

29.07.2022


Appellant alongwith counsel present.

Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for written reply/comments on 03.10.2022 before S.B.

*Legal help was not
served upon notice
due to non-availability
of postal tickets which
were not provided.
Notice was put on
notice.*

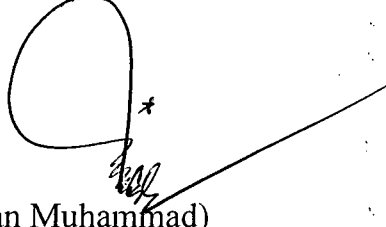
RS 800
Appellant Deposited
Security & Process Fee
29/7


(Rozina Rehman)
Member (J)

03.10.2022

Appellant present in person. Mr. Naseerud Din Shah, Asstt. AG for the respondents present.

Written reply/comments have not been submitted. Learned Asstt. AG requested for further time to contact the respondents for submission of reply/comments. Request is accepted. To come up for written reply/comments on 30.11.2022 before S.B.


(Mian Muhammad)
Member (E)

11.01.2022

Nemo for the appellant. Notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for preliminary hearing on 08.03.2022 before the S.B.


(Salah-Ud-Din)
Member (J)

08.03.2022


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 08.06.2022 for the same as before.


Reader.

08.06.2022

Junior to counsel for the appellant present.

Lawyers are on general strike, therefore case is adjourned. To come up for preliminary hearing on 28.07.2022 before S.B.


(Rozina Rehman)
Member (J)

10.06.2021

Counsel for the legal heirs of the deceased appellant present. Mr. Kabiruillah Khattak, Addl. AG for the respondents present.

Learned AAG has no objection on the restoration of appeal. The appeal is restored on its original number. The matter pertains to financial benefits, legal heirs of the deceased appellant are impleaded in the appeal. To come up for preliminary hearing on 15.09.2021 before S.B.


Chairman

15.09.2021

Nemo for the appellant present.

Notice be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing before the S.B on 03.11.2021.


(MIAN MUHAMMAD)
MEMBER (E)

03.11.2021

Brother of the deceased appellant present.




Former requests for adjournment on the ground that his counsel is not available today. Adjourned. To come up for preliminary hearing on 11.01.2022 before S.B.


(Mian Muhammad)
Member(E)

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 90 /2021

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	26.03.2021	<p>The restoration of application submitted by Legal Heirs of (Late) Mr. Shakeel Arshad through Neelam A Khan Advocate, may be entered in the Institution Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This restoration application is entrusted to S. Bench to be put up there on <u>16/04/21</u></p> <p style="text-align: right;"> MEMBER</p>
16.04.2021		<p>Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 10.06.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

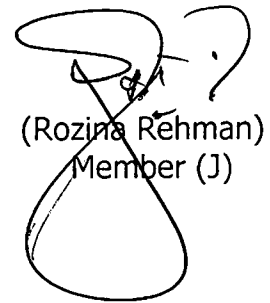
22.12.2020

Nemo for appellant.

This case was called time and again but neither the appellant nor his counsel appeared before the Tribunal.


As such, the appeal stands dismissed in default for non-prosecution. No order as to costs. File be consigned to the record room.

Announced.
22.12.2020



(Rozina Rehman)
Member (J)

19.05.2020 Nemo for the appellant. Adjourned. To come up for preliminary hearing on 03.06.2020 before S.B. Notice be issued to the appellant and his counsel.


(M. Amin Khan Kundi)
Member (J)

03.06.2020 Nemo for the appellant.

Notices as required on 19.05.2020 seem to have not been issued. Fresh notices be issued to appellant/counsel for the next date of hearing. To come up for preliminary hearing on 12.08.2020 before S.B.

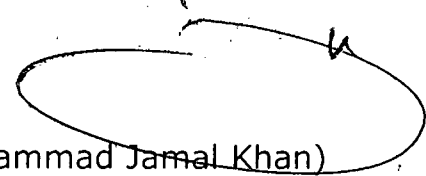

Chairman

12.08.2020 Counsel for the appellant present.

Learned counsel requests for adjournment in order to further prepare the brief on the point of delay involved in the matter. Adjourned to 20.10.2020 before S.B.


Chairman

20.10.2020 The legal fraternity is observing strike today, therefore, the case is adjourned to 22.12.2020 before S.B.

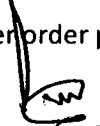

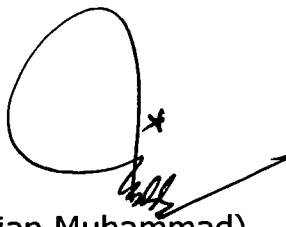

(Muhammad Jamal Khan)
Member (Judicial)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3193 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/04/2020	<p>The appeal of Shakeel Arshad submitted today by Mr. Noor Muhammad Khattak, Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 21/4/2020.</p>
2-	11.05.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>11-05-2020</u></p> <p style="text-align: right;"> MEMBER</p> <p>Nemo for the appellant. Adjourned To come up for preliminary hearing on 19.05.2020 before S.B.</p> <p style="text-align: right;"> (Mian Muhammad) Member</p>

The appeal of Mr. Shakeel Arshad, Ex-Chowkidar received today i.e. 15.04.2020 by Mr. Noor Muhammad Khattak, Advocate is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

- 1- Memorandum of appeal not signed by the appellant which may be signed by appellant.
- 2- Annexures of the appeal are not flagged which may be flagged.

No. 1023 /S.T,

Dt. 20-04 /2020


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. ⁶³¹~~600~~93 /2020

SHAKIL ARSHAD

V/S

H/EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 3.
2	Order dated 19.04.2016	A	4.
3	Judgment	B	5- 34.
4	Departmental appeal	C	35.
5	Order/letter	D	36.
6	Vakalat nama	37.

APPELLANT

THROUGH: 
KAMRAN KHAN
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. _____/2020

Diary No. 2506

Mr. Shakeel Arshad, Ex-Chokidar (Class-IV),
Government Girls Degree College Chagharmatti, Peshawar.

Dated 15/4/20

.....**APPELLANT**

VERSUS

- 1- The Secretary Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Principal, Government Girls Degree College Chagharmatti, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENT NO. 3 BY NOT IMPLEMENTING THE APPELLATE ORDER DATED 20-11-2019 OF THE RESPONDENT NO. 2 IN LETTER AND SPIRIT.

