

20.09.2022

Appellant present in person.

Kabir Ullah Khattak, Additional Advocate General for respondents present.

Former requested for adjournment as his counsel is busy before Hon'able Peshawar High Court, Abbottabad Bench. Adjourned. To come up for arguments on 15.11.2022 before D.B at Camp Court, Abbottabad.



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

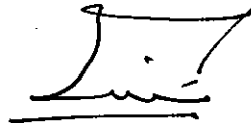


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

15th Nov., 2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought adjournment in order to properly assist the court on the next date. To come up for arguments on 14.12.2022 before the D.B at Camp Court Abbottabad.



(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad

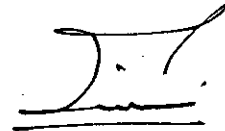


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

22.12.2021

Learned counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

Notices be issued to the respondents with the directions to submit written reply/comments on the next date positively, failing which their right for submission of written reply/comments shall be deemed as struck off. Adjournd. To come up for submission of written reply/comments on 15.02.2022 before the S.B at Camp Court Abbottabad.



(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

15.2.22

Due to non-attendance of worthy chairman case is adjourned. To come up for the same as before on 19-7-22.

19th July 2022

Learned counsel for the petitioner present. Syed ~~Naseer~~

Naseer Ud Din Shah, Asst: AG for respondents present.

Written reply/comments not submitted. Last chance was given to file reply with the warning that if they failed to submit written reply/comments their right of defence shall be struck off. Since they failed to submit written reply/comments, therefore, their right for submission of reply is struck off. To come up for arguments on 20.09.2022 before D.B at camp court Abbottabad.



(Kalim Arshad Khan)
Chairman

Camp Court Abbottabad

15.06.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 29.09.2021.



Reader


29.09.2021

Appellant present in person and Mr. Muhammad Riaz Khan Painsdakhel, Asstt. AG alongwith Faheem Shah, Progress Officer for respondent No. 1 present.

Although the respondents enumerated in order sheet dated 15.03.2021 were impleaded on acceptance of the application of the appellant and notice was required to be issued to them but the appellant did not deposit the cost for service on the said respondents. Therefore, notices could not be issued. Appellant is directed to deposit the cost for service of newly impleaded respondents alongwith copies of the appeal according to number of the newly impleaded respondents within 03 days from today. Thereafter, notices be issued to the newly impleaded respondents. To come up for reply of the newly impleaded respondents and arguments on 22.12.2021 before the D.B at Camp court, Abbottabad

Appellant Deposited
Process Fee
4/10/21


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


Chairman
Camp Court, A/Abad

Qazi Alamzeb

15.03.2021

Appellant present through counsel.

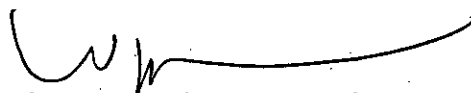
Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Former submitted an application for impleading the following as respondents:

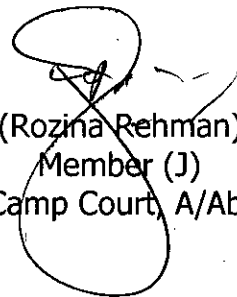
1. Secretary Local Government Khyber Pakhtunkhwa, Peshawar.
2. Director General Local Government Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (Estab.) through Secretary Local Government, Peshawar.
4. Deputy Commissioner Mansehra

Learned D.D.A showed no objection on impleading the above mentioned respondents as necessary parties.

In view of scenario, application is allowed and the respondents mentioned in the application are impleaded as necessary respondents in the panel of respondents. Moharrir is directed to place the authorities mentioned in the application, as respondents in the panel. Notice be issued to the newly impleaded respondents for reply/comments. To come up for reply of the newly added respondents and arguments on 15/06/2021 before D.B at Camp Court, Abbottabad.



(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court A/Abad



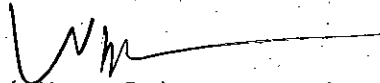
(Rozina Rehman)
Member (J)
Camp Court, A/Abad

19.10.2020

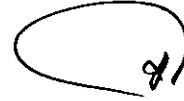
Appellant in person present.

Usman Ghani learned District Attorney for respondents present.

Lawyers are on general strike therefore case is adjourned. To come up for arguments on 14.12.2020 before D.B at Camp Court, Abbottabad.



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad



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

14.12.2020

Due to Covid-19, case is adjourned to 15.03.2021 for the same as before.



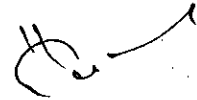
Reader

18.11.2019

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney for respondents present. Learned counsel for the appellant seeks time to submit amended appeal. Adjourn. To come up for amended appeal and arguments on 19.12.2019 before D.B at Camp Court, Abbottabad.



Member




Member
Camp Court Abbottabad

19.12.2019

Appellant in person and Mr. Ziaullah, Deputy District Attorney for the respondents present. Appellant submitted amended appeal. The same is placed on record. Appellant also requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 20.01.2020 for further proceeding before D.B at Camp Court Abbottabad.


(Hussain Shah)
Member
Camp Court Abbottabad



(M. Amin Khan Kundi)
Member
Camp Court Abbottabad

20-1-20

Due to covid, 19 case to come up for the same on 14 / 1 / 20 at camp court abbottabad.



Reader

Due to summer vacation case to come up for the same on 10 / 1 / 20 at camp court abbottabad. 119



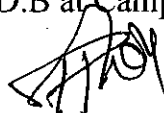
Service Appeal No. 245/2018


16.09.2019

Counsel for the appellant and Mr. Muhammad Bilal Khan,
Deputy District Attorney for the respondents present.

The appellant was terminated from service vide order dated 28.09.2017. The appellant filed departmental appeal on 22.10.2017, the said departmental appeal was not decided within the statutory period of 90 days therefore, the appellant filed service appeal on 21.02.2018. During the course of arguments, it was pointed out that after institution of the present service appeal, the departmental authority has reinstated the appellant alongwith some others civil servants vide order dated 15.01.2019 but without back benefits. Learned counsel for the appellant requested that the appellant may be allowed to challenge the departmental authority order dated 15.01.2019 through amendment in service appeal for praying back benefits.


