

Execution Petition 188/2021

, Jawad Ahmad vs Govt

6th July, 2022

Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Zain Khan, Asst: Director and Mr. Aizaz Ul Hassan, Supdt for respondents present.

Representative of the respondents produced copy of notification of promotion of the petitioner from Junior Clerk (BS-11) to the post of Senior Clerk (BS-14) on acting charge basis to which the petitioner and his counsel objected that it was not the compliance of the judgment in letter and spirit. The Assistant Director (Litigation) present in the court submits that there were eight (8) vacancies of the Senior Clerks to be filled in on promotion basis but those were not so clear vacancies because those had fallen vacant on promotion of eight (8) Senior Clerks as Assistants who were still on probation and seniority of one of them (Ayub Rehman) had been challenged alongwith the seniority of one Muhammad Asif, Senior Clerk and until the seniority issue was settled atleast to the extent of Ayub Rehman, Assistant, the petitioner could not be promoted. When confronted with the situation, the petitioner submitted that he had no grievance with one Muhammad Asif, Assistant, the seniority of which was also challenged by him and as such had no objection on their regularization/confirmation as Assistants so that vacancy of Senior Clerks could be cleared for his promotion. In this respect he made submission in writing. In view of the above the hurdle in the way of promotion of the petitioner does not remain anymore and the Asst: Director assured that after confirmation of the eight (8) Assistants, the petitioner promotion will be regularized as Senior Clerk. The exercise may be done within 45 days. Compliance report shall be submitted under intimation to this Tribunal through its Registrar. The instant execution petition is disposed off in the above terms. Consign.



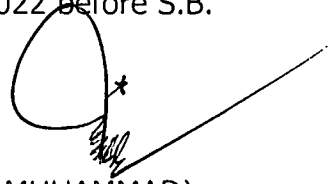
Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 6th day of July, 2022.

(Kalim Arshad Khan)
Chairman

23.05.2022

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

On previous date the case was adjourned on the strength of Reader note, therefore, notices be issued to the parties. Adjourned. To come up for further proceedings on 06.07.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER (E)

[Faint handwritten notes in Urdu, including the word 'مستند' (Mastand) and other illegible text]

13.01.2022

Petitioner present in person.


Muhammad Adeel Butt, learned Additional Advocate General alongwith Izat Khan Assistant for respondents present.

Learned AAG informed the Tribunal that DPC Meeting has already been held and that minutes of DPC Meeting would be submitted in a week time. Last chance is given. To come up for production of minutes of DPC Meeting and further proceedings on 01.03.2022 before S.B.


(Rozina Rehman)
Member (J)

1-3-2022

Due to retirement of the Honble Chairman the case is adjourned to come up for the same as before on 23⁵/₂₀₂₂


Leader

08.12.2021

Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Awias Bashir, Supdt for respondents present.




Learned AAG seeks time to submit proper implementation report on the next date. Adjourned. To come up for implementation report on 13.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 188 /2021

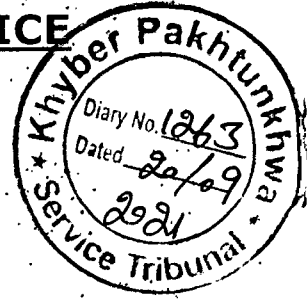
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.09.2021	<p>The execution petition of Mr. Javed Ahmad submitted today by Mr. Ali Azim Afridi Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This execution petition be put up before S. Bench at Peshawar on <u>22/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	22.10.2021	<p>Learned counsel for the petitioner present.</p> <p>Notices be issued to the respondents for submission of implementation report on the next date of hearing. To come up for implementation report before the S.B on <u>09.12.2021</u>.</p> <p style="text-align: right;"> (SALAH-UD-DIN) MEMBER (J)</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL**

Execution Petition No. 188 /2021

In Re:

Service Appeal No. 347/2019



Jawad Ahmad Presently Serving as Junior Clerk (BPS-12)
Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar

....Petitioner

VERSUS

1. Director General Local Government & Rural Development
Department Khyber Pakhtunkhwa, Peshawar
2. Director Local Government & Rural Development, Merged Areas
Secretariat, Warsak Road, Peshawar

....Respondent

**APPLICATION FOR EXECUTION OF THE JUDGMENT DATED
11.08.2021**

Respectfully Sheweth,

1. That the titled service appeal No. 347 of 2019 was preferred before the Hon'ble Tribunal which after passing through the course of hearing was ultimately decided on 11.08.2021 in favour of the present petitioner. **(Copy of the Judgment dated 11.08.2021 is annexed as Annexure "A")**.

2. That the Hon'ble Tribunal vide its judgment had issued certain directions, in the similar terms, *"The afore-named representative states that Eight posts of Senior Clerks are lying vacant and are due for appointment through promotion; the appellant will also be promoted against one of the aforesaid Eight vacant posts under due course; keeping in view the said statement of the representative of respondents made at the bar, we are inclined to dispose of this appeal"*.
3. In **Zahooruddin Sheikh's Case**¹, "it was held that "Once a judgment is issued in favour of a civil servant, his terms and conditions as infringed by an order of the authority in question stands addressed to the extent as ordained in the judgment concerned. There is, therefore, no denying the fact that of the judgment is not implemented and leave to appeal is either not filed or declined, there is no escape route for the Department but to implement the judgment in letter and spirit", which appears to be otherwise in the case at hand.
4. That the respondent No. 1 being the competent authority is duty bound to implement the judgment of the Hon'ble Tribunal in its letter and spirit but the same is done away with; leaving the present petitioner nowhere but high and dry and that too aloof.
5. That the Hon'ble Tribunal is empowered by virtue of Sub-Section 2(d) of Section 7 of the KP Services Tribunal Act 1974 read with rule 27 of the KP Services Tribunal Rules, 1974; so as to execute its judgment dated 10.12.2018

¹ 2007 PLC (C.S) 959

passed in favour of the present petitioner and as such against the respondents.

