

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CAMP COURT ABBOTTABAD.

Service Appeal No.397/2018

Date of Institution ... 20.03.2018

Date of Decision ... 23.12.2021

Qaisar Ali son of Auranzeb, Ex-Field Worker, Agriculture, Kala Bagh, Nathiagali,
resident of Village & P.O Tatreela, Abbottabad. ... (Appellant)

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary to the Govt. of Agriculture
Department, Peshawar and two others. ... (Respondents)

MR. FAIZULLAH KHAN,
Advocate

--- For appellant.

MR. ASIF MASOOD,
Deputy District Attorney

--- For respondents

MIAN MUHAMMAD
MR. SALAH-UD-DIN

--- MEMBER(Executive)
--- MEMBER(Judicial)

JUDGEMENT

MIAN MUHAMMAD, MEMBER(E):- The appellant has invoked jurisdiction of the Service Tribunal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order of respondent No.3 dated 18.10.2017 whereby he was dismissed from service w.e.f 09.01.2009.

02. Brief fact of the case are that the appellant was appointed as field worker (BS-01) in the respondent-department on 14.06.2015. During 2009, the appellant had been suffering from hepatitis and was advised complete bed rest beside having remained under treatment. The appellant was previously proceeded for absence and awarded major penalty of dismissal from service vide order dated 31.12.2009 which was challenged through service appeal No. 1482/2010 in the first round of litigation. The Service Tribunal vide its judgement dated 21.08.2017 set aside the then impugned order and directed the department to conduct de-novo enquiry

within 60 days. The respondent-department once again imposed the major penalty of dismissal from service on the appellant vide impugned order dated 18.10.2017 which is under scrutiny before us for adjudication.

03. Respondents were directed through notices to submit their reply/parawise comments with connected documents. They submitted the requisite reply/parawise comments and contested their stance through learned District Attorney. We have heard the arguments of both sides and have perused the record thoroughly and in detail.

04. Learned counsel for the appellant argued that the Service Tribunal vide judgement dated 21.08.2017 had directed the respondent-department to conduct de-novo enquiry against the appellant within 60 days but the respondent-department instead of conducting de-novo enquiry issued him final show cause notice on 06.10.2017 which was received by the appellant on 12.10.2017 without any copy of the enquiry report. No de-novo enquiry was ever conducted against the appellant in the prescribed manner because no charge sheet/statement of allegations was issued to the appellant. No verification of the medical certificate and no confirmation of signature of Dr. Hassan Shehzad Ex-professor of Ayub Teaching Hospital Complex, Abbottabad was carried out by the respondent-department. The appellant was not provided an opportunity of personal hearing before imposition of major penalty of dismissal from service. The impugned order dated 18.10.2017 does not contain name of the appellant and the penalty of dismissal imposed w.e.f 09.01.2009, is based on malafide, against the law, rules and judgement of the Service Tribunal dated 21.08.2017 is liable to be set aside and the appellant may graciously be reinstated in service with all back benefits.

05. Learned District Attorney conversely contended that the appellant remained absent from duty for 10 months from 09.01.2009 to 04.11.2009 and without any

intimation to the department. His willful absence was reported on 29.01.2009 and he was issued notice on 06.02.2009 to report for duty but he failed to assume duty. He was again directed on 27.04.2009 to join duty within 15 days but the appellant did not report for duty. Final notice was therefore published in Daily AAJ Abbottabad and Daily Mashriq on 04.11.2009 and 05.11.2009 respectively. Moreover, the OPD chits produced by the appellant were declared as bogus and fake by PSO to Chief Executive Ayub Medical Complex Abbottabad, vide letter dated 23.12.2009. In pursuance of the Service Tribunal judgement dated 21.08.2017, de-novo enquiry was conducted vide order dated 05.10.2017. The appellant failed to bring any document in support and defense of his willful absence for 10 months and the suspicious OPD chits for bed rest had already been confirmed as fake and bogus. The enquiry officer directed him to appear for personal hearing on 18.10.2017 but he did not bother to appear for personal hearing on 18.10.2017 to defend himself against the charges of willful absence. The impugned order has been issued after fulfillment of all codal formalities and the appeal being devoid of merit may be dismissed.

06. It is evident from record that in the first round of litigation, the Service Tribunal in service appeal No. 1482/2010 delivered its judgment on 21.08.2017 with clear and categoric directions to the respondent-department in the following words:

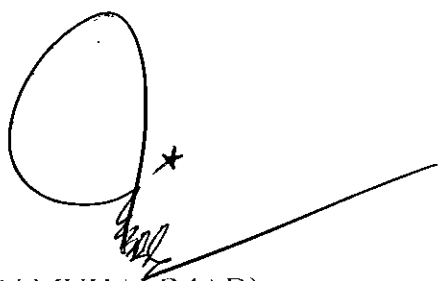
“In view of the above discussion, this Tribunal is of the view that non-compliance of the mandatory requirements of final show cause notice and non-supplying of report of the enquiry committee are fatal for the proceedings in the present appeal. Resultantly, the impugned order is set aside and the department is directed to conduct de-novo enquiry within 60 days keeping in view the elements of procedural due process discussed above. In case the enquiry is not conducted within the stipulated period, the appellant shall be deemed to have been reinstated in service. The issue of back benefits shall be subject to outcome of denovo departmental proceedings”.

07. The respondent-department was obligated to have initiated enquiry proceedings under the provisions of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. What the respondent-department calls order of enquiry to have been issued on 05.10.2017 is actually Final Show cause Notice issued to the appellant by the Enquiry officer. The respondent-department despite clear and categoric directions of the Service Tribunal failed to conduct de-novo enquiry in the prescribed mode and manner under the disciplinary rules in vogue. Since no de-novo enquiry was conducted at all, the appellant was therefore not provided any copy of the enquiry report with show Cause Notice under Rule 14(4)(c) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011. The appellant was not provided the opportunity of personal hearing under Rule 14(5) or Rule 15 of the rules ibid. The directions of Service Tribunal have not been complied with in letter and spirit and the appellant has been condemned unheard depriving him of the fundamental rights guaranteed under Article-4, 10-A and 25 of the Constitution.

08. As a sequel to the above, the service appeal in hand is allowed. The impugned order dated 18.10.2017 is set aside and the appellant is reinstated in service with all back benefits. The intervening period shall be treated as leave without pay under the principle "no work no pay". Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
23.12.2021


(SALAH-UD-DIN)
Member(Judicial)


(MIAN MUHAMMAD)
Member(Executive)
Camp Court Abbottabad.

23.12.2021

Appellant alongwith his counsel present. Mr. Asif Masood, Deputy District Attorney for respondents present.

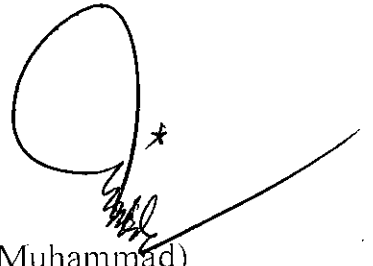
Vide order detailed judgment of today, separately placed on file, the service appeal in hand is allowed. The impugned order dated 18.10.2017 is set aside and the appellant is reinstated in service with all back benefits. The intervening period shall be treated as leave without pay under the principle "no work no pay". Parties are left to bear their own costs. File be consigned to the record room.

Announced:

23.12.2021



(Salah Ud Din)
Member(J)



(Mian Muhammad)
Member(E)
Camp Court Abbottabad

16.06.2021

Due to cancellation of tour, Bench is not available. Therefore, case is adjourned to 30.09.2021 for the same as before.



Reader

30.09.2021

Clerk to counsel for appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

Former made a request for adjournment as learned counsel for appellant is feeling not well; granted. To come up for arguments on 23.12.2021 before D.B at Camp Court, Abbottabad.




(Rozina Rehman)
Member(J)
Camp Court, A/Abad



Chairman
Camp Court, A/Abad

14.12.2020

Due to Covid-19, case is adjourned to 15.03.2021 for the same as before.


Reader

15.03.2021

Nemo for appellant.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Preceding date was adjourned on a Reader' note, therefore, appellant/counsel be put on notice for 16/06/2021 for arguments, before D.B at Camp Court, Abbottabad.



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / /
at camp court abbotabad.

Reader

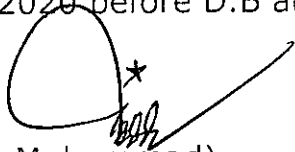
Due to summer vacation case to come up for the same on 11/9
9 / 20 at camp court abbotabad.

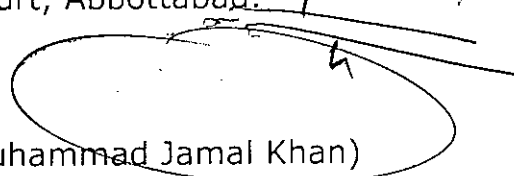

Reader

14.09.2020

Mr. Hamayun Khan, Advocate for appellant is present.
Mr. Usman Ghani, District Attorney for the respondents is
also present.

