

Appeal No. 1078/2013
Mr. Suleman

3

08.10.2013

Counsel for the appellant present and submitted an application for adjournment. To come up for preliminary hearing on 09.10.2013.



Member

4

09.10.2013

Counsel for the appellant present. Arguments on the some extant heard. Counsel for the appellant requested for adjournment. Pre-admission notice be issued to the GP to assist the Tribunal on 05.12.2013.



5

05.12.2013

Counsel for the appellant present filed an application for withdrawal of the appeal with permission to file fresh one. Application is accepted and the appeal is dismissed as withdrawn in limine with permission to file fresh one subject to all legal objections. File be consigned to the record.




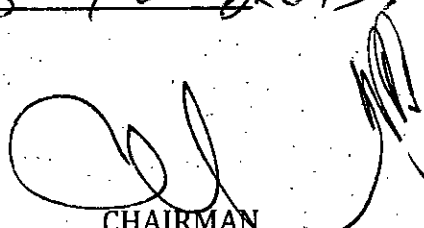
Member

ANNOUNCED
05.12.2013.

Form- A
FORM OF ORDER SHEET

Court of _____


Case No. 1078/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10/07/2013	<p>The appeal of Mr.Suleman resubmitted today by Mr. Taimur Haider Khan 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>
2	16-7-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>8-10-2013</u></p> <p style="text-align: right;"> CHAIRMAN</p>

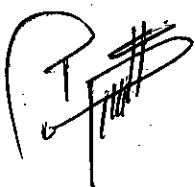
The Joint appeal of Mst. Shamim Begum M/S Alam Gul, Sulaiman, Sodagar Khan, Saeed Khan and Gul Zada received today i.e. on 24/06/2013 is incomplete on the following scores which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellants.
- 2- Copies of termination orders of appellants No. 1 to 4 are not attached with the appeal which may be placed on it.
- 3- Copy of order dated 25.04.2013 mentioned in the heading of the appeal in respect of Sodagar Khan (Appellant No.4) and Gul Zada (Appellant No. 6) are not attached with the appeal which may be placed on it.
- 4- Copies of appointment orders of the appellants are not attached with the appeal which may be placed on it.
- 5- Sub-rule-2 of rule-3 of the appeal rules 1986 requires that every civil servant shall prefer the appeal separately therefore the appeal of the above named appellants may be filed separately.
- ✓6- Annexure- A of the appeal is illegible which may be replaced by legible/better one.
- 7- Three spare copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each case/appeal may also be provided.

No. 956 /S.T,
Dt. 25/6 /2013.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Taimur Haider Khan Adv. Pesh.

Re-submitted, please place before the

Court.

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHUNKHWA PESHAWAR**

Appeal no *1978/*2013

SULAIMAN

.....APPELLANT

VERSUS

**COMMISSIONER FCR PESHAWAR DIVISION PESHAWAR &
OTHERS.**

.....RESPONDENTS

Index:

Sl:#	Particular of documents	Annexure	Pages
1.	APPEAL		1-6
2.	Copy of Termination Order	A	7-8
3.	copy of documents of permanent employment	B - C	9-11, 12 →
4.	Copy of application to the respondents of political administration	D, E & F	13-14
5	Letters of respondent no.1 in which comments have been asked from respondent no 4.	G & H	15-16
6	Copy of appeal to Respondent no.1 and impugned order of Respondent no.1.	I & J	17-20, 21
7	Copy of Order of Honorable Fata Tribunal	K	(22-27), 28
8	Copy of application for the condonation of delay	L	29-30
9	Copy of special power of attorney	M	31-32
10	Copy of Waqalat Nama		

*defectual
appeal*

Appellant

Through

[Signature]
Taimur Haider Khan
Advocate High Court

Date 3.7.2013

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHUNKHWA PESHAWAR

Appeal no 1078/3013

Appeal no. 1078/13

SULAIMAN S/O DILAWAR KHAN, RESIDENT OF TOR KOR, POST
OFFICE SANDOKHEL, TEHSIL UPPER MOHMMAND, MOHMMAND
AGENCY DESIGNATION: L/ASSITANT (CLASS IV)PERMANENT
EMPLOYEE OF GOVT HIGH SCHOOL QAMAR DIN KOR, QANDHARI,
TEHSIL SAFI MOHMMAND AGENCY.

.....
APPELLANT

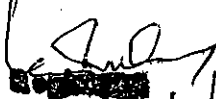
VERSUS

1. COMMISSIONER FCR PESHAWAR DIVISION PESHAWAR
2. SECRETARY EDUCATION GOVERNMENT OF KHYBER
PAKHTUNKHWA, PESHAWAR.
3. DIRECTOR OF EDUCATION(FATA) KPK , PESHAWAR
4. POLITICAL AGENT MOHMAND AGENCY AT GHALLANAI
5. ASSISTANT POLITICAL AGENT MOHMMAND AGENCY GALANAI.
6. AGENCY EDUCATION OFFICER, MOHMMAND AGENCY GALLANAI
7. AGENCY ACCOUNTS OFFICER MOHMAND AGENCY AT
GHALLANAI.

.....RESPONDENTS

re-submitted to

and filed:


10/7/13

Appeal under Section 4 of Khyber Pakhtunkhwa
Service Tribunal Act, 1974.

PRAYER IN PETITION:

BY ACCEPTING THIS APPEAL, THE IMPUGNED ORDER DATED 25.04.2013 OF RESPONDENT NO 1 MAY KINDLY BE SEASIDE, BEING UNLAWFUL, UNCONSTITUTIONAL, BIASED, AND PASSED IN A HAPHAZARD MANNER, WHICH WAS FILED AGAINST RESPONDENTS OF POLITICAL ADMINISTRATION AND PRIOR TO THAT DEPARTMENTAL APPEAL WAS FILED TO RESPONDENT NO 3, DIRECTION OF EDUCATION (FATA) K.P.K PESHAWAR ON 4.8.2010, WHICH WAS NOT CONSIDERED AND EVEN NO REPLICATION HAS BEEN SUBMITTED MOREOVER, DIRECTION MAY ALSO BE ISSUED TO RESPONDENTS TO REINSTATE THE APPELLANT AND RELEASE HIS STOPPED SALARIES SINCE MARCH , 2010.

Respectfully submitted:

1. That the appellant is the Govt Servant, performing his duty under the subordination of Respondents in Mohammand Agency, where as the appellant was terminated vide office order 9805-10 dated 19-7-2010.

(Copy of termination order dated 19-7-2010 is annexed as annexure A)

2. That the appellant from his appointment till his termination date was performing his duty with out any failure with honesty but due to operation in Mohmmand Agency the school of appellant, where performing his duty was destroyed by the militants and despite his repeated reminders to allocate or assign to the appellant other duty of same nature, but with no avail.

(Copy of the documents of permanent employment is annexed as annexure B)

3. That the appellant has served departmental appeal to Respondent no .3 on dated 4.8.2010, against the unlawful termination order of 19.7.2010 of respondent no 6, which was not considered and even the replication has not been submitted up till now.

