



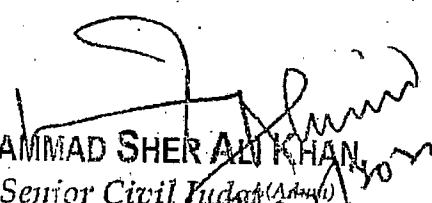
DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 091-9213534
eMail: scjpeskwar@gmail.com
Web: www.SessionsCourtPeshawar.gov.pk

No. 15
Dated Peshawar 17-2-2022

OFFICE ORDER

Consequent upon disciplinary proceedings against accused/official, Qaiser Khan, Muharrar/Naib Nazir, major penalty of dismissal from service under rule-4(b)(iv) of the Govt. of Khyber Pakhtunkhwa Civil Servants (Efficiency & Disciplinary) Rules 2011 is imposed upon him. Office is directed to do the needful in this regard.


MUHAMMAD SHER ALI KHAN
Senior Civil Judge (Admin)
Peshawar
MUHAMMAD SHER ALI KHAN
Senior Civil Judge. (ADMIN)
Peshawar

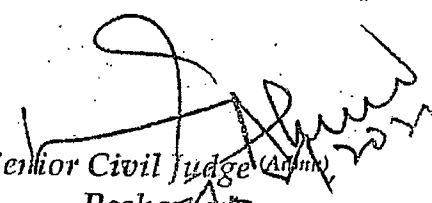
No. 15-19 Peshawar Dated 17/2/2022.

Copy forwarded for Information/Compliance to:

1. The Hon'ble District & Sessions Judge, Peshawar
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Clerk of Court, Senior Civil Judge, Peshawar.
4. Official concerned by name.
5. Office File.


Seen.

District & Sessions Judge,
Peshawar


Senior Civil Judge (Admin)
Peshawar

MUHAMMAD SHER ALI KHAN
Senior Civil Judge, (ADMIN)
Peshawar

ATTESTED

1 FEB 2022

(Examiner)
District Court Peshawar

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph#091-9210099 Fax#091-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 1136
Dated Peshawar 18/2/22

To: Mr. Baddar Munir,
JMIC-IV, Peshawar.

Subject: COMPLAINT/INITIATION OF CRIMINAL PROCEEDINGS U/S 195 CR.PC FOR COMMITTING OFFENCES RELATING TO DOCUMENTS CHAPTER XVIII I.E. SECTIONS 463, 476 ETC. OF CR. P.C AGAINST MST. SABIHA W/O MUHAMMAD SAEED & OTHERS. REFERRED IN AN ORDER DATED 01/02/2022 IN CASE TITLED "SABIHA ETC VS DHA ETC."

Memo:

The complaint in hand has been submitted by Mrs. Qurrat-ul-Ain Rashid, learned Civil Judge-XVII, Peshawar, for initiating criminal proceedings under section 195 Cr.PC in the wake of the subject order dated 01/02/2022. The same is hereby entrusted to the Court of Mr. Baddar Munir, learned JMIC-IV, Peshawar for initiating criminal proceedings in terms of section 195 Cr.PC read with 476 Cr.PC against all the beneficiaries nominated in the subject order.

Ashfaq
[ASHFAQUE TA]
District & Sessions Judge,
Peshawar.

No. 83(DAS) 1137-40 Dated Peshawar, the 18 / 02 /2022

Copy forwarded for information/necessary action to:

1. The learned Senior Civil Judge (Admn), Peshawar.
2. The learned Senior Civil Judge (Judicial), Peshawar.
3. The learned Judicial Magistrate-IV, Peshawar
4. The learned Civil Judge-XVII, Peshawar.

Ashfaq
District & Sessions Judge,
Peshawar.

ATTESTED

21/2/2022
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District Court Peshawar

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No 49 CJ-XVII, Peshawar

Dated 01/02/2022

To

The Hon'ble
District & Sessions Judge,
Peshawar

From

Qurrat-ul-Ain Rashid
CJ-XVII, Peshawar

Office Of The District & Sessions Judge
Receipt No 122
Dated 10/02/2022
Peshawar.

Through Proper Channel

Sub: COMPLAINT/ INITIATION OF CRIMINAL PROCEEDINGS
U/S 195 CR.PC. FOR COMMITTING OFFENSES RELATING
TO DOCUMENTS CHAPTER VIII, IE SECTIONS 463, 476
ETC OF PPC AGAINST "MST. SABIHA W/O MUHAMMAD
SAEED AND OTHERS, REFERRED IN ORDER DATED
01/02/2022 IN CASE TITLED SABIHA ETC VS DHA ETC.

Respected Sir,

I have honor to submit the copy of order dated 01/02/2022 in case mentioned above for further necessary action please.

[Handwritten signature]
Qurrat-ul-Ain Rashid,
Civil Judge-XVII, Peshawar

No. 126 SCJ (Admin)

Dated 10-2-22

Forwarded in original to the Hon'ble District & Sessions Judge,
Peshawar for further necessary action please.

*Put up with
record.*

[Handwritten signature]
11/02/22 -

[Handwritten signature]
Senior Civil Judge (Admin),
Peshawar
10/02/2022

ATTESTED

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(Examiner)
District Court Peshawar

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Order...93
01/02/2022

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7-2-2022

بیدار
1-2-22
13-1-22
DHA
19/1-22

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Defendants through counsel present. None present for plaintiffs. Repeated calls were made till the closing hours of the court, but none turned up on behalf of the plaintiffs, despite strict directions on the previous date. Hence, the Court opted to proceed further.

The background of the case in hand is that an execution, bearing No.11/10 of 2020 was filed by Mst. Sabeeha and four others against DHA, Peshawar for the execution of a fabricated and bogus decree, dated 02/02/2020 in file No 14 /1. The DHA, Peshawar after receiving the notice in said execution, filed a petition u/s 12(2) CPC against the bogus decree and also reported the matter of fake decree passed on a Sunday to the Hon'ble the Chief Justice, Peshawar High Court, Peshawar, who was pleased to direct the Hon'ble District & Sessions Judge, Peshawar to look into the matter. Resultantly, an inquiry was conducted through learned AD&SJ-XIII Peshawar, which held the decree and case in question as forged/bogus. Thus, the inquiry report was sent to the August Peshawar High Court for further directions.

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The learned MIT of Peshawar High Court, vide letter No.735/MIT, dated 22/09/2021, conveyed the directions of August Peshawar High Court for departmental proceedings against the Court officials, and criminal proceedings against the beneficiaries of the fake decree and said beneficiaries have already been pointed out in inquiry report of learned Senior Civil Judge (Judicial), Peshawar

ATTESTED

[Signature]
Dist. Judge Peshawar

Continued order....03
01/02/2022

dated 03/01/2022. In light of the said directions of August Peshawar High Court, Peshawar, two of the Court officials have been proceeded against under E & D Rules, 2011.

