

25.05.2022

Learned counsel for the appellant present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for preliminary hearing on 07.07.2022 before S.B.



(Mian Muhammad)
Member (E)

07th July, 2022

Clerk of counsel for the appellant present.

Counsel are on strike. To come up for preliminary hearing on 12.09.2022 before S.B.



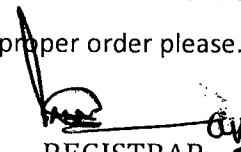
(Kalim Arshad Khan)
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ **614/2022** _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/04/2022	<p>The appeal of Mr. Iftikhar Muhammad resubmitted today by Mr. Muhammad Maaz Madni Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		

The appeal of Mr. Iftikhar Muhammad Junior Clerk/Moharrir O/O District Session Judge Charsadda received today i.e. on 15.04.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of mercy petition mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copy of letter dated 13.3.2014 mentioned in para-5 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Page nos. 7,9,10,11,12,19 and 28 of the appeal are illegible which may be replaced by legible/better one.
- 4- Twelve more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 987 /S.T,

Dt. 18-4 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Maaz Madni Adv. Pesh.

- Resubmitted after doing heedful
- Spare / Respondent copies are handed over to Chairman bench on first date of hearing



28/04/2022

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 614 /2022

IFTIKHAR MUHAMMAD

V/S

DISTRICT JUDICIARY

INDEX

S.NO	DOCUMENTS	DATED	ANNEXURE	PAGE
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2.	Appointment Order	15.07.2003	A	7-8
3.	Seniority List & promotion Orders	2006-07	B	9-11
4.	Decision on Mercy Petition, Implementation & order Appeal	22-06-2010 08-07-2010 19.07.2010 01-02-2014	C	12-15
5.	Appeal	01-02-2014	D	16-17
6.	Letters, SSC& Seniority List	10.05.2014	E	18-23
7.	Appeal, Appellate order and Order Sheet	29.05.2015 29.10.2016 01.02.2022	F	24-39
8.	Seniority List & Promotion order	22.03.2022 08.09.2021	G	30-36
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Dated: 13TH April, 2022

APPELLANT

Through:



MUHAMMAD MAAZMADNI,
ADVOCATE HIGH COURT, PESHAWAR
TF-291, 292,

Deans Trade Centre, Peshawar Cantt:
0333-9313113, 0345-9090737
muhammad.m3adv@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. _____/2022

IFTIKHAR MUHAMMADs/o Nisar Khan, Junior Clerk/Moharrir (BPS-11),
o/o District & Session Judge, District Charsadda.

.....**APPELLANT**

VERSUS

- 1- **THE REGISTRAR,**
Peshawar High Court, Peshawar.
- 2- **DISTRICT & SESSION JUDGE,**
District Charsadda.
- 3- **SENIOR CIVIL JUDGE (ADMIN),**
District Charsadda.
- 4- **MUJAHID JAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 5- **GULZADA (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 6- **ABDUL WAJID (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 7- **HAYAT KHAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 8- **QASIM JAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 9- **SHABEER JAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 10- **AHMAD YAR (Junior Clerk/Moharrir (BPS-11),**
o/o Additional District Judge, Tehsil Tangi, District Charsadda.
- 11- **TARIQ JAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.
- 12- **MURAD KHAN (Junior Clerk/Moharrir (BPS-11),**
o/o District & Session Judge, District Charsadda.

.....**RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 READ WITH ALL ENABLING LAWS & RULES AGAINST THE APPELLATE ORDER DATED 29-10-2016 (received to the appellants on 23-01-2017) WHEREBY DEPARTMENTAL APPEAL DATED 29-05-2014 OF THE APPELLANT FOR ASSIGNING/GIVING SENIORITY FROM 2006 ALONG WITH PROMOTION SINCE 2006 WAS DISMISSED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of the instant service appeal the act of the respondents by not assigning/giving seniority to the appellant & not considering for promotion since 2006 may very kindly be declared illegal & unconstitutional and the respondents may kindly be directed to assign seniority to the appellant since 2006 and consider the appellant for promotion from 2006 or from the date his colleagues is given promotion to the higher rank of Junior Clerk/Moharrir (BPS-11) with all Back & consequential Benefits. Any other remedy which this august Tribunal deems appropriate that may also be awarded in favor of the appellant.

Respectfully Sheweth;

FACTS:

Brief facts giving raise to the instant appeal are as under:

1. That appellant is a regular employee of the respondent Department and was appointed as Naib Qasid (BPS-01) vide order dated 15-07-2003 passed by Senior Civil Judge, District Charsadda after fulfilling all the legal & codal formalities required for the post and since then the appellant is performing his duty quite efficiently whole heartedly and upto the entire satisfaction of his high ups.

Copy of Appointment Order dated 15.07.2003 is attached as Annexure...A.

2. That a separate seniority list was prepared for the establishment of Respondent No. 3 in the year 2006-07 wherein the appellant was placed at Serial No. 11 of the seniority list whereas other colleagues who have completed the requisite criteria were given promotion to the post of

Junior Clerk/Moharrir/Naib Nazir (BPS-11) as per the prevail Law & Rules.

Copy of Seniority List of 2006-07 & promotion Orders are attached as AnnexureB.

3. That the appellant feeling aggrieved from the inaction of the respondents by not assigning proper seniority since from the date of appointment filed Mercy Petition before the Worthy Chief Justice Peshawar High Court Peshawar which was responded on 22-06-2010 with the remarks that only Process Server & Bailiff can be promoted to the post of Naib Nazir while the Naib Qasid to the post Junior Clerk and on receipt of the reply dated 22-06-2010 the appellant filed implementation petition dated 08-07-2010 which was forwarded to Superintendent for disposal and accordingly the same was disposed of after due process by Respondent No. 3.

Copy of Decision on Mercy Petition dated 22-06-2010, Implementation dated 08-07-2010 & order dated 19.07.2010 is attached as Annexure C.

4. That later on the appellant came to know that some posts of Junior Clerks are lying vacant that are going to be filled the appellant applied for the same by filing application dated 01-02-2014 requesting therein for promotion and assigning of seniority since 1999 but of no avail.

Copy of Appeal dated 01-02-2014 is attached as AnnexureD.

5. That there were ambiguity amongst the District Judiciary regarding Joint & Separate Seniority List of Class-IV employee for which respondent No. 3 move a letter dated 13-03-2014 to respondent no. 2 for removing the ambiguity the same was moved to respondent no. 1 for guidance which was replied vide letter dated 18-04-2014 upon which Daftaries, Naib Qasids, Sweepers, Chowkidars, of District Judiciary Charsadda was asked for submission of Secondary School Certificate within three days vide letter dated 03-05-2014, hence, the appellant submitted his Secondary School Certificate within the stipulated time and accordingly a joint seniority list dated 10-05-2014 was prepared during the pendency of the appeal dated 01-02-2014 and accordingly the appellant was placed at serial no. 6 of the seniority list.

Copy of Letters, SSC & Seniority List dated 10.05.2014 is attached as Annexure E.

Civil Servant Act 1973 read with Rule-17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

- D-** That respondents were in the ambiguity of Joint & Separate Seniority List between the Class-IV of District Judge & Senior Civil Judge due to which the appellant was not given seniority since 2006 as well as not considered for promotion.
- E-** That act of the respondents by not assigning due place in seniority since 2006 to the appellant is highly discriminatory as the appellant has completely been ignored since from the First DPC conducted in 2007 for promotion to the high rank.
- F-** That under Article 38 (e) of the Constitution of Pakistan, 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan, therefore the respondent has to act upon the ibid Article of the constitution and had to remove the disparity from the salary of the appellant by allowing benefit for the period from 2006 when the appellant was first ignored from seniority & DPC.
- G-** That the respondent has acted in an arbitrary and malafide manner by not assigning due place in seniority since 2006 to the appellant and not considering for promotion since 2006 when the First DPC was conducted.
- H-** That accordingly to the provision involved in Fundamental Rules & various judgment passed by the Apex Supreme Court of Pakistan the appellant is fully entitle for the back benefits when the seniority is assigned since 2006 as well as promotion.
- I-** That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 13-04-2022

Appellant


IFTIKHAR MUHAMMAD

Through:


MUHAMMAD MAAZ MADNI
Advocate, High Court, Peshawar

6. That on the issuance of the common seniority list the appellant filed Departmental Appeal dated 29-05-2015 for his promotion and seniority since 1999 which dismissed on 29-10-2016 and on receipt of the attested copy of order dated 29-10-2016 on 23-01-2017 the appellant filed Service Appeal No. 183 of 2017 before the Khyber Pakhtunkhwa Service Tribunal Peshawar which was dismissed with the permission to file fresh appeal after removal of deficiencies vide order dated 01-02-2022 hence this appeal.

Copy of Appeal dated 29.05.2015, Appellate order dated 29.10.2016 and Order Sheet dated 01.02.2022 is attached as AnnexureF.

