

29.09.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General shall intimate the respondents to submit reply/comments on the next date positively. Adjourned. To come up for submission of reply/comments as well as preliminary hearing on 27.10.2022 before the S.B at Camp Court D.I.Khan.



(Salah-Ud-Din)
Member (J)
Camp Court D.I.Khan

27th Oct 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Rasool Khan, ADEO for respondents present.

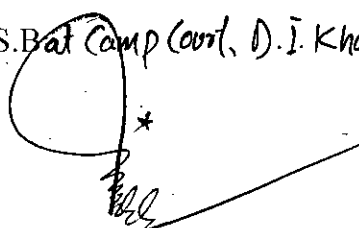
Written reply/comments on behalf of the respondents has been submitted which is placed on file. To come up for preliminary hearing on 22.11.2022 before S.B at camp court D.I.Khan. P.P given to the parties.



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

27.06.2022

Mr. Sheikh Iftikhar, Advocate for the appellant present. Learned counsel for the appellant argued the case with the contention that the appellant was appointed against the quota reserved for Class-IV vide appointment order dated 11.08.2017. In pursuance of appointment order, the appellant submitted arrival report on 12.08.2017. However, he has not been paid salary w.e.f. the date of arrival till institution of the service appeal in Service Tribunal on 28.02.2022. When confronted with the question that where is the posting order of the appellant to substantiate that he has performed duty and became eligible for payment of salary? He could not produce anything in support of the assertion to satisfy the court with documentary evidence. As such, there is neither any impugned order of which the appellant is aggrieved nor there is any posting order to establish that he has performed the duty. In such circumstances, this Bench is unable to admit the instant service appeal at the stage of preliminary hearing. It would therefore be appropriate to issue pre admission notice to the respondents for submission of reply/comments. To come up for reply/comments as well as preliminary hearing on 28.07.2022 before S. Bat Camp Court, D.I. Khan


(Mian Muhammad)
Member (E)
Camp Court, D.I. Khan

28.07.2022

Due to summer vacations, the case is adjourned to 29.09.2022 for the same as before.

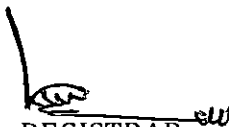

Reader

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 411/2022 _____


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/03/2022	<p>The appeal of Mr. Waseem Jan resubmitted today by 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>
2-		<p>This case is entrusted to touring S. Bench at D.I Khan for preliminary hearing to be put there on <u>28-04-2022</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"><i>Tour to Camp Court D.I. Khan Cancel. To come up for the same on 27/06/2022 before S.B.</i></p> <p style="text-align: right;"><i>Reader.</i></p>

The appeal of Mr. Waseem Jan r/o village Nandoor post office Pai Tehsil and District Tank received today i.e. on 28.02.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Copy of appointment order dated 11.08.2017 is illegible which may be replaced by legible/better one.

No. 605 /S.T,

Dt. 2-3- /2022


REGISTRAR,
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Sheikh Iftikhar-ul-Haq Adv.
High Court Dera Ismail Khan.

Respected sir,

The better copy of the relevant appointment order dated 11.08.2017 had been submitted please sir. Hence resubmitted please sir.

Dated: 15.03.2022

in file
as
Sheikh Iftikhar ul Haq
Advocate High court
District Bar
D-I. Khan

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

Service Appeal No 411 -D of 2022

Waseem Jan

Versus

Government of Khyber Pakhtunkhwa & others

Service Appeal

INDEX


S.No	Particulars of the Documents	Annexure	Page
1.	Grounds of Service Appeal with affidavit	--	1-5
2.	Copies of writ petition NO. 63-D/2014, judgment dated 16/05/2017, order Endst No. 7606/11 dated 11/08/2017, joining report, MC, COC petition and judgment dated 08/03/2021	A to F	8-23
3.	Copy of the application	G	24-25
4.	Copies of writ petition and order dated 13/10/2021	H & H/1	26-31
5.	Copy of the departmental appeal with postal receipt	I	32-35
6.	Wakalatnama	--	-36-

Dated: 22/02/2022

Humble Appellant



Waseem Jan
Through Counsel


Sheikh Iftikhar ul Haq
Advocate High Court

①

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

Service Appeal No. 411 / P of 2022

Waseem Jan son of Gulli Jan Khan r/o village Nandoor
P.O Pai, Tehsil & District Tank. 0349 -6510133

..... (Appellant)

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Education Department Khyber Pakhtunkhwa, Peshawar.
2. Director Elementary and Secondary Education KPK Peshawar.
3. District Education Officer Elementary and Secondary Education (Male) Tank.

..... (Respondents)

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974.**

Note:

Addresses of parties given in the heading of appeal are sufficient for the purpose of service.

Prayer:

On acceptance of instant service appeal, the respondents may very graciously be directed to release the monthly salaries of Appellant since 11/08/2017 till date and further the respondents may be directed to adjust the Appellant against the proper vacant post and further the Appellant be allowed to perform proper physical duties.

2

Respectfully Sheweth:-

Appellant humbly submits as under;

1. That the Appellant is permanent & bona-fide resident of District Tank and is an energetic young man.
2. That the father of the Appellant was retired from Education Department on 06/10/2006 and later on the Appellant applied for the post of Class-IV in Education Department Tank on the basis of retired son quota, which was not fulfilled at that time. For which the Appellant filed a writ petition No. 63-D/2014 before this honourable court was allowed vide judgment dated 16/05/2017. Later on the Appellant was appointed against the retired employees son quota vide order Endst No. 7606/11 dated 11/08/2017. It is also pertinent to mention here that the Appellant was appointed at Govt. Primary School Momin Koruna, wherein the Maliks of the said village (two brother are having quarrel on the post of Class-IV) and thus the Appellant was not properly allowed to perform duties and thus, the Appellant came back to the office of respondents/authority and made joining to the District Education Officer Male District Tank and thus the Appellant have been performing his duties in the incumbency of respondents/authority without marking attendance. Initially aggrieved by the inaction and omission of the respondents/authorities submitted Contempt of Court Petition No. 466-D/2020 before this honourable court which was fixed on 08/03/2021 before the Divisional Bench of Honourable Justice Ijaz Anwar Sahib and the Honourable Justice Muhammad Naeem Anwar. During arguments it was thrashed out that actually the respondents/authority fully obeyed order of the honourable High Court, hence, the counsel for the Appellant Mr. Sheikh Iftikhar ul Haq Advocate verbally directed to submit a writ petition for the release of the salaries and thus the contempt petition was disposed of that *"In such view of the matter, the instant application for initiating contempt of court proceedings has already served its purpose and the directions of this honourable court has*

already been complied with, therefore, same is disposed of accordingly".

