Tour to camp court Abbottabad has been cancelled, therefore, the case is adjourned on 20.10.2022 for the same.

READER

20.10.2022

Nemo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

Previous date was changed on the strength of Reader's Note, therefore, notice be issued to the respondents for submission of reply/comments. Notice be also issued to the appellant as well as his counsel to attend the court on the next date. Adjourned. To come up for reply/comments before the S.B op 26 12.2022.

(Mian Muhammad) Member (E) 16.03.2022

Due to retirement of the Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same before on 18.05.2022

Reader

18.05 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant AG alongwith Mr. Ahmad Zaman, Assistant District Health Officer Haripur for the respondents present.

Written reply/comments on behalf of respondents not submitted. Learned AAG for the respondents sought time to submit the same on the fix date. Last opportunity is granted. To come for the same before S.B at camp court Abbottabad on 13.06.2022.

(Kalim Arshad Khan) Chairman Camp Court Abbottabad

13.06.2022

Appellant in person present. Mr. Riaz Khan Paindakhel, Assistant Advocate General alongwith Ahmad Zaman, Assistant District Health Officer and Safi Ullah, Focal Person for the respondents present.

Reply on behalf of respondents is still awaited. Representatives of the respondent department seek time for submission of written reply/comments. Adjourned by way of last chance. To come up for written reply/comments on 18.08.2022 before S.B at Camp Court Abbottabad.

(Fareeha Paul) Member (E) Camp Court A/Abad 13.10.2021

Nemo for the appellant:

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as her counsel and to come up for preliminary hearing before the S.B on 29.12.2021 at Camp Court Abbottabad.

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

29.12.2021

Counsel for the appellant present. Preliminary arguments a chave been heard.

The appellant has impugned the order of respondent No. 3 dated 15.10.2020 regarding her removal from service on account of wilful absence. It is mentioned in the impugned order that show cause notice dated 29.04.2020 was issued directing the appellant to explain her position in written within 07 days or not more than 15 days of its delivery. It is further mentioned in the said order that no response has been received from her side, and finally her absence notice was published in daily newspapers on 20.09.2020 directing the appellant to report for duty and submit cogent reason for wilful absence. Learned counsel contends that the appellant submitted reply of the notice dated 06.03.2020 and this fact has been brought into notice of the appellate authority vide para 6 of the departmental appeal. However, the appellate authority has not decided the appeal having regard to said submission of the appellant alongwith others. Points raised need consideration. The appeal is admitted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices issued to the respondents for submission of written reply/comments on 16.03.2022 before S.B at camp court, Abbottabad.

Sicurity & Process Fee

Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of	<u></u>		
	0816		
Case No	4010	/2021	•

	Case No	/2021
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
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1-	15/02/2021	The appeal of Mst. Shahidar Jabeen presented today by Mr
	Court	Muhammad Jahangir Khan Advocate may be entered in the Institution
	5	Register and put up to the Worthy Chairman for pioper order please.
	Case No -	/2021 Jan
	47.27.1-	REGISTRAR
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BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

2816 Service Appeal No._____/202:

Mst. Shahida Jabeen

V/S

Govt. of KPK etc

SERVICE APPEAL

INDEX

S.No	Description of Documents	Annex	Pages
1.	Service appeal alongwith affidavit, CNIC and service card		1-9
2 .	Copies of complaint and cutting of newspaper	"A&B"	10 – 11
3	Copies of application for maternity leave and order No.10222-27 dated 28.09.2018	"C&D"	12- 15
4	Copies of explanation and reply	"E&F"	16 – 17
5	Copies of removal order dated 15.10.2020 and attendance sheets	"G&H"	18 – 43
6	Copy of departmental appeal	"I"	44 – 45
7	Wakalat nama	<i>P</i>	47 – 48

Dated: May 2021

Appellant

Through Counsel

Muhammad Jahangir Khan Advocate High Court/ Federal Shariat Court At Haripur

BEFORE THE HONOURABLE KHYBER PAKHTUNKH SERVICE TRIBUNAL PESHAWAR

Service	Appeal	No	/2021

Mst. Shahida Jabeen w/o Muhammad Asif (Ex-Clinical Technician Anesthesia) Type-D, Hospital Sarai Niamat Khan, District Haripur resident of Mohallah Awan Abad, Simlan Negar, Tehsil & District Haripur.

.....Appellant

VERSUS

- Govt. of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakthunkhwa Peshawar.
- 2. Director General of Health Services , Khyber Pakhtunkhwa, Peshawar.
- 3. District Health Officer, Haripur
- Incharge Type-D Hospital Sarai Niamat Khan, Tehsil and District Haripur

....Respondents

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST ORDER NO. 13256-60 DATED 15.10.2020 PASSED BY RESPONDENT NO.3 OF REMOVAL FROM SERVICE UNDER RULE-9 OF KPK GOVERNMENT SERVANT (E&D) RULES 2011, HOWEVER, DEPARTMENTAL APPEAL HAS NOT BEEN DECIDED TILL DATE BY RESPONDENT NO.2 FILED ON 13.11.2020 WHEREIN THE IMPUGNED ORDER PASSED BY RESPONDENT NO.3 AGAINST APPELLANT IS ILLEGAL, UNLAWFUL, WITHOUT LAWFUL AUTHORITY WHICH IS LIABLE TO BE SET ASIDE.

