

24.10.2022

Junior to counsel for appellant present.

Lawyers are on strike, therefore, case is adjourned. To come up for preliminary hearing on 21.11.2022 before S.B at Camp Court, D.I.Khan.



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

23.05.2022

Nemo for appellant.

Notice be issued to appellant/counsel for 29.07.2022 for preliminary hearing before S.B at Camp Court, D.I.Khan.



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

29/7/2022

Due to Summer

vacation case

up to 30/09/2022



30th Sept 2022

Learned counsel for the appellant present.

Learned counsel for the appellant seeks time to prepare the case. To come up for preliminary hearing on 24.10.2022 before S.B at camp court D.I.Khan.







(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 82/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/01/2022	<p>The appeal of Mr. Aziz Ur Rehman resubmitted today by post through Mr. Sheikh Iftikhar Ul Haq Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at D.I Khan for preliminary hearing to be put up there on <u>28-03-2022</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>28.03.2022</p> <p>Counsels are on strike. To come up for preliminary hearing tomorrow on 29.03.2022 before S.B at camp court, D.I.Khan.</p> <p style="text-align: right;"> CHAIRMAN, Camp Court, D.I.Khan</p> <p>29.03.2022</p> <p>Counsel for the appellant present.</p> <p>Learned counsel for the appellant wants to further document the appeal before further proceedings. Request is accepted. He may submit further documents on or before the date fixed. To come up for preliminary hearing on 23.05.2022 before S.B at camp court, D.I.Khan.</p> <p style="text-align: right;"> CHAIRMAN, Camp Court, D.I.Khan</p>

The appeal of Mr. Aziz Ur Rehman S/O Rozi Khan R/O Rohri, Tehsil Kulachi District D.I. Khan received by post today i.e. on 04.01.2022 is incomplete on the following score which is returned to the counsel for the appellent for completion and resubmission within 15 days.

1. Checklist is not attached with the appeal.
2. Appeal has not been flagged/marked with annexure marks.
3. Annexures of the appeal may be attested.
4. Separate file cover should be used for member copy.
5. Copy of appointment order along with relevant documents annexed as annexure A & B are not attached with the appeal which may be placed on it.
6. Page 5 and 6 attached with the appeal is illegible which may be replaced by legible/better one.

No. 29 /S.T,

Dt. 05/01 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA,
PESHAWAR.

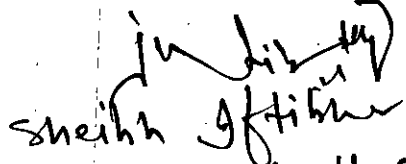
Mr. Sheikh Iftikhar Ul Haq Adv. ~~_____~~

D. I. Khan

Respected sir,

The objections has been removed.
Hence resubmitted please sir

Date 26.1.2022


Sheikh Iftikhar Ul Haq
Advocate H.C
District Bar
D. I. Khan

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

Case Title: Aziz ur Rahman vs Govt of K.P.K

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Counsel: Sh. J. Khan</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	N.A	
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on	N.A	

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

Name:

Sh. J. Khan

Signature:

[Signature]

Dated:

19.1.2022

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No: 82 /2021

Aziz ur Rehman

VERSUS


Govt. of KPK and others

SERVICE APPEAL

INDEX

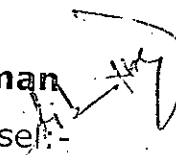
S.No	Particulars of the Documents	Annexure	Page
1.	Grounds of Service Appeal and affidavits	--	1-4
2.	Copies of appointment order along with relevant documents	A & B	5-8
3.	Copy of the order dated 31/01/2019	C "	9-12
4.	Copy of the seniority list, departmental appeal along with receipt	D & E	13-15-1
5.	Wakalatnama	--	-16-

Dated: 31/12/2021


Your humble appellant,

Aziz ur Rehman

Through counsel:-


Sheikh Iftikhar ul Haq
Advocate High Court

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2021

Aziz ur Rehman son of Rozi Khan r/o Rohri, Tehsil Kulachi,
District Dera Ismail Khan.

..... (**APPELLANT**)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
2. Director Agriculture Engineering Department, Khyber Pakhtunkhwa, Tarnab Peshawar.
3. Assistant Director Agriculture Department Dera Ismail Khan.

..... (**RESPONDENTS**)

SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE SENIORITY LIST DATED 31/12/2020 OF THE RESPONDENTS/AUTHORITY, WHEREIN THE NAME OF APPELLANT IS MISSING AND ALSO AGAINST THE ORDER OF APPELLATE AUTHORITY QUA THE DEPARTMENTAL APPEAL WHICH WAS NOT ACCEPTED WITHIN STIPULATED PERIOD MEANING THEREBY THE REJECTION OF APPEAL.