6. In **Ahmed Nawaz Khan's Case**² It was held that, "The proceedings on application for execution or implementation of the Tribunal's orders are undoubtedly one of the steps in the proceedings of the main appeal. Therefore what follows is that the Tribunal has got the same powers as are vested in the Civil Court under the Code of Civil Procedure, not only for the purpose of deciding an appeal but also for consequential purpose of deciding the petition for implementation of its order; which exercise is of essence and that too in a jiffy.

It is therefore humbly prayed that the respondent may graciously be proceeded against for non-compliance of the judgment dated 11.08.2021.

Any such order be passed which the Hon'ble Tribunal deems fit and appropriate during the course of proceedings; for securing the ends of justice.

Jawal Ahmed
Petitioner

Through

Ali Azim Afridi
 Ali Azim Afridi
 Advocate, Peshawar

Contact # 0333-9555000

² 1989 PLC (C.S) 398; 2017 PLC (C.S) 1102

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....Petitioner

VERSUS

Director General Local Government & Rural Development
Department Khyber Pakhtunkhwa, Peshawar & another

....Respondent

AFFIDAVIT

I **Jawad Ahmad Presently Serving as Junior Clerk (BPS-12) Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar**, do hereby solemnly affirm that the contents of the execution petition are true and correct to the best of my knowledge, belief, ability and nothing has been concealed therein from the Hon'ble Tribunal.

Jawad Ahmad
DEPONENT
ATTESTED 20 SEP 2021
Oath
Commissioner
Advocate High Court Peshawar

5

BEFORE THE SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No. 347/2019

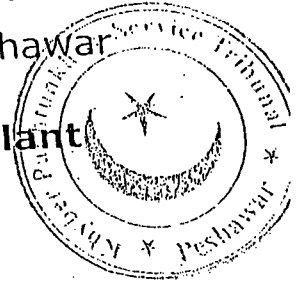
Khyber Pakhtunkhwa
Service Tribunal

Diary No. 291

Dated 28/2/2019

Jawad Ahmad Presently Serving as Junior Clerk (BPS-12)
Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar

.....Appellant



Versus

1. Mr. Muhammad Asif Presently Serving as Senior Clerk (BPS-14), Directorate of Local Government & Rural Development, Merged Areas Secretariat, Peshawar
2. Director General Local Government & Rural Development Department Khyber Pakhtunkhwa, Peshawar
3. Director Local Government & Rural Development, Merged Areas Secretariat, Warsak Road, Peshawar
4. Deputy Commissioner, Dera Ismail Khan, Khyber Pakhtunkhwa

.....Respondent(s)

Filed to-day
Registrar
28/2/19

**APPEAL UNDER SECTION 4 OF THE KP
SERVICE TRIBUNAL ACT, 1974**

Respectfully Sheweth,

1. That The Constitution of Islamic Republic of Pakistan aims at protecting civil servants in order to ensure smooth running of affairs of the Government and Institutions so as to benefit the public citizenry.
2. The Constitution of Islamic Republic of Pakistan equally beshields civil servants from being treated otherwise than in accordance with law.

Re-submitted to-day
and filed.
Registrar
28/2/19

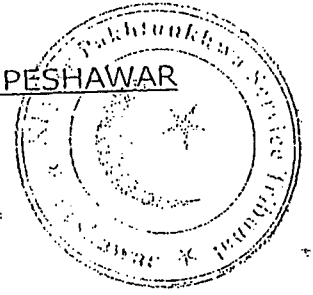
ATTESTED

[Signature]
Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

ATTESTED

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR



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Date of Institution: 28.02.2019
Date of Decision: 11.08.2021

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Versus

Mr. Muhammad Asif Presently Serving as Senior Clerk (BPS-14), Directorate of Local Government & Rural Development, Merged Areas Secretariat, Peshawar and four others.

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN: Ali Azeem Afridi Advocate and Hafeez Ullah Afridi Advocate learned counsel for appellant present.

02. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Zain Khan Assistant Director for official respondents No.2 to 4 present. Malik Hidayt Ullah Malana Advocate learned counsel for private respondent No.1 present.

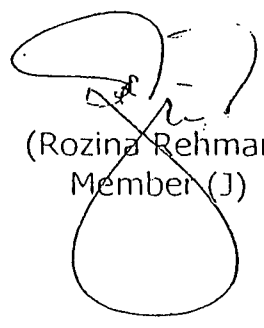
03. Representative of official respondents has furnished the copy of seniority list of Junior Clerk in LG&RDD FATA, wherein, the name of appellant appears at Serial No.18 and that of respondent No.1 at Serial No.17. Latter has already been promoted to the post of Senior Clerk. The afore-named representative states that Eight posts of Senior Clerks are lying vacant and are due for appointment through promotion. The appellant will also be promoted against one of the aforesaid Eight vacant posts under due course. Keeping in view the said statement of the representative of respondents made at the bar, we are inclined to dispose of this appeal. This order shall not be hurdle for the appellant if he is advised to seek relief in terms of seniority after his promotion.

