

27th September, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Kamran, ADEO for respondents present.

2. Learned counsel for the appellant and learned Additional Advocate General have been heard at some length. During the course of arguments, learned counsel for the appellant does not want to press this appeal but representative of the respondents pointed out that the previous service of the appellant was not counted to which learned counsel for the appellant submitted that he intends to file an application to the department to count previous service of the appellant for the purpose of pensionary benefits etc. Learned Additional Advocate General has not controverted the situation. While disposing of this appeal, we observe that the appellant may make an application to the respondents for the desired above relief for counting of his previous service towards pensionary benefits and other admissible benefits, which if moved shall be decided within 30 days of this order in accordance with law and rules. The appeal in hand is disposed of in the above terms. Consign.

3. *Pronounced in open court in D.I.Khan and given under our hands and seal of the Tribunal this 27th day of September, 2022.*



(Salah Ud Din)
Member (Judicial)
Camp Court D.I.Khan



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

26th Sept 2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Muhammad Kamran, ADEO for respondents present.

Learned counsel for the appellant seeks adjournment to prepare the case. Last opportunity is granted to argue the case on tomorrow. Adjourned. To come up for arguments on 27.09.2022 before D.B at camp court D.I.Khan.



(Salah Ud Din)
Member(J)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

27.01.2022


Tour is Cancelled, therefore, case is adjourned to 26.05.2022 for the same as before.

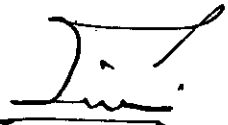

Reader.

26.05.2022

Counsel for the appellant present. Mr. Muhammad Kamran, ADEO (Litigation) alongwith Mr. Farhaj Sikandar, District Attorney for the respondents present and sought further time for submission of written reply/comments.

Previous date was changed on Reader Note, therefore, last chance given to the respondents for submission of reply/comments. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant, failing which the right of submission of reply/comments shall be deemed as waived of by the respondents. Adjourned. To come up for submission of written reply/comments as well as arguments on 25.07.2022 before the D.B at Camp Court D.I.Khan.


(Rozina Rehman)
Member (J)
Camp Court D.I.Khan


(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan

25-7-22

due to some minor variation the case is adjourned to 26-9-22 for the same as before.



25.10.2021

Appellant present through counsel.

Security and process fee was not deposited. Learned counsel for appellant made a request for extension of time to deposit security and process fee; granted with direction to deposit the same within 10 days, where-after, notices be issued to respondents for submission of reply/comments within 10 days in office after the receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time and extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 13.12.2021 before D.B at Camp Court, D.I.Khan.

Appellant Not Deposited
Security Process Fee

8/11/21



(Atiq ur Rehman Wazir)
Member(E)
Camp Court, D.I.Khan



(Rozina Rehman)
Member(J)
Camp Court, D.I.Khan

13.12.2021

Counsel for appellant and Mr. Muhammad Adeel Butt, learned Additional Advocate General alongwith Muhammad Kamran, ADEO (Legal) for the respondents present.

The respondents have not submitted written reply/comments and request for further time is made on their behalf. The respondents are directed to submit written reply within 10 days in office, failing which they shall be liable to payment of cost of Rs. 5000/- for submission of reply on the date fixed. If they fail to submit the reply on the next date, no further adjournment shall be granted for such purpose and appeal shall be heard on available record. Case to come up on 27.01.2022 before D.B at Camp Court, D.I.Khan.



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan



Chairman
Camp Court, D.I.Khan

28.07.2021

Nemo for the appellant. This case belongs to the D.I.Khan Region and such cases were previously heard at camp court, D.I.Khan. May be notices issued to appellant/counsel have not been received by them, therefore, they are not in attendance. Anyhow having gone through the memorandum of appeal and copies of documents annexed there-with, there are arguable points warranting admission of appeal for full hearing. Therefore, this appeal is admitted for regular hearing subject to all just and legal objection. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 25.10.2021 before the D.B, at camp court D.I.Khan.




Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 3874/2021 _____

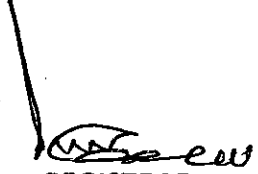
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/03/2021	<p>The appeal of Mr. Muhammad Awais resubmitted today by post through Mr. Saleemullah Khan Ranazai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04/06/2021	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on <u>28/07/2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Awais Chowkidar Primary School Rodi Khail Paharpur District D.I.Khan received today i.e. on 04/03/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned order dated 28.10.2020 mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.
- 3- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 493 /S.T,

Dt. 05/03 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Saleemullah Khan Ranazai Adv.
Hig Court Dera Ismail Khan

*noted sev,
Resubmitted after this
need full*

Kamran Khan

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. / 2021.

Muhammad Awais Versus Government of Khyber Pakhtunkhwa, etc.

Index

S.NO. PARTICULARS OF THE CASE. ANNEXURES. PAGE.

1. Memo and grounds of Service Appeal.	
2. Copy of application	'A' 1-5
3. Copy of NOC.	'B' 7-9
4. Copy of office order & LPC.	'C' 10
5. Copy of letter.	'D' 11
6. Copy of sanction order .	'E' 12 - 13
7. Copy of bills & Letter .	'F' 14 - 15
8. Copy of letter .	'G' 16 18
9. Copy of appeal and covering letter	'H' 18-19 - 22
Vakalatnama.	23-24

Your Humble Appellant: M. Aman
Through counsel

Dated: 01.03.2021

Saleemullah Khan Ranazai
(Saleemullah Khan Ranazai)
Advocate Supreme Court.

①

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 3874 / 2021.

Muhammad Awais. Versus Government of Khyber Pakhtunkhwa, etc.

**APPLICATION WITH THE REQUEST TO FIX THE CASE FOR HEARING AT
DERA ISMAIL KHAN.**

Respectfully sheweth:

Counsel for the appellant humbly submits as under.

1. That the above titled service appeal is being filed before this honourable tribunal at Peshawar.
2. That the appellant as well as his counsel hail from D.I.Khan and as the tour of the tribunal is scheduled for D.I.Khan, therefore, it will be for the convenience of the tribunal as well as the appellant and his counsel to fix the appeal for hearing at D.I.Khan.

**It is therefore, requested that the titled appeal may be fixed for hearing at
Dera Ismail Khan.**

Appellant, M. Awais
Through Counsel;

Dated:01.03.2021

Saleemullah Khan Ranazai
(Saleemullah Khan Ranazai)
Advocate Supreme Court,

AFFIDAVIT.

