

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 25.04.2022 for the same as before.

  
Reader.

25.04.2022

None for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Notices be issued to the petitioner and his counsel. To come up for further proceedings on 08.07.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER(E)

08.07.2022

Due to Public Holiday on account of Eid-UI-Adha case to come for the same on 12.09.2022.


  
Reader

SCANNED  
KPST  
Peshawar

18.11.2021

Mr. Obaid Hayat, junior of learned counsel for petitioner present. Mr. Nabi Rahmat, Deputy Collector alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.


Junior of learned counsel for the petitioner submitted application for adjournment on the ground that learned counsel for the appellant is busy at Peshawar High Court, Mingora Bench Swat. Learned Additional Advocate General stated at the bar that the judgment under execution has<sup>been</sup> implemented. Learned counsel for the petitioner is, however not available today, therefore, to come up on 06.01.2022 before the S.B.

  
(Salah-Ud-Din)  
Member (J)

06.01.2022

Nemo for the petitioner. Mr. Kabirullah Khattak, Addl. AG alongwith Rahmat Nabi, Deputy Collector for the respondents present.

Perusal of last order sheet dated 20.10.2021 would reveal that implementation report was submitted and the judgment delivered in the case of the present petitioner seemed to have been implemented but due to absence of petitioner and his counsel, matter was adjourned for hearing of the petitioner as to why this Execution Petition should not be consigned to the record room. Today once again petitioner or his counsel are not available due to general strike. Therefore, they both be put on notice for next date. To come up for further proceedings in the light of implementation report on 21.02.2022 before S.B.

  
(Rozina Rehman)  
Member (J)

EP 350/2019

20.10.2021.

Nemo for the petitioner. Mr. Muhammad Adeel Butt, Addl. AG alongwith Nabi Rahmat Khan, Deputy Collector for the respondents present.

According to minutes of DPC one Agenda Item No. 1 relating to promotion of the petitioner, the cutoff date for implementation seems to have been considered as 16.02.2021. The record as available in file relating to the execution proceedings reveals that the delay in execution of the judgment occurred because of deficiency of ACR of the petitioner which stood removed in light of the report placed on file vide order dated 29.01.2021. The said report is hand written and was submitted by one Badar Muhammad, Deputy Collector, Swat Irrigation Circle, Swat. The said report is bearing the date as 29.01.2020 under the signature but the year 2020 seems to have been inadvertently written instead of 2021 as there is no order sheet of the date 29.01.2020 on file. The case vide order dated 29.01.2021 was adjourned for 16.02.2021 which date is referred in minutes of DPC's meeting held on 04.02.2021 and the promotion of the petitioner was issued with immediate effect on 15.02.2021. Obviously, the direction by the judgment under implementation was given for consideration of promotion of the petitioner by DPC without any timeline and delay after delivery of the judgment purportedly occurred due to deficiency of ACR. Apparently, the judgment seems to have been implemented but the petitioner or his counsel are not present today, therefore, the matter is adjourned for hearing of the petitioner as to why this Execution Petition should not be consigned to the record room. Case to come up on 18.11.2021 before the S.B.



Chairman

02.08.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Counsel for the petitioner has pointed out that according to his information, the petitioner has been given promotion vide order dated 15.02.2021 issued by the Superintending Engineer, Swat Irrigation Circle Swat but with immediate effect. Let the department produce record of DPC on the basis of which that promotion order has been issued. Needful be done on or before the next date. Case to come up on 13.09.2021 before S.B.

  
Chairman

13.09.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. A.G alongwith Rahmat Nabi, Deputy Collector for the respondents present.


Copy of the minutes has been produced by the representative and placed on file. To come up for arguments on 20.10.2021 before S.B.

  
Chairman

29.01.2021

Mr. Ilyas Akhtar, Advocate, for petitioner is present. Mr. Badar Muhammad, Deputy Collector, (Swat Irrigation Circle, Swat) is also present.

Implementation report on behalf of respondents not submitted. Representative of the department stated that the implementation report is in process and will be submitted on the next date positively and in this regard he also submitted written undertaking for implementation of court's order. Which is placed on record. Respondents are directed to submit implementation report on 16.02.2021 before S.B.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

16.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 14.04.2021.

  
Reader

14.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 02.08.2021 for the same as before.

  
Reader

06.10.2020

Nemo for the petitioner. Addl. AG alongwith Fazal Muhammad Deputy Collector for the respondents present.

Due to general strike of the bar, instant matter is adjourned to 01.12.2020 before S.B.

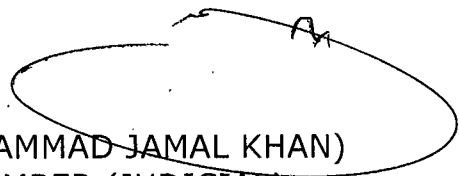


Chairman

01.12.2020

Nemo for the petitioner at the moment i.e 12:10 P.M. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Badar Muhammad, Deputy Collector for the respondents are present.

Learned Additional Advocate General has made reference to the office order dated 06.12.2019 whereby the judgment of this august Tribunal dated 12.02.2019 has been implemented. Since neither petitioner nor his respective counsel has forth come, therefore, they be noticed for 18.01.2021. File to come up for further proceedings before S.B.




(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

18.01.2021

Petitioner present through counsel.

Noor Zaman Khattak learned District Attorney alongwith Muhammad Khan Zilladar for respondents present.

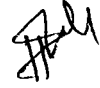
Last chance for implementation report is given. Failing which, strict action will be taken against all the concerned. To come up for proper implementation report in the light of judgment of this Tribunal on or before 29.01.2021, before S.B.



(Rozina Rehman)  
Member (J)

16.03.2020

Nemo for the petitioner. Mr. Kabirullah Khattak learned Addl. AG for the respondents present. Notice be issued to the petitioner for the date fixed. Adjourned. To come up for further proceedings on 21.04.2020 before S.B.



Member

21.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 15.07.2020 for the same. To come up for the same as before S.B.



