

23.08.2022

Due to summer vacation, the case is adjourned for the same on 26.09.2022.

  
Reader

26<sup>th</sup> Sept 2022

Petitioner in person present. Mr. Muhammad Adeel Butt, Adll: AG alongwith Mr. Riaz Hussain Shah, Technologist for respondents present.

Representative of the respondents assured that they will submit compliance report on the next date positively. To come up for implementation report on 05.10.2022 before S.B at Peshawar.



(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

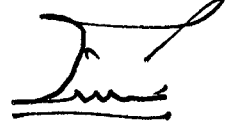
E.P No. 89/2021

*Mujahid Din B Govt*

26.05.2022

Petitioner alongwith his counsel present. Dr. Fakhar Zaman, DMS alongwith Mr. Farhaj Sikandar, District Attorney for the respondents present.

Representative of the respondents stated at the bar that implementation of the judgment under execution is in process and implementation report will be produced on the next date. Respondents are directed to positively produce the implementation report on 29.06.2022 before the S.B at Camp Court D.I.Khan.



(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

29<sup>th</sup> June 2022

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

Learned AAG assured the Tribunal that compliance of the judgment of this Tribunal will be submitted on the next date positively. He requested for some time. Granted. To come up for implementation report on 23.08.2022 before S.B at camp court D.I.Khan.



(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

13.12.2021

Counsel for the petitioner and Mr. Muhamad Adeel Butt, learned Additional Advocate General alongwith Mr. Mishqatullah, DMS for the respondents present.

Learned AAG seeks short adjournment in order to contact the DHO concerned to apprise the Tribunal about the steps taken towards implementation of the judgment under execution. Request is accorded. Case to come up on 15.12.2021 before S.B at Camp Court, D.I.Khan.



Chairman  
Camp Court, D.I.Khan

15.12.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. AG for the respondents alongwith Dr. Abbas Khan Sherani, M.S (respondent No. 3) present.

According to copies of correspondence, produced by the respondent department and placed on file, the process for release of admissible salaries etc. to the petitioner and other similarly placed with him is underway in the higher quarter. The respondents are directed to pursue the case vigorously. Case to come up for implementation report on 27.01.2022 before S.B at Camp Court, D.I.Khan.



Chairman  
Camp Court, D.I.Khan

27.01.2022

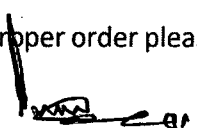


Tour is canceled, therefore, case is adjourned to 26.5 for the same as before.

Reader.

FORM OF ORDER SHEET

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

Execution Petition No. 89 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29.03.2021	<p>The Execution Petition submitted by Mr. Mujahid Din through Mr. Muhammad Waqar Alam Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 29/3/2021</p>
2-	28.10.2021	<p>This Execution Petition be put up before Touring S. Bench at D. I. Khan on... 28.10.21.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the petitioner present.</p> <p>Notice of the present execution petition be issued to the respondents for submission of implementation report. To come up for implementation report on 13.12.2021 before S.B at Camp Court, D.I. Khan.</p> <p style="text-align: right;"> (ATIQ-UR-REHMAN WAZIR) MEMBER (E) CAMP COURT D.I. KHAN</p>

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

EXECUTION PETITION NO. \_\_\_\_\_ OF 2020

**Mujahid Din**  
**Versus**  
**District Health officer etc**

**EXECUTION PETITION**

**INDEX**

S.No	Particulars of the Documents	Annexure	Page
1)	Grounds of Execution petition with affidavits	--	1-2
2)	Copy of service appeal along with judgment dated 22/09/2020	--	3-11
3)	Copy of application dated 12/10/2020 & Arrival report	--	12-13
4)	Wakalatnama	--	14

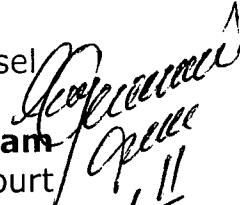
**Petitioner**

**Dated: 30/11/2020**

  
**Mujahid Din**

Through Counsel

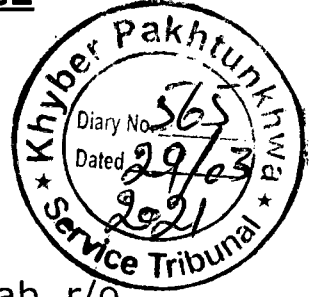
**M. Waqar Alam**  
Advocate High Court

  
30/11/2020

-1-

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

EXECUTION PETITION NO. 89 OF 2020



**Mujahid Din** son of Shams ud Din r/o Qilla Nawab r/o House No. 1458/82 Mohallah Maidan Tank City. Sweeper DHO Office Tank.

