

26th Oct 2022 Appellant in person present. Mr. Kabir Ullah Khattak,
Additional Advocate General for respondents present.

Lawyers are on strike today. To come up for arguments on
21.11.2022 before D.B at Camp Court, D.I Khan. P.P given to the
parties.



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




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

27th September, 2022

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

Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments today. Adjourned. To come up for arguments on 24.10.2022 before the D.B at Camp Court D.I.Khan.



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



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

24.10.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.


Bench is incomplete and lawyers are on strike, therefore, case is adjourned to 26.10.2022 for arguments before D.B at Camp Court, D.I.Khan.



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

26.01.2022

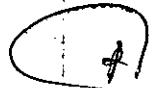
Tour is Cancelled, therefore, case is adjourned to 25.05.2022 for the same as before.


Reader.

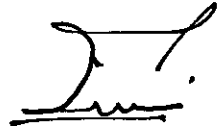
25.05.2022

Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 present. None present on behalf of private respondent No. 7.

Previous date was changed on Reader Note, therefore, notice be issued to private respondent No. 7 as well as his counsel through registered post and to come up for arguments on 25.07.2022 before the D.B at Camp Court D.I.Khan.



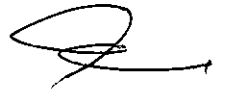
(Rozina Rehman)
Member (J)
Camp Court D.I.Khan



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

25-7-22

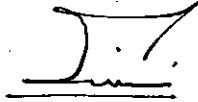
Due to summer vacation the case is adjourned to 26-9-22 for the same.



24.11.2021

Nemo for the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Muhammad Kamran, ADO (Litigation) for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as private respondent and their respective counsel through registered post and to come up for arguments before the D.B on 26.01.2022 at Camp Court D.I.Khan.



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



Chairman
Camp Court D.I.Khan

24.02.2021

Nemo for parties.

Riaz Khan Paindakheil learned A.A.G for respondents present.

Preceding date was adjourned on a Reader's note, therefore, notice be issued to both the parties for 25.05.2021 for arguments before D.B at Camp Court D.I. Khan



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I.Khan



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

*Due to COVID-19 therefore
to come up for the same on 28/9/21*

*On
Reader*

28.09.2021

Nemo for the appellant. Mr. Muhammad Kamran, ADO (Litigation) alongwith Mr. Usman Ghani, District Attorney for official respondents No. 1 to 6 present.

Previous date was changed on Reader Note, therefore, notice be issued to the appellant as well as private respondent and their respective counsel and to come up for arguments before the D.B on 24.11.2021 at Camp Court D.I.Khan.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN

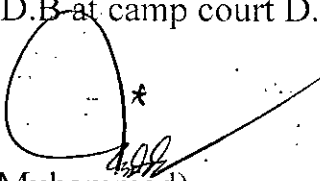


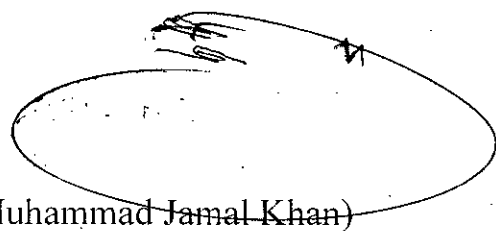
(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

26.10.2020

Appellant is present in person. Mr. Usman Ghani,
District Attorney for respondents is present.

Since the Members of the High Court as well as of the
District Bar Association D.I.Khan are observing strike today,
therefore, the case is adjourned to 24.11.2020 for arguments
before D.B at camp court D.I.Khan.


(Mian Muhammad)
Member(E)

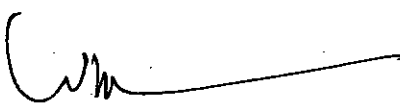

(Muhammad Jamal Khan)
Member(J)
Camp Court D.I Khan


24.11.2020

Appellant present through counsel.

Muhammad Jan learned Deputy District Attorney for
respondents present.

Former made a request for adjournment. Adjourned. To
come up for arguments on 26.01.2021 before D.B at Camp
Court DI.Khan.


(Atiq-ur-Rehman Wazir)
Member (E)
Camp Court, D.I Khan


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

*Due to covid, 19 case is
adjourned to 24-02-2021*

*On
Readn*

24.3 .2020

Due to COVID19, the case is adjourned to

20/4 /2020 for the same as before.

Reader


20.4.2020 Due to COVID 19, the case is adjourned to 21-9-2020 for the same.


21.09.2020

Nemo for appellant.

Mr. Muhammad Jan, learned Deputy District Attorney alongwith Muhammad Kamran, ADO for respondents present.

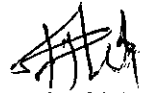
The preceding two dates were adjourned on a reader's note, therefore, notice be issued to the appellant and his counsel for arguments on 26.10.2020 before D.B at Camp Court, D.I Khan.


(Attiq-ur-Rehman Wazir)
Member
Camp Court, D.I Khan


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

25.11.2019

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Muhammad Kamran, ADO (Litigation) for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 27.01.2020 for arguments before D.B at Camp Court D.I.Khan.



(Hussain Shah)
Member
Camp Court D.I.Khan




(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

27.01.2020

Due to strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Usman Ghani, District Attorney for official respondents and private respondent No. 7 in person present. Adjourned to 24.02.2020 for arguments before D.B at Camp Court D.I.Khan.



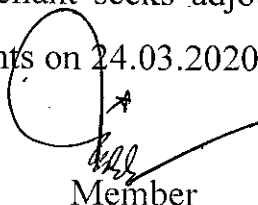
(Hussain Shah)
Member
Camp Court D.I.Khan



(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

24.02.2020

Counsel for the appellant present. Mr. Usman Ghani, District Attorney for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 24.03.2020 before D.B at camp court D.I.Khan.



Member





Member
Camp Court D.I.Khan

Service Appeal No. 1048/2016

25.06.2019


Junior counsel for the appellant and Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned to 26.08.2019 for arguments before D.B at Camp Court D.I.Khan.

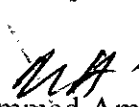

(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

26.08.2019

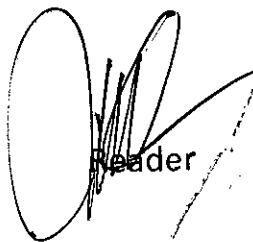
Appellant in person and Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 present. Due to general strike on the call of Pakistan Bar Council, learned counsel for the appellant is not in attendance today. Adjourned to 21.10.2019 for arguments before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan


21/10/2019

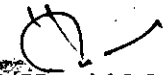
Since tour to D.I.Khan has been cancelled .To come for the same on 25/11/2019.


Reader

26.02.2019


Appellant in person present. Mr. Anwar Awan learned counsel for the appellant absent. Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 and private respondent No. 7 in person present. Adjourn. To come up for arguments on 22.04.2019 before D.B at Camp Court D.I.Khan.



(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan


(M. Hamid Mughal)
Member
Camp Court D.I.Khan

22.04.2019


Counsel for the appellant, Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 and counsel for private respondent No. 7 present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 23.04.2019 before D.B at Camp Court D.I.Khan.



(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan


(M. Hamid Mughal)
Member
Camp Court D.I.Khan

23.04.2019


Due to strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Farhaj Sikandar, District Attorney for the respondents present. Adjourn. To come up for arguments on 25.06.2019 before D.B at Camp Court D.I.Khan.



(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan


(M. Hamid Mughal)
Member
Camp Court D.I.Khan

27.11.2018

Counsel for the appellant present. Mr. Muhammad Kamran, ADO alongwith Mr. Usman Ghani, District Attorney for respondents present. Counsel for private respondent no. 6 is not present. Notice be issued to the private respondent no.6 and his counsel. Adjourned to 18.12.2018 for arguments before D.B at camp court D.I.Khan.