Prayer;

On acceptance of instant appeal the seniority list dated 31/12/2020 may graciously be modified to include the name of the appellant in the seniority list of Ministerial staff of Agriculture Engineering Wing dated 31/12/2020, wherein the name of appellant is missing and also the order of appellate authority on the

departmental appeal, if passed, may graciously be set aside and the appellant be included at serial No. 8 in the seniority list dated 31/12/2020 with all back benefits.

Respectfully Sheweth;

1. That the appellant was appointed as Junior Clerk (BPS-05) on 18/05/1993 in the Agriculture Engineering Wing. Later on 24/10/1993 the cadre of appellant was changed to Assistant Molder (BPS-05). During duties the appellant was declared surplus in the year 2001. Later on the appellant was adjusted as Naib Qasid in Education Department on 19/02/2014 and complied the afore said order on 27/02/2014. Copies of appointment order along with relevant documents are annexed as **Annexure-A & B**.
2. That the present appellant aggrieved filed a writ petition in which the appellant prayed to direct the respondents to adjust the appellant on the post of Junior Clerk with all back benefits and the same writ petition was allowed on 20/01/2016. Against which the respondents filed an application u/s 12 (2) CPC, which was dismissed on 19/04/2017. Thereafter the appellant submitted a COC petition No. 253-D of 2016. During the pendency of COC petition the respondents authority produced office order dated 31/01/2019 wherein the appellant was adjusted against the post of Junior Clerk BPS-11. Copy of the order dated 31/01/2019 is annexed as **Annexure-C**.
3. That after adjustment the respondents/authority issued the seniority list, the appellant wherein the name of appellant was missing. Hence, the appellant aggrieved, submitted departmental appeal on 04/09/2021 because the appellant came into knowledge on 03/09/2021 that the name of the appellant has not included in the seniority list. Although the name appellant was required to be placed at serial No. 8 of the same as per service career. Copy of the

seniority list, departmental appeal along with receipt is annexed as **Annexure-D & E.**

4. That appellant feeling aggrieved by the impugned seniority list and by not deciding the departmental appeal within stipulated period, hence, the instant appeal.

GROUND S:

- a. That the impugned seniority list is against the service laws, policy and verdicts of superior courts.
- b. That missing the name of the appellant and not including the name of the appellant in seniority list at serial No. 8 is clear cut violation of the law, hence, the impugned seniority list is not sustainable in the eyes of law.
- c. That counsel for appellant may graciously be allowed to raise additional grounds at the time of arguments.

It is therefore, prayed that on acceptance of instant appeal the seniority list dated 31/12/2020 may graciously be modified to include the name of the appellant in the seniority list of Ministerial staff of Agriculture Engineering Wing dated 31/12/2020, wherein the name of appellant is missing and also the order of appellate authority on the departmental appeal, if passed, may graciously be set aside and the appellant be included at serial No. 8 in the seniority list dated 31/12/2020 with all back benefits.

Dated: 31/12/2021

Your humble appellant,

Aziz ur Rehman

Through counsel:-

Sheikh Iftikhar ul Haq
Advocate High Court

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**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. _____/2021

Aziz ur Rehman

VERSUS

Govt. of KPK and others

SERVICE APPEAL

AFFIDAVIT

I, **Aziz ur Rehman** son of Rozi Khan r/o Rohri, Tehsil Kulachi District Dera Ismail Khan, do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and that nothing has been concealed from the Honourable Court.

Dated: 31/12/2021

DEPONENT

31/12/2021

Certificate:

Certified that the contents of petition/appeal are true and correct and that nothing has been concealed.

Aziz-ur-Rehman
Appellant.

31-12-21

Ann-A

OFFICE ORDER.

Mr. Azizur Rahman Khan s/o Rozi Khan

Kulachi P.O. Kulachi Tehsil Kulachi

DIKhan is hereby appointed as a Junior Clerk

5 in Agril:Engg: Wing on temporary basis, with effect

the date of taking over the charge of the said post, against the vacant holder vacated by Mr. Mian Waroq.

His appointment is subject to the following conditions:-

He shall be governed by the Govt. Servants conduct Rules 1966, the NWFP Government Servant (Efficiency and Discipline) Rules, 1973 and any other instructions of the subject as may be issued by the Government of NWFP from time to time.

He has not been previously dismissed or debarred from service of Govt. Board, Local body or Autonomous or Semi-Autonomous organization etc.

His employment will not in any case confer upon him any claim or right to permanent employment at in the deptt. He will, however, be eligible for continuance and eventual confirmation on satisfactory completion of probation (including the extended period of probation) if and when a regular substantive vacancy in the post is available from him.

He shall not be entitled to any travelling Allowance/ Daily allowance on his first appointment except in case of permanent Government Servants.

He shall have to provide Medical fitness certificate from the Medical Superintendent Civil Hospital and prior to joining duty for which authority letter shall be issued.

He shall be liable to serve any where within NWFP in any post under the Provincial Government.

