

10.06.2022

Appellant present through representative.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Zewar Khan S.I (Legal) for respondents present.

Reply on behalf of respondents was submitted. Copy of the same was handed over to the representative of appellant. To come up for preliminary hearing 14.07.2022 before S.B.

  
(Rozina Rehman)  
Member (J)

14.07.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt. Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 12.09.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

12.09.2022

The worthy Chairman is on leave, therefore, the case is adjourned to 24.10.2022 for the same.

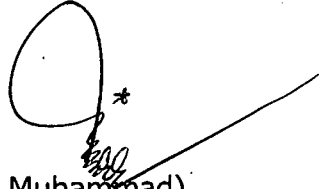
**SCANNED  
KPST  
Peshawar**

  
Reader

17.11.2021

Counsel for the appellant present.


Learned counsel for the appellant seeks adjournment. Adjourned. To come up for preliminary hearing on 27.01.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

27.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Zarshad Ali, SI for respondents present.

Learned AAG requested for a short adjournment and stated at the bar that reply/parawise comments is under process and will be submitted well before the next date of hearing. Request is acceded to. To come up for reply/preliminary hearing on 29.03.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

29.03.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

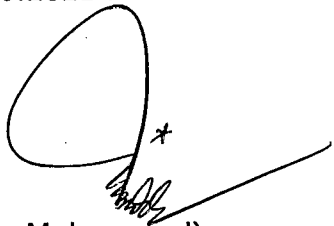
Written reply/comments on behalf of respondents not submitted. Fresh Notices be issued to the respondents for submission of written rely/comments. Adjourned. To come up for written reply/preliminary hearing on 10.06.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER(E)

**Hazrat Bilal 3081/2021**

01.09.2021 Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant agitated and assailed the impugned order dated 08.04.2020 where-under the services of Special Police Officer (SPO's) working in District Swat were regularized w.e.f 01.03.2020. He contended that the regularization of services of the appellant was required w.e.f 26.06.2009 instead of 01.03.2020. In support of his arguments he referred to judgement of the Peshawar High Court, Peshawar in writ petition No.2013-P/2016 dated 24.10.2017 as well as Section-3 of the Khyber Pakhtunkhwa Employees (regularization of service) Act, 2009. The appellant submitted his departmental appeal on 10.09.2020 and the instant appeal was instituted in the service Tribunal on 16.02.2021. As the question of limitation is involved, let pre-admission notice be issued to the respondents to assist the Tribunal on the point. To come up for preliminary hearing before the S.B on 13.10.2021 .

  
(Mian Muhammad)  
Member(E)

13.10.2021 Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation of arguments. Adjourned. To come up for <sup>reply</sup> preliminary hearing before the S.B on 17.11.2021.



  
(MIAN MUHAMMAD)  
MEMBER (E)

Form-A

FORM OF ORDERSHEET

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

Case No. 3081 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	23/02/2021	<p>As per direction of the Worthy Chairman this case is submitted to the S.B for decision on office objection. To be put up there on <u>19/05/21</u>.</p> <p style="text-align: right;"> REGISTRAR</p>
19.05.2021		<p>Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 01.09.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Hazrat Bilal son of Juma Khan Belt No. 569 District Upper Dir received today i.e. on 16/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Condonation of delay application is unsigned.
- ② Copy of appointment order mentioned in para-1 of the memo of appeal is not attached with the appeal which may be placed on it.
- ③ Copy of regularization order mentioned in para-4 of the memo of appeal is not attached with the appeal which may be placed on it.
- 4- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 359 /S.T.

Dt. 16/02 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. M. Anwar Khan Pashton Ghari Adv. Pesh.

Contract order is not available with the Department. High order reply of respondents is placed for contract as already considered by Peshawar High Court and also approached through RTI. Resubmitted after compliance.

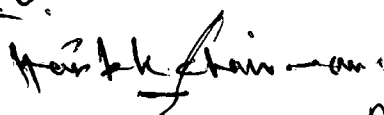


Date 19/2  
21

M. Anwar Khan Pashton Ghari

Siv,

The objection of this office and reply of counsel for the appellant is submitted for order please.

  
M. Anwar Khan Pashton Ghari

P.T.O

  
19/2/21

Be laid before an SB along with  
o/ice objection(s)

Qui  
23/2/21

BEFORE THE KHYBER PAKHTUNKHWA TRIBUNAL  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2021

Mr. Hazrat Bilal *Gojuma Khan*

.....Applicant/**Appellant**

**V E R S U S**

Government of KPK through Chief Secretary & Others

.....**Respondents**

**APPLICATION FOR CONDONATION OF DELAY If Any**

**Respectfully Sheweth:**

1. That the applicant is filling accompanying appeal in this Honorable Service Tribunal.
2. That the applicant has requested for the Back Service & Back benefits but till date no action has been taken on her appeals.
3. That departmental appeal has not been rejected on the ground of limitation.
4. That time and again the applicant submitted applications / appeals for Back Service and Back benefits but no reply has been given.
5. That for the reasons above, the delay, if any ought to be condoned.

It is, therefore, requested that the delay if any, infilling the departmental appeal / the instant appeal be graciously condoned and the appeal be decided on merits.

کالت بلال

Applicant

Through

محمد انور خان

Muhammad Anwar Khan  
(Pashtun Ghari)

Advocate High Court,  
Peshawar

Date: \_\_\_/ \_\_\_/2021

Affidavit:

I Mr. Hazrat Bilal Son of Juma Khan Belt NO 569, R/o Kalkot Kashoor Tehsil Sherengal, District Uper Dir, do here by solemnly affirm and declare on oath that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has concealed from this Honorable Tribunal.

Date: 8/09/2021

Deponent

کالت بلال

ATTESTED  
Juma Khan  
8-2-2021



Self

BEFORE THE KHYBER PAKHTUNKHWA TRIBUNAL  
PESHAWAR

Service Appeal No. 3081 /2021

SCANNED  
KPST  
Peshawar

Mr. Hazrat Bilal *Sojuma Khan*

.....Applicant/**Appellant**

**V E R S U S**

Government of KPK through Chief Secretary & Others

.....**Respondents**

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5. That for the reasons above, the delay, if any ought to be condoned.

It is, therefore, requested that the delay if any, infilling the departmental appeal / the instant appeal be graciously condoned and the appeal be decided on merits.

محمد انور خان

Applicant

Through

Muhammad Anwar Khan  
(Pashtun Ghari)

Advocate High Court,  
Peshawar

Date: \_\_\_/ \_\_\_/2021

**Affidavit:**

I Mr. Hazrat Bilal Son of Juma Khan Belt NO 569, R/o Kalkot Kashoor Tehsil Sherengal, District Uper Dir, do here by solemnly affirm and declare on oath that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has concealed from this Honorable Tribunal.

Date: 8/01/2021

Deponent

محمد انور خان

محمد انور خان  
8-2-2021

**BEFORE THE KPK SERVICES TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

**SCANNED  
KPST  
Peshawar**

Mr. Hazrat Bilal

.....Appellant

**V E R S U S**

Government of KPK through Chief Secretary & Others

.....Respondents

**I N D E X**

S.No	Description of Documents	Annex	Pages
1.	Grounds of Service Appeal		1-4
2.	Affidavit		5
3.	Addresses of Parties		6
4.	Copy of Appointment Order	A	7-11
5.	Copy of Judgment dated 24/10/2017	B	12-22
6.	Copy of Act 2009	C	23-25
7.	Copy of Pay Slip of Regular Appointment	D	26-32
8.	Copy of Application	E	33-34
9.	Copy of Supreme Court Judgment dated 04.04.2016	F	35-42
10.	Copy of Pension rules for qualifying Service	G	43
11.	Wakalat Nama		44

**Appellant**

Through



**Muhammad Anwar Khan  
(Pashton Ghari)**

Advocate High Court,  
Peshawar

Date: \_\_/\_\_/2021

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

Service Appeal No. \_\_\_\_\_/2021

Mr. Hazrat Bilal S/o Juma Khan, Belt No 569,  
R/o Kalkot Kashoor Tehsil Sherengal, District Upper Dir

.....**Appellant**

**V E R S U S**

1. Govt of Khyber Pakhtunkhwa, Through Chief Secretary Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
2. Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
3. The Provincial Police Officer Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
4. The Deputy Inspector General of Police Malakand Region Malakand.

