

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 6564/2021

Date of Institution ... 11.06.2021
Date of Decision ... 21.09.2021

Imran Khan S/O Sarfaraz Khan R/O Kabir Kala, Sabir Abad Tehsil
& District Karak.

... (Appellant)

VERSUS

Government of KPK, through Chief Secretary, KPK Civil
Secretariat, Peshawar and four others.

... (Respondents)

Bashir Khan Wazir,
Advocate

... For appellant.

Muhammad Adeel Butt,
Additional Advocate General

... For respondents.

AHMAD SULTAN TAREEN
ROZINA REHMAN

... MEMBER (J)
... MEMBER (J)

JUDGMENT

ROZINA REHMAN, MEMBER (J): The relevant facts leading to filing of instant appeal are that father of the appellant got retired from Irrigation Department as Class-IV, where-after, the appellant was appointed by the competent authority consequent upon the approval of Departmental Selection Committee on the post of Driver. In the meanwhile, the Deputy Director (P&C) Small Dams Division Kohat issued cancellation/withdrawal order dated 07.10.2019 vide which appointment order of the appellant was withdrawn. He, therefore, filed writ petition which was dismissed, however, the appellant was allowed to seek his remedy as provided under the law. The appellant

then filed departmental appeal which was not responded to, hence, the present service appeal.

2. We have heard Bashir Khan Wazir Advocate for appellant and Muhammad Adeel Butt learned Additional Advocate General for the respondents and have gone through the record and the proceedings of the case in minute particulars.

3. It has been contended by the learned counsel for appellant that the impugned orders are wrong, illegal against law and facts as fundamental rights of the appellant were blatantly violated by the respondents who was denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973. He submitted that the appointment of the appellant was made in the light of 100% quota reserved for the retired employees' sons, where-after, he submitted his arrival report after proper medical examination but his order of appointment was withdrawn for the reasons best known to the respondents. Lastly, he submitted that the appellant was discriminated and the respondents violated Articles-4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973 as no show cause notice was served upon the appellant nor charge sheet and statement of allegations were issued. He never remained absent and was fit for duty in the light of medical certificate issued before his assumption of charge.

4. Conversely learned A.A.G who relied upon the comments already submitted by the respondents before the Hon'ble Peshawar High Court, Peshawar in Writ Petition No.1399/2020, argued that the


appellant was appointed without any ifs and buts who had concealed his inability of driving and that he was not an obedient Government servant. He submitted that his previous trauma/accident has rendered him ineligible for the job.

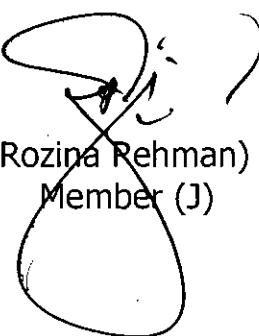
5. Perusal of record would reveal that upon the recommendation of Departmental Selection Committee and checking of record for appointment against the post of Driver (B.P.S-06), Imran Khan, the present appellant was appointed vide order dated 16.09.2019 of Deputy Director (P&C) Small Dams Division Kohat. He was medically examined by the Medical Superintendent of D.H.Q Teaching Hospital Kohat and in this regard, proper medical certificate was issued, where-after, he submitted his arrival report but just after few days, his appointment order was withdrawn/canceled by the Deputy Director vide order dated 07.10.2019, wherein, different allegations were leveled. Admittedly, no show cause notice was issued to the appellant. Similarly, charge sheet and statement of allegations were not served upon him. The punishing authority has violated principles of natural justice as the authority itself was the most important witness, prosecutor and judge. Reliance is placed on Province of Punjab through Secretary Home Department, Lahore and others Vs. Malik Mukhtar Ahmad (Retd.) A.S.I reported in 1989 S.C.M.R 551. The arguments of the learned A.A.G in respect of terms and conditions of the service of appellant that his service was temporary and that he was removed from service during probation, does not hold ground because he submitted his arrival report on 19.09.2019 and his order of appointment was withdrawn on

07.10.2019. He did not violate the terms and conditions of his probation period. It was for the authority to give him proper opportunity to improve himself instead of cancellation/withdrawal of his appointment order.


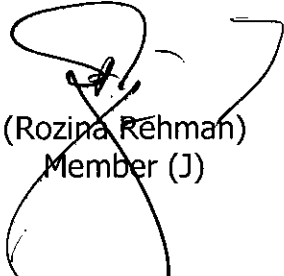
6. For what has been discussed above, this appeal is allowed and appellant is reinstated into service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
21.09.2021


(Ahmad Sultan Tareen)
Chairman


(Rozina Rehman)
Member (J)

Service Appeal No.6564/2021

S.No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	21.09.2021	<p><u>Present:</u></p> <p>Bashir Khan Wazir, Advocate ... For Appellant.</p> <p>Muhammad Adeel Butt, Additional Advocate General ... For Respondents</p> <p>Presence as before.</p> <p>Learned A.A.G relied upon the comments already submitted by the respondents before the Hon'ble Peshawar High Court, Peshawar in Writ Petition No.1399/2020 filed by the appellant.</p> <p>Vide our detailed judgment of today of this Tribunal placed on file, this appeal is allowed and appellant is reinstated into service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.</p> <p><u>ANNOUNCED.</u> 21.09.2021</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (Ahmad Sultan Tareen) Chairman </div> <div style="text-align: center;">  (Rozina Rehman) Member (J) </div> </div>

13.09.2021

Appellant with counsel present.

Muhammad Adeel Butt learned Additional A.G alongwith Abdur Rehman Assistant Director for respondents present.

Learned A.A.G made a request for a short adjournment. Request is acceded. To come up on 17.09.2021 for hearing before S.B.



(Rozina Rehman)
Member (J)

17.09.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional A.G for respondents present.

In view of the available record, case in hand is sent back to the office of Registrar for fixation before the D.B on 21.09.2021.



(Rozina Rehman)
Member (J)


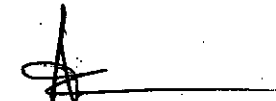



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 6564 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	17/06/2021	<p>The appeal of Mr. Imran Khan resubmitted today by Mr. Bashir Khan Wazir Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p>		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/08/21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>09.08.2021</p> <p>Counsel for the appellant present. Pre-admission notices be issued to the respondents. To come up for written reply/Preliminary hearing on 13.09.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Imran Khan s/o Sarfaraz Khan r/o Kabir Kala Sabir Abad District Karak received today i.e. on 11.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 972 /S.T,

Dt. 11/06 /2021


REGISTRAR

SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Bashir Khan Wazir Adv.
High Court Peshawar.