Learned Deputy District Attorney, however, objected on the request of appellant for amendment in appeal but the request of the learned counsel for the appellant appear to be genuine hence, request is accepted and the appellant is allowed to challenge the appellate order dated 25.01.2015 for praying back benefits. Case to come up for amended appeal on 18.11.2019 before D.B at Camp Court Abbottabad.


(Hussain Shah)
Member
Camp Court Abbottabad


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad


21.05.2019

Appellant alongwith his counsel and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Representative of the department is absent therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submitted written reply on the next date positively. Adjourned to 08.07.2019 for written reply/comments before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

08.07.2019

Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney present. None present on behalf of respondents No. 1 to 3 nor written reply on their behalf submitted despite issuance of notices therefore, respondents No. 1 to 3 are proceeded ex-parte. Respondents No. 4 & 5 have already been proceeded ex-parte vide order sheet dated 26.06.2018. Case to come up for arguments on 16.09.2019 before D.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

12.11.2018


None for the appellant . Due to retirement of the Hon'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 14.01.2019 at camp court Abbottabad.



A/Abad

14.01.2019

Learned counsel for the appellant present. Written reply not submitted. No one present on behalf of respondent department. Notice be issued to the respondents with the direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 18.03.2019 before S.B at Camp Court Abbottabad.




Member

Camp Court Abbottabad

18.03.2019

Counsel for the appellant present. Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Representative of the department is absent despite issuance of notice therefore, learned Deputy District Attorney is directed to direct the respondents to submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 21.05.2019 before S.B at Camp Court Abbottabad.



(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

17.07.2018

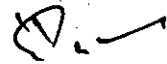
Appellant Qazi Alamzeb in person alongwith his counsel Malik Ashfaq, Advocate present. Mr. Muhammad Aleem, Assistant Director, Local Government Mansehra on behalf of respondents No. 1, 2 and 3 alongwith Mr. Usman Ghani, District Attorney present and made a request for adjournment that the respondents are busy in the process of general election. Granted. To come up for written reply/comments on 19.09.2018 before the S.B at camp court, Abbottabad.



Chairman
Camp Court, A/Abad

19.09.2018

None present on behalf of appellant. Mr. Usman Ghani learned District Attorney present. None present on behalf respondent department. Written reply not submitted. Adjourned. To come up for written reply/comments on 14.11.2018 before S.B at Camp Court A/Abad



Member
Camp Court A/Abad

245/2018

20.04.2018

Counsel for the appellant present. Preliminary arguments heard. The learned counsel for the appellant argued that the appellant was terminated from service on 28.09.2017 against which he filed departmental appeal on 22.10.2017 which was not responded to and thereafter he filed the present service appeal on 21.02.2018.

The grounds of appeal as argued by the learned counsel for the appellant are that no show cause notice was given to the appellant. That no enquiry was conducted.


The points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 26.06.2018 before S.B at camp court, Abbotabad,

Appellant Deposited
Security & Process Fee


Chairman
Camp court, A/Abad

26.06.2018

Appellant Qazi Alam Zeb in person present Respondents No. 4 & 5 have been served through registered notice but absent, hence placed ex-parte Fresh notices be issued to ^{official respondents} them. To come up for written reply/comments on 17.07.2018 before S.B at camp court, Abbottabad.

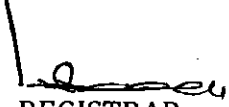


Chairman
Camp court, A/Abad

Form-A

FORM OF ORDERSHEET

Court of _____

Case No. 245/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	21/02/2018	<p>The appeal of Mr. Qazi Alam Zeb received today by post through Mr. Abdul Saboor Khan Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	26-2-18	<p>This case is entrusted to Touring S. Bench at A.abad for preliminary hearing to be put up there on <u>20-04-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 245 of 2018

Qazi Alam Zeb.....Appellant

VERSUS

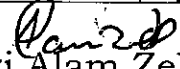
The Government /of Khyber Pakhtunkhwa
through Secretary Local Government and Rural
Development Department, Khyber
Pakhtunkhwa, Peshawar etc.....Respondents

SERVICE APPEAL


INDEX

S#	Particulars of documents	Annexure	Pages
1	Memo of Service appeal alongwith affidavit.	1-6
2	Correct addresses of the parties.	7
3	Copy of the appointment order.	"A"	8
4	Copy of arrival report.	"B"	9
5	Copy of judgment dated 11.07.2017.	"C"	10-16
6	Copy of the impugned order.	"D"	17
7	Copies of departmental appeal alongwith postal receipt.	"E"	18-19
8	Wakalat Nama.	20

Dated 19.02.2018


Qazi Alam Zeb
...Appellant

Through


ABDUL SABOOR KHAN,
MALIK ASHFAQ AHMED JILANI,
Advocates High Court,
Mansehra.

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Amended Service appeal No ___ of 2019

Qazi Alam Zeb.....**Appellant**

VERSUS


Assistant Director Local Government and
Rural Development Department District
Mansehra.....**Respondent**

AMENDED SERVICE APPEAL

INDEX

S#	Description of documents	Annexure	Page#
1.	Memo of amended service appeal along with affidavit.	-	1-5
2.	Copy of order dated 15.01.2019.	A	5-6
3.	Wakalat Naman.	-	7

Dated 13.12.2019


Qazi Alam Zeb
(Appellant)

Through:-


MALIK ASHAFAQ AHMED JILLANI
ADVOCATE HIGH COURT

Respondents
are impleaded
vide order
sheet dated
15-03-2021

2. The Government of Khyber Pakhtunkhwa through Secretary Local Government Khyber Pakhtunkhwa Peshawar.
3. Director General Local Government of Khyber Pakhtunkhwa through Secretary Local Government Khyber Pakhtunkhwa Peshawar.
4. Section Officer (Estab) of Government of Khyber Pakhtunkhwa through Secretary Local Government Khyber Pakhtunkhwa.
5. Deputy Commissioner District Mansehra.

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

245

Amended Service appeal No ___ of 2019

Qazi Alam Zeb, son of Qazi Mehmood, Naib
 Qasid, Neighbor council Ghazikot Town ship,
 Tehsil & District Manshera.

.....**Appellant**

VERSUS

① Assistant Director Local Government and
 Rural Development Department District
 Mansehra.

.....**Respondent**

AMENDED SERVICE APPEAL IN
CONSEQUENCE OF SERVICE APPEAL
NO. 245 OF 2018, UNDER SECTION 4
OF KPK SERVICE TRIBUNAL, ACT,
1974, FOR GRANTING BACK BENEFITS
AND SENIORITY TO THE APPELLANT.

PRAYER:-

On acceptance of the instant amended service appeal, respondent may kindly be directed to give back benefits and Seniority to appellant in continuation of order dated 15.01.2019 passed by respondent whereby appellant has been reinstated into service without back benefits and seniority.

Respectfully Sheweth:-

1. That, appellant filed service appeal 245 of 2018 before this Honourable tribunal against the termination order dated 28.09.2017, which is still pending adjudication.

2. That, during the pendency of the aforesaid service appeal before this Honourable tribunal, respondent reinstated the appellant into server **vide office order No. 12142/ADRDD(M) dated 15.01.2019** but did

not give back benefits and seniority.
hence, this amended service appeal for
back benefits and seniority.

**(copy of order dated 15.01.2019
is annexed as annexure "A").**

3. That, appellant having no other remedy except to file the present service appeal for back benefits and seniority inter alia on the following amongst other grounds.

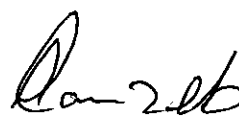
GROUND:

- A). That perusal of order dated 15.01.2019, reveals that appellant was reinstated into service without any reservation and in this back drop of the matter, respondent should have awarded/extended back benefits and seniority to the appellant.
- B). That, the appellant was not terminated from service by respondent for any misconduct, so reinstatement must be accompanied with back benefits.
- C). That, no reason has been given by the respondent for not extending back benefits.

D). That, even no reference for not extending back benefits has been made in the order of reinstatement dated 15.01.2019.

On acceptance of the instant amended service appeal, respondent may kindly be directed to give back benefits and Seniority to appellant in continuation of order dated 15.01.2019 passed by respondent whereby appellant has been reinstated into service without back benefits and seniority.

Dated 13.01.2019


Qazi Alam Zeb
(Appellant)

Through:-


MALIK ASHFAQ AHMED JILLANI
ADVOCATE HIGH COURT

Affidavit!

I, Qazi Alam Zeb, son of Qazi Mehmood, Naib Qasid, Neighbor council Ghazikot Town ship, Tehsil & District Manshera, do hereby solemnly affirm and declare that the contents of fore-going ~~APPEAL~~ are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed form this Honorable Tribunal.



Qazi Alam Zeb
Qazi Alam Zeb

ANNEXURE
- A - P-5
Attested
Rajpoot

& RURAL DEVELOPMENT DEPARTMENT MANSEHRA

Email: adlgmansehra@gmail.com
Facebook: <https://www.facebook.com/adlgmansehra.mansehra.1>
Tel: 920114/301129 Fax: 0997-920114/301129

No: 12142 /ADRDD (M)

Date: 15/01/2019

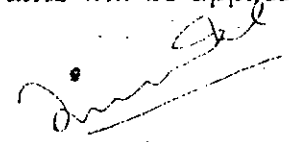
OFFICE ORDER.

Based on the recommendations/approval of the Departmental Appeal Committee under the Chairmanship of the DG LG&RDD KPK Peshawar (Appellate Authority) in pursuance of the implementation of the judgments of the Honorable Peshawar High Court Abbottabad Bench in different writ petitions, the following writ petitioners are hereby appointed/reinstated as the case maybe) as Naib Qasid (BPS-3) against the vacant posts of Naib Qasids on the terms and conditions given below:

S #	Name	Father Name	Placement VC/NC	Reinstated/ Appointed	Remarks
1	Sadaqat Shah	Syed Mujtaba Shah	Lassan Thakral	Reinstated	
2	Imran Malik	Malik Aman Awan	Banda Lal Khan	Appointed	
3	Muhammad Muneeb	Abdul Qayyum	Bukki	Appointed	
4	Muhammad Riaz	Sher Din	Khan Shakoora	Appointed	
5	Aqeel Hussain Shah	Ziauddin Shah	Laachimang	Reinstated	
6	Wajid Ali	Ghulam Daud	Nara Ban	Reinstated	
7	Abdul Waheed	Muhammad Yusuf Khan	Chela Bagh	Reinstated	
8	Waseem Ahmad	Farooq Khan	Banda Poiran	Reinstated	
9	Jamal-ud-Din	Ghulam Abbas	Tarayatabad	Reinstated	
10	Muhammad Aqib	Sain Muhammad	Karam	Reinstated	
11	Muhammad Shafiq	Muhammad Sadiq	Bagwal	Reinstated	
12	Abdurashid	Abdul Sattar	Malkan	Appointed	
13	Shujaat Hussain Shah	Habib Hussain Shah	Gujjar Bandi	Reinstated	
14	Adeel	Muhammad Basheer	Makria	Reinstated	
15	Muhammad Khalid	Junma Khan	Gali Badral	Reinstated	
16	Gulzar	Shah Zaman	Karmang Bala	Appointed	
17	Mushtaq Khan	Badi Zaman	Shoukatabad	Reinstated	
18	Sadam Hussain	Hussain Khan	Afzalabad	Reinstated	
19	Muhammad Ashfaq	Shamshad Khan	Shenai Bala	Appointed	
20	Mian Muhammad Farooq	Habiburrahman	Jigga	Reinstated	
21	Muhammad Tanweer	Azizurrahman	Manoor	Appointed	
22	Nizakat Ali	Shoukat Ali	Kewai	Appointed	
23	Muhammad Saleem	Habiburrahman	Hassan	Appointed	
24	Qazi Alam Zeb	Qazi Mehmood	Ghazakot Township	Reinstated	
25	Zahid Murad	Murad Khan	Baffa Khurd	Appointed	

P-6

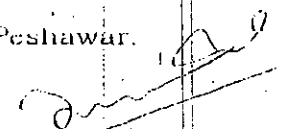
1. The service of the each one of the above will be governed by the rules and regulations of the Provincial Government.
2. Each one of the above shall be on probation as required under Para-15 Part-V of Appointment, Promotion & Transfer Rules 1989.
3. Each one of the above shall produce Medical Fitness Certificate from the Medical Superintendent, King Abdullah Teaching Hospital Manshara. (For newly appointed only)
4. Each one of the above shall join duty within 15 days, failing which appointment order will stand withdrawn automatically.
5. The service of the each one of the above will be liable to be terminated on one month notice in advance from either side. But in case of resignation without notice, two month pay shall be refunded towards Govt.
6. The service of the each one of the above will be terminable/liable to face proceedings under E&D rules 2011 and other rules as framed by the Govt of KPK from time to time at any time in case his performance is found to be unsatisfactory or found to be guilty of misconduct, non-compliance of the official orders/directives, embezzlement.
7. All rules and policies relating to the Govt servants will be applicable on them.


Assistant Director(Sr.)
LG&RDD Manshara.

Endstt. Of Even No & dated: 12142 /ADRDD (M) Dated 15/01/2019

Copy for information to:-

1. The Deputy Commissioner, Manshara.
2. AR Honorable Peshawar High Court Abbottabad Bench
3. The District Accounts Officer Manshara
4. PA to Director General, LG&RDD, Khyber Pakhtunkhwa, Peshawar.
5. Candidates concerned.


Assistant Director (Sr.)
LG&RDD Manshara.

وکالت نامہ

بعدالت جناب سروس ٹریڈ سونل KPK ایسٹ ایسٹ ایسٹ ایسٹ
 منجانب
 قاضی عالم زبیب نام
 دعویٰ یا جرم

مندرجہ بالا عنوان میں اپنی طرف سے بیرونی وجوہات نامہ صاحب استغاثہ احمد جیلانی ایڈووکیٹ
 کے لئے بدیں شرط وکیل مقرر کیا ہے میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں
 گا اور پوائنٹ پکارے جانے پر وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری
 کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب
 موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیرونی کرنے کے مجاز نہ ہوں
 گے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ سماعت ہونے پر بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر منظر کو کوئی
 نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے، مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ
 ہوں گے کہ مجھے کل ساختہ پرداختہ صاحب مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست
 اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز روپیہ وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپرد
 جانشی و راضی نامہ و فیصلہ برخلاف کرنے و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری کی طرف
 درخواست حکم اتناعی یا ڈگری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ بیرونی مختار نامہ کرنے کا
 مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا پیر سٹر کو بجائے اپنے ہمراہ مقررہ کریں اور ایسے مشیر
 قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں
 گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیرونی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے
 برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ یہ سند ہے۔ مضمون مختار نامہ من لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

۲۰۰

مورخہ 16/12/19

Accepted قاضی عالم زبیب نائب قاضی عازمی کو
 ٹاؤن سب محفل و ضلع ماہیو ایبلٹی
 Canzeb

P-1

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

Service Appeal No. 245 of 2018

Qazi Alam Zeb son of Qazi Mehmood, Ex-Naib
Qasid Neighbourhood council Ghazikot
Township, Tehsil and District Mansehra
.....Appellant

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 249

Dated 21-2-2018

1 to 3
Ex parte
8/7/19

1. The Government of Khyber Pakhtunkhwa through Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Local Government and Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
3. Section Officer (Estab) Government of Khyber Pakhtunkhwa Local Government, Elections and Rural Development Department, Peshawar.
- ④ Deputy Commissioner, Mansehra.
- ⑤ Assistant Director, Local Government and Rural Development Department, Mansehra
.....Respondents.

Respondent no.
4 & 5 placed
ex-parte with
order dt

Filed to-day
21/2/18
Registrar

**SERVICE APPEAL UNDER SECTION 4
OF SERVICE TRIBUNAL ACT, 1974
AGAINST THE IMPUGNED ORDER
BEARING NO. 9871 DATED 28.09.2017
WHEREBY THE SERVICES OF THE
PETITIONER WERE TERMINATED BY
THE RESPONDENT NO. 5.**

PRAYER:-

On acceptance of the instant Service appeal, the impugned order dated 28.09.2017 may kindly be set aside being illegal and the appellant be reinstated into service with all back benefits.

Respectfully Sheweth!

1. That, the appellant was appointed as Naib Qasid (BPS-3), Neighbourhood council Ghazikot Township by respondent No.5 after observing all the legal and codal formalities vide appointment order dated 18.02.2016.

(Copy of the appointment order is annexed as annexure "A").

2. That, after having appointed, appellant submitted arrival report and started to perform his duties.

(Copy of arrival report is annexed as annexure "B").

3. That, respondent No.5 withheld the monthly salaries of the appellant, against which he invoked Writ jurisdiction of Honourable Peshawar High Court, Abbottabad Bench and vide judgment dated 11.07.2017, the

monthly salaries of the appellant were released.

(Copy of judgment dated 11.07.2017 is annexed as annexure "C").

4. That, after the aforesaid judgment of Honourable Peshawar High Court, Abbottabad Bench, respondent No.5 without any show cause notice/ statement of allegations and inquiry, terminated the serviced of the appellant vide impugned order dated 28.09.2017.

(Copy of the impugned order is annexed as annexure "D").

5. That, against the impugned order dated 28.09.2017, appellant preferred a departmental appeal/ representation before respondent No.2 on 22.10.2017 through registered acknowledgment, which is undecided uptill now.

(Copies of departmental appeal alongwith postal receipt is annexed as annexure "E").

6. That, the appellant being aggrieved from the impugned order, seeks the gracious indulgence of this Honourable Tribunal by way of instant service

appeal, inter alia, on the following grounds: -

GROUND

- i. That, no specific reason whatsoever has been cited in the impugned order for imposition of major penalty of termination.
- ii. That, before the termination order was passed, no show cause notice whatsoever was served upon the appellant nor he was provided any opportunity of personal hearing, hence, the golden principle of natural justice "Audi Alterm Partrem" has been violated.
- iii. That, no inquiry into the allegations contained in letter cited in the termination order has never been held nor the letter No.SO-IV/CMS/KPK/RN/2016/296-62 dated 09.03.2016 was ever communicated to the appellant.
- iv. That, there is no allegation of fraud/misrepresentation on the part of the appellant while getting himself

appointed. The appellant was appointed in a prescribed manner by competent authority.

- v. That, the mode and manner of termination of the appellant is not warranted under the law/relevant rules on the subject hence, the impugned order is liable to be set aside.
- vi. That, it is well established principle of service law that if any irregularity found in the appointment order, the public functionaries sitting at the helm of the affairs are responsible and not the appellant.
- vii. That, the impugned termination order dated 28.09.2017 is illegal, unlawful, without lawful authority, without jurisdiction and of having no legal effect.

.....**PRAYER**.....

It is, therefore, most humbly prayed that on acceptance of the instant Service appeal, the impugned order dated 28.09.2017 may kindly be set aside being illegal and the appellant

P-6

be reinstated into service with all back benefits.

Dated 19.02.2018

Qazi Alam Zeb
Qazi Alam Zeb
...Appellant

Through

Abdul Saboor Khan
ABDUL SABOOR KHAN,
MALIK ASHFAQ AHMED JILANI,
Advocates High Court,
Mansehra.

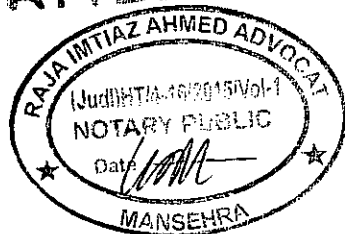
AFFIDAVIT.

I, Qazi Alam Zeb son of Qazi Mehmood, Ex-Naib Qasid Neighbourhood council Ghazikot Township, Tehsil and District Mansehra, Petitioner, do hereby solemnly affirm and declare on oath that the contents of the foregoing appeal are true and correct and nothing has been concealed from this Honourable Tribunal.

Dated 19.02.2018

Qazi Alam Zeb
Qazi Alam Zeb
(DEPONENT)

ATTESTED



20/2/18

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

Service Appeal No. _____ of 2018

Qazi Alam Zeb.....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa
through Secretary Local Government and Rural
Development Department, Khyber
Pakhtunkhwa, Peshawar etc.....Respondents

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

PETITIONERS

Qazi Alam Zeb son of Qazi Mehmood, Ex-Naib
Qasid Neighbourhood council Ghazikot Township,
Tehsil and District Mansehra.

RESPONDENTS

1. The Government of Khyber Pakhtunkhwa through
Secretary Local Government and Rural
Development Department, Khyber Pakhtunkhwa,
Peshawar.
2. The Director General, Local Government and Rural
Development Department, Khyber Pakhtunkhwa,
Peshawar.
3. Section Officer (Estab) Government of Khyber
Pakhtunkhwa Local Government, Elections and
Rural Development Department, Peshawar.
4. Deputy Commissioner, Mansehra.
5. Assistant Director, Local Government and Rural
Development Department, Mansehra.

Dated 19.02.2018

Qazi Alam Zeb

Qazi Alam Zeb
...Appellant

Through

Abdul Saboor Khan

ABDUL SABOOR KHAN,
MALIK ASHAQ AHMED JILANI,
Advocates High Court,
Mansehra.

Alteed
Qazi

P-8
Ann A

OFFICE OF THE ASSISTANT DIRECTOR
LOCAL GOVERNMENT AND RURAL DEVELOPMENT DEPARTMENT MANSEHRA

No. 4150 /ADRDD (M)

Date: 18/02/2016

ORDER.

Based on the recommendation of Departmental Selection Committee vide minutes of meeting held on 04/02/2016 at 3:00 PM in this office, Mr. Qazi Alam ^{Zab} S/O Qazi Mahmood R/O Ghazikot Township is hereby appointed as Naib Qasid, Neighborhood Council Ghazikot Township (BPS - 03) viz (6535-260-14335) against the newly created post subject to the following conditions:-

- He shall for all intents and purposes, be Civil Servant.
- He shall be on probation as required under Para -15 Part-V of Appointment, Promotion & Transfer Rules 1989.
- He shall produce Medical Fitness Certificate from the Medical Superintendent, King Abdullah Teaching Hospital Mansehra.
- He shall join duty within a week, failing which appointment order stand withdrawn automatically.
- He shall produce PRC of the Village Council concerned from the Nazim of concerned Village Council duly verified by Member Tehsil Council, District Member and countersigned by Assistant Commissioner of relevant Tehsil.

Q. Zaidi
Assistant Director,
LG&RDD Mansehra.

No. 4151-56

Copy to:-

- The Secretary, LGE&RD Department, Khyber Pakhtunkhwa, Peshawar.
- The Director General, LGE&RD Department, Khyber Pakhtunkhwa, Peshawar.
- The Deputy Commissioner, Mansehra.
- The District Accounts Officer, Mansehra.
- The Nazim Village Council concerned.
- Candidate concerned.

N. Zaidi

Attested
Chafay

P-9
Annex "B"

ARRIVAL REPORT

In compliance with the Office order of Worthy Assistant Director LG&RDD
Mansehra issued vide No:4150/ADRDD (M) dated 18.02.2016.

I, the undersigned hereby submit my arrival report as Naib Qasid (BPS-03)
Village Council Ghazikot Township in Assistant Director LG&RDD Office Mansehra
today on _____ February, 2016 (Forenoon).



(Qazi Alam Zeb)
S/O Qazi Mehmood
Naib Qasid (BPS -03)
Assistant Director LG&RDD Office
Mansehra

No _____ dated Mansehra the _____ /2016

Copy to: -

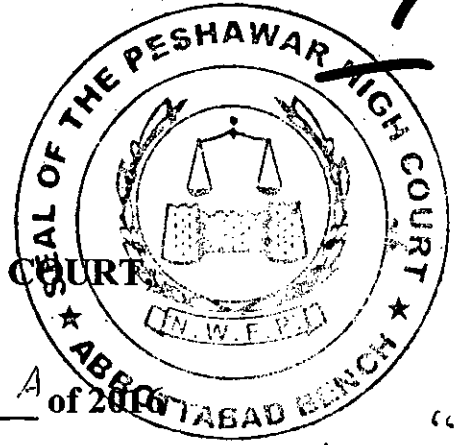
1. The Secretary, LGE&RD Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, LGE&RD Department, Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner, Mansehra.
4. The District Accounts Officer, Mansehra.
5. Personal File

Nazir
N.H Council Ghazikot Township
Uc Data Mansehra

Assistant Director
LG&RDD Mansehra

DISTRICT MAGISTRATE

P-101



**BEFORE THE PESHAWAR HIGH COURT
BENCH ABBOTTABAD**

W.P No. 1012 A of 2016

Annex C

Qazi Alam Zeb son of Qazi Mehmood Naib
Qasid Neighbourhood council Ghazikot
Township, Tehsil and District Mansehra
.....Petitioners

VERSUS

1. The Government of Khyber Pakhtunkhwa through Secretary Local Government and Rural Development Department, Khyber Pakhtunkhwa Peshawar.
2. The Director General, Local Government and Rural Development Department, Khyber Pakhtunkhwa Peshawar.
3. Section Officer (Estab) Government of Khyber Pakhtunkhwa Local Government, Elections and Rural Development Department, Peshawar.
4. Deputy Commissioner, Mansehra.
Assistant Director Local Government and Rural Development Department, Mansehra.
6. District Accounts Officer, Mansehra
.....Respondents.

Certified to be True Copy
EXAMINER
15 JUL 2017
Peshawar High Court App Bench
Authorized Under Sec: 75 Evid Ordns:

**WRIT PETITION UNDER ARTICLE 199 OF
THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 FOR A
DECLARATION TO THE EFFECT THAT
THE IMPUGNED OFFICE ORDER
BEARING NO.SO(LG-1)2-343/RECRUIT/2015
DATED 04.04.2016 ISSUED BY THE
RESPONDENT NO.3 TO RESPONDENT
NO.4 HAS NO NEXUS WITH THE
PETITIONER. THE STOPPAGE OF THE**

No 4572
26.10.16

FILED TODAY

Additional Registrar
Peshawar High Court
Abbottabad Bench
26/10/16

P-11

**BEFORE THE PESHAWAR HIGH COURT
BENCH ABBOTTABAD**



C.M No. 564 of 2017

IN

W.P No.1012 of 2016

Qazi Alam ZebPetitioner

VERSUS

Govt. of Khyber Pakhtunkhwa etc....Respondents

WRIT PETITION

**APPLICATION FOR ISSUANCE OF
INTERIM ORDER WITH THE
DIRECTIONS TO RESPONDENT NO.5
FOR RELEASE OF SALARY OF
PETITIONER.**

Respectfully Shewet!

1. That, the titled Writ Petition is pending adjudication before this Honourable Court.
2. That, the petitioner is appointed through order dated 18.02.2017. Appointment order is already available on the file of titled writ petition.

No. 3300
08/7/17

Deemed to be True Copy
EXAMINER
15 JUL 2017

Peshawar High Court Atd. Bench
Authorized Under Sec: 75 Evid Ordns.

FILED TODAY

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

20/7/17

3. That, the petitioner after being duly appointed has submitted his arrival report to his concerned respective village council. Copy of arrival report is also available on the file.

4. That, after appointment and arrival report, the petitioners is regularly performing his duties honestly and with hard work till today but the respondent No.5 has stopped his salaries without showing any cause and reasons. The act of the respondents is illegal, unjust and against the Constitution of Islamic Republic of Pakistan. Copies of attendance certificate alongwith attendance register are already available on the file.

5. That, the petitioner is the only source of income of his family and looking to the hands of the respondents for release of his salary.

Certified to be True Copy
EXAMINER
15 JUL 2017
Peshawar High Court, Ad. Bench
Authorized Under Sec. 75 Evid Ordns.

6. That, the petitioner is performing his duties without payment which is against the Constitution of Islamic Republic of Pakistan, 1973 and in this

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**ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ADULTERATION BENCH**

[Handwritten signature]

way, the acts of respondent No.5 for making petitioner to work without payment of salary is against the Islamic law and the Constitution.

7. That, the acts of the respondents taking up duties from petitioner without payment is against the article 11 of the Constitution and denial is the violation of the basic human rights enshrined by the Constitution of Islamic Republic of Pakistan.

8. That, this Honourable court vide its order dated 13.06.2017 ordered for the release of the salaries of the persons who are on equal footings with the petitioner thus the petitioner has inalienable right to be treated in the same way.

Certified to be True Copy
EXAMINER
15 JUL 2017
Peshawar High Court App. Bench
Authorized Under Sec: 75 Evid Ordns.

(Copy of the order dated 13.06.2017 is annexed as annexure "A").

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

.....PRAYER.....

It is, therefore, most humbly prayed that on acceptance of instant application, the respondent No.5 may

P-147

kindly be directed to release the monthly salary of the petitioner alongwith arrears from the date of his appointment till now.

Dated 07.07.2017

Abdul Waheed and others
.....Petitioners

Through



JUNAID ANWAR KHAN,
Advocate High Court,
Mansehra.

AFFIDAVIT.

I, Qazi Alam Zeb son of Qazi Mehmood Naib Qasid Neighbourhood council Ghazikot Township, Tehsil and District Mansehra, petitioner, do hereby solemnly affirm and declare on oath that the contents of the foregoing application are true and correct and nothing has been concealed from this Honourable Court.

13504-2203500-9

Dated 07.07.2017



Qazi Alam Zeb
(DEPONENT)

3332/110

110

Qazi Alam Zeb son of Qazi Mehmood Naib Qasid Neighbourhood council Ghazikot Township, Tehsil and District Mansehra.

Q. Alam Zeb

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EXAMINER
15 JUL 2017
Peshawar High Court At Bench
Authorized Under Sec: 75 Evid Ordns.

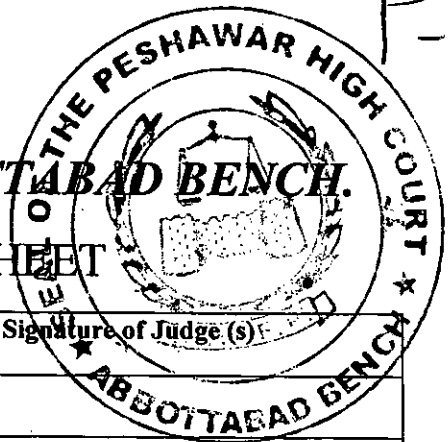
FILED TODAY

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

18/7/17

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1 11.07.2017	2 <u>W.P.No. 1012-A/2016.</u> Present: <u>Mr. Junaid Anwar Khan</u> , Advocate, for the petitioner. Mr. Yasir Zahoor Abbasi, Assistant A.G alongwith Javed Akhtar, Assistant Director (Junior) LG&RDA, Mansehra. *** Respondents No.2 & 5 shall file parawise comments to the writ petition positively within a fortnight. <u>C.M.No. 564-A/2017.</u> <u>SYED AFSAR SHAH, J.-</u> This is an application for issuance of directions to respondent No.5 to release monthly salary of the applicant / petitioner alongwith arrears on the ground that he was duly appointed as Naib Qasid vide office order dated 18.02.2016, whereafter he submitted his arrival report and, as such, regularly performing his duties with zeal and zest till date. 2. In essence, the applicant / petitioner, through the main constitutional petition, has called in question the impugned letter dated 04.04.2016 whereby the Deputy Commissioner, Mansehra was issued direction to take necessary action on the directives of the Chief Minister, Khyber Pakhtunkhwa, detailed therein. 3. Without discussing and deeply touching merits of the case, lest it may not prejudice the interest of either party at

Certified to be True Copy
EXAMINER
15 JUL 2017
Peshawar High Court A.B. Bench
Authorized Under Sec: 75 Evid Ordns.

the time of deciding the main writ petition, suffice it to say that not only keeping in view the referred order-sheet dated 13.06.2017, rendered by this court in C.M.No.477-A/2017, whereby salary of the similarly placed employees were ordered to be released forthwith, but also in view of the fact that after advertising the subject posts by the respondents, the applicant / petitioner had applied by fulfilling all the codal formalities, who was interviewed by the Selection Committee and, being one of the successful candidates, he was appointed on the vacant post of Naib Qasid vide order dated 18.02.2016. Over and above, the applicant / petitioner submitted his arrival report, followed by his medical, and still he is performing his duties regularly, which fact was neither denied by the learned Assistant Advocate General nor Assistant Director LG&RDA, present in court, therefore, to secure the ends of justice and to safeguard the fundamental rights of the applicant / petitioner, guaranteed by the Constitution of Islamic Republic of Pakistan, 1973, we deem it appropriate to allow this application, resultantly, respondent No.5 is directed to release salary of the applicant / petitioner forthwith alongwith arrears from the date of his appointment till the date, he performed his duty with the respondents.

Certified to be True Copy
EXAMINER
15 JUL 2017
Peshawar High Court Atd. Bench
Authorized Under Sec: 75 Evid. Ordns.

sd/ judge
judge

Affected
Chafay

OFFICE OF THE:-

ASSISTANT DIRECTORE LG & RDD MANSEHRA

P- 17
Annex 5 D

No: 9871 /ADRDD (M)

Date: 28/09/2017

To


GAZI ALAM ZEB ^{N/Gu} 3/0

GAZI MEHMOOD

(Ghazikot Township) Naib Qasid

Subject:- TERMINATION ORDER:-

In pursuance with the directive of Chief Minister, Khyber Pakhtunkhwa, Peshawar, received vide letter No. SO-IV/CMS/KPK/RN/2016/296-62 Dated 9th March, 2016, in light of enquiry report vide letter No. 322/AAC-II(M) dated 28/3/2016 and according to minutes of the meeting of the decision of Departmental Selection and Recruitment Committee dated 16/8/2017, your services are hereby terminated with effect from 01/10/2017, because as per above mentioned enquiry report, it has been declared that your appointment was made illegal and against the rules/regulation and guidelines issued by the Government for the Class-IV employees appointment in VC/NC.


ASSISTANT DIRECTOR,
LG&RDD, MANSEHRA,

Endst. Of Even No & Date:-

Copy to the:-

1. Ps to Chief Minister, Khyber Pakhtunkhwa, Peshawar with reference to Chief Minister's directive issued vide letter No. SO-IV/CMS/KPK/RN/2016/296-62 Dated 9th March, 2016.
2. Ps to Secretary, LG, E & RDD, Khyber Pakhtunkhwa, Peshawar.
3. District Nazim, Mansehra.
4. Deputy Commissioner, Mansehra.
5. PA to Director General, LG & RDD, Khyber Pakhtunkhwa, Peshawar.
6. District Accounts Officer, DAO, Mansehra.
7. Nazimeen Concerned VC/NCs.


ASSISTANT DIRECTOR,
LG&RDD, MANSEHRA,

Ahsan
Raza

P- 18
Annex "E"

محضور جناب ڈائریکٹر جنرل صاحب،

لوکل گورنمنٹ اینڈ رول ڈیولپمنٹ ڈیپارٹمنٹ خیبر پختون خواہ پشاور

محکمہ اپیل برخلاف آرڈر نمبر 9871/ADRD(M) مورخہ 28.09.2017

جناب عالی! موجبات اپیل ذیل پیش ہیں۔

- (۱) یہ کہ اپیلانٹ غازیکوٹ ہاؤس نمبر 45/3 سیکٹر "E"، تحصیل و ضلع مانسہرہ کارہائشی و سکونت ہے۔
- (۲) یہ کہ اپیلانٹ کا لوکل گورنمنٹ نے کلاس فور کا آرڈر مورخہ 18.02.2016 کو محکمہ جملہ قانونی تقاضے پورے کرنے کے بعد جاری کیا۔
- (۳) یہ کہ اپیلانٹ نے باقاعدہ طور پر اپنا میڈیکل اور دیگر قانونی تقاضے پورے کرنے کے بعد اپنی سروس کا آغاز کیا۔
- (۴) یہ کہ اپیلانٹ نے 7/8 ماہ باقاعدہ طور پر اپنی ڈیوٹی سرانجام دی اور دوران ڈیوٹی کسی قسم کی غفلت، کوتاہی اور E&D رولز کی خلاف ورزی کا مرتکب نہیں پایا گیا۔
- (۵) یہ کہ اپیلانٹ مورخہ 28.09.2017 کو Termination آرڈر بغیر شوکارا شنوائی یا اپنی صفائی دیئے بغیر ملازمت سے برطرف کر دیا گیا جو کہ اپیلانٹ کے ساتھ سراسر ظلم، خلاف قانون یعنی بر بدینتی کا نتیجہ ہے جس کی کوئی قانونی حیثیت نہ ہے۔
- (۶) یہ کہ اپیلانٹ کو بغیر شوکارا، بغیر شنوائی، بغیر صفائی کئے ملازمت سے برطرف نہ کر دینا انصاف کے اصولوں کے منافی ہے۔
- (۷) یہ کہ اپیلانٹ انتہائی غریب آدمی ہے اور اپنے کنبہ کا واحد کفیل ہے اور ملازمت کے علاوہ اپیلانٹ کا کوئی ذریعہ معاش نہ ہے۔

لہذا استدعا ہے کہ!

اپیلانٹ کی اپیل ہذا کو منظور فرما کر سائل کا آرڈر مورخہ 18.02.2016 کو تمام Back benefits کے ساتھ بحال کیا جائے جو کہ قرین انصاف ہے۔

المرقوم 22 اکتوبر 2017ء

قاضی عالم زیب ولد قاضی محمود، نائب قاصد نیئر ہڈ کونسل غازیکوٹ ٹاؤن شپ،
تحصیل و ضلع مانسہرہ.....
اپیلانٹ

Attested
Cashyay

P. 19

No. 378

For Insurance Notices see reverse.
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

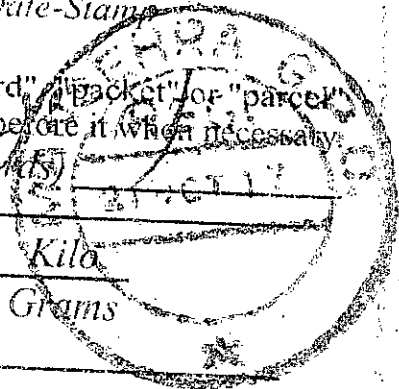
Rs. Ps.

40

Received a registered*
addressed to _____

Date-Stamp

*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.
Initials of Receiving Officer _____
Insured for Rs. (in figures) _____ (in words) _____



Insurance fee Rs. _____ Ps. _____ Weight _____ Kilo _____
(in words) _____ Grams _____
Name and address of sender _____

وکالت نامہ

20

بعدالت جناب مسروس ٹریبونل KPK ایسٹ ایبٹ آباد
قاضی عالم نسیم بنام حکومت KPK وغیرہ
دعویٰ یا جرم سرس ایپل منجانب ایبٹ آباد
باعث تحریر آئندہ

اندریں مقدمہ عنوان میں اپنی طرف سے برائے پیروی و جواب دہی مقام ایبٹ آباد کے

ملک اشفاق احمد جیلانی ایڈووکیٹ ہائی کورٹ مانسہرہ

محمد ناصر خان ایڈووکیٹ
کو بدیں شرط وکیل مقرر کیا ہے میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے پر وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام کچہری کے کسی اور جگہ سماعت ہونے پر بروز کچہری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے، مختار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے کہ مجھے کل ساختہ پرداختہ صاحب مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز روپیہ وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپرد دہائی وراثی نامہ و فیصلہ برخلاف کرنے و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ پیروی مختار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا ایبٹ آباد کو بجائے اپنے ہمراہ مقررہ کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ یہ سند ہے۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

مورخہ 2013ء

ATTESTED & ACCEPTED

Malik Ashfaq Jillani

Malik Ashfaq Jillani

Advocate High Court

(Mansehra)

قاضی عالم نسیم ولد قاضی محمد نسیم
ٹاؤن سٹپ مانسہرہ ایبٹ آباد

Qasbi

"B"

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

7B

No.

Appeal No..... 245 of 20 18

..... Gozi Alam Zeb Appellant/Petitioner
Versus

..... Through: Secy. Local Govt. Pesh. Respondent
Respondent No..... 7

Notice to: - the Govt. of P.P. through Secy. Local Govt. and Rural Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 26/04/2018 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

office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 26/04

Day of..... April 20 18

(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,
PESHAWAR.**

No.

713

Appeal No..... of 20

215

18

Appellant/Petitioner

Qazi Akbar Zia versus

Respondent

Through Secy Local Govt

Respondent No.....

7

Notice to: —

The Director General Local Govt
and Rural Development Deptt. Pesh.

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Day of.....20

April

18

26/10

(at camp court A. Head)

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.**

No.

713

Appeal No. of 20

245

18

Appellant/Petitioner

Qazi Alam Versus

Respondent

Through Qazi Local Govt Pesh

Respondent No.

3

Notice to: -

*Section officer (Estab) Govt of
KPK Local Govt. Elections Rural*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Day of.....20

26th

APRIL

18

(at camp court A. Head)

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.