.....**Respondents**

**Appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 1-3-2020 of The Respondents No. 3, whereby Appellant service has been Regulization from contract Service. The Regulization order dated 1-3-2020 may be considered w.e.f, 26-06-2009 instead of 1-03-2020.**

**Prayer in Appeal**

*On Acceptance of the instant appeal, The Respondents may be directed to count the Temporary Services of Appellant with effect from his initial recruitment dated 26-06-*

2009 toward his regular service for the purpose of grant of pension and he may be allowed pension and other benefits.

**Respectfully Sheweth:**

**The appellant submits as under:**

1. That the Appellant has been appointed as SPO (Special Police Officer) in Police Department on fixed Pay Rs. 15000/- PM in the Year 2009 in prescribe manner by selection committee. **(Copy of appointment Order / Selection Committee is attached as Annexure A)**
2. That the appellant latter on along with other Similar Special Police force regulizarec by Peshawar High Court Peshawar in writ Petition No 1980/2016 w.e.f 24/10/2017. **( Copy of Judgment is attached as Annexure B)**
3. That in the year 2009 the KPK Govt: Regulizared all the contract employ through ACT. **(Copy of Act 2009 is attached as Annexure C).**
4. That the Appellanent has been Regularized by the Respondents w.e.f 1/03/2020 instead of date of initial appointment of the Appellant. **(Copy of Pay slip of regular appointment is attached as Annexure D)**
5. That the Appellant requested to the Respondents for issuance copy of Regular Appointment Order but all in vain. The Appellant also requested for regular

appointment order through Right to information Act 2013. **(Copy of application is attached As Annexure E).**

**GRUNDS:**

- A) *That the Petitioner has not been treated in accordance with law and his rights secured and guaranteed under the law have been badly violated.*
- B) *That the same is against the natural justice also.*
- C) That the Appellant remained temporary employee of the Respondents, since 2009, the Appellant was regularized on 1-3-2020 thus in view of the provision contained in Article 371-A of the CSR the Appellant is also entitled that his contract services be counted for the purpose of pension.
- D) That as per Judgment of Supreme Court of Pakistan in Civil Appeal No.1072/2005 decided on 04.04.2016 the larger bench of August Supreme Court of Pakistan has specifically held that the Temporary Service followed by the conformation of regular service counted for the purpose of pension thus the Appellant is entitled for the grant of monthly pension by counting his service w.e.f the date of his initial appointment. **(Copy of Judgment date 14.04.2016 is attached as Annexure F).**
- E) That there are a number of Judgments in identical cases. therefore, Respondents are bound to follow the same and should have acted in accordance with law & judgment of August Supreme Court of Pakistan reported in 1996 SCMR 1185.

F) That the Temporary service followed by confirmation/ regular appointment gave the Appellant a right that his service be considered as regular service. **(Copy of Qualifying Service is attached as Annexure G).**

G) *That the Respondents are using different yard stick and are violating the provision of their own Law/ rules/ calendar and the constitution of Islamic Republic of Pakistan 1973.*

H) *That the Appellant may kindly be allowed to advance additional arguments at the time hearing of the instant Service Appeal.*

It is, therefore, most humbly prayed that on acceptance of the instant service appeal, the impugned regularization order dated 01.03.2020 may very graciously be consider w.e.f his initial appointment i.e. 26/06/2009 instead of 01-03-2020 with all back benefits.

Any other remedy which is deemed fit by this Honorable Tribunal in the interest of justice, may also be granted in favour of appellant.

Appellant

Through

**Muhammad Anwar Khan**  
**(Pashton Ghari)**

Advocate High Court

Date: 8/2/2021

5.

---

**BEFORE THE KPK SERVICES TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mr. Hazrat Bilal

.....Appellant


**V E R S U S**

Government of KPK through Chief Secretary & Others

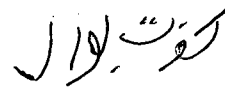
.....Respondents

**AFFIDAVIT**

I, Mr. Hazrat Bilal Son of Juma Khan Belt NO 569, R/o Kalkot Kashoor Tehsil Sherengal, District Uper Dir, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Tribunal.

  
2021-2-21

DEPONENT





**BEFORE THE KPK SERVICES TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mr. Hazrat Bilal

.....Appellant

**V E R S U S**

Government of KPK through Chief Secretary & Others

.....Respondents

**ADDRESSES OF PARTIES**

**APPELLANT**

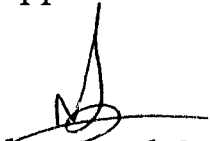
Mr. Hazrat Bilal S/o Juma Khan, Belt No 569,  
R/o Kalkot Kashoor Tehsil Sherengal, District Upper Dir

**RESPONDENTS**

1. Govt of Khyber Pakhtunkhwa, Through Chief Secretary Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
2. Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
3. The Provincial Police Officer Khyber Pakhtunkhwa, Civil Secreteriate Peshawar.
4. The Deputy Inspector General of Police Malakand Region Malakand.

  
Appellant

Through

  
**Muhammad Anwar Khan**  
**(Pashton Ghari)**  
Advocate High Court,  
Peshawar

Date: 8/2/2021

Annexure A 7-8

7

**Annex A, 16**

Annex-DIA  
Phone: 091-9212206  
Fax: 091-9213165

From: The Deputy Inspector General of Police,  
Operations & Training NWFP Peshawar.

To: The Deputy Inspector General of Police,  
Malakand Region Swat.

The DPOs, Swat, Buner, Shangla, Dir Upper & Dir Lower.

Information: The Provincial Police Officer NWFP Peshawar.

No. 323-29 PA (Ops. & Trg.) dated Peshawar the 26 /06/2009.

Subject: SPECIAL POLICE FORCE

Memo:

This is with reference to CPQ Peshawar letter No. 6611-14/C-I dated  
16-06-2009 addressed to the Home Secretary NWFP.

The competent authority has decided that 6725 personnel in Swat,  
Buner, Shangla, Dir Upper & Dir Lower Districts will be taken on contract as  
Special Police Force.

The following are the terms and conditions for enlistment and  
training:-

1. No advertisement will be made.
2. Residents of the above mentioned Districts to fulfill the following  
conditions will be enlisted:-

Age: 22 to 45 years.

Height: 5'-6".

Chest: 30-32"

Fixed Pay per Month Rs. 10,000/-

Uniform: Uniform will be provided by the  
Police Department.

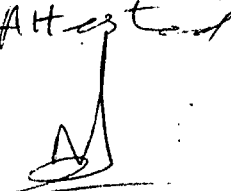
Weapons: 7.62 Rifle and Ammo: will be  
provided by Police Department

Contract period: 2-years

Recruitment methodology: The DPOs of above mentioned  
Districts are directed to  
immediately contact community  
leaders and notables of their  
Districts, particularly recruitment

may be made from the IDPs.

A.G. 28/6/09  


Attendant  


8

The DPOs will head the recruitment committees which will be assisted by the DCO's Rep, likewise, S.B, I.E, ISI & M.I personnel will be member of the committee for vetting of every and each individual.

No person with any hostile and diverse background may not be enlisted in the Special Police Force.

The following break-up is to be followed:-



SWAT DISTRICT:

Allocation: 3725  
Distribution:

- Mingora 400
- Kabal 600
- Matia 800
- Char Bagh 425
- Khwaza Khela 300
- Behrain 300
- Barikot 700
- Saidu 200

- BUNER DISTRICT: 800
- DIR UPPER DISTT. 600
- DIR LOWER DISTT. 800 ✓
- SHANGLA DISTT. 800

Total: 6725

You are directed to immediately start the process of raising of special police force Malakand and intimate the progress. Please contact the undersigned for any clarification etc.

DEPUTY INSPECTOR GENERAL OF POLICE,  
OPS. & TRAINING NWFP PESHAWAR.

A.H. Tani

OHC

DPO/DirL

A.H. Tani

**BEFORE THE HONORABLE PESHAWAR HIGH COURT PESHAWAR**

Writ Petition No. 2182-P/2016

Shaukat Ali and others .....

(Petitioners)

VERSES

Secretary Home Department Khyber Pakhtunkhwa, Peshawar and others.....

(Respondents)

Subject: **COMMENTS ON BEHALF OF RESPONDENTS**

**Preliminary Objection:-**

- a. The petition has not been based on facts.
- b. The petition is not maintainable in the present form.
- c. The petition is bad for Non-Joinder and mis-joinder of necessary party.
- d. The petitioners are stopped to file the petition.
- e. The petitioners have not got no cause of action to file the petition.
- f. The petition is barred by law and limitation.
- g. The petitioners have not come to the Honorable Court with clean hands.

**FACTS:-**

1. Correct to the extent that in view of insurgency of militancy in Khyber Pakhtunkhwa, ongoing going operation against militants at Malakand Region, to encourage community policing and to compensate the Internally Displaced Persons (IDPs), the government sanctioned funds for recruitment of Special Police on contract basis for assistance of the regular Police.
2. Correct to the extent that petitioners and other were recruited on contract basis however, there is there is great difference in the criteria prescribed for Special Police and regular Police. ✓
3. Correct to the extent that petitioners were initially recruited on contract basis for two years and the contract was extended from time to time.

Admitted  
Service of SPFF

Nature of 2.  
duties are  
the same

Contract is 3.  
extended till  
2014.

Correct to the extent that Special Police assisted the regular Police in discharge of their functions but they were untrained and inexperienced fellows.

Incorrect, the selection process of the Special Police were different than prescribed for regular Police.

Correct, to the extent that Special Police assisted regular Police and government had chalked out proper Policy for grant of "Shaheed" package to legal heirs of Special Police "Shuhada".

7. Incorrect, NWFP (KP) employees (Regulation of Service) Act, 2009 is not applicable to petitioners. According to Section 2 (f) of the Act, "Post" means a post under government or in connection with affairs of government to be filled in on the recommendation of commission and the post of constable does not fall within the category of commission posts. Again appointment, seniority & promotion of Police Department is governed by Special Law i.e. Police Order and Police Rules.

8. Incorrect, the petitioner's prayer for regularization was without any force and substance. As explained in reply to Para-7 that NWFP (KP) employee (Regularization of Service) Act, 2009 is not applicable to the petitioner. There was great difference in Physical, age, educational, criteria prescribed for Special Police and regular Police. Again the members of Special Police were recommended by the notables of the village and not by selection committee constituted for recruitment of regular Police.

9. Incorrect, the petitioners were appointed on contract basis and most of them were already overage as age limit for Special Police was 45 years as against 25 years age limit for regular Police. The petition of the petitioner is not sustainable on the given grounds.

#### GROUNDS:-

- a) Incorrect, petitioners were employed on contract basis and their case is not covered under NWP (KP) employee (Regularization of Service) Act, 2009.
- b) Incorrect, members of Special Police are allowed to participate in the examination of recruitment of regular police subject to fulfilling the prescribed qualification. Also additional 03 Marks are allotted to such candidates on qualifying the examination.
- c) Incorrect, petitioners voluntarily joined Special Police on contract basis and they were well in pictured of the fate of the contract service.
- d) Incorrect, contract service is no ground for regularization and there is no rule or law which may allowed regularization of petitioners.

Incorrect,  
Well trained  
Performing  
5. 10 year  
Incorrect

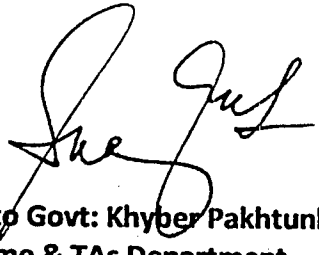
C 203  
of Act 2009

In correct  
at time of  
Recruitment  
in age


Incorrect

- e) Incorrect, the respondents have neither acted contrary to any provision of law nor have violated any ruling/order of the Superior Courts.
- f) That respondents may also seek permission of raising additional grounds during arguments of the case.


It is, therefore, prayed that the petition of the petitioners may be dismissed with costs.



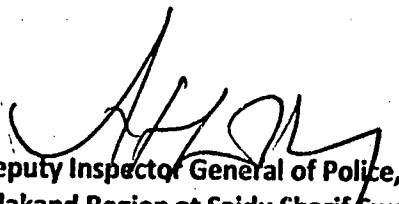
**Secretary to Govt: Khyber Pakhtunkhwar,  
Home & TAs Department  
Peshawar  
(Respondent No. 01)**



**Secretary Finance,  
Govt: of Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No. 02)**



**Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No. 03)**



**Deputy Inspector General of Police,  
Malakand Region at Saidu Sharif Swat  
(Respondent No. 04)  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat,**

BEFORE THE HONORABLE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No. 2182-P/2016

Shaukat Ali and others.....(Petitioners)

Versus

Government of Khyber Pakhtunkhwa, through Secretary Home & TAs department, Civil Secretariat Peshawar and others..... (Respondents)

AFFIDAVIT

I, Khwas Khan SI Legal Branch district Swat do here by solemnly affirm on oath that the contents of accompanying better statement on behalf of Respondents is correct to the best of my knowledge and belief. Nothing has been concealed from this Honorable Court.

DEPONENT

*K. Kh*  
Khwas Khan SI  
District Swat

Identified by

*Shahid Khan*  
Advocate General,  
Khyber Pakhtunkhwa,  
Peshawar

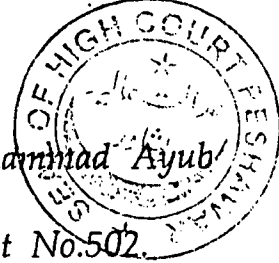
No: <i>14582</i>
Certified that the above was verified on solemnly affirmation before me on this <i>26th</i> day of <i>December</i> <i>2016</i> at <i>Chenabgarh</i> who was identified by <i>A. Shah</i> who is personally known to me:
<i>[Signature]</i> Oath Commissioner Peshawar High Court, Peshawar

Annexure - B 9-19

9

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Writ Petition No. 1980-P of 2016



- 1) Muhammad Anawar Son of Muhammad Ayub Belt No.227.
- 2) Katoor Khan Son of Akbar Shah Belt No.502.
- 3) Muhammad Aslam Son of Muhammad Belt No.89.
- 4) Bakht Biland Son of Rasool Shah Belt No.566.
- 5) Islam ud Din Son of Umar Jan Belt No.568.
- 6) Palas Khan Son of Saadat Khan Late Belt No.578.
- 7) Shah Naseem Khan Son of Noor Muhammad Belt No.557.
- 8) Muhammad Haroon Son of Akbar Said Belt No.567.
- 9) Bilour Khan Son of Wazeef Ullah Belt No.312.
- 10) Said ur Rehman Son of Muhammad Sherin Belt No.521.
- 11) Muhammad Ali Son of Ajda Khan Belt No.547.
- 12) Naseer ud Din Said Muhammad Belt No.555.
- 13) Umarzada Son of Shams ud Din Belt No.570.
- 14) Iftikhar Ahmad Son of Alam Khan Belt No.264.
- 15) Hazrat Bilal Son of Junia Khan Belt No.569.
- 16) Bakht Rawan Son of Musafar Shah Belt No.566.
- 17) Aziz Ullah Son of Shamshi Khan Belt No.548.
- 18) Hazrat Ali Son of Wazeef Ullah Belt No.34
- 19) Miftah ud Din Son of Muhammad Khaliq Belt No.565.
- 20) Noor ul Islam Son of Muhammad Nabi Belt No.285.
- 21) Afzal Khan Son of Palas Khan Belt No.577.
- 22) Shaukat Hayat Son of Fazal Hadi Belt No.573.
- 23) Sher Ahmad Son of Gul Azam Khan Belt No.554.
- 24) Sartaj Son of Fazal Hadi Belt No.556.
- 25) Muhammad Bashir Son of Muhammad Mukhtiar Belt No.563.
- 26) Gul Sher Son of Muhammad Noor Belt No.571.

FILED TODAY  
Deputy Registrar  
19 MAY 2016

WP1980P2016GROUND

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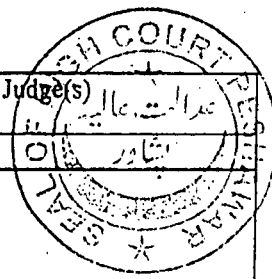
EXAMINER  
Peshawar High Court  
18 NOV 2017



IN THE PESHAWAR HIGH COURT, PESHAWAR.

FORM 'A'

FORM OF ORDER SHEET



Date of Order	Order or other proceedings with signature of the Hon'ble Judge(s)
1	2
24.10.2017	<p><u>W.P.No.1930-P/2016 with I.R.</u></p> <p>Present: Mr. Muhammad Anwar Khan, Advocate, for the petitioners.</p> <p><i>Mr. Qasim Akhtar Hussain Awam,</i> AAG, for the Provincial Government.</p> <p>***</p> <p><u>IJAZ ANWAR, J.-</u> Same order as in the connected writ petition No.2013-P/2016.</p> <p><i>Chief Justice</i> <u>CHIEF JUSTICE</u></p> <p><i>Judge</i> <u>JUDGE</u></p> <p>CERTIFIED TO BE TRUE COPY Peshawar High Court, Peshawar Authorized Under Article 227 of the Constitution of Pakistan 1973 17 NOV 2017</p> <p><i>Attorneys</i></p>

*office*  
08/11/2017

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*Judgment Sheet*

IN THE PESHAWAR HIGH COURT,  
PESHAWAR  
JUDICIAL DEPARTMENT

W.P No. 2013-P/2016.

**JUDGMENT**

Date of hearing:..... 24.10.2017

Petitioner (s) Ahmad Khan and 99 others by  
Muhammad Anwar Khan Pashton Ghari, Advocate.

Respondent (s) Secretary Home Department Khyber  
Pakhtunkhwa and others by Malik Akhter Hussain  
Awan, AAG.

**IJAZ ANWAR, J.-** The petitioners Ahmad Khan

and 99 others in the instant writ petition No. 2013-P/2016 as  
well as the petitioners in the connected writ petitions No.  
1980 of 2016, 2109 of 2016, 2146-P of 2016, 2182 of 2016,  
2183-P of 2016, 2231-P of 2016, 2330-P of 2016, 2437-P of  
2016, 2481-P of 2016 2538-P of 2016 and 3197 of 2016, have  
asked for issuance of an appropriate writ directing the  
respondents to give them benefit under the provisions of the  
Khyber Pakhtunkhwa Employees (Regularization of Service)  
Act, 2009, whereby services of all ad-hoc and contract  
employees have been regularized.

2. As in all the writ petitions, one and same point is  
raised for determination, therefore, we propose to dispose of  
all the writ petitions through this single judgment in W.P.  
No.2013 of 2016.

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EXAMINER  
Peshawar High Court  
10 NOV 2017

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3. Precise facts of the instant writ petition and the connected writ petitions are that the petitioners in all the writ petitions, after fulfilling the selection process as provided in letter No. 523-29 PA (OPS & Trg) dated 26.6.2009, were enrolled in Special Police Force in the year, 2009, on two years contract basis. The contract of petitioners was extended from time to time. The Provincial Assembly passed Khyber Pakhtunkhwa Employees (Regularization of Service) Act, 2009, whereby all the contract employees holding a post on 31.12.2008 or till the commencement of the Act, were declared as regular civil servants. On the strength of the above said policy, services of other employees were regularized, however, the petitioners were deprived from the benefit of it, therefore, they approached the respondents for regularization of their services on the strength of the above said policy but in vain, hence, the above referred writ petitions.

4. Respondents submitted their comments, wherein they stated that in view of ongoing operation against militants in the province, the persons from the Internally Displaced persons (IDPs) were ordered to be appointed in the Special Police Force on contract basis, therefore, the policy of the year, 2009, referred to *ibid*, is not applicable to the case of the petitioners.

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EXAMINER  
Peshawar High Court  
10 NOV 2017

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5. Learned counsel for the petitioners argued that the petitioners were appointed in Special Police Force since the year, 2009-2010 and they are performing their duties till date with the same terms and conditions. They argued that the petitioners have rendered almost ten years service, but they have not been given service protection. They referred to the Khyber Pakhtunkhwa, Employees (Regularization of Services) Act, 2009 and argued that employees working in different departments have been regularized except the petitioners despite the fact that the job of the petitioner is exactly the same with those employees, who are performing their duties in regular police force, therefore, the act and action of the respondents is discriminatory.

6. Conversely, learned AAG argued that while appointing the petitioners, there was no specific criteria to be adopted and it was, in fact, for the encouragement and compensation of the Internally Displaced Persons, such recruitment was made. He argued that there is great difference in the criteria of Special Police and Regular Police, therefore, the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 is not applicable to the case of petitioners.

7. We have heard arguments of the learned counsel for the parties and have also perused the record.

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EXAMINED  
17 NOV 2017

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8. Perusal of the record reveals that, initially, it was decided for the recruitment of 6725 personnel in Swat, Buner, Shangla, Dir Upper and Dir Lower Districts on contract basis as Special Police Force, thereafter, such appointments were also made in other Districts of the province of Khyber Pakhtunkhwa. Initially, there was no set criteria for such recruitment as the same was to be made from the Internally Displaced persons (IDPs), however, even for such appointments, there was a Recruitment committee to be headed by District Police Officer that was required to observe the age, physical fitness, i.e., height, chest etc. After advent of time, the issuance of advertisement for the filling of such posts was also made mandatory. Vide notification dated 24.10.2009, the Provincial Assembly has promulgated Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009. The relevant section 3 of the said Act is reproduced for ready reference.

Section (3)

Regularization of service of certain employees. All employees including recommendee of the High Court appointed on contract or adhoc basis and hold that post on 31st December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

According to the above section, there are three conditions for regularization of service of the contract

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10 NOV 2017

employees, namely, (i) employees must have been appointed on contract or adhoc basis, (ii) they were holding the said post on 31.12.2008 or till the commencement of this Act, i.e, 24.10.2009, and (iii) having the pre-requisite qualification and experience required for a regular post.

Similarly, section 2 of the Act says that:-

Section (2).

a)---

aa) "Contract appointment" means of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment.

b)"employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies



9. It is pertinent to mention here that earlier the Provincial Government, vide Khyber Pakhtunkhwa, Civil Servants (Amendment) Act, 2005, amended section 19 of the Khyber Pakhtunkhwa Civil Servant Act, 1973. The Provincial Government regularized the services of contract employees throughout the province but benefit of Section 19(2) was not extended to some of the employees on the ground that they have not been appointed in the prescribed manner. The controversy came up before this Court in a case of Dr. Rizwanullah and 42 others vs. Government of

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EXAMINER  
Provincial High Court  
10 NOV 2017

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N.-W.F.P through Chief Secretary, NWFP, Peshawar and 4 others ( 2009 PLC (CS) 389) wherein it was held that:-

16. A bare look at the history of legislation on this subject in the past further reinforced the above view that the petitioners' service have been duly regularized by the legislature and nothing has been left for the executive to notify their names in the official gazette or to pass any executive order. In this regard, the N.-W.F.P Ad hoc Civil Servants (Regularization of Services) Act-II of 1987 is much relevant wherein a proviso was added to section 3 thereof to the following effect:-

"Provided that--

(i) the services of such civil servants shall be deemed to have been regularized under this Act only on the publication of their names in the official Gazette,"

In the N.-W.F.P Employees on Contract Basis (Regularization of Services) Act, VIII of 1989, Section 4 is couched in the following words;-

"S. Regulation of services of certain Civil Servants.--

- (1) Notwithstanding anything contained in any law for the time being in force, any Civil Servant, who is or has been appointed or deemed to have been appointed against any post in any Government Department under section 3 of this Act shall be deemed to have been regularly appointed from the date of his continuous affiliation, subject to eligibility, according to the service rules applicable to the post, verified by the administrative Secretary of the department concerned."

17. Again the same language was used in section 4 of the N.-W.F.P Employees on Contract Basis (Regularization of Services) (Amendment) Act-II of 1990.

18. The relevant provision of the Act (IX), 2005 has been worded almost in a totally different language wherein nothing has been left for the administrative secretaries or the heads of the attached department/competent authorities to issue notification

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EXAMINER  
Peshawar High Court  
2017

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with regard to the regularization of service of contract employees because the object has been clearly accomplished through the plainly understandable words used in section 2(2) of the Act (IX) 2005. On this analogy all the petitioners stood regularized on coming into force of the Act under discussion and issuance of notification/executive order in this regard would be only a formality for the departmental heads/administrative secretaries. Thus authorities were under statutory obligation to do what is required by the law to do and the petitioners were not required under the said provision to approach them for issuance of such order/notification."

10. In the present case, the petitioners have been appointed by the Departmental Selection Committee and faced the process of selection regarding physical fitness, height, chest etc. They are performing their duties since year, 2009. Different documents were placed on file, according to which, number of Special Police Force employees were proceeded under the Khyber Pakhtunkhwa, Police Rules, 1975. It has also not been denied that the petitioners are performing exactly the same duties as performed by the members of the regular police. Therefore, we found that the case of the petitioners squarely come within the purview of the provisions of the Regularization Act, 2009, referred to *ibid*, because they have been appointed on contract basis in a manner prescribed by the Government at that time and that they have also been appointed between the period which was

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EXAMINER  
Khyber Pakhtunkhwa High Court  
10 NOV 2017



given by the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009 (ACT No. XVI OF 2009).

11. It is pertinent to mention here that the special Police Force is performing duty side by side with the regular police. They encounter terrorists and embraces "Shahadat". Their cases for grant of "Shuhada Package" were, initially, regretted by the Provincial Government, however, this Court in a judgment and order dated 19.5.2015 in W.P No. 2502/2015, held their families to avail the said benefit, announced by the Provincial Government.

12. There is yet another very important aspect of the case that is the definition given to the contract employees is clear enough to bring the case of the petitioner within the purview of the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009, because as objected by the respondents the appointments of the petitioners on contract basis was made otherwise than the method prescribed under the recruitment Rules. In fact, the intention of the legislature while promulgating the Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009, was to regularize all those contract employees, who were appointed not in accordance with the prescribed

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A.H. J. S. P.

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EXAMINER  
Peshawar High Court  
10 NOV 2017

procedure and who were holding post on 31.12.2008 or uptill 24.10.2009.

13. When analyzing the case of the petitioners on the touchstone of the Act of 2009, we leave no doubt in our mind that the petitioners stood regularized by operation of law on the promulgation of the Act, *ibid*.

14. For the stated reasons, this and the connected writ petitions are allowed and it is declared that those petitioners who are holding the post of constable/Special Police Force on 31.12.2008 or till the commencement of the Act, 2009, *ibid*, i.e., 24.10.2009 shall be deemed to be regularized.

*Signature of Chief Justice*

**CHIEF JUSTICE**

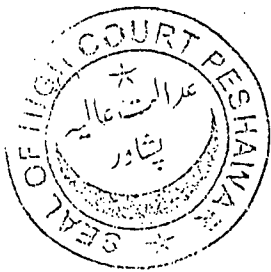
*Signature of Judge*

**JUDGE**

*Office*  
*08/11/2017*

Announced.

Dt.24.10.2017



CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court, Peshawar  
Authorized Under Article 177 of  
The Constitution of the Islamic Republic of Pakistan 1973

NOV 2017

*Signature of Examiner*

*Alleged to*  
*Signature*

(M.Zafar P.S)

(DB of Hon'able Mr. Justice Yahya Afridi, HCJ, and Hon'able Mr. Justice Ijaz Anwar.)

Annexure - C 20-22

20

THE <sup>3</sup>[KHYBER PAKHTUNKHWA]  
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.  
(<sup>4</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)

[First published after having received the assent of the Governor of the <sup>5</sup>[Khyber Pakhtunkhwa] in the Gazette of <sup>6</sup>[Khyber Pakhtunkhwa] (Extraordinary), dated the 24<sup>th</sup> October, 2009]

AN  
ACT

*to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.*

**WHEREAS** it is expedient to provide for the regularization of the services of certain employees appointed on adhoc or contract basis, in the public interest, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**---(1) This Act may be called the <sup>7</sup>[Khyber Pakhtunkhwa] Employees (Regularization of Services) Act, 2009.

(2) It shall come into force at once.

2. **Definitions.**---(1) In this Act, unless the context otherwise requires,-

- (a) "Commission" means the <sup>8</sup>[Khyber Pakhtunkhwa] Public Service Commission;
- (aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment;
- (b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;

<sup>3</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>4</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>5</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>6</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>7</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>8</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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- (c) "Government" means the Government of the <sup>9</sup>[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the <sup>10</sup>[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and
- (f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the <sup>11</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (<sup>12</sup>[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

**3. Regularization of services of certain employees.**---All employees including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31<sup>st</sup> December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.

**4. Determination of seniority.**---(1) The employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.


(2) The seniority interse of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

<sup>9</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>10</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>11</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>12</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

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Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

4A. **Overriding effect.**---Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. **Repeal.**---The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

Attest  
A. J.

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P.Sec.001 Months: September 2020

DP 4016- S P DIR UPPER (POLICE)

Pers # 00453591

Buckle:

LAW AND ORDER UPER DIR

Name: HAZRAT BILAL  
CONSTABLE

NTN:

GPF #:

CNIC No. 1570112426075

OLD #:

GPF Interest Free

DP 4016

07 Active Temporary

PAYS AND ALLOWANCES:

1923-UAA-OTHER 20%(1-15)	1,000.00
1933- Special Risk Allowance	3,000.00
2168- Fixed Daily Allowance	2,730.00
2211- Adhoc Relief All 2016 10%	922.00
2224- Adhoc Relief All 2017 10%	1,099.00
2247- Adhoc Relief All 2018 10%	1,099.00
2264- Adhoc Relief All 2019 10%	1,099.00

Gross Pay and Allowances

32,396.00

DEDUCTIONS:

Subrc:

GPF Balance 7,070.00

Total Deductions

1,680.00  
30,716.00

D.O.B

LFP Quota:

01.01.1967

HABIB BANK LITIMITED HBL SHERINGAL DIR

11 Years 02 Months 001 Days 7900361603

Attest  
[Signature]

PROVINCIAL ASSEMBLY SECRETARIAT  
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 8 /10/2019.

No.PA/Khyber Pakhtunkhwa/Bills-75/2019/ 8849 The Khyber Pakhtunkhwa Special Police Officers (Regularization of Services) Bill, 2019 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 30<sup>th</sup> September, 2019 and assented to by the Governor of the Khyber Pakhtunkhwa on 4<sup>th</sup> October, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

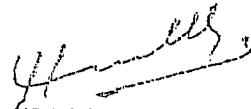
**THE KHYBER PAKHTUNKHWA SPECIAL POLICE OFFICERS (REGULARIZATION OF SERVICES) BILL, 2019**

(KHYBER PAKHTUNKHWA ACT NO. XXVII OF 2019)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa.

(Extraordinary), dated the 8 /10/2019).

(Here print as in the accompaniment).

  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa.

No. and date (as per notification above).

A copy of the above notification with the accompaniment is forwarded to the Manager, Government Stationery and Printing Department, Peshawar, with the request to publish the same in the extraordinary issue of the Khyber Pakhtunkhwa Government Gazette of today's date and distribute copies thereof immediately in accordance with the list given overleaf.

Proof should be sent to this Secretariat before publication.

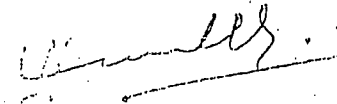
  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa

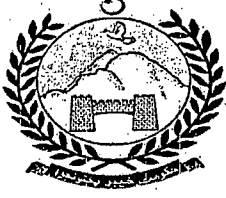
E.No. PA/Khyber Pakhtunkhwa /Bills-75/2019/ 8850-54 Dated 8 /10/2019

A copy of the above is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.
3. The Director Information, Khyber Pakhtunkhwa.
4. The Director I.T/ Special Secretary Provincial Assembly of Khyber Pakhtunkhwa.
5. The Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department.

  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa



Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
Dated Peshawar the April 8<sup>th</sup>, 2020

**NOTIFICATION**

**No.SO(Budget)/HD/15-29/2016 Vol-II:** In pursuance of the provisions contained in Section 3 read with Section 5 of the Khyber Pakhtunkhwa Special Police Officers (Regularization of Services) Act, 2019 (Khyber Pakhtunkhwa Act No.XXVII of 2019) and on the recommendation of Provincial Police Officer, Khyber Pakhtunkhwa and approval of the Provincial Cabinet, the Home and Tribal Affairs Department is pleased to notify herewith regularization of the following Special Police Officers (SPOs) working in District Swat under DDO Code SW4042- Law & Order Swat as Constables (BPS-07) with effect from 01-03-2020:

S.No.	Name	Father Name	Belt No.
1.	Haroon Ur Rashid	Ghulam Rashid	24
2.	Muhammad Rashid	Khan Rashid	25
3.	Fazal Zarin	Amir Dad	30
4.	Noor Gul Shah	Mian Gul Shah	31
5.	Naimat Sharif	Ghulam Rasool	33
6.	Shams	Faqir Muhammad	35
7.	Waqas	Rahim Gul	36
8.	Umar Ali	Dawrai	37
9.	Umar Zarin	Shah Zarin	38
10.	Habib Ullah	Amir Hamza	39
11.	Alam Khan	Hazrat Umar	43
12.	Muhammad Ali Shah	Bunirai	47
13.	Muhammad Salim	Umar Rahim	50
14.	Ashraf Ali	Muhabbat Khan	52
15.	Hazrat Usman	Fazal Wahid	53
16.	Muhammad Zahid	Hazrat Yousaf	54
17.	Ahmad Zeb	Wahid Zaman	56
18.	Sarfraz Khan	Juma Khan	3623
19.	Rahim Zada	Toti Gul	3624
20.	Muhammad Rashid	Azad Bakht	3625
21.	Fazal Rahim	Wasiat Khan	3627
22.	Muhammad Kamal	Muhammad Bilal	3629
23.	Muhammad Ayaz	Dedan Gul	3630
24.	Ihasan Ullah	Amir Zada	3632
25.	Yausaf Khan	Gul Didar	3637
26.	Muhammad Amin	Muhammad Sadiq	3639
27.	Izat Gul	Arif Ullah	3641
28.	Fatih Muhammad	Habib Khan	3642
29.	Malak Amir Khan	Muhammad Din	3646
30.	Abdul Malik CTD Kabal	Muhammad Ghani	3649
31.	Chirag Ud Din	Abdur Rauf	3651
32.	Akhtar Muneer	Khudad Khan	3652



33.	Muhammad Qayyum	Abdul Matin	3653
34.	Akhtar Hussain	Atiq Ullah	3654
35.	Noor Ul Ahad	Bihar Madad	3655
36.	Wahid Zaman	Mandar Khan	3658
37.	Afzal Khan	Malak Shah	3660
38.	Hazrat Zada	Izat Khan	3662
39.	Muhammad Nawab	Nazar Khan	3665
40.	Akhtar Hussain	Akhtar Munir	3668
41.	Sher Hussain	Rahmani Gul	3670
42.	Bakht Zada	Halim Ullah	2021
43.	Aqbal Hussain	Lale	2022
44.	Fazal Malik	Gul Farosh Khan	2025
45.	Azam Khan	Muhammad Abdul	2028
46.	Salamat Khan	Muhammad Khan	2030
47.	Salamat Khan	Muhammad Karim	2032
48.	Ghat Khan	Muhammad Azam	2033
49.	Aziz Ullah	Rohul Amin	2034
50.	Qasim Khan	Dawa Khan	2039
51.	Umar Khitab	Shatmand	2040
52.	Sher Malik	Muhammad Raziq	2041
53.	Behrul Mulk	Muhammad Ghulam	2044
54.	Gohar Ali	Ala Ud Din	2046
55.	Mumin Khan	Muhammad Yar	2049
56.	Asghar Khan	Sadbar Khan	2050
57.	Bakht Shad	Sar Ghand	2051
58.	Muhammad Jan	Mian Waris Jan	2055
59.	Jamshid	Khirate Gul	2056
60.	Khan Nawab	Said Noor	2064
61.	Rozi Gul	Hamish Gul	2070
62.	Muhammad Adnan	Ismail	2076
63.	Sami Ullah	Bihra Mand	2080
64.	Zarmin Zada	Zoor Talab Khan	2088
65.	Nawab Ali	Fazal Rahim	2096
66.	Fazal Ullah	Said Ullah	2099
67.	Amir Nawab	Amir Mehmood	2101
68.	Muhammad Parveez	Fazal Wahid	2113
69.	Malak Zada	Muhammad Azim	2118
70.	Muhammad Sadiq	Mian Said	2119
71.	Ubaid Ullah	Amir Jamshid	2123
72.	Umar Rahman	Shamozai	2130
73.	Akhtar Ali	Shah Zamin Khan	2131
74.	Ismail	Zar Minosh	2307
75.	Said Islam Shah	Haider Shah	3675
76.	Ajab Khan	Khachan	321
77.	Bakht Rawan	Musharaf Gul	335
78.	Bakht Muneer	Faroq	341
79.	Abdul Wahab	Muhammad Ullah	2753
80.	Bacha Hussain	Rasool Shah	3045
81.	Rahim Shah	Asil Zada	3046
82.	Sami Ur Rahman	Tora Baz Khan	3047
83.	Fazal Hussian	Mian Sher Shahgram	3686
84.	Sardar Ali	Umar Sardar	2754
85.	Hamza Khan	Azam	1364
86.	Ali Rahman	Bakht Rawan	346
87.	Muhammad Ishaq	Said Hameed	347
88.	Gohar Ali	Sher Ali	349
89.	Said Rahim	Jamal	820