PRAYER:

On acceptance of the instant service appeal, the impugned order # 13256-60 dated 15.10.2020 of respondents No.3 may graciously be set aside and the appellant may graciously be reinstated with all back benefits. Any other relief this Honourable Tribunal deems fit and proper may also graciously be granted just to meet the ends of justice.

Most Respectfully Sheweth:-

Brief facts giving rise to the present service appeal are arrayed as under:-

=============

- That the appellant was appointed as Clinical Technician (Anesthesia) on 01.01.2011. The appellant always performed assigned duties with sincerity, devotion, dedication and commitment to the entire satisfaction of high-ups.
- That the appellant had been performing the assigned duties as Clinical Technician (Anesthesia) at type D-Hospital Sarai Sarai Niamat Khan, Tehsil and District Haripu.r
- That the appellant's husband Muhammad Asif was also performing his duty in the same Type-D Hospital as Clinical Technician.

- 4. That the husband of appellant submitted complaint to SP-Haripur and SHO PS Saddar Haripur against the Respondent No.4 regarding objectionable and negative attitude toward appellant. The respondent No.4 even made publication against appelant in newspaper. Copies of complaint and cutting of newspaper are annexed as **Annexure "A&B"**.
- 5. That the appellant on 23.08.2019 moved application to respondent No.3 for maternity leave and appellant was on maternity leave and during maternity leave the respondent No.3 passed relieving order No. 10222-27 dated 28.09.2018. Copies of application and order No.10222-27 dated 28.09.2018 are annexed as **Annexure "C&D"**.
- 6. That the Respondent No.3 with the connivance of Respondent No.4 malafidely issued explanation vide letter No. 1862-64 dated 06.03.2020 on the basis of application No.22/20 dated 29.01.2020 illegally and unlawfully. The respondent No.3 with collusion of Respondent No.4 has taken revenge as the husband of appellant moved complaint against Respondent No.4 before S.P Haripur on 06.03.2020. Copies of explanation and reply are annexed as Annexure "E&F"
- 6. That the respondent No.3 with the collusion of respondent No.4 issued the impugned removal order of appellant vide No. 13256-60 dated 15.10.2020 whereas the attendance

register negates the version of Respondents No.3&4. Copies of removal order dated 15.10.2020 and attendance sheets are annexed as **Annexure "G&H"**.

- 7. That the appellant moved departmental appeal before Respondent No.2 but no any decision is given so far. Copy of departmental appeal is annexed as **Annexure "I"**.
- 8. That feeling aggrieved from the impugned removal order No. 13256-60 dated 15.10.2020 of respondents No.3, the appellant has now come to this Honourable Service Tribunal assailing, the impugned order being unwarranted at law and facts, inter-alia, on the following grounds: -

GROUNDS:

- (a) That the impugned order of Respondent No.3 is illegal, unlawful, without lawful authority, without jurisdiction, arbitrary, discriminatory, hence, liable to be set-aside.
- (b) That the appellant has not been treated by Respondents No.3 in accordance with law, rules on the subject and has violated the basic rights of appellant as guaranteed by the Constitution of Islamic Republic of Pakistan 1973, hence the impugned order is liable to be set aside.

- (c) That respondent No.3 committed illegality by non compliance of provisions of KPK Govt. Servants (E&D) Rules 2011 and Govt. Servants (E&D) Rules 1973 as the Respondent No.3 has had no powers without fulfilling the requirements of law pass illegal order one sidedly. The respondent No.3 followed illegal process and passed illegal order without appointing inquiry officer or inquiry committee which is negation of law, the impugned removal order from service passed by respondent No.3 is not sustainable in the eye of law.
- notice and without appointing inquiry officer and hearing of appellant, passed one sided removal order of appellant which is against the constitutional right of appellant. The respondent No.3 further violated the service laws and rules under which the Respondent No.3 was duty bound to follow procedural law, the Respondent No.3 under KPK Govt. Servants (E&D) Rules 2011 and Govt. Servants (E&D) Rules 1973 was duty bound to follow law of the land and inquiry officer or inquiry committee has not appointed malafidely.
- (e) That august Supreme Court of Pakistan held "removal from service on the charge of

absence from duty, allegations of inefficiency and not knowing his job. In the absence of such document, no adverse presumption or inference could be drawn against the civil servants conduct particularly in vies of the fact that medical slips issued by the Govt. Hospital were duly countersigned by the Medical Superintendent of Hospital. Allegations of inefficiency and not knowing his job were based on conjectures and were not based on any adverse entry in the Annual Confidential Report or backed by any inquiry carried out by the department". In the light of judgment of august Supreme Court of Pakistan the appellant is entitled to be reinstated with all back benefits by setting aside impugned order of respondent No.3.

(f) That the August Supreme Court of Pakistan in judgment held that "absence from duty without leave even if not willful but some being an act of disorder in service would constitute misconduct, charge against civil servant was not so grave as to propose any of such two penalties. Major penalty of compulsory retirement was harsh and did not commensurate with nature of charge". In the

light of judgment of August Supreme Court of Pakistan, the appellant is entitled for relief of reinstate, hence the impugned order is liable to be set aside.

- (g) That the respondent No.3 has mentioned in explanation order that "as reported by incharge Type-D Hospital S.N Khan vide his application bearing No. 22/20 dated 29.01.2020 that you were found absent from your duties since 3(three) years consecutively without prior permission or sanction of leave" whereas attendance register record negates the version taken by respondent No.3 in impugned order, hence the order of respondent No.3 is liable to be set aside.
- (h) That the Respondent No. 3 violated the golden principle of natural justice that "audi alteram partem", even the attendance register which checked and verified by respondent No.3 negates the version of Respondent No.4, whereas the respondent No.4 remained absent and did M.Phil degree from Hazara University and on complaint of appellant, the Respondents No.3&4 malafidely have taken revenge, hence the impugned removal order passed without hearing the appellant which is liable to be set aside.

