

FORM OF ORDER SHEET

Court of _____

Case No.- 1184/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1-	28/07/2022 15-8-22 3-8-22 <i>[Signature]</i> Noted for counsel	<p>The appeal of Mr. Fida Hussain presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Notices be issued to appellant and his counsel for the date fixed. <u>15-8-22</u></p> <p>By the order of Chairman <i>[Signature]</i> REGISTRAR</p>
15.08.2022	<p>Mr. Waleed Adnan, Advocate junior of learned counsel for the appellant present and requested for adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 03.10.2022 before S.B.</p>	<p><i>[Signature]</i> (Mian Muhammad) Member (E)</p>
03.10.2022	<p>Counsel for the appellant present and requested for adjournment to further prepare the brief. Adjourned. To come up for preliminary hearing on 30.11.2022 before S.B.</p>	<p><i>[Signature]</i> (Mian Muhammad) Member (E)</p>

The appeal of Mr. Fida Hussain, Patwari District Kurram received today i.e. on 19.07.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Addresses of appellant as well as respondents no. 4 to 9 are incomplete which may be completed according to Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- C.O.C Petition no. 70/2022 attached with the appeal is incomplete.
- 3- Wakalat nama in favour of appellant is not attached.
- 4- Page nos. 17, 35, 37, 52, 53, 54 & 56 are illegible/not visible.

No. 2232/S.T,


Dt. 20-7/2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.
High Court Peshawar.

R. Sir

Re-submitted *Wfuz* Compliance.


25/7/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 1184 /2022

FIDA HUSSAIN

VS

SMBR : & OTHERS

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APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2022

Mr. Fida Hussain, Patwari (BPS-09),
District Kurrum.

..... APPELLANT

VERSUS

- 1- Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue, Peshawar.
 - 2- The Commissioner Kohat Division at Kohat.
 - 3- The Deputy Commissioner, District Kurrum.
 - 4- Jannat Khan S/O Nadir Khan,
 - 5- Muhammad Amin Khan S/O Baaz Khan,
 - 6- Ashiq Ali S/O Ghulam Ali,
 - 7- Alamgir Khan S/O Sardar Khan
 - 8- Asghar Hussain S/O Mukhtar Ali,
 - 9- Syed Murmtaz Ali Shah S/O Said Muhammad Akbar.
- (All private respondents are *Patwaris* at District Kurrum)

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SENIORITY LIST DATED 18.01.2022 COMMUNICATED VIDE ORDER SHEET DATED 19.01.2022 WHEREBY JUNIORS TO THE APPELLANT HAVE BEEN PLACED SENIOR AND AGAINST THE INACTION OF THE RESPONDENT NO. 3 BY NOT IMPLEMENTING THE APPELLATE ORDER DATED 18.05.2022 IN LETTER AND SPIRIT.

PRAYER:

That on acceptance of this appeal the impugned seniority list dated 18.01.2022 may kindly be set aside/modified to the extent of appellant and private respondents, and the appellant be placed senior to the private respondents with all back and consequential benefits. Any other remedy which this august Service Tribunal deems fit may also be awarded in favor of the appellant.

RESPECTFULLY SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 1- That the appellant after qualifying the Patwar examination was properly enlisted in the Patwar register on 24.09.1995 and after fulfillment of all the codal formalities was appointed as Patwari in the respondent department vide order 21.07.1996.

- 2- That respondents circulated a seniority list of 2014-15 in the year 2017 which was detrimental to the interest of the appellant hence he challenged the same through departmental appeal followed by service appeal No. 603/2017 before this Honorable Service Tribunal. Copy of the service appeal along with annexure is attached as annexure**A.**
- 3- That the supra appeal was allowed vide judgment dated 26.11.2019 whereby the seniority list of 2014-15 was set aside and the department was directed to draw a fresh seniority in light of the observation in the judgment. Copy of the judgment dated 26.11.2019 is attached as annexure **B.**
- 4- That one of the private respondents, namely Jannat Khan in the appeal No. 603/2017 has challenged the judgment dated 26.11.2019 in CPLA No. 92/2020 before the apex Court of Pakistan which is still pending. Copy of the CPLA No. 92/2020 is attached as annexure**C.**
- 5- That it is worth mentioning here that an inquiry was initiated against the private respondent No. 4 which he impugned before the Peshawar High Court, Peshawar in Writ Petition No. 4181-P/2018 which was allowed vide judgment dated 24.4.2020. Copy of the judgment dated 24.4.2020 is attached as annexure**D.**
- 6- That it is pertinent to mention here that the official respondents were reluctant to implement the judgment dated 26.11.2019 and having no other remedy the appellant preferred execution Petition No. 57/2020 before the honorable Service Tribunal. Copy of the execution Petition is attached as annexure**E.**
- 7- That repeated directions were issued to the official respondents to implement the judgment supra strictly in accordance with law and rules on the subject, that due to non compliance of the respondents the appellant preferred COC Petition No 70/2020. Copy of the same is attached as annexure**F.**
- 8- That during pendency of the execution petition the respondent No. 3 issued impugned seniority list vide dated 18.1.2022 which is also against the spirit of the judgment dated 26.11.2019 as well as the observation made therein and the service law and rules on the subject. That the impugned seniority provided during the execution petition on 19.1.2022 and honorable Tribunal in that order sheet has specifically mentioned that this seniority list leads to a fresh cause of action for which the appellant has an appropriate remedy. Copies of the impugned seniority list and order sheet date 19.1.2022 are attached as annexure**G & H.**
- 9- That feeling aggrieved from the mentioned seniority list the appellant preferred departmental appeal before the appellate

authority. Copy of the Departmental appeal is attached as annexureI.

- 10- That in response to the departmental appeal the appellate authority was pleased to seek comments from respondent no 3 which he submitted on 1.3.2022 and the departmental appeal of the appellant was disposed of with the direction to the respondent No. 3 to implement the judgment dated 26.11.2019. Copies of the comments and appellate order dated 18.5.2022 are attached as annexureJ.
- 11- That the execution Petition was consigned by this Honorable Tribunal vide order dated 14.7.2022. Copy of the order sheet is attached as annexureK.
- 12- That feeling aggrieved from the impugned seniority list and having no other remedy the appellant preferred the instant appeal on the following grounds amongst other.

GROUND.

- A. That the impugned seniority list dated 18.01.2022 communicated vide order sheet dated 19.01.2022 whereby juniors to the appellant have been placed senior and against the inaction of the respondent no. 3 by not implementing the appellate order dated 18.05.2022 in letter and spirit are against the law, facts, norms of natural justice and rules on the subject, hence be set aside/modified to the extent of appellant and private respondents.
- B. That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C. That the respondents acted in arbitrary and mala fide manner by issuing the impugned seniority list whereby violating section 8 of the Civil Servant Act 1973 read with rule 17 of the Khyber Pakhtunkhwa (APT) Rules 1989 as well as section 6 and 7 of the Civil Servant Act 1973.
- D. That the act and action of the respondents is discriminatory in nature as the private respondents were illegally confirmed in the year 1998 and prior to that in the year 1988 and onward they were appointed on ad-hoc basis but until 1998 there is no order in black and white through which the private respondents could show their regular appointments.
- E. That the official respondents have repeatedly violated section 8 of the Civil Servant Act 1973 read with rule 17 of

the Khyber Pakhtunkhwa APT Rules 1989 as well as section 6 and 7 of the Act *ibid*. That probationer shall be confirmed after satisfactory completion of probation and not ad hoc appointees.

- F. That under Article 38(e) of the Constitution of Pakistan 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various service of Pakistan.
- G. That appellant seeks permission to advance other grounds and proofs at the time of hearing.

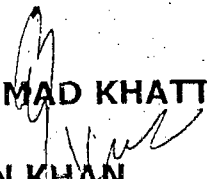
It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 15.07.2022

APPELLANT


FIDA HUSSAIN

THOROUGH:


NOOR MOHAMMAD KHATTAK


KAMRAN KHAN

MUHAMMAD AYUB GHILZAI


UMAR FAROOQ

**WALEED ADNAN
ADVOCATES**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO _____/2022

IN

SERVICE APPEAL No. _____/2022

FIDA HUSSAIN

VS

SMBR.

APPLICATION FOR RESTRAINING THE OFFICIAL
RESPONDENTS NOT TO PROMOTE THE PRIVATE
RESPONDENTS TO THE POST OF FIELD KANONGO TILL
THE DISPOSAL OF APPEAL.

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed by the appellant before this august service Tribunal in which no date has been fixed so far
- 2- That appellant filed the above mentioned appeal against the impugned seniority list whereby juniors to the appellant/applicant has been placed senior and on the basis of that seniority list the official respondents are promoting the private respondents to the post of *Field Kanongo*.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.

It is therefore, most humbly prayed that on acceptance of this application the official respondents may please be restrained not to promote the private respondents to the post of Filed Kanongo till the disposal of the above mentioned service appeal.

Dated: 15.07.2022

APPLICANT


FIDA HUSSAIN

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 603 /2017

A-(7)

Mr. Fida Hussain, Patwari,
O/o Political Agent Kurram Agency at Parachinar.

..... APPELLANT

VERSUS

- 1- The Govt. of Khyber Pakhtunkhwa through Senior Member Board of Revenue, Peshawar.
- 2- The Commission (FCR), Kohat Division Kohat.
- 3- The Assistant Secretary, Board of Revenue, Peshawar.
- 4- The Political Agent Kurram Agency at Parachinar.
- 5- Mr. Muhammad Amin Khan, Patwari,
Patwar Halqa Shalozan, Kurram Agency.
- 6- Mr. Aashiq Ali, Patwari,
Patwar Halqa Zeeran Yousafkheil, Kurram Agency.
- 7- Mr. Alamgir, Patwari,
Patwar Halqa Billameen, Kurram Agency.
- 8- Mr. Asghar Hussain Patwari,
Patwar Halqa Shublan, Kurram Agency.
- 9- Mr. Aashiq Hussain S/O Khadim Hussain Patwari,
C/O P.A Kurram Agency.
- 10- Mr. Jannat Khan, Patwari,
Patwar Halqa Sadda, Kurram Agency.
- 11- Mr. Mumtaz Ali Shah S/ O Mohammad Akbar, Patwari,
C/O P.A Kurram Agency.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE FINAL SENIORITY LIST OF THE
PATWARI'S OF KURRAM AGENCY FOR THE YEAR 2014-
15 CIRCULATED & COOMUNICATED TO THE APPELLANT
VIDE DATED 12.1.2017 WHEREBY THE SENIORITY
POSITION OF THE APPELLANT HAS WRONGLY BEEN
ENLISTED BY THE RESPONDENT NO.4 AND AGAINST NO
ACTION TAKEN ON THE DEPARTMENT APPEAL OF THE
APPELLANT WITHIN THE STIPULATED PERIOD OF
NINETY DAYS

8

PRAYER:

That on acceptance of this appeal the final seniority list for the year 2014-15 communicated to the appellant on 12.1.2017 may kindly be corrected/ modified by placing the appellant above the private respondents being junior to the appellant. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHWETH:

ON FACTS:

1. That the appellant after passing the PATWAR examination was properly included and enlisted in the PATWAR register of the respondent Department on 24-09-1995. Copy of Notification is attached as **Annexure** **A.**
2. That where after the appellant was appointed as Ptwari in the respondent Department after fulfillment of all the codal formalities vide order dated 21-07-1996. Copy of order is attached as **Annexure** **B.**
3. That, the appellant submitted proper joining report and accordingly the Service Book of the appellant was also prepared by the respondent Department. Copy of service book is attached as **Annexure** **C.**
4. That, the respondent Department circulated the seniority list for Patwari's of kurram Agency for the year 2014-15 communicated to the appellant vide dated 12.1.2017, whereby the private respondents who are junior to the appellant has wrongly and illegally been ranked senior to the appellant. Copy of Seniority List is attached as **Annexure** **D.**
5. That, the appellant feeling aggrieved preferred Departmental Appeal on the grounds that the appellant has passed his **PATWAR examination** and was properly enlisted by the respondents in PATWAR register in the year 1995, whereas the private respondents have passed the said examination on 26-11-1996. That as per Land Record manual and judgments of the Peshawar High Court and this august Service Tribunal "the names of patwar candidate be enlisted/ entered as regular patwaris after passing the patwar examination". That the said Departmental appeal of the appellant has not been responded within the stipulated period. Copies of the Record, Rules, judgments and Departmental Appeal are attached as **Annexure** **E, F, G and H.**

A

3-6
3-12

6. That, it is pertinent to mention here that at the time of appointment as PATWARI the private respondents were not eligible having no qualification of FA. That according to the notification of establishment Department dated 10-09-1990 the amendment made in Rule-7, for sub-rule (1) of the PATWAR subordinate service Rule had been made wherein it was added that: "no person shall be appointed to the service unless he has passed the FA of equivalent examination from a recognized Board. Copy of the Notification is already attached as annexure....F.
7. That appellant feeling aggrieved and having no other remedy filed the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the seniority list of Patwaris for the year 2014-15 issued by the respondents are against the law, facts, norms of natural justice & material on record hence not tenable and needs to be corrected accordingly.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That, the act of the respondents is discriminatory and involved malafide on the part of the respondents.
- D- That, the seniority list issued by the respondents is the clear violation of the Rules and Regulations.
- E- That the appellant has passed his **PATWAR examination** and was properly enlisted by the respondents in PATWAR register in the year 1995, whereas the private respondents have passed the said examination on 26-11-1996. That as per Land Record manual and judgments of the Honorable Peshawar High Court and this august Service Tribunal **"the names of patwar candidate be enlisted/ entered as regular patwaris after passing the patwar examination"**. That in light of the above Rules and Judgments the appellant has due right to be Ranked senior to private respondents.
- F- That according to Rule 17 of the Appointment, promotion and transfer Rules **1989 " the seniority of a civil servant shall be reckoned from the date of regular appointment to that post"**. That in light of the above

(10)

quoted Rule the appellant has the due right to be ranked senior than private respondents.

- G- That the respondents acted in arbitrary and mala fide manner while issuing the impugned seniority list for the year 2014-15.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.


It is therefore, most humbly prayed that the appeal of the appellant may very graciously be accepted as prayed for.

Dated: 15-05-2017

APPELLANT

FIDA HUSSAIN

THROUGH:


NOOR MOHAMMAD KHATTAK

&

**MUHAMMAD MAAZ MADNI
ADVOCATES**



(11)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2017

FIDA HUSSAIN

VS

SMBR & OTHERS

APPLICATION FOR CONDONATION OF
DELAY IN FILING THE ABOVE NOTED
APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.