PRAYER:

That on acceptance of this appeal the appellate order dated 20-11-2019 of the respondent No.2 regarding re-instatement of the appellant may be implemented with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

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

- 1- That appellant while performing his duties as Chowkidar in the respondent No. 3 college was falsely involved and charged in FIR No. 110 dated 01-02-2015 U/S 302/148/149 P.P.C, P.S Mathra, District Peshawar.
- 2- That due to the involvement in the aforesaid FIR the appellant was arrested by the authorities and was put behind the bar. That due to the confinement in jail, the appellant was removed from service by the respondent No. 3 vide order dated 19-4-2016 communicated on 06-08-2019 on the ground of willful absence. Copies of the order dated 19-4-2016 is attached as annexure **A.**
- 3- That the appellant was honorably acquitted from all the charges leveled against him by the competent court of law vide judgment/

order dated 18-3-2019. Copy of the acquittal judgment/ order dated 18-3-2019 is attached as annexure.....**B.**

- 4- That after honorable acquittal and releasing from the jail, when I approached to my place of duties, I was verbally told that your services are terminated from this college. That I asked the concerned authorities to provide me the impugned order through which my service has been terminated but they were not even willing to provide me the impugned order and finally on 06-08-2019, the impugned order dated 19-4-2016 was provided to the appellant.
- 5- That when the impugned order was communicated to the appellant on 06-08-2019, the appellant preferred a departmental appeal on 26-08-2019 before the respondent No.2. Copy of the departmental appeal is attached as annexure.....**C.**
- 6- That departmental appeal of the appellant was accepted by the appellate authorities and vide order/ letter dated 20-11-2019, the respondent No. 3 was directed to accordingly create a space for reinstatement for the appellant. Copy of the order/ letter dated 20-11-2019 is attached as annexure.....**D.**
- 7- That the appellant asked time and again to the respondent No. 3 that the appellate order may be implemented but in vain.
- 8- That having no other remedy preferred the instant appeal on the following grounds amongst others.

GROUND:

- A- That not implementing the appellate order dated 20-11-2019 by the respondent No. 3 is against the law, facts, norms of natural justice and materials on the record hence not tenable and the respondent No. 3 be directed to implement the order dated 20-11-2019 in letter and spirit.
- 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 respondent No. 3 is acting in arbitrary and mala fide manner by not implementing the order dated 20-11-2019 in letter and spirit.
- D- That as per the law and rules on the subject, the respondent No. 3 is duty bound to act upon the orders of his superiors, therefore, by not implementing the appellate order dated 20-11-2019 is in the utter violation of law and rules.
- E- That spirit of the Fundamental Rule 54 is clear in this respect which states that after acquittal from criminal charges the appellant be re-

instated in to service, as the same Fundamental Rule has been acted upon by the appellate authority but the respondent No. 3 by not implating the appellate order is violating this Rule.

F- 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: 19-03-2020

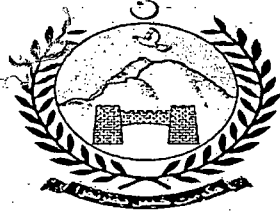
APPELLANT


SHAKEEL ARSHAD

THROUGH:

KAMRAN KHAN

MIRZAMAN SAFI
ADVOCATES



A A 4

**PRINCIPAL GOVT; GIRLS DEGREE COLLEGE,
CHAGHAR MATTI PESHAWAR**

Phone_091-2910411

E.mail Address: ggdc_ch@yahoo.com

Govt: Girls Degree College Chagharmatti Peshawar

Registered

Dated Peshawar the 19/4 /2016

Notification

The Competent Authority is pleased to remove Mr. Naseem Ullah S/O Aziz Ullah Tube well operator and Mr. Shakeel Ahamd S/O Amin Ullah Chowkidar of this college (Govt; Girls Degree College Chagharmatti) Peshawar from service with immediate effect due to their willful absence from duties. The absence period w.e.f. 02-02-2015 till date may be treated as unauthorized absence from duty (without pay).

PRINCIPAL
GOVT; GIRLS DEGREE COLLEGE
CHAGHARMATTI PESHAWAR

Endstt: No 1580-83

Copy forwarded to the:

1. Director Higher Education Khyber Pakhtunkhwa Peshawar
2. Accountant General Khyber Pakhtunkhwa Peshawar
3. Mr. Naseem Ullah S/O Aziz Ullah Tube well operator Village Garanga Payan P/O Chagharmatti Tehsil and District Peshawar
4. Mr. Shakeel Ahamd S/O Amin Ullah Chowkidar Village Garanga Payan P/O Chagharmatti Tehsil and District Peshawar

PRINCIPAL
GOVT; GIRLS DEGREE COLLEGE
CHAGHARMATTI PESHAWAR

ATTESTED

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IN THE COURT OF MUHAMMAD SAJID
ADDITIONAL SESSIONS JUDGE-XIII, PESHAWAR

(B)

B (S)

Case No. : 16/SC of 2015

Date of Institution

Original : 19/10/2015

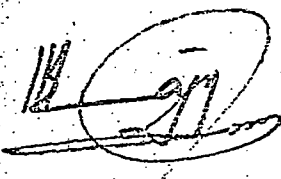
On Transfer : 07/12/2018

Date of Decision : 18/3/2019

- STATE -Vs.
1. JAVED
 2. ATTA ULLAH SONS OF AZIZ ULLAH,
 3. ZAIT ULLAH S/O MOHIB ULLAH
 4. SHAKEEL S/O AMIN ULLAH
- All residents of Garangi Payan,
Peshawar

Accused facing trial

Charge U/S 302/148/149 PPC, FIR
No.110, Dated 01/02/2015
Registered at PS Mathra, Peshawar


MUHAMMAD SAJID
Additional District & Sessions
Judge-XIII Peshawar

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JUDGMENT
18/03/2019

ATTESTED



Accused Javed, Atta Ullah, Zait Ullah and Shakeel have
faced trial before this court in Case FIR No.110 dated
01/2/2015 registered under Section 302/148/149 PPC,
Police Station Mathra, Peshawar.

ATTESTED
25 MAR 2019
(Examining)
Sessions Judge

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2. According to the FIR EX:PA, registered on the basis of murasila, on 01/02/2015 at 09:30 hours, the deceased complainant Wali Jan S/O Abdul Muhammad in injured condition reported the matter to police at casualty LRH, Peshawar to the effect that on the same date at 08:45 hours, he along with his brother namely Mutabar Khan was present at the place of occurrence and both were busy in cutting their trees, when in the meanwhile the present accused/petitioners and absconding co-accused namely Naseem Ullah, Farman and Karim Ullah already present there armed with deadly weapons, started altercation with the complainant party and resorted to firing with intention to kill, whereby the deceased complainant Wali Jan was hit and sustained fire arm injuries while his brother Mutabar Khan remained unhurt. Later on, the complainant succumbed to his injuries in the LRH, Peshawar. Hence, the instant FIR.


