

28.09.2022

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Shahroz, Junior Clerk for the respondents present and sought further 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 25.10.2022 before the S.B at Camp Court D.I.Khan.



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

25.10.2022

Junior to counsel for appellant present.

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

Despite last chance, reply was not submitted. Therefore, right of respondents for submission of reply is hereby struck off. To come up for arguments on 24 / 11 /2022 before D.B at Camp Court, D.I Khan.



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

28th June 2022

Appellant in person present. Muhammad Adeel Butt,
Adll: AG alongwith Mr. Naveed Ullah, Junior Clerk for
respondents present.

Written reply/comments not submitted. Representative of
the respondents seeks time to submit written reply/comments.
To come up for written reply/comments on 27.07.2022 before
S.B at camp court D.I.Khan.



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

27/07/2022

Due to Summer Vacation
come up 28/09/2022

Reader



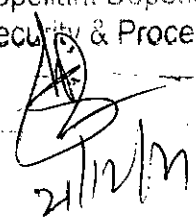
14.12.2021

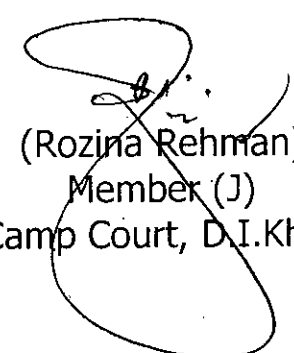
Appellant present through counsel. Preliminary arguments heard. Record perused.

The copy of the order dated 30.01.2014 as annexed with the appeal reveals that the appellant was suspended vide order dated 23.01.2012 due to involvement in a criminal case and on his acquittal by the Hon'ble Peshawar High Court D.I.Khan Bench, he was reinstated in the Government service treating his absence period as leave without pay. There are arguable points whether the period under suspension can be treated as absence and if the appellant was reinstated into service, whether he was not entitled to benefit of second proviso of Section-17 of the Khyber Pakhtunkhwa Civil Servants Act, 1973.

In view of the argued points this appeal is admitted for 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 the respondents for submission of reply/comments. To come up for reply/comments on 27.01.2022 before S.B at Camp Court, D.I.Khan.

Appellant Deposited
Security & Process Fee


21/12/21


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

27/1/2022

Tax to Camp Court D.I.Khan has been cancelled, to come up for the same as before on 28/6/2022


Razvi

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7420 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/09/2021	<p>The appeal of Mr. Muhammad Imran received today by registered post through Mr. Muhammad Mohsin Ali Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p>
2-		<p>This case is entrusted to S. Bench at Peshawar. Notices be issued to appellant/counsel for preliminary hearing to be put up there on</p>
1	12.11.2021	<p>Appellant has sent application to CHAIRMAN office for transfer of the appeal to camp court, D.I.Khan. Application placed on file. Since the matter pertains to the territorial limits of D.I.Khan Division, application is allowed. To come up for preliminary hearing on 14.12.2021 before S.B at camp court, D.I.Khan. Notice be issued to appellant and his counsel for the date fixed.</p>
2-		<p>CHAIRMAN Chairman</p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Muhammad Imran

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <u>M. Mohsin Ali</u>		
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?		
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?		✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: _____

Signature: M. Imran

Dated: _____

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Appeal No. 7420 /2021

Muhammad Imran

.....APPELLANT

VERSUS

Govt. of KPK and others

.....RESPONDENTS

INDEX

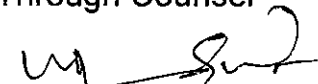
S #	Description of Documents	Annexure	Page #
1	Grounds of Appeal along with application for Condonation of Delay	-----	1-6
2	Copy of Appointment order of the Appellant	A	7
3	Copy of office order dated 13-01-2012	B	8
4	Copy of office order dated 30-01-2014	C	9
5	Copy of Departmental Appeal along with judgment dated 04-09-2013	D	10-18
6	Copy of Writ Petition and Order	E	19-21
7	Vakalatnama	-----	22

Dated: 01 /09/2021

Humble Appellant


Muhammad Imran

Through Counsel


Muhammad Mohsin Ali
Advocate High Court,
District Courts, D.I.Khan.

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL.

PESHAWAR.

Appeal No. _____/2021

Muhammad Imran Son of Aashiq Muhammad, Valveman, Public Health
Engineering Division, District Dera Ismail Khan.

..... APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Public Health
Engineering Department, Govt. of K.P.K, Peshawar.
2. Chief Engineer, Public Health Engineering Department, Khyber
Pakhtunkhwa, Peshawar.
3. Superintendent Engineer, Public Health Engineering Circle, Dera Ismail
Khan.
4. Executive Engineer, Public Health Engineering Division, Dera Ismail Khan

.....RESPONDENTS

.....

**APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNALS ACT, 1974**

PRAYER; on acceptance of this appeal this august court may please be directed the respondents to release all the financial benefits to appellant regarding the absent period of appellant i.e. from 23-01-2012 to 30-01-2014 on the ground appearing hereinafter;

OR

GRANT any other relief considered just and appropriate under the given circumstances of the case.