(Copy of departmental appeal to Respondent no 3 is annexed as annexure c)

4. That the appellant time and again moved applications to the respondents of political administration, requesting for reinstatement and releasing his salaries, stopped since March 2010, but no action was taken thereon.

(Application to the Respondents are annexed as annexure D, E and F respectively)

5. That the appellant impugned the departmental order of respondents before the respondent no1 (commissioner) which was **entertained**, in which comments were asked time and again from respondents.

(Letters of Respondent no 1, in which comments have been asked from Respondent no 4 are annexed as annexure G and H respectively)

6. That due to transfer of the predecessor of respondent no 1, the present commissioner with out waiting for the comments of Respondents, straight away dismissed the appellant petition with out mentioning any reason and lawful justification.

(Copy of the appeal to respondent no.1 and his IMPUGNED order, dated 25.4.2013 are annexed as annexure I and J respectively)

7. That earlier to this appeal the appellant inadvertently filed a revision petition in the FATA Tribunal under section 55A of frontier crime regulation act 1901, against the impugned orders dated **25.4.2013** but the same was returned to the appellant for presentation to the proper forum vide order dated **17.6.2013**.

(Copy of the order of Honorable Fata Tribunal Peshawar is annexed as annexure K)

8. That feeling aggrieved from the impugned order, the appellant left with no other remedy but to approach this honorable Tribunal on the following ground inter-alia.

G R O U N D S

1. That the act of the respondents is against the law hence untenable.
2. That the acts of the Respondents are discriminating as they have already reinstated other terminated employees, whose names are also mentioned in the list of termination order, dated 19.7.2010.
3. That the unlawful and discriminating acts of the respondents amounts to playing havocs with the future of the appellant and is derogatory to the fundamental rights guaranteed by the constitution of the Pakistan .
4. That the respondents have not conducted any inquiry before termination of the appellant neither show cause notice has been served on him. **Audi alteram partem.**
5. That the appellant is the respectable citizen of the Pakistan, and performed his official duty with honesty and punctuality.
6. That the appellant has been terminated from his service since March, 2010 and salaries of the appellant have been stopped with out any lawful justification and the acts of respondents are the sheer violation of the fundamental rights of the constitution of Pakistan.
7. That the respondents have terminated the appellant by showing the reason that the concerned school also has been blown up by the militants. such reason does not appeals to a prudent mind that why the respondent have terminated the appellant if at the time of war against terror (**WAT**), the schools were blown up by the militants.

8. That there is no fault on the part of the appellant regarding the destruction of the school and the appellant has ever performed his duty punctually and honestly.
9. That the appellant time and again moved an applications to the respondents, requesting for reinstatement and releasing his salaries since the stopped date, i.e. March 2010, but to no avail.
10. That appellant has **also requested the respondents to assign him duty in some other school but to no avail.**
11. That the appellant belongs to a poor family and the drawing salary which has been stopped since March 2010, was the only source of income /livelihood for the appellant and due to non-payment of such salaries, the appellant is compelled to spend life in miserable condition.
12. That the discriminatory act of the respondents is also against the norms of natural justice as the divine laws provides equality for every person as narrated in the Holy Quran.
13. That the unlawful acts of the respondents are not only against natural justice but also in violation of fundamental rights guaranteed under **Articles 4,14,25,27,37(A)(E),And Article 38(B)(C) of 1973 constitution of Pakistan as well as FATA Compulsory Primary Education Regulation 2002 and Article 1,2,6,8,11(1)(2), and 26 (1)(2)(3) of UNIVERSAL DECLARATION OF HUMAN RIGHTS.**

14. That any other ground shall be raised at the time of arguments for the best administration of justice.

PRAYER:

BY ACCEPTING THIS APPEAL, THE IMPUGNED ORDER DATED 25.04.2013 OF RESPONDENT NO 1 MAY KINDLY BE SEASIDE, BEING UNLAWFUL, UNCONSTITUTIONAL, BIASED, AND PASSED IN A HAPHAZARD MANNER, WHICH WAS FILED AGAINST RESPONDENTS OF POLITICAL ADMINISTRATION AND PRIOR TO THAT DEPARTMENTAL APPEAL WAS FILED TO RESPONDENT NO 3, DIRECTION OF EDUCATION(FATA) K.P.K PESHAWAR ON 4.8.2010, WHICH WAS NOT CONSIDERED AND EVEN NO REPLICATION HAS BEEN SUBMITTED MOREOVER, DIRECTION MAY ALSO BE ISSUED TO RESPONDENTS TO REINSTATE THE APPELLANT AND RELEASE HIS STOPPED SALARIES SINCE MARCH , 2010.

Any other remedies which are not specifically mentioned but deem fit for the safe administration of justice may also be granted in favour of the appellant.

INTERIM RELIEF:

TO ISSUE DIRECTION TO RESPONDENTS 2 to 7 TO REINSTATE AND RELEASE THE STOPPED SALARIES OF THE APPELLANT SINCE MARCH , 2010, WHICH IS NOT ONLY UNLAWFUL ACT OF RESPONDENTS, BUT ALSO AGAINST THE FATA COMPULSORY PRIMARY EDUCATION REGULATION,2002 AND ALSO VIOLATION OF ARTICLE 4,14,25,27,37(A)(E),AND ARTICLE 38(B)(C) OF 1973 CONSTITUTION OF PAKISTAN AND ARTICLE 1,2,6,8,11(1)(2), AND 26 (1)(2)(3) OF UNIVERSAL DECLARATION OF HUMAN RIGHTS.

Uk
APPELLANT

Through

[Signature]
**Taimur Haider Khan
Advocate High Court**

Date 3.7.2013

AFFIDAVIT.

I, Taimur Haider Khan Advocate do hereby solemnly affirm that the contents of the accompanying application petition are true and correct to the best of my knowledge and information furnished by the appellant and nothing has been concealed from this Hon'ble Court.

[Signature]
Deponent



Better copy
of termination
order.

Annexure (A) 7

OFFICE OF THE AGENCY
EDUCATION OFFICER MOHMAND
AGENCY GHALLANAI.

TERMINATION OF CLASS IV

Memo:

Consequent upon the instruction issued by worthy Political Agent Mohmand Agency Vide No 2908/Reader dated 24.06.2010 following Class IV of Government schools are hereby terminated with immediate effect, due to not fulfilling their territorial responsibilities assigned to them and as a result of which Govt buildings of schools of their posting were blasted and destroyed.

