

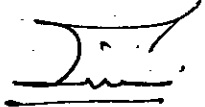
19th Oct., 2022 ~~counsel~~ for the appellant & Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Written reply/comments on behalf of the respondents have not been submitted. Learned AAG seeks time to contact the respondents and submit reply/comments on the next date. Adjourned. To come up for written reply/comments on 18.11.2022 before S.B.


(Fareeha Paul)
Member (E)

18.01.2022

Learned counsel for the appellant present. Mr. Ihsanullah, Junior Clerk alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and sought time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 18.04.2022 before S.B at Camp Court Abbottabad.

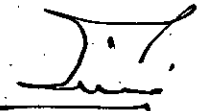


(Salah-ud-Din)
Member (J)
Camp Court A/Abad

18.04.2022

Learned counsel for the appellant present. Mr. Kaleem Ullah, Junior Clerk alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Representative of the respondents sought further time for submission of written reply/comments. Adjourned. Last opportunity granted. To come up for submission of written reply/comments on 16.06.2022 before the S.B at Camp Court Abbottabad.



(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

16.06.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Badar Muhamad Khan, Deputy Collector Hazara for the respondents present.

Representative of the respondent department seeks time for submission of written reply/comments. Request accepted subject to cost of Rs. 3000/-. To come up for reply/comments on or before 17.08.2022 before S.B at Camp Court Abbottabad.



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

25.11.2021

Counsel for the appellant present. Preliminary arguments have been heard.

Learned counsel for the appellant argued that the order of respondent No.3 dated 30.03.2021 has been impugned whereby junior to the appellant have been promoted to the post of Vernacular Clerk (BS-10) and ignored him illegally. The appellant submitted departmental appeal against the impugned order on 20.04.2021 which was not responded within the stipulated statutory period, hence, instant service appeal in the Service Tribunal on 20.08.2021. According to the learned counsel for the appellant PER's for the last five years were good but the DPC deferred him on the ground of pending enquiry against the appellant which had already been completed and was a closed transaction. An application for condonation of delay is also submitted with the main appeal. Learned counsel for the appellant also submitted an application for transfer of the titled service appeal to camp court Abbottabad which is acceded to and the instant service appeal be fixed at camp court Abbottabad.

The appeal is admitted to regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 18.01.2022 before S.B at camp court Abbottabad.

Appellant Deposited
Security Process Fee

24/11/21

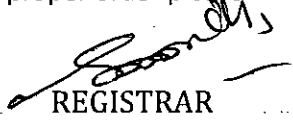

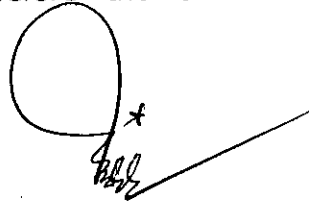
(Mian Muhammad)
Member(E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7286 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/08/2021	<p>The appeal of Mr. Mohammad Nisar presented today by Mr. Mohammad Aslam Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>11/10/21</u>.</p> <p> CHAIRMAN</p>
	11.10.2021	<p>Learned counsel for the appellant present.</p> <p>Learned counsel for the appellant seeks adjournment due to General Strike of the Peshawar Bar Association. Adjourned. To come up for preliminary hearing before the S.B on 25.11.2021.</p> <p> (MIAN MUHAMMAD) MEMBER (E)</p>

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST**

Case Title: Muhammad Nisar vs Secretary Irrigation KPK & Others

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Muhammad Aslam Taseeli Advocate</u>		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?		
16.	Whether appeal contains cuttings/overwriting?	✓	✓
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

Muhammad Aslam Taseeli
Advocate

Signature:

M. Aslam

Dated:

20/08/2021

7286

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE T

Muhammad Nisar, Patwari, Irrigation Department (Circle Swabi)
District Haripur R/O Village & P.O. Changi Bandi, Tehsil & District
Haripur.

Appellant

VERSUS

1. Secretary to Govt. KPK, Irrigation Department Peshawar.
2. Chief Engineer (North) Irrigation Department KPK
Peshawar.
3. Superintendent Engineer, Irrigation Department, Swabi
Irrigation Circle Sawabi.


Respondents

INDEX

S/No	Description of Document	Ann- exure	Page No.
1.	Appeal & Condonation Application.		01-09
2.	Promotion order dated 30-03-2021	"A"	10
3.	Seniority List of Patwaris dated 31-12-2019	"B"	11-14
4.	ACRs Report from Executive Engineer Hazard	"C"	15
5.	Certificates regarding Enquiry/No-Enquiry from Executive Engineer HID Abbottabad	"D&E"	16 17
6.	Willingness of appellant dated 06-01-2021	"F"	18
7.	Departmental appeal dated 20-04-2021	"G"	19-22
8.	Wakalatnama		

Through

Appellant


(Mohammad Aslam Tanoli) 20/8/21
Advocate High Court
at Haripur

Dated: 20-08-2021

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No.....

2286/21

Muhammad Nisar, Patwari, Irrigation Department (Circle Swabi)
District Haripur R/O Village & P.O. Changi Bandi, Tehsil & District
Haripur.

Appellant

VERSUS

1. Secretary to Govt. KPK, Irrigation Department Peshawar.
2. Chief Engineer (North) Irrigation Department KPK
Peshawar.
3. Superintendent Engineer, Irrigation Department, Swabi
Irrigation Circle Sawabi.