Since this act of fabrication and creation of fake suit and decree have been committed with the Court, therefore, this Court deems it appropriate to initiate criminal proceedings against the beneficiaries pointed out in the departmental inquiry relating to this court only, u/s 195 Cr.PC. for committing Offenses relating to Documents Chapter XVIII, i.e Sections 463, 476 etc of PPC. As such, this order may be treated as a complaint by this Court against the beneficiaries named in the Inquiry report :

- * Mst. Sabeeha w/o Muhammad Saeed
- * Mst. Falqa Huma w/o Muhammad Shuaib,
- * Mst. Shah Room w/o Abdur Razzaq,
- * Mst. Falak Naz w/o Muhammad Rafiq,
- * Mst. Naseem w/o Qasim Jan, all reside its of Shahi Bala, Peshawar.

The attorney is:

- * Muhammad Shafi s/o Muhammad Saeed Ro Shahi Bala, Peshawar.

&

The counsel who have appeared in the cases are:

- * Asad Khan Advocate (Civil Suit No. 14-1/1 of 2019, instituted on 02.05.2019, decided on 02.02.2020 titled "Mst: Sabeeha etc ..vs..

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Continued order....(3
01/02/2022

DHA etc", decided by the learned Civil Judge-XVII, Peshawar i.e. fake decree)

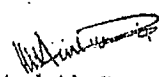
* Muhammad Adnan (Malik) Awan Advocate (Execution Petition No.11/10 of 2020 instituted on 11/12/2020, decided on 07/09/2021, titled "Mst: Sabeeha etc ..vs.. DHA etc", decided by the learned Civil Judge-XVII, Peshawar).

The same be sent to the Honorable District and Sessions Judge Peshawar for further appropriate, order.

In view of the above, when the file of the suit in hand has been proved to be bogus/fake/forged, the same cannot be proceeded with. All the entries in all the relevant registers pertaining to instant case be marked as fake with red ink, and one single line be made in each register containing the entry of file in hand concerning this order.

File be consigned to record room after necessary completion and compilation.

Announced
01/02/2022


(Qurrat-ul-Ain Rashid)
Civil Judge-XVII, Peshawar

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The State ...Vs... Mujahid Ali

O-----1
02.10.2021


File received from the Court of the worthy District & Sessions Judge, Peshawar. It be entered.

Summons be issued to accused official Mujahid Ali Senior Clerk/Reader for 12/10/2021.

He is directed to submit his reply within the time specified in the charge sheet dated 01.10.2021 issued by the worthy District & Sessions Judge, Peshawar/Competent Authority.

Record of case No. 141/1 of 2019 instituted on 02.5.2019, decided on 02.02.2020 titled "Mst: Sahiba & others ...Vs... Assistant Director Land, DHA & others" of the Court of the then learned Civil Judge-XVII, Peshawar be requisitioned.

Notice be issued to Mr. Sajjad Ahmed Jan Assistant/ACC/representative of the Department.


Fazal Nasir Shah
Senior Civil Judge (Judl.),
Peshawar/Inquiry Officer.

O-----1
07.10.2021
Continued

Mujahid Ali accused official appeared and submitted his written reply. The case is fixed for 12.10.2021. File requisitioned.

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(Examiner)

District Court Peshawar

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The written reply placed on file. Photocopies of Register No. 01 are also filed with the written reply.

To come up for he already fixed dated i.e. 12.10.2021.

M
Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar/Inquiry Officer.

O-----2
12.10.2021

Accused/official present. Representative of the Department present.

Parties were directed to produce their respective list of witnesses, if any.

Notice be issued to complainant/DHA, Peshawar.

To come up for evidence on 22/10/2021.

M
Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar.

O-----2
22.10.21
ملوث دیگہ دھارہ، ٹانگہ ڈیپارٹمنٹ
حاضر، فضل سولہ اسٹ لیکل انجینئر
D.H.A. پشاور، مقرر لکھن کو برائت یون
کہ انڈرس لوم بہرہ ڈیوان داخل کریں
مشل بریک شادوت متضمت مروت
کویشن 29/10/21

M
FAZAL NASIR SHAH
Senior Civil Judge (Judicial)

ATTESTED
21 FEB 2022
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District Court Peshawar

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The State ...Vs... Mujahid Ali

O-----4
29.10.2021

Accused/official present. Representative of the department present. Fazal Maula Assistant Legal Officer DHA Peshawar present.

Representative of the department submitted list of witnesses.

Summons be issued to the PWs for 5/11/2021.

[Handwritten signature]
Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar.

O-----5
05.11.2021

Accused/official present. Representative of the department present. Representative of DHA present. Evidence of Qaiser Khan Reader and Zakir Ullah Moharrir recorded as PW-01 and PW-02.

To come up for further evidence on 12/11/2021. *Summons be issued accordingly.*

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Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar.

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21/11/2021

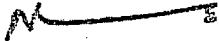
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District Court

O-----6
12.11.2021

Accused/official present. Representatives of the department and DHA Peshawar present. Evidence of Muhammad Sareer Khan Incharge Record Room (Civil) District Courts, Peshawar recorded as PW-03.

During the evidence of Incharge Record Room it was noticed that an appeal was also decided by the learned Additional District & Sessions Judge-IX, Peshawar on 05.4.2021. Summons be issued to Incharge Record Room (Sessions) to produce the record of the said case also.


Summons be issued to the remaining witnesses for 19/11/2021.


Fazal Nasir Shah
Senior Civil Judge (Judl.),
Peshawar.

O-----7
19.11.2021

Accused/official present. Representatives of the department and DHA Peshawar present. Evidence of Muhammad Masood Computer Operator, Amir Nadeem Senior Clerk and Fazal Maula Assistant Legal Officer DHA, Peshawar recorded as PW-04 to PW-06.

To come up for further evidence on 26/11/2021.


Fazal Nasir Shah
Senior Civil Judge (Judl.),
Guardian Judge,
Peshawar.

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The State ...Vs... Mujahid Ali

O-----8
26.11.2021

Accused/official present. Representative of the department present. Statement of Sajjad Ahmed Jan/representative of the department recorded as PW-07.

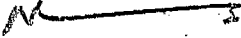
To come up for evidence of accused/official on 03/12/2021.


Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar.

O-----9
03.12.2021

Accused/official present. Representative of the department present. Evidence of accused official recorded as DW-01.

To come up for further evidence on behalf of the accused/official on 07/12/2021.


Fazal Nasir Shah
Senior Civil Judge (Judl:),
Peshawar.

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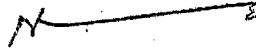
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O-----10
10.12.2021

Accused/official present. Representative of
the department present. Accused/official stated that
he does not want to produce further evidence.


To come up for 03/01/2022.


Fazal Nasir Shah
Senior Civil Judge (Judl.)
Peshawar.

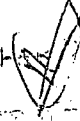
O-----11
03.01.2022

Accused/official present. Representative of
the department present.

