

17<sup>th</sup> Nov 2022

Counsel are on strike. Mr. Asif Masood Ali Shah,  
Deputy District Attorney for the respondents present.

Written reply/comments on behalf of respondents No.  
1 to 4 not submitted despite numerous opportunities,  
therefore, their right for submission of written reply is  
struck off. Notices be issued to the appellant and his  
counsel. To come up for arguments on 14.12.2022 before  
D.B at camp court Abbottabad.



(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

23.09.2022

Appellant present through counsel.

Muhammad Jan, District Attorney alongwith Malik Mazhar Superintendent for respondent No.5 present.

Written reply on behalf of respondent No.5 has already been submitted. Notices were served upon respondents No.3 & 4 but absent. Hence, placed ex-parte. Respondents No.1 & 2 being not served properly, be put on notice once again for 18 / 11 /2022 for submission of comments, before S.B at Camp Court, Abbottabad.



(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad

19<sup>th</sup> Oct., 2022

Nemo for the appellant. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Written reply/comments on behalf of the respondents have not been submitted. Learned AAG seeks further time to contact the respondents and submit reply/comments on the next date. Granted. This case pertains to Abbottabad and because of cancellation of tour the matter was fixed on 19.10.2022 at the Principal Seat. Appellant and his learned counsel did not appear. Notice be issued to appellant and his counsel for the next date. To come up for written reply/comments of respondents No. 1 & 2 on 17.11.2022 before S.B.




(Fareeha Paul)  
Member (E)

16.06.2022

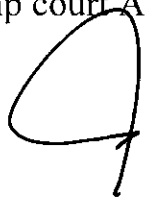
Clerk of learned counsel for appellant. Mr. Muhammad Adeel Butt, Additional Advocate General present.

Despite direction notices were not issued. Therefore, fresh notice be issued to respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 22.07.2022 before S.B at Camp Court Abbottabad.

  
(Fareeha Paul)  
Member (E)  
Camp Court A/Abad

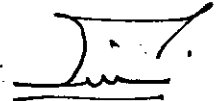
22<sup>nd</sup> July 2022 Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply on behalf of the respondent No. 5 has already been submitted. None present on behalf of respondents No. 1 to 4. On previous date notices were directed to be issued to respondents No. 1 to 4 but those were not issued. Office is directed to issue fresh notices to respondents No. 1 to 4 for submission of written reply/comments through registered post. To come up for written reply of respondents No. 1 to 4 on 23.09.2022 before S.B at camp court Abbottabad.

  
(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

17.01.2022

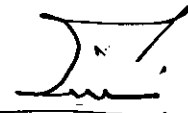
Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and requested that time may be granted for submission of written reply/comments on behalf of respondents No. 1 to 4. The request is acceded, however subject to payment of costs of Rs. 2000/-. Learned Additional Advocate General shall contact respondents No. 1 to 4 for submission of reply as well as payment of cost on the next date positively, otherwise their right for submission of written reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments as well as <sup>payment of</sup> costs of Rs. 2000/- on behalf of respondents No. 1 to 4 on 20.04.2022 before the S.B at Camp Court Abbottabad.



(Salah-ud-Din)  
Member (J)  
Camp Court A/Abad

20.04.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present. Comments on behalf of respondent No. 5 have already been submitted, while reply/comments on behalf of respondents No. 1 to 4 have not been submitted even today. Learned Additional Advocate General is requires to contact respondents No. 1 to 4 for submission of written reply/comments on the next date. Last opportunity given. To come up for submission of written reply/comments on behalf of respondents No. 1 to 4 on 16.06.2022 before the S.B at Camp Court Abbottabad.



(Salah-Ud-Din)  
Member (J)  
Camp Court Abbottabad

14.06.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 30.09.2021.

  
Reader

30.09.2021

Junior to counsel for the appellant present.

Security and process fee have been deposited. Notices be issued to the respondents. To come up for written reply/comments on 17.11.2021 before the S.B at Camp Court, Abbottabad.

Appellant Deposited  
Security & Process Fee

  
Chairman  
Camp Court, A/Abad

17.11.2021

Counsel for the appellant and Mr. Muhammad Riaz Khan Painsdakhel, Asstt. AG alongwith Malak Mazhar, Superintendent for respondent No. 5 present.

Representative of the respondent No. 5 has submitted parawise comments on behalf of the said respondents. Learned AAG is required to contact the respondents No. 1 to 4 for submission of written reply/comments on the next date positively, otherwise, their right for submission of written reply/comments shall be deemed as struck off. Case to come up on 17.01.2022 before S.B at camp court, Abbottabad.

  
Chairman  
Camp Court, A/Abad

21 of 2021

Due to COVID-19, the case is adjourned for the same on 19.02.2021.

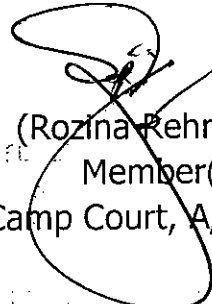
  
READER

19.02.2021

Appellant present through counsel.

Preliminary arguments heard. File perused.

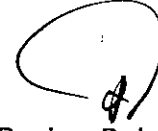
Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 15.06.2021 before S.B at Camp Court, Abbottabad.

  
(Rozina Rehman)  
Member(J)  
Camp Court, A/Abad

20.10.2020

Petitioner present through representative.

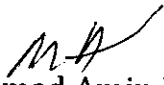
Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on 21.01.2021 before S.B at Camp Court, Abbottabad.



(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad


17.12.2019

Counsel for the appellant present and requested for adjournment. Adjourned to 23.01.2020 for preliminary arguments before S.B at Camp Court Abbottabad.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

23.01.2020

Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 20.02.2020 before S.B at Camp Court Abbottabad.

  
Member  
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / /  
at camp court abbottabad.

  
Reader

Due to summer vacation case to come up for the same on  
20/10/20 at camp court abbottabad.




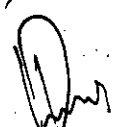
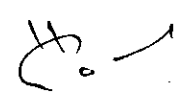


Form- A

FORM OF ORDER SHEET

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

Case No.- 1218/2019


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/10/2019	<p>The appeal of Mr. Sadbar Khan resubmitted today by Mr. Muhammad Arshad Khan Tanolli 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 <u>2/10/19</u></p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>22.11.2019</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>22.11.2019</p> <p>Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is indisposed. Adjourn. To come up for preliminary hearing on 17.12.2019 before S.B at Camp Court, A/Abad.</p> <p style="text-align: right;"> Member Camp Court, A/Abad</p>

The appeal of Sadbar Khan process server Labour Court Hazara region, Haripur received to-day i.e. on 16-07-2019 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 appeal may be properly flagged.
- 2- Copy of Retirement Order mentioned in para-1 of the Facts of appeal is not attached which may be placed on it.