Resubmitted after remand of objection



17/6/2021

BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2021

Imran Khan..... Appellant

VERSUS

Govt of KPK & others Respondents

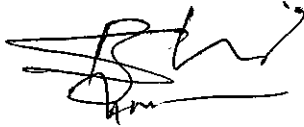
I N D E X

S.No	Description of Documents	Annex	Pages
1.	Service Appeal		1-8
2.	Affidavit		9
3.	Copy of Appointment Letter	A	10-11
4.	Copy of Impugned Order dated 07.10.2019	B	12-13
5.	Copies of the Writ petition, comments and Order	C	14-29
6.	Copy of the departmental Appeal	D	30-33
7.	Wakalat Nama		34


Appellant

Through

Dated: 02.06.2021


BASHIR KHAN WAZIR
Advocate, High Court
Peshawar

1

BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 6564/2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6021

Dated 11/6/2021

Imran Khan S/o Sarfaraz Khan R/o Kabir Kala, Sabir
Abad Tehsil & District Karak

..... **Appellant**

VERSUS

1. Government of KPK, Through Chief Secretary, KPK
Civil Secretariat, Peshawar
2. Secretary Irrigation Khyber Pakhtunkhwa,
Peshawar
3. Director General Small Dams Khyber
Pakhtunkhwa Peshawar
4. Deputy Director (P&C) Small Dams Division Kohat
5. Secretary Finance, Finance Department, Khyber
Pakhtunkhwa, Civil Secretariat Peshawar

..... **Respondents**

Filed to-day

[Signature]
Registrar

11/6/2021

SERVICE APPEAL UNDER SECTION 4 OF

KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL ACT 1974 AGAINST THE

Re-submitted to -d **IMPUGNED AGAINST THE ORDER DATED**
and filed.

[Signature]
Registrar
17/6/2021

07.10.2019 ISSUED BY THE DEPUTY
DIRECTOR (P&C) SMALL DAMS DIVISION
KOHAT, WHEREBY THE APPELLANT HAS
BEEN TERMINATED FROM SERVICE ON
FALSE AND CONCOCTED ALLEGATIONS.

Prayer in Appeal:

On acceptance of this Appeal, the Order dated 07.10.2019, whereby the Respondent No 4 has cancelled /withdrawn the appointment order of the Appellant may kindly be set aside and the Services of the Appellant may kindly be restored with all back benefits.

Respectfully Sheweth:

1. That father of the Appellant was got retired from the Irrigation Department as Class-IV and thereafter he was appointed on his own turn by the competent authority consequent upon the Approval of the Selection Committee on the post of Driver as BPS-06, accordingly the Appellant got Medical after his appointment from the concerned hospital and the medial certificate was provided to the Department, thereafter the Appellant assumed the charge of the sanctioned post of Driver and

since his appointment he was performing his duty regularly without given any opportunity to his high Ups. **(Copy of Appointment Letter is attached)**

2. That when the Appellant was performing his duty on his respective post with good results and gave outstanding performance, meanwhile the Deputy Director (P&C) Small Dams Division Kohat had issued cancellation / withdrawal order vide dated 07.10.2019 on the basis of which the Appointment order of the Appellant was cancelled / withdrawn. **(Copy of Impugned Order dated 07.10.2019 is attached)**

3. That as the Appellant was appointed on the retired Sons Quota on his own turn, thereafter he being fit for the Driver post accordingly got the medical report but astonishingly after one month the Deputy Director (P&C) Small Dams Division Kohat had issued the above mentioned impugned order in which almost 8 grounds for the cancellation have been mentioned without touching to the record.

4. That the Appellant being appointed as temporary / officiating was in the view that the Writ Petition is maintainable, therefore approached to the Hon'ble Peshawar High Court Peshawar in W.P No

4

1399/2020, whereby the concerned authorities submitted their Parawise Comments and at the time of arguments the concerned SDO intimated to the Hon'ble Peshawar High Court Peshawar through the concerned AAG, that the Appellant is a Civil Servant and the instant Appeal is not maintainable, the objections confronted to the Appellant, the Hon'ble Court agreed on the terms that the Appellant being declared a Civil Servant and may be approached to the concerned Forum.
(Copies of the Writ petition, comments and Order are attached)

5. That as such no objection was raised in the parawise comments of the Respondents department that the Appellant is a Civil Servant as in the appointment order it has been specifically mentioned in condition No. 3 that the appointment of the Appellant in this department is temporary / officiating, therefore the Writ Petition was filed and at the time of arguments the concerned SDO of the Small Dams admitted the fact that the Appellant is a Civil Servant, the Hon'ble Peshawar High court Peshawar admittedly disposed off the Writ Petition with the observation that the Appellant has been declared as a Civil Servant, therefore he may be approached to the Service Tribunal.

6. That after receiving of the judgment of the Hon'ble Peshawar High Court Peshawar, the Appellant forwarded a departmental Appeal to the competent authority on dated 01.03.2021 which was duly stamped and signed by the concerned authority, the Appellant after submission of his departmental Appeal waited for a mandatory period, but the Respondents did not decide the Appeal of the Appellant inspite of the expiration of mandatory period provided under the rules. **(Copy of the departmental Appeal is attached)**

7. That now the Appellant Approaches this Hon'ble Tribunal in the instant Service appeal, inter alia on the following grounds:

GROUND:

- A) That the Appellant is peaceful and law abiding citizens of Islamic Republic of Pakistan and are fully entitled to all the basic and fundamental rights as enshrined in the fundamental law of the state, interpreted and guaranteed by the law of the land.

- B) That the acts of the Respondents of not following the relevant rules, regulations, and the commitments made by the Respondents in respect of Appointment of the Appellant is

illegal, unlawful, unnatural, ab-initio, null and void in the eye of law, hence liable to be declared so.