Respectfully sheweth:

- i. That the brief facts of the case are that the present appellant was appointed as Valveman in Public Health Engineering Division, Dera Ismail Khan. After getting the medical certificate the appellant made his arrival and performing his duty.
- ii. That a fake case FIR No. 90 dated 30-01-2012 under section 489-F PPC of P.S Cantt Dera Ismail Khan was registered against the present appellant and the appellant was arrested by local police in said case. The appellant remained in custody for more than a year as the bail petition of the appellant was dismissed and the trial court convicted the appellant and thereafter, the appeal of the appellant was also dismissed by the appellate court, however, the sentenced awarded by the trial court was reduced to one & half year. Being aggrieved, the present appellant filed the Cr. Revision Petition before Honourable High Court Bench Dera Ismail Khan against the conviction orders of courts below and after hearing the arguments, this Honourable Court allowed the Cr. Revision of the appellant and set aside the conviction and acquitted the appellant from the charges levelled against the appellant. During that period, the appellant was suspended from his service vide office order dated 23-01-2012 due to absence from duty and Enquiry Officer was appointed for inquiry against the appellant. But no final order regarding dismissal or removal from service was issued against the present appellant, in the meanwhile, the appellant was acquitted from the criminal case by Honourable Court and the appellant submitted an application for continuation of his service and cancellation of his suspension order. An office order No. 30-01-2014 was issued by department vide which the appellant was reinstated and thereafter, the appellant resumed the charge and started his duties. But, the financial benefits of the appellants had been refused for suspension period. Therefore, the appellant filed the W.P No. 562-D/2020 before the Honourable Peshawar High Court Bench Dera Ismail Khan and the same was dismissed being not maintainable vide order dated 08-02-2021 on the ground that the proper forum i.e. Service Tribunal is available to appellant. Therefore, the appellant submitted the departmental appeal before

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the Competent Authority on 25/05/2021 but the same was not decided till date. Copies of appointment order, office order dated 13-01-2012, office order dated 30-01-2014, Departmental Appeal along with judgment dated 0-09-2013 and Writ Petition and Order are enclosed as **Mark-A to E** respectively.

That being aggrieved, the appellant filing the instant appeal, inter alia, on the following grounds:

GROUNDS:

1. That the act of the respondents is illegal, against the natural justice, ulterior motives, based on malafide and ineffective upon the rights of the appellant.
2. That the absence of the appellant from the service was not willful and he was booked in a fake case FIR No. 90 dated 30-01-2012 under section 489-F PPC of P.S Cantt Dera Ismail Khan was registered against the present appellant and the appellant was arrested by local police in said case. The appellant remained in custody for more than a year and the trial court convicted the appellant, thereafter, the appeal of the appellant was also dismissed by the appellate court, however, the sentenced awarded by the trial court was reduced to one & half year. Being aggrieved, the present appellant filed the Cr. Revision Petition before Honourable Court against the conviction orders of courts below and after hearing the arguments, Honourable Court allowed the Cr. Revision of the appellant and set aside the conviction and acquitted the appellant from the charges levelled against the appellant. During that period, the appellant was suspended from his service vide office order dated 23-01-2012 due to absence from duty and Enquiry Officer was appointed for inquiry against the appellant. But no final order regarding dismissal or removal from service was issued against the present appellant, therefore, the appellant is entitled for financial benefits including salary regarding the period of suspension.

3. That according to the Civil Servants Rules, the appellant is entitled for all the financial benefits in respect of period of suspension as the appellant was neither terminated nor dismissed from service. Hence, the office order dated 30-01-2014 regarding treated the absence period of the appellant as leave without benefits is against the law and facts.
4. That the appellant is the victim of unlawful and illegal act of the respondents and such a malafide act on the part of respondents is against the law and rules, without jurisdiction and lawful authority, against the natural justice, misuse of official powers and is the outcome of victimization known by the respondents and it has caused an immense mental torture and agony to the appellant.
5. That the counsel for the appellant may kindly be allowed to raise the additional grounds at the time of arguments.
6. That the appeal is being filed within the statutory period prescribed in section 4 of The KPK Service Tribunals Act, 1974.


It is, therefore, prayed that on acceptance of this appeal this court may be pleased to pass orders as prayed for in the heading of this appeal.

Dated: 01/09/2021

Humble Appellant


Muhammad Imran

Through Counsel


Muhammad Mohsin Ali
Advocate High Court,
District Courts, D.I.Khan.

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Appeal No. _____/2021


Muhammad ImranAPPELLANT

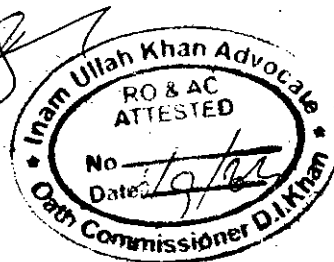
VERSUS

Govt. of KPK and othersRESPONDENTS

AFFIDAVIT

I, the appellant, do hereby solemnly affirm and declare on oath that all the para-wise contents of the appeal are true and correct to the best of my knowledge and belief; and that nothing has been deliberately concealed or kept secret from this Honourable Tribunal.


