
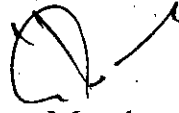


06.03.2019 Appellant absent. Learned counsel for the appellant absent. Adjourn. To come up for further proceedings on 08.04.2019 D.B.

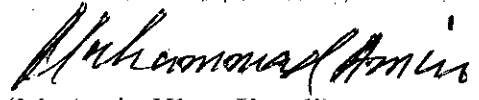
  
Member


  
Member

08.04.2019  
Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Counsel for the appellant requested for withdrawal of the instant appeal. In this respect his signature also obtained in the margin of the order sheet. Request accepted and the appeal in hand is therefore, dismissed as withdrawn. File be consigned to the record room.

Announced:  
08.04.2019

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

*I want to withdraw  
the instant appeal.*  


26.11.2018

Mr. Muzamil Advocate counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on ~~18~~ 12.2018 before D.B.

  
Member

  
Member

13.12.2018

Junior to counsel for the appellant present. Mr. M. Arif, Supdt alongwith Mr. Muhammad Jan, DDA for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 04.02.2019 before D.B.

  
Member

Member

04.02.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Muhammad Arif Superintendent present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 06.03.2019 before D.B.

  
Member

  
Member

2018

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General alongwith Javid Senior Clerk for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. Junior to counsel for the appellant is directed to produce member copy on the next date fixed as 13.08.2018. To come up for arguments on the date fixed before D.B.



(Muhammad Amin Kundi)  
Member



(Muhammad Hamid Mughal)  
Member

13.08.2018

Mr. Asad Mehmood, Advocate junior to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Counsel for the appellant made a request for adjournment. Being an old case of 2013 adjournment granted but as a last change. Case to come up for arguments on 09.10.2018 before D.B.



Member



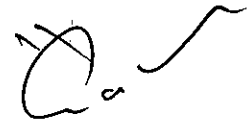
Chairman

09.10.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as his senior counsel is not available in today. Adjourned. To come up for arguments on 26.11.2018 before D.B.




Member




Member

22.01.2018


Clerk of the counsel for appellant present. Mr. Muhammad Jan, DDA for the respondents present. Clerk of the counsel for appellant seeks adjournment as his senior counsel is not available today. Adjourn. To come up for arguments on 14-3-18 before D.B.


  
Member

  
Chairman

14.03.2018

Appellant present. Learned counsel for the appellant is absent. However, junior to learned senior counsel for the appellant present and seeks adjournment. Mr. Riaz Ahmed Painda Kheil, Assistant AG along with Mr. Ibrar Ali, Assistant Secretary for the respondents present. Adjourned. To come up for arguments on 07.05.2018 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

07.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for same on 16.06.2018 before D.B.

  
Member


8/9/2017

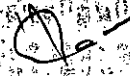
Agent to counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Mukhtiar Ahmad, Assistant Secretary for the respondents present. Arguments could not be heard due to non-availability of DB. To come up for arguments on 13/10/2017 before DB.

  
(Muhammad Hamid Mughal)  
MEMBER

13.10.2017

Junior counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for official respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourn. To come up for arguments on 21.11.2017 before D.B.


  
(Muhammad Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

21.11.2017

Junior to counsel for the appellant present. Mr. Muhammad Jan, DDA for the respondents present. Junior to counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. Adjourn. To come up for arguments on 22.01.2018 before D.B.

  
(Gul Zeb Khan)  
Member

  
(Muhammad Hamid Mughal)  
Member

498/2013

30.11.2016

Appellant with counsel, M/S Mukhtiar Ali, Superintendent & Bahadar Khan, Assistant alongwith Mr. Ziaullah, GP for official respondents 1 to 4 present. Reply on application submitted by the official respondents which is placed on file. The Member copy of the present appeal is not available before the Tribunal. The appellant is directed to submit the Member copy of the present appeal on or before the next date of hearing. To come up for arguments on 10.1.17 before D.B. Till then impugned order dated 09.09.2016 is suspended.



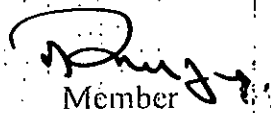
(ABDUL LATIF)  
MEMBER



(PIR BAKHSH SHAH)  
MEMBER

10.01.2017

Counsel for the appellant and Mr. Mukhtiar Ali, Supdt. and Bahadar Khan, Asstt alongwith Asstt. AG for the official respondents and counsel for private respondent No. 42 present. Senior counsel for the appellant is not in attendance. Adjourned for final hearing before D.B to 17.05.2017.



Member



Chairman

17.05.2017

Clerk of the counsel for appellant present. Mr. Muhammad Ibrar, Assistant Secretary alongwith Mr. Muhammad Jan, Deputy District Attorney for official respondents No. 1 & 4 and counsel for private respondents also present. Clerk of the counsel for appellant is directed to furnish the Member copy of the instant appeal on the next date. Adjourned. To come up for arguments on 08.09.2017 before D.B.



(GUL ZEB KHAN)  
MEMBER




(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

Appeal No 498/203  
Harsoat Yousof vs Govt

21.09.2016

Counsel for the applicant/appellant present. On the application of learned counsel for the applicant/appellant file requisitioned for today. The learned counsel for the applicant/appellant argued that the appellant worked as Naib Tehsildar for almost 10 years. He further argued that his promotion from Naib Tehsildar was made on the basis of directions of the Service Tribunal dated 22.02.2010 followed by Execution Petition decided on 29.11.2010 and the impugned order of reversion dated 09.09.2016 was illegal, one sided and based on malafide. He requested for suspension of the impugned order dated 09.09.2016 till the date fixed for hearing of the main appeal which is 03.11.2016. Request is accepted. The impugned order dated 09.09.2016 is suspended till the date of hearing of main appeal. To come up for arguments on 03.11.2016 before D.B. Notice be issued to the respondents accordingly.

  
Member

03.11.2016

Mr. Taimoor Khan, Junior to counsel for the appellant, M/S Muhammad Ibrar, Assistant Secretary, Mukhtiar Ali, Superintendent & Bahadar Khan, Assistant alongwith Mr. Muhammad Jan, GP for official respondents No. 1 to 4 and counsel for private respondent No. 42 present. None present on behalf of private respondent No. 31 therefore, fresh notice be issued to him alongwith with his counsel. Junior to counsel for the appellant requested for adjournment due to engagement of his senior counsel before the Hon'ble Peshawar High Court. Official respondents also requested for time to file reply on stay application. Request accepted. To come up for reply on stay application as well as arguments on main appeal on 30.11.16 before D.B. The impugned order dated 09.09.2016 is suspended till the date fixed.

  
(ABDUL LATIF)  
MEMBER

  
(PIR BAKI SH SHAH)  
MEMBER

19.5.2016

Agent to counsel for the appellant and Mr. Ataullah, Assistant Secretary alongwith Mr. Ziaullah, GP respondents present. Arguments could not be heard due to strike of the bar. To come up for arguments on 11.10.2016.

Member

Member

11.07.2016

Since 11<sup>th</sup> October 2016 has been declared as public holiday on account of Muharram, therefore, the case is re-fixed for arguments on 8.9.2016. Parties be informed accordingly.

Member

08.09.2016

Counsel for the appellant and Mr. Bahadar Khan, Assistant alongwith Additional AG for official respondents No. 1 to 4 and counsel for private respondent No. 42 present. It was stated before the Tribunal that against the impugned seniority list, there is appeal of private respondent No. 42 namely Mr. Himayatullah Qureshi pending before this Tribunal. Having close connection, both the appeal be clubbed together and be placed for arguments. To come up for arguments alongwith appeal of private respondent No. 42 Himayatullah Qureshi on 3-11-16 before D.B.

Member

Member

*Handwritten notes on the left margin:*  
13/7/16  
noted  
Mr. Ziaullah  
GP respondents

*Handwritten diagonal line at the bottom of the page.*



498/12

10.06.2015

Counsel for the appellant, M/S Mukhtiar Ali, Supdt. for respondent No. 1, Muhammad Iqbal, Assistant for respondent No. 2 alongwith Addl: A.G for official respondents No. 1 to 4, private respondent No. 31 in person and counsel for private respondent No. 42 present. Comments on behalf of private respondent No. 31 submitted. Wakalat Nama on behalf of respondent No. 39 also submitted and requested for further time for submission of written reply. The same be furnished within 7 days and no further adjournments would be allowed to the said respondent for submission of written statement. The appeal is assigned to D.B for rejoinder and final hearing for 11.11.2015.

  
Chairman

11.11.2015

Appellant with counsel, Mr. Ziaullah, GP with Mukhtiar Ali, Supdt. for the official respondents and counsel for private respondent No. 42 present. Since the court time is over, therefore, case is adjourned to 16-3-16 for arguments.

  
Member

  
Member

16.03.2016

Clerk to counsel for the appellant and Mr. Mukhtiar Ali, Supdt. alongwith Mr. Muhammad Jan, GP for official respondents No. 1 to 4 present. Learned counsel for the appellant was stated to be busy before the Hon'ble Peshawar High Court. To come up for arguments on 19-5-16 before D.B.

  
MEMBER

  
MEMBER

498/14

30.10.2014

Counsel for the appellant, Mr. Muhammad Jan, GP with Mukhtiar Ali, Supdt. for official respondents No. 1 to 4 who already filed written reply on behalf of respondents No. 1 & 4 requested that the reply may be considered for respondents No. 2 & 3 also. Arbab Saiful Kamal Advocate for respondent No. 42 present and reply filed. Copy handed over to counsel for the appellant. Counsel for private respondent No. 39 and private respondent No. 48 in person present and requested for further time. Last chance is given to them for submission of written reply on 22.12.2014.

  
MEMBER

22.12.2014

Clerk to counsel for the appellant and Mr Muhammad Jan, GP with Mukhtiar Ali, Supdt for the official respondents present. The Tribunal is incomplete. To come up for the same on 26.02.2015.

  
MEMBER

26.02.2015

Counsel for the appellant, M/S Mukhtiar Ali, Supdt. for respondent No. 1, Iqbal, Assistant for respondent 2 alongwith Addl: A.G for official respondents , private respondent No. 31 in person, counsel for private respondent No. 39 and counsel for private respondent No. 42 present. Private respondent No. 31 and learned counsel for private respondent No. 39 requested for adjournment. Last opportunity granted for submission of written reply for 10.06.2015 before S.B.

  
Chairman

498/13

09.6.2014

Appellant with counsel, Mr. Muhammad Jan, GP with Mir Qasam, Assistant Secretary for respondents No. 1 & 4 present who already filed written reply. Private respondent No. 31, 37 in person, Mr. Saadullah Khan, Marwat Advocate/counsel for respondent No. 42, and Bilal Ahmad, Kakaizai, Advocate/counsel for respondent No. 39 present and requested for further time. Counsel for the appellant submitted fresh addresses of respondents No. 5, 10, 16, 26, 33, 41, 47, 48, 52, 55, 58, 62, 66, 75, 76, 79, 83, 84, 116, 122, 126 and 128, list is available in connected appeal No.497/2013. Fresh notices be issued to them through registered post. Notices have not been issued to respondents No. 2 & 3. Fresh notices should also be issued to respondents No. 2 & 3. No one is available on behalf of other private respondents, nor their written reply received, hence placed ex-parte. To come up for written reply/comments on 09.09.2014.

MEMBER

MEMBER

09.09.2014

Counsel for the appellant, Mr. Muhammad Jan, GP with Mukhtiar Ali, Supdt. and Muhammad Iqbal, Assistant for official respondents No. 1 to 4 present who already filed written reply. Private respondent No. 42 with counsel, Counsel for private respondent No. 39, and private respondent No. 48 in person present and requested for time. Private respondents No. 6, 10, 16, 26, 33, 41, 47, 52, 55, 58, 62, 66, 75, 76, 79, 83, 84, 116, 122, 126- and 128 have been served on their fresh addresses but not present, hence placed ex-parte. To come up for written reply of respondents No. 2, 3, 39, 42 and 48 on 30.10.2014.

MEMBER

498/13

8.1.2014

Appellant with counsel, Mr. Muhammad Adeel Butt, AAG with Mir Qasam Assistant Secretary for respondent No.1 and 4 present and requested for adjournment. Private respondent No. 35, 37, 40, 42, 64, 69,78, and 80 in person present and requested for adjournment. None is available on behalf of other respondents. Notices of respondents No. 5, 10, 26, 33, 39, 41, 47, 49, 52, 55, 58, 62, 66, 75, 76, 79, 83, 100, 116, 122, 126, and 128 received back. Counsel for the appellant is directed to furnish their fresh address within 10 days. Notices be issued to all the respondents except respondents No. 1, 4, 35, 37, 40, 42, 64, 69,78, and 80. To come up for written reply on 2.4.2014.

2.4.2014

Appellant with counsel, Mr. Muhammad Jan, GP with Mir Qasam, Assistant Secretary for respondents No. 1 and 4 present and reply filed. Copy handed over to counsel for the appellant. Private respondents No. 6, 7, 9, 12, 15, 17, 18, 19, 20, 30, 31, 37, 39, 42, 109, 110, 111, in person present and requested for time. Counsel for the appellant is directed to produce fresh addresses of the private respondents as per previous order sheet. Fresh notices be issued to official respondents No. 2, 3 and all other private respondents, who were not present to-day. To come up for written reply of respondents No. 2, 3 and all the private respondents on 9.6.2014.

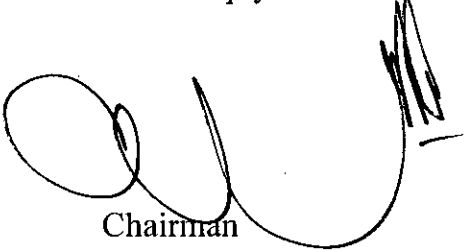
MEMBER

MEMBER


Appeal No. 498/2013.  
Mr. Herzog yourself.

7. 30.10.2013.

Appellant with counsel present and heard. The learned counsel for the appellant, inter-alia, contended that the appellant had lodged Service Appeal in this Tribunal, which was disposed of by the Tribunal vide order dated 22.2.2010, directing the respondents-department to place the case of the appellant before the next Departmental Promotion Committee meeting for consideration on merits, and departmental appeal of the appellant was also decided by the SMBR Khyber Pakhtunkhwa (respondent No. 1) vide order dated 11.11.2010, declaring the promotion of the appellant to the post of Naib Tehsildar (BPS-14) on regular basis w.e.f. 4.7.2006, and the order of SMBR was also incorporated in the order dated 11.11.2010, therefore, the implementation/execution petition was also disposed of by the Tribunal on 29.11.2010; but in the tentative seniority list, the appellant was not assigned his rightful place, leading to the objection to the tentative seniority list by the appellant, however, the final seniority list of Naib Tehsildar (BPS-14) as it stood on 31.12.2010 again denied the rightful position of the appellant in the seniority list. The learned counsel for the appellant maintained that against the final seniority list the appellant preferred departmental appeal when received no response within the statutory period, <sup>he lodged</sup> hence, the instant appeal. Points raised at the Bar need consideration. The appeal is admitted to regular hearing. Process fee and security be deposited within 10 days. Thereafter, notices be issued to the respondents for written reply/comments on 8.1.2014.

  
Chairman

8. 30.10.2013

This case be put up before the Final Bench  for further proceedings.

  
Chairman

4  
15.5.2013

Appellant present in person. In pursuance of the Khyber Pakhtunkhwa Service Tribunal (Amendment) Ordinance, 2013 (Khyber Pakhtunkhwa Order No. II of 2013), the case is adjourned on note Reader for proceeding as before on 27.6.2013.

  
Reader

5  
27.6.2013

Munshi for the Counsel present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 22.08.2013.

6  
23.08.2013

Since 22<sup>nd</sup> August 2013 has been declared as local holiday on account of by-Election, therefore, case is adjourned to 30<sup>th</sup> 10.2013 for preliminary hearing.

  
Reader

  
Member

3.

15.4.2013

Counsel for the appellant present and requested for adjournment. Case adjourned to 15.5.2013 for preliminary hearing.





Member

*[A long, thin, handwritten line or signature mark extending diagonally across the page.]*

Form- A  
FORM OF ORDER SHEET

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

Case No. 498/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/02/2013	<p>The appeal of Mr. Hazrat Yousaf resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>15-4-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2	1-3-2013	




The appeal of Mr. Hazrat Yousaf received today i.e. on 06/02/2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15-day.

- 1- Memorandum of appeal is unsigned which may be got signed.
- ✓ 2- Addresses of respondent No. 5 to 146 are incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Wakalat Nama in favour of appellant is not attached with the appeal which may be placed on it

No. 262/S.T.

Dt. 06/02/2013.