The inquiry report consisting of eleven (11)
pages is finalized today and is separately placed on
file. The file in original (evidence and exhibits
included) is hereby returned to the worthy District
& Sessions Judge, Peshawar for further
orders/necessary action. The file of case No. 05/6 of
2021 of the Court of the learned ASJ-XIII,
Peshawar/Inquiry Office is also hereby returned.


Fazal Nasir Shah
Senior Civil Judge (Judl.),
Peshawar.

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District Court

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**IN THE COURT OF FAZAL NASIR SHAH SENIOR
CIVIL JUDGE (JUL.), PESHAWAR**

The State ... Vs ... Mujahid Ali
Case No. 13/6 of 2021

INQUIRY REPORT

1. Vide Office Order bearing No. 5604-5607

dated Peshawar 01.10.2021 of the worthy District &

Sessions Judge, Peshawar/Competent Authority the

undersigned was appointed as Inquiry Officer to proceed

against the delinquent official i.e. Mujahid Ali Senior

Clerk/Reader (hereinafter referred to as accused/official)

under the Khyber Pakhtunkhwa Government Servants

(Efficiency & Discipline) Rules, 2011, as well as to

identify the beneficiaries of the fake decree and their

accomplices. The Statement of Allegation(s) was served

on the accused/official by the worthy District & Sessions

Judge, Peshawar/Competent Authority vide Office Order

No. 5602 dated Peshawar 01.10.2021. The Charge Sheet

was served on the accused/official by the worthy District

& Sessions Judge, Peshawar/Competent Authority vide

Office Order No. 5603 dated Peshawar 01.10.2021. The

accused/official was directed to submit written defence

within seven days of the receipt of the Charge Sheet to

the Inquiry Officer (the undersigned). Mr. Sajjad Ahmad

FAZAL NASIR SHAH
Senior Civil Judge (JUL.)
Peshawar

03.01.22

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(Examiner)
District Court Peshawar

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Jan Assistant was appointed as Representative of the department. Regarding the same incident another inquiry (case No. 14/6 of 2021) was also marked to the undersigned by the learned Senior Civil Judge (Admn), Peshawar against Qaisar Khan Naib Nazir/Moharrir which inquiry will also be finalized today.

(22)

2. Facts of the case are that on 24.02.2020 file of case No. 141/1 of 2019 instituted on 02.5.2019 decided on 02.02.2020 titled "Mst. Sabeeha & others ...Vs... Assistant Director Land & others" was consigned to the Record Room (Civil) of District Peshawar. On the strength of the judgment and decree dated 02.02.2020 execution petition No. 11/1 of 2020 was filed on 11.12.2020 which was disposed of (adjourned sine die) by the then learned Civil Judge-XVII, Peshawar on 07.9.2021 in case titled "Mst. Sabeeha etc. ...Vs... Assistant Director etc.". In execution proceedings Mst. Sabeeha etc. filed appeal against the interim order dated 03.4.2021 passed by the learned Civil Judge-VIII, Peshawar/Judge on Duty which was disposed of by the learned Additional District & Sessions Judge-IX, Peshawar on 05.4.2021 in case No. 50/14 of 2021

03.01.22

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instituted on 05.4.2021 titled "Mst: Sabeeha etc. ...Vs...
 DHA etc.". During the proceedings of the execution the
 judgment debtors (DHA Peshawar) filed application u/s
 12(2) CPC with the contention that the decree dated
 02.02.2020 has been obtained through fraud and
 misrepresentation. The said application is still pending
 adjudication in the Court of the learned Civil Judge-
 XVII, Peshawar.

3. The date of the decree is 02.02.2020 which
 happens to be a public holiday i.e. Sunday. When the
 judgment debtors (the DHA Peshawar) received the
 notice in the proceedings of the execution petition, they
 reported the matter. The matter was brought into the kind
 notice of Hon'ble the Chief Justice, Peshawar High
 Court, Peshawar and his lordship was pleased to direct
 that the matter should be looked into. After preliminary
 discreet probe it was found that the judgment and the
 order sheets etc. suffered from intended variations. An
 open inquiry was ordered to be conducted in the matter
 through letter No. 397/MIF dated Peshawar the
 06.4.2021 of the office of the worthy Member Inspection
 Team, Peshawar High Court, Peshawar. The learned

FAZAL NASIR SILVI
 Senior Civil Judge
 Peshawar

03.01.22

ATTESTED

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Additional District & Sessions Judge-XIII, Peshawar was appointed as Inquiry Officer vide Office Order No. 2525-26 dated 09.4.2021 of the worthy District & Sessions Judge, Peshawar. The learned Judge submitted the inquiry report on 06.7.2021 which was forwarded by the worthy District & Sessions Judge, Peshawar to the Hon'ble Peshawar High Court, Peshawar for further orders.

4. The Hon'ble Peshawar High Court, Peshawar was pleased to direct vide letter No. 735/MIT dated 22.9.2021 to proceed against the identified delinquent officials under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and to initiate criminal proceedings against the beneficiaries of the fake judgment and their accomplices. It is in this background that the undersigned was appointed as Inquiry Officer and to submit report within 30 days. The Charge Sheet is as follows:

M
03.01.22

"a. You were custodian of Faisla Bahi in the Court of learned CJ-XVII, Peshawar and entry of a fake decree titled "Mst: Sahiba & others ...Vs..."

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Assistant Director Land. DHA & others" was made in the Faisal Bahi." *224* *(7/9/21)*

5. On 07.10.2021 the accused/official submitted his written reply to the Charge Sheet, where after evidence was recorded. The Representative of the department examined 07 witnesses. Qaisar Khan Reader Senior Civil Judge (Judl:), Peshawar was examined as PW-01. Zakir Ullah Moharir/Junior Clerk Civil Judge- XVII, Peshawar was examined as PW-02. Muhammad Sareer Khan Incharge Record Room (Civil) District Courts, Peshawar was examined as PW-03. Muhammad Masood Computer Operator Judge Family Court-IV, Peshawar was examined as PW-04. Amir Nadeem Senior Clerk Record Room (Sessions) was examined as PW-05. Fazal Maufa Assistant Legal Officer DHA Peshawar was examined as PW-06. Sajjad Ahmad Jan Assistant/Representative of the department examined himself as PW-07.

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FAZAL MASUD SHAIH
Senior Civil Judge, (Judicial)
Peshawar
03.01.22

Mujahid Ali accused/official examined himself

ATTESTED Sole witness as DW-01.

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21/10/2021
District Court Peshawar

6. Accused/official has denied receipt of the plaint (of case No. 141/1 of 2019) on 02.5.2019. He also

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claims the decree to be fake and fictitious. There is no direct evidence regarding the involvement of the accused/official in typing the judgment or the order sheets etc. The only allegation against the accused/official is that in the Faisla Bahi Register (hereinafter referred to as the Register) there is an entry regarding the subject case. The Reader is the custodian of the Register. Due to this reason the learned Additional District & Sessions Judge-XIII, Peshawar, in the preliminary inquiry, has found the accused/official to be guilty of negligence.