7. That the appellant after receipt of the order sheet dated 01-02-2022 on 17-03-2022 received the Seniority List prepared for the year 2021-22 wherein all the private respondents from 04 to 12 who are junior to the appellant are not only given due place in the seniority but also been promoted much prior to the appellant as the appellant is given promotion to the next higher rank on 08-09-2021 due to not assigning proper place in seniority since 2006 the detail are as:

S#	SENIORITY POSITION	NAME OF PRIVATE RESPONDENT	DATE OF APPOINTMENT	DATE OF PROMOTION
1	12	Mujahid Jan	22.07.2003	17.03.2009
2	13	Gul Zada	15.07.2003	2012
3	18	Abdul Wajid	21.07.2003	12.08.2017
4	19	Hayat Khan	01.12.2003	16.08.2017
5	20	Qasim Jan	04.12.2003	02.04.2018
6	21	Shabeer Jan	04.12.2003	02.04.2018
7	24	Ahmad Yar	15.07.2003	04.06.2018
8	25	Tariq Jan	17.07.2003	04.06.2018
9	26	Murad Khan	04.12.2003	04.06.2018

Copy of Seniority List dated 22.03.2022 & Promotion order dated 08.09.2021 is attached as Annexure G.

GROUND:

- A-** That act of the respondents by not assigning due place in seniority since 2006 to the appellant is against the law, rules, facts, void ab initio, Norms of Natural Justice and materials available on the record hence not tenable in the eye of Law and needs interference of this Honourable Tribunal.
- B-** That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C-** That act of the respondents by not assigning due place in seniority since 2006 to the appellant is against Section-08 of the

CERTIFICATE

No, such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.

ADVOCATE

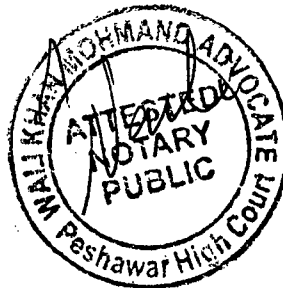
A F F I D A V I T

I, **Iftikhar Muhammad** s/o Nisar Khan, do hereby solemnly affirm on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Iftikhar Muhammad

DEPONENT

17101-5337309-3



19/04/2022
11

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Service Laws
3. Other relevant case Laws

OFFICE OF THE SENIOR CIVIL JUDGE, CHARSADDA.

7

OFFICE ORDER.

ANNEXURE A

In pursuance of Peshawar High Court, Peshawar notifications bearing endorsement No.1670-1721 dated 25.3.2003, 1594-1669 dated 25.3.2003 read with Peshawar High Court Peshawar letters No.4313-4360/Admn: dated 19.4.2003, No.1722-1997 dated 25.3.2003 and on the recommendation of Departmental Selection Committee, the following candidates are hereby appointed as Naib Qasid BPS-I with immediate effect in the interest of public service:-

<u>S.NO.</u>	<u>Name of candidate</u>	<u>Father's name.</u>
1-	Kalimullah	Khitab Gul.
2-	Iftikhar	Nisar Khan.

TERMS AND CONDITIONS.

- 1- The appointment shall be purely on temporary basis.
- 2- The service will be liable to termination at any time without notice and showing any reasons.
- 3- He shall have to come period of probation to the satisfaction of his superior.
- 4- He shall produce medical fitness certificate before taking the charge.
- 5- He shall produce original identity card for determination of his age.

In case the above terms and conditions are acceptable to him, he should report to the undersigned for assuming his duty within seven days from today, failing which the offer shall stand withdrawn.

(Syed Zamrud Shah) 15/7/03
Senior Civil Judge, Charsadda

OB
ATTESTED

Office of the Senior Civil Judge, Charsadda

Office Order.

In pursuance of Peshawar High Court, Peshawar notifications bearing endorsement No. 1670-1721 dated 25.03.2003, 1594-1669 dated 25.03.2003 read with Peshawar High Court Peshawar letter No.4313-4360/Admn: dated 19.4.2003, No. 1722-1997 dated 25.03.2003 and on the recommendation of Departmental Selection Committee, the following candidates are hereby appointed as Naib Qasid BPS-1 with immediate effect in the interest of public service: -

S No.	Name of Candidate	Father's Name
1.	Kalim Ullah	Khitab Gul
2.	Iftikhar	Nisar Khan.

Terms and conditions.

1. The appointment shall be purely on temporary basis.
2. The service will be liable to termination at any time without notice and showing any reasons.
3. He shall have to come period of probation to the satisfaction of his superior.
4. He shall produce medical fitness certificate before taking the charge.
5. He shall produce original identity card for determination of his age.

In case the above terms and conditions are acceptable to him, he should report to the undersigned for assuming his duty within seven days from today, failing which the offer shall stand withdrawn.

(Syed Zamrrud Shah)
Senior Civil Judge, Charsadda



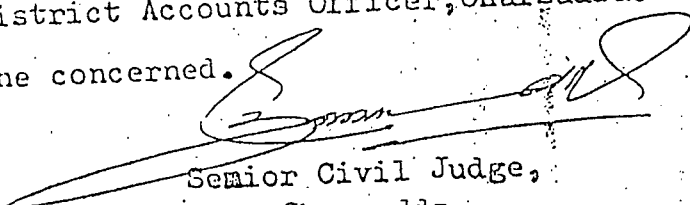
8

(2)


No. 312-319 dated Charsadda the 15/7/2003.

Copy forwarded to:-

- 1- The Registrar, Peshawar High Court,
Peshawar.
- 2- The District & Sessions Judge, Charsadda.
- 3- Mr. Niaz Muhammad Khan, Addl: Member
Inspection Team, Peshawar High Court,
Peshawar.
- 4- The District Accounts Officer, Charsadda.
- 5- All the concerned.


Senior Civil Judge,
Charsadda.

15/7/03


ATTESTED

OFFICE OF THE SENIOR CIVIL JUDGE, CHARSADDA.

SENIORITY LIST

Copy list of the officials previously intimated and freshly appointed according to their seniority with service and in force upto the year 2006-07

Name of Official	Date of Birth	Qualification	Date of Appointment	Designation	Date of promotion	Present Posting designation
1. Sanar Gul	1967	Under Matric	01.12.1995	Naib Qasid		
2. Rahim Dar	1967	Nil	07.10.1999	Naib Qasid		
3. Abdullah	1964	Nil	10.10.1992	Naib Qasid		
4. Ajmeer Khan	1975	Nil	21.11.1995	Naib Qasid		
5. Azam Ali	07.10.1969	Matric	02.09.1993	Naib Qasid	Transferred from Naib Qasid to Naib Qasid on 21.10.1999	
6. Abdul Ghafor	20.05.1970	Nil	21.11.1995	Naib Qasid		
7. Subhat Ullah	15.03.1970	Nil	21.11.2000	Naib Qasid		
8. Ali Zaman	12.03.1959	Under Matric	16.12.2002	Naib Qasid		
9. Habib Ur Rehman	01.04.1975	Nil	16.04.2003	Naib Qasid		
10. Kalim Ullah	07.10.1976	Nil	16.04.2003	Naib Qasid		
11. Ilkhar Muhammad	30.08.1975	Matric	15.07.2003	Naib Qasid		

Verified & attested

Copy forwarded to the:-

Honorable District & Sessions Judge, Charsadda for information

Learned Civil Judge/JM I, Tangi & Shuhadar.

All the Staff members

Senior Civil Judge, Charsadda

(Signature)

Senior Civil Judge, Charsadda

(Signature)
ATTESTED

OFFICE OF THE SENIOR CIVIL JUDGE, CHARSAJDA

Seniority list

Senior list of the officials previously included and freshly appointed
For the year 2006 – 07

	Name of Official	Date of Birth	Qualification	Date of appointment	Designation	Date of promotion	Present posting designation
1							
2							
3							
4							
5	Azam Ali	07.10.1969	Matric	02.06.1993	Naib Qasid	Transfer from Nowshera to Charsadda on 22.10.1999	
6							
7							
8							
9							
10							
11	Iftikhar Muhammad	30.08.1975	Matric	15.07.2003	Naib Qasid		

Copy forwarded to:

Honourable District & Session Judge, charsadda for information
Learned Civil Judge/JM-I, Tangi & Shabqadar
All the staff members



10

DISTRICT & SESSIONS JUDGE, CHARSADDA

OFFICE ORDER:

Consequent upon the recommendation of Departmental Promotion Committee headed by the undersigned, the following officials of this Establishment have been promoted to the posts against their names with joined effect:

S.No.	Name of Official	Present Post	Promoted to the Post of
1.	Aman Ullah	Senior Clerk	Assistant (BPS-11)
2.	Abdul Khaliq	Senior Clerk	Assistant (BPS-11)
3.	Meliboob Ali	Junior Clerk	Senior Clerk (BPS-07)
4.	Kulayattullah No.2	Junior Clerk	Senior Clerk (BPS-07)
5.	Gohar Ali	Chowkidar	Junior Clerk (BPS-05)
6.	Shaukat Masih	Sweeper	Junior Clerk (BPS-05)

The committee considered the case of Mr. Kamran Stenographer (BPS-15), who has been transferred from District Swabi to District Charsadda by the Honble Peshawar High Court, Peshawar vide order dated 19.3.2007 bearing Endst. No. 3683-3687/Admn dated Peshawar 22.3.2007 for absorption against the vacant post of Stenographer at District Charsadda. The committee considered and discussed the case in detail and unanimously recommended adjustment/permanent absorption of Mr. Kamran Stenographer (BPS-15) against the vacant post. The committee further recommended that the official so adjusted shall be placed at the bottom of seniority list on strength of his cadre.