Learned counsel is seeking time for preparing the brief.
Time is allowed, however, the perusal of impugned order
available at page 14 reveals that authority has passed the
order with retrospective effect and since the question of
retrospectivity of an impugned order is sub-judice before
Larger Bench of this Tribunal, therefore, it would be
appropriate to wait for its decision on the referred to
question. File to come up for further proceedings on
14.12.2020 before D.B at Camp Court, Abbottabad.



(Mian Muhammad)
Member (Executive)
Camp Court Abbottabad


(Muhammad Jamal Khan)
Member (Judicial)
Camp Court Abbottabad

23.10.2019


Counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Imran, Sr. Stenographer for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 18.12.2019 before D.B at Camp Court, Abbottabad.



Member


Member
Camp Court Abbottabad

18.12.2019


Appellant in person and Mr. Usman Ghani, District Attorney for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 17.02.2020 for arguments before D.B at Camp Court Abbottabad.


(Hussain Shah)
Member
Camp Court Abbottabad


(M. Amin Khan Kundi)
Member
Camp Court Abbottabad


20.03.2019

Clerk of counsel for the appellant present. Mr. Muhammad Bilal Khan, Deputy District Attorney for the respondents present. Written reply on behalf of respondents not submitted. Learned Deputy District Attorney requested for further adjournment. Adjourned to 23.05.2019 for written reply/comments before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

23.05.2019

Appellant in person and Mr. Muhammad Khurshid, Superintendent alongwith Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Representative of the department submitted written reply. Adjourned to 20.08.2019 for rejoinder and arguments before D.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

20.08.2019

Appellant in person present. Mr. Muhammad Bilal learned Deputy District Attorney alongwith Mr. M. Imran, Stenographer for respondents present. Appellant submitted an application for adjournment. Adjourned on payment of cost of Rs. 2000/- to be paid on behalf of the appellant to the respondents. To come up for arguments on 23.10.2019 before D.B at camp court Abbottabad.


Member


Member
Camp Court A/Abad

19.10.2018

Appellant Qaisar Ali in person alongwith his counsel Mr. Faizullah Khan Advocate Advocate present heard in limine.

Contends that major punishment of dismissal has been imposed on the appellant antedated on one hand but no proper procedure was adopted as prescribed under the law on the other hand.

The points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections, if raised by the respondents. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents.

To come up for written reply/comments on 15.01.2019 before S.B at Camp Court Abbottabad.

Appellant Deposited
Security & Process Fee



Chairman
Camp court, A/Abad

15.01.2019

Appellant with counsel present. Written reply not submitted.

No one present on behalf of respondent department. Notice be

issued to the respondent department with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 20.03.2019 before S.B at Camp Court Abbottabad.






Member
Camp Court Abbottabad

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 397/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20/03/2018	<p>The appeal of Mr. Qaiser Ali received today by post through Mr. Faizullah Khan Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	27-3-18	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>29-6-18</u>.</p> <p style="text-align: right;"> MEMBER</p>
	29.06.2018	<p>Appellant Qaiser Ali in person present. Appellant made a request for adjournment that his counsel is not available today. Granted. To come up for preliminary hearing on 31.08.2018 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p>
	31.08.2018	<p>Due to summer vacations, the case is adjourned .To come up for the same on 19.10.2018 at camp court Abbottabad.</p>


Reader

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

Service Appeal No. 397 /2018

Qaisar Ali son of Aurangzeb, Ex-Field Worker, Agriculture, Kala Bagh,
Nathiagali, resident of Village & P.O Tatreela, Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary to the Govt. of Agriculture
Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 10	
2.	Copy of order (appointment orders) dt 14/06/2005.	11 to 12	"A"
3.	Copy of order dated 31-12-2009.	13 to 14	"B"
4.	Copy of judgment of this August Court dt 21/08/17.	15 to 17	"C"
5.	Copies of final show cause notice and post office letter regarding receiving of the same to appellant	18 to 19	"D" & "E"
6.	Copies of reply of show cause notice and application for supplying of the inquiry report	20 to 21	"F" & "G"
7.	Copies of medical certificate and certificate issued by concerned doctor	22 to 28	"H" & "I"
8.	Copy of impugned order.	29	"J"
9.	Copy of departmental appeal	31 to 32	"K"
10.	copy of postal receipt	33	"L"
11.	Wakalatnama		

Qaisar Ali

...APPELLANT

Through

Dated: 19 -03-2018

M. W. Khan
(FAIZULLAH KHAN)
Advocate Abbottabad
0311-5888656

1

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

Service Appeal No. 397 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 431

Dated 20/3/2018

Qaisar Ali son of Aurangzeb, Ex-Field Worker, Agriculture, Kala Bagh,
Nathiagali, resident of Village & P.O Tatreela, Abbottabad.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary to the Govt. of Agriculture Department, Peshawar.
2. Director General, Agriculture (Extension), Khyber Pakhtunkhwa, Peshawar.
3. District Director Agriculture, Abbottabad.

...RESPONDENTS

Filed to Day
[Signature]
Registrar

**SERVICE APPEAL UNDER ARTICLE 4 OF
KPK SERVICE TRIBUNAL ACT, 1974,
AGAINST THE IMPUGNED OFFICE ORDER
NO.3632-37/DDA ATD DATED 18/10/2017
ISSUED BY RESPONDENT NO.3 WHEREBY**

DISMISSAL ORDER WAS PASSED WITH EFFECT FROM 09/01/2009 AGAINST THE APPELLANT.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, IMPUGNED ORDER NO.3632-37/DDA ATD DATED 18/10/2017 ISSUED BY RESPONDENT NO.3 MAY GRACIOUSLY BE SET ASIDE AND APPELLANT MAY KINDLY BE REINSTATED IN SERVICE WITH ALL BACK BENEFITS.

Respectfully Sheweth:-

That the facts forming the backgrounds of the instant service appeal are arrayed as under;-

1. That the appellant was appointed in Agriculture Department as a Field Worker in BPS-01 vide order No.7937-43/EB dated 14/06/2005. Copy of order is annexed as Annexure "A".

2. That during the year 2009, the appellant fell ill and due to illness of hepatitis and was advised complete bed rest and remained under medical treatment.
3. That the appellant at that time after recovery and fitness reported his arrival in the office of Agriculture Office Kala Bagh (Nathigali) on 15/11/2009 the place of posting of the appellant. The appellant also submitted arrival report and reply to the charge sheet alongwith medical certificate regarding his absence.
4. That respondents with malafide, against the law, rules, without considering the reply alongwith medical chit regarding absence and without conduct of regular inquiry or final show cause notice issued dismissal order. Copy of order is annexed as Annexure "B".

5. That the appellant at that time after filing of departmental appeal, filed appeal No.1482/2010 before this Honourable Service Tribunal against the dismissal order mentioned in Para No.4 of the appeal.

6. That this Honourable Tribunal decided the appeal No.1482/2010 of the appellant, whereby, the dismissal order against appellant^{was} set aside and the department is directed to conduct denovo inquiry within 60 days. Copy of judgment is annexed as Annexure "C".

7. That respondents with malafide, against the law, rules and against the judgment of this Honourable Tribunal without regular denovo inquiry or recording of statement of any witnesses final show cause notice was issued to appellant which was received to appellant on 12/10/2017. Copies of final show cause notice and post office letter regarding receiving of the same to appellant are annexed as Annexure "D" & "E".

8. That the appellant after received the said final show cause notice submitted reply of the show cause notice on 18/10/2017 and also submitted application for provision of relevant record and inquiry report if any inquiry was conducted in the back of appellant. Copies of reply of show cause notice and application for supplying of the inquiry report are annexed as Annexure "F" & "G".

9. That, it is worth to mention here that Prof. Dr. Hassan Shahzad Ex-Professor of Ayub Teaching Hospital Complex Abbottabad verified his signature on the medical certificate in this regard concerned doctor issued certificate regarding confirmation of his signature, which were provided to the department, which could be re-verified by the department, but they did not bother to do so. Copies of medical certificate and certificate issued by concerned doctor are annexed as Annexure "H" & "I".

10. That respondent No.3 with malafide, against the law, rules and judgment of this Honourable Tribunal without supplying of inquiry report and without personal hearing of appellant, impugned order of dismissal from service against the appellant was issued on 18/10/2017 with retrospective effect from 09/01/2009 wherein no name of the appellant was mentioned in the said order. Copy of order is annexed as Annexure "J".

