

22.07.2019

Nemo for the appellant. Mr. Ziaullah; DDA present. None is present as representative on behalf of the respondents.

Notices be issued to appellant/his counsel as well as respondents. To come up for written reply/comments on 11.09.2019 before S.B.




Chairman

11.09.2019

Nemo for appellant. Mr. Ziaullah DDA present. No representative of the respondents is available.

It is already past 4.00 PM and no one is in attendance on behalf of the appellant despite repeated calls.

Dismissed for non-prosecution. File be consigned to the record room.



Chairman

Announced:
11.09.2019

1480/2018


09.04.2019

Counsel for the appellant present.

Learned counsel for the appellant has submitted an application for permission to deposit security and process fee as the time provided in order dated 22.02.2019 has already elapsed. It is stated that the appellant was not in the knowledge of contents of previous order, therefore, the delay occurred.

The application is allowed. The appellant shall make the necessary deposit within three days thereafter, notices be issued to the respondents for submission of written reply/comments.


Adjourned to 28.05.2019 before S.B.


Appellant Deposited
Security & Process Fee ▶


Chairman

28.05.2019

Counsel for the appellant present.

Fresh notices be issued to respondents alongwith copy of memorandum of appeal ~~to respondents~~ for submission of written reply/comments on 22.07.2019 before S.B. 


Chairman

22.02.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Naib Qasid) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against the tentative common seniority list which was confirmed as final seniority list vide order dated 04.09.2018. In the impugned seniority list the appellant has been placed at serial No.8. Plea of the learned counsel for the appellant is that the appellant should have been placed at Serial No.1 of the impugned seniority list.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on ^{09.04.2019} 29.03.2019 before S.B.

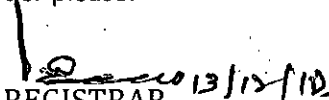
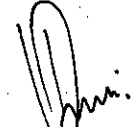


Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 1480/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/12/2018	<p>The appeal of Mr. Farid Ullah resubmitted today by Malik Faheemullah Jan 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</p>
2-	24/12/2018.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/01/2019.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	21.01.2019	<p>Clerk to counsel for the appellant present. Due to general strike of the bar, learned counsel for the appellant is not in attendance. Therefore the case is adjourned. To come up for preliminary hearing on 22.02.2019 before S.B.</p> <p style="text-align: right;"> Member</p>

The joint appeal of Mr. Faridullah and Faisal Khan office of the Senior Civil Judge Upper Dir received today i.e. on 12.11.2018, is in complete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.


- ① Memorandum of appeal may be got signed by the appellants.
- ② Annexures of the appeal may be attested.
- ③ Addresses of respondent no. 4 to 7 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 4- Copies of metrics Certificate and objection petition against the tentative seniority list of appellant no.2 mentioned in para-2 and 5 of the memo of appeal respectively are not attached with the appeal which may be placed on it.
- ⑤ Copy of tentative seniority list bearing no. 529 dated 02.06.2018 is not attached with the appeal which may be placed on it.
- 6- Copy of departmental appeal against the final seniority list and its rejection order is not attached with the appeal which may be placed on it.
- 7- Sub-rule- 2 of rule-3 of the appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately. Therefore, the appeal of the above appellants may be filed separately/individually.
- 8- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.
- ⑨ Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each appeal may be submitted.

No. 22915 /S.T.

Dt. 13/11 /2018



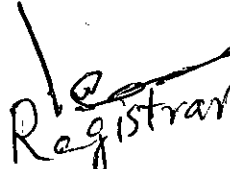
Malik Fahimullah Jan Adv. Pesh.


REGISTRAR - 13/11/18.
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

all the objection has been removed and re-submitted.

*objections no. 1, 2, 5 and 9 are still stand
Therefore the appeal in hand is returned to the
counsel for the appellant for completion and
resubmission within 10 days*

*NO. 2293 /S.T
Dt. 28/11/2018*


Registrar 28/11/18.

sir,
objection 1 has been removed
and appellant has signed the
appeal himself.

objection 2 has also been removed
and all the emmenues are
duly signed by the appellant
cancel.

objection 3 has already been
removed all the respondents
are permanent employees of
district and session judge/
senior civil judge
appellant has no personal data
of respondents.

⇒ copy of tentative list dated 2⁶/₂₀₀₈
No 529 has been annexed.

⇒ extra 3 more copies have been
annexed with appeal
hence re-submitted for personal
File
6-12-2008

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1480/2018

Diary No. 1627

Dated 12-11-2018

1. Farid Ullah (Naib Qasid, BPS-4) S/o Khair Ullah Khan Senior Civil Judge, Upper Dir
 2. Faisal Khan (Sweeper BPS-4) S/o Faiz ur Rehman Khan Senior Civil Judge, Upper Dir
-**Appellants**

V E R S U S

1. District & Session Judge Upper Dir
2. Senior Civil Judge, Upper Dir
3. Promotion Committee through its Chairman
4. Rahim Ullah (Naib Qasid BPS-3)
5. Muhammad Ismail (Naib Qasid BPS-3)
6. Imran Khan Chowkidar BPS-3
7. Qasim (Naib Qasid BPS-3), all employees of Senior Civil Judge, Upper Dir.

.....**Respondents**

Filed to-day

Qasim
Registrar

12/11/18

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL ACT, 1974, AGAINST THE ORDER DATED

04/09/2018 OF RESPONDENTS 1 & 2, VIDE WHICH

THE FINAL SENIORITY LIST HAS BEEN ISSUED IN WHICH THE

Re-submitted to-day
and filed

Qasim
13/12/18

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

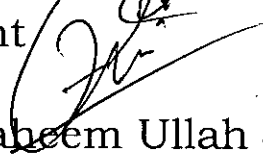
Service Appeal No. 1480 /2018

Farid Ullah  **Appellant**
VERSUS

District & Session Judge Upper Dir & others
..... **Respondents**

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S#	Description of the Documents	Annex	Pages
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Appellant 
Through
Malik Fahem Ullah Jan
Advocate, Peshawar

Dated: 12/11/2018

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

Service Appeal No. 1480 /2018

Farid Ullah (Naib Qasid, BPS-4) S/o Khair Ullah
Khan Senior Civil Judge, Upper Dir

.....**Appellant**

V E R S U S

1. District & Session Judge Upper Dir
2. Senior Civil Judge, Upper Dir
3. Promotion Committee through its Chairman District Upper Dir
4. Rahim Ullah (Naib Qasid BPS-3) employee of Senior Civil Judge, Upper Dir.
5. Muhammad Ismail (Naib Qasid BPS-3) employee of Senior Civil Judge, Upper Dir.
6. Imran Khan Chowkidar BPS-3 employee of Senior Civil Judge, Upper Dir.
7. Qasim (Naib Qasid BPS-3), employee of Senior Civil Judge, Upper Dir.

.....**Respondents**

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL ACT, 1974, AGAINST THE ORDER DATED

04/09/2018 OF RESPONDENTS ~~NO 1 & 2~~, VIDE WHICH

THE FINAL SENIORITY LIST HAS BEEN ISSUED IN WHICH THE APPELLANT HAVE BEEN PLACED AT SERIAL NO 8 & 9 FROM SERIAL NO 1 & 2.

Prayer:-

On acceptance of the appeal, the impugned seniority list dated 04/09/2018 may kindly be declared as illegal, against universal norms of justice and void ab-initio liable to be recalled and may kindly be set aside and the appellant may kindly be placed at their original position in the seniority list.