7. The real question is whether the accused/official is involved in sending the fake file (decree) to the Record Room (Civil), District Courts Peshawar. The fact of the matter is that the file was sent by the Moharrir (Qaisar Khan, the other accused) to the Record Room. The stance of the accused/official is that the entry in the Register has been made by someone else and he is unaware of the same. He considers that someone has entered the case in the Register so as to make a ground for the genuineness of the decree.

Whether the entry in the Register has been made by the

FAZAL NASIR SIYAL
Senior Civil Judge (Judicial)
Peshawar

03.01.22

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21/01/22

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accused/official or some other person is a relevant factor for the determination of the case in hand.

8. I have examined the Register for the year 2019 of the Court of learned Civil Judge-XVII, Peshawar. In the Register maintained by the accused/official there is entry of the case i.e. its number, title and date of decision. The accused/official has taken the stance that the entry has been made by someone else and he is unaware of the same. In the coming paras it will be discussed whether the accused official himself has made the entry in the Register or someone else has done so.

9. There is proper serial number of the cases in the Register. In the month of February 2020 the first case has been decided on 03.02.2020 and it is at Serial No. 01. The second case is also decided on 03.02.2020. The third and fourth cases are decided on 06.02.2020. It is after the fourth case that the entry regarding the fake decree (Number, Title and the date of decision) has been made. There is no serial number given to the entry of the fake decree. The row at serial No. 04 has been divided into two for creating space for the entry of the fake decree.

~~MA~~
FAZLE NASIR SHAH
Senior Civil Judge, District
Peshawar

03.01.22

ATTESTED

~~MA~~
District Court Peshawar

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The entry of the fake decree has been made after 06.02.2020 although it was allegedly passed on 02.02.2020. It means that the entry in the Register is also fake, factitious and bogus.

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22-7

10. In the Register the writing of the entry of the fake decree is different from the writing of the entries of the other cases. The real question is as to who has made the fake entry in the Register. It is clear that there is no direct evidence as to who has made the wrong entry. The presumption can be drawn that the accused/official himself has made the entry as he is the custodian of the register but this presumption is rebutted by the fact that the case is proved against the other accused namely Qaisar Khan, the then Moharrir attached to the Court of the learned Civil Judge-XVI, Peshawar. It seems that the other accused somehow managed to make the entry in the Register maintained by the accused/official. It is a normal routine that all the officials working in the Courts do give their registers to one another if asked for.

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03.01.22

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11. Accused/official has produced no evidence as to when, where and who has made the entry in the Register. In cross-examination he has admitted that

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during the discreet probe the entry was there in the Register. However he has explained after this admission that there was no entry of the decree in the Register but when people started talking about the fake decree, then someone has made the entry in his Register. In the cross-examination the accused/official has also admitted that he has not given any information in writing to the learned Judge regarding the bogus entry in his Register. He has further explained that he informed the learned Judge orally after the fake entry was detected. The charge against the accused/official is proved to the extent that the entry of the fake decree is there in the Register. However from the attending circumstances and the evidence recoded in both the cases (case No. 13/6 of 2021 & case No. 14/6 of 2021) it can be gathered that the accused/official has not made the entry himself. It has been made by someone else to make a ground for the genuineness of the fake decree.

RAJAL NASTIR SHAH
 Senior Civil Judge (Judicial)
 Peshawar
 02.01.22

ATTESTED
 21 JAN 2022
 District Court Peshawar

12. The learned Additional District & Sessions Judge-XIII, Peshawar in the preliminary inquiry dated 06.7.2021 has found the accused/official as guilty of negligence. I also concur with the learned Additional

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District & Sessions Judge-XIII, Peshawar and hold that the accused has made negligence in keeping the record safe which was in his custody. He is not involved in the making, preparation and sending the fake decree to the Record Room.

13. The beneficiaries of the fake decree are the plaintiffs in the case (No 141/1 of 2019) and their attorney. The plaintiffs are:

- Mst: Sabeeha w/o Muhammad Saeed.
- Mst: Faiqa Huma w/o Muhammad Shoaib.
- Mst: Shah Room Abdur Razzaq.
- Mst: Falak Naz w/o Muhammad Rafiq.
- Mst: Nasreen w/o Qasim Jan all rs/o Shahi Bala, Peshawar.

The attorney is:

- Muhammad Shafi s/o Muhammad Saeed r/o Shahi Bala, Peshawar.

The learned counsel who have appeared in the

cases are:

- Asad Khan Advocate (Civil Suit No. 141/1 of 2019 instituted on 02.5.2019 decided on 02.02.2020 titled "Mst: Sabeeha etc. ...Vs... DHA etc." decided by the learned Civil Judge-XVII, Peshawar i.e. fake decree).
- Muhammad Adnan (Malik) Awan Advocate (Execution Petition No. 11/10 of 2020 instituted on 11.12.2020 decided on 07.9.2021 titled "Mst: Sabeeha etc. ...Vs... DHA etc."

FAZAL NAEEM SHAIKH
Senior Civil Judge, District
Peshawar
03.01.22

ATTESTED

[Signature]
District Court Peshawar

21.9

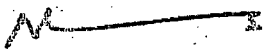
230

decided by the learned Civil Judge-XVII, Peshawar).

- Muhammad Adnan (Malik) Awan Advocate & Mohsin Ali Khar Advocate (Application u/s 12(2) CPC No. 3 12(2) of 2021 instituted on 24.02.2021 titled "DHA Peshawar ...Vs... Mst: Sabeeha etc." pending adjudication in the Court of the learned Civil Judge-XVII, Peshawar).
- Danishmand Advocate (Civil Appeal No. 50/14 of 2021 instituted on 05.4.2021 decided on 05.4.2021 titled "Mst: Sabeeha ...Vs... DHA" decided by the learned Additional District & Sessions Judge-IX, Peshawar).

The inquiry report is hereby submitted for further


orders/necessary action of your honour.


Fazal Nasir Shah
Senior Civil Judge (Judl:)
Peshawar.

03.01.22

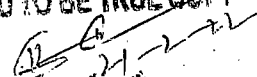
CERTIFICATE

Certified that this inquiry report consists of eleven (11) pages. Each page has been read over, corrected and signed by me wherever was necessary.


Fazal Nasir Shah
Senior Civil Judge (Judl:)
Peshawar.

03.01.22

2

CERTIFIED TO BE TRUE COPY

(Examiner)
Copying Agency District Court
Peshawar.