If the above terms and conditions of appointment acceptable he should immediately communicate his acceptance in writing to his office and report for duty to the office of the

Cultural Engineer, DIKhan Division DIKhan

before 30.5.1993

SD/-(Muhammad Arif Khan) Director, Agril: Engineering, NWFP, Tarnab, Peshawar.

18.5.93

Mr. Azizur Rahman Khan s/o Rozi Khan of Kulachi Distt: DIKhan Agril: Engineer, DIKhan Division DIKhan; District Accounts Officer, DIKhan; Private Secretary to Hon:ble Minister for Agriculture, NWFP for information.

Director, Agril: Engineering, NWFP, Tarnab, Peshawar.

13/11/93

PPS 10/11

Handwritten signatures and initials at the bottom right.

6

To be substituted of this office order No. 4881-

DAE/Est dt. 18.5.93 Mr. Azizur Rehman S/O Rozi Khan Village K...
Distt: DIKhan is hereby appointed as a Asstt: Moulder in BPS-5
in Agril: Engg: Wing on temporary basis with effect from 18.5.93.

His appointment is subject to the following conditions:

- i. He shall be governed by the Govt: Servants conduct Rules 1966, the NWFP, Government Servant (Efficiency & Discipline) Rules, 1973 and any other instruction of the subject as may be issued by the Govt: of NWFP, from time to time.
- ii. He has not been previously dismissed or debarred from service of Govt: Board, Local body or Autonomous or Semi Autonomous organization etc.
- iii. His employment will not in any case confer upon him any claim or right to permanent employment at the department. He will, however be eligible for continuance and eventual confirmation on satisfactory completion of probation (including the extended period of probation) if and when a regular substantive vacancy in the post is available from him.
- iv. He shall not be entitled to any travelling allowance/s allowance on his first appointment except in case of Govt: Servants.
- v. He shall have to provide Medical fitness certificate from the Medical Superintendent Civil Hospital and prior to joining duty for which authority letter shall be issued.
- vi. He shall be liable to serve any where within NWFP in any post under the provincial Govt:

If the above terms and conditions of appointment acc to him he should immediately communicate his acceptance in writing to this office and report for duty to the office of the Agr. Engineer, DIKhan

Sd/- (Muhammad Arif Khan)
Director,
Agril: Engineering,
NWFP, Tarnab, Peshawar

NO : 11557-83 / DAE/Estt: / dated Tarnab the 24/10/93
Copy to :

1. Mr. Azizur Reyman S/O Rozi Khan of ~~Kulachi~~ Kulachi Distt: DIKhan;
2. The Agril: Engineer, DIKhan
3. The Distt: Acctt: Officer DIKhan

Arif Khan
Director,
Agril: Engineering,
NWFP, Tarnab, Peshawar

NO : / DAE/ dated Tarnab
Copy to :

1. The Private Secy: ~~xxxx~~ to Hons: Minister for Agriculture NWFP, Peshawar for information.

Director,
Agril: Engg
NWFP, Tar
Attended to be
APL

with these attached
No-431
Vol-25
18/11/93
13/11/93

Arif Khan
15/11/93
PPS
10/11
E.C.



Ann. B



OFFICE OF THE
DEPUTY COMMISSIONER
DERA ISMAIL KHAN

Phone #: 0966-9280116 / Fax #: 0966-9280110

OFFICE ORDER

In pursuance of the Govt. of Khyber Pakhtunkhwa Establishment & Administration Department, Circular No.SOR-I (E&AD)1-200/98 dated 08.06.2001 and Govt. of Khyber Pakhtunkhwa, Finance Department, letter No.BO-XII/FD/1-5/BOP/22-2013-14 dated 29.10.2013, the following surplus employees of District, D.I.Khan are hereby adjusted against the vacant posts with immediate effect:-