- C) That the fundamental right of the Appellant has blatantly violated by the Respondents and the Appellant has been discriminated and has been denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973.
- D) That the Appointment of the Appellant was made in the light of 100% quota of the retired Sons Quota on Medical Ground, after his appointment he has got medical from the government hospital, whereby he was found fit and thereafter he has assumed the charge, however the Respondents due to unknown reasons withdrawn / cancelled the appointment order of the Petitioner within a month while issued the impugned order which is illegal, unlawful and based on malafide intentions.
- E) That in the impugned order the Respondents mentioned several reasons, due to which the Appellant has been removed from service, similarly in the mentioned reasons the author of the impugned order conflicted his own

version from bare reading of the said order, it could easily be gathered that the impugned order was issued on the basis of personal grudges, or to adjust on the place of Appellant some blue eyed.

- F) That vested rights have been accrued in favour of the Appellant because he was performing his duties efficiently and with devotion and also without any complaint from any quarter so they are to be Boarded out on medical Grounds.
- G) That the Appellant has already been submitted departmental Appeal after declaring his status as being civil servant to the competent authority within time and the Respondents even not decided the said departmental Appeal within stipulated period, therefore the instant Appeal being competent and filed for redressal of grievances of the Appellant.
- H) That any other ground not raised here specifically may graciously be allowed to be raised at the time of arguments.

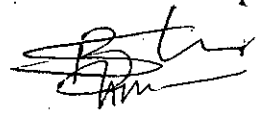
(8)

On acceptance of this Appeal, the Order dated 07.10.2019, whereby the Respondent No 4 has cancelled /withdrawn the appointment order of the Appellant may kindly be set aside and the Services of the Appellant may kindly be restored with all back benefits.


Appellant

Through

Dated: 02.06.2021



BASHIR KHAN WAZIR
Advocate, High Court
Peshawar

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BEFORE THE LEARNED SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. _____/2021

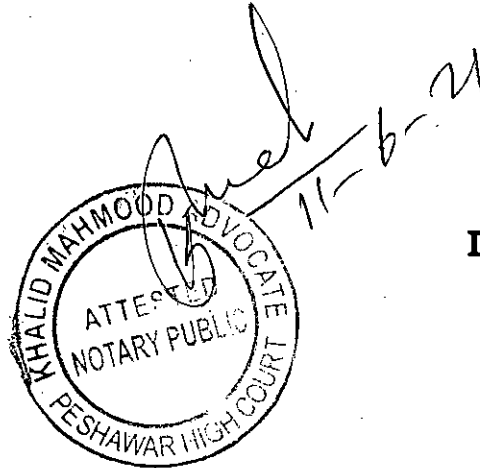
Imran Khan..... Appellant

VERSUS

Govt of KPK & others Respondents

AFFIDAVIT

I, Imran Khan S/o Sarfaraz Khan R/o Kabir Kala, Sabir Abad Tehsil & District Karak, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT



OFFICE OF THE DEPUTY DIRECTOR.
(P&C) SMALL DAMS DIVISION KOHAT.
PHONE & FAX NO. 0922-515453.

'Anx' 'A'

10

No. 347 /DDSD/3-E,

Dated Kohat the 16/09/2019.

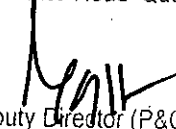
To,

Mr. Imran Khan Son of Sarfaraz Khan,
Village Kabir Killa Sabir Abad,
Tehsil & District Karak.

Subject: APPOINTMENT OF DRIVER BPS-06 UNDER MEDICAL BOARD QUOTA.

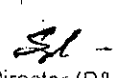
Consequent upon the recommendation of the Departmental Selection Committee & checking of record for appointment against the vacant post of Driver BPS-6 at Rs.10620/- Plus other usual allowances as admissible under the Rules in the Basic Pay Scale-3 i.e (10620-560-27420), you are hereby appointed at the following terms and conditions.

1. Your service will be governed under the Government of Khyber Pakhtunkhwa Amendment Act 2013 read with Govt: of Khyber Pakhtunkhwa Finance Deptt: (Regulation wing) Circular No.SO.SR-III/FD/12-1/2005, dated.27.02.2013.
2. You will be granted the minimum pay of BPS-6 (10620-560-27420), with usual allowances as amendment Act 2013.
3. Your appointment in this department is temporary/officiating and your services will be terminated without any notice and reason being assigned at any time during probation period of One year irrespective of the fact that you are holding at post other than the one to which you are originally recruited or on the payment of 14 days salary in lieu of the notice.
4. You will have to join duty at your own expenses.
5. Any terms & conditions issued by the Govt: thereafter in this regard will also binding upon you.
6. You will be governed by such rules and orders relating to Leave, T.A, Medical Attendance, Pay/Pension and Discipline etc: as exist and may be issued by Govt: for the category of Govt: Servants to which you belongs.
7. If the above terms & conditions is acceptable to you, you should report arrived for duty to this office within 1 Month of the receipt of this letter and produce the following original documents.
 - a. Domicile Certificate & Computerized CNIC.
 - b. Medical Fitness certificate from the Medical Superintendent District Head Quarter Hospital Kohat.
 - c. Any other documents if needed during course of time.


Deputy Director (P&C),
Small Dams Division Kohat.
Ph: No.0922-515453.

Copy to the:-

1. District Accounts Officer Kohat for information and necessary action please.
2. Divisional Accounts Officer P&C Small Dams Division Kohat for information and necessary action.
3. Assistant/Head Clerk P&C Small Dams Division Kohat for information and necessary action.
4. Service Book.