Annex L

250

نڈکس

بعدالت محترمہ نوشین ٹار سماجیہ، سول جج - XVII، پشاور

نمبر مقدمہ	رجوع	اہل رجوع	فیصلہ	قطعہ
141/1		2.5.19	2.2.2020	4/

علاء الدین نام 17.H.A

نمبر شمار	قطعہ نمبر	تعداد قطعہ	نوعیت کاغذات
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بیت "ا"

70

ادد میں اور سرٹیشن احوالی اور جج ڈسٹریکٹ پشاور انٹر کالج / EX / ڈی ایچ سٹیٹ	1/37		
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بیت "ب"

ڈی ایچ سٹیٹ / ڈی ایچ سٹیٹ	24/3/20	38/39	
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بیت "ج"

	سین	40/41	
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سول جج - XVII، پشاور

ATTESTED

FEB-2022

(Examiner)
District Court Peshawar

کل قطعہ 4/ داخل دفتر شد

2511

FORM "A"
FORM OF ORDER SHEET

142

COURT OF
CASE NO OF

SERIAL NO OF ORDER OR PROCEEDINGS 1	DATE OF ORDER PROCEEDINGS 2	ORDER OR OTHER PROCEEDINGS WITH SIGNATURE OF JUDGE OR MAGISTRATE AND THAT OF PARTIES OR COUNSEL WHERE NECESSARY 3
--	--------------------------------	--

OR.....01 2-5-2019.

Civil Suit/ Rent Petition/ Family Case/ Insolvency/
Misc: Application, Objection Petition /execution petition has
been filed; entrusted to the Court of
محترمہ ڈاکٹر نسیم نواز صاحبہ Civil Judge-XVII
Peshawar. Counsel for the plaintiff/ petitioner is directed to
appear before the same court on _____/2019.

Mahjabeen Shabbir
Senior Civil Judge,
Peshawar.

72

Order 02
2-5-2019

Office to report...

100
Civil Judge-XVII,
Peshawar

جناب عالی! محترمہ ڈاکٹر نسیم نواز صاحبہ
پڑتالی کی آئی دعویٰ سے امراد جسکے دیگر نقولات، درخواست حکم ہنڈائی
وکالت نامہ و نقل عرضی دعویٰ امراد لکھ ہے۔ لہذا رپورٹ عرض ہے۔

ریڈر از عدالت

ATTESTED

100
District Court Peshawar

252

(173)

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII, PESHAWAR

Or.....03
02/05/2019

Case file received from the court of Learned Senior Civil Judge, Peshawar. Plaintiffs through counsel present admits the contents of the plaint as true and correct. It be registered accordingly.

Notices and summons alongwith copies of the plaint be issued to the defendants for the final disposal of the case for 23.5.2019. Parties are directed to produce all the necessary documents in original with defence.

NOSHEEN NISAR
CJ-XVII, Peshawar

73

Or.....04
23/5/2019

Plaintiffs through counsel present. Muhammad Shafi submitted his power of attorney on behalf of plaintiffs, placed on file. Process issued to defendants not received. Fresh summons and notices be issued against defendants. File to come up for attendance of defendants on 11-6-19.

NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....05
11/05/2019

Plaintiffs through attorney along with counsel present. Representative of defendants present who sought adjournment for submission of written statement. Granted. File to come up for submission of written statement on 27/6/19

NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....06
27/06/2019

Plaintiffs through clerk of counsel present. Representative of defendants present and sought time for submission of written statement and written reply, granted with strict direction to submit the same on next date positively. File to come up for submission of written statement and written reply on 3/7/19

NOSHEEN NISAR
CJ-XVII, Peshawar

ATTESTED

(Examiner)
District Court Peshawar

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII,

PESHAWAR

Mst.Sabeeha etc....VSAssistant Director DHA etc

Or.....07
03/07/2019

Plaintiffs through counsel present. Defendants through representative namely Fazal-e-Mola (Tehsildar at DHA) present and again sought time for submission of written statement, absolutely last chance was given to defendants for submission of written statement. File to come up for submission of written statement

on 26/7/19

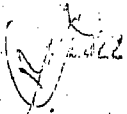
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....08
26.07/2019

Plaintiffs through clerk of counsel present. Representative of defendants namely Fazal e Mola (tehsildar at DHA) present and again sought time for submission of written statement and stated that the comments have not been received from the concern office. Perusal of order sheets reveals that many adjournments have been given to defendants to submit their written statement but they failed hence, notice under order 8 rule 10 CPC given to the representative of defendants and in case of non submission of written statement on next date their defence to file written statement will be struck off. File to come up for

7.9.2019

ATTESTED


District Judge Peshawar

NOSHEEN NISAR
CJ-XVII, Peshawar

254

(MS)

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII,
PESHAWAR

Mst.Sabccha etc....VS.....Assistant Director DHA etc

Or.....09
07/09/2019

Plaintiffs through counsel present. Case was called repeatedly but non present on behalf of defendants till closing hours of the court hence they placed and proceeded ex parte. Plaintiff is directed to submit the list of witnesses and deposit the diet money for the official witnesses if any with in three days and thereafter notices be issued against the official witnesses of the plaintiff. File to come up for ex parte evidence of plaintiff on

17/10/19

Nosheen
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....10
17-10/2019

Plaintiffs through counsel present. Record keeper of office of Sub Registrar Peshawar present and his statement was recorded as PW-1, placed on file. Counsel for Plaintiffs requested for production of rest of his ex parte evidence on next date, granted. File to come up for ex parte evidence of plaintiff On

7/11/19

Nosheen
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....11
07/11/2019

Plaintiffs through counsel present. Ex parte evidence of plaintiff not present. Counsel for the plaintiffs requested for the grant of adjournment. Granted, File to come up for ex parte evidence of plaintiffs on

3/12/19

Nosheen
NOSHEEN NISAR
CJ-XVII, Peshawar

ATTESTED

[Signature]
District Court Peshawar

255
418

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII,

PESHAWAR

Mst.Sabeeha etc....VS.....Assistant Director DHA etc

Or.....12
03/12/2019

Plaintiff through counsel present. Ex parte evidence of plaintiff present. Statement of Quiser Ali and Muhammad Rafiq recorded as PW-... and PW-3 while plaintiffs examined themselves through attorney as PW-4. Plaintiffs closed their evidence. To come up for ex parte arguments on 21/12/19.

Noshe
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....13
21/12/2019

Plaintiffs through attorney present and requested for adjournment that his counsel is out station to day. File to come up for ex parte arguments of plaintiffs on 21-12-19

Noshe
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....14
21/12/2019

Plaintiffs through attorney along with counsel present. Ex parte arguments on behalf of plaintiffs heard. File to come up for order on 21/12/2019.

Noshe
NOSHEEN NISAR
CJ-XVII, Peshawar

Or.....15
08/01/2020

Plaintiffs through attorney present. To day the case was fixed for Ex parte order but the same was not announced due to rush of work. File to come up for order on 02/02/2020.

Noshe
NOSHEEN NISAR
CJ-XVII, Peshawar

ATTESTED

[Signature]
District Court Peshawar

256

49

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII, PESHAWAR

Civil Suits No. 141/1

1. Mst.Sabeeha W/O Mohammad Saeed
2. Mst.Faiqa Huma W/O Mohammad Shoaib
3. Mst.Shah Room Abdur Razzaq
4. Mst.Falak Naz W/O Mohammad Rafiq
5. Mst.Nasreen W/O Qasim Jan All R/O Shahi Bala,
Peshawar.

.....Plaintiffs

VERSUS

77

1. Assistant Director Land, DHA, Peshawar Cantt.
2. DHA, Peshawar through its Administrator, Peshawar Cantt.
3. Administrator, KP DHA, Peshawar.
4. Secretary, DHA. KP, Peshawar.

.....Defendants

Date of original Institution.....2/05/2019

Date of Decision.....02/02/2020

SUIT FOR SPECIFIC PERFORMANCE & DIRECTIVE

INJUNCTION ETC

EX-PARTE JUDGMENT:

This order is intended to dispose of the suit filed by the plaintiffs against the defendants seeking specific performance & Declaration against the defendants in respect of the registered deed 1935 Bahi No.1 dated 2-2-2016 executed by plaintiffs through their duly authorized attorney/agent in favour of defendants/DHA through which the plaintiffs have

Mudli
 NOSHEEN NISAR CIVIL JUDGE XVII
 PESHAWAR

(257)

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII, PESHAWAR

transferred and handed over the possession of the property measuring 268 kanals consisting of Khasra No.533,534 and 535 at Moza Shahi Bala Peshawar in lieu of (67) numbers of files of plots at DHA, Peshawar. The plaintiffs also seek permanent injunction and mandatory injunction directing the defendants to hand over the 67 numbers of files of plots in DHA, Peshawar to plaintiffs in lieu of the property transferred to defendants through the registered deed No.1935 as mentioned. Defendants were duly served and their representative namely Fazal-e-Mola, Tehsildar at DGHA, Peshawar appeared before the court and sought many adjournments for submission of written statement and notice under order 8 rule 10 CPC was also given to him but later on he remained absent and was placed and proceeded ex parte. Afterwards ex-parte evidence of plaintiffs was recorded.

Plaintiffs produced recorder keeper of office of Sub registrar Peshawar and his statement was recorded as PW-1 who produced the Registered deed No.1935 Bahi No.1 dated 2-12-2016 and registered power of attorney No.1348 Bahi No.4 volume No.54 dated 4-11-2016. Copies of the said deeds are ExPW-1/1 and ExPW-1/2. Plaintiffs also produced Qaiser Ali as PW-2 and Muhammad Rafiq as PW-3 being marginal witnesses of the deeds and supported the stance of the plaintiffs. Similarly, plaintiffs examined themselves through attorney namely Muhammad Shafi Khalil as PW-4 who fully supported the stance of the plaintiffs and contents of the plaint.

I have heard the learned counsel for the plaintiffs and have perused the available record. It is

Handwritten signature
NOSHEEN NISAR CIVIL JUDGE XVII
PESHAWAR

ATTESTED

Handwritten signature

(Examiner)
District Court Peshawar

258

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII, PESHAWAR

concluded that the plaintiffs were the owners in possession of the property measuring 345 kanals and 19 marlas consisting of khasra No.533,534 and 535 at Moza Shahi Bala Peshawar vide mutation No.2827. The plaintiffs through duly authorized agent vide registered power of attorney ExpPW-1/2, transferred the property measuring 268 kanals out of 345 kanals and 19 marlas in favour of defendants/DHA, Peshawar vide registered deed ExpPW-1/1 and handed over the possession of the said property to defendants/DHA, Peshawar in lieu of 67 number of files of plots at DHA, Peshawar. The plaintiffs in order to prove the execution of the deed EXPW1/1, produced the record keeper of sub registrar office Peshawar who produced the said deed EXPW-1/1 and admitted that the said deed is still in filed and has not been cancelled. The other marginal witnesses of the said deed also supported the stance of the plaintiffs and testified the attestation and execution of the said deed by plaintiffs in favour of defendants.

From perusal of the registered deed EXPW-1/1 it is quite clear that the defendants/DHA Peshawar have duly executed the said deed through their duly authorized person and bound downed themselves to hand over 67 numbers of files of plots(measuring one kanal each) in DHA Peshawar to plaintiffs in lieu of the property as mentioned in the deed but till date, the defendants have not handed over the files of plots to plaintiffs despite the fact that the possession of the property in question has also been delivered to DHA, Peshawar by plaintiffs and the same is in possession of DHA, Peshawar. Legally speaking, the defendants/DHA Peshawar is bound to perform their

Mohi
 NOSHEEN NISAR CIVIL JUDGE XVII
 PESHAWAR

(119)

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259

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII, PESHAWAR

part of the said deed i.e EXPW-1/1 by handing over the 67 numbers of files of plots in DHA Peshawar to plaintiffs as they are enjoying the possession of the property of the plaintiffs since the attestation and execution of registered deed. The plaintiffs have successfully established their case beyond any shadow of doubt by producing convincing evidence and proved the deeds. The suit of the plaintiffs being an ex parte, there is nothing in rebuttal and hindrance to grant an ex parte decree for, specific performance, declaration, permanent injunction and mandatory injunction ets as prayed for in the plaint.

(42)

9

(80)

Relief:

As sequel to the above, an ex parte decree is granted in favour of plaintiffs against the defendants. The defendants are directed to hand over 67 numbers of files of plots (one kanal each) at DHA Peshawar to plaintiffs in lieu of the property transferred and handed over to DHA Peshawar through registered deed No.1935 Bahi No.1 Volume No.2207 dated 2-12-2016. No order as to cost.

File be consigned to Record Room after its necessary completion and compilation

Announced
02/02/2020

Nosheen Nisar
NOSHEEN NISAR
CJ-XVII, Peshawar

CERTIFICATE

Certified that this Order/judgment consists of four(04) pages. Each page has been read over, corrected and signed by me after its necessary correction.

ATTESTED

Nosheen Nisar
NOSHEEN NISAR
CJ-XVII, Peshawar

11/02/2020
(Examiner)
District Court Peshawar

260
129

IN THE COURT OF NOSHEEN NISAR, CIVIL JUDGE-XVII,
PESHAWAR.

Civil Suits No.141/I

1. Mst.Sabeeha W/O Mohammad Saeed
2. Mst.Faiqa Huma W/O Mohammad Shcaib
3. Mst.Shah Room Abdur Razzaq
4. Mst.Falak Naz W/O Mohammad Rafiq
5. Mst.Nasreen W/O Qasim Jan All R/O Shahi Bala, Peshawar.

.....Plaintiffs

VERSUS

1. Assistant Director Land, DHA, Peshawar Cantt.
2. DHA, Peshawar through its Administrator, Peshawar Cantt.
3. Administrator, KP DHA, Peshawar.
4. Secretary, DHA, KP, Peshawar.

.....Defendants

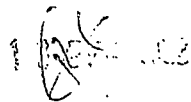
Date of original Institution.....2/05/2019


Date of Decision.....02/02/2020

SUIT FOR SPECIFIC PERFORMANCE
& DIRECTIVE INJUNCTION ETC

Plaintiffs have brought the instant suit against the defendants for specific performance, declaration, injunction for the reliefs as mentioned in the heading of the plaint.
On 02/05/2019 the suit came up for hearing before Civil Judge-XVII, Peshawar and it was held that plaintiffs have succeeded to prove their stance through cogent and reliable evidence. Hence, suit of the plaintiffs is decreed in favour of plaintiffs against defendants with direction to hand over 67 numbers of files of plots measuring one kanal each in lieu of the property measuring 268 kanals at Moza Shahi Bala Peshawar transferred through registered deed in favour of defendants/DHA.

ATTESTED


(Examiner)
District Court Peshawar


Nosheen Nisar
Civil Judge-XVII,
Peshawar

261

438

مقدمہ بذا بتاریخ 2/5/15 کو عدالت حضور میں پیش ہوا اور مورخہ 2/2/20 کو حکم ہوا۔

Order No.15
02/02/2020

Plaintiffs through attorney along with counsel present.
Vide my Summary Judgment of today, consists of 04 pages, copy separately placed on file. The suit of the plaintiffs is allowed and a decree is passed in the favor of plaintiffs as prayed for with direction to the defendants to hand over 67 numbers of files of plots (one kanal each) at DHA Peshawar to plaintiffs in lieu of the property transferred and handed over to DHA Peshawar through registered deed No.1935 Bahi No.1 Volume No.2207 dated 2-12-2016. No order as to cost.

Parties are left to bear their own costs.

File be consigned to record room after its necessary completion and compilation.

Announced:
02/02/2020

NOSHEEN NISAR
CJ-XVII, Peshawar

Seal

خرچہ نالش

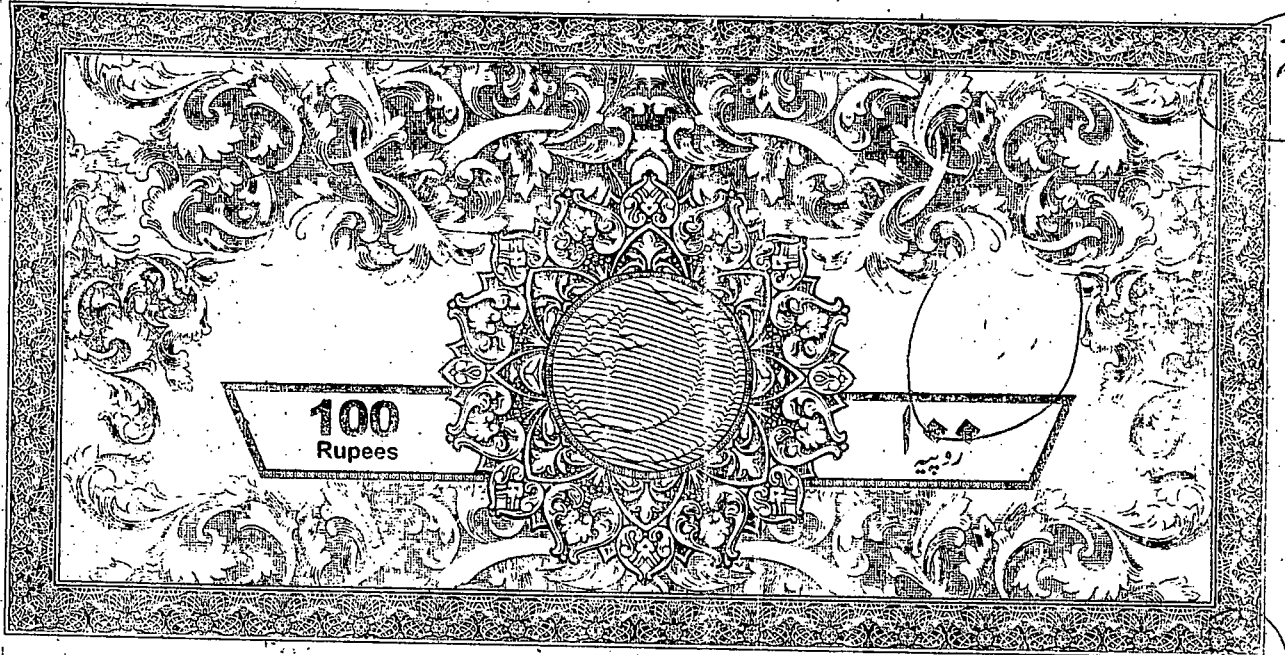
روپے	پیسے	مدعا علیہم	مدعی	روپے	پیسے
		/	اسٹامپ عرصی وی تھوڑا سا دے رہے ہیں		
			کل میزان		

حکم اخیر آج بتاریخ 2/2/20 کو بہ ثبت دستخط میرے اور مہر عدالت کے جاری ہوا۔

Seal

ATTESTED
13/2/2020
(Examiner)
District Court Peshawar

(Nosheen Nisar)
Civil Judge-XVII,
Peshawar



﴿بیان حلفی﴾

منکہ مسی مجاہد علی ولد محمد یوسف (سابقہ سینئر کلرک / ریڈر سول جج - XVII صاحب پشاور) ساکن محلہ ماما خیل، کالو خان، تحصیل رزڑ، ضلع
سواتی کا حلف بیانی ہوں کہ من حالف سول جج - XVII صاحب پشاور کے زیر سایہ عدالت حضور میں بطور ریڈر اپنے فرائض سرانجام دے رہا
تھا کہ اس دوران ایک جعلی برٹنی خود ساختہ ڈگری عنوان "مسماہ صبیحہ --- بنام --- DHA پشاور جعل سازی کر کے بنائی گئی جس کا من
حالف کو بالکل بھی علم نہ تھا۔ یہ کہ اس کے بعد اجراء کی کارروائی کے دوران پشاور ہائی کورٹ میں ایک تحریری کمپلیٹ منجانب DHA جمع کرائی
گئی اور اسی کمپلیٹ کے نتیجے میں پشاور ہائی کورٹ پشاور نے مورخہ 06/04/2021 کو سیشن جج صاحب پشاور کو ایک چھٹی ارسال کی
کہ معاملے کی انکوائری کرائی جائے۔ یہ کہ من حالف حلفاً بیان کرتا ہوں کہ مجھے نہ تو مذکورہ جعلی ڈگری کا کوئی علم تھا اور نہ ہی میں اس جعل سازی
میں ملوث رہا ہوں۔ یہ کہ مورخہ 06/04/2021 کے چھٹی کے بعد مورخہ 07/04/2021 کو جب میں نے فیصلہ ہی رجسٹر
ملاحظہ کیا تو ایک جعلی انٹری رجسٹر فیصلہ ہی میں نے دیکھی اور فوراً ہی اسی وقت تقریباً 11:00-AM بجے اُس وقت کے Presiding
Officer جناب رفاقت ظہور صاحب سول جج - XVII پشاور کو اطلاع کی اور اسی طرح اگلے روز یعنی مورخہ 08/04/2021 کو
تقریباً 10:00-AM من حالف نے اُس وقت کے سیشن ایڈوکیٹ ڈسٹرکٹ جج جناب پولس خان صاحب کو بھی زبانی طور پر تمام واقعات
تفصیلی طور پر گاہ کہ کورٹ رجسٹر فیصلہ ہی میں جعل سازی کے ذریعے اندراج کیا گیا ہے جو کہ نہ تو میری Hand writing ہے اور نہ
ہی سیریل نمبر دیا گیا جس کو دو خانوں میں تقسیم کر کے اندراج کیا گیا۔ لہذا یہ بیان حلفی تحریر و تصدیق کر دی تاکہ سند رہے اور بوقت ضرورت
کام آئے۔