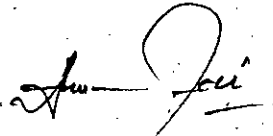
  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

M.ASIF YOUSAFZAI ADV.PESH.

Sir,

1. Removed
2. Addresses given in the heading of appeal are latest to correct for information
3. Removed

Resubmitted



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

Appeal No.498/2013

Mr. Hazrat Yousaf

V/S

SMBR & Others.

.....

**CORRECT ADDRESSES OF THE  
PRIVATE RESPONDENTS**

**RESPECTFULLY SHEWETH:**

1. That the above mentioned appeal is pending before the august Tribunal and on last date of hearing the august Tribunal directed to submit the current addresses of the private respondents.
2. That the correct addresses of the private respondents Nos.6, 11, 17, 27, 34, 40, 42, 48, 49, 53, 56, 59, 63, 67, 76, 77, 80, 84, 85, 117, 123, 127 & 129 as per directions of the Honorable Tribunal is as under:

**Respondent No.**

**Correct Addresses:**

Respondent No. ~~06~~<sup>5</sup> Abdur Rehman Shah, Tehsildar,  
Dera Ismail Khan.

Respondent No. ~~10~~ Abdul Qayum, Tehsildar, Karak  
(Retired from service on 2.1.2014)

Respondent No. ~~16~~ Iftikhar Ahmad, Tehsildar,  
N. H. A Mansehra.

Respondent No. ~~27~~<sup>26</sup> Fatehullah, Political Naib Tehsildar,  
Dosali, North Waziristan Agency.

Respondent No. ~~34~~<sup>33</sup> Qutab Khan, Tehsildar, Havelia,  
District Abbottabad.

Respondent No. ~~40~~<sup>39</sup> Salim Asmat, Naib Tehsildar,  
Gomal Irrigation, DI Khan.

- Respondent No. ~~42~~ 41 Habib Ahmad, Naib Tehsildar,  
Judicial, Swat.
- Respondent No. ~~48~~ 47 Niamatullah Khan, Political  
Naib Tehsildar, Toikhullah,  
South Waziristan.
- Respondent No. ~~49~~ 48 Naik Muhammad, Political Tehsildar,  
Bara, Khyber Agency.
- Respondent No. ~~53~~ 52 Muhammad Ayub, Political  
Naib Tehsildar, Tiarza,  
South Waziristan.
- Respondent No. ~~56~~ 55 Shakirullah, Head-Clerk,  
Revenue Peshawar.
- Respondent No. ~~59~~ 58 Imtiaz Ali Shah, Political  
Naib Tehsildar, Centra Aurakzai  
Agency.
- Respondent No. ~~63~~ <sup>62</sup> Amir Nawaz, Political Naib Tehsildar,  
Wana.
- Respondent No. ~~67~~ 66 Shamsul Islam, Political Naib  
Tehsildar, Euka Ghund,  
Mohmand Agency.
- Respondent No. ~~76~~ 75 Zahid Younis, Political Tehsildar,  
(Mahal), Kurram Agency.
- Respondent No. ~~77~~ 76 Niamatullah, Naib Tehsildar,  
Mastuj, Chitral.
- Respondent No. ~~80~~ 79 Sher Ali Khan, Head Clerk,  
Revenue, Swat.
- Respondent No. ~~84~~ 83 Mujahid Ali, Political Naib Tehsildar,  
Safi, Mohmand Agency.
- Respondent No. ~~85~~ 84 Mohammad Suhail, Section Officer,  
Finance Department, Peshawar.
- Respondent No. ~~117~~ <sup>116</sup> Ahmad Ali, Political Naib Tehsildar,  
Salarzai, Baiaur Agency.

Respondent No. ~~123~~<sup>122</sup> Sher Dil, Tehsildar, Oogai, District  
Manseha.


Respondent No. ~~127~~<sup>126</sup> Nawab Gul, Political Naib Tehsildar,  
Mulagori, Khyber Agency.

Respondent No. ~~129~~<sup>128</sup> Shakil-ur-Rehman, Naib Tehsildar,  
C/O Secretary FATA, Peshawar.

It is, therefore, most humbly prayed that the notices  
may be issue dot the private respondents.

APPELLANT  
Hazrat Yousaf

THROUGH:

  
( M. ASIF YOUSAFZAI )  
ADVOCATE, PESHAWAR.

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

Appeal No. 498 /2013

Mr. Hazrat Yousaf.

V/S

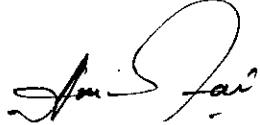
SMBR & Others.

**INDEX**

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-13
2.	Copy of Order of Service Tribunal dated 22.2.2010.	- A -	14-16
3.	Copy of Order of SMBR (11.1.2010)	- B -	17-18
4.	Copy of Office Order (1.11.2010)	-C-	19
5.	Copy of Tribunal Order (29.11.2010)	- D -	20-21
6.	Copy of Objection Petition with Covering letter	- E -	22-23
7.	Copy of Final List	- F -	24-36
8.	Copy of Appeal	- G -	37-42
9.	Vakalat Nama	-----	43

APPELLANT  
Hazrat Yousaf

THROUGH:

  
( M. ASIF YOUSAFZAI )  
ADVOCATE, PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

APPEAL NO. 498 /2013.

**P.W. J. Peshawar**  
No. 382  
Dated 06-2-2013

Hazrat Yousaf, Naib Tehsildar,  
Kander District Torghar.....Appellant.

VERSUS

- ① The Senior Member Board of Revenue KPK Peshawar
- ② The Commissioner, Hazara Division Abbottabad
- ③ District Officer (R&E) Torghar.
- ④ Assistant Secretary (Estt:) Board of Revenue Govt:of Khyber  
Pakhtunkhwa Peshawar.

⑤ Mr. Abdur Rehman Shah, Tehsildar Dagar Bunir on Acting Charge  
S.No. 19 of the seniority list.

6- Mr. Sarir Ahmed ,Tehsildar Reconciliation Peshawar on Acting Charge.  
S.No. 20 of the seniority list.

7- Mr. Muhammad Riaz Tehsildar Recovery Officer PESCO Peshawar  
Circle on Acting charge S.No. 22 of the seniority list.

8- Mr. Attaullah Tehsildar Charsadda on Acting charge S.No. 23 of the  
seniority list.

9- Mr Musadiq Hussain Tehsildar Inspector Stamps Bannu on Acting  
charge S.No. 24 of the seniority list.

10- Mr Abdul Qayyum Tehsildar Karak on Acting charge S.No. 25 of the  
seniority list.

11- Mr Muhammad Nawaz Tehsildar Battagram on Acting charge S.No. 26  
of the seniority list.

12- Mr MIR Liaq Tehsildar Revenue Officer Khyber Bank Peshawar on  
Acting charge S.No. 27 of the seniority list.

13- Mr. Nouman Ali Shah Tehsildar Political Tehsildar lower Orakzai  
Agency on Acting charge S.No. 28 of the seniority list.

*All other private respondents in circle except are placed ex-parte vide order sheet dated 9-6-14*

*Submitted to 12-  
and filed.*

*6/2/13  
28/2/13*

- 21
- 14- Muhammad Bashir Tehsildar Manséhra òn Acting charge S.No. 29 of the seniority list.
  - 15- Mr.Hidayat ullah Naib Tehsildar Behrain Swat S.No. 30 of the seniority list.
  - 16- Mr.Iftikhar Ahmad Naib Tehsildar Mansehra S.No. 31 of the seniority list.
  - 17- Mr.Ghulam sarwar Naib Tehsildar Martoong Shangla. S.No. 32 of the seniority list.
  - 18- Mr.Farzand Ali Naib Tehsildar Khwazakhela Swat S.No. 33 of the seniority list.
  - 19- Mr . Said Rahim Naib Tehsildar Recovery Officer PESCO SWAT S.No. 35 of the seniority list.
  - 20- Mr.Fazli Raziq Naib Tehsildar Judicial swat S.No. 36 of the seniority list.
  - 21- Mr.Shah Nawaz Naib Tehsildar Lakki Marwat S.No. 37of the seniority list.
  - 22- Mr. Asmat ullah Naib Tehsildar Nourang Lakki Marwat.S.No. 38of the seniority list.
  - 23- Mr.S.Mazhar Hussain Shah Naib Tesildar Panyala D.I Khan S.No. 39 of the seniority list.
  - 24- Mr. Hussian Bakhash Naib Tehsildar D.I.Khan S.No. 40 of the seniority list.
  - 25- Mr.Abdur-Rashid Naib Tehsildar DRA Tank. S.No. 41 of the seniority list.
  - 26- Mr.Fateh ullah Naib Tehsildar Tank S.No. 42 of the seniority list.
  - 27- Mr. Mohammad Akram Naib Tehsildar PNT, SWA S.No. 43 of the seniority list.
  - 28- Mr.Mulazim Hussian Naib Tehsildar Tank S.No. 44 of the seniority list.
  - 29- Mr. Mod Israr Naib Tehsildar DRA Bannu S.No. 45 of the seniority list.
  - 30- Mr.Afazal Khan Naib Tehsildar Barikot Swat S.No. 46 of the seniority list.
  - 31- Mr.Anwar -ul-Haq Naib Tehsildar Gagra Bunir S.No. 47 of the seniority list.

32- Mr.Muhammad Farooq Anwar Naib Tehsildar NT Irrigation Porowa  
D.I.Khan S.No. 49 of the seniority list.

33- Mr.Kutab Khan Naib Tehsildar DRA Tank S.No. 50 of the seniority list.

34- Mr .Ghulam Qasim Naib Tehsildar NT D.I.Khan S.No. 51 of the  
seniority list.

35- Mr.Qadratullah Naib Tehsildar DK D.I.Khan S.No. 52 of the seniority  
list.

36- Mr Aftab Hussian Shah Naib Tehsildar NT Settlement Abbottabad S.No.  
53 of the seniority list.

37- Mr.Sikandar Hayat Shah Naib Tehsildar DRA Lakki Marwat S.No. 54  
of the seniority list.

38- Mr.Ghulam Abbas Naib Tehsildar land Acquisition Lakki Marwat .S.No.  
55 of the seniority list.

39- Mr.Saleem Asmat Naib Tehsildar Hangu S.No. 56 of the seniority list.

40- Mr. Raqibas Khan Naib Tehsildar DRA Bannu S.No. 57 of the seniority  
list.

41- Mr.Habib Ahmad Naib Tehsildar Totalai Bunir S.No. 58 of the seniority  
list.

42- Mr.Himayat Ullah Qureshi Naib Tehsildar Sub Registrar Tank S.No. 59  
of the seniority list.

43- Mr.Adullah Jan Naib Tehsildar NT Shabqadar S.No. 60 of the seniority  
list.

44- Mr. Miraj Muhammad Naib Tehsildar NT Torkham S.No. 61 of the  
seniority list.

45- Mr.Nazir Ahmad Naib Tehsildar Toorghar S.No. 62 of the seniority list.

46- Mr. Muhammad Ziafat Naib Tehsildar Haripur S.No. 63 of the seniority  
list.

47- Mr.Naimat Ullah Khan Naib Tehsildar/ DRA D.I.Khan S.No. 65 of the  
seniority list.

48- Mr.Naik Muhammad Naib Tehsildar Reader to Commissioner Peshawar  
S.No. 66 of the seniority list.

49- Mr. Amanullah Naib Tehsildar HCR D.I.Khan S.No. 67 of the seniority  
list.



- 50- Mr Shah Zaman Naib Tehsildar Irrigation Tank. S.No. 68 of the seniority list.
- 51- Mr. Abdur Rashid Naib Tehsildar D.I.Khan S.No. 69 of the seniority list.
- 52- Mr . Muhammad Ayub Naib Tehsildar DRA Tank S.No. 70 of the seniority list.
- 53- Mr. Amir Muhammad Naib Tehsildar HCR Swabi S.No. 71 of the seniority list.
- 54- Mr.Maqboolur Rehaman Naib Tehsildar/ PNT FR Bannu S.No. 72 of the seniority list.
- 55- Mr.Shakir Ullah Naib Tehsildar/ PNT Khyber Agency S.No. 73 of the seniority list.
- 56- Mr.Munir Ahamad Naib Tehsildar /PNT SWA S.No. 74of the seniority list.
- 57- Mr.Rahamd Ullah Khan Naib Tehsildar DRA Lakki Marwat S.No. 75 of the seniority list.
- 58- Mr.Imtiaz Ali Shah Naib Tehsildar/ PNT FR Kohat S.No. 76 of the seniority list.
- 59- Mr.Khalid Khan Naib Tehsildar /PNT Bajaur Agency S.No. 77of the seniority list.
- 60- Mr.Fazli Wadood Naib Tehsildar /PNT Shewa NWA S.No. 78 of the seniority list.
- 61- Mr.Irshad Ali Naib Tehsildar /PNT Mohmand S.No. 79 of the seniority list.
- 62- Mr.Amir Nawaz Naib Tehsildar/ PNT SWA S.No. 80 of the seniority list.
- 63- Mr.Shah Wazir Naib Tehsildar PNT /NWA S.No. 81 of the seniority list.
- 64- Mr.Sikandar Khan Naib Tehsildar/ DRA Shangla S.No. 82 of the seniority list.
- 65- Mr.Ishtiaq Ahamad Khan Naib Tehsildar Darosh Chitral S.No. 83 of the seniority list.
- 66- Mr.Shamsul Islam Naib Tehsildar Malakand S.No. 84 of the seniority list.
- 67- Mr. Allah Noor ,Naib Tehsildar /PNT SWA S.No. 85 of the seniority list.

S

- 68- Mr Muhammad Tariq Aziz, Naib Tehsildar/ PNT NWA S.No. 86 of the seniority list.
- 69- Mr Muhammad Ilyas Naib Tehsildar Matta Swat S.No. 87 of the seniority list.
- 70- Mr. Yasir Salman Kundi Naib Tehsildar Stamp Inspector Bannu S.No. 88 of the seniority list.
- 71- Mr. Yadullah Khan Khattak Naib Tehsildar. NT Gagra Bunir S.No. 89 of the seniority list.
- 72- Mr. Ahmad Hashmi Naib Tehsildar. PDA Peshawar S.No. 90 of the seniority list.
- 73- Mr. Aminullah Khan, Naib Tehsildar. Pharapur D.I. Khan. S.No. 91 of the seniority list.
- 74- 77. Mr. Islahud Din, Naib Tehsildar. Katlang Mardan S.No. 92 of the seniority list.
- 75- 78. Mr. Zahid Younis, Naib Tehsildar/ PNT FR Kohat S.No. 93 of the seniority list.
- 76- Mr. Niamatullah Naib Tehsildar. DRA Malakand. S.No. 94 of the seniority list.
- 77- Mr. Muhammad Riaz, Naib Tehsildar. Dir Lower S.No. 95 of the seniority list.
- 78- Mr. Muhammad Yar Naib Tehsildar. Batkhela. Malakand S.No. 96 of the seniority list.
- 79- Mr. Sher Ali Khan Naib Tehsildar/ PNT Bajaur S.No. 97 of the seniority list.
- 80- Mr. Manawer Shah, Naib Tehsildar Balambat Dir lower S.No. 98 of the seniority list.
- 81- Mr. Iftikharud Din, Naib Tehsildar. Land Acquisition Charsadda. S.No. 99 of the seniority list.
- 82- Mr. Younis Khan, Naib Tehsildar. NT Mardan S.No. 100 of the seniority list.
- 83- Mr. Mujahid Ali Naib Tehsildar/ HCR Nowshera S.No. 101 of the seniority list.

6

- 84- Syed Abdul Akbar Shah, Tehsildar. Anticorruption Peshawar S.No. 102 of the seniority list.
- 85- Syed Sultan Haider Shah, Naib Tehsildar. HCR Commissioner office Peshawar. S.No. 103 of the seniority list.
- 86- Mr.Aftab Ahmad, Naib Tehsildar/ DRA Peshawar. S.No. 104 of the seniority list.
- 87- Mr.Dil Nawaz Khan,Naib Tehsildar Chota Lahor Swabi S.No. 105 of the seniority list.
- 88- Mr. Kifayatullah ,Naib Tehsildar. Qasba Peshawar. S.No. 106 of the seniority list.
- 89- Mr. Faqir Hussain,Naib Tehsildar. Pabi Nowshera S.No. 107 of the seniority list.
- 90- Mr. Zulfiqar Khan,Naib Tehsildar Topi Swabi S.No. 108 of the seniority list.
- 91- Mr.Waqar Ahmad,Naib Tehsildar. Batagram.S.No. 109 of the seniority list.
- 92- Muhammad Faraz Qureshi, Naib Tehsildar. Balakakot Mansehra. S.No. 110 of the seniority list.
- 93- Mr.Fazlur Rehman,Naib Tehsildar .Haripur S.No. 111 of the seniority list.
- 94- Mr.Farukh Jadoon,Naib Tehsildar. NHA Abbottabad. S.No. 112 of the seniority list.
- 95- Mr.Fayaz Ahmad,Naib Tehsilda Ghazi Haripur.S.No. 113 of the seniority list.
- 96- Mr.Bilal Ahmad,Naib Tehsildar/HCR Haripur S.No. 114 of the seniority list.
- 97- Mr. Tanveer Shahzad,Naib Tehsildar Settlement Mansehra. S.No. 115 of the seniority list.
- 98- Mr. Ijaz Ahmad,Naib Tehsildar. Abbottabad S.No. 116 of the seniority list.
- 99- Mr. Muhammad Salim, Naib Tehsildar, PESCO Abbottabad S.No. 117 of the seniority list.

