیشن حیدرآباد، یسٹ اور پاسٹ

23

مدعا:- درخواست برائے ادائیگی بقایا جات

جناب عالی!

گزارش کی جاتی ہے کہ مجھے غلط الزامات کی بنیاد پر
جبری ریٹائرڈ کیا گیا تھا۔ اس کے خلاف میں نے اپیل کی اور انکو ایڑی کی
گئی اور اسی انکو ایڑی کی بنیاد پر آپ صاحبان نے میرے بحالی کے
احکامات جاری کئے۔ لیکن DEO مردان نے میرے جبری ریٹائرمنٹ
کا دورانہ *Leave without pay* تصور کرنے کے احکامات جاری کئے۔
جو سراسر نا انصافی ہے۔ کیونکہ میں تو اپنی مرضی سے ریٹائر
نہیں ہوا تھا۔ بلکہ DEO کی طرف سے آرڈر جاری ہوا تھا۔ اور
اس دوران میں دو مہینے تک اپنی ڈیوٹی پر حاضری دیتا رہا۔
لہذا آپ سے عاجزانہ استدعا کی جاتی ہے۔

کہ 18-07-11 سے 19-07-02 تک جتنے بھی بقایا جات میرے حکم
کے ذمے بنتے ہیں۔ اسے ادا کرنے کے ایگزیکٹو آرڈر جاری کر کے
مشکور فرمائیں۔

مورخہ:- 2019-10-17

العارض

محمد علی SPST گورنمنٹ مسیو پیر ایڈری سکول سندھیا روڈ

سندھیا روڈ

Handwritten signature and date 05/12

ATTESTED

Soe (B) So (Chats)
please forward to
DEO for nra as per
law's ruled policy
5-12-2019

N 24

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

Appeal No. 1395/2018

Mujahid Ali

V/S

Education deptt:

.....
**APPLICATION FOR AMENDMENT IN THE INSTANT APPEAL AS
THE APPELLANT WAS REINSTATED BY THE DEPARTMENT,
BUT WITHOUT BACK BENEFITS.**
.....

RESPECTFULLY SHEWETH:

1. That appellant has filed the instant appeal in this august the order dated 11.07.2018, whereby the appellant was compulsory retired from service and against the order dated 19.09.2018, whereby the departmental appeal of the appellant has been rejected with prayer that the impugned orders may kindly be set aside and the appellant may be reinstated into service with all back and consequential benefits.
2. That the instant appeal is in arguments stage which is fixed for today.
3. That as the appellant was penalized on baseless allegation, a denovo inquiry was conducted against the appellant by the respondent department in which the inquiry officer recommended that the all the charges were baseless and may be reinstated the appellant on which the appellant was reinstated into service vide order dated 21.08.2019 with effect from 03.07.2019, however the intervening period was treated as leave without pay. (Copy of order dated 21.08.2019 is attached as Annexure-A)
4. That as the appellant has filed the instant appeal in this august Tribunal with the prayer for reinstatement into service along with all back benefits and although the department reinstated the appellant into service, but without back benefits, therefore he wants to amend the instant appeal to the extent of back benefits because charges were not proved against the appellant and was deprived appellant from his back benefits as the appellant was compulsory retired from service for no fault on his part.


ATTESTED

ATTESTED

25

It is, therefore, most humbly prayed that on acceptance of this application, the appellant may be allowed to amend the instant appeal to the extent of back benefits.

APPELLANT

THROUGH:



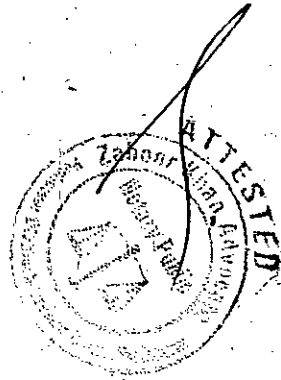
TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief.

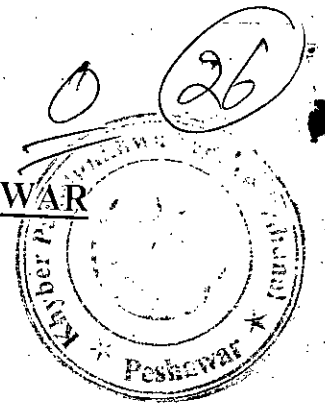


DEPONENT



ATTESTED

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR



SERVICE APPEAL NO. 1395 /2018

Khyber Pakhtunkhwa
Service Tribunal

Case No. 1598

Date 05/11/2018

Mujahid Ali Ex- SPST,
GPS Sadabahar, Gujrat, Mardan.