No. 1993 /S.T,

Dt. 18-7- /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Arshad Tanoli.  
Adv, High Court, Abbottabad.

Sir,

case is re-submitted  
duly rectified as desired.



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

*Appeal No. 1218/2019*

Sadbar Khan Process Server Labour Court Hazara Region,  
Haripur. ....Appellant

**VERSUS**

1. Secretary Industries & Labour, KPK, Peshawar.
2. Accountant General, KPK, Peshawar.
3. District Accounts Officer Abbottabad.
4. District & Sessions Judge, Kohistan.
- 5- Presiding Officer (Labour Court), Haripur.

....Respondents

**SERVICE APPEAL**

**INDEX**

S.#.	DESCRIPTION	ANNEX	PAGE
1.	Memo of Service Appeal alongwith Verification		01 to 07
2.	Copy of Appointment Order & Retirement Order	"A"	8
3.	Copy of Reappointment Order	"B"	9-10
4.	Copy of Employment Certificate	"C"	11
5.	Copy of Departmental Appeal	"D"	12
6.	Vakalatnama		

*Sadbar Khan*  
....Appellant

Dated: 13/07/2019

Through:

*Muhammad Arshad Khan Tanoli*  
Muhammad Arshad Khan Tanoli  
Advocate High Court,  
Abbottabad

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

Khyber Pakhtunkhwa  
Service Tribunal

Appeal no. 1218/2019

Diary No. 990

Dated 16-7-19

Sadbar Khan Process Server Labour Court Hazara Region,  
Haripur. ....Appellant

**VERSUS**

1. Secretary Industries & Labour, KPK, Peshawar.
2. Accountant General, KPK, Peshawar.
3. District Accounts Officer Abbottabad.
4. District & Sessions Judge, Kohistan.
- ✓ 5- Presiding Officer (Labour Court), Haripur.

....Respondents

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**SERVICE APPEAL UNDER SECTION-4 OF**  
**KPK SERVICE TRIBUNAL ACT 1974,**  
**FOR DECLARATION TO THE EFFECT**  
**THAT THE APPELLANT WAS RETIRED**  
**FROM SERVICE ON 23/07/2014 AS DRIVER**  
**FROM SESSION COURT KOHISTAN AND**  
**THEREAFTER REAPPOINTED AS BAILEF**  
**PROCESS SERVER / LABOUR COURT**  
**HARIPUR, ON 01/10/2016 AND A SUM OF**  
**RUPEES 5000/- IS BEING DEDUCTED FROM**  
**MONTHLY SALARY OF THE APPELLANT**  
**ON ACCOUNT OF PENSION BUT 19-YEARS**

Filed to day  
16/7/19  
Registrar

Re-submitted to -day  
and filed.

Registrar  
2/10/19

LENGTH OF SERVICE WITH EFFECT FROM 01/02/1995 TO 23/07/2014 AT SESSIONS COURT, KOHISTAN HAS NOT BEEN COUNTED TOWARDS HIS PRESENT SERVICE OF PROCESS SERVER LABOUR COURT HARIPUR, BESIDES, PAY PROTECTION HAS ALSO NOT BEEN ALLOWED ON ACCOUNT OF HIS PREVIOUS 19-YEARS OF SERVICE WHICH IS AGAINST THE LAW AND RESPONDENTS ARE BOUND TO COUNT HIS PREVIOUS 19-YEARS OF SERVICE TOWARDS THE PRESENT SERVICE AND PROVIDE PROTECTION OF PAY KEEPING IN VIEW HIS PREVIOUS SERVICE.

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**PRAYER:** ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL IT IS PRAYED THAT:-

A- *RESPONDENTS MAY BE DIRECTED TO count PREVIOUS SERVICE OF THE APPELLANT WITH EFFECT FROM 01/02/1995 TO 23/07/2014 TOWARDS THE PRESENT SERVICE FOR THE PURPOSES OF PAY AND PENSION.*

*B- RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO GIVE PAY PROTECTION OF THE APPELLANT KEEPING IN VIEW his PREVIOUS 19-YEARS SERVICE.*

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Respectfully Sheweth:-

**FACTS:**

- 1- That the appellant got appointment 01/02/1995 in the court of District & Sessions Judge, Kohistan and after rendering 19-years of service the appellant was retired compulsorily from service on 23/07/2014. (Copy of Appointment Order & Retirement Order is attached as ANNEXURE-"A").
- 2- That the appellant got reappointment as process server at Labour Court Haripur on 01/10/2016. (Copy of Reappointment Order is attached as ANNEXURE-"B").
- 3- That a sum of Rs.5000/- per month is being deducted for monthly salary of the appellant on account of recovery of pension. In this regard, last pay ~~Endowment~~<sup>Emolument</sup> Certificate

Showing recovery of Rs. 5000 per month is attached as ANNEXURE-"C".

- 4- That as per law, previous service period of the appellant as driver with effect from 01/02/1995 to 23/07/2014 is to be counted towards his new service, but neither previous service is being counted nor pay protection under the rules is being allowed to the petitioner. In this regard, the petitioner filed departmental appeal on 04/04/2019, but the same has yet not been replied, by respondents. (Copy of Departmental Appeal is attached as ANNEXURE-"D"). Hence, the service appeal is filed on the following grounds.

**GROUND:**

- a. That law demand that whenever a person reappointed and the amount of pension is deducted than, the previous service is counted towards new service and pay is fixed on taking into account the increments of previous service.

- b. That the appellant is entitled for counting of previous service towards the length of present service of Process Server. Similarly pay of previous service is also counted towards the present service for the purposes of fixation of salary of the appellant. When law prescribe something which is to be done in a particular manner that must be done in that manner and not otherwise.
  
- c- That there is no cavil with the proposition that previous pensionable service or the service which was paid in the shape of pension is to be counted towards present service subject to surrender of pensionary benefits through monthly installment from the salary of present employment of the appellant and same procedure has been adopted and receipt amount of pension is being recovered from monthly salary of the petitioner for the



purposes of counting of his previous service. But in fact, order to the extent of counting of former service with pension contribution has not been issued by the previous department which is against the law.

- d. That the matter pertains to terms and conditions of service of the appellant therefore, the Honourable Tribunal has jurisdiction to entertain the present appeal.

**PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL IT IS PRAYED THAT:-**

*A- RESPONDENTS MAY BE DIRECTED TO PREVIOUS SERVICE OF THE APPELLANT WITH EFFECT FROM 01/02/1995 TO 23/07/2014 TOWARDS THE PRESENT SERVICE FOR THE PURPOSES OF PAY AND PENSION.*

B- RESPONDENTS MAY GRACIOUSLY BE  
DIRECTED TO GIVE PAY PROTECTION  
OF THE APPELLANT KEEPING IN VIEW  
his PREVIOUS 19-YEARS SERVICE.


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....Appellant

Dated: 13 /07/2019

Through:



Muhammad Arshad Tanoli  
Advocates High Court,  
Abbottabad

**VERIFICATION:**

VERIFIED THAT THE CONTENTS OF THE  
APPEAL ARE TRUE AND CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF AND THAT NOTHING MATERIAL  
HAS BEEN SUPPRESSED FROM THIS HONOURABLE  
COURT.

Dated: 13 /07/2019



....Appellant

Annex-A

(5)

OFFICE OF THE SENIOR CIVIL JUDGE/AALA ILAQA QAZI KOHISTAN.

O\_R\_D\_E\_R :

P-8

Dated Dassu the 31st January, 1995.

In pursuance of order of Peshawar High Court Peshawar bearing endorsement No.9856-62/Admn:Brh: dated 27.10.1994 and on the recommendation of the Selection Committee the following appointments are hereby ordered in the interest of public service with immediate effect.

The appointments are purely on temporary basis and can be terminated at any time without notice assigning any reason and on probation for two years and subject to medical fitness.

- (1) Shams-ul-Din s/o Abdul Qayyum R/O Dihar Seu Tehsil Dassu District Kohistan is appointed as Naib Qasid (BF-1) against the vacant post, in the court of SCJ/Aala Ilaqa Qazi Kohistan.
- (2) Sarbland Khan s/o Sher Khan R/O Pattan Tehsil Pattan District Kohistan is appointed as Chowkidar in (BF-1) against the vacant post, in the court of SCJ/Aala Ilaqa Qazi Kohistan.
- ✓ (3) Sadbar Khan s/o Yonkuzoon R/O Pattan Tehsil Pattan District Kohistan is appointed as Naib Qasid (EP-1) against the vacant post, in the court of SCJ/Aala Ilaqa Qazi Kohistan.

Dated Dassu the  
31st Jan: 1995.

Senior Civil Judge/Aala Ilaqa Qazi  
District Kohistan

Endst: No. 27-30 / Dated Dassu the 07-2 / 1995.

Copy forwarded for information to:-

1. The District Accounts Officer, Kohistan/Dassu.
- ✓ 2. Officials concerned.

Senior Civil Judge/Aala Ilaqa Qazi  
District Kohistan.

Attested  
Mulla Muhammad Khan Tanoli  
Advocate High Court  
Office No. 83 Adjacent to  
Dassu Bar Association



—4— The  
**LABOUR COURT**  
Hazara Region at Haripur



0995-319697-8

E-mail: [hrp4007@gmail.com](mailto:hrp4007@gmail.com)

No. 902-04/LC

Dated Haripur the 01 / 10 / 2016

**ORDER**

**Annex- 'B' P-9**

On recommendation of the Departmental Selection Committee, the competent authority is pleased to order Re-appointment of the following candidate as Process Server in BPS-03 in Labour Court Haripur w.e.f the date of assumption of charge of the post, subject to medical fitness:-

S.#	Name of Candidate	Father's Name
1	Sad Bar	Yan Qazoon

2. His Re-appointment to the service will be subject to the following terms and conditions:
  - He will be governed by the KPK Civil Servants Act, 1973 and KPK Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.
  - He will be allowed the minimum pay of BPS-03 plus other allowances as admissible under the rules:-
  - He will be governed by such rules and instructions relating to leave, T.A and medical attendance as may be prescribed from time to time.
  - He will be on probation initially for a period of two years extendable up to three years.
  - He will be eligible for continuance and eventual confirmation in the post on satisfactory completion of probationary period.
  - His services will be liable to be dispensed with at any time without notice and assigning any reason before the expiry of the period of probation/extended period of probation, if, his work or conduct during that period is not found satisfactory. In the event of termination from service, fourteen days notice or in lieu thereof fourteen days pay will be paid by the Government. In case of resignation, he will give one month notice to the competent authority or in lieu thereof one month pay will be forfeited to the Government. The resignation shall, however, be subject to the acceptance by the competent authority.
  - He will be governed by the KPK Government Servants (Efficiency and Discipline) Rules, 2011 and the KPK Government Servants Conduct Rules,

*Umer Plaza near Olive Hotel / Bilawal Marriage Hall, Main G.T Road, Haripur.*

**Attested**  
  
Muhammad Arshad Khan Janoli  
Advocate High Court  
Office No. 33-Adjacent to  
Distt Bar Abbottabad

14

5

P-10

1987 and any other instruction which may be issued by the competent authority from time to time.

- His Re-appointment is subject to the condition that he will refund/ deposit the amount of gratuity already received by him on his pre-mature retirement from District Judiciary, Kohistan according to Rules.
3. If the above terms and conditions of re-appointment are acceptable to him, he should report for duty to the undersigned immediately. The offer of re-appointment shall be deemed to have been cancelled if he fails to report for duty to the undersigned within 15 days from the date of issuance of this order.
4. He will join duty at his own expense.

(Sardar Muhammad Irshad)

District & Sessions Judge/Presiding Officer  
Labour Court, Haripur

No. 952/14/LC

Dated Haripur the 07 / 11 / 2016

Copy forwarded to:-

1. The District Accounts Officer, Haripur.
2. Official concerned.
3. Office record.

(Sardar Muhammad Irshad)

District & Sessions Judge/Presiding Officer  
Labour Court, Haripur

*[Handwritten signatures and initials]*

**Attested**

Muhammad Irshad Khan Jang  
Advocate High Court  
Office No: 33 Adjacent to  
Distt Bar Abbottabad

(46)

Naeem

OFFICE OF THE DISTRICT & SESSIONS JUDGE,  
KOHISTAN AT DASSU

1970

No. 301 D&SJ (KH)

Dated Dassu the 10/12/2015

From: District & Sessions Judge,  
Kohistan.

Annex-B

To: The District Accounts Officer,  
Kohistan at Dassu.