- 100- Mr.Muhammad Sohail, Naib Tehsildar.(PMS) S.No. 118 of the seniority list.
- 101- Mr. Sajid Saleem Naib Tehsildar/PNT FR D.I.KHAN S.No.119 of the seniority list.
- 102- Mr.Adil Waseem Naib Tehsildar Daudzai Peshawar .S.No. 120 of the seniority list.
- 103- Mr.Tanzil-ur-Rehman Naib Tehsildar/ PNT Orakzai S.No. 121 of the seniority list.
- 104- Mr. Qazi Muhammad Aslam Naib Tehsildar Land Acquisition Mansehra. S.No. 122 of the seniority list.
- 105- Mr. Abdul Qayum Naib Tehsildar Besham Shangla. S.No. 123 of the seniority list.
- 106- Mr.Roohul Amin Naib Tehsildar Banda Daud Shah Karak S.No. 124 of the seniority list.
- 107- Mr. Qianoos Naib Tehsildar Kohat. S.No. 125 of the seniority list.
- 108- Mr. Khurshid Ali Naib Tehsildar Batkhela Malakand. S.No. 126 of the seniority list.
- 109- Mr. Latifur Rehman Naib Tehsildar Puran Shangla. S.No. 127 of the seniority list.
- 110- Mr.Jehan Wali Naib Tehsildar Makhozai Shangla S.No. 128 of the seniority list.
- 111- Mr.Amir Zarin Naib Tehsildar Shangla S.No. 129 of the seniority list.
- 112- Mr.Shah Wazir Naib Tehsildar/ DRA Swat S.No. 130 of the seniority list.
- 113- Mr.Sher Bahadar Naib Tehsildar/ PNT FR Tank S.No. 131 of the seniority list.
- 114- Mr.Shaukat Iqbal Naib Tehsildar Sub Registrar D.I.Khan. S.No. 132 of the seniority list.
- 115- Mr.Abdur Rashid Naib Tehsildar Commissioner Peshawar. S.No. 133 of the seniority list.
- 116- Mr. Ahmad Ali Naib Tehsildar/ DRA Dargai S.No. 134 of the seniority list.

8

- 117- Mr.Faramosh Naib Tehsildar/ PNT Bajaur. S.No. 135 of the seniority list.
- 118- Mr.Abdul Haseeb Niab Tehsildar PNT Bajuar S.No. 136 of the seniority list.
- 119- Mr. Shakeel Ahmad Naib Tehsildar PNT malgori Khyber Agency. S.No. 137 of the seniority list.
- 120- Mr-Gohar Ali Naib Tehsildar /PNT FR Bannu. S.No. 138 of the seniority list.
- 121- Mr.Mehmood Shah Naib Tehsildar /HCR Peshawar. S.No. 139 of the seniority list.
- 122- Mr. Sher Dil Naib Tehsildar Dassu Kohistan S.No. 140 of the seniority list.
- 123- Mr Muhammad Shoaib Naib Tehsildar Reader to Commissioner Kohat. S.No. 141 of the seniority list.
- 124- Mr.Muhammad Arshad Naib Tehsildar /PNT Bara Khyber Agency. S.No. 142 of the seniority list.
- 125- Mr.Zafar Iqbal Naib Tehsildar settlement Mansehra. S.No. 143 of the seniority list.
- 126- Mr. Nawab Gul Naib Tehsildar /PNT Mohmand Agency S.No. 144 of the seniority list.
- 127- Mr. Umbaras Khan Naib Tehsildar Takhat Bhai Mardan S.No. 145 of the seniority list.
- 128- Mr.Shakeel -ul-Rehman Naib Tehsildar/PNT Bara Zakha Khel Khyber Agency, S.No. 146 of the seniority list.
- 129- Mr. Shiekh Muhammad Jamil Naib Tehsildar D.I.Khan. S.No. 147 of the seniority list.
- 130- Muhammad Aslam Khan Naib Tehsildar/ DRA D.I.Khan. S.No. 148 of the seniority list.
- 131- Mr.Bashir Ahmad Naib Tehsildar Phar pur D.I.Khan. S.No. 149 of the seniority list.
- 132- Mr. Sheryar Khan Naib Tehsildar /PNT Mohmand S.No. 150 of the seniority list.

- 133- Mr. Hazrat Khan Naib Tehsildar /PNT Mohmand S.No. 151 of the seniority list.
- 134- Mr. Sardar Yousaf Naib Tehsildar/ PNT Bajaur. S.No. 152 of the seniority list.
- 135- Mr.Saz Muhammad Naib Tehsildar FATA Secretariat Peshawar. S.No. 153 of the seniority list.
- 136- Mr.Ghulam Saeedullah Naib Tehsildar /PNT Bajaur Agency. S.No. 154 of the seniority list.
- 137- Mr.Abdul Malik Naib Tehsildar /PNT Nawagai. Bajaur Agency S.No. 155 of the seniority list.
- 138- Mr Muhammad Saeed Naib Tehsildar irrigation Peshawar. S.No. 156 of the seniority list.
- 139- Mr. Riaz Ul Haq Naib Tehsildar/ PNT Mohmamnd Agency S.No. 157 of the seniority list.
- 140- Mr.Muhammad Iqbal Naib Tehsildar/ HCR Lakki Marwat S.No. 158 of the seniority list.
- 141- Mr.Umar Said Naib Tehsildar/ PNT Bajaur Agency. S.No. 159 of the seniority list.
- 142- Mr Jehanzeb Khan Naib Tehsildar Utmankhel Malakand. S.No. 160 of the seniority list.
- 143- Mr. Asmatullah Naib Tehsildar Jamrud Khyber Agency. S.No. 161 of the seniority list.
- 144- Mr. Gul Shezad Naib Tehsildar/ PNT FR Peshawar S.No. 162 of the seniority list.
- 145- Mr.Muhammad Alam Naib Tehsildar / PNT Dattakhel Miranshah S.No. 163 of the seniority list.
- 146- Mr. Dildar Khan Naib Tehsildar/ DRA Abbottabad. S.No. 165 of the seniority list.
- 147- Mr. Fazl-e-Hakeem Naib Tehsildar Topi Swabi. S.No. 166 of the seniority list.
- 148- Mr.Musadiq Hussian Naib Tehsildar / PNT Orakzai Agency S.No. 167 of the seniority list.

- 149- Mr.Fazle Rehman Naib Tehsildar Daraband D.I.Khan S.No. 168 of the seniority list.
- 150- Mr. Haq Nawaz Naib Tehsildar Settlement Panyala D.I.Khan. S.No. 169 of the seniority list.
- 151- Mr. Gohar Zaman Naib Tehsildar HCR Karak S.No. 170 of the seniority list.
- 152- Mr Anwar Hussain Naib Tehsildar HCR Kohat S.No. 171 of the seniority list.
- 153- Mr Ghuncha Gul Naib Tehsildar/ PNT Mohamand S.No. 172 of the seniority list.
- 154- Mr Abdul Jalil Naib Tehsildar/ PNT Tank-II S.No. 173 of the seniority list.
- 155- Mr Muhammad Amin Naib Tehsildar Matta Swat. S.No. 174 of the seniority list.
- 156- Mr. Kamalistan Naib Tehsildar .Charbagh Swat.S.No. 175 of the seniority list.

**APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT 1974 AGAINST THE FINAL SENIORITY LIST ISSUED ON 6.9.2012 COMMUNICATED ON 24.9.2012 WHERE BY THE APPELLANT HAS BEEN PLACED JUNIOR TO THE PRIVATE RESPONDENTS ILLEGALLY AND AGAINST THE RULES AND NOT TAKING ACTION ON THE APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD.**

**PRAYER:**

*That on acceptance of this appeal the respondent Deptt; may be directed to correct the impugned seniority list by placing the appellant's name above the names of private*

*respondents. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of appellant.*

**R.SHEWETH.**

- 1- That the appellant joined the Revenue Deptt: in the year 1977 and has more than 35 years service at his credit with good record throughout.
- 2- That the appellant filed a Service Appeal NO. 1461/2009 in the Service Tribunal for regular promotion as Naib Tehsildar. The said appeal was heard on 22.2.2010 and the respondent Deptt: was directed to place the case of appellant before next DPC. Copy of the order is attached as Annexure – A.
- 3- That as the respondent Deptt: was not implementing the directions of the Tribunal, therefore he filed an implementation petition and an application before the SMBR for his claim. The SMBR, in the meanwhile, passed an order on the application of appellant whereby the appellant was given his due rights of regular promotion as Naib Tehsildar w.e.from 4.7.2006. The concerned office had also issued an office order dated. 11.11.2010 and on the basis of that order the implementation petition of the appellant was disposed of by the august Tribunal on 29.11.2010. Copies of SMBR's order, office order and Tribunal order are attached as Annexure - B ,C,D
- 4- That the respondent Deptt: had issued a tentative seniority list on 16.7.2011 in which the appellant was not placed at his proper position. Therefore he forthwith filed objections over the tentative seniority list on 20.7.2011. Copy of the objection petition with covering letter is attached as Annexure – E.
- 5- That the respondent Deptt: issued the final seniority list on 6.9.2012 as stood on 31.12.2010. The said list was communicated to appellant on 24.9.2012. As the appellant's name was not placed at his proper place of the seniority list, therefore, he filed an appeal on 16.10.2012 and



12

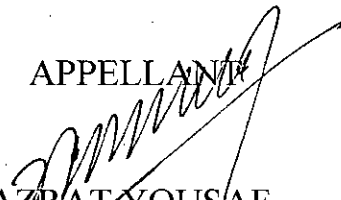
for ninety days but that appeal was not decided so far. Hence the present appeal on the following grounds amongst the others. Copies of final list, appeal are attached as Annexure – F&G.

**GROUND:**

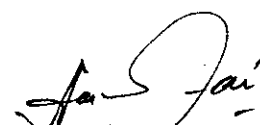
- A- That the impugned seniority list and not deciding the appeal of the appellant within statutory period is against the norms of justice and principles of fair play.
- B- That the impugned seniority list is against the section 8 of the Civil servants Act 1973 and Rule-17 of the APT Rules 1989. Therefore liable to be set-aside.
- C- That the appellant was stood promoted w.e.from 4.7.2006 as Naib Tehsildar and that order was also placed before the Tribunal in implementation petition, therefore, the appellant is legally entitled to the seniority w.e.from 4.7.2006.
- D- That the impugned list is against the law and rules and so much so defective . Because many retired and dead employees have been shown in the list which should have been omitted from the list.
- E- That issuing a seniority list as stood on 31.12.2010 in the year 2012 is also the violation of section 8 of the Civil Servant Act 1973 where in the month of January is fixed for circulation of the seniority list.
- F- That the appellant has<sup>not</sup> been dealt according to law and rules and his name was placed below the names of the junior officials in an illegal and arbitrary manner which not only affected his seniority position but also his prospects of promotion are affected.
- G- That the 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.

APPELLANT

  
HAZRAT YOUSAF

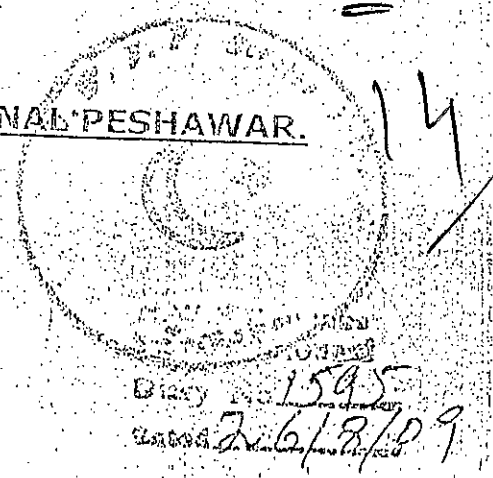
THROUGH:

  
M. ASIF YOUSAFZAI  
ADVOCATE.

BEFORE THE N.W.F.P SERVICE TRIBUNAL PESHAWAR.

A

APPEAL NO. 1461 /09.



Hazrat Yousaf, DRA,  
O/O- DOR&EC Battagram.....Appellant.

**VERSUS**

*Mudalis No-3  
indit ex-puta  
in ante shot  
-8 dated 15/11/09*

- 1- The Senior Member Board of Revenue NWFP Peshawar.
- 2- The Asstt: Secretary (Admin:) BOR, NWFP Peshawar.
- ③ The DOR&EC Battagram..... Respondents.

APPEAL UNDER SECTION 4 OF THE NWFP  
SERVICE TRIBUNALS ACT 1974 FOR  
REGULARIZATION AS NAIB TEHSILDAR  
W.E FROM 4.7.2006.

PRAYER:

*That on acceptance of this appeal the respondents may be directed to consider the appellant for regular promotion as Naib Tehsildar from the date of his adjustment i.e 4.7.06. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of appellant.*

*Filed to-day*

*Registrar*

*16/8/09*

R.SHEWETH.

*4-  
ATTES  
EX-PUTA  
WFP  
Peshawar*

That the appellant was working as Asstt: in the Revenue Deptt: since 1992, therefore the appellant filed an application for promotion as Naib Tehsildar to the competent authority under relevant rules of 2001 against 12% quota fixed for Asstt: Copies of application and rules are attached as Annexure - A &

1461/09

15

Date of Order or Proceedings

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

10.

22.2.2010

Appellant with counsel and Mr. Tahir Iqbal, AGP alongwith Muhammad Zarif, Asstt:Secretary on behalf of the respondents present. Arguments heard & record perused.

It was noticed during the course of arguments, that the respondents, in para-7 of their written reply/comments, have categorically stated that the request of the official concerned i.e. the appellant, will be considered in the light of the seniority-cum-fitness as and when Selection/Promotion Committee meeting (is held) which will be arranged by the department. The respondents have also attached a copy of memo. dated 27.4.09 to the said effect, from the Assistant-Secretary (Admn:) Board of Revenue NWFP to the District Officer (Revenue & Estate)/Collector, Battagram.

The learned counsel for the appellant, while placing reliance on the afore-mentioned memo., stated that the object of the appeal would be met if the directions are issued to the respondents in accordance with the said memo.

Consequently, directions are issued accordingly for consideration of

ATTESTED

*[Handwritten signature]*

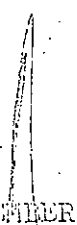



ATTESTED

*[Handwritten signature]*

NWFP

1461/09

18

Order of Sessions	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
	2	3
		<p>the case of the appellant on merits in the next DPC meeting, which shall be convened, preferably, within a reasonable time i.e. three/four months. The appeal is disposed of accordingly, with no order as to costs.</p> <p><u>ANNOUNCED</u> 22.2.2010</p> <p>MEMBER  CHAIRMAN </p> <p></p> <p>8/3/10 1200 8-00 2-00 10-00 8-3-10 8/3/10</p> <p><u>ATTESTED</u> </p> <p>218203</p>

B 17

IN THE COURT OF SENIOR MEMBER,  
BOARD OF REVENUE, KHYBER PAKHTUNKHWA

---

Case No. 305/2010  
Date of institution. 29.10.2010  
Date of Decision 11.11.2010

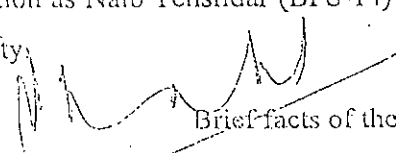
Subject:

Reader to  
Senior Member,  
Board of Revenue,  
Khyber Pakhtunkhwa

APPEAL IN RESPECT OF MR. HAZRAT YOUSAF ASSISTANT  
FOR PROMOTION TO THE POST OF NAIB TEHSILDAR  
(BPS-14) ON REGULAR BASIS.

ORDER

My this order will dispose of the Departmental Appeal filed by Mr. Hazrat Yousaf Assistant (BPS-14) of the office of District Officer (R&E)/Collector, Battagram for promotion as Naib Tehsildar (BPS-14) w.e.f 04.07.2006 on regular basis and for the purpose of seniority.