Identified by Counsel




Deponent

CERTIFICATE

I, the appellant, do hereby certified that all the para-wise contents of the appeal are true and correct to the best of my knowledge and belief; and that no other appeal in the similar nature has been filed in any other Court / Tribunal.


Identified by Counsel


Deponent

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

Appeal No. _____/2021

Muhammad Imran

..... APPELLANT

VERSUS

Govt. of KPK and others

..... RESPONDENTS

ADDRESSES OF THE PARTIES

Muhammad Imran son of aashiq Muhammad, Valveman, Public Health
Engineering Division, District Dera Ismail Khan.

.....APPELLANT

1. Government of Khyber Pakhtunkhwa through Secretary Public Health
Engineering Department, Govt. of K.P.K, Peshawar.
2. Chief Engineer, Public Health Engineering Department, Khyber
Pakhtunkhwa, Peshawar.
3. Superintendent Engineer, Public Health Engineering Circle, Dera Ismail
Khan.
4. Executive Engineer, Public Health Engineering Division, Dera Ismail Khan.

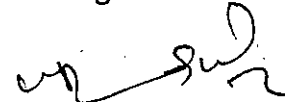
.....RESPONDENTS

Dated: 01/09/2021

Humble appellent

Muhammad Imran

Through Counsel



Muhammad Mohsin Ali
Advocate High Court,
District Courts, D.I.Khan.

OFFICE OF THE DEPUTY DISTRICT OFFICER (W&S) W&S D.I. KHAN.

OFFICE ORDER No. 5358-61/13-5/A Dated DIKHAN THE 20/12/2004.

Mr. Muhammad Imran S/O
Ashiq Muhammad (Rtd) Principle
Islamia Colony, DIKhan.

Subject:- APPOINTMENT FOR THE POST OF VALVEMAN.

You are hereby offered an appointment on fixed basis as a valveman against the existing vacancy in water supply & sanitation s/division, DIKhan @ Rs. 2800/-P.M. (fixed) on the following terms and conditions:-

1. Your appointment will be on purely temporary basis and can be terminated any any time without assigning any notice or reasons.
2. You will be liable to serve any where in Water Supply & Sanitation Divn. DIKhan.

If you are willing to accept the above mentioned terms and conditions you should report for duty to Asstt. Distt. Officer W&S DIKhan within 14 days failing which the offer shall stand cancelled automatically.

Mudassar Iqbal
DEPUTY DISTRICT OFFICER,
(W&S) WATER SUPPLY & SANITATION
D.I. KHAN.

Copy to the:-

- 1) District Co-Ordination Officer, DIKhan for information and confirmation please.
- 2) E.O.O. Works & Services DIKhan.
- 3) A.O.O. W&S D.I. Khan.
- 4) District Account Officer, DIKhan.
- 5) B.O.O. (Road)

DEPUTY DISTRICT OFFICER
(W&S) WATER SUPPLY & SANITATION
D.I. KHAN.

Agreed
M. S. Ar

ANNEX A
P-2 (7)

OFFICE OF THE DEPUTY DISTRICT OFFICER (W&S) D.I.KHAN.

Office order No. No. 5358-61/ E 5/A Dated D.I.Khan the 20/12/20004

To

Mr. Muhammad Imran S/O
Ashiq Muhammad (Rtd) Principle
Islamia Colony, D.I.Khan.

Subject: **APPOINTMENT FOR THE POST OF VALVEMAN**

You are hereby offered an appointment on fixed basis as a valveman against the existing vacancy in water supply & sanitation S/Division, DIKhan @Rs.2800/-P.M (Fixed) on the following terms and conditions:-

1. Your appointment will be on purely temporary basis and can be terminated any time without assigning any notice or reasons.
2. You will be liable to serve anywhere in water supply & sanitation Division DIKhan.

If you are willing to accept the above mentioned terms and conditions you should report for duty to Asstt: Distt: Officer WS&S DIKhan within 14 days failing which the offer shall stand cancelled automatically.

**DEPUTY DISTRICT OFFICER,
(W&S) WATER SUPPLY & SANITATION
D.I.KHAN.**

Copy to the:-

1. District Co-ordination Officer, DIKhan for information and confirmation please.
2. E.D.O works & Services DIKhan.
3. A.D.O W&S D.I.Khan.
4. District Account Officer, DIKhan.
5. D.A.E (Local)

**DEPUTY DISTRICT OFFICER,
(W&S) WATER SUPPLY & SANITATION
D.I.KHAN.**

ANNEX-B (8)

OFFICE OF THE EXECUTIVE ENGINEER P. H. ENGG. DIVISION, D. I. KHAN.

