

27.06.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 4 present. None present on behalf of private respondent No. 5.

Previous date was changed on Reader Note, therefore, notice be issued to private respondent No. 5 through registered post and to come up for reply as well as arguments on 13.09.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

ORDER  
13.09.2022

Nemo for appellant.

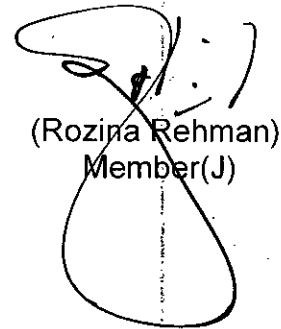
Muhammad Jan, learned District Attorney for the respondents present.

Case was called time and again but neither the appellant nor his counsel turned up till rising of the Bench. Consequently, instant service appeal is hereby dismissed in default for non-prosecution. Parties are left to bear their own costs. File be consigned to the record room.

Announced.  
13.09.2022



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

*Due to non-availability of postal stamps private respondent was not put on notice for 13/09/2022*

12.07.2021

Counsel for the Appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 30.11.2021 before the D.B.

Appellant Deposited Security Process Fee  
27/7/21

  
Chairman

30-11-2021

Due to non-availability of DB, the case is adjourned to 09-03-2022.

  
Reader

9-3-22

Due to Retirement of the Hon,ble chairman the case is adjourned to come up for the same as before on 27-6-22

  
Reader

FORM OF ORDER SHEET

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

Case No.- 1963 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
<p>1-</p> <p>2-</p> <p>05.04.2021</p> <p><i>[Handwritten notes and signatures in left margin]</i></p>	<p>29/01/2021</p>	<p>The appeal of Mr. Sajid Ali Khan presented today by Mr. Huasan Zaib Rahim Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>05/04/21</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p> <p>Junior to counsel for appellant present.</p> <p>Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on <u>12/7/2021</u> before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> (Rozina Rehman) Member (J)</p> <p><i>[Handwritten notes and signatures in right margin]</i></p>

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

Appeal No. \_\_\_\_\_ of 2021

Sajid Ali Khan Son of Rabiāz Khan, Ex-Driver  
..... Appellant

**VERSUS**

Chief Conservator Wildlife Khyber Pakhtunkhwa  
Peshawar and others ..... Respondents

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8.	Copy of appointment order dated 27/07/2020	"F"	13
9.	Copy of impugned order dated 21/10/2020 and communication order 19/10/2020	"G"	14
10.	Copy of departmental appeal	"H"	15-16
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Dated 10/06/2021

Through

Appellant

(Hasan Zaib Rahim)  
Advocate, Peshawar.

Cell 0334-9091149

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.Khyber Pakhtunkhwa  
Service TribunalAppeal No. 1963 of 2021Diary No. 1704Dated 29/1/2021

Sajid Ali Khan Son of Rabiya Khan, Ex-Driver in the Office of Divisional Forest Wildlife Division Bannu R/o Kotka, Bahader Khel, Sokaan Zabta Khan Tehsil and District Bannu.

... .. Appellant

VERSUS

- 1- Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar.
- 2- Conservator Wildlife Southern Circle Peshawar.
- 3- Divisional Accountant Wildlife Bannu.
- 4- Motor Licensing Authority Bannu.
- 5- Niamat Ullah Khan Divisional Forest Officer, Wildlife Division Bannu.

... .. Respondents

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 21/10/2020 WHICH HAS BEEN COMMUNICATED BY RESPONDENT NO.5 VIDE ORDER DATED 29/10/2020 WHEREBY THE APPELLANT HAS BEEN TERMINATED FROM SERVICE WITH IMMEDIATE EFFECT.

Filed to-day

Registrar

29/1/2021

Prayer

On acceptance of appeal, the impugned order dated 21/10/2020 which has been communicated vide order dated 29/10/2020 may kindly be set aside and the appellant may be reinstated in service with all back benefits.

*Respectfully Sheweth:*

*The appellant respectfully submits as under:*

- 1- That the appellant having been inducted regular appointed in service as Driver in the office of Divisional Forest Wildlife Division Bannu on 27/07/2020.*
- 2- That the appellant has been terminated from service vide impugned order dated 21/10/2020 which has been communicated vide order dated 29/10/2020 at Annexure "A".*
- 3- That the appellant has filed department appeal to respondent No.4 on dated 29/10/2020 vide Annexure "B" and no reply has been received so far and 90 days have been elapsed and hence this appeal inter-alia on the following grounds:*

**Grounds:**

- A- That the appellant has been terminated from service that on dated 21/10/2020, on the basis of fake Driving License, and that no Show Cause Notice has been served upon the appellant and nor any inquiry has been conducted in the matter and*

so his termination from service is illegal under the law and constitution, therefore, the respondents No.4 and 5 is liable to set aside and declared illegal.

B- That the last opportunity of personal hearing has not been given to the appellant before imposition of major penalty of termination from service and the appellant has been condemned unheard which is against Quranic command and Sunnah of the Holy Prophet peace be upon him and so the impugned order dated 21/10/2020 which has been communicated vide order dated 29/10/2020 is liable to be set aside.

C- That the impugned order dated 21/10/2020 which has been communicated vide order dated 19/10/2020 at Annexure "A" illegal, malafide, without jurisdiction and without lawful authority and is unsustainable under the law.

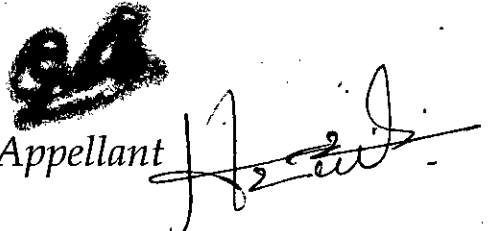
4

D- That the appellant seeks leave of this Hon'ble Tribunal to rely on additional grounds at the time of arguments.

It is, therefore, prayed that acceptance of appeal, the impugned order dated 21/10/2020 which has been communicated vide order dated 19/10/2020 may kindly be set aside and the appellant may be reinstated in service with all back benefits..

Dated 10/04/2021

Through

  
Appellant

(Hasan Zaib Rahim)  
Advocate, Peshawar.