(APPELLANT)

VERSUS

1. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) Mardan.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 19.09.2018 RECEIVED BY THE APPELLANT ON 29.10.2018, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AGAINST THE ORDER DATED 11.07.2018, WHEREIN MAJOR PENALTY OF COMPULSORY RETIREMENT WAS IMPOSED UPON THE APPELLANT FOR NO GOOD GROUNDS.

05/11/18. PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 19.09.2018 AND 11.07.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO REINSTATE THE APPELLANT INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

ATTESTED

EX-MINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

25.06.2020


Learned counsel for the appellant and Mr. Muhammad Jan learned DDA for the respondents present.

Former states that the appellant was restored in service through order dated 21.08.2019 passed by respondent No.3. However, he has not been allowed the back benefits. Learned counsel, in the circumstances, requests for permission to submit an amended memorandum of appeal.


Allowed subject to all just exceptions. The amended appeal may be submitted within a fortnight.


Adjourned to 12.08.2020 before S.B.





Member


Chairman

Certified to be true copy


Notary Public
Sd/-
Notary

Date of ...	12-8-2020
No. ...	800
C ...	105
U ...	4-
P ...	14
D ...	
Date c...	12-8-2020
	12-8-2020

قیمت 50 روپے	31855	  
ایڈویکٹ:	بار کونسل ایسوسی ایشن نمبر:	
رابطہ نمبر:		پشاور بار ایسوسی ایشن، خیبر پختونخوا

بعدالت جناب:

منجانب: عجاہ علی	دعویٰ نمبر: ایس 1395/2018
عجاہ علی بنام محمد سلیم محمد علی	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ کارروائی کے لئے آن مقام لکٹھار کیلئے **محمد علی**، **محمد علی** اور **محمد علی** کو وکیل مقرر کیا گیا ہے۔

قرآن کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق و زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف سے یا اپیل کی برآمدگی اور مستوفی، نیز دائر کرنے اپیل نگرانی و نظرتانی 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 تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ 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

المقوم:

Attested & Accepted

مقام _____

واہ شہد العبد _____

_____ کے لیے منظور ہے۔

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1395 /2018

Mujahid Ali

V/S

Education Deptt:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	01-04
2.	Copies of the complaint, application and order dated 14.02.2018	A,B&C	05-07
3.	Copy of inquiry report	D	08
4.	Copies of show cause notice and reply to show cause notice	E&F	09-10
5.	Copies of order dated 11.07.2018, departmental appeal & rejection order	G,H&I	11-13
6.	Copy of attendance register	J	14-19
7.	Copy of application for re-inquiry	K	20
8.	Copy of statement of the people	L	21-23
9.	Wakalat nama	-----	24

APPELLANT

THROUGH:

(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,

(ASAD MAHMOOD)
ADVOCATE HIGH COURT

Room No. Fr-8, 4th Floor,
Bilour Plaza, Peshawar Cantt:
Contact No. 03339390916

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1395 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1598

Dated 05/11/2018

Mujahid Ali Ex- SPST,
GPS Sadabahr, Gujrat, Mardan.

(APPELLANT)

VERSUS

1. The Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
2. The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) Mardan.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 19.09.2018 RECEIVED BY THE APPELLANT ON 29.10.2018, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AGAINST THE ORDER DATED 11.07.2018, WHEREIN MAJOR PENALTY OF COMPULSORY RETIREMENT WAS IMPOSED UPON THE APPELLANT FOR NO GOOD GROUNDS.

Filed to-day

Registrar

05/11/18. PRAYER:

Re-submitted to -day and filed.

Registrar
13/11/18.

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 19.09.2018 AND 11.07.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO REINSTATE THE APPELLANT INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was working on the post of Senior Primary School Teacher (SPST) in GPS Sadabahar Gujrat and was performing his duty with great devotion and honesty whatever so ever assigned to him.
2. That complaint of baseless allegations has been filed against the appellant and on the basis of that complaint, the appellant was transfer to GPS Peshkand. The appellant filed application for cancellation of that transfer order or posting in some other place as the appellant has enmity and due to which the transfer order of the appellant withdrawn vide order dated 14.02.2018. **(Copies of the complaint, application and order dated 14.02.2018 are attached as Annexure-A,B&C)**
3. That without communicating charge sheet and statement of allegations to the appellant, irregular inquiry was conducted against the appellant on that baseless complaint in questionnaire form without providing opportunity of defence to the appellant as neither statements of the witnesses were recorded in the presence of the appellant nor gave him opportunity of cross examination of that witnesses, but despite that the inquiry officer held him responsible. **(Copy of inquiry report is attached as Annexure-D)**
4. That show cause noticed was issued to the appellant in which it was mentioned that you often come late to school, leave school early, sending students to shop and brining outsiders to school premises and do not take interest in your school duty, the appellant submitted reply to show cause notice in which he denied all allegations. **(Copies of show cause notice and reply to show cause notice are attached as Annexure-E&F)**
5. That on the basis of baseless allegations and irregular inquiry, the appellant was compulsory retired from service vide order dated 11.07.2018. The appellant filed departmental appeal on 16.07.2018 which was rejected on 19.09.2018 without any reason and the rejection order was received by the appellant on 29.10.2018. **(Copies of order dated 11.07.2018, departmental appeal & rejection order dated 19.09.2018 are attached as Annexure-GH&I)**
6. That now the appellant come to this august Service Tribunal on the following grounds amongst others.