(Ahmad Hassan)
Member


(M.Amin Khan Kundi)
Member
Camp Court D.I.Khan

18.12.2018

As per direction of the worthy Chairman Khyber Pakhtunkhwa Service Tribunal, D.I.Khan tour dated 18.12.2018 has been rescheduled and the case is re-fixed for 27.12.2018.

Reader

27.12.2018

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment for arguments. Adjourned. To come up for arguments on 26.02.2019 before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.05.2018

Due to retirement of the worthy Chairman, the Tribunal is non-functional. To come up for the same on 21-6-18. Notices be issued to the parties accordingly.


Member

21.06.2018

Mr. Muhammad Anwar Awan Advocate counsel for the appellant present. Mr. Muhammad Kamran, ADO (Litigation) alongwith Mr. Usman Ghani District Attorney on behalf of the respondents present. Learned counsel for the appellant made a request for adjournment. Granted. To come up for arguments on 29.08.2018 before the D.B at camp court, D.I.Khan.


Member


Chairman
Camp Court, D.I.Khan

29.08.2018

Clerk to counsel for the appellant present
Mr. Kamran, ADO for the respondents present.
Court is hereby cancelled, therefore the case is adjourn
adjourned for the same on 22.10.18 at the
camp court D.I Khan.


Member

22-10-18


Court is hereby cancelled, therefore, the case is
adjourned for the same 27-11-18 at camp court
D.I. Khan.



Service Appeal No. 1048/2016


30.11.2017

Appellant in person present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Kamran, ADO (litigation) for official respondents No. 1 to 6 and private respondent No. 7 in person also present. Written reply on behalf of private respondent No. 7 submitted. Written reply on behalf of official respondents not submitted. Learned District Attorney requested for further adjournment. Adjourned. To come up for written reply/comments on behalf of official respondents on 25.01.2018 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan


25.01.2018


Appellant in person present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Kamran, ADO (litigation) for the respondents also present. Written reply on behalf of respondents submitted. Adjourned. To come up for rejoinder and arguments on 13.03.2018 before D.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

13.03.2018

Appellant in person and Addl: AG for the respondents present. Appellant seeks adjournment as his counsel is not in attendance. Granted. To come up for arguments on 24.04.2018 before D.B at camp court, D.I.Khan.


Member



Chairman
Camp court, D.I.Khan

22.02.2017

Appellant through Mr. Muhammad Anwar Awan, Advocate present. He submitted that the termination order of appellant was never communicated to appellant and that in Writ Petition No. 622-P of 2015 the termination order was placed before august High Court on which the writ petition was disposed of. Upon which they preferred departmental appeal. That no proper procedure was adopted in removal of appellant from service which was the constitutionally protected right of the appellant.

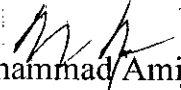
Point raised needs consideration, the appeal is admitted for regular hearing. The appellant is directed to deposit the security and process fee within 10 days there-after notices be issued to the respondents for written reply/comments for 26.07.2017 before S.B at Camp Court D.I.Khan.

Appellant Deposited
Security & Process Fee


(ASHFAQUE TAJ)
MEMBER
Camp Court D.I.Khan

26.07.2017



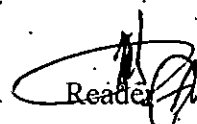
Counsel for the appellant present. Mr. Muhammad Kamran, ADO and Mr. Muhammad Azam, Assistant Accounts Officer alongwith Mr. Farhaj Sikandar, District Attorney for official respondents No. 1 to 6 also present. Written reply by respondents not submitted and requested for adjournment. Adjourned. To come up for written reply/comments on 29.11.2017 before S.B at Camp Court D.I.Khan.


(Muhammad/Amin Khan Kundi)
Member
Camp Court D.I. Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1048/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07/10/2016	<p style="text-align: center;">The appeal of Mr. Muhammad Bilal resubmitted today by post through Mr. Muhammad Anwar Awan 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 style="text-align: center;">This case is entrusted to Touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.11.16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;">Since D.I.Khan tour dated 28.11.2016 has been cancelled, therefore, case to come up for preliminary hearing on 22.02.2017 before S.B at Camp Court D.I.Khan.</p> <p style="text-align: right;"> Reader</p>
2	08/11/2016	

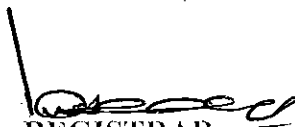
This is an appeal filed by Mr. Muhammad Bilal through registered Post today on 08/09/2016 against the order dated 07/6/2016 against which he preferred/made departmental appeal/ representation on 27.06.2016 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Address of respondent No. 7 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Copy of termination order is not attached with the appeal which may be placed on it.

No. 1479/ST,

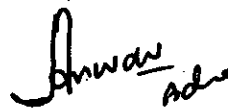
DL 9/9/2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Anwar Awan adv.
Supreme Court of Pakistan D.I.Khan

Respected Sir,

Address of Respondant No 7 is completed while it was verbally informed the appellant during proceeding in writ petition regarding its termination, so no written termination order is communicated.


Anwar
adv

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Appeal no...1048.. of 2016.

Muhammad Bilal

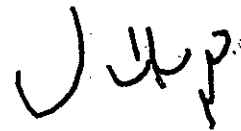
VERSUS

Govt; Of KPK and others

INDEX

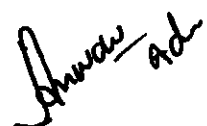
No.	Particulars	Annexure	Pages
1	Appeal		1-4
2	Copy of CNIC	A	5
3	Copy of Application	B	6
4	Copy of letter dated; 24-02-2014	C	7
5	Copy of appointment letter	D	8
6	Copy of attendance register	E	9-11
7	Copy of letter dated; 16-12-2013	F	12
8	Copy of letter dated; 21-04-2014	G	13
9	Copy of order ^{writ} along with order.	H	14-20
10	Copy of departmental appeal along with postal receipt	I	21-23
11	Wakalat Nama	J	24

Your humble Petitioner



Muhammad Bilal
Through Counsel

Dated; 08-09-2016.



Mohammad Anwar Awan
Advocate Supreme Court.

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT AT D.I.KHAN.**

Appeal no. 1048... of 2016.

Muhammad Bilal S/O Bashir Ahmad R/O Mohallah Maddi
Khel, Musa zai Shareef, Tehsil Daraban, District D.I.Khan

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 979

Dated 08-9-2016

VERSUS

1. Province Of Khyber Pakhtunkhwa through secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. Secretary to the government of Khyber Pakhtunkhwa Elementary and Secondary Education Deptt: Peshawar.
3. Director Elementary and Secondary Education Deptt: Khyber Pakhtunkhwa, Peshawar.
4. Deputy Director Elementary and Secondary Education Deptt: Khyber Pakhtunkhwa, Peshawar.
5. District Education Officer (Male) Education Deptt. D.I.Khan
6. Head Master, Government High School Musa Zai Shareef, Dera Ismail Khan.
7. Adnan S/O Muhammad Ramzan R/O Musa Zai Shareef D.I.Khan. *lab attendant GHS Musa Zai sharif D.I.Khan.*

**APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL
ACT AGAINST ILLEGAL AND MALAFIDE TERMINATION
ORDER DATED; 07-06-2016.**

That the brief facts of the case are as under:

- 1) That the father of Appellant was serving as Laboratory Attendant in the Government High School Musa Zai Shareef D.I.Khan and retired on 08-11-2013. On the same date Appellant's father moved an application to the respondent No.5 through the respondent No.6 for the appointment of Appellant. Copies of CNIC and Application dated; 08-11-2013 are Annexure A & B.
- 2) That respondent No.6, being the head of government High School Musa Zai Shareef, was having the authority to appoint class-IV in his institution/school. The said powers remained vested in the respondent No.6 till 23-02-2014, however, on 24-02-2014 these powers are withdrawn by respondent No.4 vide letter No. 3391-3441/Estab dated; 24-04-2014. Copy of letter is Annexure C.

Re-submitted to-day
and filed.