Respondents

SERVICE APPEAL AGAINST THE ORDER DATED 30-03-2021 OF THE
SUPERINTENDING ENGINEER SWABI IRRIGATION CIRCLE SWABI
WHEREBY APPELLANT'S JUNIORS HAVE BEEN PROMOTED TO THE
RANK OF VERNACULAR CLERK (BPS-10) THROUGH DPC MEETING
HELD ON 24-02-2021 WHILE APPELLANT HAS BEEN IGNORED
ILLEGALLY AND AGAINST THE DEPARTMENTAL RULES AND
REGULATIONS GOVERNING TERMS AND CONDITIONS OF
APPELLANT'S SERVICE.

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL
IMPUGNED ORDER DATED 30-03-2021 MAY KINDLY BE SET
ASID/MODIFIED TO THE EXTENT OF APPELLANT AND HE ALSO BE
PROMOTED TO THE RANK OF VERNACULAR CLERK BPS-10 FROM
THE DATE HIS JUNIORS WERE PROMOTED AT RIGHT PLACE OF
SENIORITY WITH GRANT OF ALL CONSEQUENTIAL SERVICE BACK
BENEFITS.

2

Respectfully sheweth,

1. That appellant was appointed as Patwari in the Irrigation Department on 01-07-1991 thus he has completed 30 years service. Since his appointment appellant always performed his assigned duties with due diligence, dedication and honesty to the entire satisfaction of his superiors. He never provided a chance of reprimand. The appellant has meritorious service record at his credit.
2. That though the appellant fulfilled all the requisite qualifications for promotion to the rank of Vernacular Clerk (BPS-10) and was a Senior Most on the seniority list of Patwaries of the concerned Irrigation Department yet he was ignored and not considered during the meeting of Departmental Promotion Committee held on 24-02-2021 while his juniors have been given promotion ^{On 30-3-2021} to the rank of Vernacular Clerk BPS-10 in violation of law, departmental rules and regulations without any reason and justification in a cursory, whimsical and arbitrary manner. **(Copy of promotion order is attached as Annex-"A").** dt 30-3-2021.
3. That during the DPC meeting held on 24-02-2021 his juniors were promoted as Vernacular Clerk BPS-10 while appellant was neither considered nor the reason of his ignoring was communicated to him and he was kept in darkness in this matter. Even appellant had to obtain the impugned order through his personal efforts. A glimpse of appellant as well as his promoted juniors as Vernacular Clerk BPS-10 is given below:-

3

S/No.	Name of Patwari	Date of 1st entry in Govt service	Date of regular appointt/ promotion to the present post/BPS		Method of recruitment by:
			Post	BPS	
1.	Muhammad Nisar (Appellant)	01-07-1991	01-07-1991	09	Initial recruit
2.	Sarwar Sultan	05-11-1991	05-11-1991	09	Promotion
3.	Sher Wali	09-05-1994	09-05-1994	09	Initial recruit
4.	Muhammad Farooq	02-10-1994	02-10-1994	09	Initial recruit
5.	Niaz Ahmed	02-10-1994	02-10-1994	09	Initial recruit
6.	Muhammad Jamil-02	10-05-1994	23-04-1995	09	Promotion

4. That appellant name stands at serial No. 4 while all of his promoted colleagues (5 and 07 to 10) are junior to him in appointment, promotion to present post and BPS. But astonishingly they have been promoted ignoring the appellant even from considering for promotion against the post of Vernacular Clerk BPS-10 without any reason justification. **(Copy of Seniority List of Patwaries dated 31-12-2019 is attached as Annex-"B")**.
5. That there is nothing adverse in record/ACRs from 01-01-2015 to 31-12-2019 against the appellant to come as barricade in his way of promotion to the rank Vernacular Clerk BPS-10. **(Copy of ACRs Report from Executive Engineer Hazara Irrigation Division Abbottabad is attached as Annex-"C")**.
6. That similarly no departmental enquiry/disciplinary action was/is pending against the appellant that could be made base to defer or supersede him in the above referred promotion. Had there been any departmental inquiry/proceeding under process or minor punishment awarded to the appellant even then he could not be refused his promotion. There exists plethora of judgments on this point passed by the Honorable Apex Court of the country. **(Copies of 02 Certificates regarding Enquiry/No-**

4

Enquiry from Executive Engineer HID Abbottabad are attached as Annex-"D & E").

7. That appellant had also given his consent/willingness dated 06-01-2021 for promotion as Vernacular Clerk (BPS-10). **(Copy of willingness is attached as "F").**
8. That in view of the aforementioned facts the appellant deserves to be promoted as Vernacular Clerk BPS-10 from the date as his juniors have been promoted.
9. That appellant assailed the impugned order dated 30-03-2021 of the respondent before the Chief Engineer (North) Irrigation Department KPK Peshawar through departmental appeal dated 20-04-2021 which was never responded till this day. **(Copy of departmental appeal dated 20-04-2021 is attached as Annex-"G").** Hence instant service appeal, inter alia, on the following:-

GROUND:

- a) That impugned order dated 30-03-2021 of the respondent is illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence is liable to be set aside.
- b) That during the DPC meeting held on 24-02-2021 while considering and promoting his juniors the appellant has totally been ignored despite the fact the appellant fulfilled all the requisite qualifications for promotion to the post of Vernacular Clerk BPS-10.

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- c) That at the time of conducting DPC meeting on 24-02-2021 there was nothing adverse against the appellant like disciplinary proceeding or punishment etc to which could be made as barricade in his way of promotion. Appellant has been deprived of the said promotion just to bless favorite employees.
- d) That respondents have not treated the appellant according to law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of constitution of Islamic Republic of Pakistan 1973.
- e) That appellate authority has also failed to abide by law, departmental rules & regulations and principle of natural justice. Appellate authority even did not respond to the departmental appeal of the appellant within the statutory time period which was mandatory. Thus act of respondent is contrary to the law; departmental rules of promotion read with section 24-A of General Clause Act 1897 and Article 10-A of the Constitution of Islamic Republic of Pakistan 1973.
- f) That those who were/are far junior to appellant in appointment and other required conditions have been promoted as Vernacular Clerk BPS-10 ignoring the appellant without any reason and justification.
- g) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudicate upon the lis.