I, Saleemullah Khan Ranazai advocate counsel for the appellant, do hereby solemnly affirm on Oath that the contents of this petition are true and correct as per information provided to me by my client and nothing has been concealed from this Honourable Court.

Dated 01.03.2021

Saleemullah Khan Ranazai
(Saleemullah Khan Ranazai)
Advocate Supreme Court

(2)

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 3874/2021

Muhammad Awais, Chowkidar, Government Primary School Rodi Khail Tehsil Paharpur
District D.I.Khan

**Khyber Pakhtunkhwa
Service Tribunal**

(Appellant) Diary No. 3415

Versus

Dated 04/3/2021

1. Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar.
2. Director, Elementary & Secondary Educations Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (male) Elementary & Secondary Education, D.I.Khan
4. Sub-Divisional Education Officer (male), Paharpur District D.I.Khan.

(Respondents)

**SERVICE APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST
THE NON DECISION by the RESPONDENT NO.2 of THE
DEPARTMENTAL REPRESENTATION, THE ORDER DATED
28.10.2020 PASSED BY THE DISTRICT EDUCATION OFFICER
VIDE WHICH THE GUIDANCE SOUGHT BY SDEO
PAHARPUR ON THE APPLICATION OF APPELLANT, IT WAS
RESOLVED THAT PAY PROTECTION FROM HIGHER TO
LOWER GRADE IS NOT ADMISSABLE, WAS NEVER
DECIDED TILL THE EXPIRY OF 90 DAYS BY THE
COMPETENT AUTHORITY I.E THE DIRECTOR E&S
PESHAWAR.**

Filed to-day

Registrar

04/03/2021

Respectfully Sheweth,

The appellant prefers the instant appeal on the grounds hereinafter submitted apropos the following facts.

(Note:- The addresses of respondents as given above are sufficient for the purpose of service.)

BRIEF FACTS

**Re-submitted to -day
and filed.**

1. That the appellant was posted as the section dissection hall attended in Gomal Medical College, MTI Dera Ismail Khan in BPS-4 and served the department for almost 14 years.

Registrar

17/3/2021

3

2. That in the mean time in education department different post were advertised and the appellant submitted application to the principle GMC DIKHAN for Provision of NOC, so that the appellant may apply through proper channel. Copy of application is enclosed as **Annexure-A.**
3. That the Principal issued NOC to that effect on 22-03-2017. Copy of NOC is enclosed **Annexure-B.**
4. That vide order dated: 13-03-2019 the appellant was appointed as Chowkidar in BPS-3 and the appellant was then relived from the Medical College vide order dated: 17-01-2018. Copy of Office Order and LPC is enclosed **Annexure-C.**
5. That subsequently the service documents were also sent by the Principal to the Education Department vide letter dated: 17-10-2018. Copy of Letter is enclosed **Annexure-D.**
6. That vide sanction order dated: 13-03-2019 the service of the appellant were regularized under the law from the date of his first appointment and declared entitled to all the benefits as admissible under the rules. Copy of the section is enclosed herewith **Annexure-E.**
7. That the appellant then submitted his arrears bills to the department, which was objected by the District Account Officer and then the SDEO (Male) Pahapur wrote a letter Dated: 23-10-2019 and sought guidance regarding the Provision of benefits. Copy of Bills and Letter are enclosed **Annexure-F.**
8. That vide letter dated: 28-10-2020 the District Education Officer wrote to the SDEO (Male) Pahapur, wherein it has been stated that the pay protection sanction is already withdrawn and from higher to lower grade is not admissible anymore. Copy of letter is enclosed **Annexure-G.**
9. That against the letter dated 28.10.2020, wrote by EDO (male) D.I.Khan, the appellant preferred department appeal/ representation on 21.11.2020 through proper channel. Copy of appeal and covering letter is enclosed herewith as **Annexure-H.**
10. That the appellant waited for 90 days, as provided by the law but the departmental representation dated 21.11.2020 is never responded in any manner by the director E&S Peshawar.
11. That feeling aggrieved, the appellant approaches this Honourable Tribunal for redressal of his grievance on, inter-alia, the following grounds.

4

GROUND:

- A. That under the law the representation / appeal of the appellant was required to have been decided within 90 days of its submission but unfortunately the Director E&S Peshawar (respondent No.2) never decided the same.
- B. That admittedly the appellant was a civil servant and served the health department for 14 years, whereafter, he obtained NOC and applied to the Education Department, where his services were regularized under the law from date of his first appointment i.e 12/08/2004, therefore, he is entitled to get all the benefits attached to the civil servant.
- C. That according to his LPC of the GMC his pay is much higher than that off he is being offered by the Education Department, which is against the law and rules.
- D. That once it has been admitted by the Education Department that the service of the appellant are regularized from the date of his first appointment along with all the benefits, then how and why his pay is not fixed according to the LPC issued by GMC by the Education Department.
- E. That the appellant has been discriminated, without any justification and also against the law, therefore, the instant appeal is being filed.
- F. That counsel for the appellant may be allowed to raise additional grounds during the course of arguments.

PRAYER:-

It is, therefore, requested that on acceptance of instant service appeal the service benefits, admissible under the law may be granted to the appellant and the pay protection from higher to lower grade maybe granted with all back benefits to the appellant.

Dated: 01.03.2021

Your Humble Appellant;

M Awaiz

**(Muhammad Awais)
Through counsel**

Saleemullah Khan Razai
**(Saleemullah Khan Razai)
Advocate Supreme Court.**

5


AFFIDAVIT

I, Muhammad Awais, Chowkidar, Government Primary School Rodi Khail Tehsil Paharpur District D.I.Khan, the appellant do hereby solemnly affirm on Oath that the contents of the appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

Deponent.
(Identified by)

M. Awais

Dated: 01.03.2021


(Saleemullah Khan Ranazai)
Advocate Supreme Court.

