

19th July, 2022

1. None for the appellant present.

2. This appeal was filed on 28.10.2019 and was for the first time fixed for 24.01.2020 and the appellant had put appearance in person and was given a date but thereafter, despite issuance of various notices to the appellant and his counsel, nobody is in attendance. Dismissed in default. Consign.

3. *Pronounced in open court in Abbottabad and given under my hand and seal of the Tribunal on this 19th day of July, 2022.*

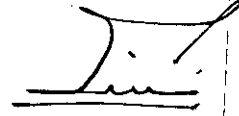


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabd.

01.12.2021

Nemo for the appellant.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for preliminary hearing before the S.B on 20.12.2021 at Camp Court Abbottabad.

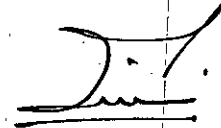


(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

20.12.2021

Nemo for the appellant. On previous date too, none was present on behalf of the appellant, therefore, it was directed that notice for prosecution of the appeal be issued to the appellant as well as his counsel, however on perusal of record it transpired that notices have not been issued. Explanation in this respect be called from the Moharrar. Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for preliminary hearing on 15.02.2022 before the S.B at Camp Court Abbottabad.

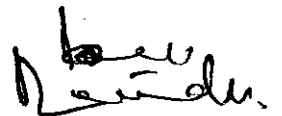


(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

15-2-22

Due to retirement of worthy
Chairman case is adjourned. To come
up for the same on 19-2-2022



18.03.2021

Nemo for appellant.

Preceding date was adjourned on a Reader's note, therefore, appellant/counsel be put on notice for 14/7/2021 for preliminary hearing, before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

14.07.2021

Due to COVID-19, tour to Abbottabad has been cancelled, therefore, case to come for the same as before on 15.10.2021.



Reader

15.10.2021

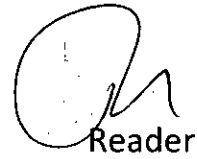
Nemo for the appellant.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for preliminary hearing before the S.B on 01.12.2021 at Camp Court Abbottabad.

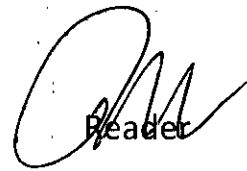


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

Due to covid ,19 case to come up for the same on 18/14/20
at camp court abbottabad.


Reader

Due to summer vacation case to come up for the same on
18/9/20 at camp court abbottabad.


Reader

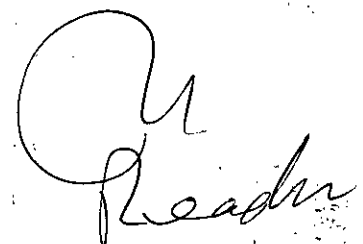
18.09.2020

Appellant Hafeez-ur-Rehman has not forth come despite repeated calls at different intervals since morning, the last call was made at 12:25 P.M but no one appeared on his behalf. A cursory look at the preceding order sheet reveals that the appeal was adjourned twice due to spread of COVID-19, therefore, it is deemed appropriate to issue appellant and his respective counsel notice for appearance for 15.12.2020. File to come up for preliminary hearing before S.B at Camp Court, Abbottabad.



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

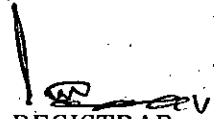


Due to covid-19 case is
adjourned to 18.03.2021


Reader

Form-A
FORM OF ORDER SHEET

Court of _____

Case No. 1428/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	28/10/2019	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court A.Abad Bench and the Hon'ble High Court vide its order dated 16.10.2019 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR 28/10/19</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on 24-1-2020</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	24.01.2020	<p>Appellant in person present and seeks adjournment on the ground that his counsel is not available. Adjourn. To come up for preliminary hearing on 20.03.2020 before S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"> Member Camp Court, A/Abad</p>



THE
PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

Ph: 0992-9310058
Fax: 0992-9310055

No: 692

Dated Abbottabad 23 October, 2019

From

The Additional Registrar,
Peshawar High Court,
Abbottabad Bench.

To

The Honourable Chairman Service Tribunal,
KPK Peshawar.

Khyber Pakhtukhwa
Service Tribunal

Subject :

WRIT PETITION NO. 1059-A/2019.

Diary No. 1513

HAFEEZ UR REHMAN

Dated 28/10/2019 PETITIONER

VERSUS

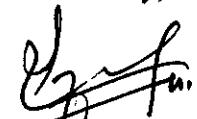
ACCOUNTANT GENERAL KPK & OTHERS

RESPONDENTS

Sir,

I am directed to forward herewith Writ Petition No. 1059-A/2016 titled "Hafeez ur Rehman Vs Accountant General KPK & others" total sheets (34) alongwith a copy of judgment of the Honourable Division Bench dated 16.10.2019 for necessary action please.



Yours Faithfully,


(Additional Registrar)

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**FORM OF ORDER SHEET**

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
16.10.2019	<p><u>WP No. 1059-A/2016.</u></p> <p>Present: M/s. Rana Muhammad Ishaq and Khurram Ghias Khan, Advocate for petitioner.</p> <p style="text-align: center;">***</p> <p><u>IJAZ ANWAR, J.</u> Learned counsel for the petitioner after arguing the case at some length on second thought stated at the bar that he would not press the present writ petition, if same is treated as appeal and send to the Service tribunal for its decision.</p> <p>In view of the above, we treat this writ petition as service appeal and send it to the Service Tribunal (<i>subject to all the just and legal objections</i>) for its decision in accordance with law. Office is directed to do the needful.</p> <p style="text-align: right;">  JUDGE </p> <p style="text-align: right;">  JUDGE </p>

Tahir (P.S)

Hon'ble Justice Ijaz Anwar & Hon'ble Justice Shakeel Ahmad

SCANNED

**IN THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH
ABBOTTABAD**

Case NO _____
Date of Filing _____
District :- Abbottabad

Case Type: Writ Petition		Nature of Original Proceedings:				
Original Order		Review / Appeal/ Revision			Order	Bench
Forum	Date	Sr No	Forum	Date	<input type="radio"/> Interlocutory order <input type="radio"/> Final order	<input type="radio"/> Single Bench <input type="radio"/> Division Bench <input type="radio"/> Full Court

- Petitioner(s)*: Hafeez-ur-Rehman
CNIC No(s): 13302-0339132-3
Mobile No: _____
Address: Govt Higher Secondary School Sraye Saleh, Tehsil & District haripur
- Petitioner(s) Counsel:- Khurram Ghias Khan ASC
Mobile No: 0333-5000707
Address: High Court Bar Association, Abbottabad
Respondent(s)*:- Accountant General KPK etc.
Mobile/Phone No: _____
Address: Peshawar, KPK

SCANNED
08 FEB 2018

Original order / Action /Inaction complained of

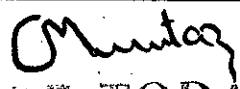
The respondents are refusing to petitioner his increments in the salary on the basis of higher education and to draw his salary according to his pay scale i.e. BPS 16 and issuing him pay on the basis of old pay scale i.e. BPS 15.