(b)

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal order dated 30-03-2021 of respondents may graciously be set aside/modified to the extent of appellant and he be promoted to the rank of Vernacular Clerk (BPS-10) from the date his juniors have been promoted and with grant of all consequential service back benefits. Any other relief which this Honorable Service Tribunal deems fit and proper in circumstances of the case may also be granted.

[Handwritten signature]
33

Appellant

Through:

[Handwritten signature]

(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 20-08-2021

VERIFICATION

It is verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

[Handwritten signature]
33

Appellant

Dated 20-08-2021

7

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Muhammad Nisar, Patwari, Irrigation Department (Circle Swabi)
District Haripur R/O Village & P.O. Changi Bandi, Tehsil & District
Haripur.

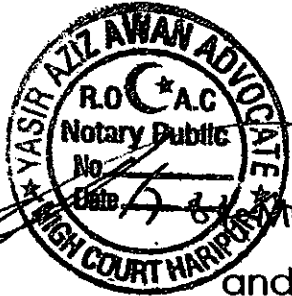
Appellant

VERSUS

1. Secretary to Govt. KPK, Irrigation Department Peshawar.
2. Chief Engineer (North) Irrigation Department KPK
Peshawar.
3. Superintendent Engineer, Irrigation Department, Swabi
Irrigation Circle Sawabi.

SERVICE APPEAL

AFFIDAVIT:



Muhammad Nisar appellant do hereby solemnly declare
and affirm on oath that the contents of the instant Service
Appeal are true and correct to the best of my knowledge
and belief and nothing has been suppressed from this
Honorable Service Tribunal.

J3
Deponent/Appellant

Dated: 20-08-2021

Identified By:

M Aslam Tanoli
Mohammad Aslam Tanoli
Advocate High Court
At Haripur

J3
Appellant

8

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Muhammad Nisar, Patwari, Irrigation Department (Circle Swabi)
District Haripur R/O Village & P.O. Changi Bandi, Tehsil & District
Haripur.

Appellant

VERSUS

1. Secretary to Govt. KPK, Irrigation Department Peshawar.
2. Chief Engineer (North) Irrigation Department KPK
Peshawar.
3. Superintendent Engineer, Irrigation Department, Swabi
Irrigation Circle Sawabi.

Respondents

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been
filed in this Honorable Service Tribunal or any other court prior to
instant one.



APPELLANT

Dated: 20-08-2021

9

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Muhammad Nisar, Patwari, Irrigation Department (Circle Swabi) District Haripur
R/O Village & P.O. Changi Bandi, Tehsil & District Haripur. **Appellant**

VERSUS

1. Secretary to Govt. KPK, Irrigation Department Peshawar.
2. Chief Engineer (North) Irrigation Department KPK
Peshawar.
3. Superintendent Engineer, Irrigation Department, Swabi
Irrigation Circle Sawabi.

Respondents

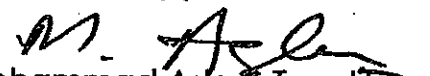
APPLICATION FOR CONDONATION OF DELAY IN FILING SERVICE
APPEAL BEFORE THIS HONOURABLE SERVICE TRIBUNAL.

Respectfully Sheweth:

1. That applicant/appellant has filed today a Service Appeal, which may be considered as part and parcel of this application, against order dated 30-03-2021 passed by respondents, whereby appellant's has been ignored from promotion as Vernacular Clerk (BPS-10) without any reason.
2. That as the order of departmental authorities has been passed in violation and derogation of the statutory provisions, departmental rules and regulations governing the terms and condition of service of the appellant and facts of the case, therefore, causing a recurring cause of action to the applicant/appellant can be challenged and questioned irrespective of a time frame.
3. That though appellant on receipt of respondent's order had filed departmental appeal well in time but was never responded. That appellant has rigorously been pursuing his case. Therefore, the delay, if any, in filing instant service appeal is due to the forgoing reasons.
4. That instant application is being filed as an abundant caution for the condonation of delay, if any. The impugned order is liable to be set aside/modified to the extent of appellant and to promote him at right place as per seniority in the interest of justice.

It is, therefore, respectfully prayed that on acceptance of the instant application the delay, if any, in filing of titled appeal may graciously be condoned.

Through:

Applicant/Appellant

(Mohammad Aslam Tanoli)
Advocate High Court
Haripur

Dated: 20-08-2021

Verification:

It is verified that the contents of the instant application/ appeal are true and correct to the best of my knowledge & belief & nothing has been suppressed.

Dated: 20-08-2021

Applicant/Deponent

Amir - A

10

DEPARTMENTAL ORDER

Whereas upon the recommendation of the Departmental Promotion Committee constituted by its resolution on 24.02.2024, the following Patwaris in Swabi Irrigation Circle Cadre, Swabi are hereby promoted to the rank of Vernacular Clerk (BPS-10) on regular basis with immediate effect

- 1. Sarwar Sultan
- 2. Sheh Wali
- 3. Muhammad Farooq
- 4. Alex Ahmad
- 5. Muhammad Jamil No. 2

On their promotion as Vernacular Clerks on regular basis, the officials at S No 1 & 5 will remain on probation for a period of one year extendable for further one year in terms of section 6(2) of the Government of Khyber Pakhtunkhwa Civil Servants Act 1973 read with section 16(3) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