(GHULAM MOHY-UD-DIN MALIK)
District & Sessions Judge
Charsadda

OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHARSADDA

Endst. No. 5040-5052 DJJ-90/CID Dated 26/09/2007

Copy forwarded for information to

- The Worthy Registrar, Peshawar High Court, Peshawar with reference to letter No. PHC/Admn (DSC-DPC/05/3442) dated 04/09/2007.
- The learned District & Sessions Judge, Swabi
- Mr. Jamal-ud-Din Khan, Addl. Session Judge, Peshawar
- Mr. Mohsin Ali Turk, Senior Civil Judge JM, Charsadda.
- The District Accounts Officer, Charsadda
- The District Accounts Officer, Swabi
- The Accountant of this Court
- The Officials concerned.

District & Sessions Judge
Charsadda

Office of the
District & Session Judge, Charsadda

Office Order

Consequent upon the recommendation of Departmental Promotion Committee headed by the under the following officials of this establishment have been promoted to the posts against their name with immediate effect.

S No	Name of official	Present Post	Promoted to the post of
1	Aman Ullah	Senior Clerk	Assistant (BPS-11)
23	Abdul khaliq	Senior Clerk	Assistant (BPS-11)
3	Mehboob Ali	Junior Clerk	Senior Clerk (BPS-07)
4	Kifayat Ullah No. 2	Junior Clerk	Senior Clerk (BPS-07)
5	Gohar Ali	Chowkidar	Junior Clerk (BPS-05)
6	Shaukat Masih	Sweeper	Junior Clerk (BPS-05)

The committee considered the case of Mr. Kamran Stenographer (BPS-15) who has been transferred from District Swabi to District Charsadda by the Honourable Peshawar High Court, Peshawar vide order dated 19.03.2007 bearing endost: No. 3683-3687/Admn dated Peshawar 22.03.2007 for absorption against the vacant post of Stenographer at District Charsadda. The committee considered and discussed the case of in detail and unanimously recommended adjustment/permanent absorption of Mr Kamran Stenographer (BPS-15) against the vacant post. The committee further recommended that the official so adjusted shall be placed at the bottom of seniority list on strength of his cadre

(Ghulam Muhyud Din Malik)
District & Session Judge,
Charsadda

Office of the district & session judge, charsadda

Endst No. 5040 – 5052/DJ-90/CHD dated 26/09/2007

Copy forwarded for information to

1. The worthy Registrar, Peshawar High Court Peshawar with reference to letter No. PHC/Admn (DSC-DPC//05/8442) dated 04/09/2007.
2. The learned District & Session Judge, Swabi.
3. Mr. Jamal ud Din Khan, Addl: Session Judge, Peshawar
4. Mr. Mohsin Ali, Senior Civil Judge/JM, Charsadda.
5. The District Accounts Officer, Charsadda.
6. The District Accounts Officer, Swabi.
7. The Accountant of this court.
8. The officials concerned.

District & Session Judge,
Charsadda



(11)

OFFICE OF THE SENIOR CIVIL JUDGE, CHARSADDA.

No. 249-258

Dated: 31-7-08

31-07-2008

OFFICE ORDER:

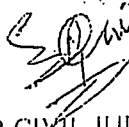
On recommendation of the departmental promotion committee, dated 30.07.08 the following Bailiffs (BPS-3) are promoted to the post of Naib Nazir/Junior Clerks BPS-05 with immediate effect.


S.No.	Name of official	Designation	Promoted to
1.	Farman Ullah	Bailiff BPS-03	Naib Nazir/Junior Clerk-BPS-07
2.	Jamil Khan	Bailiff BPS-03	Naib Nazir/Junior Clerk-BPS-07
3.	Muhammad Ali	Bailiff BPS-03	Naib Nazir/Junior Clerk-BPS-07

MOHIN ALI TURK,
Senior Civil Judge,
Charsadda.

Copy forwarded to:-

1. The Worthy Registrar, Peshawar High Court, Peshawar
2. The Honorable District & Sessions Judge, Charsadda.
3. Civil Judge-I, Tangi & Shabqadar.
4. Deputy Registrar Accounts Peshawar High Court, Peshawar.
5. The District Accounts Officer, Charsadda.
6. All the Officials concerned.
7. CoC attached to this court.


SENIOR CIVIL JUDGE,
CHARSADDA.





OFFICE OF THE SENIOR CIVIL JUDGE, CHARSAJDA
NO. 249 – 256 DATED 31.07.2008

OFFICE ORDER

On the recommendation of the Departmental Promotion Committee dated 30.07.2008 the following bailiff (BPS-03) are promoted to the post of Naib Nazir/Junior Clerk BPS-05 with immediate effect.

S No	Name of official	Designation	Promoted to
1	Farman Ullah	Bailiff BPS-03	Naib Nazir/Junior Clerk BPS-07
2	Jamil Khan	Bailiff BPS-03	Naib Nazir/Junior Clerk BPS-07
3	Muhammad Ali	Bailiff BPS-03	Naib Nazir/Junior Clerk BPS-07

MOHSIN ALI TURK
Senior Civil Judge,
Charsajda.

Copy forwarded to:

1. The worthy Registrar, Peshawar High Court, Peshawar
2. The honourable District & Session Judge, Charsajda.
3. Civil Judge-I, Tangi & Shabqadar.
4. Deputy Registrar Accounts Peshawar High Court Peshawar.
5. The District Accounts Officer, Charsajda.
6. All the officials concerned.
7. CoC attached to this court.

Senior Civil Judge,
Charsajda





The
PESHAWAR HIGH COURT
Peshawar

12

Annexure B 8

All communications should be addressed to the Registrar, Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58
OFF: 9210136
FAX: 9210170

No. 10928 /Admn

Dated Pesh the 22/06/2010

From:-

ANNEXURE- C

The Registrar,
Peshawar High Court,
Peshawar.

To:-

Mr. Iftikhar Muhammad,
Naib Qasid to the Court of
Senior Civil Judge, Charsadda.

Subject: - MERCY PETITION.

Memo.

I am directed to refer to your application on the subject and to inform you that only Process Servers/Bailiffs can be promoted to the post of Naib Nazir while the Naib Qasid can be promoted to the post of Junior Clerk.


REGISTRAR


ATTESTED

BETTER COPY OF PAGE:



The
Peshawar High Court,
Peshawar

No. 10928/Admn
From:-

dated: Peshawar the 22-06-2010

The Registrar,
Peshawar High Court, Peshawar

To:

Mr. Iftikhar Muhammad,
Naib Qasid to the court of
Senior Civil Judge, Charsadda.

Subject: MERCY PETITION

Memo:.

I am directed to refer to your application on the subject and to inform you that only Process Servers/Bailiffs can be promoted to the post of Naib Nazir while the Naib Qasid can be promoted to the post of Junior Clerk.

Registrar



ATTESTED

[Signature]

امریکی ایجنسی کے نام سے

Date 27/11/2022

میں نے اپنے تمام اثاثوں اور جائیدادوں کو امریکی ایجنسی کے نام سے منتقل کر دیا ہے۔
میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

22/11/2022
10888

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔
میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔
میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔
میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔

میں نے امریکی ایجنسی کے نام سے تمام اثاثوں اور جائیدادوں کو منتقل کر دیا ہے۔
(13)

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Respected Sir,

The applicants namely Azam Ali Khan and Iqbal Ali (Naib Qasids) to this Hon'ble Court applied to the Hon'ble Peshawar High Court, Peshawar for getting their seniority and also promotion to the post of Junior Clerks. The Hon'ble Peshawar High Court, Peshawar was pleased to direct vide letters No. 10928/Admn and 10930/Admn, dated 22/06/2010 and observed that only Process Server/Bailiffs can be promoted to the post of Naib Nazir while Naib Qasids to be promoted to the post of Junior Clerks.

I have been able to procure the Recruitment Rules, 2003 (Subordinate Courts) issued by the Hon'ble Peshawar High Court, Peshawar and in these rules I have not come across regarding the fact that here is any post of Junior Clerk in this Establishment to be filled by promotion from amongst the Naib Qasids, however, the post of Junior Clerk/Naib Nazir are in existence but the Promotion Rules are otherwise as directed in above said letters which say that Naib Qasids can be promoted to the posts of Junior Clerks and this procedure is going on in the Establishment of learned District & Sessions Judge, Charsadda.