11. That the appellant had received the impugned order on 24/10/2017 and thereafter filed departmental appeal before respondent No.2 on 22/11/2017 and statutory period of 90 days has already been elapsed but respondents did not give any reply to appellant on the departmental appeal of the appellant. Copy of departmental appeal is annexed as Annexure "K" and copy of postal receipt is annexed as Annexure "L".

Hence, this appeal, inter-alia, on the following grounds.

GROUNDS:-

- a) That the impugned order was passed by the respondents with malafide, against the law, rules and judgment of this Honourable Tribunal. Hence, not sustainable in the eyes of law and liable to be set aside.
- b) That the impugned order was passed by the respondent without conduct of regular denovo inquiry as per directions given by this Honourable Tribunal in its judgment. Therefore, impugned order was passed by the respondent in violation of judgment of this Honourable Tribunal.
- c) That the respondents department was passed impugned dismissal order

against the appellant on 18/10/2017 but w.e.f 09/01/2009 which is totally against the law and not sustainable under the law.

d) That the respondents department issued a defective impugned order in such a hurry and negligently as no name of the appellant was mentioned in the said impugned order. Thus the impugned order is not sustainable and liable to be set aside.

e) That the act of the respondents for non-supplying of copy of inquiry report before passing of impugned order is not only violation of the direction of this Honourable Court which was given in the judgment but also against the law and rules. Thus impugned order is void, without jurisdiction and not sustainable.

It is, therefore, respectfully prayed that on acceptance of the instant appeal, impugned order of dismissal from service against the appellant may graciously be set aside and appellant may kindly be reinstated in service with all back benefits in the interest of justice. Any other relief which this Honourable Tribunal deems fit and proper may also be granted.

Qasir Ali

...APPELLANT

Through

Dated: 19 -03-2018

W. Faizullah Khan
(FAIZULLAH KHAN)
Advocate Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

Qasir Ali

...APPELLANT

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

Service Appeal No. _____/2018

Qaisar Ali son of Aurangzeb, Ex-Field Worker, Agriculture, Kala Bagh,
Nathiagali, resident of Village & P.O Tatreela, Abbottabad.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary to the Govt. of Agriculture
Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Qaisar Ali son of Aurangzeb, Ex-Field Worker, Agriculture, Kala Bagh,
Nathiagali, resident of Village & P.O Tatreela, Abbottabad, do hereby
solemnly affirm and declare that the contents of foregoing appeal are true
and correct to the best of my knowledge and belief and nothing has been
concealed therein from this Honourable Court.

Qaisar Ali
DEPONENT

(A)

11

OFFICE OF THE DISTRICT COORDINATION OFFICER ABBOTTABAD

ORDER: -

In pursuance of the recommendations of Departmental Promotion Committee held on 08-06-2005 the following promotions/appointment of the staff of Agriculture Department Abbottabad are hereby made with immediate effect: -

1. Mr. Aurangzeb Field Worker B-01 is promoted as Budder B-05.
2. Mr. Abdul Hameed N/Q B-01 is promoted as Daftri B-02.
3. Mr. Qaisir Ali S/O Aurangzeb R/O Tatrila Tehsil & Distt: Abbottabad is appointed as Field Worker B-01 under rule 10 of NWFP Civil Servants Appointment, Promotion and Transfer Rules (deceased employees sons' quota)

Saim
DISTRICT COORDINATION OFFICER
ABBOTTABAD

No. 7939-43/EB Dated Abbottabad the 14 /06/2005

Copy to the: -

1. EDO (Agriculture) Abbottabad.
2. District Accounts Officer Abbottabad.
3. Officials concerned

Saim
DISTRICT COORDINATION OFFICER
ABBOTTABAD

attested
Wajid
Adar

12

OFFICE OF THE DISTRICT OFFICER AGRICULTURE, ABBOTTABAD.

OFFICE ORDER.

Consequent upon the order of District Coordination Officer, Abbottabad vide his No. 7939-43/EB Dated 14.6.2005. Mr. Qasir Ali Field worker newly appointed is hereby further posted with the Agriculture Officer, Nathiagali.

Syed Saddiq Hussain Shah
SYED SADDIQ HUSSAIN SHAH,
DISTRICT OFFICER,
AGRICULTURE, EXT: ABBOTTABAD.

No. 1364-07 /DOA Dated Abbottabad the 24/6 /2009.

Copy to:-

- ✓ 1. Mr. Qasir Ali Field worker e/o Agriculture Officer, N/Gali.
2. The Agriculture Officer Nathiagali camp at Kalabagh.
3. The Accountant of this office.
4. The E/Clerk of this office for necessary action.

11
DISTRICT OFFICER,
AGRICULTURE (EXTENSION) ABBOTTABAD

attested
Ali

(13) B,

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
AGRICULTURE ABBOTTABAD.

ORDER.

- Where as, you Mr Qaisar Ali, Field Worker (BPS-02) office of the District Officer, Agriculture Abbottabad absented yourself willfully from your duties w.e.f. 09-01-2009 to 04-11-2009.
- Where as, you failed to respond to official correspondences of District Officer, Agriculture Abbottabad during the absence period.
- Where as, you failed to appear before the enquiry officer (Agriculture Officer, Abbottabad-II) appointed by District Officer, Agriculture Abbottabad to investigate your absence.
- Where as, an advertisement was published in newspapers by the District Officer, Agriculture Abbottabad directing you to resume your duties and consequently you submitted your arrival report on 05-11-2009.
- Where as, after the suspension of your services you were served with charge sheet and statement of allegations by the competent authority with subsequent constitution of two member enquiry committee under section 5 of the NWFP Removal from Service (Special Powers) ordinance 2000 for the purpose of scrutinizing your conduct. You were also offered personal hearing opportunity vide Para No 5 of the charge sheet bearing No. 1807 EDO(A) Abbottabad dated 24-11-2009 which you failed to avail.
- Where as, during enquiry proceedings you produced 05 OPD Chits as refuge to cover your 10 months willful absence (the original neither available in the record nor with you). The same were sent to Chief Executive, Ayub Teaching Hospital Abbottabad for confirmation who informed that chits are bearing fake numbers, not tally with the Hospital record; hence declared as Bogus.
- Where as, the enquiry committee is of the firm opinion that you (Mr Qaisar Ali, Field Worker) are guilty of charges leveled against you as well as the forgery committed by you and consequently recommended the imposition of

attested
Waqar
Adm.

(14)

Major Penalty (Dismissal from Service) as contained in NWFP, Govt. Servants (Efficiency and disciplinary) rules, 1973

Therefore, I Mr Abdul Rashid, Executive District Officer, Agriculture Abbottabad as competent authority impose upon you Major Penalty of (Dismissal from Service) w.e.f. 09-01-2009 as contained in Section 4(1)(b)(iv) of NWFP Govt. Servants (Efficiency and Disciplinary) rules 1973, read with section 3 of the NWFP Removal from service (Special Powers) ordinance 2000.

Abdul Rashid
EXECUTIVE DISTRICT OFFICER
AGRICULTURE ABBOTTABAD.

No. 1945-48 / EDO (A) Abbottabad dated 31/12/2009.

Copy to:-

1. The District Coordination Officer, Abbottabad.
2. The District Accounts Officer, Abbottabad.
3. The District Officer, Agriculture Abbottabad.
4. ✓ Mr Qaisar Ali, Field Worker c/o District Officer, Agriculture Abbottabad.

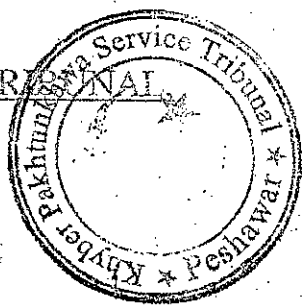
attested

M. A. B. Khan

EXECUTIVE DISTRICT OFFICER
AGRICULTURE ABBOTTABAD.

(C) (15)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT ABBOTTABAD



Service Appeal No. 1482/2010

Date of Institution... 04.08 2010

Date of decision... 21.08.2017

Qaisar Ali son of Aurangzeb, Ex-Field Worker Agriculture Kala Bagh (Nahtiagali)
R/O village and post office, Tatreela, Abottabad. ... (Appellant)

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture
Department, Peshawar and 2 others. (Respondents)

SARDAR MUHAMMAD AKMAL,

Advocate

For appellant.

MR. MUHAMMAD BILAL

Deputy District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,

MR. MUHAMMAD HAMID MUGHAL

CHAIRMAN

MEMBER

attested
Muhammad

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the learned
counsel for the parties heard and record perused.

FACTS

The appellant was proceeded against departmentally due to his willful
absence from duty for 10 months. Initially a publication was issued in the daily
newspaper dated 04.11.2009 against the appellant for his willful absence. He
resumed the duty on 05.11.2009. Thereafter he was issued charge sheet on
24.11.2009 for his willful absence. He replied to the said charge sheet, the date of
which is unknown. An enquiry committee was constituted to conduct an enquiry
and submitted its report. The disciplinary proceedings against the appellant
culminated into impugned order dated 31.12.2009, dismissing him from service.
Against the impugned order the appellant filed a departmental appeal on 13.1.2010

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Abbottabad

which was rejected on 06.07.2010 and thereafter the appellant filed the present appeal before this Tribunal.