Registrar
D.I.Khan

Filed to-day
Registrar
D.I.Khan

Registrar
D.I.Khan

- 3) That on the basis of powers delegated to Headmaster etc for the appointment of class IV, the respondent No.6 appointed the Appellant as Laboratory Attendant (BPS-1) on the basis of retired class-IV Employee son vide appointment letter bearing Endst No. 530-33 dated; 30-11-2013. Copy of appointment letter is Annexure D.
- 4) That appellant, started to perform his official duties regularly and in this regard copies of attendance register are Annexure E.
- 5) That as in the year 2013 for the purpose of release of salaries, No Objection Certificates from the concerned district coordination Officer was necessary, therefore, the respondent No.6 vide letter No.534 dated 16-12-2013 requested the respondent No.5 for submission of case to quarter concerned for grant of NOC to appellant. Copy of letter is Annexure F.
- 6) That the appellant remained in waiting of NOC from DCO but in the meanwhile respondent No.5 appointed respondent No.7 as Laboratory Attendant at Government High School Musa Zai Shareef on the basis of deceased son vide letter No.4729-43/DEO (M)/Class IV dated; 21-04-2014 despite the fact that the Appellant was already serving on the said post. Copy of letter is Annexure G.
- 7) That due to the appointment of respondent No.7, Appellant was stopped to perform his duties without issuing any termination letter. Thus feeling aggrieved from the illegal acts of respondents, appellant filed writ petition before the Hon'ble Peshawar High Court Dera Ismail Khan Bench in which AAG along with department representation informed the court that appellant is terminated from service without providing copy of termination order. Copy of Writ along with order is Annexure H.
- 8) That feeling aggrieved the appellant filed departmental appeal on 27-06-2016 against termination order which was communicated on 07-06-2016 which is still undecided by the respondents. The copy of departmental appeal along with postal receipt is Annexure I.
- 9) That feeling aggrieved from above said action petitioner is constrained to approaches this honorable court on the following amongst other:

GROUNDS;

1. That the appellant is not treated in accordance with law and the actions of the respondents are malafide, favoritism and political victimization, illegal, without jurisdiction, without lawful authority.

That the respondent No.6 legally and lawfully appointed the Appellant as Laboratory attendant in Government High School Musa Zai Shareef vide appointment letter dated 31-11-2013 and these powers of appointment of class IV in the school were delegated to the respondent No.6 and were in field till issuance of letter No.3391-2441 dated; 24-02-2014 by the respondent No.4 vide which said powers were withdrawn from principals/Headmasters etc. thus the post of lab Attendant was not vacated for the appointment of respondent No.7 but for the benefit of respondent No.7, rights of appellant have been infringed due to malafide and on the basis of favoritism. Hence a great injustice has been done to the appellant.

3. That from the appointment of appellant, appellant has not been treated in accordance with law and has been condemned unheard. No show cause is given to the appellant nor was any charge sheet issued. No inquiry was conducted regarding the matter but without assigning any reason in open court it was informed that appellant's services is terminated.

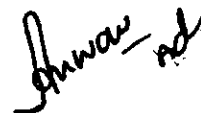
In view of the above, it is, therefore, most respectfully prayed that on acceptance this appeal this honorable court may please set aside the verbal termination order dated; 07-06-2016 and may kindly reinstated the appellant with all back benefits and may kindly declare the appointment order dated; 21-04-2014 being illegal, void and without lawful authority.

YOUR HUMBLE APPELLANT



Muhammad Bilal
Through Counsel

Dated; 08-09-2016.



Mohammad Anwar Awan
Advocate Supreme Court

AFFIDAVIT

Muhammad Bilal do hereby solemnly affirm and declare on OATH that the contents of the same are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable court.



Deponent.

محترم سربراہان جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب (مردانہ) ضلع ڈیرہ اسماعیل خان
(درجہ اولیئم ذریعہ تعزیری دلائم درجہ چہارم K/A)
لوساطت جناب ہیڈ ماسٹر صاحب گورنمنٹ پرائمری سکول (مردانہ) موسیٰ زئی شریف

جناب عالی !

گزارش ہے کہ میں سائل بشیر احمد موسیٰ زئی شریف، ضلع ڈیرہ اسماعیل خان
مستقل کاوتی دنا شدہ ہوں۔ بندہ نے گورنمنٹ پرائمری سکول (مردانہ) موسیٰ زئی شریف
میں بحیثیت ایسٹری اٹینڈنٹ K/A اپنی حکمانہ ڈیوٹی بطریق احسن سرانجام دی
ات جبکہ مورخہ 11/11/2013ء کو ساڈھ سالہ عمر تک پہنچنے پر مدتِ فلازمیت ختم ہوئی۔
علاجاً ! بناء برین نہایت مؤدبانہ التماس ہے، میری خدمات اور حقوق کو ملحوظ
خاطر رکھ کر میری جگہ پر تیرے تحت جگہ محمد بلال ولد بشیر احمد
کو تعینات فرما کر مشکور فرمادیں۔ تازائیت دے گا گو رہوں گا۔

بشیر احمد

K/A

گورنمنٹ پرائمری سکول (مردانہ) موسیٰ زئی شریف،
ضلع ڈیرہ اسماعیل خان

Submitted in original will remarks that applicant is
Proceeding on superannuation retirement w.e.f 8.11.13.
He had only son who is dependent upon him, and
has obtained the age of 67.
I strongly recommend that he very kindly be
appointed against the post vacated by his father.
He is local one and will be fruitful for school.

NO: 526 Dated: 08/11/13

Signature
M. ANWAR AWAN
Advocate

M. ANWAR AWAN
Advocate

Approved
7



**Directorate of Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar**

PH No. 091-9210389, 9210938,
9210437, 9210957, 9210468
Fax 091-9210936 08003383
E-mail rafiq_kk851@yahoo.com

No. 3391-3441/Estab
Dated Peshawar the 24/02/2014

To

All the District Education Officers.
(Male & Female) in Khyber Pakhtunkhwa.

Subject: Appointment of Class-IV Servants.

I am directed to refer to the subject cited above and it to inform you that the powers regarding appointment of Class-IV earlier delegated to the Principals/Headmasters/Headmistress/SDEOs across the province vide this office Memo No. A-23/MS/Distt DPC Meeting/2013/DD F&A/ No.2027-77 dated 12.12.2013 are hereby withdrawn.

I am further directed to inform you that in a capacity of the Head of the attached Department, the Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar is pleased to declare District Education Officer as "Appointing Authority" also for the Employment EPS-1-4 in the respective District. The Class-IV Servants may be appointed by District Education Officer Concerned in the Primary Middle, High and Higher Secondary Schools after observing all social formalities. The appointments will not be made by the SDEOs/Head of the institutions as the following reserved Quota are badly affecting by decentralization of appointment at school /Sub Division level.

1. 25% quota reserved for Retired Employees Sons;
2. 3% quota reserved for Minorities.
3. 2% quota reserved for Disable.
4. Deceased Sons/Daughters/Wives

I am, therefore, directed to ask you to inform all heads of institutions /SDEOs in this regards and direct them further to observe all the quotas reserved for Deceased Sons/Daughters/Wives, 25% quota reserved for Retired Employees Sons, 3% quota reserved for Minorities, 2% quota reserved for Disable persons. All the appointments shall be made on the recommendation of the Departmental Selection Committee.

Dy: Director, (F&A)

Directorate of Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar.

Exst No. 3442-15/Estab

Dated Peshawar the 24/02/2014

Copy of the above is forwarded for information to the:

1. Director IMS Shami Road Peshawar.
2. IS to Honourable Minister for E&SE Khyber Pakhtunkhwa Peshawar.
3. IS to Secretary E&SE Khyber Pakhtunkhwa Peshawar.
4. IA to Director E&SE Khyber Pakhtunkhwa Peshawar.

Supdt (S/P)

Dy: Director, (F&A)

Directorate of Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar.

