

27<sup>th</sup> September, 2022

Appellant alongwith his counsel present. Mr. Asif Masood  
Ali Shah, Deputy District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment on  
the ground that he has not made preparation for arguments.  
Adjourned. To come up for arguments on 25.10.2022 before the  
D.B at Camp Court D.I.Khan.



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



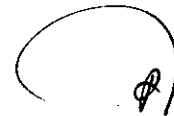
(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

25.10.2022

Appellant in person present.

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

Bench is incomplete, therefore, case is adjourned. To come up  
for arguments on 22.11.2022 before D.B at Camp Court, D.I.  
Khan.



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

25.01.2022

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


  
Reader.

25.05.2022

Nemo for the appellant. Learned counsel for the appellant present. Mr. Tariq Mahmood Ahmed, SDO and Mr. Naveed Ullah, SDC alongwith Mr. Farhaj Sikandar, District Attorney for the respondents present.

Reply on behalf of respondents submitted, which is placed on file. Adjourned. To come up for rejoinder, if any, as well as arguments on 25.07.2022 before the D.B at Camp Court D.I.Khan.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post for the date fixed.

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

25/7/22

Due to summer vacation come  
to come for 27/09/2022


  
Reader

23.11.2021

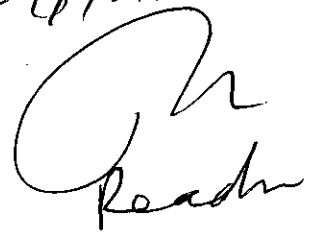
Counsel for the appellant and Mr. Muhammad Rasheed, DDA alongwith Masoodur Rehman, Superintendent Engineer for the respondents present.

Written reply/comments of the respondents are still awaited. Last opportunity is granted to the respondents for submission of written reply/comments on 25.01.2022 before S.B at camp court, D.I.Khan.

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


  
Chairman  
Camp Court, D.I.Khan

Due to covid,19 therefore to  
come up for the same on 30/9/21.

  
Readm

30.09.2021

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and sought time for submission of written reply/comments. Respondents are directed to furnish reply/comments within 10 days. In case the respondents failed to submit reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall stand ceased. To come up for arguments before the D.B on 23.11.2021 at Camp Court D.I. Khan.

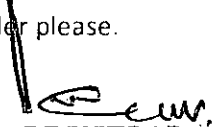

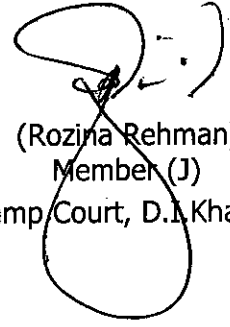


(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT D.I.KHAN

## FORM OF ORDER SHEET

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

Case No.- 14444 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/11/2020	<p>The appeal of Mr. Ahmad Saeed received today by post through Sheik Iftikhar-ul-Haq 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-	<p>10-2-21</p> <p>24.02.2021</p> <p>24.02.2021</p>	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>25-2-21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p><i>On request of learned counsel, case file is requisitioned for today as lawyers will be on strike on 25/02/2021.</i></p> <p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 26.05.2021 before S.B at Camp Court, D.I.Khan.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J) Camp Court, D.I.Khan</p>

Appellant Deposited  
Security & Process Fee

3/3

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

Service Appeal No. \_\_\_\_\_/2020

Ahmad Saeed **VERSUS** Govt. of KPK and others

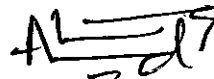
**SERVICE APPEAL**

**INDEX**

S.No	Particulars of the Documents	Annexure	Page
1.	Grounds of Service Appeal and affidavits	--	1-3
2.	Copies of the appointment order along with service certificate	A	4-6
3.	Copies of the educational testimonials along with revenue record	B & C	7-20
4.	Copies of departmental appeal	D	21-23
5.	Wakalatnama	--	24

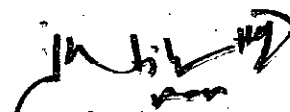
Date: 16 / 11 / 2020

Yours Humble Appellant



**Ahmad Saeed**

Through Counsel,



**Sheikh Iftikhar ul Haq**  
Advocate High Court

1

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

Khyber Pakhtunkhwa  
Service Tribunal

74444  
Service Appeal No. \_\_\_\_\_/2020

Diary No. 15076

Dated 18/11/2020

**Ahmad Saeed** son of Muhammad Khan caste Pathan Kattakhel  
r/o wanda Meherdal Tehsil Paharpur, District Dera Ismail Khan.  
Presently serving as Operator Cum Chowkidar Water Supply  
scheme Wanda Mirdal Tehsil Paharpur District Dera Ismail Khan.  
Cell# 03463956666

**Appellant**

**Versus**

1. **Govt. of Khyber Pakhtunkhwa through Secretary  
Public Health Engineering Department Peshawar.**
2. **Chief Engineer (South) Public Health Engineering  
Department, Khyber Pakhtunkhwa, Peshawar**
3. **Superintendent Engineer Public Health Engineering  
Department Circle ~~\_\_\_\_\_~~ D.I. Khan**
4. **Executive Engineer Public Health Engineering  
Department Dera Ismail Khan.**

.....**Respondents**

Filed to-day  
*[Signature]*  
Registrar  
18/11/2020

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

**PRAYER**

On acceptance of this appeal the appellant may kindly be promoted as Work Superintendent (BPS-09) on the basis of seniority as per privileged Service Policy and Rules.

*[Handwritten signature]*

**Note:** That the addresses of the Parties given in the heading of the Petition are true and correct for the purpose of service.

(R)

Respectfully Sheweth:-

The Appellant most respectfully submits as under:-

**BRIEF FACTS:**

1. That the appellant was appointed as Operator Cum Chowkidar on 07/10/2016 vide office order No. 3173/E5/A in the incumbency of respondents/authority and has been performing his duties with entire satisfaction of his high-ups. Copies of the appointment order along with service certificate are annexed as **Annexure-A**.
2. That the appellant is well versed in his field and fully fit for the post of Work Superintendent (BPS-09) having Qualification of M.A and Diploma in Electrical Technology and being senior most among his colleagues. Moreover, the father of the appellant gifted his own land without any sale consideration for installment of tube-well vide mutation No. 949 dated 19/01/2016. Copies of the educational testimonials along with revenue record are annexed as **Annexure-B & C**.
3. The <sup>appellant</sup> ~~respondent~~ being fully rightful and entitled for the promotion against the post of Work Superintendent (BPS-09) being aggrieved submitted a departmental appeal on 14/08/2020 which was not responded within the stipulated period, hence, the instant appeal on the following grounds. Copies of departmental appeal are annexed as **Annexure-D**.

**GROUND**

- a) That the appellant being senior most and eligible for the post of Work Superintendent (BPS-09) is entitled for promotion.
- b) That the inaction and omissions of the respondent/authority of not promoting the appellant is against the service rules, principles of service laws.
- c) That a similar nature of his colleagues are promoted to the post of Work Superintendent (BPS-09), hence, the appellant is entitled to be treated accordingly. Copies of the promotion



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order along with subject of service appeal and order are enclosed.

d) That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

**On acceptance of this appeal the appellant may kindly be promoted as Work Superintendent (BPS-09) on the basis of seniority as per privileged Service Policy and Rules.**


Date: 16 / 11 / 2020

Yours Humble Appellant



**Ahmad Saeed**

Through Counsel,



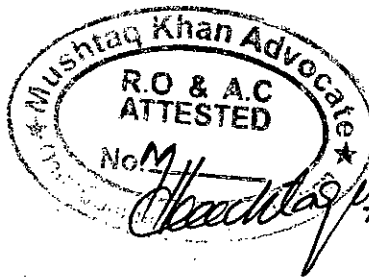
**Sheikh Iftikhar ul Haq**  
Advocate High Court

**AFFIDAVIT**

I, **Ahmad Saeed** son of Muhammad Khan caste Pathan Kattakhel r/o wanda Meherdal Tehsil Paharpur, District Dera Ismail Khan, do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and that nothing has been concealed from this Honourable Court.

