


26th 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 gone through the brief of the instant appeal. 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.

File to come up alongwith connected Service Appeal No.1186/2019 titled "Dil Jan Vs. Government of Khyber Pakhtunkhwa" on 21.11.2022 before D.B at Camp Court, D.I.Khan.



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

30th June 2022

Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Kamran, ADEO for respondents present.

Written reply/comments on behalf of respondent No. 1 to 3 have already been submitted which is available on file. Learned counsel for the appellant submitted that similar connected appeal No. 1186/2019 titled "Dil Jan and others versus Education Department" have been fixed on 25.07.2022 before D.B at Camp Court, D.I.Khan therefore, the same may also be clubbed with the said appeal. Let it be fixed with the above mentioned appeal on 25.07.2022 before D.B at Camp Court, D.I. Khan.



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

25-7-22

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



26.01.2022

Tour is cancelled, therefore, case is adjourned to 26.05.2022 for the same as before.


Reader.

26.05.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Kamran, ADEO (Litigation) as representative on behalf of official respondents No. 2 & 3 alongwith Mr. Farhaj Sikandar, District Attorney present. None present on behalf of official respondents No. 1 & 4 as well as private respondents No. 5 to 9.

Reply/comments on behalf of official respondents No. 1 & 4 as well as private respondents No. 7 & 9 are still awaited.

Previous date was changed on Reader Note, therefore, notices be issued to official respondents No. 1 & 4 as well as private respondents No. 7 & 9 through registered post and last chance given for submission of reply/comments. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant, failing which the case shall be fixed before D.B for arguments without reply/comments deeming the same as waived off by the respondents. Adjourned. To come up for submission of written reply/comments on behalf of official respondents No. 1 & 4 as well as private respondents No. 7 & 9 on 28.06.2022 before the S.B at Camp Court D.I.Khan.

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

24.11.2021

Junior to counsel for the appellant Mr. Muhammad Rasheed, DDA alongwith Kamran, ADO (Litigaton) for respondent No. 2 & 3 present and reply/comments submitted which are placed on file. Respondents No. 5, 6 and 8 in person present and relied on the written reply of respondents No. 2 and 3. Respondents No. 4, 7 and 9 are not in attendance. Fresh notices be issued to them by way of last chance.

Last opportunity is granted to respondent No. 1, 4, 7 and 9 for submission of written reply/comments on 26.01.2022 before S.B at camp court, D.I.Khan.

In case the last chance as given above is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant failing which the case shall be fixed before D.B for arguments without reply/comments deeming the same as waived off by the said respondents.


Chairman
Camp Court, D.I.Khan


28.09.2021

Nemo for the appellant. Mr. Usman Ghani, District Attorney for official respondents present.

Written reply/comments on behalf of official respondents No. 2 & 3 have already been submitted.

Previous date was changed on Reader Note, therefore, notice be issued to official respondents No.1 & 4 as well as private respondents No. 5 to 9 with the directions to furnish reply/comments within 10 days. In case the official respondents No. 1 & 4 as well as private respondent No. 5 to 9 failed to submit their reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall stand ceased. To come up for arguments before the D.B on 24.11.2021 at Camp Court D.I Khan.

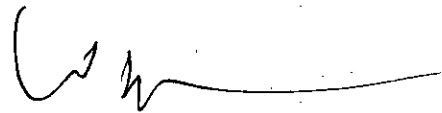
Notice for prosecution of the appeal also be issued to appellant as well as his counsel for the date fixed.


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

24.11.2020

counsel for appellant and Muhammad Jan, learned DDA alongwith M/S Kamran ADO and Ikram Ullah Assistant Accountant for respondents present.

Reply/comments on behalf of respondents was not submitted. Representatives of respondents seeks time to submit reply/comments. Granted. To come up for reply/comments on 26.01.2021 before S.B at Camp Court, D.I. Khan.



(Atiq-Ur-Rehman Wazir)
Member (E)

26.01.2021

Due to Covid-19, the case is adjourned to 24.02.2021 for the same as before


READER

24.02.2021

Appellant in person present.