(Petitioner)

Versus

1. **District Health officer (DHO), District Tank.**
2. **District Accounts Officer Tank.**

(Respondents)

**EXECUTION PETITION**

That the petitioner hereby applies for execution of the Judgment herein below as follows:

1	Suit No.	Service Appeal No. 1491/2018
2	Name of Parties	<b>Mujahid Din</b> son of Shams ud Din r/o Qilla Nawab r/o House No. 1458/82 Mohallah Maidan Tank City. Sweeper DHO Office Tank.  <b>(PETITIONER)</b>  <b>VERSUS</b>  1. <b>Government of KPK, through secretary Health Department, KPK Peshawar.</b> 2. <b>Director General Health services, KPK Peshawar.</b> 3. <b>District Health officer (DHO), District Tank.</b> 4. <b>District Accounts Officer, District Tank</b> ..... <b>(RESPONDENTS)</b>
2	Date of Judgment	22/09/2020
3	Whether any Appeal preferred from Department	Nil
4	Previously execution petition is filled or not	No

*du*

5	Relief granted in the judgment	The appeal is accepted, by setting aside the order dated 26/07/2018 and the service appellant is reinstated with all back benefits .
6	Amount of Costs, if any	Nil
7	Against whom to be executed	<b>1. District Health officer (DHO), District Tank.</b> <b>2. District Accounts Officer Tank.</b>
8	Mode in which the assistance of the court if required	By issuing appropriate order against the respondents to reinstate the services of petitioner and implement the judgment dated 22/09/2020 in its true letter and spirit to execute the judgment in favour of petitioner and all the back benefits of service may kindly be given to the petitioner. Furthermore, the petitioner took charge against the post on 23/09/2020, hence, the petitioner is entitled to be paid his monthly salaries from 23/09/2020 to till decision of the instant execution petition.

It is therefore, humbly prayed that the instant petition may kindly be accepted.

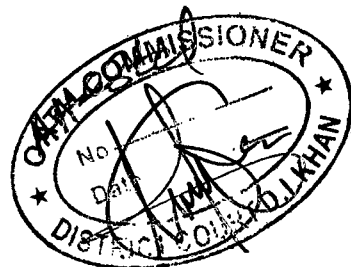
محمد امجد  
**Petitioner**

**Dated: 30/11/2020**

محمد امجد  
**Mujahid Din**

**Affidavit:**

I, the petitioner, do hereby solemnly affirm and declared on Oath that all the contents of the petition are true and correct to the best of my knowledge and belief and no other petition on the same subject matter was filed earlier.



محمد امجد  
**Deponent**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR, CAMP COURT D.I.KHAN**



In service Appeal No. 1491 /2018

**Mujahideen** son of Shams-Ud-Din r/o Qilla Nawab, House No. 1458/82 Mohallah Medan Tank City. Ex-Sweeper DHO, Tank.

**(Appellant)**

**VERSUS**

1. Government of KPK through Secretary Health, Peshawar.
2. Director General Health, Peshawar.
3. District Health Officer, Tank.
4. District Account Officer, Tank.

..... **(RESPONDENTS)**

**APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 26/07/2018 ISSUED BY RESPONDENT NO. 3/DHO, TANK, WHEREBY APPELLANT WAS REMOVED FROM SERVICE AND AGAINST THE OMISSION ON THE PART OF RESPONDENT NO. 2 FOR INDECISION OF THE DEPARTMENTAL APPEAL WHICH IS AGAINST THE LAW AND IN VIOLATION OF SERVICES LAWS AND RULES AND THE APPELLANT WAS CONDEMNED UNHEARD WITH MALAFIDES.**

**PRAYER**

On acceptance of this appeal, impugned order DATED 26/07/2018 issued by respondent No. 3 may please be reversed and set-aside and the respondents be directed to reinstate the appellant in service with all back benefits.

**ATTESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Attested by  
[Signature]  
Registrar  
29/11/18

[Signature]




**Note:** Addresses given above shall suffice the object of service. All necessary and proper parties have been arrayed in the panel of respondents.

**Respectfully Sheweth;**

1. That the Appellant is a law abiding citizen of Pakistan and is enjoying well reputation in the society and was appointed in the Health Department as Sweeper on 07/06/2014 against the clear cut vacant and reserved post for disabled person. Copy of Appointment Order dated 07/06/2014, Medical Certificate, Disability Certificate, Arrival joining report, Attendance Register and Application for release of salary are enclosed herewith.
2. That after joining the department, the departmental authorities orally without any legal justification stopped the monthly salaries of the petitioner/appellant, in this respect, appellant moved an application to the concerned quarter but in vein lastly, the appellant filed a writ petition against the department in the Peshawar High Court Bench D.I.Khan. Copy of writ petition no. 509-D/2015 along with order dated 13/10/2015 regarding release of salary and comments of District Account Officer Tank are enclosed herewith.
3. That, on 30/05/2018, the writ petition of the appellant was very graciously disposed off with certain directions to the respondent no. 3 regarding **to consider the grievance of the petitioner/appellant and passed an appropriate order regarding the fate of the appointment of the petitioner strictly in accordance with law within a period of 60 days from the issuance of the order of this Court.** Copy of order dated 30/05/2018 is enclosed herewith.
4. That, on 26/07/2018, the respondent No. 3 by misinterpreting the judgment of the Peshawar High Court Bench D.I.khan issued impugned order dated 26/07/2018, in which the appointment order dated 07/06/2014 was withdrawn by showing in the interest of Public on flimsy grounds. Copy of the impugned order dated 26/07/2018 is annexed herewith.

ATTESTED

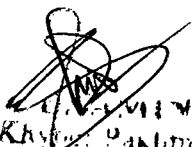
  
 District Account Officer  
 Tank

5. That, feeling aggrieved from the unjustified order dated 26/07/2018 issued by respondent No. 3, the appellant filed a departmental appeal to the respondent No. 2 which is still not decided, hence, the present appeal, inter alia, on the following grounds: Copy of departmental appeal along with receipt of GPO, D.I.Khan are enclosed herewith.

### GROUNDS

- a. That the impugned removal order dated 26/07/2018 and the indecision of appellant's departmental appeal is illegal, against services Law and rules, without jurisdiction, in violation of the precedents of Honourable apex courts of the country and is not justifiable for any reason whatsoever.
- b. That appellant was appointed against permanent post in Health Department against disable quota and serving to the entire satisfaction of his superiors. But act of respondents amounts to injustice with appellant and removal order is against Law & service rules.
- c. That reasons mentioned in impugned removal order are baseless and removal order was issued without adopting any codal formalities and without giving any personal hearing to the appellant. Hence, the appellant was condemned unheard.
- d. That, it is settled law by the apex court of country in different decisions that major penalty could not be awarded by adopting summary procedure, hence, in the present case of appellant the department violated the laws of the country. 2003 SCMR 1110, 2010 SCMR 237, 2009 PLC 987, 2003 SCMR 104, 1997 SCMR 1543, 2008 SCMR 214, 2006 SCMR 60.
- e. The act/refusal/omission on the part of respondents is not grounded in reason nor does it smack of sensible or sane approach which is bad in law and circumstances in the present case.
- f. That, the removal order of the appellant was issued by misinterpreting the judgment of the Peshawar High Court Bench

ATTESTED

  
 ATTESTED  
 Khayal Ahmad  
 Service Tribunal,  
 Peshawar

*Shu*

D.I.Khan by the DHO, Tank which amounts of Contempt Proceeding due to wrong interpretation of the order of superior Court, hence, the impugned order is liable to be set aside.