ARGUMENTS

3. The learned counsel for the appellant argued that no final show cause notice was issued to the appellant nor the copy of enquiry report was supplied to the appellant. That regardless of the defence of the appellant it was for the departmental authority to have followed the procedural steps necessary before any penalty and particularly the major penalty. The learned counsel for the appellant relied upon some rulings entitled "*Muhammad Siddiq Khan Alvi SPO and others Vs. Member (Customs) Board of Revenue (Revenue Division) Government of Pakistan, Islamabad and others*" reported as 2006-PLC(C.S)604, "*Ghulam Nabi Bhand and another Vs. General Manager (Operation) Pakistan Railways, Headquarters, Lahore and others*" reported as 2004-PLC(C.S)1583 and "*Raees Ahmad Vs. Karachi Electric Supply Corporation and another*" reported as 2004-PLC(C.S)1615.

attested
Wazir
Adm

4. The learned Deputy District Attorney argued that the appellant admittedly remained absent for about 10 months during which he did not apply for any leave nor did he inform the department about his absence. That after issuance of charge sheet and statement of allegations a proper enquiry committee was constituted who had given its report. That during the enquiry proceedings, it was proved that the appellant relied upon certain OPD chits from hospital in his defence which were proved to be fake and bogus.

ATTESTED

CONCLUSION

5. Both the later judgments relied upon by learned counsel for the appellant are relevant to the present appeal. In 2004-PLC(C.S) 1583, show cause notice was issued to delinquent official but regular enquiry was not conducted against him

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Rawalpindi

on charge of misconduct. In 2004-PLC (C.S) 1615, non-issuance of final show cause notice and non-supplying of inquiry report to employee resulted fatal to the impugned orders.

6. Though absence of the appellant is an admitted fact and charge sheet and statement of allegations were issued to him and thereafter an enquiry committee was constituted. Once enquiry committee or enquiry officer is appointed then it is must for the department to give final show cause notice with proposed penalty as well as copy of enquiry report. Without enquiry report and final show cause notice, the delinquent official is not in a position to reply the same as pointed out in the last two judgments pressed into service by the learned counsel for the appellant that non adherence of such procedural due process is fatal for the whole departmental proceedings.

7. In view of the above discussion this Tribunal is of the view that non compliance of the mandatory requirements of final show cause notice and non supplying of report of the enquiry committee are fatal for the proceedings in the present appeal. Resultantly, the impugned order is set aside and the department is directed to conduct denovo enquiry within 60 days keeping in view the elements of procedural due process discussed above. In case the enquiry is not concluded within the stipulated period, the appellant shall be deemed to have been reinstated in service. The issue of his back benefits shall be subject to outcome of denovo departmental proceedings. Parties are left to bear their own costs. File be consigned to the record room.

Announced
21-8-2017

Sd/-
(Muhammad Hamid Mughal)
Member

Sd/-
(Niaz Muhammad Khan)
Chairman
Camp Court, A/Abad

ENCED

attested
W. M. Adm.

Certified to be true copy

EXAMINER
Khayber Pakhtunkhwa
Service Tribunal
Camp Court, Abbottabad

OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE
SMS (HORTICULTURE) ABBOTTABAD

No 57 SMS (Horticulture) Abbottabad Dated 8/10/2017

To,

Mr. Qasir Ali
Village & P.O Tatreela
Abbottabad

(D)


18

FINAL SHOW CAUSE NOTICE

As per direction of the Khyber Pakhtunkhwa honorable Service Tribunal camp court Abbottabad announced on 21-08-2017, that the Final Show cause Notice and enquiry report was not served to you before imposing the penalty of Dismiss from the Service. On the basis of above direction, you are given the opportunity to reply the allegations against you and the findings of the enquiry committee are also enclosed for your facilitation.

So you are directed to reply within seven (7) days on receipt of this final notice to the following findings of the enquiry committee.


- 1) You remained absent from duty without information w.e.f 09-11-2009 to 04-11-2009 and in defense you submitted suspicious photo states OPD Chits having 10 month bed rest which proved fake by the Chief Executive, Ayub Teaching Hospital vide No 3611 date 23-12-2009 (Copy enclosed) On above facts your misconduct is doubtful and your given chance to submit your reply in your defense within seven days.


MUMTAZ AHMED KHAN
SMS (HORTICULTURE)
ENQUIRY OFFICER
ABBOTTABAD

NO 58 SMS (Horticulture) Abbottabad Dated 6/10/2017
Copy to:-

The District Director Agriculture Abbottabad for information w/r to his No 3462 date 15-09-2017 along with Enclosure

attested
Waqar Khan


MUMTAZ AHMED KHAN
SMS (HORTICULTURE)
ENQUIRY OFFICER
ABBOTTABAD

QC

6468669-8130



CE,

(19)

P-31



اگر کوئی کارکن ہے جس کا نام 1166 میں درج ہے اور اس کا

تعمیراتی محکمہ سے تعلق ہے اور

دورہ 11/10/17 کو اس کا نام اس میں درج ہے اور

دورہ 12/10/17 کو اس کا نام اس میں درج ہے۔

لہذا اس کے بارے میں جانچ کر دیا جائے۔

So (دورہ) کے مطابق اس کا نام اس میں درج ہے اور اس کا نام اس میں درج ہے۔

اس کا نام اس میں درج ہے۔

17/10/17

attested
with
Adm

(F)

20

محبت جاہ انٹوائری آفیسر صاحبہ

جہا علی

جاہ سے التماس ہے کہ میں نے جو انٹوائری ٹیم کے سامنے
ڈپٹس (Chits) جمع کروائی تھی وہ فوٹو کاپیاں تھیں انٹوائری
ٹیم نے اصل کاپیاں مانگی ہیں اس لیے جس کی وہ ہے ڈپٹس
کی کاپیاں میری ٹوکس اور ٹیک ٹیم کی تھیں۔ اب
میں نے ڈپٹس (Chits) کی اصل کاپیاں Verified کروا کر
Covering لیٹر کے ساتھ جمع کروادی ہیں جو کہ میرے
کاغذات کے ساتھ منسلک ہیں۔

لہذا میری جاہ سے التماس ہے کہ میرے کاغذات منظور فرما کر
مجھے اپنی پوسٹ پر بحال کیا جائے۔
جہا علی عین لوازش ہوگی
الرحمن

سابقہ فیلا ڈوکر نئی پٹی (کالاباغ)
مورخہ - 2017-10-18

مقرر علی
Ghazi Ali

attested
with
Adh

بخدمت صاحب ڈسٹرکٹ ڈائریکٹر فکریات ایس ایچ

وزیر اعلیٰ برادر ریٹ لٹریچر و انٹواریٹی ریورج
بمطابق منسلک عداوت سرکس ٹریبونل

جناب عالی در خواست = اس میں مندرجہ

ہم کہ عداوت سرکس ٹریبونل نے اپنے فیصلہ میں
تفصیلاً مذکورہ و ماہنامہ سائیکس پیکس
De novo انٹواریٹی کے لئے اور اس کے

کو انٹواریٹی کی لٹریچر و ریسرچ کمیٹی
جسٹس کے خلاف بمطابق منسلک کو انٹواریٹی
کی کمیٹی کے رپورٹ کے عدم نتیجہ میں کو انٹواریٹی
کے لئے نوٹس کا نوٹس = اس کے نوٹس جاری
تاکہ اس کے رٹنا و فاع پیش کر سکے

الذمہ 18-10-17

اس کے لئے

Qasir Ali

attested
M. G.
Adm.

(H)

(22)



AYUB TEACHING HOSPITAL, ABBOTTABAD
Accident & Emergency Service Department

Book No. 126

Patient ID:	14778	Patient Name:	KAISER ALI
Patient Age:	23Y	Patient Sex:	Male
Patient Date & Time:	21/11/2009 10:20:00AM	Patient Mode:	Casualty
OPD:	Non-Medical	Address:	Abbottabad
IDP Status:		Amount:	5 Rupees

fit physically & mentally to join

no debts

attested

Adm.

Assistant Professor
Dr. Hassan Shehzad Nuzar
Ayub Medical College Ad.

Signature. Verified

6/11/17

Dr. Hassan Shehzad

(23)

No



67

OUTPATIENT DEPARTMENT

Issued by: Male/Female Filter Clinic

Yearly No 33714

Date 09-29-09

Name *[Handwritten Name]*

Disease

Ch-Liv Dura
2° HCV
OK

Ing Uniform
223 1/2

Cap Ruzgde
6

16 1 1

18 Silver

16 1

At Bedant x 02 mmk. berf

attested
M. J. Adm.