APPELLANT

FIDA HUSSAIN

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

12

NOTIFICATION

No. 2483 20-I/128-C. The Director, Land Records, NWFP, has been pleased to declare the following individuals to have passed/failed in various papers of the Patwar school examination held in the month of April, 1995 at Kohat :-

R.NO.	NAME OF THE CANDIDATES.	I ARITHMETIC	II MENSURATION	III VIVA MENSURATION	IV LAND RECORDS ANNUAL	V VIVA LAND RECORDS ANNUAL	VI COPYING OF VOUCHERS	VII SURVEYING	VIII INDIC	IX SHARIAT LAW OF INHERITANCE
1	Mumtaz Khan	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
2	Ejaz Ahmed	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
3	Khaliq Zaman	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
4	Muhammad Harif	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
5	Naveed Abbas	Pass	Pass	Fail	Fail	Pass	Pass	Pass	Pass	Pass
6	Tehseenullah	Fail	Pass	Fail	Fail	Pass	Pass	Pass	Fail	Pass
7	Muhammad Raquim	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
8	Iltaf Muhammad	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
9	Said Rehman	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
10	Mumtaz Khan NO.2	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
11	Ashiq Rehman	Pass	Pass	Pass	Fail	Fail	Pass	Pass	Pass	Pass
12	Tariq Aziz	Pass	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass
13	Welayat Khan	Pass	Pass	Pass	Pass	Fail	Pass	Pass	-	Pass
14	Atiqullah Khan	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
15	Naseemullah	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
16	Muhammad Arif	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
17	Muhammad Aslam	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
18	Intikhab Aslam	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
19	Manzoorur Rehman	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
20	Muhammad Sulta	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
21	Muhammad Nawaz	Fail	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
22	Bahadur Nawaz	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
23	Rehmat Ullah	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass

ATTESTED


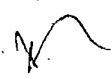
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NAME OF THE CANDIDATES.	PAPER	PAPER	PAPER	PAPER	PAPER	PAPER	PAPER	PAPER	PAPER
	I	II	III	IV	V	VI	VII	VIII	IX
159 Zafar Iqbal	Fail	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
160 Muhammad Zafar Abbas.	Fail	Fail	Fail	Pass	Pass	-	Pass	Pass	Pass
161 Muhammad Dawood	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
162 Shafi-ur-Rahman	Pass	Fail	Fail	Fail	Fail	Pass	Pass	Pass	Pass
163 Javed Khan	Fail	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
165 Jehanzeb	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
166 Muhammad Saleh	Pass	Pass	Pass	Fail	Fail	Pass	Pass	Pass	Pass
169 Muhammad Zafar Uddin.	Pass	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass
170 Musharaf Shahoor.	RESULT WITHHELD.								
171 Maqsood Ali	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
172 Sadiq Shah	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
173 Saifullah Khan	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
174 Waheed Khan	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
175 Salah Uddin	Fail	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
177 Mansoor Akhtar	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
178 Waheem Ahmed	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
179 Khalid Mahmood	Pass	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass
182 Caesar Iqbal	Pass	-	Pass	Fail	Pass	Fail	Pass	Pass	Pass
184 Sajjad Ahmed	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
187 Sardar Khan	Pass	Pass	Pass	Fail	Fail	Pass	Pass	Pass	Pass
188 Zamat Ullah	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
190 Allaiddin	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
191 Abdul Munim	Fail	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
192 Inamul Haq	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
193 Muhammad Shaheed	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
194 Nasir Khan	Pass	Fail	Pass	Fail	Pass	Pass	Fail	Pass	Pass
195 Hazrat Jamal	Fail	Pass	Pass	Fail	Pass	Pass	Fail	Pass	Pass
196 Muhammad Zamin	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
197 Ibrar Hussain	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
198 Muhammad Yasir	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
199 Syed Nasir Shah.	-	-	-	Pass	Pass	Pass	Pass	Pass	Pass

(13)

ATTESTED


(Contd. on next page)
ATTESTED
 

1995
P/7-C

(14)

R. NO.	NAME OF THE CANDIDATE	PAPER I	PAPER II	PAPER III	PAPER IV	PAPER V	PAPER VI	PAPER VII	PAPER VIII	PAPER IX
200	Muhammad Tahir	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Fail	Pass
201	Israr Hussain	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Fail	Pass
202	Oudrat Khan	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
203	Fida Hussain	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
204	Syed Hussain Ali Shah	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
205	Syed Asghar Hussain	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
206	Adam Saz	Pass	Pass	Pass	Fail	Pass	-	Pass	Pass	Pass
207	Muhammad Farid	Pass	Fail	Pass	Fail	Pass	-	Pass	Pass	Pass
208	Khush Naz	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
210	Faiz Muhammad Khan	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
211	Syed Ghaffar Hussain Shah	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
212	Mir Asad	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
213	Gurban Ali	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
214	Ashiq Hussain	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
215	Janaat Khan	Pass	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
216	Shahid Khan	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
217	Abid Hussain	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
218	Muhammad Amin	Fail	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
219	Ashiq Ali	Pass	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
220	Alamgir Khan	Fail	Fail	Pass	Fail	Pass	Pass	Pass	Pass	Pass
221	Asghar Hussain	Fail	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass
223	Rauf	-	Pass	-	Fail	-	-	-	-	-
224	Nawab Gul	Pass	-	Pass	Pass	-	-	-	-	Pass
225	Javed Khan	Pass	Pass	Pass	-	-	-	-	-	-
226	Muhammad Yousaf	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass
227	Muhammad Anfiq	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
230	Ishfaq Ali	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass
231	Raj Ali Khan	Fail	-	Pass	Pass	-	-	-	-	Pass
232	Abdul Latif Khan	Fail	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
233		Fail	-	-	-	-	-	-	-	-

ATTESTED

ATTESTED

(CONTD: P/8-C)

ATTESTED

/MURAD/

(MUHAMMAD RAHIM ORAKZAI)
Director,
Land Records, MWFP.

ATTESTED

- (1) All the Commissioners in the province.
- (2) All the Deputy Commissioners in the province.
- (3) The Political Agent, Kurram Agency, Peshawar.
- (4) The Settlement Officers, Warden and "annu
- (5) The Secretary, Board of Revenue, MWFP.

copy forwarded to :-

RMDST: NO. 2484/1923 /R-1/128-C

(MUHAMMAD RAHIM ORAKZAI)
Director,
Land Records, MWFP.

NOTE: - (1) The result of M/S Mir Wadshah, Panditayat, Muzharat Shanoor is hereby with-held due to the production of F.V. certificates.

(2) The result of M/S Abdur Rashid, Sher Dad Khan, Muhammad Ayz, Muhammad Rafiq, Muzhar Ameen, Sohail Iqbal and Abdul Munim is hereby with-held till the decision of the courts.

Sl. No.	Name of Candidate	Result
234	Abdur Rashid	RESULT WITH-HELD
235	Sher Dad Khan	RESULT WITH-HELD
236	Muhammad Rafiq	RESULT WITH-HELD
237	Muhammad Rafiq	RESULT WITH-HELD
238	Muzharat Momen	RESULT WITH-HELD
240	Syed Galib Shah	fail pass
241	Shah	fail pass
242		pass pass
243	Sohail Iqbal	RESULT WITH-HELD
244	Abdul Munim	RESULT WITH-HELD

Sl. No.	Name of Candidate	Result
245		pass pass
246		pass pass
247		pass pass
248		pass pass
249		pass pass
250		pass pass
251		pass pass
252		pass pass
253		pass pass
254		pass pass
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300		pass pass

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195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224
...

AP-1

AP-2

1995

1996

1997

1998

The following forward candidates are hereby appointed as
students in Nazam Agency W.O.S. 9.9.1938 on temporary and adhoc
basis subject to the production of age & health certificate.

- 1. Mr. Asad Hussain s/o Ghania Hussain of Village Kund Alindai.
- 2. Mr. Jamat Khan s/o Nadar Khan of Village Dandar.

Their appointment would be made regular only after they qualify
the Patwar training from a regular training school or the competent
authority relax rule regarding non passing of Patwar Examination in
their case.

Political Agent,
Nazam Agency, Parachinar.

No 10304-07/1003

Dated 14/3/1938.

Copy forwarded to the:-

- 1-Agency Accounts Officer Nazam Agency.
- 2-Tehsildar Bahal Khan Parachinar.
- 3-Official concerned.

[Signature]
Political Agent,
Nazam Agency, Parachinar.

M. Asad Hussain

26.11.1946 - 22784 - 2206/1946 - 1/188 - *[Handwritten notes]*

ATTESTED

[Signature]

ATTESTED

[Signature]

[Signature]

BETTER COPY

(17)

The following Patwari Candidates are hereby appointed as Patwari in Kurram Agency w.e.f 09.09.1988 on temporary and adhoc basis subject to the prediction of the Health Certificate.

1. Mr. Ashiq Hussain S/o Khadim Hussain of village Kusj Alizai Alazai.
2. Mr. Jannat Khan S/o Nadar¹⁷ Khan of village Dendar.

Their appointment would be made regular only after they qualify the Patwar training from a Patwar training School or the competent authority relax rule regarding non Passing of Patwar termination in their case.

Political Agent

Kurram Agency Parachinar

No. 10304-07/Acctt

Dated: 14/09/1988.

Copy forwarded to the:-

1. Agency Accounts Officer Kurram Parachinar
2. Tehsildar Mahal Kurram Parachinar
3. Official concerned.

Political Agent

Kurram Agency Parachinar

18

OFFICE OF THE POLITICAL AGENT KURRAM.

ORDER.

Dated 21/7 /1996 ✓

No. _____ /Acctt: Consequent upon the promotion of Rajab Ali etc as Field Kanungos, the following candidates are hereby appointed as Patwaris in BPS-5, against the vacant posts with immediate effect subject to the production of health and age certificate:-

- ✓ 1. Muhammad Yaseen s/o Fazal Rehman Caste Natani village Shublan, Kurram Agency, Parachinar.
 - ✓ 2. Fida Hussain s/o Manzoor Hussain Caste Bangash village Ghadoman, Kurram Agency, Parachinar.
- They will remain on probation for a period of one year.

Their appointments are purely on temporary basis and liable to termination without assigning an reason.

Sd/-
Political Agent, Kurram.

No. _____ /Acctt:

Dated 21/7 /1996

Copy to the:-

- 1. Assistant Political Agent, Upper Kurram, Parachinar.
- 2. Tehsildar Mahal, Kurram for necessary action.
- 3. Bill Clerk.
- 4. Candidates.

ATTESTED
[Signature]

ANNEXURE
ATTESTED
[Signature]

ATTESTED
[Signature]
for Political Agent, Kurram.
21/7/96

[Signature]

ATTESTED

FOR POLICE DEPARTMENT

All items to be drawn under the conditions specified

Qualifications	Date	Qualifications	Date
First Arts, F.A. Passed in 1958/59 K.V. No. 2657/58 B.L. or B.A. Passed in 1957/58 K.V. No. 1969/57	1958	English No. 5584 in the year M.A. passed under Roll No. 632/1100 some kids Xaqg in 1958/59	1958
Leadership examination	Passed	Urdi	Passed
Training School final examination	Passed	Police drawing	Passed in a practical
Other qualifications	1957	Police exam	Passed
233 Urdi D.R. No. 2483/L.R.	24-9-1955	Finger print	Passed
601/1000 marks		Drill instruction	
B.A. passed under K.V. No. 2657/58		Court duties	
N-421063 in the year 1958/59		Research duties	
		Account & be	

1-5-58

Left thumb-impression

received back

dated

Verification Roll No.

Heirs

(For use in Police Department only)

19

Note:—The entries on this page should be renewed or re-attested at least every five years and the Signature to items 9 and 10 should be dated.

1. Name *Fida Hussain*

(20)

2. Race *(Hindi) Bengali*

3. Residence *Shalozan*

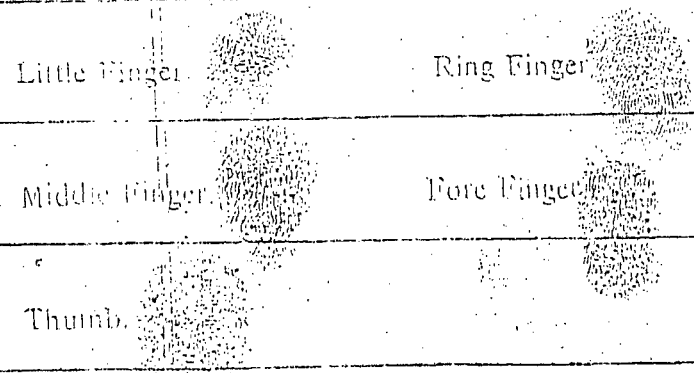
4. Father's name and residence *Haji Manzoor Hussain*

5. Date of birth by Christian era as nearly as can be ascertained *15.2.1970*

6. Exact height by measurement *5' 6"*

7. Personal marks for identification *A mole on right shoulder*

8. Left hand thumb and Finger impression of (non-gazetted) officer



9. Signature of Government servant *[Signature]*

10. Signature and designation of the Head of the Office, or other Attesting Officer

[Signature]
For Political Agent

Attested to be true copy

FOR PA DURNANT

ATTESTED
[Signature]

ATTESTED

Political Agent, Mysore

[Signature]
30/11/2001

[Signature]
Political Agent, Mysore

11/12/99 to 31/12/2001
Leave granted from
11/12/99 to 31/12/2001
by order

12/2001

Revision

for Mr. [Name]

Attend to be
due stay

Source: from 11/12/99
to 31/12/99
from 11/12/99
to 31/12/99
from 11/12/99
to 31/12/99

30/11/2001

30/11/2001

30/11/99

~~Political Agent, Mysore~~

~~Political Agent, Mysore~~

~~Political Agent, Mysore~~

Source: from 11/12/99
to 31/12/99
from 11/12/99
to 31/12/99
from 11/12/99
to 31/12/99

~~Political Agent, Mysore~~

[Signature]
Political Agent, Mysore

~~Political Agent, Mysore~~

Appointed as officer
in B.P.S-5
with effect from
31/12/99
with effect from
31/12/99

15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	Leave	
															Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Period which debitable to Government
Reference to an order of the Government	Signature of the head of the office or other interested officer		Nature and duration of leave taken	Signature of the head of the office or other interested officer	Reason of resignation (such as dismissal, etc.)	Date of termination of appointment	Signature and name of the officer in charge of the office									

(22)

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If Officiating, state (i) Substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government
BPS-57 2100-100-5100			2800/-			12/2003	[Signature]
BPS-57 2415-115-5865			2900/-			12/2000	[Signature]
(Revised entries on revision of Pay)							
			3335/-	Pm		7/05	[Signature]
			3450/-	Pm		01/12/2005	[Signature]
			3565/-	Pm		01/12/2006	[Signature]
Grade 2080-155-6830 Revised entries on revision of pay							
Patwari (BPS-5)			4130/-			01/2/2007	[Signature]
do			4265/-			01/12/2007	[Signature]
do	Assistant to Secy tax		4600/-	Pm		01/7/2008	[Signature]
Revised entries on revision of pay vide Finance Dept. Lett No. FD (PRL) 4-1/2008 dt. 10.07.08.							
BPS-5 (Patwari)			5100/-			01/07/2008	[Signature]
do						01/12	[Signature]

ATTESTED

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and name of the head of office or other attesting officer in Form 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting Officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to a recorded punishment or censure, or praise of the Government Ser
<i>[Signature]</i>	30.11.03	incrd	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.07	incrd	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.05	Rev of Pay	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.05	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.06	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.06	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.07	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.08	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	
<i>[Signature]</i>	30.11.08	Annual Incr	<i>[Signature]</i>			<i>[Signature]</i>	

Service verified from office of Pay bills from 01.1.03 to 30.11.03

Services verified from office of Pay bills from 1-12-04

Service confirmed from office of Pay bills dated 17/02/2006

Service verified from the o/c of Pay Bills from 1-12-03 to 30-11-03

Political Agent Kurram

Service verified from the o/c of Pay Bills from 1-12-05 to 30-11-05

Political Agent Kurram

Service verified from the o/c of Pay Bills from 1-12-06 to 30-11-06

Political Agent Kurram

Service verified from the o/c of Pay Bills from 1-12-07 to 30-11-07

Political Agent Kurram

ATTESTED

10	11	12	13		14	15
			Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
For P.A. KURRAM 2009	30/11	Annual				Service verified from office copies of Pay Bills from 12/2/2010 to 14/4/2010
For P.A. KURRAM 2010	30/11	Annual				Political Agent, Kurram
For P.A. KURRAM 2011	30/6	Rev of Pay				Services verified from office copies of Pay bills from 25/9/10 to 30/4/2011
For P.A. KURRAM 2011	18/11	Upgraded				Services verified from office copies of Pay bills from 15/5/11 to 30/11/2011
For P.A. KURRAM 2012	30/11	Annual				Political Agent, Kurram
For P.A. KURRAM 2013	30/11	Annual				Service verified from 01/12/2011 to 9.2.2015 from the office of
For P.A. KURRAM 2013	30/11	Annual				
For P.A. KURRAM 2013	30/11	Annual				Service verified from 10.2.2013 to 30.6.2016 from the office of
For P.A. KURRAM 2013	30/11	Annual				Political Agent, Kurram
For P.A. KURRAM 2013	30/11	Annual				Attested to be - Cross [Signature]

ATTESTED

[Signature]

For P.A. KURRAM

ATTESTED

28	3-1-1985	BA	2-2-2011
27	22-3-1987	MA	24-4-2008
26	7-7-1984	F.Sc	14-4-2008
25	6-2-1985	FA	18-5-2008
24	7-2-1983	FA	14-2-2008
23	2-5-1989	FA	14-2-2008
22	26-5-1979	FA	11-11-2004
21	26-5-1972	FA	28-3-2003
20	20-3-1985	B.Sc	28-3-2003
19	5-3-1987	FA	28-3-2003
18	15-2-1970	L.L-FI	17-2-2006
17	11-5-1970	"	6-4-1998
16			18-1-1992

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OFFICE OF THE POLITICAL AGENT, KURRAM AGENCY, PARACHINAR.

(31)

Dated: 18/7 /1990.

No. 6999-7004 /Acctt: ^{dk} Appointment of the following Patwaries as ordered in this office order No.383/Acctt dated 14.1.90 is hereby extended for a further period of three (3) months with effect from 8.7.1990 as stop gap arrangement.

1. Mr. Sharif Khan s/o Hakim Khan of Vall: Bushehra
2. Mr. Abid Hussain s/o Yousaf Hussain of Shalezan
3. Mr. Mohd Amin Khan s/o Baz Khan of Mulabagh.
4. Mr. Ashiq Ali s/o Ghulam of village Zeran.
5. Mr. Alangeer Khan s/o Sardar Khan of Dander.
6. Mr. Asghar Hussain s/o Mukhtyar Ali of Malana.

[Signature]

Political Agent, Kurram.

No. 7005-09 /Acctt:

Copy to:-

1. The Asstt: Political Agent, (UK), Parachinar.
2. The Agency Accounts Officer Kurram Parachinar.
3. The Tehsildar Mahal Kurram Parachinar.
4. Office Order File.
- 5-10. The individual concerned for information.

[Signature]

Political Agent, Kurram.

ATTESTED

[Signature]

[Signature]

Dated 25/11 /1990.

