

25th July, 2022

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

Learned AAG submits that in compliance of the order of the Tribunal, the department has sent a draft order which will be finalized tomorrow. To come up for implementation report on tomorrow that is on 26.07.2022 before S.B.

(Kalim Arshad Khan)
Chairman

26th July, 2022

1. Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Atta Ur Rehman, Inspector for respondents present.

2. Learned AAG produced copy of order No. AD/LG&RDD/(CHD)/ESTAB/RE-INSTANTMENT ORDER /2022/1507-11 dated 26.07.2022 whereby in compliance of the judgment of the Tribunal, the petitioner has been reinstated in service subject to the outcome of CPLA. Since the order of the Tribunal has been complied with, therefore, the instant execution petition is disposed off in the above terms. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 26th day of July, 2022.*

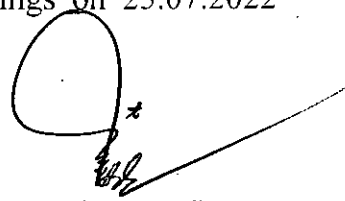


(Kalim Arshad Khan)
Chairman

19.07.2022

Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Aizaz ul Hassan Superintendent and Mr. Shabir Hussain A.D for the respondents present.

Learned Additional Advocate General produced a copy of an application for early hearing and transfer of the case, before august Supreme Court of Pakistan, to be fixed in the 04th week of July, 2022. He therefore, requested that the case may kindly be adjourned for atleast one week so that the outcome/updates from the august Supreme Court of Pakistan are produced before the Service Tribunal on the next date. Request is acceded to and the department is either to get the Service Tribunal judgement dated 11.01.2022 suspended from the august Supreme Court of Pakistan or implement the said judgement conditionally/provisionally. Adjourned. To come up for further proceedings on 25.07.2022 before S.B.

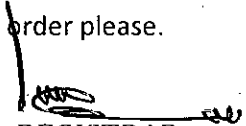

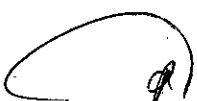


(Mian Muhammad)
Member (E)

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 82/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.02.2022	<p>The execution petition of Mr. Sajid Khan submitted today by Syed Murtaza Zahid Gillani Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	06.04.2022	<p>This execution petition be put up before to Single Bench at Peshawar on <u>06-04-2022</u>. Notices to the appellant and his counsel be also issued for the date fixed. <i>Original record be requisitioned for the date fixed</i></p> <p style="text-align: right;">CHAIRMAN</p> <p>Petitioner in person. Notice be issued to the respondents. To come up for implementation report on 10.05.2022 before S.B. Original record be also requisitioned.</p> <p style="text-align: right;"> Chairman</p>
	10.05.2022	<p>Petitioner present through counsel.</p> <p>Notice of the instant execution petition be issued to respondents for submission of implementation report. To come up for implementation report on 23.06.2022 before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>


*Copy
Noted
Murtaza Gillani
5-4-22*

23rd June, 2022

Counsel for the petitioner present. Mr. Muhammad Riaz Khan Painsdakhel, Asst: AG alongwith Mr. Sher Hussain, Assistant Director present.

Mr. Sher Hussain, Assistant Director (respondent No.3) present in person and says that the department has filed CPLA before the august Supreme Court of Pakistan but where filing of CPLA before the august Supreme Court of Pakistan is not a ground to not implement the judgment of the Tribunal. The respondents are therefore directed to implement the judgment and pass a conditional order subject to the outcome of the CPLA on or before the next date. To come up for implementation report on 19.07.2022 before S.B.


(Kalim Arshad Khan)
Chairman



BEFORE HONORABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Misc. Application NO. 82 /2022

In Service Appeal No. 7896 /2021

Sajid Khan.....(APPLICANT)

Versus

Government of Khyber Pakhtunkhwa, etc.....(RESPONDENTS)

APPLICATION U/S: 7(2)(d) OF KHYBER PAKHTUNKHWA

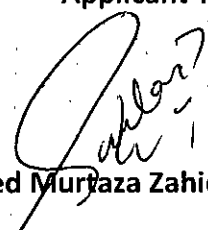
SERVICE TRIBUNAL ACT, 1974

INDEX

NO	DOCUMENTS	ANNEXURE	PAGE
1	Application along with Affidavit		1-4
2	Copy of the memo of the appeal	A	5-13
2	Copy of the judgment	B	14-23
3	Copy of the postal receipt to Respondent No. 2	C	24
4	Copy of the arrival report submitted by hand to Respondent No. 3	D	25

Dated: 03.02.2022

Applicant Through


Syed Murtaza Zahid Gilani

Advocate

Chamber address:

LAW ZONE, office No: 9, 5th floor, Falak Syr Palaza, Saddar Road,

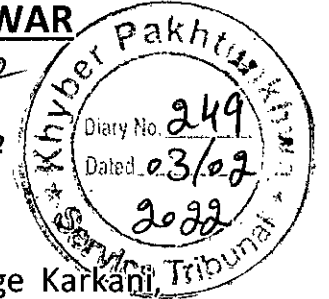
Peshawar Cantt:

Contact No: 03001224999. E-Mail, gilaniandgilanilaw@gmail.com

**BEFORE HONORABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR**

Mis. Application NO. ~~7896/2021~~ ^{82/2022}

In Service Appeal No. 7896 /2022



**Sajid Khan S/O: Muhammad Ayaz, Village Karkani,
Mohallah Sahib e Haq Koruna, PO: Battagram, Tehsil
Shabqaddar, District Charsadda.**

.....(Appellant/Applicant)

Versus

- 1. Government of Khyber Pakhtunkhwa,**
Through Secretary Local Government, Election and
Rural Development department, Peshawar.
- 2. Director General,**
Local Government & Rural Development
Department, Peshawar.
- 3. Assistant Director,**
Local Government & Rural Development
Department, Charsadda.

.....(RESPONDENTS)

**APPLICATION U/S 7 (2) (D) OF SERVICE TRIBUNAL
ACT 1974 FOR IMPLEMENTATION OF THE DECISION
DATED: 11-01-2022 PASSED BY THIS HON'BLE
TRIBUNAL VIDE JUDGMENT DATED: 11-01-2022 IN
SERVICE APPEAL NO: 7896/2021 WHEREBY THE
APPEAL OF APPLICANT/ APPELLANT HAS BEEN
ACCEPTED AS PRAYED FOR.**

Respectfully Sheweth:

- 1. That the service appeal No: 7896/2021, title as mentioned above, was instituted in this Hon'ble tribunal on 21/12/2021 and it has been decided on 11-01-2022 vide the judgment of the same date**

where by the appeal of the appellant/applicant has been accepted as prayed for.