GROUNDINGS:



- A) That the impugned orders dated 19.09.2018 and 11.07.2018 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That no regular inquiry was conducted against the appellant as no proper opportunity of proper defence was provided to the appellant as neither statements of the witnesses were recorded in the presence of the appellant nor providing opportunity of cross examination of the witnesses, but despite that the appellant was held responsible by the inquiry officer, which is violation of law and rules, therefore the impugned orders are liable to be set aside on this ground alone.
- C) That the inquiry was conducted against the appellant in questionnaire form which is under permissible under the law and violation of superior courts judgments.
- D) That one allegation in show cause notice was that, that the appellant often come late to school, leave school early but the appellant never come late to school and the leave the school early and which is evident from the attendance register of the school. **(Copy of attendance register is attached as Annexure-J)**
- E) That the concerned ASDEO regularly visited to the school of the appellant, but he never objected on the performance of the appellant the said visit can be evident from the attendance register of the school.
- F) That as no regular inquiry was conducted against the appellant, therefore the appellant filed an application for re-inquiry in the matter which was conducted, but that de-inquiry report was not provided to the appellant, which may be requisite from the department. **(Copy of application for re-inquiry is attached as annexure-K)**
- G) That no charge sheet was communicated to the appellant which is mandatory under the law which means that respondents department did not fulfill the codal formalities before passing the impugned order, therefore the impugned orders are liable to be set aside.
- H) That appellant was also transferred on the baseless complaint which was later on withdrawn due the enmity of the appellant which means that the appellant was punished twice for the baseless complaint which is not permissible under the law.

- I) That people of the locality has given written statements that the appellant is regularly performing his duty with honesty and devotion but despite that the appellant was punished on complaint of baseless allegations, which means that the respondents intend to punish the appellant at any cost. **(Copies of the statements of the people are attached as Annexure-L)**
- J) That the departmental appeal of the appellant was rejected without giving any reason which is violation of 24-A of General Clause Act as well as superior court judgments.
- K) That the appellant has been condemned unheard and has not been treated according to law and rules.
- L) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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


APPELLANT
MUJAHID ALI

THROUGH:


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,

(ASAD MAHMOOD)
ADVOCATE HIGH COURT

درخواست مراد

جناب عالی

AC

گزارش کی جاتی ہے کہ بی بی ٹی سی ممبران آپ کے خدمت میں
 ہیں کہ ہمارے اسکول سدا پبلر میں مجاہد علی پٹھر ایک بے کارانہ
 روزانہ اسکول کو لیتا ہوتا ہے۔ انہوں نے ساتھ کلاس میں لپٹ لپٹ کر
 اور کلاس میں بیٹھے کر نئے لڑتے جھگڑتے ہیں۔ اور یہ صاحب موبائل
 جس دن دوسرا استاد چھٹی بر ہوتا ہے۔ یہ صاحب
 اسکول چلا کر گھومتے پھرتے ہے اور باہر لوگوں کے ساتھ لپٹ لپٹ لگاتے
 اور بچے کلاس میں لڑتے جھگڑتے ہیں۔ جب اس کو شکایت کرتے ہیں تو انہوں
 کو سزا دی جاتی ہے جس کی وجہ سے کئی بچے زخمی ہو گئے ہیں۔ یہ بات
 آپ اجازت خود پوچھ سکتے ہیں۔ ریاض علی چیمبر میں نے کئی دفعہ سمجھا یا ہے
 لیکن اس پر کوئی اثر نہیں۔ ہمیں معلوم ہوا ہے کہ یہ صاحب کئی اسکولوں میں
 رہ چکا ہے اور اس کی ریکارڈ ابھی نہیں ہے۔
 صاحبان سے عاجزانہ گزارش ہے کہ ان کے خلاف معلومات اخذ کر کے تبادلہ
 کر لیں۔ یہاں بچوں کو ان کے بیٹے سے آزاد کر لیں۔ اور یہاں لپٹ لپٹ
 عادی استاد گاہاں تبادلہ کر لیں