Muhammad Riaz Khan Paindakhel learned Asst. AG alongwith Muhammad Kamra Khan ADO for official respondents No. 2, 3 present. None present on behalf of official respondents No. 1, 4 and private respondent No. 5 to 9.

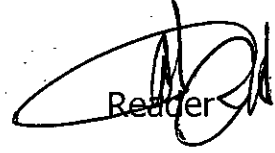
Written reply/comments on behalf of official respondents No. 2, 3 submitted which is placed on file. Reply/comments on behalf of official respondents No. 1, 4 and private respondent No. 5 to 9 not submitted, therefore, notice be issued to official respondents No. 1, 4 and private respondents No. 5 to 9 for submission of reply/comments. To come up for reply/comments on behalf of official respondents No. 1, 4 and private respondent No. 5 to 9 on 25.05.2021 before S.B at Camp Court, D.I Khan.



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

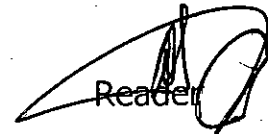
27/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 23/4/2020 at Camp Court, D.I Khan


Reader

23/4/2020

Due to COVID-19 the case is adjourned. To come up for the same 25/9/2020 at Camp Court, D.I Khan

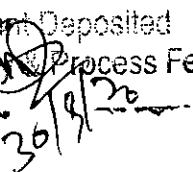

Reader

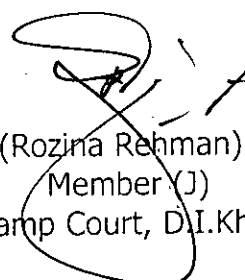
25.09.2020

Counsel for appellant present. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 24.11.2020 before S.B at Camp Court, D.I.Khan.


Appellant Deposited
Security & Process Fee


30/9/20


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


30.01.2020

Appellant in person present and requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 27.02.2020 for preliminary hearing before S.B at Camp Court D.I.Khan.


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

27.02.2020

Appellant in person present and requested for adjournment on the ground that his counsel is not available today. Adjourned to 27.03.2020 for preliminary hearing before S.B at Camp Court D.I.Khan.

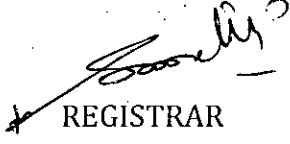



(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1188/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/09/2019	<p>The appeal of Mr. Sannaullah received today by post through Akhunzada Muhammad Aamir Khan Babar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	15.11.2019	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.11.2019</u></p> <p> CHAIRMAN</p>
28.11.2019		<p>None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance and preliminary arguments for 30.01.2020 before S.B at Camp Court D.I.Khan.</p> <p> (Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

In Service Appeal No. 1188 /2019

Sanaullah
(Appellant)

Versus

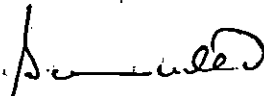
Govt. Of KPK, etc
(Respondents)

INDEX

S.#	Description of document	Annexure	Pages
1.	Service Appeal with affidavit	--	1 to 6
2.	Copies of service card and CNIC	A & B	7 to 8
3.	Copy of the impugned notification dated 24/04/2019	C	9
4.	Copy of departmental appeal along with postal receipt	D	10 to 11
5.	Wakalatnama	--	13

Dated 23 /09/2019

Your humble appellant,



Sanaullah

Through counsel:-


Advocate High Court
AHC

BEFORE THE KHYBER PAKHTUNKHWA SERVICES

TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1188 /2019

Diary No. 1302

Dated 25/9/2019

Sanullah son of Muhammad Abdullah r/o Tehsil Daraban Kalan, District Dera Ismail Khan. Presently posted as PBS-04 at GHSS Daraban Kalan, Tehsil Daraban District Dera Ismail Khan.

