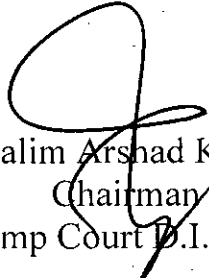


27th Sept 2022

Appellant in person present. Mr. Muhammad Adeel Butt, Addl; AG alongwith Mr. Kamran, ADEO for respondents present.

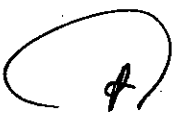
Written reply on behalf of the respondents submitted which is placed on file. A copy of the same is also handed over to the learned counsel for the appellant. To come up for arguments on 26.10.2022 before D.B at camp court D.I.Khan.



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

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 23.11.2022 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

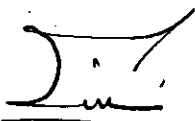
24.01.2022

Tour is cancelled, therefore, case is adjourned
to 24.05.2022 for the same as before.


Reader.

24.05.2022

Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present and sought time for submission of reply/comments. Last opportunity is given to the respondents for submission reply/comments on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments on 26.07.2022 before the S.B at Camp Court D.I.Khan.


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

*Due to summer vacation to come
up for the same on 27/9/22*

S.A No. 2417/2021

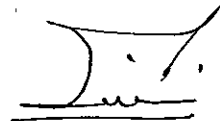
22.11.2021

Mr. Saleem Ullah Khan Ranazai, Advocate, for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant has argued that according to CNIC of the appellant, his date of birth is 03.11.1978, however the concerned official of the department has wrongly mentioned the date of birth of the appellant as 03.11.1972 in the service record; that the appellant got admission in school on 16.04.1984 and his date of birth is mentioned in the school record as 19.07.1978; that when the appellant came to know about the wrong entry of date of birth in the service record, he requested the SDEO (Male) Kulachi for correction of his date of birth, however the request of the appellant was turned down, therefore, he submitted departmental representation, which was not responded within the statutory period, hence the instant service appeal.

Points raised need consideration, hence the appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 24.01.2022 before the S.B at Camp Court D.I.Khan.

Appellant Deposited
Security & Process Fee
8/12/21



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

27.10.2021

Ifan Ullah Advocate present on behalf of Salimullah
Ranazai Advocate learned counsel for appellant.

Request for adjournment was made as learned counsel
for appellant is busy in election. Opportunity is granted. To
come up for preliminary hearing on 22.11.2021 before S.B
at Camp Court, D.I.Khan.



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

[Redacted]

[Redacted]

[Redacted]

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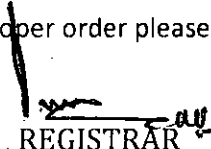

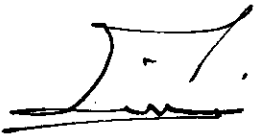
[Redacted]

[Redacted]

FORM OF ORDER SHEET

Court of _____

Case No.- 2417 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/02/2021	<p>The appeal of Muhammad Akhtar received today by post through Mr. Saleemullah Khan Ranazai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	26.03.2021	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>26.3.2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present and sought further time for preliminary arguments on the ground that he is not prepared for arguments today. Adjourned. To come up for preliminary arguments before S.B at Camp Court D.I.Khan on 21.06.2021.</p> <p style="text-align: right;"> (SALAH-UD-DIN) MEMBER (JUDICIAL) CAMP COURT D.I.KHAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. of 2021

Muhammad Akhtar

(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Education
Peshawar & 03 others. (Respondents)**I N D E X**

<u>S.No.</u>	<u>P a r t i c u l a r s</u>	<u>Annex.</u>	<u>Page(s)</u>
01.	Service Appeal with grounds thereof.	_____	1-3
02.	Copy of appointment order	A _____	4-5
03.	Copy of register of the School	B _____	6
04.	Copies of Medical Certificate and CNIC	C _____	7-8
05.	Copy of First page of Service Book	D _____	9
06.	Copies of departmental representation With covering letter	E _____	10-12
07.	Notices	_____	13-14
08.	Vakalatnama.	_____	15