7

Amrayer A

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3
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Forwarded for
favour

Head
Deptt: of Anatomy
GMC D.I.Khan
Sadiq
Assistant Professor
Anatomy Department
Gomal Medical College

Allowed
Amir

ATTESTED
Saleem Ullah Khan Ranaza
Advocate Supreme Court

OFFICE OF THE DEAN/PRINCIPAL GOMAL MEDICAL COLLEGE
MEDICAL TEACHING INSTITUTION DERA ISMAIL KHAN

Exchange # 0966-9280338-39
Fax: # 0966-9280340

Office # 0966-9280341
Email: gmc.principal@yahoo.com

No. 1121/EF

Dated 9/03/2017

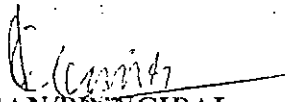
To
The District Education Officer (Male)
Elementary & Secondary Education
D.I.Khan

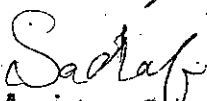
9


Subject: Application for appointment in Education Department / NOC

Enclosed please find herewith an application in r/o Muhammad Awais Dissection Hall Attendaft BPS-04 attached to Gomal Medical College DIKhan applied for any post in Education Department.

This Institution has No objection on his appointment in Education Department.


DEAN/PRINCIPAL
GOMAL MEDICAL COLLEGE
MEDICAL TEACHING INSTITUTION
D.I.KHAN

attested

Saad Rafiq
Assistant Professor
Anatomy Department
Gomal Medical College
Dera Ismail Khan

ATTESTED

Saleem Ullah Khan Ranazai
Advocate Supreme Court

C.A.

District
Admission

Object

Name
Section a
Incumb

Attended by
Muhammad
738/2017/EF
1-7-1118 & 30/1
1-7-2018 & 30/9
1-7-1-2018 & 30/1
1-12-2018 & 30/9
01-7-2018 & 30/1
1-7-2018 & 30/9
1-7-2019 & 30/1

Certified

10
Am "C"

LAST PAY CERTIFICATE
See para (5) of Annex-A of shap -2 section IV Audit Code.

Personal No. 00201108

LAST PAY CERTIFICATE

- Last pay certificate of Mr. Muhammad Awwais P. Piyaro dissection Hall attended office of the Dean Gomal Medical College Dera Ismail Khan B-4 on Appointed as Cheekader District Education Officer (Male) Dikhan
- He has been paid upto and for 16-01-2018 (AN) following rates.

BPS-4 (9900-440-23100)

0001. B/Pay	= Rs. 15180/-
1000. H/Rent	= Rs. 972/-
1210. Conv.	= Rs. 1785/-
1947. MA	= Rs. 1500/-
2148. ARA 2013	= Rs. 347/-
2199. ARA 2015	= Rs. 243/-
2211. ARA 2016	= Rs. 1235/-
2224. ARA 2017	= Rs. 1518/-
TOTAL	Rs. 22780/-
Deductions	Rs. 2746/-
NET	Rs. 20034/-

GPMC
No. P-201108

ATTESTED

Saleem Ullah Khan Ranaza
Advocate Supreme Court

3. DEDUCTION

GP Fund 825/-
Before 300/-
5% H/R -
MCA -

GP Fund advance 1170/-
G.I - Addl: G.I -
I/Tax - HBA -
others BB & De = 451/-

4. He made over charge of the office of After noon of 16.1.2018 on the

5. Recoveries are to be made from the pay of the Govt: Servant detailed on the service

6. He is entitled to draw the following.

- Authorised pay and allowances from - to - at above rate.
- He is also entitled to joining time for - days.

7. The detailed of the income Tax recoverd from him up to date from beginning of the current year are noted on the reverse.

[Signature]
DEAN

DETAILED OF RECOVERABLE AMOUNT

Pay and allownces _____

Other if any _____

SERVICE STATEMENT / LEAVE ACCOUNT

Prior to _____ the officer was under the audit control of _____ the officer remained under the audit control of this office as under:-

Post held and Department	BPS	From	Leave availed	Balance of Leave on

Service from _____ to _____ verified for pension.



OFFICE OF THE DEAN GOMAL MEDICAL COLLEGE
MEDICAL TEACHING INSTITUTE DERA ISMAIL KHAN.

Exchange # 0966-9280338-39
Fax: # 0966-9280340

Office # 0966-856184
Email: gmedik.principal@gmail.com

No. 329/42 /PS

Dated: 17/01/2018.

11

Ans. 27

OFFICE ORDER

Reference District Education Officer (Male), Dera Ismail Khan Office Order No.1018-1118/DEO(M) dated: 12-01-2018. Mr. Muhammad Awaiz Dissection Hall Attendant GMC, MTI, D.I.Khan upon his appointment against the vacant post of Chowkidar in BPS-03 and posted under the District Education Officer (Male) D.I.Khan is hereby relieved from this institution with immediate effect and directed to report to District Education Officer (Male), D.I.Khan for further posting under his control.

*****sd*****

DEAN
GOMAL MEDICAL COLLEGE (MTI)
DERA ISMAIL KHAN.

Copy for information:

1. Director E&SE KPK, Peshawar.
2. District Education Officer (Male) D.I.Khan
3. District Controller of Accounts, D.I.Khan.
4. Official Concerned.

attested.

Sadof

Assistant Professor
Anatomy Department
Gomal Medical College
Dera Ismail Khan

Saleem Ullah Khan

DEAN
GOMAL MEDICAL COLLEGE (MTI)
DERA ISMAIL KHAN.

ATTESTED

Saleem Ullah Khan
Saleem Ullah Khan Ranazai
Advocate Supreme Court

12

OFFICE OF THE DEAN MEDICAL TEACHING INSTITUTE
GOMAL MEDICAL COLLEGE DERA ISMAIL KHAN



Exchange # 0966-9280338-39
Fax: # 0966-9280340

Office # 0966-9280341
Email: gmc.principal@yahoo.com

No. Account/ 354
To

Dated. 17/10/ 2018

Ans E

The District Education Officer (Male)
Dera Ismail Khan.

SUBJECT: SERVICE DOCUMENTS.
Memo:

Enclosed please find herewith the Service books in original along-with LPC
in respect of Mr. Muhamamd Awais Dissection Hall Attendant for further necessary action.

Encl: As Above

DEAN
GOMAL MEDICAL COLLEGE (MTI)
DERA ISMAIL KHAN

attested

Sadaf

Assistant Professor
Anatomy Department
Gomal Medical College
Dera Ismail Khan

ATTESTED

Saleem Ullah Khan Ranaza
Advocate Supreme Court



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE), DERA ISMAIL KHAN
Tell: 09669280128- 09669280131
Email: emisdikhan@gmail.com

13

SANCTION:

Sanction for protection of pay in respect of following Officials of E & SE Department, appointed contract basis on fixed pay and now regularized vide notification mentioned against their name as they got proper NOC and relived properly from his previous department. Hence he is considered as regular employee from the date of his 1st appointment and entitled all the benefits as admissible under the rule.