Upon their promotion the following adjustment of the newly promoted officials of Swabi Irrigation Circle Cadre is hereby ordered with immediate effect in the public interest

S No	Name	Proposed office	Remarks
1	Sarwar Sultan	Hazara Irrigation Division, Abbottabad	Against the vacant post Vernacular Clerk
2	Sheh Wali	Swabi Irrigation Division-II Swabi (Tori Section)	Against the vacant post Vernacular Clerk
3	Muhammad Farooq	Hazara Irrigation Division, Abbottabad	Against the vacant post Vernacular Clerk
4	Alex Ahmad	Hazara Irrigation Division, Abbottabad	Against the vacant post Vernacular Clerk
5	Muhammad Jamil No. 2	Swabi Irrigation Division-II Swabi (Jaga Nahi Section)	Against the vacant post Vernacular Clerk

The officials at S No 2 and No 5 in addition to their own duty shall also look after the affairs of Patwaris in their respective Kotwar Sections till further arrangement.

Superintending Engineer,
Swabi Irrigation Circle Swabi

Copy to the

- 1. Chief Engineer (North) Irrigation Department, Khyber Pakhtunkhwa Peshawar for information please
- 2. Section Officer (Establishment) Office of the Secretary for Government of Khyber Pakhtunkhwa Irrigation Department Peshawar for information please
- 3. District Accounts Officer Swabi/Abbottabad
- 4. Executive Engineer (Swabi Irrigation Division)
- 5. Executive Engineer (Swabi Irrigation Division)

Attested
JAL
3

Better Copy.

No.....

Dated Swabi the 30/03/2021

OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion/ Selection Committee in its meeting held on 24-02-2021 the following Patwaries of Swabi Irrigation Circle Swabi are hereby promoted to the rank of Vernacular Clerk (BPS-10) on regular basis.

1. Sarwar Sultan
2. Sher Wali
3. Muhammad Farooq
4. Niaz Ahmed
5. Muhammad Jamil No.2

On their promotion as Vernacular Clerks on regular basis, the officials at S.No.1 to 05 will remain on probation for a period of one year extendable to further one year in terms of section 6(2) of the Government of Khyber Pakhtunkhwa Civil Servant Act 1973 read with section 15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989.

Upon their promotion the following adjustment of the newly promoted officials of Swabi Irrigation Circle Cadre is hereby ordered with immediate effect in the public interest.

S. No.	Name	Proposed office	Remarks
1.	Sarwar Sultan	Hazara Irrigation Division Abbottabad	Against the vacant post of Vernacular Clerk
2.	Sher Wali	Sawabi Irrigation Division-II Swabi (Toru Section)	Against the vacant post of Vernacular Clerk
3.	Muhammad Farooq	Hazara Irrigation Division Abbottabad	Against the vacant post of Vernacular Clerk
4.	Niaz Ahmed	Hazara Irrigation Division Abbottabad	Against the vacant post of Vernacular Clerk
5.	Muhammad Jamil No.2	Sawabi Irrigation Division-II Swabi (Jaga Nath Section)	Against the vacant post of Vernacular Clerk

The official at S. No.2 and No.5 in addition to their own duty shall also look after the seats of Patwaries in their patwar Sections till further arrangement.

Sd/-

Superintending Engineer
Swabi Irrigation Circle Swabi

1. Chief Engineer (North) Irrigation Department Khyber Pakhtunkhwa Peshawar for information please.
2. Section Officer (Establishment) office of the Secretary to Government of Khyber Pakhtunkhwa Irrigation Department Peshawar for information.
3. District Accounts Officer Swabi/Abbottabad.
4. Executive Engineer Swabi Irrigation Division-I
5. Executive Engineer Swabi Irrigation Division-II

11

SUPERINTENDING ENGINEER SWABI IRRIGATION CIRCLE SWABI
TENTATIVE SENIORITY LIST OF PATWARIES

Annex-B

In Pursuance of section 8 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the Tentative Seniority List of Patwaries of the Cadre strength of Swabi Irrigation Circle Swabi as stood on 31/12/2019 is published as under:-

S#	Name of official	Date of Birth/Domicile	Date of 1st Entry in to Govt: service	Date of Regular Appointment / Promotion to present Post/BPS		Method of Recruitment/ Appointment to the present post	Present Place of Posting	Remarks
				Date	BPS			
1		3	4	5	6	7	8	9
1	Faqir Muhammad	1963 Mardan	19/04/1986	8/5/1988	9	By promotion	Swabi-II	
2	Muhammad Asnfaq	20/01/1966 Mardan	13/08/1986	5/6/1988	9	By promotion	Swabi-I	
3	Habibullah	01/04/1969 Mardan	3/2/1990	3/2/1990	9	By initial recruitment	Swabi-II	
4	Muhammad Nisar	13/04/1964 Haripur	1/7/1991	1/7/1991	9	By initial recruitment	Hazara	under disciplinary proceedings
5	Sarwar Sultan	01/01/1964 Mansehra	5/11/1991	5/11/1991	9	By initial recruitment	Hazara	
6	Mutahir Shah	08/05/1965	24/11/1991	16/05/1992	9	By promotion	Swabi-I	
7	Sher Wali	12/07/1969 Mardan	9/5/1994	9/5/1994	9	By initial recruitment	Swabi-II	
8	Muhammad Farooq	24/03/1970 Mansehra	2/10/1994	2/10/1994	9	By initial recruitment	Hazara	?
9	Niaz Ahmad	02/04/1972 Mansehra	2/10/1994	2/10/1994	9	By initial recruitment	Hazara	
10	Muhammad Jamil No.2	01/01/1969 Swabi	10/5/1994	23/04/1995	9	By promotion	Swabi-II	
11	Muhammad Israil	20/02/1970 Mardan	9/5/1994	30/04/1995	9	By promotion	Swabi-I	
12	Sakhi Sultan	1/3/1970 Swabi	9/5/1994	5/6/1995	9	By promotion	Swabi-I	
13	Mir Badshah	1/1/1962 Mardan	18/05/1992	4/10/1995	9	By promotion	Swabi-I	
14	Khalid Jamel	10/3/1974 Mansehra	14/03/1996	14/03/1996	9	By initial recruitment	Hazara	

Attested

J.P.S.
J.S.