Dated: 08.02.2021

Signature
Appellant;
Through Counsel,

Signature
(Saleemullah Khan Ranazai)
Advocate Supreme Court.

cell, 03339159808.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWARService Appeal No. 2417 of 2021

Muhammad Akhtar

(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Education
Peshawar & 03 others. (Respondents)**I N D E X.**

<u>S.No.</u>	<u>P a r t i c u l a r s</u>	<u>Annex.</u>	<u>Page(s)</u>
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04.	Copies of Medical Certificate and CNIC	C	7-8
05.	Copy of First page of Service Book	D	9
06.	Copies of departmental representation With covering letter	E	10-12
07.	Notices		13-14
08.	Vakalatnama.		15

Dated: 08.02.2021

20/13
Appellant;
Through Counsel,

Saleemullah Khan Ranazai
(Saleemullah Khan Ranazai)
Advocate Supreme Court.

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. of 2021

Muhammad Akhtar son of Abdul Hanan Chowkidar Government Primary School Kamal Khail Kulachi, District, DIKhan.

Versus.

1. Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
2. Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. District Education Officer, (M) D.I.Khan.
4. Sub-Divisional educational officer, (M) Kulachi, District D.I.Khan

SERVICE APPEAL AGAINST THE NON REPLY OF DEPARTMENTAL REPRESENTATION DATED 16.10.2020, WHICH WAS MOVED THROUGH PROPER CHANNEL AND TILL DATE NO RESULT HAS COME OUT, WHEREIN THE APPELLANT REQUESTED FOR CORRECTION OF HIS DATE OF BIRTH IN THE SERVICE RECORD.

Respectfully Stated,

The appellant prefers the instant appeal on the grounds hereinafter submitted apropos the following facts.

BRIEF FACTS

1. That appellant was appointed as Chowkidar on 31.08.1998 on fixed pay at Government Primary School Mohalla Kamal Khail, according to the then policy, being donor of land, which was subsequently confirmed/ regularized. Copy of appointment order is enclosed here with as **Annexure-A**.
2. That the appellant is almost uneducated, however, he got admission in the school on 16.04.1984, wherein his date of birth is mentioned as 19.07.1978 but because of poor conditions and illiterate family he could not continue his studies and left the school at very initial stage, however he can only write his name in Urdu. Copy of register of the school is enclosed here with as **Annexure-B**.
3. That after his appointment he got himself medically examined according to the law and also submitted his copy of CNIC, wherein his date of birth is mentioned as 03.11.1978. Copies of medical certificate & CNIC is enclosed here with as **Annexure-C**.

4. That in the recent past because of his family problems, he applied for withdrawal of certain amount from his GP fund from the department on 01.10.2020 and there he came to know that his date of birth in the service record is mentioned as 03.11.1972, so the appellant got copy of first page of Service Book. Copy of first page of Service Book is enclosed here with as **Annexure-D**
5. That as soon as the appellant came into the knowledge regarding wrong entry of date of birth in the service record, the appellant requested the SDEO (M) Kulachi for correction of his date of birth on 05.10.2020, which he plainly refused, so the appellant moved departmental representation on dated 16.10.2020 through proper channel to DEO (M) D.I.Khan and a copy was also forwarded to SDEO (M) Kulachi. Copies of departmental representation with covering letter is enclosed here with as **Annexure-E**.
6. That the appellant waited for the statutory period of 90 days but no action has been taken nor the representation of the appellant has been decided by the DEO (M) D.I.Khan in any manner.
7. That aggrieved from no decision on the departmental representation dated 16.10.2020 of the appellant, the instant service appeal is being filed for the redressal of the grievances of the appellant on inter-alia the following grounds.