S.No	Name of Official with Designation	Address	Adjustment As	Office Department	Remarks
1.	Sheikh Ahriad Raza, Mechanic (BPS-07), Agri: Engineering Department	Musaza, Tehsil Daraban	Asstt Store Keeper	GHSS No.2 DIKhan	With pay protection as per Govt. policy.
2.	Muhammad Niaz, Mechanic (BPS-07), Agri: Engineering Department	Village Chunda Tehsil Paharpur	Asstt: Mechanic Bore.	Assistant Agriculture Engineer (F.O DIK	-Do-
3.	Muhammad Naeem, Electrician (BPS-05), Agri: Engineering Department	Moh: Wingrangran DIKhan	Asstt: Mechanic Borer	-DO-	-Do-
4.	Nusrullah, Sub Inspector (BPS-05), Cooperative Deptt	Kotla Saidan DIKhan	Chowkidar	GPS Lunda Sharif	-Do-
5.	M. Najeeb Qureshi, Fitter (BPS-05) Agri: Engineering Department	Sheikh Yousif DIKhan	Field Worker	Agri: Research Institute DIK	-Do-
6.	Aziz Ur Rehman, Welder (BPS-05) Agri: Engineering Department	Moh: Rarakhal, Kulachi	Naib Qasid	GMS Wanda Umar Khan	-Do-
7.	Saghir Ali Qureshi, Sub Inspector (BPS-05), Cooperative Deptt	Moh: Bamoo Shah DIKhan	Lab Attendant	GDC No.1 DIKhan	-Do-
8.	Amna bibi, Dal (BPS-03) Health Department	Moh: Hafiz Abdullah DIKhan	Female Lab Attendant	Govt: Girls College Kulachi	-Do-
9.	Saif ur Rehman, Sweeper (BPS-02) Health Department	Moh: Faqir Abdullah DIK	Naib Qasid	GMS Shah Dau	-Do-
10.	Muhammad Ilyas, Bahishti (BPS-02) Health Department	Khano Wali Tehsil Paharpur	Chowkidar	GPS Jhoke Moazar	-Do-
11.	Mehtab Ahmad, Sweeper (BPS-02) Health Department	Basti Ustrana DIKhan	Sweeper	GDC No:1 DIKhan	-Do-

Attached to be true copy

AD

12.	Mehrban Khan Sweeper (BPS-02) Health Department	Kiri Shamroval Tehsil Paroa	Chowkidar	GPS Basti All	-Do-
13.	Muhammad Kamran Sweeper (BPS-02) Health Department	Basit Dewala D'Khan	Cook/Bearer	GDC No.1 DIKHAN	-Do-
14.	Alamgir Sweeper (BPS-02) Health Department	Kulachi City	Chowkidar	GF 3 Kot Lalu	-Do-
15.	Rashid Ahmad Sweeper (BPS-02) Health Department	Gara Mohabat, Kulachi	Beldar	CRIC Irrigation Dera Ismail Khan	-Do-

D. PUTY COMMISSIONER
DERA ISMAIL KHAN

No. 856-76/DC (Pool)

Dated

DI KHAN

the 19/02/2014

Copy forwarded to :-

- 1- Secretary to Govt. of Khyber Pakhtunkhwa, Estab. & Administration Deptt. Peshawar.
- 2- Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department, Peshawar.
- 3- Secretary Board of Revenue Khyber Pakhtunkhwa, Peshawar.
- 4- Secretary to Govt. of Khyber Pakhtunkhwa, I.G & RD Department, Peshawar.
- 5- Director (FMIU), Govt. of Khyber Pakhtunkhwa, Finance Department, Peshawar.
- 6- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 7- Section Officer (S.O.), Establishment Department, Peshawar.
- 8- Section Officer (S.O. plus Pool), Establishment Department, Peshawar.
- 9- Budget Officer XII, Finance Department, Peshawar.
- 10- Executive Engineer, CRBC Irrigation, Division DI Khan.
- 11- Director Agriculture, Research Institute, DI Khan.
- 12- District Education Officer (Male) DI Khan.
- 13- District Director Agriculture (Extension), DI Khan.
- 14- Assistant Agriculture Engineer (F.C) DI Khan.
- 15- District Account Officer, DI Khan.
- 16- SDEC (Male) Paroa.
- 17- Principal GHSS No.2 DI Khan.
- 18- Principal Govt. Girls College Kulachi.
- 19- Principal GDC No.1 DI Khan.
- 20- All Officials Concerned for Strict Compliance.

DEPUTY COMMISSIONER
DERA ISMAIL KHAN

⑨
Ann- C

BETTER COPY
OFFICER ORDER

Mr. saleem Nawaz junior clerk (BPS-11) in office of the assistant agricultural engineer, Dera Ismail Khan is hereby transferred /posted in office of the assistant agricultural engineer, bannu against the vacant post of junior clerk in the interest of public service with effect from 01.02.2019.

In light of the Peshawar high court dera ismail Khan bench judgment dated 20.01.2016 in writ petition No 381-D/2015 and direction issued on 28.01.2019 in C.O.C No.253-D/2010 in the said W.P the competent authority is pleased to conditionally adjust Mr. Aziz Ur Rehman S/O Rozi Khan residence of Rorri, tehsil kulachi, District Dera ismail Khan (Ex-Assistant molder/junior clerk) of this Department and declared surplus with effect from 01.07.2001 vide this office letter No 5293-5309/DAE/Estt: dated 07.07.2001 and adjusted as Naib Qasid in Education Department as GMS wanda umar Khan by the Deputy Commissioner, Dera ismail Khan vide office order No. 856-76/DC (S.Pool) dated 19.02.2014 and District Education Office (Male), Dera ismail Khan vide office order No. 2609-15 dated 27.02.2015 as junior clerk BPS-11 (Rs. 12570-880-38970) plus usual allowances as admissible under the rules with all back benefit accrued to him under the law from the post in question, subject to the ultimate decision by the august supreme court of Pakistan in CPLA No. 310-P/2017 and posted him in office of the assistant agricultural engineer, Dera ismail Khan against the vacant post of junior clerk as vacated upon the transfer of Mr. saleem Nawaz, junior clerk to office of the assistant agricultural engineer, bannu with effect from 01.02.2010.