S.NO	NAME	SCHOOL
1	Zari Lal Chow	GGPS Adam Kor
2	Nehayat Bibi Caller	GGPS Adam Kor
3	Gul Rahman Chow	GGPS Mohammad Hassan Malik Kachkool
4	Gul Laja Caller	GGPS Mohammad Hassan Malik Kachkool
5	Razia Caller	GGMS Dag Mulla Abdul Jabbar
6	Masehullah C/IV	GGMS Dag Mulla Abdul Jabbar
7	Rafiullah C/IV	GGMS Dag Mulla Abdul Jabbar
8	Shawali Chow	GPS Sepah Qandari
9	Said Rehman Peon	GMS Amri Kor
10	Maloom Said Chow	GMS Amri Kor
11	Dilawar khan Chow	GMS Amri Kor
12	Mosam Khan C/IV	GMS Amri Kor
13	Saeed Khan Chow	GHSS Qamir Din Kor
14	Misal Khan Mali	GHSS Qamir Din Kor
15	Sulaiman L/ATD	GHSS Qamir Din Kor
16	Ihsanullah Sweeper	GHSS Qamir Din Kor
17	Khanawada Peon	GHSS Qamir Din Kor
18	Gulzada Chow	GHSS Qamir Din Kor
19	Jehangir khan Mali	GGHS shawa farsh
20	Abdul samad LT/d	GGHS shawa farsh
21	Sajidullah Sweeper	GGHS shawa farsh
22	Mumtaz Chow	GGHS shawa farsh
23	Laila Begum Caller	GGHS shawa farsh
24	Farhat Khan Chow	GPS Gongat Din
25	Hayat sher Chow	GPS Akram Beg

25	Hayat Sher Chow	GPS Akram Beg	104031
26	Afsar Khan Chow	GPS Chamarkand Sardari	352081
27	Basher Muhammad	GPS Chamarkand No:1	103816
28	Mohammad Rasan Chow	GPS Amrai No: 2	103602
29	Khan Wada Chow	GPS Ghariba Gorbaz	103398
30	Arshad Khan Sweep	GMS Alingar	110865
31	Ghaukat Khan Chow	GMS Alingar	110866
32	Aslam C/IV	GMS Alingar	102886
33	Khan Gul C/IV	GMS Alingar	103780
34	Inayatur Rahman Chow	GMS Sagi	102451
35	Momin Khan Sweep	GMS Sagi	111347
36	Gul Zada Chow	GMS Sagi	111371
37	Mohammad Ayub	GMS Sagi	102450
38	Museeh Gul Sweeper	GHS Lakkari	102063
39	Laiq Jan Chow	GHS Lakkari	102059
40	Mohammad Chow	GHS Lakkari	102056
41	Niamat Gul Behshti	GHS Lakkari	102057
42	Rahmat Wali L/A	GHS Lakkari	102061
43	Saz Wali Wali Mali	GHS Lakkari	102060
44	Mojahid N/Qasid	GHS Lakkari	285247

(SAID MUHAMMAD KHAN)
Agency Education Officer,
Mohmand Agency at Ghallanai,

Inst: No. 9825-10 / Dated. 19/7/2010.

Copy to:-

1. Director of Education (FATA) NWFP, Peshawar.
2. Political Agent Mohmand Agency at Ghallanai.
3. Assistant Political Agent Mohmand Agency at Ghallanai.
4. Agency Accounts Officer Mohmand Agency at Ghallanai.
5. Head Masters/Head Mistress concerned.
6. Accountant local office.

Agency Education Officer,
Mohmand Agency at Ghallanai.

ATTESTED BY
Tarmuz Haidi Khan
Advocate High Court Peshawar

Note:—The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

Annexure (B)

09

1. Name

Suliman

2. Race

Afghan (Qandari)

3. Residence

Toor Kore - Qamar Din Kore. P/o Sandus Khel
Upper Mohmand - Mohmand Agency.

4. Father's name and residence

~~Suliman~~ Dilawan

5. Date of birth by Christian era as nearly as can be ascertained

1983

6. Exact height by measurement

5' 6"

7. Personal marks for indentification

nil

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger.



Ring Finger



Middle Finger.



Fore Finger



Thumb.



9. Signature of Government servant




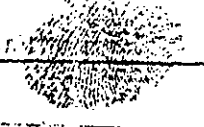
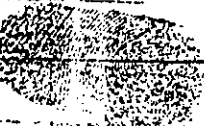

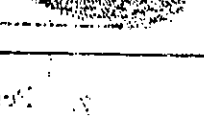
10. Signature and designation of the Head of the Office, or other Attesting Officer.

Head Master
G.H.S Qamar Din Kore
Mohmand Agency.

ATTESTED

Taimur Haidar Khan
Advocate High Court
Peshawar

10

Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
AT. I/Asstt GHS. Armar Binicare Mohmand	off/Temp	BPS NO (I @ Rs. 1870/- 55-3529)	Rs. 1870/- pm			12/9/05	
Do	do		Rs. 1925/pm				
- do -	do			pay Revisied			
- do -	do	BPS NO I @ 2150-65-4100	Rs. 2215/pm			12/7/05	
- Do -			Rs. 2230 PM			12/20/05	
			Rs. 2345/pm			12/6/06	
				pay Revisied			
		B.P.S. NO. I @ 2530-85-5080					
			Rs. 2785			7/10/07	
			Rs. 2870			12/07/07	
		pay Revisied B.P.S. NO 2					
			Rs. 3135/pm			7/10/08	
			Rs. 3235/pm			12/08	

Signature and position of the head office or other attesting officer in forms 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency		Appointed against laboratory Assistant Post on contract basis Attendant		
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency		vide AEO Mohmand Endost NO= 9027-40 dated 12-09-2003		
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency		Inc	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> Head Master G.H.S. Qamar Din Kor Mohmand Agency	
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency		inc	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency		Allowed Special Adv. Grant vide 8/1/97 vide Finance Deptt. Endost. No. FD (SR-I) 24/08 dt. 4/4/08		
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	30/07	Pay Revd	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	30/07	CA) Grd.	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency				
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	30/08	Pay Revised	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency				
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency	30/08	CA) Lr.	<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency				
<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency			<i>[Signature]</i> HEAD MASTER G.H.S. Qamar Din Kor Mohmand Agency				

9 Signature and Station of the head of office or other officer in posts 1 to 8	10 Date of termination of appoint- ment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting Officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punish- ment or censure, or re- ward or praise of the Government Servant
				Nature and dura- tion of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period		
		(A) Suet.	HEAD MASTER				
		PAY. Rawlced. 2008.					
		(A) Suet.					
		(A) Suet.					

Dear B20506 ✓
ans of pay 19⁰⁷ to 30⁰⁶/₀₉

Departmental Appeal

Annexure
Annexure

مذمت ملک ڈائریکٹر آئی جی ایس (خان) صدر سے یہ ہے

12

درخواست بہ مراد ادائیگی تنخواہ و بحال ملازمت

صاحب عالی! مؤرخہ گزشتہ ہے، سمیان پاکستان نے ملازمت

شعبہ میں جو ملازمت محض رہا اور وہ تھے۔ لیکن متعلقہ سول

کو دست بردار کیا گیا اور یہ کہ انتظامیہ نے نہ صرف

ملازمت سے برطرف کیا بلکہ مارچ 2010 سے تنخواہیں بھی ادا نہیں کی

کسی وجہ سے سمیان انتظامی غفلت اور عملی زندگی گزار رہے ہیں

ایسی ایجوکیشن افسر علامتہ تو کسی قسم کی سہولتوں سے محروم ہے اور

نہ ہی سمیان کی کمیشنیں کی ہے۔ جو سمیان کا قانونی حق ہے۔

لہذا استدعا کی جاتی ہے کہ ایسی ایجوکیشن افسر کو صلح جاری کر دی جائے

سمیان کی ملازمت بحال اور تنخواہیں جاری کر دی جائیں تاکہ ان کی ضروریات

زندگی کو پورا کر سکیں۔

العارض

1. صاحبان شہین بیگم بنت دلدار خان لوہنگہ راز رازی سول ٹرنوو قندھاری ضلع ایسی

2. سجاد ولد شہزادہ طلحہ نو، ایس ایف ایف قندھاری ضلع ایسی

3. عامر گل ولد شہزادہ ایس ایف ایف قندھاری ضلع ایسی

4. سلمان ولد دلدار خان ٹڈاکن نو، ایس ایف ایف قندھاری ضلع ایسی

5. سعید خان ولد گل دلدار نو، ایس ایف ایف قندھاری ضلع ایسی

8-2018
ص 1

ATTACHED CD BY
ACCEPTED
Taminthandi K. L.
Narath High Court


حکومت جناب ایجنسی ایجوکیشن آفیسر منیجر ایجنسی علامی
درخواست نمبر ادا انگلی تنخواہ