S#	Name of official	Date of Birth/Domicile	Date of 1st Entry in to Govt: service	Date of Regular Appointment / Promotion to present Post/BPS		Method of Recruitment/ Appointment to the present post	Present Place of Posting	Remarks
				Date	BPS			
1	2	3	4	5	6	7	8	9
15	Aqeel Ahmad	<u>14/04/1975</u> Mansehra	14/03/1996	14/03/1996	9	By initial recruitment	Hazara	
16	Jahanzeb	<u>03/03/1969</u> Mardan	8/1/1995	21/04/1996	9	By promotion	Swabi-II	
17	Wazir Ali	<u>11/02/1968</u> Mardan	14/05/1994	1/6/1996	9	By promotion	Swabi-II	
18	Zardad Khan	<u>4/10/1968</u> Swabi	3/6/1996	3/6/1996	9	By initial recruitment	Swabi-I	
19	Nazar Ali	<u>17/03/1967</u> Swabi	23/04/1995	24/07/1996	9	By promotion	Swabi-II	
20	Arab Ali	<u>1/1/1965</u> Swabi	14/06/1995	1/6/1997	9	By promotion		
21	Afsar Khan	<u>28/08/1966</u> Swabi	23/04/1995	1/6/1997	9	By promotion	Swabi-II	
22	Hasan Kamal	<u>1/5/1970</u> Mardan	16/10/1996	1/9/1997	9	By promotion	Swabi-I	
23	Sher Ali	<u>04/04/1971</u> Swabi	18/03/2002	18/03/2002	9	By initial recruitment	Swabi-II	
24	Asad Ali	<u>05/01/1973</u> Swabi	18/03/2002	18/03/2002	9	By initial recruitment	Swabi-II	
25	Irshad Ali	<u>15/04/1979</u> Mardan	7/1/2004	7/1/2004	9	By initial recruitment	Swabi-I	
26	Naeem Khan	<u>12/11/1973</u> Swabi	5/3/2004	5/3/2004	9	By initial recruitment	Swabi-II	
27	Amraiz Khan	<u>03/04/1976</u> Swabi	5/3/2004	5/3/2004	9	By initial recruitment	Swabi-II	
28	Anwar Ali	<u>31/01/1975</u> Swabi	9/3/2004	9/3/2004	9	By initial recruitment	Swabi-II	
29	Hamdullah	<u>01/04/1976</u> Swabi	9/3/2004	9/3/2004	9	By initial recruitment	Swabi-II	
30	Nawaz Khan	<u>7/5/1972</u> Haripur	5/4/2004	5/4/2004	9	By initial recruitment	Hazara	under disciplinary proceedings
31	Ahmad Ali	<u>01/04/1973</u> Swabi	23/04/2004	23/04/2004	9	By initial recruitment	Swabi-II	
32	Abdullah	<u>20/03/1977</u> Swabi	23/04/2004	23/04/2004	9	By initial recruitment	Swabi-II	

Attested
[Signature]

S#	Name of official	Date of Birth/Domicile	Date of 1st Entry in to Govt: service	Date of Regular Appointment / Promotion to present Post/BPS		Method of Recruitment/ Appointment to the present post	Present Place of Posting	Remarks
				Date	BPS			
1	2	3	4	5	6	7	8	9
33	Humayun Khan	<u>18/05/1977</u> Swabi	24/04/2004	24/04/2004	9	By initial recruitment	Swabi-II	
34	Hukam Khan	<u>15/04/1973</u> Swabi	30/04/2004	30/04/2004	9	By initial recruitment	Swabi-II	
35	Muhammad Ajmal	<u>15/01/1969</u> Swabi	1/5/2004	1/5/2004	9	By initial recruitment	Swabi-II	
36	Zahid Khan	<u>03/02/1975</u> Swabi	1/5/2004	1/5/2004	9	By initial recruitment	Swabi-II	
37	Bakh Zaman	<u>01/04/1977</u> Swabi	1/5/2004	1/5/2004	9	By initial recruitment	Swabi-II	
38	Amjad Hussain	<u>10/4/1977</u> Mardan	20/04/2004	1/5/2004	9	By promotion	Swabi-I	
39	Israr Uddin	<u>2/10/1967</u> Mardan	10/5/2004	10/5/2004	9	By initial recruitment	Swabi-I	
40	Fateh Muhammad	<u>18/02/1975</u> Swabi	30/04/2004	1/8/2005	9	By promotion	PHLC(E) Project Gohati	On deputation
41	Ifkhar Ali	<u>01/07/1976</u> Swabi	1/5/2004	1/8/2005	9	By promotion	Swabi-II	
42	Maqsood Ali	<u>5/1/1977</u> Mardan	30/04/2004	1/8/2005	9	By promotion	Swabi-I	
43	Syed Maqsood Ali Shah	<u>19/04/1975</u> Swabi	16/03/2006	4/8/2006	9	By promotion	Swabi-I	
44	Fahad Ali	<u>03/08/1975</u> Mardan	18/03/2006	4/8/2006	9	By promotion	Swabi-II	
45	Guftar Ali	<u>3/5/1977</u> Mardan	16/03/2006	4/8/2006	9	By promotion	Swabi-I	
46	Nawab Ali	<u>01/04/1976</u> Swabi	30/03/2007	30/03/2007	9	By promotion	Swabi-II	
47	Khalid Mahmood	<u>21/10/1968</u> Haripur	16/11/2007	16/11/2007	9	By initial recruitment	Hazara	
48	Ghulam Farooq	<u>15/02/1975</u> Haripur	17/11/2007	17/11/2007	9	By initial recruitment	Hazara	
49	Nowher Khan	<u>16/10/1965</u> Swabi	24/11/2008	24/11/2008	9	By initial recruitment	Swabi-I	
50	Sardar Ullah	<u>12/03/1970</u> Mardan	25/02/2009	25/02/2009	9	By initial recruitment	Swabi-I	