D.D.O

Office of the District Education Officer
1456
28-2-14

M. ANWAR
Advocate

OFFICE THE HEAD MASTER GOVERNMENT HIGH SCHOOL MUSAZAI SHARIF

D.I.KHAN

Handwritten signature/initials

Appointment Order:-

(31) Annexure (12)

Under the provision of rules *(G.O. AD) 215/2006* of the NWFP Civil Servant *Appri. of 2012/2013* Mr. Muhamad Bilal S/O Bashir Ahmad R/O Musazai Sharif Tehsil Daraban Kalan District D.I.Khan whose father named above. Ex-Laboratory attendant Govt High School Musazai Sharif. Who have been retired from Service from this school on 08-11-2013 is hereby appointed against vacant post of Laboratory Attendant at G.H.S. Musazai Sharif in D.I.Khan BPS-1 (Rs. 4800-150-900) pulse usual allowances on regular basis, in the interest of public services with immediate effect on the following terms and conditions.

Terms & Condition:

1. His services will be considered as regular in the terms of Govt: of Khyber Pakhunkhwa Finance Department (Regulation wing) No. SOSR-III/FD-12-1/2005, dated: 27-02-2013.
2. He will be governed by such rules and regulation as may be prescribed by the Govt: from time to time for the category to which he belongs.
3. His appointment is made purely temporary and liable to termination all at time without assigning any reasons.
4. One month pay will be forfeited to Govt, in case of resignation without prior notice; the period of giving notice is one month before the date of resignation.
5. His original certificates/degree will be Govt: verified by this office. All expenses will be borne by the candidates.
6. He is required to join the post within 15 days, failing which the appointment order will stand cancel, automatically.
7. The appointment is made subject to the condition that the candidate is permanent domiciled of District D.I.Khan.
8. He is required to produce health and age certificate from the medical superintendent of DHQ D.I.Khan.
9. Charge Reports should be sent all the concerned.
10. No TA/DA is allowed.

-SD-
WAZIR AHMAD KHAN (Mainkhel)
Head Master
Govt: High School Musazai Sharif
D.I.Khan

ist: No. 532-33

Dated: 30/11/2013

y to the:

- Director Schools & Literacy KPK, Peshawar.
- District Education Officer (M) D.I.Khan.
- District Account Office D.I.Khan.
- Candidate Concerned.

(Signature)
Head Master
GHS Musazai Sharif
D.I.Khan

(Signature)
M. ANWAR AWAN
Advocate

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Amir E G

Amir E G

رجسٹر حاضری مدرسہ دارالعلوم دیوبند

2014

بیتہ اول

روز		پہلی روز			دو روز			تیسری روز			چوتھی روز		
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	
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M. ANWAR AWAN
Advocate

(23)

رجسٹر حاضری مدرسہ

بیتہ

رجسٹر حاضری مدرسہ														
فردی							گروہ							
L.A							S.A							
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	
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M. ANWAR AWAN
Advocate

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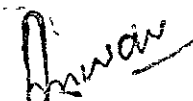
رجسٹر حاضری مدرسین فہرست میں درج شدہ کارج

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بابت ماہ
فروری

تاریخ	1913			1913			1913		
	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی
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۲	71-	فوز	2/20	71-	فوز	2/20	بلال	بلال	2/20
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 M. ANWAR AWAIS
 Advocate

No. 534

Dated: Musazai Sharif the 16/12/2013

~~55~~ ~~Amir F~~ ~~12~~

- 12 -

From:

The Headmaster
GHS Musazai Sharif,
D.I.Khan

To:

The District Education Officer
(Male) D.I.Khan.

Subject: NO OBJECTION CERTIFICATE

Memo:

It is submitted that a post of Lab Attd: is lying vacant due to retirement of Mr. Bashir Ahmad, w.e.f 08/11/2013, his real son Mr. Muhammad Bilal has applied for the appointment against the said post.

Due to the urgency the appointment of the applicant is a dire need of the school. The applicant is also claiming his appointment under retired son Quota.

It is therefore, requested that the case may be submitted to the quarter concerned for grant of necessary N.O.C please.

M. Anwar
M. ANWAR AWAN
Advocate

[Signature]
Headmaster
GHS Musazai Sharif
Dera Ismail Khan

13-

OFFICE ORDER:

Under the provision of rule-10 (1), Part (III) of the NWFP Civil Servants (Appointment, Promotion and Transfer) rules, 1989 duly amended vide Establishment Department notification No. SOR-VI (E&AD)F-3/2011/ Vol-III, dated 31-08-2012. The following candidates are hereby appointed (DECEASED) against vacant post of Class IV in BPS-01 (Rs.4800-150-9300) plus usual allowances, as admissible under the rules in the school mentioned against each in the interest of public service, from the date of taking over charge on the following terms and conditions:-

S.No.	Name of Candidate with Father's Name	Post	School where posted	Remarks
1	Muhammad Saleem S/O Fazal ur Rehman Res: Chowdwan DIK	Chowkidar	GHS Gara Rashid	Against vacant post
2	Shakeel Ahmad S/O Bashir Ahmad R/O Hassa DIKhan	Chowkidar	GHSS KPK	Against vacant post
3	Muhammad Waqas S/O Malik Sher R/O Moh:Goshala Fiqirni Gato	Sweeper	GHS Behari Colony	Against vacant post
4	Habib Ur rehman S/O Faral ur Rehman R/O Mallana DIKhan	Sweeper	GHS Malana	Against Vacant post
5	Muhammad Tanq S/O Amin Jan R/O Maddi DIKhan	Cook	GHSS D/Kalan	Against Vacant post
6	Abdul Ghafar S/O Malik Ranjhu R/O Combob Sharif Lar DIKhan	Lab. Attend.	GHSS Dhakki	Against Vacant post
7	Hidayat Ullah S/O Aila Ullah R/O Naivela DIKhan	Lab. Attend.	GHS Gara Rashid	Against Vacant post
8	Zafar Ur Rehman S/O Ghulam Sadiq R/O Gara Hayat DIKhan	Nr/Oasid	GHSS Kurai	Against Vacant post
9	Adnan S/O Muhammad Ramzan R/O Musazai Sharif DIKhan	Lab. Attend.	GHS Musa Zai	Against vacant post
10	Malik Waqas S/O Malik Ghulam Jafar R/O Chah Malik Wala DIK	Chokidar	GPS.T/W Rashid	Against Vacant Post

TERMS AND CONDITIONS:

- Their service will be considered as regular in terms of Section-19 of the NWFP Civil Servants Act, 1973, amended in 2013 issued vide Govt. of Khyber Pakhtunkhwa, Finance Department (Regulation Wing) No.SOSR-11/ED/12-1-2005, dated 27-01-2013.
- They will be governed by such rules and regulations as may be prescribed by the Govt. from time to time for the category to which they belongs.
- Their appointment is made purely temporary and liable to termination at any time without assigning any reasons.
- One month pay will be forfeited to Govt. in case of resignation without prior notice. The period of giving notice is one month before the date of resignation.
- They are required to join the post within 15 days; failing which the appointment order will stand cancel automatically.
- The appointment is made subject to the condition that the candidate is permanent domiciled of District D.I.Khan.
- They are required to produce health and age certificate from the Medical Superintendent D.I.Khan.
- Charge reports should be sent to all concerned.
- No LADA is allowed.

District Education Officer
(Male) D.I.Khan

Dated D.I.Khan the 21/04/2014

(Signature)

4729-43 DEO(M) Class-IV

Copies of the above is forwarded to:-

- The Director, E&SFD, Khyber Pakhtunkhwa, Peshawar
- The District Accounts Officer, D.I.Khan.
- The Principals/Head Masters & SDEOs, concerned.
- EMIS Local Office D.I.Khan.
- The Official concerned.

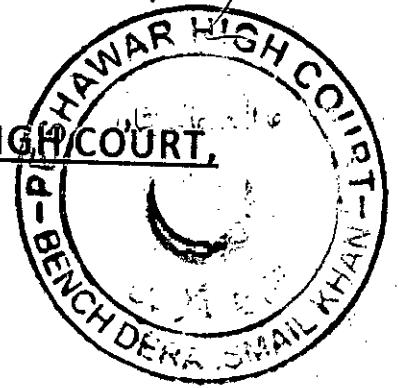
(Signature)
M. ANWAR AWAN
Advocate

2

- 14 -

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT,
DERA ISMAIL KHAN BENCH.**

Writ Petition No. 622 -D of 2015



Muhammad Bilal son of Bashir Ahmad, resident of Mohallah Maddi Khel,
Musai Zai Shareef, Tehsil Daraban, District D.I.Khan.

Filed today 12/8/09

PETITIONER

Add: Registrar.

VERSUS

17/9/2015


1. **Government of Khyber Pakhtunkhwa**, through Secretary, Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
2. **Secretary to the Govt. of K.P.K.** Elementary & Secondary Education Department Peshawar.
3. **Director**, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
- ✓ 4. **Deputy Director**, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
- ✓ 5. **District Education Officer (Male)**, Education Department, D.I.Khan.
6. **Headmaster**, Government High School Musa Zai Shareef, D.I.Khan.
7. **Adnan** son of Muhammad Ramzan, resident of Musa Zai Sharif, D.I.Khan, care of respondent No.5.

RESPONDENTS

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

RESPECTFULLY SHEWETH,

1. That the addresses of parties as given above, are correct and sufficient for the purpose of service:

ATTESTED

EXAMINER
Peshawar High Court
D.I.Khan Bench

-15-

2. That the the father of petitioner was serving as Laboratory Attendant in the Govt. High School Musa Zai Shareef, D.I.Khan, and retired on 08/11/2013 and he on the same day i.e. 08/11/2013 moved an application to the respondent No.5 through the respondent No.6 for appointment of his son. Copies of the CNIC and the application dated 08/11/2012 are enclosed as Annexure A & B.

3. That the respondent No.6 being the Head of institution i.e. Govt. High School Musa Zai Shareef, D.I.Khan, was having the authority under the law to appoint Class-IV in his institution/school. The said powers remained vested in the respondent No.6 till 23/02/2014; however, on 24/02/2014 vide letter No.3391-3441/Estab dated 24/02/2014 powers earlier delegated to the Principals/ Headmasters/ Headmistresses were withdrawn by the respondent No.4. Copy of the letter bearing No.3391-3441/Estab dated 24/02/2014 is enclosed as Annexure C.

4. That on the basis of powers delegated to Headmasters etc for the appointment of Class-IV, the respondent No.6 appointed the petitioner as Laboratory Attendant (BPS-1) on the basis of retired Class-IV Employee Son vide appointment letter bearing Endst. No.530-33 dated 30/11/2013. Copy of the appointment letter bearing Endst. No.530-33 dated 30/11/2013 is enclosed as Annexure D.

ATTESTED

EXAMINOR

Peshawar High Court
D.I.Khan Bench

Filed for
2809
Addl. Registrar
17/9/2015

[Handwritten signature]

5. That petitioner, thereafter, started to perform his official duties regularly and in this regard copies of attendance register are enclosed as Annexure E.

6. That as in the year 2013, for the purpose of release of salaries, No Objection Certificate from the concerned District Co-ordination Officer was necessary; therefore, respondent No.6 vide letter No.534 dated 16/12/2013 requested the respondent No.5 for submission of case to quarter concerned for the grant of No Objection Certificate to petitioner. Copy of the letter No.534 dated 16/12/2013 of the respondent No.6 is enclosed as Annexure F.

Filed today 2809

Add: Registrar.

17/9/15

7. That thereafter petitioner remained in waiting of 'NOC' from DCO but in the meanwhile respondent No.5 appointed respondent No.7 as Laboratory Attendant at Govt. High School Musa Zai Shareef on the basis of deceased son vide letter No.4729-43/DEO(M)/Class-IV dated 21/04/2014 (Annexure G) despite the fact that petitioner was already serving on the said post.

8. That due to the appointment of respondent No.7, the petitioner was stopped to perform his official duties without issuing any termination letter. Thus aggrieved of the appointment of respondent No.7 as well as acts and deeds of respondents No. 1 to 6 by which they have stopped the petitioner from performance of his official duties and also not paid his salaries, the petitioner has been left with no efficacious remedy but to invoke constitutional jurisdiction of this Honourable

TESTED

EXAMINOR

Reshwar High Court
D.I.Khan Bench

- 17 -

Court seeking issuance of direction to respondents to allow the petitioner to perform his official duties on, inter alia, the following grounds:

Filed today 28/9

Add: Registrar

17/9/2015

GROUND:

- Alb*
- i. That the appointment of respondent No.7 as well as acts and deeds of respondents No. 1 to 6 by which they have stopped the petitioner from performance of his official duties and also not paid his salaries, are based on malafide, favouritism and political victimization, illegal, unlawful, without jurisdiction, without lawful authority and having no binding effect upon rights of petitioner accrued to him by dint of his appointment by the respondent No.6.
 - ii. That the respondent No.6 legally and lawfully appointed the petitioner as Laboratory Attendant (BPS-1) in Govt. High School Musa Zai Sharif vide appointment letter dated 31/11/2013 and these power to appointment class-IV in the School were delegated to the respondent No.6 and were in field till issuance of letter No.3391-2441 dated 24/02/2014 by the respondent No.4 vide which said powers were withdrawn from principals/headmasters etc. Thus, the post of Lab. Attendant was not vacant for the appointment of respondent No.7 but for the benefit of respondent No.7 rights of the petitioner have been infringed due to malafide and on the basis of favouritism. Hence, a great injustice has been done to the petitioner.

ATTESTED

EXAMINOR

Peshawar High Court
D.J.Khan Bench

- 18 -

iii. That the petitioner has validly and rightly been appointed and therefore, petitioner also performed his official duties. Respondents have neither terminated the petitioner nor adjusted him at any other place/school rather forcibly stopped the petitioner from performing his official duties and also not paid his salaries.

iv. That no lawful authority is vested in the respondents No.5 & 6 to stop the petitioner from performance of his official duties or to refuse payment of his salaries.

v. That the appointment of petitioner, the petitioner has not been treated in accordance with law and also the petitioner has been condemned unheard.

vi. That the counsel for petitioner may be allowed to argue additional grounds at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the present Writ Petition and by issuance of an appropriate writ, the appointment of respondent No.7 at Govt. High School Musa Zai may please be cancelled by declaring it as null & void; and the respondents No. 1 to 6 may please be directed to allow the petitioner to perform his official duties at Govt. High School Musa Zai and also to pay his outstanding and future salaries. Any other appropriate relief which this Honourable Court, in the given

ATTESTED

EXAMINOR

Peshawar High Court
D.I.Khan Bench

Filed today 28/9/15
Addl. Registrar
17/9/2015

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circumstances, may deem proper in the best interest of justice, may also
be granted to the petitioner.

Yours Humble Petitioner

Filed today 2809

Add: Registrar.

(7/9/2015)

17 September 09, 2015.

محمد بیل

(Muhammad Bilal)
THROUGH COUNSEL

زین العابدین

Zain-ul-Abideen Afridi
Advocate High Court, D.I.Khan.

BOOKS REFERRED:

1. The Constitution of Islamic Republic of Pakistan, 1973

CERTIFICATE

I, Muhammad Bilal son of Bashir Ahmad, resident of Mohallah Maddi Khel, Musai Zai Shareef, Tehsil Daraban, District D.I.Khan, petitioner, do hereby certify that it is the first petition on the subject matter and no such petition has earlier been filed.