S. No	Name & Designation	School	Appointment Order No	Previous Order No	Previous Department	Regularization Order	Post
01	Muhammad Awais, Chowkidar	GPS No 2 Rodi Khel	1018-1118 Dated: 12/01/2018	1st: appointment order No 2003 dated 12-08-2004 on fixed pay	Gomal Medical College (MTI) D I Khan	706-9 Dated 01-7-2008	Dissection Hall Attendant


Sd-
District Education Officer
(Male) Dera Ismail Khan

Endst No. 6983-8

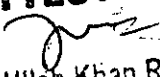
Copy forwarded to the:

1. Director E&SED Khyber Pakhtunkhwa Peshawar.
2. Deputy DEO (M) DI Khan.
3. District Comptroller of Accounts District DI Khan.
4. SDEOs (M) Paharpur.
5. Dean / Principal Gomal Medical College (MTI) D I Khan.
6. Official Concerned.

Dated DI Khan the 13/03 2019.


District Education Officer
(Male) Dera Ismail Khan

ATTESTED


Saleem Ullah Khan Ranazai
Advocate Supreme Court

Detailed Pay bill of Permanent Establishment of the SDEO (male) Paharpur

District D. J. Khan

For the month of October 2019

(5)

Admitted Rs. Pay	119831
AR 17	11983
Objective AR 18	8775
AR 19	1755
Total	142344

Head of service Chargeable

" 099102 / 104

" D1-6218

PA: 201108

Pay Rupees ()

Voucher No. 2/2019

List of Payment for

Cheque No: 20

Senior Accountant

*At the Dept of Finance
Department of District Administration
Paharpur
12/10/19*

ATTESTED

Saleem Ullah Khan Ranazai
Advocate Supreme Court

Name of Section and of Incumbant	Name Post	Pay & acting allow-ance claimed (separately) for servants present only duty	Leave Salary claimed (separately) for absentees	Compensatory allowance	Pay action allowance or leave salary held over for future payment	Fines	Net Charge for each Section	Other Funds and miscellaneous reconverged	Income Tax	Net Amount Payable	Remarks	Acquittance
Att. Secy of Pay and Allowance	Att. Secy	Due Drawn Duty	Pay	AR 17	AR 18	AR 19						
Muhammad Anwar Chohan	10-15	15464.9614.5850/-	61331/-	-	-	-	61331/-	-	-	61331/-	Att. Secy of Pay & Allowance	
1-7-2018 to 30-11-2018	10-15	15850.10000.5850/-	58500/-	-	-	-	58500/-	-	-	58500/-	Claimant was 17-1-2018 due	
1-7-2018 to 30-9-2019	10-15	15464.9614.5850/-	-	61331/-	-	-	61331/-	-	-	61331/-	to production of pay / Service	
1-12-2018 to 30-9-2019	10-20	15857.19004.5857/-	-	58501/-	-	-	58501/-	-	-	58501/-	Under the Rules.	
1-7-2018 to 30-11-2018	15M	15464.9614.5857/-	-	-	29257/-	-	29257/-	-	-	29257/-	original of pay order	
1-12-2018 to 30-9-2019	10/11	15857.10000.5857/-	-	-	58501/-	-	58501/-	-	-	58501/-	check	
1-7-2019 to 30-9-2019	13M	15857.10000.5857/-	-	-	-	17557/-	17557/-	-	-	17557/-		
	Total		119831/-	119831/-	87775/-	17557/-	142344/-	-	-	142344/-		

Certificate that the amount of pay claim in this bill has not been drawn previously by this office

SDEO (M)
Paharpur (D.K.)

Name of Section and of Incumbant	Name Post	Pay & salary allowance claimed (separately) for Government servants present only duty	Leave Salary claimed (separately) for absentees	Compensatory allowance	Pay action allowance or leave salary held over for future payment	Fines	Net Charge for each Section	G.P.Fund	Other Funds and miscellaneous reconveries	Income Tax	Net Amount Payable	Remarks	Acqu
		Pay	AR 17	AR 18	AR 19	-	7 dice	-	-	-	net		
Total		119831/-	119831/-	3775/-	1755/-	-	142344/-	-	-	-	142344/-		

Deduct-- Undisbursed pay rendered, as detailed below
 Net sum required for payment (in word and figures)

Rupees One lac, hundred forty two thousand three hundred & forty four

- Received contents also certified that I have satisfied myself that all emoluments included in bills drawn 1 month, 2 months, and previous to this date with the exception of those detailed below (of which the total has been refunded, by deduction from this bill) have been disbursed to the proper person, & that their receipts have been taken in acquittance rolls filled in my office, with receipts stamp duly cancelled for every payment in excess of Rs. 20.3 months
- Certified that no person in superior service has been absent either on deputation suspension or without leave (except on casual leave) during the month.
- Certified that all Officers whose names are omitted from but whose pay has been drawn in this bill have actually been entertained during the month.
- Certified that no leave has been granted until by reference to applicant's book and leave accounts and to the leave rules applicable to him. I had satisfied myself that it was admissible, and that all grants of leave and departure on the returns from leave and all period of suspension and deputation and other events which are required under the rules to be so recorded have been recorded in the service books and leave accounts under my initials.
- Certified that all appointments & permanent promotions & such of the acting promotions as have to be entered in the service book as per column is the Stander Form No.R.R. Or have entered in the service books of the persons concerned under my initials.

Station Saharapur

Dated 01/10/2019

SDEO
 Signature and Designation of Head of Office

Detailed pay of absentees refunded

Pay Rs. ()

Section of Establishment	Name	Period	Amount	Section of Establishment	Name	Period	Amount

Examined and Entered
 Treasury Accountant

Dated 20

Treasury Officer



**PERSONNEL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY**

Date: _____
Page No: _____

OFFICE OF THE SDO (Male) Faisalpur
FOR THE MONTH OF October 1, 2019

DDO Code (Cost Center) 226218 Description _____

Personnel Number 00201108 Employee Name Muhammad Awais Chaudhry H. Rode Kher

National ID Card Number 134/09/2019
Salary Status Start Stop

Grade (Pay Scale Group) 03 Chowk

Info Type	GENERAL DATA CHANGE		CHANGE IN PAYMENTS / DEDUCTIONS				Effective Date	Remarks			
	Field ID	New Contents	Wage Type	Amount							
				Rupess	Paiss	Adl					
				New monthly Rate							
		05801 - Basic Pay		1	58	50/-	119	83	1/-	1.10.2019	Appointed as shown in B-3. Arises of pay & Allow. claim w.e.f 17-1-2018 direct provision
		5990 AR17		1	58	57/-	119	83	1/-	"	of pay/Service under the Rules.
		5322 - AR18		1	58	57/-	87	7	57/-	"	The arrears of pay & Allowances w.e.f 17-1-2018
		5336 - AR18		1	58	57/-	17	5	57/-	"	to 30-9-2019 may please be adjusted
		Total					142	34	41/-		

Prepared By 3060

ATTESTED
Saeem Ullah Khan Ranazai
Advocate Supreme Court

Audited/Checked By _____

Entered/Verified By _____



OFFICE OF THE EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN

(16)

No. 22420 /

Dated DIKhan the 28/10 /2020

To

The Sub Divisional Education Officer,
(Male) PaharPur.