ATTESTED

ATTESTED

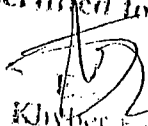
made out. Parties are left to bear their own costs. File be consigned to the record room.

Announced:
11.08.2021


(Rozina Rehman)
Member (J)


(Ahmad Sultan Tareen)
Chairman

Date of Presentation of Application 16-8-21
Number of Words 1200
Copying Fee 14.00
Urgent 4.00
Total 18.00
Name of Copyist _____
Date of Completion of Copy 16-8-21
Date of Delivery of Copy 16-8-21

Certified to be true copy

LINER
Khyber Pakhtunkhwa
Service Tribunal,
Feshawar


ATTESTER

BL. 166960

Ali Azim Afridi

0333 9555000

8

VAKALATNAMA

BEFORE THE SERVICE Tribunal KP Peshawar

Jawad Ahmad Plaintiff(s)/Appellant(s)
Applicant(s)/Petitioner(s)

VERSUS

DG Local Government Defendant(s)/Respondent(s)
Accused

FOR Jawad Ahmad
etc

I/We, hereby appoint **Mr. Ali Azim Afridi, Hafeez Ullah Afridi**
(Advocate High Court)

1. To appear, act and plead for me/us in the titled case before the Court/Tribunal in which the same maybe tried or heard, and any other proceedings arising therefrom or ancillary therewith and its stages that I personally could do if this instrument had not been executed.
 2. That fee paid, or agreed to the said Counsel is for this Court alone and no part of the fee is refundable. The Counsel shall be entitled to retain costs payable by the opposite side.
 3. I, we, will make arrangement for attending the Court on every hearing to inform my/our Counsel when the case is called. The Counsel shall in no way be responsible for any loss caused to me/us through my/our failure to inform him.
- AND** hereby agree:-
4. **That** the Counsel shall be entitled to withdraw from the prosecution of the titled case if the whole or any part of the agreed fee remains unpaid.
 5. I/We have read the above terms and conditions and the same have been explained to me/us; and I/We have accepted them in WITNESS WHEREOF; I/We have set my/our hand this ___ day of _____ 20

ACCEPTED

Accepted by. [Signature]
Signature of Counsel

Jawad Ahmad
Signature of Client

Hafeez Ullah Afridi

Email: - alee_1@live.com
Contact # 0333-9555000

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL**

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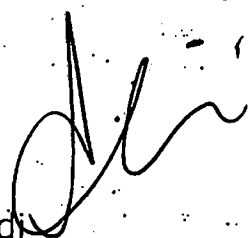
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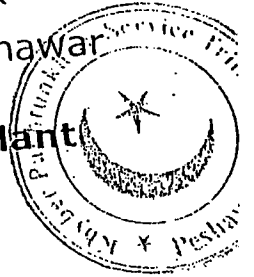
Khyber Pakhtunkhwa
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.....Respondent(s)

Filed to-day

Registrar

28/2/19

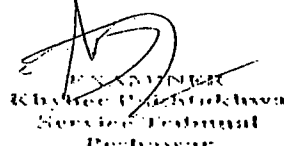
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Registrar
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ATTESTED


Registrar
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Service Tribunal
Peshawar

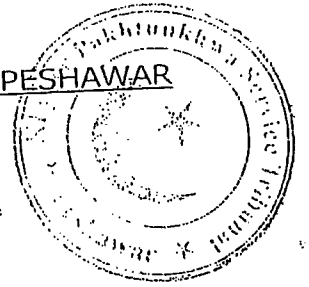

ATTESTED

(6)

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Date of Institution: 28.02.2019
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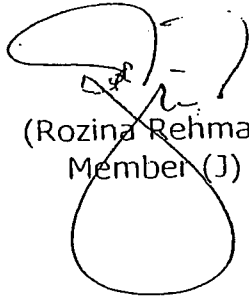
AHMAD SULTAN TAREEN
Chairman
Khyber Pakhtunkhwa Service Tribunal
Peshawar


ATTESTED

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the record room.


Announced:
11.08.2021


(Rozina Rehman)
Member (J)


(Ahmad Sultan Tareen)
Chairman

Date of Presentation of Application 16-8-21
 Number of Words 1200
 Copying Fee 14.00
 Urgent 4.00
 Total 18.00
 Name of Applicant _____
 Date of Completion of Copy 16-8-21
 Date of Delivery of Copy 16-8-21

Certified to be true copy


ATTESTER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


ATTESTER

BL. 100900

(8)

Ali Azim Afridi
0333 9555000

VAKALATNAMA

BEFORE THE SERVICE Tribunal KP Peshawar

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Applicant(s)/Petitioner(s)

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DG Local Govt Defendant(s)/Respondent(s)
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ACCEPTED

Signature of Counsel

Signature of Client

Accepted by.