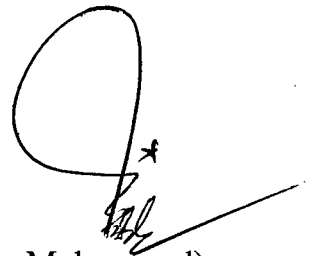
Reader

15.07.2020

None for the petitioner present. Addl: AG for respondents present.

On the previous date of hearing the case was adjourned through Reader Note, therefore notices be issued to the petitioner and his counsel.

Adjourned to 02.09.2020 before S.B.



(Mian Muhammad)  
Member(E)

02.09.2020

Counsel for the petitioner and Addl. AG for the respondents present.

Learned AAG requests for time to seek instructions from the respondents regarding implementation of the judgment. Adjourned to 06.10.2020 for submission of implementation report.



Chairman

08.11.2019

Learned counsel for the petitioner present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith M/S Badar Muhammad Khan Deputy Collector and Sami Ullah Zilladar for the respondent present and seeks time to furnish implementation report. Adjourned. To come up for implementation report on 18.12.2019 before S.B

  
(Hussain Shah)  
Member

18.12.2019

Counsel for the petitioner and Addl. 'AG alongwith Badar Muhammad, Deputy Collector for the respondents present.

The representative of respondents No. 1 & 2 has submitted implementation report, copy thereof has been handed over to learned counsel for the petitioner.

To come up for further proceedings on 03.02.2020 before S.B.

  
Chairman

03.02.2020

Counsel for the petitioner present. Addl: AG alongwith Mr. Badar Muhammad Khan, Deputy Collector, Irrigation Circle Swat for respondents present. Learned counsel for the petitioner seeks adjournment. Adjourned. To come up for further proceedings on 16.03.2020 before S.B.




  
Member



Form- A  
FORM OF ORDER SHEET

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

Execution Petition No. 350 /2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	19.09.2019	<p>The execution petition of Mr. Pervez Khan submitted today by Mr. Akhtar Ilyas Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 19/9/19</p>
2-	23/09/19	<p>This execution petition be put up before S. Bench on <u>11/10/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	11.10.2019	<p>Nemo for petitioner.</p> <p>Notice be issued to petitioner. Notices be also issued to the respondents for submission of implementation report on 08.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

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

*Execution Petition No. 350/2019*

**Misc. Petition No. \_\_\_\_\_/2019**

**In**

**S. A. No. 431/2017**

**Decided on 12.02.2019**

Pervez Khan

..... Appellant

**VERSUS**

Superintending Engineer and others

..... Respondents

**INDEX**

S.No	Description of Documents	Annex	Pages
1.	Grounds of Petition		1-3
2.	Copy of Order dated 12.02.2019	A	4-8
3.	Copy of Application dated 05.03.2019	B	9
4.	Vakalat Nama		10

*Pervez*  
Appellant

Through

*Akhtar Ilyas*  
**Akhtar Ilyas**

Advocate High Court.

Off: 6-B, Haroon Mansion,  
Khyber Bazar, Peshawar.

Cell # 0333-9417974

Dated: 19.09.2019

1

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

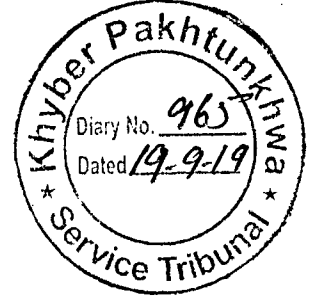
*Execution Petition No. 350/2019*

**Misc. Petition No. \_\_\_\_\_/2019**

**In**

**S. A. No. 431/2017**

**Decided on 12.02.2019**



Pervez Khan, Patwari Swat Irrigation Division, Posted at  
Irrigation Department Buner at Daggar.

..... Appellant

**VERSUS**

1. Superintending Engineer, Swat Irrigation Circle, Gulkada No. 1, Saidu Sharif, Swat.
2. Executive Engineer, Swat Irrigation Circle, Gulkada No. 1, Saidu Sharif, Swat.
3. Chief Engineer (North), Irrigation Department, Peshawar.

..... Respondents

**PETITION FOR DIRECTION TO  
RESPONDENTS TO IMPLEMENT THE  
ORDER DATED 12.02.2019 PASSED IN  
APPEAL NO. 431/2017 BY THIS HON'BLE  
TRIBUNAL; TO INITIATE CONTEMPT OF  
COURT PROCEEDINGS AGAINST THE  
RESPONDENTS FOR NOT HONORING THE  
ORDER OF THIS HON'BLE TRIBUNAL.**

Respectfully Sheweth:

1. That the appellant filed Service Appeal No. 431/2017, the same has been accepted vide Order dated 12.02.2019. (Copy Annex "A"); The operative part whereof reads as under:

***"7. As a sequel to above, the appeal is accepted and the respondents are directed to place the case of the appellant before the DPC to consider for promotion to the post of vernacular clerk. Parties are left to bear their own costs. File be consigned to the record room".***

2. That it will be not out of place to mention here that the respondents have not assailed the same before the Supreme Court of Pakistan, as such, the judgment has got finality.
3. That the stated judgment has remitted to the respondents through an application dated 05.03.2019. (Annexed "B"), of course, for compliance and implementation in letter and spirit; the letter for implementation and compliance has also been sent by the worthy Registrar, KP Service Tribunal, Peshawar.

4. That the respondents are under legal obligation to implement the judgment of this Hon'ble Tribunal in letter and spirit but they failed to do so, hence this petition.
5. That appellant seeks leave of this Hon'ble Tribunal to urge additional grounds at the time of arguments.

*It is, therefore, prayed that the Judgment dated 12.02.2019 of this Hon'ble Tribunal be implemented in letter and spirit without any further delay.*

**OR**

*In the alternative; Contempt of Court proceedings be initiated against the respondents for non compliance of Order and they be punished under the law in vague.*

*Penus*  
Appellant

Through

*Akhtar Ilyas*  
Akhtar Ilyas  
Advocate High Court.  
Off: 6-B, Haroon Mansion,  
Khyber Bazar, Peshawar.  
Cell # 0333-9417974

Dated: 19.09.2019

Annex-A.