Deputy Director (P&C),

ATTESTED



MEDICAL CERTIFICATE

①

Name of Official Imran Khan

Caste or race _____

Father's Name Sayfaraz Khan

Residence Dont. ~~Karak~~ Karak

Date of Birth 03-02-1997 (14202-3807787-3)

Exact height by measurement 5' 2"

Personal mark of identification _____

Signature of the official [Signature]

Signature of head of office _____

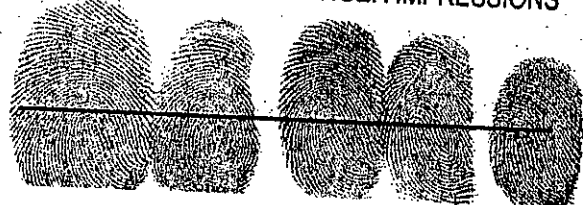
Seal of Office [Signature]
Deputy Director
Planning & Construction
Small Dams Division
Kohat

I do hereby certify that I have examined Mr. Imran Khan a candidate for employment in the Office of the Deputy Director (P&C) Small Dams Division Kohat and cannot discover that he had any disease communicable or other constitutional affection of bodily infirmity except Nil

I do not consider this disqualification for employment in the office of the Deputy Director (P&C) Small Dams Division Kohat His age according to his own statement (22) 42 year and by appearance about year (22) 42

[Signature]
9/9/19
Medical Superintendent
DHQ Teaching Hospital
Medical Superintendent
DHQ Teaching Hospital
9/9/19

LEFT HAND THUMB AND FINGER IMPRESSIONS



ATTESTED

[Signature]



OFFICE OF THE DEPUTY DIRECTOR,
(PLANNING AND CONSTRUCTION)
SMALL DAMS DIVISION
KOHAT

E-mail: kohatsmalldams@gmail.com

House No. 89, Sector No. 9, KDA Kohat, Phone & Fax: 0922-515453

No. 393 /DD/SD/3-E

Dated: 7 /10/2019

To,

Mr. Imran Khan S/O Sarfaraz Khan
Village Kabir Kalla, P.O Sabir Abad,
Tehsil & District Karak

Subject: Cancellation/Withdrawn of Appointment Order of Driver BPS-06

You were appointed as Driver BPS-06 against the vacant post of Driver vide this office order No. 347/DD/SD/3-E Dated 16/09/2019.

1. Your appointment was made against the employee retired on medical ground quota of Drivers in this office (Deptt).
2. You have submitted arrival report on 19/09/2019 along with medical report for duty.
3. You were advised to attend duty on regular basis.
4. You went to Peshawar with the undersigned on 26/09/2019 on official duty on vehicle No. A-2048.
5. On coming back to the office (Kohat), you disclosed that you feel pain in your leg and not fit for duty.
6. You have concealed the fact that you are unfit for driving due to accident occurred to you in past.
7. You were also found absent on 01/10/2019 from duty and came back on 03/10/2019 to the office and left the office on your own sweet will on 04/10/2019 without taking neither prior permission from anyone of your superior nor undersigned.
8. Your this attitude shows that you are unwilling worker, whereas you are at the initial stage of service/probation.

ATTESTED

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Thus the undersigned reached to the point and decided that the appointment order issued vide this office No 347/DD/SD/3-E Dated 16/09/2019 is hereby withdrawn and treated as cancelled. ✓

JK

JK
DEPUTY DIRECTOR (P&C)
SMALL DAMS DIVISION
KOHAT

Copy to:

1. District Account Officer Kohat, with reference to the above information.
2. Divisional Account Officer Local (P & C) Small Dams Division, Kohat.
3. Head Clerk Local (P & C) Small Dams Division, Kohat.

JK

JK
DEPUTY DIRECTOR (P&C)
SMALL DAMS DIVISION
KOHAT

ATTESTED

B

Amx - C
14

BEFORE THE HON'BLE PESHAWAR HIGH COURT
PESHAWAR



W.P No. 1399P/2020

Imran Khan S/o Sarfaraz Khan R/o Kabir Kala, Sabir Abad
Tehsil & District Karak

..... **Petitioner**

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. Secretary Irrigation Khyber Pakhtunkhwa Peshawar
3. Director General Small Dams Khyber Pakhtunkhwa Peshawar
4. Deputy Director, (P&C) Small Dams Division Kohat.
5. Secretary Finance, Finance Department, Khyber Pakhtunkhwa, Civil Secretariat Peshawar.

..... **Respondents**

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

Respectfully submitted:

FILED TODAY
Deputy Registrar
03 FEB 2020

1. That the Petitioner is a peaceful and law abiding citizens of Pakistan and is entitled for all the rights guaranteed by the Constitution of Islamic Republic of Pakistan, 1973. **(Copy of CNIC is attached as annexure A)**
2. That briefly stated the fact relevant for the purpose of this petition are that father of the Petitioner was gto retired from the Respondents Department as Class-IV

ATTESTED
EXAMINER
Peshawar High Court

and thereafter the Petitioner on his own turn was appointed by the Competent authority consequent upon the Departmental Section Committee in BPS-06 as Driver vide order dated 16.02.2019, where after the Petitioner accordingly got medical certificate as he was able for the post of Driver. **(Copy of the Appointment order dated 16.02.2019 and Medical Report is attached as annexure B)**

3. That after appointment, the Petitioner got medical fitness certificate and took over the charge against the above mentioned Sanctioned Posts in their respective Schools, the petitioner was being competent for the said post, performed his duty with great zeal & zest and with full devotion with no complaint whatsoever.
4. That when the petitioner was performing his duty on his respective post with good results and gave outstanding performance, meanwhile the respondents No 4 had issued cancelation / withdrawal order vide dated 07.10.2019 on the basis of which the appointment order of the Petitioner was cancelled / withdrawn. **(Copy of impugned order dated 07.10.2019 is attached as annexure C)**
5. That as the Petitioner was appointed on the retired Sons Quota on his own turn, thereafter he being fit for the Driver post accordingly got the medical report but astonishingly after one month the Respondent No 4 had issued the above mentioned impugned order in which almost 8 grounds for the cancellation have been mentioned without touching to the record.
6. That feeling aggrieved from the act of Respondents, having no other adequate and efficacious remedy, approaches this Honourable Court on the following grounds inter-alia:-


ATTESTED
EXAMINER
Peshawar High Court

FILED TODAY
Deputy Registrar
03 FEB 2020



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GROUNDS:-

- A) That the Petitioner is peaceful and law abiding citizens of Islamic Republic of Pakistan and are fully entitled to all the basic and fundamental rights as enshrined in the fundamental law of the state, interpreted and guaranteed by the law of the land.
- B) That the acts of the Respondents of not following the relevant rules, regulations, office orders, notifications is illegal, unlawful, unnatural, ab-initio, null and void in the eye of law, hence liable to be declared so.
- C) That the fundamental right of the Petitioner has blatantly violated by the Respondents and the Petitioner has been discriminated and has been denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973.
- D) That the Petitioner fulfilled all the criteria provided for the post in question, and the respondents had illegally been cancelled / withdrawn the appointment of the Petitioner, the services of the Petitioner is intact and performing their duties with outclass results, despite of all these facts that the Petitioner services is intact, time and again had discriminated the Petitioner and favoured the blue eyed, which is evident from the above mentioned record of the Petitioner.
- E) That according to the articles 23 & 24 (1) of the constitution of Pakistan the property of every citizens of the Pakistan have been protected and no one could be deprived from their due rights and property, hence the entire due salaries being the fundamental right of

FILED TODAY
Deputy Registrar
03 FEB 2020

ATTESTED
EXAMINER
Peshawar High Court

4

(17)

the petitioner and the respondents is liable to be directed for releasing of the entire due salaries of the petitioner.