32

No. 10477 /Acctt: The appointment of the following patwaries as ordered in this office order No. 383/Acctt: dated 14.1.1990 is hereby extended for a further period of three(3) months with effect from 8.10.1990 as stop-gap arrangement.

1. Mr: Sharif Khan s/o Hakim Khan of village Bushohra
2. Mr: Abid Hussain s/o Yousuf Hussain of village Shalezan
3. Mr: Mohd Amin Khan s/o Baz Khan of village Mula-Bagh
4. Mr: Ashiq Ali s/o Ghulam of village Zeran
5. Mr: Alamgheor Khan s/o Sardar Khan of Dander.
6. Mr: Aoghar Hussain s/o Mukhtyar Ali of village Malana.

In this connection this office Order No. 6999-7004/Acctt: dated 15.7.1990 * also refers.

[Signature]
Political Agent, Kurram.

No. 10478-88 /Acctt:

Copy to the:-

1. Asstt: Political Agent, (UK) Parachinar
2. Agency Accounts Officer Kurram Parachinar
3. Tehsildar Mahal Kurram Parachinar
4. Office Order File.
- 5-10. Individual concerned for information.

[Signature]
Political Agent, Kurram.

امتیون کو ایجنٹ کے پاس
تاریخ
مختار محمد
مختار محمد

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10	مختار محمد

ATTESTED

[Signature]

[Signature]

OFFICE OF THE POLITICAL AGENT, KURRAM.

33

No. 2432 /Acctt: The appointment of the following Patwaris as ordered vide this office Order No. 11387/Acctt: dated 30/12/1990 is hereby extended for a further period of six(6) months w.e.f. 8-4-1991 as stop-gap arrangements.

- 1- Mr. Sharif Khan s/o Hakim Khan of Bushera
- 2- Mr. Abid Hussain s/o Yusuf Hussain of Shaozan
- 3- Mr. Mohd Amin Khan s/o Baz Khan of Mulabagh
- 4- Mr. Ashiq Ali s/o Ghulam of Zeran
- 5- Mr. Alemgir Khan s/o Sardar Khan of Dandar
- 6- Mr. Asghar Hussain s/o Mukhtar Ali of Malana

In this connection this office Order, No. 10477/Acctt: dated 25/11/90 also refers.

[Signature]
Political Agent, Kurram.

No. 2433-42 /Acctt:
Dt. 28/3/91

Copy to the:-

- 1- Acctt: Political Agent (Upper Kurram) Parachinar
- 2- Agency Accounts Officer, Kurram Parachinar
- 3- Tehsildar Mahal, Kurram Parachinar
- 4- Office Order File
- 5- Individuals concerned

For information.

[Signature]
Political Agent, Kurram

ATTESTED

Acctt.
5/3/91

[Signature]

[Signature]

42

34

OFFICE OF THE POLITICAL AGENT, KURRAM

Dated 01/08 /1991.

No. 8002 /Acctt: The appointment of the following Patwaris as ordered vide this office order No. 2432/Acctt: dated 23.5.1991 is hereby extended for a further period of six months w.e.f. 8.10.91 on adhoc basis as stop-gap arrangements.

- 1-Mr. Sharif Khan s/o Hakim Khan of Bushera.
- 2-Mr. Abid Hussain s/o Yusuf Hussain of Shahlozan.
- 3-Mr. Mohd Amin Khan s/o Baz Khan of Mulabagh.
- 4-Mr. Ashiq Ali s/o Ghulam of Zeran.
- 5-Mr. Alamgir Khan s/o Sardar Khan of Dandar.
- 6-Mr. Asghar Hussain s/o Mukhtar Ali of Malana.

In this connection this office order No. 11387/Acctt: dated 30.12.1990, also refers.

[Signature]

Political Agent, Kurram

(No. _____ /Acctt: _____)

Copy to the:-

- 1. Agency Accounts Officer, Kurram
- 2. Tehsildar Mahal, Kurram.
- 3. Office Order File.

[Signature]

Political Agent, Kurram

1/2/91

تاریخ کی اجازت سے اس کی نقل بطریق اشل
0/2/91
مخاطب منتر کوٹہ

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ATTESTED

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ATTESTED

2/17/92
A.C.H.

Political Agent, Kurram.

- 1. Agency Accounts Officer, Kurram.
- 2. Deputy Magistrate, Kurram.
- 3. Officer order No. 110.

No: 3325-22 / Sectt

Political Agent, Kurram.

28-3-1991 also refer.

- 1- Mr. Abdul Kadir Khan s/o Hkhtm Khan of Buehahra.
- 2- Mr. Abdul Kadir Khan s/o Fouzi Husein of Shalozan.
- 3- Mr. Mubashir Khan s/o Baz Khan of Kullabagh.
- 4- Mr. Haid Ali s/o Ghulam of Zaran.
- 5- Mr. Mubashir Khan s/o Sardar Khan of Panjart.
- 6- Mr. Mubashir Khan s/o Bukhtar s/o of Wajana.

In this connection this office order No: 2437-12/ Accredited

order No: 3324 / Sectt: The appointment of the following parties as
offered with this office order No: 2022/ Accredited 1-10-1991 to hereby
extended for a period of six months i.e. 1-8-4-1992 in which case as per
for arrangements.

Dated 06/6/1992.

OFFICE OF THE POLITICAL AGENT, KURRAM.

(35)

BETTER COPY

(35)

OFFICE OF THE POLITICAL AGENT, KURRAM

Dated 06/06/1992

No. **3374**/Acctt: The appointment of the following Patwaries as ordered vide this office order No: 8002/Acctt: dated 01/10/1991 is hereby intended for a period of six months w.e.f 08.04.1992 on adhoc basis as stop gap arrangements.

1. Mr. Sharif Khan So Hakim Khan of Bushehra.
2. Mr. Abid Hussain S/o Yousaf Hussain of Shalozan.
3. Mr. Muhammad Amin Khan S/o Baz Khan of Mullabagh.
4. Mr. Ashiq Ali S/o Ghulam of zeran.
5. Mr. Alamgir Khan S/o Sardar Khan of Dandar.
6. Mr. Asghar Hussain S/o Mukhtar Ali of Malana.
7. Mr. Asghar hussain S/o Mukhtar Ali of Malana.

In this connection this office No. 2433-42/Acctt: dated 28-03-1991 also refers.

Political Agent Kurram

No. **3375-77**/Acctt:

Copy to the:-

1. Agency Accounts Officer, Kurram.
2. Tehsildar Mahal Kurram.
3. Office order file.

Political Agent Kurram

ORDER

No. 8941 /Acctt: dated 02/12 1992.

(36)

The appointment of the following Patwaris as ordered vide this office No. 3374/Acctt: dated 6-6-1992 is hereby extended for a further period of six months w.e.f: 8-10-1992 on adhoc basis as stop-gap arrangements :-

- 1- Mr. Sharif Khan s/o Hakim Khan of Bushera
- 2- Mr. Abid Hussain s/o Yousuf Hussain of Shalozan
- 3- Mr. Mohd Amin Khan s/o Baz Khan of Mulabagh
- 4- Mr. Ashiq Ali s/o Ghulam of Zeran
- 5- Mr. Alamgir Khan s/o Sardar Khan of Dandar
- 6- Mr. Asghar Hussain s/o Mukhtar Ali of Malana

In this connection this office order No. 8002/Acctt: dated 1-10-1991 also refers.

Sd/-
Political Agent, Kurram.

No. _____ /Acctt:

Copy to the:-

- 1- Agency Accounts Officer, Kurram, Parachinar
- 2- Tehsildar Mahal, Kurram, Parachinar
- 3- Office Order File

hmm

Political Agent, Kurram.

اغدیق کینا جانا کی نقل مطابق
تاریخ 5/12/92
محافظ دفتر کوڑا

21
5/12/92
5/12/92
5/12/92

لہجہ فارسی
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تعداد
نمبر
مستند

ATTESTED

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37

OFFICE OF THE POLITICAL AGENT KURRAM.
DATED 1-11-1993

No. _____ / Acctt: In continuation of this office order No. 2947 / Acctt: dated 2/12/1992, the following persons are hereby allowed to continue their services on ad-hoc basis till further orders.

1. Mr. Sharif Khan s/o Hakim Khan of Bushobra.
2. Mr. Aaid Hussain s/o Yousuf Hussain of Shalozan.
3. Mr. Muhammad Amin Khan s/o Baz Khan of Mullahbagh.
4. Mr. Alamgeer Khan s/o Sardar Khan of Dandar.
5. Mr. Mr. Ashiq Ali s/o Ghulam Ali of Zeran.
6. Mr. Asghar Hussain s/o Mukhtar Ali of Mehaba.

sd/-
Political Agent, Kurram.

No. 7728-30 / Acctt:
Dated 1-XI-1993

Copy to the:

1. Agency Accounts Officer, Kurram.
2. Tehsildar Mahal, Kurram.
3. Office orders file.

G/O [Signature]
for Political Agent, Kurram.

[Signature]
G.O. 1-11-93

افدین کیلیمہ والا
کے ذیل بطریق اصول
ب. 1/11/93
مخاطب دفتر کوٹا

21
1/11/93
4/1/99
2/1/92
3/1/99

ATTESTED

[Signature]

[Signature]

BETTER COPY

(37)

OFFICE OF THE POLITICAL AGENT, KURRAM

DATED 1-11-1993

No. _____/Acctt: In continuation of this office order No. 8941/Acctt: dated 2/12/1992, the following patwaris are herweby allowed to continue their service on adhoc basis till further orders.

1. Mr. Sharif Khan So Hakim Khan of Bushehra.
2. Mr. Abid Husssain S/o Yousaf Hussain of Shalozan.
3. Mr. Muhammad Amin Khan S/o Baz Khan of Mullabagh.
4. Mr. Ashiq Ali S/o Ghulam of zeran.
5. Mr. Alamgir Khan S/o Sardar Khan of Dandar.
6. Mr. Asghar Hussain S/o Mukhtar Ali of Malana.

Sd/-

Political Agent

No. 7728-30/Acctt:

Dated 01/11/1993

Copy to the:-

1. Agency Accounts Officer.
2. Tehsildar Mahal, Kurram.
3. Office order file.

for Political Agent, Kurram

درج ذیل کے تمام قصبوں کے مکمل برآمد میں رکھا جاوے گا اور تحصیل میں نہیں بھیجا جانا چاہیے لیکن ایک نکل اور ایک تحصیل میں رکھی جان چاہیے

9	10	11	12	13	14
پہلے درجہ کے قصبوں کے مکمل	تشریح لاؤنس سالانہ اسی دورے میں لاؤنس کے بارے میں یا دولت اور لاؤنس کے بارے میں	تعداد اور قیمت کے نام سے لاؤنس کی گنتی ہے۔	امداد جانتا نامیہ کوتھ پور یا کوتھ پور کے قصبوں کے بارے میں یا کوتھ پور کے قصبوں کے بارے میں	لاؤنس کے بارے میں یا لاؤنس کے بارے میں	تعداد اور قیمت کے نام سے لاؤنس کی گنتی ہے۔
	<p>تعداد 2 PA قیمت 182</p> <p>اسی دورے میں لاؤنس کے بارے میں یا دولت اور لاؤنس کے بارے میں</p>	<p>بروک ٹرسٹ اور گورنر 97028 17 95 اسی دورے میں لاؤنس کے بارے میں یا دولت اور لاؤنس کے بارے میں</p>	<p>کوتھ پور یا کوتھ پور کے قصبوں کے بارے میں یا کوتھ پور کے قصبوں کے بارے میں</p>	<p>لاؤنس کے بارے میں یا لاؤنس کے بارے میں</p>	<p>تعداد اور قیمت کے نام سے لاؤنس کی گنتی ہے۔</p>

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پندرہویں روزانہ (15th Daily)

<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>	<p>پندرہویں روزانہ</p>
<p>187</p>	<p>184</p>	<p>3</p>	<p>3/64</p>	<p>3</p>	<p>3</p>	<p>3</p>
<p>10</p>	<p>10</p>	<p>10</p>	<p>10</p>	<p>10</p>	<p>10</p>	<p>10</p>

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حصن ان اذکار الہیہ والالہ سبحانہ و تعالیٰ

<p>بیتہ اہل بیت علیہم السلام</p>	<p>تاریخ ولادت</p>	<p>تاریخ وفات</p>	<p>تاریخ شہادت</p>	<p>مقام ولادت</p>	<p>تاریخ ولادت</p>
<p>17 10 9</p>	<p>18 7 84</p>	<p>محمد آصف خان بوند بازار خان قوم لیبانی سکھہ صدر باغ</p>	<p>16 1 66</p>	<p>کابل</p>	<p>زمیندار</p>

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حیدرآباد کے گورنمنٹ ہسپتال میں کھانا پکانے والے ملازمین کی فہرست

1	2	3	4	5	6
<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>اندرجات فابند</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>
<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>	<p>گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست</p>

گورنمنٹ ہسپتال کھانا پکانے والے ملازمین کی فہرست

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<p>13</p> <p>و شکر انصاف حق کے حکم سے خاتمہ ہوا کی خاطر لوری کے ہیں</p>	<p>12</p> <p>اندر 7 مالہ ان کے لئے مشعل لوری کے بار بار نام لکھنا</p> <p>موجودہ حکم کے تحت 12 99 اور درجہ نام فارسی کے T.M.K 2.5.11/2000</p>	<p>11</p> <p>اندر 7 مالہ کسیٹ باقیستہ لکھی ماہر لکھنے کے جو اندر لکھنا لکھنا</p>	<p>10</p> <p>اندر 7 مالہ بدر لکھی لوری کے 97028491 95 اندر در حالہ لوری لکھنے کے جو میں لکھنے کے تاریخ 21.7.96 اندر لکھنے کے T.M.K</p>	<p>9</p> <p>و شکر انصاف حق کے حکم سے خاتمہ ہوا کی خاطر لوری کے ہیں</p>	<p>8</p> <p>اندر 7 مالہ بدر لکھی لوری کے 97028491 95 اندر در حالہ لوری لکھنے کے جو میں لکھنے کے T.M.K</p>	<p>7</p> <p>اندر 7 مالہ بدر لکھی لوری کے 97028491 95 اندر در حالہ لوری لکھنے کے جو میں لکھنے کے T.M.K</p>
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درجہ اولیٰ (فارم نمبر ۱۰۰) منظر پر مندرجہ نامہ حاصل

۱	۲	۳	۴	۵	۶	۷
نمبر سزا	تاریخ	نام اور لقب و ترقیاتی دستاویزات	تاریخ پیدائش	کیا ان کے پاس کوئی اور کوئی امتحان کیا گیا ہے یا ان کے پاس کوئی اور سرکاری یا غیر سرکاری امتحان ہے؟	تعداد	حالات
32	12/8/95	اسرار حسین ولد حسین عظیم دوبہڑی سیکٹر سہلان	20/3/1968	نہیں	3	اندر
33	11/11/95	فدائیس ولد فدا حسین قدیم بنگلہ سیکٹر سہلان	15/2/1970	F.A M.A	15	اندر

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رجسٹر افسروں کی منظور شدہ حالت کے تحت ضلع کوٹلی میں

نام و پتہ	تاریخ	مقام	ملاحظات
<p>مدرسہ اسلامیہ کوٹلی</p>	<p>25 1979</p>	<p>مدرسہ</p>	<p>مدرسہ اسلامیہ کوٹلی مدرسہ اسلامیہ کوٹلی</p>
<p>انجمن</p>	<p>25 1979</p>	<p>FA</p>	<p>مدرسہ اسلامیہ کوٹلی مدرسہ اسلامیہ کوٹلی</p>
<p>انجمن</p>	<p>3 72</p>	<p>FA</p>	<p>مدرسہ اسلامیہ کوٹلی مدرسہ اسلامیہ کوٹلی</p>

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فصلیہ روزنامہ

پانچویں نمبر (پانچویں نمبر) ۱۹۶۹ء

<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>
<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>	<p>۱</p> <p>۲</p> <p>۳</p> <p>۴</p> <p>۵</p> <p>۶</p> <p>۷</p>

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<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>
<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>	<p>مجلس شورای اسلامی شماره ۱۰۰۰ تاریخ ۱۳۰۰</p>

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should be re-arranged, so as to give as nearly as possible the same amount of work to each Patwari, and the man should be appointed to each circle who will carry on the work of settlement in it and stay on as Patwari of the circle after settlement operations close. Some re-adjustment of circles will probably still be necessary towards the close of settlement operations, but the changes then required will be reduced to minimum.

PART II

LIST OF PATWAR PASS PERSONS

3.6. List of Patwar Pass persons.--(1) For each Sub-Division, a list of all Patwar Pass persons shall be maintained by the Sub-Divisional Collector/Political Assistant in Form P-1 given in Appendix "G" with a view to have ready information about the availability of eligible persons in the Sub-Division to facilitate filling up the vacancies. However, the appointment of Patwaris shall be made strictly in accordance with Service Rules and the Recruitment Policy as may be applicable at the relevant time.