17-12-16
 بہت نا اہل و دعاؤں میں سے ہے
 چیئر مین بی بی ٹی سی گورنمنٹ پرائمری سکول سدا پبلر (لڑات)
 ممبر بی بی ٹی سی
 سید خان
 30283914
 جناب عالی
 درخواست حقیقت پر مبنی ہے
 نو بینڈر خان
 34242

HEADTEACHER
 G.P.S Sada Pblr

RECEIVED
 AK

خدمت قصاب ڈسٹرکٹ ایجوکیشن افسر قصاب ۱۱۱۱

ضابطہ

حوادثہ تیز رفتاری سے تہ سہاگ ڈسٹرکٹ پرائمری سکول
سید ایدار میں کھینٹ SPST خزانہ انجام دیا گیا ہے
سنگ کا تبادلہ ہی ٹی۔ سی کونسل کے چکر میں شکایت پر
SPST پیشکش ہو چکا ہے۔

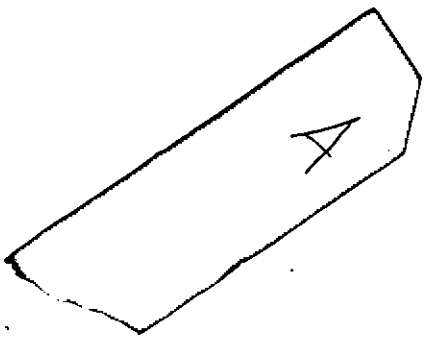
ضابطہ و بالا سہاگ کی سابقہ دستخطی علی آری ہے۔ اگر ڈیوٹی
کے دوران سہاگ کو کوئی بھی تعریف پیش آئی تو اس کا ذکر
بشریحین SPST دستخط ہوگا۔ جو یہ قصاب بھی ڈیوٹی میں رکاوٹ ہے
بہذا اس معاملہ کی وضاحت میں عرض ہے تہ مذکورہ سرورزن سے
یا سوچو وہ ڈسٹرکٹ ایجوکیشن آفیسر ہیں۔

سہاگ کی یہ ضمانت کا یہ اصرار تا دم زنت مایوس کن ہے۔
عین وزارت سہاگ

مدد ۱۸/۰۱/۱۹۱۱

یاد رکھو۔ مجاہد علی SPST ڈسٹرکٹ ایجوکیشن آفیسر سید ایدار
(جگتالی پورہ)

Handwritten signatures and stamps including:
ASDEO (M)
Pry: Circle Gujrat
Mardan



OFFICER(MALE) MARDAN

7
OL
/

issued vide this office under Endst No.397/G
Jahid Ali SPST GPS Sadabahr to GPS Peshkand is

[Handwritten Signature]
14/12

(Ijaz Ali Khan)

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Endst:No. 1327/A /IMU Teh Mdn/Dated: 14/12 /2018

Copy forwarded to the:-

1. SDEO(M) Mardan.
2. Official concerned.

[Handwritten Signature]

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED
[Handwritten Signature]

Your office order a written Complaint was submitted against the SPSI Mr. Mujahid Ali Chairman PIC of the same school the allegations against him are as under.

He takes no interest in teaching to students.

He brings notorious persons to school

He sends children to shops.

PROCEDURE

I visited the school myself

I met the inhabitants of the area and took their views about the case.

I took written statement from the PSHI of the school

I took written statement from the Chairman PTC.

I served a questionnaire to Mr. Mujahid Ali SPSI.

I got the views of a member of PTC on Phone.

I got relevant copies of the record of the school.

FINDINGS.

Mr. Mujahid Ali SPSI is a complex Charter. He gets benefits from the customs and traditions of the area.

He is not equipped wwith the knowledge and personal tracts needed for a teacher even he has not improved his academic qualification after FA.

From the time of his arrival in this school time and again he has been advised and directed by his PSHI but of no use.

At last he was transferred to some other school on 12.01.2018 but after a month he has managed to cancel his transfer order.


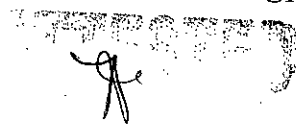
The statements and school record shows that he is involved in late coming, early going, sending students to shops, bringing outsiders to school premises.

He does not take interest in educating of students Teaching is just an economical support for him.