- F) That as per the above mentioned the Petitioner was treated on discriminated and violated the fundamental rights of the Petitioner and comes under clear violation of the Article 4, 25 & 27 because of the reason that neither any show cause notice has been served upon the Petitioner nor any charge sheet has been given to this effect, similarly the Petitioner was neither absent nor he is unfit for the said post, the Respondent No 4 has been issued the same order just to deprive the Petitioner from his lawful right and to appoint some other blue eyed person which is illegal, unlawful and in effecting upon the rights of the Petitioner.
- G) That as per the appointment order as well as the medical Report is very much clear that neither the Petitioner was unfit for the said post as the Respondent No 4 has mentioned in the said impugned order in Para No 5 that the Petitioner is unfit for Driving without any Medical Report he has issued the same order just to appoint some other person being near and dear.
- H) That as per the impugned order the Respondent No 4 has mentioned a stereo type allegations without having any material in this respect and if the said order perused thoroughly the Respondent No 4 has mentioned the reason which cannot accept the prudent mind, hence the impugned order by itself being ambiguous and issued on discriminatory manner which is liable to be struck down in the eyes of law.

FILED TODAY
Deputy Registrar
03 FEB 2020

ATTESTED

EXAMINER
Peshawar High Court

①

②

- 1) That any other ground, not raised here specifically may graciously be allowed to be raised at the time of arguments.

PRAYER:-


It is, therefore, most humbly prayed that, **On acceptance of this writ petition an appropriate writ may please be issued declaring the impugned order dated 07.10.2019 is illegal, unlawful, void ab initio in the eyes of law, hence The respondents be directed to re-instate the Petitioner on his respective post.**

Any other relief, not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

INTERIM RELIEF:-

By way of interim relief, the impugned cancellation order dated 07.10.2019 may kindly be suspended, till the final disposal of the instant writ petition.

Through:

Petitioner 
(BASHIR KHAN WAZIR)
 Advocate,
 High Court, Peshawar

Dated:- 31.01.2020

CERTIFICATE:-

No such like petition has earlier been filed by the Petitioner before this Honourable Court on the subject matter.

ADVOCATE

LIST OF BOOKS:-

1. Constitution of Islamic Republic of Pakistan, 1973
2. Any other book as per need

ADVOCATE

FILED TODAY

Deputy Registrar

03 FEB 2020

ATTESTED

EXAMINER
 Peshawar High Court

19

Judgment Sheet
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT.

W.P.No.1399-P/2020

Imran Khan
Versus
Govt: of KPK through Chief Secretary and
others.



Date of hearing 18.02.2021

Petitioner by: Mr. Bashir Khan Wazir, advocate.
Respondent (s) By: Mr. Muhammad Sohail, AAG

JUDGEMENT

IJAZ ANWAR. J:- The instant writ petition has been filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 with the following prayer:

“It is therefore, most humbly prayed that on acceptance of this writ petition an appropriate writ may please be issued declaring the impugned order dated 07.10.2019 is illegal, unlawful, void ~~ab~~ initio in the eyes of law, hence the respondents be directed to re-instate the petitioner on his respective post.

Any other relief, not specifically asked for may

ATTESTED

EXAMINER
Peshawar High Court

**also graciously be extended
in favour of the petitioner
in the circumstances of the
case.”**

2. At the very outset, learned counsel for petitioner was confronted with the fact that the matter pertains to terms and condition of service as his very appointment depicts that he is a civil servant and in the event of his removal/termination, the only remedy lies before the Service Tribunal. He while referring to his appointment order, stated that in the terms and condition of appointment letter, petitioner is treated as temporary/officiating employee.

3. Learned AAG stated that petitioner is a civil servant and in terms of Article 212 of the constitution of Islamic Republic of Pakistan, 1973, the jurisdiction of this Court is barred.

4. Learned counsel for petitioner in view of statement of learned AAG stated that he will not press this petition; it is accordingly dismissed. He is,


ATTESTED
EXAMINER
Peshawar High Court

21

however, allowed to seek his remedy as provided
under the law.

JUDGE



JUDGE

Announced on;
Dated. 18.02.2021.

D.B. Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Arshad Ali.

26787

Date of Presentation of Application..... 19/2/21


No of Pages..... 6

Copying fee..... 300

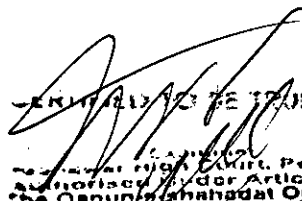
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24 FEB 2021

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

22

W.P No. 1399-P/2020

Imran Khan

..... Petitioner

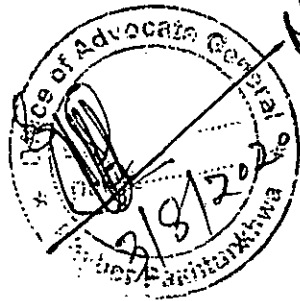
VERSUS

Govt. of Khyber Pakhtunkhwa & others

..... Respondents

INDEX

S.No	Description of Documents	Annexure	Pages
1.	Comments		1-2
2.	Affidavit		3
3.	Authority Letter		4
4.	Brief history of the case		5
5.	Copy of the cancellation order		6-7



Attested by
[Signature]

ATTESTED

FILED TODAY

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Deputy Registrar

03 AUG 2020

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BEFORE THE HON'ABLE PESHAWAR HIGH COURT PESHAWAR

WP No - 1399/2020

Imran Khan S/o Sarfaraz Khan R/o Kabir Kala, Sabir Abad Tehsil & District Karak

.....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and 04 others.
2. Secretary to Government of Khyber Pakhtunkhwa, Irrigation Department Peshawar.
3. Director General Small Dams, Irrigation Department, Plot No. 27, Sector E-8, Street No. 12, Hayatabad Peshawar.
4. Deputy Director (P&C) Small Dams Division Kohat.
5. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.