90.	Dildar Ali	Ghulam Muhammad	982
91.	Javid Iqbal	Sultani Room	3049
92.	Asim Khan	Bunir Gul	2309
93.	Naimat Khan	Khan Zada	3
94.	Muhammad Ismail	Sher Ali Khan	26
95.	Noor Khan	Said Azim	40
96.	Akbar Hussain	Nasib Zada	58
97.	Muhammad Alam	Muhammad Muneer	59
98.	Muhammad Jan	Galandai	65
99.	Umar Khaliq	Ahmad Gul	69
100.	Abdul Kamal	Fazal Dyan	71
101.	Ihsan Ali	Sher Afzal Khan	75
102.	Mutabar Khan	Noor Hani Gul	86
103.	Fazal Rahman	Abdur Rahman	87
104.	Naik Muhammad	Taj Muhammad	89
105.	Khustani	Abdul Gohar	2757
106.	Khan Gul	Umar Gul	2759
107.	Alam khan	Umar Khan	2761
108.	Gul Zarin	Muhammad Zarin	2756
109.	Rahman Ullah	Zyarat Gul	702
110.	Ihsan Ali	Sher Afzal Khan	7
111.	Shamshir Ali	Hazrat Ali	604
112.	Noor Ul Islam	Biladar Khan	605
113.	Gul Nazar	Haji Muhammad	608
114.	Muhammad Nisar	Bakht Yar	611
115.	Azam Khan	Ahmad Gul	616
116.	Muslim Khan	Gul Halim Khan	618
117.	Fida Hussain	Sharif Ullah	620
118.	Amin Ul Haq	Mina Malih Gul	621
119.	Ala Ud Din	Abdul Hakim	623
120.	Shafi Ullah	Hasan Khan	625
121.	Fazal Subhan	Seraj Ud Din	626
122.	Fazal Wadan	Amir Zada	628
123.	Fazal Zada	Said Rahman	632
124.	Shawkat Ali	Shah Didar	633
125.	Faiz Ali Khan	Bahadar Khan	634
126.	Raza Khan	Muhammad Zarin	637
127.	Fida Hussain	Rostam Khan	639
128.	Muhammad Sher	Khaista Gul	641
129.	Nasar Khan	Rahman Ud Din	642
130.	Amir Ahmad Khan	Musa Khan	643
131.	Muhammad Ayaz	Jihan Zeb	648
132.	Akbar Hussain	Fazal Ghafar	649
133.	Miftah Ud Din	Danish Mand	42
134.	Bakht Rawan	Bakht Jamal	45
135.	Umar Ali	Muhammad Ayub	48
136.	Umara Khan	Fazal Raziq	51
137.	Said Alam	Ahmad Mukhtyar	67
138.	Rahman Ud Din	Jalil Ud Din	78
139.	Anwar Khan	Fazal Raziq	88
140.	Usman Ali	Gul Rahim	91
141.	Muhsin Raza	Rahman Ullah	97
142.	Sardar Ali	Akhtar Biland	99
143.	Habib Afzal	Sher Afzal Khan	100
144.	Muhammad Rahim	Shah Haidar	101
145.	Fazal Khaliq	Dawlat Khan	104
146.	Mushtaq Ahmad	Azim Khan	108

2142	Muhammad Ibrahim	Umar Deer	1169
2143	Naeem Ul Haq	Ihsan Ul Haq	1174
2144	Barkat Ali	Saif Ullah Khan	2701
2145	Asad Ul Haq	Rooh Ul Amin	2743
2146	Khalil Ur Rahman	Muhammad	2885
2147	Shehzad Ahmad	Mukhtyar Ahmad	98
2148	Maaz	Jehan Zada	354
2149	Hussain Ali	Bakht Amin	415
2150	Hazrat Ali	Zmrooz Khan	1307
2151	Usman	Umar Rahim	1381
2152	Asghar Ali	Muhammad	435
2153	Salman Khan	Saif Ur-Rahman	528
2154	Noman	Gul Rahman	562
2155	Sohail	Bahri Bostan	3335
2156	Hazrat Hussain	Muhammad Khan	2186
2157	Asad	Hamid Ullah	1962
2158	Umar Bacha	Khan Zada	2318
2159	Abdullah	Abdul Aziz	82
2160	Noor Muhammad	Samandar Mian	1987
2161	Sajid Khan	Hadi Khan	2306
2162	Hazrat Bilal	Abdul Qayyum	2281
2163	Zeeshan Ahmad	Abdul Ghafoor	1394
2164	Akhtar Zada	Amir Zada	1564
2165	Farman Ullah Khan	Wazir Khan	1965
2166	Taimur Khan	Barkat Ali	3021
2167	Muhammad Zeb	Khan Gul	2047
2168	Suliman	Muhambar	2177
2169	Amjad Ali	Bombay Khan	1953
2170	Shamsher Ali	Bakht Zada	2417
2171	Rahmat Gul	Amir Gul	1448
2172	Salman Usman	Usman Ghani	3353
2173	Yousaf Khan	Haji Nawab	2132
2174	Zia Ullah	Dawa Khan	232
2175	Zia Ullah	Shakir Ullah	558
2176	Subhan Ali	Muhad Alam Khan	763
2177	Ali Muhammad	Wazir Muhammad	1308
2178	Abdullah	Amanullah	2110
2179	Suliman Khan	Sarbaz Khan	2736
2180	Usman Ali	Toti	3482
2181	Amir Sohail	Umar Zarin	3674

Secretary to Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs, Department

**Endst No & date even**

Copy forwarded for information to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Provincial Police Officer, Khyber Pakhtunkhwa.
4. Regional Police Officer, Malakand.
5. District Police Officer, Swat.
6. District Account Officer, Swat.
7. PS to Home Secretary, Khyber Pakhtunkhwa.

SECTION OFFICER (BUDGET)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA  
PESHAWAR.

Service Appeal No. 3081/2021

Hazrat Bilal s/o Juma Khan FC No. 569 Dir Upper..... Appellant.

VERSUS.

- 1) Chief Secretary, Khyber Pakhtunkhawa Peshawar.
- 2) Secretary Finance Khyber Pakhtunkhawa Peshawar.
- 3) Provincial Police Officer Khyber Pakhtunkhawa Peshawar.
- 4) Deputy Inspector General of Police Malakand Range..... Respondents.

**SCANNED**  
**KPST**  
**Peshawar**

Index.

S: No.	Documents	Annexures	Pages
1	Para wise Comments ,	-	1-2
2	Power of Attorney & affidavit	-	3.4

  
DSP Legal,  
Dir Upper.

②  
**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA  
PESHAWAR.**

Service Appeal No. 3081/2021

Hazrat Bilal s/o Juma Khan FC No. 569 Dir Upper..... Appellant.

**VERSUS.**

- 1) Chief Secretary, Khyber Pakhtunkhawa Peshawar.
- 2) Secretary Finance Khyber Pakhtunkhawa Peshawar.
- 3) Provincial Police Officer Khyber Pakhtunkhawa Peshawar.
- 4) Deputy Inspector General of Police Malakand Range..... Respondents.

**PARA WISE REPLY ON BEHALF OF RESPONDENT NO. 3 AND 04.**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS.**

- 1) That the present service appeal is not maintainable in its present forum.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present service appeal is badly time barred.
- 4) That to entertain such appeal is tantamount to kill the valuable and precise time to the honorable Service Tribunal.
- 5) That the appellant has suppressed and concealed the material facts from this Honorable Tribunal.

**ON FACTS:**

1. Pertains to record, hence needs no comments.
2. Incorrect, the appellant and other Special Police Officers were enlisted in Police department on contract basis with fixed pay of Rs. 10000/- to assist regular Police and later on the services of the appellant and others were regularized through Khyber Pakhtunkhawa Special Police Officer (Regularization of Services) Act 2019. But contract service was not included in regular Services.
3. Incorrect, the services of the appellant and others enlisted on contract basis were regularized in the year 2019 through an act as discussed in preceding Para.
4. The services of the appellant along with his colleagues were regularized after promulgation of the Khyber Pakhtunkhawa Special Police Officers (Regularization of Services) act 2019.
5. Incorrect, the appellant and others services were regularized under the ibid act 2019 and contract period was not included by the government in the regular service thus appellant is not entitled under the law/rules.

E

**GROUND**


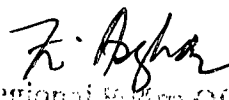
- A. Incorrect, the appellant has been treated in accordance with law and no rights of the appellant whatsoever have been violated by the respondents.
- B. Incorrect, action of the respondents did not fall in the ambit of violation of the principle of natural justice.
- C. Incorrect, the contract period as SPO has not included in the regularization act, therefore he is not entitled for any benefit under the law/ rules .
- D. Every case has its own facts and merits; therefore the referred judgment is not applicable to the case in hand.
- E. The reply has already been given in the preceding para.
- F. Incorrect, the appellant was initially recruited on contract basis and then his services were regularized after promulgation of the Khyber Pakhtunkhwa Special Police Officers (Regularization of Services) act 2019.
- G. Incorrect, all the actions of the respondents are in accordance with law/rules/Policy of government.
- H. The respondents will also adduce further grounds at the time of arguments after leave of this honorable Service Tribunal.

**PRAYER:**

It is therefore, humbly prayed that on acceptance of this para-wise reply, the service appeal may graciously be dismissed with cost.