MUHAMMAD SAJID
Additional Sessions
Judge, Peshawar.

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3. The local police after adopting the Code of formalities, registered the instant case FIR against the accused facing trial and absconding co-accused.

4. Complete challan against the accused was submitted before the Court of learned District & Sessions Judge, Peshawar, wherein the accused Javed and Zait Ullah

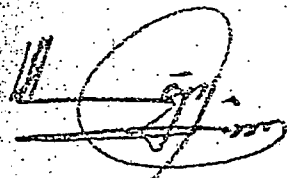
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ATTESTED
25 MAR 2019
(Examiner)
Session Court Peshawar

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were shown in column No. 4 of the challan while accused Atta Ullah, Farman Ullah, -Naseem Ullah, Karim Ullah and Shakil were shown in column No.2 of the challan which was entrusted to the learned Additional Sessions Judge-III, Peshawar for trial. The arrested accused were produced in custody and after observing provisions of section 265-C Cr.PC, charge was framed against them, to which they plead not guilty, and claimed trial while the remaining accused were proceeded U/S 512 Cr.PC. The prosecution was thus invited to adduce its evidence. Subsequently evidence of six witnesses was recorded. In the meanwhile accused namely Attaullah and Shakeel were arrested and produced before the court on 05/10/2016. Provisions of Section 265-C Cr.PC were complied with and charge against them was framed to which they plead not guilty. After framing of charge the prosecution was directed to adduce its evidence. Accordingly, the prosecution produced 14 witnesses. Gist of the statements of the witnesses is as follows:-

5. PW-1 Muhammad Ijaz Khan SHO has submitted supplementary challan against accused Atta Ullah and Shakeel.



MUHAMMAD SAIB
Additional District & Sessions
Judge-III Peshawar.

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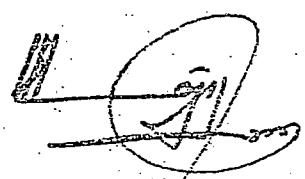
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6. PW-2 Shakir Ullah SI, stated that after the arrest of accused Shakeel and Atta Ullah he vide application ExpPW2/1 produced the accused Shakeel and Atta Ullah before the court of JMIC concerned, Peshawar for custody and two days custody of each accused was granted. That during interrogation the accused made pointation of the place of occurrence vide pointation memo ExpPW2/2 in presence of marginal witnesses. (STO by defence counsel that the pointation is inadmissible in evidence). He recorded the statements of both the accused u/s 161 Cr.PC. After expiry of police custody he produced both the accused before the learned JMIC, Peshawar for confessional statements vide his application ExpPW2/3 but on their refusal they were sent to the judicial lockup.


MUHAMMAD SAJID
 Additions/District & Sessions
 Judge-XIII Peshawar.

7. PW-3 Atta Ullah No.2058 is witness to pointation memo EX:PW2/2 vide which accused Atta Ullah and Shakeel made pointation of place of occurrence.

8. PW-4 Aurangzeb ASI incorporated the contents of the murasila into FIR ExPA.

9. PW-5 Jamdad No.3041 is marginal witness of recovery memo EX:PW5/1 vide which the IO recovered and took into possession grass blood stained from the spot and

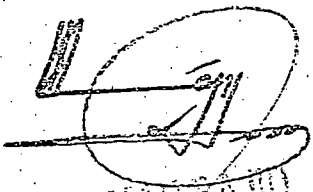
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sealed the same into parcel No.1 by affixing 3 monograms of MA. Similarly, IO took into possession 06 empties of 7.62 bore freshly discharged from the places of accused in scattered condition and sealed the same into parcel No.2 and affixed 3 monograms in the name of MA and prepared the recovery memo ExpPW5/2 in his presence. Similarly he was also marginal witness to the recovery memo ExpPW5/3 vide which the IO also recovered and took into possession two empties of 30 bore having smell of fresh discharge from point C and sealed the same into parcel No.3 and affixed 3 monograms in the name of MA. Similarly, accused Javed and Zait Ullah vide pointation memo ExpPW5/4 made pointation of the place of occurrence. He further stated that his statement u/s 161 Cr.PC was also recorded by the IO.


MUHAMMAD ASLAM
Additional District & Sessions
Judge, Peshawar

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10. PW-6 Gul Shahzada SI deposed that deceased then injured, namely Wali Jan was brought by his relatives to the casualty in injured condition. He prepared the injury sheet ExpPW6/1 and handed over to CMO on duty. Thereafter, he recorded report of deceased then injured in the shape of murasila ExpPW6/2. The report of the complainant was read over and explained to him and

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25 MAR 2019

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Session Court Peshawar

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thereafter the complainant thumb impressed the same as a token of its correctness. The same was also verified by his brother namely Mutabar Khan and thumb impressed by him as a token of its correctness. He informed the concerned PS. The deceased then injured succumbed to his injuries in the emergency/OT of casualty LRH, Peshawar. Therefore he prepared the inquest report EXPW6/3 of deceased and sent the dead body of deceased to mortuary for PM examination. He informed the PS concerned regarding the death of deceased for the change of section of law.

MUHAMMAD SAJID
Additional Magistrate & Sessions
Judge-Aid Peshawar

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- 11. PW-7 Jaffar Khan MM deposed that in his presence constable Siyar Muhammad No.224 brought the blood stained garments of deceased Wali Jan consisting of Shalwar, Qameez and Sweater Fauji color handed over to him by the doctor after conducting PM examination and said constable handed over the same to the IO in his presence. The IO sealed the same into parcel No.4 ExPI and affixed 3/3 monograms of MA on the same and prepared the recovery memo EXPW7/1 in his presence.
- 12. PW-8 Abdualлах Jalal SHO after completion of investigation submitted complete challan against the

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25 MAR 2019

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accused facing trial as well as U/S 512 Cr.PC against the absconding co-accused.