Prayer (in brief)


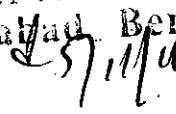
That the respondent be directed to release the outstanding increments and to pay the petitioner his salary according to his pay scale i.e. BPS 16.

Law / Rules governing the original proceedings/Action/Inaction

- The Constitution of Islamic Republic of Pakistan
- Case laws shall be cited at Bar.

Signature of petitioner or counsel  Dated :- 18-10-2016

FILED TODAY


Additional Registrar
Peshawar High Court
Abbottabad Bench


BEFORE THE HONOURABLE PESHAWAR HIGH COURT

ABBOTTABAD BENCH, ABBOTTABAD.

Appeal No. 142/8/2019
Hafeez-Ur-Rehman S/O Hafiz Manzoor- Ur-Rehman senior
CT teacher, Government Higher Secondary School Sara-i-
Saleh Tehsil & District Haripur

.....Petitioner

Versus

The Accountant General KPK, Peshawar etc

.....Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE
199 OF THE CONSTITUTION OF PAKISTAN, 1973.

WRIT PETITION

INDEX

S. #	Documents	Page No.	Annexure
1.	Writ petition along with affidavit	1-7	
2.	Copy of order by D.E.O Haripur	8	A
3.	Copy of judgment dated 19/07/2007	9-11	B
4.	Copy of judgment dated 24/03/2009	12-19	C
5.	Copy of promotion order	20	D
6.	Copy of source from II along with objection	21	E
7.	Copy of departmental appeal	22-24	F
	Copy of letter dated 15/12/2010	25	G
	Court fee stamps	26	H
	Wakalatnama	27	I

Date: 18/10/2016

FILED TODAY

PETITIONER

Additional Registrar
Peshawar High Court
Abbottabad Bench

Mumtaz
Counsel
MUHAMMAD MUMTAZ

"1"

BEFORE THE HONORABLE PESHAWAR HIGH COURT

ABBOTTABAD BENCH, ABBOTTABAD.

Appeal No. 1428/2019

Hafeez-Ur-Rehman S/O Hafiz Manzoor-Ur-Rehman senior CT teacher, Government Higher Secondary School Sara-i-Saleh Tehsil & District Haripur

WP 1059 M/16

.....Petitioner

Versus

1. The Accountant General KPK, Peshawar.
2. The Senior District Accountant Officer, Haripur.
3. The Government of KPK through Secretary Finance Department, Peshawar.
4. The Government of KPK through Secretary (Elementary and Secondary Education), Department Peshawar.

.....Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE
199 OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN 1973 AGAINST THE
IMPUGNED ACTION OF THE RESPONDENT NO 2
FOR NON FIXATION OF PAY OF THE PETITIONER
IN BPS 16 AND REFUSING THE CLAIM OF THE
PETITIONER ILLEGALLY

May it please the Court;

The facts giving rise to the present petition are arrayed as under:

FACTS

1. That the petitioner is presently working in the capacity of senior C.T teacher in B.P.S 16 in Elementary and Secondary Education Department KPK.

Copy of order as senior C.T by D.E.O Haripur is annexure "A".

2. That the petitioner earned his Masters degree in year 1995, thereafter he applied for increments as per policy which were allowed subsequently in consequence of decision given by the Peshawar High Court in WP No

4777
5-11-16

FILED TODAY

82
Additional Registrar
High Court
Abbottabad Bench
5/11/16

531/2009 dated 24/03/2009 in pursuance of the decision/judgment dated 19/07/2007 given by Honorable Supreme Court.

Copies of the judgments dated 24/03/2009 & 19/07/2007 are annexure "B" & "C".

- 3. That in the meanwhile the petitioner was promoted from CT BPS 15 to senior CT B.P.S 16 Certificated Teacher.

Copy of promotion order is annexure "D".

- 4. That after the promotion of BPS 16 the petitioner became entitled to draw the pay according to the pay scale of BPS 16, thereafter the petitioner duly applied to respondent No 2 to allow him to draw his monthly pay of BPS 16 but to his utter surprise of the petitioner his lawful claim was refused on flimsy grounds and the refusal by the respondent No 2 amounts to contempt of Court.

Copy of source form II along with Senior Districts Accounts Officer Haripur objection is annexure "E".

- 5. That the petitioner submitted his departmental appeal dated 29/11/2015 through registered post to the respondent No-1 and 2 which is still pending without any adjudication.

Copies of departmental appeal and receipt of registered post are annexure "F" & "G".

- 6. That the petitioner requested and clarified respondent No 2 for fixation of pay according to law as KPK Concession of payment of arrears on advance increments on Higher Educational Qualification Act, 2012 (KPK Act No IX of 2012) favors the petitioner too but all in vain as respondents have turned deaf ears to the petitioner's request.

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h

Additional Registrar
Peshawar High Court
Abottabad Bench

5/11/16

7. That the petitioner seeks the indulgence of this Honorable Court on the basis of following grounds amongst others.

GROUNDS:

- a) **Because** the objection of the respondent No 2 is bad in law, against the principle laid down by Honorable Supreme Court and contrary to the decision of the Supreme Court on the same issue.
- b) **Because** a legal right has been accrued in favor of the petitioner which has matured and the petitioner is entitled to enforce it.
- c) **Because** in the light of the judgment dated 24/03/2009 respondents are bound to implement the judgment of Honorable Supreme Court which has attained finality consequently whereupon the claim of the petitioner ought to be accepted accordingly.
- d) **Because** the order dated 24/03/2009 has attained finality and also has attained finality in favor of other teachers too but the conduct of respondent No 2 is discriminatory in nature by refusing to address his legitimate claim thus frustrating the sentiment of legitimate expectancy.
- e) **Because** the right of four advance increments were validly allowed by Peshawar High Court which decision has attained finality therefore the respondents cannot refuse the same on flimsy, illegal, irrational and ill founded grounds.
- f) **Because** the respondents cannot be left free to interpret the judgments of the High Court at their own whims and wishes as they had done

FILED TODAY

de

Additional Registrar
Peshawar High Court
Abbottabad Bench

19/11/16

in case of the petitioner. The letter issued by the respondent No 3 to the petitioner amounts to Contempt of Court.

Copy of letter dated 15/12/2010 is annexure "H".