2.  Brief facts of the case are that Mr. Hazrat Yousaf is Assistant of the office of District Officer (R&E)/Collector, Battagram and was posted as Head Clerk (Revenue), Shangla in his (Own Pay & Scale) on 04.07.2006. Then he was transferred and posted as District Revenue Accountant, Battagram on 22.08.2006. He was transferred and posted as Political Naib Tehsildar (Own Pay & Scale) Kala Dhaka on 19.07.2007. Thereafter he was transferred and posted as District Revenue Accountant Kohistan on 07.02.2008. Then he was transferred and posted as District Revenue Accountant Battagram in his (Own Pay & Scale) in May, 2008 and lastly he was posted as Political Naib Tehsildar Kala Dhaka on 01.06.2009. Thus he served as Naib Tehsildar / District Revenue Accountant / Head Clerk (Revenue) in his (Own Pay & Scale) in Hazara Division for about 3 years and 3 months. During his posting as Naib Tehsildar / District Revenue Accountant / Head Clerk (Revenue) in his (Own Pay & Scale), he filed appeal before the Senior Member, Board of Revenue, Khyber Pakhtunkhwa for regularization of his services as Naib Tehsildar (BPS-14). He was informed that his case for promotion as Naib Tehsildar will be considered through Departmental Promotion Committee. Thereafter he lodged appeal before the Service Tribunal and the Service Tribunal Khyber Pakhtunkhwa issued directions to the Department on 22.02.2010 that his case for promotion as Naib Tehsildar may be considered through Departmental Promotion Committee within three / four months. This Department accordingly sent the copy of order dated 22.02.2010 of Service Tribunal to Commissioner, Hazara for necessary action, as under Notification dated 12.10.2010 of Establishment Department, the powers regarding service matters of Naib Tehsildars were delegated to Commissioners. Thereafter the appellant filed Execution Petition of order dated 22.02.2010 of Service Tribunal Khyber Pakhtunkhwa before the Service Tribunal and the Service Tribunal Khyber Pakhtunkhwa again directed the Department for the said purpose on 24.08.2010. The said directions of Service Tribunal, Khyber Pakhtunkhwa were also communicated to Commissioner, Hazara. The Commissioner, Hazara Division pointed out that

**ATTESTED**

18

second Notification dated 21.09.2010 of Establishment Department vide which the powers in respect of service matters of Tehsildars / Naib Tehsildars have already been transferred to Board of Revenue, Khyber Pakhtunkhwa and requested to dispose of the case of Mr. Hazrat Yousaf. In the meanwhile an order dated 01.10.2010 received from the Service Tribunal, Khyber Pakhtunkhwa, whereby Board of Revenue, Khyber Pakhtunkhwa was directed to implement the order / decision of the Tribunal without further loss of time positively before date fixed and furnish compliance report, otherwise appropriate action will be initiated against the responsible officer / official and date fixed for implementation on 29.11.2010. In compliance the office of Board of Revenue, Khyber Pakhtunkhwa asked for joint seniority list of Assistants / Junior Scale Stenographers of the offices of District Coordination Officer / District Officer (R&E)/Collector, / Executive District Officer (F&P) of Hazara Division from the Commissioner, Hazara as well as District Coordination Officer Battagram for the purpose of consideration of promotion of the Appellant as well as others for promotion to the post of Naib Tehsildar but final reply is still awaited.


3. Appellant present and heard, Comments offered by the Assistant Secretary (Estt.), Board of Revenue, Khyber Pakhtunkhwa and file perused. Appellant produced the order dated 22.02.2010 of Khyber Pakhtunkhwa Service Tribunal, whereby, the Department was directed to hold Departmental Promotion Committee meeting within a reasonable time i.e 3/4 months and also produced implementation of order dated 22.02.2010 of Service Tribunal Khyber Pakhtunkhwa issued by the Service Tribunal Khyber Pakhtunkhwa, on 24.08.2010 and 01.10.2010. Next date for implementation report of order dated 22.02.2010 is fixed for 29.11.2010. The Tribunal also observed that in case the Department failed to submit implementation report on 29.11.2010 appropriate action will be taken against the responsible officer/official.

4. In view of the above, the Appeal of the appellant is accepted, and he is promoted to the post of Naib Tehsildar (BPS-14) on regular basis and the services rendered by the appellant as Naib Tehsildar / District Revenue Accountant / Head Clerk (Revenue) in his (Own Pay & Scale) w.e.f 04.07.2006 are to be counted towards regular service as Naib Tehsildar (BPS-14) for the purpose of seniority at proper place.

**ANNOUNCED**  
11.11.2010



**SENIOR MEMBER,**  
**BOARD OF REVENUE, KHYBER PAKHTUNKHWA**

**ATTESTED**  


Reader to  
Senior Member  
Board of Revenue,  
Khyber Pakhtunkhwa



19

GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
REVENUE & ESTATE DEPARTMENT

PESHAWAR DATED // // 11 2010

ORDER

No. \_\_\_\_\_ /Admn:V/(H. Yousaf) in pursuance of Judicial order dated 11.11.2010 passed by the Court of Senior Member, Board of Revenue, Khyber Pakhtunkhwa in case No. 505/2010, Mr. Hazrat yousaf Naib Tehsildar (Own Pay & Scale) is hereby promoted to the post of Naib Tehsildar (BPS-14) on regular basis and the services rendered by him as Naib Tehsildar (Own Pay & Scale) with effect from 04.07.2006 are to be counted towards regular service and for the purpose of seniority at proper place.

Consequent upon his promotion as Naib Tehsildar (BPS-14) on regular basis he is posted as District Revenue Accountant, Batagram against vacant post with immediate effect.

Senior Member  
Board of Revenue Khyber Pakhtunkhwa

No. 24876-79 /Admn:V/(H. Yousaf)

Copy to:-

1. Commissioner, Hazara Division.
2. District Coordination Officer, Batagram.
3. District Officer (R&E)/Collector, Batagram.
4. District Accountant Officer, Batagram.
5. Official Concerned.
6. Personal File.
7. Office Order File.

**ATTACHED**

Senior Member  
Board of Revenue Khyber Pakhtunkhwa

AE

DO  
15/11/2010



20

Name of Party 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
------------------------------	------------------------------	---

20.11.2010

petitioner with counsel and  
 Mr. Noor ul Haq Khattak, A.C. along with  
 A.C. No. 1, for respondents present  
 and for the petitioner  
 as well as representative of the respon-  
 dents furnished copy of order dated  
 11.11.2010 whereby the petitioner has  
 been promoted, and, thus, grievance of  
 the petitioner has been redressed and  
 order dated 22.2.2010 of the Tribunal  
 complied with.

In view of the above, the  
 implementation/execution petition is  
 dismissed as having served the purpose.

WITNESSED

*[Signature]*

ANM LEGAL

29.11.2010

*[Signature]*  
MEMBER


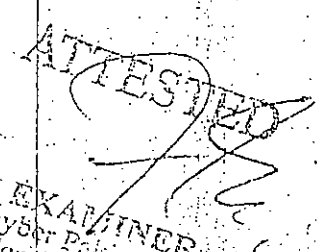
*[Signature]*  
CHAIRMAN

Certified to be true copy

*[Signature]*  
MEMBER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Copy ..... 12-1-2011  
 No. of Copy ..... 1000  
 Copy to ..... 10-00  
 Urgent .....  
 Total ..... 10-00  
 Name of Party .....  
 Date of Completion of Copy ..... 21-1-2011  
 Date of Delivery of Copy ..... 21-1-2011

21

1 Date of Order or Proceedings	2 Date of Order or Proceedings	3 Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
	01.10.2010	<p>1. Petitioner in person and Mr. Saad Afzal Khattak, SAC along with Attallah, Asstt: for respondents present. Representative of the respondents furnished copy of letter dated 23.9.10 to the Commissioner, Hazara Division, W/abad for implementation of the order/decision of the Tribunal; but the petitioner stated that even after revival of the establishment of Commissioners in the respective Regions, cases of R.'s have been dealt with and provision granted by the BOR, and he also furnished copies of two such orders, which are filed. In view of this situation, the respondent i.e. Board of Revenue is directed to implement the order/decision of the Tribunal without further loss of time positively before the date fixed and furnish compliance report, otherwise appropriate legal action will be initiated against the responsible officer/official. To come up for implementation report on 29.11.2010.</p> <p style="text-align: right;">   Chairman </p> <p style="text-align: center;">   <b>ATTESTED</b>  EXAMINER  Khyber Pakhtunkhwa  Service Tribunal,  Peshawar </p>

F  
22

**DISTRICT GOVERNMENT TOR GHAR**  
**OFFICE OF THE DISTRICT OFFICER REVENUE & ESTATE**

No. 551 /TG.

Dated: 20/07/2011.

To

The Senior Member Board of Revenue,  
Khyber Pakhtunkhwa Peshawar.

Subject : **TENTATIVE JOINT SENIORITY LIST OF NAIB TEHSILDARS**  
**(BPS-14) AS STOOD ON 31.12.2010.**

Memo:

Kindly refer to your letter No. Estt:V/(S.L/NT)21377-83 dated:  
09.07.2011 on the subject cited above.

An/application/objection filed by Mr. Hazrat Yousaf Naib  
Tehsildar Kandar Hassanzai District Tor Ghar on the tentative seniority List  
received with your letter referred to above is sent herewith in original for  
consideration please.

  
District Officer,  
Revenue & Estate Tor Ghar.

No. 552 /

Copy forwarded to the Commissioner Hazara Division Abbottabad  
for information with reference to his office letter No. 2/17-(ACR)CHD  
(Estab)6593-98 dated: 16.07.2011.

  
District Officer,  
Revenue & Estate Tor Ghar.

**ATTESTED**  


To

The Senior Member Board of Revenue,  
Khyber Pakhtunkhwa Peshawar.

**THROUGH: PROPER CHANNEL**

**Subject : TENTATIVE JOINT SENIORITY LIST OF NAIB  
TEHSILDARS (BPS-14) AS STOOD ON 31.12.2010.**

**Respected Sir,**

With reference to your Office memo No. Estt:V/(S.L/NT) 21377-83 Dated: 09.07.2011 and Commissioner Hazara Division Abbottabad memo No. 2/17-(ACR)CHD (Estab) 6593-98 dated: 16.07.2011. I submit the following for your favorable and sympathetic consideration please.

1. Pursuant to the judgment of Khyber Pakhtunkhwa service Tribunal dated: 22.02.2010, I have been given promotion by the Board of Revenue vide order bearing: Endstt: No. 28876-79/ADMN/5/H.YOUSAF Dated: 11.11.2010 with retrospective effect with effect from 04.07.2006 (photocopies attached)
2. I have been given seniority with effect from 11.11.2010 at S.No. 176 which is incorrect and not according to the order mentioned above. My original date of promotion is 04.07.2006 and I deserve Seniority with effect from the same date

It is requested that my date of promotion may kindly be corrected and given seniority with effect from 04.07.2006 instead of 11.11.2010 and obliged.

**ATTESTED**

Yours Obediently

**HAZRAT YOUSAF  
NAIB TEHSILDAR  
KANDAR HASSAN ZAI  
DISTRICT TOR GHAR.**

**FINAL SENIORITY LIST OF NAIB TEHSILDARS (BS-14) IN KHYBER PAKHTUNKHWA AS STOOD ON 31.12.2010**

25

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
1.	Mr. Abdul Qadeer (MSc)	15.8.1962 DIKhan	28.08.1995	28.08.1995--	Promotee	Appointed as Tehsildar on Acting Charge Basis
2.	Mr. Bashir Ahmad (FA)	10.04.1955 Nowshera	28.07.1973	12.10.2002	--do--	--do--
3.	Mr. Mian Samiullah Jah BA	17.10.1955 Charsadda	19.03.1982	12.10.2002	--do--	--do--
4.	Mr. Ghani Khan B.A	02.02.1952 Charsadda	1979	12.10.2002	--do--	--do--
5.	Mr. Ghulam Farooq (B.A)	01.01.1957 Bajuar	23.02.1978	13.01.2003	--do--	--do--
5.	Mr. Naz Amin Khan (Matric)	12.05.1960 Bajuar	25.11.1981	13.01.2003	--do--	Naib Tehsildar
7.	Mr. Shamas Gul B.A	1952 NW Agency	1973	09.05.2003	--do--	--do--
8.	Mr. Javed Hussain (Matric)	13.06.1952 Haripur	27.05.1977	30.06.2003	--do--	Appointed as Tehsildar on Acting Charge Basis
9.	Mr. S.Asghar Shah (Matric)	25.12.1959 Haripur	25.05.1981	30.06.2003	--do--	--do--
10.	Mr. Ali Sher Khan B.A LLB	15.02.1978 Peshawar	14.02.2004	14.02.2004	Direct	--do--
11.	Mr. Tariq Saleem B.A	14.08.1971 Tank	14.02.2004	14.02.2004	--do--	--do--
12.	Mr. Abdul Ghaffar B.A	15.12.1974 Tank	14.02.2004	14.02.2004	--do--	--do--
13.	Mr. Said Rehman (Matric)	30.10.1958 Mardan	01.10.1980	22.11.2004	Promotee	--do--
14.	Mr. Kiramat Ullah Kundi (B.A)	03.03.1974 Tank	29.11.2004	29.11.2004	Direct	--do--

Seniority List of Naib Tehsildar

*[Handwritten signature]*

**ATTESTED**

*[Handwritten signature]*

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
15.	Mr. Akbar Iftikhar Ahmad (B.A) LLB	29.03.1977 Hangu	24.11.2005	24.11.2005	Direct	Appointed as Tehsildar on Acting Charge Basis
16.	Mr. Qaisar Khan (B.A)	09.04.1975 DIKhan	19.12.2005	19.12.2005	--do--	--do--
17.	Mr. Najib Ullah (BA)	15.02.1969 DIKhan	06.03.19969	27.02.2006	--do--	--do--
18.	Mr. Muhammad Ayub Khan. (B.A)	01.03.1964 Bannu	12.06.2006	12.06.2006	--do--	--do--
19.	Mr. Abdur Rehman Shah (B.A)	15.02.1985 Bannu	23.01.2007	23.01.2007	--do--	--do--
20.	Mr. Sarir Ahamd (Matric)	13.05.1955 Peshawar	28.02.1977	31.05.2007	Promotee	--do--
21.	Mr. Hasham Gul (B.A)	01.01.1955 Peshawar	07.06.1982	31.05.2007	--do--	--do-- (Dead)
22.	Muhammad Riaz (Matric)	22.05.1958 Nowshera	06.08.1978	31.05.2007	--do--	--do--
23.	Mr. Atta Ullah (Matric)	1.04.1956 Charsadda	06.11.1978	31.05.2007	--do--	--do--
24.	Mr. Musadiq Hussain (Matric)	21.08.1955 Hangu	12.05.1973	31.05.2007	--do--	--do--
25.	Mr. Abdul Qayyum (Matric)	03.01.1954 Kohat	23.06.1970	31.05.2007	--do--	--do--
26.	Muhammad Nawaz (F.A)	30.03.1957 Mardan	20.05.1976	31.05.2007	--do--	--do--
27.	Mr. Mir-Laiq (F.A)	27.04.1963 Mardan	08.03.1983	31.05.2007	--do--	--do--
28.	Mr. Nouman Ali Shah BCS(Hons)	17.09.1984 Bannu	06.07.2007	06.07.2007	Direct	--do--
29.	Muhammad Bashir (F.A)	10.12.1956 Haripur	01.11.1976	20.07.2007	Promotee	--do--
30.	Mr. Hidayat Ullah (B.A)	28.04.1962 Malakand	13.03.1991	20.07.2007	--do--	Naib Tehsildar
31.	Mr. Iftikhar Ahmad (Matric)	02.04.1954 Mansehra	15.07.1979	20.07.2007	--do--	--do--