Copies of writ petition No. 63-D/2014, judgment dated 16/05/2017, order Endst No. 7606/11 dated 11/08/2017, joining report, COC petition and judgment dated 08/03/2021, arrival report and medical certificate are annexed as **Annexure-A to F** respectively.

3. That thereafter the Appellant made an application to the respondents for release of his salaries but the same was not accepted up till now. Copy of the application is annexed as **Annexure-G**.
4. That thereafter the appellant filed writ petition No. 323-D/2021 before the Honourable Peshawar High Court the Honourable court was pleased to direct the appellant to approach the Service Tribunal because the service tribunal as got expulsive jurisdiction to adjudicate upon the such controversy vide order dated 13/10/2021. Copies of writ petition and order, dated 13/10/2021 are annexed as **Annexure-H & H/1**
5. That the appellant preferred a departmental appeal in the light of service laws and rules on 08/11/2021 which is not decided till yet within stipulated period. Copy of the departmental appeal with postal receipt is annexed as **Annexure-I**.
6. That in the attending circumstances the appellant submits the instant service appeal, inter alia, on following grounds.

Grounds:-

1. That inaction and omission of respondents by not releasing the monthly salaries of Appellant after appointment is against law, facts and circumstances.
2. That it is the fundamental right of the Appellant to adjust the Appellant against the post which have no dispute as per

4

verdicts of superior courts and the Constitution of the Islamic Republic of Pakistan, 1973.

3. That the behavior of the respondents/authority are against the violation of law by not releasing the salaries since from the date of appointment and joining report.
4. That Counsel for the Appellant may kindly be allowed to raise any other grounds at the time of arguments if needed.

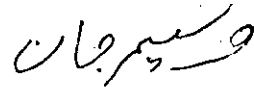
It is therefore, humbly prayed that, On acceptance of instant service appeal, the respondents may very graciously be directed to release the monthly salaries of Appellant since 11/08/2017 till date and further the respondents may be directed to adjust the Appellant against the proper vacant post and further the Appellant be allowed to perform proper physical duties.

Or

Any other relief deemed appropriate in the attending circumstances of the case may also be granted.


Dated: 22/02/2022

Humble Appellant



Waseem Jan

Through Counsel



Sheikh Iftikhar ul Haq
Advocate High Court

5

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

Service Appeal No _____ -D of 2022

Waseem Jan

Versus

Government of Khyber Pakhtunkhwa & others

Service Appeal

AFFIDAVIT

I, **Waseem Jan** son of Gulli Jan Khan r/o village Nandoor P.O
Pai, Tehsil & District Tank, the Appellant, do hereby solemnly
affirm and declare on oath that contents of above service appeal
are true & correct to the best of my knowledge and belief and that
nothing has been concealed from this Honorable Court.

DEPONENT

CNIC#

12201-1203907-3

Attested
Adv
22/2/22

Identified by:

Sheikh Iftikhar ul Haq
Advocate High Court

Certificate:-

Certified that no appeal on the subject has earlier been filed
before this honourable Tribunal.

Appellant

List of Books:-

1. Constitution of Islamic Republic of Pakistan. 1973.
2. Judgment on points.

6

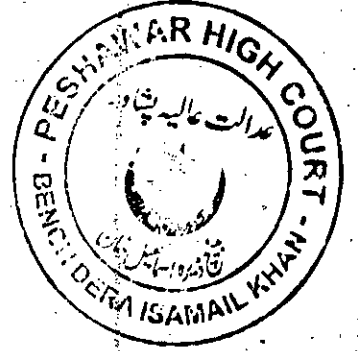
BEFORE THE PESHAWAR HIGH COURT,
D.I.KHAN BENCH

Writ Petition No. 63 /2014

Ann - "A"

Waseem Jan s/o Guli Jan
R/o Nandoor Tehsil & District Tank

.....PETITIONER



VERSUS

1. The Government of Khyber Pakhtunkhwa, Province through Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary Education, Department Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Director Education, KPK, Peshawar.
4. District Education Officer Elementary and Secondary (male), Tank.

.....RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF
PAKISTAN, 1973

Filed today 356

Admitted by 3/10/25

Respectfully Sheweth,

1. That Petitioner is a citizen of Islamic Republic of Pakistan and is a permanent resident of Nandoor Tehsil & District Tank.
2. That father of the Petitioner namely Guli Jan was a Class-IV employee in Govt. Primary School Nandoor, District Tank who has since been retired on 06.10.2006 on attaining age of 60 years. Copy of pension payment order book is enclosed as

ANNEXURE "A"

Guraz

ATTESTED

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

10/11/22

3. That at the time of retirement of father of the Petitioner, the Petitioner was minor and on attaining the age of majority, he then submitted application on 17.12.2013 before Respondent No. 4 for appointment as Naib Qasid/Class-IV on the basis of quota of 25% reserved for retired civil servants as provided under Notifications of Provincial Government as well as provided Rule 10(4) of KPK Civil Servants (Appointment, promotion and transfer) Rules, 1989. Copies of application alongwith Notifications on the subject are enclosed as **ANNEXURE "B & C"** respectively.
4. That after submission of the application, the Petitioner anxiously waited for the result of the application but no action has so far been taken by the Office of the Respondent No. 4 in the matter and no intimation has so far been communicated to the Petitioner.
5. That having no other efficacious remedy, the Petitioner is obliged to invoke the constitutional jurisdiction of this Hon'ble Court once again for redressal of his grievances inter alia on the following grounds:-

GROUNDS: -

1. That the action/in action of non-disposal of application of Petitioner for appointment of Petitioner on the basis of Retired Civil Servants son Quota is void abinitio, illegal, malafide, arbitrary, without lawful authority, against the fundamental rights guaranteed under the provisions of Constitution of Islamic Republic of Pakistan and in operative qua the rights of Petitioner.

Filed today 356
 Advt. Registrar.
 6/2/15.