No. 153 / 15-16 Dated D.I. Khan the 23 / 01 / 2012

OFFICE ORDER

As recommended by SDO PHE: Sub Division D.I. Khan vide his office No. 15/B-5 dated 13-1-2012, the services of Muhammad Iqbal valveman of ADM&R WSS: Sheikh Yousaf is hereby suspended with immediate effect due to absent from Govt: duty.

In exercise of power conferred by the rules (2) of Govt: services EAD rules 1973, Mr. Zafrullah Khan SDO PHE: Sub Division Bahatpur at D.I. Khan is hereby appointed as Enquiry Officer in this case after observing the procedure laid in rules of ibid.

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG. DIVISION
D. I. KHAN.

Copy forwarded to the:-

1. SDO PHE: Sub Division D.I. Khan for information w/r to his No. 15/B-5 dated 13-1-2012. He is directed to issue proper charge sheet.
2. Mr. Zafrullah Khan SDO PHE: Sub Division Bahatpur (Enquiry Officer) for information and necessary action. He is directed to conduct the proper enquiry in the matter for above named official and should sent his finding within 15 days from the date of issue of this letter.
3. Divisional Accounts Officer (Local).
4. Muhammad Iqbal valveman WSS: Sheikh Yousaf C/O SDO PHE: S/Divn: D.I. Khan.

[Signature]
EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG. DIVISION
D. I. KHAN.

Addressed
[Signature]

ANNEX B
P-2 (8)

OFFICE OF THE EXECUTIVE ENGINEER P.H. ENGG: DIVISION D.I.KHAN

No. 153 / E-16

Dated D.I.Khan the 23/01/2012

OFFICE ORDER

As per recommended by SDO PHE: Sub Division D.I.Khan vide this office No. 15/E-5 Dated 13-01-2012, the service of Muhammad Imran valveman of AOM&R WSS: Sheikh Yousaf is hereby suspended with immediate effect due to absent from Govt. duty.

In-exercise of power conferred by the rules (2) of Govt. services E&D Rules 1973, Mr. zafrullah Khan SDO PHE: Sub Division Paharpur at DIKhan is hereby appointed as enquiry officer in this case after observing the procedure laid in rules of ibid.

**EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
D.I.KHAN.**

Copy forwarded to the:-

1. SDO PHE: Sub Division D.I.Khan for information w/r to his No. 15/E-5 dated 13-01-2012. He is directed to issue proper charge sheet.
2. Mr. Zafrullah Khan SDO PHE: Sub Division Paharpur (Enquiry officer) for information and necessary action. He is directed to conduct the proper enquiry in the matter for above named official and should sent his finding within 15 days from the date of issue of this letter.
3. Divisional Accounts Officer (Local)
4. Muhammad Imran valveman wss: Sheikh yousaf O/O SDO PHE: Sub Division DIKhan.

**EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
D.I.KHAN.**

ANNEX-C (9)

OFFICE OF THE EXECUTIVE ENGINEER P.H. ENGG. DIVISION D.I. KHAN.

NO. 201 / E-5/A Dated D.I. Khan the 30 / 11 / 2014.

OFFICE ORDER

Muhammed Imran S/O Ashiq Muhammad valveran on AOMSER water supply scheme Shore Kot was suspended vide this office order No. 153/E-16 dated 23-1-2012 due to involvement in criminal case vide FIR No. 90 dated 30-1-2012 U/B 489-F PPC/Cantt; DIKhan.

Now the official acquitted by the Peshawar High Court bench DIKhan in its decision dated 4-9-2013, hence he is therefore re-instated in the Govt. service.

In addition to above his absence period be treated on leave without benefits.

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG. DIVISION
D.I. KHAN.

Copy forwarded to the:-

1. District Accounts Officer D.I. Khan.
- ✓ 2. SDO Public Health Enng. Div. Division D.I. Khan.
3. D.A.O (Local).

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG. DIVISION
D.I. KHAN.

P. No.
002 07651

Assessed
M. Farid

ANNEX C
P-9

OFFICE OF THE EXECUTIVE ENGINEER P.H. ENGG: DIVISION D.I.KHAN

No. 201/E-5/A

Dated D.I.Khan the 30/01/2014

OFFICE ORDER

Muhammad Imran S/O Ashiq Muhammad Valveman on AOM&R water supply Scheme Shore Kot was suspended vide this office order No. 153/E-16 dated 23-01-2012 due to involvement in criminal case vide FIR No. 90 dated 30-01-2012 U/S 489-F PPC/Cantt; DIKhan.

Now the official accequitted by the Peshawar High Court Bench DIKhan in its decision dated 04-09-2013, hence he is therefore re-instated in the Govt. Service.

In addition to above his absence period be treated on leave without benefits.

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
D.I.KHAN.

Copy forwarded to the:-

1. District Accounts Officer D.I.Khan.
2. SDO Public Health Engg: Sub Division D.I.Khan.
3. D.A.O (Local).

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG: DIVISION
D.I.KHAN.

To

Executive Engineer,
Public Health Engineering Division,
Dera Ismail Khan.