(i) That the appellant filed departmental appeal but till date no any decision is given by respondent No.2 and the appeal is well within time and this Honourable Service Tribunal has the jurisdiction to entertain the same and be decided on merit just to meet the ends of justice.

It is, therefore, humbly prayed that on acceptance of the instant service appeal, the impugned removal order No. 13256-60 dated 15.10.2020 13261-65 dated 15.10.2020 passed by respondent No.3 may graciously be set aside and the appellant may graciously be reinstated with all back benefits. Any other relief this Honourable Tribunal deems fit and proper may also graciously be granted just to meet the ends of justice.

Dated: War Jan

Appellant

Through Counsel

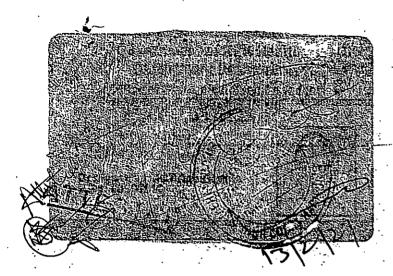
Muhammad Jahangir Khan Advocate High Court Federal Shariat Court At Haripur

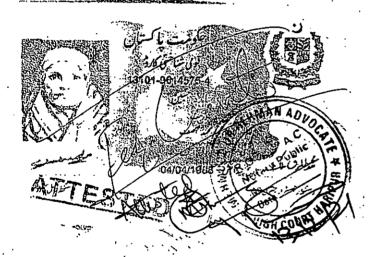
VERIFICATION

Verified that the contents of this appeal are true and correct to the best of my knowledge as per record made available to me and that nothing has been concealed therein.

Dated: 12 m 2021

Appellant





Color (Accounted March 1997)

Color

13101-8614575-4

10/10/2022

10/10/2022

10/10/2022

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal	No	/2021
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Mst. Shahida Jabeen

V/S

Govt. of KPK etc

SERVICE APPEAL

AFFIDAVIT

I, Mst. Shahida Jabeen w/o Muhammad Asif (Ex-Clinical Technician Anesthesia) Type-D, Hospital Sarai Niamat Khan, District Haripur resident of Mohalfah Awan Abad, Simlan Negar, Tehsil & District Haripur do hereby solemnly affirm and declare on oath that the contents of the foregoing service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

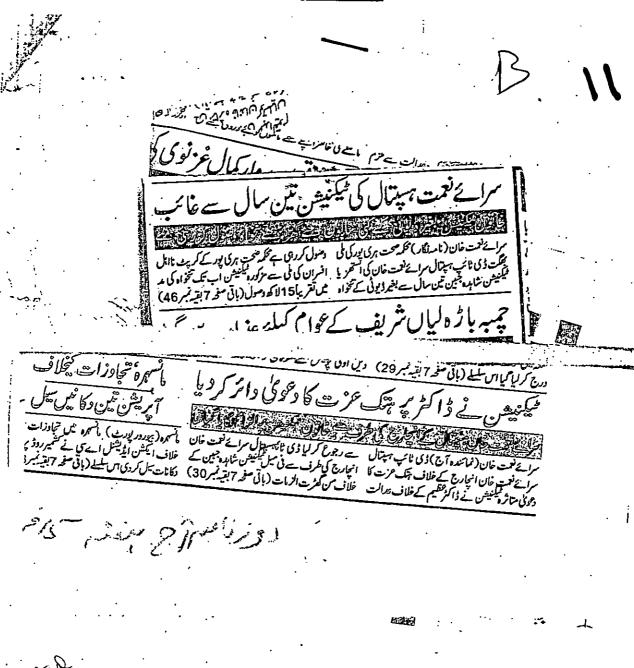
Dated: 12/2/201

Deponent

Mst. Shahida Jabeen

CNIC # 13101-9614575-4

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District Head Quarter, Teaching Hospital, Haripur Out Door Patients Department (O.P.D)



O.P.O No :-

853838

Name

Shahida Jaheen

Gender

Female.

Age :- 28 Years

Address Patient I.D :-

Haruipur(Kpk) 119080421646

BarCode :-

Rs:- 10

Date & Time :- 21-Aug-2019

Patient Status :- Routine

09:16:26

District

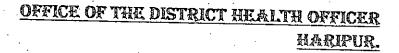
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OFFICE ORDER.

Consequent upon the Director General Health Services Khyber Pakhtunkhwa Peshawar office order No.6825-31/AE-VI dated 26.09.2018. Mst. Shahida Jabeen PHC Technician (MP) / EPI BPS-12 working under the control of the undersigned at Type-D Hospital Sarai Niamat Khan is hereby relieved off her duties with effect from the forenoon of 28.09.2018 and directed to report to the District Health Officer Abbottabad within stipulated period.

Sd/..... District Health Officer, Haripur.

No. 10 222-27

/Estab/D/Relieving; dated Haripur, the

28/09 /2018.

Copy forwarded to the: -

- Director General Health Services, Khyber Pakhtunkhwa, Peshawar for information w/r to above please.
 District Health Officer Abbottabad.
- 2. District Accounts Officer Haripur.
- Coordinator DHIS undersigned office.
- 4. PMO I/c Type-D Hospital Sarai Niamat Khan.
- 5. Account Section undersigned office.
- 6 Official concerned. For information and necessary action.