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

VERSUS

1. Government of Khyber Pakhtunkhwa, Through Secretary Elementary & Secondary Education Peshawar
2. The Director (E&S) Education Department Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) District Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. Abdul Hafeez, presently promoted as Junior Clerk at GHS Hafizabad, Dera Ismail Khan.
6. Haji Gul Nawaz, presently promoted as Junior Clerk at GHS Mithapur, Dera Ismail Khan.
7. Khizar Hayat, presently promoted as Junior Clerk at GHSS Daraban Kalan, Dera Ismail Khan.
8. Samiullah, presently promoted as Junior Clerk at GHS Bahadari, Dera Ismail Khan.
9. Muhammad Bilal, presently promoted as Junior Clerk at GHS Ghandi Ashiq, Dera Ismail Khan.

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

APPEAL UNDER SECTION 4 OF THE NWFP SERVICES TRIBUNAL ACT, 1974.

Filed to day
25/9/19.
Registrar

PRAYER

On acceptance of this appeal the impugned notification#10457-65 dated 24/04/2019 issued by respondent#3 may please be declared as null and void ab initio, hence, liable to be set aside and the respondents may kindly be directed to promote the petitioner according to 33% quota reserved for promotion of Class-IV to Junior Clerk.

Respected Sir,

Appellant humbly submits as under;

1. That the appellant joined the Education Department Khyber Pakhtunkhwa as Class-IV employee and presently posted at Govt. High School Daraban Kalan, Tehsil Daraban District Dera Ismail Khan. Copies of CNIC & Service card of appellant are annexed as **Annexure-A & B.**
2. That after the appointment the petitioner served the department with the entire satisfaction of his high-ups and left no stone unturned during his whole service and nothing a single departmental inquiry was conducted against appellant petitioner in mentioned period.
3. That appellant, being fully qualified, is entitled for promotion Class-IV employee to Junior Clerk according to Rules and Regulations dated 07/11/2018 of the Education Department regarding 33% quota reserved for promotion of Class-IV to Junior Clerk.
4. That although the appellant fulfills the criteria of promotion from Class-IV employee to Junior clerk according to notification dated 07/11/2018 but the respondent#3 issued the impugned notification#10457-65 dated 24/04/2019 vide which the private respondents were promoted from Class-IV employee to Junior clerk despite the fact that they are not only juniors to the appellant but do not fulfill the criteria of 33% quota reserved for promotion due to not having typing skills & computer knowledge etc. Copy of

Ali
5

impugned notification dated 24/04/2019 is annexed as **Annexure-C**.

5. That appellant being senior employee than the private respondents and also having typing skill along with basic computer knowledge is entitled to be promoted as Junior Clerk but the respondents did not promote the petitioner which is gross injustice and needs serious interference of this honourable Tribunal.
6. That feeling aggrieved by the impugned notification#10457-65 dated 24/04/2019, the appellant moved a departmental appeal to the respondent#2 for his promotion against the post of Junior Clerk but the respondents did not pay any heed to the appeal of the appellant which cause huge loss to the appellant to the effect the salaries, allowance and on the future of petitioner's service and petitioner's pension. Copy of departmental appeal is enclosed as **Annexure-D**.
7. That refusal of the departmental appeal of the appellant, the appellant is being challenged by way of instant appeal, on inter alia the following grounds:-

AWK

GROUNDS

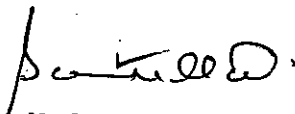
- a. That the impugned notification dated 24/04/2019 is against law, Rules & regulations and departmental policy, hence, the same is liable to be cancelled and the appellant is entitled to be promoted as Junior Clerk according to Rules and Regulations dated 07/11/2018 of the Education Department.
- b. That in view of the qualification and skills of appellant, his hard work and better performance in Education Department as also in view of his laudable and favourable and be treated on equality.

- c. That non awarding promotion to the appellant as Junior Clerk cast an adverse effect upon his entire service career which badly resulted his expected ancillary benefits thereon.
- d. That non-promotion of the appellant despite fulfilling the criteria has brought a bleak disaster not only to his impeccable career but also has financially straightened.
- e. That appellant fulfil the criteria of promotion as Junior Clerk in Education Department but the respondents are intending to deprive the appellant from his valuable rights which is clear violation of the policy of Government.
- f. That the appellant has been discriminated in the matter of promotion and as the said discrimination smacks of malafides, the impugned act of respondents is merit annulment.
- g. That this honourable Tribunal has got vast and ample powers to entertain the instant appeal.
- h. That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

For the afore-stated grounds, this appeal may please be allowed as prayed above.