Attested
J3

14

Copy forwarded to the: -

- 1 Chief Engineer (South) Irrigation Department Khyber Pukhtunkhwa Peshawar for information, please.
- 2 Chief Engineer (North) Irrigation Department Khyber Pukhtunkhwa Peshawar for information, please.
- 3 Project Director Pehur High Level Canal (Extension) Project Swabi, at Gohati.
- 4 Superintending Engineer Mardan Irrigation Circle Mardan.

- 5 Executive Engineer Swabi Irrigation Division-I Swabi.
- 6 Executive Engineer Swabi Irrigation Division-II Swabi.
- 7 Executive Engineer Hazara Irrigation Division Abbottabad.

They are requested to note the seniority list from the officials working in their offices for preparing appeal/representation, if any, within 30 days from the date of issue of this Seniority List.

[Signature]
 Superintending Engineer
 Swabi Irrigation Circle Swabi

copy to case 6-E.

[Handwritten notes]
 GOC/oms APD / H/imp/OC/AGS
 Ra

[Handwritten notes]
 Alex
 33

[Handwritten notes]
 17/01/2022

SYNOPSIS OF CHARACTER ROLL IN RESPECT OF MR. MUHAMMAD NISAR PATWARI.

S#	PERIOD OF REPORT	GRADING	GOOD REMARKS		ADVERSE REMARKS	
			Remarks by reporting officer	Remarks by countersigning officer	Remarks by reporting officer	Remarks by countersigning officer
1	1/1/2015 to 31/12/2015	Good	His performance during the tenure has been good as he remained punctual and is also well versed with his official responsibility.			
2	1/1/2016 to 31/12/2016	Good	His performance during the period has been very good. He completes his work in time and in punctual.			
3	1/1/2017 to 31/12/2017	Good	His performance during the period has been average, completes his work in time and enquires his attendance. Overall his conduct is good.			
4	1/1/2018 to 31/12/2018	Good	His performance during this period was satisfactory. He is			
5	1/1/2019 to 31/12/2019	Good	His performance during the period has been satisfactory. He is a responsive person.			

Attested
[Signature]

[Signature]

Executive Engineer,
Hazara Irrigation Division Abbottabad.

(16)

Annex-1

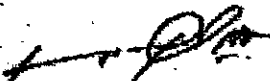
TO BE SUBSTITUTED

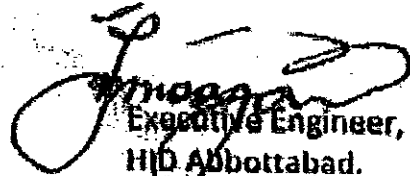
ENQUIRY / NO ENQUIRY CERTIFICATE

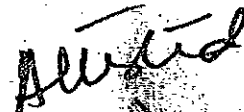
It is certified that Mr. Muhammad Nisar Irrigation Patwari, was acquitted by special Judge Anti Corruption Camp Court Abbottabad vide Judgment dated 21/7/2016 in which Para No. 26 the Honorable Court mentioned that "He is acquitted of all the charges leveled against him in this case". (Copy of decision is annexed herewith).

It is further added that the Departmental Enquiry was conducted which concluded its recommendations which are re-produced as: "the statements of the parties have been perused at length, cross examination and attached documents were also perused. From perusal of available record, written statements and departmental rules and regulations the enquiry committee is of the opinion that patwaries of Irrigation Division are violating the departmental rules so daringly as they considered themselves immune from any punitive action. The Patwaries Muhammad Nisar and Muhammad Nawaz are unbridled and out of control. Their ill performance is given bad name to the department as a whole and credibility of the department is being questioned in various quarters and in front of general public. They have made the department hostage by keeping official record in their private custody. Strict punitive action needs to be taken against the patwaries and Government money should be recovered through criminal proceedings coupled with invoking section 82 sub clause-5 of the Land Revenue Act 1967".

At present as per the available record, there is no disciplinary proceeding /Enquiry under process against the said patwari at department level so the said case for promotion of the official may be considered according to the merit of the case.


Deputy Collector
HID Abbottabad


Executive Engineer,
HID Abbottabad.


bals
13

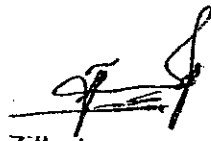
17

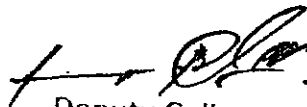
Amer-E

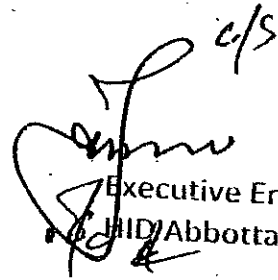
ENQUIRY / NO ENQUIRY CERTIFICATE

It is certified that Mr. Muhammad Nisar Irrigation Patwari, was acquitted by special Judge Anti Corruption Camp Court Abbottabad vide Judgment dated 21/7/2016 in which Para. No. 26 the Honorable Court mentioned that "He is acquitted of all the charges leveled against him in this case". (Copy of decision is annexed herewith).