.....RESPONDENTS

PARAWISE COMMENTS

Respectfully Sheweth,

Para wise comments to the Writ Petition No. 1399P/2020 in respect of Respondents No. 2, 3 & 4 are furnished as under please.

FACTS:

1. Para-I of the Petition is correct subject to the fact that a right man for the right job.
2. Para-II of the Petition is correct that he has appointed after due process but the answering respondent was not required to observe his skill of driving during process of selection which was known during course of his duty and the petitioner showed his inability to perform his duty while driving on way to/from Peshawar on official visit. (Copy of cancellation order is attached).
3. Para-III of the Petition is correct to the extent that he was appointed without any ifs and buts who had concealed his inability of driving. The petitioner has not proved himself to be an obedient Government servant but has misled the Government functionaries in selecting him. His inability because of his previous trauma/ accident has rendered him ineligible for the job and thus rightly his appointment order was withdrawn/ cancelled without any ill-will or malafide.)
4. Para-III is self explanatory vis-à-vis Para-IV of the Petition.
5. Correct to the extent that petitioner was duly appointed; however his inability rendered his appointment as null and void because he had concealed his inability of driving and the Government is not expected to be advancing salaries to persons, without performing duties.

*accident/trauma
in eligible*

GROUND:

- A. May be correct:
- B. The impugned order is self-explanatory, in accordance with law as the same has been passed within the period of probation and his appointment order is very much clear to which he had consented. Thus the Petitioner is stopped to question the impugned order.
- C. Ground (c) is wrong. No discrimination whatsoever has been meted out to the petitioner. Infact, by concealing his physical inability, he has lost every right of his subject petition because he has no come to the court with clean hands and this fact alone renders the instant petition as non-maintanable.
- D. Ground (D) is wrong and baseless.
- E. Ground (E) of the Petition is not in accordance with law.
- F. Ground (F) is not legal but wild allegation concocted to make out a cause for action. No discrimination has been committed against the petitioner. Nor the answering respondent has any blue-eyed for appointment but is a guardian of Government

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Deputy Registrar

03 APR 2020

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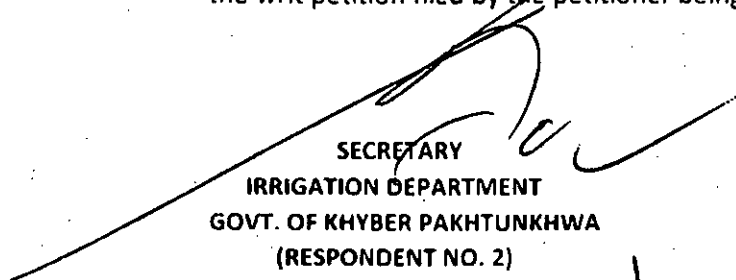

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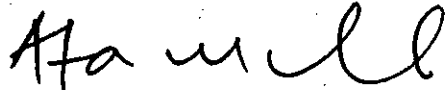
Exchequer. No, notice / Charge sheet was required for the passing of the impugned order as the appointment order itself is clear to this effect.


- G. Ground (G) needs no answer as the allegation contained herein has been elaborately answered in the preceding grounds of the comments above.
- H. Ground (H) is baseless, needs no reply.
- I. Ground (I) is legal.

Prayer:

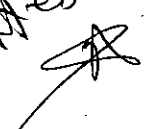
It is therefore, most respectfully prayed that on acceptance of the comments, the writ petition filed by the petitioner being frivolous, may graciously be dismissed.


SECRETARY
IRRIGATION DEPARTMENT
GOVT. OF KHYBER PAKHTUNKHWA
(RESPONDENT NO. 2)


DIRECTOR GENERAL
SMALL DAMS, IRRIGATION DEPTT
GOVT. OF KHYBER PAKHTUNKHWA
(RESPONDENT NO. 3)


DEPUTY DIRECTOR (P&C)
SMALL DAM DIVISION
KOHAT
(RESPONDENT NO. 4)

ATTESTED

Attested by


FILED TODAY

Deputy Registrar

03 AUG 2020

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BEFORE THE HON'ABLE PESHAWAR HIGH COURT PESHAWAR

WP No - 1399/2020
Imran Khan S/o Sarfaraz Khan R/o Kabir Kala, Sabir Abad Tehsil & District Karak

.....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and 04 others.
2. Secretary to Government of Khyber Pakhtunkhwa, Irrigation Department Peshawar.
3. Director General Small Dams, Irrigation Department, Plot No. 27, Sector E-8, Street No. 12, Hayatabad Peshawar.
4. Deputy Director (P&C) Small Dams Division Kohat.
5. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.

.....RESPONDENTS

AFFIDAVIT

I Engr. Abdul Sattar Khan, Deputy Director (P&C) Small Dam Division Kohat do hereby solemnly affirm and declare on oath that the accompanying comments of the writ petition are correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.

Deponent

M.H.B.
Deputy Direct (P&C)
Small Dam Division
Kohat

CNIC NO: 142038051368-1

Cell No: 0333-0564039

Identified by:

2
gmv
Shpdt (J)
Advocate General
Khyber Pakhtunkhwa
Peshawar

ATTESTED
Attested by
[Signature]

4809

Witness
by *Aug*
D.D
Who is true

I do hereby solemnly
swear
03
to *Ab Sattar Khan*
Kohat
A-G
[Signature]
Commissioner
Peshawar High Court, Peshawar

FILED TODAY
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Deputy Registrar

03 AUG 2020

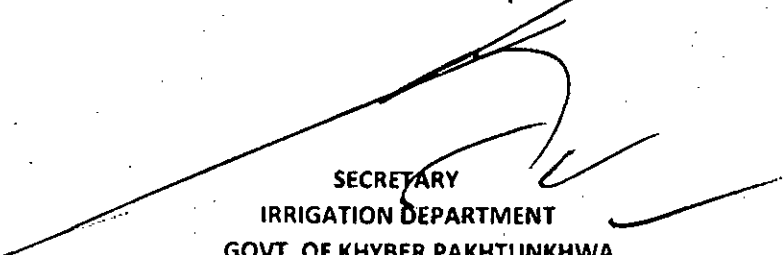
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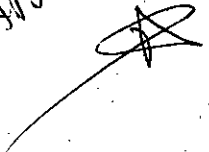
AUTHORITY LETTER

Mr. Abdul Sattar Khan, Deputy Director (P&C) Small Dam Division Kohat is hereby authorized to file para-wise comments and C.M etc. on behalf of Respondents No. 2, 3 & 4 before the Hon'ble Peshawar High Court in the Writ Petition No. 1399P/2020.