Hafeez Ullah Afridi

Email: - alee_1@live.com
Contact # 0333-9555000

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TRIBUNAL

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....Petitioner

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Department Khyber Pakhtunkhwa, Peshawar
2. Director Local Government & Rural Development, Merged Areas
Secretariat, Warsak Road, Peshawar

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Contact # 0333-9555000

² 1989 PLC (C.S) 398; 2017 PLC (C.S) 1102

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL**

Execution Petition No. /2021

In Re:

Service Appeal No. 347/2019

Jawad Ahmad Presently Serving as Junior Clerk (BPS-12)
Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar

....Petitioner

VERSUS

Director General Local Government & Rural Development
Department Khyber Pakhtunkhwa, Peshawar & another

....Respondent

AFFIDAVIT

I Jawad Ahmad Presently Serving as Junior Clerk (BPS-12) Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm that the contents of the execution petition are true and correct to the best of my knowledge, belief, ability and nothing has been concealed therein from the Hon'ble Tribunal.

DEPONENT

5

BEFORE THE SERVICE TRIBUNAL KP, PESHAWAR

Service Appeal No. 347/2019

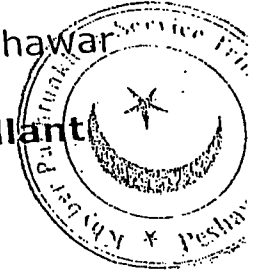
Khyber Pakhtunkhwa
Service Tribunal

Diary No. 291

Dated 28/2/20

Jawad Ahmad Presently Serving as Junior Clerk (BPS-12)
Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar

.....Appellant



Versus

1. Mr. Muhammad Asif Presently Serving as Senior Clerk (BPS-14), Directorate of Local Government & Rural Development, Merged Areas Secretariat, Peshawar
2. Director General Local Government & Rural Development Department Khyber Pakhtunkhwa, Peshawar
3. Director Local Government & Rural Development, Merged Areas Secretariat, Warsak Road, Peshawar
4. Deputy Commissioner, Dera Ismail Khan, Khyber Pakhtunkhwa

.....Respondent(s)

Filed to-day

Registrar

28/2/19

**APPEAL UNDER SECTION 4 OF THE KP
SERVICE TRIBUNAL ACT, 1974**

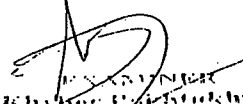
Respectfully Sheweth,

1. That The Constitution of Islamic Republic of Pakistan aims at protecting civil servants in order to ensure smooth running of affairs of the Government and Institutions so as to benefit the public citizenry.
2. The Constitution of Islamic Republic of Pakistan equally shields civil servants from being treated otherwise than in accordance with law.

Re-submitted to-day
and filed.

Registrar
28/2/19

ATTESTED


Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

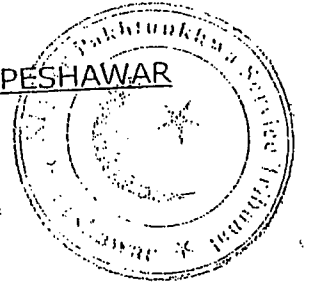

ATTESTED

(6)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 347/2019

Date of Institution: 28.02.2019
Date of Decision: 11.08.2021



Jawad Ahmad Presently Serving as Junior Clerk (BPS-12) Directorate of LG & RDD, Khyber Pakhtunkhwa, Peshawar.

Versus

Mr. Muhammad Asif Presently Serving as Senior Clerk (BPS-14), Directorate of Local Government & Rural Development, Merged Areas Secretariat, Peshawar and four others.

JUDGMENT

AHMAD SULTAN TAREEN, CHAIRMAN: Ali Azeem Afridi Advocate and Hafeez Ullah Afridi Advocate learned counsel for appellant present.

02. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Zain Khan Assistant Director for official respondents No.2 to 4 present. Malik Hidayt Ullah Malana Advocate learned counsel for private respondent No.1 present.

03. Representative of official respondents has furnished the copy of seniority list of Junior Clerk in LG&RDD FATA, wherein, the name of _____ appellant appears at Serial No.18 and that of respondent No.1 at Serial No.17. Latter has already been promoted to the post of Senior Clerk. The afore-named representative states that Eight posts of Senior Clerks are lying vacant and are due for appointment through promotion. The appellant will also be promoted against one of the aforesaid Eight vacant posts under due course. Keeping in view the said statement of the representative of respondents made at the bar, we are inclined to

ATTESTED


AHMAD SULTAN TAREEN
Chairman

dispose of this appeal. This order shall not be hurdle for the appellant if he is advised to seek relief in terms of seniority after his promotion.

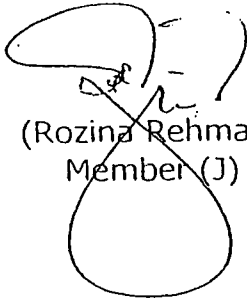
ATTESTED

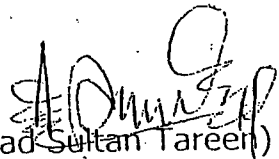
made out. Parties are left to bear their own costs. File be consigned to

the record room.