6

Annexure

A

11101-9016607-3

101101270626

گمشدہ کارڈ ملنے پر قریبی لیویکس میں ڈال دیں

Registrar General of Pakistan

Handwritten signature and date: 26/1/2021

ATTESTED

PAKISTAN National Identity Card

ISLAMIC REPUBLIC OF PAKISTAN

Name: Sajjad Ali Khan

Father Name: Rabjar Khan

Gender: M Country of Stay: Pakistan

Identity Number: 11101-9016607-3 Date of Birth: 01.05.1988

Date of Issue: 23.01.2019 Date of Expiry: 23.01.2029

Holder's Signature

# DOMICILE CERTIFICATE

## DISTRICT BANNU N.W.F.P. PAKISTAN

Annexure B

I declare that I was born of parents who are permanently domiciled in N.W.F.P. having belonged to it by birth / settled in it.

I belong by birth to village/Mohallah SIKRI SOKAR BUND POKHTI P.O. BANNU  
Tehsil BANNU District Bannu

Signature of the applicant

Date \_\_\_\_\_

Pursuance to the declaration dated 17.1.06 filed by SAJJAD ALI

son / daughter / wife RAFIQ KHAN domiciled in the N.W.F.P. It is

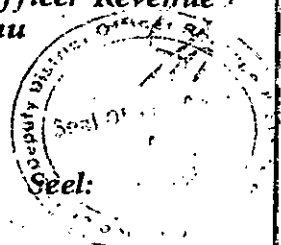
hereby certified that the said SAJJAD ALI is born of parents who are permanent residents of the N.W.F.P. having belonged to it by birth settled in it.

I have satisfied myself from personal / my knowledge verification that the above declaration is true and certify.

This 27<sup>th</sup> day of Jan 2006



Deputy District Officer Revenue  
Bannu



No. 808 / Dated 28/1/ /2006

COUNTERSIGNED

Handwritten signature  
26/1/2006  
ATTESTED

Seel: [Signature]  
DISTRICT OFFICER REVENUE & ESTATE / COLLECTOR  
BANNU



S.No. 15443

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

8



Roll No. 2076

Board of Intermediate and Secondary Education



Annex C

BANNU (N-W.F.P.), PAKISTAN

Secondary School Certificate Examination

SESSION 2005 (SUPPLY)

This is to Certify that Sajjad Ali Khan

Son of Rabiaz Khan

Student of District Bannu

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Bannu held in September, 2005 as a Private candidate.

He obtained 462 marks out of 1050 and has been placed in Grade D

Representing Fair. The candidate passed in the following subjects:

1. English	2. Urdu	3. Islamiyat	4. Pakistan Studies
5. General Science	6. Arts And Model Drawing	7. Islamic Studies	8. Mathematics

Date of birth according to Registration record: 01 May, Nineteen Eighty-Eight (02-05-1988)

Date of declaration of Result: 22-11-2005

Prepared on: November 22, 2007

Assistant Secretary

Handwritten signature and date: 26/11/2007

ATTESTED

SECRETARY

This certificate is issued without alteration or erasure



# BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

BANNU N.W.F.P PAKISTAN

S.No-A- 02197

SECONDARY SCHOOL CERTIFICATE EXAMINATION PART-I&II

## RESULT CARD

Roll No : 2076

Group : Humanities

Session 2005 (Supplementary)

Registration No : 443-B-BU-1-1-03

Certificate No : 30502076



This is to certify that

Sojjad Ali Khan

Son / Daughter of

Rabiaz Khan

and a student of

District Bannu

has secured the marks shown against each subject, in the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in

Sep, 2005

as Private Candidate

Subject	Marks	MARKS OBTAINED					
		9Th		10Th		Total	In Words
		Theory	Practical	Theory	Practical		
1. English	75	35	--	31	--	66	Sixty-Six
2. Urdu	75	34	--	25	--	59	Fifty-Nine
3. Islamiyat	75	36	--	--	--	36	Thirty-Six
4. Pakistan Studies	75	--	--	32	--	32	Thirty-Two
5. General Science	75	32	--	31	--	63	Sixty-Three
6. A.M. Drawing	75	21	26	22	15	84	Eighty-Four
7. Islamic Studies	75	28	--	38	--	66	Sixty-Six
8. Mathematics	75	25	--	31	--	56	Fifty-Six

Total 1050

482-D

Four Hundred Sixty-Two Only

Remarks

Humanities

Date of Birth according to Registration Record:

01-05-1988 (01 May Nineteen Eighty-Eight)

Date of Declaration of Result:

22-11-2005

Prepared by:

Checked by:

Date of Issue:

22-11-2005

*Heads*  
*29/1/2021*  
**ATTACHED**

Controller of Examinations  
Board of Intermediate and  
Secondary Education, Bannu

سین مین ہسپتال دہلی خان ولد و بیار خان سکندر بیو کی بیٹی کا انتقال  
کیونکہ ان کی طواریہ جائیداد اور نام بیعت و ذمہ داری سے متعلق ہے۔ کسی عزم  
تحت صلوات سے نہیں ہے۔ اور نہ کسی اور پیمانہ سے ہے۔ جس کی وجہ سے  
تقدیر کا راز ہے۔

السید محمد ارجان ولد محمد عثمان سکندر افندی شیخ احمد  
32 44 975 0332 Mob - 1-8023929-8054

صاحب عالی

جناب عالی  
آپ کا وارڈ کمانڈر حدیث لیا گیا  
صحت سے سب سے زیادہ شاہ کمانڈر ہے  
کسی عذر سے نہیں مطلوب نہیں ہے۔  
الپورٹ، رفقہ  
MHC/cant  
20-10-020

صندریع بالا محمد ارجان کا بیان  
درستی سے ہے۔ تمام احوال سے  
باقی کمانڈر کی راجہ اور شیخ  
محمد اعلیٰ 10 الپورٹ  
اپنی اس طرف سے ہے۔

*(Signature)*

MHC/cant

19-10-020

11

ATTESTED  
20/10/2021

Sir,  
Verified  
POLICE STATION  
MHC/cant  
20-10-020

پولیس کلیئرٹنس سرٹیفکیٹ

Annexure D

سید علی خان ولد رباب خان

تصدیق کی جاتی ہے کہ

مکتبہ سید رباب کے تمام نوسوں سوا کے نام کے بارے میں

کو ذاتی طور پر جانتا ہوں۔ یہ محلہ گاؤں میں درج ذیل تحصیل پنوں کے

تیز اس کے آبادی اور ابھی محلہ گاؤں میں درج ذیل پنوں کے

رہائشی باشندہ گان ہیں۔

اور یہ کسی قسم کی تحریک کاری میں حکومت کو مشورہ ہے۔

نمبر دارا گوں

جناب علی!