(X) (4)

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 431 /2017

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 453

Dated 04-05-2017

Pervez Khan, Patwari Swat, Irrigation Division,  
Posted at Irrigation Department, Buner at Daggar

.....Appellant

Versus

- 1) Superintending Engineer, Swat Irrigation Circle,  
Swat, Gulkada No.1, Saidu Sharif, Swat
- 2) Chief Engineer (South) Irrigation Department,  
Khyber Pakhtunkhwa, Peshawar.
- 3) Executive Engineer, Swat Irrigation Division,  
Gulkada No.1, Saidu Sharif, Swat.
- 4) Muhammad Din, Vernacular Clerk (BPS-08), Swat  
Irrigation Division Swat, Gulkada No.1, Saidu  
Sharif, Swat.
- 5) Javed Khan, Vernacular Clerk (BPS-08) Dir  
Irrigation Division, Timergara

..... Respondents



APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL  
ACT, 1974 AGAINST THE IMPUGNED  
ORDERS OF PROMOTION OF  
RESPONDENTS NO.4 AND 5, DATED  
30.12.2016, WHEREBY JUNIORS TO  
THE APPELLANT HAVE BEEN  
PROMOTED

Filed to-day  
Registrar  
4/5/17.

ATTESTED

Registrar  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

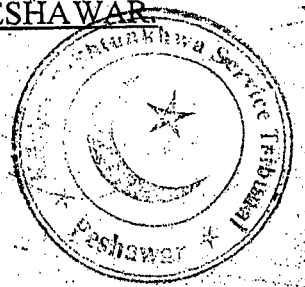
5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 431/2017

Date of Institution ... 04.05.2017

Date of Decision ... 12.02.2019



Pervez Khan, Patwari Swat, Irrigation Division, Posted at Irrigation Department,  
Buner at Daggar: ... (Appellant)

VERSUS

Superintending Engineer, Swat Irrigation Circle, Swat, Gulkada No.1, Saidu Sharif,  
Swat and four others. ... (Respondents)

Mr. Akhtar Ilyas,  
Advocate

--- For appellant.

Mr. Ziaullah,  
Deputy District Attorney

--- For respondents no. 1 to 3.

Miss. Naila Jan,  
Advocate

--- For respondents no.4 and 5.

MR. AHMAD HASSAN,  
MR. HAMID FAROOQ DURRANI

--- MEMBER(Executive)  
--- CHAIRMAN


JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the  
parties heard and record perused.

ARGUMENTS

2. Learned counsel for the appellant argued that he joined the Irrigation  
Department as Patwari on 22.02.1986. Being on the top of the seniority list his  
case was placed before the Departmental Promotion Committee in its meeting held  
on 30.11.2016 to consider him for promotion as Vernacular Clerk (BPS-08) but  
was deferred/disqualified due to weak/outstanding amount Abiana to the tune of  
Rs. 2948965/-. On the other hand juniors to the appellant were promoted. He filed  
departmental appeal on 12.01.2017, which remained unanswered, hence, the

ATTESTED

  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

instant service appeal. The said post was required to be filled by promotion on the basis of seniority-cum-fitness from amongst Patwaris having five years service as such in circle where the vacancy occurs. The ground of deferment was not in accordance with the criteria laid down in the service rules. Moreover, an official in the same department against whom arrears to the tune of Rs. 10.00 millions were outstanding was promoted vide order dated 10.03.2017. Treatment meted out to the appellant appeared to be discriminatory.

3. On the other hand learned counsel for private respondents no. 4 and 5 argued that due to poor performance of the appellant, his case for promotion was previously deferred by the Departmental Promotion Committee on 03.04.2014. Again his case was considered by the DPC in its meeting held on 30.11.2016 but deferred on the same ground. Seniority is not the sole criteria for promotion. The jurisdiction of this Tribunal is barred under Section-4(b)(I) of Khyber Pakhtunkhwa Service Tribunal Act, 1974.

4. Learned Deputy District Attorney relied concurred with the arguments advanced by the learned counsel for private respondents no. 4 and 5.

### CONCLUSION

5. It is not disputed that as the name of the appellant was reflected at the top of the seniority list of Patwaris, so his case for promotion to the post of Vernacular Clerk (BPS-08) was placed before the DPC in its meeting held on 30.11.2016 for consideration. The DPC considered his case but was deferred/disqualified on

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



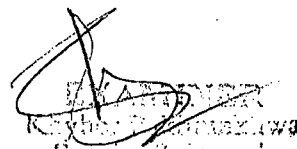
account of weak recovery and outstanding arrears of abiana to the tune of Rs. 2948965/-.

6. Attention is invited to the criteria laid down for promotion to the post of Vernacular Clerk which is reproduced below:-

**“By promotion, on the basis of the seniority-cum-fitness from amongst the Patwaris having five years service as such in the Circle where the vacancies occurs”**

7. Moreover, as per promotion policy of the provincial government, promotion of a civil servant can be deferred provided as inter-se-seniority is disputed/subjudice, disciplinary proceedings are pending against him and his PER dossier is incomplete. On the strength of above instructions, the case of the appellant was wrongly deferred. Moreover, in a case of identical nature Mr. Zabta Khan, Patwari against whom Abiana arrears to the tune of Rs. 10.00 million were pending was promoted vide order dated 10.03.2017. On the same analogy Mr. Muhammad Rukhsar and Mr. Mazhar Iqbal were also promoted to the post of Vernacular Clerk. Discriminatory attitude of the respondents was established beyond doubt. It goes against Article-25 of the constitution. Learned counsel for private respondents no. 4 and 5 and learned Deputy District Attorney were repeatedly confronted on the point whether as per SOPs laid down by the department, collection of Abiana was the sole responsibility of the patwari or otherwise? However, they were unable to give any satisfactory reply. We presume that a low paid employee alone cannot held responsible for accumulation of arrears, responsibilities squarely lies on Zilladar and other high officials of the department.