Subject: DEPARTMENT APPEAL/REPRESENTATION WITH THE REQUEST TO RELEASE ALL THE FINANCIAL BENEFITS TO APPELLANT REGARDING THE ABSENCE PERIOD OF APPELLANT W.E.F 23-01-2012 TO 30-01-2014.

Respected sir,

- I. That the brief facts of the case are that the present appellant was appointed as valveman in Public Health Engineering Division, Dera Ismail Khan. After getting the medical certificate the appellant made his arrival and performing his duty. Copies of CNIC and appointment order of the appellant are enclosed as Mark-A & B respectively.
- II. That a fake case FIR No. 90 dated 30-01-2012 under section 489-F PPC of P.S Cantt Dera Ismail Khan was registered against the present appellant and the appellant was arrested by local police in said case. The appellant remained in custody for more than a year as the bail petition of the appellant was dismissed and the trial court convicted the appellant and thereafter, the appeal of the appellant was also dismissed by the appellate court, however, the sentenced awarded by the trial court was reduced to one & half year. Being aggrieved, the present appellant filed the Cr. Revision petition before honourable high court Bench Dera Ismail Khan against the conviction orders of court below and after hearing the arguments, this honourable Court allowed the Cr. Revision of the appellant and set aside the conviction and acquitted the appellant from the charges levelled against the appellant. During that period, the appellant was suspended from his service vide office order dated 23-01-2012 due to absence from duty and enquiry officer was appointed for inquiry against the appellant. But no final order regarding dismissal or removal from service was issued against the present appellant, in the meanwhile, the appellant was acquitted from the criminal case by Honourable court and the appellant submitted an application for continuation of his service and

Attested
[Signature]

cancellation of his suspension order. An office order No. 30-01-2014 was issued by department vide which the appellant was re-instated and thereafter, the appellant resumed the charge and started his duties. But, the financial benefits of the appellants had been refused for suspension period. Therefore, the appellant filed the W.P No. 562-D/2020 before the Honourable Peshawar High Court Bench Dera Ismail Khan and the same was dismissed being not maintainable vide order dated 08-02-2021. Copies of the same are enclosed herewith.

That being aggrieved, the appellant filing the instant appeal, inter alia, on the following grounds:

GROUND:

1. That the absence of the appellant from the service was not willful and he was booked in a fake case FIR No. 90 dated 30-01-2012 under section 489-F PPC of P.S Cantt Dera Ismail Khan was registered against the present appellant and the appellant was arrested by local police in said case. The appellant remained in custody for more than a year and the trial court convicted the appellant, thereafter, the appeal of the appellant was also dismissed by the appellate court, however, the sentenced awarded by the trial court was reduced to one & half year. Being aggrieved, the present appellant filed the Cr. Revision Petition before Honourable Court against the conviction orders of courts below and after hearing the arguments, Honourable Court allowed the Cr. Revision of the appellant and set aside the conviction and acquitted the appellant from the charges levelled against the appellant. During that period, the appellant was suspended from his service vide office order dated 23-01-2012 due to absence from duty and Enquiry Officer was appointed for inquiry against the appellant. But no final order regarding dismissal or removal from service was issued against the present appellant, therefore, the appellant is entitled for financial benefits including salary regarding the period of suspension.
2. That according to the Civil Servants Rules, the appellant is entitled for all the financial benefits in respect of period of suspension as the appellant was neither terminated nor dismissed from service. Hence, the office order dated

Aggrieved
w/ld
m

30-01-2014 regarding treated the absence period of the appellant as leave without benefits is against the law and facts.

It is therefore, humbly prayed that may please be released all the financial benefits to appellant regarding the absence period of appellant i.e. from 23-01-2012 to 30-01-2014.

Dated: 25/05/2021

Your's Sincerely,



Muhammad Imran s/o
Aashiq Muhammad,
Valveman, Public Health
Engineering Division, District
Dera Ismail Khan.

JUDGMENT SHEET
PESHAWAR HIGH COURT D.I.KHAN BENCH
JUDICIAL DEPARTMENT

Page = 13/12

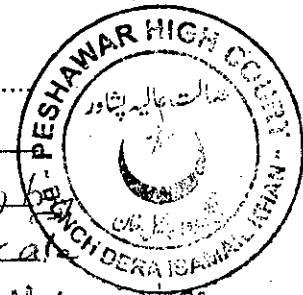
Cr. Rev. No. 6-1 of 2013

Date of hearing 4-9-2013

Appellant / petitioner (Muhammad Imran)

Mr. Muhammad Mehsin Ali Advocate

Respondent (State & another) by Mr. Saadullah Khan Shamir
AAE for State & Mr. Sheen-ul-Haq Malik Adv. for complt.



LAL JAN KHATTAK J.- My this judgment in criminal revision petition bearing No.6 of 2013 shall also dispose of the connected quashment petition No. 91/2013 as both the petitions are the offshoots of a single judgment delivered in criminal appeal No.01/x of 2013 by the learned Sessions Judge D.I.Khan on 25.3.2013.

