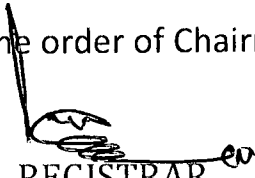


Form-A  
FORM OF ORDER SHEET

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

Restoration Application No. 633/2022

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge   |
|-------|---------------------------|--|
| 1     | 2                         | 3  |
| 1     | 27.10.2022                | <p>The application for restoration of appeal no.6358/2020 submitted today by post through Mr. Rahim Khan Advocate. It is fixed for hearing before touring Single Bench at Swat on</p> <p>Original file be requisitioned. Notices be issued to applicant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;"><br/>REGISTRAR</p> |

# BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Civil Review petition No. 644/2022

Mukaram Khan .....Appellant

**VERSUS**

District Education officer male buner E&SE and others .....

**Respondents**

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| 2.   | Copy of affidavit   |          | <u>4</u>     |
| 3.   | Address of the parties  |          | <u>5</u>     |
| 4.   | Copy of appeal  | <u>A</u> | <u>6-11</u>  |
| 5.   | Copy of Reply   | <u>B</u> | <u>12-14</u> |
| 6.   | Copy of Rejoinder   | <u>C</u> | <u>15-22</u> |
| 7.   | Copy of order date 07-10-2022 <i>u/R. Pet.</i>                  | <u>D</u> | <u>23</u>    |
| 8.   | Copy of order sheet date 07-07-2022 <i>-8/2</i><br>and NTS form |          | <u>24-27</u> |
| 9.   | <i>Wakalath Nama</i>  |          | <u>28</u>    |

Appellant/petitioner through Counsel

  
Rahim Khan

Cell No 0439049185

Advocate High Court

office at Distt court

dagger Buner

1

**BEFORE THE KHYBER PAKHTOONKHWA SERVICE TRIBUNAL , PESHAWAR .**

Civil REVIEW PETITION NO. 2022 /2022

IN SERVICE APPEAL NO.6358/2020

(INSTITUTED ON DATED, 6/7/2020)

DESPOSED OFF VIDE ORDER DATED,07/10/2022.

MUKARAM KHAN S/O SHAIR ZADA R/O VILLAGE MALAKPUR DISTT; BUNER/PST GOVT;  
PRIMARY SCHOOL KWARSAR DISTRICT BUNER. "PETITIONER"

VERSUS

1. Distt; Education Officer E & S Male District Buner.
2. Director E & S Education Department K.P Province Peshawar.
3. Secretary E & S Education Deptt; K.P Province Peshawar .
4. Zahoor Ahmad S/O Mohammad Rehman PST GPS Malakpur Distt; Buner.
5. Muhammad Zohaib S/O Samiullah GPS Najir Dara Distt; Buner.
6. Fazal Mabood S/O Mian Said Jehan GPS Mora Distt; Buner.

"RESPONDENTS"

REVIEW PETITION FOR RESTORATION OF THE AFOREMENTIONED SERVICE APPEAL NO.6358/2020, ON THE TITLE " Mukaram Khan VS DEO Male Buner and others " AND TO DISPOSE OFF, THE SAME ON, MERIT, WHICH DUE TO OVERSIGHT, WAS WITHDRAWN WITH PERMISSION OF THIS HONOURABLE TRIBUNAL , TO FILE AFRESH, BEFORE A COMPETANT FORUM, VIDE AFFEX ORDER DATED 07/10/2022 .

Respectfully Sheweth;

**FACTS**

1. That the above mentioned service appeal No.6358/2020, of the petitioner was pending before this Honourable Tribunal, which was lastly argued on dated 07/07/2022, before this Honourable Tribunal . copy of the appeal and reply with rejoinder and order sheet all are annexed as "A".
2. That while on dated 07/10/2022, expectedly that the order has to be announced, after clearance of a single point, as whether, as per assertion of the respondent No.1 in his reply that the station, GPS KWAR SAR was the 1<sup>st</sup> choice of the appellant. Production of NTS form of the appellant as evidence was asked from the respondent No.1 . Which exactly was produced before the Honourable Bench of this Honourable

(2)

Tribunal by respondent No.1 , on the date fixed for ie 07/10/2022, for the purpose of evidence and if the appellant had not mentioned GPS Kursar as 1<sup>st</sup> choice the appeal would be allowed. Copy annexed as "B".

3. That as a matter of fact as this Hon; Tribunal had satisfied regarding the jurisdiction of th for the appeal, vide statutory provision of the KP appointment of Doctors, Lecturers and teachers etc Act 2011, during preliminary and final/ full arguments even on 7/7/022 and the case was fixed producing of copy NTS form of the appellant/pet; but when the Hon; Bench, again raised the question of lack of jurisdiction, without any preparation, for more unexpected arguments , even, on the point of jurisdiction, when asked the counsel of the petitioner/appellant, to be made , in a confusing and misconceiving manner , on oversight bases, the application concerned was then filed , for withdrawal of appeal , purely on BONA FIDE intention, JUST in hurry because it was Friday , not to waste the precious time of this Hon; Tribunal , though next date for arguments was already requested to be given. Copy of the affix order dated 07/10/2022 of this Hon; Tribunal is annexed as "C".
4. That as a matter of fact as the appellant was an Adhoc Employee and falls in the category of Civil Servants , hence unavoidably the Petitioner, having no alternative adequate remedy except to file the instant Review on the following grounds amongst other inter alia, for restoring /reopening of the previous service appeal .

#### GROUNDS

- a. That the Service Appeal NO.6358/2020, on the title "Mukaram Khan Vs DEO male Buner and others" of the petitioner was pending before adjudication in the Hon; Tribunal on dated 07/10/2022 and this Hon; Tribunal was competent and have jurisdiction fully for disposal of the same on merit.
- b. That the order dt,7/10/022, of this H; Tribunal is per in curium coram non iudice, hence not tenable in the eye of law.
- c. That it is the cardinal principle of law that the judges shall wear all the laws of the land in the sleeves of their robe.
- d. As per S. 10 of KP appointment ,Dep; ,Posting & transfer of Teachers, lecturers & Doctors Regulatory Act 2011, this worthy tribunal has got solely jurisdiction to entertain such appeals under the said Act .
- e. That the application for withdrawal of the Service Appeal of the petitioners/appellant, concerned, was filed on pure Bona fide intention, just not to

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waste the precious time more of this Hon; Tribunal and was in hurry, not on any mala fide intention.