ATTESTED
 EXAMINOR
 Peshawar High Court Bench,
 Dera Ismail Khan
 10/1/15

18

- B. That the appointment of Petitioner on Retired son's quota is the vested right but it has been refused to the Petitioner impliedly by the Respondents without any legal justification.
- C. That such legal protection available to the Retired Civil Servant's son is bestowed by the law/rules to those children whose fathers have been retired as Class-IV employee under the Notifications of Provincial Government issued from time to time.
- D. That the Petitioner is a young having good physique and is otherwise duly qualified and eligible for the appointment on the subject post.
- E. That there is no hurdle and hardship in the way of Respondents to implement the Notifications and Rules available on the subject.
- F. That it is ~~is~~ the legal and moral obligation of Official Respondents to follow strictly the rules and regulations as already notified/published by the Provincial Government and to appoint the Petitioner as Class-IV on the basis of quota reserved for Retired Employees son.
- G. That under the provisions of fundamental rights guaranteed by the Constitution of Islamic Republic of Pakistan, every act of Government is required to be exercised lawfully and every individual has to be dealt with in accordance with law which means that a citizen has to enjoy protection of law and to be treated in accordance with law and such right is inalienable right of every citizen.

Filed today 3/5/6
Admitted Registrar
S/O 125

ATTESTED
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan
11/2

H. That provision of Article 4 of the Constitution of Islamic Republic of Pakistan provide constitutional guarantee to the people and citizens that the Executive cannot take their right of life liberty and property without legal justification but Petitioner has been deprived by Respondents of his legal and vested fundamental rights of appointments.

I. That similarly all the citizen are equal in the eyes of law and all the citizens have equal protection of law under the provisions of fundamental rights and there should be no discrimination on the basis of sex, caste, race, colour and domicile or any other reason.

J. That this Hon'ble Court has vast powers under the constitution and is the custodian of Constitution and fundamental rights of the citizens of the Country and is under obligations to interpret the provisions of Constitution and to control and prohibit public functionaries/departmental authorities to rescue an aggrieved person(s) from the illegal exercise of powers and acts of Government functionaries including the Respondents so as to compel them to do justice.

Filed in No. 356

Adm. Re. No.

1/10/15

K. That counsel for the petitioner may be allowed to raise any additional grounds during the course of arguments.

It is, therefore, humbly prayed on acceptance this petition, this Hon'ble Court may very graciously be pleased to issue writ declaring the action/in action of Respondents of non-

ATTESTER
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan
15/11/22

10

appointment as Class-IV, on the quota reserved for Retired Employees/Civil Servants to be void abinitio, illegal, malafide, arbitrary, without lawful authority, against the fundamental rights guaranteed under the provisions of Constitution of Islamic Republic of Pakistan and in operative qua the rights of Petitioner and as a consequence thereof competent authority, Respondent No. 4 may please be directed to issue appointment order of Petitioner on the post of Class-IV as provided under the law.

Any other relief deemed appropriate in the prevailing circumstances may also be granted.

Filed 356

Admitted 4/2/15

Dated 4-2-2015

Your humble Petitioner

Through Counsel

Gul Tiaz Khan Marwat
Advocate, High Court
D.I.Khan

CERTIFICATE

It is certified that no other writ petition on the same subject between the same parties has been filed in this Hon'ble court or else where.

Counsel for Petitioner

LIST OF BOOKS:

1. Constitution of Pakistan.
2. KPK, Civil Servants (appointment, promotion and transfer) Rules, 1989
3. Judgments on the point.

ATTESTED

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

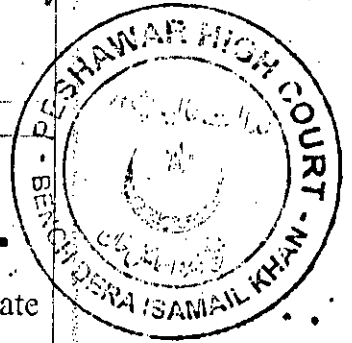
10/1/22

11

IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET

Ann-B



Date of order or proceedings (1)	Order or other proceedings with signature of Judge(s). (2)
16.5.2017	<p><u>W.P. No.63-D/2015.</u></p> <p><u>Present:-</u> Mr. Gul Tiaz Khan Marwat, Advocate for the petitioner.</p> <p>Mr. Kamran Hayat Miankhel, Addl: A.G. alongwith Musarrat Hussain Deputy DEO and A.D. Litigation, in person.</p> <p>***</p> <p>ABDUL SHAKOOR, J.- The latter committed at the bar that the petitioner is at serial No.2 of the waiting list maintained for the purpose of appointment of retired employees' sons quota, so he will be appointed at his own turn.</p> <p>2. In view of above, the learned counsel for the petitioner does not want to press the present petition, which is disposed of in the above terms.</p> <p><u>Announced.</u> <u>Dt: 16.5.2017.</u></p> <p style="text-align: right;"><u>JUDGE</u> <i>[Signature]</i> <u>JUDGE</u></p> <p style="text-align: right;">ATTESTED</p>

off
16/5

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan
10/1/22

12

Ann-C

OFFICE OF THE DISTRICT EDUCATION OFFICER-M TANK

Phone: 0963-510356, 0963-510383

Email address: emistank@yahoo.com

APPOINTMENT ORDER:

Consequent upon the recommendations/approval of the Departmental Selection Committee, as contained in its minutes of the meeting, held on 13-08-2017 the undersigned is pleased to appoint the following 26 candidates against the vacant posts of Class-IV (BPS-3) scale (9610-390-21310) plus all usual allowances under 100% deceased sons / incapacitated / invalidated persons quota as admissible under the rules in the light of notification issued vide No. 30(R-IV)E&AD/1-3/2015 Dated: 19-04-2016. 25% retired sons quota & on open merit, on the terms and condition given below from the date of their taking over charge.

Deceased, Invalidated / Incapacitated 100% quota

Table with 8 columns: Sl. No., Name of Candidate, Father's Name, Person who died / incapacitated / incapacitated during service, CHC No, Address, Date of Death / Medical Board, Place of Posting with Designation. Includes candidates like Sanku Sood, Abdu Rauf, and Haseem Hameed.

By Court Orders

Table with 8 columns: Sl. No., Name of Candidate, Father's Name, Person who retired during service, CHC No, Address, Date of Retirement, Place of Posting with Designation. Includes candidate Amir Khan Ullah.

25% Retired Employees Son Quota

Table with 8 columns: Sl. No., Name of Candidate, Father's Name, Person who retired during service, CHC No, Address, Date of Retirement, Place of Posting with Designation. Includes candidates like Farooq Khan, Waqar Khan, and Hafayat Ullah.

Handwritten signature/initials on the left side of the page.

Handwritten signature at the bottom center of the page.

Handwritten signature at the bottom right of the page.