Dated 23/09/2019

Your humble appellant,



Sanaullah

Through counsel:-



Advocate High Court

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

In Service Appeal No. _____/2019

Sanallah
(Appellant)

Versus

Govt. Of KPK, etc
(Respondents)

AFFIDAVIT

Attested
[Stamp: Oath taken at DI Khan, District Dera Ismail Khan, on 23/09/2019]
Sanallah

I, **Sanallah** son of Muhammad Abdullah r/o Tehsil Daraban Kalan, District Dera Ismail Khan, appellant herein, do hereby solemnly affirm on oath that all para-wise contents of the accompanying appeal are true and correct to the best of my knowledge, belief and information; that nothing has been concealed or kept secret from this worthy Tribunal, nor anything contained therein is based on exaggeration or distortion of facts.

Dated 23/09/2019

[Signature]
Deponent

VERIFICATION

Verified on oath at DI Khan, this 23 day of September, 2019, that all contents of the above appeal are true and correct.

Dated 23/09/2019

[Signature]
Appellant

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

In Service Appeal No. _____/2019

Sanaullah
(Appellant)

Versus

Govt. Of KPK, etc
(Respondents)

ADDRESSES OF PARTIES

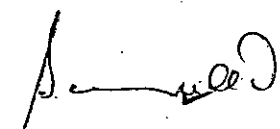
Sanaullah son of Muhammad Abdullah r/o. Tehsil Daraban Kalan, District Dera Ismail Khan. Presently posted as PBS-04 at GHS Daraban Kalan, Tehsil Daraban District Dera Ismail Khan.

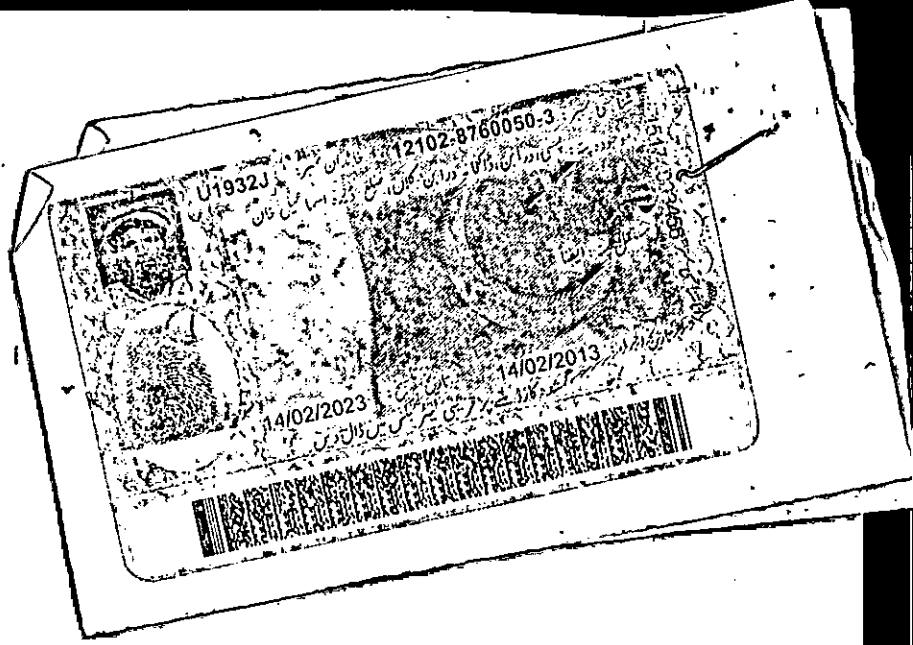
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VERSUS

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


Appellant's counsel

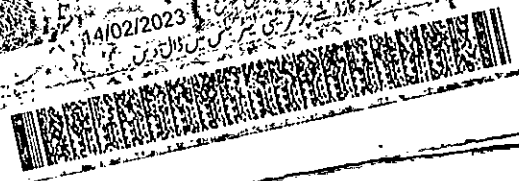


U1932J

12102-8760050-3

14/02/2023

14/02/2013





9
Annexure C

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN

Tel: 0966-92801/9280121
E-mail: emisdikhan@yahoo.com

NOTIFICATION.