Dated: 16 / 11 / 2020

Identified by  
*[Handwritten signature]*



**DEPONENT**



NO

3173

ESJA

(4)

Annexure - 'A'

OFFICE OF THE EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG: DIVISION DIKHAN  
Email: Xenghedikhan@gmail.com Phone & Fax No. 0966-9280222

Dated DIKHAN the 7 /10/2016

## OFFICE ORDER

On the recommendation of Departmental Selection Committee as per its meeting held on 01.09.2016, the competent authority pleased to offer a post of Operator-Cum-Chowkidar (BPS-03) against the existing vacancy at AOM&R WSS Wanda Mehardil to Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKHAN on the following terms & conditions:-

1. He will get pay the minimum of BPS-03 (Rs. 6535-260-14335) including usual allowances as admissible under the rule. He will also be entitled to annual increment as per existing policy.
2. He shall be governed by the KPK Civil Servants act 1973 and all the laws applicable to the Civil Servant and Rules made their under.
3. His employment in the P.H.E Department is purely temporary and his services are liable to be terminated without assigning any reason at fourteen (14) days notice or on the payment of 14 days salary in the lieu of the notice. In case he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
4. He shall, initially, be on probation for a period of two years extendable upto 03 years.
5. He shall produce a medical certificate of fitness from Medical Superintendent, DHQ Hospital DIKHAN before reporting himself for duty to the SDO PHE Sub Division Paharpur, as required under the rules.
6. He has to join the duty at his own expenses.
7. If he accepts the post on these conditions, he should report for duty to the Sub Divisional Officer, PHE Sub Division Paharpur within 14 days of the receipt of this offer.

EXECUTIVE ENGINEER  
PUBLIC HELATH ENGG: DIVISION  
DIKHAN

## Copy to the:-

1. Mr. Ehtasham Javed MPA PK-68 (KPK) Paniyala House Diyal Road DIKHAN.
2. Superintending Engineer PHE Circle DIKHAN.
3. District Account Officer DIKHAN.
4. SDO PHE Sub Division Paharpur / DAO Local.
5. Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKHAN.

Attached to be true copy  
AL

EXECUTIVE ENGINEER  
PUBLIC HELATH ENGG: DIVISION  
DIKHAN

5



**TO WHOM IT MAY CONCERN**

It is to certify that Mr. AHMED SAEED S/O Mr. Mohammad Khan, has been serving with us from 24-03-2003 to 17-05-2006 as a "TECHNICIAN" in the "Operations Department".

He is an honest & hardworking man. He always proved himself a competent person and fulfilled all the duties assigned to him in a quite professional manner. He also proved himself as an asset to this organization.

We wish him success & good luck for his future endeavors.

*Kanwar Abid Ali*  
Kanwar Abid Ali  
Technical Project Manager  
Alcatel Pakistan Limited.

*Atiqur-Rehman*  
Atiqur-Rehman  
SST (Maths, Phy)  
G.H.S Abdul Khel D.I.Khan.




**TO WHOM IT MAY CONCERN**

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We wish him success & good luck for his future endeavors.

  
Kanwar Abid Ali  
Technical Project Manager  
Alcatel Pakistan Limited.

TO WHOM IT MAY CONCERN

It is to certify that Mr. AHMAD SAEED S/O Mr. Muhammad Khan, has been serving with us from 5-10-2012 to 15-12-2016 as a " POWER AND TECHNICAL SUPER WISER" in the " Operations Department" .

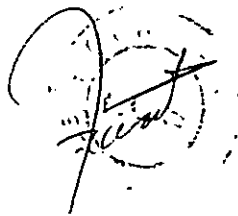
He is honest and hardworking man. He always proved himself a competent person and fulfilled all the duties assigned to him in a quite professional manner. He also proved himself as an asset to this organization.

We wish him success and good luck for his future endeavors.

Mushtaq Hussain Astori

CEO

LET,S COM SERVICES



Atiq-ur-Rehman  
SST (Maths, Phy)  
G.H.S.S Abdul Khel D.I.Khan

We Connect

Address: House # 286, Street # 18  
Sector G-10/2, Islamabad.  
Mobile: +92-333-5202182,  
+92-313-7772101  
Website: www.lcspak.com  
Email: info@lcspak.com

51923

UNIVERSITY



DERA ISMAIL KHAN

(K. P. K PAKISTAN)

## DETAILED MARKS CERTIFICATE MASTER OF ARTS ISLAMIYAT FINAL (NEW COURSE)

Held in April-May 2017

Session 2016/Annual

Roll No: 4433Name: AHMAD SAEED

Awn- "B"

The Candidate secured the following marks &amp; has been placed in 2nd Division.

SUBJECTS	Total No of Marks Allotted	MARKS OBTAINED	
		In Figure	In Words
Al-Fiqah O Usool-e-Fiqah	100	62	Sixty Two
Ilmul Kalam	100	64	Sixty Four
Hadis O Ulloom Ul Hadis	100	65	Sixty Five
Islam And Jadeed Muashi Nazriat	100	60	Sixty
Tarikh-e-Islam	100	63	Sixty Three
Viva Voce	100	60	Sixty
Aggregate Previous	500	261	Two Hundred and Sixty One
<b>Total Marks</b>	<b>1100</b>	<b>635</b>	<b>Six Hundred and Thirty Five</b>

Result Declaration Date 06/11/2017

Errors &amp; Omissions Accepted

Atiq-ur-Rehman  
SST (Maths, Phy)  
G.H.S.S Abdul Khel D.I.Khan

Controller of Examinations  
Gomal University  
Dera Ismail Khan

167

Serial No. 41058

Registration No. \_\_\_\_\_

Roll No. \_\_\_\_\_

Session: \_\_\_\_\_

# GOMAL UNIVERSITY

DERA ISMAIL KHAN  
N. W. F. P.  
PAKISTAN



## Provisional Certificate

This is to certify that Mr./Miss./Mrs. AHMAD SAEED  
 Son / Daughter / Wife of MUHAMMAD KHAN  
 of the Department / Institute of LATE COLLEGE STUDENT OF GOVT. COLLEGE NO-1, D. I. KHAN.  
 has passed B.A. PART-II 2003/ANNUAL Examination held in June/July, 2003.  
 in the subject of \_\_\_\_\_  
 He / She was placed in SECOND  
 division, Securing 292 marks out of 550

The examination was taken as a whole / in parts.

Dera Ismail Khan

Dated 25.09.2003.

*Atiq-ur-Rehman*  
 Atiq-ur-Rehman  
 SST (Maths, Phy)  
 G.H.S.S Abdul Khel D.I.Khan

CONTROLLER OF EXAMINATIONS

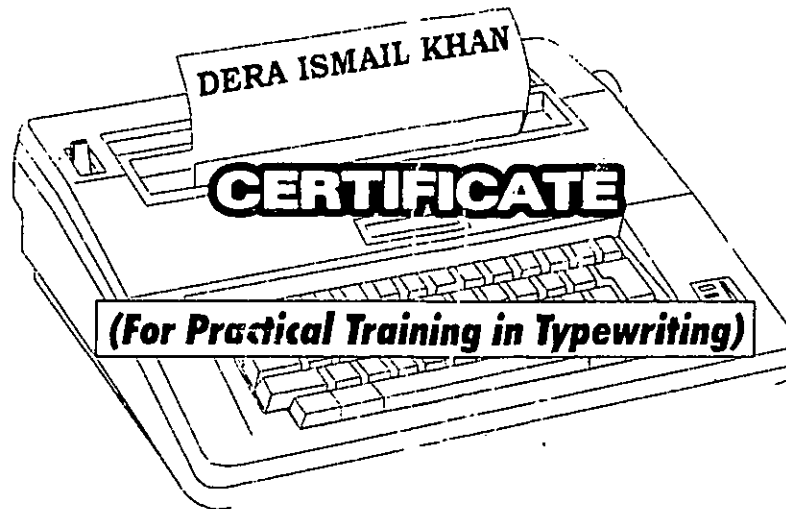
8

*12/04*

# BHATTI TYPEWRITER INSTITUTE

Roll No...0087.....

Date...31-12-1998.....



Certified that Mr..... Ahsad Saave ..... Son of..... Muhammad Khan .....  
and a resident of..... village Wanda Meh. Dil Tea: & Dist: D.I.Khan .....

Has successfully completed the Practical Training in Typewriting From  
this Institute w.e.f. 01-10-1998 ..... to..... 31-12-1998 .....

He acquired the speed of..... Thirty (30) ..... words per minut.

*Ahsad Saave*  
*31/12/98*  
**Adig-iir-Rehman**  
SST (Maths, Phy)  
S.H.S.S Abdul Kinel D.I.Khan

*Signature of Trainee*

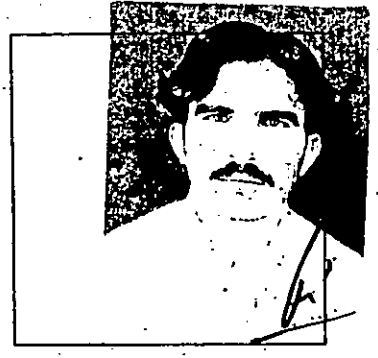
*Note:- the stability of speed is  
subject to continuous Practice in Typewriting*

*M. A. Bhatti*  
Principal

9



16



BN 0752

Roll No. 71189

# Board of Intermediate & Secondary Education

Bannu N.W.F.P. Pakistan  
**INTERMEDIATE EXAMINATION**  
**HUMANITIES GROUP**  
SESSION 2000 (ANNUAL)

THIS IS TO CERTIFY THAT AHMAD SAEED  
Son/Daughter of MUHAMMAD KHAN  
and a student of DISTT D.I.KHAN  
Registered No. 107-BB/PRD-98 has passed the Intermediate  
Examination of the Board of Intermediate & Secondary Education, Bannu.  
as a ~~Regular~~ Private Candidate. He/She obtained 599 Marks out of 1100  
and has been placed in Grade  Representing GOOD  
He/She has been awarded Grade  on the basis of internal assessment by  
the Institution concerned.

Asst. Secretary *26.6.7*

Secretary

This certificate is issued without reservation.

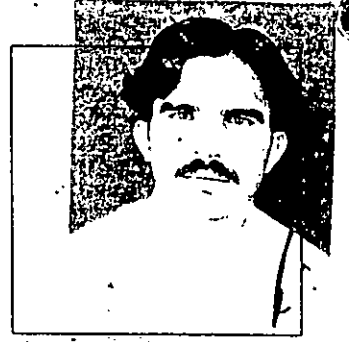
*Atiq-ur-Rehman*  
SST (Maths, Phy)  
G.H.S.S. Abdul Khel D.I.Khan

*Rehman*  
SST (Maths, Phy)  
G.H.S.S. Abdul Khel D.I.Khan

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

BN NO 006997

Roll No: 72320



**Board of Intermediate & Secondary Education**  
Bannu N.W.F.P Pakistan  
**Secondary School Certificate Examination**  
**SESSION 1998 (ANNUAL)**

THIS IS TO CERTIFY THAT AHMAD SAEED  
Son/Daughter of MUHAMMAD KHAN  
and a student of DLTT D.I.KHAN

has passed the *Secondary School Certificate Examination* of the Board of Intermediate & Secondary Education, Bannu.

as a *Regular/Private* candidate. He/She obtained 397 Marks out of 850 and has been placed in Grade D Representing FAIR.

The candidate passed in the following subjects.

- |            |                     |                |            |
|------------|---------------------|----------------|------------|
| 1. English | 3. Islamiyat        | 5. MATHEMATICS | 7. PHYSICS |
| 2. Urdu    | 4. Pakistan Studies | 6. CHEMISTRY   | 8. BIOLOGY |

He/She has been awarded Grade = on the basis of Internal assessment by the Institution concerned.

Date of birth according to admission form is 5th FEBRUARY  
one thousand nine hundred and EIGHTY ONE (5/2/1981)

Cy  
Asstt. Secretary

Secretary

26.6.7 This certificate is issued without alteration or erasure.

Atiq-ur-Rehman  
SST (Maths, Phy)  
G.H.S.S Abdul Kher D.I.Khan



# Sarhad University

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

Serial Number SUIT-10-PRO-080111-02

Date issued: January 08, 2011

## Provisional Certificate

This is to certify that Mr./Ms. Ahmad Saeed  
son./ daughter of Mr. Muhammad Khan  
registration number SUIT-06-03-70371

is a regular student of the Sarhad University of Science and Information Technology,  
Peshawar in the session 2006-2007

Mr./Ms. Ahmad Saeed has according to the result notification,  
issued by the University, passed the Junior Diploma in Health & Physical Education – (JDPE)  
Examination Annual/Supplementary held in May – June, 2007 and secured 1<sup>st</sup>  
division, obtained 789 marks out of 1050. He/she has already been issued  
a DMC by the Controller of Examinations. He/she will receive his/her diploma in  
relevant convocation (if desire).

Mr./Ms. Ahmad Saeed bears good moral character and his/her  
conduct during his/her stay at the University from August 2006 to August 2007  
has been Very Good

*Attested*  
CAN  
Atiq-ur-Rehman  
SST (Maths, Phy)  
G.H.S.S Abdul Khel D.I. Khan

  
Director  
Distance Education

# 36-B, Chinar Road, University Town, Peshawar-Pakistan  
Tel : +92-91-5846508-9, 5846516-8, Fax : +92-91-5841460

# SARHAD UNIVERSITY

OF SCIENCE & INFORMATION TECHNOLOGY, PESHAWAR

## Detailed Marks Certificate

DMC No. SU/ 05137

13



Examination - Fall 2006

Student's Name Ahmad Saeed Roll No. 06-SU-05673  
 Father's Name Muhammad Khan Registration No. SUIT-06-03-70371  
 Programme Junior Diploma in Health & Physical Education Term No. 2

Courses	Max Marks	Marks Obtained		Remarks
		In Figures	In Words	
Foundation of Physical Education	100	064	Sixty Four	Pass
Basic Health Education	100	065	Sixty Five	Pass
Fund. Rules & Techniques of Sports & Games	100	055	Fifty Five	Pass
Science of Track & Field	100	079	Seventy Nine	Pass
Techniques & Teaching of Edu.of Gymnastic (Pract.)	100	089	Eighty Nine	Pass
Science of Movement	100	059	Fifty Nine	Pass
Techniques & Teaching of Track & Field (Pract.)	100	087	Eighty Seven	Pass
Techniques & Teaching of Games (Pract.)	100	087	Eighty Seven	Pass
Anatomy & Physiology	100	070	Seventy Only	Pass
Teaching Practice + Project - JDPE	150	134	One Hundred and Thirty Four	Pass
<b>Total</b>	<b>1050</b>	<b>789</b>	<b>Seven Hundred and Eighty Nine</b>	<b>Pass</b>

General Remarks The Examination was passed as a Whole in 1st division

Exam held 26 - May to 22 - Jun - 2007

Result declared August 25, 2007

Date of issue January 08, 2011

*Dr. D. D. D.*  
Dean

*Atiq-ur-Rehman*  
SST (Maths, Phy)  
G.H.S.S Abdul Khel D.I.Khan

*Sai*  
Controller of Examinations

(Errors and omissions are subject to subsequent rectification)

## NECESSARY INFORMATION

**Authenticity:**

This DMC should not be deemed valid unless it is embossed with the official seal of the University and bears the signature of Controller of Examinations. It should also be deemed invalid if it contains erasures, corrections or overwriting.

**Grade Key:**

The percentages, grades, associated marks and related remarks used by the University are as follows:

Grades	Percent Marks	Remarks
A+	80% Marks and above	Distinction
A	70% and above but below 80%	Excellent
B	60% and above but below 70%	Very Good
C	50% and above but below 60%	Good
D	40% and above but below 50%	Fair
E	Less than 40% to minimum	Satisfactory

*R. H. S. S.*  
2011



# Bolan PolyTechnic Institute Paharpur

AFFILIATED WITH TRADE TESTING BOARD PESHAWAR

Address : Mulla Nazar Grave Yard Panyala Road Paharpur

Phone: 0966775122, Mob: 03476870001

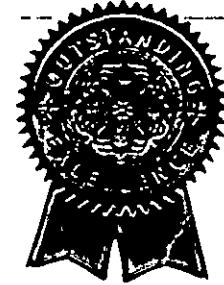
Email: [Bolan\\_College@gmail.com](mailto:Bolan_College@gmail.com)

S. No. 00370

Roll No. BCCCS-1070

**Session-2018**

This Certificate is presented to:



Mr/Mrs/Miss AHMAD SAEED Son/Daughter of MUHAMMAD KHAN

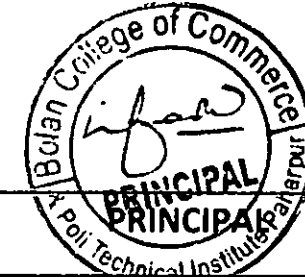
Has Successfully completed One Year special training course in the trade of  
**ELECTRICIAN**

HE/She obtained 537 marks out of 600 Grade A+

*Atiq-ur-Rehman*  
Atiq-ur-Rehman  
SST (Maths, Phy)  
G.H.S.S Abdul Khel D.J.Khan



Atiq-ur-Rehman  
SST  
G.H.S.S Abdul Khel D.J.Khan



14

(15)

# DOMICILE CERTIFICATE

AHMAD SAEED Son/Daughter of MUHAMMAD KHAN  
hereby declare that I was born of parents who are permanently domiciled in North West Frontier Province having been born/settled\* in this Province.

is born at Village/Mohallah WANDA MEHRDIL  
Tehsil P.H.P. District Dera Ismail Khan.

Ahmad Saeed  
Signature/Thumb Impression  
of the Applicant

Dated: 20-8-1999

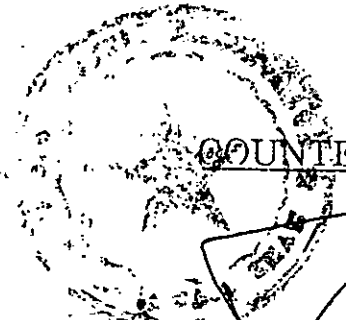
In pursuance to the declaration dated 12/8/99 filed by  
M. Mr. AHMAD SAEED Son/Daughter of MUHAMMAD KHAN  
domiciled in North West Frontier Province. It is hereby certified, that the said  
M. Mr. AHMAD SAEED is born of Parents who are permanent residents  
of the North West Frontier Province having been born/settled\* within it.

I have satisfied myself from personal knowledge/verification by SST Rehman  
that the above declaration is true and certify accordingly.

29th August 1999

MAGISTRATE 1ST CLASS

Be/P/100



COUNTERSIGNED

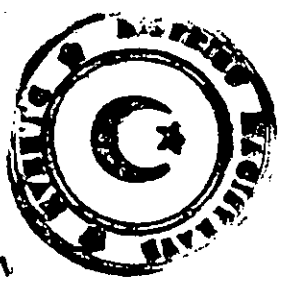
DISTRICT MAGISTRATE  
Dera Ismail Khan



مفتی عبدالرحمن  
29/8/99

Seal

Atiq-ur-Rehman  
SST (Maths; Phy)  
G.H.S.S Abdul Khel D.I.Khan



Strike out which ever is not applicable

No: S128 /H.C.Dated D.I.Khan the 25/8/99

PHOTO NOT ATTACHED  
G.H.S.S. P. 67 0921

16

159-07-423531

دائره شامخى فارم

فنا عاليه

تصديقى قايى ۽ دستى احمد عبدالوہاب  
تہن بيان شدہ خیل سکسہ دائرہ سرحدى داخل دائرہ شامخى  
کھن ر خیل ڈیرہ رسميل اقال جا مشعل طبرہ پانڈا

VERIFIED

دیسوالک با شندہ ۽ درو اس و الہ دین دیہہ قلاک

RURAL AREA

1 - Patwari Bilqa

URBAN AREA

1 - Municipal Councillor

غیر سرحدی  
24/8  
98

2 - Girdawar Circle

لکھنوی  
24/8

2 - Chamanu

Municipal Committee

Alkaid  
3 - Tehsildar

24/8/98

Wazirabad Tehsil  
Circle Paevala

3 - Tehsil



17

Annexure -  
"C"



OFFICE OF THE EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG: DIVISION DIKHAN  
Email: Xenphedikhan@gmail.com Phone & Fax No. 0966/9280222

NO. 2934 / W-303

Dated DIKhan the 9 /09/2016

To,

The Tehsildar  
Tehsil Paharpur  
District DIKhan

Subject:-

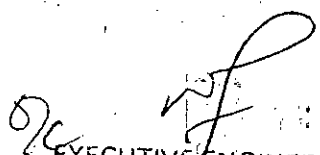
VERIFICATION OF MUTATION DEED FOR WSS WANDA  
MEHARDIL TEHSIL PAHARPUR

It is intimated that one Mr. Ahmad Saeed Khan S/O Muhammad Khan R/O Wanda Mehardil P/O Katta Khel Tehsil Paharpur District DIKhan has submitted a mutation deed vide which his transfer of land 1 Kana & 10 Marla is mentioned in the Name of Executive Engineer PHE Division DIKhan. Either this is correct/actual land owner or otherwise.

Also another person Mr. Muhammad Aslam Khan S/O Mr. Muhammad Nawaz Caste Pathan P/O Katta Khel R/O Wanda Mehardil has lodged a Civil Suit in the Court of Civil Judge-VIII DIKhan in which he is claiming the solar system installed by this department in his land for Water Supply Scheme Wanda Mehardil.

Therefore, you are requested to please correct/actual land owner name may be intimated to this office, wherein this department has installed a solar system for WSS Wanda Mehardil So, that this department may defend the case in the court of civil judge-VIII DIKhan please. Copy of mutation deed and civil suit are attached herewith for your kind perusal.

DA/As above

  
EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG: DIVISION  
DIKHAN

Attested to be true  
copy

AL  
2016

18

OFFICE OF THE SUB DIVISIONAL OFFICER

PAHARPUR.

No. 795

1 E-8

/Dated DIKhan the

11/10/2016

To

✓

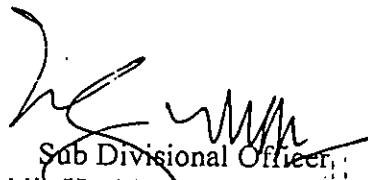
The Tehsildar,  
Paharpur.

Subject:-

TRANSFER OF LAND WSS WANDA MEHRDIL FOR  
INSTALLATION OF SOLAR BASED ENERGY SYSTEM

It is submitted that Public Health Engg: Department has installed a Solar System on the Tube Well of above Scheme Tehsil Paharpur in the land of Mr. Mohammad Khan S/O Mohammad Gul.

It is therefore requested to kindly transfer 1 ½ Kanal Land of Mr. Mohammad Khan S/O Mohammad Gul in the name of Executive Engineer Public Health Engg: Division D.I.Khan and fard in lieu of may be issued.

  
Sub Divisional Officer,  
Public Health Engg: Sub Division  
Paharpur

information please.

Copy to the Executive Engineer Public Health Engg: Division D.I.Khan for

/  
Sub Divisional Officer  
Public Health Engg: Sub Division  
Paharpur

Attested to be true



*Handwritten signature and notes at the top right of the page.*

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19

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1359/04/PH  
8/11/2016  
Handwritten signature and date in a box.

Attached to be  
Handwritten signature and text at the bottom right.

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19-1-2016

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PAHARPUR.

1-10-2016

محرمات صاحبہ حبیبہ بیگم بیگم اور حبیبہ بیگم بیگم کی بیویوں کی طرف سے  
ڈیڑھ لاکھ روپے کی رقم

مجموعاً 21 لاکھ روپے کی رقم کی طرف سے اسٹیٹمنٹ کو بطور ورک

سٹیٹمنٹ جمعہ بیگم بیگم ڈیڑھ لاکھ روپے کی رقم کی طرف سے

صاحبہ عالیہ اسٹیٹمنٹ کی طرف سے ارسال کیے

1- یہ کہ میں اسٹیٹمنٹ کو پورے آفس آرڈر کے تحت 31/7/2016 کو صرف 2016/11/17 کو بطور آرڈر  
کم جو کبھی کوئی چیز لیا گیا تھا۔ جو کہ میں سائل تک یہ کہ اسٹیٹمنٹ کی ایجنسی اور  
رض مناسبت سے انجام دینا چاہتا رہا ہے

2- یہ کہ میں اسٹیٹمنٹ ریاستی و سکولٹی وائرڈ میں دل میں بیگم بیگم کی طرف سے اسٹیٹمنٹ کی طرف سے

3- یہ کہ میں اسٹیٹمنٹ جو کہ MA اسٹیٹمنٹ میں اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے  
اسی اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے

آ رہا ہے۔ جس کی ضرورت ہے کہ اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے

جو کہ اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے

4- یہ کہ اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے

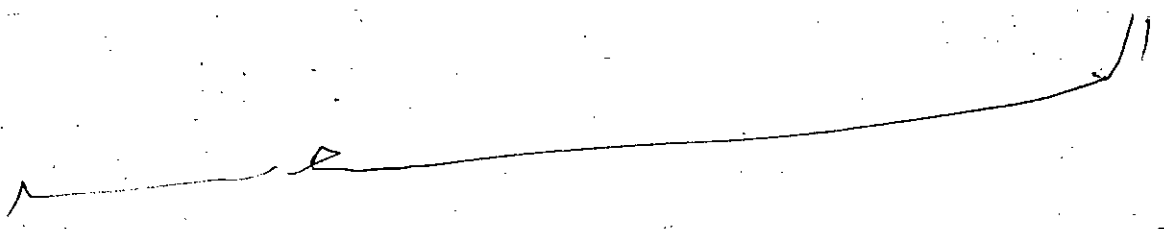
کہ والد محمد خان ولد محمد علی نے اپنے انتقال کے بعد 9/9/2016 کو صرف 2016/11/17 کو بطور وارنٹ  
دی گئی۔ جو کہ اس طرح کی ضرورت ہے کہ اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے اسٹیٹمنٹ کی طرف سے

Attached copy

سما حق استحقاق ہے۔

5 - یہ کہ عادت و واقعات اور ادارہ بینک سلیٹو ٹکٹوں میں ایسٹنٹ و والڈرام کے  
ہذا کو در نظر رکھتے ہوئے میں ایسٹنٹ کو راپور ورڈ سیم ٹنڈنٹ اور ورڈ  
فرمٹ جانے کے احکامات صادر فرمائے جانے میں میں الصاف سے

لینڈ اسٹریٹ کے۔ کم میں ایسٹنٹ کی درخواست پر ہمہ الامم خور  
فرمٹ جانے راپور ورڈ سیم ٹنڈنٹ اور نوٹس کے احکامات  
صدر فرمائے جارے۔ حوریم  
14/8/2020



احمد سعید ملک محمد رمضان قوم بنگال ٹنڈنٹ سیکرٹری وائڈنگ حیر علی تحصیل سیکریٹری  
صنایع و کامیاب محمد رمضان حال آباد ٹنڈنٹ اور وائڈنگ سیکرٹری حیر علی

Ahmed Saeed  
محمد سعید

بخدمت جناب ایس ای پبلک ہیلتھ انجینئرنگ ڈیپارٹمنٹ سرکل ڈیرہ اسماعیل خان

درخواست بمراد پروموٹ فرمائے جانے سائل کو بطور ورک سپرنٹنڈنٹ

محکمہ پبلک ہیلتھ ڈیرہ اسماعیل خان

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

- 1- یہ کہ من سائل رہائشی و سکونتی واٹھ مہر دل تحصیل پہاڑ پور ضلع ڈیرہ اسماعیل خان کا ہے۔
- 2- یہ کہ من سائل کو بروئے آفس آرڈر نمبر 3173/E5/A مورخہ 07/10/2016 بطور آپریٹر کم چوکیدار بھرتی فرمایا گیا تھا۔ جو کہ من سائل تب سے اپنی ڈیوٹی انتہائی ایمانداری اور فرض شناسی سے انجام دیتا چلا آ رہا ہے۔
- 3- یہ کہ من سائل جو کہ MA اسلامیات پاس اور الیکٹرانکس کا ڈپلومہ ہولڈر بھی ہے۔ جبکہ اتنی High Qualification حاصل کرنے کے بعد من سائل تا حال آپریٹر کم چوکیدار چلا آ رہا ہے۔ جبکہ آنحضرت کے زیر سایہ عرصہ دراز سے ورک سپرنٹنڈنٹ کی پوسٹ، جو کہ Promotion Basis کے تحت پُر کی جاتی ہے۔ جبکہ من سائل مذکورہ بالا پوسٹ کے لئے مکمل طور پر فٹ اور اہل ہے۔ من سائل کے علاوہ ڈیپارٹمنٹ میں کوئی دوسرا ایسا اہل شخص موجود نہ ہے۔ جس کی تعیناتی یا پروموشن ورک سپرنٹنڈنٹ عمل میں لائی جاسکے۔
- 4- یہ کہ مذکورہ بالا واٹھ سپلائی سکیم واٹھ مہر دل کے لئے اراضی رقبہ 10M\_1K من سائل کے والد محمد خان ولد محمد گل نے بروئے انتقال نمبر 949 مورخہ 19/01/2016 بلا معاوضہ دی تھی۔ جو کہ اس طرح بھی مذکورہ بالا پوسٹ پر تعیناتی و پروموشن من سائل کا حق و استحقاق ہے

5- یہ کہ حالات و واقعات اور ادارہ پبلک ہیلتھ کے لئے من سائل و والد ام کے جذبہ کو مد نظر رکھتے ہوئے من سائل کو بطور ورک سپرنٹنڈنٹ پروموٹ فرمائے جانے کے احکامات صادر فرمائے جانے عین قرین انصاف ہے۔

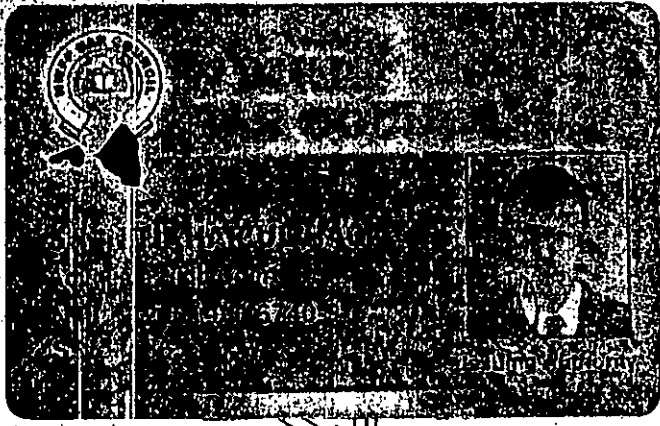
لہذا استدعا ہے کہ من سائل کی درخواست پر ہمدردانہ غور فرماتے ہوئے بطور ورک سپرنٹنڈنٹ پروموشن کے احکامات صادر فرمائے جاویں۔ مورخہ 14/08/2020

محمد سعید ولد محمد خان قوم پٹھان کہہ خیل سکنتہ واٹھ مہر دل تحصیل پہاڑ پور ضلع ڈیرہ اسماعیل خان حال آپریٹر کم چوکیدار واٹھ سپلائی سکیم واٹھ مہر دل ڈیرہ اسماعیل خان۔

Attached to be true copy



17-9-2020  
No. 996/810  
As per service  
rules only  
in the circle  
will be promoted  
the operators  
Muhammad Saad  
Sub-Inspector  
Public Health  
D.I. Khan



کورٹ فیس

بعدالت جناب جسٹس محترمہ انور مسعود لٹا اور مسعود لٹا کے ذمہ

مخائب اعلیٰ عدالت

احمد سعید بنام گورنر ایف ڈی ایف کا

سے جس میں اس میں

دعویٰ یا جرم کی تفصیل دعویٰ یا جرم P. K. S. بریج جی 5/11

باعث تحریر آنکے

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام D-5 کیلئے

کے متعلق اختیار کو منظور کرنے کے لئے درخواست کی ہے۔ کہ میں ہر پیشی پر خود بذریعہ اختیار خائن روز عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر مقام بکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا بکھری کے اوقات کے آنے سے پہلے پیش ہونے پر منظر کو کوڑکھٹان پہنچے تو اس کے ذمہ دار نہیں کے واسطے کسی معاوضہ کے ادا کرنے یا نفاذ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل سامنے پروڈا صاحب موصوف مشل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ، یا جواب دعویٰ اور درخواست اجراء کے ذریعہ نظر ثانی اپیل مگرانی و ہرجم و درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور ہرجم کا رویہ وصول کرنے اور رسید دینے اور واپس کرنے اور ہرجم کے بیان دینے اور اس پر غامی یا بارہمی نامہ و فیصلہ بر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از بکھری صدر پیروی مقدمہ مذکورہ نظر ثانی و اپیل مگرانی و ہرجم کی مقدمہ یا منسوفی ڈگری بیکطرف یا درخواست حکم انتہائی یا ترقی یا کرتاری لٹل از فیصلہ اجراء کے ذریعہ بھی صاحب موصوف کو بشرط ادا تکلیف ملے۔ لیکن عدالت پیروی کا اختیار ہوگا اور تمام سامنے پروڈا صاحب موصوف مشل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل یا مگرانی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا ہیر سز کو اپنے ہمتائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے شیر قانون کو بھی ہر امر میں وہی اور ویسے امتیازات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جائت التواء چاہا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پیروی نہیں تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی حکم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سند ہے مورخہ 15 نومبر 2011ء

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

العبد العبد العبد

Attached  
Accepted  
su. Iftikhar  
alter signature  
Applicant  
12103-0911283-9  
0346-3956666



**"B"**

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

No.

913

Appeal No. 11344 of 20 20

Ahmad Saeed Appellant/Petitioner

Versus

Through Secy. Health Dept. Pesh. Respondent

Respondent No. 3

Notice to: -

Superintendent Engineer Public Health  
Engineering D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 26-5-2021 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 7th .....

Day of Monday 20 21

at Camp Court D.I. Khan

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

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

**"B"**

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

TB

No.

Appeal No.....11444..... of 20 20

~~Abdul Saeed~~.....Appellant/Petitioner

Versus

~~through Secy. Health Deptt.~~.....Respondent  
Respondent No.....12.....

Notice to: - Executive Engineer Public Health Engineering  
Deptt: Dera Ismail Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....26-5-2021.....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.....7th.....

Day of.....Muzt.....20 21

at Camp Court D.I. Khan

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

"B"

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

78

No.

Appeal No. 14/144 of 20 20

Abdul Saeed Appellant/Petitioner  
Versus

Through Secy. Public Health Respondent  
Respondent No. 1

Notice to: Govt. of KP through Secy. 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 26-5-2021 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 7/6

Day of March 2021

at Camp Court D-1 Khan  
15/5/21

[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.

TB

No.

Appeal No. 114/144 of 2021

Abdullah Saeed Appellant/Petitioner

Versus

Through Secy: Public Health Dept: Respondent

Respondent No. 2

Notice to:

Chief Engineer (South) Public Health Engineer K.P.C. 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 26-5-2021 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 7th

Day of Mar 2021

Comptroller D.I. Khan

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

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

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

Service Appeal No. 14444/2020.

Ahmad Saeed

(Petitioner)

Versus

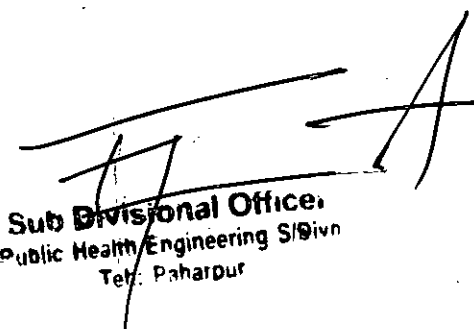
Govt: of Khyber Pakhtunkhwa & Other

(Respondents)

I N D E X

<u>S.No.</u>	<u>Description of Documents</u>	<u>Annex(s)</u>	<u>Page(s)</u>
1.	Comments & Affidavit		(6)
2.	Copies of Records	A B	(1) (2)

Dated:

  
**Sub Divisional Officer,**  
Public Health/Engineering S/O/In  
Teh: Paharpur

1

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

Service Appeal No. 14444/2020.

Ahmad Saeed

(Petitioner)

Versus

Govt: of Khyber Pakhtunkhwa & Other

(Respondents)

**Replay on the behalf of the respondents.**

Respectfully Sheweth:-

**To facts**

1. True to the extent that appellant has been appointed in BPS-03 as Operator-Cum-Chokidar **(Annexure-A)**.
2. As per notification of Public Health Department No. SO(Estt)/PHED/1-9/2015-16 dated 01-03-2016, **(Annexure-B)** for the post of works Superintended, method of requirement is by promotion from amongst the mechanics & electrician.
3. False! The appellant has no cause of action is being in BPS-03 he cannot promoted appointed against promotion post of BPS-09 that too port will have to be filled amongst senior most electrician & mechanics.

**Grounds:**

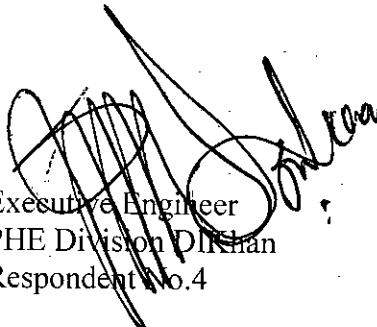
- (a) False! Appellant has no right to apply for promotion post.
- (b) False and misleading.
- (c) Para is legal
- (d) Para is legal

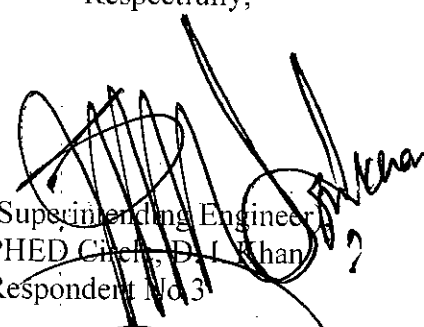
**PRAYER:**

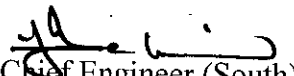
That for the submissions made hereinbefore, including the preliminary objections, it is very humbly prayed that the petition being bereft of any lawful action and basis may kindly be dismissed with costs.

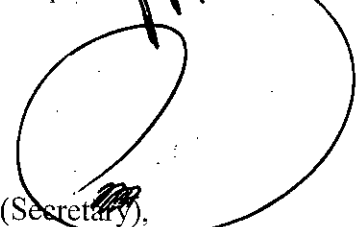
Dated: 2022.

Respectfully,

  
Executive Engineer  
PHE Division D.I. Khan  
Respondent No.4

  
(Supervising Engineer  
PHED Camp, D.I. Khan  
Respondent No.3

  
Chief Engineer (South)  
PHED KPK Peshawar  
Respondent No.2

  
(Secretary),  
PHED KPK Peshawar  
Respondent No.1

(4)

Annexure - A



OFFICE OF THE EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION DIKHAN

Email: kmgphedikhan@gmail.com Phone & Fax No: 0956-9280222

NO. 3173 J.E.S/A

Dated DIKHAN the 7 /10/2016

OFFICE ORDER

On the recommendation of Departmental Selection Committee as per its meeting held on 01.09.2016, the competent authority, pleased to offer a post of Operator-Cum-Chowkidar (BPS-03) against the existing vacancy, at AOM&R WSS Wanda Mehardil to Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKHAN on the following terms & conditions:-

1. He will get pay the minimum of BPS-03 (Rs. 6535-260-14335) including usual allowances as admissible under the rule. He will also be entitled to annual increment as per existing policy.
2. He shall be governed by the KPK Civil Servants act 1973 and all the laws applicable to the Civil Servant and Rules made their under.
3. His employment in the P.H.E. Department is purely temporary and his services are liable to be terminated without assigning any reason at fourteen (14) days notice or on the payment of 14 days salary in the lieu of the notice. In case he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
4. He shall initially be on probation for a period of two years extendable upto 03 years.
5. He shall produce a medical certificate of fitness from Medical Superintendent, DHO Hospital DIKHAN before reporting himself for duty to the SDO PHE Sub Division Paharpur as required under the rules.
6. He has to join the duty at his own expenses.
7. If he accepts the post on these conditions, he should report for duty to the Sub Divisional Officer, PHE Sub Division Paharpur within 14 days of the receipt of this offer.

EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION  
DIKHAN

Copy to the:-

1. Mr. Ehtasham Javed MPA PK-68 (KPK) Panyala House Diyal Road DIKHAN.
2. Superintending Engineer PHE Circle DIKHAN.
3. District Account Officer DIKHAN.
4. SDO PHE Sub Division Paharpur / DAO Local.
5. Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKHAN.

A hand to be taken copy  
AL

EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION  
DIKHAN



3

(Annexure-B)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
PUBLIC HEALTH ENGG. DEPARTMENT**

Dated Peshawar, the March 01, 2016

**NOTIFICATION**

**No.SO(Estt)/PHED/1-9/2015-16:** In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Public Health Engineering Department, in consultation with the Establishment Department and Finance Department, hereby directs that in this Department's Notification No.SOE/PHE/1-9/2010, dated 06/03/2010, the following further amendments shall be made, namely:

**AMENDMENTS**

In the Appendix:-

- (i) against serial No:1 to 35, in column No.2, the Basic Pay Scales, mentioned after nomenclatures of all posts, shall be deleted;
- (ii) for the existing entries, against serial No.14, 17, 18, 25 and 30, in column No.4, the following shall be substituted, namely,  
"18 to 40 years" and
- (iii) after serial No:35, the new clause "VIII Operational Staff" along with the following new entries at serial No.36 to 46 shall be inserted in the respective columns, namely:

S. No	Nomenclature of post	Minimum qualification required for initial appointment.	Age Limit	Method of recruitment
1	2	3	4	5
<b>VIII. Operational Staff</b>				
36.	Works Superintendent			By promotion, on the basis of seniority-cum-fitness, from amongst the Mechanics and Electricians, with five years' service as such and have Secondary School Certificate.  Provided that for the purpose of promotion, a joint seniority list of the Mechanics and Electricians, shall be maintained.
37.	Mechanic			By promotion, on the basis of seniority-cum-fitness, from amongst the Pipe Fitters and Pump Operators, with five years' service as such.  Provided that for the purpose of promotion, a joint seniority list of Pipe Fitters and Pump Operators, shall be maintained.



38.	Electrician	At least Second Class Secondary School Certificate (SSRC) from a recognized Board with One year Certificate in Electric Technology from the Board of Technical Education.	18 to 30 Years	By initial recruitment.
39.	Pump Operator	Literate	18 to 40 Years	By initial recruitment.
40.	Pipe Fitter		18 to 40 Years	By initial recruitment.
41.	Assistant Pump Operator		18 to 40 Years	By initial recruitment.
42.	Valve man		18 to 40 Years	By initial recruitment.
43.	Mate		18 to 40 Years	By initial recruitment.
44.	Operator-cum-Chowkidar		18 to 40 Years	By initial recruitment.
45.	Valveman-cum-Chowkidar		18 to 40 Years	By initial recruitment.
46.	Operator-cum-Valveman		18 to 40 Years	By initial recruitment.

SECRETARY PHED

No. SO (Estt) / PHED / 1-9 / 2015-16:

Dated Peshawar, the March 01, 2016.

Copy forwarded to the:-

- 1) All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 2) Secretary to Governor Khyber Pakhtunkhwa.
- 3) Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 4) Accountant General Khyber Pakhtunkhwa.
- 5) Additional Accountant General (PR), Pakistan Revenue Sub Office Peshawar.
- 6) Chief Engineer (North/South) PHE Khyber Pakhtunkhwa Peshawar.
- 7) Secretary Public Service Commission Khyber Pakhtunkhwa Peshawar.
- 8) Registrar Peshawar High Court / Services Tribunal Peshawar.
- 9) All Superintending Engineers PHE Circles / XENS PHE Department.
- 10) Manager Government Stationary & Printing Department.
- 11) PS to Chief Secretary Khyber Pakhtunkhwa Province.
- 12) PS to Secretary PHE Department Khyber Pakhtunkhwa Peshawar.
- 13) PA to Deputy Secretary (Admn) PHE Department Khyber Pakhtunkhwa Peshawar.
- 14) Office Order File.

through fax

SECTION OFFICER (ESTT)

5

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

Service Appeal No. 14444/2020.

Ahmad Saeed

(Petitioner)

Versus

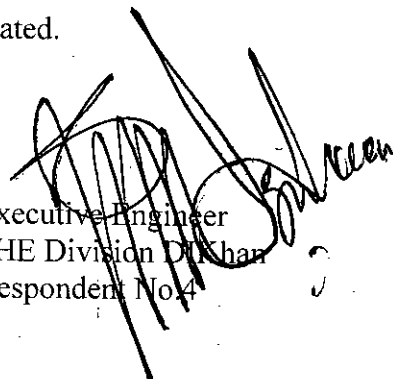
Govt: of Khyber Pakhtunkhwa & Other

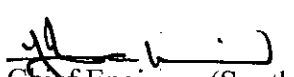
(Respondents)

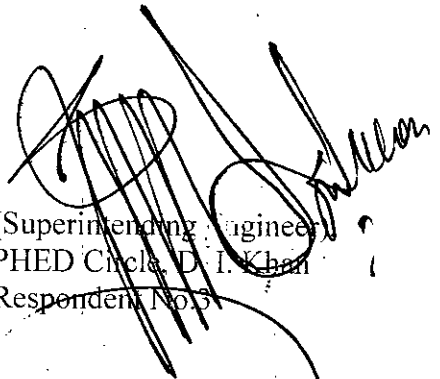
**AUTHORITY LETTER**

Mr. Tariq Mahmood Ahmad, SDO PHED is hereby authorized on behalf of undersigned i.e. Respondents No.1, 2, 3, & 4, to appear and act on his behalf before the Honorable Khyber Pakhtunkhwa Service Tribunal Camp Court Dera Ismail Khan in the subject noted case. He is further authorized to present office records as may so be requisitioned in defense of the case on behalf of PHED in best public interest.

Dated.

  
Executive Engineer  
PHE Division D.I. Khan  
Respondent No.4

  
Chief Engineer (South)  
PHED KPK Peshawar  
Respondent No.2

  
(Superintending Engineer)  
PHED Circle, D. I. Khan  
Respondent No.3

  
(Secretary)  
PHED KPK Peshawar  
Respondent No.1

Er: /

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

Service Appeal No. 14444/2020.

Ahmad Saeed

(Petitioner)

Versus

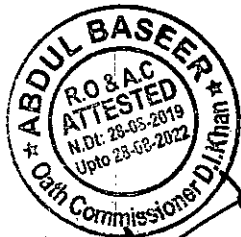
Govt: of Khyber Pakhtunkhwa & Other

(Respondents)

**AFFIDAVIT**

I, Tariq Mahmood Ahmad, SDO, PHED Paharpur, D.I.Khan, Representative for Respondents No.1,2,3, & 4, hereby affirm on oath and declare that contents of above made comments are correct as per office records and that nothing is kept or concealed from the court deliberately or willfully.

Dated.



*Basir*  
25/05/22

Deponent.

*[Signature]*  
Sub Divisional Officer  
Public Health Engineering S/Divn  
Teh: Paharpur

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

Service Appeal No. 14444/2020.

Ahmad Sa'eed

(Petitioner)

Versus

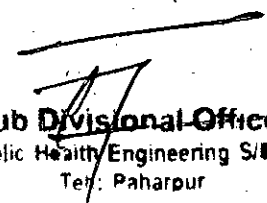
Govt. of Khyber Pakhtunkhwa & Other

(Respondents)

I N D E X

<u>S.No.</u>	<u>Description of Documents</u>	<u>Annex(s)</u>	<u>Page(s)</u>
1.	Comments & Affidavit	V	(6)
2.	Copies of Records	A B	(1) (2)

Dated:

  
**Sub Divisional Officer**  
Public Health/Engineering S/Divn  
Teh: Pahrpur

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

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(Petitioner)

Versus

Govt: of Khyber Pakhtunkhwa & Other

(Respondents)

**Replay on the behalf of the respondents.**

Respectfully Sheweth:-

**To facts**

1. True to the extent that appellant has been appointed in BPS-03 as Operator-Cum-Chokidar (Annexure-A).
2. As per notification of Public Health Department No. SO(Estt)/PHED/1-9/2015-16 dated 01-03-2016, (Annexure-B) for the post of works Superintended, method of requirement is by promotion from amongst the mechanics & electrician.
3. False! The appellant has no cause of action is being in BPS-03 he cannot promoted appointed against promotion post of BPS-09 that too port will have to be filled amongst senior most electrician & mechanics.

**Grounds:**

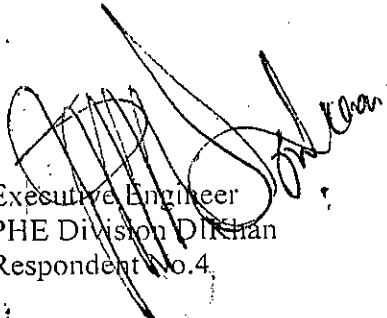
- (a) False! Appellant has no right to apply for promotion post.
- (b) False and misleading.
- (c) Para is legal
- (d) Para is legal

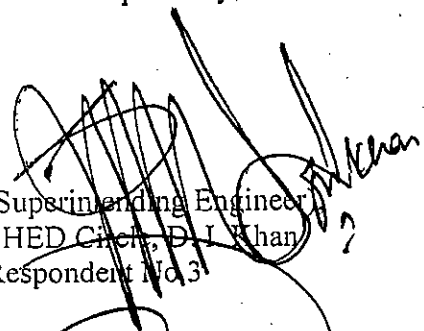
**PRAYER:**

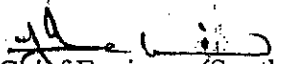
That for the submissions made hereinbefore, including the preliminary objections. it is very humbly prayed that the petition being bereft of any lawful action and basis may kindly be dismissed with costs.

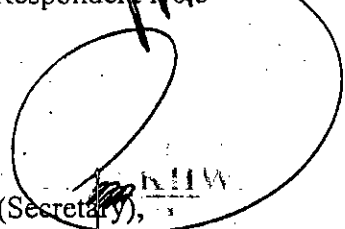
Dated: 2022.

Respectfully,

  
Executive Engineer  
PHE Division D.I. Khan  
Respondent No.4.

  
(Superintending Engineer)  
PHED Circle, D.I. Khan  
Respondent No.3

  
Chief Engineer (South)  
PHED KPK Peshawar  
Respondent No.2

  
(Secretary),  
PHED KPK Peshawar  
Respondent No.1

Annexure - A



OFFICE OF THE EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION DIKHAN  
Email: [engghdikh@pntail.com](mailto:engghdikh@pntail.com) Phone & Fax: No. 9956-9280222

NO. 3173 / E.S.A.

Dated: DIKhan the 7 / 10 / 2016

OFFICE ORDER

On the recommendation of Departmental Selection Committee as per its meeting held on 01.09.2016, the competent authority pleased to offer a post of Operator-Cum-Chowkidar.(BPS-03) against the existing vacancy at AOM&R WSS Wanda Mehardil to Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKhan on the following terms & conditions:-

1. He will get pay the minimum of BPS-03 (Rs. 6535-260-14335) including usual allowances as admissible under the rule. He will also be entitled to annual increment as per existing policy.
2. He shall be governed by the KPK Civil Servants act 1973 and all the laws applicable to the Civil Servant and Rules made their under.
3. His employment in the P.H.E. Department is purely temporary and his services are liable to be terminated without assigning any reason at fourteen (14) days notice or on the payment of 14 days salary in the lieu of the notice. In case he wishes to resign at any time, 14 days notice will be necessary or in lieu thereof 14 days pay will be forfeited.
4. He shall initially be on probation for a period of two years extendable upto 03 years.
5. He shall produce a medical certificate of fitness from Medical Superintendent, DHO Hospital DIKhan before reporting himself for duty to the SDO PHE Sub Division Paharpur, as required under the rules.
6. He has to join the duty at his own expenses.
7. If he accepts the post on these conditions, he should report for duty to the Sub Divisional Officer, PHE Sub Division Paharpur within 14 days of the receipt of this offer.

EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION  
DIKHAN

Copy to the:-

1. Mr. Ehtasham Javed, MPA, PK-68 (KPK) Paniyala House, Diyal Road, DIKhan.
2. Superintending Engineer, PHE Circle DIKhan.
3. District Account Officer DIKhan.
4. SDO, PHE Sub Division Paharpur / DAO Local.
5. Mr. Ahmad Saeed S/O Muhammad Khan R/O Wanda Mehardil Tehsil Paharpur District DIKhan.

Affirmed to be true copy

EXECUTIVE ENGINEER  
PUBLIC HEALTH ENGG. DIVISION  
DIKHAN

*As mentioned**(Annexure - B)*

GOVERNMENT OF KHYBER PAKHTUNKHWA  
PUBLIC HEALTH ENGG. DEPARTMENT

Dated Peshawar, the March 01, 2016

**NOTIFICATION**

**No. SO (Estt) / PHED / 1-9 / 2015-16:** In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Public Health Engineering Department, in consultation with the Establishment Department and Finance Department, hereby directs that in this Department's Notification No. SOE/PHE/1-9/2010, dated 06/03/2010, the following further amendments shall be made, namely:

**AMENDMENTS**

In the Appendix:-

- (i) against serial No.1 to 35, in column No.2, the Basic Pay Scales, mentioned after nomenclatures of all posts, shall be deleted;
- (ii) for the existing entries, against serial No.14, 17, 18, 25 and 30, in column No.4, the following shall be substituted, namely:  
**"18 to 40 years" and**
- (iii) after serial No.35, the new clause "VIII Operational Staff" along with the following new entries at serial No.36 to 46 shall be inserted in the respective columns, namely:

S. No	Nomenclature of post	Minimum qualification required for initial appointment.	Age Limit	Method of recruitment
1	2	3	4	5
<b>VIII. Operational Staff.</b>				
36	Works Superintendent			By promotion, on the basis of seniority-cum-fitness, from amongst the Mechanics and Electricians, with five years' service as such and have Secondary School Certificate. Provided that for the purpose of promotion, a joint seniority list of the Mechanics and Electricians shall be maintained.
37	Mechanic			By promotion, on the basis of seniority-cum-fitness, from amongst the Pipe Fitters and Pump Operators, with five years' service as such. Provided that for the purpose of promotion, a joint seniority list of Pipe Fitters and Pump Operators, shall be maintained.

38.	Electrician	At least Second Class Secondary School Certificate (SSRC) from a recognized Board with One year Certificate in Electric Technology from the Board of Technical Education.	18 to 30 Years	By initial recruitment.
39.	Pump Operator	Literate	18 to 40 Years	By initial recruitment.
40.	Pipe Fitter		18 to 40 Years	By initial recruitment.
41.	Assistant Pump Operator		18 to 40 Years	By initial recruitment.
42.	Valve-man		18 to 40 Years	By initial recruitment.
43.	Mate		18 to 40 Years	By initial recruitment.
44.	Operator-cum-Chowkidar		18 to 40 Years	By initial recruitment.
45.	Valveman-cum-Chowkidar		18 to 40 Years	By initial recruitment.
46.	Operator-cum-Valveman		18 to 40 Years	By initial recruitment.

SECRETARY PHED

No. SO (Estt)/PHED/1-9/2015-16:

Dated Peshawar, the March 01, 2016

Copy forwarded to the:-

- 1) All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 2) Secretary to Governor Khyber Pakhtunkhwa.
- 3) Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 4) Accountant General Khyber Pakhtunkhwa.
- 5) Additional Accountant General (PR), Pakistan Revenue Sub Office Peshawar.
- 6) Chief Engineer (North/South) PHE Khyber Pakhtunkhwa Peshawar.
- 7) Secretary Public Service Commission Khyber Pakhtunkhwa Peshawar.
- 8) Registrar Peshawar High Court / Services Tribunal Peshawar.
- 9) All Superintending Engineers PHE Circles / XENS PHE Department.
- 10) Manager Government Stationary & Printing Department.
- 11) PS to Chief Secretary Khyber Pakhtunkhwa Province.
- 12) PS to Secretary PHE Department Khyber Pakhtunkhwa Peshawar.
- 13) PA to Deputy Secretary (Admn) PHE Department Khyber Pakhtunkhwa Peshawar.
- 14) Office Order File.

through fax

SECTION OFFICER (ESTT)



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

Service Appeal No. 14444/2020.

Ahmad Saeed

(Petitioner)

Versus

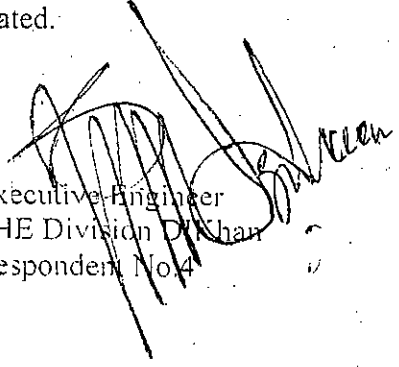
Govt: of Khyber Pakhtunkhwa & Other

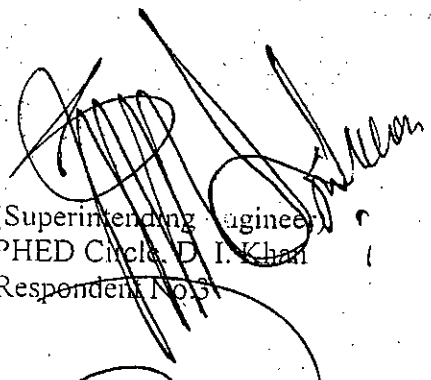
(Respondents)

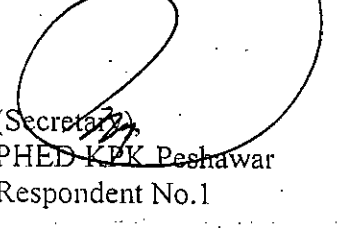
**AUTHORITY LETTER.**

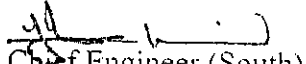
Mr. Tariq Mahmood Ahmad, SDO PHED is hereby authorized on behalf of undersigned i.e. Respondents No.1, 2, 3, & 4, to appear and act on his behalf before the Honorable Khyber Pakhtunkhwa Service Tribunal Camp Court Dera Ismail Khan in the subject noted case. He is further authorized to present office records as may so be requisitioned in defense of the case on behalf of PHED in best public interest.

Dated:

  
Executive Engineer  
PHE Division D.I. Khan  
Respondent No.4

  
(Superintending Engineer)  
PHED Circle, D. I. Khan  
Respondent No.3

  
(Secretary)  
PHED KPK Peshawar  
Respondent No.1

  
Chief Engineer (South)  
PHED KPK Peshawar  
Respondent No.2

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**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
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Govt. of Khyber Pakhtunkhwa & Other

(Respondents)

**AFFIDAVIT**

I, Tariq Mahmood Ahmad, SDO, PHED Paharpur, D.I. Khan, Representative for Respondents No.1,2,3, & 4, hereby affirm on oath and declare that contents of above made comments are correct as per office records and that nothing is kept or concealed from the court deliberately or willfully.

Dated.



*Handwritten signature and date: 25/05/2022*

Deponent.

*Handwritten signature*  
Sub Divisional Officer,  
Public Health/Engineering S/Divn,  
Teh: Paharpur

*Handwritten letter 'A'*