Announced:

11.08.2021


(Rozina Rehman)
Member (J)


(Ahmad Sultan Tareen)
Chairman

Date of Presentation of Application 16-8-21


Number of Words 1200

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Service Tribunal,
Feshawar

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ATTESTER

4.1.103

BL. 100900

(8)

Ali Azim Afridi

0333 9555000

VAKALATNAMA

BEFORE THE SERVICE Tribunal KP Peshawar

Jawad Ahmad Plaintiff(s)/Appellant(s)
Applicant(s)/Petitioner(s)

VERSUS

D4 Local Government Defendant(s)/Respondent(s)
Accused

FOR Jawad Ahmad ^{etc}

I/We, hereby appoint **Mr. Ali Azim Afridi, Hafeez Ullah Afridi**
(Advocate High Court)

1. To appear, act and plead for me/us in the titled case before the Court/Tribunal in which the same maybe tried or heard, and any other proceedings arising therefrom or ancillary therewith and its stages that I personally could do if this instrument had not been executed.
 2. That fee paid, or agreed to the said Counsel is for this Court alone and no part of the fee is refundable. The Counsel shall be entitled to retain costs payable by the opposite side.
 3. I, we, will make arrangement for attending the Court on every hearing to inform my/our Counsel when the case is called. The Counsel shall in no way be responsible for any loss caused to me/us through my/our failure to inform him.
- AND** hereby agree:-
4. **That** the Counsel shall be entitled to withdraw from the prosecution of the titled case if the whole or any part of the agreed fee remains unpaid.
 5. I/We have read the above terms and conditions and the same have been explained to me/us; and I/We have accepted them in WITNESS WHEREOF; I/We have set my/our hand this ___ day of _____ 20

ACCEPTED

Accepted by.

Signature of Counsel

Signature of Client

Hafeez Ullah Afridi

Email: - alee_1@live.com
Contact # 0333-9555000

"B"

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

No.

Execution Petition 188

21

Recd

Appeal No. Jawad Ahmad of 20

Appellant/Petitioner

D.G. Local Govt. ^{Versus} KPK

Respondent

Notice to: —

Director General Local Govt. &
Rural Development Deptt. KPK
Peshawar

Respondent No. 1

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

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

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

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

15

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

Day of.....^{Nov} 20 21

for implementation
Report

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

Recd

No.

Execution Petition 188
Appeal No. of 20 21

Jawad Ahmad Appellant/Petitioner

District Local Govt. KPK Respondent

Respondent No. 2

Notice to: —

Director Local Govt. & Rural Develop
Merged Areas Secretariat Wazirabad
Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 8/12/21 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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E.P

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

Given under my hand and the seal of this Court, at Peshawar this 1st

Day of Nov 20 21

for Implementation Report



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

“A”

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

No.

Regd

SB

APPEAL No. 188 of 2021.

Jawad Ahmad.

Appellant/Petitioner

Versus

Director general local Govt & Rural
development depart KPK Peshawar. **RESPONDENT(S)**

Respondent (1) Director general Local
Govt & Rural development
depart KPK Peshawar

Take notice that your appeal has been fixed for Preliminary hearing,
replication, affidavit/counter affidavit/record/arguments/order before this Tribunal
on 06/07/2022 at 9:00am

(Copy of BP already sent)

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.

(For further proceedings)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

SB

No.

Recd

APPEAL No.....

188

of 20²¹

Jawad Ahmad

Appellant/Petitioner

Versus

Director general Local Govt & Rural
development depart KPK Peshawar **RESPONDENT(S)**

Notice to Appellant/Petitioner
Respondent (1) Director general Local
Govt & Rural development
depart KPK Peshawar

Take notice that your appeal has been fixed for Preliminary hearing,
~~replication, affidavit/counter affidavit/record/arguments/order~~ before this Tribunal
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place either personally or through an advocate for presentation of your case, failing
which your appeal shall be liable to be dismissed in default.

(For further proceedings)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

APPEAL No. 180 of 20 SB
27

Jawad Ahmad

Appellant/Petitioner

Versus

Director general local Govt
depart KPK Peshawar of Roval development
RESPONDENT(S)

Notice to Appellant/Petitioner

Director Local Govt &
Roval development, Merged Areas
secretariat, Warsak Road, Peshawar

Take notice that your appeal has been fixed for Preliminary hearing,
replication, affidavit/counter affidavit/record/arguments/order before this Tribunal

on 06/07/2022 at 9:00 am

(Copy of EP already sent)

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.

(For further proceedings)

[Signature]

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

[Signature]
1-7-22



**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

No. Director (LG) 3-21/Meeting/2022/702-707
Dated Peshawar the, 9th June, 2022

To

1. Mr. Ayub ur Rahman, Acting Office Assistant,
O/O Assistant Director LG & RDD, Bannu.
2. Muhammad Asif, Senior Clerk,
Directorate Merged Areas, Khyber Pakhtunkhwa.
3. Jawad Ahmad, Acting Senior Clerk,
O/O Assistant Director LG & RDD, Orakzai.

Subject: **MEETING**

I am directed to refer to the subject cited above and to state that a meeting has been scheduled in the office of Director (Admin/HR) on 16th June at 1100 HOURS in his office at Hayatabad, Peshawar regarding objection over the seniority list.

In light of the above, you are hereby requested to make it convenient to attend the personal hearing alongwith complete/ relevant record on the above mentioned date, time & venue, please.

(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD

Endst: No. & date even:

Copy forwarded to the:

1. Director, Newly Merged Areas, LG & RDD Khyber Pakhtunkhwa.
2. The Assistant Director LG & RDD, Orakzai.
3. PA to Director General, LG&RDD, Khyber Pakhtunkhwa.