Respectfully Sheweth:-

1. That the appellant joined the services as Naib Qasid in the Establishment of Senior Civil Judge Upper Dir on 10/11/2006. (Copy of order is attached as annexure "A").
2. That appellant did his S.S.C in year 2005 and F.A. (Copies of educational documents are attached as annexure "B").
3. That appellant was at top of the seniority list of the year 2011 to 2018. (Copy of seniority list from the year, 2011 to 2018 are attached as annexure "C").

4. That the respondents No 1 & 2 have been issued a tentative list in which the present appellant was placed at serial No 8 from serial No 1 and respondents No 4 to 7 have been placed at senior to the appellant. (Copy of tentative list is attached as annexure "D").
5. That the appellant filed departmental appeal against the impugned tentative list. (Copy of appeal is attached as annexure "E").
6. That the respondent No 1 constituted the committee and referred the matter for adjudication and the committee rejected the appeal of the appellant vide minutes of the meeting dated 04/09/2018. (Copy of minutes of meeting is attached as annexure "G").
7. That the impugned tentative list was confirmed as final seniority list vide order dated 04/09/2018. (Copy of order dated 04/09/2018 is attached as annexure "H").
8. That the appellant filed review petition on 11/09/2018 before the respondent No 1, which

was dismissed vide order dated 10/10/2018.(Copy of order is attached as annexure "I").

9. That the appellant approached this Hon'ble Tribunal being aggrieved with the final seniority list dated 04/09/2018, inter alia on the following grounds amongst other:

GROUND S:-


- A. That the appellant has not been treated in accordance with law and the respondents have violated the settled law and Rules of Service & Promotion.
- B. That for the purpose of promotion, seniority is counted from the date of appointment, so the appellant are senior to the respondents No 4 to 7.
- C. That appellant was wrongly placed in seniority list dated 04/09/2018 for the purpose of promotion.
- D. That neither proper procedure nor rules made in this behalf were adopted at the time of promotion.

- E. That the appellant filed departmental appeal but of no avail and as such the present appeal.
- F. That the impugned seniority list is against the pronouncements of the superior judiciary of the country.
- G. That the impugned seniority list is the result of pick and choose and discrimination, hence the same is liable to be corrected.
- H. That the constitution of Islamic Republic of Pakistan, 1973 guarantees equality and equal treatment but in this case the appellant has been treated discriminately by the official respondents in so far as requirement of law is concerned.
- I. That the appellant were placed at serial No 8 & 9 of the seniority list for simple reason that the officials mentioned in serial No 3 to 7 of the said list did their matriculation prior to the appellant as shown in column 8 of the final list.
- J. That there is no doubt the officials mentioned at serial No 3 to 7 did their SSC prior to the appellant, however, they were inducted in service

much later than appellant as such they cannot be in contest of seniority with the appellant.

- K. That the appellant seeks leave of this Honourable Tribunal to raise further points at the time of arguments, with the kind permission of this Honourable Tribunal.

It is, therefore, most humbly prayed that on acceptance of the appeal, the impugned seniority list dated 04/09/2018 may kindly be declared as illegal, against universal norms of justice and void ab-initio liable to be recalled and may kindly be set aside and the appellant may kindly be placed at their original position in the seniority list.


Appellant

Through


Malik Faheem Ullah Jan
Advocate, Peshawar

Dated: 12/11/2018

Note:-

As per instruction of my client, no such like petition has earlier been filed by the Petitioner in this Honourable Court.


Advocate 

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2018

Farid Ullah  **Appellants**

VERSUS

District & Session Judge Upper Dir & others
 **Respondents**

A F F I D A V I T

I, Malik Faheem Ullah Jan Advocate as per instruction of my client, do hereby solemnly affirm and declare that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



ADVOCATE

7/A

BEFORE THE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2018

Farid Ullah ~~_____~~ **Appellants**
VERSUS

District & Session Judge Upper Dir & others
..... **Respondents**

APPLICATION FOR SUSPENSION OF THE ORDER DATED
04/09/2018 OF RESPONDENTS NO 1 & 2, TILL THE
FINAL DECISION OF THE SERVICE APPEAL

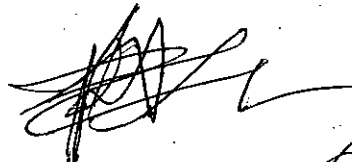
Respectfully Sheweth:-

1. That the above noted Service Appeal is being filed before this Honourable Tribunal, in which no date of hearing has yet been fixed.
2. That the petitioners have got a good prima facie case in their favour, and are sanguine about its success.
3. That the balance of convenience also lies in favour of the petitioners.

7/13
B

4. That if the impugned the order dated 04/09/2018 of respondents no 1 & 2 is not suspended, than the petitioners would suffer irreparable loss.
5. That the facts and grounds of the Service Appeal may kindly be read as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the order dated 04/09/2018 of respondents no 1 & 2, may kindly be suspended, till the final decision of the case.



Appellant

Through

Malik Faheem Ullah Jan
Advocate, Peshawar

Dated: 12/11/2018

AFFIDAVIT:-

*It is, stated on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.*



DEPONENT

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

Service Appeal No. _____/2018

Farid Ullah & ~~another~~ **Appellants**

VERSUS

District & Session Judge Upper Dir & others
..... **Respondents**

ADDRESSES OF PARTIES

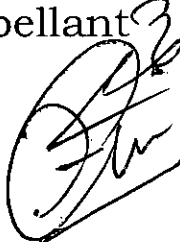
APPELLANT

1. Farid Ullah (Naib Qasid, BPS-4) S/o Khair Ullah Khan Senior Civil Judge, Upper Dir
2. Faisal Khan (Sweeper BPS-4) S/o Faiz ur Rehman Khan Senior Civil Judge, Upper Dir

RESPONDENTS

1. District & Session Judge Upper Dir
2. Senior Civil Judge, Upper Dir
3. Promotion Committee through its Chairman
4. Rahim Ullah (Naib Qasid BPS-3)
5. Muhammad Ismail (Naib Qasid BPS-3)
6. Imran Khan Chowkidar BPS-3

7. Qasim (Naib Qasid BPS-3), all employees of Senior Civil Judge, Upper Dir.

Appellant
Through 

Malik Faheem Ullah Jan
Advocate, Peshawar

Dated: 12/11/2018

OFFICE ORDER

Annex A

In pursuance of the recommendations of the Departmental Selection Committee vide its meeting which was held on 04/11/06, the following appointments are made in the interest of public at large with immediate effect.

(10)

S.No	Name	Residence	Appointed as
1	Shafiullah	Mohalla Kalsho Dir Upper	Process Server
2	Ihsanullah	Maidan Shah Samang Sheringal Dir Upper	Process Server
3	Khalil-ur-Rahman	Mohalla Rehankot Dir Upper	Process Server
4	Faridullah	Mohalla Shaw Chinar Chum Dir Upper	Naib Qasid
5	Faisal Khan	Mohalla Bijligar Dir Upper	Sweeper
6	Saleemullah	Vill: Batal P/o Jabar Dir Upper	Chowkidar

NOTE:

The appointees should report in the office of the undersigned within seven (7) days after receiving this letter, failing which the appointments shall be treated as withdrawn.