پڑتال تھانہ سے

عدم مشتبہ عدم سزا یافتہ پایا گیا ہے لہذا رپورٹ عرض

ایمانت کی

مقامی دریافت سے

جناب علی!

مکتبہ کا نام ولدیت سکونت درست تصدیق ہو کر چلن بیان ہوا پڑتال رکاز عدم مشتبہ عدم

سزا یافتہ پایا گیا لہذا رپورٹ عرض ہے۔

پولیس ایجنٹ اور

دستخط

ادولین خان

note / SHD  
مکتبہ سید رباب

مکتبہ سید علی خان کا

SHD صاحب سے دریافت کیا گیا ہے کہ

مکتبہ سید علی خان کا

19/10/2020

26/10/2020  
ATTESTED



**MEDICAL CERTIFICATE**

Name of Official MR. Sajjad Ali Khan

Father Name: MR. Rabiq Khan

Cast of race: (Muslim) Pakistani

Residence: Kotka Bahader Khel P/O Sokari Zabda  
Khen Teh & Dist Bannu.

Date of Birth: 01/5/1988 NIC NO 11101-9016607-3

Exact height by measurement 5-6

Personal mark of identification: Scar on Fore head

Signature of the Official: [Signature]

Signature of head of Office: \_\_\_\_\_

Seal Office: \_\_\_\_\_

**ATTESTED**  
12/07/2021

I do hereby certify that I have examined Mr. Sajjad Ali Khan A candidate  
for Employment in the office of the Forest Wildlife as a Driver RPS No 6  
and can not discover that he had any disease communicable of other constitutional affection or bodily  
Infirmity except Nil

I do not consider this as disqualification for as employment in the office of the Forest Wildlife

Depth His age according to his own statement (32) Year and

by appearance about Thirty Two years.

Left/Right Hand Thumb and Finger  
Impression: .....

[Signature]  
Additional Hospital Director  
Medical Teaching Hospital  
**ADDITIONAL HOSPITAL DIRECTOR**  
DHQ Teaching Hospital Bannu

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Annex F

OFFICE ORDER NO. 64 /WL (B), DATED BANNU THE 27 / 07 / 2020.  
ISSUED BY MR. NAVEED UL-HAQ DIVISIONAL FOREST OFFICER WILDLIFE  
DIVISION BANNU

Consequent upon the recommendations of Departmental Selection Committee constituted vide this Office Order No.01/WL (B), dated; 13/07/2020, in its meeting held on 24-07-2020, Mr. Sajjad Ali Khan S/O Rabiya Khan R/O Kotka Bahader Khel Sokan Zabta Khan Tehsil and District Bannu is hereby appointed as Driver in BPS-06 (Rs.10620-560-27420) plus usual allowances as admissible under the rules against the vacant post under regular budget in Bannu Wildlife Division with immediate effect subject to the following terms and conditions:-

TERMS AND CONDITIONS

1. His services will be governed by the Khyber Pakhtunkhwa Civil Servants Act, 1973, all the laws applicable to the Civil Servants and the Rules made there under.
2. He will be on probation as per Rule-15 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 extendable for another year with specific orders of appointing authority within two month of the expiry of the first year of probation period as specified in Rule 15 (2) of rules ibid.
3. His services will be liable to termination at 15 days notice at any time without assigning any reason irrespective of the fact that he holds a post other than the one to which he was originally recruited.
4. In case he wishes to resign at any time, an advance notice of one month shall be necessary or in lieu thereof his one month pay shall be forfeited to government.
5. The appointment is subject to the production of Clearance Certificate from District Police Office Bannu and necessary medical fitness certificate from the Medical Superintendent of District Head Quarter Hospital Bannu before joining of the post.
6. He will have to verify his Driving License and Domicile.
7. If he failed to report arrival for duty within thirty days of the receipt of this Order, the appointment will stand cancelled automatically.
8. The incumbent will be posted anywhere in the province by the competent authority.
9. In case of any political influence for posting/transfer for favorable station or undue favour which is against the public interest, the service of the incumbent will be terminated.
10. No TA/DA will be allowed on first joining his place of duty.

(Naveed-Ul-Haq)  
Divisional Forest Officer  
Bannu Wildlife Division

No. \_\_\_\_\_ /WL (B),

Copy forwarded for information to the:-

- 1- Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar along with copy of minutes of the Departmental Selection Committee please.
- 2- Conservator Wildlife Southern Circle Peshawar along with copy of minutes of the Departmental Selection Committee please.
- 3- Divisional Accountant Wildlife Bannu please.
- ✓ 4- Mr. Sajjad Ali Khan S/O Rabiya Khan R/O Kotka Bahader Khel Sokan Zabta Khan Tehsil and District Bannu.
- 5- Personal file.
- 6- Office Order file.

13/07/2020

**ATTESTED**

Divisional Forest Officer  
Bannu Wildlife Division  
Bannu

14

Annex  
G

OFFICE ORDER NO. 28 DATED BANNU THE 21 / 10 /2020  
ISSUED BY MR. NAIMATULLAH KHAN DIVISIONAL FOREST OFFICER  
BANNU WILDLIFE DIVISION BANNU.

Mr. Sajjad Ali Khan S/O Rabiaz Khan was appointed as Driver (BPS-6)  
vide Office Order No. 04 dated 27/07/2020 issued by DFO Wildlife Bannu.

In accordance with section 6 of terms and conditions of his appointment  
order, his credentials including driving license was sent to Motor Licensing Authority vide this  
office letter No. 562/WL(B) dated 14.10.2020 for verification.

The Motor Licensing authority Bannu vide letter No2952/TC dated;  
19/10/2020 informed that the license of the applicant was fake and bogus and has no official  
record.


Consequently, Mr. Sajjad Ali Khan S/O Rabiaz Khan hereby terminated  
from service with immediate effect in the best public interest

*sdf*  
(Naimatullah Khan)  
Divisional Forest Officer,  
Wildlife Division Bannu

No. 585-89 /WL (B).