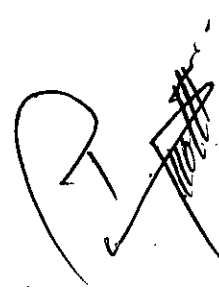
جناب عالی،
خودمانہ لکڑس چھہ صمیان پاکستان کے باغیچے
باشڈے میں جولہ این ملازمت خودی سہ ایام کا ریح قے۔ کینڈہ متعلقہ سکولوں
کو دھشت گرد عناصر کے ہاتھوں تباہی و بربادی انتظامیہ صمیان کو
یکم مارج 2010 سے تنخواہیں ادا نہیں کیں جس کی وجہ سے صمیان انتہائی مغلی
اور لہر سیٹا کی زندگی گزار رہیں ہیں۔ لہذا استدعا کی جاتی ہے کہ صمیان کی
تنخواہیں جاری کر دی جائیں تاکہ ان کی زندگی کی ضروریات کو پورا کر سکیں۔

المعارض

- 1) صمان شمیم بیگم بنت (دادا خان) کورنڈہ کراچی لڑائی سکول طور پور قندہ ہاکی تحصیل صلی منیجر ایجنسی
- 2) عالم گل ولد شہزادہ طراک فور کورنڈہ کراچی لڑائی سکول قندہ ہاکی تحصیل صلی منیجر ایجنسی
- 3) سہرا گل ولد حاجی میر خان طراک فور کورنڈہ لڑائی سکول طور پور قندہ ہاکی تحصیل صلی منیجر ایجنسی
- 4) سلیمان ولد دادا خان طراک فور کورنڈہ ہاکی سکول قندہ ہاکی تحصیل صلی منیجر ایجنسی

Date: 23/9/2010


Taimur Haidin Khan
Advocate High Court
Peshawar.



مختصر ضابطہ فی پی 26، 4-بی، 26 ضابطہ سمیت ایجنسی علاقہ

درخواست نمبر ادائیگی تنخواہ

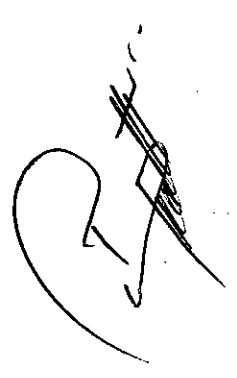
ضابطہ سال 1 شروع ہونے کے بعد مسیحا پاکستان کے بائرنٹ سہری میں
 کالج میں ملازمت کو بھی سہرا کے رہنے کے لئے متعلقہ سکول کو دست
 کر دیا ہے تاکہ وہ تباہی سے انتظامیہ نے مسیحا کو یکم مارچ 2010
 سے تین ماہوں کے عرصے میں مسیحا انتظامیہ منظم اور پریشانی
 کی زندگی گزار رہے ہیں۔ لہذا استدعا کی جاتی ہے کہ مسیحا کو
 تنخواہیں جاری کر دی جائیں تاکہ انہوں نے زندگی ضروریات کو پورا کر سکیں۔

العائین

- 1) مسیحا سیدم بنت (دادا خان کورنٹ کراچی سکول طور کو قندھاری تحصیل ضلعی ایجنسی
- 2) عالم گل ولد سید سید گل کورنٹ کراچی سکول قندھاری تحصیل ضلعی ایجنسی
- 3) سلیمان ولد دادا خان کورنٹ کراچی سکول قندھاری تحصیل ضلعی ایجنسی
- 4) سید گل ولد حامی سید گل کورنٹ کراچی سکول کورنٹ کراچی سکول خان
 قندھاری ضلعی ایجنسی

11/2010

Tamur Haidar Khan
 Advocate High Court
 Peshawar



Annexure

15

IN THE COURT OF COMMISSIONER PESHAWAR DIVISION
PESHAWAR

NO/APPEAL/AR/2012 4040

DATED 22.04.2013

To,

The Political Agent,
Mohmand Agency.

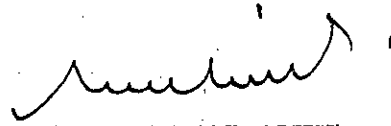
Subject: DEPARTMENTAL APPEAL TITLED

1. Shamim Begum(class-IV in Govt Girls Primary School Tor Kor Tor Kor Haji Dilawar Qandhari Tehsil Safi Mohamnd Agency)
2. Alam Gul(Security Guard in Govt: Girls Primary School, Tor Kor Haji Dilawar Qandhari, Tehsil Safi Mohmand Agency)
3. Sulaiman(L/Assistant in Govt: High School Qamar Din Kor, Qandhari Tehsil Safi Mohmand Agency)
4. Sodagar Khan(Security Guard in Govt: Primary School Tor Kor Malik Gul Khan Qandhari, Tehsil Safi Mohmand Agency)

Vs

1. Agency Education Officer, Mohmand Agency Ghallani.
2. Political Agent Mohmand Agency Ghallani.
3. Assistant Political Agent Mohmand Agency Ghallani.
4. Agency Accounts Officer Mohmand Agency Ghallani.

I am directed to refer to this office letter No. 2291/Appeal/AR dated 05.03.2013 on the above noted subject and to state that comments in the subject appeal is still awaited at your end, which may kindly be furnished to this court before the date **25.04.2013** fixed for hearing. Furthermore, a representative of your office alongwith relevant record may also be deputed to attend the court of Commissioner Peshawar on the due date.



(MUHAMMAD AMIN)
Assistant to Commissioner (R/GA)
Peshawar Division Peshawar

by Fax
NB.

Tamim Hudaib Khan
Mohmand Agency
P

Annexure

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16

**OFFICE OF THE
COMMISSIONER PESHAWAR
DIVISION PESHAWAR**

No. 2291/Appeal/AR

Dated 05.03.2013

To

The Political Agent,
Mohmand Agency at Ghallani.