TERMS & CONDITIONS:

1. All the above appointments are temporary in nature and may be terminated at any time without giving any notice but which may be confirmed after successful completion of period of probation.
2. All the above appointments shall be subject to the medical fitness of the appointees.
3. All the appointments should be subject to Civil Servants Act/ Rules and all Government policies.
4. The above appointments should be subject to the verification of the antecedents of the appointees.

Manzoor Qadir
Manzoor Qadir
 Senior Civil Judge/Aala Illaqa Qazi
 Dir Upper

No/82-92 SCJ/AIQ Dir Upper

Dated: 08/11/06

Copy forwarded for information to:

1. The Worthy Registrar Peshawar High Court, Peshawar.
2. The Hon'ble Member Inspection Team Peshawar High Court, Peshawar.
3. The Hon'ble District & Sessions Judge/Zilla Qazi Dir Upper.
4. The District Accounts Officer Dir Upper.
5. All the above appointees by name.

Attested bmc copy
150
Qadir
Manzoor Qadir
Manzoor Qadir
 Senior Civil Judge/Aala Illaqa Qazi

Aman B

11

Board of Intermediate & Secondary Education Malakand



DETAILED MARKS CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
Part - II (10th) (General Group)
Session 2005 (Annual/Supply)
S No. 5411
Name: Farid Ullah
Father's Name: Khair Ullah Khan
Roll No. 7176

SUBJECT	Total Allotted	MARKS OBTAINED		Total (In Figures)
		Part - I	Part - II	
1. English	150	57	84	141
2. Urdu	150	28	29	57
3. Islamiyat (Comp)	75	56	60	116
4. Pak. Studies	75	53	58	111
5. Math's	100			
6. General Science	100			
7. S. I.	100			
8. Civ.	100			
Total	850			425.0

Errors and omissions: excepted
Prepared by: [Signature]
Checked by: [Signature]
Date: 2005
Controller of Examinations

Board of Intermediate & Secondary Education Malakand

Attested to true
 CAP
 [Signature]

Attested
 [Signature]
S. Sajad Ali Shah
 Clerk Of Court BPS-16
 Distt: Court Dir (U)

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND

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BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND



BOARD OF INTERMEDIATE & SECONDARY EDUCATION MALAKAND NWFP PAKISTAN
PROVISIONAL CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
Session 2005 Annual Supplementary
Grade I Group

THIS IS TO CERTIFY THAT Fardullah
Son/Daughter of Khair Ullah Khan
and a candidate of Dir (U)

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education Malakand held in Sept. 2005 as a Regular/Private candidate. He/She obtained 425 of marks out of 850 and has been placed in Grade (C) (Second) Representing Good.

The Candidate passed in the following subjects:

- 1. English
- 2. Urdu
- 3. Islamiyat
- 4. Pakistan Studies
- 5. Math
- 6. G.S.
- 7. Civ
- 8. O.S.

Internal assessment Grade by the institution concerned is Two and a half.

Date of birth according to admission form is Twelve February
One thousand nine hundred and Eighty Six (12-02-1986)

S. Sajad Ali Shah Secretary/In-charge

S. Sajad Ali Shah
Clerk Of Court BPS-16
Distt: Court Dir (U)

Attested true
to be copy

**SENIORITY LIST OF NAIB QASIDS
COURT OF SENIOR CIVIL JUDGE/AIQ, DIR UPPER**

S#	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	04	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	04	Matr
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	04	Matr
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	03	Illite
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	03	Illite
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	03	MA
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	03	Illite
8	Imran Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	03	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	03	Illite
10	Rahim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	03	Matr
11	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	03	Matr
12	Niaz Muhammad	Saber Khan	08-02-1987	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	03	Medc
13	Irfan Ullah	Badshah Mula	20-04-1991	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	03	F.A

Copy of the above is forwarded to all employees named above with direction to submit objections if any with in 15-days from receipt hereof, failing which seniority list shall attain finality.

Prepared By
Clerk of Court

No 81 SCJ/AIQ, Dir Upper

Dated 09 / 03 / 2018

Senior Civil Judge/AIQ,
Dir Upper

Copy forwarded for information to:

1. The Hon'ble District & Sessions Judge/Zilla Qazi, Dir Upper.
2. The officials concerned
3. copy for notice board

Attested to be copy of original

Senior Civil Judge/AIQ,
Dir Upper

**SENIORITY LIST OF NAIB QASIDS TO THE COURT OF SENIOR CIVIL JUDGE/AIQ
DIR UPPER**

S #	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	Academic qualification
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	04	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	04	Matric
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	04	Matric
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	03	Illiterate
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	03	Illiterate
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	03	MA Islamic Studies
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	03	Illiterate
8	Imran Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	03	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	03	Illiterate
10	Rashid Khan	Gul Bacha	10/12/1978	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	03	BA
11	Rabim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	03	Matric
12	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	03	Matric
13	Niaz Muhammad	Saber Khan	08-02-1987	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	03	Meddle
14	Irfan Ullah	Badshah Mula	20-04-1991	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	03	F.A

Copy of the above is forwarded to all employees named above with direction to submit objections if any with in 15-days from receipt hereof, failing which the above seniority list shall attain finality.

Prepared By
Civil Nizar

No. 490 SCJ/AIQ, Dir Upper

Dated: 2 / 9 /2013

Wali Muhammad Khan
Senior Civil Judge/AIQ,
Dir Upper

Wali Muhammad Khan
Senior Civil Judge/AIQ,
Dir Upper

Forwarded to the hon'ble District & Sessions Judge/Zilla Qazi, Dir Upper for Information, Please.

SENIORITY LIST OF NAIB QASIDS TO THE COURT OF SENIOR CIVIL JUDGE/AIQ DIR UPPER

S#	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	Acq-ual n
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	02	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	02	Matr
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	02	Matr
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illite
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	01	Illite
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	01	M.A
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illite
8	Imran Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	01	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	01	Illite
10	Rashid Khan	Gul Bacha	10/12/1978	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	BA
11	Rahim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matri
12	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matri
13	Niaz Muhammad	Saber Khan	08-02-1987	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	01	Medd
14	Irfan Ullah	Badshahi Mula	20-04-1991	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	01	F.A

Copy of the above is forwarded to all employees named above with direction to submit objections if any with in 15-days from receipt hereof, failing which the Seniority list shall attain finality.

Prepared By
Civil Nizar

Wali Muhammad Khan
Senior Civil Judge/AIQ,
Dir Upper

No. 499 SCJ/AIQ, Dir Upper

Dated 28 / 4 / 2014

Forwarded to the District & Sessions Judge/ZQ Dir Upper for Information, Please.

Wali Muhammad Khan
Senior Civil Judge/AIQ,
Dir Upper

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SENIORITY LIST OF NAIB QASIDS TO THE COURT OF SENIOR CIVIL JUDGE/AIQ DIR UPPER

S#	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	Academic qualification
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	02	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	02	Matric
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	02	Matric
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	01	Illiterate
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	01	M.A
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
8	Imran Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	01	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	01	Illiterate
10	Rashid Khan	Gul Bacha	10/12/1978	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	BA
11	Rahim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matric
12	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matric
13	Niaz Muhammad	Saber Khan	08-02-1987	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	01	Meddle
14	Irfan Ullah	Badshah Mula	20-04-1991	Naib Qasid	24-02-2012	24-02-2012	Naib Qasid	01	F.A

Prepared By
Civil Nizar

Ijaz Rashid
Ijaz Rashid
Senior Civil Judge/AIQ,
Dir Upper

No. 167 SCJ/AIQ, Dir Upper

Dated 24/05 /2013

Forwarded to the District & Sessions Judge/ZQ Dir Upper for Information, Please.