محمد بیل

Petitioner

AFFIDAVIT

I, Muhammad Bilal son of Bashir Ahmad, resident of Mohallah Maddi Khel, Musai Zai Shareef, Tehsil Daraban, District D.I.Khan, petitioner, do hereby solemnly affirm and declare on oath that all the Para-wise contents of above **Writ Petition** are true & correct to the best of my knowledge, belief and information so provided to me; and that, nothing has been deliberately concealed from this Honourable Court.

زین العابدین

Identified by Counsel:
Zain-ul-Abideen Afridi,
Advocate High Court, D.I.Khan.

محمد بیل

Deponent

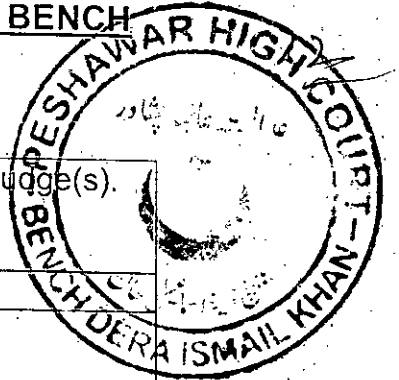
ATTESTED




EXAMINOR

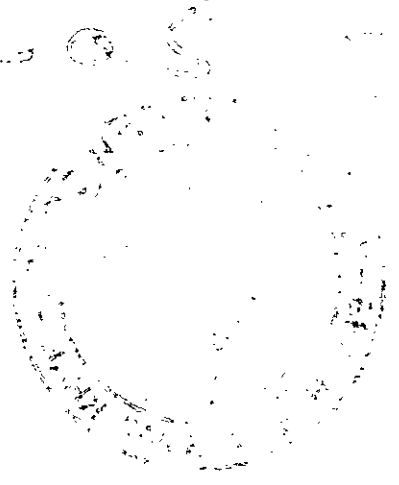
Peshawar High Court
D.I.Khan Bench

IN THE 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)
07.06.2016	<p><u>W.P.No.622-D/2015.</u></p> <p><u>Present:-</u> Mr. Zain ul Abdin Afridi, Advocate for petitioners.</p> <p>A.A.G for official respondents alongwith representative of respondent No.5.</p> <p align="center">*****</p> <p><u>MUHAMMAD GHAZANFAR KHAN J.-</u> Since the petitioner has been terminated from service by respondents, so the instant writ petition has become infructuous, therefore, dismissed as such.</p> <p><u>Announced.</u> 07.06.2016.</p> <p align="right">JUDGE </p> <p align="right">JUDGE </p> <p align="right">ATTESTED  EXAMINOR Peshawar High Court D.I.Khan Bench</p>



G.R.No. 1803.
 Applied on 14.6.16
 Copy No. 07 Pages
 Committed 20
 Urgent 20
 Total Fee 12/80
 Copy 16-6-16
 Copy del 16-6-16
 Signature of Examiner [Signature]

Certified to be true Copy

EXAMINOR
 Peshawar High Court Bench D Feroz
 Authorized under Section 97 of
 Qanoon-e-Shahadat Act

[Signature]
16/6/16

1/1/2016

1/1/2016

1/1/2016

The Director Education
Peshawar.

- 22 -

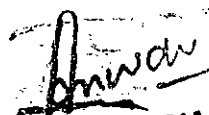
Subject:- Departmental Appeal.

Respected Sirs,

That appellant father was laboratory Attendant in Gout High School Musa Zai shareef and retired on 8-11-2013. The appellant was appointed as class IV on Son's quota vide order dated 30-11-2013.

That EDO education vide order dated 21-4-2014 appointed Adnan as laboratory attendant at GHS Mousa Zai shareef on the same post on which appellant is appointed in 2013 without terminating the appellant. Feeling aggrieved appellant file writ petition before honorable High Court in which AAG along with department representative informed the court that appellant is terminated from service without providing copy of termination order. Copy Enclosed.

That petitioner is legally appointed after observing


M. ANWAR AWAN
Advocate

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all legal/codal formalities. Appellant performed his duties to the utmost satisfaction of his high-ups.

The appellant was condemned unheard. No showcause is given to the appellant. Nor any charge sheet was issued. During the period of appointment of appellant, the headmaster has power to appoint class IV employees.

It is therefore requested that termination order dt. 7-6-2016 may kindly be declared as void, illegal and appellant may kindly be re-instated with all back benefits.

Dated: - 27-6-2016.

Yours Sincerely.

محمد بیلال

Muhammad Bilal s/o

Bashir Ahmad R/o

Mohallah Madi khel

Mousa Zai Shareef

Laboratory attendant
GHS Mousa Zai.

وکالت نامہ

24 -

ایک روپیہ قیمت		کورٹ فیس
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بعدالت جناب KPK سروسز ٹرمینل لٹاؤریٹس ڈیولپمنٹ کورپوریشن

منجانب
 نام KPK
 محمد بلال
 دعویٰ یا جرم
 تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ڈیولپمنٹ کورپوریشن

محمد الورد الخوان امیر مولانا سہیل کوہستان مس اعلیٰ ایجوکیشن کونسل
 کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ مختیار خاص رو بروعدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر مظہر حاضر نہ ہوں۔ اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر مقام پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عتقانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخلہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرض دعویٰ، یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر جانی اپیل نگرانی و ہر قسم درخواست پر دیکھنا و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر حاشی یا راضی نامہ و فیصلہ بر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از پکھری صدر پیروی مقدمہ مذکورہ نظر جانی و اپیل و نگرانی و برآمدگی مقدمہ یا منسوخی ڈگری یکطرف یا درخواست حکم انتہائی یا قرقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ عتقانہ پیروی کا اختیار ہوگا اور تمام ساختہ پرداخت صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو کی کارروائی بصورت درخواست نظر جانی اپیل یا نگرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا ایڈووکیٹ کو اپنے بجائے یا اپنے 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 جائز التواء پڑے گا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ 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
 مورخہ 07 ستمبر 2016ء

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

العبد العبد العبد

Amir Adv

محمد بلال

03465562152

Adv

“B”

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

Recd.

No.

Appeal No. *1048* of 20 *16*.

Mr. M. M. ... Appellant/Petitioner

Versus

Province of NW.F. Through ... Respondent

Respondent No. *5*

Notice to:

*Deaths Education Officer (Male)
Education Deptt D.I. Khan.*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *26.7.80* 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 *27*

Day of *March* 20 *17*.

At Court D.I. Khan.

[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.

Regd.

No.

Appeal No. *1018* of 20*16*

Mr. Muhammad Farid
Appellant/Petitioner

Versus

Province of K.P. through the Director of S.P.A.
Respondent

Respondent No. *6*

Notice to:

*Head Master S. H. S. Muzaffar,
Shanesh, D. J. Khan.*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *06-1-2017* 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 *March* 20*17*

At Peshawar, D. J. Khan.

[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.

Recd.

No.

Appeal No. 10114 of 20 16.

Mr. Muhammad Asad Ghilani Appellant/Petitioner

Versus

Province of KP/Throne of Justice COS Edler Respondent

Respondent No. 57

Notice to:

*Mr. Aslam Muhammad Romzaan
K. H. M. Khan
R. H. S. Mulla*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26-7-2017 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 1st

Day of 11/16/17 20/17

Ht Camp PC 01/21 D.I. Khan

[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.

Appeal No. 1048 of 20 17.

Mr. Muhammad Bilal Appellant/Petitioner

Versus

Province of KP through Secretary FOS Edue
Respondent

Respondent No. 37

Notice to:

Director FOS Education Dept
LP Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26-7-2017 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 1st

Day of Monday 20 17.

At Command, D.I. Khan.

[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.

6/3/17

"B"

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

No.

Appeal No. 1048 of 20 17,

Mr. Muhammad Bilal Appellant/Petitioner

Versus

Province of KP, through Secretary, FOS Edu: Dept. Respondent
Respondent No. 1

Notice to:

- Dy. Director, FOS Education
Dept. KP Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26-7-2017 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 26

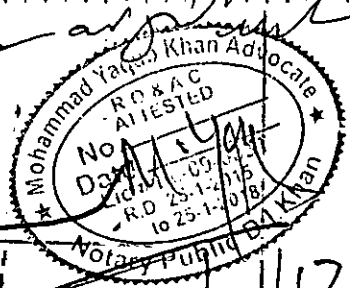
Day of Monday 20 17.