Consequent upon the recommendations of the Departmental Promotion Committee, the following Class IV servants working in and under the Elementary & Secondary Education Department District DIKhan are hereby promoted as Junior Clerk in BPS-11 on regular basis (under 33% quota promotion of Class IV to Junior Clerk) in the interest of public service with immediate effect:

Sr. No	Seniority No.	Name	Place of posting as Naib Qasid	CNIC	Place of posting	Typing Speed per minute
1-	1156-A	Abdul Hafeez	Naib Qasid GMS Chah Lang-wala	12103-1497976-5	GHS Hafiz Abad	28.8
2-	621	Haji Gul Nawaz	Chowkidar GPS Faqir abad	12101-5487347-5	GHS Mithapur	26.6
3-	990	Khizar Hayat	Naib Qasid GHSS Daraban Kalan	12101-3359430-9	GHSS Daraban Kalan	26.6
4-	1038	Samiullah	Naib Qasid GHS Panjala	12103-6342796-5	GHS Bahadri	25.0
5-	778	Muhammad Bilal	Cook GHSS No.2 DIKhan	1201-0966068-5	GHS Gandhi Ashiq	25.2

TERMS & CONDITIONS

1. The appointee will get salary against the sanctioned post in the budget.
2. They are required to join the post within 15 days, failing which the promotion order will stand automatically as cancelled.
3. Their Promotion Order will be treated as cancelled if the said quota has already been availed.
4. Their pay may not be drawn till the verification of certificate /documents from the concerned Board/University by this office. If any certificate/documents found bogus will be reported to the law enforcing agencies for further action and Promotion Order will be automatically treated as cancelled. Verification fee will be borne by the candidate.
5. Their documents may be checked by the DDO concerned once again before handing over the charge, if he has not the required relevant qualification as per rules he may not be handed over the charge of the post.
6. Charge reports should be submitted to all concerned.

---Sd---

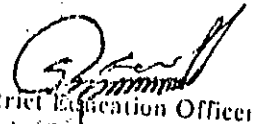
District Education Officer
(Male) Dera Ismail Khan

Endst No. 10257-65 (AE-7/Promotion C.V to JC 33% quota)

Dated DI Khan the 24/4 2019

Copy forwarded to:

1. The PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
2. The Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner, DI Khan.
4. The District Comptroller of Accounts, DI Khan.
5. The DMO (IMU) D.I.Khan
6. The Principal concerned.
7. The Headmaster concerned.
8. The Official concerned.
9. The PA to DEO (M) DIKhan.


District Education Officer,
(Male) Dera Ismail Khan

NOTICE (1) - The Post Office is not responsible for loss or damage in the case of Insured registered articles, unless they are also insured.

(2) *M/W* The special conditions and restrictions as to insurance which will be found in the current edition of the Post Office Guide are binding upon every sender of an insured postal article by virtue of rules prescribed under the Pakistan Post Office Act, 1898.



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

TEL: 0966-9280131/9280122

E-mail: emisdikhan@yahoo.com

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6. Charge reports should be submitted to all concerned.

---Sd---

District Education Officer
(Male) Dera Ismail Khan

Endst No. 10457-65 /AE-7/Promotion C IV LJC 33% quota

Dated DI Khan the 24/4/2019

Copy forwarded to:

1. The PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
2. The Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner, DI Khan.
4. The District Comptroller of Accounts, DI Khan.
5. The DMO (IMU) D.I. Khan
6. The Principal concerned.
7. The Headmaster concerned.
8. The Official concerned.
9. The PA to DEO (M) DIKhan.