Since, there is some ambiguity in nomenclature of post as such for guidance, the august Peshawar High Court, Peshawar may be requested to clarify the situation, so direction contained in the letters may be complied with at the earliest.

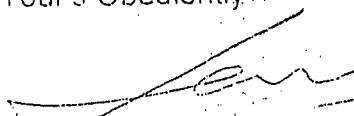
Furthermore, there is no vacancy of Junior Clerk/Naib Nazir at present in this Establishment to be filled on promotion/initial appointment.

Report submitted, please.

Dated: 14/07/2010.


ATTESTED

Your's Obediently


Naeem COC to SCJ, 14/7/10
Charsadda.

15

OFFICE OF THE SENIOR CIVIL JUDGE, CHARSAJDA.

OFFICE ORDER

Consequent upon the applications of M/s Azam Ali Khan (Naib Qasid) and Ifitikhhar Muhammad (Naib Qasid) of this establishment, requested for promotion to the posts of Naib Nazir/Junior Clerk. As Per our Office record there is no vacancy of the said posts at present, on which the official can be promoted, so the application be kept pending till the availability of the vacancies and if vacancies become available, the promotion of the said officials shall be considered in the departmental promotion committee.

(Azhar/Ali Khan)
Senior Civil Judge.
Charsajda

No. 200-3 SCJ, Chd

Dated: 19 /07/2010.

Copy forwarded for information to:

1. The Hon'ble District & Session Judge, Charsajda.
2. The Officials concerned.
3. Office copy.

Senior Civil Judge.
Charsajda.

ATTESTED

16

ANNEXURE D

To:

Senior Civil Judge
District Charsadda

Subject:


Application for promotion against the post of Naib Nazir in the light of Order of Peshawar High Court Peshawar and Senior Civil Judge Charsadda

Respected Sir:

- 1 That Petitioner was appointed as Naib Qasid in BPS 01 vide office order dated 15-07-2003 by Senior Civil Judge Charsadda. (Copy of appointment letter are attached)
- 2 That the Judicial Department issued a seniority list duly signed by the Senior Civil Judge Charsadda in 2006-07, the Petitioner was shocked rather dismayed to learn that his name was not short-listed in the said seniority list. (Seniority List is attached)
- 3 That applicant filed a Mercy Petition before the Hon'ble Peshawar High Court Peshawar on 25-05-2010. It was decided by the Hon'ble Peshawar High Court Peshawar vide order dated 22-06-2010 that only process server/ bailiff can be promoted to the post of Naib Nazir while the Naib Qasid can be promoted to the post of junior clerk. [copy of mercy petition and order dated 22-06-2010 are attached).
- 4 That the applicant filed an application for considering the applicant for promotion as Naib Nazir before the senior Civil Judge Charsadda. The application was forwarded to superintendent who accordingly replied that the matter relates to senior civil judge as the applicant is Naib Qasid in the court of senior civil judge. The district judge forwarded the same to senior civil judge for disposal according to rules. The worthy senior civil judge ordered

Consequent upon the application of Mr Azam Ali Khan and Iftikhar Muhammad Naib ^{Qasid} ~~Qasid~~ of this establishment requested for promotion to the post of Naib Nazir/ junior Clerk. As per our office record there is no vacancy of the said post at present on which the officials can be promoted, so the application be kept pending till the availability of the vacancies and if vacancies become available, the promotion of the said official shall be considered in the departmental promotion committee.

That now it came to the knowledge of the applicant that there are some posts of Naib Nazir vacant which are going to be filled. It is, therefore,


ATTESTED

17

prayed that in view of the directions of Hon'ble Peshawar High Court Peshawar and Order of Senior Civil judge Charsadda the petitioner may please be promoted against the said post along with seniority.

Applicant

Iftikhar . 01-02-14

Iftikhar Muhammad (Naib Qasid)

17

copy to submit the report and get personal file of the appeal and also get a copy of joint seniority list

[Signature]
Ses / end
7/2/14

[Signature]
ATTESTED

18

ANNEXURE-E

Office of the
DISTRICT & SESSIONS JUDGE, CHARSADDA.
Phone - 091-9220032 Fax - 9220031.

No. 2241-42/DJ-09 Dated Charsadda, the 09/04/2014

From

The District & Sessions Judge,
Charsadda.

To

The Registrar,
Peshawar High Court,
Peshawar.

Subject: - JOINT SENIORITY LIST OF NAIB QASID CHOWKIDARS AND
SWEEPER OF SESSIONS AND CIVIL COURTS.

Dear Sir,

I have the honour to forward letter No. 74/SCJ, dated 13.03.2014, submitted by the Senior Civil Judge, Charsadda for consideration of joint seniority list of the employees of Senior Civil Judge, Charsadda with the establishment of District & Sessions Judge, Charsadda but the existing rules are silent regarding the subject matter.

It is, therefore, requested that this court may be guided on the subject matter, please.

Encl: As above.

(Muhammad Adil Khan)
District & Sessions Judge,
Charsadda.

21/9/14
09/4/2014

OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHASADDA.

No. 2241-42/DJ-09 Dated Charsadda, the 09/04/2014

Copy forwarded to the Senior Civil Judge, Charsadda w/r to her letter as mentioned above for information, please.

ATTESTED

District & Sessions Judge,
Charsadda.

21/9/14
09/4/2014

File
S. J. / C. J.
14/4/14

ATTESTED

REGISTRAR
(Muhammad Arshad)

Yours faithfully,

I am directed to refer to your letter No. 2241-42/D1-09 dated 09.04.2014. For this purpose, the words "Separate Common Seniority List" were used in relevant places in the Peshawar High Court (Subordinate Court Staff) Recruitment Rules, 2003 (copy enclosed).

JOINT SENIORITY LIST OF NAIB QASID CHOWKIDARS AND SWEEPER OF SESSIONS AND CIVIL COURTS.

The Registrar,
Peshawar High Court,
Peshawar.
✓ The District and Sessions Judge,
(Charsadda).

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.	
Exch. No. 9210149-08	Off. No. 6210135
Fax: 9210170	
www.peshawarhighcourt.gov.pk info@peshawarhighcourt.gov.pk phcpsh@gmail.com	

PESHAWAR HIGH COURT
Peshawar

Peshawar

19

www.peshawarhighcourt.gov.pk
I am directed to refer to your letter No. 2241-42/D1-09 dated 09.04.2014. For this purpose, the words "Separate Common Seniority List" were used in relevant places in the Peshawar High Court (Subordinate Court Staff) Recruitment Rules, 2003 (copy enclosed).

BETTER COPY OF PAGE: 19

The
Peshawar High Court,
Peshawar

No. _____
From:-

dated: Peshawar the 18-04-2014

The Registrar,
Peshawar High Court, Peshawar

To:

The District & Session,
Charsadda.

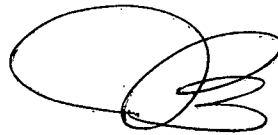
Subject: JOINT SENIORITY LIST OF NAIB QASIDCHOWKIDARS AND
SWEEPER OF SESSION AND CIVIL COURTS

Dear Sir,

I am directed to refer to your letter No. 2241-41/DJ-09 dated 09-04-2014, on the subject noted above and to say that rules are clear about the maintenance of joint seniority list of Naib Qasid, Chowkidar and sweeper etc for promotion to the post of Daftaries, Record keeper and junior clerks. For this purpose the word "Separate Common Seniority Lists" were used at relevant places, in the Peshawar High Court (Sub-Ordinate Courts staff) Recruitment Rules, 2003. (Copy attached)

Yours Faithfully

(Muhammad Arshad)
Registrar



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Office of the
DISTRICT & SESSIONS JUDGE, CHARSADDA.

No. 2543/DJ-09 Dated Charsadda, the 03/05/2014

From

The District & Sessions Judge,
Charsadda.


To

All the Daftaries, Naib Qasids,
Sweepers, Chowkidrs,
Distt: Judiciary, Charsadda.

Subject: - PROVISION OF SECONDARY SCHOOL CERTIFICATE.

For the purpose of compilation of common seniority list, you are directed to submit attested copy of secondary school certificate within three days, positively. *once today*

Muhammad Adil Khan
(Muhammad Adil Khan)
District & Sessions Judge,
Charsadda.