RECOMMENDATIONS:

In the light of the above mentioned points and record is hereby recommended that in the greater interest the student Mr. Muhahid Sath Bahar Gujrat may be given compulsory retirement after fulfilling all codal formalities.

Wasi Ullah Mayar
Principal
GHSS Mayar, Mardan

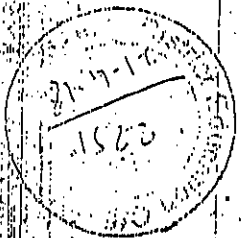
Handwritten initials at the top of the page.

Principal
Wasiqul Kabir
Principal
GHS Sadiqabad
Wasiqul Kabir
Principal
GHS Sadiqabad

of the right of the above mentioned parents and school it is hereby recommended that the
of the school be transferred to the school for the year 2018-19.

It is not taken interest in education of students Teaching is just an economic
activity for them.
The parents and school record shows that they involved in late coming, early going
and students to shops, bringing students to school premises.
It has been transferred to some other school on 12-01-2018, but after a month he
has been advised and
from the time of his arrival in this school now and again he has been advised and

the management with the teacher and related parties provided for a teacher, given
the management of the area.
The school is a complex character, he gets benefits from the customs and



From the school
I have written statement from the Chairman PTC
I have written statement from the PPT of the school
I have taken the views of the area and took their views about the case.
I have taken the views of a member of PTC on phone.
I have taken relevant copies of the record of the school.

your office under a written complaint was submitted against the SPT Mr. Mujibul
I have taken the views of the area and took their views about the case.
I have taken the views of a member of PTC on phone.
I have taken relevant copies of the record of the school.

I have been appointed as enquiry officer in the inquiry
and all SPT GHS Sadiqabad Gopal Mardan

Handwritten signature: Amjad Ali

Handwritten initials and marks at the bottom left corner.

127

4/5/18

E 9

OFFICE OF THE DISTRICT EDUCATION OFFICER(MALE) MARDAN

No. 3881-82 / Tech Req / Dated: 5-5- /2018

SHOW CAUSE NOTICE

I Ijaz Ali Khan District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Mujahid Ali SPST GPS Sadabahar Gujrat, show cause notice as follows:

- a. You often come late to school, leave school early, sending students to shops and bringing outsiders to school premises and do not take interest in your school duty as proved in the inquiry conducted against you.
- b. In exercise of the power conferred by the KPK Govt: servant (Efficiency & Discipline) Rules, 2011, the Competent Authority is hereby pleased to serve you with the instant show cause notice regarding your inefficiency with the direction to submit your defense in writing within a week time of the issuance of this notice as to why penalty of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.
- c. In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and ex-parte decision will be taken against you.

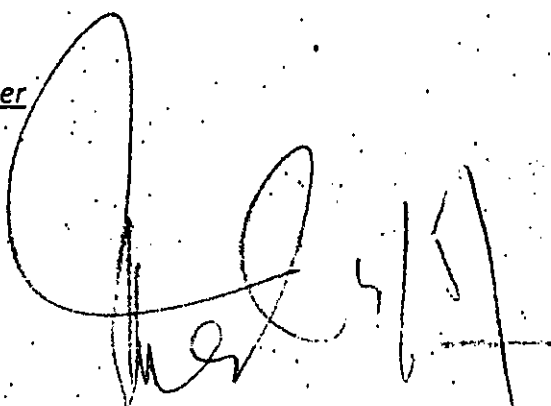

(Ijaz Ali Khan)

**DISTRICT EDUCATION OFFICER
(MALE) MARDAN**

To Mr. Mujahid Ali SPST GPS Sadabahar Gujrat

- 1. SDEO(M) Mardan to issue notice upon the cited teacher

No: 1009/9 Date: 0/5/18


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

No 1176

گورنمنٹ ہائی اسکول (E Sec) ایجوکیشن سروس

جواب cause سلسلہ

مناب عالی

گزارش ہے کہ بندہ دیہی سدا بہار اسکول

گجرات میں اپنی ڈیوٹی سرانجام دے رہا ہے۔

بندہ کے ذمے جو التزامات لگائے گئے ہیں۔

① صبا - والا۔ میں وقت پر سکول جاتا ہوں۔ اور وقت پر واپس کرتا ہوں۔

② طلبہ کو کمر کام کیلئے سکول سے رکان نہیں بھیجا ہوں۔

③ منیر متعلقہ افراد کو سکول نہیں بلاتا ہوں۔

④ اپنی بساط کے مطابق پڑھائی کرتا ہوں۔ اپنی ڈیوٹی کرتا ہوں۔

زیادہ کوشش کر رہا ہوں کہ اپنی ڈیوٹی ایماندارانہ سے کروں۔

اور افسران بالا کو شکایت کا موقع نہیں دوں گا۔

19/5/18

العقاد

محمد علی نظامی
Sachakhan
Comp.