Promotion on
acting charge basis

17th March, 2022

(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD

To

The Director General
LG&RDD, Khyber Pakhtunkhwa
Peshawar

Through: Proper Channel. (Director LGRD Merged Areas)

Subject:- Appeal /Objection against Seniority List of Senior Clerks.

Please refer to my application dated 16/12/2021.

R/Sir;-

Most humbly it is stated that on 03/01/2022 the Directorate General of Local Government and Rural Development Department Khyber Pakhtunkhwa issued a seniority list of Senior Clerks vide letter No. DG(LG)Seniority List/SC/2021-22/18828 Dated 03/01/2022. In this seniority list the names of Mr. Ayub Rehman S.No 8 and Muhammad Asif S.No 9 were also added. Sir, I have requested in my appeal for examining the appointment order of Muhammad Asif and Adjustment order of Mr. Ayub Rehman. According to Khyber Pakhtunkhwa Civil Servant Act 1973, Act No.XVIII of 1973 Section 2, sub section (b), clause (ii) Muhammad Asif is not a civil servant he is not entitle to be considered for promotion through illegal seniority list vide section 8 and 9 of the said Act. Now astoundingly the department is dramatically declaring Muhammad Asif as a civil servant and on other hand the department does not show any empathy to my appeal and listed the names of said employees in seniority list of Senior Clerks for consideration for promotion to the post of Office Assistant through illegal seniority list.

Sir,

This injustice in civil service in Local Government Department compels me once again to beg for my right as I have already submitted 4 times my appeals but the result is fruitless.

Dated: 10/01/2022

Copy in advance to Director General LGRDD Khyber Pakhtunkhwa.



DA (A/HR)
11/1/2022

Thanking You
Sincerely Yours

Jawad Ahmad
Jawad Ahmad
Junior Clerk, LGRDD

Put up
13/1/2022

13.1.2022

To

The Assistant Director (Admin/HR),
Directorate General, Local Government & Rural Development Department,
Khyber Pakhtunkhwa, Peshawar

Subject: TENTATIVE SENIORITY LIST OF SENIOR CLERK (BPS-14)
LG&RDD KHYBER PAKHTUKHWA AS STOOND ON 03.01.2022.

Respected Sir,

I have the honour to invite your kind attention to your office letter No. DG
(LG)/Seniority List/SC/2022/18828 dated 3rd January 2022 on the subject noted above.

The undersigned has the following objection on the tentative seniority list of
Senior Clerk (BPS-14).

- Since the applicant was appointed as Junior Clerk on 10th July 2008 therefore the applicant is senior to Mr. Ayub Rehman who was adjusted as Junior Clerk 05.03.2009. According to adjustment policy, the official working in the same cadre will become junior to the existing employees of the cadre please. The requisite correction may kindly be carried out by placing the undersigned at Sr. No. 8 of the Seniority List please.

In view of the above it is requested that the above mentioned correction may kindly be carried out against the name of undersigned in the Final Seniority List of the Senior Clerks and obliged.

Yours Obediently,

Asif 28/1/22

(Mohammad Asif)
Senior Clerk, LG&RDD

Encl: (10) pages

Please refer to
the committee
CA
31/1/2022



OFFICE OF THE DIRECTOR GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA

No. DG(LG)/Seniority List/SC/2021-22 /18828
Dated Peshawar, the 3rd January, 2022

To

1. Mr. Subhan Shah, O/O Assistant Director LG & RDD, Bajaur.
2. Mr. Anwar Saeed, O/O Assistant Director LG & RDD, Tank.
3. Mr. Haider Ali, Directorate Merged Area, Khyber Pakhtunkhwa.
4. Mr. Abdullah Noor, O/O Assistant Director LG & RDD, Kohat.
5. Mr. Noor ullah, O/O Assistant Director LG & RDD, North Waziristan.
6. Mr. Wazir Hussain, O/O Assistant Director LG & RDD, Hangu.
7. Mr. Inam Ullah, O/O Assistant Director LG & RDD, Directorate General LG & RD.
8. Mr. Ayub Rehman, O/O Assistant Director LG & RDD, Bannu.
9. Muhammad Asif, Directorate Merged Areas, Khyber Pakhtunkhwa.

Subject: **TENTATIVE SENIORITY LIST OF SENIOR CLERK (BPS-14) LG & RDD KHYBER PAKHTUNKHWA AS STOOD ON 03.01.2022**

I am directed to refer to the subject cited above and to circulate the Tentative Seniority List of Senior Clerk (BPS-14) in field offices, as stood on 03.01.2022, for information.

2. Any objection (if any) on the seniority list may be conveyed to this department within a period of 30 days.

(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD

Endst: No. & date even:

Copy forwarded to the:

1. All the Officers in Directorate General LG & RD, Khyber Pakhtunkhwa.
2. All Assistant Directors LG&RDD Khyber Pakhtunkhwa for information and to ensure receipt of tentative seniority list to the concerned officials.
3. PA to Director General LG&RDD, Khyber Pakhtunkhwa.
4. Office file.