Regarding the current position, according to available record, there is no disciplinary proceeding /enquiry under the process from Hazara Irrigation Division under E&D Rules against the said official.


Zilladar,
Khanpur Section


Deputy Collector
HID Abbottabad


Executive Engineer,
HID Abbottabad.

Accepted
J.S.
53

18

Annex-F



OFFICE OF THE EXECUTIVE ENGINEER
HAZARA IRRIGATION DIVISION ABBOTTABAD
Phone & Fax 0992-9310246.

UNDER TAKING

I am willing for promotion as Vernacular clerk.

J.S.

Muhammad Nisar
Patwari.

6¹
2021

Accepted.
Pt 07/01/21
Exe H.I.D. Abbottabad

Accepted

J.S.

19

Annex-9

**BEFORE THE CHIEF ENGINEER (NORTH) IRRIGATION
DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR.**

(Through Proper Channel)

**DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 30-03-2021
OF THE SUPERINTENDING ENGINEER SWABI IRRIGATION CIRCLE
SWABI WHEREBY WHILE IGNORING APPELLANT HIS JUNIORS HAVE
BEEN PROMOTED TO THE RANK OF VERNACULAR CLERK (BPS-10)
THROUGH DPC MEETING HELD ON 24-02-2021 ILLEGALLY AND
AGAINST THE DEPARTMENTAL RULES AND REGULATIONS
GOVERNING TERMS AND CONDITIONS OF APPELLANT'S SERVICE.**

**PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL
IMPUGNED ORDER MAY KINDLY BE SET ASID AND THE APPELLANT
BE PROMOTED TO THE RANK OF VERNACULAR CLERK BPS-10
FROM THE DATE HIS JUNIORS HAVE/WERE PROMOTED WITH
GRANT OF ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respected Sir,

With most reverence and humble submission it is stated:-

1. That appellant was appointed as Patwari in the Irrigation Department on 01-07-1991 thus he has completed 30 years service. Since his appointment appellant always performed his assigned duties with due diligence, dedication and honesty to the entire satisfaction of his superiors. He never provided a chance of reprimand. The appellant has meritorious service record at his credit.

Attested
J.R.S.
53

2. That though the appellant fulfilled all the requisite qualifications for promotion to the rank of Vernacular Clerk (BPS-10) and was a Senior Most on the seniority list of Patwaries of the concerned Irrigation Department yet he was ignored and not considered during the meeting of Departmental Promotion Committee held on 24-02-2021 while his juniors have been given promotion to the rank of Vernacular Clerk BPS-10 in violation of law, departmental rules and regulations without any reason and justification in a cursory, whimsical and arbitrary manner. **(Copy of promotion order is attached as "A")**.
3. That during the DPC meeting held on 24-02-2021 when his juniors were promoted, the appellant was neither considered nor the reason of his ignoring was communicated to him and he was kept in darkness in this matter. The impugned order was obtained through his personal efforts by the appellant. A glimpse of appellant as well as his promoted juniors as Vernacular Clerk BPS-10 is given below:-

S/No.	Name of Patwari	Date of 1st entry in Govt service	Date of regular appoint/ promotion to the present post/BPS		Method of recruitment by:
			Post	BPS	
1.	Muhammad Nisar	01-07-1991	01-07-1991	09	Initial recruit
2.	Sarwar Sultan	05-11-1991	05-11-1991	09	promotion
3.	Sher Wali	09-05-1994	09-05-1994	09	Initial recruit
4.	Muhammad Farooq	02-10-1994	02-10-1994	09	Initial recruit
5.	Niaz Ahmed	02-10-1994	02-10-1994	09	Initial recruit
6.	Muhammad Jamil-02	10-05-1994	23-04-1995	09	promotion

4. That appellant name stands at serial No.1 while all of his promoted colleagues (2 to 6) are junior to him in

Attested
J.A.S
13

appointment, promotion to present post and BPS. But astonishingly they have been promoted and appellant has been ignored from considering for promotion against the post of Vernacular Clerk BPS-10 without any reason justification. **(Copy of Seniority List of Patwaries dated 31-12-2019 is attached as "B")**.

5. That there is nothing adverse in his ACRs from 01-01-2015 to 31-12-2019 against the appellant to come as barricade in the way of his promotion to the rank Vernacular Clerk BPS-10. **(Copy of ACRs Report from Executive Engineer Hazard Irrigation Division Abbottabad is attached as "C")**.

6. That similarly no department enquiry/disciplinary action was/is pending against the appellant which could be made base to defer or supersede him in the above promotion. Had there been under process any departmental inquiry/proceeding or minor punishment awarded to the appellant even then he could not be refused his promotion. There exists plethora of judgments on the point passed by the Honourable Apex Court of the country. **(Copies of 02 Certificates regarding Enquiry/No-Enquiry from Executive Engineer HID Abbottabad are attached as "D&E")**.

7. That appellant had also given his consent/willingness dated 06-01-2021 for promotion as Vernacular Clerk. **(Copy of willingness is attached as "F")**.

Attested
J.P.S.
3

8. That in view of the aforementioned facts the appellant deserves to be promoted as Vernacular Clerk BPS-10 from the date as his juniors have been promoted.

It is therefore humbly requested that in the light of aforementioned facts the impugned order may kindly be set aside and the appellant be promoted as Vernacular Clerk BPS-10 from the date his juniors were given promotion with grant of all consequential service back benefits for which act of kindness appellant shall pray for good health and long life of your Highness.