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[Signature]

Ijaz Rashid
Ijaz Rashid
Senior Civil Judge/AIQ,
Dir Upper



SENIORITY LIST OF NAIB QASIDS, CHOWKIDARS AND SWEEPERS COURT OF SENIOR CIVIL JUDGE/AIQ, DIR UPPER

S#	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	Academic qualification
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	02	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	02	Metric
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	02	Metric
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	01	Illiterate
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	01	BA
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
8	Imran Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	01	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	01	Illiterate
10	Rashid Khan	Gul Bacha	10/12/1978	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	BA
11	Rahim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Metric
12	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Metric
13	Niaz Muhammad	Sabir Khan	08/02/1987	Naib Qasid	24/02/2012	24/02/2012	Naib Qasid	01	Middle
14	Irfan Ullah	Badshah Mula	20/04/1991	Naib Qasid	24/02/2012	24/02/2012	Naib Qasid	01	F.A

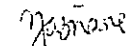
Copy of the above is forwarded to all employees named above with direction to submit objections, if any, within 15 days from receipt hereof, failing which the above seniority list shall attain finality.

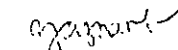
Preferred by
Civil Nazir

No. 114 SCJ/AIQ, Dir Upper

Dated 4/4/2012

Forwarded to the District & Sessions Judge/Zilla Qazi, Dir Upper for information, please.


Ijaz Rashid
Senior Civil Judge/AIQ,
Dir Upper


Ijaz Rashid
Senior Civil Judge/AIQ,
Dir Upper

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اپریل 2011ء

SENIORITY LIST OF NAIB QASIDS, CHOWKIDARS AND SWEEPERS COURT OF SENIOR CIVIL JUDGE/AIQ
DIR UPPER

S#	Name of official	Father name	Date of birth	Initial appointment as	Date of Initial appointment as	Joining the present cadre	Present post held	BPS	Academic qualification
1	Farid Ullah	Khair Ullah Khan	12/02/1986	Naib Qasid	10/11/2006	10/11/2006	Naib Qasid	02	F.A
2	Faisal Khan	Faiz Ur Rahman	12/01/1985	Sweeper	10/11/2006	28/07/2008	Naib Qasid	02	Matric
3	Salim Ullah	Said Mula	20/12/1979	Chowkidar	10/11/2006	10/11/2006	Chowkidar	02	Matric
4	Noor Ul Amin	Sami Ul Haq	04/04/1975	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
5	Jami Ullah	Said Amin	1987	Chowkidar	12/07/2008	15/07/2008	Chokidar	01	Illiterate
6	Qasim	Bacha Muhammad	02/01/1988	Naib Qasid	12/07/2008	15/07/2008	Naib Qasid	01	BA
7	Zaheer Uddin	Shah Wali Khan	1988	Sweeper	12/07/2008	15/07/2008	Sweeper	01	Illiterate
8	Inrañ Khan	Mubarak Jan	04/08/1984	Chowkidar	12/07/2008	15/07/2008	Chowkidar	01	FA
9	Seraj Uddin	Fazal Rahim	02/10/1980	Naib Qasid	10/10/2008	11/10/2008	Naib Qasid	01	Illiterate
10	Rashid Khan	Gul Bacha	16/12/1978	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	BA
11	Rahim Ullah	Behram Khan	04/01/1974	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matric
12	Aftab	Faiz Ur Rahman	03/05/1992	Naib Qasid	04/10/2010	04/10/2010	Naib Qasid	01	Matric

Aftab

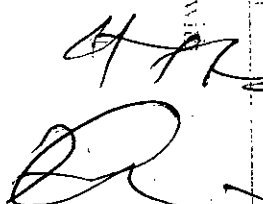
Senior Civil Judge
Dir Upper

51

Seniority list of Naib Qasid, Chowkidar & Sweeper to the Court of Senior Civil Judge/Aala Illaga Qazi, Dir

S.#	Name	Father Name	Date of Birth	Date of Initial Appointment	Initial Appointment as	Joining the present cadre	Present Post	BPS	Qualification
1	Khatista Qayyum	Said Qayyum	05/04/1958	01/10/1985 10/11/2006	Sweeper	08/03/1995	Naib Qasid	2	Illiterate
2	Farid Ullah	Khairullah Khan	13/02/1986		Naib Qasid	10/11/2006	Naib Qasid	2	F.A
3	Faisal Khan	Faiz ur Rahman	12/01/1985	10/11/2006 10/11/2006	Sweeper	28/07/2008	Naib Qasid	2	Metric
4	Saleem Ullah	Said Mula	20/12/1979	12/07/2008	Chowkidar	10/11/2006	Chowkidar	2	Metric
5	Noor Ull Amin	Samial Hse	01/04/1975	12/07/2008	Sweeper	15/07/2008	Sweeper	1	Illiterate
6	Jameullah	Said Amin	1987	12/07/2008	Chowkidar	15/07/2008	Chowkidar	1	Illiterate
7	Qasim	Qasim Muhammad	02/01/1988	12/07/2008	Naib Qasid	15/07/2009	Naib Qasid	1	F.A
8	Zahoor Uddin	Shah Wali Khan	1988	12/07/2008	Sweeper	15/07/2008	Sweeper	1	Illiterate
9	Jبران Khan	Mubarak Jan	04/08/1984	12/07/2008	Chowkidar	15/07/2008	Chowkidar	1	F.A
10	Siraj Uddin	Hazal Rahim	07/10/1980	19/11/2008	Naib Qasid	11/10/2008	Naib Qasid	1	Illiterate

Note: All the official should file objection if any within fifteen days.

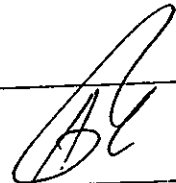

 Riaz Ahmad
 Senior Civil Judge/Aala Illaga Qazi
 Dir Upper

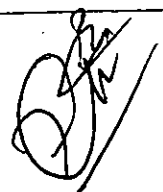
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 Riaz Ahmad
 Senior Civil Judge/Aala Illaga Qazi
 Dir Upper

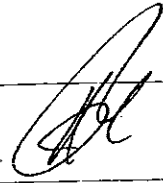
20 Ann (1D)


(B)

TENTATIVE COMMON SENIORITY LIST OF THE DAFTARI, RECORD LIFTER, NAIB QASID, CHOWKIDAR AND SWEEPER OF THE ESTABLISHMENT OF SENIOR CIVIL JUDGE DIR UPPER FOR THE YEAR 2018. /

S#	Name of official	Initial appointment as	Date of initial appointment	Date of joining the present cadre	Present post With BPS	Qualification	SSC Passing Year	Signature
1	Saif Ullah	Naib Qasid BPS-01	26-8-2003	10-10-2008	Daftari BPS-04	SSC	1999	
2	Zakir Ullah	Naib Qasid BPS-01	26-8-2003	12-05-2010	Daftari BPS-04	SSC	1999	
3	Rahim Ullah	Naib Qasid BPS-01	04/10/2010	04/10/2010	Naib Qasid BPS-03	SSC	1990	
4	Muhammad Ismail	Naib Qasid BPS-01	01-10-2010	04-10-2010	Naib Qasid BPS-03	M.A	1993	
5	Salim Ullah	Chokidar BPS-01	10/11/2006	20/11/2006	Chokidar BPS-04	SSC	1997	
6	Imran Khan	Chowkidar BPS-01	12/07/2008	15/07/2008	Chowkidar BPS-03	FA	2001	
7	Qasim	Naib Qasid BPS-01	12/07/2008	15/07/2008	Naib Qasid BPS-03	MA	2004	
8	Farid Ullah	Naib Qasid BPS-01	10/11/2006	10/11/2006	Naib Qasid BPS-04	FA	2005	
9	Faisal Khan	Sweeper BPS-01	10/11/2006	28/07/2008	Naib Qasid BPS-04	SSC	2008	