[Signature]
Dr. *[Name]* Specialist
MBBS, FRCGS
ASST. PROF. MEDICINE & CONSULTANT MEDICINE
Ayub Medical College / Hospital Complex
Abbottabad.

Signature Verified

[Signature]
6/11/17

Dr. Anwar Ali

(25)

OUTPATIENT DEPARTMENT
Issued by: Male/Female Filter Clinic

Yearly No 170/00

Date 11-5-09

Name _____

Disease _____

GLD
2^o
HCV

Inj Unifera
w- 1/2

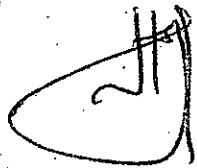
Cap Ribazole
w- 1/2

Inj Vit K
w- 1/2


attested
M. H. Adh

At Barast x 22 Marka bank G

Signatures verified

 6/1/17

Dr Horen Salze


Syed Hassan Shahzad
MBBS, FCPS
ASST. PROF. MEDICINE & CONSULTANT PHYSICIAN
Ayub Medical College & Hospital Complex
Abbottabad.

(26)

LABORATORY DEPARTMENT

Issued by: Male/Female Filter Clinic

Yearly No 90900

Date 10-3-09

Name

Cap Picmorz

Disease

Parasite

Anti HCV ch
7/re

ALT 130

ALD



Results
awaiting

Cap Picmorz

10 1 1 1

Tes Ribazole

10 1 1 1

Tes Silver

Inj Uniform 3MIU
s/c.
At Bed rest x 02 Months band.

attested
Ulman
Adm

Signatures Verified

6/1/17
Dr. Hana Subzed.

Dr. Hana Subzed
RECEIVED FROM
LABORATORY DEPARTMENT

(27)

OUTPATIENT DEPARTMENT
Issued by : Male/Female Filter Clinic

Yearly No 60305

Date 9-1-2019

Name Umar

Disease _____

From
Rgn
1/1/19
ALU 211



My Vit K
cont - 1/2

Heparin 1000
cont 1/2

1cc Liprox
sa

1/2

To Silver


1/2

attested
Umar
Adm.

All Patient is 2 months back

will review

Signatures verified


4/1/19

Dr. Hameed Sulayman

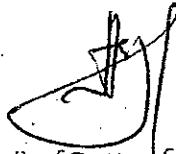
Dr. Hameed Sulayman
MBBS, FRCGS
General Practitioner
Ayub Medical College & Hospital Complex
Abbottabad.

ci, (28)

CERTIFICATE.

Certified that Mr.Qaiser Ali remained under my treatment w.e.from 09.01.2009 to 10.11.2009 . He was recommended/adviced for restoration of his health for the period mentioned. He was treated and was declared mentally and physically fit to rejoin his duties on 21.11.2009.

Signature of the relevant certificate are duly verified.



Prof Dr.Hassan Shahzad
Ex: Professor of Medicine
Ayub Hospital Complex
Abbottabad.

06.11.2017.

attested
ulwaj
Adm



(K) (J) (29)

**OFFICE OF THE
DISTRICT DIRECTOR AGRICULTURE ABBOTTABAD**

Phone: 0992-380325, Fax: 0992-383026
Email: agrlatd@gmail.com



OFFICE ORDER:

On the basis of denovo enquiry report and personal hearing, the accused is again proved in misconduct by providing bogus verification chits.

Therefore I Mr. Zulfiqar Ahmad Malik District Director Agriculture Abbottabad as competent authority impose upon you major penalty of (Dismissal from Service) w.e.from 09-01-2009 as contained in section 4 (1) (b) (iv) of NWFP Government Servant (Efficiency and Disciplinary Rules 1973 and now Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary Rules 2011) (Revised)

Sd/-
District Director Agriculture
Abbottabad

No. 3632-37 /DDA ATD,

Dated: 18/11/2017

Copy to:-

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar w.r.to his No. 1995/ST dated: 30-08-2017 along with the photocopy of final show cause notice, enquiry report / personal hearing.
2. The Deputy Commissioner Abbottabad.
3. The District Account Officer Abbottabad.
4. Director General Agriculture (Extension) Khyber Pakhtunkhwa Peshawar for information please.
5. Mr. Qaiser Ali S/o Aurangzeb, Village & P.O Tatreela Tehsil & District Abbottabad (Through Registered Cover)
6. Establishment Clerk office of the undersigned for information and necessary action


District Director Agriculture
Abbottabad

بحرہ صفا ڈائریٹیڈ جنرل حکمرانیت خلیفہ کنوینشن

لٹا

حکمران اپیل برصغیر اڈر 3632-37 مورخہ 18
2017
بحاریہ ڈائریٹیڈ جنرل حکمرانیت اپیل بحریہ
حکمران کنوینشن ریگولیشنز کے تحت اور کنوینشن
کو موافقت خاطر میں رکھ کر اپیل ڈائریٹیڈ جنرل
جو لفظ کنوینشن میں وہ درست پائی گئی ہے۔

attested
W. H. Khan

صفا بحریہ اپیل برصغیر۔

(1) ریگولیشن حکمرانیت میں بطور قبیلہ و دیگر کوئی چیز
اور کبھی ہوتے گھبراتی ڈیوٹی ثابت فوش اسلوبی سے دیکھا گیا۔
(2) بحریہ میں اپیل ڈائریٹیڈ کو سیکرٹریٹ میں لکھا اور ڈائریٹیڈ
نے اپیل ڈائریٹیڈ کو تمام کرنے کی ہدایت کی گئی ہے۔
وہ سیکرٹریٹ سے لے کر سیکرٹریٹ میں لکھا اور اپیل ڈائریٹیڈ سے اپنی
تعمیر کا مقصد ہے۔ یہ سیکرٹریٹ کے حکم کو بحریہ میں
حکمران بحریہ میں عدم موجودگی میں لکھا گیا اور بحریہ میں عدم موجودگی
میں درست لکھا گیا اور بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور
اور کنوینشن کو بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور
سے ڈائریٹیڈ کے کا اڈر بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور

نے اپیل 1482 بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور
10
بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور بحریہ میں لکھا گیا اور

آؤر گورنمنٹ ہسپتال میں (2) Demoro انکوائری کی ہے

(3) یہ کہہ رہے ہیں کہ سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال اور صحت کے شعبوں میں

تبدیلی کی ہے جس نے اپنی سالانہ رپورٹ کو دھرتے ہوئے

کہا ہے کہ انکوائری نہ ہو اور اس کی آگے بڑھنا چاہیے

یہ کہتے ہیں کہ سروس سٹریٹجی میں تبدیلی کی ہے اور یہی

attested
Muhammad
Adm.

یعنی Second medical کے بارے میں سروس سٹریٹجی کی تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

(4) یہ کہتے ہیں کہ سروس سٹریٹجی میں تبدیلی

Personal hearing کی ہے اور یہی ہسپتال کی سروس سٹریٹجی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

کی سبب سے پہلے ہی ہسپتال کی سروس سٹریٹجی میں تبدیلی

Dated 22-11-2017

(32)

(L)

No. 1475

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

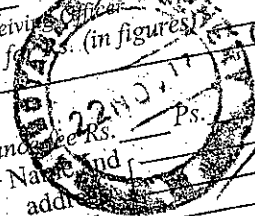
Rs. 38 Ps.

(M)

Received a registered* addressed to _____ Date-Stamp _____

Initials of Receiver _____ Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary. (in words)

If insured. Insured for Rs. (in figures) _____ Weight (Kilo Gram) _____ (in words) _____ Name and address of sender _____



attested
W. S. Adm.

وکالت نامہ

کورٹ فیس

بعدالت لعدالت سروس لٹریٹوریل پرماور

عنوان: قصہ علی بنام گوڈلٹ

منجانب: اسپلارٹ

نوعیت مقدمہ: سروس اسپل

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام

0311-5888656
Chambers No. 15, New Lawyars
Place, Adjeacent District Bar, Abbottabad.

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وہیں

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پر داختمہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 19-3-2018

Accepted.

بمقام: اس کے ہمارے

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT ABBOTTABAD**

Appeal No-397/2018
Mr. Qaiser Ali s/o Aurangzeb
Ex- Field Worker, Kala Bagh Natia Gali
District Abbottabad

APPELLANT

VERSUS

- 1- Government of Khyber Pakhtunkhwa,
Through Secretary Agriculture Livestock & Cooperative
Department Peshawar
- 2- Director General,
Agriculture Extension
Khyber Pakhtunkhwa Peshawar
- 3- District Director Agriculture Abbottabad

RESPONDENTS

PRELIMINARY OBJECTIONS

- 1- That the appeal is not maintainable in its present form and liable to be dismissed.
- 2- That the appellant has no cause of action to file the instant appeal.
- 3- That the appellant has no locus standi to file the instant appeal.
- 4- That the appellant has not come to this Hon'ble Tribunal with clean hands.
- 5- That the present appeal is based on malafide intension.
- 6- That the appellant has deliberately concealed the important facts from this Honorable Tribunal.
- 7- That the appeal is time barred.