(2) Maximum Educational qualification for the Patwari is Matric/Secondary School Certificate. The names of only those persons shall be enrolled, who are *bona fide* residents of the concerned Sub-Division.

(3) The name of the eligible persons shall be added to the list as and when the result of the Patwar Examination is received and no eligible person shall be refused enrollment.

(4) The aforesaid list shall be verified and updated by the Collector concerned at least once in a year so as to exclude the names of those, who have become unavailable on account of death, migration, employment on any other post, etc.

(5) A separate list of Patwar pass persons, belonging to Cholistan area will be maintained by the Colonisation Officer concerned to meet the requirements of the Organisations).

3.7. Qualifications of applicant: [Omitted vide Correction Slip No. 3/89, Land Records Manual, dated 18th October, 1989]

3.8. Candidate selected by Settlement Officers: [Omitted vide Correction Slip NO. 4/89, Land Records Manual, dated 18th October, 1989]

3.9. Grounds for removing name of a candidate from register: [Omitted vide Correction Slip NO. 5/89, Land Records Manual, dated 18th October, 1989]

Para 3.6 Subs. vide Correction Slip No. 7/89, Land Records Manual, dated 18th October, 1989.

* Qualification prescribed F.A vide Notification dated 10-9-1990.

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Land Record Manual

Should be re arranged, so as to give as nearly as possible the same amount of work to each Patwari, and the man should be appointed to each circle who will carry on the work of settlement in it and stay on as Patwari of the circle after settlement operation close. Some re-adjustment of circles will probably still be necessary towards the close of settlement operations, but the changes then required will be reduced to minimum.

PART-II

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- (2) Maximum Educational qualification for the Patwaris is Matric/Secondary School Certificate. The names of only those persons shall be enrolled, who are bonafide residents of the concerned Sub-Divisions.
- (3) The name of the eligible persons shall be added to the list as and when the result of the Patwar Examination is received and no eligible person shall be refused enrollment.
- (4) The aforesaid list shall be verified and updated by the Collector concerned at least once in year so as to exclude the names of those, who have become unavailable on account of death, migration, employment on any other post, etc.
- (5) A separate list of Patwar pass persons belonging to Cholistan will be maintained by the Colonization Officer concerned to meet the requirements of the Organizations.
- 3.7. **Qualifications of applicant:** (Omitted vide Correction WHEREBY
- 3.8. Slip No. 3/89, Land Records Manual, dated 18 October, 1989.
- 3.9. Candidate selected by Settlement Officers, (Omitted vide correction Slip No. 4/89, Land Records Manual, dated 18 October, 1989).
- 3.10. **Grounds for removing name of a candidate from register:** (Omitted vide Correction Slip No. 5/89, Land Records Manual dated 18th October 1989.
Para 3-6 Subs vide Correction Slip No. 2/89, Land Records dated 18th October 1989.
Para-3.6 sub vide Correction Slip No. 2/89 Land Lords Manual, dated 18-11-1989.

PATWARIS

Assistant Patwaris, or (v) have proved inefficient during the tenure of officiating appointments.

Note: The rule in respect of age limit may in cases of real hardship be waived by the Director of Lands Records.

PART III

PATWARI SCHOOLS

3.10 Patwari School: The following general instructions have been issued for observance in the organization and management of Patwari schools district Settlements officers also should be guided by them as far possible:-

- (i) When required a single school will be opened for the province as a whole, or one school at each divisional Headquarters of other suitable centre in the Division on the 1st February and will close on the 1st October-9 Months at the discretion and with the sanction of Director of Land Records. Any candidate enter in the register may attend the school and present himself for the Patwari examination. Unaccepted candidates may be allowed to join the Patwar School with the permission of Director of Land Records. They shall be required to me both tuition fee and examination fee while the accepted Patwari and Kanungo candidates shall pay the examination fee only.
- (ii) The rates of the fee shall be prescribed by the Board of Revenue from time to time.
- (iii) A person who possesses Patwar experience of 5 years or more may, on the recommendation of the Director, be exempted in exceptional cases by the Board of Revenue from attending a Patwar School before admission to the examination. The Head Teacher should be either an experienced Sadr Kanungo or a Naib Tehsildar propted from the Kanungo line. He should be assisted by the two Assistant teachers, who must be experienced and settlement trained Kanungos promoted from Patwar class. The Head Teacher will draw Rs. 40 per mensem when appointed from the Naib Tehsildars and Rs. 35 from Sadr Kanungo respectively, and the Assistant Teachers Rs. 20 as special pay. The number of Assistant Teachers can be raised in proportion to the number of candidates admitted to the school. The teaching staff should work under the immediate control and supervision of 2 (Revenue Assistant) through the Sadr Kanungo of the district, who will both be responsible for the efficiency and good results of the school.

Director of Agriculture will depute local staff for giving instructions in agriculture to the students. Similarly, the Directors of Head

Land Record Manual

will be countersigned by the Director as in the case of others contingences. The power to sanction temporary establishments Patwari schools has been delegated to the Director.

The power to sanction temporary establishment in place of Naib Tehsildar or Sadr Kanungo to be appointed as Head Teacher and Assistant Teachers has been delegated to the Commissioner and Director of Land Records respectively.

- (ix) Small rewards may be given to the successful candidates in the examination and the Director of Land Records has been empowered Patwari to sanction and payment of small stipends ranging between Rs. 5 and have Rs. 10 per mensem to candidates while attending at the schools. Such allowances should be confined usually to Patwaris sons and not other candidate's particularly destitute refugees of whom it can be said with some certainty that they are likely to find places on the Patwari Establishment at any early date.
- (x) The results of the teaching given in these schools during the year should be noticed in the Department Report of the Director Land Records.

PART IV

APPOINTMENT OF PATWARIS

3.11 Appointment of Patwaris (1) The appointment of Patwaris rests with the Collector, 10 may delegate these power to Sub-Divisional Officers Assistant Commissioners/Additional Collectors and 11 (Revenue Assistant) in the Director (see Appendix F).

(2) When the office of Patwari is vacant in any circle whether temporary or permanently, it shall be filled by selection from the registers candidates of the Tehsil in which the vacancy occurs, or if necessary by selection from the registers of other adjacent Tehsils regard being had to the consideration mentioned in Paragraph 27 of the Land Administration Manual. No particular class of men should be allowed to absorb to many Patwarships.

(3) Not less than one out of every two appointments shall be given to candidates who are agriculturists provided that such candidates are available qualified and suitable.

(4) Priority of entry in the register or of date of passing the Patwari examination should be taken into account, but the Collector may select any qualified candidate whom he considers most suitable for the vacancy, bearing in mind the circumstances of the vacancy and also those of the villages of the circle. The Collector will consider any representatives made by the agriculturists of the circle in the matter of the appointments.

The West Pakistan (North Zone) Subordinates Service Rules 1963 given in the end of this Chapter should also be consulted.

10 Added by correction slip No. 95 L.R.M dated 8.8.1968

11 Now called as "H.A.C (Revenue) G.A.

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Patwaris

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(5) Withdrawal of resignation by Patwaris: A Patwar who resigns from service voluntarily, may be allowed by the Collector to withdraw his resignation within a period of one month, if he is otherwise suitable.

3.12. Patwaris to be residents of Tehsil or its vicinity: The Patwaris of each Tehsil should, as a rule be selected from residents of that Tehsil or of its immediate vicinity. A candidate should not be appointed Patwari of circle in which or to which any relation of his is employed in money-lending or is an owner or mortgagee or occupancy tenant of land. Except with the Commissioner's sanction no Patwar should be so posted that he could spend his night at home. Candidates who have not passed the patwar examination must not be appointed.

3.12-A. Deputations to other departments: Ordinarily the Patwaris should not be allowed to go on deputation to other departments if this would involve dislocation in the working of the Revenue Department. They may, however, be allowed to go on deputation only with the previous concurrence of the Director of Land Records, [West Pakistan], which should be accorded under very special circumstances.

3.12-B. Suspension of liens: The liens of Patwari, who proceed on deputation to other departments with the sanction of the Director of Land Records, Punjab, as Head of Department, under Serial No. 29 of Rule 16.1 of Civil Services Rules, Volume 1, Part 1, shall be suspended if they are not likely to revert to their parent departments for a period of more than three years.

PART V

ASSISTANT PATWARIS

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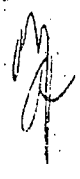
3.13. Assistant Patwaris: (1) The most important duty for which Assistant Patwaris are required is to help as permanent naibs to the Patwaris in heavy circles. Deputy Commissioners should see that, as a general rule, the assistants in such cases are not given an independent charge, but are subordinate to the Patwari of the circle.

Each assistant Patwari should, however, be given the papers of one village of the circle to which he is attached and should keep them up-to-date, under the general supervision of the Patwari of the circle whose responsibility for the records of his circle will not thereby be affected. He should also keep a separate diary for that village. The diary of the rest of the village in the circle will be kept by the Patwari.

(2) The remaining assistant Patwaris, who are not attached to definite circles, should be set to work in such a way that they will acquire a good knowledge of their duties before their turn comes for appointment as patwari. They should help overworked patwaris or act for them when the Patwari is engaged on heavy partition cases, and they should assist in a severe girdawari and be ready at hand to fill temporary vacancies among the Patwaris. In this way a valuable reserve of trained men will be kept up.

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TO BE SUBSTAINED FOR NOTIFICATION
BEARING THE SAME NUMBER AND DATE

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
SERVICES & CENTRAL ADMINISTRATION DEPARTMENT

(REGULATION ON WING)

NOTIFICATION

Peshawar dated the 10th September, 90

No. 50R (S&GAD) 1-922/28:- In the exercise of the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P ACT XVIII OF 1973) the Governor of the North-West Frontier Province is pleased to direct that in the West Pakistan (Northern Zone) Patwar Subordinate Service Rules, 1963 the following further amendments shall be made namely.

AMENDMENTS

"In rule 7, for sub rule (1) the following sub rule shall be substituted namely

(a) Qualification no person shall be appointed to the Service unless he has passed.

(i) the F.A or equivalent examination from a recognized Board.

(ii) The Patwar examination from a Patwar School established in accordance paragraph 3-10 of Land Records Manual,

Provided that the provision of clause (i) above shall not be applicable to persons who have passed the Patwar Examination from a Patwar School established in accordance with Paragraph 3-10 of Land Records Manual fully or partially and have been registered as Patwar Candidates by the Competent Authority in the respective the district on or before the 30th June 1990.

CHIEF SECRETARY TO
GOVT OF NORTH WEST FRONTIER PROVINCE

BETTER COPY OF PAGE NO. 50

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TO BE SUBSTITUTED FOR NOTIFICATION
BEARING THE SAME NUMBER AND DATE

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
SERVICES & GENERAL ADMINISTRATION DEPARTMENT
(REGULATION WING)

NOTIFICATION

Peshawar, dated the 10th September, 90.

No. SORI(S&GAD)1-22/28:- In Exercise by the powers conferred by section 26 of the North-West Frontier Province Civil Servants Act, 1973 (N.W.F.P Act XVIII of 1973), the Governor of the North West Frontier Province is pleased to direct that in the west Pakistan (Northern Zone) Patwar Subordinate Service Rules, 63, the following further amendment shall be made, namely

AMENDMENT.

"In rule 7, for sub rule (1), the following sub rule shall be substituted namely:

"(1) Qualification:- No person shall be appointed to the Service unless he has passed.

- (i) The F.A. or equivalent examination from a recognized Board;
- (ii) The Patwar examination from a patwar School established in accordance with Paragraph 3 to 10 of Land Records Manual;

Provided that the provision of clause (i) above shall not be applicable to persons who have passed the Patwar Examination from a Patwar School established in accordance with paragraph 3, 10 of Land Records Manual fully or partially, and have been registered as Patwar Candidates by the Competent Authority in the respective districts on or before the 30th June, 1990.

CHIEF SECRETARY TO
GOVT. OF NORTH WEST FRONTIER PROVINCE

IN THE PESHAWAR HIGH COURT, PESHAWAR

58

JUDICIAL DEPARTMENT

Appellate P NO. 423.....2002

JUDGMENT 1

Date of hearing..... 30/9/2006.....

Petitioner/Appellant - (Afzal Khan Shah) by Mian Shaukat Hussain

Respondent - (General Revenue Officer) by Mr. Muhammad Saad Syed Asif Shah Adv. Ca. T. for added Respondent No 2

MUHAMMAD QAIM IAN KHAN, J.- The constitutional petition in hand is directed against the letters/instructions of respondent No.1 dated 5.3.2002 and dated 21.2.2002 as Annexure "A" and "B" appended to the record.

2. Brief facts of the case are that petitioners after obtaining academic qualification enlisted themselves as candidates for the posts of Patwaris in the register of candidates for the posts of Patwar in the year 1994. The said register is kept in Tehsil by the Revenue Authorities in accordance with law. That Revenue Authorities called the petitioners to Patwari Training School at Kohat in the year 1994. The duration of the course was nine months which the petitioners completed in 1995 and they were declared as qualified. In April, 1995, they were issued the Certificates having passed the said examination.

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ATTESTED

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3. After fully qualifying for the post of Patwar, the petitioners were waiting for their turn to be appointed by the Revenue Authorities in order of the register of Patwar kept for the purpose

TESTED
EXAMINER
PESHAWAR HIGH COURT
02 JAN 2017

(59)

and in the said register, the names of the petitioners appeared at Sr. No. 42, 43, 44 and 47 respectively. That apart from these serial numbers, rest of the candidates were appointed as Patwaris by the authorities concerned and when the vacancies of Patwar became vacant and the turn of the petitioners came in, respondent No. 1 issued letters dated 5.3.2002 and 21.2.2002 for holding written test/examination for the said posts. As the petitioners have no other forum, hence this petition.

4. The contentions of the learned counsel for the petitioners are that respondent No. 1 has got no authority or jurisdiction to bypass the existing law/Rules on the subject. That relevant law for the purpose is W.P. (Northern Zone) Patwaris Subordinate Service Rules, 1963 which has not been repealed or annulled by the Government of N.W.F.P. as yet. That Rule 7 of the said Rules provides that after achieving academic/qualification i.e. passing of Patwar Examination, candidates will be appointed from the said register/waiting list and the letters/instructions of respondent No. 1 are ultra vires of Rule No. 7. Further argued that these instructions/letters are discriminatory of the Constitution of the country because so many Patwaris have been appointed from this register and that respondent No. 1 is not rule making authority under the law, therefore, the letters/instructions are arbitrary and unjust to take two examinations from the petitioners. Thus the letters should be declared ultra vires.

Abdullah Qureshi

ATTESTED
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ATTESTED

EXAMINER
Peshawar High Court

02 JAN 2017

5. Learned State counsel mainly defended the letters stating that it is an open and transparent test instead of sticking to old register which contains dubious entries.

6. Counsel for respondent No.2 mainly argued that his interest should be saved if the Court arrived at whatever conclusion.

7. We have heard learned counsel for petitioners State and respondent No.2 and with their help, we have scrutinized the available record.

8. We have called the relevant register from the respondent-Department. A bare perusal of the said register clearly shows that it is not properly maintained and in some cases, it does not tally with the list supplied by Tehsildar, Peshawar. Some of the pages are torn while on some pages, there is entry like

سہرا (left inadvertently). Moreover, the serial numbers are also not correct and strangely enough some of the candidates

are partially passed which is a new term introduced. A person is either passed or failed and there is no term like partially passed. So the respondents are directed to keep an up-to-date record/register of the patwaris who have passed the Patwar Examination. These entries should be made strictly in accordance with merits and rules.

However, letters/instructions of respondent No.1 dated 5.3.2002 and 21.3.2002 (Annexure-"A" and "B") have got no legal sanctity.

These letters are not supported by any Rules and seem the creation of respondent No.1. Once a person is qualified as Patwari, there is no need of holding of any further test and examination and the

ATTESTED
EXAMINER
Peshawar High Court
02 JAN 2017

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competent authorities after satisfaction that Patwar examination has been passed by a candidate and that candidate is a qualified person, therefore, he should be enlisted in the register in accordance with merits and the existing rules and vacancies should be filled from the said authentic register. Letter No.6178-62002 Admn-VII-B,Rel: dated 5.3.2002 is not warranted under the law therefore, we cancel the said letter as well as letter No. 5470-87/Admn:VII/B,Rel: dated 21.2.2002 and direct the respondent to recruit the Patwaris in service who have passed the Patwar examination in accordance with Rules. The candidate who has not passed the examination in all the subjects should not be treated as qualified. With these observations, the writ petition is disposed of.

Announced:
30-9-2004

Office
M & P 6002/11/11
12/11/2004

[Signature]
JUDGE

[Signature]
JUDGE

CERTIFIED TO BE TRUE COPY

EXAMINER
Patwar Examination
Amritsar District
The Patwar Examination Office, Amritsar

02 JAN 2017



ATTESTED

[Signature]

No. 13908

Date of Presentation of Application 02/11

No. of Pages 1/1

Amount Fee

Amount Paid 152

Date of Preparation 02/11/04

Date Given for Copy 02/11/04

Date of Delivery of Copy 02/11/04

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1342/2009

Date of Institution. ... 03.08.2009
Date of Decision. ... 04.02.2014



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Abdul Qayum son of Faqir Zaman, Patwari,
Sparka No. 1, Bannu.