Copy forwarded to

- 1 The Chief Conservator Wildlife Khyber Pakhtunkhwa.
  - 2 The Conservator Wildlife Southern Circle Peshawar.
  - 3 The Sub Divisional Wildlife Officer.
  - 4 Assistant/Accountant Bannu Wildlife Division.
  - 5 Mr. Sajjad Ali Khan S/O Rabiaz Khan R/O Kotka Bahader Khel Sokar Zabta  
Khan Tehsil & District Bannu
- For information, please

  
Divisional Forest Officer,  
Wildlife Division Bannu

*Head*  
26/10/2021  
ATTESTED

*[Faint signature]*

مخیت جناب چیف کنزرویٹو ڈائریکٹ لڈ لڈف خیبر پختون خواہ ایسڈ اور

Annex  
H

عنوان :- ڈیپارٹمنٹل ایپیل بر خلاف حکم حورخہ <sup>28</sup> 21  $\frac{10}{20}$

جس کے تحت سائل / ایپلنٹ کو ملازمت سے  
برخواست گیا۔

استدعا ہے اپیل :- منظور اپیل تھا و نسخہ فرمانے حکم <sup>28</sup>

زیر اپیل حورخہ  $\frac{10}{20}$  21 و بحال فرمانے سائل / ایپلنٹ

وجوہات اپیل :-

(1) یہ کہ حکم زیر اپیل تحریرہ حورخہ  $\frac{10}{20}$  21 خلاف قانون ہے

(2) یہ کہ سائل / ایپلنٹ کو سب سے بغیر نوکری سے برخواست

کیا گیا جو کہ مطابق قانون درست نہ ہے۔

(3) یہ کہ بعد از تعیناتی سائل / ایپلنٹ ڈبل سٹریو ویگو حوالے

کیا گیا اور اپنے خدمات بطریق احسن بطور ڈریسٹوار ادا

کرتا رہا اور محکمہ کو کسی قسم کی شکایت کا وقوع نہیں دیا

(4) یہ کہ سائل / ایپلنٹ نے ڈائریکٹ کا لائسنس بذریعہ

ایجنٹ حاصل کیا تھا، جو کہ اب معلوم ہوا کہ وہ لائسنس

درست نہ تھا، چونکہ سائل / ایپلنٹ ایک ماہر ڈریسٹوار

ہے اس لئے سائل نے لائسنس کے لئے باقاعدہ داخلہ کیا

ہے اور لرننگ ڈائریکٹ پر فٹ نمبر — 1001007000000040889

جاری کیا گیا ہے۔

26/2/2021  
ATTESTED

5 یہ کہ سائل / ایبلنٹ ایک ماہر ڈرائیور ہے۔ اور تعلق  
 عطل کی بناء پر انتہائی سخت سزا دینے ہوئے نوٹری سے  
 درخواست کیا گیا۔ جو کہ کسی طور پر بھی درست نہ ہے۔

6 یہ کہ بوقت انٹرویو ڈرائیونگ کا باقاعدہ ٹیسٹ لیا گیا  
 تھا۔ اور مکمل ٹیسٹ وغیرہ سے مطمئن ہونے کے بعد سائل /  
 ایبلنٹ کی تعیناتی عمل میں لائی گئی تھی۔

۱۔ لکھنا استدعا ہے کہ ایبلنٹ کو منظور فرمائے ہوئے حکم پر خاصگی  
 لیٹر نمبر 28 حورہ 20/20 کو منسوخ فرمائے ہوئے سائل / ایبلنٹ  
 کو ملازمت پر بحال فرمائے کے احکام صادر فرمائیں جاوے  
 سائل / ایبلنٹ تاحیات دعا اور جیسا۔

Dt: - 29-10-2020

سجاد علی خان ولد رابیاہن خان سکنہ سکونڈری بیادریل

مختل و صلح ہونے

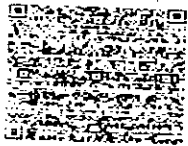
26-2021  
 ATTESTED

15A

Leopards Courier Services (Pvt) Ltd.

OVERNIGHT CZ DELIVERY

Customer Copy

Shipment Information		Client Information		Price information	
Tracking #		To : THE CONSERVATOR WILDLIFE		Pieces	1
		Address: SHIML ROAD		Charged Wgt	0.25 (KG)
		PESHAWAR		Dimension	N/A
MOB :	( )	Contact : 0315 14655	0919212084	Val Declared :	0.00 Rs
User :	SHOUKAT HAYAT	From :	SAJJAD ALI	Insurance :	0% 0.00 Rs
Booking Date/Time :	29 Oct 2020 09:58:16	Address :	BANNU	State	190000 Rs
Origin :	BANNU	Contact :	0315 14655 /	MTD Amount	0.00 Rs
Destination :	PE	NTN		VAS	0.00 Rs
NTN NO :	28	CNIC :		Trade Discount	0.00 Rs
Sales Tax Reg No :				Net Amount	165.00 Rs
				Sales Tax	15% Rs.
				Payable Amount :	
				ation :	On SH

Please have a photocopy made.

786

16A

000008

		CN. NO	000008		
ORIG	DESTINATION	DATE			
BP	Pew	31/10			
PDHS Courier Service 10 - 15 دن کے اندر اپنے پاس ایس ایچ ڈی کی تقریباً تمام چیزیں کو بھیج سکتے ہیں۔ 10 - 15 دن کے اندر اپنے پاس ایس ایچ ڈی کی تقریباً تمام چیزیں کو بھیج سکتے ہیں۔ 10 - 15 دن کے اندر اپنے پاس ایس ایچ ڈی کی تقریباً تمام چیزیں کو بھیج سکتے ہیں۔			معزز گرامر رسید لینے وقت فرمٹ اور ایک پروڈی - ہماری ہدایات اور شرائط و ضوابط سے براہ کرم اگر مشق نہ ہوں تو پارسل اکاؤنٹات ہرگز تک نہ کر - ہنگ کر دینے کا مطلب آپ مشق ہیں - اتھان کی صورت میں PDHS کو تیرا ان تجربہ شدہ - ای کی بنیاد پر ہی آپ کے نقصان ادا کرے گی۔		
To	Shahid				
Tel.					
From	Sajjad				
Tel.	BANNU				
Sender Signature	Description	Weight	No of Pieces	Cash/Credit Amount	
	Pew	0.5	1	200	
PDHS Courier					
No value declared					

17

Annex.