GROUNDS

- a. That admittedly the appellant is an uneducated person, as evident from his service record and he has nothing to do with the entries in service record, which is the responsibility of the department, with whom the appellant is serving but a fact, which is stressed upon is that the appellant produced his CNIC along with the School Leaving Certificate, which is still available with his service record in possession of the Department.
- b. That from the school leaving certificate as well as CNIC, it is very much evident that the date of birth of the appellant is mentioned as 03.11.1978 and not 03.11.1972, which mistake is squarely on the shoulders of the department, for which the appellant cannot be and should not be penalized.
- c. That because of the mistake of the department the appellant will lose 06 years of his service, without any fault on his part.
- d. That appellant is still in service and in future he will defiantly face problems, particularly at the time of his retirement, as 06 long years will

definitely effect the pension amount, gratuity and other monetary benefits, as the department will definitely follow the entries in the service record, made by the department, whereas the record produced by the appellant at the time of his appointment speaks otherwise and the appellant will be the ultimate sufferer.

- e. That the counsel for the appellant may be allowed to raise additional grounds during the course of arguments.

Prayer: In view of the above grounds amongst others, it is very humbly requested that the service appeal of the appellant may very graciously be accepted and department may be directed to correct the service record of the appellant regarding date of birth from 03.11.1972 to 03.11.1978.

Humbly,

محمد اختر

(Muhammad Akhtar) Appellant,
Through counsel,

Dated: 08.02.2021

Saleem Ullah Khan
(Saleemullah Khan Ranazai)
Advocate Supreme Court.

AFFIDAVIT

Muhammad Akhtar son of Abdul Hanan Chowkidar Government Primary School Kamal Khail Kulachi, District, DIKhan (appellant), do hereby solemnly affirm on Oath that the contents of this appeal are true and correct to the best of my knowledge and that nothing has been concealed from this Honourable Tribunal.



محمد اختر
(Muhammad Akhtar)
Appellant.

Identified by
Saleem Ullah Khan
Ase

Saleem Ullah Khan Ranazai
Advocate Supreme Court

Annex 'A' (4)

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (MALE) KULACHI

OFFICE ORDER:

Under the provision of Govt. of NWFP, Services and General Admn: Deptt. No. (SAGAD) 4-788 dated 09-4-88 read with Govt. of NWFP Education Deptt. No. SOe/EDU/147/K-G/92 dated 22-11-92, Mr. Mohammad Akhtar S/O Abdul Haman Land Donor Resident of Tehsil Kulachi Distt. D.I. Khan is hereby appointed as Chowkidar at Govt. Primary School Mohala Kamaal Khal against the sanctioned post of Monthly wages of Rs. 500/- P.M. with effect from the date of provision of the following terms and conditions laid down by the Govt. of NWFP from time to time.

1. The appointment is purely temporary on Contract basis for the above prescribed period with no assurance of the continuance.
2. No pensionary benefits would be available and his service will be liable to terminate at any time without any notice.
3. The candidate is required to produce Domicile, Identity Card.
4. The candidate should produce health certificate from Medical superintendent of Hospital, D.I. Khan.

Sd/-
Sub Divisional Education Officer
(M) Kulachi

Endst. No. 2334-37

Dated Kulachi the 31/8/1998.

Copy to the:-

1. The Distt. Education Officer (M) Frys, DI Khan.
2. The ASDEO having concerned.
3. The Accountant, Local office.
4. The candidate concerned.

[Signature]
Sub Divl. Education Officer
(M) Kulachi.
Sub Divl. Eds. Officer
(Male) Kulachi.

ATTESTED

[Signature]
Saleem Ullah Khan Ranazat
Advocate Supreme Court

5

BETTER COPY

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (MALE) KULACHI

OFFICER ORDER:

Under the provision of Govt: of NWFP, services and General Admn: Deptt: No.(SAGAD)4-7576 dated 09-4-88 read with Govt: of NWFP Education Deptt: No.SOO(EDU/147/K-G/92 dated 22-11-92, Mr. Mohammad Akhtar S/O Abdul Hanan Land Donor Resident of Tehsil Kulachi Distt: D.I.Khan is hereby appointed as Chowkidar at Govt: Primary School Mohala Kamal Khal against the sanctioned post of Chowkidar on monthly wages of Rs.500/-P.M. fixed from the date of his joining the service under the prevailing policy and provisions of the following terms and conditions laid down by the Govt: of NWFP from time to time.