(Appellant)

VERSUS

1. District Officer (Revenue & Estate)/Collector, Bannu.
2. Senior Member Board of Revenue, Peshawar.
3. Murad Ali, Girdawar, Halqa Circle Gharbi, Bannu and
10 others.

(Respondents)

APPEAL AGAINST SENIORITY LIST DATED 10.04.2002 OF
RESPONDENT NO. 1 WHEREBY APPELLANT WAS
PLACED AT S.NO. 47 OF THE LIST INSTEAD OF PROPER
PLACE OR ORDER DATED 8.7.2009 OF RESPONDENT NO.2
WHEREBY REPRESENTATION OF APPELLANT WAS
REJECTED.

MR. SAADULLAH KHAN MARWAT,
Advocate

For appellant.

MR. MUHAMMAD JAN,
Government Pleader

For official respondents.

MR. MUHAMMAD ASIF YOUSAFZAI,
Advocate.

For private respondents.

MR. MUHAMMAD AAMIR NAZIR,
MR. SULTAN MAHMOOD KHATTAK,

MEMBER
MEMBER.

JUDGMENT

MUHAMMAD AAMIR NAZIR, MEMBER.- The appellant Abdul Qay
S/O Faqir Zaman Patwari Sparka No.1, Bannu, through the instant appeal un
Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 has impug
seniority list dated 10.4.2002 issued by respondent No. 1, whereby the appellant
placed at S.No. 47 instead of placing his name at proper place.

2. Briefly stated the facts giving rise to the appeal in hand are that the appe
was entered a candidate for patwar in Register. Candidates on 19.1.1985 whe
private respondents No. 3 to 13 were entered in the said register on 30.12.1985.
on availability of vacancy, services of the appellant were confirmed on 18.5.

ATTESTED
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

ATTESTED

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whereas the services of the private respondents No. 3 to 13 were confirmed later on. That respondent No.1 issued a final seniority list on 10.4.2002 wherein name of the appellant was placed at S.No. 47 while private respondents No. 3 to 13 who were junior to the appellant, were placed at S.No. 36 to 46 respectively. That on 10.11.2008, respondent No.1 promoted respondent No.3 to the post of Kanungo, being junior and hence ignored the appellant for no legal reasons. That on 5.12.2008, appellant submitted representation before respondent No.2 for placing his name at proper place in the seniority list and to promote him to the post of Kanungo, however, representation of the appellant was rejected vide order dated 1.7.2009 for no legal reason, hence the present appeal.

3. After institution of the instant appeal, it was admitted to regular hearing and the respondents were summoned by the Tribunal. The respondents contested the appeal and submitted their written reply. We have heard the arguments of the learned counsel for the parties and have gone through the available record on the file.

4. The learned counsel for the appellant argued before the court that despite the fact that the appellant was senior to private respondents No. 3 to 13 as is evident from the Register of Indiraje Nam/Candidate Register, even then he was placed junior to respondents No. 3 to 13 by respondent No. 1 while issuing the seniority list on 10.4.2002; that the seniority list was neither circulated nor served upon the appellant, however, the appellant challenged the same after having the knowledge when promotions were made to the next higher grades; that admittedly, the appellant was entered in the Register Indiraje Nam on 19.1.1985 while private respondents No. 3 to 13 entered in the same Register on 30.12.1985, even then the respondent No.1 ignored the seniority of the appellant and placed the private respondents senior to him; that the impugned seniority list is liable to be set aside by placing the appellant senior to private respondents.

ATTESTED

EXAMINER
Hyber Khan
Service Tribunal,
Peshawar

5. On the other hand, the learned Government Pleader, assisted by counsel for the private respondents, argued before the court that though the appellant was enlisted in the Register in the year, 1985 however, as per Land Record Manual, the names of the Patwar Candidates will be enlisted/entered as regular Patwaris after passing the Patwar examination. The appellant passed the Patwar examination in the year, 1987, hence he was given seniority from the date on which he qualified the Patwar examination; that the tentative seniority list was prepared on the basis of record and circulated amongst all the Patwaris vide letter No. 439/DK/DOR dated 15.1.2002; that the appellant despite having knowledge of issuance of tentative seniority list never impugned the same within time, therefore, the present appeal is barred by time; that

ATTESTED

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private respondents No. 3 to 13 had passed the Patwar examination before the appellant and hence they were rightly given seniority as per impugned seniority list; that the instant appeal is without any substance and is liable to be dismissed.

6. Perusal of the case file reveals that the appellant has impugned the seniority list of the confirmed Patwaris of District Bannu as it stood on 31.3.2002 vide which the name of appellant was placed at S.No. 47 instead of S.No.36. The appellant prayed for correction of the seniority list as well as promotion as Kanungo on the basis of his correct seniority position. Perusal of the record available on the file reveals that though the appellant had appeared in the Patwar Examination in the year, 1985 alongwith the private respondents, however, the appellant had failed the said examination while private respondents were successful, hence the private respondents were appointed as Patwaris on regular basis in the year, 1986. Lateron, the appellant qualified the said examination in the year 1987 and appointed on regular basis as Patwari on 9.5.1987. Furthermore, a tentative seniority list of Patwaris working in District Bannu was sent to Tehsildar Bannu by the District Officer (Revenue & Estate) Bannu for circulation amongst all the patwaris for submission of objections, if any, till 15.2.2002. Subsequently, final seniority list of confirmed Patwaris as it stood on 31.3.2002 had been circulated on 10.4.2002 wherein the name of appellant was placed at S.No. 47 but the appellant never objected the same till the filing of departmental appeal in the year, 2008. The fact that the appellant had the knowledge of the above seniority list can be recognized from the fact that the appellant had recorded statement before the District Kanungo Bannu regarding correction of his date of birth in the said seniority list.

7. Hence keeping in view the facts and all the relevant record available on the file, the instant appeal of the appellant is without any substance, is hereby dismissed with no order as to costs. File be consigned to the record.

Announced
04.02.2014

Edl M. Anwar Nazir, Member

Edl Gulistan Mahmood Khattak, Member

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Petition 13-4-17
Number of Words 1200
Copying Fee 200
Urgent 2
Total 100
Name of Applicant KOMMO
Date of Filing 13-4-17
Date of Disposal 13-4-17

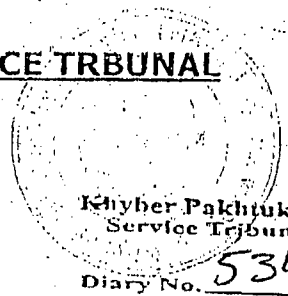
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B-65

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 603 /2017



Khyber Pakhtunkhwa
Service Tribunal
Diary No. 534
Dated 22/5/2017

Mr. Fida Hussain, Patwari,
O/o Political Agent Kurram Agency at Parachinar.

..... APPELLANT

VERSUS

- 1- The Govt. of Khyber Pakhtunkhwa through Senior Member Board of Revenue, Peshawar.
- 2- The Commission (FCR), Kohat Division Kohat.
- 3- The Assistant Secretary, Board of Revenue, Peshawar.
- ✓ 4- The Political Agent Kurram Agency at Parachinar.
- 5- Mr. Muhammad Amin Khan, Patwari,
Patwar Halqa Shalozan, Kurram Agency.
- 6- Mr. Aashiq Ali, Patwari,
Patwar Halqa Zeeran Yousafkheil, Kurram Agency.
- 7- Mr. Alamgir, Patwari,
Patwar Halqa Billameen, Kurram Agency.
- 8- Mr. Asghar Hussaain Patwari,
Patwar Halqa SHublan, Kurram Agency.
- 9- Mr. Aashiq Hussain S/O Khadim Hussain Patwari,
C/O P.A Kurram Agency.
- ✓ 10- Mr. Jannat Khan, Patwari,
Patwar Halqa Sadda, Kurram Agency.
- 11- Mr. Mumtaz Ali Shah S/ O Mohammad Akbar, Patwari,
C/O P.A Kurram Agency.

..... RESPONDENTS

File to-day

Registrar

22/5/17

Registrar
2/6/17

Re-submitted to-day
and filed.

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE FINAL SENIORITY LIST OF THE
PATWARI'S OF KURRAM AGENCY FOR THE YEAR 2014-
15 CIRCULATED & COOMUNICATED TO THE APPELLANT
VIDE DATED 12.1.2017 WHEREBY THE SENIORITY
POSITION OF THE APPELLANT HAS WRONGLY BEEN
ENLISTED BY THE RESPONDENT NO.4 AND AGAINST NO
ACTION TAKEN ON THE DEPARTMENT APPEAL OF THE
APPELLANT WITHIN THE STIPULATED PERIOD OF
NINETY DAYS**

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(66)



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 603/2017

Date of Institution ... 22.05.2017 ✓

Date of Decision ... 26.11.2019 ✓

Mr. Fida Hussain, Patwari O/O Political Agent Kurram Agency at Parachinar.
(Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue,
Peshawar and ten others. ... (Respondents)

Present:

MR. NOOR MOHAMMAD KHATTAK,
Advocate

--- For appellant.

MR. USMAN GHANI,
District Attorney

--- For respondents.

MR. ASIF HAMEED QURAISHI,
Advocate

--- For respondent no.10

MR. AHMAD HASSAN,
MR. MUHAMMAD HAMID MUGHAL

--- MEMBER (Executive)
--- MEMBER (Judicial)

JUDGMENT:

AHMAD HASSAN, MEMBER:-

This judgment shall dispose of the instant service appeal as well as connected service appeal no. 226/2017 titled Jannat Khan, no. 130/2018 titled Jannat Khan and no. 1340/2017 titled Jannat Khan as similar question of law and facts are involved therein.

02. Arguments of the learned counsel for the parties heard and record perused.

ATTESTED

SECRETARY
Khyber Pakhtunkhwa
Service Tribunal

ARGUMENTS:

03. Learned counsel for the appellant argued that after qualifying patwar examination and enlistment in the patwar register maintained by the respondents, he was appointed as patwari vide order dated 21.07.1996. That seniority list of patwaris of erstwhile Kurrum Agency for 2014-2015 was circulated by the respondents and communicated to the appellant on 12.01.2017, where-under private respondents junior to the appellant were shown senior without any cogent reasons/justification. The appellant preferred departmental appeal on 23.01.2017, which remained un-answered, hence, the present service appeal. It is imperative to point out that at the time of appointment of the appellant as patwari, private respondents were not eligible for appointment on account of not possessing the prescribed qualification (F.A). This requirement was inserted through letter dated 10.09.1990. He further invited attention to Rule-17 of Khyber Pakhtunkhwa Government Servants (Appointment, Promotion and Transfer) Rules 1989 on the basis of which seniority of a civil servant is reckoned from the date of regular appointment to a post. Section-6 and 7 of Khyber Pakhtunkhwa Civil Servant Act, 1973 were also pressed into service by the learned counsel for the appellant.

04. Learned counsel for respondents 10 in rebuttal stated that his client was appointed on 09.09.1988, whereas the appellant joined service on 21.07.1996, thus he was junior and his name was rightly placed at serial no. 12 of the seniority list under question. Letter dated 10.09.1990 will not have retrospective applicability and in no case would affect the legitimate rights of the answering respondents. Seniority list was strictly drawn according to the invogue rules.

05. Learned District Attorney argued that during the year 2014-15, seniority list was prepared and communicated to the appellant on 12.01.2017 for inviting objections, if any. On receipt of objections from private respondent no.10, the same was rectified and notified accordingly. Seniority list was prepared in the light of policy of provincial government and judgment of PHC and this Tribunal.

CONCLUSION:

06. The present service appeal pertains to determination to seniority of the appellant and private respondents. It has not been disputed by both the parties that issues pertaining to seniority of a patwari are dealt with according to Section- 8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa (Appointment, Promotion and Transfer) Rules 1989. Attention is also invited to Rule 3.6 of Land Revenue Manual, which stipulates that names of the eligible person shall be added to the list and as an when result of the patwar examination is received and no eligible person shall be refused enrolment.

Furthermore, vide letter dated 10.09.2019 the qualification was raised from Matric and FA, whereas other conditions remained unchanged.

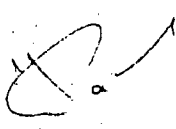
07. Based on the above criteria, now we will evaluate the case of both the parties taking into consideration the relevant facts. It is brought on record that the appellant after passing patwar examination and enlistment of his name in patwar register was appointed as patwari on regular basis vide order dated 21.07.1996. However, when seniority list for the year 2014-15 transmitted to the appellant vide communication dated 21.01.2017, it was observed that the private respondents were shown senior to the appellant against the invogue procedure. It merits to mention here that private respondent was appointed as patwari on adhoc basis, through order dated 14.09.1988. As his appointment was made on adhoc basis, therefore, he was

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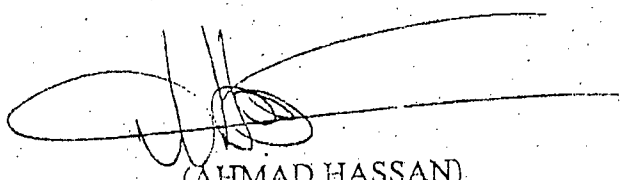
not entitled to be assigned seniority from the date of adhoc appointment. We repeatedly invited attention of the learned counsel for private respondent no. 10 to produce any document through which date of his regular appointment could be ascertained but to no avail. Surprisingly during the course of arguments we were apprised that till date the order regarding his regular appointment was not issued by the respondents. In these circumstances the date of his regular appointment i.e 14.09 1988 was against the spirit of law and rules referred to in the preceding para. Seniority is required to be drawn according to the procedure laid down in Section-8 of the Civil Servants Act, 1973 and Government Servants (Appointment, Promotion and Transfer) Rules 1989. The case of private respondent is also hit by Section-6 and 7 of Khyber Pakhtunkhwa Civil Servants Act, 1973. To put an end to this self created controversy by not adhering to the prescribed procedure for determination of seniority, the course correction option for the respondents is redraw the seniority list strictly in accordance with our observations referred to above.

08. As a sequel to the above, impugned seniority list of the year 2014-15 is set aside and respondents are directed to draw fresh seniority list in the light of our observations referred to above. Resultantly, the instant appeal is disposed of in the above terms. Parties are left to bear their own costs. File be consigned to the record

Room.
 Certified
 Secretary
 Peshawar



(MUHAMMAD HAMID MUGHAL)
 MEMBER



(AHMAD HASSAN)
 MEMBER



ANNOUNCED
 26.11.2019

Date of ... 4-2-2020
 Number ... 2400
 Charges ... 26-
 Budget ... 4-
 Total ... 30-0

70

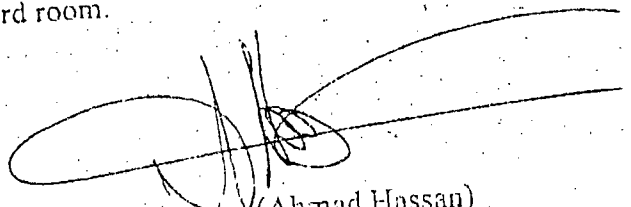
ORDER


26.11.2019


Appellant with counsel present. Mr. Usman Ghani, District Attorney alongwith Mr. M. Arif, Supdt for official respondents and private respondent no.10 with counsel present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed on file, impugned seniority list of the year 2014-15 is set aside and respondents are directed to draw fresh seniority list in the light of our observations referred to above. Resultantly, the instant appeal is disposed of in the above terms. Parties are left to bear their own cost. File be consigned to the record room.