OFFICE OF THE DIVISIONAL FOREST OFFICER WILDLIFE DIVISION BANNU  
To

The Manager National NBP  
main branch Railway Road Bannu

No. 267 /WL (B)

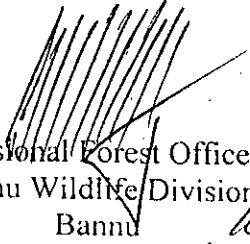
dated Bannu the 13 10 8 /2020.

**SUBJECT: OPENING OF BANK ACCOUNT FOR SALARY PURPOSE.**

Memo;

It is certified that Mr. Sajjad ali Khan  
CNIC. # 11101 9016607-3 S/O Rabiaz Khan R/O  
Wahida Bahader well p/o Sakary Zahra Khan District Bannu working  
as Wildlife Watcher (BPS-07) in Bannu Wildlife Division, as permanent employee of the  
department. As per Government directives they have to open their mandatory/bank  
accounts for salary.


It is therefore requested to kindly open bank account for said person at  
your earliest possible time please.

  
Divisional Forest Officer  
Bannu Wildlife Division  
Bannu

~~Handwritten signature~~  
26 / 2021  
ATTESTED



KOTKA 64 ADAR KHELF O BANNU  
 SO KAR ZABTA KHAN Bannu  
 N/A  
 Contact #  
**PAKISTAN**  
 Issued by Government of Punjab, Punjab Police Department  
 Issued at Bannu  
 Issued on 01-05-1988  
 Issued to Sajjad Ali Khan  
 Issued for 06-11-2000  
 Issued at Bannu  
 Issued for 06-11-2000  
 Online Verification  
 Issued at Bannu  
 Issued for 06-11-2000  
 Issued to Sajjad Ali Khan  
 Issued for 06-11-2000

**KLEBER PAKHUNKIWA** DRIVER'S LICENSE  
**LTV ONLY**  
  
**SAJJAD ALI KHAN**  
 Bannu  
 DOS 01-05-1988 ISSUE 06-11-2000  
 GENDER: M CNIC: 11101-60166070  
 103000040860  
 Issuing Authority

Before The K.P.K Service Tribunal  
پشاور

Service Appeal — /2021.

Petitioner

2 مخائب  
بنام

سجاد علی خان

10-16-2021

سروس اپیل

مقدمہ

Chief Conservator wildlife  
Khyber Pakhtunkhwa and others.

سروس میجر  
گدو

دعویٰ

جرم

Respondents

باعث تحریر آنکے

صاحب  
البرودیت  
پشاور

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام پشاور کیلئے سن زبیر کے

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 تقررات ہ فیصلہ برحلاف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برادگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

10

16

المرقوم

واہ العب  
بمقام پشاور Accepted by  
لئے منظور ہے۔



21

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

**SERVICE APPEAL 1963/2021**

Sajid Ali Khan S/O Rabiaz Khan R/O Kotka, Bahader Khel, Soka Zabta Khan Tehsil and District, Bannu

..... (Appellant)

**VERSUS**

1. Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.
2. Conservator Wildlife Southern Circle, Bannu.
3. Divisional Accountant Wildlife, Bannu.
4. Motor Licensing Authority Bannu.
5. Naimat Ullah Khan Divisional Forest Officer Wildlife Division, Bannu

..... (Respondents)

**PARAWISE COMMENTS ON BEHALF OF  
RESPONDENT NO. 1, 2 & 3**

**PRELIMINARY OBJECTIONS**

1. The appeal is not maintainable in the present form.
2. The Appellant has no locus stand to bring the present appeal.
3. The appeal is time barred.
4. The appellant has not come to this Honourable Tribunal with clean hands.

**Prayer:**

The appeal may be rejected on the ground that the driving license of the appellant was found bogus during verification after his appointment vide Motor Licensing Authority Bannu letter No. 2952/TC dated 19-10-2020. (Annexure-I)

**Respectfully Sheweth:**


1. Correct.
2. The appellant was appointed as Driver in BPS-6 vide order No.04 dated 27-07-2020. However as per requirement and conditions of the appointment order, his driving license was sent to Motor Licensing Authority Bannu for verification. The Motor Licensing Authority Bannu has returned the same unverified with the remarks that the driving license of Mr. Sajid Ali Khan is bogus/fake vide his letter No. 2952/TC dated 19-10-2020. Therefore, Mr. Sajjad Ali Khan was terminated from service vide office order No. 28 dated 21-10-2021. (Annexure-II)


3. The departmental appeal was received, considered and rejected on merit vide Conservator Wildlife Southern Circle Peshawar order No. 19, dated 18/02/2021 (Annexure-III) as the appeal was not maintainable due to the reason that the driving license was found bogus as explained in para-2 above.


4. ON GROUNDS

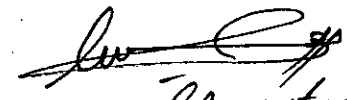
- A. It was condition of the appointment order of the appellant and general policy of the government to verify the documents after appointment, the respondent No.5 has accordingly sent the driving license to Motor Licensing Authority Bannu for verification and found fake vide his letter No. 2952/TC dated 19-10-2020, therefore the services of the appellant were terminated as per condition of the appointment order and being in probation period. The show cause notice and other procedure is not required in such cases and in probation period under Section-6 of the Khyber Pakhtunkhwa Civil Servant Act 1973. The condition of probation period already reflected at S.No. 2 of the terms and condition of the appointment order as such the termination from service of the appellant is not illegal under the rules.
- B. Since the appellant was in probation period and also not fulfilled the terms and condition of the appointment order, therefore personal hearing and other formality in such cases is not required. The appellant is also liable for criminal case due to production of bogus license. However, treated according to Law & Rules.
- C. The termination order of the appellant issued by the respondent No.5 is according to the law as explained in item No. A & B.
- D. The respondent may allow to produce additional documents relevant to the case on need basis in the honorable Court

In view of above, it is requested to reject the appeal on merit

  
**Chief Conservator Wildlife**  
 Khyber Pakhtunkhwa  
 Peshawar  
 (Respondent No.1)

  
**Conservator Wildlife**  
 Southern Circle Bannu  
 (Respondent No.2)

  
**Divisional Forest Officer**  
 Wildlife Division Bannu  
 (Respondent No.5)  
 Wildlife Division, Bannu

  
 Divisional Accountant  
 Bannu Wildlife Division  
 (Respondent No.03)

Phone No. 0928-9270074  
Fax No. 0928-9270045

Diary No. 340  
Dated 19-10-2020  
DFO Wildlife Division, Bannu.