2. Petitioner Muhammad Imran was indicted by the learned Judicial Magistrate-I D.I.Khan on 6.9.2012 in case FIR No. 90 of 2012 dated 30.1.2012 registered under section 489-F PPC at police station Cantt: D.I.Khan for issuing a cheque of Rs. 12,50,000/- to Malik Muhammad Ramzan which was dishonoured by the bank for insufficient amount in the account of its drawer. He denied the charge and opted to contest the same whereupon the learned trial court called for evidence from the prosecution which was so produced. After recording evidence the accused was examined by the court under section 342 Cr.PC wherein he professed

Jan

ATTEST

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan
6/9/13

innocence and refuted the case set up against him. The learned trial court after hearing the parties found the accused guilty of the charge and on conviction awarded him a sentence of imprisonment for three years with benefit under section 382-B Cr.PC vide his judgment dated 29.1.2013. The petitioner-convict challenged his conviction and sentence in appeal which was partly allowed by the learned Sessions Judge, D.I.Khan on 25.3.2013 who while maintaining the conviction reduced the period of sentence from three years to 1-1/2 years R.I. Not contented with the above reduction in sentence, the petitioner has now impugned his conviction and reduced sentence through the instant criminal revision petition while the complainant has also impugned the said judgment through quashment petition No.91 of 2013 praying therein that the judgment of the trial court be restored.

Gan

3. Learned counsel for the petitioner-convict contended that conviction and sentence awarded to the petitioner are absolutely illegal and unwarranted as no case as envisaged under section 489-F PPC has been made out by the prosecution against him.

4. As against the above, learned counsel for the petitioner-complainant contended that the prosecution has successfully proved its case against the petitioner-

ATTESTED

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

6/19/07

convict to the hilt. He further argued that there was no mitigating and extenuating circumstance which could be taken into account for reducing the sentence of the convict. He concluded his arguments that on acceptance of his petition the sentence awarded to the convict by the learned trial court be restored.

5. The learned AAG argued that the conviction is bad in law and as such he is not opposing the revision petition of the petitioner-convict.

6. I have heard learned counsels for the parties and perused the record of the case with their valuable assistance.

7. Thorough and careful examination of the case record reveals that neither the cheque in question was issued by the petitioner-convict towards re-payment of a loan or for the fulfillment of an obligation. The complainant has alleged in the FIR that the petitioner issued him a cheque of Rs.12,50,000/- in pursuance of some transaction but in the FIR he has not specified or explained the transaction in pursuance of which the cheque was issued to him by the convict. Though the complainant when appeared before the court as PW-6 deposed that the dishonoured cheque was handed over to him by Imran in a transaction of plot but neither the transaction of plot was mentioned in his first information

Jan

ATTESTED

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

6/19/02

report nor in the court he produced any material which could remotely suggest that the dishonoured cheque was issued by the convict to the petitioner-complainant in a transaction of plot. In the FIR the complainant has alleged that he was on good terms with the convict but in the court he deposed that he met the accused for the first time when he presented the cheque to him. Besides the above the complainant in his cross-examination has admitted that the transaction of plot was between him and one Shaukat. He further deposed that he has not given the actual facts in his application. Over and above the complainant has further admitted in his cross-examination that the dishonoured cheque was filled/written by Shaukat and not by the accused.

Gan

8. Now coming to the legal position whether in view of above narrated admitted facts and attending circumstances of the case, section 489-F PPC is applicable in the present case or not. It will be advantageous to reproduce section 489-F PPC which reads as under:-

"Dishonestly issuing a cheque.-

Whoever dishonestly issues a cheque towards repayment of a loan or fulfillment of an obligation which is dishonoured on presentation shall be punishable with imprisonment which may extend to three years or

ATTEST

EXAMINOR
Dera Ismail Khan High Court Bench,
Dera Ismail Khan

8/9/07

with fine or with both, unless he can establish for which the burden of proof shall rest on him that he had made arrangements with his bank to ensure that the cheque will be honoured and that the bank was at fault in not honouring the cheque".

9. From perusal of the section *ibid* it transpires that in order to bring home guilt to an accused person for charge under section 489-F PPC there must be issuance of a cheque with dishonest intention. Such issuance of cheque must be towards re-payment of a loan or for the fulfillment of an obligation and the cheque must be dishonoured.

Gain
10. It was not the case of the complainant that the drawer issued him the cheque for the repayment of a loan or for the fulfillment of an obligation. Rather he has admitted that the cheque in question was in respect of a dispute regarding a plot pending between him and one Shaukat and that it was said Shaukat who filled/written the cheque. His admission in the cross-examination that he has not given the actual facts in his written application has taken the case out of the purview of section 489-F PPC.

11. Mere issuance of a cheque and its being dishonoured for insufficient amount in the bank account

ATTESTED

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

6/19/21

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6

17

of the drawer is not sufficient to indict a person under section 489-F PPC until and unless it is proved by the payee that the cheque is issued to him with dishonest intention for the repayment of a loan or some other obligation. In the present case neither of the above ingredients is proved by the prosecution. The learned Judicial Magistrate and the learned Sessions Judge both have neither evaluated the facts properly nor assessed the case evidence in its true perspective.