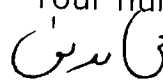
- g. That, in the impugned orders of the respondents is the reasons mentioned are baseless and no inquiry or re-inquiry has never been conducted in the case of appellant and also no show cause notice was given to the appellant by the competent authority hence, the impugned order dated 26/07/2018 is the result of connivance, collusion of the respondents which is bad in law.

It is thus most respectfully prayed that on acceptance of this appeal, this worthy Tribunal may graciously be pleased to set-aside impugned removal order dated 26/07/2018 and declare such order as illegal, void and devoid of merits. Consequently, appellant may please be reinstated in service with all back benefits.

Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of appellants as against respondents with costs.

Dated: 23/11/2018

Your humble appellant




**Mujahideen**

Through counsel

  
**M. Waqar Alam**

Advocate High Court  
Dera Ismail Khan

**ATTESTED**

  
**Khairul Akhbar**  
Service Tribunal,  
Peshawar

-7-

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**  
**AT CAMP COURT, D.I.KHAN.**

Service appeal No. 1491/2018

Date of institution ... 17.12.2018  
Date of decision ... 22.09.2020



Mujahideen S/O Shams Ud Din R/O Qilla Nawab, House No.1458/82 Mohaliah  
Medan Tank City, Ex-Sweeper DHO Tank.

... (Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Health Peshawar and  
four others.

... (Respondents)

Present

Mr. Waqar Alam,  
Advocate

... For appellant.

Mr. Usman Ghani,  
District Attorney

... For respondents.

MRS. ROZINA REHMAN  
MR. ATIQ-UR-REHMAN WAZIR

... MEMBER (J)  
... MEMBER (E)

**ATTESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

JUDGMENT

ROZINA REHMAN, MEMBER : The appellant Mujahideen impugns the  
order dated 26.07.2018 issued by District Health Officer Tank whereby  
appellant was removed from service.

2. Brief facts of the case are that the appellant was appointed in the  
Health Department as Sweeper on 07.06.2014 against the reserved post for  
disabled person. After joining the department, his monthly salary was  
stopped. He, therefore, moved an application to the concerned quarter but in  
vain. He filed writ petition in the Hon'ble Peshawar High Court and vide order  
dated 30.05.2018, directions were issued to the respondents to consider the

22/9/20

grievance of the appellant, who issued the impugned order dated 26.07.2018. He then filed departmental appeal which was not attended to hence the present service appeal.

3. It was submitted by the learned counsel for appellant that the appellant being fully eligible applied for the post of Sweeper and he was accordingly selected against the reserved post for disabled person. Order of appointment was accordingly passed by competent authority and the appellant being eligible for the post performed his duties honestly but he was shocked when his services were terminated vide impugned order dated 26.07.2018. Learned counsel further contends that the appellant could not be penalized for a wrong act committed by the department. Opportunity of personal hearing was not provided to him and he was condemned unheard. He submitted that it is a clear manifestation of incompetence and slackness on the part of respondents having failed to adhere to the criteria prescribed for the recruitment in the rules. Reliance was placed on 2011 PLC (C.S) 331 and judgment of this Tribunal passed in Appeal No.874/2016.

4. Conversely, learned District Attorney submitted that sanctioned post was not available and that the appellant was not physically fit and was appointed by not fulfilling the codal formalities by the competent authority. He argued that on the request of the appellant, his wife was appointed as Dai, therefore, the appellant left his legal right of appointment in Health Department and lastly it was contended that the appointment of appellant was made against the rules and in excess of sanctioned post. Reliance was placed on judgment of this Tribunal passed in Appeal No.943/2012.

5. As per record, the present appellant was appointed against the vacant post (disabled quota) as sweeper in BPS-01 vide order dated 07.06.2014.

ATTESTED

22/9/20

- 9 -

After medical examination by Medical Superintendent of DHQ Hospital Tank, report was submitted. He also annexed his disability certificate where-after arrival report was submitted on 16.06.2014. All these facts are not disputed. As per record, he performed his duties and in this regard copy from attendance register was produced not only in the Hon'ble Peshawar High Court but also placed on file of the main service appeal. He then submitted an application before the competent authority for the release of his salary but in vain. He, therefore, filed writ petition in Peshawar High Court and it was on 13.10.2015 when an order was passed by the Hon'ble Peshawar High court that:

"Notice has already given to respondents, however, none is present on their behalf, so the petitioner shall be paid his monthly salary."