ATTESTED

  
 Keyhar Muhammad  
 Service Tribunal,  
 Peshawar

8

7. As a sequel to above, the appeal is accepted and the respondents are directed to place the case of the appellant before the DPC to consider him for promotion to the post of Vernacular Clerk. Parties are left to bear their own costs. File be consigned to the record room.

*[Signature]*

(HAMID FAROOQ DURRANI)  
CHAIRMAN

*[Signature]*

(AHMAD HASSAN)  
MEMBER

ANNOUNCED  
12.02.2019

Certified to be true copy

*[Signature]*  
Khalid Ahmad  
Service Tribunal  
Peshawar

Date of Presentation of Application	18-2-19
Number of Words	2000
Copying Fee	12-00
Urgent	2-00
Total	14-00
Name of Copy	<i>[Signature]</i>
Date of Completion of Copy	18-2-19
Date of Delivery of Copy	18-2-19

supplement 115.10

Attached

دوسرے دستاویز کے ساتھ

تعمیراتی کاموں کے لیے

مہینہ 19/3/2019

(2) - اس کے ساتھ ساتھ

(1) - اس کے ساتھ ساتھ

اس کے ساتھ ساتھ

تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

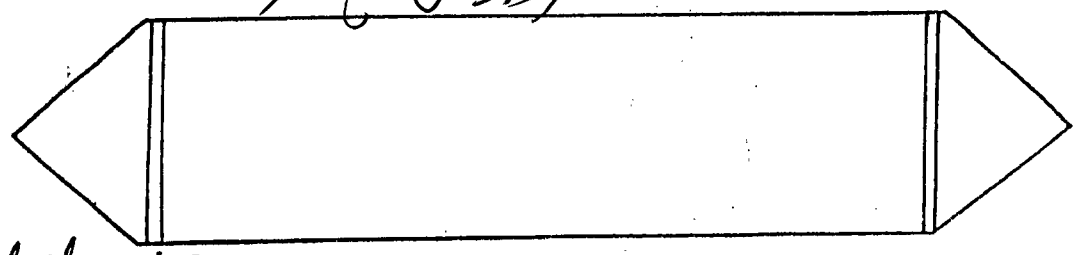
تعمیراتی کاموں کے لیے

دوسرے دستاویز کے ساتھ

مہینہ 19/3/2019

Amma B-9

# بعدالت سروس ٹریبونل شاہہ



Appellant 2، پنجاب

سروس ٹریبونل بنام ریسٹریکٹڈ

Msc. Pesh' موزعہ

----- مقدمہ

----- دعویٰ

----- جرم

## باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام شاہہ کیلئے ریسٹریکٹڈ سروس ٹریبونل کی طرف سے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور

بہ صورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی

نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور

کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار

ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ

پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔

کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی

مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سندر ہے۔

المرقوم 19 ماہ ستمبر 2019

العین گواہ العین کے لئے منظور ہے۔  
Attested by ACMA  
Glup

Perus

بمقام

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

S.B

Execution ~~Appel~~ Petition No. 350 of 20 19

Pervez Khan Appellant/Petitioner  
Versus

Suptt. Engineer Swat Respondent  
Respondent No. 1

Recd

Notice to: — Suptt. Engineer Swat irrigation circle  
Chulhada No. 1 Saidu Sharif Swat.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....2/11/2019.....at 8.00 A.M. If you wish to urge anything against the appellat/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of <sup>E.P</sup> appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....21/10.....

Day of.....October.....20 19



Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

*Execution Petition No. 350* of 20 *19*  
*8.B*

*Poxyz Khan* Appellant/Petitioner  
Versus

*Suptt. Engineer Swat* Respondent  
Respondent No. *2*

*Read*

Notice to: —

*Executive Engineer, Swat irrigation circle, Gulakada No. 1 Saidul Sharif Swat*

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *8/11/2019* at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *21* *th*

Day of *October* 20 *19*

*[Signature]*  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

818

No. Execution Petition No. 350 of 2019  
Appeal No. ....  
Pervez Khan ..... Appellant/Petitioner

Suptt Engineer Swat ..... Respondent  
Versus

Respondent No. 3 .....

Recd

Notice to: — Chief Engineer (North) Migration  
Deptt. Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 8/11/2019 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 21st Day of October 20 19

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

OFFICE OF SUPERINTENDING ENGINEER,  
SWAT IRRIGATION CIRCLE SWAT

No. 3012 /36-M  
Dated 17 /12/2019.

To

The Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Subject: - **SUBMISSION OF IMPLEMENTATION REPORT UNDER EXECUTION  
PETTION NO.350/2019 IN S.A 431/2017 BY RESPONDENTS.**

Please refer to the subject noted as above and implementation report under Execution Petition No.350/2019 in S.A 431/2017 is enclosed herewith for favour of further necessary action please.

Encls: As above.

Superintending Engineer,  
Phone # 0946/9240164.



**Execution Petition No.350/2019  
In  
S.A. No.431/2017  
Decided on 12-02-2019.**

**Mr. Pervez Khan.....Appellant.**

**VERSUS**

**Superintending Engineer Swat Irrigation Circle Swat & others..... Respondents**

**OPERATIVE PART OF THE ORDER OF KHYBER  
PKAHTUNKHWA SERVICE TRIBUNAL PESHAWAR UNDER  
SERVICE APPEAL NO.431/2017.**

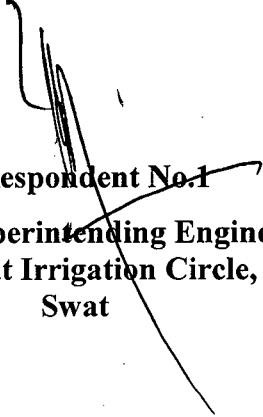
“As, a sequel to above, the appeal is accepted and the respondents are directed to place the case of the appellant before the DPC to consider for promotion to the post of vernacular clerk. Parties are left to bear their own costs. File be consigned to the Record Room”

**IMPLEMENTATION REPORT BY RESPONDENT NO.1 & 2**

The plea of the Appellant is justified till the extent of legal obligation resting on the shoulders of respondents, but their failure is not admitted. As the holding of DPC for promotion to the post of Vernacular Clerk is the jurisdiction of respondent No.1 but maintenance of ACRs and provision of other relevant documents for considering an official to the post of Vernacular Clerk is the responsibility of respondent No.2 and his supporting staff. Respondent No.2 would maintained the ACRs (essential documents to assess the fitness of an employee for promotion) of the appellant if these were submitted by him. In this connection respondent No. 2 has directed the appellant time and again for submission of the ACRs to the reporting officers but in vain.