**ATTESTED**

No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
					Promotee	Naib Tehsildar
32	Mr. Ghulam Sarwar (Matric)	01.03.1955 Shangla	01.03.1978	20.07.2007	--do--	--do--
33	Mr. Farzand Ali (Matric)	03.05.1954 Swat	19.05.1976	20.07.2007	--do--	--do-- (Dead)
34	Mr. Muqarab Khan (F.A)	01.03.1953 Buner	13.08.1975	20.07.2007	--do--	--do--
35	Mr. Said Rahim (Matric)	15.04.1957 Swat	04.09.1976	20.07.2007	--do--	--do--
36	Mr. Fazli Raziq (B.Com)	01.05.1955 Swat	06.04.1981	20.07.2007	--do--	--do--
37	Mr. Shah Nawaz (B.A)	01.10.1959 Lakki Marwat	11.11.198	26.07.2007	--do--	--do--
38	Mr. Asmat Ullah (Matric)	13.03.1959 Lakki Marwat	28.04.1982	26.07.2007	--do--	--do--
39	S. Mazhar Hussain Shah (F.A)	07.07.1956 DIKhan	10.005.1976	26.07.2007	--do--	--do--
40	Mr. Hussian Bakhsh (Matric)	13.04.1956 DIKhan	01.09.1976	26.07.2007	--do--	--do--
41	Mr. Abdur Rashid (F.A)	01.09.1955 Tank	01.07.1984	26.07.2007	--do--	--do--
42	Mr. Fateh Ullah (F.A)	10.10.1958 Tank	01.07.1984	26.07.2007	--do--	--do--
43	Muhammad Akram (Matric)	03.10.1959 Tank	01.12.1983	26.07.2007	--do--	--do--
44	Mr. Mulazim Hussain (Matric)	01.01.19657 Tank	05.07.1984	26.07.2007	--do--	--do--
45	Muhammad Israr (B.A)	19.05.1959 Bannu	18.07.1985	26.07.2007	--do--	--do--
46	Mr. Afzal Khan (F.A)	15.03.1959 Swat	05.04.1981	01.09.2007	--do--	--do--
47	Mr. Anwar ul Haq (B.A)	01.02.1959 Swat	05.04.1981	31.12.2007	--do--	--do--

*[Handwritten Signature]* 27

*[Handwritten Signature]*

**ATTESTED**

*[Handwritten Signature]*

S.N.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
104.	Mr. Aftab Ahmad S/O Javed Muhammad (MSc)	08.12.1982 Peshawar	02.02.2009	02.02.2009.	Direct	Naib Tehsildar
105.	Mr. Dil Nawaz Khan S/O Alam Zeb (LLB)	22.03.1979 Swabi	02.02.2009	02.02.2009	--do--	--do--
106.	Mr. Kifayat Ullah S/O Haji Akbar (M.A)	09.01.1977 Peshawar	02.02.2009	02.02.2009	--do--	--do--
107.	Mr. Faqir Hussain S/o Muhammad Younis (BA)	10.10.1983 Nowshera	02.02.2009	02.02.2009	--do--	--do--
108.	Mr. Zulfiqar Khan S/O Arsala Khan (M.Com)	15.04.1983 Peshawar	02.02.2009	02.02.2009	--do--	--do--
109.	Mr. Waqar Ahmad S/O Muhammad Irfan (M.A)	24.04.1980 Mansehra	02.02.2009	02.02.2009	--do--	--do--
110.	Muhammad Faraz Qurashi S/O Muhammad Riaz Qureshi (MBA)	17.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
111.	Mr. Fazal ur Rehman S/O Habib-ur-Rehman (M.A)	10.07.1975 Haripur	02.02.2009	02.02.2009	--do--	--do--
112.	Mr. Farukh Jadoon S/O Anwar Ahmad Khan (BSc)	04.05.1984 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
113.	Mr. Fayaz Ahmad S/O Pir Khan (M.A)	10.03.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
114.	Bilal Ahmad S/O Farid-ud-Din (BA. B.Ed)	10.10.1978 Haripur	02.02.2009	02.02.2009	--do--	--do--
115.	Mr. Tanveer Shahzad S/O Muhammad Sahif (M.A)	30.12.1977 Mansehra	02.02.2009	02.02.2009	--do--	--do--
116.	Mr. Ejaz Ahmad S/O Muhammad Riaz (3 - M.A)	15.04.1982 Abbottabad	02.02.2009	02.02.2009	--do--	--do--

ATTESTED



33

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
					Direct	Naib Tehsildar
117.	Muhammad Salim S/O Muhammad Saddiq (BSC)	03.05.1978 Abbottabad	02.02.2009	02.02.2009	--do--	--do--
118.	Muhammad Sohail S/O Muhammad Ayub (BA)	16.11.1979 Abbottabad	02.02.2009	02.02.2009	Promotee	Promoted through Administrative Order of SMBR
119.	Mr. Sajid Saleem (BA)	01.04.1978 DIKhan	06.11.1996	10.02.2009	Direct	Naib Tehsildar
120.	Mr. Adil Waseem (BA)	25.12.1988 Nowshera	27.02.2009	27.02.2009	--do--	--do--
121.	Mr. Tazil-ur-Rehman		14.04.2009	14.04.2009	Promotee	--do--
122.	Qazi Muhammad Aslam (Matric)	25.11.1953 Abbottabad	05.07.1980	02.05.2009	--do--	--do--
123.	Mr. Abdul Qayum (BA)	24.04.1984 Kohistan	27.12.1993	02.05.2009	--do--	--do--
124.	Mr. Roohul Amin (Matric)	25.10.1966 Kohat	01.04.1985	02.05.2009	--do--	--do--
125.	Mr. Qianoos (BA)	14.02.1962 Kohat	01.07.1991	02.05.2009	--do--	--do--
126.	Mr. Khurshid Ali (Matric)	19.01.1959 Malakand	05.12.1991	02.05.2009	--do--	--do--
127.	Mr. Latif-ur-Rehman (Matric)	01.07.1959 Shangla	01.03.1978	02.05.2009	--do--	--do--
128.	Mr. Jehan Wali (Matric)	01.02.1957 Shangla	01.03.1978	02.05.2009	--do--	--do--
129.	Mr. Amir Zarin (Matric)	06.08.1959 Shangla	01.03.1978	02.05.2009	--do--	--do--
130.	Mr. Shah Wazir (Matric)	02.02.1960 Swat	05.04.1981	02.05.2009	--do--	--do--
131.	Mr. Sher Bahadar (BA)	07.04.1965 Tank	10.10.1992	02.05.2009	--do--	--do--
132.	Mr. Shaukat Iqbal (M.A)	2/11/1973 DIKhan	19.10.1992.	02.05.2009	--do--	--do--

**ATTESTED**

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF 1ST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
133.	Mr. Abdur Rashid (MSc)	05.01.1962 Swabi	28.08.1988	02.05.2009	Promotee	Naib Tehsildar
134.	Mr. Ahmad Ali (MA, B.Ed)	17.04.1962 Swabi	28.08.1988	02.05.2009	--do--	--do--
135.	Mr. Faramosh (BA)	01.12.1957 Bajaur	26.11.1975	12.05.2009	--do--	Promoted through Administrative order of SMBR
136.	Mr. Abdul Haseeb (Matric)	01.09.1969 Bajaur	18.02.1977	12.05.2009	--do--	--do--
137.	Mr. Shakeel Ahmad MA	03.07.1971 Charsadda	13.09.1992	12.05.2009	--do--	--do--
138.	Mr. Gohar Ali (B.A)	31.03.1980 Bannu	29.05.2009	29.05.2009	Direct	Naib Tehsildar
139.	Mr. Mehmood Shah (Matric)	01.02.1959 Peshawar	04.10.1977	02.06.2009	Promotee	--do--
140.	Mr. Sher Dil (BA)	24.01.1974 Kohistan	10.04.1995	02.06.2009	--do--	--do--
141.	Mr. Muhammad Shoaib (BA)	01.01.1968 Kohat	09.12.1990	02.06.2009	--do--	--do--
142.	Mr. Muhammad Aishad (BA)	20.01.1967 Kohat	02.09.1984	26.06.2009	--do--	--do--
143.	Mr. Zafar Iqbal (B.A. L.L.B)	25.02.1963 Kohat	02.04.1987	02.07.2009	--do--	--do--
144.	Mr. Nawab Gul (M.A)	15.11.1966 Kohat	01.01.1995	02.07.2009	--do--	--do--
145.	Mr. Umbaras Khan (B.A)	30.06.1960 Mardan	30.08.1988	07.07.2009	--do--	--do--
146.	Mr. Shakeel-ul-Rehman	10.02.1978 Bannu	05.01.2009	11.07.2009	Direct	--do--
147.	Mr. Shiekh Muhammad Jamil (M.A)	15.02.1964 DIKhan	21.10.1992	18.07.2009	Promotee	--do--
148.	Muhammad Aslam Khan (Matric)	08.01.1953 DIKhan	16.07.1983	18.07.2009	--do--	--do--
149.	Mr. Bashir Ahmad (F.A)	01.01.1957 DIKhan	10.12.1983	18.07.2009	--do--	--do--

**ATTESTED**

35

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
50.	Mr. Sheryar Khan (Matric)	01.10.1961 Mohmand	13.09.1983	25.07.2009	Promotee	Promoted through Administrative order of SMBR
51.	Mr. Hazrat Khan (Matric)	02.02.1956 Mohmand	08.10.1986	10.09.2009	--do--	--do--
52.	Mr. Sardar Yousaf (BA)	15.03.1959 Bajaur	22.02.1978	17.09.2009	--do--	--do--
53.	Mr. Saz Muhammad (FA)	01.02.1961 Bajaur	25.11.1981	17.09.2009	--do--	--do--
54.	Mr. Ghulam Saeedullah (FA)	01.01.1957 Bajaur	24.11.1975	18.09.2009	--do--	--do--
55.	Mr. Abdul Malik (FA)	01.08.1955 Bajaur	24.11.1975	26.09.2009	--do--	--do--
56.	Mr. Muhamad Saeed	Peshawar		30.09.2009	--do--	--do--
57.	Mr. Riaz-ul-Haq (BA)	11.01.1969 Bajaur	04.07.1987	22.10.2009	--do--	--do--
58.	Muhammad Iqbal (BA)	05.10.1953 Lakki	01.11.1975	22.10.2009	--do--	--do--
59.	Mr. Umar Said (BA)	16.10.1960 Mardan	05.09.1988	07.01.2010	--do--	--do--
60.	Mr. Jehanzeb Khan (BA)	01.04.1965 Malakand	13.12.1982	08.01.2010	--do--	--do--
61.	Mr. Asmatullah (BA)	NWA	01.07.1976	22.01.2010	--do--	--do--
62.	Mr. Gul Shehzad	15.06.1986 Peshawar		21.04.2010	--do--	--do--
63.	Mr. Mohammed Alam (FA)	FR (Lakki)		03.06.2010	--do--	--do--
64.	Mr. Abbas Ali Shah (FA)	06.08.1997 Battagram	14.05.1979	24.06.2010	--do--	--do--
65.	Mr. Dildar Khan (BA)	15.05.1975 Haripur	01.09.2003	25.06.2010	--do--	--do--
66.	Mr. Fazl-e-Hakeem (Matric)	02.09.1953 Swat	09.05.1979	14.07.2010	--do--	--do--

ATTESTED

S.No.	NAME OF NAIB TEHSILDAR QUALIFICATION	DATE OF BIRTH / DOMICILE	DATE OF IST ENTRY INTO GOVT; SERVICE	DATE OF APPOINTMENT AS NAIB TEHSILDAR On Regular Basis	METHOD OF RECRUITMENT.	REMARKS.
167.	Mr. Musadiq Hussain (BA)	27.10.1962 Kohat	15.03.1980	23.07.2010	Promotee	Promoted through Administrative order of SMBR
168.	Mr. Fazle Rehman (Matric)	10.06.1958 DIKhan		02.09.2010	--do--	--do--
169.	Mr. Haq Nawaz (Matric)	03.07.1960 DIKhan		02.09.2010	--do--	--do--
170.	Mr. Gohar Zaman (FA)	20.04.1965 DIKhan		02.09.2010	--do--	--do--
171.	Mr. Anwar Hussain (FA)	23.03.1972 Kohat		15.10.2010	--do--	--do--
172.	Mr. Ghuncha Gul (C.Com)	24.04.1967 Mohamnd	22.12.1998	02.11.2010	--do--	--do--
173.	Mr. Abdul Jalil (MA)	15.01.1964 SWA		04.11.2010	--do--	--do--
174.	Muhammad Amin (Matric)	19.06.1957 Swat	06.04.1981	08.11.2010	--do--	--do--
175.	Mr. Kamalistan (Matric)	01.04.1958 Swat	06.04.1981	08.11.2010	--do--	--do--
176.	Mr. Hazrat Yousaf (MA)	06.04.1959 Battagram	01.01.1977	11.11.2010	--do--	--do--

36

*[Signature]*  
Assistant Secretary (Estt)  
Board of Revenue Khyber Pakhtunkhwa

**ATTESTED**  
*[Signature]*

No 1278 /TG dated Tor Ghar 16 x /2012. 9

From: The District Officer,  
Revenue & Estate Tor Ghar.

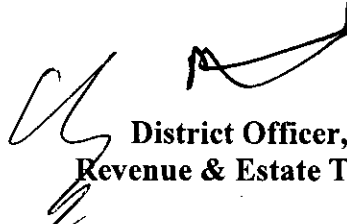
To: The Assistant to Commissioner ( Rev/GA),  
Hazara Division Abbottabad.

Subject: **APPEAL/ REPRESENTATION AGAINST FINAL  
SENIORITY LIST OF NAIB TEHSILDARS (BPS-14) AS  
STOOD ON 31-12-2010.**

Memo: Kindly refer to your letter No. 2/17Estt: 8454-59 dated 24-9-2012  
on the subject cited above.


An appeal / representation filed by one Mr. Hazrat Yousaf Naib  
Tehsildar Kandar Hasan Zai District Tor Ghar on the final Seniority List received with  
your letter referred to above is sent herewith in original for necessary action and onward  
submission to the quarter concerned.

Encl: ( as above).

  
District Officer,  
Revenue & Estate Tor Ghar.

No 1279 /

Copy to Mr. Hazrat Yousaf Naib Tehsildar Kandar Hasan Zai for  
information.

  
District Officer,  
Revenue & Estate Tor Ghar.

37

**BEFORE THE SENIOR MEMBER, BOARD OF REVENUE GOVERNMENT  
OF KHYBER PAKHTUNKHWA PESHAWAR.**

**Hazrat Yousaf, Naib Tehsildar Kander District Torghar.**

**VERSUS**

- 1- Commissioner, Hazara Division Abbottabad
- 2- District Officer (R&E) Torghar.
- 3- Assistant Secretary (Estt:) Board of Revenue Govt:of Khyber Pakhtunkhwa Peshawar.
- 4- Mr. Abdur Rehman Shah, Tehsildar of Acting Charge S.No. 19 of the seniority list.
- 5- Mr.Sarir Ahmed ,Tehsildar on Acting Charge. S.No. 20 of the seniority list.
- 6- Mr Hasham Gul ,Tehsildar on Acting Charge. S.No. 21 of the seniority list.
- 7- Mr. Muhammad Riaz Tehsildar on Acting charge S.No. 22 of the seniority list.
- 8- Mr.Attaullah Tehsildar on Acting charge S.No. 23 of the seniority list.
- 9- Mr Musadiq Hussain Tehsildar on Acting charge S.No. 24 of the seniority list.
- 10- Mr Abdul Qayyum Tehsildar on Acting charge S.No. 25 of the seniority list.
- 11- Mr Muhammad Nawaz Tehsildar on Acting charge S.No. 26 of the seniority list.
- 12- Mr MIR Liaq Tehsildar on Acting charge S.No. 27 of the seniority list.
- 13- Mr.Nouman Ali Shah Tehsildar on Acting charge S.No. 28 of the seniority list.
- 14- Muhammad Bashir Tehsildar on Acting charge S.No. 29 of the seniority list.
- 15- Mr.Hidayat ullah Naib tehsildar S.No. 30 of the seniority list.
- 16- Mr.Iftikhar Ahmad Naib Tehsildar S.No. 31 of the seniority list.
- 17- Mr.Ghulam sarwar Naib Tehsildar S.No. 32 of the seniority list.
- 18- Mr.Farzand Ali Naib Tehsildar S.No. 33 of the seniority list.
- 19- Mr.Muqarab khan Naib tehsildar S.No. 34 of the seniority list.
- 20- Mr . Said Rahim Naib tehsildar S.No. 35 of the seniority list.
- 21- Mr.Fazli Raziq Naib tehsildar S.No. 36 of the seniority list.
- 22- Mr.Shah Nawaz Naib Tehsildar S.No. 37of the seniority list.
- 23- Mr. Asmat ullah Naib Tehsildar S.No. 38of the seniority list.
- 24- Mr.S.Mazhar Hussain Shah Naib Tesildar S.No. 39 of the seniority list.
- 25- Mr. Hussian bakhsah Naib Tehsildar S.No. 40 of the seniority list.
- 26- Mr.Abdur-Rashid Naib Tehsildar S.No. 41 of the seniority list.
- 27- Mr.fateh ullah Naib Tehsildar S.No. 42 of the seniority list.
- 28- Mr Mod Akram Naib Tehsildar S.No. 43 of the seniority list.
- 29- Mr.Mulazim Hussian Naib Tehsildar S.No. 44 of the seniority list.
- 30- Mr. Mod Israr Naib Tehsildar S.No. 45 of the seniority list.
- 31- Mr.Afazal Khan Naib Tehsildar S.No. 46 of the seniority list.
- 32- Mr.Anwar -ul-Haq Naib Tehsildar S.No. 47 of the seniority list.
- 33- Mr.Khazar Havat Naib Tehsildar S No. 48 of the seniority list

