

15.06.2022

Nemo for appellant.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for official respondents No.1 & 2 present. Private respondent No.3 present through counsel.

Perusal of record would reveal that one Riasat Mir brother of the appellant attended the Tribunal on 18.04.2022 and apprised in respect of the death of appellant. Today, neither legal heirs nor any counsel attended the Tribunal on behalf of appellant, therefore, in the interest of justice, notice be issued to counsel for the appellant as well as brother of the appellant and other legal heirs for 16.08.2022 for arguments before D.B at Camp Court, Abbottabad.



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



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

16-8-22

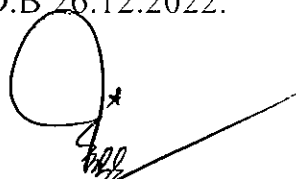
due to common vacation the case is adjourned to 18-10-22 for the same.



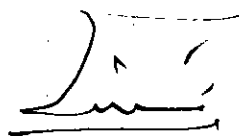
18.10.2022

Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Previous date was changed on Reader note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments before the D.B 26.12.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

20.01.2022

Clerk of counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 18.04.2022 at Camp Court, Abbottabad.



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



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

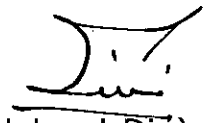
18.04.2022

Mr. Riasat Munir (brother of the appellant) present. Mr. Malik Ahmed, Junior Clerk. alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 & 2 present. Learned counsel for private respondent No. 3 also present.

Brother of the appellant stated at the bar that the appellant has died, therefore, time may be granted to him to consult the legal heirs of the appellant for further course of action. Adjourned. To come up for further proceedings on 15.06.2022 before the D.B at Camp Court Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court Abbottabad





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

22.09.2021

Nemo for the appellant. Mr. Usman Ghani, District Attorney for official respondents present. Private respondent No. 3 alongwith his counsel Mr. Muhammad Liaqat, Advocate, present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for arguments before the D.B on 17.11.2021 at Camp Court Abbottabad.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT ABBOTTABAD


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

17.11.2021

Clerk of counsel for the appellant and Mr. Muhammad Rashed, DDA for respondent No. 1, Malak Ahmad, Senior Clerk for respondent No. 2 and Junior to counsel for respondent No. 3 and private respondent No. 4 in person present.

The clerk of learned counsel for the appellant has stated that the appellant has now died and list of his legal heirs will be provided on next date. The respondents in their reply raised preliminary objection as to jurisdiction of this Tribunal on the ground that the appellant is not government/public servant. This objection has not yet been decided. However, if the legal heirs of the deceased appellant turned up and opt to contest the appeal, the question of jurisdiction will be decided first before further proceedings. To come up for arguments on the point of jurisdiction on 20.01.2022 before the D.B at camp court, Abbottabad.


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


Chairman
Camp Court, A/Abad

19.01.2021

Due to COVID-19, the case is adjourned for the same on 17.02.2021 before D.B.

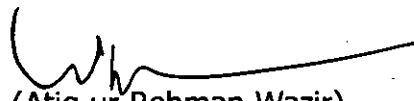

READER


17.02.2021

Nemo for appellant.

Noor Zaman Khattak learned District Attorney present. Counsel for respondent No.3 present.

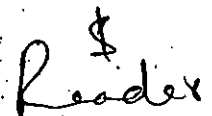
Notice be issued to appellant/counsel for 21.04.2021 for arguments, before D.B at Camp Court, Abbottabad.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Abbottabad


(Rozina Rehman)
Member (J)
Camp Court, Abbottabad

21-4-21

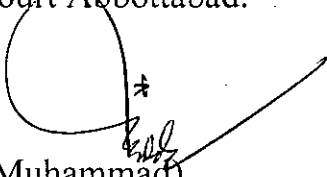
Due to covid 19, the case is adjourned to 22-9-2021 For the same.



Reader

16.11.2020.

Assistant to counsel for the appellant is present. Mr. Usman Ghani, District Attorney for official respondents and Assistant to counsel for private respondent No.3 is present.

The Lawyers community is not appearing in the Tribunal for the reason that they are observing sough of the Hon'able Chief Justice, Peshawar High Court, Peshawar, therefore, the case is adjourned to 19.01.2021 for arguments before D.B at camp court Abbottabad.


(Mian Muhammad)
Member(E)


(Muhammad Jamal Khan)
Member(J)
Camp Court Abbottabad

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 11/4
9 / 20 at camp court abbottabad.