6. Parawise comments were filed in Peshawar High Court and it was on 30.05.2018 when writ petition was disposed of in the following terms:

"In any case, there may be mutual understanding between the parties regarding issuance of appointment order of the wife of petitioner, however, no order regarding the fate of the appointment of the petitioner has so far been issued. Accordingly, we direct the respondent No.3 to consider the grievance of the petitioner and pass an appropriate order regarding the fate of the appointment of the petitioner strictly in accordance with law within a period of 60 days from the issuance of order of this Court. This writ petition is disposed of in the above terms."

From the above discussion it is evident that right from the appointment order of appellant i.e. 07.06.2014 till the order by the Hon'ble Peshawar High Court dated 30.05.2018 nothing was paid to appellant in


22/9/20

**ATTESTED**

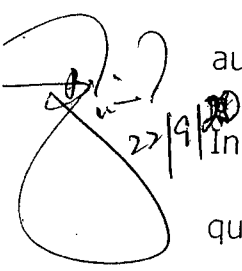
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

shape of salary. There is no order of termination or removal from service in respect of appellant on record and therefore, the respondent No.3 was directed by the Hon'ble Peshawar High Court to consider the grievance of the appellant and pass an appropriate order regarding the fate of his appointment. There is nothing on file which could show that petitioner's wife was appointed by mutual understanding in between the appellant and respondent department. Nothing was produced in this regard in shape of any application on behalf of appellant or his wife that his wife may be appointed in lieu of his service and lastly it was on 26.07.2018 when the impugned order was passed whereby office order bearing No.1409-11/Dated 07.06.2014 (appointment order of appellant) was withdrawn in the interest of public on the following grounds:

1. Not maintained fulfilling codal formalities by Ex-DHO Tank.
2. Not suitable candidate for the post of Sweeper as per Government rules.
3. Not physically fit.
4. Non availability of post of Sweeper.

**ATTESTED**  
  
**EXAMINER**  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar


8. It has been held by the superior courts in various judgments that in case illegal appointments are made then action should be taken against the authority who made these appointments instead of penalizing the employees.


 In the present case, as per record, he was appointed against the disabled quota. Proper disability certificate was produced before the authority and post was available, therefore, he was appointed as Sweeper against disabled quota. The fulfillment of codal formalities is the responsibility of authority. Nothing was brought on record that wife of appellant was appointed as Dai by mutual agreement with the appellant.

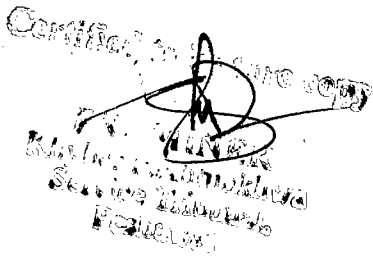
9. As a sequel to above, appeal is accepted by setting aside the impugned order dated 26.07.2018 and the appellant is reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

22.09.2020

  
(Attiq-ur-Rehman Wazir)  
Member (E)  
Camp Court, D.I.Khan.

  
(Rozina Rehman)  
Member (J)  
Camp Court, D.I.Khan.

  
Certified to be a true copy  
Secretary, Camp Court, D.I.Khan.