Name of Candidate	Father's Name	Person who retired during service	CNIC No	Address	Date of Retirement	Place of Posting with Designation
Yousaf	Said Kalam Khan	Said Kalam Khan	2170478913295	Tehsil: Saranoga SWA	21-04-17	GPS Kot Gulgai as Chowkidar

Open Merit

No	Name of Candidate	Father's Name	CNIC No	Address	Desig:	Place of Posting	Remarks
1	Teqeen Ahmad	Rustam Khan	1220178849091	Village: Sh. Sultan	N/Qasid	GMS Sh. Sultan	Open Merit / 25%
2	Prayan Ullah	Muhammad Ramzan	1210155033461	Village Kiri Haider	N/Qasid	GHS Kiri Haider	Open Merit / 25%
3	Moh Ullah	Abdur Rahman	1220167016053	Village Pai, Tank	N/Qasid	GHS Pai Tank	Open Merit / 25%
4	Syed Qaim Ali	Hassan Ali	3810155525849	Village G/Tabach	Chowkidar	GPS Gara Dalochi # 2	Open Merit / Land Donor
5	M. Waqar	Asma Ullah	1220101790087	Village Raghza	Chowkidar	GPS Raghza	Open Merit / Land Donor
6	Qasim Khan	Sana Ullah	1220184296165	Village Kiri Pook	N/Qasid	GMS Shah Alam	Open Merit / Land Donor
7	M. Farooq	Ramzan	1220155308257	Village Shah Alam	Sweeper	GMS Shah Alam	Open Merit / Land Donor
8	Fazal Khan	M. Rafiq	1220159435173	Village Tajori	N/Qasid	GHS Tajori	Open Merit / Land Donor
9	Pran Khan	Muqim Khan	2260123107401	Village Bahawal	Chowkidar	GPS Dilawar Khan Kor. Tank	Open Merit / Land Donor
10	Muhammad Shah	Jalal Alam	1220149048077	Village Mazyani, Tank	Chowkidar	GPS Jalal Kot Mazyani, Tank	Open Merit / Land Donor
11	Said Ali Khan	M. Ayub Khan	1220143174294	Village Midad Khel, Tank	Chowkidar	GPS Midad Khel, Tank	Open Merit / Land Donor
12	Syed Rajab Ali Shah	Syed Inam Shah	1220472223281	Moh. Anidan, Tank	Chowkidar	GPS Qutab Colony, Tank	Open Merit / Land Donor
13	Muhammad Iqbal Khan	Syed Khan	1220151175493	Village Li Akbar, Tank	N/Qasid	GHS Muhammad Akbar, Tank	Open Merit / Land Donor
14	Abdul Rahman	Hamid Ullah Jan	1220178610271	Village Kiri Waskati Tank	Chowkidar	GPS Kiri Waskati, Tank	Open Merit / Land Donor
15	Syed Usman Shah	Mamraz Khan	1220126194499	Village G/awaki, Tank	Chowkidar	GPS Kot Said Ahmad, Tank	Open Merit
16	Qasim Ullah	Qasim Khan	1220122693461	Village Wanda Zalo, Tank	N/Qasid	GMS Wanda Zalo, Tank	Open Merit

TERMS & CONDITIONS

- No TA/DA etc is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- They should not be handed over charge if exceed 40 years or below 18 years of age, except that

(Handwritten signature)

(Handwritten signatures and stamps)

14

Appointment is subject to the condition that the domicile certificate & CNIC must be verified from the concerned authorities by the DEO. In case of fake / bogus domicile certificate/CNIC their appointment orders would be automatically cancelled from the date of appointment and will be reported to the law enforcing agencies for further action.

5. Their services are liable to terminate on one month's notice from either side. In case of resignation without notice their one-month pay / allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless a certificate regarding verification of their domicile certificate / CNIC is issued by this office.
7. They should join their posts within 15 days of the issuance of this notification. In case of failure to join the post within stipulated period, their appointment will stand expired automatically and subsequent no appeal etc shall be entertained.
8. Health and Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. They will be governed by such rules and regulations as may be issued from time to time by the Govt of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
10. The appointment is made subject to the condition that the candidate is permanent Domicile holder of District Tank.
11. Before handing over charge, once again their domicile certificate / CNIC may be checked by the DDO concerned.
12. If deceased / medical board quota has already been availed then the present appointment will be considered as null & void and such person will be reported to law enforcing agencies for further action.
13. The appointment of Mr. Syed Qaim Ali Shah S/o Late Hussain Ali Shah ex Chowkidar at GPS Gata Baban#2 at S.Mo. C.L. subject to the condition that if Honorable Service Tribunal restate the services of Mr. Late Hussain Shah then his appointment will be automatically considered as null & void and he will have no right of appeal to any forum.

--Sd--

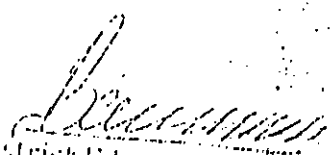
(HAQIYULLAH SHAIK)
District Education Officer
(Male) Tank

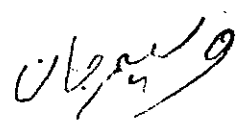
Dated Tank the 11/08/2017

Order No. 765-11 / Ministerial Staff/2017

Copy forwarded for information & necessary action to:-

1. The District Accounts Officer, Tank.
2. The District Monitoring Officer (MHO) Tank.
3. The District Education Officer (Male) Tank.
4. The Joint District Education Officer (Male) Tank.
5. The Principal / Headmaster / Head Teachers Schools Concerned.
6. The Official Concerned.
7. Office File.


District Education Officer
(Male) Tank



Annex-D

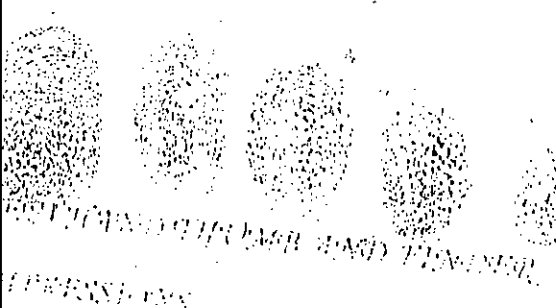
MEDICAL CERTIFICATE

(18)

Name of Official: Wasim Jam
 of Race: Kulmbh
 of Residence: Caubi Jam
 of Residence: Nandoor, Pori Tehsil District Tank
 Date of Birth: 01-11-1995 / N.I.C. Number: 12201-12037073
 Height: 5'-8"
 Physical marks of identification: nil
 Signature of the official: [Signature]
 Name of the official: [Signature]
 Designation of Official: _____

Seal of office

I do hereby certify that I have examined Mr / Miss Wasim Jam
 who is a candidate for employment in the D-E-O (Male) the Tank
 and cannot discover that he/she has any disease communicable or other constitutional affection or bodily infirmity except nil. I do not consider this as disqualification for employment in the office of the D-E-O (Male) Tank
 according to his own statement dated 01-11-1995 Tank
 for a period of 224 (Approx) years and by agreement about _____



[Signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

[Signature]

29/2/2017

BEFORE THE PESHAWAR HIGH COURT

BENCH DERA ISMAIL KHAN



Contempt Petition No. _____/2020

In W.P No. 63-D/2015

Decided on 16/05/2017

Waseem Jan son of Gulli Jan Khan r/o village Nandoor P.O
Tal, Tehsil & District Tank.