12. For the above discussion and reasons, I am persuaded to accept the revision petition of the petitioner-convict Muhammad Imran, set aside his conviction and sentence passed by the learned two courts below through the impugned judgments and acquit him of the charge brought against him in the case in hand.

13. Consequently, the quashment petition of the petitioner-complainant bearing No. 91 of 2013 Muhammad Ramzan is dismissed.

ANNOUNCED
4.9.2013.

Imran
JUDGE

*officer
12/11/9*

ATTESTED

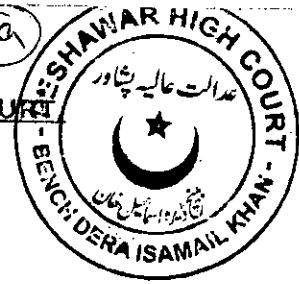
EXAMINOR
Dera Ismail Khan High Court Bench,
Dera Ismail Khan

6/9/07

G.R.No. 3900
Application Received on 06-9-021
Copying Fee deposited Rs 12/-
No of Papers 04/5
Copying Fee /
Urgent Fee /
Total Fee /
Copy ready for submission 06-9-021
Copy held ready on 06-9-021
Signature of Examiner [Signature]

Examined to be true Copy
[Signature]
EXAMINER
Qadiriya High Court Bench D-10
Authorized Under Section 87 of
Qanoon-a-Shahadat-Act
6/9/03

Annex E (19)
**BEFORE THE HONOURABLE PESHAWAR HIGH COURT
DERA ISMAIL KHAN BENCH.**



Writ Petition No. _____ of 2020

Muhammad Imran son of Aashiq Muhammad, Valveman, Public Health Engineering Division, District Dera Ismail Khan.

(Petitioner)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Public Health Engineering Department, Govt. of K.P.K, Peshawar.
2. Secretary Public Health Engineering Department. Govt. of K.P.K, Peshawar.
3. Director General, Public Health Engineering Department, Khyber Pakhtunkhwa, Peshawar.
4. Superintendent Engineer, Public Health Engineering Circle, Dera Ismail Khan.
5. Executive Engineer, Public Health Engineering Division, Dera Ismail Khan.
6. District Account Officer, Dera Ismail Khan.

(Respondents)

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

Respectfully Sheweth:

- I. That the addresses of the parties as given above are correct and sufficient for the purpose of service.
- II. That the brief facts of the case are that the present petitioner was appointed as Valveman in Public Health

ATTEST

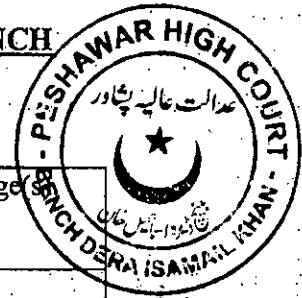
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

WP. No. 562-D of 2020 (Ground)

12/02/2021

PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET



Date of Order or Proceedings	Order or other proceedings with signature of Judge
(1)	(2)
08.02.2021	<p><u>W.P.No.562-D/2020.</u></p> <p><u>Present:</u> Muhammad Mohsin Ali, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><u>ABDUL SHAKOOR, J.-</u> Through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner Muhammad Imran seeks issuance of writ thereby directing the respondents to release all the financial benefits regarding his absence period from 23.01.2012 to 30.01.2014.</p> <p>2. The brief facts as narrated in the petition are that the petitioner was appointed as Valveman in Public Health Engineering Division, D.I.Khan and was performing his duties when a case FIR No.90 dated 30.01.2012 was registered against him. He was arrested in the said case. The petitioner faced trial and was convicted by the learned trial Court. However, he was subsequently acquitted in the case by this Court, whereafter he moved application to respondents for cancellation of his suspension order which was allowed and the petitioner resumed his duties but the respondents refused to release the salary of petitioner for the period he remained suspended, hence the instant petition.</p>

ATTESTED

20

EXAMINOR
Peshawar High Court Bench
Dera Ismail Khan

12/02/2021

3. We have heard the arguments of learned counsel for the petitioner and have gone through the record.

4. It is an undeniable fact that the petitioner is a Government servant and the service regulations, terms & conditions are applicable to him, which comes within the domain of Service Tribunal. The Constitutional jurisdiction of this Court, in such like matters, is ousted by explicit provisions of Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

5. For the reason mentioned above, we do not deem it appropriate to pass any order in the instant petition, in view of the express bar envisaged by Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973. The petitioner has got an alternate adequate, efficacious remedy before the Service Tribunal for redressal of his grievance, therefore, the instant petition is not maintainable, hence dismissed in limine.

Announced
Dr. 08.02.2021.