38

**ATTESTED**



- 34- Mr.Muhammad Farooq Anwer Naib tehsildar S.No. 49 of the seniority list.
- 35- Mr.Kutab Khan Naib Tehsildar S.No. 50 of the seniority list.
- 36- Mr .Ghulam Qasim Naib Tehsildar S.No. 51 of the seniority list.
- 37- Mr.Qadratullah Naib Tehsildar S.No. 52 of the seniority list.
- 38- Mr Aftab Hussian Shah Naib Tehsildar S.No. 53 of the seniority list.
- 39- Mr.Sikandar Hayat Shah Naib Tehsildar S.No. 54 of the seniority list.
- 40- Mr.Ghulam Abbas Naib Tehsildar S.No. 55 of the seniority list.
- 41- Mr.Saleem Asmat Naib Tehsildar S.No. 56 of the seniority list.
- 42- Mr. Raqibas Khan Naib Tehsildar S.No. 57 of the seniority list.
- 43- Mr.Habib Ahmad Naib Tehsildar S.No. 58 of the seniority list.
- 44- Mr.Himayat Ullah Qureshi Naib Tehsildar S.No. 59 of the seniority list.
- 45- Mr.Adullah Jan Naib Tehsildar S.No. 60 of the seniority list.
- 46- Mr. Miraj Muhammad Naib Tehsildar S.No. 61 of the seniority list.
- 47- Mr.Nazir Ahmad Naib Tehsildar S.No. 62 of the seniority list.
- 48- Mr. Muhammad Ziafat Naib Tehsildar S.No. 63 of the seniority list.
- 49- Mr.Abdur Rasheed Naib Tehsildar S.No. 64 of the seniority list.
- 50- Mr.Naimat Ullah Khan Naib Tehsildar S.No. 65 of the seniority list.
- 51- Mr.Naik Muhammad Naib Tehsildar S.No. 66 of the seniority list.
- 52- Mr. Amanullah Naib Tehsildar S.No. 67 of the seniority list.
- 53- Mr Shah Zaman Naib Tehsildar S.No. 68 of the seniority list.
- 54- Mr. Abdur Rashid Naib Tehsildar S.No. 69of the seniority list.
- 55- Mr . Muhammad Ayub Naib Tehsildar S.No. 70 of the seniority list.
- 56- Mr. Amir Muhammad Naib Tehsildar S.No. 71 of the seniority list.
- 57- Mr.Maqboolur Rehman Naib Tehsildar S.No. 72 of the seniority list.
- 58- Mr.shakir Ullah Naib Tehsildar S.No. 73 of the seniority list.
- 59- Mr.Muniar Ahamad Naib Tehsildar S.No. 74of the seniority list.
- 60- Mr.Rahamd Ullah Khan Naib Tehsildar S.No. 75 of the seniority list.
- 61- Mr.Imtiaz Ali Shah Naib Tehsildar S.No. 76 of the seniority list.
- 62- Mr.Khalid Khan Naib Tehsildar S.No. 77of the seniority list.
- 63- Mr.Fazli Wadood Naib Tehsildar S.No. 78 of the seniority list.
- 64- Mr.Irshad Ali Naib Tehsildar S.No. 79 of the seniority list.
- 65- Mr.Amir Nawaz Naib Tehsildar S.No. 80 of the seniority list.
- 66- Mr.Shah Wazir Naib Tehsildar S.No. 81 of the seniority list.
- 67- Mr.Sikandar Khan Naib Tehsildar S.No. 82 of the seniority list.
- 68- Mr.Ishtiaq Ahamad Khan Naib Tehsildar S.No. 83 of the seniority list.
- 69- Mr.Shamsul Islam Naib Tehsildar S.No. 84 of the seniority list.
- 70- Mr. Allah Noor ,Naib Tehsildar S.No. 85 of the seniority list.
- 71- Mr Muhammad Tariq Aziz Naib Tehsildar S.No. 86 of the seniority list.

39

**ATTESTED**  


- 72- Mr Muhammad Ilyas, Naib Tehsildar. S.No. 87 of the seniority list.
- 73- Mr. Yasir Salman Kundi Naib Tehsildar S.No. 88 of the seniority list.
- 74- Mr. Yadullah Khan Khattak, Naib Tehsildar. S.No. 89 of the seniority list.
- 75- Mr. Ahmad Hashmi, Naib Tehsildar. S.No. 90 of the seniority list.
- 76- Mr. Aminullah Khan, Naib Tehsildar. S.No. 91 of the seniority list.
77. Mr. Islahud Din, Naib Tehsildar. S.No. 92 of the seniority list.
78. Mr. Zahid Younis, Naib Tehildar. S.No. 93 of the seniority list.
- 79- Mr. Niamatullah, Naib Tehsildar. S.No. 94 of the seniority list.
- 80- Mr. Muhammad Riaz, Naib Tehsildar. S.No. 95 of the seniority list.
- 81- Mr. Muhammad Yar, Naib Tehsildar. S.No. 96 of the seniority list.
- 82- Mr. Sher Ali Khan, Naib Tehsildar. S.No. 97 of the seniority list.
- 83- Mr. Manawer Shah, Naib Tehsildar. S.No. 98 of the seniority list.
- 84- Mr. Iftikharud Din, Naib Tehsildar. S.No. 99 of the seniority list.
- 85- Mr. Younis Khan, Naib Tehsildar. S.No. 100 of the seniority list.
- 86- Mr. Mujahid Ali Naib Tehsildar. S.No. 101 of the seniority list.
- 87- Syed Abdul Akber Shah, Tehsildar. S.No. 102 of the seniority list.
- 88- Syed Sultan Haider Shah, Naib Tehsildar. S.No. 103 of the seniority list.
- 89- Mr. Aftab Ahmad, Naib Tehsildar. S.No. 104 of the seniority list.
- 90- Mr. Dil Nawaz Khan, Naib Tehsildar. S.No. 105 of the seniority list.
- 91- Mr. Kifayatullah, Naib Tehsildar. S.No. 106 of the seniority list.
- 92- Mr. Faqir Hussain, Naib Tehsildar. S.No. 107 of the seniority list.
- 93- Mr. Zulfiqar Khan, Naib Tehsildar. S.No. 108 of the seniority list.
- 94- Mr. Waqar Ahmad, Naib Tehsildar. S.No. 109 of the seniority list.
- 95- Muhammad Faraz Qureshi, Naib Tehsildar. S.No. 110 of the seniority list.
- 96- Mr. Fazlur Rehman, Naib Tehsildar. S.No. 111 of the seniority list.
- 97- Mr. Farukh Jadoon, Naib Tehsildar. S.No. 112 of the seniority list.
- 98- Mr. Fayaz Ahmad, Naib Tehsilda S.No. 113 of the seniority list.
- 99- Mr. Bilal Ahmad, Naib Tehsildar. S.No. 114 of the seniority list.
- 100- Mr. Tanveer Shahzad, Naib Tehsildar. S.No. 115 of the seniority list.
- 101- Mr. Ijaz Ahmad, Naib Tehsildar. S.No. 116 of the seniority list.
- 102- Mr. Muhammad Salim, Naib Tehsildar, S.No. 117 of the seniority list.
- 103- Mr. Muhammad Sohail, Naib Tehsildar. S.No. 118 of the seniority list.
- 104- Mr. Sajid Saleem Naib Tehsildar. S.No. 119 of the seniority list.
- 105 Mr. Adil Waseem Naib Tehsildar S.No. 120 of the seniority list.
- 106 Mr. Tanzil-ur-Rehman Naib Tehsildar S.No. 121 of the seniority list.
- 107 Mr. Qazi Muhammad Aslam Naib Tehsildar S.No. 122 of the seniority list.
- 108- Mr. Abdul Qayum Naib Tehsildar S.No. 123 of the seniority list.
- 109- Mr. Roohul Amin Naib Tehsildar S.No. 124 of the seniority list.

40

ATTESTED  




- 110- Mr. Qianoos Naib Tehsildar S.No. 125 of the seniority list.
- 111- Mr. Khurshid Ali Naib TEHSILDAR S.No. 126 of the seniority list.
- 112- Mr. Latifur Rehman Naib Tehsildar S.No. 127 of the seniority list.
- 113- Mr. Jehan Wali Naib Tehsildar S.No. 128 of the seniority list.
- 114- Mr. Amir Zarin Naib Tehsildar S.No. 129 of the seniority list.
- 115- Mr. Shah Wazir Naib Tehsildar S.No. 130 of the seniority list.
- 116- Mr. Sher Bahadar Naib Tehsildar S.No. 131 of the seniority list.
- 117- Mr. Shaukat Iqbal Naib Tehsildar S.No. 132 of the seniority list.
- 118- Mr. Abdur Rashid Naib Tehsildar S.No. 133 of the seniority list.
- 119- Mr. Ahmad Ali Naib Tehsildar S.No. 134 of the seniority list.
- 120- Mr. Faramosh Naib Tehsildar S.No. 135 of the seniority list.
- 121- Mr. Abdul Haseeb Naib Tehsildar S.No. 136 of the seniority list.
- 122- Mr. Shakeel Ahmad Naib Tehsildar S.No. 137 of the seniority list.
- 123- Mr. Gohar Ali Naib Tehsildar S.No. 138 of the seniority list.
- 124- Mr. Mehmood Shah Naib Tehsildar S.No. 139 of the seniority list.
- 125- Mr. Sher Dil Naib Tehsildar S.No. 140 of the seniority list.
- 126- Mr. Muhammad Shoaib Naib Tehsildar S.No. 141 of the seniority list.
- 127- Mr. Muhammad Arshad Naib Tehsildar S.No. 142 of the seniority list.
- 128- Mr. Zafar Iqbal Naib Tehsildar S.No. 143 of the seniority list.
- 129- Mr. Nawab Gul Naib Tehsildar S.No. 144 of the seniority list.
- 130- Mr. Umbaras Khan Naib Tehsildar S.No. 145 of the seniority list.
- 131- Mr. Shakeel -ul-Rehman Naib Tehsildar S.No. 146 of the seniority list.
- 132- Mr. Shiekh Muhammad Jamil Naib Tehsildar S.No. 147 of the seniority list.
- 133- Muhammad Aslam Khan Naib Tehsildar S.No. 148 of the seniority list.
- 134- Mr. Bashir Ahmad Naib Tehsildar S.No. 149 of the seniority list.
- 135- Mr. Sheryar Khan Naib Tehsildar S.No. 150 of the seniority list.
- 136- Mr. Hazrat Khan Naib Tehsildar S.No. 151 of the seniority list.
- 137- Mr. Sardar Yousaf Naib Tehsildar S.No. 152 of the seniority list.
- 138- Mr. Saz Muhammad Naib Tehsildar S.No. 153 of the seniority list.
- 139- Mr. Ghulam Saeedullah Naib Tehsildar S.No. 154 of the seniority list.
- 140- Mr. Abdul Malik Naib Tehsildar S.No. 155 of the seniority list.
- 141- Mr. Muhammad Saeed Naib Tehsildar S.No. 156 of the seniority list.
- 142- Mr. Riaz Ul Haq Naib Tehsildar S.No. 157 of the seniority list.
- 143- Mr. Muhammad Iqbal Naib Tehsildar S.No. 158 of the seniority list.
- 144- Mr. Umar Said Naib Tehsildar S.No. 159 of the seniority list.
- 145- Mr. Jehanzeb Khan Naib Tehsildar S.No. 160 of the seniority list.
- 146- Mr. Asmatullah Naib Tehsildar S.No. 161 of the seniority list.
- 147- Mr. Gul Shezad Naib Tehsildar S.No. 162 of the seniority list.

41  
ATTESTED

- 148- Mr. Muhammad Alam Naib Tehsildar S.No. 163 of the seniority list.
- 149- Mr. Abbas Ali Shah Naib Tehsildar S.No. 164 of the seniority list.
- 150- Mr. Dildar Khan Naib Tehsildar S.No. 165 of the seniority list.
- 151- Mr. Fazl-e-Hakeem Naib Tehsildar S.No. 166 of the seniority list.
- 152- Mr. Musadiq Hussian Naib Tehsildar S.No. 167 of the seniority list.
- 153- Mr. Fazle Rehman Naib Tehsildar S.No. 168 of the seniority list.
- 154- Mr. Haq Nawaz Naib Tehsildar S.No. 169 of the seniority list.
- 155- Mr. Gohar Zaman Naib Tehsildar S.No. 170 of the seniority list.
- 156- Mr. Anwar Hussain Naib Tehsildar S.No. 171 of the seniority list.
- 157- Mr. Ghuncha Gul Naib Tehsildar S.No. 172 of the seniority list.
- 158- Mr. Abdul Jalil Naib Tehsildar S.No. 173 of the seniority list.
- 159- Mr. Muhammad Amin Naib Tehsildar S.No. 174 of the seniority list.
- 160- Mr. Kamalistan Naib Tehsildar S.No. 175 of the seniority list.

Through: **PROPER CHANNEL**

Subject: **APPEAL / REPRESENTATION AGAINST FINAL SENORITY LIST OF NAIB TEHSILDARS (BPS 14) AS STOOD ON 31/12.2010**

**Respectfully sheweth,**

With Reference to Your Office order No. Estt.:V/F.S.L17736 dated 6/9/2012 and Circulated vide Commissioner, Hazara Division, Abbottabad letter no: 2/17 Estt: 8454-59 dated 24/9/2012. I submit following for your favourable and sympathetic consideration please:

1. That pursuant to the judgment of Khyber Pakhtunkhwa Service Tribunal dated 22.2.2010, I was given promotion by the Board of Revenue as Naib Tehsildar on regular basis vide order bearing Endst No28876-79/ADMN/5/H Yousaf Dated 11.11.2010, with effect from 4.7.2006 and thus I am senior than the respondents mentioned at S.No.04 to160 (Photo Copies attached)

2. That The seniority given to me with effect from 11.11.2010, at serial No 176 is incorrect, and not according to the order mentioned above. My correct date of promotion is 4.7.2006 and I deserves seniority from the same date

3. That in this connection I already preferred an appeal/objection on Tentative seniority List as stood on 31.12.2010, circulated by the Board of Revenue, but the same remained unattended/ undecided (Photo Copies attached)

It is requested that my date of promotion may kindly be corrected and given seniority with effect from 4.7.2006 instead of 11.11.2010 and brought to serial No.19 of the Final Seniority List of Naib Tehsildars (BPS-14) as stood on 31.12.2010 instead of 176 and obliged.

Yours obediently

(HAZRAT YOUSAF)

Naib Tehsildar Kande Hassanzai  
District Torgahr

ATTESTED

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
Service Appeal No: 498of 2013

Hazrat Yousaf Naib Tehsildar Oghi..... Petitioner

**VERSUS**

Senior Member Board of Revenue and others ..... Respondents

**COMMENTS ON BEHALF OF RESPONDENTS NO.1&4**

**PRELIMINARY OBJECTIONS.**

1. That the appeal is barred by law.
2. The appellant has no locus standi to bring the present Service Appeal.
3. The appellant is estopped by his own conduct to bring the present Service Appeal.
4. The appellant has no grounds in support of his Appeal and no cause of action.

**ON FACTS**

1. No comments. Pertains to record of the office of Deputy Commissioner, Battagram.
2. Correct. But his regular promotion will be made on the basis of seniority and in accordance with rules.
3. Correct to the extent that the then Senior Member, Board of Revenue through administrative order promoted the appellant without proper procedure i.e. Departmental Promotion Committee. On one side illegal promotion orders are under review in the department while on the other hand an enquiry against these orders is under process in National Accountability Bureau.
4. Incorrect. Objection of the appellant on the seniority list was properly processed and was filed by the Competent Authority.
5. As in para-4 above.

**GROUND.**

- A. Incorrect. The objection of the appellant against the seniority list was properly examined in the department and was filed.
- B. Incorrect. The seniority list was issued in light of Rule 8(4) of the Civil Servants Act, 1973.
- C. Incorrect. Posting of an official in OPS cannot be counted towards seniority.
- D. Incorrect. Retired official's names are deleted at the time of preparation of seniority list.
- E. Incorrect. Seniority list are issued after proper approval of Competent Authority.
- F. Incorrect. The appellant has been dealt in accordance with law.
- G. Incorrect. The respondent seek permission to advance further grounds at the time of arguments.

In view of the above, the service appeal has no merits and may be dismissed with cost.



Respondent No.1



Respondent No.4

## AFFIDAVIT

It is declared that contents of the comments are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court/Tribunal.