..... (PETITIONER)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Education Department KPK Peshawar. (Ch. Nadeem Aslam).
2. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar. (Abdul Salam Marwat)
3. District Education Officer Elementary and Secondary Education (Male) Tank. (Hafiz Muhammad Ibrahim)

..... (RESPONDENT)

CONTEMPT OF COURT PETITION U/S 204 OF
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN
1973 READ WITH SECTION 3 & 4 OF CONTEMPT OF
COURT ORDINANCE 2003 AGAINST THE PRESENT
RESPONDENTS FOR INITIATING CONTEMPT OF COURT
PROCEEDINGS AGAINST THE ISSUING OF DEFECTIVE
APPOINTMENT ORDER BEARING ENDORSMENT NO.
7606-11/MINISTERIAL STAFF/2017 DATED
11/08/2017 ON GHOST SCHOOL MOMIN KHAN
KORONA AS CHOWKIDAR IN THE INCUMBENCY OF
RESPONDENTS/AUTHORITY IN DISTRICT TANK WITH
FURTHER PRAYERS BY DIRECTING THE RESPONDENTS
TO ACCEPT THE JOINING REPORT OF THE PETITIONER

Handwritten signature/initials

ATTEST

Handwritten signature
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

16/1/22

BY ADJUSTING HIM AGAINST THE VACANT POST OF CLASS-IV BY IMPLEMENTING THE JUDGEMENT OF THIS HONOURABLE COURT DATED 16/05/2017.

17

Respectfully Sheweth;

1. That the present petitioner had filed a writ petition No. 63-D/2015 seeking the appointment on the basis of quota reserved for retired employees of the department and this honourable court was pleased to allow the same vide judgment dated 16/05/2017. Copies of the writ petition along with order sheet dated 16/05/2017 of this honourable court are annexed as **Annexure-A&B.**
2. That thereafter, the petitioner was appointed as Chowkidar in respondents' department in GPS Momin Korona vide consolidated office order ENDORSMENT No. 7606-11/MINISTERIAL STAFF/2017 DATED 11/08/2017. Copy of the appointment order is annexed as **Annexure-C.**
3. That the petitioner after getting the medical certificate submitted arrival report/joining report. Copies of medical certificate and arrival report are annexed as **Annexure-D & E.**
4. That the petitioner came into knowledge that the said school/post is not available. The Maliks of the said village (two brothers are having quarrel on the post of Class-IV), thus, the petitioner came back to the office of respondents/authority and made joining the District Education Officer (Male) Tank.
5. That the petitioner since then is awaiting for resuming his duty and is awaiting for his salaries. The petitioner made multiple application and also made various verbal requests himself and through his father for the adjustment of the petitioner against the vacant/competent post but the respondents have shown their inability, the petitioner have

TESTEL
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

10/1/2

no other adequate remedy except this COC petition against the respondents/authority for initiating contempt of court proceedings for issuing fake appointment order against the directions of this honourable court with further requests to kindly direct the respondents to transfer/appoint the petitioner in proper school of District Tank and adjust him accordingly.

18

That as order dated 16/05/2017 of this Honourable Court has been violated by Respondents and contempt of Court proceedings are sought to be initiated against the said Respondents on the following grounds amongst others:-

GROUND S

- a. That the Respondents wilfully and with mala fide intentions not obeying the clear cut directions of this Honourable Court hence liable to be contempt of court proceedings.
- b. That in fact the appointment order of the petitioner has been passed by respondents/authority but the petitioner came to know that his appointment order is defectively issued by the respondents on ghost school because there is no post, hence, the respondents/authority violated the orders of this honourable court and the appointment order is passed against the letter and spirit of orders of this honourable court.
- c. That the respondents/authorities were required to adjust the petitioner at any other place for the sake to implement the order of this honourable court in its true letter and spirit.
- d. That the petitioner is lying on hanging position. His appointment order on fake school is existing but his joining report is not accepted, saying the Momin Khan Konorna School is Ghost School meaning thereby that the judgment of this honourable court not been implemented in letter and spirit.

[Handwritten signature]

ATTESTED
[Signature]
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

10/1/22

- e. That counsel for petitioner may graciously be allowed to raise additional grounds at the time of arguments.

IT IS THEREFORE, PRAYED THAT ON ACCEPTANCE OF INSTANT PETITION CONTEMPT OF COURT PROCEEDINGS U/S 204 OF CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973 READ WITH SECTION 3 & 4 MAY KINDLY BE INITIATED AGAINST THE PRESENT RESPONDENTS BY ISSUING THE DEFECTIVE APPOINTMENT ORDER BEARING ENDORSMENT NO. 7606-11/MINISTERIAL STAFF/2017 DATED 11/08/2017 ON GHOST SCHOOL MOMIN KHAN KORONA AS CHOWKIDAR IN THE INCUMBENCY OF RESPONDENTS/AUTHORITY IN DISTRICT TANK WITH FURTHER PRAYERS BY DIRECTING THE RESPONDENTS TO ACCEPT THE JOINING REPORT OF THE PETITIONER BY ADJUSTING HIM AGAINST THE VACANT POST OF CLASS-IV BY IMPLEMENTING THE JUDGEMENT OF THIS HONOURABLE COURT DATED 16/05/2017.