In case the final verdict of the apex supreme court of Pakistan is in favor of government/this Department, he will be repatriated to his present post of Naib Qasid in Education department without claiming any right at any forum and all back benefits will be recovered from the above named official/petitioner.

If the above terms and conditions of conditionally adjustment are acceptable to him, he should immediately communicate his acceptance in writing to the office of Assistant Agricultural Engineer, Dera Ismail Khan within 15 days of the issuance of this order, consequently

(10)

adjustment order of Petitioner already issued vide this office No. 8393-8401/DAE/Estt: 3/2 dated 30/11/2017 maybe considered as withdrawn

SD/-(ENGR. MAHMOOD JAN)

sd-

Director,

Agricultural Engineering,

Khyber Pakhtunkhwa
Tarnab Peshawar.

Endst: No. /DAE/Estt: 3/2 dated Tarnab, the

Copy of the above is forwarded to:

1. The additional Registrar, Peshawar High Court Bench, Dera ismail khan;
2. The additional Advocate General, Dera ismail khan;
3. The Secretary, Government of Khyber Pakhtunkhwa, Agriculture, Livestock and Cooperative Department Peshawar with reference to this office letter No.1070-78/DA /Estt: 9/43 dated 25.01.2019;
4. The Deputy Commissioner, Dera ismail khan;
5. The Agricultural Engineer, Haripur;
6. The District Account officer, Haripur;
7. The District Account Officer, Dera ismail khan;
8. The District Account Officer, Bannu;
9. The District Education Officer (Male) Dera ismail khan;
10. Mr. Muhammad Nawaz, Focal Person/Assistant Agricultural Engineer, Peshawar for information;
11. The assistant agriculture Engineer, Dera ismail khan. with Reference to his office latter No. 187/AAE dated 31.01.2019 For information and necessary action. He is Further Directed to arrange to the above named official as per Direction of the august peshawar hight court, Dera ismail khan bench.
12. MR. Aziz ur Rehman S/ Rozi khan Resider ce of Rorri, Tehsil Kulachi, Dera ismail for information and necessary action.
13. File No. 9/43 of Estt; Section of this office;

Director,

Agricultural Engineering,

Khyber Pakhtunkhwa

Mr. Saleem Nawaz, Junior Clerk (BPS-11) in office of the Assistant Agricultural Engineer,

Dera Ismail Khan is hereby transferred/ posted in office of the Assistant Agricultural Engineer, Bannu against the vacant post of Junior Clerk in the interest of public service with effect from 01.02.2019.

In light of the Peshawar High Court, Dera Ismail Khan Bench judgment dated 20.01.2016 in writ petition No. 281-D of 2015 and direction issued on 29.01.2019 by C.O.C No. 253-D/2016 in the said W.P, the Competent Authority is pleased to conditionally adjust Mr. Azk Ur Rehman S/O Rozi Khan residence of Barri, Tehsil Kulachi, District Dera Ismail Khan (Ex-Assistant Molder/Junior Clerk) of this Department and declared surplus with effect from 01.07.2001 vide this office letter No 5293-5319/DAE/Estt: dated 07.07.2001 and adjusted as Naib Qasid in Education Department at GMS Wanda Umar Khan by the Deputy Commissioner, Dera Ismail Khan vide office order No. 856-76/DC (S.Pool) dated 19.02.2014 and District Education Officer (Male), Dera Ismail Khan vide office order No. 2609-15 dated 27.02.2014 as Junior Clerk BPS-11 (Rs.12570-880-38970) plus usual allowances as admissible under the rules with all back benefit accrued to him under the law from the post in question, subject to the ultimate decision by the August Supreme Court of Pakistan in CPLA No.310-P/2017 and posted him in office of the Assistant Agricultural Engineer, Dera Ismail Khan against the vacant post of Junior Clerk as vacated upon the transfer of Mr Saleem Nawaz, Junior Clerk to office of the Assistant Agricultural Engineer, Bannu with effect from 01.02.2019.

In case the final verdict of the apex Supreme Court of Pakistan is in favour of Government/this Department, he will be repatriated to his present post of Naib Qasid in Education Department without claiming any right at any forum and all back benefits will be recovered from the above named official/petitioner.

If the above terms and conditions of conditionally adjustment are acceptable to him, he should immediately communicate his acceptance in writing to the office of Assistant Agricultural Engineer, Dera Ismail Khan within 15 days of the issuance of this order. Consequently adjustment order of the petitioner already issued vide this office No. 8393-8401/DAE/Estt: 3/2 dated 30.11.2017 may be considered as withdrawn.