محمد علی SPST

دیہی سدا بہار

سرکے گجرات سروس

19/5/18

RECEIVED
Dr

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

I, Ijaz Ali Khan District Education Officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline Rules, 2011, do hereby serve Mr. Mujahid Ali SPST GPS Sada Bahar (Gujrat), follows”

- Where as a complaint received against Mr. Mujahid Ali SPST GPS Sadabahar regarding non performing his duties.
- And where As, he was transferred on admin ground on the recommendations of SDEO concerned vide this office No. 397/G dated 12.01.2018.
- And where As, he submitted an application for cancellation his transfer order and appealed that his transfer under report is baseless.
- And where As, this office nominated an inquiry officer to conduct proper inquiry in the case vide this office No. 1358/G dated 15.02.2018 and inquiry officer recommended his compulsory retirement.
- And Where As, a show cause notice was issued to him vide this office No. 3881-82 dated 05.05.2018.
- And where As his reply to the show cause notice was received to this office vide SDEO (M) Mardan office letter No. 1301 dated 05.06.2018 in which no clarification was submitted regarding charges against him.
- And where As he was called personal hearing twice vide this office No. 4283 dated 22.05.2018 and through SDEO vide this office No. 5006 dated 12.06.2018.
- And Where As, he attended the office of the undersigned on 26.06.2018.
- And whereas the Competent Authority, after having considered the charges and evidence on record is not satisfied from his written statement given by him at the time of personal hearing.
- And Where As, He found guilty misconduct under KPK Govt Servant E&D Rules, 2011.

Now in exercise of the power conferred to me under the Khyber Pakhtunkhwa Govt Servant E&D Rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement from the service upon Mr. Mujahid Ali SPST Sadabahar Gujrat with immediate effect.

(IJAZ ALI KHAN)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

Copy forwarded to the:-

1. SDEO (M) Mardan.
2. District Accounts Officer Mardan.
3. Mr. Mujahid Ali SPST GPS Sadabahar Gujrat.

(IJAZ ALI KHAN)
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

OFFICE ORDER

I Ijaz Ali Khan District Education Officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules 2011 do hereby serve Mr. Mujahid Ali SPST GPS Sada Bahar (Gujrat) follows:

- Where As a complaint received against Mr. Mujahid Ali SPST GPS Sada Bahar regarding non performing his duties.
- And Where As, he was transferred on admin ground on the recommendations of SDEO concerned vide this office No. 397/G dated 12-01-2018.
- And Where As, he submitted an application for cancellation his transfer order and appealed that his transfer order reported as false.
- And Where As, this office nominated an inquiry officer to conduct proper inquiry in the case vide this office No. 1358/G dated 15-02-2018 and inquiry officer recommended his compulsory retirement.
- And Where As, a show cause notice was issued to him vide this office No. 7881-62 dated 05-05-2018.
- And Where As his reply to the show cause notice was received to this office vide SDEO(M) Mardan office letter No. 1301 dated 05-06-2018 in which no clarification was submitted regarding charges against him.
- And Where As he was called for Personal Hearing twice vide this office No. 4283 dated 22-05-2018 and through SDEO vide this office No. 5006 dated 22-06-2018.
- And Where As, he attended the office of the undersigned on 26-06-2018.
- And Where As the Competent Authority after having considered the charges and evidence on record is not satisfied from his written statement given by him at the time of personal hearing.
- And Where As he found guilty of gross Misconduct under K.P.K Govt servants E & D rules 2011.

Now in exercise of the power conferred to me under the Khyberpakhtunkhwa Govt servant E&D rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement from the service upon Mr. Mujahid Ali SPST GPS Sada Bahar Gujrat with immediate effect.

(Ijaz Ali Khan)
District Education Officer
(Male) Mardan

Enst: No. 397/G / Teach Rec / Dated 12-01-2018

Copy forwarded to the:

1. SDEO(M) Mardan
2. District Accounts Officer Mardan
3. Mr. Mujahid Ali SPST GPS Sada Bahar Gujrat.

(Ijaz Ali Khan)
District Education Officer
(Male) Mardan

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (MALE) MARDAN

Enst: No. 4283 / C-7 / Compulsory Retirement / Dated 22-05-2018

- Copy to:
1. ASDCO (Male) Gujrat with the remarks to inform the concerned Teacher.
 2. Mr. Mujahid Ali SPST GPS Sada Bahar Gujrat.
 3. District Education Officer (Male) Mardan for information please.