He is further authorized to assist the Advocate General office Government of Khyber Pakhtunkhwa in the above writ petition.


SECRETARY
IRRIGATION DEPARTMENT
GOVT. OF KHYBER PAKHTUNKHWA
(RESPONDENT NO. 2)


DIRECTOR GENERAL
SMALL DAMS, IRRIGATION DEPTT
GOVT. OF KHYBER PAKHTUNKHWA
(RESPONDENT NO. 3)

ATTESTED
Attested by


BRIEF HISTORY OF THE CASE

Mr. Imran Khan (Petitioner) Son of Sarfarz Khan, Resident of Sabir Abad, District Karak was appointed as Driver (BPS-6) in Small Dams Division Kohat vide Order No. 347/DD/SD/3-E, dated 16/02/2019 against Employee Son Quota as his father Mr. Sarfarz Khan (Driver) was retired by the Department on Medical Ground. The Petitioner submitted arrival report for duty on 16/09/2019 and hardly served for a period of 26 days.

The inefficiency of the Petitioner regarding driving of vehicle was proved, while performing official visit with the undersigned from Kohat to Peshawar and back. His driving during the above official visit was observed highly unsatisfactory. On query, he disclosed that he is feeling pain in his leg, due to accident in his childhood on Motorbike and as such he feels uncomfortable while driving.

On concealment of the above major facts during recruitment, his appointment order was considered obligatory to be withdrawn/cancelled without any notice to avoid losses to the human lives, officers/officials as well as Government vehicle in the long run, and that is why the Petitioner now after expiry of about 04 months period has challenged the withdrawn/cancellation order in the Peshawar High Court Peshawar, irrespective of the fact that he do not bother to make an appeal before the appellat authority, meaning-there-by that action of the respondent department was based on fact .

ATTESTED

Attested by
[Signature]

[Signature]
DEPUTY DIRECTOR (P&C)
SMALL DAMS DIVISION
KOHAT
(RESPONDENT NO-4)



OFFICE OF THE DEPUTY DIRECTOR,
(PLANNING AND CONSTRUCTION)
SMALL DAMS DIVISION
KOHAT

E-mail: kohatsmalldams@gmail.com

House No. 89, Sector No. 9, KDA Kohat, Phone & Fax: 0922-515453

No. 393 /DD/SD/3-E

Dated: 7 /10/2019

To,

Mr. Imran Khan S/O Sarfaraz Khan
Village Kabir Kalla, P.O Sabir Abad,
Tehsil & District Karak

Subject: Cancellation/Withdrawn of Appointment Order of Driver BPS-06

You were appointed as Driver BPS-06 against the vacant post of Driver vide this office order No. 347/DD/SD/3-E Dated 16/09/2019.

1. Your appointment was made against the employee retired on medical ground quota of Drivers in this office (Deptt).
2. You have submitted arrival report on 19/09/2019 along with medical report for duty. *provided*
3. You were advised to attend duty on regular basis.
4. You went to Peshawar with the undersigned on 26/09/2019 on official duty on vehicle No. A-2048.
5. On coming back to the office (Kohat), you disclosed that you feel pain in your leg and not fit for duty.
6. You have concealed the fact that you are unfit for driving due to accident occurred to you in past.
7. You were also found absent on 01/10/2019 from duty and came back on 03/10/2019 to the office and left the office on your own sweet will on 04/10/2019 without taking neither prior permission from anyone of your superior nor undersigned.
8. Your this attitude shows that you are unwilling worker, whereas you are at the initial stage of service/probation.

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Thus the undersigned reached to the point and decided that the appointment order issued vide this office No 347/DD/SD/3-E Dated 16/09/2019 is hereby withdrawn and treated as cancelled.

JK

[Signature]
DEPUTY DIRECTOR (P&C)
SMALL DAMS DIVISION
KOHAT

Copy to:

- 1. District Account Officer Kohat, with reference to the above information.
- 2. Divisional Account Officer Local (P & C) Small Dams Division, Kohat.
- 3. Head Clerk Local (P & C) Small Dams Division, Kohat.

JK

[Signature]
DEPUTY DIRECTOR (P&C)
SMALL DAMS DIVISION
KOHAT

Attested

*Deputy Director
Small Dam
Kohat*

Attested

[Signature]
Administrative Officer
Small Dams Irr: Department
Peshawar

ATTESTED
Attested by
[Signature]

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DFA

OFFICE OF THE CHIEF ENGINEER (SOUTH)
GOVT. OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT PESHAWAR

Ph: 091-9212116

Fax No. 091-9212652

E-Mail: chiefoffice@iyabuo.com

60
59
67

1135 /IB/A/6-B

Dated Peshawar 24/3/2021


The Director General
Small Dams Directorate Irrigation Department
Peshawar.

DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 7-10-2019 ISSUED BY THE DEPUTY DIRECTOR (P&C) SMALL DAMS DIVISION KOHAT

I am directed to forward herewith a self contained appeal in respect of Muhammad Khan S/O Sarfaraz Kan for furnishing detail report/views/comments to proceed in the matter please.

as above


ADMINISTRATIVE OFFICER

Attested by

Attest

ATTESSED

31

The Chief Engineer Irrigation Department (So. A)
NPK Peshawar

Subject:- DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 07.10.2019 ISSUED BY THE DEPUTY DIRECTOR (R&C) SMALL DAMS DIVISION RO T. WHERE Y THE APPELLANT HAS BEEN TERMINATED FROM SERVICE ON FALSE AND CONCOCTED ALLEGATIONS AND THE SERVICES OF THE APPELLANT MAY KINDLY BE RESTORED WITH ALL BACK BENEFITS.