A post of Vernacular Clerk is lying vacant in Chitral Irrigation Division and the appellant has been placed therein vide office order No.2901/14-E, dated 06-12-2019 (Affixed as Annexure-A) of the respondent No.1, in his own pay scale.

For effective compliance of the court's order the submission of ACRs by the appellant is sin-qua-non. Failure in this connection by the appellant will abandon the ~~respondents~~ to proceed in consonance to the laid rules of service laws and the said court order, for conducting a DPC to promote the appellant to the post of Vernacular Clerk.

  
Respondent No.1

Superintending Engineer  
Swat Irrigation Circle,  
Swat

  
Respondent No.2

Executive Engineer  
Swat Irrigation Division

(Page No.2 of 2)



OFFICE OF THE SUPERINTENDING ENGINEER  
SWAT IRRIGATION CIRCLE, SWAT

GULKADA NO.1, SAIDU SHARIF, SWAT.

Phone No. 0946 - 9240164, Fax No. 0946 - 725437, Email: swatcircle@yahoo.com

Annexure (A)

No. 2901 /14-E,

Dated 06 /12/2019

**OFFICE ORDER**

Mr. Pervez Khan Patwari attached to Swat Irrigation Division Swat is hereby adjusted as Vernacular Clerk (OPS) being senior most Patwari against the vacant post in Chitral Irrigation Division, Chitral with immediate effect in the public interest till further permanent orders, subject to his eligibility and fitness.

SUPERINTENDING ENGINEER

Copy for information and necessary action is forwarded to the:-

1. Executive Engineer, Chitral Irrigation Division, Chitral.
2. Executive Engineer, Swat Irrigation Division, Swat for information. The documents pertaining the above named official as received are incomplete with the request to furnish required documents in light of appointment, promotion and transfer Rules 1989, particularly Annual Confidential Reports/ Synopsis at least for the last 5 Years. In case of non-receipt of any feedback, all sort of responsibility will rest upon your office.
3. District Comptroller of Accounts District Swat/ District Accounts Officer Chitral.
- ✓ 4. Deputy Collector (Local) for information with the requested to prepare necessary implementation report in the case No.350/290, in S.A. No.431/2017, decided on 12-02-2019, titled as "Mr.Pervez Khan VS Superintending Engineer, Swat Irrigation Circle and others" immediately.
5. Official concerned.

SUPERINTENDING ENGINEER



*Office of* **THE EXECUTIVE ENGINEER**  
**SWAT IRRIGATION DIVISION GULKADA SAIDU SHARIF**  
Phone / Fax: 0946-9240165 Email: [xenirrigationswat@gmail.com](mailto:xenirrigationswat@gmail.com)

---

POWER OF ATTORNEY

Mr. Badar Muhammad, Deputy Collector, Swat Irrigation Circle Swat is hereby authorized to attend and defend the case in the Khyber Pakhtunkhwa Service Tribunal Peshawar on behalf of the undersigned in connection with Petition lodged by Pervez Khan VS Superintending Engineer till decision of the case.

  
EXECUTIVE ENGINEER

**POWER OF ATTORNEY.**

Mr. Baddar Muhammad, Deputy Collector, Swat Irrigation Circle, Swat is hereby authorized to attend / defend the Execution Petition No.350 of 2019, in the Honourable Khyber Pakhtunkhwa Service Tribunal, Peshawar on behalf of the undersigned till decision of the case by the Honourable Court.

  
Superintending Engineer,  
Swat Irrigation Circle, Swat.

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

P.B

No.

Execution Petition 350 of 20 19  
APPEAL No.....

Pervez Khan

Appellant/Petitioner

Versus

Suptdnt Eng Swat Irrigation

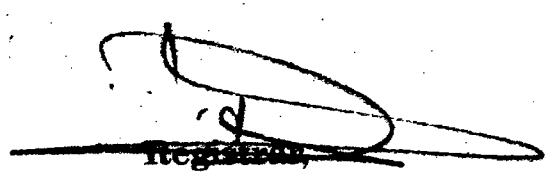
RESPONDENT(S)

Notice to Counsel Appellant/Petitioner

Akhtar Ilyas Advocate  
High court Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 2/9/2020 at 9: am.....

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.



Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

SB

No.

*E/P No. 356/19*  
APPEAL No. *431* of 20 *17*.

*Recd*

*Pervez Khan*

Appellant/Petitioner

Versus

*Suptt: Engineer Swad*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Pervez Khan Patwari*  
*Sweat Irrigation Division Posted at Irrigation*  
*Department Buner at Daggar.*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *18/01/2021* at *9:00 P.M.*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*M. I. F.*  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.



OFFICE OF THE SUPERINTENDING ENGINEER  
SWAT IRRIGATION CIRCLE, SWAT

GULKADA NO.1, SAIDU SHARIF, SWAT.

Phone No. 0946 - 9240164, Fax No. 0946 - 725437, Email: swatcircle@yahoo.com

No. 2901 /14-E,

Dated 06 /12/2019

**OFFICE ORDER**

Mr. Pervez Khan Patwari attached to Swat Irrigation Division Swat is hereby adjusted as Vernacular Clerk (OPS) being senior most Patwari against the vacant post in Chitral Irrigation Division, Chitral with immediate effect in the public interest till further permanent orders, subject to his eligibility and fitness.