ATTESTED

S. No. PER- 0086971

Roll No. 18321

21

22


BOARD OF INTERMEDIATE AND SECONDARY EDUCATION
 Peshawar N.W.F.P. Pakistan
 Secondary School Certificate Examination
 SESSION 1993 (ANNUAL)
 (HUMANITIES GROUP)

1993

THIS IS TO CERTIFY THAT Iftikhar Mohammad
 Son/Daughter of Nisar Mohammad
 and a student of Govt High School Charsadda Khass (Charsadda)
 has passed Secondary School Certificate Examination

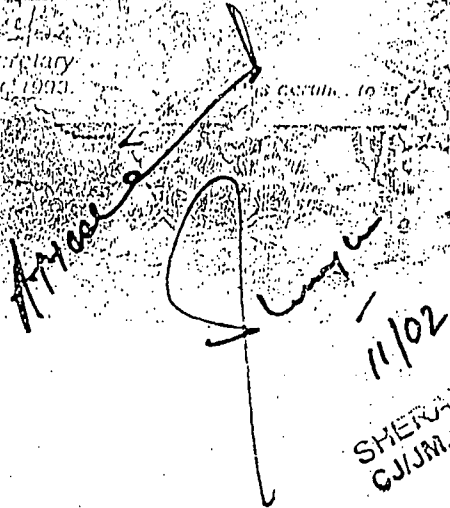
Board of Intermediate and Secondary Education, Peshawar held in April 1993
 as a Regular Candidate. He/She obtained 342 Marks out of 850
 and has been placed in Grade II Representing Fair

The Candidate passed in the following Subjects:
 1. English 2. Urdu 3. Islam 4. Pakistan Studies 5. Gen. Science 6. Gen. Mathematics 7. Isl. Studies 8. Pashto

He/She has been awarded Grade II on the basis of internal
 marks awarded by the Institution concerned.
 Date of admission is Thirtieth August
one thousand nine hundred and Seventy Five (30-8-1975)

Ass. Secretary
 7th August 1993

Secretary


 11/02
 SHERAZ TANIQ,
 C/JJM, Charsadda


 ATTESTED

Common Seniority List of Daftaris, Naib Qasids, Chowkidars & Sweepers as per directions contained in Establishment of the District Courts terms and condition of service para 14.

سید اسد علی نقوی

	Name of Officials	Designation (1st App:as)	BPS	Date of Birth	Domicile	Date of First Appointment	Date of Arrival	Present Post	Qualification	Pass in Year	Date of Promotion	BPS	Remarks
1	Javid Gul	Naib Qasid	1	20.04.1961	Charsadda	01.12.1986	01.12.1986	Naib Qasid	Matric	1980		2	
2	Khan Wali	Naib Qasid	1	12.02.1965	Charsadda	28.07.2003	28.07.2003	Naib Qasid	Matric	1981		2	
3	Abdul Wajid	Chowkidar	1	12.05.1970	Charsadda	21.07.2003	22.07.2003	Chowkidar	Matric	Annual 1986		2	
4	Abdul Ghaffar	Naib Qasid	1	20.06.1970	Charsadda	20.11.1995	21.11.1995	Naib Qasid	Matric	Supply 1986		2	
5	Hayat Khan	Chowkidar	1	14.04.1970	Charsadda	04.12.2003	06.12.2003	Chowkidar	Matric	1986		2	
6	Azam Ali	Process server	1	07.10.1969	Charsadda	21.06.1993	22.10.1999	Naib Qasid	Matric	1990		2	Tranferred from Nowshera
7	Ifikhar Muhammad	Naib Qasid	1	30.08.1975	Charsadda	15.07.2003	16.07.2003	Naib Qasid	Matric	1993		2	
8	Qasim Jan	Sweeper	1	15.05.1977	Charsadda	04.12.2003	05.12.2003	Daftari	Matric	1993		3	
9	Ahmad Yar	Naib Qasid	1	20.04.1970	Charsadda	15.07.2003	17.07.2003	Naib Qasid	Matric	1996		2	
10	Shabir Ahmad	Chowkidar	1	02.10.1982	Charsadda	03.04.2014	04.04.2014	Chowkidar	Matric	1998		1	
11	Tariq Jan	Sweeper	1	01.01.1981	Charsadda	17.07.2003	21.07.2003	Sweeper	Matric	1999		2	
12	Murad	Sweeper	1	05.01.1983	Charsadda	04.12.2003	05.12.2003	Sweeper	Matric	2004		2	
13	Muhammad Tariq Aziz	Naib Qasid	1	16.04.1984	Charsadda	15.07.2003	16.07.2003	Naib Qasid	Matric	2005		2	
14	Siyasat Khan	Sweeper	1	10.04.1982	Charsadda	07.01.2004	07.01.2004	Sweeper	Matric	2010		2	
15	Shabir Khan	Naib Qasid	2	03.03.1993	Charsadda	27.05.2012	28.05.2012	Naib Qasid	Matric	2011		2	
16	Sarfraz Khan	Naib Qasid	2	25.11.1992	Charsadda	21.07.2013	25.07.2013	Naib Qasid	Matric	2011		2	
17	Babar Ahmad	Sweeper	1	01.07.1992	Charsadda	24.03.2014	25.03.2014	Sweeper	Matric	2012		1	
18	Taj Wali Khan	Naib Qasid	2	03.03.1980	Charsadda	04.12.2008	05.12.2008	Naib Qasid	Matric	2013		2	
19	Sahar Gul	Naib Qasid	1	00.00.1967	Charsadda	01.12.1986	01.12.1986	Naib Qasid	Nil			3	
20	Rahman Ullah	Naib Qasid	1	19.05.1966	Charsadda	07.12.1987	07.12.1987	Naib Qasid	Nil			2	
21	Waheed Ullah	Chowkidar	1	00.00.1970	Charsadda	10.07.1990	10.07.1990	Chowkidar	Nil			2	
22	Rahim Dad	Naib Qasid	1	00.00.1967	Charsadda	07.10.1990	07.10.1990	Naib Qasid	Nil			3	
23	Naseer Khan	Daftari	2	04.01.1964	Charsadda	19.12.1990	19.12.1990	Daftari	Nil			3	
24	Dilfaraz	Chowkidar	1	00.00.1969	Charsadda	19.12.1990	19.12.1990	Naib Qasid	Nil			2	
25	Shabir Masih	Sweeper	1	00.00.1966	Charsadda	19.12.1990	19.12.1990	Sweeper	Nil			2	
26	Abdullah	Naib Qasid	1	00.00.1964	Charsadda	10.02.1982	11.02.1992	Naib Qasid	Nil			2	
27	Ajmir Khan	Naib Qasid	1	00.00.1975	Charsadda	21.11.1995	21.11.1995	Naib Qasid	Nil			2	

28

Handwritten signature or mark.

OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHARSADDA
Common Seniority List of Daftarris, Naib Qasids, Chowkidars & Sweepers as per directions
contained in Establishment of the District Courts terms and condition of service para 14.

S No	Name of Officials	Designation (1st App:as)	BPS	Date of Birth	Domicile	Date of First Appointment	Date of Arrival	Present Post	Qualification	Pass in Year	Date of Promotion	BPS	Remarks
28	Muhammad Rafiq	Process server	1	00.00.1964	Charsadda	10.02.1993	20.10.2000	Chowkidar	Nil			2	Resignated as Naib Qasid in 2000
29	Sabghat Ali	Process server	1	15.03.1970	Charsadda	29.07.1990	21.11.2000	Naib Qasid	Nil			2	Resignated as Naib Qasid in 2000
30	Ali Zaman	Process server	1	12.03.1965	Charsadda	08.10.1991	16.12.2000	Naib Qasid	Nil			2	Resignated as Naib Qasid in 2000
31	Azam Jan	Sweeper	1	05.02.1978	Charsadda	22.11.2001	22.11.2001	Sweeper	Nil			2	
32	Sahib Zada	Chowkidar cum Mali	1	00.00.1965	Charsadda	01.03.2002	04.03.2002	Chowkidar cum Mali	Nil			2	
33	Imran Shah	Naib Qasid	1	00.00.1962	Charsadda	01.03.2002	05.03.2002	Naib Qasid	Nil			2	Tranferred from Dir Lower
34	Habib ur Rahman	Naib Qasid	1	01.04.1975	Charsadda	01.06.1994	01.04.2003	Naib Qasid	Nil			2	
35	Adnan Ali	Naib Qasid	1	14.02.1984	Charsadda	15.07.2003	16.07.2003	Naib Qasid	Nil			2	
36	Kaleem Ullah	Naib Qasid	1	07.10.1976	Charsadda	15.07.2003	16.07.2003	Naib Qasid	Nil			2	
37	Murad Khan	Sweeper	1	02.03.1982	Charsadda	01.08.2003	02.08.2003	Sweeper	Nil			2	
38	Sabir Hussain	Naib Qasid	1	00.00.1976	Charsadda	04.12.2003	06.12.2003	Naib Qasid	Nil			2	
39	Imran	Sweeper	2	12.07.1987	Charsadda	08.08.2008	11.08.2008	Sweeper	Nil			1	
40	Naseer Ahmad	Chowkidar	1	00.00.1972	Charsadda	08.08.2008	28.10.2008	Chowkidar	Nil			2	
41	Marjan Ali	Chowkidar	2		Charsadda	04.12.2008	05.12.2008	Chowkidar	Nil			2	
42	Issa Khan	Sweeper	2	02.01.1975	Charsadda	27.05.2012	28.05.2012	Sweeper	Nil			2	
43	Samir Jan	Naib Qasid	2	09.07.1972	Charsadda	21.07.2013	25.07.2013	Naib Qasid	Nil			2	

OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHARSADDA
Dated 10.05.2014
Endst. No. 2607-49/07-09

Copy forwarded to all the Judicial Officers of the District for its circulation amongst the Staff working in their Courts asking them to file objections if any within period of one month from receipt hereof.