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	Wariullah	Chowkidar BPS-01	11-7-2008	14-7-2008	Chowkidar BPS-03	F.A	2010	
11	Aftab	Naib Qasid BPS-01	04/10/2010	04/10/2010	Naib Qasid BPS-03	SSC	2010	
12	Irfan Ullah	Naib Qasid BPS-01	24/02/2012	24/02/2012	Naib Qasid BPS-03	FA	2010	
13	Fazal Sadiq	Sweeper BPS-01	26-8-2003	26-8-2003	Sweeper BPS-04	SSC	2011	
14	Shamsher Ahmad	Sweeper BPS-01	01-07-2013	03-07-2013	Sweeper BPS-03	FA	2014	
15	Shamsul Haq	Sweeper BPS-01	27-8-2003	28-8-2003	Sweeper BPS-04	SSC	2016	
16	Muhammad Nawaz	Sweeper BPS-01	28-8-2003	20-12-2006	Naib Qasid BPS-04	Illiterate	NIL	
17	Himayat Said	Sweeper BPS-01	27-8-2003	28-8-2003	Sweeper BPS-04	Illiterate	NIL	
18	Hayat Din	Chowkidar	27-8-2003	28-8-2003	Chowkidar BPS-04	Illiterate	NIL	
19	Abdur Rahman	Naib Qasid BPS-01	04-03-2005	5-3-2005	Naib Qasid BPS-04	Illiterate	NIL	
20	Sher Amin	Naib Qasid BPS-01	11-7-2008	14-7-2008	Naib Qasid BPS-03	Illiterate	NIL	
21	Fazal Wahid	Sweeper BPS-01	11-7-2008	14-7-2008	Sweeper BPS-03	Illiterate	NIL	

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22	Noor Ul Amin	Sweeper BPS-01	12/07/2008	15/07/2008	Sweeper BPS-03	Illiterate	NIL
23	Jami Ullah	Chowkidar BPS-01	12/07/2008	15/07/2008	Chowkidar BPS-03	Illiterate	NIL
24	Zaheer Uddin	Sweeper BPS-01	12/07/2008	15/07/2008	Sweeper BPS-03	Illiterate	NIL
25	Siraj Uddin	Naib Qasid BPS-01	10/10/2008	11/10/2008	Naib Qasid BPS-03	Illiterate	NIL
26	Niaz Muhammad	Naib Qasid BPS-01	24/02/2012	24/02/2012	Naib Qasid BPS-03	Middle	NIL

Copy of the above is forwarded to all employees named above with direction to submit objections if any within 15 days from Hereof, failing which the above seniority list shall attain finality.

No. 529

Dated: 22/11/2018

Attested
to be true
copy original

LIAQAT ALI KHAN
District & Session
Dir Upper

To

Honorable District & Sessions Judge/Zilla Qazi
Dir Upper

Amir F



23

Subject:

Representation/Review/Objections against the Tentative Common Seniority List of Daftari(s), Record Lifter(s), Naib Qasid(s), Chowkidar(s) and Sweeper(s) of Establishment of District & Sessions Judge Dir Upper and Senior Civil Judge Dir Upper

Through: *Proper Channel*

Respectfully Submitted

1. That undisputedly, after doing my matriculation in the year 2005, petitioner joined the service as Naib Qasid in the Establishment of Senior Civil Judge Dir Upper on 10.11.2005. Copy of appointment Order is annexed as "A". *2006*
2. That at present Petitioner is senior most official of his cadre in the Establishment of Senior Civil Judge Dir Upper. In this regard, Seniority List was issued, on 09.03.2018. Copy is annexed as "B".
3. That subject Common Tentative seniority List was issued by the office of Honorable District & Sessions Judge Dir Upper vide Endorsement No 529 Dated 02.06.218 wherein petitioner was wrongly placed at serial No 08. Copy annexed as "C".


*attested to
be true
[Signature]*

4. That petitioner being aggrieved of said subject Common Seniority list humbly submit, for its Review on the following grounds,

24

GROUND

- A. That petitioner was placed at the serial No 8 of the Tentative Seniority List for simple reason that the officials mentioned at serial No 1 to 7 of the said list did their Matriculation prior to the Petitioner as shown in Column No 8 of the tentative list.
- B. It is submitted with respect, that petitioner did his matriculation in the year 2005 i.e. prior to joining the service in the year 2006, whereas the officials mentioned at Serial No 3,4,6 and 7 of the subject list were appointed, much later than the petitioner, therefore to place them senior to petitioner for simple reason, that **they did their matriculation prior to petitioner**, is not justifiable at all.
- C. The official mentioned at serial No 3 of the subject joined the service on 04.10.2010, the official mentioned at serial No 4 of the subject list joined the service on 01.10.2010 whereas the officials mentioned at serial No 6 and 7 of the subject list, joined the service in July 2008 i.e. later than the petitioner and , therefore the date/year of passing of their SSC examination is not relevant at all. This aspect of the matter was however overlooked while preparing the subject tentative seniority list.
- D. That the above submissions of the Petitioner are fully supported by the record

to be true
Attested
supd




Therefore, for the above reasons petitioner humbly prays that on acceptance of this representation/ review/ objections subject seniority list may kindly be reviewed, and petitioner may be placed at his original seniority.

25

Dated 11.06.2018

Humble Petitioner
Farid Ullah Naib Qasid
Establishment of Senior Civil Judge
Dir Upper.

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Minutes of the Meeting of the Committee Constituted for
Resolving Objections Over Seniority List of Class IV.

A meeting of the committee constituted vide office order No. 903-04/4/DSJ/ZQ Dir Upper dated 30/08/2018 was convened in the chamber of the Chairman on 04/09/2018 at 09:00 am. The following participated in the meeting.