SUB-DIVISIONAL EDUCATION OFFICER
(MALE) MARDAN

(Signature)

(12)

H

ذریعہ خیریت و امانت کے لئے

در صورت طرہ حال مدرسہ صحت نیاں
محمد علی شہر

جناب عالی! درج ذیل صورتیں

پر اس لئے خیریت و امانت کے لئے

مجلس کو شوقا سے لکھیں

لکھت ہوئے کہ وہ سے سرویس

بہتر ہے آپ غریب آدمی ہے

مجلس کو شوقا سے لکھیں

لکھت ہوئے کہ وہ سے سرویس

محمد علی شہر
16/7/18

16/7

1032
16/7

De

2023
2007/2013

16100

13



**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.**

No. 801/F. No. 162/Vol:17/Appeal of
PST(M)General.

Dated Peshawar the 19/9/2018.

To,

The District Education Officer (M)
Mardan.

Subject: - **DEPARTMENTAL APPEAL.**

Memo:-

I am directed to refer to your letter No.5688 dated 23.07.2018 on the subject cited above and to state that the appeal of Mr. Mujahid Ali SPST GPS Sadabahar Gujrat District Mardan in light of DEO (M) Mardan report is hereby rejected.

I am further directed to ask you to inform the teacher concerned accordingly.

(Signature)

Deputy Director (Estab)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

(Signature)

19/9/18

Endst: No. _____/

Copy forwarded to the:-

- 1. P.A to Director Elementary and Secondary Education local office.

The appellant received his departmental appeal today from the office of Directorate E & SE Peshawar

(Signature)

Deputy Director (Estab)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.

19/9/18

Amund 29/10/18.
ASSISTANT DIRECTOR
Directorate of E&SE
Khyber Pakhtunkhwa Peshawar

ATTESTED
(Signature)

PHILIPPINE S.P.S.T. 13

Day	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Day																																	
Notes																																	
Remarks																																	

PHILIPPINE S.P.S.T. 13

Day	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Day																																	
Notes																																	
Remarks																																	

Handwritten notes and signatures on the left side of the first page.

Handwritten notes and signatures on the left side of the second page.

ردیف	ظاہر شد			مجاہد علی			احسان علی		
	آد	دست	روزگار	آد	دست	روزگار	آد	دست	روزگار
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									

روزگار	دست	آد	روزگار	دست	آد	روزگار	دست	آد
16	14	09	14	12	02			
16	14	02	14	12	02			

13/11/91
 14/11/91
 15/11/91
 16/11/91
 17/11/91
 18/11/91
 19/11/91
 20/11/91
 21/11/91
 22/11/91
 23/11/91
 24/11/91
 25/11/91
 26/11/91
 27/11/91
 28/11/91
 29/11/91
 30/11/91
 31/11/91

ردیف	ظاہر شد			مجاہد علی			احسان علی		
	آد	دست	روزگار	آد	دست	روزگار	آد	دست	روزگار
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									

13/11/91
 14/11/91
 15/11/91
 16/11/91
 17/11/91
 18/11/91
 19/11/91
 20/11/91
 21/11/91
 22/11/91
 23/11/91
 24/11/91
 25/11/91
 26/11/91
 27/11/91
 28/11/91
 29/11/91
 30/11/91
 31/11/91

روزگار	دست	آد	روزگار	دست	آد	روزگار	دست	آد
16	14	09	14	12	02			
16	14	02	14	12	02			

رقم	ظاہر صوبہ			بی آر سی صوبہ			احسان علی		
	آد	دستخط	تاریخ	آد	دستخط	تاریخ	آد	دستخط	تاریخ
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									

رقم	ظاہر صوبہ			بی آر سی صوبہ			احسان علی		
	آد	دستخط	تاریخ	آد	دستخط	تاریخ	آد	دستخط	تاریخ
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									