District Education Officer
(Male) Dera Ismail Khan

بخدمت جناب ڈائریکٹر E&S ایجوکیشن خیبر پختونخواہ پشاور

محکمہ اپیل

Through Proper Channel

D.E.O (Male) Dera Ismail Khan

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من سائل محکمہ تعلیم ڈیرہ اسماعیل خان میں بطور درجہ چہارم ملازم (BPS-4) اپنے فرائض منصبی سرانجام دے رہا ہے اور گورنمنٹ ہائر سیکنڈری سکول درابن کلاں میں تعینات ہے۔ نقل شناختی کارڈ و سروس کارڈ سائل لف ہیں۔ Annexure-A & B۔

۲۔ یہ کہ من سائل نے ہمیشہ پوری ایمانداری اور جانفشانی کیساتھ اپنے فرائض منصبی سرانجام دیئے ہیں اور افسران بالا کو کبھی بھی شکایت کا موقع نہیں دیا ہے اس نسبت سائل کا سروس ریکارڈ واضح ہے۔

۳۔ یہ کہ سائل 33% Quota reserved for promotion of Class-IV to Junior Clerk کے تحت جو نیئر کلرک Promote ہونے کا اہل ہے اس نسبت سائل نے افسران بالا سے بارہا استدعا بھی کی لیکن سائل کی کوئی شنوائی نہیں ہوئی۔ جبکہ سائل 'نا پینڈنگ لسٹ' میں ہیں جسے چھٹا تھا جس کا وزلٹ میں شائع نہیں کیا گیا۔

۴۔ یہ کہ ڈسٹرکٹ ایجوکیشن آفیسر صاحب ڈیرہ اسماعیل خان کی جانب سے نوٹیفکیشن نمبر 65-10457 مورخہ 24/04/2019 جاری کیا گیا جس میں سائل کی بجائے دیگر درجہ چہارم ملازمین کو جو نیئر کلرک کے عہدے پر ترقی دی گئی ہے حالانکہ مذکورہ ملازمین سائل سے جو نیئر ہیں اور مذکورہ کوڈ کی شرائط پر بھی پورا نہیں اترتے ہیں۔ جبکہ سائل سینئر Employee ہونے کے علاوہ مذکورہ کوڈ کی تمام شرائط یعنی نا پینڈنگ وغیرہ پورا کرتا ہے اس کے باوجود بھی من سائل کو نظر انداز کرتے ہوئے دیگر منظور نظر ملازمین کو جو نیئر کلرک کے عہدے پر ترقی دے کر میرٹ کی خلاف ورزی کی گئی ہے۔ بدیں وجہ نوٹیفکیشن نمبر 65-10457 مورخہ 24/04/2019 کو منسوخ فرما کر سائل کو جو نیئر کلرک کے عہدے پر ترقی دی جانی عین قرین انصاف ہے۔ نقل نوٹیفکیشن لف ہے۔ Annexure-C۔

۵۔ یہ کہ من سائل نے ڈسٹرکٹ ایجوکیشن آفیسر صاحب ڈیرہ اسماعیل خان کو درخواست گزاری جس میں سیناریٹی لسٹ، منس آف میٹنگ وغیرہ کی نقل فراہم کرنے کی استدعا کی گئی تھی لیکن درخواست مذکورہ پر کوئی بھی کارروائی نہیں کی گئی۔ درخواست زبردفعہ RTA لف ہے۔ Annexure-D۔

۵۔ یہ کہ سائل ایک غریب درجہ چہارم ملازم ہے جس کا کوئی اثر سون و غیرہ نہیں ہے جس کی وجہ سے سائل کو قیمتی حقوق سے محروم رکھا جا رہا ہے اس لئے سائل آپ جناب سے دست بستہ استدعا کرتا ہے کہ سائل کی دادری فرماتے ہوئے سائل کو جو نیئر کلرک کے عہدے پر ترقی دی جائے۔

لہذا استدعا ہے کہ منظور اپیل ہذا سائل کو درجہ چہارم ملازم سے جو نیئر کلرک کے عہدے پر ترقی دی جا کر سائل کی دادری فرمائی جائے۔