13. PW-9 Mutabar Khan stated that accused are his co-villagers. That they were busy in cutting of their trees in their fields. He along with Wali Jan were present. In the meanwhile they made quarrel with Javed and others. Thereafter accused party started firing as a result of which his brother received fire shots and he escaped unhurt. After sometime he took his brother to the hospital in injured condition for medical treatment with the help of co-villagers. According to him, seven persons have made firing at them. In the hospital the police officials obtained the statement of his brother. His brother thumb impressed the statement and he also thumb impressed the same. According to him, there was no other issue in between them except the cutting of trees. The IO prepared the site plan at his instance. He charged accused Javed, AttaUllah, NaseemUllah, ZaitUllah, Farman, Shakeel and Karim for the commission of offence.

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MUHAMMAD SAJJID
Additional District & Sessions
Judge-XIII Peshawar

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14. PW-10 Farooq Shah ASI is Investigation Officer of the case who after receiving the copy of FIR, proceeded to the spot and prepared the site plan ExpB at the pointation of eye witness namely Mutabar Khan. During spot

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(Examiner)
Session Court Peshawar

ATTESTED

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inspection, he recovered and took into possession blood stained grass and sealed the same into parcel No.1 Exp2 and prepared the recovery memo already ExpW4/1 in presence of marginal witnesses. He also recovered and took into possession six empty shells of 7.62 bore having the smell of fresh discharge from the places of accused and sealed the same into parcel No.2 by affixing monogram of MA and prepared the recovery memo already ExpW4/2 in presence of marginal witnesses. Similarly, he recovered and took into possession two empties of 30 bore pistol having smell of fresh discharge from the place of accused and he sealed the same into parcel No.3 by affixing monogram of MA and prepared the recovery memo already ExpW4/3. Likewise vide recovery memo already ExpW6/1, he took into possession blood stained garments of deceased produced by constable Siyar Muhammad which was handed over to him by the doctor and produced to him at the PS. He sealed the same into parcel by affixing 3 monograms in the name of MA in presence of marginal witnesses. The concerned police of LRH informed the police of PS Mathra regarding the death of deceased than injured and accordingly a DD No.27 dated 01/02/2015 was incorporated and he placed on file the same which is

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MUHAMMAD SAJID
 Additional District & Sessions
 Judge-XIII Peshawar.

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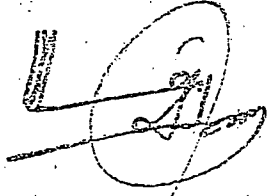
ATTESTED
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ExPW10/1. He sent the blood stained garments of the deceased, grass and empties to the FSL and received the reports ExPZ and ExPZ/1 in this respect placed the same on file. After the arrest, accused Javed and Zait Ullah were handed over to him for investigation. Vide his application ExPW10/2 he produced the said accused before the court of learned JMIC, Peshawar for police custody and one day custody was granted. He interrogated them. During interrogation they led him to the place of occurrence and pointed out the same. In this respect he prepared the pointation memo already ExPW4/4 in presence of marginal witnesses. He recorded the statements of the accused as well as PWs u/s 161 Cr.PC. After expiry of police custody, he again produced both the accused before the court of JMIC, Peshawar for recording of their confessions vide application ExPW10/3 but the accused refused the same and were sent to judicial lockup. As rest of the accused were avoiding their lawful arrest, he vide applications ExPW10/4 and ExPW10/5 applied and obtained warrants of arrest u/s 204 Cr.PC and proclamation notices u/s 87 Cr.PC and handed over same to the DFC concerned for its execution. He also received and placed on file the PM documents of deceased. After completion of investigation



MUHAMMAD SAJID
Additional District & Sessions
Judge - Peshawar

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25 MAR 2013

(Examiner)

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he handed over the case file to the SHO concerned for submission of complete challan.

15. PW-11 Dr. Amin-ul-Haq, Professor of Urology, Bacha Khan Medical Complex, Swabi then posted at Casualty LRJ. Peshawar deposed that on 01/2/2015 at 12:25 hours injured namely Wali Jan S/O Abdul Muhammad produced by Gul Shahzada SI before him for medical examination wherein he examined the then injured. The patient was conscious and well oriented in time and space and found that there was a FA entry wound on right iliac fossa 1x1cm in size and exit on the upper boarder of left buttock this is 1 1/2 x1cm and bleeding profusely. The patient was referred to CVW/Casualty Surgical Ward. The kind of weapon used was FA. Result was later on. Probable during of injury about 01 hour. The report is ExpPW11/1.

Signature: 
MUHAMMAD SAJID
 Additional Judge Sessions
 Judge-FBI Peshawar

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16. PW-11 Abdullah Jalal SHO on 24/5/2015 submitted challan u/s 512 Cr.PC against the accused Atta Ullah, Farman, Karim Ullah, Shakeel and Naeem Ullah which is ExpPW11/1.

17. PW-12 Dr. Ismail Retired Medical Officer Forensic Department KMC, Peshawar, stated on oath that during the days of occurrence he was posted at KMC as

ATTESTED
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ATTESTED
25 MAR 2018
(Signature)
Notary Public Peshawar

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Senior Medical Officer. That on 01/02/2015 at about 10:30AM he conducted the post mortem examination of deceased Wali Jan S/O Abdul Muhammad aged about 50/55 years brought by Constable Basit Khan No.5344 of PS Mathra, duly identified by Iqbal Hussain Shah and Riaz Khan and found the following:-

External Examination: Body of an old man having average built aged 50/55 years wearing Shalwar, Qameez and grey color woolen sweater, clothes were blood stained and have FA (fire arm) defects. RM and PM lividity developing.

Injuries:

- A FA stitched entry wound on front of right side of abdomen 1x1cm in size. 6cm from midline (ML).
- A FA stitched exit wound right upper buttock 2x1cm in size. 4cm from midline and 21cm above gluteal fold.

Internal Examination:

Scalp, Brain, Skull and membranes healthy.

MUHAMMAD SAAD
Additional District Sessions
Judge-Mathra

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25 MAR 2015

(Examiner)
Session Court Mathra

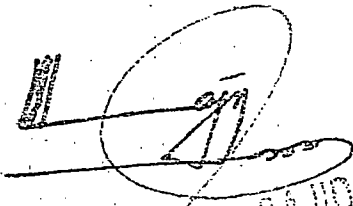
(8) (16)

Thorax: Walls, Ribs and Cartilages, Pular, right left lung, heart healthy, Abdomen: Walls, peritoneum, small large intestine injured while rest were healthy.