19

Dated: 05/06/2020

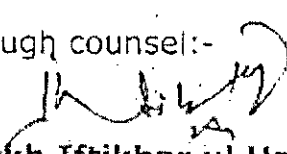
Your humble petitioner,

Waseem Jan

Through Special Attorney


Gulli Jan Khan

Through counsel:-


Sheikh Iftikhar ul Haq
Advocate High Court

ATTEST:


EXAMINOR
Dera Ismail Khan High Court Bench,
Dera Ismail Khan

10/1/22

20

Ann-F

PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET



Date of order or proceedings	Order or other proceedings with signature of Judge(s).
(1)	(2)
08.3.2021	<p><u>C.O.C. No.466-D/2020.</u></p> <p><u>Present:-</u> Sheikh Iftkhar ul Haq, Advocate for the petitioner.</p> <p>Respondent No.3 in person.</p> <p>Mr. Adnan Ali, Asstt: A.G. for respondents (on Court notice).</p> <p>***</p> <p><u>MUHAMMAD NAEEM ANWAR, J.-</u> Through the instant application, the petitioner has prayed for initiating contempt of Court proceedings against the respondents in accordance with Sections 3 & 4 of Contempt of Court Ordinance, 2003 read with Article 204 of the Constitution of Islamic Republic of Pakistan, 1973, for non-compliance with the direction of this Court in writ petition No.63-D of 2015, vide which on 16.5.2017, the respondents were strictly directed to enlist the petitioner in the list maintained for the purpose of retired employees' son quota. The relevant portion is reproduced herein-below:-</p> <p><i>"The latter committed at the bar that the petitioner is at serial No.2 of the waiting list maintained for the purpose of appointment of retired employees' sons quota, so he will be appointed at his own</i></p>

GA

ATTESTED

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

10/1/22

21

turn.

In view of above, the learned counsel for the petitioner does not want to press the present petition, which is disposed of in the above terms."

2. Perusal of record reveals that vide office order dated 11.8.2017, under endorsement No.7606-11/Ministerial Staff/2017 dated 11.8.2017, issued by DEO (Tank), certain appointments were made against 25% retired son quota where the employee petitioner namely Wasim Jan son of Gulli Jan Khan, who father was retired on 06.10.2006, appointed as Chowkidar at GPS Momin Khan Koroon. When the learned counsel for the petitioner was confronted with the appointment order whereby the petitioner has already been appointed, he stated at the bar that though the petitioner was appointed but the respondents are not accepting the joining report since the date of his appointment when he proceeded to the school in which he was appointed.

3. This Court on 16.5.2017 has given the direction in writ petition No.63-D of 2015 that petitioner be appointed against 25% quota reserved for retired employees' son which has already been complied with. Likewise, the respondent No.3 present in the Court stated at the bar that the petitioner has

TESTED
EXAMINOR
Ferozshah High Court Bench,
Dera Ismail Khan
16/5/17

22

already submitted his joining report. In such view of the matter, the instant application for initiating contempt of Court proceedings has already served its purpose and the direction of this Court has already been complied with, therefore, same is disposed of accordingly.

Announced.
Dt: 08.3.2021.



JUDGE



JUDGE

Office
10/03

ATTESTED



EXAMINOR
Peshawar High Court Bench,
Dara Ismail Khan.

10/07/22

Kifayat/ *

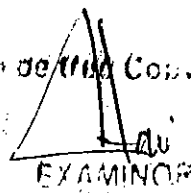
(D.B)

Hon'ble Mr. Justice Ijaz Anwar
Hon'ble Mr. Justice Muhammad Naeem Anwar

23

Case No. 5756
Application submitted on 27.12.02
Copying Fee 5/-
No of Papers 07 P.
Copying Fee 0/-
Urgent Fee /
Total Fee _____
Copy ready for delivery 10.1.02
Copy delivered on 10.1.02
Signature of Examiner _____

Certified to be true Copy


EXAMINER

Peshawar High Court Bench D I Khan
Authorized Under Section 97 of
Qanun-e-Mashorriat-1973

خدمت خباب د سٹریٹ ایجنٹیشن سردارہ طابک

عنوان

درخواست سردارہ درایا جانے تنخواہیں و دیگر مراعات

از تاریخ 08/2017 تا حال و آئندہ

Ann-G

① یہ کہ میں سائل آپ کے زیر سایہ بطور ملازم فوراً ڈیوٹی لے کر آیا ہوں اور 8/2017 سے کمرہ حال ڈیوٹی سے سہرا انجام دے رہا ہوں۔

② - یہ کہ میں سائل کو جوائننگ حکم نمبر 7606 مورخہ 8/2017 کو جاری کیا گیا اور باقاعدگی سے ڈیوٹی رہا ہوں۔ لیکن گورنمنٹ کے سیکولر ملازمین کی جگہ پر جوائننگ کے سلسلے میں سائل کو سہرا انجام دینا پڑا ہے۔ لیکن گورنمنٹ کے سیکولر ملازمین کی جگہ پر جوائننگ کے سلسلے میں سائل کو سہرا انجام دینا پڑا ہے۔ لیکن گورنمنٹ کے سیکولر ملازمین کی جگہ پر جوائننگ کے سلسلے میں سائل کو سہرا انجام دینا پڑا ہے۔

لہذا استدعا ہے کہ سائل کی درخواست منظور فرما کر سائل کو تنخواہیں اور مراعات 8/2017 تا حال اور آئندہ دی جانے کا حکم صادر فرمائیں۔ سائل ممنوع مکتور رہے گا۔

27/3

2021

سعید جان دالہ گلی جان خان گاؤں نندوڑ ڈالخانہ ماہی

سعید جان تحصیل ڈالخانہ

25

o. 767

RGL58477329

For Insurance purposes
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Rs. Ps.

50 ✓

Received a registered*
addressed to _____

Date-Stamp

*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.

Initials of Receiving Officer _____

Insured for Rs. (in figures) _____ (in words) _____

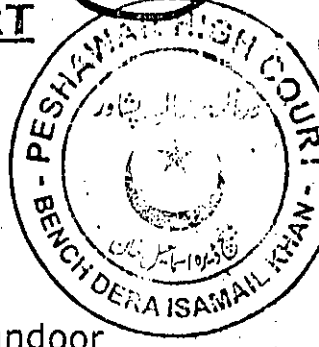
If insured:

Insurance fee Rs. _____ Ps. _____ (in words) _____
Weight: _____ Kilo _____ Grams

Name and
address
of sender

BEFORE THE PESHAWAR HIGH COURT
BENCH DERA ISMAIL KHAN

26



W.P No _____ -D of 2021

Waseem Jan son of Gulli Jan Khan r/o village Nandoor
P.O. Paj, Tehsil & District Tank.

Ann-H

..... (Petitioner)

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Education Department Khyber Pakhtunkhwa, Peshawar.
2. Director Elementary and Secondary Education KPK Peshawar.
3. District Education Officer Elementary and Secondary Education (Male) Tank.

..... (Respondents)

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973.**

Note:

Addresses of parties given in the heading of Petition are sufficient for the purpose of service.