Assistant Secretary (Estt)  
Board of Revenue  
Khyber Pakhtunkhwa

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
Service Appeal No: 498of 2013

Hazrat Yousaf Naib Tehsildar Oghi..... Petitioner

**VERSUS**

Senior Member Board of Revenue and others ..... Respondents

**COMMENTS ON BEHALF OF RESPONDENTS NO.1&4**

**PRELIMINARY OBJECTIONS.**

1. That the appeal is barred by law.
2. The appellant has no locus standi to bring the present Service Appeal.
3. The appellant is estopped by his own conduct to bring the present Service Appeal.
4. The appellant has no grounds in support of his Appeal and no cause of action.

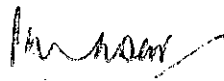
**ON FACTS**

1. No comments. Pertains to record of the office of Deputy Commissioner, Battagram.
2. Correct. But his regular promotion will be made on the basis of seniority and in accordance with rules.
3. Correct to the extent that the then Senior Member, Board of Revenue through administrative order promoted the appellant without proper procedure i.e. Departmental Promotion Committee. On one side illegal promotion orders are under review in the department while on the other hand an enquiry against these orders is under process in National Accountability Bureau.
4. Incorrect. Objection of the appellant on the seniority list was properly processed and was filed by the Competent Authority.
5. As in para-4 above.

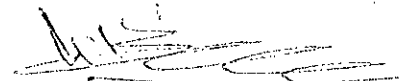
**GROUND.**

- A. Incorrect. The objection of the appellant against the seniority list was properly examined in the department and was filed.
- B. Incorrect. The seniority list was issued in light of Rule 8(4) of the Civil Servants Act, 1973.
- C. Incorrect. Posting of an official in OPS cannot be counted towards seniority.
- D. Incorrect. Retired official's names are deleted at the time of preparation of seniority list.
- E. Incorrect. Seniority list are issued after proper approval of Competent Authority.
- F. Incorrect. The appellant has been dealt in accordance with law.
- G. Incorrect. The respondent seek permission to advance further grounds at the time of arguments.

In view of the above, the service appeal has no merits and may be dismissed with cost.



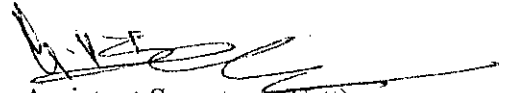
Respondent No. 1



Respondent No. 4

AFFIDAVIT

It is declared that contents of the comments are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court/Tribunal.



Assistant Secretary (Estt)  
Board of Revenue  
Khyber Pakhtunkhwa

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

**S.A No. 498/2013**

Hazrat Yousaf                      Versus                      SMBR & others

**REPLY ON BEHALF OF RESPONDENT NO. 42.**

**Respectfully Sheweth:**

1. Para No.1 of the appeal does not pertain to replying respondent.
2. As above. Moreso, replying respondent was not party to the said appeal.
3. As above.
4. Needs no comments. As the same does not pertain to replying respondent.
5. In response to para No. 5 of the appeal, replying respondent has also assailed the said seniority list as he was also not placed at his correct/proper position. Appeal No 301/2012 of the replying respondent is subjudice before the Hon'ble Tribunal.

**GROUNDS:**

- a. That replying respondent is also affected by the impugned Seniority List which is subjudice before the Hon'ble Tribunal.
- b. Correct.
- c. Replying respondent was to be promoted with effect from 26.03.2005 which is earlier then the promotion of appellant with effect from 04.07.2006 as N.T.
- d. Correct.

30/10

- e. As above.
- f. In response to this ground of the appeal appellant was also not placed at his proper position in the seniority list, so the same requires interference.
- g. Allowed.

It is, therefore, most humbly requested that the appeal be decoded on merit.

R. No. 42

Through

Saadullah Khan Marwat

Arbab Saif-ul-Kamal

&

Robina Naz,

Advocates,

Dated: .10.2014

**COUNTER AFFIDAVIT**

I, Himayat Ullah Qureshi, Naib Tehsildar & Respondent No. 42, do hereby solemnly affirm and declare that the contents of Reply are true and correct to the best of my knowledge and belief while that of the appeal are illegal and incorrect.

I, reaffirm the same on oath once again to be true and correct as per the available record.

DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No.498/2013

Hazrat Yousaf Naib Tehsildar .....Appellant

**VERSUS**

Senior Member Board of Revenue and others.....Respondents

**COMMENTS ON BEHALF OF COMMISSIONER HAZARA DIVISION ABBOTTABAD  
RESPONDENT NO. 2**

**PRELIMINARY OBJECTIONS.**

1. That the appeal is barred by law.
2. The appellant has no locus standi to bring the present service appeal.
3. The appellant is estop-
4. -ped by his own conduct to bring the present service appeal.
4. The appellant has no grounds in support of his appeal and no cause of action.

**FACTS**

1. No comments. Pertains to the record of the Office of Deputy Commissioner, Battagram.
2. No comments. Pertains to the Office of the Senior Member Board of Revenue (Respondent No. 1), as Senior Member Board of Revenue is the Competent Authority of Tehsildar/Naib Tehsildar.
3. As already replied at Para No. 2, that the appellant was working as Head Clerk Revenue/Naib Tehsildar in Own Pay and Scale. His Order as Naib Tehsildar (OPS) was made through administrative order of the Senior Member Board of Revenue (Respondent No.1), which has no legal effect as it was an arrangement to dispose of public work.
4. Incorrect. Name of the appellant has been placed in the seniority list at proper place i.e according to the date of regular promotion. In the remarks it has been indicated that his promotion has been made through administrative order, which is under review.
5. As stated in the preceding Paras. The appellant has been assigned seniority w.e.f the date of regular promotion.

**GROUND**

- a. Incorrect. The objection of the appellant against the seniority list was properly examined in the department and was filed.
- b. Incorrect. The seniority list was issued in light of rule 8(4) of the Civil Servants Act, 1973.
- c. Incorrect. Posting of an official in Own Pay and Scale cannot be counted toward seniority.
- d. Incorrect. Retired official's names are deleted at the time of preparation of seniority list.
- e. Incorrect. Seniority list is issued after proper approval of Competent Authority.
- f. Incorrect. The appellant has been dealt in accordance with law.
- g. Incorrect. The respondents also seek permission to advance other grounds and proof at the time of arguments.

In view of the above, the service appeal has no merits and may be dismissed with cost.



COMMISSIONER  
HAZARA DIVISION ABBOTTABAD  
Respondent No. 2

8/9/14  
Commissioner  
Hazara Division  
Abbottabad

20/10/14

Dated: 08/09/2014.

Affidavit

I solemnly affirm that contents of reply in the said service appeal are correct to the best of my knowledge and nothing has been concealed from the Honourable Service Tribunal.



COMMISSIONER

HAZARA DIVISION ABBOTTABAD

Respondent No. 2

8/9/14  
Commissioner  
Hazara Division  
Abbottabad

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No.498/2013

Hazrat Yousaf Naib Tehsildar .....Appellant

**VERSUS**

Senior Member Board of Revenue and others.....Respondents

**COMMENTS ON BEHALF OF COMMISSIONER HAZARA DIVISION ABBOTTABAD  
RESPONDENT NO. 2**

**PRELIMINARY OBJECTIONS.**

1. That the appeal is barred by law.
2. The appellant has no locus standi to bring the present service appeal.
3. The appellant is estop —
4. — ped by his own conduct to bring the present service appeal.
5. The appellant has no grounds in support of his appeal and no cause of action.


**FACTS**

1. No comments. Pertains to the record of the Office of Deputy Commissioner, Battagram.
2. No comments. Pertains to the Office of the Senior Member Board of Revenue (Respondent No. 1), as Senior Member Board of Revenue is the Competent Authority of Tehsildar/Naib Tehsildar.
3. As already replied at Para No. 2, that the appellant was working as Head Clerk Revenue/Naib Tehsildar in Own Pay and Scale. His Order as Naib Tehsildar (OPS) was made through administrative order of the Senior Member Board of Revenue (Respondent No.1), which has no legal effect as it was an arrangement to dispose of public work.
4. Incorrect. Name of the appellant has been placed in the seniority list at proper place i.e according to the date of regular promotion. In the remarks it has been indicated that his promotion has been made through administrative order, which is under review.
5. As stated in the preceding Paras. The appellant has been assigned seniority w.e.f the date of regular promotion.

**GROUND**

- a. Incorrect. The objection of the appellant against the seniority list was properly examined in the department and was filed.
- b. Incorrect. The seniority list was issued in light of rule 8(4) of the Civil Servants Act, 1973.
- c. Incorrect. Posting of an official in Own Pay and Scale cannot be counted toward seniority.
- d. Incorrect. Retired official's names are deleted at the time of preparation of seniority list.
- e. Incorrect. Seniority list is issued after proper approval of Competent Authority.
- f. Incorrect. The appellant has been dealt in accordance with law.
- g. Incorrect. The respondents also seek permission to advance other grounds and proof at the time of arguments.

In view of the above, the service appeal has no merits and may be dismissed with cost.

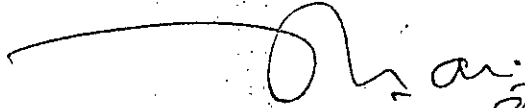
  
COMMISSIONER  
HAZARA DIVISION ABBOTTABAD  
Respondent No. 2

8/9/14  
Commissioner  
Hazara Division  
Abbottabad

Dated: 08/09/2014.

Affidavit

I solemnly affirm that contents of reply in the said service appeal are correct to the best of my knowledge and nothing has been concealed from the Honourable Service Tribunal.



COMMISSIONER  
HAZARA DIVISION ABBOTTABAD  
Respondent No. 2

8/9/14  
Commissioner  
Hazara Division  
Abbottabad

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

**S.A No. 498/2013**

Hazrat Yousaf                      Versus                      SMBR & others

**REPLY ON BEHALF OF RESPONDENT NO. 42.**

**Respectfully Sheweth:**

1. Para No.1 of the appeal does not pertain to replying respondent.
2. As above. Moreso, replying respondent was not party to the said appeal.
3. As above.
4. Needs no comments. As the same does not pertain to replying respondent.
5. In response to para No. 5 of the appeal, replying respondent has also assailed the said seniority list as he was also not placed at his correct/proper position. Appeal No 301/2012 of the replying respondent is subjudice before the Hon'ble Tribunal.

**GROUNDS:**

- a. That replying respondent is also affected by the impugned Seniority List which is subjudice before the Hon'ble Tribunal.
- b. Correct.
- c. Replying respondent was to be promoted with effect from 26.03.2005 which is earlier then the promotion of appellant with effect from 04.07.2006 as N.T.
- d. Correct.

- e. As above.
- f. In response to this ground of the appeal appellant was also not placed at his proper position in the seniority list, so the same requires interference.
- g. Allowed.

It is, therefore, most humbly requested that the appeal be decoded on merit.

R. No. 42

Through

Saadullah Khan Marwat



Arbab Saif-ul-Kamal

&

Robina Naz,

Advocates,

Dated: .10.2014

### **COUNTER AFFIDAVIT**

I, Himayat Ullah Qureshi, Naib Tehsildar & Respondent No. 42, do hereby solemnly affirm and declare that the contents of Reply are true and correct to the best of my knowledge and belief while that of the appeal are illegal and incorrect.

I, reaffirm the same on oath once again to be true and correct as per the available record.

DEPONENT

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

Service Appeal No. 498/2013

Hazrat Yousaf

Versus

SMBR & others.

**WRITTEN REPLY/COMMENTS ON BEHALF**  
**OF RESPONDENT NO. 31.**

**PRELIMINARY OBJECTIONS**

1. That the appeal is time barred.
2. That the present appeal is not competent in its present form.
3. That the appeal is bad for non-joinder and mis-joinder of parties.
4. That the appellant has not come to the court with clean hands.
5. That the appellant is estopped by his own conduct.



**ON FACTS**

1. Para No. 1 of the appeal does not pertain to replying respondent. Hence no comments.
2. As above. More-so, replying respondent was not party to the said service appeal No. 1461/2009.
3. The present respondent No. 31 was not a party in the above mentioned appeal in para No. 2. In the reply of rest of phrase of para No. 3 the present appellant was not appointed through proper channel as through Departmental Promotion Committee. Further more the appointment of present appellant has been made through Judicial Tribunal decision on 29.11.2010. As specifically denied.
4. Para No. 4 is vexatious, illegal and against the facts. To the reply of Para No. 4 of the said appeal the seniority list on 16.7.2011 mentioned by the appellant in his appeal of para-4 was correct and illegal, issued by Board of Revenue. But the present appellant was initially not appointed on the basis of DPC.

5. Para No. 5 of the said appeal is against the law and the facts. The reply of para No. 5 is stated in the above para No. 4. Therefore, denied.

### GROUPS

- A. Para No. A of the appeal is incorrect and against the facts, therefore specifically denied. Hence no comments.
- B. Para No. B of the appeal is incorrect and against the facts, therefore, specially denied, Hence no comments.
- C. Incorrect against the facts. As the appellant mentioned in his prayer under para-C he was not promoted as Naib Tehsildar on regular basis.
- D. Incorrect and against the facts. Therefore, specifically denied. Hence no comments.
- E. Specifically denied. Hence no comments.
- F. Incorrect. Therefore, specifically denied. Hence no comments.

In view of the above, the present appeal was instituted just to waste the precious time of this Hon'ble Court and prayed that the appeal may be dismissed with costs.

  
**ANWAR-UL-HAQ**  
**Private respondent No. 31**

### AFFIDAVIT

I, Anwar-ul-Haq, private respondent No. 31 do hereby solemnly affirm and submitted that the contents of this parawise comments are true and correct to the best of my knowledge and belief and that nothing has been concealed from this hon'ble Tribunal.



  
**DEPONENT**



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Service Appeal No. 498/2013

Hazrat Yousaf

Versus

SMBR & others.

WRITTEN REPLY/COMMENTS ON BEHALF  
OF RESPONDENT NO. 31.

PRELIMINARY OBJECTIONS

1. That the appeal is time barred.
2. That the present appeal is not competent in its present form.
3. That the appeal is bad for non-joinder and mis-joinder of parties.
4. That the appellant has not come to the court with clean hands.
5. That the appellant is estopped by his own conduct.

ON FACTS

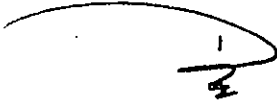
1. Para No. 1 of the appeal does not pertain to replying respondent. Hence no comments.
2. As above. More-so, replying respondent was not party to the said service appeal No. 1461/2009.
3. The present respondent No. 31 was not a party in the above mentioned appeal in para No. 2. In the reply of rest of phrase of para No. 3 the present appellant was not appointed through proper channel as through Departmental Promotion Committee. Further more the appointment of present appellant has been made through Judicial Tribunal decision on 29.11.2010. As specifically denied.
4. Para No. 4 is vexatious, illegal and against the facts. To the reply of Para No. 4 of the said appeal the seniority list on 16.7.2011 mentioned by the appellant in his appeal of para-4 was correct and illegal, issued by Board of Revenue. But the present appellant was initially not appointed on the basis of DPC.

5. Para No. 5 of the said appeal is against the law and the facts. The reply of para No. 5 is stated in the above para No. 4. Therefore, denied.

### GROUNDS

- A. Para No. A of the appeal is incorrect and against the facts, therefore specifically denied. Hence no comments.
- B. Para No. B of the appeal is incorrect and against the facts, therefore, specially denied. Hence no comments.
- C. Incorrect against the facts. As the appellant mentioned in his prayer under para-C he was not promoted as Naib Tehsildar on regular basis.
- D. Incorrect and against the facts. Therefore, specifically denied. Hence no comments.
- E. Specifically denied. Hence no comments.
- F. Incorrect. Therefore, specifically denied. Hence no comments.

In view of the above, the present appeal was instituted just to waste the precious time of this Hon'ble Court and prayed that the appeal may be dismissed with costs.

  
ANWAR-UL-HAQ  
Private respondent No. 31

### AFFIDAVIT

I, Anwar-ul-Haq, private respondent No. 31 do hereby solemnly affirm and submitted that the contents of this parawise comments are true and correct to the best of my knowledge and belief and that nothing has been concealed from this hon'ble Tribunal.



  
DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Service Appeal No. 498/2013

Hazrat Yousaf

Versus

SMBR & others.

WRITTEN REPLY/COMMENTS ON BEHALF  
OF RESPONDENT NO. 31.

PRELIMINARY OBJECTIONS

1. That the appeal is time barred.
2. That the present appeal is not competent in its present form.
3. That the appeal is bad for non-joinder and mis-joinder of parties.
4. That the appellant has not come to the court with clean hands.
5. That the appellant is estopped by his own conduct.