A. C. P. A. P. I. Khan

[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.

6/3/17



3/17

فیتا نامہ صی :

میرزا محمد شریف اور میرزا محمد شریف خاں

محمد شریف خاں اور محمد شریف خاں

دبیر

محمد شریف خاں اور محمد شریف خاں خیر بھائی سند محمد شریف خاں خاں

محمد شریف خاں اور محمد شریف خاں سند محمد شریف خاں خاں

محمد شریف خاں اور محمد شریف خاں سند محمد شریف خاں خاں

محمد شریف خاں اور محمد شریف خاں سند محمد شریف خاں خاں

محمد شریف خاں اور محمد شریف خاں سند محمد شریف خاں خاں

محمد شریف خاں اور محمد شریف خاں سند محمد شریف خاں خاں

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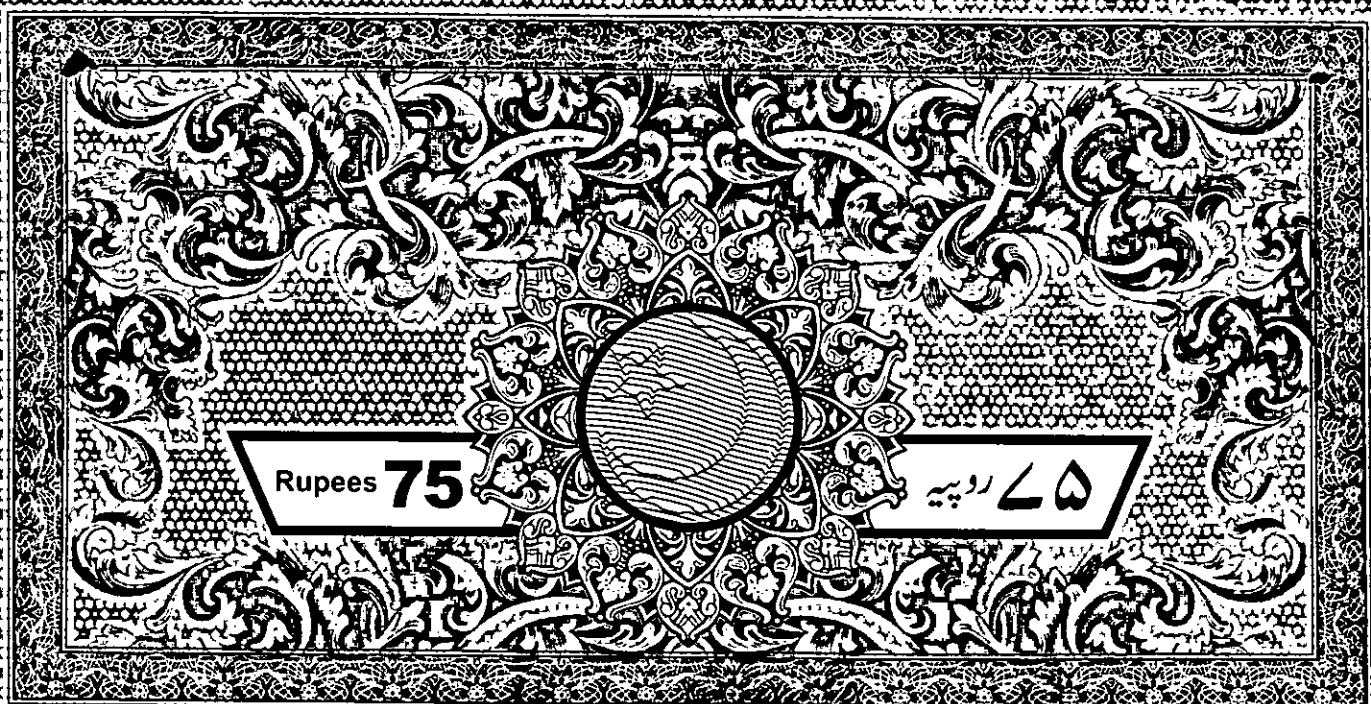
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TREASURY D.I.KHAN
21 MAR 2017
PAID

Habib Ullah Khan
Stamps Vendr
Kachehri-D.I.Khan.



جس دین صدقہ دیا اور عہد کیا اور بنا جو تار کھانور
 رک کس رضیت دینا میں کہ رضیت در تہہ دے
 کس قدر ضروری ہے۔ اللہ بابت میں جو ک
 تہہ و کس رضیت دینا میں کہ رضیت در تہہ دے
 صحت میں کہ رضیت دینا میں کہ رضیت در تہہ دے
 بنیے جو ک رضیت دینا میں کہ رضیت در تہہ دے
 کس قدر ضروری ہے۔ اللہ بابت میں جو ک
 تہہ و کس رضیت دینا میں کہ رضیت در تہہ دے
 صحت میں کہ رضیت دینا میں کہ رضیت در تہہ دے
 بنیے جو ک رضیت دینا میں کہ رضیت در تہہ دے

Muhammad Yaqub Khan Advocate
 R.O. & A.C.
 AMBUSTUR
 No. 117
 Date 25/1/2015
 Lic # 10000033
 R.O. 25-1-2015
 Notary Public D.I. Khan

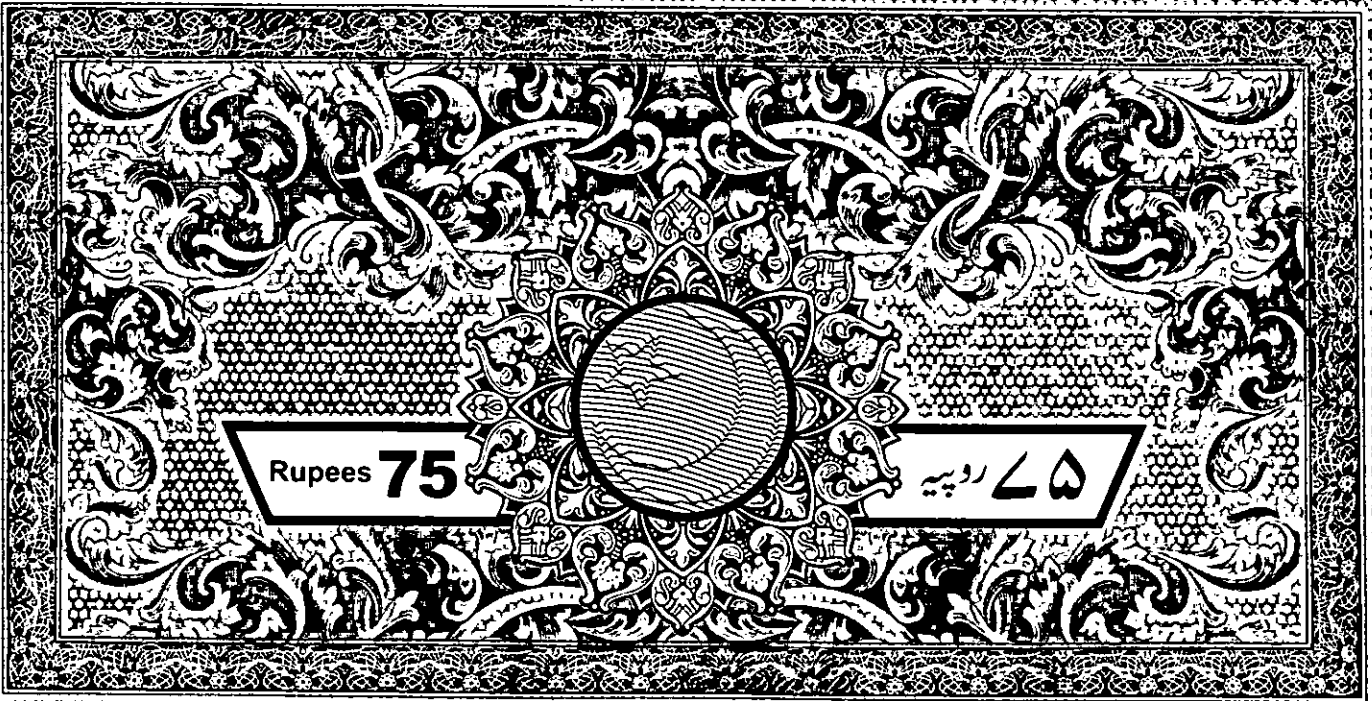
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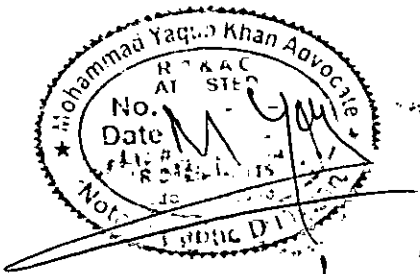
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TREASURY D.I.KHAN
21 MAR 2017
PAID