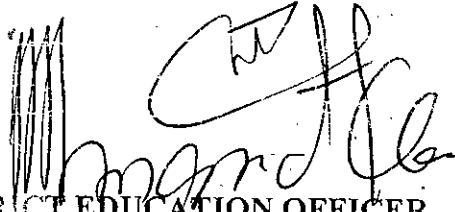
Subject: **GUIDANCE**


Memo

Reference your office letter No. 3016 dated: 25-09-2020 on the subject
cited above,

It is submitted with the remarks that sanction of pay protection issued vide
this office No.6903 dated: 13-03-2019, is already withdrawn because as per mentioned
notification of finance department bearing No. FD(SOSR-1)12-7/2014 dated:06-02-2014 that
pay protection from higher to lower grade is not admissible.

Encl: As above.


DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN.

ATTESTED

Saleem Ullah Khan Ranazai
Advocate Supreme Court

To, The Director Elementary & Secondary Education,
Government of Khyber Pakhtunkhwa,
Peshawar.

Through:- Proper Channel.

Subject: DEPARTMENTAL APPEAL / REPRESENTATION AGAINST THE ORDER DATED 28.10.2020 PASSED BY THE DISTRICT EDUCATION OFFICER VIDE WHICH THE GUIDANCE SOUGHT BY SDEO PAHARPUR ON THE APPLICATION OF APPELLANT, IT WAS RESOLVED THAT PAY PROTECTION FROM HIGHER TO LOWER GRADE IS NOT ADMISSABLE

Respectfully Stated,

The appellant prefers the instant Appeal on the grounds hereinafter submitted apropos the following facts.

BRIEF FACTS

1. That the appellant was posted as the section dissection hall attended in Gomal Medical College, MTI Dera Ismail Khan in BPS-4 and served the department for almost 14 years.
2. That in the mean time in education department different post were advertised and the appellant submitted application to the principle GMC DIKHAN for Provision of NOC, so that the appellant may apply through proper channel. Copy of application is enclosed as Annex-A.
3. That the Principal issued NOC to that effect on 22-03-2017. Copy of NOC is enclosed Annexure-B.
4. That vide order dated: 13-03-2019 the appellant was appointed as Chowkidar in BPS-3 and the appellant was then relived from the Medical College vide order dated: 17-01-2018. Copy of Office Order and LPC is enclosed Annexure-C.
5. That subsequently the service documents were also sent by the Principal to the Education Department vide letter dated: 17-10-2018. Copy of Letter is enclosed Annexure-D.
6. That vide sanction order dated: 13-03-2019 the service of the appellant were regularized under the law from the date of his first appointment and declared entitled to all the benefits as admissible under the rules. Copy of the section is enclosed herewith Annexure-E.
7. That the appellant then submitted his areal bill to the department, which was objected by the District Account Officer and then the SDEO (Male) Pahapur

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Saleem Ullah Khan Ranaza
Advocate Supreme Court

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wrote a letter Dated: 23-10-2019 and sought guidance regarding the Provision of benefits. Copy of Bills and Letter are enclosed Annexure-F.

8. That vide letter dated: 28-10-2020 the District Education Officer wrote to the SDEO (Male) Paharpur, wherein it has been stated that the pay protection sanction is already withdrawn and from higher to lower grade is not admissible anymore. Copy of letter is enclosed Annexure-I.
9. That feeling aggrieved, appellant approaches your goodself through the present appeal for redressal of his grievance on, inter-alia, the following grounds.

GROUND:


- A. That admittedly the appellant was a civil servant and served the health department for 14 years, whereafter, he obtained NOC and applied to the Education Department, where his services were regularized under the law from date of his first appointment i.e 12/08/2004, therefore he is entitled to get all the benefits attached to the civil servant.
- B. That according to his LPC of the GMC his pay is much higher than that off he is being offered by the Education Department, which is against the law and rules.
- C. That once it has been admitted by the Education Department that the service of the appellant are regularized from the date of his first appointment along with all the benefits, then how and why his pay is not fixed according to the LPC issued by GMC by the Education Department.
- D. That the appellant has been discriminated, without any justification and also against the law, therefore, the instant appeal is being filed.

Prayer:-


It is, therefore, requested that on acceptance of instant departmental appeal the service benefits, admissible under the law maybe granted to the appellant and the pay protection from higher to lower grade maybe granted with all back benefits to the appellant.

DATED: 21-11-2020

YOUR HUMBLE APPELLANT
(MUHAMMAD AWAIS)
Chowkidar Government Primary
School 2, Rodi Khail Tehseel
Paharpur District DIKhan


23/11/2020
Head Teacher
G.P.S No.2
Rodi Khel (D.I.Khan)

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Saleem Ullah Khan Ranazai
Advocate Supreme Court

Annex # 19

CERTIFICATE OF TRANSFER OF CHARGE

Certified that we have on the fore /afternoon of this day 17-01-2018 respectively made over charge, Received charge of the of the Head teacher Govt. Primary School No.2 Rodi Khel D I Khan Vide DEO (M) No: 1018-1118/ Appointment Chowkidar BPS-03 Dated 12-01-2018.

Signature of relieved: [Signature]
Government Servant: Safdar Khan
Designation: PSHT

Station: G.P.S No.2 Rodi Khel
Dated: 17-01-2018

Signature of relieving: [Signature]
Government Servant: M. Awaiz
Designation: Chowkidar

ATTESTED
[Signature]
Saleem Ullah Khan Ranazai
Advocate Supreme Court

[Signature]
Head Teacher
G.P.S. No.2
Rodi Khel, D.I.Khan
Head Teacher
G.P.S No.2 Rodi Khel, D I K

[Signature]

NO 176

Dated G.P.S Rodi Khel the 17/01/2018

Copy Forwarded to the:

1. Director, E&SE Khyber pakhtunkhwa, Peshawar
2. DAO D I Khan.
3. DEO (Male) D I Khan.
4. S,DEO (Male) Pahiarpur D I Khan.
5. Official concerned.