Subject:

1. SHAMIM BEGUM, CALLER CLASS-IV EMPLOYEE OF GPS, TOR KOR HAJI DILAWAR QADHARI TEHSILD SAFI MOHMAND AGENCY).
2. ALAM GUL, SECURITY GUARD IN GGPS, TOR KOR HAJI DILAWAR QANDHARI, TEHISL SAFI MOHMAND AGENCY.
3. SULAIMAN. L/ASSISTANT IN GHS QAMARD DIN KOR QANDHARI TEHSIL SAFI MOHMAND AGENCY.
4. SODAGAR KHAN, Security Guard, GPS Tor Kor Malik Gul Khan Qandari, Safi.

VS

Agency Education Officer, Ghallanai.
Political Agent Mohmands.
APA Ghallanai.
AAO Mohmand Agency, Ghallana.

Memo:

I am directed to enclose herewith a copy of joint application /petition filed by the subject applicants/petitioners through Taimur Haider Khan Advocate against stoppage of their salaries.

It is therefore, requested that comments in the above may kindly be furnished to this office at the earliest.

Shama Niamat

(SHAMA NIAMAT)

Assistant to Commissioner (R/GA)
For Commissioner Peshawar Division

ATTESTED
Taimur Haider Khan
Advocate High Court

①

Annexure
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⑪
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⑭
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**BEFORE THE LEARNED COMMISSIONER F.C.R PESHAWAR
DIVISION, PESHAWAR.**

Ref no / /3013

1. SHAMIM BEGUM WIFE OF SAEED KHAN, RESIDENT OF QAMARDIN KOR, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY.
DESIGNATION: **CALLER (CLASS IV)**
PERMANENT EMPLOYEE OF GOVT GIRLS PRIMARY SCHOOL TOR KOR HAJI DILAWAR QANDHARITEHSIL SAFI MOHMMAND AGENCY.

2. ALAM GUL S/O SHEHZADA, RESIDENT OF TOOR KOR QANDARI, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY.
DESIGNATION : **SECURITY GUARD (CLASS IV)**
PERMANENT EMPLOYEE OF GOVT GIRLS PRIMARY SCHOOL TOR KOR, HAJI DILAWAR QANDHARI, TEHSIL SAFI, MOHMMAND AGENCY.

3. SULAIMAN S/O DILAWAR KHAN, RESIDENT OF TOR KOR, POST OFFICE SANDOKHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY.
DESIGNATION: **L/ASSITANT (CLASS IV).**
PERMANENT EMPLOYEE OF GOVT HIGH SCHOOL QAMAR DIN KOR, QANDHARI, TEHSIL SAFI MOHMMAND AGENCY.

P
AFFIRMED
Tammur Haidar Khan
Advocate High Court

4. SODAGAR KHAN S/O HAJI MERA KHAN, RESIDENT OF QAMAR DIN KOR, KARWENDA, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY.
 DESIGNATION: **SECURITY GUARD (CLASS IV)**
 PERMANENT EMPLOYEE OF GOVT PRIMARY SCHOOL TOR KOR. MALIK GUL KHAN QANDHARI, TEHSIL SAFI, MOHMMAND AGENCY.

..... PETITIONERS

VERSUS

1. AGENCY EDUCATION OFFICER, MOHMAND AGENCY GHALLANI.
2. POLITICAL AGENT MOHMAND AGENCY GHALLANI.
3. ASSISSTANT POLITICAL AGENT MOHMMAND AGENCY GHALLANI.
4. AGENCY ACCOUNT OFFICER MOHMMAND AGENCY GHALLANI.

.....RESPONDENTS

Application In Respect To Issue Direction To Respondents To Release The Stopped Salaries Of The Petitioners Since March , 2010, Which Is Not Only Unlawful Act Of Respondents, But Also Against The Fata Compulsory Primary Education Regulation, 2002 And Also Violation Of Article 4, 14, 25, 27, 37(A)(E), And Article 38(B)(C) Of 1973 Constitution Of Pakistan.

Respectfully submitted:

1. That the petitioners are the respectable citizens of the pakistan, and performed their official duties with honesty and punctuality.

2. That all the petitioners are class IV cadres of permanent employees of education departments and serving at different schools at Mohmand agency.
3. That the salaries of the petitioners have been stopped since March, 2010 with out any lawful justification and the acts of respondents are the sheer violation of the constitution of Pakistan.
4. That the above mentioned respondents have placed forth the reason for non-payment of the salaries that the concerned schools have been blown up, resulting which the petitioners could not be given the salaries.
5. That the petitioners time and again moved applications to the respondents, requesting for releasing of salaries since the standstill date, i.e. March 2010.
(Application to the Respondents no 1 and Respondent no 2 are annexed as annexure A and B respectively)
6. That petitioners have also requested the respondents to assign them duties to some other school but to no avail.
7. That the petitioners belong to poor family and the drawing salaries which have been stopped since march 2010, was the only source of income /livelihood for the petitioners and due to non-payment of such salaries, the petitioners are compelled to spend life in deteriorated condition.
8. That the discriminatory act of the respondents are also against the norms of natural justice as the divine laws provides equality for every person as narrated in the Holy Quran.

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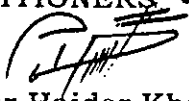
9. That the unlawful acts of the respondents are not only against natural justice but also in violation of fundamental rights guaranteed under Articles 4,14,25,27,37(A)(E),And Article 38(B)(C) of 1973 constitution of Pakistan as well as Fata Compulsory Primary Education Regulation 2002.

10. That any other ground will be raise at the time of arguments for the best administration of justice.

PRAYER:

It is therefore most humbly prayed that by acceptance of this application/petition, direction may kindly be given to the concerned respondents to release the salaries of the petitioners, which have been stopped since March 2010 along with ARREARS for the best administration of justice.

Any other remedies which are not specifically mentioned but deem fit for the safe administration of justice may also be granted in favour of the petitioners.

PETITIONERS
Through 
Taimur Haider Khan
Advocate High Court

Date 25/2/2012

Annexure

J 21

Annexure

21

IN THE COURT OF COMMISSIONER PESHAWAR DIVISION PESHAWAR

Date of institution 22.11.2012
Date of decision 25.04.2013
Appeal No. 08/2013

1. Shamim Begum, Caller(Class-IV), GGPS Tor Kor Haji Dilawar Qandari Tehsil Safi, Mohmand Agency.
2. Alam Gul, Security Guard(Class-IV), GGPS Tor Kor Haji Dilawar Qandari Tehsil Safi, Mohmand Agency.
3. Suleman, L/Assistant (Class-IV), GGPS Tor Kor Haji Dilawar Qandari Tehsil Safi, Mohmand Agency.

(Appellants)

Vs.

1. Agency Education Officer, Mohmand Agency at Ghallanai.
2. Political Agent Mohmands at Ghallanai.
3. Assistant Political Agent, Ghallanai, Mohmand Agency.
4. Agency Accounts Officer, Ghallani.

(Respondents)

ORDER:

This is an appeal filed by the above named appellants for issuance directions to the Respondents to reinstate the appellants and release their salaries stopped since March-2010 claiming such act of the administration as violation of Article 4,14,25,27,37 (A)(E) and Article 38 (B)(C) of 1973 constitution of Pakistan.

Comments asked for from the Political Agent Mohmands not received, however, perusal of the record reveals that the appeal is not maintainable and thus stands rejected. File to GRR.