1. The appointment is purely temporary on contract basis for the above prescribed period with no assurance of the continuance.
2. No pensionary benefits would be available and his service will be liable to terminate at any time without any notice.
3. The candidate is required to produce Domicile, Identity Card.
4. The candidate should produce health certificate from Medical Superintendent of Hospital, D.I.Khan

Sd/-
Sub-Divl: Education Officer,
(M) Kulachi

Endst No. 2334-37/ dated Kulachi the 31/8/1998

Copy to the:-

1. The Distt: Education Officer (M) Pry: D.I.Khan
2. The ASDEO Halqa concerned.
3. The Accountant Local Office.
4. The Muhammad Akhtar candidate concerned

ATTESTED


Saleem Ullah Khan Ranazal
Advocate Supreme Court

Sub-Divl: Education Officer,
(M) Kulachi

رہبر و اعلیٰ خارج حور منسٹ لبر اعظمی

تاریخ و اولاد	تاریخ پیدائش	طالب علم کا نام	تاریخ پیدائش	باپ کا نام	قوم یا ذات	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1872	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1873	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1874	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1875	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1876	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1877	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1878	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1879	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1880	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1881	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1882	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1883	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1884	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1885	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1886	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1887	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1888	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1889	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1890	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1891	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1892	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1893	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1894	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1895	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1896	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1897	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1898	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1899	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ
16/1/1978	1900	اسماعیل اللہ	3.11.1978	محمد اللہ	بہراصل	زراعت پیشہ یا غیر زراعت پیشہ

ATTESTED

Saleem Ullah Khan Ranazaf
Advocate Supreme Court

5.1.1977

یہ دستاویز چاہے اور اس کی کاپی کو اس پر عمل درآمد کرنے کے لئے پیش کیا جائے اور اس کی کاپی کو اس پر عمل درآمد کرنے کے لئے پیش کیا جائے۔

Amren (C)

7

No. W. P. Form No. 2

GS:FP-NYFP-2639 PS. 1,000 Ps. 01-100-15-3-87-(236)

MEDICAL CERTIFICATE.

Name of Official..... Mr. Muhammad Akhtar.....
 Caste or race..... Wateo.....
 Father's name..... Alidul Hanan.....
 Residence..... G. Moh. Yaqoob Zai Teh. Kalachi Dist. Dikhan.....
 Date of birth..... 15/10/1978.....
 Exact height by measurement..... 5'5.....
 Personal mark of identification..... Mole on left eye.....
 Signature of the Official..... [Signature].....
 Signature of head of office.....

Seal of Office.....

I do hereby certify that I have examined Mr. Muhammad Akhtar for
 employment in the office of the Education Dept.
 and can not discover that he had any disease communicable or other constitutional
 affection or bodily infirmity except..... N/A.....

I do not consider this as disqualification for employment in the office of the Educa-
tion Dept...... His age according to his own statement 20..... years and by
 appearance about nineteen years.



LEFT HAND THUMB AND FINGER IMPRESSIONS

15/10/98

[Signature]
 Medical Superintendent
 District Hospital, Kasero, D. G. Khan
 Medical Superintendent
 Civil Hospital, D. G. Khan

ATTESTED

[Signature]
 Saleem Ullah Khan Ranazai
 Advocate Supreme Court

Note:- The entries in this page should be renewed or re-attested at least every five years, and the Signature in lines 9 and 10 should be dated.

Armen (D) (9)

Name Muhammad Akhtar

Race Gandapur

Residence Mohallah Yaqubzai Teh: Vialachi, D.I. Khan.