ON FACTS

1. Para No. 1 of the appeal does not pertain to replying respondent. Hence no comments.
2. As above. More-so, replying respondent was not party to the said service appeal No. 1461/2009.
3. The present respondent No. 31 was not a party in the above mentioned appeal in para No. 2. In the reply of rest of phrase of para No. 3 the present appellant was not appointed through proper channel as through Departmental Promotion Committee. Further more the appointment of present appellant has been made through Judicial Tribunal decision on 29.11.2010. As specifically denied.
4. Para No. 4 is vexatious, illegal and against the facts. To the reply of Para No. 4 of the said appeal the seniority list on 16.7.2011 mentioned by the appellant in his appeal of para-4 was correct and illegal, issued by Board of Revenue. But the present appellant was initially not appointed on the basis of DPC.

5. Para No. 5 of the said appeal is against the law and the facts. The reply of para No. 5 is stated in the above para No. 4. Therefore, denied.

**GROUND**

- A. Para No. A of the appeal is incorrect and against the facts, therefore specifically denied. Hence no comments.
- B. Para No. B of the appeal is incorrect and against the facts, therefore, specially denied. Hence no comments.
- C. Incorrect against the facts. As the appellant mentioned in his prayer under para-C he was not promoted as Naib Tehsildar on regular basis.
- D. Incorrect and against the facts. Therefore, specifically denied. Hence no comments.
- E. Specifically denied. Hence no comments.
- F. Incorrect. Therefore, specifically denied. Hence no comments.

In view of the above, the present appeal was instituted just to waste the precious time of this Hon'ble Court and prayed that the appeal may be dismissed with costs.

  
**ANWAR-UL-HAQ**  
 Private respondent No. 31

**AFFIDAVIT**

I, Anwar-ul-Haq, private respondent No. 31 do hereby solemnly affirm and submitted that the contents of this parawise comments are true and correct to the best of my knowledge and belief and that nothing has been concealed from this hon'ble Tribunal.

  
**DEPONENT**



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

**Appeal No. 498/2013**

Hazrat Yousaf

V/S

Revenue Deptt:

**.....**  
**APPLICATION FOR SUSPENDING THE  
OPERATION OF IMPUGNED ORDER DATED  
9.9.2016 PASSED DURING THE PENDENCY  
OF MAIN APPEAL.**

**RESPECTFULLY SHEWETH:**

1. That the appellant has filed the instant against the seniority list of Naib Tehsildar which is subjudice before this august Tribunal and fixed for arguments on **3.11.2016**.
2. That is very much clear from Annexure-A, B, C, D that the appellant was regularly promoted to Naib Tehsildar ob the decision of this August Tribunal made in Appeal No. 1461/2009.
3. That since then the appellant is working as Naib Tehsildar on regular basis and almost completed 10 year on said post.
4. That is to very astonishment of the appellant, the impugned order dated 9.9.2016 despite the fact that the respondent department has having full knowledge of a present pending appeal. **(Copy of order is attached as annexure-A1).**
5. That the impugned order has been made to defeat the justice and cause of main appeal and is total violation of the instruction given by the Hon'ble Supreme Court in case as reported in 2009 SCMR 396 wherein it was urged that the department

*Put up along with relevant appeal before the bench*

*93;  
20/9/16*


should layoff his hand when the matter si subjudice before the court of law.

6. That the impugned order is malafide, one sided and has been passed without following proper course of law.

It is, therefore, most humbly prayed that the impugned order dated 9.9.2016 may be suspended till the disposal of main appeal and to meet the end of justice. Any other remedy with this august Tribunal deems fit may also be awarded in favour of appellant.

**APPELLANT**  
Hazrat Yousaf

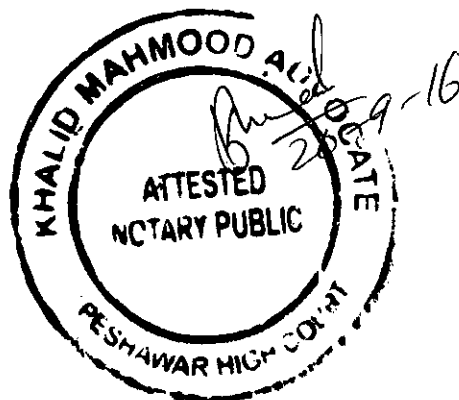
Through:

  
(M. ASIF YOUSAFZAI )

 &  
Syed Noman Ali Bukhari  
ADVOCATES, PESHAWAR

**AFFIDAVIT:**

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief and nothing has been concealed.



  
DEPONENT

GOVERNMENT OF KHYBER PAKHTUNKHWA  
BOARD OF REVENUE  
REVENUE & ESTATE DEPARTMENT

Peshawar Dated 01/09/2016

**ORDER**

No. Estt:V/PF/(Hazrat Yousaf)/ 22745 . Whereas, Mr. Hazrat Yousaf was promoted to the post of Naib Tehsildar on 11.11.2010 on regular basis through administrative order without holding of Departmental Promotion Committee meeting.

NOW THEREFORE, in pursuance of order passed by Senior Member, Board of Revenue on 01.09.2016 the promotion / regularization order dated 11.11.2010 read with notification bearing No. 24876-79/Admn:V/PF/(H.Yousaf), dated 11.11.2010 being made in violation of Service Rules and instructions governing promotions is hereby withdrawn with immediate effect.

By Order of  
Senior Member

No. Estt:V/PF/( Hazrat Yousaf)/ 22746-49

Copy forwarded to the:-

1. Commissioner, Hazara Division.
2. Deputy Commissioner, Battagram and Mansehra.
3. District Accounts Officer, Battagram and Mansehra.
4. Official concerned.

  
Assistant Secretary (Estt)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 498/2016.

Hazrat Yousaf.....Appellant

**VERSUS**

Senior Member Board of Revenue, and others.....Respondent

**PARAWISE COMMENTS ON APPLICATION FOR SUSPENSION OF NOTIFICATION DATED  
09.09.2016 ON BEHALF OF RESPONDENT NO 1 & 4 ARE AS UNDER :-**

**ON FACTS.**

- 1 Correct to the extent that the appeal of the appellant is pending before tribunal in which parawise comments have already been filed.
2. Incorrect. The applicant was promoted as Naib Tehsildar through Administrative order without holding of Departmental Promotion Committee which is mandatory under the Khyber Pakhtunkhwa Civil Servant (Appointment Promotion and Transfer) Rules 1989, therefore his illegal promotion order was withdrawn on 09.09.2016.
3. Pertains to record. However an illegal order cannot create single right.
4. Incorrect. The appellant has himself admitted in para -- 1 of appeal that his appeal against seniority of Naib Tehsildar is pending before tribunal which is a separate issue, while under notification dated 09.09.2016 his illegal promotion as Naib Tehsildar has been withdrawn.
- 5 Incorrect. As in para - 4 above, his appeal against seniority was pending which is a separate issue. Beside SCMR 2009 is not applicable in the instant case.
6. Incorrect. Order dated 09.09.2016 passed by the Competent Authority is according to law / rules further all the three irregularities for suspension of the order is in favour of Respondents.

In view of the above the instant appeal having no legal grounds may be dismissed with cost.

*[Handwritten Signature]*  
Senior Member

Respondent No. 1

*[Handwritten Signature]*  
Assistant Secretary (Estt:)

Respondent No. 4



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.498/2016

Hazrat Yousaf.....Appellant

VERSUR

Senior Member Board of Revenue, Khyber Pakhtunkhwa & Others.....Respondents

AFFIDAVIT

I Mr.Mukhtiar Ali, Superintendent (Lit-II), Board of Revenue Khyber Pakhtunkhwa do hereby solemnly affirm that the contents of the written reply are true and correct to the best of my knowledge and belief information provided to me and nothing has been deliberately concealed from this Hon'able Tribunal.

  
Assistant Secretary (Lit-II),  
Board of Revenue

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 498/2016.

Hazrat Yousaf.....Appellant

VERSUS

Senior Member Board of Revenue, and others.....Respondent

**PARAWISE COMMENTS ON APPLICATION FOR SUSPENSION OF NOTIFICATION DATED  
09.09.2016 ON BEHALF OF RESPONDENT NO 1 & 4 ARE AS UNDER :-**

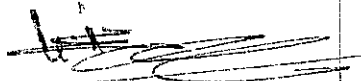
**ON FACTS.**

1. Correct to the extent that the appeal of the appellant is pending before tribunal in which parawise comments have already been filed.
2. Incorrect. The applicant was promoted as Naib Tehsildar through Administrative order without holding of Departmental Promotion Committee which is mandatory under the Khyber Pakhtunkhwa Civil Servant (Appointment Promotion and Transfer) Rules 1989, therefore his illegal promotion order was withdrawn on 09.09.2016.
3. Pertains to record. However an illegal order cannot create single right.
4. Incorrect. The appellant has himself admitted in para - 1 of appeal that his appeal against seniority of Naib Tehsildar is pending before tribunal which is a separate issue, while under notification dated 09.09.2016 his illegal promotion as Naib Tehsildar has been withdrawn.
5. Incorrect. As in para - 4 above, his appeal against seniority was pending which is a separate issue. Beside SCMR 2009 is not applicable in the instant case.
6. Incorrect. Order dated 09.09.2016 passed by the Competent Authority is according to law / rules further all the three irregularities for suspension of the order is in favour of Respondents.

In view of the above the instant appeal having no legal grounds may be dismissed with cost.

3/11/2016.  
Senior Member

Respondent No. 1

  
Assistant Secretary (Estt)

Respondent No. 4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.498/2016

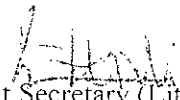
Hazrat Yousaf.....Appellant

VERSUR

Senior Member Board of Revenue, Khyber Pakhtunkhwa & Others.....Respondents

AFFIDAVIT

I Mr.Mukhtiar Ali, Superintendent (Lit-II), Board of Revenue Khyber Pakhtunkhwa do hereby solemnly affirm that the contents of the written reply are true and correct to the best of my knowledge and belief information provided to me and nothing has been deliberately concealed from this Hon'able Tribunal.

  
Assistant Secretary (Lit-II),  
Board of Revenue

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 498/2016.

Hazrat Yousaf.....Appellant

VERSUS

Senior Member Board of Revenue, and others.....Respondent

**PARAWISE COMMENTS ON APPLICATION FOR SUSPENSION OF NOTIFICATION DATED  
09.09.2016 ON BEHALF OF RESPONDENT NO 1 & 4 ARE AS UNDER :-**

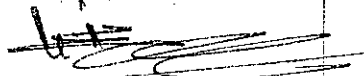
**ON FACTS.**

1. Correct to the extent that the appeal of the appellant is pending before tribunal in which parawise comments have already been filed.
2. Incorrect. The applicant was promoted as Naib Tehsildar through Administrative order without holding of Departmental Promotion Committee which is mandatory under the Khyber Pakhtunkhwa Civil Servant (Appointment Promotion and Transfer) Rules 1989, therefore his illegal promotion order was withdrawn on 09.09.2016.
3. Pertains to record. However an illegal order cannot create single right.
4. Incorrect. The appellant has himself admitted in para - 1 of appeal that his appeal against seniority of Naib Tehsildar is pending before tribunal which is a separate issue, while under notification dated 09.09.2016 his illegal promotion as Naib Tehsildar has been withdrawn.
5. Incorrect. As in para - 4 above, his appeal against seniority was pending which is a separate issue. Beside SCMR 2009 is not applicable in the instant case.
6. Incorrect. Order dated 09.09.2016 passed by the Competent Authority is according to law / rules further all the three irregularities for suspension of the order is in favour of Respondents.

In view of the above the instant appeal having no legal grounds may be dismissed with cost.

3/11/2016  
Senior Member

Respondent No. 1

  
Assistant Secretary (Estt.)

Respondent No. 4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.498/2016

Hazrat Yousaf.....Appellant

VERSUR

Senior Member Board of Revenue, Khyber Pakhtunkhwa & Others.....Respondents

AFFIDAVIT

I Mr.Mukhtiar Ali. Superintendent (Lit-II), Board of Revenue Khyber Pakhtunkhwa do hereby solemnly affirm that the contents of the written reply are true and correct to the best of my knowledge and belief information provided to me and nothing has been deliberately concealed from this Hon'able Tribunal.

  
Assistant Secretary (Lit-II).  
Board of Revenue

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 498/2016.

Hazrat Yousaf:.....Appellant

VERSUS

Senior Member Board of Revenue, and others.....Respondent

**PARAWISE COMMENTS ON APPLICATION FOR SUSPENSION OF NOTIFICATION DATED  
09.09.2016 ON BEHALF OF RESPONDENT NO 1 & 4 ARE AS UNDER :-**

**ON FACTS.**

1. Correct to the extent that the appeal of the appellant is pending before tribunal in which parawise comments have already been filed.
2. Incorrect. The applicant was promoted as Naib Tehsildar through Administrative order without holding of Departmental Promotion Committee which is mandatory under the Khyber Pakhtunkhwa Civil Servant (Appointment Promotion and Transfer) Rules 1989, therefore his illegal promotion order was withdrawn on 09.09.2016.
3. Pertains to record. However an illegal order cannot create single right.
4. Incorrect. The appellant has himself admitted in para - 1 of appeal that his appeal against seniority of Naib Tehsildar is pending before tribunal which is a separate issue, while under notification dated 09.09.2016 his illegal promotion as Naib Tehsildar has been withdrawn.
5. Incorrect. As in para - 4 above, his appeal against seniority was pending which is a separate issue. Beside SCMR 2009 is not applicable in the instant case.
6. Incorrect. Order dated 09.09.2016 passed by the Competent Authority is according to law / rules further all the three irregularities for suspension of the order is in favour of Respondents.

In view of the above the instant appeal having no legal grounds may be dismissed with cost.

3/11/2016  
Senior Member

Respondent No. 1

Assistant Secretary (Estt:)

Respondent No. 4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.498/2016

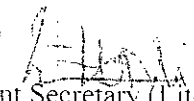
Hazrat Yousaf.....Appellant

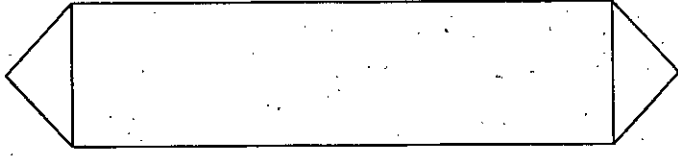
VERSUR

Senior Member Board of Revenue, Khyber Pakhtunkhwa & Others.....Respondents

AFFIDAVIT

I Mr.Mukhtiar Ali, Superintendent (Lit-II), Board of Revenue Khyber Pakhtunkhwa do hereby solemnly affirm that the contents of the written reply are true and correct to the best of my knowledge and belief information provided to me and nothing has been deliberately concealed from this Hon'able Tribunal.

  
Assistant Secretary (Lit-II),  
Board of Revenue



Resp. (39)

2 مخنجان

Govt. of KPK بنام Hazrat Yousaf  
etc

مورخہ

مقدمہ

دعویٰ

جرم

S.A # 498/13

### باعث تحریر آنکہ

کا  
مخبر

10

آن مقام Peshawar کیلئے Bilal Akai Zaki

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق 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 مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2015

10 ماہ 09

الرقوم

Accepted  
Accepted



# VAKALAT NAMA

43

NO. \_\_\_\_\_/20

IN THE COURT OF Service Tribunal Peshawar

Harrai Yousaf (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

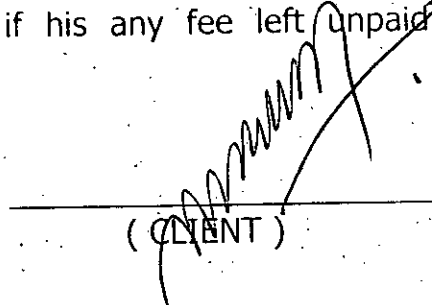
Revenue Dept. (Respondent)  
(Defendant)

I/We Harrai Yousaf

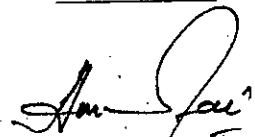
Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

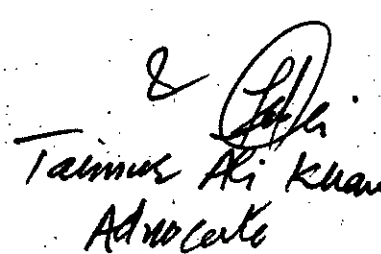
I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/20

  
\_\_\_\_\_  
(CLIENT)

ACCEPTED

  
**M. ASIF YOUSAFZAI**  
Advocate

  
Taimur Ali Khan  
Advocate

**M. ASIF YOUSAFZAI**  
Advocate High Court,  
Peshawar.

**OFFICE:**

Room No.1, Upper Floor,  
Islamia Club Building,  
Khyber Bazar Peshawar.  
Ph.091-2211391-  
0333-9103240