- f. That though the instant Civil Review petition under Section 114 CPC is competent, however, if this Hon; Tribunal found not to be proper then the same may graciously be converted the same as application under section 12(2) CPC or deal UNDER S. 151 CPC , for the purpose and the order dated 07/10/2022, of this Hon; Tribunal , being based on err and misconception on point of jurisdiction, hence may be withdrawn or set aside , while allowing the petition of the petitioner.
- g. That the application of the petitioner /appellant, dated 07/10/2022, where up on the affix order of this Hon; Tribunal 07/10/2022, under the instant civil Review Petition, is based, was of no legal weight and devoid of law, hence was liable to rejection.
- h. That the petition is competent and the administration of justice demands withdrawal or setting aside of the order dated 07/10/2022, being based on the application of the petitioner /appellant, filed on oversight and bona fide.
- i. That further grounds supporting this petition will be advanced at the time of arguments with due permission of this Honourable Tribunal.

Therefore it is most humbly prayed that on acceptance of this Civil review Petition, the application dated, 07/10/2022 , may be rejected and the order dated 07/10/2022, of this Hon; Tribunal, may be withdrawn or set aside or modified up to the rejecting of the application dated 07/10/2022 of the appellant, for the administration of justice and restore the Service Appeal No.6358/2020 , of the petitioner/appellant in a status before dismissal. Further relief to which the petitioner is otherwise entitle under the law may also be graciously be granted to the petitioner though not specifically prayed for.

*(Signature)*

PETITIONER

Through Counsel

*(Signature)*

RATHIM KHAN

Adv High Court

Cell=03439049185

Office ; at Distt; Courts Daggar Buner.

Dated, 22/10/2022.

Certificate.

This is to Certify that as per instructions of my client the Entire contents of this Review Petition is True and that no such like Petition has earlier been filed or pending before adjudication in any Court.

*(Signature)*

RATHIM KHAN  
Advocate High Court  
Peshawar at Distt Courts Daggar

22/10/2022

4

BEFORE THE KHYBER PAKHTOONKHWAS SERVICE TRIBUNAL, PESHAWAR.

Civil REVIEW PETITION NO. \_\_\_\_\_/2022

IN SERVICE APPEAL NO.6358/2020 (INSTITUTED ON DATED, 6/7/2020)  
DESPOSED OFF VIDE ORDER DATED,07/10/2022.

MUKARAM KHAN VERSUS D.E.O. E & S Male District Buner & others.

REVIEW PETITION

AFFIDAVIT

I, Mukaram Khan S/O Shair Zada /Petitioner do hereby solemnly affirm and declare on oath that the entire contents of this petition are true and correct and the nothing has been concealed from this Honourable Tribunal. it is further declare and affirm athat no such like or in other mode any application or petition etc has earlier been field before any forum or court except this petition being filling now before this Honourable Tribunal.



PETITIONER/DEPONENT

CHIC # 15101-566608257.

**ATTESTED**

Iftikhar Alam Khan  
Advocate (at Peshawar)  
Distt. Court, District Buner

No. 5548 Date 25/10/2022

(5)

**BEFORE THE KHYBER PAKHTOONKHWASERVICE TRIBUNAL , PESHAWAR .**

**Civil REVIEW PETITION NO. \_\_\_\_\_/2022**

**IN SERVICE APPEAL NO.6358/2020 (INSTITUTED ON DATED, 6/7/2020)  
DESPOSED OFF VIDE ORDER DATED,07/10/2022.**

**MUKARAM KHAN VERSUS D.E.O. E & S Male District Buner & others.**

**REVIEW PETITION**

**ADDRESSES OF PARTIES**

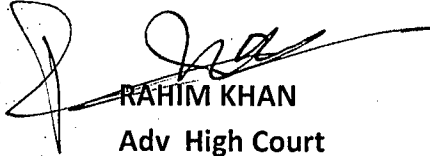
**1. MUKARAM KHAN S/O SHAIR ZADA R/O VILLAGE MALAKPUR DISTT; BUNER/PST GOVT;  
PRIMARY SCHOOL KWARSAR DISTRICT BUNER. "PETITIONER"**

1. Distt; Education Officer E & S Male District Buner.
2. Director E & S Education Department K.P Province Peshawar.
3. Secretary E & S Education Deptt; K.P Province Peshawar .
4. Zahoor Ahmad S/O Mohammad Rehman PST GPS Malakpur Distt; Buner.
5. Muhammad Zohaib S/O Samiullah GPS Najir Dara Distt; Buner.
6. Fazal Mabood S/O Mian Said Jehan GPS Mora Distt; Buner.

**"RESPONDENTS"**

**PETITIONER**

**Through Counsel**



**RAHIM KHAN**

**Adv High Court**

**Cell=03439049185**

**Office ; at Distt; Courts Daggar Buner.**

**Dated, 22/10/2022.**

Y&Z (6)

**BEFORE THE KHYBAR PUKHTONKHWA SERVICE TRIBUNAL K. P AT PESHAWAR.**

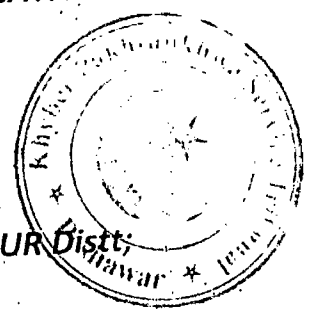
Service Appeal No. 6358 / of 2020.

**MUKARAM KHAN S/O SHAIR ZADA R/O VILLAGE MALAKPUR PST GOVT;  
PRIMARY SCHOOL KWAR SAR DISTRICT BUNER. "APPELLANT"**

Khyber Pukhtunkhwa  
Tribunal  
Distt. No. 6041  
Dated 06-7-2020

**VERSUS**

1. DISTRICT EDUCATION OFFICER ELEMENTARY & SECONDARY EDUCATION DEPTT; DISTT; BUNER.
2. DIRECTOR E & S Education Deptt; Khyber Pukhtonkhwa Province PESHAWAR.
3. SECRETARY E & S EDU; DEPTT; K.P PROVINCE PESHAWAR.
4. ZAHOOR AHMAD S/O MOHAMMAD REHMAN PST GPS MALAKPUR Distt; Buner.
5. Muhammad Zohaib S/O Samiullah GPS Najar Dara Distt; Buner.
6. Fazal Mabood S/O Mian Said Jehan GPS Mora Distt; Buner.