1. Kashif Nadeem (Additional District & Sessions Judge-II Dir Upper)
(Chairman)
2. Mr. Asif Rasheed (Additional District & Sessions Judge-I Dir Upper)
(Member)
3. Mr. Aftab Iqbal (Senior Civil Judge/AIQ Dir Upper)
(Member)

1. The mandate of the subject committee was to decide the objections raised over the tentative seniority list No. 529 dated 02/06/2018 of class IV category, separately prepared and maintained for the purpose of promotion to the category of Junior Clerk. These objections have been filed by (1) Wali Muhammad, Chowkidar (2) Shamsul Haq Sweeper (3) Qasim Naib Qasid (4) Muhammad Nawaz Naib Qasid (5) Fazal Sadiq Sweeper, (6) Faisal Khan Naib Qasid and (7) Farid Ullah Naib Qasid. Session court Dir upper.
2. The subject of the above referred objections is, that, in contravention to the previously maintained seniority list, another seniority list No. 529 dated 02/06/2018 has been issued by the office of the Hon'ble District & Sessions Judge Dir Upper, whereby the seniority has been recast with reference to the date of acquiring SSC Certificate, rather than based on length of service.
3. The committee discussed different aspects of the matter, perused the objections, the seniority list No. 529 dated 02/06/2018 and the relevant rules on the subject.
4. After due deliberations, the committee reached to the unanimous decision, that, as per rules enunciated in JUDICIAL ESTACODE (Edition 2011), Page 239, the following criteria has been set:

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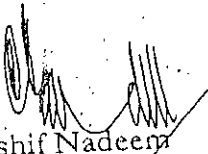
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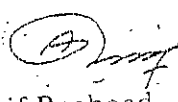
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AG

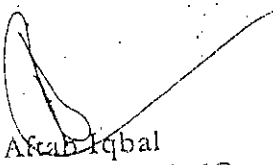
"Note: For the purpose of promotion, separate common seniority lists of (i) the holders of the posts of Daftari and Record Lifters; and (ii) the holders of the post of Chowkidar, Naib Qasid, Sweeper, Chowkidar-cum-Mali, Mali and Water Carrier shall be maintained with reference to the date of their acquiring the secondary School Certificate."

5. Thus, in view of the above rules, tentative seniority list No. 529 dated 02/06/2018 of class IV category, separately prepared and maintained for the purpose of promotion to the category of Junior Clerk, has been rightly prepared and kept, with reference to the date of acquiring of SCC Certificate. In the above eventuality, the objections raised being in conflict with the above said rules are disposed of accordingly.

6. The meeting ended with exchange of vote of thanks from and to the chair.


Kashif Nadeem
Additional District & Sessions Judge-II
Dir Upper
(Chairman)


Asif Rasheed
Additional District & Sessions Judge-I
Dir Upper
(Member)



Aftab Iqbal
Senior Civil Judge/AIQ
Dir Upper
(Member)

No. 47 /AD&SJ-II Dir Upper Dated 04/09/2018

Copy forwarded to;

1. The Hon'ble District & Sessions Judge Dir Upper.
2. Members of the committee.

Attested
to be
true
and
correct


Kashif Nadeem
Additional District & Sessions Judge-II
Dir Upper



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C

ANAL COMMON SENIORITY LIST OF THE DAFTARI, RECORD LIFTER, NAIB QASID, CHOWKIDAR AND SWEEPER OF THE ESTABLISHMENT OF UNDER SIGNED AND ESTABLISHMENT OF SENIOR CIVIL JUDGE DIR UPPER FOR THE PROMOTION TO THE POST OF JUNIOR CLERK FOR THE YEAR 2018.


S#	Name of official	Initial appointment as	Date of initial appointment	Date of joining the present cadre	Present post With BPS	Qualification	SSC Passing Year
1	Saif Ullah	Naib Qasid BPS-01	26-8-2003	10-10-2008	Daftari BPS-04	SSC	1999
2	Zakir Ullah	Naib Qasid BPS-01	26-8-2003	12-05-2010	Daftari BPS-04	SSC	1999
3	Rahim Ullah	Naib Qasid BPS-01	04/10/2010	04/10/2010	Naib Qasid BPS-03	SSC	1990
4	Muhammad Ismail	Naib Qasid BPS-01	01-10-2010	04-10-2010	Naib Qasid BPS-03	M.A	1993
5	Salim Ullah	Chokidar BPS-01	10/11/2006	20/11/2006	Chokidar BPS-04	SSC	1997
6	Imran Khan	Chowkidar BPS-01	12/07/2008	15/07/2008	Chowkidar BPS-03	FA	2001
7	Qasim	Naib Qasid BPS-01	12/07/2008	15/07/2008	Naib Qasid BPS-03	MA	2004
8	Farid Ullah	Naib Qasid BPS-01	10/11/2006	10/11/2006	Naib Qasid BPS-04	FA	2005
9	Faisal Khan	Sweeper BPS-01	10/11/2006	28/07/2008	Naib Qasid BPS-04	SSC	2008

H

4/9/18
District & Session Judge
Jilla Qasid Upper Dir

Attached to be copy of original
for


10	Injan Ullah	Naib Qasid BPS-01	24/02/2012	24/02/2012	Naib Qasid BPS-03	FA	2008
11	Waliullah	Chowkidar BPS-01	11-7-2008	14-7-2008	Chowkidar BPS-03	F.A	2010
12	Aftab	Naib Qasid BPS-01	04/10/2010	04/10/2010	Naib Qasid BPS-03	SSC	2010
13	Fazal Sadiq	Sweeper BPS-01	26-8-2003	26-8-2003	Sweeper BPS-04	SSC	2011
14	Shamsher Ahmad	Sweeper BPS-01	01-07-2013	03-07-2013	Sweeper BPS-03	FA	2014
15	Shamsul Haq	Sweeper BPS-01	27-8-2003	28-8-2003	Sweeper BPS-04	SSC	2016
16	Muhammad Nawaz	Sweeper BPS-01	28-8-2003	20-12-2006	Naib Qasid BPS-04	Illiterate	NIL
17	Himayat Said	Sweeper BPS-01	27-8-2003	28-8-2003	Sweeper BPS-04	Illiterate	NIL
18	Hayat Din	Chowkidar	27-8-2003	28-8-2003	Chowkidar BPS-04	Illiterate	NIL
19	Abdur Rahman	Naib Qasid BPS-01	04-03-2005	5-3-2005	Naib Qasid BPS-04	Illiterate	NIL
20	Sher Amin	Naib Qasid BPS-01	11-7-2008	14-7-2008	Naib Qasid BPS-03	Illiterate	NIL
21	Fazal Wahid	Sweeper BPS-01	11-7-2008	14-7-2008	Sweeper BPS-03	Illiterate	NIL

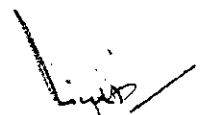
Attested


4/9/18
 District & Session Judge
 Jilla Gazi Upper Dir

22	Muhammad Amin	Sweeper BPS-01	12/07/2008	³⁰ 15/07/2008	³⁰ Sweeper BPS-03	Illiterate	NIL
23	Jami Ullah	Chowkidar BPS-01	12/07/2008	15/07/2008	Chowkidar BPS-03	Illiterate	NIL
24	Zaheer Uddin	Sweeper BPS-01	12/07/2008	15/07/2008	Sweeper BPS-03	Illiterate	NIL
25	Siraj Uddin	Naib Qasid BPS-01	10/10/2008	11/10/2008	Naib Qasid BPS-03	Illiterate	NIL
26	Niaz Muhammad	Naib Qasid BPS-01	24/02/2012	24/02/2012	Naib Qasid BPS-03	Middle	NIL

Dated: 04/09/2018

Attested

 28/11/2018


LIAQAT ALI KHAN MARWAT
 District & Sessions Judge,
 Dir Upper
 District & Session Judge,
 Zilla Qazi Upper Dir, P.S.

To

Honorable District & Sessions Judge
Dir Upper

Subject.

Petition to Review the order Dated 04.09.2018
whereby Objections filed by the petitioner
against the Final Common Seniority List of
Daftari(s), Record Lifter(s), Naib Qasid(s),
Chowkidar(s) and Sweeper(s) of Establishment of
District & Sessions Judge Dir Upper and Senior
Civil Judge Dir Upper were rejected and Final
Seniority List was issued.