Prayer:

On acceptance of present Writ Petition, the respondents may very graciously be directed to release the monthly salaries of petitioner since 11/08/2017 till date and further the respondents may be directed to adjust the petitioner against the proper vacant post and further the petitioner be allowed to perform proper physical duties.

WP NO.323-D of 2021 (Grounds)

ATTESTED
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

16/11/22

Filed today 23/11/22
Addl. Registrar

Respectfully Sheweth:-

Petitioner humbly submits as under;

1. That the petitioner is permanent & bona-fide resident of District Tank and is an energetic young man.
2. That the father of the petitioner was retired from Education Department on 06/10/2006 and later on the petitioner applied for the post of Class-IV in Education Department Tank on the basis of retired son quota, which was not fulfilled at that time. For which the petitioner filed a writ petition NO. 63-D/2014 before this honourable court was allowed vide judgment dated 16/05/2017. Later on the petitioner was appointed against the retired employees son quota vide order Endst No. 7606/11 dated 11/08/2017. It is also pertinent to mention here that the petitioner was appointed at Govt. Primary School Momin Koruna, wherein the Maliks of the said village (two brother are having quarrel on the post of Class-IV) and thus the petitioner was not properly allowed to perform duties and thus, the petitioner came back to the office of respondents/authority and made joining to the District Education Officer Male District Tank and thus the petitioner have been performing his duties in the incumbency of respondents/authority without marking attendance. Initially aggrieved by the inaction and omission of the respondents/authorities submitted Contempt of Court Petition No. 466-D/2020 before this honourable court which was fixed on 08/03/2021 before the Divisional Bench of Honourable Justice Ijaz Anwar Sahib and the Honourable Justice Muhammad Naeem Anwar. During arguments it was thrashed out that actually the respondents/authority fully obeyed order of this honourable court, hence, the counsel for the petitioner Mr. Sheikh Iftikhar ul Haq Advocate verbally directed to submit a writ petition for the release of the salaries and thus the contempt petition was disposed of that *"In such view of the matter, the instant application for initiating contempt of court proceedings has already served its purpose and the*

Filed today 23/11/21
District Registrar

[Handwritten signature]

TESTED
EXAMINOR
Dera Ismail Khan
11/21

directions of this honourable court has already been complied with, therefore, same is disposed of accordingly"

Copies of writ petition NO. 63-D/2014, judgment dated 16/05/2017, order Endst No. 7606/11 dated 11/08/2017, joining report, COC petition and judgment dated 08/03/2021 are annexed as Annexure-A to F respectively.

3. That thereafter the petitioner made an application to the respondents for release of his salaries but the same was not accepted up till now. Copy of the application is annexed as Annexure-G.

4. That the petitioner has been left with no other adequate remedy but to invoke the Constitutional Jurisdiction of this Honourable Court, inter alia, the following grounds.

Filed May 336
Addl. Registrar
08/03/21

Grounds:-

1. That inaction and omission of respondents by not releasing the monthly salaries of petitioner after appointment is against law, facts and circumstances.
2. That it is the fundamental right of the petitioner to adjust the petitioner against the post which have no dispute as per verdicts of superior courts and the Constitution of the Islamic Republic of Pakistan, 1973.
3. That the behavior of the respondents/authority are against the violation of law by not releasing the salaries since from the date of appointment and joining report.
4. That the petitioner has sent notices to the respondents (competent authority), regarding the institution of present writ petition but the respondents failed to honour the notices of the petitioner's counsel. Copies of notice and postal receipt are jointly annexed as Annexure-H.
5. That Counsel for the petitioner may kindly be allowed to raise any other grounds at the time of arguments if needed.

Handwritten signature/initials

11/22

29

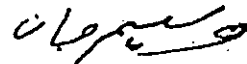
It is therefore, humbly prayed that, On acceptance of present Writ Petition, the respondents may very graciously be directed to release the monthly salaries of petitioner since 11/08/2017 till date and further the respondents may be directed to adjust the petitioner against the proper vacant post and further the petitioner be allowed to perform proper physical duties.

Or

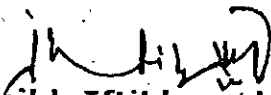
Any other relief deemed appropriate in the attending circumstances of the case may also be granted.

Dated: 24/05/2021

Humble Petitioner



Waseem Jan
Through Counsel



Sheikh Iftikhar ul Haq
Advocate High Court

Filed today 2361
Addl. Registrar
25/05/21

ATTEST



EXAMINOR

esnawar High Court Bench,
Dera Ismail Khan

107/1/22

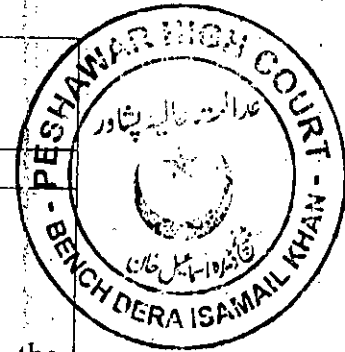
PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET

30

Ann-H/1

Date of order or proceedings	Order or other proceedings with signature of Judge(s).
(1)	(2)
13.10.2021	<p><u>W.P. No.323-D/2021.</u></p> <p><u>Present:-</u> Sh: Iftkhar ul Haq, Advocate for the petitioner.</p> <p>***</p> <p><u>MUHAMMAD NAEEM ANWAR, J.-</u> Through the instant writ petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner has prayed for issuance of directions to the respondents to release his monthly salaries since 11.8.2017 till date and to adjust him against the proper vacant post with further direction to the respondents to allow the petitioner to perform proper physical duties.</p> <p>2. At the very outset, learned counsel representing the petitioner was confronted with the proposition that since the petitioner is a civil servant as his services are governed by terms and conditions of service, therefore, he cannot invoke constitutional jurisdiction of this Court, to which learned counsel was unable to justify his position and rightly so, because in such like matters, the Service Tribunal has got exclusive jurisdiction to adjudicate upon the</p>



[Handwritten signature]

ATTESTED

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

[Handwritten signature]
10/10/22

31

controversy, in view of clear embargo placed by Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

3. In view of the above, the writ petition being not maintainable before this Court, is dismissed in *limine*.

Announced.
Dt: 13.10.2021.
Kifayat/PS*


JUDGE


JUDGE

*Office
14/10*

ATTESTED



EXAMINOR
Dera Ismail Khan High Court Bench,
Dera Ismail Khan

10/01/22

(D.B)

Hon'ble Mr. Justice Abdul Shakoor
Hon'ble Mr. Justice Muhammad Naeem Anwar

32

To,

The Director Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.