M. S. Khan
10.5.2014
District & Sessions Judge,
Charsadda

M. S. Khan
10.5.2014
District & Sessions Judge,

(S)

ANNEXURE - F

(24)
2/6/2017

To,

The Honorable District & Sessions Judge,
Charsadda.

Through: Proper Channel.

Subject: Application for promotion against the post of Naib Nazir in the light of Order of Peshawar High Court and Senior Civil Judge Charsadda.

Respected Sir:

1. That petitioner was appointed as Naib Qasid in BPS 01 vide office order dated 15.07.2003 by Senior Civil Judge Charsadda. (copy of appointment letter are attached)
2. That applicant filed a Mercy Petition before the Honorable Peshawar High Court, Peshawar on 25.05.2010. It was decided by the Honorable Peshawar High Court, Peshawar vide order dated 22.06.2010 that only process server / bailiff can be promoted to the post of Naib Nazir while the Naib Qasid can be promoted to the post of Junior Clerk. (copy of mercy petition and order dated 22.06.2010 are attached)
3. That the applicant filed an application for considering the applicant for promotion as Naib Nazir before the Senior Civil Judge, Charsadda. The application was forwarded to superintendent who accordingly replied that the matter relates to Senior Civil Judge, as the applicant is Naib Qasid in the court of Senior Civil Judge. The District Judge forwarded the same to Senior Civil Judge for disposal according to rules. The worthy Senior Civil Judge ordered.
4. *"Consequent upon the application of Mr. Azam Ali Khan and Iftikhar Muhammad Naib Qasid of this establishment requested for promotion to the post of Naib Nazir / Junior Clerk. As per our office record there is no vacancy of the said post at present on which the officials can be promoted, so the application be kept pending till the availability of the vacancies and if vacancies become available, the promotion of the said official shall be considered in the departmental promotion committee"*.
5. That later on it can to the knowledge of the applicant that there are some posts of Naib Nazir vacant which are going to be filled. The

ATTESTED

25 JAN 2017

(S)

ATTESTED

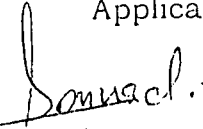
25

applicant accordingly/in accordance with law applied for the said post vide letter dated 01-02-2014. Copy of the letter is attached.

6. That upon inquiry by the District and Session Judge Charsadda regarding the joint seniority list of Naib Qasid, Chowkidars and sweeper of sessions and civil court; it was held by the Registrar Peshawar High Court Peshawar that rules are clear about the maintenance of joint seniority of the above mentioned posts. **Separate Common Seniority Lists** were used at relevant places in Peshawar High Court Peshawar. Copy of the applications along with Recruitment rules of 2003 is attached.
7. That the Hon'ble District and Session Judge Charsadda vide office order dated 03-05-2014 directed all the Sweepers, Daftaries, Naib Qasids and Chowkidars to submit attested copy of secondary school certificate within 3 days. The applicant accordingly as per the directions of District and Session Judge Charsadda submitted the secondary school certificate. Copy of the letter dated 03-05-2014 is attached.
8. That consequently joint seniority list dated 10-05-2014 was issued by the District and Session Judge Charsadda whereby the applicant is placed at serial No 7 despite the fact that the applicant not only got his Secondary Certificate in 1993 but was also appointed on 15-07-2003.
9. That mere perusal of the Annexures attached with the instant application and complete record of the applicant would manifest that the applicant has been ignored in the seniority list through out his career in all DPC's. The Recruitment rule of 2003 also supports the applicant.
10. That the applicant has performed his duty throughout his career with complete zeal, enthusiasm and devotion to the entire satisfaction of the high ups.
11. That the applicant is filing this application before your honor as he is legally entitled for consideration in the seniority list of 2003 with all back benefits.

It is, therefore, prayed that the applicant may please be given seniority since 2003 along-with all back benefits.


ATTESTED

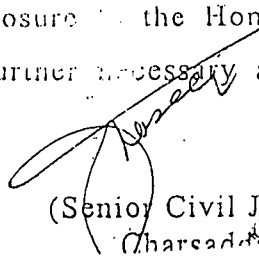
Applicant

Iftikhar Muhammad (Naib Qasid)
29-5-14

OFFICE OF THE SENIOR CIVIL JUDGE / JM, CHARSAKDA.

Endst No. 225 /SCJ, Charsadda

Dated:- 30/05/2014.

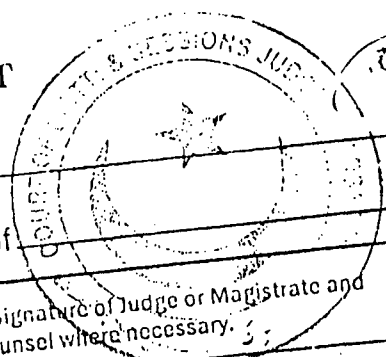
Forwarded in original along with enclosure to the Honorable District & Sessions Judge, Charsadda for further necessary action, please.

ATTESTED

23 JAN 2014
Senior Civil Judge,
Charsadda

26

M. B. D. J. - M. H. J. 10/10/15

FORM 'A'
FORM OF ORDER SHEET



Court of

Charsadda

of

Case No.

Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
3/15 other ms 21/3/15 ms	21/03/2015	<p>Departmental appeal presented by <u>Iftikhar Muhammad, N. Qasid</u> Checked and found correct. Be placed before the learned District & Sessions Judge, Charsadda for order, please.</p> <p><u>AZ</u> 21/3/2015 Superintendent, Sessions Court, Charsadda.</p>
29/10/16	ORDER-01 26/03/2015	<p>Departmental appeal submitted. It be registered in the relevant register. Notice and record to all the concerned be issued for</p> <p>4/4/15</p>
ms 11/1/17	ms	<p>(MUHAMMAD JAMAL KHAN) District & Sessions Judge, Charsadda</p>
ms 699 16		<p>ATTESTED</p> <p><u>[Signature]</u> 23 JAN 2017</p> <p>Copying Agency Branch Courts of Dist & Sessions Judge Charsadda</p>
		<p><u>[Signature]</u> ATTESTED</p>

27

3

Order-02:
21/06/2016

Mr. Fazlullah Advocate present on behalf of appellant namely Iftekhar Muhammad Naib Qasid, with application for early hearing disposal of the instant appeal, which is placed on file. The Superintendent Sessions Court Charsadda was directed to put the Departmental appeal of the appellant for hearing on 23/07/2017 alongwith brief report. Moreover the Moharrir of this court is directed to enter the instant appeal in the relevant register.

(MUHAMMAD ASIF KHAN)
District Judge, Charsadda

Note Reader:
23/07/2016

Appellant present. Counsel for the appellant is not in attendance. The learned Presiding Officer is on Casual leave, therefore, file to come up as before on 03/09/2016.

Reader
District Judge, Charsadda

ATTESTED

O-03

03.09.2016

Iftekhar Muhammad Naib Qasid/ appellant in person present. The legal fraternity is observing strike due to suicidal attack at District Courts, Mardan, therefore, adjourned to 24.9.16 for arguments.

23 JAN 2017

(Muhammad Asif Khan)
District Judge, Charsadda.

Copying /
Courts of District Sessions Judge
Charsadda

Order No. 4
24.10.2016

present while his counsel is not in attendance. This case is adjourned to 08/10/2016 for arguments.

28

(MUHAMMAD ASIF KHAN)
District Judge, Charsadda

ORDER-05
08/10/2016

Applicant Azam Ali Naib Qasid in person present, while his counsel is not in attendance. Request for adjournment made. Allowed and to come up for argument on 27/10/16.

(MUHAMMAD ASIF KHAN)
District Judge, Charsadda

O-06

22.10.2016

Counsel for the applicant present. Arguments heard. File to come up for order on 29/10/16.

(Muhammad Asif Khan)
District & Sessions Judge,
Charsadda.

ATTESTED

ATTESTED
25 JAN 2017
Copied Agency Branch
Courts of Dist & Sessions Judge
Charsadda

Daph: Appeal No. 03/2015 of 20015.

290

Iftikhar Muhammad Naib Qasid
Establishment of Senior Civil Judge
Charsadda.

ORDER
29/10/2016

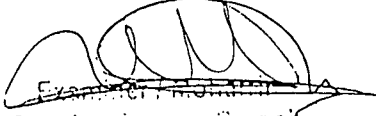
Petitioner and Superintendent, Sessions Court
present.