**Provincial Police Officer,**  
Khyber Pakhtunkhwa Peshawar.

**Regional Police Officer,**  
Malakand at Saidu Sharif Swat.

  
\_\_\_\_\_  
  
**Regional Police Officer,**  
Malakand Region,  
Saidu Sharif, Swat.

3

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

Service Appeal No. 3081/2021

Hazrat Bilal s/o Juma Khan FC No. 569 Dir Upper..... Appellant.

**VERSUS.**

- 1) Chief Secretary, Khyber Pakhtunkhawa Peshawar.
- 2) Secretary Finance Khyber Pakhtunkhawa Peshawar.
- 3) Provincial Police Officer Khyber Pakhtunkhawa Peshawar.
- 4) Deputy Inspector General of Police Malakand Range..... Respondents.



**Power Of Attorney.**

We the undersigned do hereby authorize Zewar Khan DSP Legal to appear on my behalf before the honourable service tribunal on each and every date.

He is also authorized to file para wise comments, and also submit all relevant documents before the court.

Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

Regional Police Officer,  
Malakand at Saidu Sharif, Swat.

  
\_\_\_\_\_  
  
Regional Police Officer,  
Malakand Region,  
Saidu Sharif, Swat.

4

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

Service Appeal No. 3081/2021

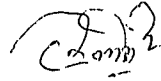
Hazrat Bilal s/o Juma Khan FC No. 569 Dir Upper..... Appellant.

**VERSUS.**

- 1) Chief Secretary, Khyber Pakhtunkhawa Peshawar.
- 2) Secretary Finance Khyber Pakhtunkhawa Peshawar.
- 3) Provincial Police Officer Khyber Pakhtunkhawa Peshawar.
- 4) Deputy Inspector General of Police Malakand Range..... Respondents.

**Affidavit**

I, the undersigned do hereby solemnly affirm and declared that the contents of parawise reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



**DEPONENT  
Zewar Khan, DSP Legal  
Upper Dir.**



4

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

Service Appeal No. 3081/2021

Hazrat Bilal s/o Juma Khan FC No. 569 Dir Upper..... Appellant.

**VERSUS.**

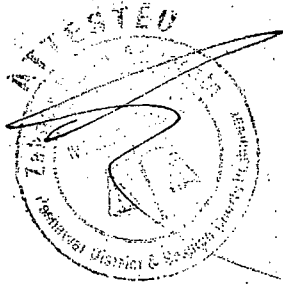
- 1) Chief Secretary, Khyber Pakhtunkhawa Peshawar.
- 2) Secretary Finance Khyber Pakhtunkhawa Peshawar.
- 3) Provincial Police Officer Khyber Pakhtunkhawa Peshawar.
- 4) Deputy Inspector General of Police Malakand Range..... Respondents.

**Affidavit**

I, the undersigned do hereby solemnly affirm and declared that the contents of parawise reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



**DEPONENT**  
**Zewar Khan, DSP Legal**  
**Upper Dir.**



**"B"**

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

No.

3081 & 3488 & 3428 to 3436 of 20 21  
Appeal No.....

Hazrat Bilal & (10) others Appellant/Petitioner

Versus

Court of KPK through Chief Secy Respondent

Respondent No..... 4

Notice to: —

The Deputy Inspector General of Police  
Malakand Region Malakand

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... 13/10/2021..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

*NO-Admission Notice*

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

Given under my hand and the seal of this Court, at Peshawar this..... 7/15

Day of..... 8/20 21

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

3081 & 3488 & 3428 to 3436 of 20 21  
Appeal No.....

Hazrat Bilal & (10) others ..... Appellant/Petitioner

*Versus*  
Govt. of KPK through Chief Secy. .... Respondent

Respondent No. 3

The Provincial Police Officer KPK  
Peshawar.

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... 13/10/2021..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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*No-Admission Notice*

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

Given under my hand and the seal of this Court, at Peshawar this..... 7th.....

Day of..... Sep..... 20 21



*[Signature]*  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

3081 & 3488 & 3428 to 3436

Appeal No. .... of 20 21

Hazrat Bilal & (10) others

Appellant/Petitioner

Versus

Court of KPK through Chief Secy.

Respondent

Respondent No. 2

Notice to: —

Secretary Finance Deptt. KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 13/10/2021 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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*No-Admission Notice*

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

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

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

*7/15*

Day of..... 20 21

SECRET: Finance KPK  
Date.....

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. *3081 & 3488 & 3428 to 3436/2021*  
of 20

*Hazrat Bilal & 10 others* Appellant/Petitioner

Versus

*Court of KPK through Chief Secy* Respondent

Respondent No. *1*

Notice to: —

*Court of KPK through Chief Secretary Peshawar*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *13/10/2021* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

*Pre-Admission Notice*

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

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

Given under my hand and the seal of this Court, at Peshawar this *7<sup>th</sup>*.....

Day of..... *Sept* 20 *21*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

"B"

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

No.

SB

Appeal No. 3081 &amp; 3488 &amp; 3428 to 3436 of 20 21

(Regd.)  
..... Hazrat Bilal & (10) others ..... Appellant/Petitioner

Versus

Through Chief Secy, Civil Secretariat, MML, Peshawar  
..... Respondent

Respondent No. (4)

Notice to: — The Deputy Inspector General of Police Malakand  
Region Malakand

**WHEREAS** an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing, before the Tribunal \*on..... 20/04/2022..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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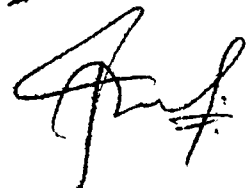
Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 31.....

Day of..... March..... 20 22

(For Reply)

For



Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No..... <sup>53</sup> 3081 & 3488 & 3428 to 3436  
of 20<sup>21</sup>

..... Hazrat Bilal & (10) others Appellant/Petitioner

Versus

Through Chief Secy, Civil Secretariat, KPK, Peshawar Respondent

Respondent No..... (1)

Notice to: - Govt. of KPK, Through Chief Secy KPK,  
Civil Secretariat Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... 10/06/2022..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this.. 3/.....

Day of..... March..... 20<sup>22</sup>

(For Reply)

*[Handwritten signature]*  
for

*[Handwritten signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
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**"B"**

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

No.

SB

Appeal No. .... 3081 & 3488 & 3428 to 3436 of 20 21

Hazrat Bilal and (10) others Appellant/Petitioner

Versus

Through Chief Secy, Civil Secretariat, KPK, Peshawar Respondent

Respondent No. .... (3)

Notice to: — The Provincial Police Officer KPK, Civil Secretariat  
Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....16/04/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

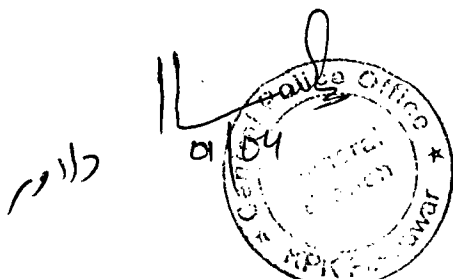
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition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

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

Given under my hand and the seal of this Court, at Peshawar this.....31.....

Day of.....March.....2022

(For Reply)



[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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



**"B"**

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

No.

*SB*

Appeal No. .... *3081 & 3488 & 3428 to 3436* of 20*21*

..... *Hazrat Bilal & (10) others* Appellant/Petitioner

Versus

Through *Chief Secy, Civil Secretariat, KPK, Peshawar* Respondent

Respondent No. .... *221*

*Syfy*  
Date: \_\_\_\_\_  
Notice to: \_\_\_\_\_

*Secretary Finance Deptt: KPK, Civil Secretariat Peshawar*

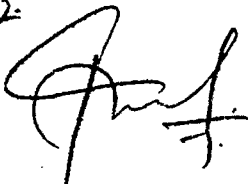
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... *10/06/2022* .....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day, to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that, in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this.....*31*.....  
Day of.....*March*.....20*22*

*(For Reply)*

*For*   
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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