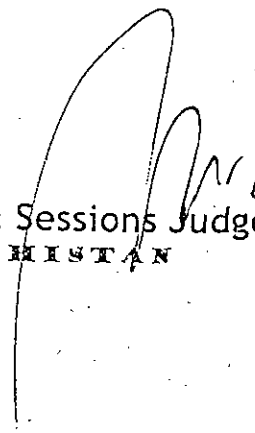
9-A

Subject: | PENSION DOCUMENTS IN RESPECT OF  
MR.SADBAR KHAN DRIVER. ✓

Dear Sir,

The following pensionary documents in respect of Mr. Sadbar Khan Driver of this Court are sent herewith for further necessary action, please.

1. Pension Papers (in duplicate).
2. Service Book (in original).
3. Last Pay Certificate.
4. Photographes (two no.).
5. N.I.C Photocopy (two no.)
6. No Demand Certificate (two no.).
7. Undertaking (two no.).
8. Specimen Signature/Thumb Impressions (two no.)

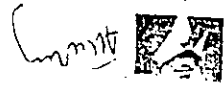
  
District & Sessions Judge,  
KOHISTAN

c/c

1  
E  
N

78097

44



# CERTIFICATE

9-13

Certified that the Officials has retired from Service  
w.e.f 01-02-1995 to 10-04-2014 his pay  
not drawn after retirement as per record of this  
office.

District & Session Judge,  
Kohistan at Dassu.

1,350.00  
6595 CPT Loan Principal In  
7,112.00  
OPF Temp. Advance  
INSTR. No 222, 226, 72  
207, 687, 03  
195,000.00  
55,000.00

42

SECTION (I)- PARTICULARS OF APPLICANT.

9-C

- 1- Name of Civil Servant. Sadhar Khan
- 2- Father's Name Yaqazoon
- 3- Nationality. Pakistani
- 4- Postal Address. c/o mutabar, office SCJ, Kohistan
- 5- Post held on the date of retirement/ death and BPS Driver (04)
- 6- Date of Birth: 04-01-1976
- Commencement of Service. 01-02-1995
- 7- Date of Retirement/ Death: 20-06-2014

8- Length of Service.

		Y	M	D
Govt. From	<u>01-02-95</u>	To	<u>20-06-14</u>	
Of			<u>19</u>	<u>04</u>
NWFP		To		<u>19</u>
From		To		
Total: <u>19-04-19</u>				

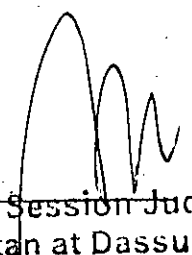
9- Date of commencement and ending of each spell of military service, if any.

		Y	M	D
From		To		
Total: <u>19-04-19</u>				

10- Govt. under which service has been rendered in chronological order.

Government of		From		To		i.e
Government of		From		To		i.e
Government of		From		To		i.e
Total: <u>19-04-19</u>						

- 11- Class of pension or gratuity applied for Retired from Service on 20-06-14
- 12- Average emoluments/emoluments last drawn 8650
- 13- Proposed gross pension/gratuity. Rs. 3834-83
- 14- Proposed family pension. Rs. -
- 15- Proposed gratuity on lieu of 1/4<sup>th</sup> pension of Rs. -
- 16- Proposed value of commutation Rs. 4,344.81-77
- 17- Proposed net pension Rs. 2576/-
- 18- Place of District Accounts Office/ Treasury/ Sub-Treasury Rs. -
- 19- Date from which pension to commence. Rs. -

  
 Signature of Head of Office/Department  
 District & Session Judge,  
 Kohistan at Dassu.



9-D  
 Pensiun report in Rp Ex. Driver: Sadbar S.  
 Yamparan Vill: Po Teh: Pullen Dist  
 Kohisten

A/c no 2823-4 PPD No. T43-1C  
 Daxn P/No. 334349  
 NBP Daxn  
 NIK 13403-0165432-3

DOB 04-01-1976  
 DOA 01-02-1995  
 DDR 20-06-2014

Rp 8650

Service: 20-06-2014  
 01-02-1995  
19-04-19

544 19

Age: 20-06-2014  
 04-01-1976  
16-05-38

544 39

$$8650 \times 7 \times 19 = 3835 -$$

380

*Handwritten notes:*  
 P/No  
 2823-4  
 01/11/2014

Gross Pensiun	R 3835-
27 Comit	R 1342-
Net Pensiun	R 2493-
157 Ai 7/10	R 374
Net Pensiun	R 2867-
Enhance	R 133-
Net Pensiun 7/10	R 3000-
157 Ai 7/11	R 450-
207 . 7/12	R 690-
157 . 7/13	R 691-
157 . 7/14	R 476-
Enhance	R 693-
Net Pensiun 12/14	R 6000-
27 M-A	R 750-
27 Increase M-A	R 187-
Net Pensiun 15	R 6937-

Net Sum 26937  
 19 Ai 7/15 600  
2537-  
 Net Sum 12/15

Comit value R 1342 + 12 x 26.1009 = 420329-

*Handwritten notes:*  
 M  
 16/11/2014

(36)      7      9-E

NO DEMAND CERTIFICATE

Certified that nothing is outstanding against Mr./Mrs. Sadbar Icha who has been retired/died or is retiring 20-06-14 (AN/FN) either on account of any Govt. Money or property and that is any thing is found later on, the name will be the responsibility of the undersigned.

D.D.O \_\_\_\_\_

E.D.O \_\_\_\_\_

DECLARATION

District & Session Judge,  
Kohistan at Dassu.

Thereby that I have neither applied for non received any pension or gratuity in r/o my portion of the service included in the application and in r/o which pension or gratuity as claimed here in/non shall I submit any application here after with our quotation a reference to his/her application and the orders which may be passed there on.

ATTESTED

Signature Driver Sub  
Designation \_\_\_\_\_

District & Session Judge,  
Kohistan at Dassu.

UNDERTAKING

Should the amount of pension/ gratuity granted to me be after awards found to be in excess of that to which I am entitled, under the rules I hereby undertake to refund any such excess

ATTESTED

Signature Driver Sub  
Designation \_\_\_\_\_

District & Session Judge,  
Kohistan at Dassu.

SPECIMEN SIGNATURE IN RESPECT OF

MR/MRS. Sadbar Icha

1. Sub      2. Sub      3. Sub

ATTESTED

Thumb and fingers impression of Mr/ Mrs/Miss/ Sadbar Icha

Little Finger

Ring finger

Middle finger

Fore Finger

Thumb



ATTESTED

Personal # 33 43 49

NIC # 13403-0165432-3

COMPOSED BY: MUHAMMAD REHMAN MUGHAL  
REHMAN STATIONERY & PHOTOSTATE, KASHMIR ROAD MANSEHRA

District & Session Judge,  
Kohistan at Dassu.