مورخہ 27/05/2019

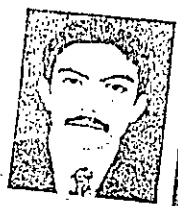
ثناء اللہ ولد محمد عبداللہ سکندہ ڈاکخانہ درابن کلاں، ضلع ڈیرہ اسماعیل خان

حال تعینات بطور BPS-04 گورنمنٹ ہائر سیکنڈری سکول درابن کلاں ڈیرہ اسماعیل خان

Signature

MUHAMMAD AMIR KHAN

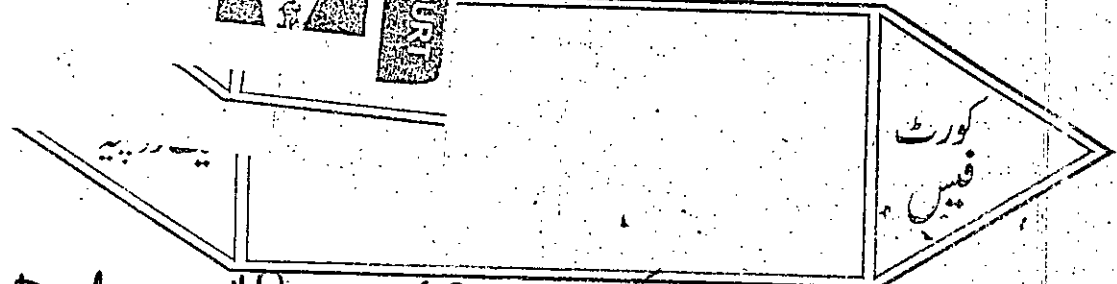
Advocate
bc-14-49
Date of Issue: November 2017
Valid upto: November 2020



ADVOCATE HIGH COURT

وکالت نامہ

Acting Secretary
Bar Council



Before the KPK Services Tribunal

Sanaullah

مجاہد

Govt of KPK etc

Service Appeal

باعث تحریر آنکہ

Akhwand Zada Mohammad Amir Khan Babbar

مقدمہ مندرجہ بالا عنوان میں اپنی طرف دائلے بیرونی و جواب دہی برائے پیش یا تصفیہ مقدمہ بنام
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بڑا بڈرلیہ روز بروز عدالت حاضر ہوتا رہوں گا اور ہر وقت یکایکے جاتے مقدمہ وکیل صاحب
موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب
موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل
بیرونی 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 بیچے پیش ہونے
پر منظر 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 بلکہ
کوکل ساختہ پر وادختہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعوی یا جواب دعوی یا درخواست اجراء اسمائے ذمیری
نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تاشی یا راضی نامہ و فیصلہ برخلاف کرنے اقبال دعوی کا بھی اختیار ہو گا اور بصورت مقرر ہونے
تاریخ پیشی مقدمہ مقرر بیرون از پکھری صدر بیرونی مقدمہ مقرر نظر ثانی اپیل و نگرانی و ہر آدمی مقدمہ یا مستوفی ذمیری ایک طرف یا درخواست حکم امتناعی یا ترقی
یا گرفتاری نکل از فیصلہ اجراء ذمیری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ ضمانت بیرونی کا اختیار ہو گا اور تمام ساختہ پر وادختہ صاحب موصوف مثل کردہ
از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو گا کہ مقدمہ مقررہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی
اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرونی کو اپنے ہجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں ہی اور ایسے
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 اور
صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروا 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 25 مارچ 2019

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

Accepted
Dewan
SAC

Sanaullah
Sanaullah

"A"

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

No.

TB

APPEAL No. 1188 of 20 19

Sanaullah

Appellant/Petitioner

Versus

Imraan Saif: Edu: KP HC Pesh

RESPONDENT(S)

Counsel

Notice to Appellant/Petitioner

Amir Khan Babar
Advocate High Court
D-1 Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 30-1-2020 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court D-1 Khan

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

APPEAL No. of 20

TB
19

Sanaullah

Appellant/Petitioner

Versus

Wazir Saifuddin Pasha

RESPONDENT(S)

Notice to Appellant/Petitioner

*Sanaullah S/o M. Abdulullah
R/o Tehsil Daraban Kakan Distt
Dera Ismail Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *30-1-2020* at *9:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court D.I. Khan

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

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

No.