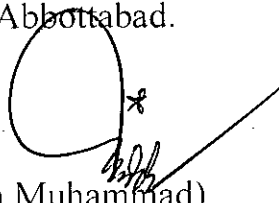

Reader

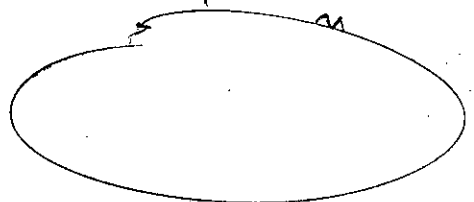
14.09.2020

Appellant has not forth come at the moment i.e 3:30 PM.
Mr. Usman Ghani, District Attorney for respondents present.

Perusal of preceding order sheet revealed that the case
was adjourned due to summer vacation, therefore, in the
circumstances it is deemed appropriate to issue notice to the
appellant as well as his respective counsel.

Adjourned to 16.11.2020 for arguments before D.B at
camp court Abbottabad.


(Mian Muhammad)
Member(E)


(Muhammad Jamal)
Member
Camp Court A/Abad.

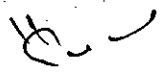
16.09.2019

Counsel for the appellant present. Mr. Muhammad Bilal Khan, Deputy District Attorney on behalf of official respondents No. 1 & 2 and private respondents No. 3 & 4 in person present. Written reply on behalf of official respondents No. 1 & 2 has already submitted. Private respondent No. 4 submitted written reply today which is placed on record. Private respondent No. 3 seeks further time to file written reply. Case to come up for written reply/comments on behalf of private respondent No. 3 on 24.10.2019 before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member


24.10.2019

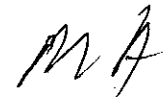
Appellant in person present. ^{Camp Court Abbottabad} Mr. Usman Ghani, District Attorney alongwith Muhammad Afzal, Asstt. for the official respondents No. 1 & 2 present. Private respondents No. 3 & 4 in person present. Respondent No. 3 submitted the requisite reply, placed on file. To come up for rejoinder if any and arguments on 18.12.2019 before D.B at camp court, Abbottabad.


Member
Camp court, A/Abad

18.12.2019


Appellant in person and Mr. Usman Ghani, District Attorney for official respondents No. 1 & 2 present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 17.02.2020 for rejoinder if any, and arguments before D.B at Camp Court Abbottabad.


(Hussain Shah)
Member
Camp Court Abbottabad


(M. Amin Khan Kundi)
Member
Camp Court Abbottabad


22.05.2019

Appellant in person and Mr. Fida Bahadar, Legal Advisor for official respondents No. 1 & 2 alongwith Mr. Muhammad Bilal, Deputy District Attorney present. Mr. Liqat Ali, Advocate for private respondent No. 3 and Mr. Ansar Hayat, Advocate for private respondent No. 4 also present. Representative of official respondents No. 1 & 2 submitted written reply while learned counsel for private respondents No. 3 & 4 requested for further adjournment for filing of written reply. Adjourned. To come up for written reply/comments on behalf of private respondents No. 3 & 4 on 09.07.2019 before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

09.07.2019

Appellant in person present. Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith Mr. Ahmad, Junior Clerk on behalf of respondents No. 1 & 2 and counsel for private respondents No. 3 & 4 present. Written reply on behalf of official respondents No. 1 & 2 already submitted. Written reply on behalf of private respondents No. 3 & 4 not submitted. Learned counsel for private respondents No. 3 & 4 requested for further adjournment. Case to come up for written reply/comments on behalf of private respondents No. 3 & 4 on 16.09.2019 before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

18.01.2019

Learned counsel for the appellant present. Inter-alia argued that juniors to the appellant were promoted to the post of Senior Clerk vide order dated 14.02.2018 and 15.02.2018 respectively while the appellant was deprived from promotion

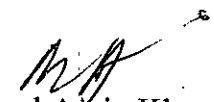
Points urged need consideration. The present appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 19.03.2019 before S.B at camp court Abbottabad.


Member

Camp Court A/Abad

19.03.2019

Counsel for the appellant present. Mr. Muhammad Bilal, Deputy District Attorney alongwith Mr. Rahim Gul, Prosecuting Assistant for official respondents No. 1 & 2, private respondent No. 3 in person and counsel for private respondent No. 4 present and submitted fresh Vakalat Nama. Written reply on behalf of official respondents as well as private respondent not submitted. Requested for adjournment. Adjourned. To come for written reply/comments on 22.05.2019 before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1066 /2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/08/2018	<p>The appeal of Mr. Liaqat Ali presented today by Mr. Qazi Muhammad Sheraz 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;"><i>[Signature]</i> REGISTRAR</p>
2-	10-9-18	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>16-11-18</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
16.11.2018		<p>Clerk to Counsel for the Appellant present. 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 18.01.2019 at camp court Abbottabad.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>

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

Service Appeal No. 1066 -A/2018

Liaqat Ali son of Siraj ud Din, resident of present Clerk TMA, Abbottabad.