SD/-(ENGR. MAHMOOD JAN)
Director,
Agricultural Engineering,
Khyber Pakhtunkhwa Tarnab Peshawar

Indst: No. 12-32-43 /DAE/Estt:3/2 dated Tarnab, the
Copy of the above is forwarded to:

31 / 01 / 2019

1. The Additional Registrar, Peshawar High Court Bench, Dera Ismail Khan;
2. The Additional Advocate General, Dera Ismail Khan;
3. The Secretary, Government of Khyber Pakhtunkhwa, Agriculture, Livestock and Cooperative Department Peshawar with reference to this office letter No. 1070-78/DAE/Estt: 2/43 dated 25.01.2019;
4. The Deputy Commissioner, Dera Ismail Khan;
5. The Agricultural Engineer, Haripur;
6. The District Account Officer, Haripur;

11
Ann-A
C

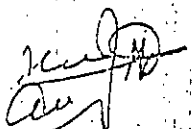
(2)

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Ann-11

- 7. The District Account Officer, Dera Ismail Khan;
- 8. The District Account Officer, Banm;
- 9. The District Education Officer (Male), Dera Ismail Khan;
- 10. Mr. Muhammad Nawaz, Focal Person/Assistant Agricultural Engineer, Peshawar; for information.
- 11. The Assistant Agricultural Engineer, Dera Ismail Khan with reference to his office letter No. 187/AE dated 31.03.2019 for information and necessary action. He is further directed to arrange back bench to the above named official as per direction of the August Peshawar High Court, Dera Ismail Khan Bench.
- 12. Mr. Aziz Ur Rehman S/O Rozi Khan residence of Rori, Tehsil Kalachi, District Dera Ismail Khan for information and necessary action.
- 13. File No. 9/13 of Estt: section of this office;

~~Director,~~
 Agricultural Engineering,
 Khyber Pakhtunkhwa Tarnab Peshawar

Attested:


Asst Agril Engineer
 Dera Ismail Khan

**SENIORITY LIST OF MINISTERIAL STAFF OF AGRICULTURAL ENGINEERING WING OF AGRICULTURE, LIVESTOCK AND COOPERATIVE DEPARTMENT KHY
PAKHTUNKHWA AS STOOD ON 31.12.2020.**

S#	Name of Officer/ Official with academic qualification	Date of Birth and domicile	Date of 1st entry into Govt. service	Regular appointment/ promotion to present post.			Present posting.	Remarks
				Date	BS	Method of Recruitment		
1.	2.	3.	4.	5.	6.	7.	8.	9.
ASSISTANT								
1.	Janat Khan F.A	01/04/1964 Peshawar	12/06/1983	18/08/2017	BPS-16	Promotion	Agricultural Engineer, Mardan	-
2.	Aziz Ur Rehman Matric	15/10/1955 Karak	19/11/1983	02/12/2017	BPS-16	Promotion	Directorate of Agricultural Engineering	-
3.	Muhammad Yasir Khan B.A (Hons)/M.Phil.	11/09/1991 Bannu	14/11/2017	14/11/2017	BPS-16	Direct	Directorate of Agricultural Engineering	-
4.	Ghufran Uddin Matric	15/02/1962 Peshawar	01/09/1980	16.09.2019	BPS-16	Promotion	Directorate of Agricultural Engineering	-
SENIOR CLERK								
1.	Sher Niaz B.A	01/11/1955 Nowshera	01/06/1985	02/12/2009	BPS-14	Promotion	Directorate of Agricultural Engineering	-
2.	Riaz-ul-Wahab Matric	12/06/1955 Nowshera	01/08/1985	02/12/2009	BPS-14	Promotion	Assistant Agricultural Engineer, Peshawar	-
3.	Ibrar Ul Wanaab Matric	01/04/1969 Nowshera	18/07/1987	31/05/2016	BPS-14	Promotion	Directorate of Agricultural Engineering	-
4.	Muhammad Younas M.A (Islamiyat)	03/03/1968 D.I.Khan	17/07/1988	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, D.I.Khan	-
5.	Riasat Ali Matric	20/02/1967 Haripur	15/12/1987	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, Bannu	-
6.	Zulfiqar Ahmed B.Com	08/02/1964 Abbottabad	21.11.1989	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, Mansehra	-
7.	Zameer Abidin Matric	15/01/1972 Peshawar	01/09/1990	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, Swat	-
8.	Mehruben Shah Matric	22.10.1975 Mansehra	01.01.1995	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, Chitral	-
9.	Iqbal Shah B.A	06/07/1972 Peshawar	02/10/1996	01/11/2017	BPS-14	Promotion	Assistant Agricultural Engineer, Tarnab Peshawar	-
10.	Shahzad Khan B.A	02/02/1979 Nowshera	14/12/2009	16/09/2019	BPS-14	Promotion	Agricultural Engineer, Mardan	-