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO 1, 2 & 3

ON FACT PARA-WISE

Para-1 Pertains to appellant record.

Para-2 Incorrect. That the statement of the appellant is incorrect, he absent from duty with effect from 09.01.2009 to 04.11.2009 without any information. The Incharge Agriculture Officer Natia Galay reported that the appellant was willful absent from duty with effect from 09.01.2009 vide No 6 dated 29.01.2009 (**Annex-A**). the then District Officer Agriculture Abbottabad directed the appellant to report for duty within seven days vide No 95/DOA dated 06.02.2009 (**Annex-B**), but the appellant failed to assume his duty. The appellant was again directed through registered letter No 482/DOA dated 27.04.2009 to join duty within fifteen days (**Annex-C**), but the appellant not reported for duty, but the letter return to the Agriculture officer concerned office through post with the remarks that the appellant House nobody is willing to receive the letter. The Department nominated Mr. Tariq Mehmood as Inquiry Officer to probe into the absence

from duty of appellant with effect from 09.01.2009 vide office order No 629-32/DOA dated 28.05.2009 (**Annex-D**), but the appellant again failed to appear before inquiry Officer, inquiry report as (**Annex-E**). After inquiry final notice was published in the Daily Aaj Abbottabad and Daily Mashriq dated 04.11.2009 & 05.11.2009, the appellant was directed to assume his duty within fifteen days (**Annex-F & G**).

Para-3 Incorrect. After arrival report of the appellant he was suspended and was charge sheet and statement of allegation by the competent authority and constituted inquiry Committee under Section 5 of the NWFP removal from service (Special Power) ordinance 2000 for the purpose of securitizing his conduct vide No 1807/EDO dated 24.11.2009 (**Annex-H**). During the inquiry proceeding the appellant produced 05 photo copies of OPD chits as excuse to cover 10 months willful absence, the same photo copies of the OPD Chits were sent to the Chief Executive Ayub Teaching Hospital Abbottabad for confirmation. The PSO to Chief Executive Ayub Medical Complex Abbottabad confirmed that the chits wherein fake Nos, not tale with the Hospital record, hence declared as bogus vide No PS-CE/Misc/09/3611 dated 23.12.2009 (**Annex-I**).

Para-4 Incorrect. That after the prolong absence of the appellant a proper procedure was adopted and after the fulfillment of all codal formalities the appellant was removed from service due to gross violation of the Law.

Para-5 Detail comments given in Para 3 above.

Para-6 Correct to the extent, according to the Honorable Khyber Pakhtunkhwa Service Tribunal Camp Court Abbottabad decision dated 21.08.2017 in service Appeal No 1482/2010, the denovo inquiry was conducted vide order No 3462 dated 15.09.2017, copy of the inquiry report as (**Annex-J**). The inquiry Officer carefully studies the case and all available record examined, it is revolved that the major punishment was imposed on the basis of suspicious photo states OPD chits having ten (10) months bed rest which proved fake by the chief Executive Ayub Teaching Hospital Abbottabad and the same chance was given to the accused to bring any documents in his defense to get the relief, but the accused failed to provide any documents in his defense. The inquiry Officer recommended that the imposition of major penalty of dismissal from service may be converted of removal from service as contained in section 4 (1)(b)(iii) of Khyber Pakhtunkhwa Government servant (Efficiency and Disciplinary rules 2011 removal) against the order vide No 1945-48 dated 31.12.2009.

Para-7 Incorrect. That the Respondent with no malafide against the Law, Rules and against the judgment of this Honorable Tribunal. The dismissal order of the appellant was issued after conducting a proper denovo inquiry and according to the Rules issued final show cause notice to the appellant vide No 37 dated 06.10.2017 (Annex-K).

Para-8 Correct to the extent that the reply of the final show cause notice was submitted by the appellant on 17.10.2017, and the appellant was also given opportunity of personal hearing & directed to appear before the competent authority on 18.10.2017 vide letter No 62 dated 13.10.2017 (Annex-L), but he failed to provide any documents in his defense.

Para-9 Incorrect. The competent authority issued dismissal orders on the basis of denovo inquiry and personal hearing again proved in misconduct by providing bogus verification chits vide office order No 3632-37/DDA dated 18.10.2017 (Annex-M), while the confirmation certificate issued by Professor Dr. Hussain Shehzad Ex-Prof. of Medicine Ayub Hospital Complex Abbottabad, issued on 06.11.2017 after dismissal orders.

Para-10 Incorrect. That the respondent No 3 with no malafide against the Law, Rules and Judgment on this Honorable Tribunal. The inquiry Officer directed the appellant to appear before the competent authority on 18.10.2017 at 11:00 AM vide letter No 62 dated 13.10.2017 and his name was mentioned in the Officer Order issued by the Respondent No 3 vide No 3632-37/DDA dated 18.10.2017. (Already Annexure's in the above Para's)

Para-11 No comments hence denied.

GROUND

Para-a Incorrect. That the impugned order was passed by the Respondent according to the Law/Rules.

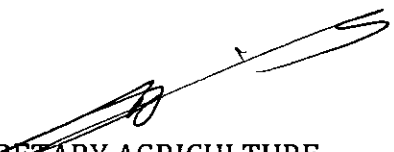
Para-b Incorrect. Detail comments given in Para 6 above.

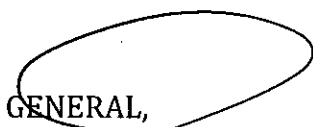
Para-c Incorrect. That the Respondents Department passed dismissal order of the appellant with effect from 09.01.2009 is not against the Law/Rules.

Para-d Incorrect. Details comments given in Para 10 above.

Para-e Incorrect. That the act of the respondents before passing of impugned order is not violation of the direction of this Honorable Tribunal which was given in the judgment and not against the Law / Rules.

It is therefore humbly prayed that on acceptance on the above Para wise reply/comments, the appeal of the appellant may kindly be dismissed.


SECRETARY AGRICULTURE
GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT PESHAWAR


DIRECTOR GENERAL,
AGRICULTURE EXTENSION
KHYBER PAKHTUNKHWA PESHAWAR

Nazid
DISTRICT DIRECTOR AGRICULTURE
ABBOTTABAD

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT ABBOTTABAD**

Appeal No 397/2018

Mr. Qaiser Ali s/o Aurangzeb

Ex- Field Worker, Kala Bagh Natia Gali

District Abbottabad

APPELLANT

VERSUS

1- Government of Khyber Pakhtunkhwa,
Through Secretary Agriculture Livestock & Cooperative
Department Peshawar


2- Director General,
Agriculture Extension
Khyber Pakhtunkhwa Peshawar

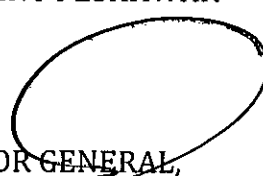
3- District Director Agriculture Abbottabad

RESPONDENTS

COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the Para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.


SECRETARY AGRICULTURE
GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT PESHAWAR


DIRECTOR GENERAL,
AGRICULTURE EXTENSION
KHYBER PAKHTUNKHWA PESHAWAR

naazid
DISTRICT DIRECTOR AGRICULTURE
ABBOTTABAD

(35)

Annex. A.

(15)

No. 6

Agri. Officer Natin Galli dt. 29/1/09

(6)

The District Officer Agri.
Abbottabad

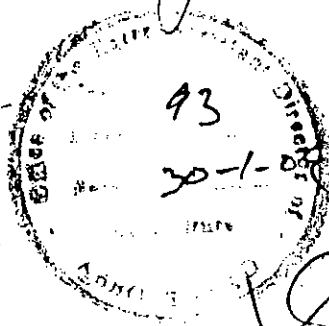
Subj.

ABSENT FROM DUTY

Memo

It is to inform your office that Raisar Ali Field Worker of this office is absent from duty since January 9, 2009, without any prior leave from the undersigned. It is therefore requested that necessary action may kindly be taken against the official.

~~At: [unclear]~~



Agri-Officer
Natin Galli

ESD: Asst
Call the explainer of
Raisar Ali P/worker
30/1/09

17/9/09 E.D. Natin Galli
16/5/09 Natin Galli
Dist. Abad

(7)

Annex - B.

(2)

95 / No. dated Abbottabad the 6-2-2009.