Ann - I

Through Proper Channel

DEPARTMENTAL APPEAL/REPRESENTATION TO RELEASE THE MONTHLY SALARIES OF APPELLANT SINCE 11/08/2017 TILL DATE AND FURTHER THE AUTHORITIES MAY BE ADJUSTED THE APPELLANT AGAINST THE PROPER VACANT POST AND FURTHER THE APPELLANT BE ALLOWED TO PERFORM PROPER PHYSICAL DUTIES.

Prayer:

On acceptance of present departmental appeal, the monthly salaries of the appellant may kindly be released since 11/08/2017 till date and further the appellant may be adjusted against the proper vacant post and further the appellant be allowed to perform proper physical duties.

Respectfully Sheweth:-

Appellant humbly submits as under;

1. That the appellant is permanent & bona-fide resident of District Tank and is an energetic young man.
2. That the father of the appellant was retired from Education Department on 06/10/2006 and later on the appellant applied for the post of Class-IV in Education Department Tank on the basis of retired son quota, which was not fulfilled at that time. For which the appellant filed a writ petition NO. 63-D/2014 before this honourable court was allowed vide judgment dated 16/05/2017. Later on the appellant was appointed against the retired employees son quota vide order Endst No. 7606/11 dated 11/08/2017. It is also pertinent to mention

وہی

here that the appellant was appointed at Govt. Primary School Momin Koruna, wherein the Maliks of the said village (two brother are having quarrel on the post of Class-IV) and thus the appellant was not properly allowed to perform duties and thus, the appellant came back to the office of respondents/authority and made joining to the District Education Officer Male District Tank and thus the appellant have been performing his duties in the incumbency of respondents/authority without marking attendance. Initially aggrieved by the inaction and omission of the respondents/authorities submitted Contempt of Court Petition No. 466-D/2020 before this honourable court which was fixed on 08/03/2021 before the Divisional Bench of Honourable Justice Ijaz Anwar Sahib and the Honourable Justice Muhammad Naeem Anwar. During arguments it was thrashed out that actually the respondents/authority fully obeyed order of this honourable court, hence, the counsel for the appellant Mr. Sheikh IftikharulHaq Advocate verbally directed to submit a writ petition for the release of the salaries and thus the contempt petition was disposed of that *"In such view of the matter, the instant application for initiating contempt of court proceedings has already served its purpose and the directions of this honourable court has already been complied with, therefore, same is disposed of accordingly"*.

3. That thereafter the appellant made an application to the respondents for release of his salaries but the same was not accepted up till now.
4. That the appellanthas been left with no other adequate remedy at that time, hence, submitted a writ petition where the Honourable Peshawar High Court Bench Dera Ismail Han were pleased to held that the matter/controversy in question clearly false within exclusive jurisdiction of Service Tribunal, hence, the instant departmental appeal on the following grounds.

و سیربان

Grounds:-

34

1. That inaction and omission of respondents by not releasing the monthly salaries of appellant after appointment is against law, facts and circumstances.
2. That It is the fundamental right of the appellant to adjust the appellant against the post which have no dispute as per verdicts of superior courts and the Constitution of the Islamic Republic of Pakistan, 1973.
3. That the behavior of the respondents/authority are against the violation of law by not releasing the salaries since from the date of appointment and joining report.

It is therefore, humbly prayed that, On acceptance of present Departmental Appeal, the authorities may very graciously to release the monthly salaries of appellant since 11/08/2017 till date and further the authorities to adjust the appellant against the proper vacant post and further the appellant be allowed to perform proper physical duties.

Dated: 8/11/2021

Humble Appellant

Waseem Jan

Waseem Jan

son of Gulli Jan Khan
r/o village Nandoor P.O. Pai,
Tehsil & District Tank
Cell#0349-6510133

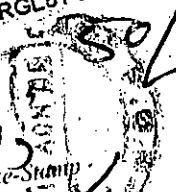
Waseem Jan

(35)

RGL57690105

560

For Insurance Notices see reverse
Stamps affixed except in case of
unregistered letters of not more than
the initial weight prescribed in the
Post Office Guide or on which an
acknowledgment is due.



is a registered*

to

of Receiving Officer

insured for Rs. (in figures)

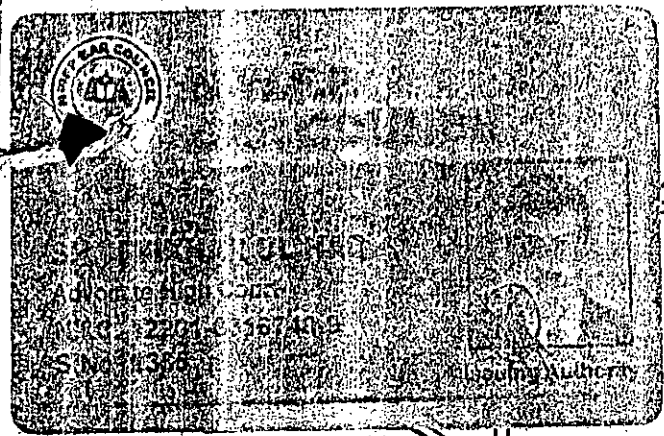
insurance fee Rs.

Name and address of sender

*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary. (in words)

P.s. (in words) Kilo Grams

10/6/44



کورٹ
فیس

Tribunal

Before The Khyber Pakhtunkhwa Service
Appellant Waseem Jan vs Govt of K. P. K. at
Service Appeal

دعویٰ یا جرم
التفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جواب دہی برائے پیشگی یا تصدیق مقدمہ منجانب
D. I. Khan
Sheikh Akbar ul-Haq Advocate High Court

کے حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشگی پر خود یا بڑا بڈریو برو عدالت حاضر ہونا روایوں کا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشگی 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 پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا عمت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخست صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذکری نظر ثانی اپیل گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ناہی یا راضی نامہ و فیصلہ برحلاف کرنے کے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشگی مقدمہ مزکورہ بیرون از پکھری صدر پیروی مقدمہ مزکورہ نظر ثانی اپیل و گمرانی و برآمدگی مقدمہ یا مشورنی ذکری یک طرفہ یا درخواست تسلیم انتہائی یا قرتی یا گرفتاری قبل از فیصلہ اجراء ذکری بھی صاحب موصوف کو بشرط ادا یعنی علیحدہ محتامیردی کا اختیار ہو گا اور تمام ساختہ پرواخذت صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مزکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اسپنہ بجائے یا اسپنہ ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواہ پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشگی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے
2022
مورخہ 22
مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Attested

Accepted
in this

Signature of
Appellant