  
SUPERINTENDING ENGINEER

Copy for information and necessary action is forwarded to the:-

1. Executive Engineer, Chitral Irrigation Division, Chitral.
2. Executive Engineer, Swat Irrigation Division, Swat for information. The documents pertaining the above named official as received are incomplete with the request to furnish required documents in light of appointment, promotion and transfer Rules 1989, particularly Annual Confidential Reports/ Synopsis at least for the last 5 Years. In case of non-receipt of any feedback, all sort of responsibility will rest upon your office.
3. District Comptroller of Accounts District Swat/ District Accounts Officer Chitral.
4. Deputy Collector (Local) for information with the requested to prepare necessary implementation report in the case No.350/290, in S.A. No.431/2017, decided on 12-02-2019, titled as "Mr.Pervez Khan VS Superintending Engineer, Swat Irrigation Circle and others" immediately.
5. Official concerned.

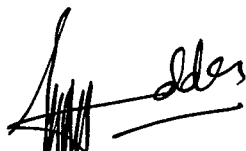
  
SUPERINTENDING ENGINEER

8-11-2019  
18-12-2019



UNDERTAKING FOR IMPLEMENTATION OF  
COURT'S ORDER

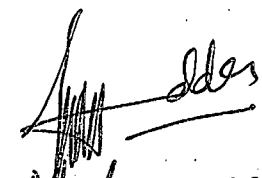
I Mr Badar Muhammad Khan, Deputy collector Swat Irrigation Circle do solemnly undertake that the implementation of the honourable court's order under service Appeal No 431/2017 was delayed due to late submission of ACRs by the appellant. Now as the ACRs have been submitted and till 16/02/2020 the honourable court's order will be undoubtedly implemented in letter and spirit. The order sheet in this respect will be forwarded to the concerned authorities by the undersigned for proper compliance to administer the justice.

  
Badar Muhammad Khan,  
Deputy collector,  
Swat Irrigation Circle,  
Swat.

Date: 29/01/2020

UNDERTAKING FOR IMPLEMENTATION OF  
COURT'S ORDER

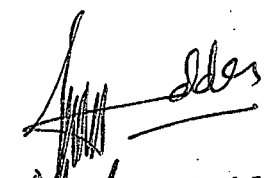
I Mr Badar Muhammad Khan, Deputy collector Swat Irrigation Circle do solemnly undertake that the implementation of the honourable court's order under service Appeal No 431/2017 was delayed due to late submission of ACRs by the appellant. Now as the ACRs have been submitted and till 16/02/2020 the honourable court's order will be undoubtedly implemented in letter and spirit. The order sheet in this respect will be forwarded to the concerned authorities by the undersigned for proper compliance to administer the justice.

  
Badar Muhammad Khan,  
Deputy collector,  
Swat Irrigation Circle,  
Swat.

Date: 29/01/2020

UNDERTAKING FOR IMPLEMENTATION OF  
COURT'S ORDER

1 Mr Badar Muhammad Khan, Deputy collector Swat Irrigation Circle do solemnly undertake that the implementation of the honourable court's order under service Appeal No 431/2017 was delayed due to late submission of ACRs by the appellant. Now as the ACRs have been submitted and till 16/02/2020 the honourable court's order will be undoubtedly implemented in letter and spirit. The order sheet in this respect will be forwarded to the concerned authorities by the undersigned for proper compliance to administer the justice.

  
Badar Muhammad Khan,  
Deputy collector,  
Swat Irrigation Circle,  
Swat.

Date: 29/01/2020

**MINUTES OF THE DEPARTMENTAL PROMOTION / SELECTION COMMITTEE FOR PROMOTION OF MATRICULATE CLASS-IV EMPLOYEES TO THE RANK OF DAFTARI AND APPOINTMENT OF NAIB QASID AGAINST 25% RETIRED CLASS-IV EMPLOYEES SON'S QUOTA IN SWAT IRRIGATION CIRCLE, SAIDU SHARIF, SWAT HELD ON 04-02-2021 IN THE OFFICE OF THE SUPERINTENDING ENGINEER, SWAT IRRIGATION CIRCLE, SWAT.**

Meeting of the Departmental Promotion / Selection Committee was held on 04-02-2021, under the Chairmanship of SuperIntending Engineer, Swat Irrigation Circle, Swat, in his office. The following attended the meeting:-

- |    |   |           |
|----|---|-----------|
| 1. | Superintending Engineer,<br>Swat Irrigation Circle, Swat.   | Chairman. |
| 2. | Deputy Secretary (Admn:)/ Section Officer (Estt:),<br>O/O the, Secretary Irrigation<br>Department Khyber Pakhtunkhwa, Peshawar. | Member.   |
| 3. | Executive Engineer,<br>Swat Irr: Division, Swat.  | Member.   |
| 4. | Office Superintendent<br>Swat Irrigation Circle, Swat   | Secretary |

The following Agenda items were discussed :-

**AGENDA ITEM NO.1:- PROMOTION OF 1 NO. PATWARI (BPS-09), TO THE RANK OF VERNACULAR CLERK (BPS-10).**

Opening the discussion, the committee was informed that one No. Post of Vernacular Clerk (BPS-10) got vacated in the office of the Executive Engineer, Chitral Irrigation Division, Chitral due to retirement of Mr. Abdur Rab, Vernacular Clerk from Govt: Services. Mr. Perviz Khan, filled a Writ Petition No.431/2017 then Execution Petition No.350/2019. in the Honourable Court of Service Tribunal Khyber Pakhtunkhwa Peshawar. The Court decided in favour of appellant and finally directed to implement the former order upto 16-02-2021. The ACRs, Synopsis and other relevant documents were circulated amongst the members. The Committee discussed the agenda item and after perusal of the seniority list, Performance/ Clearance Certificates and Service record etc. in respect of the penal of Patwaris, the committee unanimously recommended promotion of Mr. Perviz Khan, Pawatri to the rank of Vernacular Clerk (BPS-10)

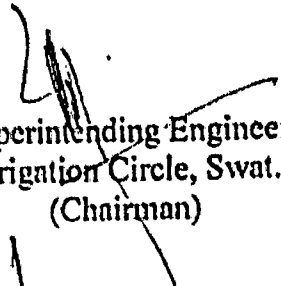
**AGENDA ITEM NO.2:- PROMOTION OF MATRICULATE CLASS-IV EMPLOYEES TO THE RANK OF DAFTARI.**


The Circle cadre seniority lists of Class-IV Employees were circulated amongst the members alongwith working paper and other relevant documents pertaining to promotion cases. The Committee discussed the agenda item in detail and after perusal of the seniority list, willingness and non-willingness certificate and other relevant record of the officials concerned, the committee recommended Mr. Zakir Khan, Naib Qasid (BPS-03), attached to Swat Irrigation Circle, Swat for promotion to the rank of Daftari (BPS-04) on the basis of his suitability, for the post as per prevailing rules and his academic and other courses.