Mr. [Name] Field Officer / the Agriculture Officer, Nathiaki.

Subject: [Subject]

MEMO: The Agriculture Officer Nathiaki reported that you are absent from your duty w.e. from 9.1.2009, therefore you are directed to explain the reason that why the disciplinary action under the rules may not be taken against you (under rule 2-173 & 200).

Your reply should reach within 7 days from the receipt of this letter, otherwise drastic disciplinary action will be taken against you.

[Handwritten signature]

No. 96-97 / No.

Dated: 06-2-2009.

Copy to the Agriculture Officer Nathiaki for information with reference to his No. 6 dated 9.1.2009 with the direction to submit your reply along with your comments and also explain the reasons that the field worker is absent from his duty w.e. from 9.1.2009 while you have reported on 9.1.2009, justify please.

the change form in DA0 Atol for stoppage of pay, The office Supdt. O/P DO has order to such change for ins for stoppage of pay of DA0 Atol for stoppage of pay, my

[Handwritten signature]

17/9/09

S.D. [Name] 16/5/09

Station Officer Dist. Atol

R. Ali

3/4

Annex - C.

8

No. 482 /DOA, dated Abbottabad the 27/4 12009

To,

✓ Mr. Qasir Ali,
Field Worker @/o Agriculture Officer,
Nathialgali (Abbottabad).

Subject: ABSENT FROM DUTY/EXPLANATION THERE OFF

Memo;

Reference this office letter No. 96/DOA,
dated 6.2.2009 on the subject noted above.

You are therefore, directed to join your duty within fifteen (15) days and also explain your position re attendance of your duty w.e. from 9.1.2009 to uptill now. Your reply should reach to the undersigned within three (3) days from the receipt of this letter, otherwise strick disciplinary action will be taken against you under R.D rules 1973 & 2000.


DISTRICT OFFICER
AGRICULTURE (EXTENSION) DEPTT
ABBOTTABAD.

No. _____ /DOA,

Copy to the:-

1. The Executive District Officer Agriculture, Abbottabad for disciplinary action being the competent authority please.
2. The Agriculture Officer, Nathialgali with reference to this office endstt: No. 97-98/DOA, dated 6.2.09 for necessary action and report.

///
DISTRICT OFFICER
AGRICULTURE (EXTENSION) DEPTT:
ABBOTTABAD.

.....

M.S/

OFFICE ORDER

Mr. Tariq Mehmood Agriculture Officer-II, Abbottabad is hereby appointed as enquiry officer in case of absent from duty Mr. Qasir Ali field worker, w.e. from 9.1.2009 in the office of the Agriculture officer Nathiagali (Abbottabad).

He is directed to conduct enquiry within (15) day and submit his detail report/findings to this office alongwith the statement of official concerned for further necessary action.

Necessary record may be collected from this office.

SD/-
(MOHAMMAD YOUNIS)

DISTRICT OFFICER AGRICULTURE
ABBOTTABAD.

No. 629-32 /DOA, dated Abbottabad the 28-5-2009

Copy to the:-

1. Mr. Tariq Mehmood Agriculture Officer-II, A'Abad
2. The Agriculture officer Nathiagali, Abbottabad with reference to this office endstt: No. 483-81 DOA, Abbottabad dated 27.4.2009 for information.
3. Mr. Qasir Ali field worker G/O Agriculture Officer Nathiagali, Abbottabad. He is directed to appear before the enquiry officer within time.
4. Establishment Clerk of this office for information and further necessary action.

.....
DISTRICT OFFICER AGRICULTURE
ABBOTTABAD

M.S/

The DIST. OFFICER Agriculture,
Abbottabad.

~~12~~ 10

Subject: ENQUIRY REPORT

Memo.


With reference your office letter No. 629-32/
DOR Abbottabad dated 28-5-2009 regarding enquiry of
Mr. Qaiser Ali F/W, Nathiagali, I was appointed as
office in the
enquiry case of the long absence from duty of the official.

A letter NO. 172/A.O Abbottabad-II Dated 4-6-2009
was written to Qaiser Ali F/W to appear before the
undersigned for conducting enquiry.

Undersigned went to the office of Asst. Officer
Nathia Gali on dated 10-6-2009, but Qaiser Ali did not
appear on the date for inquiry. It was decided with
before the undersigned,
the consultation of Asst. Officer Nathiagali, next date for
enquiry is 20-6-2009 but the official failed to
appear the undersigned for enquiry even after
confirmations on mobile telephone.

According to the record the personal file of the official
and office record i.e. attendance register of Asst. Officer Nathiagali
Qaiser Ali F/W was regularly absent from 09-1-2009 to
till date.

Therefore it is obvious from the behaviour of the official
that he does not want to continue his services, so considered
action may be taken against him according to rules.


Agricultural Officer
Dist. Office, Abbottabad

48

92

Annex - C

8

AAAJ, The Largest Circulated Publication of NWFP

روشن کل کی ضمانت، آج کا نصب العین

روزنامہ آج

ایڈیٹر
عبدالواحد یوسفی

لیبٹ آباد
پاکستان

صفحات 8

پشاور ایبٹ آباد سے بیک وقت شائع ہونے والا صوبہ سرحد کا کثیر الاشاعت اخبار

جلد 14 | بدھ 4 نومبر 2009ء | 15 ذیقعدہ 1430ھ | قیمت 5 پے | شماره 19

نوٹس غیر حاضری

ہرگاہ کہ تم قیصر علی فیلڈ ورکر دفتر زراعت آفیسر کالا باغ (تھیاگلی) محکمہ زراعت شعبہ توسیع ضلع ایبٹ آباد سورتہ 9 جنوری 2009 سے مسلسل غیر حاضر ہو لہذا مجاز حاکم کی منظوری سے تم کو بذریعہ اخباری نوٹس ہذا مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جاؤ اور اپنی غیر حاضری کی وجوہ بیان کریں، بصورت دیگر تمہارے خلاف نوکری سے برخاستگی کے خصوصی اختیارات آرڈیننس بحریہ 2000 کے تحت یکطرفہ کارروائی عمل میں لائی جائے گی جس کے نتیجے میں تمہیں سرکاری ملازمت سے برخاست بھی کیا جاسکتا ہے۔

ڈسٹرکٹ آفیسر زراعت ضلع ایبٹ آباد

44 Annex-9.

83
23

12

http://www.dailymashriq.com.pk

اللہ ہی کیلئے ہیں مشرق و مغرب (قرآن حکیم)

Daily MASHRIQ Peshawar

پشاور روزنامہ
عہدہ نو کے بانی
سید تاج میر شاہ

مشرق

مسلسل اشاعت کے 43 سال

پشاور اور اسلام آباد سبیک وقت شائع ہونے والا کثیر الاشاعت قومی اخبار

ABC CERTIFIED

جلد 43 جمرات 16 از بقرہ 1430ھ 5 نومبر 2009ء تک قیمت 9 روپے پوائے ای دور نامہ شمارہ 81

نوٹس فیروز حاضری

ہر گاہ کہ تم فیصل علی فیلڈ ورکر دفتر زراعت آفیسر کالا باغ (نقیانگلی) محکمہ زراعت شعبہ توسیع ضلع ایبٹ آباد مورخہ 19 جنوری 2009ء سے مسلسل غیر حاضر ہوئے لہذا مجاز حاکم کی منظوری سے تم کو بذریعہ اخباری نوٹس ہذا مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہو جاؤ اور اپنی غیر حاضری کی وجوہ بیان کریں بصورت دیگر تمہارے خلاف نوکری سے برخوانگی کے خصوصی اختیارات آرڈیننس مجریہ 2000 کے تحت یکطرفہ کارروائی عمل میں لائی جائیگی جس کے نتیجے میں تمہیں سرکاری ملازمت سے برخاست بھی کیا جاسکتا ہے۔

INF(AD)313

ڈسٹرکٹ آفیسر

زراعت ضلع ایبٹ آباد

Annex - H. 13

OFFICE OF THE
EXECUTIVE DISTRICT OFFICER
AGRICULTURE ABBOTTABAD.

No. 1807 / EDO: Agri Dated 24/11/2009.

To

✓
Mr Qaisar Ali, Field Worker
Office of District Officer Agriculture
Abbottabad.

Subject: **CHARGE SHEET.**

1. I Mr ABDUL RASHID as competent authority hereby charge Mr Qasir Ali, Field Worker Office of District Officer, Agriculture Abbottabad as follow:
 - a. Willful absence from duties from 9th January 2009 to 4th November 2009.
2. By reason of the above, you appear to be guilty of misconduct under section 3 of the NWFP (Removal from Service) special Powers, 2000 and have rendered yourself liable to all or any of the penalties specified in section-3 of the ordinance ibid.
3. You are, therefore, required to submit your written defense within 15 days of the receipt of this Charge Sheet to the Enquiry Committee.
4. Your written defense if any, shall reach the Enquiry Committee within the specified period, failing which it shall be presumed that you have no defense to put in and in that case exparte action shall follow against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegation is enclosed.