From: The Motor Licensing Authority, Bannu

To: The Divisional Forest Officer Bannu Wildlife Division Bannu.

No. 2952/TC Dated Bannu the, 19/10/2020.

Subject: VERIFICATION OF DRIVING LICENSE

Memo:

Please refer to your office memo No.562/WL (B), Dated. 14/10/2020 on the subject cited above.

The Driving License No. 10300002145845 issue Date 17/05/2017 has not been issued in the name of Sajjad Ali Khan R/o Kotka Bahadar Khel Sokari Zabta khan Distt: Bannu.

The Driving License to be totally fake and bogus one.

Divisional Forest Officer,  
Wildlife Division, Bannu.

Motor Licensing Authority  
Bannu

*[Faint handwritten signatures and stamps at the bottom of the page]*



OFFICE ORDER NO. 28 DATED BANNU THE 21 / 10 /2020  
ISSUED BY MR. NAIMATULLAH KHAN DIVISIONAL FOREST OFFICER  
BANNU WILDLIFE DIVISION BANNU.

Mr. Sajjad Ali Khan S/O Rabiaz Khan was appointed as Driver (BPS-6) vide Office Order No. 04 dated 27/07/2020 issued by DFO Wildlife Bannu.

In accordance with section 6 of terms and conditions of his appointment order, his credentials including driving license was sent to Motor Licensing Authority vide this office letter No. 562/WL(B) dated 14.10.2020 for verification.

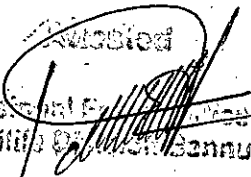
The Motor Licensing authority Bannu vide letter No2952/TC dated; 19/10/2020 informed that the license of the applicant was fake and bogus and has no official record.



Consequently, Mr. Sajjad Ali Khan S/O Rabiaz Khan hereby terminated from service with immediate effect in the best public interest

  
(Naimatullah Khan)  
Divisional Forest Officer,  
Wildlife Division Bannu  


No. 585-89 /WL (B),

- Copy forwarded to
- 1 The Chief Conservator Wildlife Khyber Pakhtunkhwa.
  - 2 The Conservator Wildlife Southern Circle Peshawar.
  - 3 The Sub Divisional Wildlife Officer.
  - 4 Assistant/Accountant Bannu Wildlife Division.
  - 5 Mr. Sajjad Ali Khan S/O Rabiaz Khan R/O Kotka Bahader Khel Sokar Zabta Khan Tehsil & District Bannu  
For information, please.

  
Divisional Forest Officer,  
Wildlife Division Bannu.

  
Divisional Forest Officer  
Wildlife Division Bannu  


OFFICE ORDER NO. 19 DATED PESHAWAR THE 18/02/2021 ISSUED BY  
MUHAMMAD ALI CONSERVATOR WILDLIFE CENTRAL CIRCLE PESHAWAR

Under consideration is an appeal dated 29-10-2020 of Mr. Sajjad Ali Khan, Ex-Driver of Bannu Wildlife Division preferred against DFO Wildlife Bannu office order No. 28 dated 21-10-2020 for reinstatement in service.

**Brief History:**

DFO Wildlife Bannu advertized a vacant post of Driver (BPS-06) for making recruitment against the same. The advertisement appeared in Dally Aaj dated 19-05-2020 wherein applications were invited within one month after the said advertisement from bonafide residents of district Bannu having the requisite qualification etc as per detail given below

S.No	Name of Post	No of posts	Quota	Qualification	Age limit	Domicile
1	Driver (BPS-06)	01	Merit	Literate and having valid driving license	18-40 years	Bannu

After scrutiny of the applications received from various candidates applied for the post, fulfillment of codal formalities in the case and on recommendations of the Departmental Selection Committee constituted for the purpose by DFO Wildlife Bannu vide his office order No. 1/WL (B) dated 13-07-2020, Mr. Sajjad Ali Khan S/O Rabiak Khan resident of Kotka Bahader Khel, Soka Zabta Khan, Tehsil and District Bannu was appointed as driver (BPS-06) against the said vacant post in Bannu Wildlife Division vide DFO Wildlife Bannu office order No. 04/WL (B) dated 27-07-2020.

As per terms and conditions laid down in his appointment order, the driving license of Mr. Sajjad Ali Khan, Driver was sent to Motor Licensing Authority Bannu for verification by DFO Wildlife Bannu vide his letter No. 562/WL (B) dated 14-10-2020. In response, Motor Licensing Authority Bannu reported that license of the appellant is fake and bogus as driving license No. 10300002145845 issue date 17.10.2020, has not been issued in the name of the appellant vide letter No. 2952/TC dated 19-10-2020.

In view of forgoing exposition, services of Mr. Sajjad Ali Khan, Driver were terminated by DFO Wildlife Bannu vide his office order No. 28 dated 21-10-2020.

Being aggrieved with the said order, Mr. Sajjad Ali Khan, Ex-Driver preferred the above appeal dated 29-10-2020 against DFO Wildlife Bannu aforementioned order to Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar. Chief Conservator Wildlife Khyber Pakhtunkhwa referred the aforementioned appeal to the undersigned being appellate authority in the case, for consideration as per rules vide his letter No. 3444/WL (E) dated 04-11-2020.

In his appeal the appellant has submitted that DFO Wildlife Bannu office order No. 28/WL (B) dated 21.10.2020 regarding termination of his services, is unlawful and his services have been terminated without his personal hearing against the prevailing rules. He has further submitted that during recruitment process for the appointment of driver in Bannu Wildlife Division, he passed through proper driving test conducted for the purpose which he cleared successfully and after complete satisfaction of the competent authority, he was recruited as driver in BPS-6 in Bannu Wildlife Division. After his recruitment, he was handed over govt. vehicle (Double seater Vigo) which he derived satisfactorily and no complaint from the department in this regard received against him. The appellant has also stated in his appeal that the driving license he submitted with his application at the time of recruitment was obtained through an agent which has now been found as fake by the concerned quarters. As he is an expert driver, therefore he properly applied to obtain driving license and he has been issued learning driving permit No. 10010070000000040889.