District Health Officer, 28 9 1

X STATE OF THE STA

District Health Officer (BHU Kangra Colony) Hattar Road Haripur Phone & Fax # 0995-610997 <u>dhoharipur@yahoo.com</u>



IEALTH OFFICER: HART PHONE & FAX NO. 10995-35 EMAIL: dhohampur@yahoo

Dated Oby

Mrs. Shahid Jabeen Anesthesia Technician Attached to Sarainaimat Khan.

SUB:

EXPLANATION

As reported by Incharge Type-D Hospital S.N Khan vide his application bearing No. 22/20 dated 29/01/2020 that you were found absent from your duties since (3) three year consecutively without prior permission or sanction of leave.

Your this irresponsible and negligent attitude toward Govt. duties is highly offensive and against the service rules.

Therefore, you are hereby strictly directed to explain the solid reason of this irresponsible & negligent behavior within 03 days from the receipt of this communication, otherwise stem disciplinary proceeding will be initiated against you

> District Health Officer Haripurj.

Cc:

- 1. Incharge Type-D Hospital S.N Khan with reference to his application for
- 2. Account section of the undersigned office to stop the pay of above named official with immediate effect.

District Health Officer Haripur

Page No 117

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OFFICE OF THE DISTRICT HEALTH OFFICER, HARIPUR

PHONE & FAX NO. 0995-353576

Email: <u>dhoharipur@yahoo.com</u>
Nol3256-60 Dated 15 115 12020

OFFICE ORDER

WHEREAS, Mst. Shahida Jabeen Clinical Technician Anesthesia BPS-12 attached to Type-D Hospital Sarai Naimat Khan Tehsil and District Haripur remained willfully absent from her duties since 19th Feb 2020 to till date, committed an act of misconduct which is liable to proceeded under Rule 5(1)(b) and Rule 6 of Government Servants (Efficiency & Discipline) Rules 1973.

AND WHEREAS, the above mentioned official was directed to report and explain her position of absence, but the official did not resume duty neither submit her reply, afterward, this office again issued show cause bearing No. 4732-38, dated 29/04/2020 and directed to explain your position in writing within seven days or not more than fifteen days of its delivery but there is no response received from her side. Finally, at last an absence notice was published in daily newspaper on 20/09/2020 & directed the delinquent official to report for duty & submit cogent reason of willful absent to this office within seven (07) days of the publication, but she did not do so.

NOW, THEREFORE, in pursuance of Rule-9 of Khyber Pakhtunkhwa, Government Servant (E&D) Rules 2011, I Dr. Saifullah Khalid District Health Officer Haripur impose major penalty of removal from service upon Mst. Shahida Jabeen Clinical Technician Anesthesia BPS-12 attached to Type-D Hospital Sarai Naimat Khan with immediate effect.

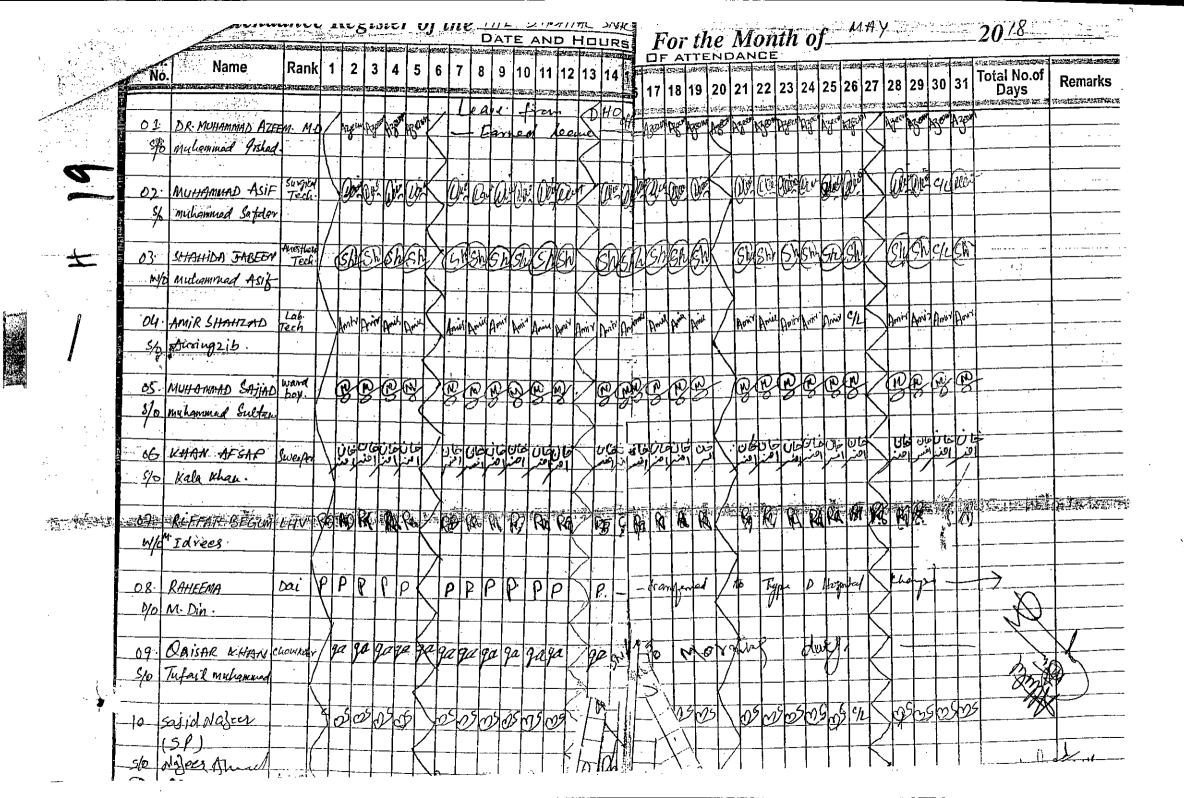
Sd/.... District Health Officer Haripur

Copy forwarded to the:

- 1. District Accounts Office Haripur.
- 2. Coordinator DHIS of this office.
- 3. Incharge, Type-D Hospital Sarai Naimat Khan.
- Account Section undersigned office.
- 5. Official concerned.

For information and necessary action.

District Health Officer Haripurw



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The Eirector General of Health Services, Khyber Pakhtunkhwa, Peshawar.

SUB: REPRESENTATION/DEPARTMENTAL APPEAL FOR REINST/ TEMENT IN SERVICE WITH BACK BENEFITS.

Respected Sir,

The facts giving rise to the instant appeal are as follows:-

(1) That the appellant was appointed in the Health Department against the post of Clinical Technician Anesthesia on 01-01-2011 and she had been performing the assigned outles in Type-D Hospital Sarai Niamat Khan, Tehsil & District Haripur. (Copy of Service Card is annexed as Annexure "A").

That the appellant's husband Mr. Muhammad Asif was also employed as Clinical Technician (Surgical) in the Health Department who had been performing the assigned duties in the same Type-D Hospital Sarai Niamat Khan, Tehsil & District Haripur.

That the appellant being aggrieved submitted the applications against he Medical Officer Type-D Hospital regarding his objection ble and negative attitude as well as his threats to the dire concequences to S.P. Haripur and SHO Police Station Sadar Hi ripur for legal proceedings under the law. (Copy of the application annexed as Annexure "8").

That the appellant disclosed the facts pertaining to the negative attitude of the Medical Officer of Sarai Niamat Khan to his husband who also lodged a complaint against the said Medical Officer in different forums. (Copies of applications are annexed as Annex ite "C").

That consequent upon the personal grudge of the said Medical Officer the appellant and her husband are being tortured mentally by using different tactics.

That DHO Haripur with the connivance of the other officials issued E-planation letter vide No. 1862-64, dated 06-03-2020 on baseless grounds illegally, unlawfully, against the facts and law and the appellant gave the reply to the Explanation on credible grounds. (Copy of Explanation and reply thereor are annexed is Annexure "D&E") respectively.

That the appollant portormed her duties regularly, honestly, dedicatedly, punctually and efficiently with zeal and zest which is evident from her past service record. It is worthmentioning

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that the allegation regarding the absent from duties as evelled by DHC Haupur against the appollant is merely wrong and incorrec: The publication of notices in the News paper in this regard a e also wrong, incorrect and against the facts merely to prove the case against the innocent appellant. The appellant never remained absent from her duties which is crystal clear from the attendance register (Copies of daily attendance register and so called Notices published in the Newspaper are annexec as Annexure "F&G").

That the DHO Haripur and Medical Officer, Incharge of Type D (8) Hospital Sarai Niamat Khan did not fulfill their legal and moral obligations and failed to comply the codal formalities.

That Dh: 3 was duty bound by law to provide the appellant an opporturity to defend herself against the allegations levelled against her. The DHO Haripur and Medical Officer violated the Golden Procedure of law that "No one could be condemned unheard

That according to the natural justice and law that opportunity must be given to the person for defending his/her case, but in case of appellant no such opportunity was given with the malafide intention and ulterior motive.

That the Act and orders of both the officials were based on shee viciation of law.

That the impugned dismissal order is illegal, unlawful, against the facts and law, hence the order of imposing major penalty from the removal of sorvices of the appellant is liable to be set aside and the appellant is entitled to be reinstated to resume her duties. (Copy of Office Order dated 15-10-2020 is annexed as annexure "片").

- That bot i the officials penalized the appellant on the basis of (13)personal enmity and grudge as well as political rivairy and personal whims.
- That the mpugned order of DHO Haripur is illegal, unlawful and (14)against the facts and law, hence not maintainable in the eyes of aw.
- That the appellant was badly affected due to the malafide (15)intention and personal grudge of both the officials.
- That the appellant family has no other source of income except (16)the current employment and she is supposed to lookafler and maintain her siblings who are studying in the different grades

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and classes, as the appellant's husband conducted 02 marriages and her entire family members have been effected financially one to the above said dismissal order.

That the in: tant appeal is within time and this Authority has got jurisdiction of entertain and decide the matter by setting aside.

the impugned order issued by DHO Haripur.

PRAYER:

It is therefore humbly prayed that the order of major penalty/removal from services being illegal and unlawful, against the facts, law and rules of service may graciously be set-aside and the appellant be reinstated in services with all back benefits of the job.