**"RESPONDENTS"**

SERVICE APPEAL U/S 4 OF THE KHYBER PUKHTOONKHWA SERVICE TRIBUNAL ACT 1974, AGAINST THE ORDER IMPUGNED, END; NO. 803-8 DATED, 14/3/2020, ISSUED BY THE OFFICIAL RESPONDENT NO.1 WITH COLLUSION OF OTHER, ESPEC; PRIVATE RESPONDENTS No.4 to 6 (copy whereof got un-officially, by the appellant, by noticing on 2/4/2020), WHEREBY WRONGLY AND AGAINST THE LAW, RULES AND WITH OUT ANY SHOW CAUSE NOTICE, WITH OUT PERSONAL HEARING OF THE APPELLANT OR HANDING OVER ANY COPY OF THE IMPUGNED ORDER PROPERLY, JUST ON MALA FIDE INTENTION/ILL WELL AND BY DISCRIMINATING AND CONDEMNING THE APPELLANT UNHEARD AND ALSO BY DUAL PUNISHING HIM, i.e DEDUCTION OF 116 DAYS SALARY AND ALSO THE SERVICE OF THE APPELLANT HAS BEEN DISCARDED AND DISCONTINUED, WITH OUT ANY REASONABLE GROUNDS OR RATIONAL APPROACH BUT TECHNICALLY AND HARSHLY NOT ONLY SPOILED THE FUTURE OF THE APPELLANT BUT ALSO CAUSED TO SUFFER BADLY THE PUBLIC INTEREST.

Respectfully Sheweth;

**PRAY IN APPEAL**

On acceptance of this Service Appeal, the Service of the appellant may be reinstated from the date of its discontinuation, with all back benefits thereto, by setting aside the ORDER impugned End; No.803-8 dated, 14/3/2020, with the directions to post the appellant in GPS Malakpure in place of the private respondent No. 4 or 5 & 6 or any other station in plain area, not falling under

*[Signature]*  
 District Registrar  
 District Buner  
 Peshawar

6/5/2020  
 Registrar



(4) (5)

the direct approach of the Talaiban, Terrorist and Rebellious, while salary for 116 days, already withheld/deducted from the appellant, by not drawing the same, may also be directed to draw and pay to the appellant for the relevant period. With further relief to which the appellant is otherwise entitled though not specifically prayed for in this appeal.

### FACTS

1. That the appellant was wrongly and against the merit, by discrimination, with highest scores of 112.98, was posted in GPS Kursar, by the official respondent No.1 and similarly, the private respondent No.4, who having low score of 102.07, was also wrongly and against the said merit, placed and posted by the official respondent No.1 with un due favour, in GPS Malakpure and similarly the respondents No.5 & 6, having got scores, 97.79 and 97.74 respectively, were also posted according to their own choices. However it was assured orally by the respondent No.1, concerned that with the reawakening or any clue of reinitiating of any activity by the Rebellious and terrorists in the specified area, surrounding the kur sar, the appellant will be transferred and replaced against the post in GPS Malakpure, so filled up, with undue induction of the private respondent No.4 by un due favour, against the merit, by the respondent No.1 concerned. copy of the appointment/merit order is annexed as "A" for ready reference and perusal.
2. That with this assurance, the appellant started his duty with great zeal and keen interest in GPS Kur sar but when during the month of September 2019, the Rebellious/terrorist and Taliban restarted their activities in the area concerned, the appellant then for the reason that after murder and kidnapping of his brothers and cousin during past, in previous round of terrorism in 2009, KEEPING IN VIEW THE EXPECTED ALLARMING THREAT TO HIS LIFE TOO, has approached the official respondent No.1, time and again, both orally and in written for transfer to GPS Malakpure or any other safe station from the GPS Kur sar, falls in the heart of the area, where the shelters of those rebellious and terrorists situate. While being relevant and very closed to the matter, the worthy Deputy Commissioner Buner and also DPO Buner, being aware of the matter and its record very well had approached to verify the murder and kidnapping cases concerned. copies all of the news papers cuttings, attested copy of FIR and relevant correspondences between the appellant and the respondent No.1 and the deputy commissioner Buner and DPO Buner are annexed for ready reference and perusal as annexure "B".

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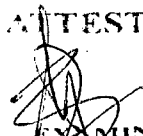
That also the stance of the appellant was supported by the Enquiry Committee and it was recommended that the problem of the appellant was/is genuine and it was recommended that the transfer in question so demanded by the appellant may be made which on mala fide intention and ill will and by undue favour of the private respondents No.4 to 6 and by discrimination not only dishonored and ignored wrongly but by punishing the appellant by deducting 116 days salary of the appellant, without any notice or any show cause notice which also payable to the appellant. Copy of the same Order impugned dated 14/3/020, got un officially, on 02/04/020, is also annexed as "C".

4. That the appellant after noticing privately on dated 02/04/020, got un official copy and filed Departmental Appeal, which has also not been decided mala fidely after lapse of a considerable period (copy annexed as ("D")) hence the appellant having no alternative adequate remedy except to file the instant service appeal on the following grounds among other inter alia.

#### GROUNDS

- a. That the appellant was deserving and entitle under the law to be posted initially strictly according to the merit assigned to the appellant ie 112.98 while all the private respondents No.4 to 6 were all very low in merit from the appellant. Who by discriminating had posted by un due favour in their home stations on their own choices while wrongly on mala fide intention and ill will he was posted in GPS Kursar which is falling in the hilly area of the Ellam being the area of Taliban where the appellant was under life threat seriously any time.
- b. That according to the oral assurance and promise, the official respondent even No.1 was bound also to transfer the appellant to GPS Malakpur or at least on any post of the private respondents keeping in view his high merit and beside life threat in that area and station.
- c. That there was life threat to the appellant while performing his duty in GPS Kursal because the Taliban and Rebellious in the Ellam Area were proved unknown enemy of the family of the appellant and during the previous round of 2009 Taliban s activities ,because two brothers and who so far not recovered either dead or living.
- d. That the appellant has been dual punished by forfeiture or say deduction or withholding of salary for 116 days while in addition to

ATTESTED

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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that the appellant has also been discarded by discontinuing his service at a time vide the order impugned End; No.803-8 dated, 14/3/2020, wrongly without any blunder or fault of the appellant and without any notice or providing any opportunity of personally hearing or serving with any show cause notice on the appellant which is not tenable under any law .