Opinion: *On his opinion the deceased died due to injuries to intestines and abdomen, blood vessles due to fire arm.*

Probable time that elapsed:

- a. *Between injury and death: Hospitalized.*
- b. *Between death and Postmortem: 02 to 03 hours*


MUHAMMAD SAJID
Additional District Sessions
Judge-Allahabad

The report is ExPM consists of 06 sheets including the pictorial and correctly bears the signature of him. He also endorsed the inquest report along with hospital record consisting on casualty chit. His endorsement note on the inquest report is ExPW12/1. The PM report is ExPM. The body of deceased along with clothes, PM report, LRH record, verified police documents handed over to the police.

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25 MAR 2019

(Examiner)
Session Court Patna

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18. PW-13 is Iqbal Hussain Shah identified the dead body of deceased Wali Jan before the police as well as before the doctor.

19. PW-14 is the statement of Basit DFC No.5344 who escorted the dead body of deceased Wali Jan from LRH, Peshawar to KMC, Peshawar who stated that during escort no body interfered with the dead body.

20. Investigation Officer Farooq Shah/PW-10 was re-examined by the Court on 10/11/2018 wherein he stated as under:-

"Today, the case property is available before the Court, which consisting of 06 empty shells of 7.62 bore which were recovered and took into possession from the place of accused at point-B lying in a scattered position which I sealed into parcel No.2 which is EX:P3 by affixing 3/3 monograms in the name of MA. Similarly, I also recovered and took into possession 02 empties of 30 bore from point-C and sealed the same into parcel No.3 which is EX:PX4 by affixing 3/3 monograms in the name of MA.

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MUHAMMAD SAJJID
Additional
Judge-Additional
Sessions

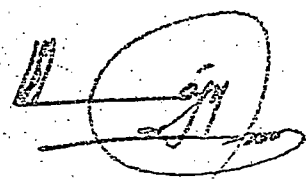
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25 MAR 2018
(Examiner)
Session Court Peshawar

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- 21. The prosecution closed its evidence and the statement of accused were recorded under Section 342 Cr.PC, wherein they, while professing their innocence, denied prosecution's allegations. They, nonetheless, neither wished to be examined on oath, as required under Section 340(2) Cr.PC, nor opted to produce defence evidence.
- 22. Arguments heard and record perused.
- 23. Learned State counsel assisted by learned private counsel for complainant argued that the accused facing trial are directly charged for the commission of murder of deceased *Wali Jan* in a promptly lodged FIR. They went on contending that, being the co-villagers, the parties knew each other, therefore, no question of mistaken identity of the assailants could arise. They further maintained that, all the three facets of evidence like ocular, circumstantial and medical evidence fit in each other coherently whereby, a well knitted and corroborated proof for commission of the *Qatil-e-Amd* of the deceased at the hands of accused facing trial and absconding co-accused is forthcoming. Learned State counsel highlighted that, accused facing trial decamped from the spot after commission of offence, and was remained absconder for a considerable period of time.


MUHAMMAD SAJID
 Additional District Judge Sessions
 Judge-Kill Pestawar.

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25 MAR 2009
 (Examiner)
 Session Court Peshawar

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which further strengthens the prosecution version. They underscored that, the witness making ocular testimony is natural witness, who is consistent in his deposition, and hence, according to him. all the relevant aspects of the case make the prosecution successful to prove it against accused facing trial beyond shadow of reasonable doubt. They submitted that the dying declaration of the deceased/complainant has been proved by the prosecution through reliable, independent and confidence inspiring evidence, which is further corroborated by the direct ocular account furnished by the eye witness of the occurrence. The learned State counsel assisted by private counsel for complainant concluded their arguments with the request to award the capital punishment to the accused facing trial.

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24. On the other hand, learned defence counsel while assuming his turn of arguments, contends that, the PWs have made dishonest improvements in the prosecution's episode of occurrence. which thus, according to him, replete it with doubts. He contends that, the FIR ExPA portrays a concocted story, which the prosecution fabricated with dishonest and ulterior motive for success of its case. He underscores that, the PWs are inconsistent

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in their depositions in many areas, and so their testimony is not worth for reliance. Similarly, he goes on contending that, the site plan does not correspond with the ocular account of the occurrence. While further calling prosecution's case as not qualifying to prove the charge, the learned counsel highlights that, prosecution could not prove motive for commission of the felony, and things being so, according to him, the whole edifice of prosecution's case would fall. He further submitted that the murasila did not carry the certificate from the concerned medical officer which is fatal for the prosecution case. While concluding his arguments, learned defence counsel is thus of the view that, the prosecution has failed to prove the charge against accused facing trial, as its case is replete with doubts, and so, entreats on this court for extending its benefit to the accused facing trial, and acquit him accordingly.


MUBARRIZ SAID
Additional Judge-III Peshawar

25. Perusal of the record reveals that on 01/2/2015 at 09:30 hours, the deceased complainant Wali Jan s/o Abdul Muhammad in injured condition reported the matter to police at casualty LRH, Peshawar to the effect that on the same date at 08:45 hours, he along with his brother namely Mutabar Khan were present at the place of

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Session Court Peshawar

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occurrence and both were busy in cutting their trees, when in the meanwhile the present accused facing trial and absconding co-accused present there armed with deadly weapons, started altercation with the complainant party and resorted to firing with intention to kill, whereby the deceased complainant Wali Jan was hit and sustained fire arm injury while his brother Mutabar Khan remained unhurt. Later on, the complainant succumbed to his injuries in the LRH, Peshawar. Now, the crucial points for determination before this court are that:-

- a. Whether the dying declaration of the deceased complainant Wali Jan is consistent with other fact and circumstances of the case or not.
- b. Whether the occurrence has taken place in the mode & manner, time and place as stated in the FIR.
- c. Whether the sole statement of eye witnesses is trustworthy, confidence inspiring and can be relied upon.
- d. Whether each accused can be held responsible and liable for acts committed by others.

26. The dying declaration, admittedly, is a weak type of evidence which is required to be corroborated through


MUHAMMAD SAAD
Additional District & Sessions
Judge-III Peshawar.