Dated <u>13-11-2020</u>

Appellant

(Mrs Shahida Jabeen)
Clinical Technician (Aresiliosia
Lype-D Hospital Salari Ni III al
Khan District Haripur
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Similar Negati Lalari
District Haripur
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(2) M-	ate: Perham The Shahilu Taben: in :	*	* Jenice Appeal: was resi For Appellant: injer
	باعث تحرير آ لكه:		
	مقدمہ مندرجہ بالاعنوان میں اپنی طرف سے داسطے پیروی وجوابدہی برائے پیثی یا تصدیفہ مقدمہ بمقام مصطفیط کے لیے		
	Muhamad Jahangi Khan		
	و کوسب زیل شرائط پروکیل مقرر کیا ہے کہ میں ہر پیشی پرخودیا بذر بعیر مختار خاص روبروعدالت حاضر ہوتار ہوں گااور برونت		
	یو سب میں رک پید میں مولوں ہے۔ میں برطان ہوں ہے۔ پکارے جانے مقدمہ وکیل صاحب موصوف کواطلاع دے کرحا ضرعدالت کروں گا۔اگر پیشی پرمظہر حاضر نہ ہوااور مقدمہ میری		
	پیورے بات ماری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر زمددار نہ ہوں گے نیز وکیل صاحب م		
	مرص رون وجبہ کے روپر پر سے مناف ہو یا دیا ہو ہو رہ کا گھا ہے ہو اوقات سے پہلے یا چیھے یا بروز تعطیل پیروی کرنے کے زمددار نہ		
	موسوف مندر منفام پہری مے ملاوہ کی جانہ ہا کہ ہوتا ہے۔ اوقات کے آگے بیچھے پیش ہونے میں میں میں میں ہونے ہوتا ہے موں گےاور مقدمہ بچہری کے علاوہ کسی اور جگہ ساعت ہونے پر با بروز تعطیل یا بچہری کے اوقات کے آگے بیچھے پیش ہونے		
	ہوں تے اور مقدمہ پہری مے علاوہ کی اور جبہ محت ہونے پر پا برور میں پہری سے ادا کا سے بھی ہیں ، وہے پر مظہر کو کوئی نقصان پنچے تو اس کے زمہ داریا اس کے واسطے سی معاوضہ کے ادا کرنے یا مختانہ کے واپس کرنے کے بھی صاحب		
·	موصوف زمه دارنه ہونگے ۔ مجھ کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ زات منظور ومقبول ہو گااورصاحب موصوف کو میں خیر دوراں میں میں میں میں میں میں میں میں ایک میں نامی زیر میں گئی ذریع میں میں میں میں تقدیر ہوتا ہے اس کا می		
	عرض دعویٰ یا جواب دعویٰ اور درخواست اجرائے ڈگری ونظر ثانی اپیل نگرانی و ہرقتم درخواست پر دستخط وتصدیق کرنے کا بھی		
	اختیار ہوگااوراور کسی تھم یاڈگری کرانے اور برقتم کاروپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہرقتم کے بیان دینے اور		
	اس کے ثالثی وراضی نامہ و فیصلہ برحاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از پچہری صدر		
	اپیل وبرآ مدگی مقدمه پامنسوخی ڈگری پیطرفه درخواست حکم امتناعی یا قرقی پاگرفتاری قبل ازگرفتاری واجرائے ڈگری بھی صاحب		
	موصوف کوبشرطادا ئیگی علیحده مختانه پیروی کااختیار ہوگا۔اور بصورت ضرورت صاحب موصوف کو پیجمی اختیار ہوگا کہ مقدمہ		
Δ	مزکوریااس کے کسی جزوکی کاروائی کے یابصورت اپیل کسی دوسرے وکیل کواپنے بجائے یااپنے ہمراہ مقرر کری اور ایس وکیل کو ایسی میں میں میں میں میں میں میں میں میں می		
	بھی ہرامر میں وہی اور ویسے اختیارات حاصل ہو نگے جیسے صاحب موصوف کوحاصل ہیں اور ویدان مقدمہ جو کچھ کر جانب موا		
1	التوارية علاه ها حب موصوف كاحق موكارا كروكيل صاحب موصوف كو پورى فيس تاريخ بيثي مسيبه كوادا كدكرون كالوصا فلبكاك		
	موصوف کو پورااختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ سی شم کاصاحب موصوف سے		
	برخلاف نہیں ہوگا۔		
	لهذاوكالت ناملكھ دياہے كەسندرہے۔		
	مضمون وکالت نامہ ن لیا ہے اوراجی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: الکھ اللہ اللہ اللہ اللہ اللہ اللہ اللہ ا		
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باعث تحريراً نكه:
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· June bligg