[Signature]
Assistant Professor
Anatomy Department
Gomal Medical College
Dera Ismail Khan

[Signature]
Head Teacher
G.P.S. No.2
Rodi Khel, D.I.Khan
Head Teacher
G.P.S No.2 Rodi Khel D I K

PMC 71-76

2/0
1/10/11



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) DERA ISMAIL KHAN**

Phone No. 0266-9280128

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OFFICE ORDER

Consequent upon recommendation/approval of the departmental selection committee, appointment of following candidates are hereby ordered against the vacant posts of Class-IV, in BPS-03 (Rs: 8040-325-17790) plus usual allowances as admissible under the existing policy of the Provincial Government, on the terms and conditions given below with effect from the date of their taking over charge in the interest of public service.

DECEASED/MEDICAL BOARD (100% QUOTA)

S.#	Name of Candidates with Father Name	Post	School Where Posted	Remarks
1	Muhammad Waqas S/O Ahmad Gul	Chowkidar	GPS No. 6 DIKhan	M/Board
2	Ishfaq Ahmad S/O Gul Zaman	Naib Qasid	GHS No. 5 DIKhan	M/Board
3	Sakhi Jan S/O Hayat Ullah	Behishti	GHS Giloti	Deceased
4	Farman Gohar S/O Khizar Hayat	Chowkidar	GPS Sewag DIKhan	M/Board
5	Farid Ullah S/O Muhammad Nawaz	Chowkidar	GPS Jhoke Muhammad Amin DIKhan	M/Board
6	Mudasar Abbas S/O Ghulam Younis	Chowkidar	GPS Gara Abdullah DIKhan	Deceased
7	Malik Qamar Uz Zaman S/O Malik Atta Ullah	Chowkidar	GPS Dhandla DIKhan	Deceased
8	Muhammad Kashif S/O Ghulam Qasim	Chowkidar	GPS No. 1 Parva DIKhan	M/Board
9	Muhammad Ramzan S/O Abdul Rehman	Cowkidar	GPS Gara Eisa Khan DIKhan	Deceased
10	Ghulam Farid S/O Ghulam Qadir	Chowkidar	GHS Gandhi Ashiq DIKhan	Deceased
11	Feroz Khan S/O Mehar Khan	Chowkidar	GHSS Kirri Shamoza DIKhan	Deceased
12	Akhtar Munir S/O Gulbaz	Sweeper	GMS Kirri Malang DIKhan	M/Board
13	Mulazim Hussain S/O Muhammad Abdullah	Sweeper	GMS Basti Rajab Ali Shah DIKhan	M/Board
14	Ameer Zaman S/O Muhammad Jan	Chowkidar	GHS Katta Khel DIKhan	M/Board
15	Muhammad Hussain S/O Muhammad Jan	Chowkidar	GPS Rasool Abad	M/Board
16	Muhammad Khalid S/O Aurangzeb	Chowkidar	GPS Lundi Kacha DIKhan	M/Board

MINORITY QUOTA

S.#	Name of Candidates with Father Name	Post	School Where Posted	Remarks
1	Imran Masceh S/O Muzaffar Masceh	Sweeper	Office of the DEO(M) DIKhan	Minority Quota

DISABLE QUOTA

S.#	Name of Candidates with Father Name	Post	School Where Posted	Remarks
1	Muhammad Iqbal S/O Karam-Elahi	Bahishti	GMS Wanda Dhawa DIK	Disable Quota

EMPLOYEE SON (25% QUOTA)

S.#	Name of Candidates with Father Name	Post	School Where Posted	Remarks
1	Tanvir Nawaz S/O Allah Nawaz	Chowkidar	GPS No. 7 DIK	Employee Son 25% Quota
2	Muhammad Mosam S/O Khuda Bakhsh	Chowkidar	GHSS Awan DIK	-Do-
3	Mazhar Ali S/O Ghulam Hussain	Chowkidar	GHS Band Kurai DIK	-Do-
4	Faiz Ur Rehman S/O Mehrban	Chowkidar	GPS Dolatpur Mund DIK	-Do-
5	Muhammad Farooq S/O Muhammad Amin	Chowkidar	GPS Sheru Nau	-Do-
6	Muhammad Bilal S/O Ghulam Abbass	Chowkidar	GPS Miithi DIK	-Do-

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Saleem Ullah Khan Ranazai
Advocate Supreme Court

Page No: 03

Page 1 of 3

District Education Officer
(M) Dera Ismail Khan

L.No = 57

MC 71-76

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8	Muhammad Ismail S/O Ghulam Sadiq	Sweeper	GMS Roda DIK	-Do-
9	Farhan Khan S/O Rab Nawaz	Chowkidar	GHSS Hathala DIK	-Do-
10	Muhammad Adnan S/O Muhammad Arif	Chowkidar	GPS No. 1 Chodwan DIK	-Do-
11	Muhammad Khalid S/O Khurshid	Naib Qasid	GHSS Kirri Shamoza DIK	-Do-
12	Aman Ullah S/O Ahmad Khan	Chowkidar	GPS Ghazanpur DIK	-Do-
13	Abdul Manan S/O Naik Khan	L/Attd:	GHS Bahadari DIK	-Do-
14	Qaiser Iqbal S/O Ghulam Hassan	Chowkidar	GHS Bahadari DI K	-Do-
15	Muhayud Din S/O Afzal Din	Chowkidar	GPS Budhkhel DI K	-Do-
16	Ali Muhammad S/O Rustam Khan	Chowkidar	GPS Mala Khe DIK	-Do-
17	Qalab Abbass S/O Ghulam Shabir	Chowkidar	GPS Jhoke Machian	-Do-
18	Sher Akbar S/O Ghulam Akbar	Chowkidar	GHS Giloti DIK	-Do-
19	Nazir Khan S/O Taj Muhammad	Sweeper	GHS Musazai Shareef	-Do-