Thanking you sir in anticipation.

Your's Obediently
[Signature]
3

(MUHAMMAD NISAR)
PATWARI
IRRIGATION DEPARTMENT
CIRCLE SWABI
DISTRICT HARIPUR

Dated: 20-04-2021.

Home Add: Mohammad Nisar
s/o Mohammad Ayaz
village: Changi Bandi
PO. Changi Bandi
Tehsil & Dist: Haripur
0332-2600800

Attested
[Signature]
3

وکالت نامہ

کورٹ فیس
قیمتی

ابعدالت جناب جسٹس صاحب خیرہ صاحبہ کی خواہش کے مطابق کورٹ میں پیشگی وکالت نامہ
مخبرہ سیدنت محمد رفیق

محمد رفیق

دعویٰ یا جرم **سروس ایبل** باعث تحریر آئندہ (اسل)

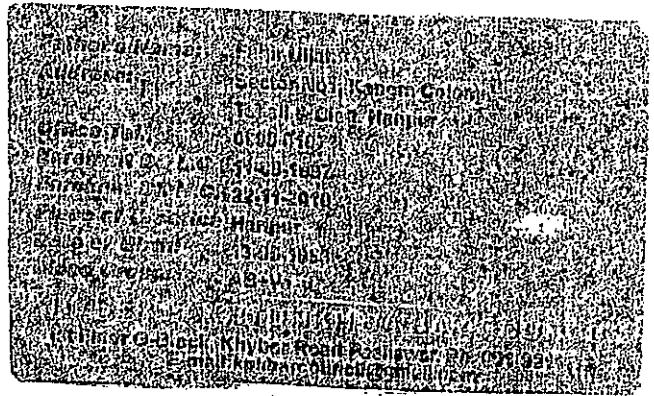
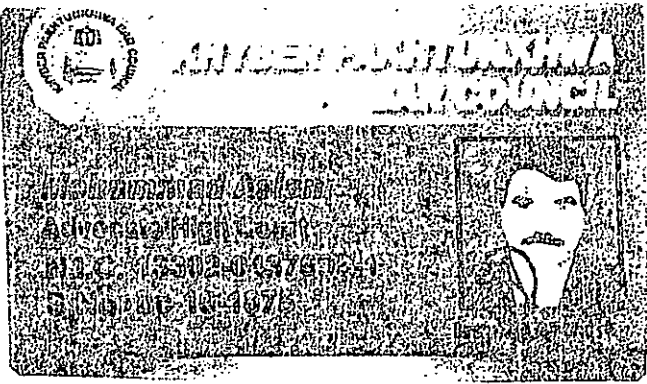
مندرجہ بالا عنوان میں اپنی طرف سے بیروی و جوابدہی مقام **ایبل وکالت نامہ**

گڈ لکھ ٹونی - ایڈووکیٹ بدیں شرط وکیل مقرر کیا۔ کہ میں ہر پیشگی پر خود یا بذریعہ مختار خاص
رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی
پیشگی پر مظہر حاضر نہ ہوا۔ اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ
ہوئے۔ نیز وکیل صاحب موصوف صدر مقام پچھری کے علاوہ کسی اور جگہ یا پچھری کے مقرر اوقات سے پہلے یا بروز
تعدیل بیروی کرنے کے مجاز نہ ہوئے۔ اگر مقدمہ مقام پچھری کے کسی اور جگہ سماعت ہونے یا بروز پچھری کے اوقات
کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے
بھی صاحب موصوف ذمہ دار نہ ہوئے۔ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب
موصوف کو عرضی اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق
کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجرا کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے
کا ہر قسم کا بیان دینے اور سپروٹاشی و راضی نامہ و فیصلہ برخلاف کرنے اقبال و دعوے کا اختیار ہوگا۔ اور بصورت اپیل و
برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم اتناعی یا ڈگری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو
بشرط ادا تکلی علیحدہ بیروی مختار نامہ کرینکا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیروٹ
کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہونگے جیسے صاحب
موصوف کو۔ پوری فیس تاریخ پیشگی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ
کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سندر سے مضمون

Accepted by
M. Azhar

مورخہ: 20-08-2021

محمد رفیق سیدنت



"B"

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

TP

No.

Appeal No. 7286 of 2021

Muhammad Nisar Appellant/Petitioner

Versus

Govt. Irrigation Dept. Pesh. Respondent

Respondent No. 3

Notice to:

Superintendent Engineer Irrigation
Deptt. Govt. Swabi Irrigation Circle
Swabi

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province 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/petition is fixed for hearing before the Tribunal *on 18-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you 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 in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and 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 of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 21st

Day of Dec, 2021.

At Camp Court A. Akbar

Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

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

"B"

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

FB

No.

Appeal No. 7286 of 20 21

Muhammad Nisar Appellant/Petitioner

Versus

Secy: Irrigation Dept. Pesh. Respondent

Respondent No. I

Secy: Irrigation Dept. of Pesh.

4/1/22

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province 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/petition is fixed for hearing before the Tribunal *on 18-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you 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 in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 7th

Day of Dec: 20 21

at Camp Court A. Ahmad

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

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

No.

13

Appeal No. 7286 of 20 21

Muhammad Nisar Appellant/Petitioner

Versus

Secy. Irrigation Dept. Pesh. Respondent
Respondent No. 2

Notice to:

Chief Engineer (North) Irrigation
Dept. Irrigation Peshawar
Part 55/2000/14

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province 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/petition is fixed for hearing before the Tribunal *on 18-1-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you 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 in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and 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 of this appeal/petition.

Copy of ✓ appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 17/1 Day of Decr 20 21

at Camp Court Peshawar
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.