- e. That the punishment awarded both are the harsh and are not according to any law of justice or any law basing too mala fide and ill well hence liable to be set aside.
- f. That the problem of the appellant was genuine and also was beyond the approach of the appellant.
- g. That before awarding the dual punishment being harsh and un warranted, illegal and without any blunder or fault of the appellant vide order impugned was not reasonable or rational but was an order of a dictator one hence on this score was also non maintainable or sustainable under the law.
- h. That the order impugned was not based or one, having been passed after conduction of any enquiry or other investigations required under under the law, but was in hurry to avoid honouring the genuine demand of the appellant, so is not maintainable.
- i. That earlier recommendations of the enquiry committee was also wrongly ignored which prove the stance of the appellant to be legal and genuine while the respondents even No.1 has proceeded totally in disregard of the law and rules and policies exists.
- j. That the appellant has also been condemned un heard while no proper endorsement or delivery of the order impugned in any shape so far even was made to the appellant.
- k. That further supporting arguments on the appeal of the appellant will be made with due permission of this Hon;able Tribunal at the time of arguments.

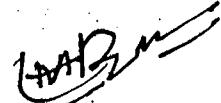

ATTESTED

EXAMINER  
Niyati Lakhtakha  
Service Tribunal  
Peshawar

Therefore it is most humbly prayed that on acceptance of this service appeal the order impugned End; No.803-8 dated, 14/3/2020, may be

- U


set aside from the date of its issue and the service of the appellant may be reinstated with all back benefits and also the pay so withheld for 116 days vide the said order impugned be directed the respondent No.1 to draw and pay to the appellant with further relief to which the appellant is otherwise entitle under the law though not specifically prayed for the instant appeal may also granted in favour of the appellant.

  
APPELLANT  
Through counsel   
R AHIM KHAN  
Adv High Court  
Office; at Distt; courts Daggar Buner,  
Cell= 05459049185  
Dated, 24/06/2020.

Certificate

It is to certify that the entire contents of this appeal are tru and correct.

  
APPELLANT

Certified to be true copy  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 21-10-22  
Number of Words 2000  
Copying Fee 22/-  
Urgent 3/-  
Total 26/-  
Name of Copyist \_\_\_\_\_  
Date of Completion of Copy 21-10-22  
Date of Delivery of Copy 21-10-22

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Case Appeal No. 6358/2020**

Mukaram Khan S/O Sher Zada R/O Village Malak Pur PST GPS Kwar Sar, District Buner.

(APPELLANT)

**Versus**

1. District Education Officer Male District Buner
2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. Sectary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar

(RESPONDENTS)

Written Reply/Para wise Comments for & on behalf of Respondents No. 1, 2 & 3.

Respectfully Sheweth!

**Preliminary Objections.**

1. The Appellant has no cause of action/locus standi to file the instant appeal.
2. The instant appeal is badly time barred.
3. The Appellant has concealed the material facts from this honorable Tribunal, hence liable to be dismissed.
4. The Appellant has not come to this honorable Tribunal with clean hands.
5. The Appellant has filed the instant appeal just to pressurize the respondents.
6. The appellant has filed the instant appeal on mala fide motives.
7. The instant appeal is against the prevailing law and rules.
8. The appellant has been estopped by his conduct to file the appeal.

**Facts: -**

1. Correct to the extent that the District Education Officer Male Buner advertised various posts including the post of Primary School Teachers. As per advertisement each candidate would select only five (05) schools for final appointment. Hence, the appellant along with private respondent applied for advertised posts. Subsequently, NTS conducted written test and the result was declared. It is evident from NTS record that the appellant had secured 112.98 marks out of 200 while the private respondent No. 4 secured 102.07 marks out of 200, private respondent No. 5 secured 97.79 marks out of 200 and private respondent No.6 secured 97.74 marks out of 200. It is hereby worthy to mention that as per provided merit list from NTS, the first priority of the appellant was GPS Kwar Sar. Therefore, the appellant was appointed by the Competent Authority on 28-02-2019 at GPS Kwar Sar, Buner as per terms and conditions of the advertisement which clearly states that the appointments are ad hoc and school based and, therefore, the appointees are not transferrable. The Merit list and appointment order is attached as Annexure "A & B".
2. Incorrect and denied, as per report of District Police Officer Buner, addressed to Deputy Commissioner Buner, vide No. 491/PA dated 13-05-2019 stating that, there is nothing adverse against the appellant on the record of local Police Station, which is attached as Annexure "C".
3. Incorrect and denied, before the major penalty of discontinuing the contract of appellant, the appellant was not performing his duty honestly and regularly.

**ATTESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Additionally, the appellant has been frequently remained absent from his duty and the following list of disciplinary proceedings were made under the rules:

- (a) On 29-08-2019, the ASDEO (M) Daggar Buner reported the appellant absent from his duty and sent a report to the SDEO (M) Daggar, Buner vide his office letter No.1 dated 30-08-2019 for the initiation of necessary Disciplinary action as attached as Annexure "D".
- (b) Subsequently, the Sub Divisional Education Officer (Male) Daggar, Buner also submitted the mentioned report to the DEO (M), Buner for initiation of disciplinary proceedings against the appellant as attached as Annexure "E".
- (c) Respondent No. 01, District Education Officer Buner, issued absence notice to the appellant for resuming of his duty, otherwise, Disciplinary action under Article 9 of the E&D rules 2011 will be taken, as attached as Annexure "F".
- (d) Later on, an inquiry was conducted by the DEO (M) Buner, vide his office Memo No. 7421-24, dated 05-10-2019. The inquiry committee submitted his report on 18-10-2019 to the DEO(M) Buner as attached as Annexure "G", with the following recommendations:

1. The teacher concerned may please be adjusted in a safe zone school in plane area like GPS Beshonai, GPS Dokada, GPS Malakpur, GPS Malang Dara, GPS Najar Dara etc for his duty relief.

OR

1. The teacher concerned may please be transfer mutually to GPS Morra with another teacher Mr. Irfan khan PST GPS Morra, a resident of village Kwar Sar.
2. The salary of the absent period from 01-08-2019 to 31-10-2019 may please be deducted.
3. The salary of the concerned may please be release to perform his duty.

- (e) In the light of the recommendations of inquiry committee and as per Government of KPK Finance department (Regulation Wing) Notification No. SO (FR)/FD/5-14/2014, dated 16/12/2014 on the subject "Deduction of salary from Government Employees in case of Absenteeism" and decision of Khyber Pukhtunkhwa Service tribunal Peshawar in the Service appeal No 1689/2010 as "No work, No pay.", the DEO(M) Buner, being the Competent Authority, converted the absence period w.e.f 01-08-2019 to 24-11-2019 (116 days), as attached as Annexure "H".

- (f) Instead of resuming his duty, the SDEO(M) Daggar again reported the appellant absent from his duty w.e.f 02-03-2020 to the submission of his report on 06-03-2020, vide his office letter No 1600, dated 06-03-2020 which is attached as Annexure "I".