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independent and reliable evidence as a rule of prudence. In the present case, the report of deceased complainant (then injured) was shown to be verified and thumb impressed by the PW-9 Mutabar Khan but according to the statement of PW-9 Mutabar Khan, his thumb impression was obtained by the police on the place where the site plan was prepared and at the relevant time his hands were smeared with blood. The relevant column of "name of friend or relative who brought the injured to hospital" in MLC EX:PW 11/1 of the deceased complainant (then injured) was left blank and in the same way the PW-9 Mutabar Khan was not shown to be the identifier and receiver of the dead body of the deceased complainant. These facts cast serious doubts regarding the presence of PW-9 at the relevant time of dying declaration in hospital along with the deceased complainant coupled with the fact that his arrest was also required in case FIR No: 111 dated 01/02/2015. The distance between the place of occurrence and LRH Peshawar, as per the statement of PW-9 Mutabar Khan, can be covered within 20 to 25 minutes in vehicle and the registration form/ OPD Chits of LRH Peshawar shows the presence of the deceased complainant (then injured) at 09:05 AM in the hospital; MLC shows his arrival at

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INCHARGE SAIB
 MLC EX:PW 11/1
 JUDGE

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09:25 AM but according to Murasila EX:PW6/2 the matter was reported to the police at 09:30 AM. Now, if, the time of occurrence as stated by the deceased complainant (then injured) in his dying declaration i.e. 08:45 AM; time of arrival to the LRH Peshawar i.e. 09:05 AM and the time of report to the police i.e. 09:30 AM is placed in juxtaposition then the chances of prior consultation and false implication cannot be ruled out, especially in a case where seven persons of the same family were charged for the commission of occurrence.

27. The ocular account of the occurrence was furnished by PW-9 Mutabar Khan who, in his examination in chief, reiterated the sorrowful event as given in the FIR. The said witness was also shown to be the verifier of the report made by the deceased complainant then injured Wali Jan. According to him, he along with his co-villagers shifted the complainant in injured condition to the hospital. In the same way the Murasila EX:PW6/2 also shows the presence of PW-9 and others during relevant time at the venue of occurrence but the names of the said persons were neither disclosed in FIR nor in the statement of eye witness i.e. PW-9. If the victim was shifted by the PW-9 and others from the place of occurrence to the hospital

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MUHAMMAD SAID
Additional District Sessions Judge
Peshawar

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Sessions Court Peshawar

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then why the relevant column of "name of friend or relative who brought the injured to hospital" in MLC EXPW11/1 of the deceased complainant (then injured) was left blank, especially when the deceased complainant, PW Mutabar Khan and their other family member were nominated as accused in cross case vide FIR No: 111 dated 01/02/2015. This casts a serious question mark towards the statement of PW-9 regarding the shifting of victim by him to the hospital.

28. The site plan EX:PB was prepared on the pointation of PW-9. Although the site plan is not a substantive piece of evidence but the same is a corroborative piece of evidence and can be used to contradict or corroborate the other available evidence. As per site plan, PW-9 was also in firing range but he remained escaped from the rapid firing made by seven persons through their respective weapons. Moreover, according to the cross-examination of the PW-9 Mutabar Khan, the firing made by all the seven accused persons were in rapid move as well as in single shot but contrary to this only six empties of 7.62 bore and two empties of 30 bore were recovered from the spot. The point No.2 indicates the presence of PW-9 Mutabar Khan at relevant time and

MUHAMMAD SAJJAD
Additional Judge
P. & Sessions
Judge Peshawar

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point No. 2A indicates the place where the PW-9 rushed to take shelter in order to save his life from the firing of the accused facing trial and absconding co-accused. This crucial episode of running away of PW-9 in order to take shelter to save his life was neither disclosed by the deceased complainant in dying declaration nor by the PW-9 in his evidence. This aspect puts a question mark on the mode and manner of the occurrence as stated in FIR as well as narrated in the testimony of eye witness.

29. The Investigating officer of the case in hand deposed as PW-10 and has admitted it correct that he has not mentioned the name of the person on whose pointation the site plan was prepared rather self stated that the site plan was prepared at the pointation of eye witness Mutabar Khan. According to him (Admittedly) on the day of occurrence another FIR No: 111 was registered in PS concerned against PW Mutabar Khan. Same fact has also been admitted by PW-9 Mutabar Khan in his cross-examination. PW-9 Mutabar Khan has also admitted it correct that at the time of recording of statement U/S 161 Cr.PC, FIR was already registered against him and he obtained the orders of BBA after more than a week time. It is crystal clear that on the date of preparation of site

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Additional...
Judge...
Sessions

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plan and recording of statement U/s 161 Cr.PC by PW-9 Mutabar Khan, another case vide FIR No: 111 was registered against him and his arrest was also required in that particular case. In such an eventuality, the verification of dying declaration and preparation of site plan by PW-9 Mutabar Khan was highly doubtful.

30. In present case seven persons of same family have been charged for the commission of the occurrence. According to MLC, injury sheet and post Mortem report of the deceased complainant, only one firearm injury was there on the body of the deceased complainant which proved to be fatal for his life. Complainant and eye witness has not specifically pin pointed any accused responsible for the effective fire shot. The fact that as to whose firing hit the deceased was not certain. Prosecution was under obligation to prove that all the said persons had the common object to commit the murder or attempt to commit murder by causing firearm injuries to the deceased and to the eye witness and alleged presence of all the accused on the spot because the charge of an offence committed as a member of unlawful assembly was different from the charge of an offence committed as

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(Examiner)
Session Court Peshawar

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a member of assembly. Reliance is placed on 2018 YLR 2398 wherein it was held that:-

“Ss. 302 & 149 --- Murder --- Every member of lawful assembly to be guilty of offence committed in prosecution of the common object --- Ingredients of S.149, PPC had to be established by the prosecution --- Seven persons had been charged in the present case --- Prosecution was to prove that all the said persons had the common object to commit the offence of murder or attempt to murder by causing firearm injuries to injured and alleged presence of all the accused on the spot --- Narration in the FIR and statements of the witnesses were that the complainant party after getting the knowledge about sale of pine leaves by accused party, rushed to the spot and after exchange of harsh words, occurrence took place resulting into casualties of both the sides --- Record transpired that fight was initiated by complainant party where-after a free fight was started --- Accused party could not be said to have acted in prosecution of their common object and they had come out when the complainant party had reached the place


MUTAMMIL SAHIB
Additional
Judge-III Peshawar

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of occurrence --- Circumstances suggested that three existed no legal justification on the basis of which the accused the accused could be vicariously held liable for the murder of deceased or injuries sustained by other injured persons at the alleged firing --- Circumstances established that conviction of the accused for the murder of the deceased and injuries sustained by injured persons attracting the provisions of S. 149 PPC would highly be unsafe as well as unjustified --- Appeal was allowed and accused was acquitted in circumstances by setting aside convictions and sentences recorded against him by the trial Court"