DECLARATION UNDER ARTICLE 920(I)CSR.

I do hereby declare that in case the amount of pension/gratuity sanctioned to me is found to be in excess of that to which I am entitled to under the rules, I do hereby undertake to refund such excess, when called upon to do so.

Attested.

D.D.O. Concerned

District & Session Judge,  
Kohistan at Dassu.

Signature [Signature]  
Designation: \_\_\_\_\_

CERTIFICATE REQUIRED UNDER C.S.R.922

Whereas I, Sadbar Khan s/o Yangqoon serving in Judiciary department do hereby provisionally, advance me the sum of Rs \_\_\_\_\_ per month, and a lump sum gratuity of Rs \_\_\_\_\_ in anticipation of completion of enquiries necessary to enable the Government to fix the amount of my pension & gratuity. I hereby acknowledge that, in accepting this advance. I fully understand that, my pension & gratuity is subject to revision on the completion to the necessary formal enquiries. I promise to raise no objection to such revision on the ground that provisionally pension & gratuity now to be paid to me exceeds the pension & gratuity to which I may be eventually found entitled I further promise to repay any amount advanced to me in excess of the pension & gratuity to which I may be eventually found entitled.

Attested.

D.D.O. Concerned.

District & Session Judge,  
Kohistan at Dassu.

Signature [Signature]  
Designation: \_\_\_\_\_

CERTIFICATE REGARDING NON-INDULGENCE IN POLITICS

It is certified that I will not involve myself in the politics for \_\_\_\_\_ years after my retirement w.e.f 20-06-14

Attested.

D.D.O. Concerned.

District & Session Judge,  
Kohistan at Dassu.

Signature [Signature]  
Designation: \_\_\_\_\_






SPECIMEN SIGNATURES OF MR. Sadbar Khan

- 1. Sadbar .....
- 2. Sadbar .....
- 3. Sadbar .....

Attested.

D.D.O. Concerned.  
District & Session Judge,  
Kohistan at Dassu

THUMB AND FINGERS IMPRESSIONS OF MR. Sadbar Khan

- 1. THUMB  .....
- 2. FORE FINGER  .....
- 3. MIDDLE FINGER  .....
- 4. RING FINGER  .....
- 5. LITTLE FINGER  .....

Attested.

D.D.O. Concerned.

District & Session Judge,  
Kohistan at Dassu.

# LAST PAY CERTIFICATE

Personal No: \_\_\_\_\_

1. Last pay certificate of Mr. Sadkar Khan, Driver  
of the \_\_\_\_\_  
Proceeding to \_\_\_\_\_

2. He has been paid up to April, 2014 (30-4-2014)  
as per following rates:-

Pay:	Rs.	<u>8650</u>
HRA:	Rs.	<u>972</u>
MA:	Rs.	<u>1000</u>
SSA:	Rs.	_____
SRA:	Rs.	_____
AR:	Rs.	<u>2390</u>
Dear all Rs.		_____
Conv	Rs.	<u>1700</u>
Judicial AU	Rs.	<u>2200</u>
Whip AU	Rs.	<u>2100</u>
Total:	Rs.	<u>6000</u>

Particulars:  
Substantive Pay: -  
Officiating Pay: -

Exchange Compensation Allowance:-  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AR-2011 717  
AR-2012 730

Deductions:-

GPF A/C No	Rs.	_____
GPF Adv	Rs.	<u>433</u>
B/F	Rs.	<u>120</u>
G.I	Rs.	<u>58</u>

Adv-97

3. He made over charge of the office of  
Manshra.  
On the after noon of \_\_\_\_\_

- Recoveries are to be made from the pay of the Government servants as detailed on the reverse.
- He has been paid leave salary as detailed below. Deductions have been made as moted on the reverse.  
From \_\_\_\_\_ to \_\_\_\_\_ at Rs. \_\_\_\_\_ a month.  
From \_\_\_\_\_ to \_\_\_\_\_ at Rs. \_\_\_\_\_ a month.  
From \_\_\_\_\_ to \_\_\_\_\_ at Rs. \_\_\_\_\_ a month.
- He is entitled to draw the following:-
- he is entitled to joining time for \_\_\_\_\_ days.
- the details to the income Tax recovered from his upto the date from the beginning of the current year are noted on the reverse.

## REVERSE

### Details of Recoveries

Name of recovery \_\_\_\_\_  
Amount Rs. \_\_\_\_\_

Signature: \_\_\_\_\_  
District & Session Judge,  
Kohistan at Dassu.

COMPOSED BY: MUHAMMAD REHMAN MUGHAL  
REHMAN STATIONERY & PHOTOSTATE, KASHMIR ROAD MANSEHRA

No: 48  
22/11/2016

D S J

Kohistan 14

Government of Khyber Pakhtunkhwa  
District Accounts Office Haripur  
Monthly Salary Statement (December-2018)

Annex 'C'



Personal Information of Mr SADBAR KHAN d/w/s of YANKAZOON

Personnel Number: 00334349 CNIC: 1340301654323  
Date of Birth: 04.01.1976 Entry into Govt. Service: 01.02.1995

NTN:  
Length of Service: 23 Years 11 Months 001 Day

Employment Category: Active Permanent

Designation: PROCESS SERVER

80002069-GOVERNMENT OF KHYBER PAKH

DDO Code: HR4007-JUDGE LABOUR COURT HARIPUR.

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

20,902.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 03

Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	9,610.00	1000	House Rent Allowance	1,413.00
1210	Convey Allowance 2005	1,785.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	240.00	2199	Adhoc Relief Allow @10%	150.00
2211	Adhoc Relief All 2016 10%	804.00	2224	Adhoc Relief All 2017 10%	961.00
2247	Adhoc Relief All 2018 10%	961.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3003	GPF Subscription - Rs 770	-770.00	3501	Benevolent Fund	-300.00
3950	Recovery: Pension Self	-5,000.00	4004	R. Benefits & Death Comp:	-451.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till December-2018: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 17,424.00 Deductions: (Rs.): -6,521.00 Net Pay: (Rs.): 10,903.00

Payee Name: SADBAR KHAN

Account Number: 0300007000000022

Bank Details: FAYSAL BANK LIMITED, 440300 Dassu Branch, Dassu

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: KOHISTAN

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

Attested

Muhammad Arshad Khan  
Advocate High Court  
Office No: 33 Adjacent to  
Dist. Bar Association

To.

The Honourable Secretary,  
Industries and Labour,  
Khyber Pakhtunkhwa,  
PESHAWAR.

Annex-D

P-12

Through Proper Channel

Subject:- **DEPARTMENTAL APPEAL FOR PAY PROTECTION, GRANT OF ANNUAL INCREMENT AND COUNTING OF FORMER SERVICE TOWARDS PENSIONARY BENEFITS.**

Respected Sir,

With most respect and humble submission the following few lines are laid down before your highness for kind consideration and favorable orders please:-

1. That appellant was appointed as Naib Qasid in the District Judiciary Kohistan on 02-02-1995 while promoted as Driver in 2006 and after serving for more than 19 years he was compulsorily retired on 23-07-2014. He was granted Commutation and Pension.
2. That according to the District & Sessions Judge/Presiding Officer Labour Court, Hazara Region, Haripur order dated 01-10-2016 the appellant was re-appointed against the post of Process Server BPS-03 in the Labour Court Haripur with the following including other conditions:-
  - i) He will be governed by the KPK Civil Servants Act-2973 and KPK Civil Servants (Appointment, Promotion & Transfer) Rules 1989.


*Ali*  
Muhammad Arshad Khan Tanoli  
Advocate High Court  
Office No 33 Adjacent to  
Distt Bar Abbottabad

- ii) He will be allowed the minimum pay of BPS-03 plus other allowances as admissible under the rules.
- iii) His re-appointment is subject to the condition that he will refund/deposit the amount of gratuity already received by him on his pre-mature retirement from District Judiciary, Kohistan according to Rules.

**(Copy of Re-appointment order is attached as "A").**

- 3. That since his re-appointment (01-10-2016) in the Labour Court Haripur till to date the appellant is being paid the minimum of BPS-03 and no annual increment granted.
- 4. That appellant's pension granted by his previous department "District Judiciary Kohistan" has been stopped and Commutation amount is being recovered from his monthly salary @ Rs.5000/- per month. **(Copy of Monthly Salary Statement is attached as "B").**
- 5. That according to the rules if a person on re-appointment refunds the gratuity and pension will be entitled to pay protection and counting of his former service towards pension & gratuity and if he does not refund the same he would not be entitled for counting his former service towards pension & gratuity.
- 6. That from the day one the appellant has been running from pillar to post for realization of his legitimate right but all in vain. He filed written requests before the competent authority which were transmitted to the District Accounts Officer Haripur for solving the problem but of no use till to this time. **(Copies of applications are**

Attested

  
Advocate High Court  
Office No: 33 Adjacent to  
Distt Bar Abbottabad



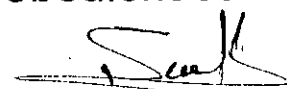
attached as "C&D).

P-14

- 7. That in view of the above facts and rules the appellant is entitled to pay protection, grant of annual increment and counting of former service towards pensionary benefits. **(Copy of former LPC is attached as "E").**

It is, therefore, humbly requested that on acceptance of instant departmental appeal the pay protection, grant of annual increment and counting of former services towards pensionary benefits may kindly be allowed to the appellant for which act of kindness the appellant shall be thankful to your highness.

Your Obedient Servant



(SAD BAR KHAN)  
Process Server  
Labour Court Haripur

Dated: 4-04-2019

Copy for information to:-

- 1. The Honourable District & Sessions Judge/Presiding Officer, Hazara Region, Haripur.
- 2. The District Accounts Officer Haripur.
- 3. *Accountant General, KPK, Peshawar.*



Muhammad Arshad Khan Tani  
Advocate High Court  
Office No: 33 Adjacent to  
Distt Bar Abbottabad

خدمت مناسبتی کے لیے ایڈووکیٹ کورٹ پھری ٹور

P-15

حزب عالیہ

جوڈیانہ گز آرڈر ہے کہ سائل عدالت میں  
پرائسز سرور (B-3) کی پوسٹ پر Re-employ ہوا  
ہے قبل ازیں سائل سیشن کورٹ کو پرائسز سرور  
ڈرائیور ولزم تھا اور 21 سال ملازمت کرچکا  
تھا لہذا التماس ہے کہ سائل کی مذکورہ سرورس  
ملازمت کی جگہ اور اس کے سرورس پوسٹ میں  
عینیت فرمائے گا حکم صادر فرمایا جائے۔

الغرض

Sachh

صدر قاضی

P/S ایڈووکیٹ کورٹ پھری ٹور

تاریخ: 03-01-2017

Attested

Muhammad Arshad Khan Tanoli  
Advocate High Court  
Office No. 33 Adjacent to  
Distt Bar Abbottabad

Forwarded in original to DAO  
Hawifing for necessary action  
according to rules.

3/1/17

8 - P-16

00354349  
Personal No: \_\_\_\_\_

# LAST PAY CERTIFICATE

1. Last pay certificate of Mr. Sadkar Khan  
of the \_\_\_\_\_  
Proceeding to \_\_\_\_\_

2. He has been paid up to April, 2014  
as per following rates:-

Pay:	Rs.	2650
HRA:	Rs.	972
MA:	Rs.	1000
SSA:	Rs.	
SRA:	Rs.	
AR:	Rs.	2390
Dear all Rs.		
Conv	1700	
Judicial AU	2800	
Whiffy AU	2100	
Total:	Rs. UAA	1500
	AR-2011	717
	AR-2012	730

Particulars:  
Substantive Pay: -  
Officiating Pay: -

Exchange Compensation Allowance:-  
\_\_\_\_\_  
\_\_\_\_\_

Deductions:-

GPF A/C No	Rs.	
GPF Adv	Rs.	433
B/F	Rs.	120
G.I	Rs.	58
Adl-97		3

3. He made over charge of the office of  
Mansehra.  
On the after noon of \_\_\_\_\_

4. Recoveries are to be made from the pay of the Government servants as detailed on the reverse.

5. He has been paid leave salary as detailed below. Deductions have been made as noted on the reverse.

From _____	to _____	at Rs. _____	a month
From _____	to _____	at Rs. _____	a month
From _____	to _____	at Rs. _____	a month

6. He is entitled to draw the following:-  
7. he is also entitled to joining time for \_\_\_\_\_ days.  
8. the details to the income Tax recovered from his upto the date from the beginning of the current year are noted on the reverse.

## REVERSE

### Details of Recoveries

Name of recovery \_\_\_\_\_  
Amount Rs. \_\_\_\_\_

Signature: \_\_\_\_\_  
District & Session Judge,  
Kohistan at Dasso.

COMPOSED BY: MUHAMMAD REHMAN MUGHAL  
REHMAN STATIONERY & PHOTOSTATE, KASHMIR ROAD MANSEHRA

**Attested**  
*Muhammad Arshad Khan Tanvir*  
Advocate High Court  
Office No. 23 Adjacent to  
Dist Bar Association

To,

The DS&J/ Presiding officer,  
Labour Court,  
Haripur.

P-17

Supdt to report  
POLC  
29-

SUBJECT: REQUEST FOR PAY PROTECTION.

Respected Sir,

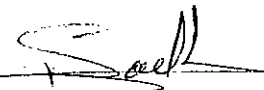
With due respect it is stated that as per the Labour Court order No 902-04/LC, on 01-10-2016, I was reappointed as Process Server in BPS -03, while under Para No. 02 of respective order, the court ordered me to deposit the amount of gratuity already received by me which has been continuously deducted in installments of Rs. 5,000/- per month but I have not given the sanction of pay protection for my pervious pay fixation.

It is humbly requested please grant me pay protection.

I shall be very thankful to you for this act of kindness.

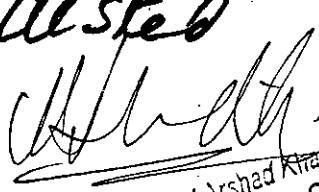
DAO HR  
for n/a in accordance  
with rules.  
POLL

Your Obedient Servant,

  
Sadbar Khan s/o Yan Qazoon,  
Process Server,  
Labour, Court, Haripur.

Presiding Officer  
Dated:-29-11-2018  
Labour Court Haripur

Attested

  
Muhammad Arshad Khan Tanoli  
Advocate High Court  
Office No. 33 Adjacent to  
Dist. Bar Abbotabad

حیاتی عالی  
در کورٹ میں PPS عدالت سے اس میں بری ایکسٹریٹ  
لیکن باوجودیکہ یہ گریجویٹ کی رقم مستحق کاروائی  
کر رہا ہے لیکن اس کی بے پروائی میں / بے منتہی  
برکوریٹ میں ہے  
اس کی کمی -

Scpdt  
03-12-2018



Pension report in Mo Ex. Driver: Sadbar 67.  
 Yanggaman vil. Po Teh. Pallen Dist  
 Komsien

Alc. No. 2826-4 PPO No. 743-1C  
 P/No. 334349  
 NBP Dasar  
 NIK 13403-0160432-3

P-19

DOB 04-01-1976  
 UDA 01-02-1995  
 UDR 20-06-2014

Service 20-06-2014  
 01-02-1995  
 19-05-19

64 19

Age 20-06-2014  
 04-01-1976  
 16-05-38

64 39

$8650 \times 7 \times 19 = 3835$   
 380

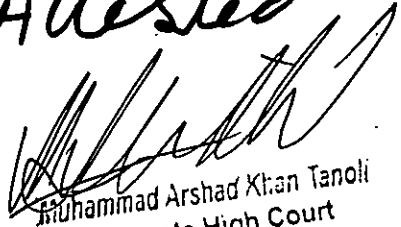
Group Pension	3835
257 Comd	1342
Net Pension	2493
157 A 7110	374
Net Pension	2867
Enhance	1335
Net Pension 7110	3000
157 A 7111	450
257 7112	690
157 7113	691
157 7114	476
Enhance	693
Net Pension 71	6000
257 M.A	750
257 Luorun M.A	1167
Net Pension 715	6937

Net Sum 126937  
 194 7115 600  
 Net Sum 12537

Comd value  $1342 \times 12 \times 26 = 420320$

MD 16/11/20

Attested



Muhammad Arshad Khan Tanoli  
 Advocate High Court  
 Office No. 33 Adjacent to  
 Dist Bar Abbottabad



The  
**LABOUR COURT**  
Hazara Region at Haripur



0995-319697

E-mail: [hrp4007@gmail.com](mailto:hrp4007@gmail.com)

No. \_\_\_\_\_/LC

Dated Haripur the \_\_\_\_\_/\_\_\_\_\_/2019

To,

The Secretary ,  
Labour Department  
Peshawar

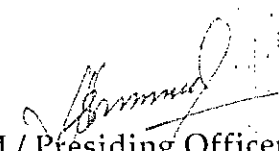
A-20

THROUGH PROPER CHANNEL

Subject: APPLICATION/DEPARTMENTAL APPEAL OF MR. SADBAR KHAN,  
PROCESS SERVER FOR PAY PROTECTION, GRANT OF ANNUAL  
INCREMENT AND COUNTING OF FORMER SERVICE TOWARDS  
PENSIONARY BENEFITS.

Sir,

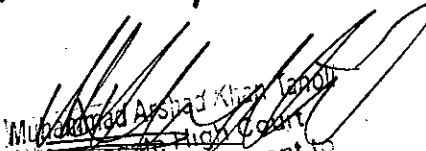
Enclosed please find herewith an application of Mr. Sadbar Khan, Process Sever  
(BPS-03) Labour Court, Haripur for further necessary action, please.

  
D&SJ / Presiding Officer  
Labour Court, Hazara Region  
at Haripur

Copy to:

1. The District Account Officer, Haripur
2. Accountant General Khyber Pakhtunkhwa, Peshawar

*Attested*

  
Mubashir Aslam Khan, Advocate  
Advocate High Court  
Office No. 33 Adjacent to  
Distt Bar Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
LABOUR DEPARTMENT

SO (B&A)/LD/1-1/2018-19

Dated Peshawar, 11<sup>th</sup> April, 2019

To

The Section Officer (FR),  
Finance Department, Khyber Pakhtunkhwa.

P-21

Subject: - APPLICATION /DEPARTMENTAL APPEAL OF MR.SADBAR KHAN PROCESS  
SERVER FOR PAY PROTECTION, GRANT OF ANNUAL INCREMENT AND  
COUNTING OF FORMER SERVICE TOWARDS PENSIONARY BENEFITS

I am directed to refer to the subject cited above and to enclose herewith a copy of letter no.163-65/LC dated 04.04.2019 alongwith enclosures received from Labour Court, Hazara Region at Haripur for your views /advise, please.

Encls: As Above ✓

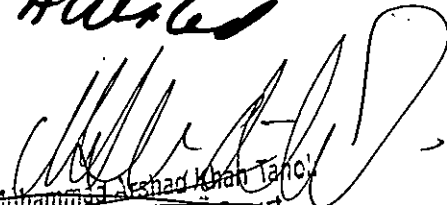
Section Officer (B&A)

Endst No.& date even / 2117 -19

Copy is forwarded to the:-

1. Presiding Officer, Labour Court Hazara Region at Haripur w/r to his letter quoted above.
2. PS to Secretary, Labour Department, Khyber Pakhtunkhwa.

  
Section Officer (B&A)

*Attended*  
  
Muhammad Ahsan Khan Tani  
Advocate High Court  
Office No. 33 Adjacent to  
Distt Bar Abbottabad



کورٹ فیس

# وکالت نامہ

Peshawar High Court Service Tribunal بعدالت Peshawar

Sadhar Khan نام Secretary Industries عنوان

Appellant منجانب:

Service Apped نوعیت مقدمہ:

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آل مقام

M. Arshad Khan Tanoli Advocate

کو وکیل مقرر کر کے اقرار کرنا کہ مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقریر ثالث و قیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقریر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

استجارت ناش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم:

بمقام:

Muhammad Arshad Khan Tanoli  
Advocate High Court  
Office No. 33 Adjacent to  
Bar Association

محمد حسین سرور کی درخواست



Put up to the court with relevant appeal.

24/3/2021

صبر خان

Reader

Period for deposite extended for 03 working days

21/8/19

درخواست گزار اذکار سیکورٹی

24/3/21

محمد علی در خواست گزار

درخواست گزار کی درخواست

157/21  
Rally

19/2

سیکورٹی

صبر خان

محمد حسین سرور

183/2

صبر خان

**"B"**

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

7.6

No.

Recd  
I

Appeal No.....1218..... of 2019

Sadbar Khan.....Appellant/Petitioner

Versus

Secy. Industries & Labour etc.,.....Respondent

Respondent No.....3.....

Notice to:

Distt. Accounts Officer Abbottabad.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....17/11/2021.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this.....8/11.....

Day of.....Nov.....20 21

(at Camp Court A/Abad)

M.A.  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Recd  
I

Appeal No. 1218 of 20 19

Sadbaq Khan Appellant/Petitioner

Versus

Secy Industries & Labour Pesh. Respondent

Respondent No. 4

Notice to: - Dist: 6 Sessions Judge Kohistan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 17/11/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this 8<sup>th</sup>

Day of Nov 2021

at Camp Court A/Abad

[Signature]  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

T.B

No.

Appeal No. 1218 of 2019

Recd  
F

Sadbar Khan Appellant/Petitioner

Versus

Sury Industries & Labour Pesh Respondent

Respondent No. 5

Notice to:

Presiding Officer (Labour Court)

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 7/11/2019 at 8.00 A.M. If you wish to urge anything against the appellat/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this 6<sup>th</sup> .....

Day of Nov 20 2019

(at Camp Court A/Abad)

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

1218

09

Appeal No. .... of 20 ..

Sadbar Khan

Appellant/Petitioner

Secy Industries & Labour

Respondent

Respondent No. ....

Secretary Industries & Labour

KPK Peshawar.

Notice to: —

*[Signature]*  
10-11

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 27/11/20 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this **8/12** .....

Day of Nov 20 21 .....

(at Camp Court A/Abad)

*[Signature]*

Registrar  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**BEFORE THE CHAIRMAN SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1218/2019

Sadbar Khan Process Server Labour Court Hazara Region Haripur.

**APPELLANT**

**VERSUS**

1. Secretary Industries & Labour KPK, Peshawar
2. Accountant General KPK Peshawar
3. District Accounts Office Abbottabad
4. District Accounts Office Kohistan.
5. Presiding Officer Labour Court, Haripur.

**RESPONDENTS**

**PARA-WISE COMMENTS ON BEHALF OF RESPONDENT NO.5**

**Para 1** is not related to answering respondent no. 5.

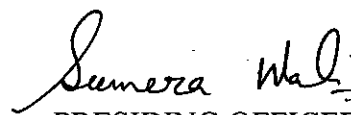
**Para 2** of appeal is correct to this extent that he was re-appointed. However at the time of re-appointment of appellant, he neither transferred his previous service through proper channel, nor he applied for service through permission of previous department, as he was already retired as per Para 1 of appeal.

**Para 3** of appeal is correct to the extent that deduction in his pay through pay bill was started on his application to predecessor in office w.e.f February 2017 to December 2018. Later on the District Account Office Haripur verbally intimated the office of undersigned that the deducted amount has been deposited in wrong head therefore the amount may be deposited on manual Challans. Then the appellant began to deposit the said amount through the bank Challans / Voucher and appellant deposited only two bank Challans/ vouchers of Rs. 5000/- each in the month of March 2019 and July 2019.

**Para 4** detail is given in Para 2, to the effect that appellant after accepting retirement, received pension, so his previous service could not be counted, however to the extent of his departmental appeal same is not related to answering respondent no. 5.

Grounds of appeal are legal, need no reply by respondent no.5, however explanation given in above Paras No 2 & 3.

Reply is submitted as per available record, please.

  
PRESIDING OFFICER  
LABOUR COURT, HARIPUR

**"B"**

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

TB A/A

No.

Appeal No. 1218 of 2013

Sadbar Idris Appellant/Petitioner

Versus

Sery; Industries & Labour Respondent

Respondent No. 1

Notice to: - Secretary Industries & Labour Pesh

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 22-7-22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this..... 20

Day of..... 6 22 20

at camp court  
A/Abed.

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

28/6/22



Tele: \_\_\_\_\_



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INDUSTRIES, COMMERCE AND TECHNICAL  
EDUCATION DEPARTMENT.

28<sup>th</sup> June, 2022

Dated Peshawar, the \_\_\_\_\_

To

The Secretary  
Government of Khyber Pakhtunkhwa,  
Labour Department.

Subject

**SERVICE APPEAL NO.1218/2019 SADBAR KHAN VS SECRETARY LABOUR.**

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith a copy of court noticed dated 28<sup>th</sup> June received from the office of Registrar Khyber Pakhtunkhwa, Service Tribunal, Peshawar with the request to attend the court on 22-07-2022 positively as the case relates to your Department

Yours Faithfully,

Encl: As above.

SECTION OFFICER (Lit)

**Ends: of even No & Date.**

✓ Copy forwarded to Registrar Khyber Pakhtunkhwa, Service Tribunal, Peshawar w/r to court notice referred to above. He is requested to make correspondence with the Labour Department in future as the case relates with them.

  
SECTION OFFICER (Lit)

“B”

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

No.

TB AIA

Appeal No. 1218 of 2013

SS

Sadbar Khan Appellant/Petitioner

Versus

Secy. Industries & Labour Respondent

Respondent No. 1

Notice to: - Secretary Industries & Labour Pesh

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 29-7-2013 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this 20

Day of ..... 20 22

at camp court  
AIAbed.

29/6/22

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

No. 3099

E-office 28-6-22