روز	پنج	جمعہ	اتوار	پنج	جمعہ	اتوار	پنج	جمعہ	اتوار
تعداد				6	4	2	6	4	2

روز	پنج	جمعہ	اتوار	پنج	جمعہ	اتوار	پنج	جمعہ	اتوار
تعداد				4	2	2	4	2	2

Signature and date: 21/11/10

Signature and date: 21/11/10

سورہ صافات ڈائریکٹر صاحبہ
انٹرنیٹ ایڈ سیکرٹری صاحبہ

عنوان: درخواست برآمد
No Inquiry

صاف عالی

مذرا میں یہ ہے۔ یہ قذوی دہلی سدا بیار میں ڈیوڑی SPST
رہے وقتیں سدا بیار میں ہیں۔ قذوی نے سکول کے قذوی کے
کے کارز صاحبہ لگا کر بیاسی طور ہے صبری رہنا کر کرنے کے اصفیاء
DEO صون سے حاصل ہے ہے۔ ریکورڈری ریسرے صاحبہ کے
کام مظاہرہ ہے۔ قذوی کے قذوی راجہ ہے۔ صوبہ کے قذوی کے
لڈا آپ صاحبہ صوبہ کے رہے دوبارہ ریکورڈری کے
میں حال پر قذوی۔ صاحبہ کے قذوی

30/7/2018

الغالب

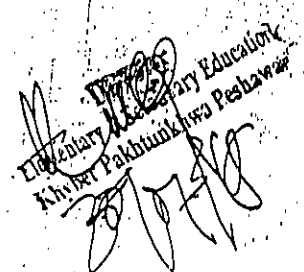
صافی

وہاں ہوا

Spst عالی
Gps سدا بیار = قذوی

7/3

DEO (M) Mandera
P.A. up to the
Mandera



CPD.F.O. - 2017
مردان

تاریخ: ۱۰/۱۱/۱۷

گزارش درج ذیل کے مطابق ہے کہ

مستعمل زمین (پلاٹ نمبر ۱۷) میں اپنی ڈیوٹی انجام دے رہا ہے

انٹرویو سے انجام دے رہا ہے اس پر جو

الزامات لگائے ہیں وہ پورا کر کے بنیاد اور عمارت پر

پورا کام مندرجہ ذیل کے خلاف کیا گیا ہے

ذوالحسین منڈل کو ستر
گجرات (سولہ بیار)

ZAKIR ALI
General Councilor
U.C. Gujrat 2 Merdan

Signature

161011739688-3

03006729528

Stamp and signature

خدمت جناب ڈی ای او (DEO) میل مردان

22

جناب عالی!

گزارش کی جاتی ہے کہ ہم سب اہلیان سدا

جرات یہ گواہی دیتے ہیں کہ مجاہد علی گورنمنٹ پرائمری سکول

سدا بہار کا ایک محنتی اور فرض شناس ٹیچر ہے، اُس پر

ذاتی عناد کی وجہ سے بے بنیاد اور غلط الزامات لگائے گئے،

لہذا آپ سے استدعا کی جاتی ہے کہ اُس کے خلاف

محکمہ کارروائی روک لی جائے۔ آپ کی بڑی نوازش ہوگی

مورخہ

الصارضات

اہلیان سدا بہار جرات ضلع مردان

سید محبت شاہ

سید محبت شاہ کسان ونگر گرجہ
Said Ullah Sheikh
Kissan Colony
Village Jirat 2

0345-9348575

ATTACHED

P.T. 5

ولدیت

موبائل نمبر

Said Hussain
M. Nazim M.B.S.
Suyrat Mardan

03149387851-

سید یوسف (کوئٹہ) - میر زمان

(1)

0300-5729528

ذاکر علی (کوئٹہ) -
16101-1739688.3

(2)

03009085306 - احسان علی

کیاقت علی

(3)

0300-8202763 - مثل خان

میر زمان

(4)

0300-5746915 - محمد یونس

طلحہ محمد

(5)

03002127594 = محمد اسحاق

آلیا

(6)

0331-19333858 - فرحان علی

احسان علی

(7)

03052591430 - حبیب زادہ

مثل خان

حبیب زادہ

(8)

0312 9295081

محمد یونس (کوئٹہ) محبوب علی

میاض الحق

(9)

FAYAZ III HAQ
Youth Member

SUYRAT

ACCEPTED

03065738246 - عادل علی

احسان اللہ

عادل

(10)

0306-5925797

فرمان علی

مظاہر علی ولد

(11)

Said Bakht Shah
Khasan COMISHI
2

سید بخت شاہ ک فاکوئٹہ

بعدالت

سروس ٹریڈ ہوٹل لیسٹا

مجلد کی 2، پنجاب ایپلینٹس
مجاہد میں بنام محمد سعید

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ مر
آن مقام لیسٹا کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
کیلئے سہمور علی خان اور اسد محمود ایڈووکیٹس
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زر اس پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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۔ از بصورت ضرورت
مقدمہ مذکور 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 بھی 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 دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

Attested
&
Accepted

20

ماہ

المرقوم

الع د گ وا الع

کے لئے منظور ہے۔

محمد سعید

مقام