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Attended to be
from 20/12/20

1	Hikmat Ullah Matric	10/05/1972	11/11/2005	19/12/2008	BPS-11	Transfer/Direct	Assistant Agricultural Engineer, Bannu
2	Shahzad B.A	22/04/1988 Peshawar	15/12/2009	15/12/2009	BPS-11	Direct	Directorate of Agriculture Engineering
3	Khayal Mohammad F.A	12/01/1975 Khyber Agency	16/12/2009	16/12/2009	BPS-11	Direct	Agricultural Engineer, Kohat
4	Mohammad Usman B.A	16/02/1981 Peshawar	26/10/2004	16/12/2009	BPS-11	Direct	Assistant Agricultural Engineer, Tarnab Peshawar
5	Fazal Wadood B.A	17/10/1982 Batkhela	16/12/2009	16/12/2009	BPS-11	Direct	Agricultural Engineer, Malakand
6	Ahsan Shahzad B.A	03/08/1989 Peshawar	16/12/2009	16/12/2009	BPS-11	Direct	Directorate of Agricultural Engineering
7	Mohammad Yousaf Khan M.A/DIT	06/02/1983 Peshawar	17/12/2009	17/12/2009	BPS-11	Direct	Directorate of Agricultural Engineering
8	Yaqoob Ali Shah B.A	15/07/1967 Chitral	16/08/1990	01/11/2010	BPS-11	Transfer/Direct	Assistant Agricultural Engineer, Chitral
9	Safiullah B.A	04.02.1979 Charsadda	07/04/2014	07/04/2014	BPS-11	Direct	Assistant Agricultural Engineer, Tarnab Peshawar
10	Quaid Ali B.A	10/02/1988 Mardan	01/02/2010	29/12/2017	BPS-11	Promotion	Agricultural Engineer, Mardan
11	Muhammad Ibrar D.Com	12/04/1972 Nowshera	14/12/2009 as Cleaner 01/10/2011	29/12/2017	BPS-11	Promotion	Directorate of Agricultural Engineering
12	Shafi Ullah B.A	01/03/1992 Swat	06/07/2012 Naib Qasid	29/12/2017	BPS-11	Promotion	Assistant Agricultural Engineer, Swat
13	Hidayat Ullah Matric	06/04/1982 D.I. Khan	02/05/2012 Greaser 01/08/2012	29/12/2017	BPS-11	Promotion	Assistant Agricultural Engineer, Mansehra
14	Muhammad Haseeb Khan F.A	04/03/1984 Peshawar	21/04/2014 Greaser	29/12/2017	BPS-11	Promotion	Directorate of Agricultural Engineering
15	Daryal Asghar Khan BCS (Hon)	25.10.1988 D.I.Khan	24.01.2018	24.01.2018	BPS-11	By Initial	Assistant Agricultural Engineer, D.I.Khan
16	Saleem Nawaz Matric, F.A	02.05.1995 D.I.Khan	01.02.2018	01.02.2018	BPS-11	By Initial	Assistant Agricultural Engineer, Bannu

Director,
Agricultural Engineering,
Khyber Pakhtunkhwa, Tarnab Peshawar

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بخدمت جناب ڈائریکٹر محکمہ زراعت (انجینئرنگ) خیبر پختونخواہ ترناب روڈ پشاور

Through Proper Channel

محکمہ اپیل برائے دلائے جانے سیناریٹی بمطابق سروس

Ministerial Staff Agriculture Engineering Wing of Agriculture,
Livestock and Cooperative Department Khyber Pakhtunkhwa as
Stood on 31/12/2020

جناب عالی! سائل ایپلانٹ سب ذیل عرض رساں ہے۔
یہ کہ ایپلانٹ مورخہ 18/05/1993 کو آپ جناب کے زیر سایہ بطور جونیئر کلرک BPS-5 ڈیوٹی سرانجام دے رہا تھا کہ
بعدہ مورخہ 24/10/1993 کو ایپلانٹ کا Cadre تبدیل کر کے اسٹنٹ مولڈر BPS-5 تعینات کیا گیا بعدہ 2001
میں من ایپلانٹ کو سرپلس پول میں شامل کر دیا گیا۔ بعدہ مورخہ 19/02/2014 کو من ایپلانٹ کو بطور نائب
قاصد PBS-1 گورنمنٹ ڈل سکول واٹھہ عمر خان میں تعینات کیا گیا جو کہ مورخہ 27/02/2014 کو عمل درآمد کیا گیا۔
بعدہ من ایپلانٹ نے ریٹ پینشن دائر کی اور عدالت عالیہ پشاور ہائیکورٹ بیج ڈیرہ اسماعیل خان نے بروئے حکم مورخہ
20/01/2016 ایپلانٹ کی ریٹ پینشن منظور فرمائی اور آپ صاحبان نے مہربانی کرتے ہوئے مورخہ 31/01/2019 کو
عدالت عالیہ کے روبرو لیٹر تعیناتی برائے ایڈجسٹمنٹ جونیئر کلرک BPS-11 پیش کیا اور اب آپ جناب کے آفس نے مورخہ
31/12/2020 کو ایک سیناریٹی لسٹ جاری کی جس میں من ایپلانٹ کا نام سیناریٹی لسٹ میں سیریل نمبر 8 پر آنا چاہئے تھا
لیکن مودبانہ عرض گزار ہوں کہ من ایپلانٹ کا نام سرے سے سیناریٹی لسٹ میں شامل نہیں کیا گیا ہے اس لئے سیناریٹی لسٹ
مذکورہ غیر قانونی اور سروس روٹ کے قواعد و ضوابط کے خلاف ہے۔