Appeal No.....1188..... of 20

.....Sanaullah.....Appellant/Petitioner

Versus

.....Through Secretary, E & SE, Peshawar.....Respondent

Respondent No.....4.....

Notice to: — District Account Officer Diklan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellent/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.....

Day of.....November.....20

AT Camp
Court Diklan

Eiklan
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. 1188 of 20

Sanaullah

Appellant/Petitioner

Versus

Through Secretary ESSE Peshawar

Respondent

Respondent No. 5

Notice to: — Abdul hafeez, Presently promoted as Junior clerk at
GHS Hafizabad, D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....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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f appeal is attached. Copy of appeal has already been sent to you vide this

.....dated.....

.....my hand and the seal of this Court, at Peshawar this.....

.....November.....2021.

AT camp
Court D.I. Khan

E. Khan

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

“B”

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

No.

Appeal No.....1482..... of 2019.

.....Sawar Khan.....Appellant/Petitioner

Versus

.....Through Secretary E-2 SE Peshawar.....Respondent

Respondent No.....6.....

Notice to: — Haji Gul Nawaz, Presently Promoted as Junior Clerk at GHS Mithapur D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....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.....3rd.....

Day of.....November.....2021.

AT Camp
Court D.I. Khan

Eikhan
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.

1185
Appeal No. of 20 15
Sanullah
..... Appellant/Petitioner

Through Secretary ^{Versus} ESE Peshawar
..... Respondent

Respondent No. 7

Notice to: — Khizar Hayat Presently promoted as Junior Clerk
at GHSS Daraban Kalan, D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....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... 3rd

Day of..... November..... 2011

At Camp
Court D.I. Khan

E. Khan
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.....1188..... of 2018.

.....Samiullah.....Appellant/Petitioner

Versus

.....Through Secretary E. & S.E. I. Khan.....Respondent

Respondent No.....8.....

Notice to: — Samiullah, presently promoted as Junior clerk at
GHS Bahaduri Dikhan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....24.....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.....3rd.....

Day of.....November.....20 21

At Camp
Court Dikhan

E. Khan

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. 1188 of 2019

Sanaullah

Appellant/Petitioner

Versus

Through Secretary ESSE Peshawar

Respondent

Respondent No. 9

Notice to: —

Muhammad Bilal, Presently Promoted as Junior Clerk at CHT Ghani Ashiq, D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellent/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.....^{3rd}

Day of.....November.....20

At Camp Court D.I. Khan

E. Khan

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.

"A"

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

No.

APPEAL No.....1128..... of 120

Sanallah

Appellant/Petitioner
Counsel

Versus

Education Department

RESPONDENT(S)

Notice to Appellant/Petitioner Akhwan Zada Muhammad Amir

khan Baber, A.H.C

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 24-11-2021 at D.T. Khan

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

At camp
Court D.T. Khan

Fukhan
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

APPEAL No.....1188..... of 20 19

Sanaullah

Appellant/Petitioner

Versus

Education Department

RESPONDENT(S)

Notice to Appellant/Petitioner *Sanaullah S/o Muhammed Abdullah R/o*
Tehsil Daraban Kalan, District D.I.Khan. Presently Posted
at G.H.S. Daraban Kalan, Tehsil Daraban District D.I.Khan.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *24.11.2021* at *D.I.Khan*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

At Camp Court D.I.Khan

Fukhar

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

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

No.

1188

15

Appeal No..... of 20

Sanullah

.....Appellant/Petitioner

Through Secretary ^{Versus} E & SE Peshawar

.....Respondent

Respondent No.....

Govt of KPK, Through Secretary E & SE Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....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.....

3rd

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

Day of.....20

November

21

AT Camp
Court D-1 Khan

E. Khan

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.