AGENDA ITEM NO.3:-

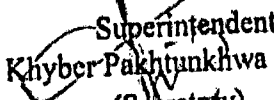
**APPOINTMENT OF 1 NO. NAIB QASID/ CHOWKIDAR (BPS-03) AGAINST 25% RETIRED CLASS-IV EMPLOYEES SON'S QUOTA, IN SWAT IRRIGATION CIRCLE, SAIDU SHARIF, SWAT.**

The Committee was informed that Mr. Gul Zaman, Dak Runner attached to Swat Irrigation Circle, Swat retired from Govt: service on medical ground on 03-07-2002. The office of Superintending Engineer, Swat Irrigation Circle, Swat is also facing contempt of court wherein his case when Mr. Asghar Khan S/O Gul Zaman Khan, lodged Writ Petition No.60-M/2018 with C.M 835/2018, for appointment on 25% retired son quota. The Honourable Court has already decided the case in favour of the petitioner and directed to appoint Mr. Asghar Khan, on 25% quota reserved for retired Class-IV employees. While consulting the rules it was observed that the applicant fulfills the criteria and also to implement the directives of the Honourable Court besides avoiding contempt of Court, the committee unanimously recommends the appointment of Mr. Asghar Khan S/O Gul Zaman, as Naib Qasid/ Chowkidar (BPS-03) on regular basis under 25% retired Class-IV employees son quota.

  
Superintending Engineer,  
Irrigation Circle, Swat.  
(Chairman)

  
Executive Engineer,  
Swat Irrigation Division, Swat  
(Member)

  
Deputy Secretary (Admin:)/ Section Officer (Estt:)  
O/O the Secretary-Irr: Deptt:  
Khyber Pakhtunkhwa Peshawar.  
(Member)

  
Superintendent  
Khyber Pakhtunkhwa Peshawar.  
(Secretary)



**OFFICE OF THE SUPERINTENDING ENGINEER  
SWAT IRRIGATION CIRCLE, SWAT  
GULKADA NO.1, SAIDU SHARIF, SWAT.**

Phone No. 0946 - 9240164, Fax No. 0946 - 725437, Email: swatirrcircle@gmail.com

No. 590 /14-E,

Dated 15 /02/2021

**OFFICE ORDER.**

Consequent upon the recommendation of the Departmental Promotion Committee, made in its meeting held on 04-02-2021, the competent authority is pleased to promote Mr. Perviz Khan, Patwari (BPS-09), to the rank of Vernacular Clerk (BPS-10) with immediate effect.

2. Upon his promotion, the official is posted in Chitral Irrigation Division, Chitral in the interest of public till further orders.

3. The official on promotion will remain on probation for a period of one year in terms of Section 6(2) of Govt: of Khyber Pakhtunkhwa, Civil Servant Act 1973 read with Rule 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

**SUPERINTENDING ENGINEER**

Copy forwarded for information and necessary action to the:-

1. Chief Engineer (North), Irr: Deptt., Khyber Pakhtunkhwa Peshawar.
2. Chief Engineer (South), Irr: Deptt., Khyber Pakhtunkhwa Peshawar.
3. Section Officer (Estt:), O/O the Secretary Irrigation Department, Govt: of Khyber Pakhtunkhwa Peshawar.
4. Executive Engineer, Chitral Irrigation Division, Chitral.
5. Executive Engineer, Swat Irrigation Division, Swat.
6. District Comptroller of Accounts, Chitral / Swat.
7. Official concerned.

**SUPERINTENDING ENGINEER**

Before the Service Tribunal KPK Peshawar

Perwaiz Khan  
v/s  
Irrigation department

Application ~~for~~ For adjournment

Sheweth,

- ① that the above title case is pending disposal before this Hon'ble court wherein, the date is fixed for today.
- ② that the Senior Counsel for the appellant is busy before dand Giza Bench Peshawar High court (Cause list is attached), and can't attend the case for today.

It is, Therefore, Humbly prayed that acceptance of ~~ap~~ this application may kindly be adjourned for today.