JUDGE


JUDGE



Habib*

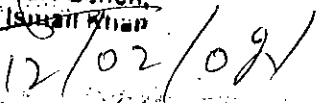
(DB)

Hon'ble Mr. Justice Abdül Shakeer
Hon'ble Mr. Justice Sahibzada Asadullah

ATTESTED

EXAMINOR

Weshawar High Court Bench
Deputy Registrar


12/02/09

805

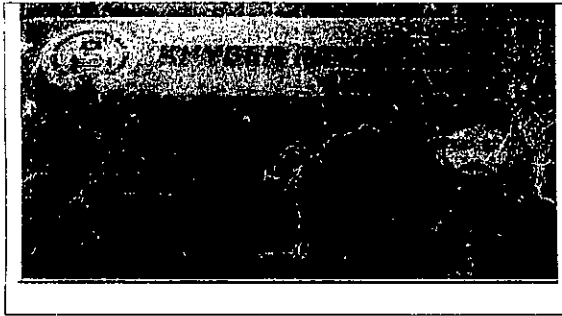
G.R.No. _____
Application Received on 12-02-021
Copying Fee Deposited Rs 4
No of Papers 3/Pages
Copying Fee 4/-
Urgent Fee 4
Total Fee 12/-
Copy ready for delivery 12-02-021
Copy delivered on 12-02-021
Signature of Examiner _____

[Signature]
12/02/021

Certified to be true Copy

[Signature]
EXAMINOR
Peshawar High Court Bench D I Khan
Authorized Under Section 6
Qanun-e-Sud

[Signature]
12/02/021



VAKALATNAMA

(22)

IN THE COURT OF K.P.K Service Tribunal, Peshawar, DERA ISMAIL KHAN.

Muhammad Inayat Plaintiff /Appellant /Petitioner/Complainant/ Accused

Govt. of K.P.K & others **Vs** Defendant /Respondent / Complainant/ Accused

KNOW ALL to whom these present shall come that I/We Appellant do hereby appoint **Muhammad Mohsin Ali Advocate High Court** (heréin after called the advocate/s) to be my/our Advocate in the above noted case authorise him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this.....day of20

Accepted

Muhammad Mohsin Ali
Advocate High Court
District Bar, Dera Ismail Khan.

Muhammad Inayat (Appellant)

M. Inayat

"A"

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

No.

APPEAL No. 7420 of 2021.

Repa
Muhammad Imran

Appellant/Petitioner

Versus

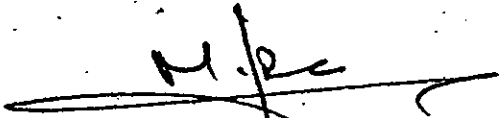
Through Secy Public Health Engr. etc,

RESPONDENT(S)

(counsel)
Notice to Appellant/Petitioner Muhammad Mohsin Ali
Advocate High Court Dist. Court,
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 12/11/2021 at 9:00 AM at Peshawar.

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.


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

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

TDIK

No.

Appeal No. *7420* of 20 *21*

Mohammad Miran Appellant/Petitioner

Secy. PHE Pesh. Respondent

Respondent No. *3*

Notice to:

*Superintendent Engineer Public-
Health Engineering Circle D/Khem-*

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 *27-1-22* 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.....*29*

Day of.....*12*.....20*21*

*at camp court
D/Khem*

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

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

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

No.

Appeal No. 7420 of 20 21

Mohammad Imran Appellant/Petitioner

Sey: PHE ^{Versus} Peek Respondent

Respondent No. 4

Notice to: Executive Engineer Public Health
Engineering Division Dikka

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 27-1-22 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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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 29

Day of 19 20 21

At Camp Court

Dikka

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.

TB DIK

Appeal No. 7420 of 20 21

Mohammad Iqbal Appellant/Petitioner

Versus

Secy- PHE Pesh Respondent

Respondent No. 2

Notice to: Chief Engineer Public Health Engineering Deptt 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 27-1-22 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 29

Day of 12 20 21

at camp court

DIK/Secy




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 D/K

No.

Appeal No. 7420 of 2021

Mohammad Imran Appellant/Petitioner

Versus

Secy. P.H.E. Deptt Pesh. Respondent

Respondent No. 1

SECYPHED
Entry No. 2884
W 21/22

Notice to: Govt of KPK Through Secretary
Public Health DEPTT 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 27/1/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 30

Day of 12 2021

At Court

D/Kh

[Signature]

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

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

Put up to the worthy chair-man
with relevant app. p.

Muhammad Imran

12/11



VERSUS

ANO 7420

Govt; of Khyber Pakhtunkhwa & Others

**APPLICATION FOR FIXATION OF THE PETITION BEFORE THE
CAMP COURT DERA ISMAIL KHAN.**

Respectfully sheweth;

1. That the captioned above case is pending adjudication before this honourable court.
2. That the petitioner is permanent residing Dera Ismail Khan moreover the petitioner is employee of Public Health Engineering Dera Ismail Khan, therefore the case of the petitioner may kindly be fixed before camp court Dera Ismail Khan.

It is, therefore, earnestly prayed that on acceptance of this application the captioned case may be allowed to be heard in the camp court Dera Ismail Khan.

Dated: 28.10.2021

PETITIONER

M. Imran
Muhammad Imran