(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD



**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

NOTIFICATION

Dated Peshawar, the 3rd January 2022

No. DG(LG)/Seniority List/Senior Clerk/2021-22-18828 In pursuance of Section-8 of the Khyber Pakhtunkhwa, Civil Servant Act, 1973, tentative seniority list of Senior Clerks (BPS-14) in Local Government & Rural Development Department in Khyber Pakhtunkhwa, as it stood on 03.01.2022 is notified as under:-

TENTATIVE SENIORITY LIST OF SENIOR CLERK (BPS-14) LG & RDD AS STOOD ON 03.01.2022

#	Name of Official	Education	Domicile	Date of Birth	Date of 1 st Entry into Service	1 st regular appointment to service/ cadre			Promotion to present BPS		Present Posting	Remarks if any
						Date	BPS	Method of recruitment	BPS	Date		
1	2	4	5	6	7	8	9	10	11	12	13	14
1	Subhan Shah	SSC	Peshawar	01/04/1970	22/01/1992 (Junior Clerk)	22/01/1992 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Bajaur	Appointed as Acting Office Assistant dated 28.01.2021
2	Anwar Saced	B.A	Tank	12/07/1973	28/02/1993 (Junior Clerk)	28/02/1993 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Tank with additional Charge of South Waziristan	-do-
3	Haider Ali	B.A	Khyber	01/03/1969	17/08/1993 (Junior Clerk)	17/08/1993 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Directorate Merged Areas	-do-
4	Abdullah Noor	F.A	North Waziristan	01/04/1972	30/11/1994 (Junior Clerk)	30/11/1994 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Kohat	-do-
5	Noor Ullah	SSC	North Waziristan	01/05/1973	30/11/1994 (Junior Clerk)	30/11/1994 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	North Waziristan	-do-
6	Wazir Hussain	SSC	Kohat	01/12/1975	28/05/1995 (Junior Clerk)	28/05/1995 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Hangu	-do-
7	Inam Ullah	B.A	Peshawar	02/09/1972	18/06/1995 (Junior Clerk)	18/06/1995 (Junior Clerk)	05	By Initial Recruitment	14	10/10/2018	Directorate LG&RD	-do-
8	Ayub Rehman	M.A	Bannu	06/04/1984	03/11/2006 (Junior Clerk) in Revenue & Estate/Collector Bannu	05/03/2009 (Adjusted / Transfer as Junior Clerk)	05	By adjustment/ transferred	14	10/10/2018	Bannu	-do-
9	Muhammad Asif	B.A	Tank	15/09/1987	10/07/2008 (Junior Clerk)	10/07/2008 (Junior Clerk)	07	By Initial Recruitment	14	10/10/2018	Directorate Merged Areas	-do-

-sd-

**DIRECTOR GENERAL
LG & RD KHYBER PAKHTUNKHWA**

Endst: No. & date even:

Copy forwarded to the:

1. Director Newly Merged Areas Secretariat, LG& RD, Peshawar.
2. All Assistant Directors LG&RDD Khyber Pakhtunkhwa for information and to ensure receipt of seniority list to the concerned officials.
3. PA to Director General LG&RDD, Khyber Pakhtunkhwa.
4. All Office Senior Clerk(s) in Directorate General LG& RD and Field offices.
5. Record file.

S. Shabir 3/1/2022

ASSISTANT DIRECTOR (ADMN/HR),
DIRECTORATE GENERAL LG&RD



**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
KHYBER PAKHTUNKHWA**

Dated Peshawar the, 28th January, 2021

OFFICE ORDER

No. Director(LG)/3-12/DPC/2020-21/17503

The competent Authority in consultation with the Departmental Promotion Committee has been pleased to promote the following Senior Clerks (BPS-14) to the posts of Office Assistants (BPS-16) in Directorate General LG&RD, Khyber Pakhtunkhwa on Acting Charge basis as required under Section 9(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules 1989 with immediate effect, in public interest. On their promotions, the terms & conditions of their appointment will remain the same on which they were appointed:-

S.No.	Name of Officials	Present Place of Posting
1	Mr. Abdullah Noor	Office of Assistant Director LG&RDD North Waziristan
2	Mr. Noor Ullah	Office of Assistant Director LG&RDD North Waziristan
3	Mr. Subhan Shah	Office of Assistant Director LG&RDD Khyber
4	Mr. Anwar Saeed	Office of Assistant Director LG&RDD South Waziristan
5	Mr. Haider Ali	Directorate LG&RD NMD
6	Mr. Wazir Hussain	Office of Assistant Director LG&RDD Orakzai
7	Mr. Inam Ullah	Office of Assistant Director LG&RDD Khyber
8	Mr. Ayub Rehman	Office of Assistant Director LG&RDD North Waziristan

2. The postings/ adjustment of above officials will be made separately.

-sd/-

**Director General
LG&RDD**

Endst: of Even No & Date

Copy of the above is forwarded to the:

1. Section Officer (Estab), LGE&RDD, Khyber Pakhtunkhwa, Peshawar.
2. Director, Merged Areas, LG&RD, Peshawar.
3. The District Account Officer Khyber, North Waziristan, Orakzai & South Waziristan.
4. Assistant Directors LG&RDD, Khyber, North Waziristan, Orakzai & South Waziristan.
5. PS to Secretary, LG, E & RDD, Khyber Pakhtunkhwa, Peshawar.
6. PA to Director General, LG&RD Peshawar.
7. Officials Concerned.
8. Office File.