The appellant has concluded his appeal by stating that he has been awarded major penalty i.e. termination of his services due to a technical mistake which is unlawful despite the fact that he is an expert driver, therefore he has prayed that DFO Wildlife Bannu office Order No. 28 dated 21.10.2020 be quashed and he may be reinstated in service.

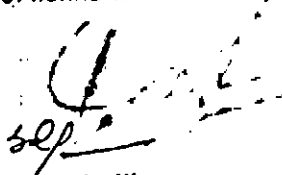


Discussion:

Since as per one of the conditions of the appointment order of appellant, the driving license of the appellant has been verified from the ~~quarter~~ concerned quarter where from it has been reported that the same is fake/bogus while Service Rules of the department does not allow recruitment of a driver without possessing a valid driving license. As a matter of fact, valid driving license of the candidates to have been issued by concerned authority before closing date for submission of applications for the post of driver, is pre-requisite while the appellant was unable to submit and placed such a valid driving license on record within due date. On this score too he cannot be considered fit for the post. Therefore services of the appellant have rightly been terminated by DFO Wildlife Bannu. Similarly, now after the recruitment process is over, therefore presentation of a valid driving license permit by the appellant issued by the competent authority at this belated stage, cannot be considered valid with retrospective effect to justify the recruitment of appellant made earlier by DFO Wildlife Bannu vide his O/O No. 04 dated 27-07-2020.

Decision:

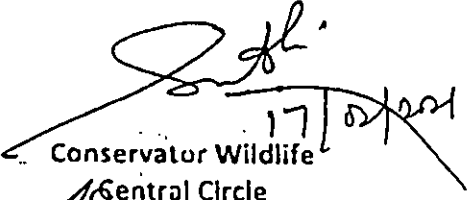
Keeping in view the record of the case, contents of appeal, relevant Rules of the case and above exposition, the appeal under consideration preferred by Mr. Sajjad Ali Khan, Ex-Driver of Bannu Wildlife Division is rejected on merit.

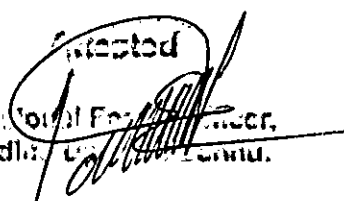
  
(Muhammad Ali)  
Conservator Wildlife  
Central Circle  
Peshawar

No. 8145-47 WL (CC)

Copy forwarded to the:


1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar for information, please.
2. Divisional Forest Officer Wildlife Bannu for information and necessary action.
- ✓ 3. Mr. Sajjad Ali Khan S/o Mr. Rabiaz Khan R/o Sakri Bahadur Khel, Tehsil and District Bannu C/o Divisional Forest Officer Wildlife Bannu for information and necessary action.

  
17/07/2021  
Conservator Wildlife  
Central Circle  
Peshawar

  
Divisional Forest Officer,  
Wildlife, Bannu.

AFFIDAVIT.

I, Mr. Naimatullah Khan Divisional Forest Officer Bannu Wildlife Division do hereby solemnly affirm and declare on oath that the contents of the instant comments are true and correct to the best of my knowledge and belief, and that nothing has been concealed from this honorable court.

Signature   
Divisional Forest Officer,  
Wildlife Division Bannu  
CNIC. No.11101-3675785-9



Attachment


Division of Forests and  
Wildlife Conservation

*[Signature]*

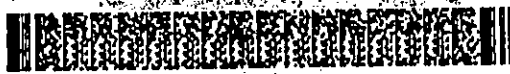
Secretary

*[Faint handwritten signature]*

S6X2FV 11101 3675785-0



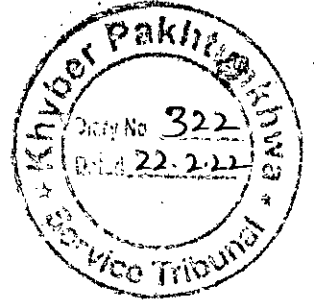
10/04/2023 10/04/2023



A. J. J. J. J.  
Division of Wildlife Management  
Wildlife Management

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 1963/2021**



*Put up to the worthy chair - as  
with the relevant appeal.*

Sajid Ali Khan

**Versus**

*22/2/2022*  
Chief Conservator Wildlife Khyber Pakhtunkhwa & others

**APPLICATION FOR ACCELERATION  
OF THE FIXED DATE I.E.  
09.03.2022 AS AT EARLIEST.**

**Respectfully Sheweth:**

1. That the above titled Service Appeal is pending adjudication before this Hon'ble court, which is fixed of hearing on 09.03.2022.
2. That the applicant is belonging to very middle class family and his case is very arguable and strong and there is no other person in his family to maintain the financial position, hence the appellant as a sole responsible for the run the livelihood for their family.
3. That the given date is too far and lengthy, which is need to be accelerate early.

4. That the interest of justice demands that such like matter should be heard as early as possible to meet the interest of justice.

It is, therefore, most humbly prayed that on acceptance of this application, the fixed date i.e. 09.03.2022 may kindly be accelerated.

Dated: 14-February-2022

Through

Appellant

Hasan Zaib Rahim  
Advocate, High Court  
Peshawar

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 1963/2021**

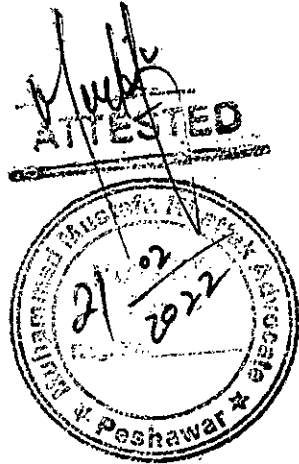
Sajid Ali Khan

**Versus**

Chief Conservator Wildlife Khyber Pakhtunkhwa & others

**AFFIDAVIT**

I, Sajid Ali Khan S/o Rabiaz Khan, Ex-Driver in the office of Divisional Forest Wildlife Division bannu R/o Kotka Bahader Khel, Sokaan Zabta Khan Tehsil & District Bannu, do hereby solemnly affirm and declare that the contents of the accompanying Early hearing application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 1963/2021**



*Put up to the court with  
relevant appeal.*

Sajid Ali Khan

**Versus**

*22/2/22*  
Chief Conservator Wildlife Khyber Pakhtunkhwa & others

*Ready*

**APPLICATION FOR GRANTING OF  
STATUS QUO TO RESTRAIN THE  
RESPONDENTS FOR APPOINTING  
ANY OTHER PERSON IN THE POST  
OF DRIVER, WHICH IS RECENTLY  
VACATE BY THE RESPONDENT  
DEPARTMENT.**

**Respectfully Sheweth:**

1. That the above titled Service Appeal is pending adjudication before this Hon'ble court, which is fixed of hearing on 09.03.2022.
2. That the applicant is very arguable, strong and sanguine about success of his case.
3. That one of the employee Mir Qabaz recently retired on the said post dated 30.12.2021 in view of this fact the post is till dated vacate.