Father's name and residence Abdul Hassan

Date of birth by Christian era or as nearly as can be ascertained 3-11-1972 (Three Nov, 1972)

Exact height by measurement 5-6

Personal make for identification _____

Left hand thumb and finger impression of (Non Gazetted Officer) _____



Little Finger



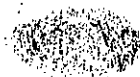
Ring Finger



Middle Finger



Fore Finger



Thumd



ATTESTED

Saleem Ullah Khan Ranazal
Advocate Supreme Court

محمد احقر

Signature of Government servant _____

Signature and designation of the Head the office, or other Attesting officer.

Dy: Dist: Officer
(M) P. Y. Kulachi

Mohammadi Shahdi Khel Urdu Bazar D.I. Khan

Annex (E) (10)



OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER
(MALE) KULACHI DERA ISMAIL KHAN

No: 1189

Dated: 16/10/2020

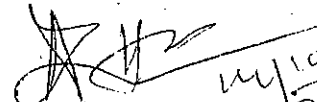
To

The District Education Officer
(Male) Dera Ismail Khan.

Subject: APPLICATION FOR CORRECTION OF DATE OF BIRTH IN SERVICE BOOK.

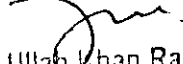
Memo:

Enclosed please find herewith application along with other relevant documents in respect of Muhammad Akhtar S/o Abdul Hanan, Chowkidar GPS Moh: Kamal Khel Kulachi for further necessary action please.


16/10/2020

#2 Sub Divisional Education Officer
(Male) Kulachi District D.I.Khan

ATTESTED


Saleem Ullah Khan Ranazai
Advocate Supreme Court

(11)

بخدمت جناب ڈویژنل آفیسر محکمہ تعلیم مردانہ (D.E.O. Male) ضلع ڈیرہ اسماعیل خان

درخواست بمراد درست درستی غلطی تاریخ پیدائش من سائل کے سروس ریکارڈ و سروس بک میں جو کہ سہو طور پر تاریخ پیدائش مورخہ 03-11-1972 درج ہوئی جبکہ اصل درست تاریخ پیدائش مورخہ 03-11-1978 ہے۔

جناب عالی۔ سائل حسب ذیل عرض رساں ہے۔

1۔ یہ کہ من سائل محلہ کمال خیل / یعقوب زئی سکوتی درہائشی ہے اور محلہ کمال خیل کے پرائمری سکول کے لئے اپنی اراضی دے کر گورنمنٹ پرائمری سکول محلہ کمال خیل کلاچی میں بطور چوکیدار بھرتی ہوا اور تب سے اب تک باقاعدگی سے اپنے فرائض سرانجام دے رہا ہے نقل حکم بھرتی درخواست ہذا کے ساتھ لف ہے۔

2۔ یہ کہ من سائل صرف زہری تک پڑھا ہے اور اپنا نام مشکل سے لکھ سکتا ہے اور من سائل کی تاریخ پیدائش بوقت داخلہ سکول میں مورخہ 03-11-1978 درج ہوئی جو کہ درست ہے اسی طرح من سائل کے قومی شناختی کارڈ میں بھی تاریخ پیدائش مورخہ 03-11-1978 درج ہے نقل قومی شناختی کارڈ اور جسٹر داخل خارج درخواست ہذا کے ساتھ لف ہے۔

3۔ یہ کہ سائل مورخہ 31-08-1998 کو بھرتی ہوا تھا اور اس وقت من سائل کا شناختی کارڈ بھی بنا ہوا تھا اور بوقت بھرتی من سائل نے اپنا قومی شناختی کارڈ و میڈیکل سرٹیفکیٹ و ڈومیسائل بوقت بھرتی ہوتے وقت محکمہ والوں کو پیش کیا تھا جو کہ قانون کا تقاضا بھی تھا جیسا کہ Appointment order سے واضح ہے۔ اور مذکورہ اسناد اب بھی میرے سروس بک کے ساتھ لف ہیں نقل حکم بھرتی قومی شناختی کارڈ و میڈیکل سرٹیفکیٹ درخواست ہذا کے ساتھ لف ہیں

4۔ یہ کہ مورخہ 24-09-2020 کو من سائل SDEO آفس کلاچی گیا اپنے GP فنڈز نکالنے گیا تو متعلقہ کلرک سے معلوم ہوا کہ من سائل کی تاریخ پیدائش و سروس بک میں غلطی سے تاریخ پیدائش مورخہ 03-11-1972 درج ہے جو کہ سراسر غلط و خلاف حقائق و ریکارڈ ہے اور قابل درستی ہے اس غلط اندراج میں سائل کی کوئی غلطی نہ ہے بلکہ سراسر محکمہ کی غلطی ہے کیونکہ سائل ان پڑھ ہے اسلئے میری آپ جناب سے گزارش ہے کہ مذکورہ غلطی تاریخ پیدائش کو بروقت درست کیا جائے تاکہ سائل مستقبل میں مختلف پچیدگیوں سے بچا رہے اور من سائل کی حق رسی بھی ہو سکے۔

لہذا استدعا ہے بوجوہات بالا من سائل کے سروس بک میں تاریخ پیدائش کی غلطی مورخہ 03-11-1972 کو بروقت درست کرتے ہوئے مورخہ 03-11-1978 درج کیا جائے۔

محمد اختر ولد عبدالحمن محلہ یعقوب زئی / محلہ کمال خیل کلاچی

ATTESTED

Saleem Ullah Khan Ranazai
Advocate Supreme Court

محمد اختر

16/10/2020

16/10/2020

بخدمت جناب سب ڈویژنل آفیسر محکمہ تعلیم مردانہ (S.D.E..O.Male) ضلع ڈیرہ اسماعیل خان
درخواست بمراد درست درستی غلطی تاریخ پیدائش من سائل کے سروس ریکارڈ و سروس بک میں جو کہ سہو طور پر تاریخ پیدائش مورخہ
03-11-1972 درج ہوئی جبکہ اصل درست تاریخ پیدائش مورخہ 03-11-1978 ہے۔

جناب عالی۔ سائل حسب ذیل عرض رساں ہے۔

- 1- یہ کہ من سائل محلہ کمال خیل / یعقوب زئی سکونتی ورہائشی ہے اور محلہ کمال خیل کے پرائمری سکول کے لئے اپنی اراضی دے کر گورنمنٹ پرائمری سکول محلہ کمال خیل کلاچی میں بطور چوکیدار بھرتی ہوا اور تب سے اب تک باقاعدگی سے اپنے فرائض سرانجام دے رہا ہے نقل حکم بھرتی درخواست ہذا کے ساتھ لف ہے۔
 - 2- یہ کہ من سائل صرف زسری تک پڑھا ہے اور صرف اپنا نام لکھ سکتا ہے اور من سائل کی تاریخ پیدائش بوقت داخلہ سکول میں مورخہ 03-11-1978 درج ہوئی جو کہ درست ہے اسی طرح من سائل کے قومی شناختی کارڈ میں بھی تاریخ پیدائش مورخہ 03-11-1978 درج ہے نقل قومی شناختی کارڈ و رجسٹر داخلہ خارج درخواست ہذا کے ساتھ لف ہے۔
 - 3- یہ کہ سائل مورخہ 31-08-1998 کو بھرتی ہوا تھا اور اس وقت من سائل کا شناختی کارڈ بھی بنا ہوا تھا اور بوقت بھرتی من سائل نے اپنا قومی شناختی کارڈ و میڈیکل سرٹیفیکیٹ و ڈیویسائل بوقت بھرتی ہوتے وقت محکمہ والوں کو پیش کیا تھا جو کہ قانون کا تقاضا بھی تھا جیسا کہ Appointment order سے واضح ہے۔ اور مذکورہ اسناد اب بھی میرے سروس بک کے ساتھ لف ہیں نقل حکم بھرتی قومی شناختی کارڈ و میڈیکل سرٹیفیکیٹ درخواست ہذا کے ساتھ لف ہیں
 - 4- یہ کہ مورخہ 24-09-2020 کو من سائل SDEO آفس کلاچی گیا اپنے GP فنڈز نکالنے گیا تو متعلقہ کلرک سے معلوم ہوا کہ من سائل کی تاریخ پیدائش و سروس بک میں غلطی سے تاریخ پیدائش مورخہ 03-11-1972 درج ہے جو کہ سراسر غلط و خلاف حقائق و ریکارڈ ہے اور قابل درستی ہے اس غلط اندراج میں سائل کی کوئی غلطی نہ ہے بلکہ سراسر محکمہ کی غلطی ہے کیونکہ سائل تقریباً ان پڑھ ہے اسلئے میری آپ جناب سے گزارش ہے کہ مذکورہ غلطی تاریخ پیدائش کو بروقت درست کیا جائے تاکہ سائل مستقبل میں مختلف پچیدگیوں سے بچا رہے اور من سائل کی حق رسی بھی ہو سکے۔
- لہذا استدعا ہے بوجوہات بالا من سائل کے سروس بک میں تاریخ پیدائش کی غلطی مورخہ 03-11-1972 کو بروقت درست کرتے ہوئے مورخہ 03-11-1978 درج کیا جائے۔

محمد اختر ولد عبدالرحمان محلہ یعقوب زئی / محلہ کمال خیل کلاچی

ATTESTED

Saleem Ullah Khan Ranazai
Advocate Supreme Court

محمد اختر

(13)

Saleemullah Khan Ranazai,
Advocate Supreme Court
LL.B, M.A (Political Science).
Office: Mahmud Eye Hospital, DIKhan.
Res: Madni Town, D.I.Khan.
Ph: 0966-714267,
0333-915-9808


To:-

1. **Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.**
2. **Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.**
3. **District Education Officer, (M) D.I.Khan.**
4. **Sub-Divisional educational officer, (M) Kulachi, District D.I.Khan**

Subject: NOTICE FOR FILING OF SERVICE APPEAL

It is to inform you that my client **Muhammad Akhtar** son of Abdul Hanan Chowkidar Government Primary School Kamal Khail Kulachi, District, DIKhan is filing Service appeal against the non reply of departmental representation dated 16.10.2020, which was moved through proper channel and till date no result has come out, wherein the appellant requested for correction of his date of birth in the service record. Copy of the Service appeal is enclosed herewith.

Dated: 08.02.2021.


(Saleemullah Khan Ranazai)
Advocate Supreme Court.

No.388

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 Name **MR. SALEEM ULLAH KHAN RANA**
 Father's Name **HABIB ULLAH KHAN**
 Date of Birth **10-5-1966** CNIC **721101-074116451-5**
 Date of Enrolment as Advocate of Supreme Court **3-6-2005**
 Enrolment No. **2053** Ref No. **10/PBC/Kpk/J.D.**
 Address **MADINI TOWN, D.H. KHAN.**



MR. SALEEM ULLAH KHAN RANA ZAI
 Advocate
 Supreme Court of Pakistan (ASC)

Date of Issue : 19-4-2016

(Muhammad Arshad)
 Secretary
 Pakistan Bar Council

(Abul Fayaz)
 Chairman
 Executive Committee

PBC
 ASC CARD

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 Supreme Court Building, Constitution Avenue, Islamabad.
 Tel No. 0092-61-426805 Fax No. 0092-61-4266922



بندالت جناب خیر محترم اور سرکار ٹریسٹری سٹار
 منجانب اینڈ رائٹرز
 نام گورنمنٹ ڈپارٹمنٹ ٹریسٹری سٹار
 محمد اختر
 دعوی یا جرم

Service appeal

تفصیل دعوی یا جرم

باعث تخریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجود ہی برائے پیشی یا تصفیہ مقدمہ بمقام ڈسٹرکٹ جج لاہور
 سلم اللہ خان برائے زنی، مقدمہ اڈیٹورز، لاہور