The instant application has been submitted by the petitioner Iftikhar Muhammad, Naib Qasid for promotion against the post of Naib Nazir in the light of order of Hon'ble Peshawar High Court, Peshawar and Senior Civil Judge, Charsadda.

As per High Court rules only Process Server/ Bailiff of the Process Serving Agency can be promoted as Naib Nazir and a separate seniority list is maintained for Process Servers and Bailiffs, whereas a separate seniority list is maintained for Sweepers, Chowkidars, Naib Qasids and Daftaris. Further more, the establishment of Senior Civil Judge and District & Sessions Judge in the District is separate and accordingly separate seniority lists are maintained for the purpose of seniority of the officials serving under their control. Hence, in view of the above, the petition of the petitioner is not based on valid grounds, which is hereby dismissed.

File be consigned to record room.

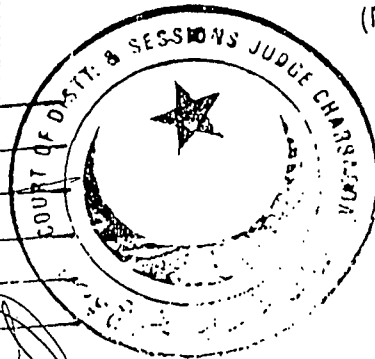
Certified to be True Copy



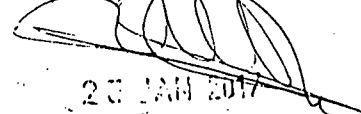
Copying Agency Branch
Court of District & Sessions Judge
Charsadda

Announced
29/10/2016

(MUHAMMAD ASIF KHAN)
District & Sessions Judge,
Charsadda



ATTESTED



23 JAN 2017
Copying Agency Branch
Court of District & Sessions Judge
Charsadda


ATTESTED

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28/11/17
28/11/17

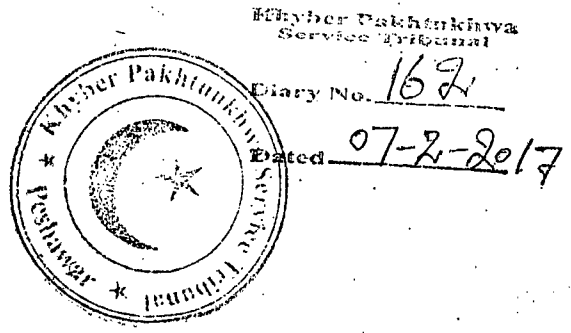
23/11/17

30

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR

In Re:

Appeal No. 183/2017



Iftikhar Muhammad S/o Nisar Khan
R/O Charsadda. By Pass Road Pirana
Boyar Email & Distt. Charsadda.

.....Appellant

Versus

- 1 Senior Civil Judge District Charsadda.
- 2 District and Session Judge Charsadda.
- 3 Registrar Peshawar High Court Peshawar.

.....Respondents

Filed today
[Signature]
Registrar
7/2/17

APPEAL UNDER KPK SERVICE TRIBUNAL ACT 1974, AGAINST THE ORDER OF DISTRICT AND SESSION JUDGE CHARSADDA DATED 29-10-2016 WHEREBY THE PETITION OF THE PETITIONER/ APPELLANT FOR

Re-submitted to -day and filed.
[Signature]
Registrar
15/2/17

Certified to be true copy
[Signature]
REGISTRAR
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

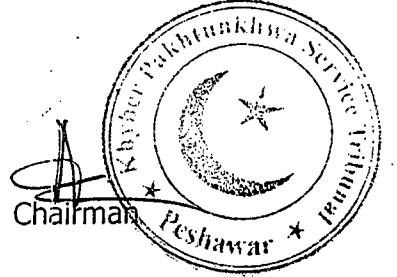
317

27.01.2022

Appellant alongwith his counsel present. Mr. Naseer-ud-Din, Assistant Advocate General for respondents present.

Due to paucity of time, arguments could not be heard. To come up for arguments before the D.B on 01.02.2022.

(Atiq-Ur-Rehman Wazir)
Member (E)



01.02.2022

Appellant alongwith Mr. Muhammad Maaz Madni Advocate/counsel present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

During the course of arguments, it was noted that the matter relates to seniority but the appellant has not pointed out in express term that how he suffered in the matter of his seniority and from whom. It is observed that the seniority give recurring cause of action and if the appellant feels that he has not been given due place in the seniority list, he may identify names of the competitors who were given the advantage of seniority keeping the appellant below them. If so advised, he may bring fresh appeal impleading all the competitors as parties in the appeal. Having come across these observations, learned counsel stated at the bar that this appeal may be dismissed with permission to file fresh appeal after removal of deficiencies. Order is accordingly. File be consigned to the record room.

(Atiq-Ur-Rehman Wazir)
Member (E)

Chairman

ANNOUNCED
01.02.2022

Certified to be true copy

F. WAZIR
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 03/02/22
Number of Words 850
Copying Fee 10/-
Filing Fee 10/-
Date of Issuance of Copy 17/3/22
Date of Delivery of Copy 17/3/22

ANNEXURE

69 (32)

Establishment of the District & Sessions Judge, Charsadda.
Seniority List for the year of 2022 of Officials is as under:

Junior Clerks/Muharrir (BPS-11)

No	Name of officials	Initial appointment	BPS	Date of Birth	Domicile	Date of First Appointment	Date of Arrival	Present Post	Date of Promotion	BPS	Qualification	Remarks
1	Mazhar Husain	Junior Clerk	5	07.06.1977	Charsadda	14.07.2003	16.07.2003	Junior Clerk		11	BA	
2	Abid Jan	Junior Clerk	5	02.01.1982	Charsadda	02.12.2003	03.12.2003	Junior Clerk		11	MA	
3	Riaz Ur rehman	Junior Clerk	5	16.03.1982	Charsadda	02.12.2003	03.12.2003	Junior Clerk		11	MA	
4	Muhammad Riaz Ilah	Junior Clerk	5	18.05.1982	Charsadda	02.12.2003	03.12.2003	Junior Clerk		11	BA	
5	Abid Shah	Junior Clerk	5	10.10.1980	Charsadda	06.12.2003	13.12.2003	Junior Clerk		11	MA	
6	Shahid Ali	Junior Clerk	5	13.04.1979	Charsadda	09.03.2005	10.03.2005	Junior Clerk		11	BA	
7	Shaukat Masih	Sweeper	1	02.02.1971	Charsadda	24.09.2002	00.9.2007	Junior Clerk	26.09.2007	11	Matric	
8	Ghauhar Ali	Chokidar	1	16.04.1981	Charsadda	01.03.2002	00.9.2007	Junior Clerk	26.09.2007	11	Matric	
9	Ishfaq Azam	Junior Clerk	5	14.08.1978	Charsadda	08.08.2008	09.08.2008	Junior Clerk		11	MA	
10	Muhammad Shahid	Junior Clerk	5	15.05.1984	Charsadda	08.08.2008	09.08.2008	Junior Clerk		11	MA	
11	Syed Abdul Haseeb	Junior Clerk	5	20.04.1989	Charsadda	08.08.2008	09.08.2008	Junior Clerk		11	BA	
12	Mujahid Jan	Chokidar	5	16.05.1981	Charsadda	22.07.2003	17.03.2009	Junior Clerk	17.03.2009	11	BA	
13	Gul Zada	Nalb Qasid	5	04.03.1979	Charsadda	15.07.2003	23.07.2012	Junior Clerk	2012	11	Matric	
14	Muhammad Numan	Junior Clerk	5	04.06.1979	Charsadda	21.07.2012	23.07.2012	Junior Clerk		11	BA	
15	Asim Nawaz	Junior Clerk	5	21.02.1985	Charsadda	21.07.2012	23.07.2012	Junior Clerk		11	MA	