Habib Ullah Khan
Stamps Vendr
Kachehri D.I.Khan.



سب سے پہلے درج ذیل مندرجہ ذیل کاروبار کے لئے نوٹس جاری کیا گیا ہے۔
 حاصل کیا گیا ہے۔
 قانونی طور پر اس کے لئے نوٹس جاری کیا گیا ہے۔
 نوٹس کے لئے نوٹس جاری کیا گیا ہے۔
 نوٹس کے لئے نوٹس جاری کیا گیا ہے۔
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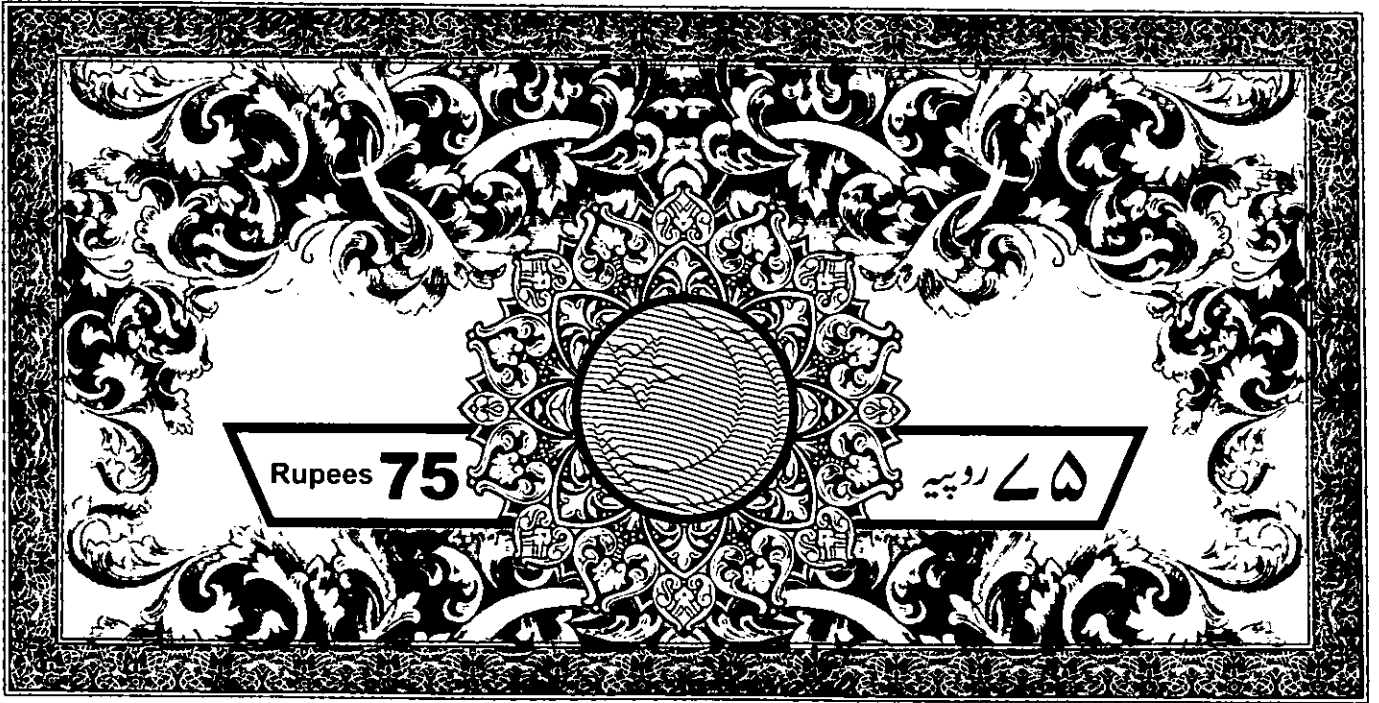
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TREASURY D.I.KHAN
21 MAR 2017
PAID

Habib Ullah Khan
Stamps Vendr
Kachehri D.I.Khan.

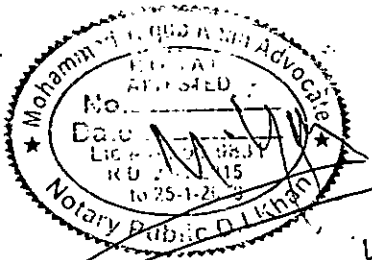


سزاگ دیوہ فیضہ صافہ درختہ
 بیک آریہ قوتارضا صدقوتارت صافہ کو
 منجور و قوی ہوگا۔ نہ فتنہ زما نہ درسدنی
 و کنگہ لود دردت علیہ قوت باد و برادران
 حالت حقا لہذا سنہ ۱۳۱۱ھ

۱۲۱۰۲-۲۱۵۱۱۱۳-۵ - ۷۵-۲۶۵۸۲-۳
 ۱۲۱۰۱-۲۳۷۳۵۱۱-۳ - ۷۵-۱۱۵۴-۳

حوریتا رودر علم سنہ	محمد عثمان	حوریتا رودر علم سنہ	محمد عثمان
سنہ ۱۳۱۱ھ	رضنا گربہ	سنہ ۱۳۱۱ھ	رضنا گربہ

۱۳۱۱ھ



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TREASURY D.I.KHAN
21 MAR 2017
PAID

Habib Ullah Khan
Stamps Vendr
Kachehri D.I.Khan.



N.W.F.P.
BAR COUNCIL

AAMIR FARID SADDQZAI

Advocate High Court

N.J.C. 12101-5325284-3

S.No 1418



Issuing Authority

وکالت نامہ

کورٹ
فیس

باعت بعدالذات حساب سروس ٹیرمیں جبرہ کھنڈوخواہ / نامہ

منجانب _____

نام _____

محمد سلاو

دعویٰ یا جرم

سروس اس میں

تفصیل دعویٰ یا جرم

باعث تحریر آئندہ

کیلئے

سید امیر

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بروری و جواب دہی برائے پیشی یا تصفیہ مقدمہ بنام

Aamir Farid Saddozai Advocate

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ دو برادری عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر مظہر 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 بروری کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر مظہر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذگری نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر غامی یا راہی نامہ و فیصلہ برطرف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مقرر بروری از پکھری صدر بروری مقدمہ مقرر نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا منسوفی ذگری یک طرفہ یا درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از فیصلہ اجراء ذگری بھی صاحب موصوف کو بشرط ادا چکی طیکہ مختص بروری کا اختیار ہو گا اور تمام ساختہ پر داخ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مقررہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دینے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ 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 پردی 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

_____ ماہ _____ مورخہ

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

Accepted

محمد سلاو
بذریعہ محنتِ فاضل

حسن کا بیرسٹر اندرون سپن زراریکٹ بالقابل جائز ہوں ذریعہ اسماعیل خان