**ASSISTANT DIRECTOR (ADMIN/HR)
LG&RDD**

To

The Chairman
Honorable Service Tribunal
Khyber Pakhtunkhwa

POF
06/07/22

I solemnly ~~decide~~ withdraw my objection
to the extent of
upon Mr. Ayub Rehman (Acting Office Assistant)
in the Seniority list issued by the department.
However, the objection regarding Mr. Muhammad
Asif is remains in field till decision of
the competent Authority.
06/07/2022.

Jawad Ahmad
Jawad Ahmad
J/clerk LGRD



DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA

No. Director (LG) 3-1/Establishment/2021

Dated Peshawar, the 10th January, 2022

/18859

To

The Secretary to Government of Khyber Pakhtunkhwa,
Local Government, Elections & Rural Development Department.

Attention: The Section Officer (Establishment)

Subject: NOMINATION AS MEMBER OF THE ADMINISTRATIVE DEPARTMENT
LG,E & RDD KHYBER PAKHTUNKHWA FOR MEETING OF THE
DEPARTMENTAL SELECTION & PROMOTION COMMITTEE FOR
PROMOTION OF SUPERVISOR (BPS-14) TO PROGRESS OFFICER
(BPS-16), JUNIOR CLERK (BPS-11) TO THE POST OF SENIOR CLERK
(BPS-14), WORK MUNISHI (BPS-07)/ ACTING SUB ENGINEER (BPS-12)
TO THE POST OF REGULAR SUB ENGINEER (BPS-12) AND
APPOINTMENT OF NAIB QASID (BPS-03) UNDER 25% RETIRED SON
QUOTA

Dear Sir,

I am directed to refer to the subject cited above and to request you to attend the subject meeting in the O/O Director General LG & RD, Khyber Pakhtunkhwa on 11.01.2022 at 10:00 a.m., please.

(VIKASH)

ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD

Endst: No. & date even:

Copy forwarded to the:

1. Director (Admin/HR) in Directorate General LG & RD, Khyber Pakhtunkhwa.
2. Director, Merged Areas, Khyber Pakhtunkhwa, Peshawar.
3. Assistant Director LG & RDD Nowshera with request to attend the subject meeting on the date, time and venue mentioned above.
4. PA to Director General, LG&RDD, Khyber Pakhtunkhwa.

(VIKASH)


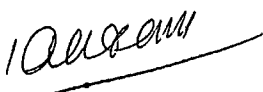
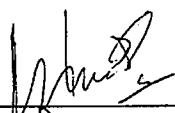


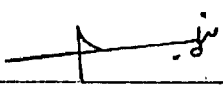
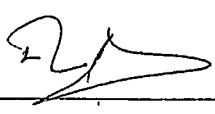
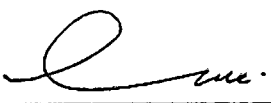
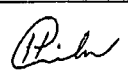
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD

ATTENDANCE SHEET

PROMOTION OF SUPERVISOR (BPS-14) TO THE POST OF PROGRESS OFFICER (BPS-16), JUNIOR CLERK (BPS-11) TO THE POST OF SENIOR CLERK (BPS-14), WORK MUNISHI (BPS-07)/ ACTING SUB ENGINEER (BPS-12) TO THE POST OF REGULAR SUB ENGINEER (BPS-12) AND APPOINTMENT OF NAIB QASID (BPS-03) UNDER 25% RETIRED SON QUOTA

Dated 11.01.2022

Time 10:00 am

S.No	Name	Designation	Signature
1	Khuda Bala	DG LG	
2			
3	Ijaz Ahsan Khan	SO (R), LG & R/SO	
4	Ali Asmat	ADLG NSP	
5	Vikash	AO (Admin/HR)	
6	M Waheed	AD (A) NM	
7			
8	Awais Basir	Suptd	
9	Nisar Ahmed	DI (A) / HR	
10	Zeeshaan Zoghen		
	Haider Aali		



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17/3/22

**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
KHYBER PAKHTUNKHWA**

Dated Peshawar, the 17th March, 2022

OFFICE ORDER

No. Director (LG)/3-12/DPC/2021-22/2022⁸ On the recommendation of the Departmental Promotion Committee, the Competent Authority i.e. Director General LG & RD, Khyber Pakhtunkhwa is pleased to appoint Mr. Jawad Ahmad, Junior Clerk (BPS-11) to the post of Senior Clerk (BPS-14) on Acting charge basis with immediate effect, in the best public interest.

Posting/ Transfer Orders of the above named official will be issued subsequently.

-sd/-

**Director General
LG&RD**

Endst: of Even No & Date

Copy of the above is forwarded to:

1. Accountant General, Khyber Pakhtunkhwa.
2. All the Directors in Directorate General LG & RDD, Khyber Pakhtunkhwa.
3. Section Officer (Estab), LGE&RDD, Khyber Pakhtunkhwa.
4. The Assistant Director (Admin), LG & RDD, Directorate Newly Merged Areas, Khyber Pakhtunkhwa.
5. PS to Secretary, LG,E & RDD, Khyber Pakhtunkhwa.
6. PA to Director General, LG&RD Peshawar.
7. Official Concerned.
8. Office File.

**(VIKASH)
ASSISTANT DIRECTOR (ADMIN/HR)
LG&RD**