- (g) Due to time and again reports of the ASDEO (M) Daggar and SDEO (M) Daggar regarding willful absence of the appellant from his duty, the Competent Authority imposed major penalty, i.e. to discontinue the contract of the appellant Mr.

EXAMINER  
Khyber Pukhtunkhwa  
Service Tribunal  
Peshawar

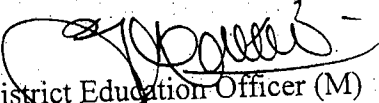
Mukaram Khan PST GPS Kwar Sar w.e.f 01-03-2019 and not to extend his contract of (being contract NTS Employee) for another one year due to his wilful absence from duty, inefficiency and unsatisfactory performance during the contract period as per terms and condition at S.No:12 of appointment Notification issued vide this office Ensdt. No 1124-32 dated 28-02-2019 as attached as Annexure "J".


4. Incorrect and denied, the appeal of the appellant was not justified in accordance with rules and policy, therefore, the Respondent No. 2 did not honour the appeal of the appellant.

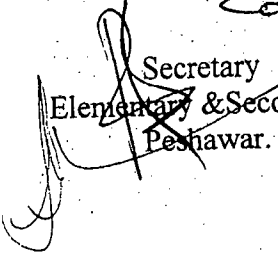
**Grounds:**

- A. Incorrect and denied, already explained in para No.1 and 2 of the fact.  
B. Incorrect and denied, already explained in para No.1 of the fact.  
C. Incorrect and denied, already explained in para No.2 of the fact.  
D. Incorrect and denied, the appellant was reported his immediate officer ASDEO/SDEO Male Daggar in the light of the report of the above officer 116 days were deducted from the appellant as explained in para No. 3 of the facts.  
E. Incorrect and denied, the appellant was not interested in government duty which was resulting in the wastage of precious time of the students. Hence, the punishment awarded by the DEO (M) Buner is justified.  
F. Incorrect and denied, the appellant deliberately kept himself absent from duty without any justifiable reasons and violated the rules time and again.  
G. Incorrect and denied, already explained in para No. 3 of the facts.  
H. Incorrect and denied, already explained in para No. 3 of the facts.  
I. Incorrect and denied, as already explained in para No. 3 of the facts.  
J. Incorrect and denied, the proper order was communicated to the appellant as explained in para No. 3 of the facts.  
K. The Respondent also seek the permission of the Honorable court of service tribunal any advance proof at the time of the arguments.

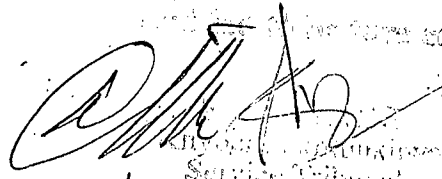
It is therefore humbly prayed that keeping in view the above said, submission, the service appeal in hand may very graciously be dismissed.

  
District Education Officer (M)  
Buner

  
Director  
Elementary & Secondary Education  
Peshawar

  
Secretary  
Elementary & Secondary Education  
Peshawar.

*vetted subject to correction attachment of all Annexures and affidavit.*

  
14/9/21

May 2" (15)

IN THE SERVICE TRIBUNAL KHYBAR PUKHTONKHWA  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2022.

Mukaram Khan VS D.E.O (M) Buner & others

REJOINDER

Respectfully Sheweth

Para wise reply to the comments of the respondents is hereunder.

1. That the entire Preliminary objections from S.No.1 to S.No. 8 are wrong and weightless as the service appeal of the appellant is on proper legal base and foundation and properly is maintainable in this honourable Tribunal and the appellant is deserving for the relief sought.

Para wise Reply to the comments on Facts

1. That the stance regarding the claim of the appellant that he had been awarded highest score ie 112.98 than the private respondents No.4 to 6, has been admitted by the official respondents No. 1 to 3 , but the plea raised by the official respondents that the appellant was posted and placed in GPS Korsar on demand or with the consent of the appellant, is totally wrong and baseless and without proof, because the appellant was/is a resident of the village Malakpure and no consent or willingness of the appellant either oral or written had obtained to this effect but wrongly he was posted in a far flung station GPS Kursae, being harden hilly



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area of being of militant. Hence the posting of the respondent No.4 at the station of GPS Malakpur was wrong and against the merit, but was based purely on un due favour, with the respondent No.4; was passed by the official respondent NO.1. So the posting order and subsequent all mala fide behavior and orders, including the order impugned passed by the respondent No.1, are based clearly on discrimination just to favour un duly, respondents NO.4 & others being their eyes blue and to spoil the career of the appellant. While the public interest was also not kept in view, which were also suffered. Hence the order impugned and more other all are not tenable but liable to be set aside in favour of the appellant.

2. That the comments against the para 2, are totally wrong and baseless, because the correspondence and all the relevant documents, as annexed and even letter No.491 of DPO Buner, dated 13/5/2019, prove this fact that "two(2) brothers and one cousin of the appellant (the then applicant) had already <sup>been</sup> murdered by the militants and Talibans of that area, kursar". So there was really an alarming threat to the life of the appellant and the request of the appellant for transferring him from the GPS Korsar, being falls in that dangerous area, was genuine. Because for un known reason, the family of the appellant was on hit list of the Taliban/militants. So in a circumstances, explained above, being beyond

approach of the appellant, discharging the services of the appellant by passing the order impugned was illegal, unlawful and unwarranted hence is not tenable under the law but is liable to be set aside from the date of its issue by restoring the services of the appellant with all back benefits.

3. That as a matter of fact as the life of the appellant was under alarming threat and he being a responsible official had initiated a timely honest and genuine approach vide his application dated 09/05/2019, for transfer, either to malakpure or other safe station and the same was testified by the DPO Buner vide his letter No.491 dt.13/05/2019, while the respondent No.1 has also Enquired this fact through report( dated 18/10/2019) of an impartial Inquiry officer, annexure "G", who was appointed by him vide his letter dated 5/10/2019. But the genuine and impartial Recommendations of the said Enquiry committee was not considered or even commented, meaning thereby the same was of no use to fulfill his mala fide plan, already designed for spoiling the career of the appellant for no fault of the appellant but due to having the Genuine problem, therefore was ignored for no valid reason in arbitrary manner against the mandate of the law and rule concerned. However the appellant was punished by the respondent No.1 also for the same unavoidable circumstance, vide his letter dated, 31/10/2020 (Annexure "H") while non of

(13)

the alleged letters (D, E & F) has been communicated or noticed to the appellant. However the order impugned is a 2<sup>nd</sup> letter of a dual and harsh punishment being awarded to the appellant, against the law and rules and in no way is sustainable and tenable under the law and sharia.