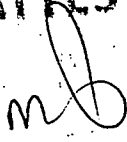

MUHAMMAD SAAD
Additional Sessions Judge

Similarly, it has been held in 2012 PCr.LJ 1139 that:-

"Ss. 302 (b)/324/148/149 --- Qatl-e-Amd, attempt to commit qatl-e-amd, rioting and common object--- Appreciation of evidence --- Benefit of doubt--- Occurrence was disclosed to be the result of the act of accused party to restrain the complainant party from ploughing, but its background had not been explained; in such circumstances, it could not be said with certainty that accused party was the aggressor --- Prosecution's case was not that after

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the incident many people had gathered on the place of occurrence so as to eliminate the possibility of non-recovery of any empty from the spot --- Doubt was created that despite sufficient fire shots, not a single empty was recovered from the spot--- Presumption would be that neither heavy firing had taken place, nor the occurrence had occurrence in the manner as disclosed by the complainant side --- Injuries of a prosecution witness would only indicate his presence at the spot and not his credibility and truthfulness --- Eye witness had not specifically pin-pointed any accused responsible for commission of the act--- Question as to whose firing hit the deceased whose blows injured the other witnesses was not certain--- Site plan, medical evidence and motive did not corroborate the version of prosecution--- Charge for an offence committed as a member of an unlawful assembly was different from the charge of an offence committed as a member of such assembly --- Prosecution witnesses had themselves admitted the incident to be a free fight --- Not only the aggression of accused party could not be assumed to be true but the question of common object would

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MUHAMMAD SAJJID
Additional Sessions
Judge - District Court
Peshawar

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Session Court Peshawar

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also not arise --- When situation would lead to a free fight between the parties, one could not be definite that as to whether it was the accused side who initiated the episode, or they had exceeded their right of self defence, particularly when the deceased had received only one firearm injury --- Conduct of complainant party to charge eight persons for one single firearm injury, and one injury each on the person of alleged eye witnesses, also reflected their mala fide intention of throwing the net so wide, to rope in the whole family --- Motive of dispute over property though was asserted, but not sustainable through any cogent evidence -- -Prosecution case, having remained shrouded in mystery, accused could not be refused the benefit of doubt --- Conviction and sentences awarded to accused by the trial Court were set aside and they were acquitted of the charge and were set free, in circumstances"

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Narration in the FIR and statement of eye witness PW-9 were that the accused party was already armed with deadly weapons; altercation took place suddenly; meanwhile firing started on the part of accused party but

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(Examiner)
Session Court Peshawar

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no previous motive, so it can safely be said that it was a case of sudden provocation. In present circumstances the accused party could not be said to have acted in prosecution of their common object because the accused party appeared at the scene suddenly and altercation was neither anticipated nor pre-planned. Common object could not be inferred simply because the accused were armed with deadly weapons because the words "such as the members of that assembly knew to be likely to be committed" in Sec. 149 are also followed by the words "in prosecution of that object" in order to hold all the members liable for murder under second part of Sec. 149, it was necessary for the prosecution to show that the members of that assembly not merely knew that death was likely to be caused, but further that it was likely to be caused in prosecution of the common object of that assembly. A Joint Action by a number of persons is not necessary an action performed with a common object. There is a lot of difference between similar object and common object. All members of assembly must share the common object because a common object is not the same thing as same or similar object. The same object will become common object only when it is known to or shared by all the members having it. The object should be

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common to the persons who composed the Assembly, that is to say, they should all be aware of it and concur in it. The same object is not necessary a common object but it becomes so only when it is known to add shared by all the members of the assembly. In present case no evidence and other material circumstances are there from which it could be inferred that the occurrence has taken place in prosecution of the common object of all the accused.

31. Admittedly there is abscondance on the part of the accused facing trial, namely Attaullah and Shakeel but it has time been again held by the superior courts that mere absconsion in itself is not the proof of guilt of the accused and the same could not absolve the prosecution form its liability to prove its case against the accused beyond the shadow of doubt. Reliance is placed on 2018 MLD 854 wherein it was held that:-

“Absconsion---Corroborative evidence---Scope--- High. Court observed that people abscond not because they were guilty but because of fear and torture of police. Absconsion was not a substantive piece of evidence, but was a corroborative piece of evidence---Abscondance could neither cure the

MAD SAJID
Sessions
Magistrate

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inherent defect of the ocular account nor by itself was sufficient to sustain conviction."

32. The prosecution has failed to prove its case against the accused facing trial beyond the shadow of doubt. There are contradictions and doubts in the prosecution version regarding the mode and manner of the occurrence and the sole statement of PW-9 is not trustworthy and confidence inspiring. It is not necessary that there should be a number of circumstances creating doubts because a single circumstance which creates a reasonable doubt would be sufficient to entitle the accused for the benefit of the same, not a matter of grace and concession but as a matter of right.

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33. Keeping in view the above said circumstances, I therefore, while giving benefit of doubt to the accused facing trial acquit them of the charges leveled against them in the case in hand. They are in custody, be released forthwith, if not required to be detained in jail in any other case. Moreover a prima facie case exists against the absconding co-accused, they are declared as proclaimed offenders. Perpetual warrants of arrest be issued against the absconding co-accused and the concerned authority be informed to enter their names in the relevant register.

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Session Court Peshawar

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of POs. Case property be kept intact till the arrest of the absconding co-accused and final disposal of the instant case. This judgment shall have no effect on the case of absconding co-accused.

34. File be consigned to the record room after compilation & necessary completion.

Announced
18/03/2019

(MUHAMMAD SAJID)
Addl: Sessions Judge-XIII,
Peshawar

CERTIFICATE

Certified that my this judgment consists of (30) pages, every page has been checked and corrected wherever it was necessary, and signed by me.

Dated: 18/03/2019

(MUHAMMAD SAJID)
Addl: Sessions Judge-XIII,
Peshawar

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Dated of copy:	25-3-18
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Signature of:	
Dated of Preparation:	25-3-18
Date of Delivery:	25-3-18

CERTIFIED TO BE TRUE COPY
25 MAR 2019
(Examiner)
Copying Agency Sessions Court
Peshawar

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TO,

THE DIRECTOR HIGHER EDUCATION,
Khyber Pakhtunkhwa, Peshawar.

C (35)

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER DATED 19-04.2016, COMMUNICATED TO ME ON 06.08.2019, WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE.