م میں ہور ہوتارہوں گا در بروقت میں ہر پیشی پرخود یا بذریعہ مختار خاص روبروعدالت حاضر ہوتارہوں گا ادر بروقت میں ہر پیشی پرخود یا بذریعہ مختار خاص دوبروعدالت حاضر ہوتارہوں گا ادر بروقت
یارے جانے مقدمہ وکیل صاحب موصوف کواطلاع دے کرحاضرعدالت کروں گا۔اگر پیشی پرمظہر حاضر نہ ہوااور مقدمہ میری یکارے جانے مقدمہ وکیل صاحب موصوف کواطلاع دے کرحاضرعدالت کروں گا۔اگر پیشی پرمظہر حاضر نہ ہوااور مقدمہ میری
نی سند. غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر زمہ دار نہ ہوں گے نیز وکیل صاحب
یرون رون وجب می دوپریار سامت میں ہے۔ موصوف صدر مقام کچہری کےعلاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے زمددار نہ
موں گےاور مقدمہ کچہری کےعلاوہ کسی اور جگہ ساعت ہونے پر ماہروز تعطیل یا کچہری کےاوقات کے آگے پیچھے پیش ہونے
ہوں کے اور مساور میں ہوری ہور ہوری ہور ہوری ہور ہوری ہور ہے۔ پر مظہر کوکوئی نقصان پہنچے تو اس کے زمہ داریا اس کے داسطے سی معاوضہ کے ادا کرنے یا مختا نہ کے واپس کرنے کے بھی صاحب
چ سمبرلون علقان چپچود سے ترمیدرازی سے داختہ صاحب موصوف مثل کر دہ زات منظور ومقبول ہوگا اور صاحب موصوف کو مسلمی موصوف زمہ دار نہ ہوئے ۔ مجھ کوکل ساختہ پر داختہ صاحب موصوف مثل کر دہ زات منظور ومقبول ہوگا اور صاحب موصوف کو
موصوف رمددارند ہوئے۔ بھوس ماعت پردائشہ کا منب و وی کا روہ دیت کا روہ دیت ہوتا ہوں ہوتا ہوتا ہوتا ہوتا ہوتا ہوت عرض دعویٰ یا جواب دعویٰ اور درخواست اجرائے ڈگری ونظر ثانی اپیل مگرانی و ہرقتم درخواست پردستخط وتصدیق کرنے کا بھی
مرس دنوی یا بواب دنوی اور در تواست! برائے و حرق و شرمان بین ران دہر ارد و سے پر مساح سایت کا مسابق کا میں ہور اختیار ہوگا اور اور کسی تھم یا ڈگری کرانے اور سرقتم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہرتتم کے بیان دینے اور
الطبیار ہو قا اور اور کی م یا و حرق حرات اور سرم م کا روپییو عول حرے اور روبا کے اور روبا کا حصار در ہر اسے بی اس کے ٹالثی وراضی نامہ و فیصلہ بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہو گا اور بصورت جانے بیر و نجات از کچھری صدر
اس نے تاکی ورا می نامہ و چھکہ بر حلف سرمے اجبال دوی وہیے ہی گئی میں ربی ہوت ہوئے سونو ہوئے سونو ہوں سونو ہوئے اپیل و برآ مدگی مقدمہ مامنسوخی ڈگری کیطر فہ درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از گرفتاری واجرائے ڈگری بھی صاحب
ا پیل وبرا مدنی مقدمه یا مسوی د کری پیشر و در خواست هم امکنای یا ترخاری من از خرخاری از کرخاری و ابراسط و کرن
موصوف کو بشرطادائیگی علیحده مختانه پیروی کا اختیار ہوگا۔اور بصورت ضرورت صاحب موصوف کو پیجی اختیار ہوگا کی مقدمہ ۔
مرکوریااس کے سی جزوکی کاروائی کے یابصورت اپیل کسی دوسرے وکیل کواپنے بجائے یااپنے ہمراہ مقرر کریں اورایسے وکیل کو سرپر میں مزکوریااس کے سی جزوکی کاروائی کے یابصورت اپیل کسی دوسرے وکیل کواپنے بجائے یااپنے ہمراہ مقرر کریں اورا
ے بھی ہرامر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کوحاصل ہیں اور دوران مقدمہ جو پچھ ہرجانہ موسو میں میں میں اور میں اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کوحاصل ہیں اور دوران مقدمہ جو پچھ ہرجانہ موسو
التوارش کے گاوہ صاحب موصوف کاحق ہوگا۔ اگروکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادانہ کروں گا توصاحب
موصوف کو پورااختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اورا لیسی صورت میں میرا کوئی مطالبہ کسی شم کاصاحب موصوف کے
برخلاف نيس بوگا۔
لہذاوکالت نامدیکھ دیا ہے کہ سندرہے۔
◆ مضمون وکالت نامہ ن کیا ہے اورا چھی طرح سمجھ کیا ہے اور منظور ہے۔ مورخہ: ﴿ کَرْهُ ٨٠ ﴿ ١٠٠ ﴾ ١٠٠ ﴿ ١٠٠ ﴿ ١٠٠ ﴾ الله ﷺ
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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD,

