

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Re: C.M No. _____ /2022
In Appeal No. 1606 /2022

Zaheer Ahmad S/o Muhammad Nazir
Revenue Patwari.
Halqa, PH Battal, District Mansehra

..... *Petitioner*

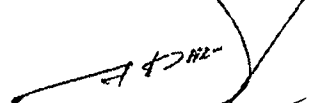
Versus

1. **Assistant Director, Land Record, KPK, Peshawar.**
2. **Director Land Record, KPK, Peshawar.**
3. **Settlement Officer, Mansehra.**
4. **Senior Member of Revenue, KPK, Peshawar**

..... *Respondents*

Application, *inter alia*, under Order 1 Rule 10 of Code of Civil Procedure, 1908 along with all enabling laws for Impleadment of Mr. Amir Khan S/o Bara Khan, R/o Post Office Baffa Mera, Lughmani, Tehsil and District Mansehra, in the Panel of Respondents.

INDEX		
S. No.	Description	Pages
1.	Application	1-3
2.	Affidavit	4
3.	Wakalatnama	5


Hakeem Khan
Advocate-High Court
12, K-3, Phase-III, Hayatabad, Peshawar
Phone 091-5817132, Mobile: 03139500035
Email: hakeem.khan.adv@gmail.com
www.isanclaw.org

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Re: C.M No. _____/2022
In Appeal No. 1606/2022

1. **Zaheer Ahmad S/o Muhammad Nazir**
Revenue Patwari.
Halqa, PH Battal, District Mansehra

..... *Petitioner*

Versus

1. **Assistant Director, Land Record, KPK, Peshawar.**
2. **Director Land Record, KPK, Peshawar.**
3. **Settlement Officer, Mansehra.**
4. **Senior Member of Revenue, KPK, Peshawar**

..... *Respondents*

Application, *inter alia*, under Order 1 Rule 10 of Code of Civil Procedure, 1908 along with all enabling laws for Impleadment of Mr. Amir Khan S/o Bara Khan, R/o Post Office Baffa Mera, Lughmani, Tehsil and District Mansehra, in the Panel of Respondents.

Respectfully Sheweth,

The Applicant humbly submits as under:

1. That Appellant has filed the titled appeal before this honorable Tribunal on 10.11.2022 for setting aside Office Order No. 4171-98-SO(M) dated 28.10.2022 (placed at serial No. 11) and office Order No. I-R-V/SO/Mansehra/3400-3403 dated 07.11.2022, wherein hearing is fixed for today i.e. 24.11.2022.

2. That Applicant Muhammad Amir is settlement Patwari, who was posted at Mouza Nasardi and now has been transferred to Mouza Battal *vide* aforesaid Office Order dated 28.10.2022 (placed at serial No.10) for completion of settlement Work of Chinarkot, whereas, Appellant (Revenue Patwari) was posted at Mouza Battal has now been transferred to Mouza Jallu through the same Order dated 28.10.2022 (placed at serial No. 11).

3. That Appellant in the tilted appeal has challenged the aforesaid Order dated 28.10.2022 by misrepresenting the actual facts and has tried to mislead this Honourable Tribunal, which will also affect Applicant transfer if Appellant appeal succeeded, while the Applicant has not been arrayed as party.

4. That Applicant cannot be left unheard or remediless in a matter directly affecting his rights pertaining to the aforesaid Order, thus, the appeal in hand, without impleading the Applicant would become a farce.

5. That Applicant is necessary and proper party in view of Order 1 Rule 10 of CPC, however, the Applicant has deliberately not been impleaded as party, thus, proceedings with the matter at the back of the Applicant would result in grave miscarriage of justice.

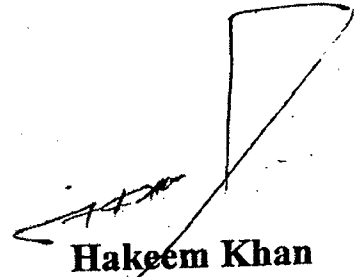
6. That, due to the non-inclusion of the Applicant, this Honourable Tribunal will not arrive at a just and fair conclusion because the Appellant may present a factually incorrect and wrongful picture before this Honourable Tribunal.

3

Prayer: Considering the above submissions, it is therefore, humbly prayed that on acceptance of this Application, Applicant namely: ^{Amir Khan} R/o Post Office Baffa Mera, Lughmani, Tehsil and District Mansehra may please be impleaded in the panel of Respondents as necessary and proper party and to allow them to file his para wise comments/reply for a fair and just decision of the case on merits.

Or any other relief deems appropriate in the circumstances may please also be granted to the Applicant.

Applicant
through



Hakeem Khan
Advocate High Court
12, K-3, Phase-III, Hayatabad, Peshawar
Phone 091-5817132, Mobile: 03139500035
Email: hakeem.khan.adv@gmail.com
www.isaclaw.org

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

In Re: C.M No. _____ /2022
In Appeal No. 1606 /2022

Zaheer Ahmad S/o Muhammad Nazir
Revenue Patwari.
Halqa, PH Battal, District Mansehra

..... *Petitioner*

Versus

1. Assistant Director, Land Record, KPK, Peshawar.
2. Director Land Record, KPK, Peshawar.
3. Settlement Officer, Mansehra.
4. Senior Member of Revenue, KPK, Peshawar

..... *Respondents*

Affidavit

I, Amir Khan s/o Bara Khan, Applicant, do hereby solemnly affirm and declare on oath that contents of this Application are true and correct to the best of knowledge and belief and nothing has been concealed intentionally from this Honourable Court.

Deponent

(5)

Wakalatnama
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Re: C.M No. _____ /2022
In Appeal No. 1606 /2022

Zaheer Ahmad S/o Muhammad Nazir
Revenue Patwari.
Halqa, PH.Battal, District Mansehra

..... *Petitioner*

Versus

Assistant Director, Land Record, KPK, Peshawar and Others


..... *Respondents*

By this, power-of-attorney I/we, the said Mr. Amir Khan S/o Bara Khan, R/o Post Office Baffa Mera, Lughmani, Tehsil and District Mansehra, Applicant, undersigned, do hereby nominate and appoint Mr. Hakeem Khan, AHC to be counsel/s in the above matter for me/us and on my/our behalf as agree to appear plead act and answer in the above Court/Authority/Tribunal or any appellate court or any other court to which the business in transferred in the above matter as and is agreed to sign the file Petitions, Appeals, Statement, Accounts, Exhibits, Compromises or other documents whatsoever, in connection with the said matter or any matter arising therefore and also to apply for receive all documents or copies of documents, depositions etc. and to apply for and issue summons and other writes or sub poena and to apply for and get issued any arrest attachments or other execution, warrants or order and to conduct any proceedings that may arise there out; and reply for and receive payment of any or all sums or submit for the above matter arbitration, and to employ and other legal practitioner, authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so, any other lawyer may be appointed by may said counsel to conduct the case who shall have the same persons.

And to do all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may by proper and expedient.

And I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of these powers or as is the usual practice in such matters.

Provide always, that I/we under that at the time of calling case by the court if the case may be dismissed in default, if it be proceeded *ex-parte* the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right IN WITNESS WHEREOF I/WE has hereto signed at Peshawar ___ day of November in the year 2022.


Signature
(Executant / Executants)

Accepted subject to the terms regarding fee.

Hakeem Khan
Advocate High Court
12, K-3, Phase-III, Hayatabad, Peshawar
Phone 091-5817132, Mobile: 03139500035
Email: hakeem.khan.adv@gmail.com
www.isanclaw.org