However as already expressed above no copy or communication of the alleged letters as shown annexure D, E & F in the relevant contents 'a' to 'c' has been made while the recommendations of the Enquiry Committee at S.No 1 or 1 to 3 <sup>being not</sup> have been followed or <sup>by</sup> implemented showing <sup>no</sup> reason which was the lawful support of the request made by the appellant. Therefore the order impugned passed by the respondent No.1, is unlawful being based totally on Mala fide intention and ill will which should be set aside from the date of its issue with all back benefits <sup>to the appellant</sup>.

Furthermore it would be mentioned in reply to the comments as per contents 'E' to 'G' that when the genuine demand and request regarding the safety of the life of appellant, beside the alarming life threat, as were the secured fundamental constitutional right of the appellant, duly recommended by the competent enquiry committee, was denied for no valid reason, but on mala fide and the duty in the existing station kursar was impossible and beyond the approach of the appellant. Hence denied all the comments.

4. That as per detail reply to the instant comments of the respondents No.1 to 3, the

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entire comments are the result of non rational approach, non reasonable and unlawful and is also in violation of the constitutional mandate, hence is not deserving to be maintained, but is liable to be rejected as a whole and the order impugned be set aside in favour of the appellant.

Reply on the comments on Grounds

- A. That as per detail reply given above, by the appellant, the appellant being admitted facts, against para 1 of the comments, that the appellant by dint of his highest score in Test and interview, on the bases of his merit was deserving and entitled, under the law, to be posted in GPS Malakpure, being his village, where private respondent NO. 4 has <sup>been</sup> posted on illegal give and take, the subsequent problem, would be faced by the appellant in korsar, where the appellant was facing life threat. Hence the stance of the appellant being proved and admitted, by the respondent, is correct, <sup>against this para.</sup>
- B. That as per detail reply against the illegal posting in GPS Korsar, the appellant has objected verbally and was requested to the respondent No.1 <sup>in form</sup> but he was satisfied by <sup>Malak Pur.</sup> assuring that he will very soon be transferred and posted in GPS Korsar. Hence the comment are incorrect, and <sup>denied.</sup>
- C. That as per detail reply against para No.1 and other of the facts portion, the stance of the Appellant is correct being also admitted by the respondents. Hence the comment against the para C is incorrect, and <sup>denied.</sup>
-

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D. That as per reply to the facts in detail, when once the appellant has been punished and penalized by way of deduction of 116 days more than about six month salary, then how the appellant has <sup>been</sup> again penalized, vide the order impugned, <sup>PP</sup> being awarding of dual punishment to the appellant for the said alleged single charge of absentia, then under what lawful justification or legal grounds, the impugned order, being dual punishment, is/ has been passed against the appellant. which is unwarranted, illegal and without reasonable grounds, without notice, being based on pure mala fide, ill will and based on clear discrimination. Therefore is not existed in the eyes of law and also is against the recommendations of the competent Enquiry Committee. Hence is liable to be set aside from the date of its issue, in favour of the appellant, *Dr. His secret*

E. That vide notification end; No.312-16

dt,31/01/2020, Annexure "H" the alleged absentia period was treated as leave without pay as a punishment while vide the order impugned dated, 14/3/2020, annexure "J/C" also the period of contract of <sup>the</sup> appellant, on mala fide and ill will, has been discontinued, which is also an ambiguous one and not competent to be implemented, hence the order impugned is not maintainable, being incompetent, unreasonable, irrational and also a dual

(2) - 28  
punishment for one alleged absentia, which is illegal, unlawful and liable to be set aside in

favour of appellant. The comments is incorrect.

because the same being dual and a charter one being past and closed' transaction. R

F. That the comments against the para "F" is denied, because in GPS Kursar there was life threat to the appellant as per record and also the recommendation of the Enquiry Committee and the same was beyond the approach of the appellant and the matter should have to be dissolved strictly in according to the Recommendations of the Enquiry committee. R

G. That the contents <sup>of</sup> "G" is denied, because the same is contrary to the fact, explained above against Para "F" and detail reply in facts R

H. That denied the correctness of the Comments against <sup>Para</sup> "H" as per detail reply against No.2 of reply to facts. R

H. That the contents/comments against <sup>Para</sup> "I" is incorrect and detail report against "F" and as well against reply in Facts <sup>against</sup> the facts, hence denied. R

I. That the contents against <sup>Para</sup> "J" of the comments is incorrect and improper. Hence denied the same also, the detail reply against <sup>Para</sup> "F" may be considered and perused, for detail reply against S.No.3 of the facts of the comments and reply against the same. R

K. That the entire comments are wrong,

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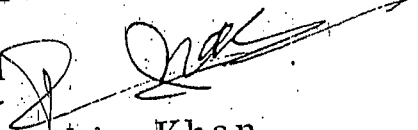
(92)

therefore denied, except the admission made,  
therein of some facts, which are correct  
and will be communicated and argued at the  
time of arguments with due permission of the  
Honourable tribunal.

Therefore it most humbly prayed that by acceptance of  
considering the instant Service Appeal in light of  
this rejoinder, the ORDER impugned End; No.803-  
8 dated 14/3/2020, may be set aside, in favour of the  
appellant, by restoring the services of the  
appellant, with all back benefits, both financial  
and other all. Further relief though not  
specifically prayed for in this rejoinder and  
appeal may also be granted in favour of the  
appellant, if the appellant is otherwise entitled for.

  
APPELLANT

Through Counsel

  
Rahim Khan

Advocate

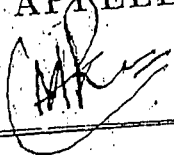
High Court

Cell = 03439049185

Dated; 06/06/2022.

Certificate

Certified that the entire contents of this  
rejoinder are true and Correct to and that no  
such like rejoinder has earlier been filed in this  
Honourable Tribunal.

APPELLANT  






(08-11)

IN THE HON. SERVIC TRIBUNAL K.P Camp  
Court Daringpora Swat

Servic Appeal NO 6358 of 2020.

Mukaram Khan VS Director Edu. & S  
K.P. & others.

APPLICATION FOR WITHDRAWAL OF Service  
Appeal on the Subject with permission  
to file a Fresh Before a  
Competent Forum.

Respectfully Submitted.

1. That the cited appeal is pending before this Hon. Bench of Tribunal fixed for today dated 7/x/22.
2. That due to question of Jurisdiction the cited appeal is requested to be withdrawn with permission of this Hon. Tribunal to file a Fresh before a Competent legal Forum.