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Notice to:	•			
*onappellant/pet the case may Advocate, dul this Court at alongwith an default of yo appeal/petition Notice given to you address given address given notice posted this appeal/petition	itioner you are a be postponed ely supported by y least seven days y other docume ur appearance of any alteration by registered post in the appeal/pet to this address by etition.	er in this Court and notice had appeal/petition is fixed for appeal/petition is fixed for appeal/petition is fixed for appeal for a so on the date of the fither in person or by authorical our power of Attorney. You are so before the date of hearing not a upon which you rely. Por the date fixed and in the and decided in your absence. In the date fixed for hearing st. You should inform the Reuch address your address contition will be deemed to be your egistered post will be deemed.	or hearing before the Tribut to urge anything against fixed, or any other day to where itself representative or by a re, therefore, required to file 4 copies of written statemed also take notice that a manner aforementioned, and gof this appeal/petition will egistrar of any change in your correct address, and furthed sufficient for the purpose	nal the ich any e in ent in the
		ned. Copy of appeal has alre		his
office Notice I	No	dated	11th	
	•	nd the seal of this Court, at		
Day of	·····			
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The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

Khyber Pakhtunkh

à Service Tribunal,

Always quote Case No. While making any correspondence.

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

10.
Appeal No
Let
M.C. Maille Garried Fleen Appellant/Petitioner
10/343
7 Respondent
unaugh Chief Said holle
Vivverale Chief Stephent No.
WHEREAS all appear petition under the provision of the Khyber Pakhtunkhwa
Led Tele 18 Dist Harifun
WHEREAS an appear petition under the provision of the Khyber Pakhtunkhwa
1 To vince Service Tribunal Act, 1974, has been presented/registered for consideration in
the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/patition is 6.
hereby informed that the said appeal/petition is fixed for hearing before the Tribuna *on
appellant betizione byoù are at liberty to do so on the date fixed, or any other day to which
the case may be postponed either in person or by authorised representative or by any
Advocate, duly supported by your power of Attorney. You are, therefore, required to file it
this Court at least seven days before the date of hearing 4 copies of written statemen
alongwith any other documents upon which you rely. Please also take notice that it
default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.
Transfer was so now a wind decided in your absence.
Notice of any alteration in the date fixed for hearing of this appeal/petition will be
given to you by registered post. You should inform the Registrar of any change in your
address. If you fail to furnish such address your address contained in this notice which the
address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose o
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
1 1 A Good IV
at Camp Carrit A-Aland Register.
Khyber Pakhtunkliwa, Service Tribunal
Peshawar.

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

Note:

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR

		I COLLECTION	W X.	جين ت
No.				112
	Anneal No	29/6	o f	20 ~
	L l		0j	202.)
6	WST Ja	adau (d.a.).	abolonApp	ellant/Petitioner
		Versus		Act.
•••••	Bout set a		11.16.12.4	Nespondent
	11			, confirmation
	٠,	Resp	ondent Nö	
Notice:to::	inactor by	Jeneza (4)	f Hould	Gunt of AM
WHEREAS Province Service the above case by hereby informed *on	an appeal/petit Tribunal Act, 19 the petitioner in that the said a ner you are at like postponed either pported by your st seven days be ther documents appearance on t	tion under the p 974, has been pre- n this Court and n ppeal/petition is at 8.00 A.M. If y perty to do so on t er in person or b power of Attorna- efore the date of upon which you the date fixed ar	erovision of the sented/register to tice has been end fixed for hearing wish to use he date fixed, or yearthorised recy. You are, there hearing 4 copicularly. Please and in the manner	Khyber Pakhtunkhwa ad for consideration, in address to issue. You are not before the Tribunal e anything against the any other day to which presentative or by any efore, required to file in es of written statement lso take notice that in er aforementioned, the
given to you by r address. If you fai address given in t	egistered post. Lto furnish such he appeal/petiti his address by re	You should infor address your ad on will be deemed	m the Registra dress contained I to be your corr	s appeal/petition will be of any change in your in this notice which the ect address, and further icient for the purpose of
Copy of ap	peal is attached	l. C <u>opy of appeal</u>	has already be	en sont to you vide this
office Notice No	4	dated	•••••••••••	
Given und	er my hand and	the seal of this (Court, at Peshav	var this
Day of	Jas	L ýriga	20 2.2	•
at Car	up laux	the stilled the	\\ \ Re yber Pakhtunk	gistrar, bwa Service Tribunal, shawar.
	f attendance in the court ar te Case No. While making a	re the same that of the High (Court except Sunday and C	Sazetted Holidays.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.					
	Appeal No.	28/5	••••	of 2021.	
	est. Sha		T. 1.		
f.kd	Vi Sekerier e Sell (VA)			Appellant/Peti	tioner 1911
سم د د	- 1	Vers	security K	De Po	Mh.
	witengla.	Løreef	self in	Responde	ent,
	<i></i>	ĺ	Respondent No	Ţ	
In September 1	eat of	16 11/2	The world	1.050	1 Laces
Notice to:	l.	Pop a	thywiff andr.	r cong	
		Veste	ande.	Ü	
WHEREAS :	an appeal/peti	/ ition under :	the provision o	of the Khyber	-Pakhtunkhwa
Province Service	Fribunal Act, 1	1974, has bee	n presented/res	gistered for co	nsideration, in
the above case by the hereby informed to	that the said a	in this Court. appeal/petitic	and notice has t on is fixed for	been ordered t hearing befor	o issue. You are e the Tribunal
hereby informed to	1022	at <u>8.00 A.M</u>	L If you wish t	o urge anythi	ng against the
appellant/petition the case may be p	er you are at li ostponed eith	berty to do so er in person	on the date fix	ed, or any other	er day to which
Advocate, duly sup	ported by you	r power of At	torney. You are.	therefore, red	quired to file in
this Court at least	t seven days b	efore the da	te of hearing 4	copies of wri	tten statement
alongwith any oth default of your ap	pearance on	the date fixe	ed and in the r	ase aiso take nanner aforer	notice that in nentioned, the
appeal/petition wil	ll be heard and	decided in yo	our absence.		·
Notice of an	y alteration in	n the date fix	ed for hearing o	of this appeal/	petition will be
given to you by re	gistered post.	You should i	nform the Reg	istrar of any o	change in your
address. If you fail address given in the	e appeal/petiti	n agaress you ion will be de	r address conta emed to be vour	uned in this no correct addre	otice which the ess, and further
notice posted to thi	is address by ro	egistered pos	t will be deemed	sufficient for	the purpose of
this appeal/petition	A.				
Copy of appo	eal is attached	l. Copy of ap	peal has alreac	ly been sent t	o you vide this
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			his Court, at Po		f
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	() Letter ()	Sulveig Die	Khyber Pakhi	tunkhwa Ser	vice Tribunal,

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

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