Announced:
26.11.2019


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member


District Attorney
District Court
Peshawar



BEFORE THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

C.P.L.A.No. 92 /2020

e-71

Mr. Janat Khan.....Petitioner

Versus

Mr. Fida Hussain and others.....Respondents

Court appealed from KPK Service Tribunal Peshawar
(against the impugned judgment dated
26.11.2019 passed in Appeal
No.603/2017)

Counsel for petitioner Asif Hameed Qureshi
Advocate Supreme Court

Muhammad Ajmal Khan
Advocate-on-Record
Supreme Court of Pakistan

Counsel for the respondents: _____

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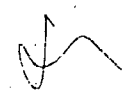
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S.No.	Description of documents.	Dated	Pages
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Certified that the paper book has been prepared by the undersigned in accordance with the rules of the court

Muhammad Ajmal Khan
Advocate-on-Record
Supreme Court of Pakistan



BEFORE THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

73

C.P.L.A.No. 92 /2020

Mr. Jannat Khan, Patwari.....Petitioner

Versus

Mr. Fida Husain and others.....Respondents

CONCISE STATEMENT

I.	Subject matter and the law	Service Matter (Seniority)	
II	Which side filed this petition	* Appellant before Service Tribunal	
III	Court/ Forum	a) Filing b) Decision	Who filed it with what result.
A	KPK Service Tribunal	a) 22.05.2017 b) 26.11.2019	Appeal No.603/2017 filed by respondent No.1 was disposed-off.
IV	Point noted in the impugned judgment	Treatment of the point noted in the impugned judgment and pages.	
	Learned counsel on behalf of petitioner contended that, petitioner was appointed on 09.09.1988, whereas the petitioner joined service on 21.07.1996; thus he was junior and his name was rightly placed at S.No.12 of the seniority list under question. Letter dated 10.09.1990 will not have retrospective applicability and in no case would affect the legitimate rights of the answering respondents. Seniority list was strictly drawn according to the in vogue rules	Hon'ble Service Tribunal held that, the present service appeal pertains to determination to seniority of the petitioner and private respondents. it has not been disputed by both the parties that issues pertaining to seniority of a Patwari are dealt with according to Section 8 of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989. Attention is also invited to Rule 3.6 of Land Revenue manual, which stipulates that names of the eligible person shall be added to the list and as an when result of the patwar examination is received and no eligible person shall be refused enrolment. Furthermore, vide letter dated 10.09.2019 the qualification was raised from Matric and FA, whereas other conditions remained unchanged. Based on the above criteria, now we will evaluate the case of	

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(B)

(74)

<p>(Muziris)</p> <p>Applicant Fida Hussain</p> <p>جوید علی</p> <p>جوید علی</p> <p>جوید علی</p>	<p>both the parties by taking into consideration the relevant facts. It is brought on record that the respondent No.1 after passing patwar examination and enlistment of his name in patwar register was appointed as patwari on regular basis. However, when seniority list for the year 2014-15 transmitted to the respondent No.1, it was observed that the private respondents were shown senior to the petitioner against the in vogue procedure. It merits to mention here that private respondent/ present petitioner was appointed as patwari on adhoc basis, through order dated 14.09.1988. As his appointment was made on adhoc basis, therefore, he was not entitled to be assigned seniority from the date of adhoc appointment. We repeatedly invited attention of the learned counsel for private respondent No.10/ present petitioner to produce any document through which date of his regular appointment could be ascertained but to no avail. Surprisingly during the course of arguments we were appraised that till date the order regarding his regular appointment was not issued by the respondents. In these circumstances the date of his regular appointment i.e. 14.09.1988 was against the spirit of law and rules preferred to in the preceding para. Seniority is required to be drawn according to the procedure laid down in section 8 of the Civil Servants Act, 1973 and Govt. Servants (Appointment, Promotion & Transfer) Rules, 1989. The case of private respondent is also hit by Section 6 and 7 of KP Civil Servants Act, 1973. To put an end to this self created controversy by not adhering to the prescribed procedure for termination of</p>
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<p>←</p> <p>←</p>	<p>←</p>	<p>Seniority, the course correction option of the respondents is redraw the seniority list strictly in accordance with our observation referred to above.</p> <p>As a sequel to the above, impugned seniority list of the year 2014-15 is set aside and respondents and directed to draw fresh seniority list in the light of our observations referred to above. Resultantly, the instant appeal is disposed-off in the above terms.</p>
V.	Case/ law Ruling involved on the points.	
	For	Against
	1) Constitution of Pakistan, 1973.	Nil
	2) Rulings/ judgments of superior courts according to need.	

Certified that this concise statement has been prepared by the undersigned in accordance with the rules of the court and is complete and correct in all respects.

Muhammad Ajmal Khan
 Advocate-on-Record
 Supreme Court of Pakistan

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(S)

(76)

BEFORE THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

C.P.L.A.No. 92 /2018

Mr. Jannat Khan, Patwari,
Patwar Halqa Sadda, Kurram Agency.
.....Petitioner

VERSUS

- 1) Mr. Fida Hussain, Patwari,
O/o Political Agent Kurram Agency at
Parachinar.
- 2) The Govt. of Khyber Pakhtunkhwa through
Senior Member Board of Revenue, Peshawar.
- 3) The Commission (FCR), Kohat Division, Kohat
- 4) The Assistant Secretary, Board of Revenue,
Peshawar.
- 5) The Political Agent Kurram Agency at
Parachinar.
- 6) Mr. Muhammad Amin Khan, Patwari
Patwar Halqa Shalozan, Kurram Agency.
- 7) Mr. Aashiq Ali, Patwari, Patwar Halqa Zeeran
Yousafkheil, Kurram Agency.
- 8) Mr. Alamgir, Patwari,
Patwar Halqa Billameen, Kurram Agency.
- 9) Mr. Asghar Hussaain Patwari
Patwar Halqa Shublan, Kurram Agency.
- 10) Mr. Aashiq Hussain S/o Khadim Hussain
Patwari C/o PA Kurram Agency.
- 11) Mr. Mumtaz Ali Shah S/o, Mohammad Akbar,
Patwari, C/o P.A Kurram Agency.

.....Respondents

A

(12) (77)

**CIVIL PETITION FOR LEAVE TO APPEAL
UNDER ARTICLE 212(3) OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973 AGAINST THE IMPUGNED
JUDGMENT DATED 26.11.2019 OF THE
HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR PASSED IN APPEAL
No.603/2017**

Respectfully Sheweth

- I. THE POINTS OF LAW AND GROUNDS INTER-ALIA OF GENERAL PUBLIC IMPORTANCE, WHICH FALL FOR DETERMINATION OF THIS AUGUST COURT ARE AS UNDER:-
- 1) Whether the impugned judgment dated 26.11.2019 passed by Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in Appeal No.603/2017 is not against law, facts and record of the case, hence untenable?
 - 2) Whether the appraisal of evidence and the findings of the Hon'ble Tribunal are not arbitrary, suffers from misreading and non-reading of evidence, misconstruction of materials available on record, misconception of law and legal infirmity?
 - 3) Whether without passing any order on application for condonation of delay by learned Service Tribunal accepted the contention of respondent No.1 (Fida Hussain) could be said a legal order under the settled principle of law on the appeal which was barred by limitation?
- h

- 4) Whether the learned Service Tribunal has not committed gross illegality by not rendering any findings/ observations on the applications for placing on record the additional documents filed by the petitioner in the appeal?
- 5) Whether the learned Service Tribunal has not committed illegality without considering the additional documents filed by petitioner through separate applications, which were relevant as well as necessary for just decision of the case?
- 6) Whether the impugned judgment of learned Service Tribunal has not been given in contrary to the law laid by this august Court in the case "Muhammad Aslam Awan Vs. Federation of Pakistan etc" reported in (2014 SCMR P-1289), because in the revised seniority list 2016 and seniority list for the year 2017 the petitioner has been placed senior to petitioner and the above said seniority lists have not been challenged by any counterpart including the respondent No.1 (Fida Hussain) till date?
- 7) Whether the learned Service Tribunal has given proper fair and just consideration of the written comments filed by official respondents regarding the matter in issue?
- 8) Whether the findings of learned Service Tribunal has not been given contrary to the material available on record regarding the date of appointment of Patwar Office order dated 20.10.1994 (exemption from Patwar School

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training) and entry in the service book with regard to date of confirmation of service?

- 9) Whether the concluding para of impugned consolidated judgment of learned Service Tribunal has been delivered in accordance with law, whereby the appeals of petitioner bearing No.226/2017 and 130/2018, left undecided without giving any findings on merits?
- 10) Whether error of law and facts are not apparent on the face of record?

II. THE STATEMENT OF FACTS GIVING RISE TO THE LAW POINTS ARE AS UNDER:

- 1) That petitioner was appointed as Patwari on regular post on 14.09.1988, which were later on confirmed on 06.04.1998.
- 2) That petitioner has passed the courses/examination of Patwari & Field Qanoongo in the year 1996-98.
- 3) That the official respondents circulated the seniority list for Patari's of Kurram Agency for the year 2014-15.
- 4) That being aggrieved of the seniority list, the present petitioner as well as respondent No.1 challenged the same before the competent authority through their department appeal.
- 5) That thereafter, the present respondent No.1 approached to the learned Service Tribunal, Peshawar and filed Appeal No.603/2017. It is to

dm

be mentioned here that, present petitioner also moved appeal before the learned Service Tribunal.

6) That the learned Service Tribunal after hearing the parties, vide its judgment dated 26.11.2019, disposed-off the appeal with the observation that seniority list of the year 2014-15 is set-aside and respondents are directed to draw fresh seniority list.

7) That the petitioner being dissatisfied with the judgment dated 26.11.2019 now seeks leave of this august court on the law points and grounds as set-out in part "A" above.

It is, therefore, humbly prayed that leave to appeal against the impugned judgment dated 26.11.2019 passed by Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in Appeal No.603/2017 may graciously be granted.

Muhammad Ajmal Khan
Advocate-on-Record
Supreme Court of Pakistan

Certificate

Certified that no such petition has been filed earlier by the petitioner against the judgment dated 26.11.2019 passed by KPK Service Tribunal, Peshawar.

Advocate-on-Record

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D-81

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.

W.P No. 6187 /2018



Janat Khan S/o Nadir Khan R/o Lower Sadda Agency, Parachinar, presently working as Acting Kanungo Upper Kurram

..... Petitioner

Govt

Versus

1. Chief Secretary Khyber Pakhtunkhwa Civil Secretariat, Peshawar
2. Member Board of Revenue, Civil Secretariat, Peshawar
3. Director Land Record, Board of Revenue, KPK, Peshawar.
4. Assistant Secretary Establishment, Revenue Record Estate Department, Board of Revenue-KPK, Peshawar.
5. Khanzada Wazir, Assistant Secretary (STAMPS), Inquiry Officer, Civil Secretariat, Peshawar.
6. Deputy Commissioner, Kurram Tribal District.
7. Fida Hussain S/o Manzoor Hussain Bangash, Patwari District Kurram R/o Shellozon Parachinar.

..... Respondents

Also

Govt

Servant

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

Respectfully Sheweth:-

ATTESTED
[Signature]
EXAMINER,
Peshawar High Court

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IN THE PESHAWAR HIGH COURT,
PESHAWAR,
JUDICIAL DEPARTMENT

Write Petition No. 4181-P/2018.

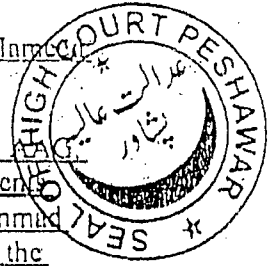
Janat Kan, Petitioner.

Versus.

Chief Secretary Govt of KPK, Respondents.

For petitioner:- Mr. Muhammad Asif Hamid
Qureshi, Advocate.

For respondents:- Mr. Mujahid Ali Khan, Advocate
for the official respondents
while Mr. Noor Muhammad
Khattak, Advocate, for the
private respondents.



Date of hearing: 23.04.2020

JUDGMENT

MUHAMMAD NAEEM ANWAR, J.:- By invoking constitutional jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, the petitioner seeks the following prayer:-

"on acceptance of this writ petition, this Hon'ble Court may kindly be declared the whole proceedings initiated/conducted by the respondents and recommendation of inquiry officer against the petitioner, illegal, null and void, lawful authority and is of no legal effect".

CMs No. 2002/2018 and 2689/2019.

These are applications submitted by learned counsel for the petitioner for placing on record some additional documents, which, as per his

ATTESTED

EXAMINER,
Peshawar High Court

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estimation, are essential for just decision of the case.

The CMs are, thus, allowed and the documents annexed therewith are made part and parcel of the main petition.

CM No. 2180/2018.

This is an application for adding the word "senior" with respondent No.2 in the heading of the writ petition and in Para No.5 of the writ petition, in line 1, the respondent No.1 may be read as respondent No.2 and in line 11, the respondent No.2 may be read as respondent No.5. Apparently, it seems to be clerical errors, therefore, in view of the facts and circumstances of the case, this application is allowed and correctly be made accordingly.

2. Facts, which are necessary for decision of the instant petition, are that the petitioner was appointed as Patwari on temporary basis on 14.09.88 by respondent No.6. He has passed Patwar training School Examination in year, 1996 and examination of Kansungo in year, 1999. As per averments of the petition, his services were confirmed on 06.04.1998 when he passed Patwar Training Examination which was a basic qualification for appointment as Patwari. Respondent No. 7 joined services as Patwari on 21.07.1996 and the dispute arose between the

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EXAMINER
Roshwar High Court

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petitioner and respondent No.7 in respect of their inter se seniority because, as per the seniority list, the petitioner was senior to him. When the dispute arose, respondent No.7 has submitted an application/complainant to respondent No.2 whereby he questioned the appointment of petitioner by contending therein that the petitioner was not eligible to be appointed as Patwari in accordance with the provisions of paragraph 3.6 and 3.12 of the Land Record Manual. Respondent No.2, on the basis of application, appointed respondent No. 5 as an Enquiry Officer, who conducted enquiry under the provisions of Khyber Pakhtunkhwa, Government Servant (Efficiency and Disciplinary) Rules, 2011. After completion of the enquiry, recommendations were submitted in accordance with sub-rule (7) of Rule 11 to the competent authority. After receipt of the enquiry report, the competent authority, respondent No.6, being not satisfied with the findings of Enquiry Officer, has filed the same vide order dated 03.07.2018. After filing of the Enquiry, another application was submitted to Respondent No.2, whereby respondent No. 6 was directed for taking further step in the light of the recommendation of the Enquiry Officer. The petitioner feeling himself

ATTESTED

EXAMINER,
Peshawar High Court

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aggrieved of the second round of enquiry, on the basis of application, submitted by him to respondent No.2 and finding no forum competent to decide the matter filed the instant petition.

3. Respondents were put on notice. Respondent No.7 has submitted written statement, whereas Respondent No.6 submitted parawise comment with the permission of the court wherein a request was made for dismissal of the instant petition.

4. We have heard learned counsel for the petitioner, learned AAG for the official respondents and learned counsel for Respondent No. 7 and gone through the record.

5. Record transpires that on the basis of clashes between petitioner and respondent No.7, pertaining to the inter se seniority, the latter submitted an application wherein he questioned appointment of the former, which, according to him, was not in accordance with the provisions of paragraph 3.6 and 3.12 of the Land Record Manual. Proper enquiry was conducted by respondent No. 5, the Assistant Secretary (Stamp), who was appointed as an Enquiry Officer, has submitted his recommendations, which, for ready reference, are reproduced as under:-

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EXAMINER
Peshawar High Court

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"Mr. Fida Hussain s/o Manzoor Hussain r/o Kurram Agency Parachinar has submitted an application to the worthy Senior Member, Board of Revenue Khyber Pakhtunkhwa against the fake/bogus appointments of Mr. Jannat Khan, Mr. Ashiq Ali, Muhammad Amin Khan, Mr. Alamgir Khan, Mr. Asghar Hussain and Mr. Mumtaz Ali Shah patwaris. All Patwaris were directed to attend the office of the Inquiry Officer for recording their statements but they have not attended this office except Mr. Jannat Khan and Mr. Asghar Hussain. From perusal of the record of the above two Patwaris i.e. Mr. Jannat Khan and Mr. Asghar Hussain, Mr. Jannat Khan Patwari was appointed on Adhoc/temporary basis on 09.09.1988 and Patwari examination was passed in the year, 1996. According to Para 03.12 (Chapter 03) of Land Record Manual "candidate who have not passed the Patwari examination must not be appointed" and according to Para 3.6 of the Land Record Manual "the names of the eligible person shall be added to the list as and when the result of the Patwar examination is received and no eligible person shall be refused enrolment". As the incumbent was appointed on temporary/ ad hoc basis and no proper regular order was issued as well as qualification is also Metric. As far as, Mr. Asghar Hussain Patwari is concerned he was also appointed on ad hoc/ temporarily basis and Patwar examination was passed in the year, 1996 and no regular appointment order was issued and his qualification is also Metric, which is totally violation of rules and regulations. On the other hand, Revenue and Estate Department has issued a notification that no person shall be

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Chawar High Court

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appointed in the service unless he has passed F.A or equivalent examination from a recognized Board and Patwar examination from a Patwar Training School. As such, qualifications of both the Patwaris are Metric and no regular appointment order has been issued to them by the concerned Authority as well as other Patwaris namely Mr. Ashiq Ali, Muhammad Amin Khan, Mr. Alamgir Khan and Mumtaz Ali Shah. They have not attended this office nor provided any written statement to the undersigned in their defence. All are appointed on ad hoc/temporary basis and there is no regular appointments order, which reveals that they have nothing in their defence. From perusal of the record and personal hearing, they have not cleared their position and found guilty of the charges levelled against them. In view thereof, it is recommended that the Patwaris namely, Mr. Jannat Khan, Mr. Ashiq Ali, Muhammad Amin, Mr. Alamgir Khan, Mr. Asghar Hussain and Mr. Mumtaz Ali Shah may be awarded major penalty under section 4 (b) (iii) of the Khyber Pakhtunkhwa Government Servant (E & D) Rules, 2011 of Removal from Service."

6. When recommendation of the enquiry officer was submitted to the Deputy Commissioner/ respondent No.6, who, while considering the entire facts, have concluded the same as under:-

" In view of the above, the claim of Fida Hussain Patwari is not considerable, which may be filed because Fida Hussain Patwari himself and other Patwaris have filed appeals which are under trial in the Khyber

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EXAMINER.
Peshawar High Court

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Pakhtunkhwa Service Tribunal Peshawar and
August court Peshawar High court, Peshawar".

7. The said order for filing of the enquiry was passed on 03.07.2018 by the Deputy Commissioner which was never challenged by the respondent No.7 and, astonishingly, on 17.07.2018 another application was submitted to respondent No.2 by mentioning the same allegations, who, on receipt of the application, through its office order No. Estt: VII/Inquiry File/ 2973, dated 8.8.2018, directed respondent No.6 for taking further step in the light of recommendations of the Enquiry officer and submission of compliance report.

8. Admittedly, the matter in respect of inter se seniority became the cause for submitting the application and intending initiation of proceedings against the petitioner to the extent that he should be removed from service for the reason that by considering contents of the application that the enquiry officer conducted the enquiry, who suggested that major penalty under the provisions of Sub-rule (b) (III) of Rules 4 of the Khyber Pakhtunkhwa Government Servant (E & D) Rules, 2011 of Removal of Services be imposed. Not only the application but the appeal was also filed by respondent No.7 by

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EXAMINER
Peshawar High Court

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implicating the present petitioner in the array of respondent at serial No.10, the said appeal is of year, 2017, thus, the perusal of record reveals that when the earlier application was filed by respondent No.7 to respondent No. 2 for initiating the proceedings and the appeal before the Khyber Pakhtunkhwa Service Tribunal Peshawar was pending. The record further reveals that Service Appeal No. 603 of year, 2017 was decided by the tribunal on 26.11.2019, wherein the dispute pertaining to the seniority of respondent No.7 with the petitioner and others was resolved. The contents of appeal filed before the tribunal were also containing the same allegations as narrated in the application which was submitted to respondent No.2. The agony so developed between the petitioner and respondent No.7 were to the extent that respondent No.7 could not stop himself from dragging the petitioner whereby he faced the enquiry as well as appeal which remained pending adjudication in the competent forum.

9. Be that as it may, the question before us is as to whether once the inquiry officer has submitted his report, whatever it may be the recommendation, within the provisions of the of the Khyber Pakhtunkhwa Government Servant (E & D) Rules,

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Peshawar High Court

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2011, the competent authority was legally bound to forward the same along with his suggestions to the Authorized officer?. Answer is simple that the competent authority is not bound to accept the recommendations/suggestions as submitted by the Enquiry Officer to him. As such, the respondent No.6 while going through the entire facts of the dispute and while confronting with the proceedings of appeal before the Tribunal, has filed the enquiry, thus, if respondent No.7 was feeling himself aggrieved from the order of respondent No.6, the same should have been assailed before the competent forum but in no case he could submit another application to respondent No.2 with the same allegations. Likewise, respondent No.2 while considering the contents of the application so mentioned in it, would have to apply his prudent mind with respect to the allegation and the fate of enquiry but he while putting aside all the facts, either by ignorance the basic provisions of law or intentionally forwarded the matter with the direction to respondent No.6 to decide it in accordance with the recommendations of the Enquiry Officer.

10. The Authorized officer in no way could impose his own findings or direct the competent authority to decide the matter in a particular manner

ATTESTED
 EXAMINER
 Peshawar High Court

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as the competent authority is not his personal servant. He will have to obey the law in its true spirit as the petitioner, respondent No.7 and the other official respondents, being the resident of the sovereign State of the Islamic Republic of Pakistan being governed by the provisions of the Constitution of the Islamic Republic of Pakistan, as such, for each and everything there is specific provisions and criteria for determination and resolving the matter but by no stretch of imagination, the respondent No.2 as per his whim and wishes, to get impose his intention to be complied with by respondent No.7, the competent authority.

11. Though, during the course of arguments, counsel for the respondent No.7 has raised objection regarding maintainability of the instant petition on the ground that respondent No.7 and the petitioner are civil servants, therefore, in view of the specific bar under Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973 this court cannot adjudicate upon the matter. Before us, the matter does is not pertain to the terms and conditions of service and for that matter relating to the basic appointment order of the petitioner, which, as per contention of respondent No.7, was illegal, *void ab initio* and

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EXAMINER
Peshawar High Court

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contrary to the provisions of paragraph 3.6 and 3.12 of the Land Record Manual. There is no dispute with regard to the mechanism as earlier it was provided in paragraph 3.6 r/w 3.12 of the Land Record Manual for the purpose of appointment of the patwari, however, the instant matter pertains to the order passed by respondent No.2 on the basis of the application submitted by respondent No.7 whereby it was intended by him that the recommendations given by the Enquiry Officer should not only be complied with *stricto sensu* but also the petitioner should be removed from services. The competent authority while not considering the enquiry in consonance with the provisions of law coupled with the facts of the case has filed the same, which may be right or wrong, but one, who considered himself aggrieved from the findings of the Enquiry, should have challenged the same in accordance with law. No sooner did, respondent No. 6 file the enquiry, the respondent No.7 has submitted another application. The matter also remained pending adjudication before the Service Tribunal where besides other allegations pertaining to legal aspect of the case as to whether the petitioner was appointed in accordance with law or otherwise, where no such findings to that effect were recorded by

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 EXAMINER
 Peshawar High Court

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the Service Tribunal, however, the basic dispute with regard to the inter se seniority was laid to rest. It is settled principle of administration of justice that when a thing is required to be done in a particular mode and manner then it must be done in that particular manner not otherwise, so, initiating *de novo* enquiry or directing the competent authority to recommend the enquiry is not only misconception of law but also resulted into miscarriage of justice. Respondent No.2 was not supposed to direct the respondent No.6 to comply with recommendation of the Enquiry Officer which order of respondent No.2 is nullity in the eye of law, as it is an excess of power and mis-use of his authority.

12. In view of what has been discussed above, we admit and allow the instant petition as prayed for.

Announced
24.04.2020.
M.Z. H. P.S.

CHIEF JUSTICE



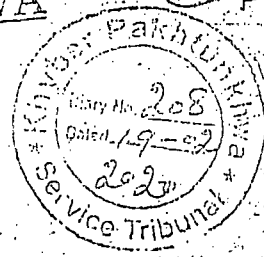
(DB: Hon'ble Mr. Justice Waqar Ahmad Seth, CJ & Hon'ble Mr. Justice Muhammad Nazeem Anwar)

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 Examiner
 Peshawar High Court, Peshawar
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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution petition No: 57 /2020
In
Service Appeal No: 603/2017



Fida Hussain, Patwari

VERSUS

Political Agent Now Deputy Commissioner Kurram &
Others

APPLICATION FOR
IMPLEMENTATION OF
THE JUDGMENT AND
ORDER DATED 26th
NOVEMBER 2019 OF THIS
HONBLE TRIBUNAL

Respectfully Sheweth,

The applicant humbly submits as under:-

1. That the Applicant/ Appellant was serving
in the respondent Department.

2. That the applicant / appellant filed
departmental appeal against the
Respondents, which was not responded by
the Respondent Department.

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SECRETARY
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

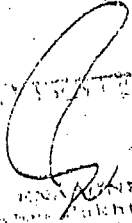
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3. That the petitioner filed service appeal No. 603/2017 before this Hon'ble Tribunal on 22/05/2017.

4. That the service appeal No. 603/2017 of the applicant/ appellant was accepted/ allowed on 26/11/2019. (Copies of the Order/ Judgment & submission letter are attached)

5. That after accepting/ allowing the service appeal, the petitioner approached to the Respondents/ Department for implementation of the order of this Hon'ble Tribunal, but the respondent department are using delaying tactics to implement the order of this Hon'ble Tribunal, hence the instant application.

6. That there is no legal bar in allowing the instant application; rather the same shall secure the ends of justice.


JANA KUMAR
Secretary
Tribunal
Patna



7. That this Hon'ble Tribunal already

provided the implementation & complaints

letter on dated 13/12/2019 to the

respondents department.

8. That this Hon'ble Tribunal has got ample

power to entertain the instant application.

9. That any other ground will be raised at the

time of arguments with the prior

permission of this Hon'ble Tribunal.

It is, therefore, respectfully prayed
that on acceptance of this Application, the
direction may kindly be issued to
Respondents Department to implement the
order dated 26/11/2019 of this Hon'ble
Tribunal.

Dated: 18/02/2020

Applicant/ Appellant

Fida Hussain

O/o now Tribal District.

Kurram

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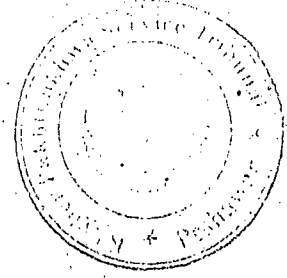
**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

COC PETITION NO. 70 /2022
IN
EXECUTION PETITION NO. 57/2020
IN
APPEAL NO. 603/2017

FIDA HUSSAIN

V/S

D.C DEPTT:



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Dated: 25.1.2022

APPELLANT

Through:

**NOOR MOHAMMAD KHATTAK
ADVOCATE
0345-9383141**

ATTESTED
[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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2- That after hearing the arguments from both sides set aside the impugned seniority list of 2014-15 vide judgment dated 26-11-2019 wherein the concluding para-07 includes as:

"Based on the above criteria, now we will evaluate the case of both the parties by taking into consideration the relevant facts. It is brought on record that the appellant after passing patwar examination and enlistment of his name in patwar register was appointed as patwari on regular basis vide order dated 21-07-1996. However, when seniority list of the year 2014-15 transmitted to the appellant vide communication dated 21-01-2017, it was observed that the private respondents were shown senior to the appellant against the invogue procedure. It merits to mention here that private respondent was appointed as patwari on adhoc basis, through order dated 14-09-1988. As his appointment was made on adhoc basis, therefore, he was not entitled to be assigned seniority from the date of adhoc appointment. We repeatedly invited attention of the learned counsel for private respondent no. 10 to produce any document through which date of his regular appointment could be ascertained but to no avail. Surprisly during the course of argument we were apprised that till date the order regarding his regular appointment was not issued by the respondents. In these circumstances the date of his regular appointment i.e. 14-09-1988 was against the spirit of Law & Rules referred to in the preceding para. Seniority is required to be drawn according to the procedure laid down in Section-8 of the Civil Servant Act, 1973 and Government Servants (Appointment, Promotion & Transfer) Rules, 1989. The case of private respondents is also hit by Section-6 and 7 of Khyber Pakhtunkhwa Civil Act, 1973. To put an end to this self created controversy by not adhering to the prescribed procedure for determination of seniority, the course correction option for the respondent in redraw the seniority list strictly in accordance with our observations referred to above".

Copy of Judgment dated 26-11-2019 is attached as Annexure A.

ATTESTED
 JUDGE
 KHYBER PAKHTUNKHWA
 SERVICE TRIBUNAL

3- That appellant/petitioners filed an execution petition No. 57/2020 for implementation of the order dated 26-11-2019 when the case was not declared to be fit for filing of CPLA before the Supreme Court of Pakistan. Copy of Execution Petition is attached as annexure B.


4- That, respondents considers that direction issued by this Honourable Tribunal vide judgment dated 26-11-2019 is just court observation and nothing else.


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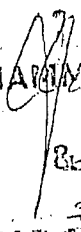
- 5- That, in response presented and submitted the same seniority list which was set aside by this honourable Tribunal vide judgment dated 26-11-2019 on the date of hearing vide order sheet 19-01-2022. Copy of the Seniority List & Order sheet is attached as Annexure C.
- 6- That, according to the judgment dated 26-11-2019 neither Section-6 nor Section-7 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 is followed in the impugned Seniority List.

It is therefore, most humbly prayed that the contempt of court proceeding may kindly be initiated against the respondents contemnor as prayed for.

Dated: 21-01-2022

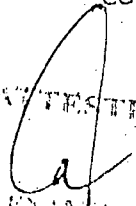
APPELLANT

FIDA HUSSAIN & ANOTHER

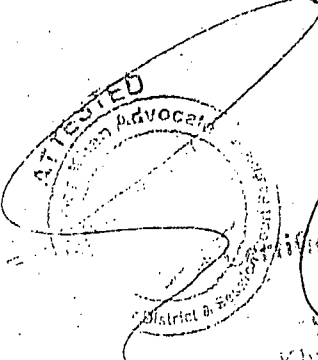
Date of Presentation of Application: 26-1-22
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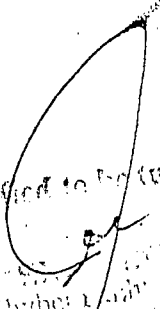
THROUGH:
NOOR MOHAMMAD KHATTAK

MUHAMMAD TAJUL HAQUE
 ADVOCATES, PESHAWAR

AFFIDAVIT

I, Fida Hussain s/o Haji Manzoor Hussain do hereby solemnly affirm on oath that the contents of the Contempt of Court petition are true and correct to the best of knowledge & belief and nothing has been concealed from this Honourable Tribunal.

ATTESTED

 District & Sessions Judge
 Peshawar

ATTESTED

 District & Sessions Judge
 Peshawar

ATTESTED

 District & Sessions Judge
 Peshawar

DEPONENT
FIDA HUSSAIN
 21303-8351494-3
 0306-9222399



100

FORM OF ORDER SHEET

Court of _____

C.O.C application No. 70/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1	25/01/2022	<p>The C.O.C application of Mr. Fida Hussain submitted today by Mr. Noor Muhammad Khattak Advocate, may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2-		<p>This C.O.C application be put up before S. Bench on <u>25/01/2022</u>. Notice of the same be issued to <u>07/03/2022</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>

ATTESTED

REGISTER
Service Tribunal
Peshawar

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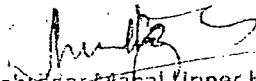
SENIORITY LIST OF REGULAR PATWARIS DISTRICT KURRAM


S/No	Name & Parentage	Date Of Birth	Qualification	Date Of Appointment	Date Of Confirmation	Remarks
1	Janat Khan S/O Nadar Khan	05-04-1969	Matric	14-09-1988	06-04-1998	Promoted as FKGO On Acting Charge Basis
2	Muhammad Amin Khan S/O Baz Khan	16-01-1966	Matric	14-01-1990	06-04-1998	Promoted as FKGO On Acting Charge Basis
3	Ashiq Ali S/O Ghulam Ali	1964	BA	14-01-1990	06-04-1998	Promoted as FKGO On Acting Charge Basis
4	Alamgir Khan S/O Sardar Khan	12-04-1966	Matric	14-01-1990	06-04-1998	
5	Asghar Hussain S/O Mukhtar Ali	18-03-1963	Matric	15-01-1990	15-01-1990 (confirmed on 15-01-1990 but dismissed due to untrained on 25-12-1999 and re-instated on 04-03-2011 without back benefits	Not eligible for Confirmation as he has not passed the basic Patwar Examinations
6	Syed Mumtaz Aii Shah S/O Said Muhammad Akbar	11-05-1970	Matric	18-01-1992	06-04-1998	
7	Muhammad Yasin S/O Fazal Rehman	02-04-1969	FA	22-07-1996	17-02-2006	
8	Fida Hussain S/O Manzoor Hussain	15-02-1970	MA	22-07-1996	17-02-2006	
9	Muhammad Zaman S/O Hussain Ghulam	05-03-1967	FA	28-03-2000	28-02-2018	
10	Israr Hussain S/O Hussain Ghulam	20-03-1968	BSc	28-03-2000	19-07-2018	
11	Abrar Hussain S/O Dildar Hussain	03-01-1972	BA	28-03-2000	19-07-2018	
12	Shoukat Ali S/O Muhammad Younas	26-05-1979	FA	11-11-2004	07-05-2013	
13	Jamshid Iqbal Bangash S/O Miramian	05-05-1979	FA	01-02-2006	16-05-2014	
14	Imran Khan S/O Hassan Khan	06-02-1986	MA	21-09-2006	21-09-2007	

G-101

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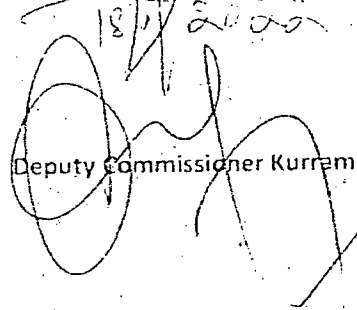
S.N. 5 not eligible


Tehsildar Mahal Upper Kurram


Assistant Commissioner Upper Kurram


Assistant Commissioner Lower Kurram


Additional Deputy Commissioner (G) Kurram


Deputy Commissioner Kurram

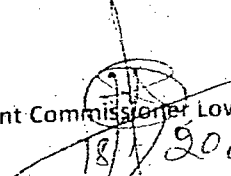
SENIORITY LIST OF REGULAR PATWARIS DISTRICT KURRAM

S/No	Name & Parentage	Date Of Birth	Qualification	Date Of Appointment	Date Of Confirmation	Remarks
15	Muhammad Mustafa S/O Muhammad Shah	07-04-1984	FSc	14-04-2008	14-04-2009	
16	Imtiaz Hussain S/O Iqbal Hussain	22-03-1987	MA	16-06-2010	15-07-2013	
17	Ghilaf Hussain S/O Israr Hussain	30-04-1985	BA	15-02-2011	24-07-2013	
18	Dildar Hussain S/O Sardar Hussain	13-02-1982	MA	05-03-2012	23-01-2018	
19	Bismillah Khan S/O Gul Mat Khan	06-03-1980	FA	24-06-2013	08-04-2020	
20	Muhammad Farooq S/O Sardar Ali	20-03-1984	MA	28-06-2013	10-11-2015	
21	Syed Adil Hussain S/O Syed Aqil Hussain	03-03-1987	FSc	28-06-2014	23-01-2018	
22	Shoaib Hussain S/O Imran Ali	15-02-1988	MA	07-12-2018	07-12-2018	
23	Syed Rahim Shah S/O Syed Badshah	01-01-1984	FA	09-01-2020	09-01-2020	
24	Syed Asif Ali Shah S/O Syed Minhaj Ul Hassan	14-05-1995	FSc	09-01-2020	09-01-2020	
25	Noor Ul Haq-I S/O Qadar Khan	05-04-1993	FSc	09-01-2020	09-01-2020	
26	Iftikhar Hussain S/O Sajjad Hussain	05-04-1985	FSc	09-01-2020	09-01-2020	
27	Nasir Hussain S/O Mir Afzal	10-04-1993	FA	09-01-2020	09-01-2020	
28	Noor Ul Haq-II S/O HajidAkhunzada	25-04-1993	FSc	09-01-2020	09-01-2020	

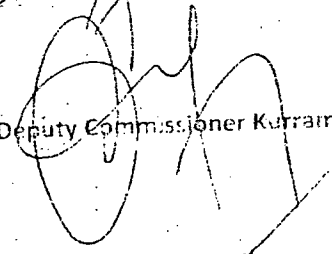
SN. 5 not eligible


Tehsildar Mahal Upper Kurram


Assistant Commissioner Upper Kurram


Assistant Commissioner Lower Kurram


Additional Deputy Commissioner (G) Kurram


Deputy Commissioner Kurram

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E.P No 57/2020 *Fida Hussain v D.C*

19.01.2022

Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Mr. Noor Saeed, Supdt for official respondents and counsel for private respondent No.2 present.