Therefore it is humbly  
Prayed that by acceptance of  
this application the Relief sought  
may be granted (M.K.)  
Appellant

Through Counsel. P. Jaz  
Rahim Khan  
Adv. High Court  
Dt 07/x/22

8<sup>th</sup> June, 2022

None for the appellant present. Mr. Kabirullah Khattak,  
Addl: AG alongwith Mr. Yakmeen Khan, ADEO for  
respondents present.

Counsel are on strike. To come up for arguments on  
07.07.2022 before the D.B at camp court Swat.

(Mian Muhammad)  
Member(E)

(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

07.07.2022

Learned counsel for appellant present.

Noor Zaman Khan Khattak, learned District Attorney  
alongwith Ubaid Ur Rehman ADEO for respondents present.

From perusal of record, it came to the knowledge of this  
Bench that certain necessary documents are missing,  
therefore, representative and learned District Attorney are  
directed to make sure the availability of NTS Application Form  
submitted by the appellant mentioning therein five stations of  
his choice. To come up for arguments alongwith entire relevant  
record on 03.08.2022 before D.B at Camp Court, Swat.

(Fareeha Paul)  
Member(E)  
Camp Court, Swat

(Rozina Rehman)  
Member (J)  
Camp Court, Swat

3.8.22

Due to Samson's vacation the case  
is adjourned to 9.9.22 for the appeal.

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593832

Project ID: N-17-4359

APPLICATION FORM

Reg. No. To be Filled by NTS

GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY  
EDUCATION DEPARTMENT



Screening Test for PST (BPS-12)

Bachelor degree from any recognized institute.  
Age Limit: 18-35 Years

Eligibility Criteria:

|   |   |                             |
|---|---|-----------------------------|
| A. Do you have relevant / prescribed qualification as mentioned in advertisement? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| B. Is your Result Not Awaited? (Result declared before last date of apply)        | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

If your reply is "Yes" to A & B above, only then please proceed further. Otherwise you are not eligible to apply.

01. Bank Online Deposit of Rs: 700/- from Designated Bank Branches. (For 5 Schools)

|           |      |              |            |
|-----------|------|--------------|------------|
| Bank Code | 0440 | Deposit Date | 18-12-2017 |
|-----------|------|--------------|------------|

\*Note: Application Form will not be entertained without Original Deposit Slip (NTS Copy)

02. Desired Test City: Fill Only One Box. (Mandatory)

Subject to a minimum of 200 candidates, otherwise the candidates will be assigned next nearest test city.

|   |  |   |   |
|---|--|---|---|
| 01. <input type="checkbox"/> Abbottabad   | 02. <input type="checkbox"/> Bannu     | 03. <input type="checkbox"/> Battagram        | 04. <input checked="" type="checkbox"/> Buner |
| 05. <input type="checkbox"/> Charsadda    | 06. <input type="checkbox"/> Chitral   | 07. <input type="checkbox"/> Dera Ismail Khan | 08. <input type="checkbox"/> Hangu            |
| 09. <input type="checkbox"/> Haripur      | 10. <input type="checkbox"/> Karak     | 11. <input type="checkbox"/> Kohat            | 12. <input type="checkbox"/> Kohistan         |
| 13. <input type="checkbox"/> Lakki Marwat | 14. <input type="checkbox"/> Lower Dir | 15. <input type="checkbox"/> Malakand         | 16. <input type="checkbox"/> Mansehra         |
| 17. <input type="checkbox"/> Mardan       | 18. <input type="checkbox"/> Nowshera  | 19. <input type="checkbox"/> Peshawar         | 20. <input type="checkbox"/> Shangla          |
| 21. <input type="checkbox"/> Swabi        | 22. <input type="checkbox"/> Swat      | 23. <input type="checkbox"/> Tank             | 24. <input type="checkbox"/> Tor Ghar         |
| 25. <input type="checkbox"/> Upper Dir    |  |   |   |

Personal Information: Use CAPITAL letters and leave spaces between words.

|  |  |
|--|--|
| 03. Name in Full:  | MUKARRAM-KHAN  |
| 04. Father's Name:   | SHER-ZADA  |
| 05. Candidate CNIC #: <small>Write your own CNIC No. Or B Form No.</small>   | 15101-5666082-7  |
| 06. Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female   | 07. Dpto of Birth: <small>Write your Correct Date of Birth otherwise you will be rejected</small>  |
|  | D D M M Y Y<br>2 0 - 0 1 - 1 9 9 0   |
| 08. Postal Address: <small>All correspondence will be made on this address through courier service or ordinary postal service.</small> | Village malakpur P/o P/o Baba, teh<br>daggar District Buner City: Buner  |
| 09. Phone No: (RES.) <small>City Code - Phone No</small>   | (Mobile) 0345-0599093<br><small>Mandatory (Candidates who are not having their own network sim (Poned Networks) will not receive sms from NTS)</small> |

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10. Are you a Government Servant?  Yes  No If Yes then total years of continuous experience: \_\_\_\_\_

11. Are you a Disabled Person?  Yes  No If yes, state nature of your disability: \_\_\_\_\_

12. Religion:  Muslim  Non Muslim If Non Muslim, Please Specify: \_\_\_\_\_

13. Union Council: MALAKPUR

14. Village Council / Neighborhood: MALAKPUR

15. District of Domicile: Fill Only One Box (Mandatory)

|   |  |   |   |
|---|--|---|---|
| 11. <input type="checkbox"/> Abbottabad   | 12. <input type="checkbox"/> Bannu     | 13. <input type="checkbox"/> Battagram        | 14. <input checked="" type="checkbox"/> Buner |
| 15. <input type="checkbox"/> Charsadda    | 16. <input type="checkbox"/> Chitral   | 17. <input type="checkbox"/> Dera Ismail Khan | 18. <input type="checkbox"/> Hangu            |
| 19. <input type="checkbox"/> Haripur      | 20. <input type="checkbox"/> Karak     | 21. <input type="checkbox"/> Kohat            | 22. <input type="checkbox"/> Kohistan         |
| 23. <input type="checkbox"/> Lakki Marwat | 24. <input type="checkbox"/> Lower Dir | 25. <input type="checkbox"/> Malakand         | 26. <input type="checkbox"/> Mansehra         |
| 27. <input type="checkbox"/> Mardan       | 28. <input type="checkbox"/> Nowshera  | 29. <input type="checkbox"/> Peshawar         | 30. <input type="checkbox"/> Shangla          |
| 31. <input type="checkbox"/> Swabi        | 32. <input type="checkbox"/> Swat      | 33. <input type="checkbox"/> Tank             | 34. <input type="checkbox"/> Tor Ghar         |
| 35. <input type="checkbox"/> Upper Dir    |  |   |   |