OPEN MERIT

S.#	Name of Candidates wit Father Name	Post	School Where Posted	Remarks
1.	Hassan Shehzad s/o Zaffar Iqbal	Chowkidar	GPS No. 4 DIKhan	O.M/25%
2.	Waris Khan s/o Niaz Khan	Chowkidar	GPS Wazir Abad	O.M/25%
3.	Abdus Salam s/o Bakht Khan	Chowkidar	GPS Boring Mahmood Abbas	O.M/25%
4.	Ahsan Ali s/o Muhammad Aslam	Naib Qasid	GMS No. 2 DIKhan	O.M
5.	Aftab Ahmad s/o Altaf Hussain	Chowkidar	GPS Dhap Shumali, D.I.Khan	O.M/25%
6.	Muhammad Younis s/o Muhammad Yousaf	Chowkidar	GHS Budh, D.I.Khan	O.M
7.	Sajjid Mehmood s/o Muhammad Sadiq	Lab: Attd:	GHS Budh, D.I.Khan	O.M
8.	Faiz Ullah s/o Ghulam Siddique	Naib Qasid	GMS Gara Ahmad, DIKhan	O.M
9.	Muhammad Ayub s/o Ghulam Siddique	Sweeper	GMS Gara Ahmad, DIKhan	O.M
10.	Muhammad Javed s/o Punan	Chowkidar	GPS Wanda Khaji, DIKhan	O.M
11.	Muhammad Imran s/o Ahmad Bakhsh	Lab: Attd	GHSS Awan DIKhan	O.M
12.	Rahmat Ullah s/o Habib	Naib Qasid	GHSS Awan DIKhan	O.M
13.	Muhammad Saeed s/o Muhammad Hassan Shah	Chowkidar	GPS Abba Shahced	O.M/25%
14.	Sahib Jan s/o Mir Zaman	Chowkidar	GPS Gara Dad	O.M
15.	Muhammad Sher Afgan s/o Malik Gul Sher	Chowkidar	GPS kot Seghar	O.M
16.	Muhammad Afzal s/o Baga Khan	Sweeper	GMS Chah Hussain	O.M
17.	Muhammad Arshad s/o Atta Ullah	Chowkidar	GPS Jhoke Muhammad Ramzan	O.M
18.	Rehmat Ullah s/o Muhammad Sadiq	Chowkidar	GPS Kundi Abad	O.M
19.	Karam Hussain s/o Fida Hussain	Chowkidar	GPS Bhuteser Sherqi	O.M
20.	Zia Ullah s/o Imam Bakhsh	Chowkidar	GPS Rangpur Paroa D.I.Khan	O.M
21.	Ramzan s/o Sona Khan	Chowkidar	GHS Nawab	O.M
22.	Muhammad Akram s/o Ghulam Sarwar	Lab: Attd	GHS Nawab	O.M
23.	Abdur Rasheed s/o Bashir Ahmad	Chowkidar	GPS Jhoke Sikandar	O.M
24.	Ouon Muhammad s/o Haider Bakhsh	Chowkidar	GPS Ruknow	O.M
25.	Asmat Ullah s/o Painda Khan	Sweeper	GMS Khana Sharif	O.M
26.	Hanif s/o Muhammad Aslam	Chowkidar	GPS Mochiwal	O.M
27.	Muhammad Irfan s/o Ahmad Bakhsh	Chowkidar	GPS Saggu Janubi Draban	O.M/25%
28.	Hameed Ullah s/o Ghazi Khan	Chowkidar	GPS Basli Balochan	O.M
29.	Altaf Khan s/o Muhammad Ashraf	Chowkidar	GPS Gara Ghulam Saddique	O.M
30.	Inam Ullah s/o Saad Ullah Khan	Naib Qasid	GMS Choudwan	O.M/25%
31.	Saif Ullah s/o Sana Ullah	Lab: Attd	GHS Gandi Ashiq	O.M
32.	Muhammad Ayaz s/o Ghulam Hashim	Chowkidar	GMS Kot Daulat	O.M
33.	Muhammad Ramzan s/o Shahbaz	Naib Qasid	GMS Kot Daulat	O.M
34.	Inam Ullah s/o Kifayat Ullah	Lab: Attd	GHSS Kiri Shamoza	O.M
35.	Said Ghulam s/o Ahmad Nawaz	Lab: Attd	GHSS Hathala	O.M
36.	Shah Behram s/o Qadir Bakhsh	Naib Qasid	GHSS Hathala	O.M
37.	Muhammad Imran s/o Ghulam Yasin	Chowkidar	GPS Panjan Shah	O.M
38.	Muhammad Khalid s/o Abdul Majeed	Chowkidar	GPS Gara Ibrahim	O.M

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Saleem Ullah Khan Ranaza
Advocate Supreme Court

39.	Muhammad Naseem s/o Muhammad Nawaz	Chowkidar	GPS Haroon Abad NO.1	O.M
40.	Fanvir s/o Sona Khan	Sweeper	GHS No.1 Kulachi	O.M/25%
41.	Abdul Majeed s/o Abdul Hameed	Chowkidar	GPS Haroon Abad NO.2	O.M
42.	Abdur Rahman s/o Shafi Ullah	Naib Qasid	GHSS Chaudhwan	O.M
43.	Muhammad Taj s/o Sher Abbass	Chowkidar	GPS Jhoke Malkani	O.M
44.	Syed Muhammad Naqi s/o Ghulam Abbass	Chowkidar	GPS Mitha Pur kalan	O.M
45.	Muhammad Abdullah s/o Haji Malik Umar	Chowkidar	GPS No. 1 Kot Jai	O.M
46.	Bilal Shah s/o Muhammad Iqbal Shah	Chowkidar	GPS Imam Shah Koroona	O.M
47.	Rahmat Ali s/o Ghulam Hussain	Lab: Attd	GHS Wanda Dost Ali	O.M
48.	Muhammad Yamin s/o Muhammad Amin	Chowkidar	GHS Wanda Dost Ali	O.M
49.	Parvez Khan s/o Ahmad Hassan Khan	Chowkidar	GPS Kuch Wala	O.M
50.	Abdul Majeed s/o Muhammad Atlas Khan	Chowkidar	GPS Khano khel	O.M
51.	Azmat Ullah s/o Naimat Ullah	Lab: Attd	GHS Wanda Madat	O.M
52.	Altaf Khan s/o Raza Muhammad	Chowkidar	GPS Bhani wala	O.M
53.	Muhammad Asif s/o Muhammad Ashiq	Chowkidar	GHSS No. 1 Paharpur	O.M
54.	Muhammad Noman Khan s/o Taj Muhammad	Naib Qasid	GHSS No.1 Paharpur	O.M
55.	Faiz Ullah s/o Haji Roz Din	Chowkidar	GPS Begam Boring	O.M
56.	Sana Ullah s/o Ghulam Jilani	Chowkidar	GHSS Kirri Khesor	O.M
57.	Muhammad Awais S/O Piaro	Chowkidar	GPS Rodi Khel DIKhan	O.M

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TERMS AND CONDITIONS.