(Copies of the memo of the appeal and the judgment are annexed as Annexure "A" & "B").

2. That after obtaining the certificated copy of the judgment of this Hon'ble Tribunal the applicant/appellant submitted his arrival report to respondent No # 2 through registered post and also personally submitted arrival report by hand to respondent No # 3 for joining duty which was received through diary number 37 dated 14/01/2022, with signature.

(Copies of the postal receipt and arrival report submitted by hand are Annexed as Annexure "C" & "D").

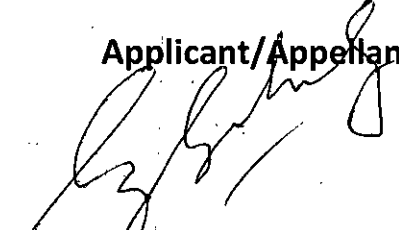
3. That the respondents are paying no attention to the arrival report submitted by the applicant/ appellant, nor assigning him duty, nor taking any action to pay him his financial dues etc.
4. That the act and omission of the respondents discerns utter disregard towards the judgment/decision of this Hon'ble Tribunal which also amounts to contempt of court and the applicant/ appellant reserves right to move an application for proceeding against the respondents for contempt of this Hon'ble Tribunal.
5. That this Hon'ble tribunal has ample powers to executed/ implement its decisions "According to Law".
6. That the applicant/ appellant is facing hardship since long and needs redressal of his grievance which is highly essential in the interest of justice and to maintain rule of law.

Prayer:

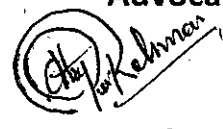
It is therefore prayed that the decision is in favor of applicant/ appellant vide the judgment dated: 11-01-2022 may please be executed, enforced and implemented against respondents by all means, in accordance with law.

Dated: 03.02.2022

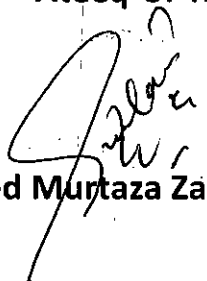
Through **Applicant/Appellant**



Syed Yahya Zahid Gilani
Advocate



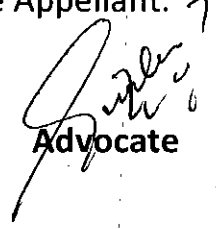
Ateeq-Ur-Rehman
Advocate



Syed Murtaza Zahid Gilani
Advocate

CERTIFICATE:

Certificate that no Application on the instant subject has been previously filled by the Appellant.



Advocate

BEFORE HONORABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Mis. Application NO. 7896/2021

In Service Appeal No. _____/2022

Sajid Khan S/O: Muhammad Ayaz, Village Karkani, Mohallah Sahib e Haq Koruna, P.O: Battagram, Tehsil Shabqaddar, District Charsadda.....(Applicant/Appellant)

Versus

1. **Government of Khyber Pakhtunkhwa,**
Through Secretary Local Government, Election and Rural Development department, Peshawar.
2. **Director General,**
Local Government & Rural Development Department, Peshawar.
3. **Assistant Director,**
Local Government & Rural Development Department, Charsadda.

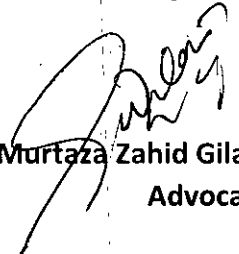
.....(RESPONDENTS)

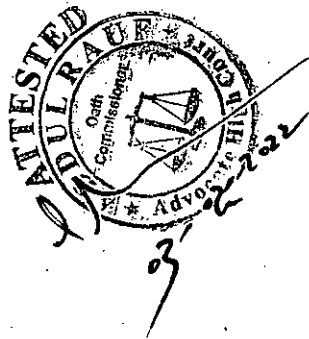
AFFIDAVIT

I, Sajid Khan S/O Muhammad Ayaz, R/O Karkani, Mohallah Sahib e Haq Koruna, PO Batagram, Tehsil Shabqadar, District Charsadda, do hereby declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been this Hon'ble court, deliberately.


DEPONENT

Identified by:


Syed Murtaza Zahid Gilani
Advocate



Annexure (A) (5)

BEFORE HONORABLE SERVICE TRIBUNAL

KHYBER PAKHTUNKHWA, PESHAWR.

Service Appeal NO. 7896 /2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8080

Dated 21/12/2021

Sajid Khan S/O: Muhammad Ayaz, Village Secretary,
Matta Rustam Khel-II, Tehsil Shabqadar, District
Charsadda.

Residential Address: Village Karkani, Mohallah Sahib e
Haq Koruna, P.O: Battagram, Tehsil Shabqaddar, District
Battagram.

-----APPELLANT.

Versus



1. **Government of Khyber Pukhtunkhwa,**
Through Secretary Local Government, Election & Rural
Development department, Peshawar.
2. **Director General,**
Local Government & Rural Development Department,
Peshawar.
3. **Assistant Director,**
Local Government & Rural Development Department,
Charsadda.

-----RESPONDENTS.

**APPEAL U/S: 4 KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974:-**

1. **FOR SETTING ASIDE THE SO-CALLED UNLAWFUL
RELIEVING ORDER NO. AD/LG&RDD/CHD/NO.9207-
10 DATED: 20-09-2019 BEING ILLEGAL,
CONCOCTED, VOID, UN-SERVED/ UN-
IMPLEMENTED, NOT ACTED UPON, MALAFIDE,
AGAINST THE PRINCIPLES OF NATURAL JUSTICE,
NULLITY IN THE EYES OF LAW AND INEFFECTIVE
OVER THE RIGHTS OF APPELLANT; AND
REINSTATEING THE APPELLANT WITH EFFECT**

ATTESTED

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Muhammad
Registrar
21/12/2021

FROM 20-09-19, WITH THE DIRECTION FOR PAYMENT OF APPELLANT'S ALL UNPAID SALARIES, ALONGWITH ALL OTHER BACK BENEFITS .