Only for Married Female Candidates

16. Are you applying against your Husband's Domicile?  Yes  No

17. Husband's Name: \_\_\_\_\_

18. Husband's Domicile District: Write District Code / Name as per Code and Name 11 to 35 of District of Domicile Section at Sr. 15 (Mandatory)

| District Code | District Name |
|---------------|---------------|
|               |               |

19. Academic Information: (Please do not attach attested copies of your academic certificates at this stage)

1. NTS will not issue Roll No Slips to those who have not filled in their academic record properly.

2. Candidate should convert their grades into marks. (O Level/A Level or any other degree having grade.)

3. Write exact degree name & major subject mention in certificate/transcript.

4. Obtained / Total Marks mandatory to fill otherwise you will be rejected.

5. Do not mention score of any certificate issued by Darul Uloom/Madrasas except Shadat-ul-Aqamia for the post of TT & AT

| Certificate / Degree Name             | Degree/Title   | Specialization / Major Subject   | Year Passing | Obtained Marks | Total Marks | Board / University / Institute  |
|---------------------------------------|--|--|--------------|----------------|-------------|---------------------------------|
| Matric (10 Years)                     | <input checked="" type="checkbox"/> Matric<br><input type="checkbox"/> Other: _____  | <input checked="" type="checkbox"/> Science <input type="checkbox"/> Arts<br><input type="checkbox"/> Other: _____ | 2006         | 728            | 1050        | SWAT BOARD                      |
| Intermediates (12 Years)              | <input type="checkbox"/> F.A <input checked="" type="checkbox"/> F.Sc<br><input type="checkbox"/> Other: _____   | Pre Medical  | 2008         | 720            | 1100        | SWAT BOARD                      |
| Bachelor (14 Years)                   | <input type="checkbox"/> B.A <input type="checkbox"/> B.Sc<br><input type="checkbox"/> Other: _____  |  |              |                |             |                                 |
| Bachelor (10 yrs) / Master (16 Years) | <input type="checkbox"/> M.A <input type="checkbox"/> M.Sc<br><input type="checkbox"/> B.S (Hons) <input type="checkbox"/> B.E<br><input type="checkbox"/> Other: BBA (Hons) | FINANCE  | 2012         | 2973           | 4400        | Agriculture University Peshawar |
| MS / M.Phil (10 Years)                | <input type="checkbox"/> MS <input type="checkbox"/> M.Phil  |  |              |                |             |                                 |
| Ph.D                                  |  |  |              |                |             |                                 |

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### 20. Professional Qualification:

| Certificate / Diploma | Certificate Name  | Year Passing | Obtained Marks | Total Marks | Board / University |
|-----------------------|---|--------------|----------------|-------------|--------------------|
| B.Ed                  | <input type="checkbox"/> B.Ed   |              |                |             |                    |
| M.Ed / M.A Education  | <input type="checkbox"/> M.Ed<br><input type="checkbox"/> M.A Education |              |                |             |                    |

21. School Code and Name Preferences: (Mandatory) Forms without properly filled School Codes will be rejected  
 Please write accurate codes for the required school.  
 See list of schools with codes at NTS website (www.nts.org.pk).

برائے سرکاری ایسے مطلوبہ سکول سے متعلقہ گورڈ کا سراغ کریں۔  
 سکول اور کڈز کے نٹس ایس ایس (www.nts.org.pk) پر ملاحظہ کریں۔


| Sr. # | School Code | District | School Name    |
|-------|-------------|----------|----------------|
| 1.    | 141188      | Buner    | GPS Najar Dara |
| 2.    | 141189      | Buner    | GPS Malak Pur  |
| 3.    | 141183      | Buner    | GPS Poland     |
| 4.    | 141181      | Buner    | GPS Mula Banda |
| 5.    | 141180      | Buner    | GPS Kwar Sar   |

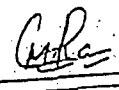
### Undertaking By The Applicant:

I Muhammad Khan of Sher Zada do hereby solemnly declare and affirm that I have read and understood the instructions and conditions for appearing in the NTS Test and I have filled-up the application form accordingly. In case of any information contained herein is found at any stage to be missing, untrue or false, my candidature can be canceled at any stage (even after employment, if so revealed later), and I shall be liable to legal action.

Picture 2  
 Affix your recent passport size color photograph not older than 6 Months having blue background with stapler

تصویر لازماً منسلک کریں بصورت  
 دیگر فارم میں نہیں لایا جائیگا۔

Date: 19-12-17 Thumb Impression: 

Signature of the Candidate: 

Check List Provide the following documents other wise Application Form will not be entertained

- Original Bank Deposit Slip (NTS Copy)
- Copy of CNIC
- Copy of Domicile Certificate
- 2 Passport size color photograph to be attached in the picture box area on page (1 & 3)

### General Instructions / Information:

- > By Hand submission of Application Form is not allowed.
- > Mobile Phones are not allowed in Test Center premises.
- > Last date for submission of application form is **Wednesday 20<sup>th</sup> December, 2017**
- > Applications received on or after **Thursday 21<sup>st</sup> December, 2017** will be rejected.
- > Application should reach NTS office latest by last date of submission of Application Form.
- > NTS will not be responsible for late receiving of application through courier / Pakistan Post etc.

### HELP LINE:

UAN : +92-51-844-444-1  
 Website: www.nts.org.pk

Keep Visiting NTS Website

Please Send Application Forms to:  
**NATIONAL TESTING SERVICE (HQ)**

ESED KPK (Project)  
 Plot 96, Street # 4, H-8/1, Islamabad.

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POWER OF ATTORNEY

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TEIBUNAL  
PESHAWAR

MUKARAM KHAN

Versus

DEO(MALE)BUNER

I, MUKARAM KHAN do hereby appoint RAHIM KHAN Advocate *H/C*  
in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct prosecution or defence of the said case at all its stages.
3. To receive payment of and issue receipts for, all money that may be or become due and payable to us during the course of proceedings.

And hereby agree: -

- a) That the advocate shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this,

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Attested & Accepted by:

(Subject to the term regarding payment of fee)

*[Signature]*  
Rahim Khan  
E/Male  
Address.

Rahim Khan Adv. @G.Male.Com  
03438049185

*[Signature]*  
Signature of Executant