1. This service will be considered as regular in terms of Section-19 of the NWFP Civil Servant Act, 1973 amended in 2013 issued vide Govt of KPK Finance Department(Regulation Wing) No SOR-III FD/12-I/2005 dated 27/02/2013. The will be governed by such rule and regulation as may be presented by the Govt. from time to time for the category to which they belong.
2. Their appointment is made purely temporarily and liable to terminate at any time with out assigning any reasons.
3. One month pay will be forfeited to Govt. in case of resignation without prior notice. The period of giving notice is one month before the date of resignation.
4. Their pay may not be drawn till the verification of Certificate/Degrees from the concerned Board/University.
5. They are required to join the post within 15-days failing which the appointment order will be cancelled automatically.
6. The appointment is made subject to the condition that the candidate is permanent domicile of District DIKhan.
7. They are required to produce Health & Age Certificate from the Medical Suptd. DIKhan.
8. Charge Reports should be submitted to all concerned.
9. Their appointment will be treated as cancelled if the said quota has already been availed by any son, daughter or widow after deceased.
10. No TA/DA is allowed.

Sd/-
District Education Officer
(Male) Dera Ismail Khan

Dated: 12/01/2018

Endst No. 1018-1118/DEO(M)

Copy forwarded for information and necessary action to the:

1. Director E&SE KPK Peshawar.
2. District Controller of Accounts DIKhan.
3. Principal/Headmaster/SDEO(M) Concerned.
4. Candidate Concerned.
5. Master File.

District Education Officer
(Male) Dera Ismail Khan

ATTESTED

Saleem Ullah Khan Ranazal
Advocate Supreme Court

GOHAR UR REHMAN

Advocate
bc-14-4647
Date of issue: October 2020
Valid upto: October 2023



Secretary
KP Bar Council

وکالت نامہ

23

ایب روپیہ

کورٹ
فیس

حساب سروس ٹریبونل حیدرآباد

مخارج
گواہیں
دعوی یا جرم

تفصیل دعوی یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات کے پیش یا تفسیر مقدمہ بنام

Dr. M. A. H. کوہستان ایب روپیہ کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بذریعہ رو برد عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا چھپے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر مقام پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا چھپے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واجب کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعوی یا جواب دعوی یا درخواست اجراء اسمائے ذمہ نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ثانی یا راضی نامہ و فیصلہ برحلف کرنے اقبال دعوی کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مرکوز بیرون از پکھری صدر بیرونی مقدمہ مرکوز نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا مستوفی ذمہ کی طرف یا درخواست حکم اتنا ہی یا قرتی یا گرفتاری قبل از فیصلہ اجراء ذمہ کی بھی صاحب موصوف کو بشرط ادائیگی طبعہ مختام بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو گا کہ مقدمہ مرکوزہ یا اس کے کسی جزوی کارروائی یا بصورت درخواست نظر ثانی اپیل نگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 1-3-2021ء مارچ

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

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M. Anwar

(24)

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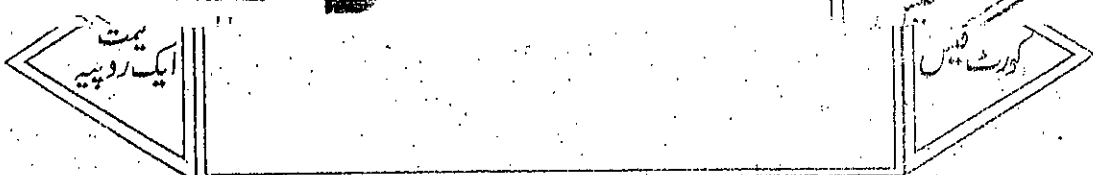
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Date of Issue : 19-4-2016

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بندالت جناب **جناب سرور سید نعل خیر خواہ بساوی**

مخانیب **محمد اولیں**
بنام **گورنمنٹ خیر خواہ دوسرہ**

دعویٰ یا جرم
تفصیل دعویٰ یا جرم

ریسیل
باعث تخریر آنکہ

مقدمہ مشد بہ بالا معنوالہ میں اپنی طرف سے واسطے پیری دی وجوہاً یہ بھی برائے پیشی یا تصفیہ مقدمہ بمقام **سید اللہ سید اولیں خیر خواہ بساوی** کیلئے

کو حسب ذیل شرائط پر ایک ہنگامہ کیا ہے کہ میں ہر پیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ پیری غیر حاضر کی وجہ سے کسی طور پر ہیرے بر خلاف ہو گیا۔ تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف مقدمہ مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیری کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف مقدمہ مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیری کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی مداخلت کے ادا کرنے یا ضمانت واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخل صاحب موصوف مثل کردہ ذات خود دستکورد قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ درخواست اجراء کے ذمہ و نظر خالی اپنی اور ہر قسم درخواست پر دخل و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ذمہ داری کو پوری طور سے قبول کرنے اور ذمہ داری کرنے اور ہر قسم کے بیان دینے اور اس پر پابندی یا رضی تادمہ و فیصلہ بر حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ پیری اور پکھری صدر پیری مقدمہ مذکورہ نظر خالی وکیل و گمرانی و دیگر آدمی مقدمہ یا منوشی ذمہ داری یا درخواست تم امتحانی یا ترقی یا کارگاری عمل از فیصلہ اجراء کے ذمہ بھی صاحب موصوف کو بشرط ادا منگی طبعہ عدالت پیری کا اختیار ہوگا اور تمام ساختہ پر داخل صاحب موصوف مثل کردہ ذات خود دستکورد قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو کی کارروائی یا بصورت درخواست نظر خالی اپنی یا گمرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا ہیرے کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے شیر تاقوں کو کسی ہیرے میں وہی اور دینے یا تبادلات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جائزہ التواء پڑے گا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیری نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی نہ صاحب موصوف کے برخلاف نہیں ہوگا۔

درود 2021-3-1 مارچ 201

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accepted
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محمد اولیں

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