EXECUTIVE DISTRICT OFFICER
AGRICULTURE, ABBOTTABAD.

53 / Amex-II ~~Administrative~~

Confidential

14

**Chief Executive, Ayub Medical Institution
Abbottabad - Pakistan**

Telephone : 0992-382728 Fax: 0992-384206

No. PS-CE/Misc./09/3611

Dated 23/12/2009

To

Senior Veterinary Officer (Health)
Abbottabad.

Sub: **CONFIRMATION OF MEDICAL CERTIFICATES, ADVISING 10
MONTHS BED REST.**

P-33

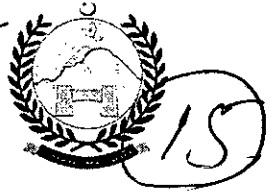
I am directed to refer your above letter No. 899/CVH Dated 15th December 2009 on the subject noted above and to inform that the chits bearing fake Nos are not tally with our official record, hence the same are bogus

SR
Shafiqur Rehman
(SHAFIQUR REHMAN)
P30 to Chief Executive
AMI, Abbottabad.



OFFICE OF THE
DISTRICT DIRECTOR AGRICULTURE ABBOTTABAD

Phone: 0992-380325, Fax: 0992-383026
Email: agratd@gmail.com



No. 3462 /DDA ATD,

Dated: 15 / 9 / 2017

To,

Mr. Mumtaz Khan S.M.S Horticulture
Abbottabad

Subject:

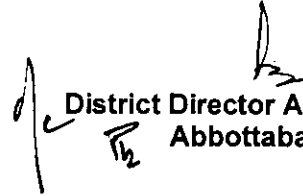
**COURT CASE TITLED BY MR. QAISER ALI V/S SECRETARY
AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR**

Memo;

Mr. Nasir Khan SMS PP Abbottabad has attended the court of service tribunal Abbottabad on 21/08/2017.

The honorable judge directed to conduct the inquiry within 60 days copy of the conclusion are also attached here with for conduct the inquiry.

Therefore you are hereby directed to conduct the inquiry against Mr. Qaiser Ali and submit the inquiry report to the undersigned within time limit.


District Director Agriculture
Abbottabad

No. 3463-65 /DDA ATD,

Dated: 15 / 9 / 2017

Copy to:-

1. The D.G.A. (E) Peshawar for ... of kind information along with its enclosure
2. S.M.S PP, Abbottabad / A.O Lora for information with reference to his letter No. 46/A.O Lora dated 05/09/2017 for information and he is directed to provide all the relevant record to S.M.S Horticulture Abbottabad within 3 days after receiving this letter
3. Establishment clerk of this office for information and necessary action accordingly.


District Director Agriculture
Abbottabad

OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE

SMS (HORTICULTURE) ABBOTTABAD

No 37 SMS (Horticulture) Abbottabad Dated 8/10/2017

Ammed-K

16

To,

Mr. Qasir Ali
Village & P.O Tatreela
Abbottabad

FINAL SHOW CAUSE NOTICE

As per direction of the Khyber Pakhtunkhwa honorable Service Tribunal camp court Abbottabad announced on 21-08-2017, that the Final Show cause Notice and enquiry report was not served to you before imposing the penalty of Dismiss from the Service. On the basis of above direction, you are given the opportunity to reply the allegations against you and the findings of the enquiry committee are also enclosed for your facilitation.

So you are directed to reply within seven (7) days on receipt of this final notice to the following findings of the enquiry committee.

- 1) You remained absent from duty without information w.e.f 09-11-2009 to 14-11-2009 and in defense you submitted suspicious photo states OPD Chits having 10 month bed rest which proved fake by the Chief Executive Ayub Teaching Hospital vide No 3611 date 23-12-2009 (Copy enclosed) On above facts your misconduct is doubtful and your given chance to submit your reply in your defense within seven days.

M
MUMTAZ AHMED KHAN
SMS (HORTICULTURE)
ENQUIRY OFFICER
ABBOTTABAD

NO 38 SMS (Horticulture) Abbottabad Dated 6/10/2017

Copy to:-

The District Director Agriculture Abbottabad for information w/r to his No 3462 date 15-09-2017 along with Enclosure

M
MUMTAZ AHMED KHAN
SMS (HORTICULTURE)
ENQUIRY OFFICER
ABBOTTABAD

QC

OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE

SMS (HORTICULTURE) ABBOTTABAD

Ammt-2

No 62 SMS (Horticulture) Abbottabad Dated 13/10/2017

17

To,

The Qasir Ali
Village & P/O Tatreela
Abbottabad

PERSONAL HEARING

Memo,

In continuation to this office No 58 dated 06-10-2017, You are hereby directed to appear before the competent authority that is District Director Agriculture Abbottabad on 18-10-2017 at 11:AM positively in defense of your case

[Signature]

o/c
MUMTAZ AHMED KHAN
ENQUIRY OFFICER
SMS (HORTICULTURE)
ABBOTTABAD

NO 63 SMS (Horticulture) Abbottabad Dated 13/10/2017

Copy to:-

The District Director Agriculture Abbottabad for information & further necessary action please .

[Signature]

o/c
MUMTAZ AHMED KHAN
ENQUIRY OFFICER
SMS (HORTICULTURE)
ABBOTTABAD

[Signature]

13-10-17

Amnet - 11

18

OFFICE ORDER:

On the basis of de novo enquiry report and personal hearing, the accused is again proved in misconduct by providing bogus verification chits.

Therefore I Mr. Zulfiyar Ahmad Malik District Director Agriculture Abbottabad as competent authority impose upon you major penalty of (Dismissal from Service) w.e. from 00-01-2000 as contained in section 4 (1) (b) (iv) of NWFP Government Servant (Efficiency and Disciplinary Rules 1973 and now Khyber Pakhtunkhwa Government Servants (Efficiency & Disciplinary Rules 2011) (Revised)

Sd/-
 District Director Agriculture
 Abbottabad

No. 3632-37 /DDA ATD,

Dated: 18 / X / 2017

Copy to:-

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar w.r. to his No. 1985/ST dated: 30-08-2017 along with the photocopy of final show cause notice, enquiry report / personal hearing.
2. The Deputy Commissioner Abbottabad.
3. The District Account Officer Abbottabad.
4. Director General Agriculture (Extension) Khyber Pakhtunkhwa Peshawar for information please.
5. Mr. Qaiser Ali S/o Aurangzeb, Village & P.O Tatreela Tehsil & District Abbottabad (Through Registered Cover) *By hand.*
6. Establishment Clerk office of the undersigned for information and necessary action

Witness

Fazal-ur-Rehman

F/A CME (H) ATD
 19-10-2017

District Director Agriculture
 Abbottabad

19/10/2017

M. Ehsan Abbas

Spec. ADM, Adressment
 19.10.2017

Secretary to
Agri Dept



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 89 /ST

Dated: 13/01 /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281.
Fax:- 091-9213262


To

The District Director Agriculture,
Government of Khyber Pakhtunkhwa,
Abbotabad.

Subject: JUDGMENT IN APPEAL NO. 397/2018, MR. QAISAR ALI.

I am directed to forward herewith a certified copy of Judgement dated 23.12.2021 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

گوارانتہ خدایہ جج صاحب سرورس ٹریبونل کیمپ ایس ۲ آرا

قصیر علی نام اور انٹریٹ

سرورس ایس

دراخواست میرا و تبدیلی تاریخ پیشی امروزہ عدلیہ عنوان بالا
یوم عدم موجودگی وکیل منی و عدلیہ دیکھ کر اس وقت

ضمانت علی - دراخواست ختم عرفین

۱- یہ تمام انڈر س عدلیہ عنوان بالا از سر نو میں میرا طش معز
۲- عدلیہ منی وکیل منی و عدلیہ دیکھ کر اس وقت
۳- میں وکیل منی و عدلیہ دیکھ کر اس وقت
۴- قاصر

۱- یہ تمام یوم عدلیہ عنوان بالا تبدیلی تاریخ پیشی و کار
۲- میرا طش عدلیہ دیکھ کر اس وقت

۱- عدلیہ عنوان بالا یوم عدم موجودگی
۲- عدلیہ دیکھ کر اس وقت

قصیر علی نام اور انٹریٹ
تاریخ ۲۰۰۸/۰۸/۲۰
تاریخ ۲۰۰۸/۰۸/۲۰

SHABBAR MUSSAMMIL
Regd # 149/Dt
Nature of Case: Public
Place of Hearing: Peshawar
My Life to Expire on: 21.8.2019
Date: 21.8.2019