Respectfully Sheweth:

That father of the Appellant was got retired from the Irrigation Department as Class IV and thereafter he was appointed on his own turn by the competent authority consequent upon the Approval of the Selection Committee on the post of Driver as BPS-06, accordingly the Appellant got Medical after his appointment from the concerned hospital and the medical certificate was provided to the Department. Hereafter the Appellant assumed the charge of the sanctioned post of Driver and since his appointment he was performing his duty regularly without given any opportunity to his high Ups. (Copy of Appointment Letter is attached)

2. That when the Appellant was performing his duty on his respective post with good results and gave outstanding

MRP. DEP.
B
2021

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SR

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To,

The Chief Engineer Irrigation Department (South)
KPK Peshawar

Subject:- DEPARTMENTAL APPEAL AGAINST THE ORDER DATED 07.10.2019 ISSUED BY THE DEPUTY DIRECTOR (P&C) SMALL DAMS DIVISION KOHAT, WHEREBY THE APPELLANT HAS BEEN TERMINATED FROM SERVICE ON FALSE AND CONCOCTED ALLEGATIONS AND THE SERVICES OF THE APPELLANT MAY KINDLY BE RESTORED WITH ALL BACK BENEFITS.

Respectfully Sheweth:

1. That father of the Appellant was got retired from the Irrigation Department as Class-IV and thereafter he was appointed on his own turn by the competent authority consequent upon the Approval of the Selection Committee on the post of Driver as BPS-06, accordingly the Appellant got Medical after his appointment from the concerned hospital and the medial certificate was provided to the Department, thereafter the Appellant assumed the charge of the sanctioned post of Driver and since his appointment he was performing his duty regularly without given any opportunity to his high Ups.
(Copy of Appointment Letter is attached)
2. That when the Appellant was performing his duty on his respective post with good results and gave outstanding

ATTESTED
Attested by
[Signature]

performance, meanwhile
Small Dams Division
withdrawal order vide
through the Appointing
cancelled / withdrawn
dated 07.10.2019 is at

That as the Appellant was
Quota on his own turn
driver post accordingly
astonishingly after one month
(P&C) Small Dams Division
mentioned impugned order in which almost 6 grounds
for the cancellation have been mentioned without
touching to the record.

4. That the Appellant being a temporary
officiating was in violation of the
maintainable, therefore approached to the Hon'ble
Peshawar High Court (Writ Petition No 1399/2020),
whereby the concerned authorities submitted their
Parawise Comments. In the said arguments the
concerned SDO intimated to the Hon'ble Peshawar High
Court Peshawar through the concerned AAG, that the
Appellant is the only person whose objections confronted
to the Appellant. The Hon'ble Court agreed on the terms
that the Appellant may be approached to the concerned
petition and Order is attached.

5. That according to the rules being preferred
after the date of the order of the Appellant is

ATTESTED
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[Signature]

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performance, meanwhile the Deputy Director (P&C) Small Dams Division Kohat had issued cancellation / withdrawal order vide dated 07.10.2019 on the basis of which the Appointment order of the Appellant was cancelled / withdrawn. **(Copy of Impugned Order dated 07.10.2019 is attached)**

3. That as the Appellant was appointed on the retired Sons Quota on his own turn, thereafter he being fit for the Driver post accordingly got the medical report but astonishingly after one month the Deputy Director (P&C) Small Dams Division Kohat had issued the above mentioned impugned order in which almost 8 grounds for the cancellation have been mentioned without touching to the record.

4. That the Appellant being appointed as temporary / officiating was in the view that the Writ Petition is maintainable, therefore approached to the Hon'ble Peshawar High Court Peshawar in W.P No 1399/2020, whereby the concerned authorities submitted their Parawise Comments and at the time of arguments the concerned SDO intimated to the Hon'ble Peshawar High Court Peshawar through the concerned AAG, that the Appellant is the civil Servant, the objections confronted to the Appellant, the Hon'ble Court agreed on the terms that the Appellant being Civil Servant may be approached to the concerned Forum. **(Copy of Writ petition and Order is attached)**

5. That accordingly the instant Appeal is being preferred after the determination of the Point that the Appellant is

ATTESTED
A

Civil Servant, the Appellant being appointed on the Retired Sons Quota and he is healthy and having no such defects which was mentioned in the impugned order and your honour can examine the Appellant.

It is, therefore, most humbly prayed that on acceptance of this Appeal, the Impugned Order 07.10.2019 may kindly be set aside and the Appellant may kindly be re-instated on his service with all back benefits.

APPPELLANT

Dated: 01.03.2021

IMRAN KHAN (EX-DRIVER)
S/O Sarfaraz Khan
R/O Kabir Kala, Sabir Abad
Tehsil District Karak
Call No 0332-3327610

Attested by

Best copy
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(3)

a Civil Servant, the Appellant being Appointed on the Retired Sons Quota and he is healthy and having no such defects which was mentioned in the Impugned order and your honour can examine the Appellant.

It is, therefore, most humbly prayed that on acceptance of this Appeal, the Impugned Order 07.10.2019 may kindly be set aside and the Appellant may kindly be re-instated on his service with all back benefits.

APPELLANT

Dated: 01.03.2021

IMRAN KHAN (EX-DRIVER)
S/o Sarfaraz Khan
R/o Kabir Kala, Sabir Abad
Tehsil & District Karak
Cell # 0333-6327610

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بعد الت

C. 0335-9732415
B.C. 2053-09

2021ء پنجاب
عمران خان بنام گورنمنٹ سٹیٹ بینک و عمران

موزخہ
مقدمہ
دعویٰ
جرم
Service Appeal

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکیل کاروائی متعلقہ
آن مقام لیسٹ اور کیلئے لستہ خان عزیز احمد خدنگہ خان (امدادی)
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخ
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

عمران خان

المرقوم 3
ماہ جون 2021ء

العبد _____ واہ العبد _____

بمقام _____ کے لئے منظور ہے۔

Accepted by
[Signature]



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 2031 /ST

Dated: 12/10 /2021

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

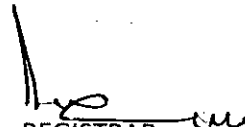
To

The Director General (P&C) Small Dams,
Government of Khyber Pakhtunkhwa,
Kohat.

Subject: JUDGMENT IN APPEAL NO. 6564/2021, MR. IMRAN KHAN.

I am directed to forward herewith a certified copy of Judgement dated 21.09.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR