

3246/2021

25.10.2021

Appellant present in person and requests for transfer of the appeal to Camp Court, D.I.Khan.

Keep the observations in order dated 28.07.2021 intact, let this appeal come up for preliminary hearing at Camp Court D.I.Khan on 16.12.2021 before the S.B.

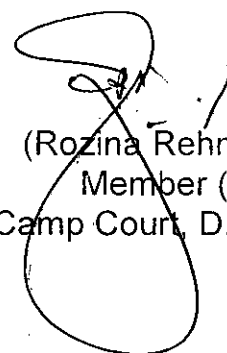
  
Chairman

16.12.2021

Nemo for appellant.

Case was called time and again but none appeared before this Bench till its rising. As such the instant service appeal stand dismissed in default for non-prosecution. No order as to costs. File be consigned to the record room.

Announced  
16.12.2021

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

28.07.2021

Nemo for the appellant present.

The appellant in particular style of drafting of the appeal has referred to certain proceedings in the factual account of memorandum of appeal without mentioning its outcome. Moreover, the proceedings mentioned in said part of factual account have also not been challenged for their setting aside. A prayer has been made that on acceptance of the appeal, the respondents may be directed to act in accordance with law and assign the duty to the appellant and also release his salaries which are illegally stopped by the respondents. Notwithstanding the fact that the appellant had admitted his absence for a long period in his own account of the facts that he was prevented by certain reasons from duty, which on their face appears to be lacking legal cover as far as obligations of a civil servant for being dutiful are concerned. Today, lawyers are on strike, therefore, the given position unless confronted to the appellant or his counsel, will not justify to pass any adverse order against the appellant. Case to come up on 25.10.2021 before S.B.



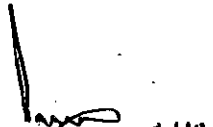

Chairman

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 3246/2021 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/03/2021	<p>The appeal of Mr. Azmatullah Khan resubmitted today by post through Malik Hidayatullah Malana 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-	04/06/2021	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on 28 /07/2021.</p> <p style="text-align: right;"> CHAIRMAN</p>

To

The Registrar,  
Service Tribunal Khyber Pakhtunkhwa,  
Peshawar.

Azmat Ullah Khan Versus Govt. of KPK etc

## **SERVICE APPEAL**

Respected Sir,

Reference to objection dated 01/02/2021 received on 23/02/2021.

1. The 1<sup>st</sup> objection, regarding address of respondent#5 is completed, hence, objection removed.
2. In respect of 2<sup>nd</sup> objection it is stated that appellant Azmatullah Khan suffered depression and sought medical attention in the year 2004 in this respect medical record is available. In the year 2006 the father of appellant had died and appellant had been transferred to District Sawabi as a result of these two events the medical condition of the appellant become more deteriorated and later on the appellant was diagnosed by Psychiatric as Bipolar Active disorder with severe depression due to which appellant cannot manage to perform his duty properly due to his medical condition. In 2011 the mother of appellant also died to whom the appellant was dependent as he is unmarried till date. Appellant's condition brome more deteriorated and developed the symptoms of (i). Claustrophobia, (ii). Anhidonic, (iii). Suucidal thought.


Due to above mentioned reasons the appellant has no copies of impugned order. However the same will be provided if available.

3. All the required annexures are attested.
4. Three more sets of appeal are also annexed herewith.

**Objection has been removed accordingly and service appeal mentioned above is hereby resubmitted for further necessary action please.**

Dated: 23/02/2021

Yours' Sincerely

  
**Malik Hidayatullah Malana**  
Advocate High Court  
stationed at Dera Ismail Khan

The appeal of Mr. Azmatullah Khan son of Saadullah Khan r/o Mohallah Khidmatgaran Wala District D.I.Khan received today i.e. on 01/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of respondent no. 5 is incomplete which may be completed.
- 2- Copy of impugned order is not attached with the appeal which may be placed on it.
- 3- Annexures of the appeal may be attested.
- 4- Three more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2303 /S.T,

Dt. 01/02 /2021

  
REGISTRAR

SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Malik Hidayatullah Malana Adv.  
High Court D.I.Khan.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR CAMP COURT D.I.KHAN**

In service Appeal No. \_\_\_\_\_/2021

Azmatullah Khan  
**(Appellant)**

**VERSUS**

Govt. Of KPK etc  
**(Respondents)**

**SERVICE APPEAL**  
**INDEX**

S.No.	Description of documents	Pages	
1.	Memorandum of Appeal along with affidavit		2-6
2.	Copy of regularization order	A	7
3.	Copy of order dated 10/09/2005	B	8
4.	Copy of written reply of the notice dated 13/03/2008	C	9-10
5.	Copies of departmental appeal & receipt	D&E	10-12
6.	Vakalatnama	--	13

Dated: 29/01/2021

Your humble appellant

*Azmatullah Khan*  
**Azmatullah Khan**

Through counsel

*Malik Hidaytaullah Malana*  
**Malik Hidaytaullah Malana**  
 Advocate High Court  
 Dera Ismail Khan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR, CAMP COURT D.I.KHAN** Khyber Pakhtunkhwa  
Service Tribunal

In service Appeal No. 3246 /2021

Diary No. 2246

Dated 01/02/2021

**Azmatullah Khan** son of Saadullah Khan r/o Mohallah Khidmatgaran  
Wala, District Dera Ismail Khan.

**(Appellant)**

**VERSUS**

1. Govt. of Khyber Pakhtunkhwa, through Secretary Irrigation Department, KPK, Peshawar.
2. Superintending Engineer, Headquarter Chief Engineer Office, South Irrigation Department, Peshawar.
3. Superintending Engineer, Swabi Irrigation Division, Swabi.
4. Executive Engineer, Swabi Irrigation Division, Swabi.
5. S.D.O Gohati Irrigation Sub Division Gohati. *District Swabi*

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

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

Filed to-day

*ew*  
Registrar  
01/02/2021

Prayer:

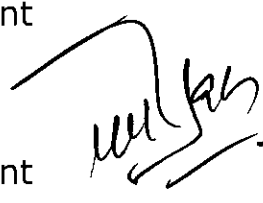
On acceptance of the instant Service Appeal, the respondents may kindly be directed to act in accordance with law and assign the duties to appellant and also release the salaries of appellant which are illegally stopped by the respondents.

*Ullah*

**Respectfully Sheweth;**

Appellant humbly submits as under;

1. That the Appellant was appointed as Work Munshi in the respondents' department and since then the appellant is performing his duties in the department to the entire satisfaction of his superiors. Copy of regularization order is annexed as **Annexure-A**.
2. That appellant was transferred from Dera Ismail Khan to Irrigation Department District Sawabi as Canal Inspector vide letter No. 4066 dated 03/09/2005 and after arrival in Irrigation Department Sawabi the appellant was once again transferred to Sub-Division Gohati as Work Munshi vide office order No. 5008/E-4(A) dated 10/09/2005. Copy of order dated 10/09/2005 is annexed as **Annexure-B**.
3. That, meanwhile, the father of the appellant got seriously ill and appellant had to look after his father as there was no one to look after him in the house and appellant remained in Dera Ismail Khan. Later on the father of appellant was died.
4. That due to sad demise of appellant's father, the mother of appellant got seriously ill and then the appellant also look after his mother for long period but the mother of appellant was also died.
5. That, during above mentioned period, the appellant properly informed the concerned authorities about the sickness of his parents but the concerned authorities illegal marked absent to the appellant.
6. The respondents, issued a notice No. 920/E.4(A) dated 13/03/2008 in respect of absence of appellant, the appellant after receiving the same notice, appeared at his duty place and also approached the respondents and written replied the baseless allegations of absence. Copies





written replied the baseless allegations of absence. Copy of reply is annexed herewith as **Annexure C**.

7. That the respondents remained reluctant to assign the duty to the appellant and feeling aggrieved by the impugned act of respondents, the appellant preferred a departmental appeal/representation dated 10/10/2020 but the respondents did not reply, hence, the appeal. Copies of departmental appeal and postal receipt are annexed herewith as **Annexure D&E**.
8. That the departmental appeal of the appellant is not decided by the appellate authority within stipulated period, hence, the appellant does not have any other remedy except to invoke the jurisdiction of this honourable Tribunal, by way of instant service appeal, inter alia, the following grounds.

### GROUND S

- a. That the impugned act of respondent and the indecision of appellant's departmental appeal is illegal, against services Law and rules, without jurisdiction, in violation of the precedents of Honourable apex courts of the country and is not justifiable for any reason whatsoever.
- b. The act/refusal/omission on the part of respondents is not grounded in reason nor does it smack of sensible or sane approach which is bad in law and circumstances in the present case.
- c. That the appellant is serving the department and performed his duties as per wishes of his high-ups which was acknowledged by the respondents in black & white and in this respect the documentary proves are annexed herewith as ready reference of the court.

*all yes*

- d. That the appellant is not assigned duty nor being paying salary that tantamounts to financial strangulation of appellant and his all dependants children/family.
- e. That counsel for the appellant may kindly be allowed to raise additional grounds at the time of arguments.

**It is thus most respectfully prayed that On acceptance of the instant Service Appeal, the respondents may kindly be directed to act in accordance with law and assign the duties to appellant and also release the salaries of appellant which are illegally stopped by the respondents.**

Dated: /01/2021

Your humble appellant



**Azmatullah Khan**

Through counsel



**Malik Hidaytaullah Malana**  
Advocate High Court  
Dera Ismail Khan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR, CAMP COURT D.I.KHAN**

In service Appeal No. \_\_\_\_\_/2021

Azmatullah Khan  
**(Appellant)**

**VERSUS**

Govt. Of KPK etc  
**(Respondents)**

**CERTIFICATE**

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

Dated: /01/2021

*Azmatullah Khan*  
 Appellant

**AFFIDAVIT**

I, **Azmatullah Khan**, appellant herein, do hereby solemnly affirm on oath:-

1. That the accompanying appeal has been drafted by counsel following our instructions;
2. That all para-wise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion of facts.

Dated *29* /01/2021

*Azmatullah Khan*  
 Deponent

Identified By:-

*Malik Hidayatullah Malana*  
*Advocate*

**Malik Hidayatullah Malana**  
 Advocate High Court,  
 D.I.Khan

Dated Peshawar the 03/9/2005

OFFICE ORDER

In pursuance of the decision made by the NWFP Service Tribunal Peshawar in Appeal No.1912/1999, and other connected appeals, orders dated 23-12-2003, and advise contained in Government of NWFP Law Department letter No.Lit/LD/5-1/Irr/04/6014, dated 11-8-2005 received through Secretary Irrigation and Power Department letter No.SO(E)IRR/14-2/93, dated 25-8-2005, the following employees of CRBC Irrigation Division DIKhan are hereby regularized and adjusted on the vacant posts mentioned against each and they are also hereby allowed the benefit granted by the NWFP Service Tribunal in the aforesaid orders:-

SL. NO	NAME WITH DESIGNATION, BS AND PRESENT POSTING	NAME OF POST/ OFFICE AGAINST WHICH ADJUSTED	REMARKS
1	Mr. Tajamul Hussain Gauge Reader BS-5, attached to CRBC Irrigation Division DIKhan.	Gauge Reader BS-5 Paharpur Irrigation Division DIKhan.	Against the regular vacant post.
2	Mr. Mukhtiar Ahmad Driver Attached to CRBC Irrigation Division DIKhan.	Driver BS-1 Tubewells Irrigation Division Peshawar.	Against the regular vacant post.
3	Mr. Azmaullah Khan Work Munshi attached to CRBC Irrigation Division DIKhan.	Canal Inspector BS-5 Swabi Irrigation Division Swabi.	Against the regular vacant post.
4	Mr. Abdul Razzaq Work Munshi Attached to CRBC Irrigation Division DIKhan.	Gauge Reader BS-5 Kohat Irrigation Division Kohat.	Against the regular vacant post.
5	Malik Abdul Waheed Work Munshi attached to CRBC Irrigation Division DIKhan.	Work Munshi BS-5 Paharpur Irrigation Division DIKhan.	Against the regular vacant post.

— 2 —  
SUPERINTENDING ENGINEER  
HEADQUARTERS

C.C

- Secretary to government of NWFP Irrigation and Power Department with reference to his letter No. SO(E)IRR/14-2/93, dated 25-8-2005, for information.
- Superintending Engineer, Southern Irrigation Circle Peshawar.
- Superintending Engineer, Northern Irrigation Circle Mardan.
- Accountant General NWFP Peshawar.
- Executive Engineer, CRBC Irrigation Division DIKhan.
- Executive Engineer, Swabi Irrigation Division Swabi.
- Executive Engineer, Paharpur Irrigation Division DIKhan.
- Executive Engineer, Tubewells Irrigation Division Peshawar.
- District Accounts Officers DIKhan/Swabi.
- Officials concerned.

SUPERINTENDING ENGINEER  
HEADQUARTERS

Attested  
all  
REVIEW

Malik Hidayatullah Malana  
Advocate High Court  
District Bar Dera Ismail Khan

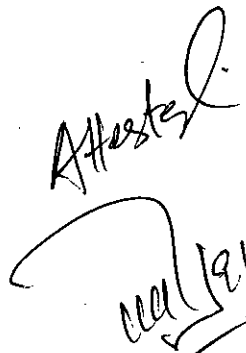
**OFFICE OF THE CHIEF ENGINEER  
IRRIGATION DEPARTMENT N.W.F.P  
No 4066-76/A/12-E(SIC)(4)  
DATED 03/09/2005**

**OFFICE ORDER**

In pursuance of the decision made by the NWFP service Tribunal Peshawar in Appeal No. 1912/1999, and other connected appeals, orders dated 23/12/2003, and advise contained in Government of NWFP Law Department letter No.Lit/LD/5-1/Irr:/04/6014, dated 11/08/2005 received through secretary Irrigation and power Department letter No. SO(E)IRR:/14-2/93, dated 25/08/2005, the following employees of CRBC irrigation Division DIKhan are hereby regularized and adjusted on the vacant posts mentioned against each and they are also hereby allowed all benefit granted by the NWFP Service Tribunal in the aforesaid orders.

SL: NO	NAME WITH DESIGNATION, BS AND PRESENT POSTING	NAME OF POSTS/OFFICE AGAINST WHICH ADJUSTED	REMARKS
1	Mr. Tajamul Hussain Gauge Reader BS-5, attached to CRBC Irrigation Division DIKhan	Gauge Reader BS-5 Pharpur Irrigation Division DIKhan	Against the regular vacant Post
2	Mr. Mukhtar Ahmed Driver, attached to CRBC Irrigation Division DIKhan	Driver BS-4 Tubewells Irrigation Division Peshawar	Against the regular vacant Post
3	Mr. Azmatullah Khan Work Munshi, attached to CRBC Irrigation Division DIKhan	Canal Inspector BS-5 Sawabi Irrigation Division Sawabi	Against the regular vacant Post
4	Mr. Abdul Razzaq Work Munshi, attached to CRBC Irrigation Division DIKhan	Gauge Reader BS-5 Kohat Irrigation Division Kohat	Against the regular vacant Post
5	Mr. Abdul Waheed Work Munshi, attached to CRBC Irrigation Division DIKhan	Work Munshi BS-5 Pharpur Irrigation Division DIKhan	Against the regular vacant Post

Sd/-  
Superintending Engineer

  
**Malik Hidayatullah Malana**  
 Advocate High Court  
 District Bar Dera Ismail Khar

Annex: "B"  
⑧

OFFICE OF THE EXECUTIVE ENGINEER  
SWABI IRRIGATION DIVISION SWABI.

No. 508 1E-4(A)

Dated Swabi the 10/09/2005.

OFFICE ORDER

On his adjustment/ transfer as Work Munshi in Swabi Irrigation Division Swabi, Mr. Azmatullah Canal Inspector CRBC Division, D.I. Khan, reported arrival for duty on the F. Noon of 10.9.2005.

He is further posted with immediate effect in Gohati Irrigation Sub Division Gohati as Work Munshi against the existing vacancy caused due to promotion of Mr. Imtiaz Ahmad Canal Inspector as Sub Engineer.

*S.E.C.*  
Executive Engineer,  
Swabi Irrigation Division Swabi

Copy forwarded to the:-

1. Chief Engineer Irrigation (O&M) w/r to this No.4066-76/1B/A/12-E, (SIC)(4) dated 3.9.2005, for information, please.
2. Superintending Engineer Northern Irr: Circle Mardan w/r to above, for information, please.
- 3. Executive Engineer CRBC D.I. Khan for information. He is further requested to submit the services documents i.e Service Book, LPC of the above named official for record in this office.
4. Sub Divisional Officer Gohati Irrigation Sub Divn: Gohati.
5. District Accounts Officer Swabi.
6. Head Clerk (local)
7. Divisional Accounts Officer (local).

*Attor*  
*Mulla*  
*10/9/05*  
Malik Hidayatullah Malana  
Advocate High Court  
District Bar Dera Ismail Khan  
Executive Engineer,  
Swabi Irrigation Division Swabi

To

The Executive Engineer,  
Swabi Irrigation Division Swabi.

Annex: 'C'  
(9)

Subject:- ABSENCE FROM DUTY

Respected Sir,

With reference to your office letter No.920/E.4(A), dated 13.3.2008:

I have the honour to submit that subsequent to my arrival in Swabi Irrigation Division Swabi my father seriously fell ill and I was called back to home for his look after.

After a few weeks treatment my father died unfortunately. My mother could not borne the shock of his death and fell seriously ill.

I took her to hospital and she remained under treatment for the whole period and I was engaged in her look after at hospital round the clock. The ailment of my mother so prolonged and my constant engagement with her treatment had not spared me to think my other matters. After expending huge extra ordinary money she could not be escaped from death and at last I had lost every thing in this world with her prolong illness. The service of ailing mother is most superiors than the government service and this is the main reason for ignorance of government service.

Due to extra ordinary bearing financial expenditure over the treatment of my mother and mental worries, had created great unbreakable disturbance for me but with the passage of long time I relieved from the pressure of disturbance.

I therefore, beg your kind honour to keeping in view my above explained situation, my arrival for duty may kindly be accepted on humanitarian basis.

Your's Obediently

*Azmatullah*  
(AZMATULLAH)  
Work Munshi

*Attest*  
*Ullah*  
*Ismael*  
Malik Mirajuddin Malana  
Advocate High Court  
District Bar Dera Ismail Khan

محکمانہ اپیل

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من سائل ڈیرہ اسماعیل خان کارہاشی و سکونت ہے سائل محکمہ ایریکیشن ڈیپارٹمنٹ ڈیرہ اسماعیل خان میں بطور ورک فٹشی بھرتی ہوا اور پوری ایمانداری و جانفشانی کیساتھ اپنے فرائض منصبی سرانجام دیتا رہا اور افسران بالا کو کبھی بھی شکایت کا موقع نہیں دیا۔ اس نسبت سائل کو سروس ریکارڈ واضح ہے۔

۲۔ یہ کہ بعدہ سائل کو بروئے لیٹر نمبر 76-4066 مورخہ 03/09/2005 ڈیرہ اسماعیل خان سے ایریکیشن ڈیپارٹمنٹ صوابی میں بطور کینال انسپکٹر ترقی دیتے ہوئے ٹرانسفر فرمایا گیا اور من سائل کی صوابی ایریکیشن ڈیپارٹمنٹ صوابی میں بعد از Arrival، بروئے لیٹر نمبر 5008/E-4(A) مورخہ 10/09/2005 کو سائل کو گواہی ایریکیشن سب ڈویژن گواہی بطور ورک فٹشی تعینات کیا گیا اور من سائل پوری ایمانداری اور جانفشانی کے ساتھ اپنے فرائض منصبی سرانجام دیتا رہا۔

۳۔ یہ کہ من سائل کے والد ان دنوں میں شدید بیمار ہوئے جن کی دیکھ بھال کرنے والا گھر پر کوئی اور شخص موجود نہیں تھے جس کی وجہ سے سائل کو ایمر جنسی میں ڈیرہ اسماعیل خان آنا پڑا سائل اپنے والد کے علاج معالجہ میں مصروف رہا لیکن بد قسمتی سے والد سائل بقضائے الہی وفات پا گئے۔ (ثبوت موجود ہے)۔

۴۔ یہ کہ بعد از وفات والد من سائل کی والدہ صدمہ کیوجہ سے ذہنی الجھنوں کا شکار ہو گئی۔ سائل والدہ ام کے علاج معالجہ و دیکھ بھال میں مصروف رہا لیکن والدہ سائل بھی صدمات اور ذہنی صحت بگڑنے کیوجہ سے وفات پا گئیں۔

۵۔ یہ کہ سائل نے اپنے والد اور والدہ کی بیماری اور وفات کے بارے میں مجاز افسران کو آگاہ کرتا رہا لیکن متعلقہ عملہ نے سائل کو دفتر میں غیر حاضر ظاہر کیا۔ حالانکہ من سائل اپنے والد اور والدہ کی بیماری و وفات کے بعد انتہائی ذہنی کوفت اور صدمہ میں مبتلا رہا۔ یہاں پر یہ امر بھی قابل ذکر ہے کہ والد اور والدہ ام کے علاج معالجہ پر سائل نے گرہ خود سے زر کثیر رقم خرچ کی جس کی وجہ سے سائل کی معاشی حالت بھی انتہائی کمزور ہو گئی۔

۶۔ یہ کہ محکمہ ایریکیشن کی جانب سے من سائل کو بروئے نوٹس نمبر 920/E.4(A) مورخہ 13/03/2008 نسبت دفتر حاضری ارسال کیا گیا جو کہ سائل کو تاخیر سے موصول ہوا اور سائل نے مورخہ 10/11/2008 کو دفتر حاضری کی اور افسران بالا کو تمام حالات و واقعات سے آگاہ کیا۔ نقل لف ہے۔

Attested  
Muhammad  
Munir Midevattin  
Advocate High Court  
District Bar Dera Ismail Khan



۷۔ یہ کہ من سائل نے متعدد بار افسران بالا سے رابطہ کیا اور سائل کو اپنی ڈیوٹی دینے کی نسبت استدعا کی لیکن افسران بالاتا حال نہ تو سائل کو ڈیوٹی دے رہے ہیں اور نہ ہی سائل کو تنخواہ و مراعات ملی ہیں بدیں وجہ ضرورت دائری اپیل ہذا لاحق ہوئی ہے۔

۸۔ یہ کہ سائل نے اپنی تمام سروس ایمانداری، محنت اور جانفشانی سے سرانجام دی ہے لیکن کچھ ناگزیر وجوہات کی بناء پر سائل کچھ یوم کیلئے غیر حاضر رہا جس کی نسبت متعلقہ عملہ کو آگاہ بھی کیا گیا تھا بدیں وجہ سائل کو ڈیوٹی تفویض کرتے ہوئے سائل کی تنخواہ مع دیگر مراعات بحال فرمائی جائیں۔

لہذا استدعا ہے کہ بمنظوری حکمانہ اپیل ہذا سائل کو ڈیوٹی تفویض کرتے ہوئے سائل کی تنخواہ مع دیگر مراعات بحال فرمائی جائیں تاکہ سائل کی دادرسی ہو سکے۔

مورخہ 2020/09/07

عظمت اللہ خان ولد سعد اللہ خان۔ ورک منشی محکمہ ایریکیشن خیبر پختونخواہ

Malik Hidayatullah Malana

Attest  
Malik Hidayatullah Malana

Malik Hidayatullah Malana  
Advocate High Court  
District Bar Dera Ismail Khan



ADVOCATE HIGH COURT

13

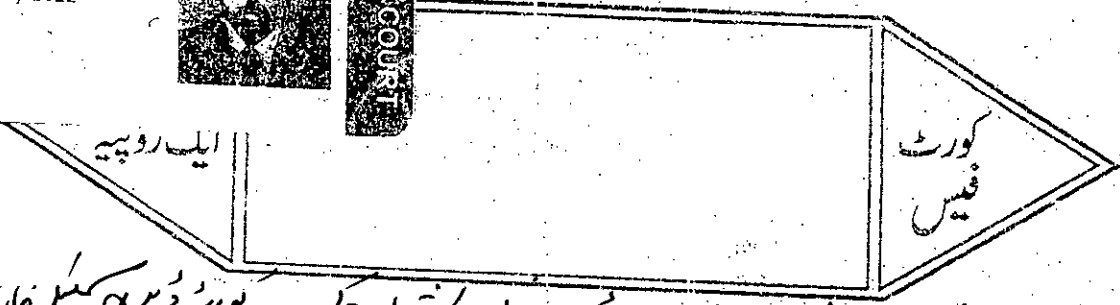
MALIK Hidayat ULLAH MALLANA

Advoca  
hc-09-08  
Date of issue: January 2019  
Valid upto: January 2022



وکالت نامہ

Secretary  
KP Bar Council



بجالت جناب خیر محفو خواہ سردار شریف علی ایسٹاڈ وکیل کورٹ فیس کراچی

مخانیب عظیم اللہ خان  
حکومت KPK  
دعوی یا جرم  
سردار ایمل

تفصیل دعوی یا جرم

باعث تحریر آنکہ  
D. z. Khan  
مقدمہ مدعیہ بالا عنوان میں اپنی طرف راستے پروردی و جواب دہی اثباتے پیشی یا تفسیر مقدمہ بنام  
مدعیہ اللہ سلاٹر ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بذریعہ دو برادرات حاضر ہوتا ہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور نیزے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر منام کچہری کے علاوہ یا کچہری کے اوقات سے پہلے یا بیچے یا بروز تعطیل پروردی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر کچہری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے یا بیچے پیش ہونے پر منظر کوئی اتصاف پیشی تو ان کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ داخل کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے نیز کوکل ساختہ پر داخست صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعوی یا جواب دعوی یا درخواست اجراء اسلئے ڈگری نظر ثانی اپیل تھرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تالیفی یا راضی نامہ و فیصلہ بر طرف کرنے قابل دعوی کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکور میزان از کچہری صدر پروردی مقدمہ مذکور تھرانی اپیل و تھرانی و تھرانی مقدمہ یا منسوخ ڈگری یک طرفہ یا درخواست حکم اتقانی یا ترقی یا کرداری میں از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط اوائلی علیحدہ تفصیلات کا اختیار ہو گا اور تمام ساختہ پرواڈت صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو گا کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی اپیل تھرانی یا دیگر مطالبہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیر مٹر کو اپنے جیسے یا اپنے امراء مقرر کریں اور ایسے شیر تانوں کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ بر بیان التواء ہے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری نہیں تاریخ پیشی سے پہلے ادا نہ کر دے گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروردی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہو گا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند ہے

Attached & Accepted

29 مورخہ  
منسوخ وکالت نامہ سن لیا ہے اور اپنی طرح سمجھ لیا ہے اور منظور ہے

Call 095  
Amin

عظیم اللہ خان ... ایڈووکیٹ

Signature of Ezzatullah Khan

**"A"**

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

No.

APPEAL No.....3246..... of 2021.

Azmatullah Khan

Appellant/Petitioner

Versus

Through Secy. Investigations, P.P. Pesh.

RESPONDENT(S)

Counsel  
Notice to Appellant/Petitioner

Malik Hedayatullah Malik  
Advocate High Court  
D.I. Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 28-7-2021 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 Peshawar

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

**"A"**

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

No.

APPEAL No. 3246 of 20 21

Azmatullah Khan

Appellant/Petitioner

Versus

Through Zoya Investigations Deptt. KP/PS/2021

RESPONDENT(S)

Notice to Appellant/Petitioner

Azmatullah Khan. So Soad  
Khan R/o Malallah Khid  
Khidmatgarni wala D.I. Kh

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 28-7-2021 at 9:00 AM

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at Peshawar

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.