- g) **Because** the action of the respondent No-2 is arbitrarily, capricious, unjust, against all norms of justice and against the law laid down by superior Courts.
- h) **Because** in the attending circumstances, when law point has already been decided by Supreme Court, High Court and KPK Service Tribunal and has attained finality too, which has also been implemented in favor of some of the teachers, the petitioner cannot be left to suffer illegal acts of the respondents nor does the respondent has any legal justification to do so.
- i) **Because** the law enjoins the sacred duty upon all public functionaries to act strictly in accordance with its cherished commands and inline with the principles of good governance, public policy, equity, fairplay and good conscious and sternly prohibits any contrary conduct or action. The acts of the respondents in the present matter are in absolute disregard of the mandate of law and are thus-liable to correction.
- j) **Because** the letter No FD (SR-1) 2-123/2010 dated 15/12/2010 issued by the Secretary Finance Department KPK is against the law on the subject.
- k) **Because** the impugned actions of the respondents seriously militate against the fundamental rights of the petitioner and act of respondents is arbitrarily, discriminatory, capricious and tainted with malice.

FILED TODAY

Additional Registrar
Peshawar High Court
Abbottabad Bench

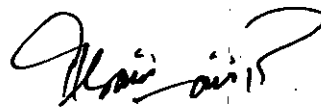
6/1/11

- l) **Because** the petitioner is made to run from pillar to post to claim his legitimate right hence the conduct of the respondents is not in disregard of the superior Courts but also against the dignity, self respect and self esteem of the petitioner.
- m) Because it is against the legitimate expectations of the petitioner.
- n) **Because** the present conduct of the respondents amounts to Economic Duress.
- o) **Because** there is no other alternate, efficacious and speedy remedy available to the petitioner.
- p) The appropriate Court fee is affixed to the petition.

PRAYER:

In the wake of above It is, therefore, very humbly prayed that this writ petition according to the rules and policies with all outstanding back benefits may graciously be allowed which are illegally held by respondents with effect from 01/09/2015 and acts of respondents be declared as illegal and unlawful. **Allow** any other relief deemed appropriate in the attending circumstances of the lis. **Special compensatory Costs** may also be allowed to the petitioner.

Dated: -18/10/2016



Petitioner

Hafeez- Ur-Rehman

Through



Gounsel
Khurram Ghias Khan



MUHAMMAD MUMTAZ

FILED TODAY



Additional Registrar
Peshawar High Court
Abdullah Khan Bench

6

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH, ABBOTTABAD.

Hafeez-Ur-Rehman S/O Hafiz Manzoor- Ur-Rehman senior
CT teacher, Government Higher Secondary School Sara-i-
Saleh Tehsil & District Haripur

.....Petitioner

Versus

1. The Accountant General KPK, Peshawar and others.

.....Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE
199 OF THE CONSTITUTION OF PAKISTAN, 1973.

WRIT PETITION

CERTIFICATE:

It is certified that this is the First Writ Petition filed by
the petitioner on the subject.

ADRESSESS:

Complete addresses of the parties have been
furnished above.

LIST OF BOOKS:

1. The constitution of Islamic Republic of Pakistan 1973.
2. Case laws shall be cited at the bar.

Dated: 18/10/2016

FILED TODAY

Additional Registrar
Peshawar High Court
Abbottabad Bench

Petitioner

Through

Counsel

MUHAMMAD MUMTAZ

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH, ABBOTTABAD.

Hafeez-Ur-Rehman S/O Hafiz Manzoor- Ur-Rehman senior
CT teacher, Government Higher Secondary School Sara-i-
Saleh Tehsil & District Haripur

.....Petitioner

Versus

1. The Accountant General KPK, Peshawar and others.

.....Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE
199 OF THE CONSTITUTION OF PAKISTAN, 1973.

WRIT PETITION

AFFIDAVIT:

I Hafeez-Ur-Rehman S/O Hafiz Manzoor- Ur-Rehman senior
CT teacher, Government Higher Secondary School Sara-i-
Saleh Tehsil & District Haripur do solemnly affirm and
declare on oath that the contents of forgoing writ petition are
true and correct to the best of my knowledge and belief and
nothing has been concealed.

Date: 18/10/2016

13302-0339132-3

Deponent

AFFIDAVIT

S.No: 5950/189 Receipt No: 189

Certified that the above was verified on Solemn
affirmation ... before me on this

18 day of Oct 2016 by
Hafeez-Ur-Rehman S/O Hafiz Manzoor
CT Teacher Govt Higher
Secondary School Sara-i-Saleh Tehsil & District Haripur

FILED TODAY

Oath Commissioner
(Additional Registrar)
Peshawar High Court (Circuit) Bench
Abbottabad

Additional Registrar
Peshawar High Court
Abbottabad Bench

18/10/16

15/11/16



Office of the District Education Officer (Male) Haripur
Ph.No 0995-610178-610268

Order

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No.9006-12/File No.2/Promotion Senior CT B-16 dated 30/06/2015 ;the services of the following newly promoted Senior CT Male (B16) are hereby further placed / against the Newly Upgraded Senior CT Male (Sr-CT) B-16 (Rs. 10000-800-34000) post as mentioned against their names from the date of taking over charge in the interest of public service, subject to the terms & conditions mentioned in the Notification referred above.

S.No.	S/List. No	Name of Teacher	Name of School	Date of Birth	Place of New Posting	Remarks
1	15	Muhammad Younas	GMS Mankarai	20/04/1956	GHSS Sarai Saleh	Against Vacant Post of SCT B-16
2	16	Naveed	GCMHS TT Ship	02/04/1969	GHS Pind Hasham Khan	Against Vacant Post of SCT B-16
3	17	Muhammad Arshad	GHS Suraj Gali	03/01/1971	GCMHSS No-1 Haripur	Against Vacant Post of SCT B-16
4	18	Hafeez ur Rehman	GHS S. Saleh	16/02/1971	GHSS Sarai Saleh	Against Vacant Post of SCT B-16
5	19	Khalid Zaman	GHS KTS Sec2	12/04/1971	GHS Sirya	Against Vacant Post of SCT B-16
6	20	Mir Bahadar	GHS Ghazi	02/03/1972	GHS Ghazi Hamlet	Against Vacant Post of SCT B-16 while Mr. Khalid Humyoon SCT GHS Ghazi Hamlet is hereby adjusted at GHS Ghazi against newly upgraded SCT Post B-16
7	21	Tariq Mehmood	GHS KTS Sec2	15/02/1971	GCMHSS No-1 Haripur	Against Vacant post of SCT B-16
8	22	Anwar ul Haq	GMS Moian	05/12/1971	GHSS Panian	Against Vacant Post of SCT B-16
9	24	Muhammad Rafique	GHS Halli	16/04/1972	GHS No-2 Haripur	Against Vacant post of SCT B-16

Note:-

- 1 They will give an under taking to be recorded in their service book to the effect that if any overpayment is made to him/ them due to this order it will be recovered and if they are erroneously promoted they will be reversed.
- 2 No TA/DA is allowed for joining Their duties.
- 3 Charge report should be submitted to all concerned.
- 4 They will take over charge w.e.f August 18-2015.