Announced
25.04.2013

COMMISSIONER
PESHAWAR DIVISION PESHAWAR

[Signature]
Asstt. to Commissioner (Rev/GA)
Peshawar Division, Peshawar

Attested
[Signature]
Taimur Haidar Khan
Advocate High Court

** Renew Petition
to FATA Tribunal*

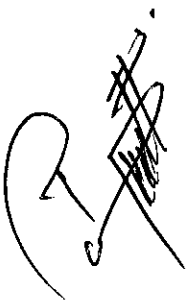


BEFORE THE HONORAL FATA TRIBUNAL PESHAWAR

Ref no / /3013

*Added to
List*

1. **SHAMIM BEGUM WIFE OF SAEED KHAN, RESIDENT OF QAMARDIN KOR, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY DESIGNATION: CALLER (CLASS IV) PERMANENT EMPLOYEE OF GOVT GIRLS PRIMARY SCHOOL TOR KOR HAJI DILAWAR QANDHARI TEHSIL SAFI MOHMMAND AGENCY.**
2. **ALAM GUL S/O SHEHZADA, RESIDENT OF TOOR KOR QANDARI, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY. DESIGNATION : SECURITY GUARD (CLASS IV) PERMANENT EMPLOYEE OF GOVT GIRLS PRIMARY SCHOOL, TOR KOR, HAJI DILAWAR QANDHARI, TEHSIL SAFI, MOHMMAND AGENCY.**
3. **SULAIMAN S/O DILAWAR KHAN, RESIDENT OF TOR KOR, POST OFFICE SANDOKHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY DESIGNATION: L/ASSITANT (CLASS IV) PERMANENT EMPLOYEE OF GOVT HIGH SCHOOL QAMAR DIN KOR, QANDHARI, TEHSIL SAFI MOHMMAND AGENCY.**
4. **SODAGAR KHAN S/O HAJI MERA KHAN, RESIDENT OF QAMAR DIN KOR, KARWENDA, POST OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY DESIGNATION: SECURITY GUARD (CLASS IV) PERMANENT EMPLOYEE OF GOVT PRIMARY SCHOOL TOR KOR, MALIK GUL KHAN QANDHARI, TEHSIL SAFI, MOHMMAND AGENCY.**
5. **SAEED KHAN S/O GUL ZADA, RESIDENT OF QAMARDIN KOR OFFICE SANDO KHEL, TEHSIL UPPER MOHMMAND, MOHMMAND AGENCY.
DESIGNATION: CHOW (SECURITY GUARD) (CLASS IV)
PERMANENT EMPLOYEE OF GOVT HIGH SCHOOL QAMARDIN KOR ,QANDARI SAFI MOHMAND AGENCY**



- (13)
6. GUL ZADA S/O TAJAWAL KHAN RESIDENT OF TOOR KOR
QANDARI POST OFFICE SANDO KHEL, TEHSIL
UPPER MOHMMAND, MOHMMAND AGENCY.
DESIGNATION : SECURITY GUARD (CLASS IV)
PERMAMENT EMPLOYEE OF GOVT HIGH SCHOOL QAMAR DIN
KOR, QANDHARI, SAFI MOHMAND AGENCY.

.....
APPELLANTS/PETITIONERS

VERSUS

1. COMMISSIONER FCR PESHAWAR DIVISION PESHAWAR
2. DIRECTOR OF EDUCATION(FATA) KPK , PESHAWAR
3. POLITICAL AGENT MOHMAND AGENCY AT GHALLANAI
4. ASSISTANT POLITICAL AGENT MOHMMAND AGENCY GALANAI.
5. AGENCY EDUCATION OFFICER, MOHMMAND AGENCY GALLANAI
6. AGENCY ACCOUNTS OFFICER MOHMAND AGENCY AT
GHALLANAI.

.....RESPONDENTS

REVISION PETITION UNDER SECITON 55 A FCR,
1901 AGAINST THE ORDER OF RESPONDENT
NO.1 DATED 25.4.2013.

PRAYER IN PETITION:

BY ACCEPTING THIS REVISION PETITION, THE
ORDER DATED 25.04.2013 OF RESPONDENT NO 1
MAY KINDLY BE SEASIDE, BEING UNLAWFUL,
UNCONSTITUTIONAL, BIASED, AND PASSED IN A
HAPHAZARD MANNER, MOREOVER, DIRECTION MAY

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201

ALSO BE ISSUED TO RESPONDENT 3 to 6 TO REINSTATE THE PETITIONERS AND RELEASE THEIR STOPPED SALARIES SINCE MARCH , 2010.

Respectfully submitted:

1. That the petitioners are the Govt Servants, performing their duties under the subordination of Respondents in Mohammand Agency, where as the petitioners were terminated wide office order 9805-10 dated 19-7-2010.

(Copy of termination order dated 19-7-2010 is annexed as annexure A)

2. That the petitioner from their appointments till their termination date were performing their duties with out any failure with honesty but due to operation in Mohmmand Agency the schools where petitioners were performing their duties were destroyed by the militants and despite their repeated reminders to allocate or assign other duties of same nature , but with no avail.

3. That the petitioners time and again moved applications to the respondents, requesting for reinstatement and releasing their salaries, stopped since March 2010, but no action was taken thereon.

(Application to the Respondents no 4 and Respondent no 5 are annexed as annexure B and C respectively)

4. That the petitioners impugned the departmental order of Agency Education Officer (AEO) before the respondent no1 (commissioner) which was entertained, in which comments were asked time and again from respondents.

(Order sheet of predecessor no 1, in which comments have been asked from Respondent no 4 and 5 is annexed as annexure D)

5. That due to transfer of respondent no 1, his predecessor with out waiting for the comments of Respondents, straight away dismissed the applicants' petition with out lawful justification.

(copy of order of the predecessor of Respondent no 1 is annexed as annexure E)

6. That feeling aggrieved from the impugned order, the petitioner left with no other remedy but to approach this honorable court on the following ground inter-alia.

GROUNDS

1. That the act of the respondents is against the law hence untenable.
2. That the acts of the Respondents no 4 & 5 are discriminating as they have already reinstated other terminated employees, whose names are also mentioned in the list of terminated employees.
3. That the unlawful and discriminating acts of the respondents amounts to playing havoc with the future of the petitioners and is derogatory to the fundamental rights guaranteed by the constitution of the Pakistan.
4. That the respondent no 3 to 6 have not conducted inquiry before termination of the petitioners neither show cause notice have been served on them. Audi alteram partem.
5. That the petitioners are the respectable citizens of the Pakistan, and performed their official duties with honesty and punctuality.
6. That all the petitioners are class IV permanent employees of education departments and serving at different schools at Mohmand agency.
7. That the petitioners have been terminated from their services since March, 2010 and salaries of the petitioners have been stopped without any lawful justification and the acts of respondents are the sheer violation of the fundamental rights of the constitution of Pakistan.
8. That the respondents have terminated the petitioners by showing the reason that the concerned schools have been blown up, resulting which the petitioners terminated and could not be given the salaries moreover astonished act of respondents reveals from the fact that some of the petitioners' salaries have been stopped with out termination.