Through: Proper Channel

Respectfully Submitted:

1. That undisputedly, after doing his matriculation in the year 2005, petitioner joined the service as Naib Qasid in the Establishment of Senior Civil Judge Dir Upper on 10.11.2006.
2. That at present Petitioner is senior most official of his cadre in the Establishment of Senior Civil Judge Dir Upper. In this regard, Seniority List was issued, on 09.03.2018. Copy is annexed as "A".
3. That subject Common Tentative seniority List was issued by the office of Honorable District & Sessions Judge Dir Upper vide Endorsement No 529 Dated 02.06.218 wherein petitioner was wrongly placed at serial No 08. Copy annexed as "B".
4. That petitioner being aggrieved of said subject Common Seniority list filed objection. Copy annexed as "C"



ATTESTED
13-10-18

5. That the matter was referred to a committee constituted by Hon'ble District & Sessions Judge Dir Upper. The committee was comprising of learned AD&SJ II, learned AD&SJ I and learned Senior Civil Judge Dir Upper.

6. That the committee considered the matter/objections in its meeting Dated 30.08.2018 and did not conceded to objections filed by the petitioner. The copy of the minute is annexed as "D".

7. That recommendations of the committee were accepted by your good self and on 04.09.2018, the Tentative Seniority List was converted into Final Seniority List.

8. That petitioner humbly prays for **Review** of the notification issuing the **Final Seniority List** on the following grounds.

GROUND

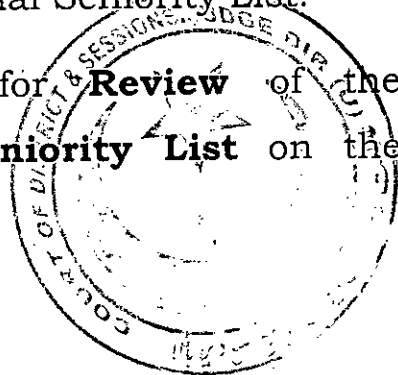
A. That petitioner was placed at the serial No 8 of the subject Seniority List for simple reason that the officials mentioned at serial No 1 to 7 of the said list did their **Matriculation** prior to the Petitioner as shown in Column No 8 of the tentative list.

B. That no doubt as observed by the learned committee "for the purpose of promotion separate **Common Seniority list amongst the holder of the posts of Daftari and Record Lifters and holder of posts of Chowkidars, naib Qasids, Sweepers, Malis and Water Carriers is to be maintained with reference to date of their acquiring the Secondary School Certificate**". The learned members of the committee have however, submitted with respect, totally misunderstood the relevant Rule in its true perspective.



Superintendent
District Dir (U)

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ATTACHED
13-12-18

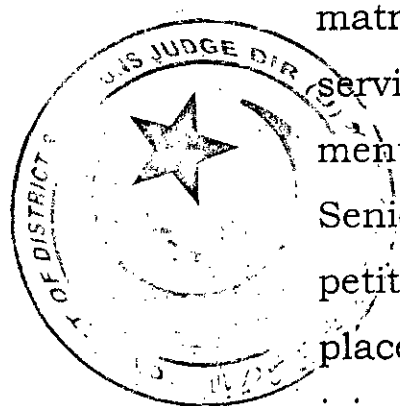
C. The said Rule referred to in Judicial Estacode (Edition 2011) Page 239 provide the guideline for determining the interse seniority amongst the above-mentioned staff members **who have acquired their Secondary School Certificate during service.**

D. It is submitted with respect, that petitioner did his matriculation in the year 2005 i.e. prior to joining the service in the year 2006, whereas the officials mentioned at Serial No 3,4,6 and 7 of the subject Seniority List, were appointed, much later than the petitioner, therefore their academics can, in no way place them **SENIOR** to the petitioner as petitioner joined the service much earlier. To place them senior to petitioner for simple reason, that **they did their matriculation prior to petitioner**, is not justifiable at all.

E. The official mentioned at serial No 3 of the subject joined the service on 04.10.2010, the official mentioned at serial No 4 of the subject list joined the service on 01.10.2010 whereas the officials mentioned at serial No 6 and 7 of the subject list, joined the service in July 2008 i.e. later than the petitioner and, therefore the date/year of passing of their SSC examination is not relevant at all. This aspect of the matter was however overlooked/misunderstood by the committee while deciding the objection filed by the petitioner against tentative seniority list.

F. That the above submissions of the Petitioner are fully supported by the record.

Therefore, for the above reasons petitioner humbly prays that on acceptance of this petition for RIVIEW



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13-10-18

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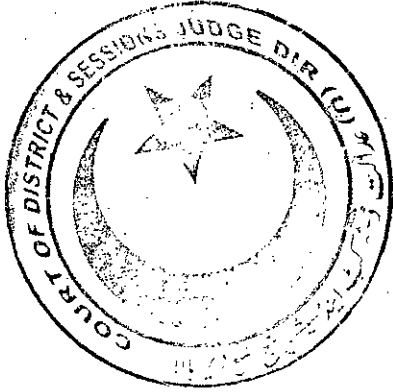
Seniority List dated 04.09.2018 may kindly be reviewed, and petitioner may be placed at his original seniority.

Super
Session Court

Dated 11.09.2018

Humble Petitioner

Farid Ullah Naib Qasid
Establishment of
Senior Civil Judge Dir Upper.



ATTESTED
13-10-18

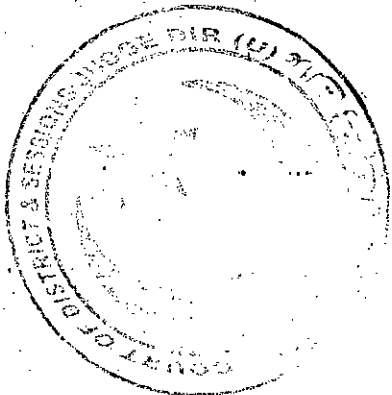
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To

Honorable District & Sessions Judge
Dir Upper

Superintendent
Session Court Dir (U)

Subject



Petition to Review the order Dated 04.09.2018 whereby Objections filed by the petitioner against the Final Common Seniority List of Daftari(s), Record Lifter(s), Naib Qasid(s), Chowkidar(s) and Sweeper(s) of Establishment of District & Sessions Judge Dir Upper and Senior Civil Judge Dir Upper were rejected and Final Seniority List was issued.

Through: Proper Channel

Respectfully Submitted

1. That undisputedly, petitioner joined the service as Naib Qasid in the Establishment of Senior Civil Judge Dir Upper on 10.11.2006.
2. That at present Petitioner is at Serial No 2 of the Seniority List of the official of his cadre in the Establishment of Senior Civil Judge Dir Upper. In this regard, Seniority List was issued, on 09.03.2018.
3. That subject Common Tentative seniority List was issued by the office of Honorable District & Sessions Judge Dir Upper vide Endorsement No 529 Dated 02.06.218 wherein petitioner was wrongly placed at serial No 09.
4. That petitioner being aggrieved of said subject Common Seniority list filed objection.
5. That the matter was referred to a committee constituted by Hon'ble District & Sessions Judge Dir Upper. The committee was comprising of learned AD&SJ II, learned AD&SJ I and learned Senior Civil Judge Dir Upper.

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seniority amongst the above-mentioned subject staff members who have acquired their Secondary School Certificate during service.