-----sd-----

District Education Officer (Male)

Haripur

Dated. 24 / 07 / 2015

Endst: No. 5376 - 80

Cc:-

1. The Senior District Accounts Officer Haripur
2. The Principals/Headmasters concerneds
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. Office Record File

Dy: District Education Officer (Male)
Haripur

B" 9" (B) B

In the Supreme Court of Pakistan
(Appellate Jurisdiction)

Present:

Mr. Justice Rana Bhagwandas, ACJ
Mr. Justice Sardar Muhammad Raza Khan

C.P.L.A. No.525 of 2007

(On appeal from judgment of NWFP Service Tribunal, Peshawar dated 24.4.2007 passed in Service Appeal No.498 of 2006)

Rashid Iqbal Khan
District Coordination Officer, Abbottabad & others
Petitioner
Versus
Respondents
Petitioner: Rashid Iqbal Khan, in person
For the respondents: Sardar Shaukat Hayat Khan,
Additional Advocate General, NWFP

C.P.L.A. No.526 of 2007

(On appeal from judgment of NWFP Service Tribunal, Peshawar dated 24.4.2007 passed in Service Appeal No.499 of 2006)

Muhammad Haroon Qureshi
District Coordination Officer, Abbottabad & others
Petitioner
Versus
Respondents
Petitioner: Muhammad Haroon Qureshi, in person
For the respondents: Sardar Shaukat Hayat Khan,
Additional Advocate General, NWFP
Date of hearing: 19.7.2007

Judgment

Rana Bhagwandas, ACJ – Sole grievance of the petitioners before the NWFP Service Tribunal (hereinafter referred to as the Tribunal) appears to be that after induction in DPS-14 as Elementary School Teachers, in terms of NWFP Government Circular dated 7.8.1991 they are entitled to four advance increments in terms of NWFP Government circular letter No.FD(PRC)1-1/89 dated 11.8.1991 on acquiring higher qualification MA/MSc. They have been non-suited by the Tribunal vide judgment dated

TESTED

Justice (Advisory)
to the Court of Pakistan
ISLAMABAD

[Handwritten signature]

24.4.2007 on the premise that they had been placed in higher grade i.e. BPS-14 on acquiring BA/BSc Second Division in terms of Finance Division circular letter No. FD/PRC/1-1/89 dated 7.8.1991, therefore, the provisions of circular letter dated 11.8.1991 issued by the Finance Department would not be applicable to teachers. Tribunal has expressed the view that this circular would be applicable only to ministerial staff, as such, the petitioners were not entitled to the relief claimed by them. Petitioners being aggrieved seek leave to appeal.

2. We have heard the petitioners, who argued their case in person whereas learned Additional Advocate General, NWFP has appeared on Court notice issued to the respondents. With the assistance of learned Additional Advocate General, we have examined both the circulars, which do not exclude the teachers in the Education Department from the benefits accruing out of circular letter dated 11.8.1991, as on its plain reading it applies to all civil servants in BPS 1 to 15 serving under the Provincial Government. Para 5 of the said circular provides mechanism for grant of advance increments to officials for possessing/attaining higher educational qualification. Para 5, clause (c) caters for the grant of four advance increments on attaining MA/MSc where prescribed qualification is FA/FSc. It would be seen that the petitioners were placed in BS-14 by reason of having acquired the qualification of BA/BSc, Second Division which is the prescribed qualification for the post of Elementary School Teacher. It is not the case of respondent-Government that the petitioners have already drawn advance increments on acquiring higher qualification of MA/MSc.

3. Learned Additional Advocate General attempted to argue that in view of the higher scale granted to Elementary School Teachers in pursuance of the circular letter dated 7.8.1991, which was personal to them, the

TESTED

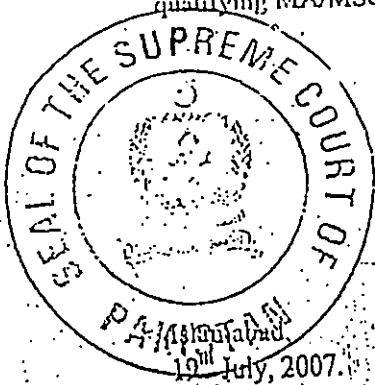
Superintendent
Sine Court of Pakistan
ISLAMABAD

177
Sindh
Court
Lahore

11

petitioners could not be entitled to the incentive of advance increments contemplated by circular letter dated 11.8.1991 but he is unable to cite any principle of law or authority for placing this interpretation. We find that, while circular letter dated 7.8.1991 exclusively deals with the scales of pay of school teachers in different categories, circular letter dated 11.8.1991 provides for the revision of basic pay scales and grant of annual increments and advance increments for all Provincial civil servants in NWFP without any exception. Since the teachers or the employees in Education Department have never been expressly or impliedly excluded from the operation of the circular letter, view taken by the Tribunal being erroneous cannot be sustained at law. In fact, it suffers from clear misconception of law and misconstruction of the circular letter (supra).

3. For the aforesaid facts, circumstances and reasons, we are of the considered view that the Tribunal committed a serious error of law, therefore, the impugned judgment is liable to be set aside. Consequently, we convert these petitions into appeals and, on acceptance, declare that the petitioners would be entitled to four advance increments with effect from the date of qualifying MA/MSc exam.)



19th July, 2007.

Not approved for reporting.

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Prof. Genl. Bhagwanadas, A.C.J.
Dr. Iqbal Ahmad Khan, J.

Certified to be true copy

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Superintendent
Supreme Court of Pakistan
ISLAMABAD
15/8/07

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BEFORE THE PESHAWAR HIGH COURT



W.P.No. 531/2009

- ✓ 1. Hafeez-ur-Rehman CT
Govt. High School Serai Saleh Haripur.
2. Qari Muhammad Iqbal (Qari Teacher)
Govt. High School No. 2 Haripur.
3. Syed Touqeer Hussain Shah CT
Govt. High School Serai Saleh
District Haripur.
4. Nayeer-ul-Islam AT
Govt. High School Serai Saleh
District Haripur
5. Azhar Mahmood CT
Govt. High School Serai Saleh
District Haripur
6. Taj Muhammad AT
Govt. High School Serai Saleh
District Haripur
7. Waseem Javed CT
Govt. High School Serai Saleh
District Haripur.
8. Mehfooz-ur-Rehmanr. CT
Govt. High School Laban Bandai
District Haripur.
9. Muhammad Azhar Khan C.T.
Govt. High School Laban Bandi
District Haripur.
10. Muhammad Anwar Khan CT
Govt. High School Serai Saleh
District Haripur.

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FILED TODAY

Deputy Registrar

11 MAR 2009

ATTESTED

EXAMINER
Peshawar High Court

11. Muhammad Sagheer CT
Govt. High School Serai Saleh
District Haripur.....Petitioners

Versus

- 1. Govt. of NWFP through Secretary S&GAD Civil Secretariat, Peshawar.
- 2. Additional Secretary (Regulation) Govt. of NWFP S&GAD Civil Secretariat, Peshawar.
- 3. Secretary to Govt. of NWFP Finance Department, Peshawar.
- 4. Secretary to Govt. of NWFP (Elementary & Secondary) Education Civil Secretariat, Peshawar
- 5. District Coordination Officer, District Haripur.
- 6. District Officer (Male) Elementary & Secondary Education, District Haripur

.....Respondents

**Writ Petition under Article 199 of the
Constitution of Islamic Republic of Pakistan,
1973.**

Respectfully Sheweth:

- 1. That the petitioners are the employee of Education Department working on the posts as mentioned against their names in the heading the petition.
- 2. That it was decided through a letter dated 11.08.1991 that the grant of advance increment to the officials for possessing/attaining higher Education Qualification will be granted. (Copy of the said notification is attached as Annexure-'A').
- 3. That all the above noted petitioners are entitled for the said benefit being the possessor of the required higher qualification as prescribed in the above noted notifications. (Copies of the relevant pages of the service book

FILED TODAY
Deputy Registrar
11 MAR 2009

ATTESTED
EXAMINER
Peshawar High Court

PESHAWAR HIGH COURT PESHAWAR

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ORDER SHEET

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2	3
	24-3-2009	<p><u>W.P.No.531/2009.</u></p> <p>Present: Mr.Ghulam Nabi, Advocate for the petitioners.</p> <p>Mr.Fazal Rehman Khan, A.A.G on Court notice.</p> <p><u>DOST MUHAMMAD KHAN, J:-</u> Same order as in the connected W.P.No.368/2009 titled "Hafeezullah -Vs- Government of NWFP and 3 others".</p> <p>Sd! Dost Muhammad Khan Sd! Shsh Jee Rehman Khan</p> <p><i>Handwritten:</i> 25/3</p> <p>NOTIFIED TO BE TRUE COPY</p> <p><i>Handwritten:</i> 26/3/09</p> <p>Examiner Peshawar High Court Peshawar Authorized Under Section 75 Act C</p>

15

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR



W.P.No. 368 /2009

Hafeezullah PET
GHS Soor Dag Karak.....Petitioner

Versus

1. Govt. of NWFP through Secretary S&GAD Civil Secretariat, Peshawar.
2. Additional Secretary (Regulation) Govt. of NWFP S&GAD Civil Secretariat, Peshawar.
3. Secretary to Govt. of NWFP Finance Department, Peshawar.
4. Secretary to Govt. of NWFP (Elementary & Secondary) Education Civil Secretariat, Peshawar.....Respondents

Writ Petition under Article 199 of the
Constitution of Islamic Republic of Pakistan,
1973.

Respectfully Sheweth:

1. That the petitioner is the employee of Education Department working on the posts as mentioned against their names in the heading the plaint.

FILED TO
DIRECTOR REGISTRAR
104 FEB 2009

ATTESTED
EXAMINER
Peshawar High Court

ORDER SHEET



"16"

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2	<p data-bbox="550 453 821 487"><u>W.P.No.368/2009.</u></p> <p data-bbox="550 532 1236 612">Present: Mr.Ghulam Nabi, Advocate for the petitioner.</p> <p data-bbox="726 646 1236 725">Mr.Fazal Rehman Khan, A.A.G on Court notice.</p> <p data-bbox="550 805 1236 1383"><u>DOST MUHAMMAD KHAN, J:-</u> This single judgment shall also decide connected W.P.No.531/2009 titled "Hafeez-ur-Rehman and 10 others -Vs- Government of NWFP and 5 others" and W.P.No.448/2009 titled "Qazi Ghulam Mujtaba and 22 others -Vs- Government of NWFP and 5 others" because question of law involved therein is identical.</p> <p data-bbox="550 1428 1236 2007">2. The grievance of the petitioner, is that the other colleagues of the petitioner similarly placed were extended the benefit of the Notification No.FD(PRD)1-1/89 dated 11th August, 1991 by the Hon`ble Supreme Court where under the advance increments to those petitioners were allowed and it was held that the Notification issued with regard to the grant of an</p>

ATTESTED

EXAMINER
Peshawar High Court

advance increment to the civil servant who had acquired higher qualification was independent of the other notification with regard to the up-gradation of their post, therefore, the benefit of the same is available to them.

3. Learned counsel for the petitioner relied on the judgment of the Hon'ble Supreme Court given in the case of Hameed Akhtar Niazi -Vs- The Secretary, Establishment Division, Government of Pakistan and others (1996 SCMR 1185) wherein it was held in the following terms:-

"We may observe that if the Tribunal or this Court decides a point of law relating to the terms of service of a civil servant which covers not only the case of the civil servant who litigated, but also of other civil servants, who may have not taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the above judgment be extended to other civil servants, who may not be parties to the above litigation instead of compelling them to approach the Tribunal or any other legal forum".

ATTESTED

EXAMINER
Punjab High Court

4. The above view was reiterated in the latest judgment of the apex Court in the case of Government of Punjab through Secretary Education, Civil Secretariat, Lahore and others -Vs- Sameena Parveen and others (2009 SCMR

I) in some what more emphasis.

5. In this view of the matter, Mr. Fazal Rehman Khan, the learned A.A.G was put on notice and he was confronted with the law points and unavoidable consequences emanating from the judgment of the apex Court, he was of the view that he would not concede on the point because on factual side and on legal premises there may be some difference/distinction between the case of the petitioner herein and those to whom the benefit of the Notification has been granted.

6. We have gone through the record and on the available materials, we do not find even a slight distinguishable feature in the case of the petitioner, and those to whom the benefit was allowed, therefore, the subsequent Circular/ Notification issued by the respondents on 3-1-2009 is clearly offending against the judgment of the Hon'ble Supreme Court and

ATTESTED

EXAMINER
Faisalwar High Court

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amounts to discrimination prohibited by the Constitution.

For the above mentioned reasons, all these petitions are admitted and allowed in terms that the competent authority/respondents shall reconsider the case of all the petitioners in all these three petitions in view of the law so laid down by the Hon'ble Supreme Court.

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off. circular
25/3/09

Sd: DOST Muhammed Khan
Sd: Shch Tee Rehman Khan
Judge

Signature
CERTIFIED TO BE TRUE COPY
Examiner
Peshawar High Court Peshawar
Authorized Under Section 7B Azad Order

8466

Handwritten: 26-03-09

Date of Presentation of Application 26-03-09
No of Pages 2
Copying Fee 16.00
Urgent Fee 16.00
Total 32.00
Date of Preparation Copy 26-03-09
Date of Delivery of Copy 26-03-09
Assessed by U 2

Handwritten: 26/3/09



Office of the District Education Officer (Male) Haripur
Ph.No 0995-610178-610268

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Order

In pursuance of the Notification issued by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar vide No.9006-12/File.No.2/Promotion Senior CT B-16 dated 30/06/2015, the services of the following newly promoted Senior CT Male (B16) are hereby further placed / against the Newly Upgraded Senior CT Male (Sr-CT) B-16 (Rs. 10000-800-34000) post as mentioned against their names from the date of taking over charge in the interest of public service, subject to the terms & conditions mentioned in the Notification referred above.

S.No.	S/List. No	Name of Teacher	Name of School	Date of Birth	Place of New Posting	Remarks
1	15	Muhammad Younas	GMS Mankarai	20/04/1956	GHSS Sarai Saleh	Against Vacant Post of SCT B-16
2	16	Naveed	GCMHS TT Ship	02/04/1969	GHS Pind Hasham Khan	Against Vacant Post of SCT B-16
3	17	Muhammad Arshad	GHS Suraj Gali	03/01/1971	GCMHSS No-1 Haripur	Against Vacant Post of SCT B-16
4	18	Hafeez ur Rehman	GHS S.Saleh	16/02/1971	GHSS Sarai Saleh	Against Vacant Post of SCT B-16
5	19	Khalid Zaman	GHS KTS Sec2	12/04/1971	GHS Sirya	Against Vacant Post of SCT B-16
6	20	Mir Bahadar	GHS Ghazi	02/03/1972	GHS Ghazi Hemlet	Against Vacant Post of SCT B-16 while Mr. Khalid Humyoon SCT GHS Ghazi Hemlet is hereby adjusted at GHS Ghazi against newly upgraded SCT Post B-16
7	21	Tariq Mehmood	GHS KTS Sec2	15/02/1971	GCMHSS No-1 Haripur	Against Vacant post of SCT B-16
8	22	Anwar ul Haq	GMS Moan	05/12/1971	GHSS Panian	Against Vacant Post of SCT B-16
9	24	Muhammad Rafique	GHS Halli	16/04/1972	GHS No-2 Haripur	Against Vacant post of SCT B-16

Note:-

1. They will give an under taking to be recorded in their service book to the effect that if any overpayment is made to him/ them due to this order it will be recovered and if they are erroneously promoted they will be reversed.
2. No TA/DA is allowed for joining Their duties.
3. Charge report should be submitted to all concerned.
4. They will take over charge w.e.f August 18-2015.

—sd—

District Education Officer (Male)

Haripur

Dated. 24/07/2015

Enclt: No. 5376-80

Cc:-

1. The Senior District Accounts Officer Haripur
2. The Principals/Headmasters concerneds
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. Office Record File

Dy: District Education Officer (Male)
Haripur

[Signature] 24/7/15

PAYROLL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY

FORM: PAY02

Date ¹

Page No. ²

OFFICE OF THE

Principal GHS Sarai Saleh Hazipur

FOR THE MONTH OF

09/2015

DDO Code ⁵
(Cost Center)

HAR 7107

Description

GHS Sarai Saleh HRP

Personnel
Number ⁷

00252960

Employee
Name ⁸

Hafeez-Ur-Rehman

National ID ⁹
Card Number

13302-0339132-3

Grade (Pay
Scale Group) ¹⁰

16 Senior CT

Salary ¹²
Status

Start

Stop

GENERAL DATA CHANGE ¹³

CHANGE IN PAYMENTS / DEDUCTIONS ¹⁷

Area of pay wef 18-08-15 to 31-08-15 (14 Day)

Info ¹⁴ Type	Field ID ¹⁵	New Contents ¹⁶	Wage Type ¹⁸	Amount			Effective Date ²¹	Remarks ²²
				Rupees ¹⁹	Paisa	Adj ²⁰		
		Basic Pay	0001	3	1540			Due Drawn Diff; Total Pay 3154/- 2999/- 1550/- 700/- HRA 1818/- 1564/- 252/- 114/- ARA-15 3154/- 2999/- 155/- 70/- MA 1875/- 1500/- 375/- 189/- Returned in original Grant of G Admones included on acquittal/primary MA examination may be justified. Reasoning on a/c of order. Verified By worked out & received
		HRA	1000		1818			
		ARA-2015	2199		3154			
		MA	1970		1875			
		GPF	3016		1760			
		BF	3501		250			
		GL	3604		173			
		AGI	3511		19			
		EEF	3990		125			
		LIT	3609					

Adj pay

HRA

ARA

MA

Prepared By ²³

MA

Principal
Govt. Higher Secondary School
Sarai Saleh (Hazipur)

Audited/Checked By ²⁴

5012

189/-

Entered/Verified By

Sanjay Distt. Account Officer

ml

235
68/59

To.

The Accountant General
Khyber Pakhtunkhwa Peshawar.

SUBJECT

DEPARTMENTAL APPEAL /REPRESENTATION AGAINST THE IMPUGNED ACTION OF NON FIXATION OF PAY, AND SAID CLAIM ILLEGALLY RETURNED BY DISTRICT ACCOUNTS OFFICE HARIPUR.

RELATING TO BPS NO 16 AS SENIOR C.T APPLIED THROUGH SOURCE FORM-II UNDER NO 235 ON 08/09/2015 (RECEIVED BACK ON 30/10/2015) WITH NEWLY FIXED BASIC PAY @ Rs 31540/ P.M PLUS OTHER ALLOWANCES WHEREUPON THE OBJECTION RAISED BY DISTRICT ACCOUNTS OFFICE HARIPUR I.E. (grant of 4 advance increments on acquiring /passing MA examination may be justified. Overpayment on account of advance increments may be worked out & recovered)

FOUR (04) ADVANCE INCREMENTS OF M.A/M.SC; WERE GRANTED ON THE BASIS OF THE ORDER DATED 24/03/2009 PASSED IN WRIT PETITION NO 531/2009 BY PESHAWAR HIGH COURT PESHAWAR IN PURSUANCE OF THE JUDGMENT OF APEX COURT DATED 19/07/2007; BOTH JUDGMENTS HAD ATTAINED ITS FINALITY, AND SAME IS IMPLEMENTED IN LETTER AND SPIRIT.

Sir,

The submissions of the appellant are as under;

- 1) That the appellant is a school teacher in Elementary and Secondary Education Department Haripur and presently working in the capacity of Senior C.T teacher in BPS No 16.
- 2) That appellant was granted 04 Advance Increments of M.A/M.Sc on the basis of order dated 24/03/2009 passed by Peshawar High Court Peshawar in Writ Petition No 531 of 2009 which was passed in pursuance of the judgment dated 19/07/2007 pronounced by the Supreme Court of Pakistan Islamabad, both the said judgments was not only attained its finality but implemented letter and spirit in the year 2010, and since then

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appellant is being granted/taken his 04 Advance Increments of M.A/M.Sc regularly.

3) That in the meanwhile appellant promoted from BPS 15 to BPS 16 and his pay was to be fixed/changed from BPS 15 to BPS 16 under the prescribed rule of law.

4) That pay of appellant is fixed in BPS No 16 @ Rs 31540/- and relevant Source Form-II submitted and utmost surprisingly, the District Accounts Haripur illegally returned it by raising the following objection

Grant of 4 advance increments on acquiring /passing MA examination may be justified. Overpayment on account of advance increments may be worked out & recovered.

THE ABOVE OBJECTION IS ALSO CLARER CONTEMPT OF COURT AND CHALLENGED THE AUTHORITY OF CONSTITUTIONAL COURTS.

5) That appellant clarified and requested that "Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012. (KHYBER PAKHTUNKHWA ACT NO.IX of 2012) has issued too and favours to appellant's case/claim, despite of requests to DAO Haripur for fixation of pay according to law but in vain.

6) That in the above circumstances, when law point already decided by KPK Service Tribunal, Peshawar High Court Peshawar and Supreme Court of Pakistan and that is final too, and implemented letter and spirit, later on, it can not be changed/disturbed/reversed by specially those respondents who were party in the decided settled previous final litigation.

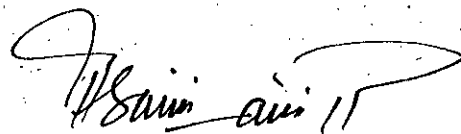
7) That It is also submitted and well pertinent to mention here, the very legal position that the letter No. FD (SR-1) 2-123/2010 dated 15/12/2010 issued by Secretary Finance Department Khyber Pakhtunkhwa Peshawar is directly against the clearly decided

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case of Supreme Court of Pakistan, as referred portion taken from the Para no 02 of judgment dated 19/07/2007 is not the observations of Supreme Court, it is the arguments of Additional Advocate General KPK and next relevant portion of the same Para no 2 of the judgment is left and not taken / mentioned in the under-questioned letter and this situation creates confusion which is not only against the operative part of the Judgment dated 19/07/2007 but against the letter and spirit of Supreme Court Judgment, and admittedly contempt of Court.

In the light of above mentioned very serious circumstances and Law, it is therefore, requested that on acceptance of this departmental appeal the impugned action, i.e. non-fixation of appellant's pay in BPS No 16 @ Rs 31540/-P.M alongwith 04 advance increments in respect of M.A/M.Sc, taken by District Accounts Office Haripur with effect from 01/09/2015 be declared as illegal and against law and the DAO Haripur may please be strictly directed to complete the process of fixation of pay of appellant without deduction/disturbance of any single increment of 4 advance increments of MA/Mscin the interest of justice.

Dated 29/01/2015



(Hafeez Ur Rehman)

S/O Hafeez Manzoor Ur Rehman Snr: CT,
teacher Government High School Sarai
Saleh HARIPUR.



Annexure

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)**

No. FD (SR-1) 2-123/2010
Dated Peshawar the: 15-12-2010

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To: The Accountant General,
Khyber Pakhtunkhwa, Peshawar.

Subject: GRANT OF ADVANCE INCREMENTS ON THE BASIS OF ACQUIRING
HIGHER QUALIFICATION.

Dear Sir,

I am directed to refer to your letter No.H-24(74)/Peshawar/Vol-III/2009-10/68 dated 12/01/2010, on the subject noted above and to say that the matter has thoroughly been examined in consultation with concerned Departments during the meetings held on 10-08-2010, 14-10-2010, 18-10-2010, 15-11-2010, 29-11-2010 and 09-12-2010 towards the queries raised by your office, which are clarified as under-

2. The Supreme Court of Pakistan in its Judgement dated 19-07-2007 vide para No.2 has observed in the following words:-

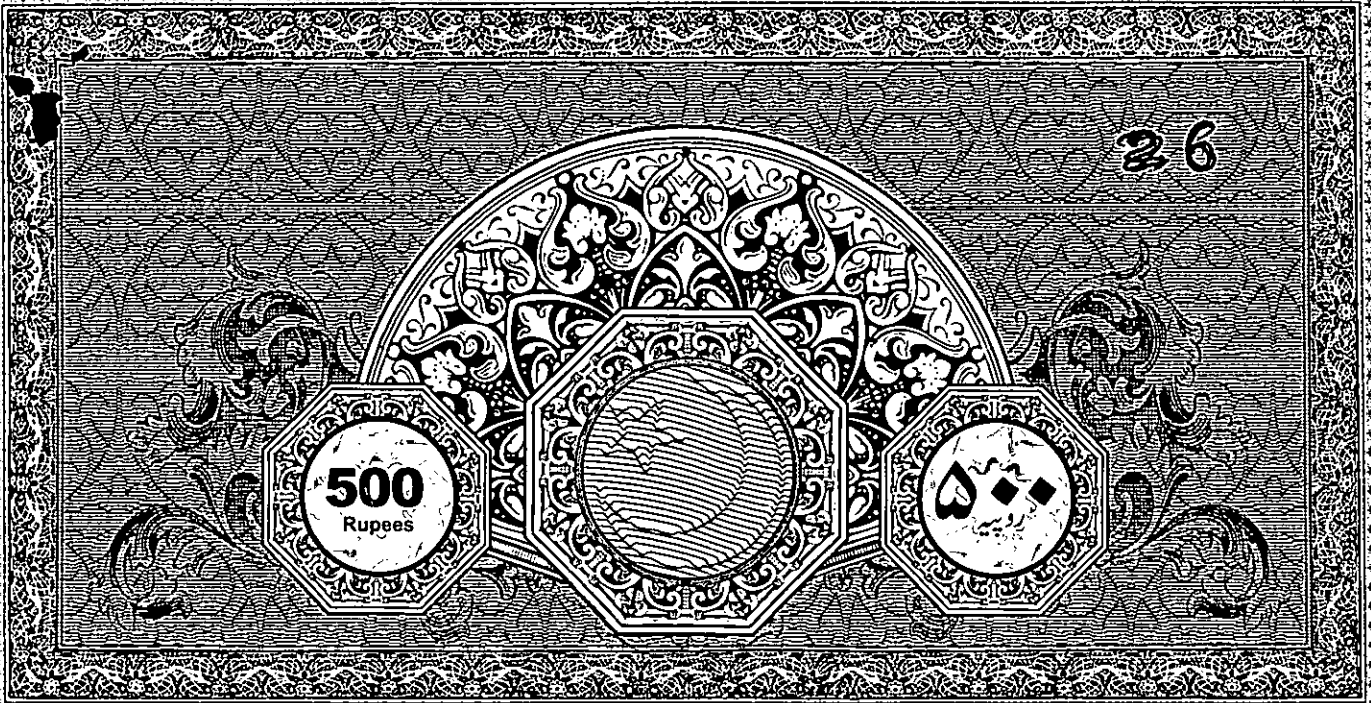
"It would be seen that the petitioners were placed in BPS-14 by reason of having acquired the qualification of BA / BSc, 2nd division which is the prescribed qualification for the post of Elementary School Teacher."

3. In light of the said observations of the honourable Apex Court, the record of the concerned teacher was gone through, which revealed that the said teacher had already availed the benefit of B-14 from B-9 which is the prescribed qualification for appointment as CT School Teacher. As such in the light of the Judgement of the Apex Court referred to above the said petitioner is entitled to get two increments on the basis of acquiring higher qualification of Master Degree.