لہذا استدعا ہے کہ من ایپلانٹ کی محکمہ اپیل ہذا منظور فرما کر من ایپلانٹ کا نام سیناریٹی لسٹ میں سیریل نمبر 8 میں شامل کیا
جائے اور ایپلانٹ کی دائری فرمائے ہوئے منظور فرمائیں۔

مورخہ 04/09/2021

عزیز الرحمن ولد روزی خان سکندر روہڑی تحصیل کلاچی ڈیرہ اسماعیل خان حال تعینات بطور جونیئر کلرک



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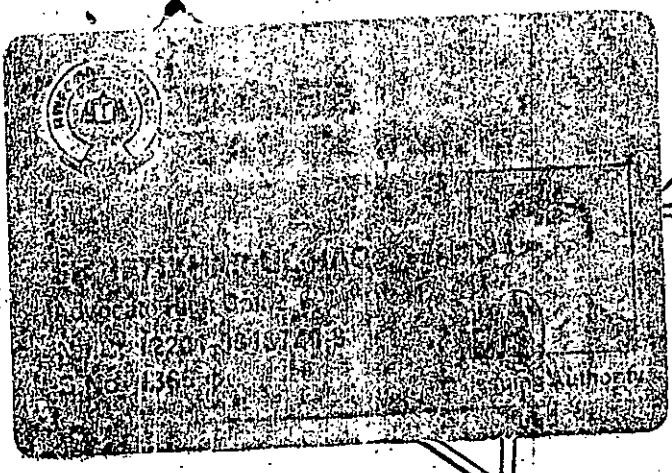
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وکالت نامہ



کوٹ
فیس

Before the Higher Patshankara Service Tribunal
 Applicant: U. Aziz ur-Rahman Govt of W.P.K etc
 Service Appeal
 vs Govt of W.P.K Service Tribunal

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات کے پیشی یا تصدیق مقدمہ منام
 D.I.K. vs. Govt of W.P.K.

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا پڑا بذریعہ رو برد عدالت حاضر ہونا ہوں گا اور ہر وقت نکالے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ یا کچہری کے اوقات سے پہلے یا بیچے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر کچہری کے علاوہ اور جگہ ساعت آؤسے یا بروز تعطیل یا کچہری کے اوقات کے آگے یا بیچے پیش آؤسے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا ایسے واسطے کسی معاوضہ کے ادا کرنے یا نمانت نہ واپس کرنے کے میں صاحب موصوف ذمہ دار نہ ہوں گے۔ نیز کوکل ساختہ پر داخستہ صاحب موصوف محل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض ڈگری یا جواب ڈگری یا درخواست اجراء اسمائے ڈگری نظر ثانی اپیل عمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ٹاشی یا راضی نامہ و فیصلہ بر حلف کرنے آقبل ڈگری کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مرکز بیرون از کچہری صدر بیرونی مقدمہ مرکز نظر ثانی اپیل و عمرانی و برآمدگی مقدمہ یا منسوخی ڈگری یک طرفہ یا درخواست حکم استعفی یا ترقی یا گرفتاری قبل از فیصلہ اسمائے ڈگری بھی صاحب موصوف کو بشرط ادا کیگی علیحدہ مختار بیرونی کا اختیار ہو گا اور تمام ساختہ پرواقت صاحب موصوف محل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل عمرانی یا دیگر معاملہ و قدر مذکورہ کسی دوسرے وکیل یا ہیر سز کو اپنے بجائے یا اپنے امراء مقرر کریں اور ایسے شیرتالوں کو بھی ہر امر میں دی اور ایسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جائے التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا ذرا کثرت نامہ لکھ دیا ہے تاکہ سند رہے
 مورخہ 3 مارچ 2012

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Attended
 &
 Accepted
 [Signature]
 [Signature]

[Signature]
 sig. of Applicant