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E. It is submitted with respect, that petitioner was appointed on 10.11.2006 and the the officials mentioned at Serial No 3,4,6 and 7 of the subject Seniority List, were appointed, much later than the petitioner, therefore their academics can, in no way place them **SENIOR** to the petitioner as petitioner joined the service much earlier. To place them senior to petitioner for simple reason, that *they did their matriculation prior to petitioner*, is not justifiable at all. At the time of availability of posts for promotions, Petitioner is having the requisite qualification as well he is senior in length of service then how he can be place junior to the officials appointed much later to him.

13-10-28
Attested
[Signature]

F. The official mentioned at serial No 3 of the subject list joined the service on 04.10.2010, the official mentioned at serial No 4 of the subject list joined the service on 01.10.2010 whereas the officials mentioned at serial No 6 and 7 of the subject list, joined the service in July 2008 i.e. later than the petitioner and, therefore the date/year of passing of their SSC examination is not relevant at all. This aspect of the matter was however overlooked/ misunderstood by the committee while deciding the objection filed by the petitioner against tentative seniority list.

G. That the above submissions of the Petitioner are fully supported by the record.



Therefore, for the above reasons petitioner humbly prays that on acceptance of this petition for RIVIEW Seniority List dated 04.09.2018 may kindly be reviewed, and petitioner may be placed at his original seniority.

Dated 11.09.2018

[Signature]
Superintendent
Session Court Dir (U)

Humble Petitioner

[Signature]
Faisal Khan *Naboussi*
Establishment of Senior Civil Judge
Dir Upper.



Attested
[Signature]

[Signature]
13-10-28

A.K. (circled)
Amir

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In the court of
LIAQAT ALI KHAN MARWAT
DISTRICT & SESSIONS JUDGE/ZQ
DIR UPPER

VS

ORDER
10/10/20018

Petitioner Farid Ullah present along with counsel. Arguments of learned counsel for petitioner as well as petitioner also heard in person.

2. Brief facts of the case are that the instant Review Petition filed by the petitioner against the order dated 04/09/2018, whereby the recommendations of the committee were accepted and the tentative Seniority was converted into final Seniority List for the purpose of promotion against the holder of the post of Daftari, Record Lifter and Holder of the post of Chawkidar, Naib Qasid, Sweeper, Mali and Water carrier.

3. That Tentative Seniority list No. 529 dated 02/06/2018 of Class-IV category employees prepared and maintained for the purpose of promotion to the category of Junior Clerk. The petitioner along with others submitted objection over the same. So to resolve the objection of petitioner vide office order No. 903-4/4/DSJ/ZQ, Dir Upper dated 30/08/2018, the committee was constituted and the committee vide minutes of the meeting dated 04/09/2018 unanimously arrived at the conclusion that Seniority List prepared and maintained of the Class-IV for the purpose of promotion to the post of Junior Clerk has been rightly



ATTESTED
13-10-18

10/10/18

In the court of
LIAQAT ALI KHAN MARWAT
DISTRICT & SESSIONS JUDGE/ZQ
DIR UPPER

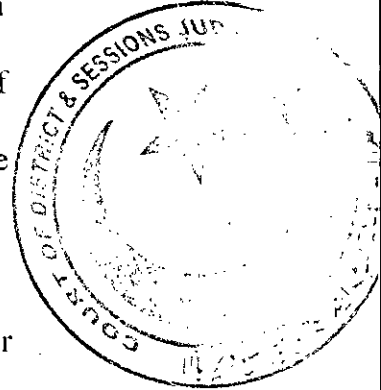
VS

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prepared and disposed of the objection of the petitioner accordingly. So, this court agreed with the minutes of the committee and on 04/09/2018 prepared final Common Seniority List of the category of Class-IV for the purpose of promotion to the category of Junior Clerk. Hence the petitioner being aggrieved filed the instant Review Petition.

4. The learned counsel for the petitioner contended that the Seniority List in dispute have to be prepared and maintained on the basis of length of Service rather than upon the date of acquiring Secondary School Certificate. The only contention raised by the learned counsel for the petitioner is having no force because as per **Peshawar High Court Subordinate Courts Staff Rules, 2003**, wherein at serial No. 14, Column No. 5 it has been held that:-

"for the purpose of promotion, separate common seniority lists of (i) the holders of the post of Daftari and Record Lifter; and (ii) the holders of the posts of Chowkidar, Naib Qasid, Sweeper, Chowkidar-cum-Mali, Mali and Water Carrier shall be maintained with reference to the date of their acquiring Secondary School Certificate"



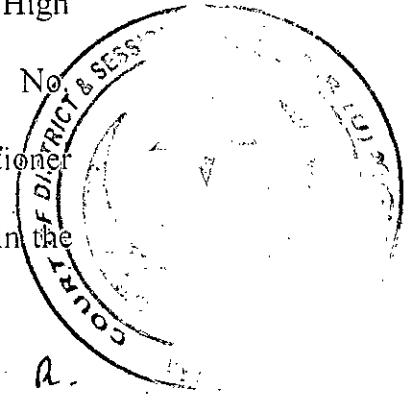
AT 13-10-18

Lists/10/10/18

In the court of
LIAQAT ALI KHAN MARWAT
DISTRICT & SESSIONS JUDGE/ZQ
DIR UPPER
VS

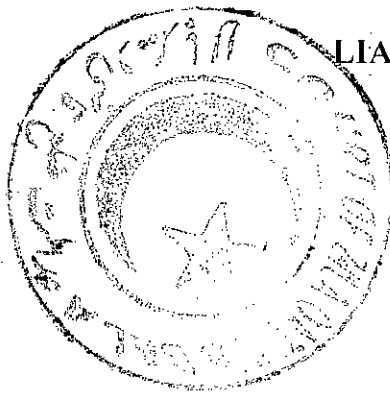
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Similarly, in this respect reliance is also placed on the worthy judgment of the Honourable Peshawar High Court, Peshawar, dated 06/09/2018 passed in W.P No. 724-M/2016. Further, the learned counsel for the petitioner also could not point out any illegality or irregularity in the impugned order dated 04/09/2018.



5. Hence, in view of the above, instant Revision Petition stand dismissed. File be consigned to record room after its necessary completion and compilation.

ANNOUNCED
10/10/2018



Liaquat
LIAQAT ALI KHAN MARWAT
District & Sessions Judge/ZQ
Dir Upper

ATTESTED
13-10-18

No.	<i>22837</i>
Date of Application	<i>12-10-18</i>
Name of Applicant	<i>SMJ</i>
Word	<i>800/-</i>
Fee	<i>167</i>
Signature of Applicant	<i>(Signature)</i>
Date of Preparation	<i>13-10-18</i>
Date of Delivery	<i>13-10-18</i>

50 روپے

55804



ایڈوکیٹ:
 بار کونسل ایسوسی ایشن نمبر: Be-12-3699
 رابطہ نمبر: 078800-821

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: چیرمین سردس اور بیرونی صوبہ گلگت و بلتستان

دعویٰ:	منجانب: مہیلا مرد
علت نمبر:	فریڈا ایٹا
مورخہ:	بینام
جرم:	ڈسٹرکٹ اور سیشن جج پشاور
تھانہ:	

باعت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام کے لیے عدالت کے فیصلے کے مطابق اس کے 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: 06-10-2018

المواہ شد

کے لیے منظور ہے۔
Accepted

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

فریڈا ایٹا ولد صاحبہ فریڈا ایٹا
کے ساتھ رکھی جانے والی
NIC = 15701-1588698-9