Dated 18-11-2021

Through applicant  
Surya Lalwal  
on behalf of  
~~Abd~~ Akhtar Ily, AHC

**PESHAWAR HIGH COURT, MINGORA BENCH, SWAT**

**1<sup>st</sup> S.B CAUSE LIST FOR THURSDAY, THE 18<sup>th</sup> NOVEMBER, 2021  
BEFORE Mr. JUSTICE ISHTIAQ IBRAHIM**

**MOTION CASES**

- |             |   |   |                                 |
|-------------|---|---|---------------------------------|
| 1.          | Cr.A 285-M/2021<br>(Against Conviction)<br>(u/s 302/324/337-F(i)<br>(iii)/34 PPC 15-AA)                                 | Muhammad Iqbal<br>(Sabir Shah)                | Vs The State & 1 other          |
| 2.          | Cr.A 352-M/2018<br>(Against Acquittal)<br>(u/s 489-F PPC)   | Noor Muhammad<br>(Asghar Ali)                 | Vs Shad Muhammad & 1 other      |
| 3.          | Cr.M 57-M/2020<br>(Bail Cancellation)<br>(u/s 302, 147, 148, 149,<br>337-A (i) (ii) (v)/337-F (ii),<br>337-D, 15AA)     | Umar Zaman<br>(Shah Rawan Khan & Farman Ali)  | Vs Shahab Uddin & others        |
| 4.          | Cr.M 58-M/2020<br>(Bail Cancellation)<br>(u/s 302, 147, 148, 149,<br>337-A (i) (ii) (v)/337-F (ii),<br>337-D, 15AA)     | Umar Zaman<br>(Shah Rawan Khan & Farman Ali)  | Vs Afzal & others               |
| 5.          | Cr.M 72-M/2020<br>(Bail Cancellation)<br>(u/s 302, 147, 148, 149,<br>337-A (i) (ii) (v), 337-F (ii)<br>337-D PPC/15-AA) | Umar Zaman<br>(Said Abdul Haq)                | Vs The State & others           |
| 6.          | Cr.M 88-M/2020<br>(Bail Cancellation)<br>(u/s 302, 147, 148, 149,<br>337-A (i) (ii) (v), 337-F (ii)<br>337-D PPC/15-AA) | Said Afzal<br>(Muhammad Anwar Ali)            | Vs Umar Zaman & otehrs          |
| 7.          | Cr.R 65-M/2021<br>(others)  | Jamal Khan & 1 other<br>(M. Riaz Mohammadzal) | Vs The State                    |
| Page 1 of 6 |   |   |                                 |
| 8.          | C.M 1861-M/2021<br>In W.P 232/2021<br>(Restoration Application)   | Amanullah & others                            | Vs Haji Wazir Muhammad & others |
| 9.          | C.M 1867-M/2021<br>In C.R 391/2020<br>(Restoration Application)   | Amanullah & others<br>(Fayaz Muhammad Qazi)   | Vs Haji Wazir Muhammad & others |
| 10.         | W.P 1046-M/2021<br>With Interim Relief<br>(Family)  | Sikandar Ali & others<br>(Momin Khan)         | Vs Mst. Bacha Izzat & others    |
| 11.         | C.R 382-M/2019  | Hazrat Umar                                   | Vs Mst. Mahina                  |



8. C.M 1861-M/2021 Amanullah & others Vs Haji Wazir Muhammad & others  
In W.P 232/2021  
(Restoration Application)
9. C.M 1867-M/2021 Amanullah & others Vs Haji Wazir Muhammad & others  
In C.R 391/2020 (Fayaz Muhammad Qazi)  
(Restoration Application)
10. W.P 1046-M/2021 Sikandar Ali & others Vs Mst. Bacha Izzat & others  
With Interim Relief (Momin Khan)  
(Family)
11. C.R 382-M/2019 Hazrat Umar Vs Mst. Mahina  
With C.M 1115/2019 (Asmat Ali)  
(Recovery Suit etc)
12. C.R 15-M/2021 Perhaizgar & others Vs Mst. Amtul Rehman  
(Declaration Suit etc) (Abdullah Khan)
13. C.R 547-M/2021 M. Rafiq Khattak, Director Vs Ihsan ul Haq, Assistant SDO (Rtd)  
With C.M 1911/2021 E&SE & others  
(Recovery Suit etc) (A.A.G)

### NOTICE CASES

1. Cr.M 208-M/2021 Bahadar Khan Vs The State & 1 other  
In Cr.A 151/2021 (Faheem Naeem) (Shams ul Hadi & A.A.G)  
(Suspension Application) (Date By Court)
2. Cr.M 707-M/2021 Sajid Ali Vs The State & others  
(Bail Before Arrest) (Akhtar Ilyas) (Muhammad Aslam & A.A.G)  
(u/s 395, 342, 148, 149-PPC) (Date By Court)
3. Cr.M 718-M/2021 Samad Khan Vs The State & 1 other  
(Bail Before Arrest) (Akhtar Ilyas) (Muhammad Aslam & A.A.G)  
(u/s 395, 342, 148, 149-PPC) (Date By Court)

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4. Cr.M 744-M/2021 Muhammad Tahir Vs The State & 1 other  
(Transit Bail) (Ishaq Hussain) (A.A.G)  
(u/s 381-A PPC)
5. Cr.M 709-M/2021 Sadiq ur Rehman & 1 other Vs The State & 1 other  
(For Bail) (Asmat Ali) (Badi uz Zaman Khan & A.A.G)  
(u/s 302/34-PPC)
6. Cr.M 716-M/2021 Adil Maseh Vs Waqar Majeed & 1 other  
(For Bail) (Aziz ur Rahman Swati) (A.A.G)  
(u/s 496-A PPC, 3 TIP)
7. Cr.M 747-M/2021 Said Mehmood Vs The State & 1 other  
(For Bail) (Qazi Farid Ahmad & Waqas Rizvi) (Said Muhammad Qurranji & A.A.G)  
(u/s 489-F, 420-PPC)

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD, S.B  
PESHAWAR.

No.

APPEAL No. E.P. No. 350 of 20 19

Pervez Khan

Appellant/Petitioner

Versus

Superintending Engineer Swat irrigation

RESPONDENT(S)

Notice to Appellant/Petitioner

Pervez Khan Patwari Swat  
irrigation Division posted at irrigation  
Dept. Buner at Daggal.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 21/2/22 at 9:00 am.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

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APPEAL No..... of 20 19.

Pervez Khan

Appellant/Petitioner

Versus

Superintending Engineer Swat Irrigation Circle

RESPONDENT(S)

✓ ✓  
Notice to Appellant/Petitioner

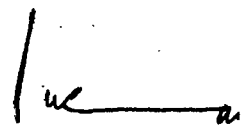
Pervez Khan Patwari Swat

Irrigation Division posted at Irrigation

Department Buner at Daggar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on.....08/17/2022 at.....9:00am.....

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.



Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

“A”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

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EP  
APPEAL No. 350 of 20 19.

SB

Pervez Khan

Appellant/Petitioner

Versus

Superintending Engineer Swat Irrigation Circle  
RESPONDENT(S)

Notice to Appellant/Petitioner

Pervez Khan Potwari Swat  
Irrigation Division posted at Irrigation  
Department Buner at Daggar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 08/07/2022 at 9.00am

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.



Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.