Date of Presentation of Application 06/10/2020  
Number of Words 2000  
Copying Fee 22-00  
Urgent 4-00  
Total 26-00  
Name of Copy [Signature]  
Date of Completion 06/10/2020  
Date of Delivery of Copy 06/10/2020



ذریعہ - ضابطہ - D.H.O - ضابطہ - ضابطہ

دفعہ 131 کے تحت عدالت عالیہ ہائی کورٹ / سروس ٹریبونل کے  
اطلاع کی روشنی میں سٹیشن کو بحالت سوپر / فاکٹری بحال  
کیا جاوے " معزز / پرنسپل کوٹہ " اور سٹیشن کو تمام  
تنخواہیں جاری کی جاوے

صاف - خالی 1

گذشتہ سیکورٹ سٹیشن نے پرنسپل / معزز کوٹہ میں بحالت  
سوپر / فاکٹری بحال کی ہے۔ چونکہ معزز کوٹہ میں سٹیشن کے  
بحالت سوپر / فاکٹری بحال کے آؤر ہاؤس ہوئے۔ لہذا سٹیشن  
کو مذکورہ اسٹیشن سے معطل کیا گیا۔ جس کی بحالی کے سلسلہ میں سٹیشن  
عدالت عالیہ ہائی کورٹ / پرنسپل کوٹہ میں رٹ دائر کی۔ چونکہ عدالت  
کوٹہ کے حق میں منظور ہوئی۔ اس کے علاوہ سروس ٹریبونل  
میں بحال سٹیشن کے حق میں عدالت 22<sup>9</sup>/<sub>2020</sub> کو آؤر ہاؤس ہوئے۔ جس کے  
مطابق سٹیشن دوبارہ بحالت سوپر / فاکٹری بحال کی بحالی کا وعدہ  
نقلیہ / کاما - لیا گیا ہے۔

لہذا سروس ٹریبونل کے عدالت عالیہ ہائی کورٹ / سروس ٹریبونل  
کے اطلاع کی روشنی میں بحالت سوپر / فاکٹری بحال کی بحالی اور  
تمام تنخواہیں سٹیشن کو رٹ کے تحت بحال کی جائیں۔

10  
12 2017

11201-6902255-7

سروس ٹریبونل / عدالت عالیہ ہائی کورٹ / سروس ٹریبونل  
0345-2768215

بجائے

— 13 —

**ARRIVAL/CHARGE REPORT**



In compliance with the court order dated 22/09/2020 passed by the Honourable KPK Service Tribunal in Service Appeal No. 1491/2018, the undersigned hereby submit the arrival report for duty as Sweeper in the office of District Health Office Tank.

Dated 23/09/2020

**Mujahid Din  
Son of Shams ud Din  
Sweeper DHO Tank**

محمد امجد دین

## وکالت نامہ - 14 -

	<b>N.W.F.P. BAR COUNCIL</b>
<b>MUHAMMAD WAQAR ALAM</b>	
Advocate High Court N.I.C. 12101-428352-1 S.No 1291	Issuing Authority

Father's Name:	MUHAMMAD KHURSHID ALAM
Address:	USTRANA SOUTH NEAR GCT D.I KHAN
Office Tel:	0266-710370, Cell # 0333-9950616
Enrolment Dt. L.C	22-05-2007
Enrolment Dt. H.C.	03-10-2009
Place of Practice	D.I KHAN
Date of Birth:	15-04-1982
Club Group:	

KPK Service Tribunal Peshawar av. بعدالت جناب

Petitioner

منجانب

Mujahidin

D.H.O etc

دعویٰ یا جرم

Execution Petition.

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام D.I. Khan کیلئے

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کی ہے، کہ ہر پیشی پر خود بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر مظہر حاضر نہ ہوا، اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا، تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر کچہری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا بیاد نہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخلہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی یا راضی نامہ و فیصلہ پر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا، اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از کچہری صدر پیروی مقدمہ مذکورہ نظر ثانی و اپیل و نگرانی و براآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ یا درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا بیگی علیحدہ جتانہ پیروی کا اختیار ہوگا اور تمام ساختہ پر داخلہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزوی کاروائی یا بصورت درخواست نظر ثانی اپیل یا نگرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا پیر سرکواپنے بجائے یا اپنے ہمراہ مقرر کریں، اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور وہ ان مقدمہ میں جو کچھ ہر جانہ التواء پڑیگا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ کسی مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سند رہے

Acceptance

مورخہ \_\_\_\_\_ ماہ \_\_\_\_\_ 20

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

30/11/2020

العبد

العبد

العبد

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

Mob: 0333-9950616

Email: waqaralam1982@gmail.com