TESTED

16	Muhammad Riaz	Junior Clerk	5	03.01.1985	Charsadda	21.07.2012	23.07.2012	Junior Clerk		11	MSC	
17	Irfanullah	Junior Clerk	5	21.03.1985	Charsadda	22.06.2013	25.06.2013	Junior Clerk		11	BA	
18	Abdul Wajid	Chowkidar	1	12.05.1970	Charsadda	21.07.2003	12.08.2017	Junior Clerk	12.08.2017	11	FA	
19	Hayat Khan	Chowkidar	1	18.04.1970	Charsadda	04.12.2003	16.08.2017	Junior Clerk	12.08.2017	11	Matric	
20	Qasim Jan	Sweeper	1	15.05.1977	Charsadda	04.12.2003	02.04.2018	Junior Clerk	31.03.2018	11	BA	
21	Shabeer Khan	Naib Qasid	2	03.03.1993	Charsadda	28.05.2012	02.04.2018	Junior Clerk	31.03.2018	11	Matric	
22	Imran Khan	Junior Clerk	11	21.03.1992	Charsadda	24.05.2018	25.05.2018	Junior Clerk		11	BS Commerce	
23	Muhammad Ishfaq	Junior Clerk	11	01.05.1978	Charsadda	24.05.2018	26.05.2018	Junior Clerk		11	MBA	
24	Ahmad Yar	Naib Qasid	1	20.04.1970	Charsadda	15.07.2003	04.06.2018	Junior Clerk	04.06.2018	11	Matric	
25	Tariq Jan	Sweeper	1	01.01.1981	Charsadda	17.07.2003	04.06.2018	Junior Clerk	04.06.2018	11	Matric	
26	Murad Khan	Sweeper	1	05.01.1983	Charsadda	04.12.2003	05.12.2003	Junior Clerk	04.06.2018	11	Matric	
27	Muhammad Uzair	Junior Clerk	11	13.03.1993	Charsadda	21.01.2019	24.01.2019	Junior Clerk		11	MSC	
28	Muhammad Ali	Junior Clerk	11	30.04.1994	Charsadda	21.01.2019	24.01.2019	Junior Clerk		11	MA	
29	Abdul Ghafar	Naib Qasid	1	20.06.1970	Charsadda	20.11.1995	21.11.1995	Junior Clerk	28.06.2019	11	Matric	
30	Azam Ali Khan	Process Server	1	07.10.1969	Charsadda	21.06.1993	21.06.1993	Junior Clerk	28.06.2019	11	Matric	
31	Deeba Akbar	Junior Clerk	11	03.03.1996	Charsadda	02.12.2019	04.12.2019	Junior Clerk		11	BA/LLB	
32	Nadia Shaukat	Junior Clerk	11	05.02.1995	Charsadda	02.12.2019	03.12.2019	Junior Clerk		11	MSC	

BILAL
 HUSAIN
 11/11/2019

33	Azam Jan	Sweeper	1	05.02.1978	Charsadda	22.11.2001	22.11.2001	Junior Clerk	08.09.2021	11	Matric	
34	Ifitkhar Ali	Naib Qasid	3	30.08.1975	Charsadda	15.07.2003	16.07.2003	Junior Clerk	08.09.2021	11	Matric	
35	Shamsher Khan	Junior Clerk	11	22.11.1994	Charsadda	17.09.2021	17.09.2021	Junior Clerk		11	BS	
36	Shabir Ahmad	Chowkidar	3	02.10.1982	Charsadda	03.04.2014	04.04.2014	Junior Clerk	10.02.2022	11	BA	
37	Tahseenullah	Junior Clerk	11	25.02.2003	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11		
38	Fahad Alam	Junior Clerk	11	25.02.1992	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11		
39	Izhar Ahmad	Junior Clerk	11	14.03.1996	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11		
40	Tauseef Ahmad	Junior Clerk	11	06.03.1994	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BA	
41	Hassan Raza	Junior Clerk	11	28.05.1995	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BS	
42	Ameer Hamza	Junior Clerk	11	31.03.1997	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BS	
43	Ihtisham ul Haq	Junior Clerk	11	08.02.1999	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BS	
44	Salf Ullah	Naib Qasid	3	04.04.1999	Charsadda	10.03.2022	11.03.2022	Junior Clerk		11	BA	From establishment of SCJ
45	Muneeb Jan	Junior Clerk	11	25.01.1993	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BS	
46	Abdul Musawir	Junior Clerk	11	16.04.1996	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	M. Com	
47	Muhammad Jalal	Junior Clerk	11	27.06.1992	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	FSC	
48	Muhammad Naveed Jan	Junior Clerk	11	08.02.2001	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	FSC	
49	Rashid Khan	Junior Clerk	11	13.04.1992	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	MA	

50	Sajjad All	Junior Clerk	11	09.09.1992	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	MA
51	Naveed Kamal	Junior Clerk	11	31.03.1993	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	BA
52	Muhammad Luqman	Junior Clerk	11	02.02.1996	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	MA
53	All Shah	Junior Clerk	11	12.01.2001	Charsadda	10.03.2022	12.03.2022	Junior Clerk		11	FSC
54	Asif Jan	Junior Clerk	11	17.03.1999	Charsadda	10.03.2022	14.03.2022	Junior Clerk		11	

OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHARSADDA.

Endst No. 248 DF-4

Dated 22 03.2022

Copy forwarded to all the learned Judicial Officers and offices of the District for its circulation amongst their staff working in their courts for asking them to file objection if any within a period of 14 days for receipt of this list.

DISTRICT & SESSIONS JUDGE,
CHARSADDA

ATTESTED



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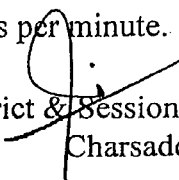
36

OFFICE ORDER.

On the recommendation of the Departmental Promotion Committee held on 08.09.2021, the following officials are hereby promoted to the post mentioned against their name in public interest with immediate effect;

S#	Name of Officials	Existing Post	Promoted to
1	Azam Jan	Daftari (BPS-05)	Junior Clerk (BPS-11)
2	Iftikhar Muhammad	Naib Qasid (BPS-04)	Junior Clerk (BPS-11)
3	Murad Ali	Sweeper (BPS-04)	Daftari (BPS-05)

The above mentioned official are directed to join their new assignment forthwith. They shall remain on probation for one year. During this period of probation, officials at Serial No. 01 and 02 shall acquire/improve typing skill/speed of 30 words per minute.


District & Sessions Judge,
Charsadda.

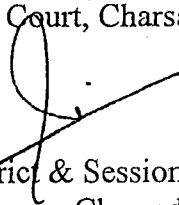
OFFICE OF THE DISTRICT & SESSIONS JUDGE, CHARSADDA.

No. 895-96

Dated 08-9-2021

Copy forwarded for information and necessary action to:

1. The Worthy Registrar Peshawar High Court, Peshawar.
2. The Senior Civil Judge (Admn) Charsadda.
3. The District Accounts Officer, Charsadda.
4. The Budget & Accounts Assistant, Sessions Court, Charsadda.
5. The Official concerned.
6. Office copy.


District & Sessions Judge,
Charsadda.


ATTESTED

(POWER OF ATTORNEY)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

IFTIKHAR MUHAMMAD

VS

DISTRICT JUDICIARY & OTHERS

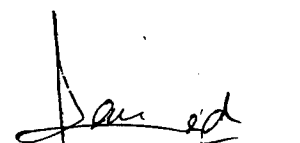
I, Iftikhar Muhammad do hereby nominated and appointed **MUHAMMAD MAAZ MADNI**, Advocate High Court, Peshawar, to be counsel in the above matter for me/us and on my/our behalf as agreed to appear, plead, act and answer in the above court or any appellate court or any court to which the business is transferred in the above matter as and is agreed to sign and file petition, appeals, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc and to apply for and issue summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrants or order and to conduct any proceedings that may arise there out; and to apply for and receive payment of any or all sums or submit the above matter to arbitration, and to employ an other legal practitioner authorizing him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

AND to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.

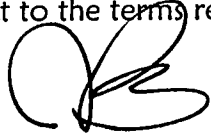
AND I/WE hereby agree to ratify and confirm all lawful acts done on my/our behalf; under or by virtue of these present or of the usual practice in such matter. PROVIDED always that I/WE undertake at the time of calling of the case by the court I/MY authorized agent shall inform the advocate and make him appear in the court, if the case, may be dismissed in default, it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHERE OF I/We hereunto set MY/OUR hand to these presents, the contests of which have been explained to and understood by ME/US this 12th day of April 2022.

EXECUTANT


(Iftikhar Muhammad)

Accepted subject to the terms regarding fees:



MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT, PESHAWAR
BC No.(BC-11-1460)
CNIC No. 17101-9263898-1

OFFICE: KHATTAK LAW ASSOCIATES, TF-291 & 292, Deans Trade Centre, Peshawar Cantt.:
Contact#: 0333-9313113, 0345-9090737

(POWER OF ATTORNEY)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

IFTIKHAR MUHAMMAD

VS

DISTRICT JUDICIARY & OTHERS

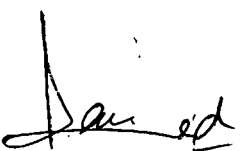
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AND to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.

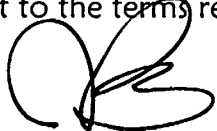
AND I/WE hereby agree to ratify and confirm all lawful acts done on my/our behalf; under or by virtue of these present or of the usual practice in such matter. PROVIDED always that I/WE undertake at the time of calling of the case by the court I/MY authorized agent shall inform the advocate and make him appear in the court, if the case, may be dismissed in default, it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHERE OF I/We hereunto set MY/OUR hand to these presents, the contests of which have been explained to and understood by ME/US this 12th day of April 2022.

EXECUTANT


(Iftikhar Muhammad)

Accepted subject to the terms regarding fees:



MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT, PESHAWAR
BC No.(BC-11-1460)
CNIC No. 17101-9263898-1