9. That the petitioners time and again moved applications to the respondents, requesting for reinstatement and releasing their salaries since the stopped date, i.e. March 2010, but to no avail.
10. That petitioners have also requested the respondents to assign them duties in some other school but to no avail.
11. That the petitioners belong to poor family and the drawing salaries which have been stopped since march 2010, was the only source of income /livelihood for the petitioners and due to non-payment of such salaries, the petitioners are compelled to spend life in miserable condition.
12. That the discriminatory act of the respondents is also against the norms of natural justice as the divine laws provides equality for every person as narrated in the Holy Quran.
13. That the unlawful acts of the respondents are not only against natural justice but also in violation of fundamental rights guaranteed under Articles 4,14,25,27,37(A)(E),And Article 38(B)(C) of 1973 constitution of Pakistan as well as Fata Compulsory Primary Education Regulation 2002 and Article 1,2,6,8,11(1)(2), and 26 (1)(2)(3) of Universal Declaration of Human Rights.
14. That any other ground will be raised at the time of arguments for the best administration of justice.

PRAYER:

It is most humbly prayed that by accepting this revision petition, the order dated 25.04.2013 of respondent no 1 may kindly be set aside, being unlawful, unconstitutional, biased, and passed in a haphazard manner, moreover, direction may also be issued to

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respondent 3 to 6 to reinstate the petitioners and release their stopped salaries since march , 2010.

Any other remedies which are not specifically mentioned but deem fit for the safe administration of justice may also be granted in favour of the petitioners.

Interim relief:

TO ISSUE DIRECTION TO RESPONDENTS 3 to 6 TO REINSTATE AND RELEASE THE STOPPED SALARIES OF THE PETITIONERS SINCE MARCH , 2010, WHICH IS NOT ONLY UNLAWFUL ACT OF RESPONDENTS, BUT ALSO AGAINST THE FATA COMPULSORY PRIMARY EDUCATION REGULATION,2002 AND ALSO VIOLATION OF ARTICLE 4,14,25,27,37(A)(E),AND ARTICLE 38(B)(C) OF 1973 CONSTITUTION OF PAKISTAN AND ARTICLE 1,2,6,8,11(1)(2), AND 26 (1)(2)(3) OF UNIVERSAL DECLARATION OF HUMAN RIGHTS.

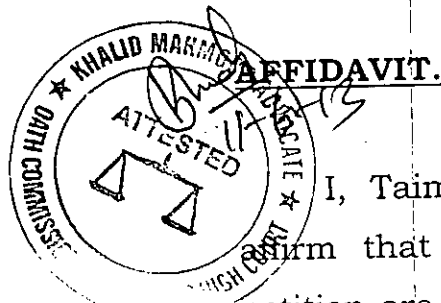
PETITIONERS

Taimur Haider Khan

Advocate High Court

Through

Date 11.6.2013



AFFIDAVIT.

I, Taimur Haider Khan Advocate do hereby solemnly affirm that the contents of the accompanying application petition are true and correct to the best of my knowledge and information furnished by the petitioners and nothing has been concealed from this Hon'ble Court.

Deponent

17301-5861825-5

FATA Tribunal Peshawar

Annexure
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Criminal/Civil/Revision/Review Petition No. 276/13

Date of Institution. _____

Counsel for the Petitioner (s) _____

Counsel for the Respondent (s) _____

Petitioner (s) _____

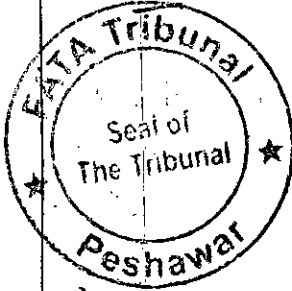
Respondent (s) _____

Order Sheet No.

Date

Proceedings

17.6.13



Early the case was adjourned to 26/6/13 but the learned counsel for the p'tor again appeared & requested for hearing of preliminary arguments today. Hence file requisitioned & his arguments heard. As the matter is of service, therefore this Tribunal has got no jurisdiction to entertain the instant petition. The same is therefore returned to the p'tor with the direction to file it before proper forum if he so desires. File to R.P.

ATTESTED
Shauze Khan
READER
(F.C.R.) TRIBUNAL

Annexure
17/6/13

Pir Fida Muhammad

Shah Wali Khan

Shah Wali Khan
FATA Tribunal

Annexure

(2)

BEFORE THE HON'BLE SERVICE TRIBUNAL, KPK, PESHAWAR.

SULAIMAN

Versus

Commissioner FCR etc.

APPLICATION FOR CONDONATION OF DELAY.

Respectfully Shewith:

1. That the petitioners earlier inadvertently filed a revision petition before the FATA Tribunal against the impugned orders dated 25.4.2013 but the same were returned to the appellant for presentation to the proper forum vide order dated 17.6.2013.
2. That the delay in filing of appeal before this Hon'ble Tribunal is not intentional but due to the above mentioned factual reason.
3. Any other ground is to be taken at the time of arguments.

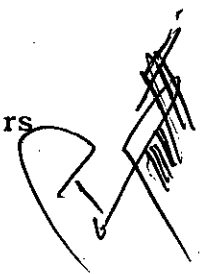
Prayer.

It is therefore, humbly prayed that on acceptance of this application the delay if any in filing of appeal may kindly be condoned and the appeal of the appellants may kindly be decided on merits.

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And other relief not specifically prayed for and deems fit in the safe dispensation of justice may also be granted in favour of the petitioners. .

Petitioners



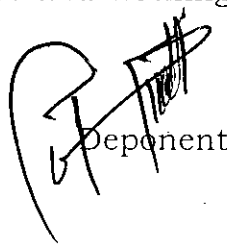
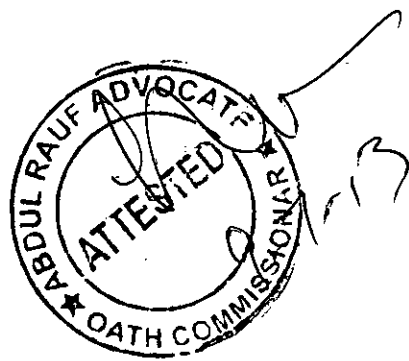
Taimur Haider Khan
Advocate High Court

Through

Date 22.6.2013

Affidavit.

It is solemnly affirm and declare that the contents of the application are true and correct and nothing has been concealed from this Hon'ble Tribunal.