...COMPLAINANT/APPELLANT

VERSUS

Govt. of KPK Secretary Local Government, Election & Rural Development
Department, Peshawar & others.

...RESPONDENTS


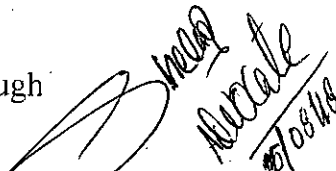
SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 6	
2.	Copy of Service Card	7	"A"
3.	Copy of order	8	"B"
4.	Copies of applications	9 to 11	"C", "D" & "E"
5.	Copy of orders	12 to 13	"F" & "G"
6.	Copy of application & order No.4146/TMA dated 05/04/2018	14 to 15	"H" & "I"
7.	Copy of Departmental Appeal	16 to 18	"J"
8.	Wakalatanama	19	

Dated: 16/08/2018

Through


 APPELLANT

 (QAZI MUHAMMAD SHERAZ)
 Advocate High Court Abbottabad

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

Service Appeal No. 1066-A/2018

Liaqat Ali son of Siraj ud Din, resident of present Clerk TMA, Abbottabad.

...COMPLAINANT/APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1346

Dated 29/8/2018

1. Govt. of KPK Secretary Local Government, Election & Rural Development Department, Peshawar.
2. Tehsil Municipal Officer, TMA, Abbottabad.
3. Muhammad Ijaz Clerk TMA, Abbottabad.
4. Shakeel Ahmed son of Abdul Aziz, Clerk TMA, Abbottabad.

...RESPONDENTS

APPEAL UNDER SECTION 4 KPK SERVICE TRIBUNAL ACT, 1974, FOR THE DECLARATION TO EFFECT THAT THE ORDER NO. 4146/TMA DATED 05/04/2018 PASSED BY RESPONDENT NO. 2 WHEREBY CLAIM OF PETITIONER FOR UP-GRADATION OF BPS-11 TO BPS-14 IS REJECTED, WHEREAS RESPONDENTS NO. 3 TO 4 WERE ADJUSTED AND UPGRADED THROUGH ORDER NO. 35/TMA DATED 14/02/2018, AND OFFICE ORDER NO. 36/TMA DATED 15/02/2018, IS ILLEGAL, PERVERSE, DISCRIMINATORY,

Filed to Day
Registrar
29/8/18

AGAINST THE LAW AND FACT BASED ON FAVORITISM AND NEPOTISM HENCE LIABLE TO BE SET ASIDE.

PRAYER: ON ACCEPTANCE OF INSTANT APPEAL IMPUGNED ORDER NO. 4146/TMA DATED 05/04/2018, ORDER NO. 35/TMA DATED 14/02/2018 AND ORDER NO. 36/TMA DATED 15/02/2018 IN FAVOUR OF RESPONDENTS NO. 3, 4 BE SET ASIDE AND APPELLANT BE ADJUSTED IN BPS-14 WITH ALL BACK BENEFITS AND OTHER RELIEF WHICH THIS HONOURABLE COURT DEEMS FIT AND PROPER.

Respectfully Sheweth:-

1. That the appellant was serving in services unit Nawanshehr since 01/12/1982 in clerical cadre. Copy of Service Card is attached as Annexure "A".
2. That the appellant have been adjusted in BPS-11 on 25/03/2015 through order No. 598/PC, Abbottabad. Copy of order is attached as Annexure "B".
3. That the appellant applied to respondent No. 2 for up-gradation from BPS-11 to BPS-14 as appellant is most senior in service in department as a whole. Copy of applications are attached as Annexure "C", "D" & "E".

4. That respondent No. 2 through order No. 35/TMA dated 14/02/2018 and office order No. 36/TMA dated 15/02/2018 adjusted the respondents No. 3 to 4 in BPS-14 from BPS-11. Copy or orders are attached as Annexure "F" & "G".
5. That the appellant applied for review of the above mentioned order but respondent No. 2 through order 4146/TMA dated 05/04/2018 declared that appellant could not claim seniority, through very flimsy grounds. Copy of application is attached as Annexure "H" whereas order No.4146/TMA dated 05/04/2018 is annexed as Annexure "I".
6. That feeling aggrieved from above mentioned order appellant assailed the order to respondent No. 1 through departmental appeal on 03/05/2018 through registered AD. Copy of departmental appeal is attached as Annexure "J".
7. That respondent No. 1 have not replied to representation hence present appeal going to be filed fixed which is within time.
8. That order No. 4146/TMA dated 05/04/2018 passed by respondent No. 2 and non reply on departmental appeal by respondent No. 1 is illegal void, discriminatory against the natural justice and without lawful justification and liable to be set aside hence, the

instant appeal is filed inter-alia on the following grounds:-

GROUND:

- (a) That the appellants is most senior in service not only in service unit Nawanshehr but also in TMA office, Abbottabad.
- (b) That the appellants served whole of service in service unit Nawanshehr and have not been transferred in any other department, so remained in mother department, while of tenure.
- (c) That the respondent No. 2 wrongly tried to made disputed the service unit Nawanshehr hierarchy.
- (d) That respondent No. 2 by impugned order No. 36/TMA dated 15/02/2018 upgraded respondent No. 4 who is originally pump operator, which is sheer example of favoritism and nepotism.
- (e) That appellant is serving regularly in department whose service record is extraordinary.
- (f) That appellant is also senior to respondent No. 3 but who has been upgraded to BPS-14 through order No. 35/TMA dated 14/02/2018, who is

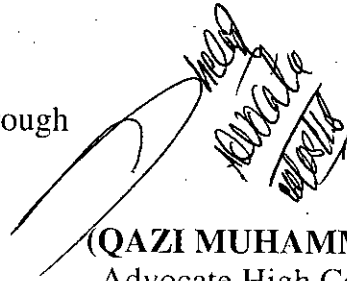
most Junior to appellant, so appellant should also be adjusted in BPS-14.

- (g) That the other points shall be argued at the time of arguments.

It is, therefore, humbly prayed that on acceptance of instant appeal impugned order No. 4146/TMA dated 05/04/2018 be set aside and appellant be adjusted in BPS-14 with all back benefits and other relief which this Honourable court deems fit and proper.

Dated: 16/08/2018

Through


 Advocate
 16/08/18

(QAZI MUHAMMAD SHERAZ)
 Advocate High Court Abbottabad


 APPELLANT

VERIFICATION

Verified that the contents of the foregoing appeal are true and correct and nothing has been suppressed from this Honourable Court.

Dated: 16/08/2018


 APPELLANT

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

Service Appeal No. _____-A/2018

Liaqat Ali son of Siraj ud Din, resident of present Clerk TMA, Abbottabad.

...COMPLAINANT/APPELLANT

VERSUS

Govt. of KPK Secretary Local Government, Election & Rural Development
Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Liaqat Ali son of Siraj ud Din, resident of present Clerk TMA, Abbottabad, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.




DEPONENT

8

Annex 99
cc B

OFFICE OF THE DISTRICT COUNCIL ABBOTTABAD.

No. 598 /DC (Atd).
Dated: 25/03/2015

Office Order:

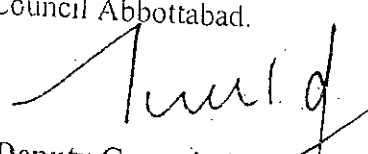
In Pursuance of the Secretary to Government of Khyber Pakhtunkhwa. Local Government Election & Rural Development Department/Chairman, Local Council Board Peshawar Order No. A.IV/LCB/4-1/General File dated 15-08-2014 and Finance Department (Regulation Wing) Govt. of KPK letter NO. FD/SO (FR) 10-22/2014 dated 20-05-2014 the following officials are hereby upgraded as shown against each w. e f. 20-05-2014.

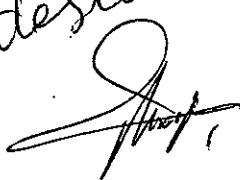
S.NO	Name of official	Sanction post/BPS		Upgraded To
		From	To	
1.	Tanweer Ahmed	Office Assistant/HC BPS-14	BPS-16	
2.	Muhammad Haroon	Office Assistant BPS-14	BPS-16	
3.	Muhammad Slaem	Junior Clerk BPS-7	BPS-11	
4.	Haq Nawaz	Junior Clerk BPS-7	BPS-11	
5.	Muhammad Afsar	Junior Clerk BPS-7	BPS-11	
6.	Adil Rehman	Junior Clerk BPS-7	BPS-11	
7.	Laiqat Ali	Junior Clerk BPS-7	BPS-11	
8.	Syad Ayyaz Hussain Shah	Junior Clerk BPS-7	BPS-11	
9.	Ishtiaq Ahmed Khan	Junior Clerk BPS-7	BPS-11	
10.	Luqman Khan	Junior Clerk BPS-7	BPS-11	
11.	Muhammad Saddique	Junior Clerk BPS-7	BPS-11	

Deputy Commissioner/Administrator
District Council Abbottabad

No. 599-603
Copy to:

1. Chief Coordination Officer, District Council Abbottabad.
2. PS to Secretary Local Council Board Khyber Pakhtunkhwa Peshawar.
3. Deputy Director Audit District Council Abbottabad.
4. District Officer (Finance) District Council Abbottabad.
5. Officials concerned.


Deputy Commissioner/Administrator
District Council Abbottabad

Attested


کتاب حساب TMO حساب TMA ایسٹ آباد

Amma 99
ee C

کتاب عالی

تعداد سے کہ مسائل کے TMA ایسٹ آباد کا مدرسہ
ہے مسائل کے روزانہ وقت گزارا گیا ہے جس میں روزانہ
کچھ نمبر آتے ہیں وہ ہیں۔ مسائل کے کہ مسائل کے کہ مسائل کے
سال ہونے والے ہیں کہ مسائل کے کہ مسائل کے کہ مسائل کے
مسئلہ ہوتا ہے۔ مسائل کے کہ مسائل کے کہ مسائل کے کہ مسائل کے
ہو گئے کہ مسائل کے کہ مسائل کے کہ مسائل کے کہ مسائل کے

پہلے افیسر یا فرما کہ مسائل کے کہ مسائل کے کہ مسائل کے کہ مسائل کے
کہ مسائل کے کہ مسائل کے کہ مسائل کے کہ مسائل کے کہ مسائل کے

1451
15-9-17

ایسٹ آباد
کتاب عالی
روزانہ وقت گزارا گیا
TMA ایسٹ آباد

Attested
[Signature]

[Signature]

کے لئے TMA سے TMD سے TMA سے زیادہ

صاف علی

گزارش کے لئے TMA سے زیادہ
اور اس کے لئے TMA سے زیادہ
اس کے لئے TMA سے زیادہ
اس کے لئے TMA سے زیادہ

تقریباً 35 سال
تقریباً 35 سال
تقریباً 35 سال

ANMA سے زیادہ

11/8/17

Attested

ANNA
99
E

تاریخ ۱۱ - ۱۲۰۵ TMA سے TMA سے ایک ایک
صاف علی

گزارش ہے کہ سائنس TMA سے ایک ایک
میں اور سروریزوٹ فورڈ میں ایک ایک
میں ۱۱ میں سے ایک سروریزوٹ فورڈ میں
۳۵ سال پہلے وہاں سے اور ایک ایک
میں سے ایک ایک باؤٹون ذرا ایک سے ایک ایک
ہے کہ ایک ایک ایک ایک ایک ایک ایک
بڑا ایک ایک ایک ایک ایک ایک ایک
تاریخ ۱۱ - ۱۲۰۵

ANNA
99
E
TMA سے ایک ایک
۱۳ ۱۷

Attested
[Signature]

Annex
ce F

OFFICE OF THE TEHSIL MUNICIPAL ADMINISTRATION ABBOTTABAD

Office Order No. 35 /TMA

Dated 14/02 /2018

Consequent upon the recommendations of Departmental Section Committee in its meeting held on 21/04/2017. Mr Muhammad Ejaz Junior Clerk BPS-11 is hereby promoted against the vacant post of Senior Clerk Prosecution BPS-14 with immediate effect.

(Signature)

**Tehsil Municipal Officer
TMA, Abbottabad.**

No. 1205-89 /TMA

Dated 19/02 /2018

Copy to:

- 1- The Tehsil Nazim, TMA, Abbottabad.
- 2- The Resident Deputy Director(Audit), TMA, Abbottabad.
- 3- The Tehsil Officer(Finance), TMA, Abbottabad.
- 4- The official concerned.
- 5- Office Order file.

(Signature)

**Tehsil Municipal Officer
TMA, Abbottabad.**

Attested
(Signature)

13

AMM
B

OFFICE OF THE TEHSIL MUNICIPAL ADMINISTRATION ABBOTTABAD

Office Order No. 36 /TMA

Dated 15 / 09 /2018

Consequent upon the recommendations of Departmental Section Committee in its meeting held on 21/04/2017. Mr Shakeel Abdul Aziz Junior Clerk BPS-11 is hereby promoted against the vacant post of Senior Clerk/License Inspector BPS-14 with immediate effect.

u
Tehsil Municipal Officer
TMA, Abbottabad.

Dated 15 / 09 /2018.

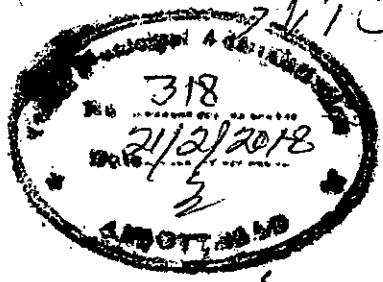
No. 1290-95 /TMA

Copy to:

- 1- The Tehsil Nazim, TMA, Abbottabad.
- 2- The Resident Deputy Director(Audit), TMA, Abbottabad.
- 3- The Tehsil Officer(Finance), TMA, Abbottabad.
- 4- The Tehsil Officer(Infrastructure), TMA, Abbottabad.
- 5- The official concerned.
- 6- Office Order file.

10
Tehsil Municipal Officer
TMA, Abbottabad.

Attested

کمیٹی صاحب TMO صاحب TMA ایسٹ ایبٹ آباد
عنوان :- ایسٹ ایبٹ پروموشن
Per Report

گزارش ہے کہ سال TMA کا اندازہ ہے۔ سال کے اس سے
 قبل رہی پروموشن کے ایک درخواستی مورخہ 15/9/17 کو دی گئی
 (کا پی لف ہے)۔ لیکن اس پر کوئی عمل درآمد نہ ہوا اور حج سے کئی گناہ
 جوئیڈر ایبٹ آباد کو سب سے ترقی دے دی گئی ہے۔

1. ان سے سردار شکیل بنو عبدالرحمن آفس آرڈر نمبر 36 مورخہ 15/2/18۔
 2. محمد اعجاز احمد سلطان بنو عبدالرحمن آفس آرڈر نمبر 35 مورخہ 14/2/18۔

ترقی دی گئی ہے جس کی نوٹری حج سے نصف بھی نہ ہے اور صبری
 نوٹری کے 35 سال ہو چکے ہیں جو سائنس کے ساتھ انتہائی نا انصافی
 ہے۔ لہذا صاحب سے گزارش ہے کہ صبری سے ورس کو مت نظر رکھتے ہوئے
 فوری طور پر صبری پروموشن کے آرڈر کیے جائیں۔ بصورت دیگر سائنس
 افس حقوق کے حصول کے لیے ایسا قانون حق محفوظ رکھتا ہے۔ اور افس
 حقوق کے حصول کے لیے کسی بھی فورم پر جا سکتا ہے۔

Attested

O.S.

ایسٹ ایبٹ
ایسٹ ایبٹ ٹیڈر
TMA ایسٹ ایبٹ آباد

TMO

21/2/18

(2)

کاپی برائے اطلاع تحصیل ناظم ایسٹ ایبٹ آباد
 Demand check for money
 and report to the manager
 for preparation of money bill
 It should be with your Section.

2/18
27/18
27/12
2018

S/clock
A/clock
Rw check
for report
27/12

تاریخ 05/4/2018

دفتر تحصیل میونسپل ایڈمنسٹریشن ایبٹ آباد۔

از:

لیاقت علی کلرک TMA ایبٹ آباد حال سروس پونٹ نواں شہر

بخدمت:

جواب درخواست

مضمون:

یادداشت:

آپ کی درخواست پر باقاعدہ سروس ریکارڈ کو مد نظر رکھتے ہوئے کارروائی کی گئی بمطابق سروس ریکارڈ محمد اعجاز مورخہ 24/10/1993 کو سکیل نمبر 5 میں تعینات ہوا اور مورخہ 23/06/2008 کو سکیل نمبر 7 میں اپ گریڈ ہوا اور اسی طرح صوبائی حکومت کی پالیسی کے مطابق مورخہ 28/01/2015 کو سکیل نمبر 11 اور مورخہ 14/02/2018 کو سکیل نمبر 14 میں ترقی پائی۔ اسی طرح تکمیل احمد سکیل نمبر 4 میں 1/07/2007 کو بھرتی ہوا اور مورخہ 21/11/2011 کو سکیل نمبر 7 میں ترقی پائی مورخہ 28/01/2015 کو سکیل نمبر 11 میں اور 15/02/2018 کو سکیل نمبر 14 میں ترقی دی گئی۔

جبکہ آپ مورخہ 1/12/1982 کو سکیل نمبر 1 میں بھرتی ہوئے اور 13/08/1987 کو سکیل نمبر 2 دیا گیا اور 1/12/1995 کو سکیل نمبر 3 اور 1/12/1995 کو سکیل نمبر 4 دیا گیا اور مورخہ 1/12/2000 کو سکیل نمبر 5 میں آپ نے ترقی پائی اور مورخہ 1/12/2001 کو Moveover پالیسی ختم ہونے پر آپ کو تنخواہ کی Fixation سکیل نمبر 2 میں کی گئی اور ہائی کورٹ کے فیصلہ پر مورخہ 13/4/2007 کو سکیل نمبر 5 دیا گیا مورخہ 23/6/2008 کو 1/7/2007 سے آپ کو سکیل نمبر 7 دیا گیا اور مورخہ 12/4/2013 کو آپ کی خدمات ضلع کونسل کے سپرد کی گئیں اور مورخہ 23/03/2015 کو بطور جونیئر کلرک سکیل نمبر 11 میں آپ کو ترقی دی گئی۔

یہ کہ صوبائی حکومت کی پالیسی بذریعہ نمبر 1-2000/98-SOR-I(E&D) بحریہ 18/6/2001 ایڈجسٹمنٹ پالیسی کے مطابق سناریائی کارابطہ واضح کیا گیا ہے اس کے مطابق ضلع کونسل سے TMA میں آنے والے ملازمین کی سناریائی Bottom یعنی سب سے آخر میں تصور ہوگی۔ درج بالا تقابلی جائزہ سے عیاں ہے کہ آپ ترقی اور سناریائی Claim نہیں کر سکتے۔ لہذا مطلع رہیں۔

تخلی میونسپل آفیسر

ٹی ایم اے، ایبٹ آباد

05/4/2018

4146/AYMA

کاپی برائے اطلاع:

جناب تحصیل آفیسر (فانس)، ٹی ایم اے، ایبٹ آباد

تخلی میونسپل آفیسر

ٹی ایم اے، ایبٹ آباد

9/4

Attested

PR ANNEX
J 29

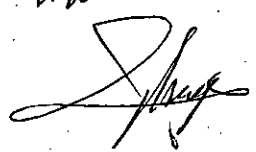
To

The Secretary Local Government,
Election & Rural Development Department,
Peshawar.

Subject: **DEPARTMENTAL APPEAL AGAINST THE ORDER
NO.4146/TMA DATED 05/04/2018, PASSED BY TMA
ABBOTTABAD.**

Respectfully Sheweth;-

1. That the appellant serving in services unit Nawanshehr for last 35 years.
2. That initial appointment of appellant is of clerical cadre and have been awarded BPS-11 on 25/03/2015 through order No.598/PC(Atd).
3. That appellant applied to the TMO Abbottabad for up-gradation from BPS-11 to BPS-14 as appellant is most senior in service from all employees.
4. That TMO Abbottabad through order No.35/TMA dated 14/02/2018 and office order No.36/TMA dated 15/02/2018 M. Ijaz Junior Clerk and Mr. Shakeel Abdul Aziz were promoted to BPS-14.
5. That the appellant applied for review of the order but TMO through order 4145/TMA on 05/04/2018 on very flimsy grounds dis-entitled the appellant for seniority.
6. That the order No.4145/TMA dated 05/04/2018 is illegal and liable to be set aside on following amongst others grounds;-

Attested


GROUNDS;-

- a. That the appellant is a senior employ of the services unit Nawansher.

- b. That appellatant from very first day of his appointment was inducted as clerical cadre whereas appellatant through order 36 dated 15/02/2018 upgraded the Mr. Shakeel Abdul Aziz who is pump operator by his original cadre. Moreover up-gradation made through order 35 dated 14/02/2018 in favour of M. Ijaz is also unjustified because of the reason that he is most junior to the appellatant.
- c. That TMO Abbottabad in impugned order wrongly interpreted the adjustment policy and appellatant was shown as remained or transferred to other institution, whereas appellatant throughout served in services unit Nawansher.
- d. That TMO has not properly inquired the matter and hastily decided the review.
- e. That appellatant is a prior servant who spent precious moment of life in the services and worked honestly but TMO Abbottabad illegally refused to up-graded, hence present appeal is being file.
- f. That appeal is within time.

So, it is humbly prayed that up-gradation of the appellatant be made while rejecting the TMO order.

Attested
[Signature]

[Signature]
LIAQAT ALI
Clerk TMA, Abbottabad
... APPELLANT

Dated; 03/05/2018

Through;

[Signature]
(QAZI MUHAMMAD SHERAZ)
Advocate High Court, Abbottabad

Qazi Muhammad Sheraz
Advocate
Abbottabad

18

No. 264

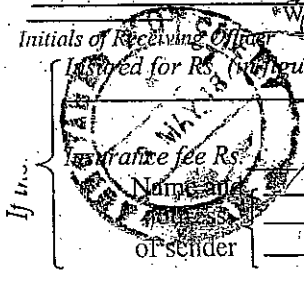
For Insurance Notices see reverse
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Rs. 38
Ps. A0

Received a registered*
addressed to _____ Date: Stamp

Initials of Receiving Officer _____
*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.

Insured for Rs. _____ (in words)
Weight _____ Kilo
_____ Grams
Postage fee Rs. _____ Ps. 20 (in words)
Name and _____
of sender _____



ACKNOWLEDGEMENT DUE CARD

1196186-1350

Qazi Muhammad Sheraq
Advocate
Abbottabad

Qazi M. Sheraq advocate نام
ofc 11 New lawyer plaza پتہ
Abbottabad

ضلع تحصیل ڈاکخانہ

پوسٹ کوڈ
(پوسٹ کوڈ لکھنا نہ بھولیں)

Attested
[Signature]

RP-54

رسید

رجسٹری یا پیسہ بھیجنے والے کو پشت پر دیئے گئے پتے پر واپس بھیجا جائے۔

☆ ایک رجسٹری *Secretary Local Govt & Rural Development*

برائے (نام) *Department, Peshawar* وصول پائی۔

پیسہ کی مالیت *گرام* (فصلوں میں)

مکتوب الیہ کے دستخط *تاریخ تقسیم 26/11/2011*

☆ یہاں چھٹی پوسٹ کارڈ ٹیکٹ یا پارسل ٹیکٹ یا رجسٹرڈ پوسٹ کی صورت میں لکھا لفظ "پیسہ" پہلے تحریر کریں۔
☆ صرف پیسہ کی صورت میں یہاں اندراج کیا جائے۔ بصورت دیگر کاٹ دیا جائے۔

قیمت: دس روپے/- Rs.10/-

کورٹ فیس

وکالت نامہ

بعدالت صاحب سروس ٹریڈنگ کمپنی اور اسٹاک ایکسچینج

عنوان: سابقہ علی بنام گورنمنٹ وینڈر

منجانب: ریسائڈنٹ

نوعیت مقدمہ: سروس ریبل

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام سابقہ علی بنام گورنمنٹ وینڈر کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ 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 تقرر 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 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 بصلحہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا گیا تاکہ سند رہے۔

(Handwritten signature and text)
 بمقام: *(Signature)*

المرقوم: 16/8/18

العباس

العباس

(Vertical handwritten text on the right margin)
 سابقہ علی بنام گورنمنٹ وینڈر
 13101-6524976-5

"A"

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

No.

APPEAL No. 1066 of 20 18

Liaqat Ali

Appellant/Petitioner

Versus

Soy: Local Govt. of KPK Pesh:

RESPONDENT(S)

~~Learned~~
Notice to Appellant/Petitioner

Gazi Muhammad Sheraz
Advocate High Court
Abbottabad

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 16-11-2018 at 1:00 PM

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

at Camp Court A. Abad

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

13

APPEAL No.....1066..... of 2018.

Leqat Ali

Appellant/Petitioner

Versus

Sery: Local Govt: 14 Pk Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner

✓

Leqat Ali S/o Siraj ud Din
R/o Present Clerk TMA,
Abbottabad

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 21-4-2021 at 9:00 AM

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

at Camp Court A. Abad

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

113

No.

APPEAL No.....1066..... of 20/8.

Singh M

Appellant/Petitioner

Versus

Seyi Local Govt, K.P.S. Pesh

RESPONDENT(S)

Notice to Appellant/Petitioner

Counsel

*Gazi Muhammad Shergaz
Advocate High Court
at Abbottabad*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 21-4-2021 at 9.00 A.M

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

at Camp Court Abbottabad

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

TB

No.

APPEAL No. 1066 of 20 18

Liakat Ali

Appellant/Petitioner

Versus

Sayyid LG, Peshawar

RESPONDENT(S)

Counsel

Gazi Mohammad Sheraz

Notice to Appellant/Petitioner

*Advocate High Court
Peshawar*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 17/11/2021 at 9:00 AM

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

at Camp Court Peshawar

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

18

APPEAL No. 1056 of 20 18

Liakat Ali

Appellant/Petitioner

Versus

LG, KP/ Pesh.

✓ Siraj

RESPONDENT ad on

Liakat Ali S/o Siraj

Notice to Appellant/Petitioner

R/o Present Clerk TMA,
Ale-attabad

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 17/11/2018 at 7:00 AM

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

at Camp Court A, Peshawar

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.