2. AGAINST SELF EXPLANATORY ORDER IN SHAPE OF NOTICE NO. AD/LG&RDD/CHD/NO.5849-55 (B) DATED: 10-06-2019; AND ORDER IN SHAPE OF NOTICE NO. AD/LG&RDD/CHD/NO.6320-30 DATED: 22-06-2019, ALONGWITH THE SUBSEQUENT ORDERS IN SHAPE OF NOTICE NO. AD/LG&RDD/CHD/NO. 8157-65 DATED: 27-07-2019 & ORDER NOTICE NO. AD/LG&RDD/CHD/NO.8585-93 DATED: 17-08-2019, AS WELL AS THE REJECTION ORDER OF DEPARTMENTAL APPEAL DATED: 19-12-2019; AND NON CONSIDERING DEPARTMENTAL APPEAL OF THE APPELLANT AS PER OPERATIVE ORDER IN THE JUDGEMENT OF THIS TRIBUNAL DATED: 22-10-2021 IN APPEAL NO. 882/2020 OF THE APPELLANT.

PRAYER:

THAT ON ACCEPTANCE OF THIS SERVICE APPEAL, THE SUBJECT MENTIONED NOTICES MAY BE DECLARED NULL AND VOID AND LIABLE TO BE WITHDRAWN, THE APPELLANT BEING REGULARLY APPOINTED CIVIL SERVANT BE TREATED AS PER LAW OF THE LAND REGARDING HIS PROBATION PERIOD, WHICH IS SATISFACTORY, AND THE SO-CALLED UNLAWFUL RELIEVING ORDER NO. AD/LG&RDD/CHD/NO.9207-10 DATED: 20-09-2019 MAY BE SET-ASSIDE BEING ILLEGAL, CONCOCTED, VOID, UN-SERVED/ UN-IMPLEMENTED, NOT ACTED UPON, MALAFIDE, AGAINST THE PRINCIPLES OF NATURAL JUSTICE, NULLITY IN THE EYES OF LAW AND INEFFECTIVE OVER THE RIGHTS OF APPELLANT; AND THE APPELLANT MAY BE REINSTATED WITH EFFECT FROM 20-09-19, WITH THE DIRECTION FOR PAYMENT OF APPELLANT'S ALL UNPAID SALARIES, ALONGWITH ALL OTHER BACK BENEFITS.

ATTESTED

MINER
Kishore Kishore
Tribunal

ANY OTHER APPROPRIATE RELIEF IN THE FACTS AND CIRCUMSTANCES OF THE CASE, NOT SPECIFICALLY ASKED FOR, MAY ALSO BE GRANTED IN THE INTEREST OF JUSTICE.

Respectfully Sheweth:

Précised facts, giving rise to present Appeal, are as under:

1. That, the Appellant was appointed as village Secretary BPS: 7 (later on post up graded to BPS: 9), by the Competent Authority (i.e. Respondent NO. 3) after submission of all the requisite documents and fulfilment of formalities etc, on his behalf.
Copy of the Appointment Order Dated: 18.02.2019 is attached as **Annexure: A.**
2. That, as per the contents and requirements of the Appointment Order issued to the Appellant by the Competent Authority, proper Medical Fitness Certificate, Police Verification Certificate, Affidavit for Good Conduct and arrival Report were submitted by the Appellant.
Copies of the Medical Certificate and others are attached as **Annexure: B.**
3. That, in consequence of fulfillment of all pre requisites, the Competent Authority (Respondent NO. 3) issued Authentication of Appellant's appointment to District Account Officer Charsadda on 12-04-2019, whereupon proper Service Book of the Appellant was prepared by the Department and his salary was released according to the Rules.
Copies of the letter Dated: 12-04-2019, Service Book and Pay Slips etc. are attached as **Annexure: C.**
4. That, the Appellant was performing his duties quite efficiently and competently when suddenly and astonishingly on 10-06-2019 & 22-06-2019 threatening notices were issued containing threatening and harassing remarks/language which practically amounted to Orders altering the nature of service status of the Appellant, hitting the

ATTESTED

EXAMINER
Service Tribunal

terms and conditions of Appellant's service; also containing warning that since he is on probation, therefore, he could be terminated / dismissed, however no reason what so ever was mentioned which coerced the Competent Authority for issuance of subject notices. **Copies** of the Impugned Notices Dated: 10-06-2019 & 22-06-2019 are attached as **Annexure: D**.

5. That, as per law applicable, the appellant preferred Departmental Appeal Dated: 19-07 2019 before the competent Authority against the impugned Notices/ Orders which was considered by the Competent Authority and illegally rejected vide the impugned remarks written on the Departmental Appeal on 19-12-2019. **Copies** of the Departmental Appeal with impugned written non-speaking Order of Rejection and other relevant documents are attached as **Annexure: E**.

6. That, the Appellant was performing his duty with zeal and zest when the salary of the appellant was stopped since September 2019. However, the Appellant was continuously serving in the Department as Secretary Village Council Matta Rustam Khel-II, Tehsil Shabqadar and performing his official functions, even afterwards. **Copies** of Birth, Death, Marriage Certificates etc. issued by the Appellant are attached as **Annexure: F**.

7. That, the Appellant inevitably preferred Service Appeal in this Honorable Tribunal bearing NO. 882/ 2020, on 17-01-2020, titled "Sajid Khan ... vs... Government of Khyber Pukhtunkhwa and others", which has been decided on 22-10-2021. The abovementioned Respondents NO. 1 to 3 were arrayed as Respondents in that Appeal, too. It is pertinent to mention that the Appellant was still continuously performing his duties when the Appeal was instituted and even afterwards. **Copies** of Memo of Appeal, and Application for Interim Relief are attached as **Annexure: G**.

8. That, in Appellant's Appeal NO. 882/ 2020, Respondents submitted their Reply/ Para-wise

ATTESTED
EXAMINER
Khyber Pukhtunkhwa
Service Tribunal
Peshawar

Comments wherein instead of commenting on the impugned notices/ orders, divulged the Relieving Order Dated:20-09-2019 which was never ever served upon the Appellant nor it was acted upon, because as already mentioned above, the Appellant was working on the job in the Department even after the said so-called Relieving Order.

Copies of the Reply/ Para-wise Comments, so-called Relieving Order and the connected impugned notices Dated: 27-07-2019 & 17-08-2019 are attached as **Annexure: H.**


9. That, the Appellant vehemently challenged and impugned the said so-called illegal Relieving order in his Rejoinder on various factual and legal grounds elaborately mentioned in the said Rejoinder, with the following prayer to be added and granted under the principle of "Molding Relief" due the changed circumstances:

"From the abovementioned authentic record, it is crystal clear that the so-called notices and withdrawal of Appellant's Appointment order is not served, unimplemented, false, malafide, without legal authority, void, not acted upon, against the principles of natural justice, nullity in the eyes of law and ineffective on the rights of the Appellant."

Copies of the Rejoinder submitted in Appellant's Appeal NO. 882/2020 and its attached documents and other relevant documents are attached as **Annexure: I.** {Note: The contents of the said Rejoinder may be considered integral part of this Appeal.}

10. After listening arguments and perusing record, Hon'ble Bench of this Tribunal was pleased to dispose off the Appeal NO. 882/2020 of the Appellant vide Judgment Dated 20-10-2021, with the following operative Order:

"In this scenario, the appeal in hand has become infructuous, however keeping in view the fact and

ATTESTED

 EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

circumstances of the case and in order to shorten the litigation, the instant Appeal of the Appellant as well as his rejoinder are treated as departmental appeal and the same are sent to the Appellate Authority for passing an appropriate order on it strictly in accordance with law within a period of one month of the receipt of copy of this judgment. In case the Appellant is aggrieved of the outcome of the decision of the Appellate Authority, he may seek his remedy by making recourse to the tribunal. Parties are left to bear their own costs. File be consigned to the record room."

Copy of the Order & Judgment Dated: 22-10-2021 of this Hon'ble Tribunal is attached as **Annexure: J**.

11. That, Registrar of this Hon'ble Tribunal sent the copy of said Judgment to Respondent NO. 2 vide the covering letter NO. 2146/st Dated: 01-11-2021 which was received at the receiving end, on the same day. **Copies** of the covering letter and the 'Dak Book' page are attached as **Annexure: K**.
12. That, despite lapse of one month time, the Competent Authority has passed no order on the Departmental Appeal which was directed to be considered for appropriate Order by the Competent Authority, as per operative order of this Hon'ble Tribunal in the Judgment Dated: 22-10-2021.

Hence, this appeal, 'inter alia' on the following grounds:

Grounds

- I. That the impugned so-called 'Relieving Order' Dated: 20-09-2019 is illegal, not served, unimplemented, false, concocted, afterthought, malafide, without legal authority, void, not

ATTESTED
[Signature]
[Stamp]
[Signature]

acted upon, against the principles of natural justice, nullity in the eyes of law and ineffective over the rights of the Appellant.

- II. That all the impugned notices are also illegal, void, unlawful, against the principles of natural justice, malafide and ineffective over the rights of Appellant.
- III. That the Appointment Order Dated: 18-02-2019 of the Appellant unequivocally signifies that he has been placed on probation vide the Term and Condition NO. 3, which is meant for the Initial Appointment. As such the Appellant acquired all right extended to a Civil Servants, under the relevant Law/ Rules. The impugned Notices and the Relieving Order usurping and denying him his rights are illegal and liable to cancellation.
- IV. That the Appellant has been made bound in his Appointment Order, vide the Term and Condition NO. 2, to compulsorily perform duty for at least 02 years in the Department. As such when the Appellant was performing his duties honestly, efficiently, with due zeal and zest, there was no reason and ground for the Respondent NO. 3 to unilaterally and discreetly dispense with un-blemished service of the appellant. Hence, the impugned actions are void and not tenable.
- V. That no complaint from any quarter regarding performance of the Appellant was ever made. In case of any complaint the Appellant could be dealt with according to law but there being no complaint, the Competent Authority could not lawfully issue the threatening impugned notices & order which are in fact based on malafide and ulterior motives against the appellant to unlawfully divest with his services and pave ground for a new appointment. This un-just and malafide action is not maintainable.

ATTESTED
EXAMINER
18/02/2019

- VI. That, the Competent Authority never issued any notice to ask for any explanation from the Appellant regarding any allegation of unsatisfactory performance or misconduct of the Appellant. As such the fundamental principle of natural justice '*audi alterim partem*' has been utterly violated. Hence, all the impugned notices/ orders containing the threatening remarks and misinterpretation of the Terms and Conditions of Appellant's Service, as well as his service status are illegal and ineffective over the rights of the Appellant. Hence, liable to cancellation.
- VII. That, the Appellant is not answerable for any alleged deviation or lapse at the part of Respondents and the Respondents have no lawful authority to take benefit of their own lapses to terminate the regular initial appointment of the Appellant. In this behalf the law laid down by Hon'ble apex Court in the case of "Director Social Welfare NWFP-vs-Sadullah Khan", reported in 1996-SCMR- at Page 1350 and many other subsequent Judgments, is squarely attracted. Hence, the impugned notices and the orders/Notices are not sustainable.
- VIII. That, the Appellant was appointed, he was allowed to take charge and he worked on a regular sanctioned vacant post, he was paid monthly salary through the payment advice of District Account Office Charsadda, and he, as such, received his pay and allowance from the Regular Budget after due allotment of post position code (i.e. personal number). Therefore he could not be treated other than a regular initial appointee.
- IX. That, after taking over charge of his post on which the Appellant was appointed, preparation of his Service Book, performing duty and receiving pay and allowances, his vested legal rights accrued and established which could not be usurped by arbitrary and capricious impugned notices and the Relieving

ATTY-GENL
Shyber Pakhtunkhwa
Government
Peshawar

without showing any justified fair reason. Moreover, it was neither served nor acted upon in the Department. The appellant remained performing his duties on the job where he was posted. Hence, the same is not tenable being in violation of S. 24-A of General Clauses Act, and not sustainable.

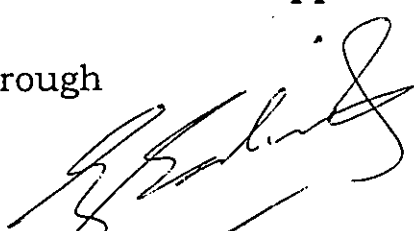
It is, therefore, humbly prayed that this Service Appeal of the Appellant may be accepted and the relief prayed for in the heading may be granted.

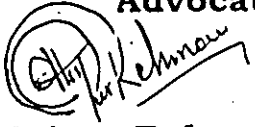
Date: 21 /12/2021

Appellant

Through

Date of Presentation of Application 03/12/22
 Number of Words 3600
 Copying Fee 38/-
 Urgent 3/12
 Total 40/-
 Name of Copyist _____
 Date of Completion of Copy 03/12/22
 Date of Delivery of Copy 03/12/22


 Syed Yahya Zahid Gilani
 Advocate


 Atiqur Rahman
 Advocate


 Syed Murtaza Zahid Gilani
 Advocate

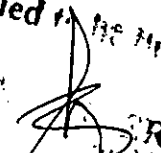
CERTIFICATE

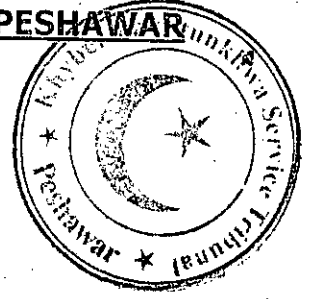
Certified that no Appeal on the instant cause of action has been filed by the Appellant, before this one.


 APPELLANT

List of Books

1. Constitution of Islamic Republic of Pakistan 1973.
2. Civil Servants Act 1973.
3. Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
4. Any other relevant Book will be produced with the permission of Hon'ble Tribunal.
5. Case law, as required.

Certified to be true copy

 Atiqur Rahman
 Advocate
 Service Tribunal
 Faisalabad

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 7896/2021

Date of Institution ... 21.12.2021

Date of Decision ... 11.01.2022

Sajid Khan S/O: Muhammad Ayaz, Village Secretary, Matta Rustam Khel-II, Tehsil Shabqadar, District Charsadda.

Residential Address: Village Karkani, Mohallah Sahib e Haq Koruna, P.O: Battagram, Tehsil Shabqadar, District Battagram. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa, Through Secretary Local Government, Election & Rural Development, Peshawar and two others.

... (Respondents)

Syed Yahya Zahid Gilani,
Advocate

... For Appellant

Muhammad Adeel Butt,
Additional Advocate General

... For respondents

AHMAD SULTAN TAREEN
ATIQ-UR-REHMAN WAZIR

...
...

CHAIRMAN
MEMBER (EXECUTIVE)

JUDGMENT**ATIQ-UR-REHMAN WAZIR MEMBER (E):-**

Brief facts of the

case are that the appellant was appointed as Village Secretary in the Local Government Department vide order dated 18-02-2019. The appellant joined his duty after fulfillment of all pre-requisite. In the meanwhile, the appellant received notices dated 10-06-2019 & 22-06-2019 reminding the appellant that he was appointed on officiating/acting basis, which may be seriously kept in mind with further warning that the instant letter may be considered as final notice. Feeling aggrieved, the appellant filed departmental appeal dated 19-07-2019, which was rejected on 19-12-2019. The appellant filed service appeal No 882/2020 in this

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tribunal challenging notices dated 10-06-2019 and 22-06-2019, however upon submission of reply/comments by the respondents, it divulged that the appellant has been removed from service vide order dated 20-09-2019. In view of the relieving order dated 20-09-2019, this tribunal was of the view that after issuance of the relieving order dated 20-09-2019, the appellant was legally required to have filed departmental appeal challenging the said order, hence in order to shorten litigation, this tribunal vide judgment dated 22-10-2021, treated the service appeal as well as its rejoinder as departmental appeal and the same was sent to the appellate authority for passing an appropriate order on it within a period of one month. The respondents did not respond within the stipulated timeframe, hence the instant service appeal with prayers that the impugned relieving order dated 20-09-2019 may be set aside and the appellant may be re-instated in service with effect from 20-09-2019 alongwith payment of un-paid salaries and other consequential benefits. Further prayed that notices dated 10-06-2019, 22-06-2019, 27-07-2019, 17-08-2019 as well as the rejection order dated 19-12-2019 of departmental appeal of the appellant and non-considering departmental appeal of the appellant as per operative part of the judgment dated 22-10-2021 may also be set aside.

02. Learned counsel for the appellant has contended that the appellant was appointed against a regular post of Village Secretary on the recommendations of Departmental Selection Committee. The appellant had gone through the process of medical fitness, police verification, proper arrival and construction of his service book, whereas such formalities are fulfilled only after induction against a regular post; that personal number is issued only to regular employees against a regular post, which was also issued to the appellant by District Account Office Charsada and started his salaries through District Account Office Charsada like other civil servants, which by any definition means that the appellant is a civil servant, appointed against a regular post; that the appointment order dated 18-02-2019 in

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respect of the appellant was deliberately phrased in a manner with malafide intentions, so as to dispense with his services any time at the wish and will of the respondents; that the appointment letter shows that the appellant was appointed as officiating/acting Village Secretary, whereas Rule-3 of KP (appointment, promotion & transfer) Rules, 1989 provides for method of appointment with no mention of officiating or acting charge in initial appointment; that rule-9 of the rules ibid provides for acting charge appointment for in-service employees, who is appointed against a higher grade on acting charge, whereas in initial appointment there is no concept of acting charge appointment. The learned counsel added that the appellant performed his duty with zeal and enthusiasm, but malafide of the respondents surfaced when the appellant received the first notice, rather a warning dated 10-06-2019, but since the appellant was on probation for a period of two years as is evident from the appointment letter, but no reason is mentioned in such notices as to why the services of the appellant shall be dispensed with; that the 2nd Notice Dated 22-06-2019 again reminded the appellant that he is on officiating/acting charge coupled with his tenure in probation, hence they may be terminated any time without assigning any reason, against which the appellant filed departmental appeal on 19-07-2019, which was rejected on 19-12-2019 without examination and the competent authority on the face of the appeal recorded his remarks as rejected; that salary of the appellant was stopped from the month of September, 2019, but the appellant served against the post of the concerned Village Counsel, which is evident from the record. The learned counsel added that during the course of hearing in this Tribunal, it was divulged by the respondents that the appellant has been relieved from officiating/temporary duty vide order dated 20-09-2020, which however was not served upon the appellant nor was it implemented as the appellant performed active duty until June, 2020, which is evident from the record available on file; that the letter dated 20-09-2020 was issued in back date with the malafide intention; that as is evident from a number of the bank cheques signed on 01-10-

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2019 by the appellant as a co-signatory with the Nazim UC, as well as his signatures on birth/death/marriage certificates as well other such documents showing the appellant present on his job; that another evidence to show the relieving order as fake is that departmental appeal of the appellant was rejected on 19-12-2019, which means that the appellant was still serving with the respondents, otherwise they could have informed the appellant that you are no more on their strength. While replying to a question of the respondents that similarly placed officials had filed a writ petition No 6365-P/2019, which was dismissed in limine, the learned counsel explained that case of the appellant is distinguishable from that case to the effect that the appellant instituted the earlier service appeal No 882/2020 against the impugned notices, whereas the appellants in that case challenged their relieving orders, which order was not passed against the appellant and the one presented before this Tribunal is fake and was issued in back date only to defeat the cause of the appellant, which was neither served upon the appellant nor implemented, as the appellant was on duty as is evident from un-deniable official record of bank cheques and certificates issued by NADRA with signatures of the appellant, but the respondents produced the so called relieving order dated 20-09-2019 upon submission of their comments in the earlier round of litigation and this tribunal treated that appeal as departmental appeal and was sent to the appellate authority for passing an appropriate order in accordance with law. The learned counsel have referred to the judgment of the Apex Court reported in PLD 1993 SC 109 and PLD 1961(WP) Lahore 78, which have held that while taking something as a precedent and while considering the value of the principles of a case, emphasis has to be placed on material facts, before the court, for such facts may serve as a guide for the reasons for pronouncement of law by the judge or the statement of rule of law followed by him; that precedent primarily apply to their own fact and can have but little weight where facts are different. The learned counsel added that facts of the instant case and the one referred by the respondents are different in nature;

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BY
S. H. AMIN
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that the case referred was dismissed in limine without its consideration on merit; that there is no relevancy or implication of that case with the instant case being a judgment in personam, which has been decided in limine. In order to prove the presence of appellant in his office, the learned counsel added that the post of village secretary holds important responsibilities including birth/death/marriage registration and co-signatory with Nazim in financial matters; that record pertaining to bank transactions and his signatures affixed on the bank cheques were requisitioned and verified by this honorable Tribunal from the concerned bank and it is on record that the final cheques signed by the appellant as co-signatory with Nazim was 01-10-2019, whereas the last death/birth/marriage registration certificates signed by the appellant is 24-06-2020 and both the records are un-deniable. While referring to Para-7 of his appointment letter dated 18-02-2019 that the appointment order might be withdrawn any time, without assigning any reason, the learned counsel for the appellant referred to judgment reported in 1997 PLC (CS) 885, which has held that nobody can be terminated without assigning any reason. Learned counsel for the appellant added that the appointment letter was deliberately phrased in a manner to take benefit of its being irregular, whereas the Supreme Court of Pakistan in its judgment reported in 1996 SCMR 1350 has held that authority having itself appointed civil servant on temporary basis could not be allowed to take benefit of its lapses. Learned counsel for the appellant added that the same officer who has appointed the appellant has held his order to be illegal, which was not pointed out at the time of appointment and referred to the judgment reported in 2006 SCMR 678 that such practice have been declared as illegal and unlawful; that on appointment, valuable rights had accrued to the appellant and he could not be deprived of vested rights by the authority. Reliance was placed on 2017 PLC (CS) 1128.

03. Learned Additional Advocate General appearing on behalf of respondents has contended that the appellant was appointed on officiating/temporary basis

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 Islamabad

without fulfillment of legal requirements, which should have been advertised through ETEA but in the instant case, the post has not been advertised, whereas the appellant has been appointed purely on temporary basis as is evident from Para-3 & 6 of the appointment order; hence his appointment order purely made on temporary basis was ultimately withdrawn; that the appointment order was made in violation of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, therefore, the same was cancelled/withdrawn; that submission of medical fitness certificate, police clearance certificate and arrival report could not regularize the illegal and temporary appointment order; that it is correct that service book of the appellant was prepared and salaries were released, but the same was not found according to rule, therefore appointment order being illegal has been withdrawn; that post of the village secretary is a regular post, but the appellant was illegally appointed without observing legal requirements; that notices were issued to the appellant before withdrawal of the appointment order; that similarly placed persons filed writ petition No 6365-P/2019, which was dismissed in limine and case of the appellant is similar in nature to that case; hence is liable to be dismissed.

04. We have heard learned counsel for the parties and have perused the record.

05. We have observed that the appointment order dated 18-02-2019 issued in respect of the appellant is against a regular post of Village Secretary, which the respondents have admitted in their reply, as well as the same fact can be established from the personal number allotted to him by District Account Office, Charsada and such number is issued only to regularly appointed employees. The appellant had drawn salaries for quite some time until the same were stopped in September, 2019. Clause-2 of the appointment letter have made the appellant bound to provide medical fitness certificate from District Headquarter Hospital, Charsadda, Police Clearance Certificate from local police and affidavit on judicial

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stamp paper for good conduct, punctuality, whereas such formalities are fulfilled in regular appointment, which shows that the appellant was appointed against a regular post on the recommendations of departmental selection committee and mere change of words cannot take away his rights accrued to him, hence the appellant is entitled as a civil servant, but the appointing authority having tried to tailor the appointment letter malafiedly in a manner, so that the appellant could be removed easily in future and for the purpose, have shown the appointment on officiating/acting village secretary, which concept is alien to Rule-3 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, which provides for method of appointment in initial recruitment with no mention of officiating or acting charge for appointment against a regular post. It however was the statutory duty of the appointing authority to issue orders in an official format under the cover of the relevant law, which however was not done in case of the appellant and the words acting was used deliberately for ulterior motives and to this effect, the Supreme Court of Pakistan in its judgment reported as 1996 SCMR 1350 has held that authority having itself appointed civil servant on temporary basis could not be allowed to take benefit of its lapses in order to terminate service of civil servant merely because it had itself committed an irregularity in violating procedure governing appointment. Appointment of the appellant was made by competent authority by following the prescribed procedure, petitioners were having no nexus with the mode of selection process and they could not be blamed or punished for the laxities on part of the respondents. The order affecting the rights of a person had to be made in accordance with the principle of natural justice, order taking away the rights of a person without complying with the principles of natural justice had been held to be illegal. Government was not vested with the authority to withdraw or rescind an order if the same had taken legal effect and created certain legal rights in favor of the appellant. Reliance is place on 2017 PLC (CS) 585. The appointment order further shows the appellant was on probation for a period of two years,

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which however is one year as per rule-15 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, which is further extendable for another year, but probation period is not for the purpose to dispense with the services of an appointee without any reason, rather it would be mandatory upon the appointing authority to have expressed his opinion as to un-satisfactory work or conduct of civil servant, if any, and then to have discharged/reverted or terminated the civil servant and order passed otherwise in violation of principles of natural justice, could not sustain. Reliance is placed on 1997 PLC (CS) 925. We have noted that no such reason of un-satisfactory work or conduct have been mentioned in the impugned notices, rather record reveals that the appellant worked with zeal and enthusiasm up-to the satisfaction of the high-ups and to this effect, he was appreciated with awarding a commendation certificated dated 18-03-2020 by his supervisor. Contention of the respondents to the effect that as per clause-7 of his appointment order, the competent authority was empowered to dispense with his service without assigning any reason does not hold force, as the Supreme Court of Pakistan in its judgment reported in 1997 PLC (CS) 885 have held that if employment contract contained stipulation that services could be terminated without assigning any reason even then no order of termination could be passed without assigning any reason, as long as vacancies existed, persons appointed against those vacancies could not be removed from service arbitrarily without cogent reasons for removal of employee must exist in record though such reasons might not be communicated to the employee. To this effect, another judgment reported in 2017 PLC (CS) 587 has held that law did not authorize any authority to cancel an appointment order and remove the employee from service without any reason. In view of the referred judgments and in the context of natural justice, the term "without assigning any reason" is arbitrary in nature and is contrary to the basic human rights as well as norms of natural justice, which needs revision. Record reveals that the appellant performed his duty until June 2020, which is evident from un-deniable record of bank and NADRA, which was

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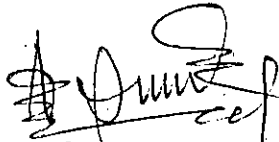
requisitioned by order of this Tribunal, is available on record and which strengthen the contention of the learned counsel for the appellant that his relieving order dated 20-09-2019 is fake and was issued in back date. Astonishingly, the relieving order was issued on 20-09-2019, whereas his departmental appeal was rejected on 19-12-2019. This can further be ascertained from the fact that such relieving order dated 20-09-2020 was presented by the respondents on 08-10-2020 before this Tribunal and the appellant also came to know about such order on the date of hearing i.e. 08-10-2020, hence such order is termed as an afterthought and issued in back date with ulterior motives being illegal. Stance of the respondents to the effect that case of a similarly placed person in Writ Petition was dismissed by the honorable High Court does not hold force, as the instant case is different in material facts from the case in the mentioned judgment. To this effect judgment of the Apex Court reported as PLD 1993 SC 109 and PLD 1961(WP)Lahore 78, have held that while taking something as a precedent and while considering the value of the principles of a case, emphasis has to be placed on material facts, before the court, for such facts may serve as a guide for the reasons for pronouncement of law by the judge or the statement of rule of law followed by him; that precedent primarily apply to their own fact and can have but little weight where facts are different. The instant case and the one referred by the respondents are different in nature, as the case referred was dismissed in limine without its consideration on merit and there is no relevancy or implication of that case with the instant case being a judgment in personam, which has been decided in limine. It was also astonishing to note that the same office, which had issued appointment order of the appellant, had declared such order as illegal. It would be beneficial to refer to the judgment reported in 2006 SCMR 678, which have held "that it has been noted in a number of cases that departmental authorities do show haste at the time of making such appointments when directives are issued to them by the persons who are in helm of the affairs without daring to point out to them that the directions are not


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implementable being contrary to law as well as prevalent rules and regulations. In fact such obedience is demonstrated by the concerned officers of the department to please the authorities governing the country just to earn their time being pleasure but on the change of regime and due to their such illegal acts the employees who were appointed suffer badly without any fault on their part and then even nobody bothers for their further career and in such a scenario; the appointing authority should be blamed and not the appellant.

06. We are of the considered opinion that the appellant has not been treated in accordance with law and was unlawfully removed from service for no fault of him. In view of the foregoing discussion, the instant appeal is accepted as prayed for. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
11.01.2022


(AHMAD SULTAN TAREEN)
CHAIRMAN)


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

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Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Shipment Information		Client Information		Price Information - KPRA	
Tracking No: 552099094		Consignee: DG Local		Pieces: 25	
Origin: MID	Destination: PW	Address: Rural Development		Actual Weight: 25.00	
Booking Date: 14/1/22		Contact: Khabad		Dimension: 10x10x10	
Booking Time: 14/1/22		Shipper: PW		Charged Weight: 25.00	
Route Code: 19201		Address: Sajid Khan		Value Declared: 2.10	
NTN No: 2824502-4		Contact: C40		Insurance: 0.00	
Sales Tax Reg. No: K2824502-4		NTN: 03079227700		Net Amount: 2.10	
<small>Leopard's Accepted Above Mentioned Items On Shipper Risk & Shipper Agreed All the Conditions Printed On Reverse</small> Leopard's Shipper Sign		<small>GNIC: 03079227700</small>		KPRA Sales Tax (16%): 0.34 Payable Amount: 2.44	
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(22)

Annexure (D)

The Director
Rural Development & Rural Development
Department of Agriculture

RESERVE FOR SERVICE APPLICANTS
DATED: 11/01/2022
ARRIVAL REPORT WITH REFERENCE TO THE DOCUMENTS

Subject:

Reference

With reference to the ...
... of the ...
... of the ...
... of the ...

Date: 14/01/2022

Yours Obediently

Director
Rural Development & Rural Development
Department of Agriculture
R.O. ...
Tehsil ...
District ...

14-1-22
258

Copy for:

- 1) Director General, Rural Development & Rural Development, Government of Punjab, Lahore.
- 2) Director, District Office, District ...
- 3) Director, District Office, District ...
- 4) Director, District Office, District ...
- 5) Director, District Office, District ...



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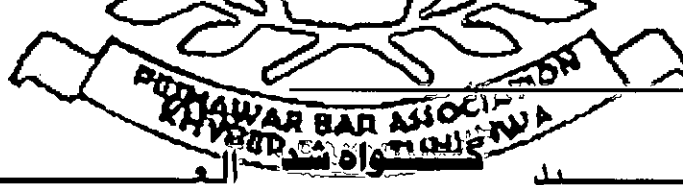
قیمت 50 روپے	114359	  
ایڈوکیٹ:	بار کونسل / ایسوسی ایشن نمبر:	
رایٹ نمبر:		

بعدالت جناب: سرویس ٹراہونل فیبر پختونخواہ پشاور

Applicant	منجانب:	دعویٰ:
		علت نمبر:
		مورخہ:
		جرم:
		تھانہ:

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 آن مقام پشاور کے ایڈووکیٹ / سید محمد علی / سید رحمن / سید عرفی زاید گیدنی / ایڈووکیٹس
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کر کے وکیل ثالث و فیصلہ برحلاف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری ٹیکٹ فرٹ یا ایبل کی برآمدگی اور پیروی، نیز
 دائر کرنے اپیل انگریزی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ساتھ لے کر اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سبب پر دستخط منظور و قبول ہوگا
 دوران مقدمہ میں جو فریضہ ہر جاننا اتوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے



الرقوم:

Atteaq - Ur - Rehman
Advocate

Syed Mustafa Zahid
Advocate

Syed Mustafa Zahid
Advocate

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

Atteaq - Ur - Rehman
Advocate



IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Case No. CPLA No. 170-P/2022

Title: Govt. of Khyber Pakhtunkhwa through Secretary Local Govt. Election & Rural Dev: Department, Peshawar & others Vs. Sajid Khan

SUBJECT: APPLICATION FOR EARLY HEARING & TRANSFER

CATEGORY OF CASE: Service Matter/ reinstatement.

BRIEF OF CASE (FROM TRIAL COURT TO IMPUGNED ORDER):-

Nature of Proceeding before lower Court:- Respondent filed Execution Petition before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar for implementation of the judgment and order dated 11-01-2022 which is impugned before this august Court in CPLA No.170-P/2022.

Relief claimed in main case. Suspension of the impugned Judgment & Order dated 11-01-2022 passed in Service Appeal No. 7896 of 2022.

GROUND/ REASON OF URGENCY:

1. Respondent filed Execution Petition before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar
2. Hon'ble Tribunal directed the petitioners to implement the judgment passed in Service Appeal No. 7896 of 2022
3. Hon'ble Khyber Pakhtunkhwa Service Tribunal directed the petitioners vide order dated 23-06-2022 to implement the judgment and order dated 11-01-2022. If the judgment dated 11/01/2022 is implemented, it will cause irreparable loss to the petitioners and also involve petitioners in multiplicity of litigation.

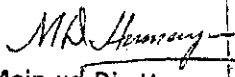
PROOF OF URGENCY: (Attached/ Not attached)

PRAYER:

It is respectfully prayed that the Petition may kindly be Transferred to the Principal seat at Islamabad and may kindly be fixed in the 4th Week of July, 2022

UNDERTAKING:

Certified that this is 1st application by the AOR/Applicant for early fixation of instant case.

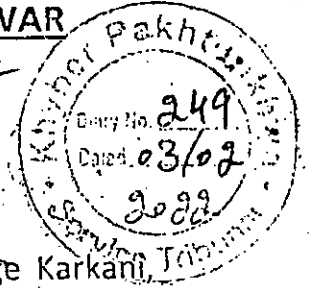

(Moin-ud-Din Humayun)
Advocate-on-Record
Supreme Court of Pakistan
For the Government of KP

1

**BEFORE HONORABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR**

Mis. Application NO. ~~7896/2021~~ ^{82/2022}

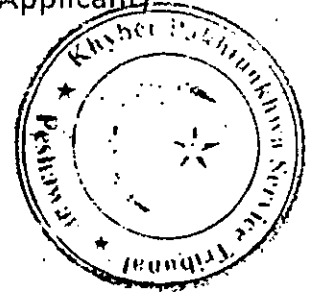
In Service Appeal No. 7896 /2022



Sajid Khan S/O: Muhammad Ayaz, Village Karkani,
Mohallah Sahib e Haq Koruna, PO: Battagram, Tehsil
Shabqaddar, District Charsadda.

.....(Appellant/Applicant)

Versus



1. Government of Khyber Pakhtunkhwa,
Through Secretary Local Government, Election and
Rural Development department, Peshawar.
2. Director General,
Local Government & Rural Development
Department, Peshawar.
3. Assistant Director,
Local Government & Rural Development
Department, Charsadda.

.....(RESPONDENTS)

**APPLICATION U/S 7 (2) (D) OF SERVICE TRIBUNAL
ACT 1974 FOR IMPLEMENTATION OF THE DECISION
DATED: 11-01-2022 PASSED BY THIS HON'BLE
TRIBUNAL VIDE JUDGMENT DATED: 11-01-2022 IN
SERVICE APPEAL NO: 7896/2021 WHEREBY THE
APPEAL OF APPLICANT/ APPELLANT HAS BEEN
ACCEPTED AS PRAYED FOR.**

Respectfully Sheweth:

1. That the service appeal No: 7896/2021, title as mentioned above, was instituted in this Hon'ble tribunal on 21/12/2021 and it has been decided on 11-01-2022 vide the judgment of the same date

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

23rd June, 2022

Counsel for the petitioner present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG alongwith Mr. Sher Hussain. Assistant Director present.



Mr. Sher Hussain, Assistant Director (respondent No.3) present in person and says that the department has filed CPLA before the august Supreme Court of Pakistan but where filing of CPLA before the august Supreme Court of Pakistan is not a ground to not implement the judgment of the Tribunal. The respondents are therefore directed to implement the judgment and passed conditional order subject to the outcome of the CPLA on or before the next date. To come up for implementation report on 19.07.2022 before S.B.

4

(Kalim Arshad Khan)
Chairman

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application

29-6-22

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29-6-22



**OFFICE OF THE
ASSISTANT DIRECTOR
LOCAL GOVERNMENT & RURAL DEV. DEPTT.
CHARSADDA**

Dated: The Charsadda, July 26, 2022.

OFFICE ORDER.

No/AD/LG&RDD/(CHD)/ESTAB/RE-INSTATEMENT ORDER/2022/1507-11

In compliance to the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar direction in Service Appeal no. 7896/2021, Dated 11/01/2022 read with order sheet Dated 24/6/2022 in execution petitioner 82/2022, Mr. Sajid Khan S/O Muhammad Ayaz Resident of Village Karkani Mohallah Sahib-E-Haq Koruna Post Office Battagram Tehsil Shabqadar District Charsadda is hereby conditionally re-instated into government service as Secretary Village Council with all back benefits. His re-instatement will be subject to the outcome of the already filed CPLA against the direction of the Service Tribunal Khyber Pakhtunkhwa Peshawar mentioned ibid in the august Supreme Court of Pakistan. His order will be withdrawn if the Supreme Court of Pakistan issue a stay order in the subject case. He will perform his duty in the Office of the undersigned. His service will be governed under the relevant rules.

Assistant Director

Local Govt: & Rural Dev: Deptt.
Charsadda

Endst: No & Date Even:

Copy of the above is forwarded to:-

1. Registrar Service Tribunal Khyber Pakhtunkhwa Peshawar.
2. PA to Director General LG&RDD Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Charsadda.
4. Office record.

Assistant Director

Local Govt: & Rural Dev: Deptt.
Charsadda