Respected Sir,

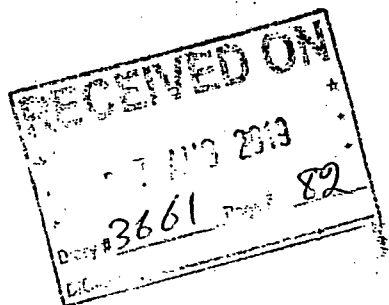
With due respect it is stated that I SHAKEEL AHMAD was serving in the respondent department as Chowkidar of college (Govt; Girls Degree College Chaghar Matti). During service I was falsely charged in a criminal case vide FIR No. 110, dated 01.02.2015 under section 302/148/149 PPC in Police Station Mathra and due to of that reason I was absented from my duty. Respected Sir, I have been acquitted by the Trial Court in the above mentioned criminal case and after acquittal on 18.03.2019 I approached the concerned authority for joining my duty but instead of accepting my arrival report the concerned authority issued the impugned order dated 19.4.2016 which was handed over to me on 06.08.2019.

It is therefore, most humbly requested that on the acceptance of this departmental appeal the impugned order dated 19.04.2016 may very kindly be set aside and the appellant may be reinstated into service with all back benefits. Any other remedy which your good-self deems fit may also be awarded in my favor.

Dated: 26.8.2019.

o/c
Yours Obediently

SHAKEEL AHMAD
(Chowkidar)
GGDC Chaghar Matti, Peshawar.



TESTED
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**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI NEAR CHAMKANI MOR, PESHAWAR**

E-mail:- dhekpesh@gmail.com Facebook.com/dhekpeshawar Twitter.com/dhekpeshawar1

No. 26536 / CA-VII/Estt. Branch/A-167/GGDC Chagharmatti

Dated Peshawar the 20 / 11 /2019

To

The Principal,
Govt: Girls Degree College,
Chagharmatti (Peshawar).

D - 36

Subject: - APPEAL FOR REINSTATEMENT OF SERVICE/ARRIVAL REPORT

Memo:

I am directed to refer to the office of Principal Govt: Girls Degree College, Chagharmatti (Peshawar) letter No. 341 dated 03-09-2019 and letter No. 372 dated 30-09-2019 on the subject noted above and to state that on honorable acquittal of the civil servant from the criminal offence established his right for reinstatement against the post, he held before his arrest, which is evident in the instant case where in both the officials were acquitted by the Session Court from the charges leveled against them.

I am further directed to inform that matter of posting of Chowkidar appointed against the seat held by Mr. Shakeel Arshad prior to his involvement in criminal case, may be taken up with the JMC/Coordinator for transferring him to any other college and accordingly create a space for reinstatement of Mr. Shakeel Arshad.

(Khawaja M. Saqib)
ASSISTANT DIRECTOR (GENERAL)

Endst. No. _____ / GGDC Chagharmatti

Copy of the above is forwarded for information and necessary action to the:-

1. Assistant Director (Litigation) Local Directorate KPK.
2. JMC/Principal Govt: Degree College Peshawar.

(Khawaja M. Saqib)
ASSISTANT DIRECTOR (GENERAL)

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VAKALATNAMA

Before the KP Service Tribunal, Peshawar

3193

OF 2019

Shakeel Arshad

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Higher Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Shakeel Arshad

Do hereby appoint and constitute **KAMRAN KHAN & MIR ZAMAN SAFI, Advocates, 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. ___/___/2019


CLIENT

ACCEPTED
KAMRAN KHAN
&
MIR ZAMAN SAFI
ADVOCATES

OFFICE:
Flat No.4, 2nd Floor, Juma Khan
Plaza, Near FATA Secretariat,
Warsak Road, Peshawar.
Mobile No.0302-8578851

"A"

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

No.

APPEAL No. 3193 of 20 20

Mr. Shakool Ashad

Appellant/Petitioner

Versus

The Secy Higher Edu Peshawar.

RESPONDENT(S)

Notice to Appellant/Petitioner

Mr. Shakool Ashad

Ex-Chokidar (Class-IV) Govt.

Girls Degree College Chaghamauti Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 3/6/2020 at 9 am.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.



Registrar,

Khyber Pakhtunkhwa Service Tribunal,

"A"

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

No.

APPEAL No. 3193 of 20 20

Mr. Shakar Arshad

Appellant/Petitioner

Versus

The Govt Higher Edu Peshawar

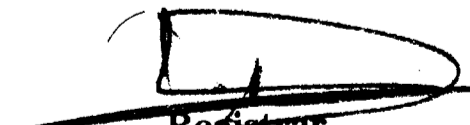
RESPONDENT(S)

Notice to Appellant/Petitioner counsel Kamran Khan Advocate
 & Mit Zoya Safi Advocate
 Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 12/8/2020 at 9 am

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Ullah Samad
(Counsel)


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

APPEAL No. 3193 of 20 20

Mr. Shakeel Arshad

Appellant/Petitioner

Versus

The Secy Higher Edu Pesh.

RESPONDENT(S)

Notice to Appellant/Petitioner

Mr. Shakeel Arshad

Ex-Chokidar (class-IV) Govt. Girls

Degree College Chagharmatti Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 3/11/2021 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

APPEAL No. 3193 of 20 20

Shakeel As Shad

Appellant/Petitioner

Versus

The Sindh Higher Education KPK

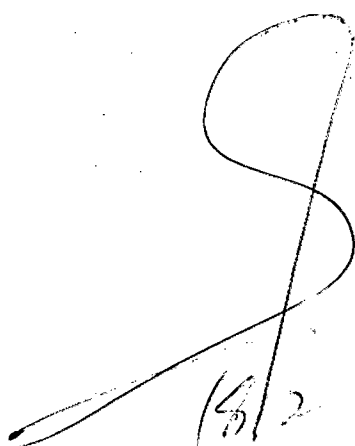
RESPONDENT(S)

counsel Nooram A Khan Advocate
Notice to Appellant/Petitioner

Supreme court of Pakistan
Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 8/3/22 at 9:00

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.


(3/2)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

“A”

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

No.
Ref

APPEAL No. 3193 of 20²⁰.

Mr. Shakeel Arshad

Appellant/Petitioner

Versus

The Secy: Higher Education KPK Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner ✓ Government Girls
Degree college Chagharwatti
Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 8/3/2022 at 9:00

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

3193

20

APPEAL No. of 20

3193 Nishad

Appellant/Petitioner

Versus

Sey Higher Education KPE Peshawar.

RESPONDENT(S)

Sey Highs. Education KPE Peshawar.

Notice to Appellant/Petitioner

Take notice that your appeal has been fixed for Preliminary hearing, replication/affidavit/counter affidavit/record/arguments/order before this Tribunal on at

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

T.V. Rep J

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.