Deponent

Reference is recorded punishment or censure, or or praise of Government S

ATTESTED BY
Tajawal Khan
Advocate
for court

Rupees 30

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SPECIAL POWER OF ATTORNEY FOR COURT CASE

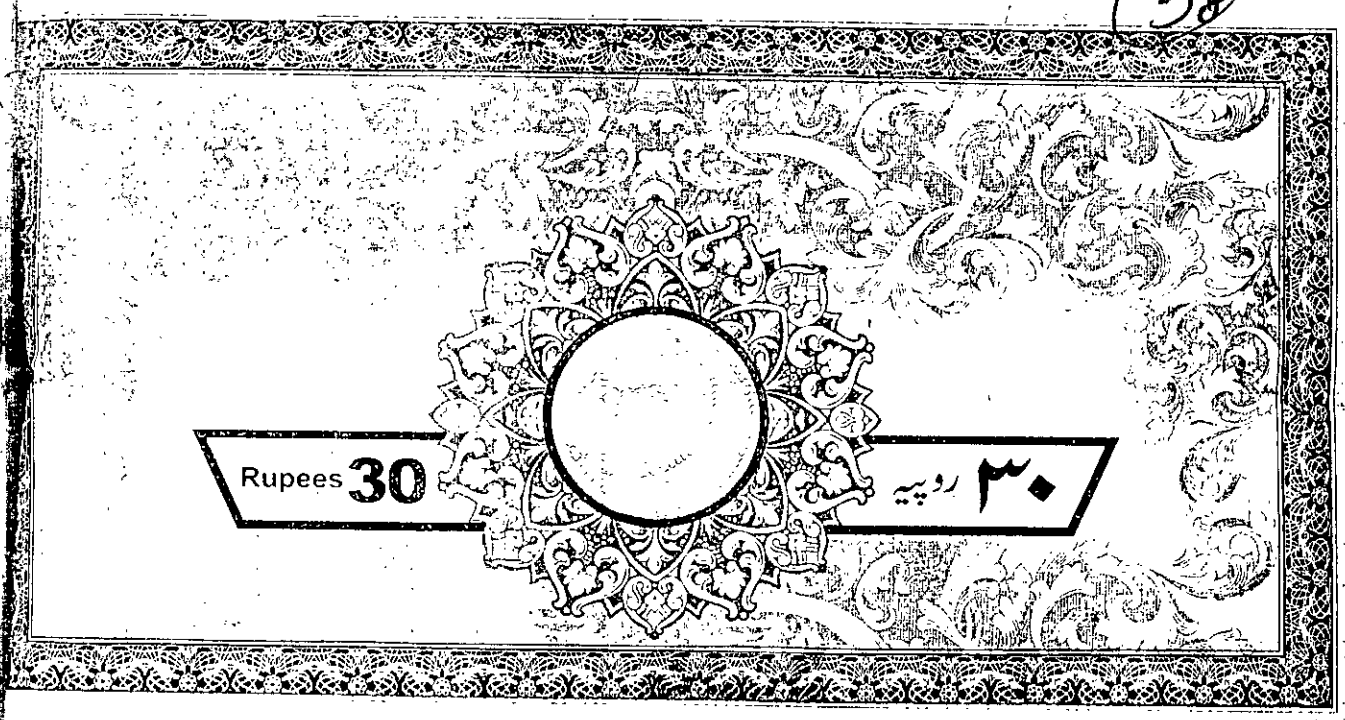
We, (1) **Mst. Shamim Begum** D/o Dilawar Khan R/o Kamar Din Kor, P.O Sandu Khel, Tehsil Upper Mohmand, Mohmand Agency (2) **Alam Gul S/o Shahzada** R/o Tor Kor, Qadari, P.O Sandu Khel Tehsil Upper Mohmand, Mohmand Agency (3) **Suliman S/o Dilawar Khan** R/o Tor Kor, Qadari, P.O Sandu Khel Tehsil Upper Mohmand, Mohmand Agency (4) **Sodagar Khan S/o Haji Mira Khan**, R/o Kamar Din Kor, P.O Sandu Khel, Tehsil Upper Mohmand, Mohmand Agency (5) **Saeed Khan S/o Gulzada** R/o Kamar Din Kor, P.O Sandu Khel, Tehsil Upper Mohmand, Mohmand Agency, (6) **Gulzada S/o Tajawal Khan** R/o Tor Kor, Qandari P.O Sandu Khel, Tehsil upper Mohmand, Mohmand Agency, do hereby nominate, constitute and appoint **Bawar Khan S/o Tajawal Khan** R/o Kamar Din Kor, P.O Yousaf Khel, Tehsil Upper Mohmand, Mohmand Agency as our Special Attorney and authorize him to appear on our behalf in cases titled "**Mst. Shamim Begum Vs Govt. of KPK**" for court of FATA Tribunal & High Court cases & Service Tribunal K.P.K Peshawar

Mr. Bawar Khan S/o Tajawal Khan is authorized/ empowered through this Special Power of Attorney to file petition, suit, revision petition, appeal, review etc, to furnish affidavits on our behalf, to sign written statement/ application etc, if need be and to also engage lawyer/ counsel on our behalf.

Every action taken or ought to be taken in this respect shall be admitted to us and shall be deemed to have been performed by



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We have no objection to the acts performed by the said attorney on our behalf.

Therefore, this Special Power of Attorney is signed and executed in favour of above mentioned persons in presence of witnesses on this 30th day of May 2013.

ACCEPTED BY:

(1). Mst. Shamim Begum

(2). Alam Gul

(3). Suliman

(4). Sodagar Khan

(5). Saeed Khan

EXECUTANTS

Bawar Khan

Bawar Khan

CNIC No.21406-2812457-9

(6) - *GUL ZADA*

WITNESSES No.1

MUAZAM KHAN S/O DAWA KHAN

CNIC:

WITNESSES No.2

HAROON S/O DILAWAR KHAN

CNIC:



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سر اسرار بیفیل

بنام سید محمد حسین
2 پنجاب

سلیمان

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام میں در کینے سمیر صاحب خان ایڈووکیٹ صاحبی کورٹ میں

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 تقریر 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 جملے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ یا اختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختہ 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 سند ہے۔

2013

ماہ جولائی

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المرقوم

العبد گواہ العبد

کے لئے منظور ہے۔

مقام

سلیمان ولد داد خان سان
طوبہ دار
ایڈووکیٹ صاحب
صاحب

Accepted
ATTESTED
By Farman
Advocate (High Court)

BEFORE THE HONORABLE K.P.K. Saince Tribunal.

Sulaiman

vs

Commissioner & Others

APPLICATION FOR ADJOURNMENT

Respectfully Sheweth,

1. That the above title case is pending adjudication before this honorable tribunal, which is fixed for today i.e. 8.10.2013
2. That undersigned has two other cases of same nature which is fixed for tomorrow i.e. 9-10-2013.
3. That undersigned is feeling unwell due to extreme fever of flu from last night.

It is therefore most humbly prayed that by acceptance of this application, adjournment may kindly be granted, and today case may kindly be club with tomorrow cases.

Date 8-10-2013

Appellant Counsel
Tarmuntander Khan
Advocate High Court.

BEFORE THE HONORABLE K.P SERVICE TRIBUNAL PESHAWAR
APPEAL # 1078/2013

SULAIMAN

VS

Commissioner FCR Peshawar & Others

APPLICATION IN RESPECT OF WITHDRAWAL
OF APPEAL WITH THE PERMISSION TO
FILE A FRESH ONE

Respectfully Sheweth.

- ① That the above title appeal is pending adjudication before this honorable tribunal, which is fixed for today i.e 5-12-2013.
2. That the appellant wants to withdraw the instant appeal, with the permission to file a fresh one.

It is therefore, most humbly prayed, that by acceptance of this application, the appeal may kindly be withdrawn to file a fresh one.

Appellant
through counsel
Taimur Haider Khan
Advocate High Court