H-103

Respondent-department submitted seniority list of the regular Patwaris of district Kurum in pursuance of the Service Tribunal judgement dated 26.11.2019 which is placed on file and copy thereof is handed over to the learned counsel for the petitioner as well as private respondent No.2 for submission of objection and rejoinder, if any. According to the report submitted to DC Kurum, the petitioner has been appointed as Patwari on 21.07.1996 and confirmed on 17.02.2006 whereas private respondent No.2 alongwith other patwaris were regularized w.e.f 06.04.1998 instead of 14.09.1988 though appointed on 14.09.1988. Learned AAG contended that seniority list of regular Patwari has been issued as per spirit of the Service Tribunal judgement and if it is considered to have not been issued in accordance with the directions of the Service Tribunal then it leads to a fresh cause of action for which appropriate remedy is available. Learned counsel for private respondent No.2 also endorsed the view point of learned AAG. To come up for further proceedings on 07.03.2022 before S.B.

[Signature]

(Mian Muhammad) Member(E)

Certified to be true copy

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 19-1-2022
Number of Words 4400
Copying Fee 46
Total 46
Name of Applicant *[Signature]*
Date of Completion of Copy 20-1-22
Date of Delivery of Copy 20-1-22

[Signature]

I-(104)

To

The Commissioner
Kohat Division
Kohat

Subject:- DEPARTMENTAL APPEAL AGAINST THE FINAL SENIORITY LIST OF REGULAR PATWARI DISTRICT KURRUM AS STOOD/ISSUED ON 18-01-2022

R/Sir,

Kindly refer to seniority list of patwari of District Kurrum dated 18-01-2022 issued by the Deputy Commissioner Kurrum, in this context the following facts are submitted for your kind information and necessary action/compliance of verdict of the august Service Tribunal Khyber Pakhtunkhwa :-

1. That the issue in hand is inter-se seniority of the appellant and private respondents mentioned at S.No.1 to 7 of the impugned seniority list. That the private respondents have been made senior to the appellant despite the facts that the appellant is a regular employee while the private respondents were appointed on adhoc basis.

Reader
B.A.S.
24/07/22
SS-Poll

The Adminal
→ action

Dated 24/11/22

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ACB	
ACP	
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That the case in hand remained under adjudication in the Hon'able Services Tribunal and finally decided on 26-11-2019, the crux of which is that "the appellant after passing partwar examination and enlistment of his name in patwar register was appointed as patwari on regular basis vide order dated 21-07-1996 but in the seniority list for the year 2014-15 transmitted to the appellant vide communication dated 21-01-2017, it was observed that the private respondents were shown senior to the appellant against the in-vogue procedure. Astonishingly the private respondents were appointed as patwari on adhoc basis, through order dated 14-09-1988 as such they are not entitled to be assigned seniority from the date of appointment in preference to the appellant as the services of the private respondents have not been regularized.

3. That the august Service Tribunal vide its judgment dated 26-11-2019 has set aside the seniority list of the year 2014-15 with strict direction to the respondent department to draw a fresh seniority list in light of observations of court as explained above.

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4. That the present seniority list is violative of the judgment of the august Service Tribunal dated 26-11-2019 and also violative of Section 6,7 & 8 of the Civil Servants Ac, 1973. Moreover, the instant seniority list is violative of rules 15 & 17 of the Khyber Pakhtunkhwa Appointment Promotion & Transfer Rules, 1989.

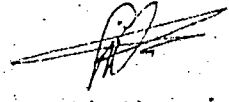
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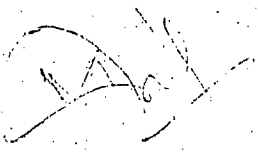
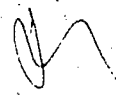
Forgoing in view, it is humbly requested that on acceptance of this departmental appeal, the impugned seniority list dated 18-01-2022 issued by the Deputy Commissioner Kurrum may very kindly be rectified/modified to the extent of appellant by placing the name of the appellant at due and proper place i.e at S.No.1 of the seniority list of regular patwari of District Kurrum with all back benefits.

Dated 21-01-2022

Yours obediently



Fida Hussain
Patwari District Kurrum
Cell # 03069222399





**OFFICE OF THE
DEPUTY COMMISSIONER KURRAM**

0926-310599/310777
0926-310520/311797
dckurram786@gmail.com

M

No. 374 /Estt/DC (Kurram):

Dated Parachinar 01/03/2022

To

The Commissioner
Kohat Division Kohat

SUBJECT:

APPEAL NO.01/2022 TITLED AS FIDA HUSSAIN VS DC KURRAM
DEPARTMENTAL APPEAL AGAINST THE FINAL SENORITY LIST OF REGULAR PATWARI DISTRICT KURRAM AS STOOD/ISSUED ON 18/01/2022

Please refer to your office letter No.12/Reader/Cmr-Kt, dated 27/01/2022 on the subject noted above. Para-wise comments are submitted as under:

- In reply it is stated that in order to execute the directions of the learned Service Tribunal in execution Petition No.57/2020 in the said connection, a committee, comprising Additional Deputy Commissioner, Assistant Commissioner Upper Kurram, Assistant Commissioner Lower Kurram and Tehsildar Mahal, was constituted to examine all aspects of the said disputed seniority and resolve the issue accordingly. The Committee perused service record of the appellant and the respondents and unanimously decided the seniority list in question and submitted vide report of the Additional Deputy Commissioner (General), Kurram, dated 02/12/2021 (Copy of the report is annexed as annexure -A).
- Correct to the extent that the case in hand remained under adjudication in the honorable Service Tribunal and finally decided on 26.11.2019 but incorrect to the extent that the appellant was appointed as patwari on 21/7/1996 on regular basis. The fact is that the appellant was appointed as Patwari on the said date on purely temporary basis and the respondent as mentioned at S#01 of the seniority list, on 09/09/1988 as patwari on temporary and ad-hoc basis subject to the condition that his (Mr. Janat Khan) appointment would be made regular after he qualify the Patwar training from a Patwar Training school or the competent authority relax rules regarding passing of Patwar examination. Similarly Service of the appellant and respondents were confirmed/regularized on 17/02/2006 and 06/04/1998 respectively (Copies of orders dated 17/02/2006 and 06/04/1998 are annexed as B & C respectively). In view of the aforementioned information, the committee decided order of the said seniority list in question. It is pertinent to submit here that the Service Tribunal in its order dated 26/11/2019 has noted that "Fida Hussain was appointed on regular basis vide

AMX

Reader

07/03/2022
Supdt

Dated 7/3/22

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(107)

Patwari Fida Hussain as his service got regularized vide order No.792-97/Acct, dated 17/02/2006 and accordingly proper entry has also been made in his service book(copy enclosed)

Service details of the Appellant and the respondents are reproduced in tabulated form as annexure -D,

3. Correct as explained in the above Para- 01& 02.
4. As stated in the para-01 and 02 above

It is added that the respondent Mr Janat Khan (Patwari) inter-alia were exempted from the attendance of the Patwari exam .However they will have to appear in Patwar school examination scheduled to be held at Kohat vide No.2190-92/LR-1/102/Exam,dated 20/10/1994(Copy annexed as E).Accordingly he(Mr.janat Khan Patwari) appeared in the Patwar Training School Examination held in the month of April,1995 and July 1996 at Kohat and passed all the papers as per DMC provided by the Directorate of land records(Placed as annexure F)

It further added that the said appeal is already under trail in the Service tribunal and next for hearing has been fixed as 07/03/2022.

In view of the above it is, therefore, requested that the appeal in question may kindly be dismissed.

Deputy Commissioner
District Kurram



(108)

**OFFICE OF THE
COMMISSIONER KOHAT DIVISION
KOHAT**

Pl: 0922-9260001
0922-9260232
Fax: 0922-9260105
0922-9260385

Articles for loss of
NOTICE (1)

Commissioner Kohat Division, Kohat commissionerkht commissionerkohat@gmail.com
No. 57 /Reader/Cmr-Kt Dated Kohat Apr, 05 2022.

To
The Deputy Commissioner,
Kurram.

**SUBJECT: JOINT PARA WISE COMMENTS IN COC NO 70/2022 IN SERVICE
APPEAL TITLED AS FIDA HUSSAIN VS DC KURRAM ETC**

Memo:

I am directed to refer to the above noted subject and to say that the petitioner Fida Hussain, patwari of District Kurram challenged the seniority list 2014-2015 vide appeal No.603/2017 in Khyber Pakhtunkhwa Service Tribunal which disposed off the appeal by setting aside the impugned seniority list 2014-15 vide order dated 26-11-2019 which is reproduced as under:-

"it merits to mention here that the private respondent (Janat Khan) was appointed as patwari on adhoc basis through order dated 14-09-1988. As his appointment was made on adhoc basis, therefore he was not entitled to be assigned seniority from the date of adhoc appointment. We repeatedly invited attention of the learned counsel for the private respondent no 10 (Janat Khan) to produce any document through which date of his regular appointment could be ascertained, but to no avail...

As a sequel to the above, impugned seniority list 2014-15 is set aside and respondents are directed to draw fresh seniority list in the light of our observations referred to above."

Instead of implementing the order of Service Tribunal, the then DC Kurram constituted a committee to ponder over the order dated 26-11-2019. In the light of the report of the committee, seniority was issued by then DC Kurram in which the previous position of the petitioner and the respondent has been kept intact. Now, the Commissioner Kohat Division has expressed great concern over non-implementation of Khyber Pakhtunkhwa Service Tribunal order dated 26-11-2019 as this will definitely create embarrassing situation for the official respondents. I am therefore directed to return herewith the subject para-wise comments as unsigned with the request that the Tribunal order dated 26-11-2019 may strictly be implemented before submitting para-wise comments.

I am further directed to request that such type of matters may personally be attended, please.

Secretary to Commissioner,
Kohat Division, Kohat.

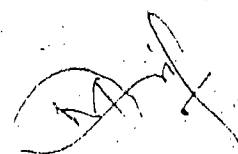
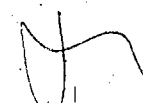
Copy forwarded to the

1. Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. PS to Commissioner, Kohat Division, Kohat.

Secretary to Commissioner,
Kohat Division, Kohat.

FORM OF ORDER SHEET
COURT OF COMMISSIONER KOHAT DIVISION KOHAT

(109)

Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or counsel where necessary
1	2	3
	18-05-2022	<p style="text-align: center;"><u>APPEAL NO-01/2022</u></p> <p style="text-align: center;">FIDA HUSSAIN PATWARI DISTRICT KURRAM ..APPELLANT</p> <p style="text-align: center;">VERSUS</p> <p style="text-align: center;">DEPUTY COMMISSIONER, KURRAMRESPONDENT</p> <p>Appellant present. The rep: of Deputy Commissioner Kurram also present. Para wise comments and record submitted by Deputy Commissioner Kurram, perused. From perusal of the record, it is clear that the matter has already been adjudicated in Khyber Pakhtunkhwa Service Tribunal, Peshawar and the said Tribunal has decided the case in favour of the appellant vide order dated 26-11-2019. Moreover, execution petition filed by the appellant in connection with the order dated 26-11-2019 is sub judice in the Tribunal. The order of Khyber Pakhtunkhwa Service Tribunal dated 14-04-2022 is also worth mentioning whereby the salary of Deputy Commissioner Kurram has been attached for wrong/non submission of implementation order. Furthermore, mere filing of CPLA in Supreme Court against the Tribunal order without interim relief does not bar the implementation of Tribunal order.</p> <p>Keeping in view the above, the instant appeal is disposed off with the direction to Deputy Commissioner Kurram to implement the order of Khyber Pakhtunkhwa Service Tribunal dated 26-11-2019 as already directed vide office letter bearing No.57/Reader dated 05-04-2022.</p> <div style="text-align: right; margin-top: 20px;">  COMMISSIONER KOHAT DIVISION KOHAT </div> <div style="text-align: right; margin-top: 100px;">  </div>

(D) K-110

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution petition No. 57 /2020

In

Service Appeal No: 603/2017

Fida Hussain, Patwari

VERSUS

1. Political Agent Now Deputy Commissioner Kurram & Others
2. Jannat Khan, Patwari, Patwar Halqa Saicda, Kurram Agency

APPLICATION FOR
IMPLEMENTATION OF
THE JUDGMENT AND
ORDER DATED 26th
NOVEMBER 2019 OF THIS
HONBLE TRIBUNAL

Respectfully Sheweth,

The applicant humbly submits as under:-

1. That the Applicant/ Appellant was serving in the respondent Department.
2. That the applicant / appellant filed departmental appeal against the Respondents, which was not responded by the Respondent Department.

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

07 2022

Learned counsel for the appellant present. Mr. Kabirullah Khanak Additional Advocate General for official respondents and counsel for private respondent No. 2 present.

02. Learned counsel for the appellant as well as learned counsel for private respondent No. 2 advanced their respective point of view with regard to implementation of the Service Tribunal judgement resulted in issuance of seniority list of regular Patwaris of District Kurrum by the respondent department on 18.01.2022 which has accordingly been recorded in order sheet dated 19.01.2022. The implementation report/status was further heard and discussed on successive dates and lastly on 14.07.2022.

03. To strike at the root cause and bone of contention between the learned counsel for the appellant as well as learned counsel for private respondent No. 2, it is important to have a glance of the operating Para of the Service Tribunal judgement dated 26.11.2019 which follows like:

"impugned seniority list of the year 2014-15 is set aside and respondents are directed to draw fresh seniority list in the light of our observations referred to above. Resultantly, the instant appeal is disposed of in the above terms."

04. Consequently, the respondent department while following the procedure laid down in Section 8 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, issued the seniority list dated 18.01.2022 with which learned counsel for the petitioner does not seem to be at comfort/ease or satisfied at all.

05. This Bench while taking in to account observations recorded by the Service Tribunal in its judgement at Para 6 & 7 of the judgement dated 26.11.2019, is of the view that it has been implemented by the respondents according to its spirit. So far the question pertaining as to whether the seniority list determined/drawn by the respondents on 18.01.2022 to be taken as "tentative" or "final", because nowhere it is reflected on the said seniority list, it gives a fresh cause of action to the appellant who is at liberty to approach the competent forum, if he is so advised. Consign.

06. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 15th of July, 2022.

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Mian Muhammad)
Member (I.)

VAKALATNAMA

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

APPEAL NO: _____ OF 2022

Fida Hussain

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

SMBR

(RESPONDENT)
(DEFENDANT)

I/We Fida Hussain

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2022



CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK
(BC-10-0853)
15401-0705985-5**

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