4. That all the three basic ingredients for interim has attracted in favour of appellant.
5. That the respondent may graciously be restrained from appointing any person in the driver post, till the final disposal of main appeal.

It is, therefore, most humbly prayed that on acceptance of this application, the respondents may graciously be restrained from the filling the vacant seat of driver, till the logical conclusion of the instant service appeal.

Dated: 14-February-2022

Through

Appellant

Hasan Zaib Rahim  
Advocate, High Court  
Peshawar

BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL  
PESHAWAR

**Service Appeal No. 1963/2021**

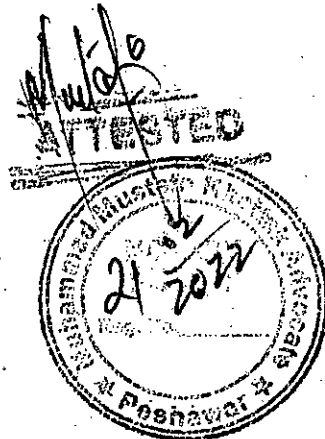
Sajid Ali Khan

**Versus**

Chief Conservator Wildlife Khyber Pakhtunkhwa & others

**AFFIDAVIT**

I, Sajid Ali Khan S/o Rabiaz Khan, Ex-Driver in the office of Divisional Forest Wildlife Division bannu R/o Kotka Bahader Khel, Sokaan Zabta Khan Tehsil & District Bannu, do hereby solemnly affirm and declare that the contents of the accompanying status quo application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 1963/2021**

Sajid Ali Khan.

**Versus**

Chief Conservator Wildlife Khyber Pakhtunkhwa & others

**APPLICATION FOR GRANTING OF  
STATUS QUO TO RESTRAIN THE  
RESPONDENTS FOR APPOINTING  
ANY OTHER PERSON IN THE POST  
OF DRIVER, WHICH IS RECENTLY  
VACATE BY THE RESPONDENT  
DEPARTMENT.**

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**Respectfully Sheweth:**


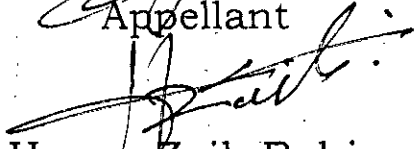
1. That the above titled Service Appeal is pending adjudication before this Hon'ble court, which is fixed of hearing on 09.03.2022.
2. That the applicant is very arguable, strong and sanguine about success of his case.
3. That one of the employee Mir Qabaz recently retired on the said post dated 30.12.2021 in view of this fact the post is till dated vacate.

4. That all the three basic ingredients for interim has attracted in favour of appellant.
5. That the respondent may graciously be restrained from appointing any person in the driver post, till the final disposal of main appeal.

It is, therefore, most humbly prayed that on acceptance of this application, the respondents may graciously be restrained from the filling the vacant seat of driver, till the logical conclusion of the instant service appeal.

Dated: 14-February-2022

Through

  
Appellant  
  
Hasan Zaib Rahim  
Advocate, High Court  
Peshawar

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

**Service Appeal No. 1963/2021**

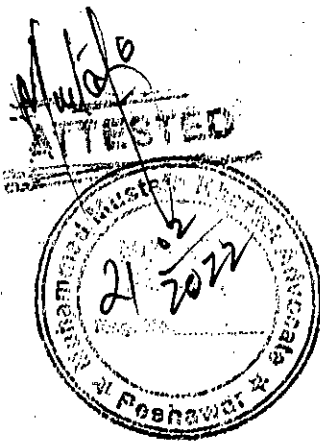
Sajid Ali Khan

**Versus**

Chief Conservator Wildlife Khyber Pakhtunkhwa & others

**AFFIDAVIT**

I, Sajid Ali Khan S/o Rabiaz Khan, Ex-Driver in the office of Divisional Forest Wildlife Division bannu R/o Kotka Bahader Khel, Sokaan Zabta Khan Tehsil & District Bannu, do hereby solemnly affirm and declare that the contents of the accompanying status quo application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



*Sajid Ali Khan*  
**DEPONENT**

**BEFORE KHYBER PAKHTUNKHWA (K.P.K) SERVICE TRIBUNAL**  
**PESHAWAR**

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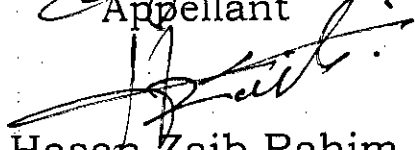
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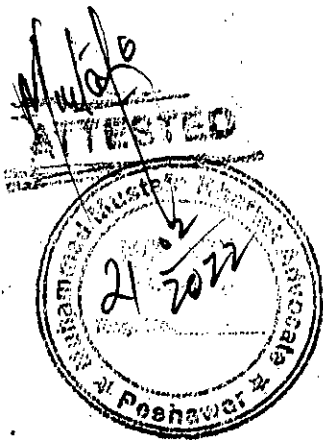
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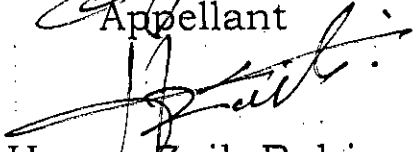
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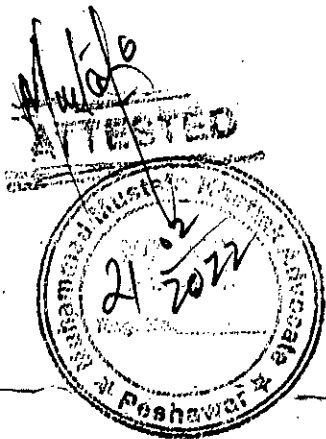
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