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذراہ اختیار خاص روز بروعدالت حاضر ہوتا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ مکمل صاحب
 موصوف کو اطلاع دیکر حاضر درانت کروں گا، اگر پیشی پر منظرہ حاضر نہ ہوں اور مقدمہ میری غیر حاضرگی کی وجہ سے کسی طور پر میرے برخلاف آجائے تو صاحب موصوف
 اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف مقدمہ مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا بچھے یا بعد از حلیہ بیرونی کرنے کے
 ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف مقدمہ مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا بچھے یا بعد از حلیہ بیرونی کرنے کے ذمہ دار نہ
 ہوں گے، اور مقدمہ صدر بکھری کے علاوہ اور جگہ سماعت ہونے یا بروعدالت میں یا بکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظرہ کو کوئی تصانیب پہنچنے تو اس کے ذمہ
 دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عائدہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر ادا شدہ صاحب موصوف صل کردہ
 ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ یا درخواست اجراء کے ذمہ دار نہیں ہوں اور ہر قسم درخواست پر دخل و تصرف کرنے کا
 بھی اختیار ہوگا۔ اور کسی حکم یا ذمہ دار کے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور واپس کرنے اور ہر قسم کے بیان دینے اور اہم یا باہمی یا باہمی نامہ و فیصلہ پر
 حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون الا بکھری صدر بیرونی مقدمہ مذکورہ نظر ثانی و اہل و گھرانہ ویر آمدگی
 مقدمہ یا مشورتی ذمہ دار کی نظر ثانی یا درخواست حکم انتہائی یا ترقی یا کاروائی قبل از فیصلہ اجراء کے ذمہ دار نہیں ہوں صاحب موصوف کو بشرط ادا ہوگا، لیکن عین بیرونی کا اختیار ہوگا
 اور تمام ساختہ پر ادا شدہ صاحب موصوف صل 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 کاروائی یا بصورت درخواست نظر ثانی اہل و گھرانہ یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا میر سٹروکاپے 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 التواہ پڑیگا، 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 بیرونی نہ کریں اور ایسی
 صورت میں میرا کوئی مطالبہ کسی نہ صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ گھبراہٹ سے تیار کیا گیا ہے۔
 مورخہ 8 مارچ 2016ء

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

العبد العبد العبد

Acceptance
 Saleem Ullah Khan
 Acceptance
 محمد اختر

“B”

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

No.

TR D/O

Appeal No. 2417 of 20 21

Mohd AKHTAR Appellant/Petitioner

Versus

Sony Edu. Reg. Respondent

Respondent No. 4

Notice to: Sub Divisional Education (M)
Kulachi Dist D/O

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 24-1-22 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 10 Day of 12 20 21

at camp court
D/O

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. 2417 ^{TBDIC} of 20 20

Mond Akhtar Appellant/Petitioner
 Versus

Serj. Edu. Dept Respondent

Respondent No. 3

Notice to: - Distt Education officer DDC

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 24/1/22 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.

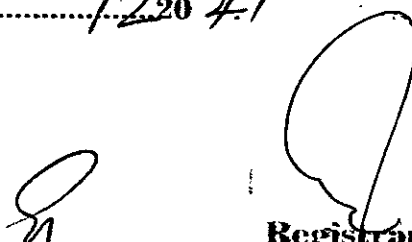
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition 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 10

Day of..... 12/20/21

at court
DDC


 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. TB D11C

No.

2417

Appeal No. of 20 21

Mohd Akhtar

Appellant/Petitioner

Imrogh Soy - versus Edu: Pesh

Respondent:

Respondent No: 1

Govt of KPK Through Secretary
Education Peshawar

Notice to: —

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated 10

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

Day of 20 21

at camp court
D11C

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.
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“B”

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

TB DIC

No.

Appeal No. 2417 of 20 21

Mohd Akhtar Appellant/Petitioner

Versus

Mansoor Saig Edmu Pgh Respondent

Respondent No. 2

Notice to: Director Education Peshawar

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 24-1-22 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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Given under my hand and the seal of this Court, at Peshawar this 10

Day of 12 20 21

at camp court
P 11/12/21

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.
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