- i) Those C.T teachers who are in BPS-9 and possessing higher qualification of MA/MSc but have not been placed in BPS-14, are entitled to 4 advance increments while those who have availed BPS-14 are entitled to 2 advance increments on MA/MSc.
- ii) Advance increments will be allowed from the date of obtaining higher qualification or from the date of appointment which ever is later in term of para 5(i) of Pay Revision, Rules 1991, issued vide Finance Department's letter No.FD(PRC)1-1/89, dated 11th August, 1991.
- iii) Those teachers who had secured their appointment or acquired higher qualification after 01-12-2001 are not entitled for the facility of the advance increments on higher qualification in view of the Pay Revision introduced vide Finance Department's letter No.FD(PRC)1-1/2001, dated October 27, 2001.
- iv) Recovery may be made from those teachers/employees who have availed more advance increments over and above their entitlement on academic qualifications as prescribed in para-5(a,b,c &d) of Revision of Basic Scale 1991.

Yours Faithfully,

(KHURSHID ALAM)
Section Officer (SR-1)



PAKISTAN COURT FEE

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
ABBOTTABAD BENCH, ABBOTTABAD

HAFEEZ-UR-REHMAN

V/S

THE ACCOUNTANT GENERAL KPK

~~CANCELLED~~

COURT FEE STAMP

~~CANCELLED~~

FILED TODAY

h.

~~CANCELLED~~

Additional Registrar
Peshawar High Court
Abbottabad Bench

19/11/18

"27"

وکالت نامہ

کورٹ فیس

بعدالت عالیہ پشاور ہائی کورٹ ایٹ آباد نیچ ایٹ آباد

عنوان: حفیظ الرحمان بنام اکاؤنٹس جنرل KPK پشاور

منجانب: حفیظ الرحمان

نوعیت مقدمہ:

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب وہی کل کاروائی متعلقہ اس مقام


خرم غیاث خان (ایڈووکیٹ سپریم کورٹ آف پاکستان)


کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ دہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت نالش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 18/10/2016

بمقام: ایٹ آباد


 MUHAMMAD MUNTAZ


 KHURAM GHIAS KHAN
 ASC

Hafiz-ul-Rahman
Advocate

NOTICE OF WRIT PETITION

BEFORE THE PESHAWAR HIGH COURT ABBOTTABAD BENCH
ABBOTTABAD

Hafeez-ur-Rehman S/o Hafiz Manzoor-ur-Rehman Senior CT Teacher,
Govt Higher Secondary School Sara-i-Saleh, Tehsil and District
Haripur.

..... (Petitioner)

V/s

1. The Accountant General, Peshawar, KPK.
2. The Senior District Account Officer, Haripur.
3. The Govt of KPK through Secretary Finance Department
Peshawar KPK.
4. Govt of KPK through Secretary (E & SE) Peshawar, KPK.

..... (Respondents)

To
Respondent No-

*It is to inform you that the above titled writ petition has been
instituted in Peshawar High Court Abbottabad Bench, Abbottabad
on the subject of payment of outstanding increment and monthly
salary according to pay scale of the petitioner.*


Petitioner

Through

Counsel

Munir

PESHAWAR HIGH COURT ABBOTTABAD BENCH.
FORM "A"
FORM OF ORDER SHEET



Serial No of order or proceeding 1	Date of Order or Proceeding 2	ORDER OF THE COURT WITH SIGNATURE (s) OF HON'BLE JUDGE (s) 3
	21.11.2016	<p><u>WP No.1059-A/2016</u></p> <p>Present: Mr. Khurram Ghias Khan, Advocate, for the petitioner.</p> <p>****</p> <p>Seeks time to prepare himself on the issue of maintainability of this petition.</p> <p style="text-align: right;">JUDGE</p> <p style="text-align: right;"> JUDGE</p>

/MSA/

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**FORM OF ORDER SHEET**

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
18.01.2018	<p><u>WP No. 1059-A/2016.</u></p> <p>Present: Nemo.</p> <p style="text-align: center;">***</p> <p>Learned counsel for the petitioner moved an application for adjournment on the ground mentioned therein.</p> <p>Adjourned to a date in office.</p> <p style="text-align: right;"> JUDGE</p> <p style="text-align: right;"> JUDGE</p>

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**FORM OF ORDER SHEET**

Court of.....


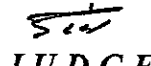
Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
21.06.2018	<p data-bbox="515 563 821 619"><i>1059 A/17</i></p> <p data-bbox="515 619 837 662"><u>WP No. 1059-A/2017.</u></p> <p data-bbox="515 682 1431 789">Present: Rana Ishaq, Advocate on behalf of Mr. Khurram Ghias Khan, Advocates, counsel for petitioner. ***</p> <p data-bbox="515 886 1431 1006">Due to indisposition of learned counsel for petitioner, this case is adjourned to a date in office.</p> <p data-bbox="1220 1095 1380 1166"><i>M</i> JUDGE</p> <p data-bbox="1220 1223 1380 1324"><i>Syed P.</i> JUDGE</p>

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**FORM OF ORDER SHEET**

Court of.....

Case No.....of.....



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
18.10.2018	<p><u>WP No. 1059-A/2016.</u></p> <p>Present: Nemo.</p> <p style="text-align: center;">***</p> <p>Learned counsel for petitioner has sent an application for adjournment on the ground mentioned therein.</p> <p>Allowed. Adjourned to a date in office.</p> <p style="text-align: right;"> JUDGE</p> <p style="text-align: right;"> JUDGE</p>

Tohir (P.S)

Hon'ble Justice Syed Muhammad Attique Shah & Hon'ble Justice Arshad Ali

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

ORDER SHEET

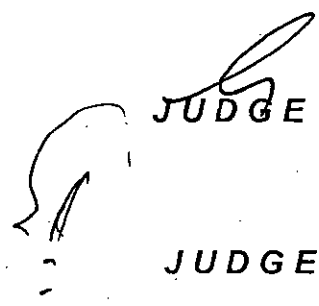
Date of Order of Proceedings	Order or other Proceedings with Signature of Judge(s).
1 17.01.2019	2 <u>W.P No.1059-A/2016</u> Present: <i>Nemo</i> for the petitioner. *** Adjourned for want of service of petitioner and his counsel.  JUDGE  JUDGE

M.Saleem /^h

(DB) Mr. Justice Lal Jan Khattak and Mr. Justice Ijaz Anwar

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
20.03.2019	<p><u>W.P.No.1059-A/2016.</u></p> <p>Present: Clerk of counsel for the petitioner.</p> <p>***</p> <p>The legal fraternity is observing strike on the call of Pakistan Bar Council, therefore, the case is adjourned to a date in office.</p> <p> JUDGE</p> <p>JUDGE</p>