المرقوم: 01/03/2022

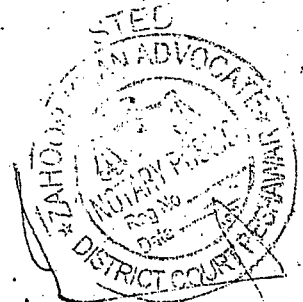
الف

مجاہد علی

شناختی کارڈ: 1-3338673-17301

رابطہ نمبری: 0302-8393957, 0345-9673847

(سابقہ سینئر کلرک / ریڈر سول جج - XVII صاحب پشاور)



02 MAR 2022

Amx N

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**BEFORE THE HONORABLE SENIOR PUISNE
JUDGE PESHAWAR HIGH COURT PESHAWAR AS
APPELLATE AUTHORITY UNDER KP E&D
RULES 2011**

Departmental Appeal No. _____/2022

Mujahid Ali (Ex Senior Clerk/Leader CJ XVII Peshawar) S/O
Muhammad Yousaf R/O Mohalla Mama Khel, Kalu Khan Tehsil
Razzar District Swabi

.....Appellant

Versus

District and Session Judge Peshawar

.....Respondent

Subject: Departmental Appeal against the order dated 17/02/2022 passed by District and Session Judge Peshawar wherein appellant has been compulsorily retired from service which is illegal against law and facts.

PRAYER: On acceptance of this departmental appeal, impugned order dated 17/02/2022 passed by District and Session Judge Peshawar wherein appellant has been compulsorily retired from service may please be set aside and appellant may please be reinstated in service with all back benefits.

Respected Sir,

Appellant humbly submits as under:

1. That appellant was appointed as Chowkidar (BPS-1) vide appointment order dated 13/05/1999 (Copy of the appointment order dated 13/05/1999 is attached as Annexure A)
2. That appellant was promoted to the post of Naib Qasid vide order dated 27/09/2001 (Copy of the promotion order dated 27/09/2001 is attached as Annexure B)

(26W)

3. That appellant was promoted to the post of Junior Clerk (BPS-5) vide promotion order dated 09/09/2002 (Copy of the promotion order dated 09/09/2002 is attached as Annexure C)
4. That appellant was promoted to the post of Senior Clerk (BPS-9) vide order dated 09/07/2010 (Copy of the promotion order dated 09/07/2010 is attached as Annexure D)
5. That the post of Senior Clerk was upgraded from BPS-9 to BPS-14 in the year 2012-13 and was performing duty as reader to Civil Judge XVII Peshawar.
6. That appellant is B.A (Bachelor of Arts) qualified from Abdul Wali Khan University Mardan (Copy of the B.A degree is attached as Annexure E)
7. That the findings of the Learned Additional District Judge namely Sajid Khan as a probe-finding inquiry with respect to appellant is limited to negligence which too is illegal against law and facts as at the back of the appellant (Copy of the probe finding inquiry report is attached as Annexure F)
8. That appellant was charge sheeted along with statement of allegation on 01/10/2021 for inefficiency/misconduct (Copy of the charge sheet along with statement of allegation is attached as Annexure G)
9. That appellant properly replied the same on 06/10/2021 (Copy of the reply dated 06/10/2021 is attached as Annexure H)
10. That the allegation against the appellant is entry in the Faisala Bahi register of the fake decree titled as Mst Sabiha and other versus Assistant Director Land, DHA and others.

11. That appellant denied the same and asserted that the register is not in the exclusive custody of the appellant but remains in the Court room in open cupboard without lock and key and accessible to every official of the Court.
12. That the entry at the bottom on 02/02/2020 regarding the fake decree has been made by someone wherein the last column has been further divided into two and thus the squares of this row are smaller than the preceding one **(Copy of the relevant page dated 02/02/2020 of the Faisala Bahi register is attached as Annexure D)**
13. That the handwriting of entry of the fake decree is different than that of the handwriting of the appellant with respect to the remaining entries in the register.
14. That the fake entry may have been made by the scrupulous hands much later than the date of decree most probably held guilty and dismissed from service by the Senior Civil Judge (Admin) i.e Muharrir/Naib Nazir of the Court.
15. That as the entry has been made clandestinely and it never came into my notice as the guilty hands had effected the entry whenever they got the opportunity.
16. That as a matter of fact, the working relationship of the Court is based on confidence in between the Court staff and the register cannot be kept in the exclusive custody of the reader.
17. That it is human for the reader to leave his seat for attending bathroom, tea-break, lunch break and prayer break.
18. That the opening and locking of the door of the Court is the responsibility of the Naib Qasid concerned.
19. That inquiry has been conducted at the back of the appellant.

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20. That similarly appellant has not been confronted with any of the document and the appellant has not been given any opportunity to cross examine any witness.
21. That a show cause notice was issued to the appellant which was properly replied by the appellant **(Copy of the show cause notice and reply to show cause are attached as Annexure J)**
22. That neither appellant has been charged for making entry of bogus decree with deliberate evil/malafide intention nor the same has been proved.
23. That appellant has been charged only for inefficiency and misconduct.
24. That neither appellant has been associated with the inquiry nor any witness has been examined in front of the appellant. **(Copy of the inquiry report of Senior Civil Judge is attached as Annexure K)**
25. That the finding of inquiry by the Learned Senior Civil Judge Peshawar wherein he has concurred with the finding of the fact-finding inquiry officer mentioned above is also limited to negligence which too is illegal against law and facts.
26. That appellant has rendered 22 years satisfactory service wherein neither any show cause notice nor any warning has been issued to the appellant and has earned good ACRs throughout.
27. That the entire record shows that the decree is fake and bogus and with malafide designs, the execution has been filed much later after 10 months i.e on 11/12/2020 so that no one should notice the same. **(Copy of fake and bogus decree and order sheets and case file is attached as Annexure L)**

28. That appellant reiterates and affirms on oath that appellant has never noticed the entry of the bogus decree and the moment, it came into the notice of the appellant, appellant immediately orally informed the Presiding Officer namely Mr Razaqat Zahoor (Civil Judge XVII Peshawar) as well as Mr Justice Younas Khan (the then District and Session Judge Peshawar) and appellant submits an affidavit to this effect with this Departmental appeal (Affidavit in original is attached as Annexure M)
29. That appellant has been compulsorily retired vide order dated 17/02/2022 passed by the Learned District and Session Judge Peshawar which is illegal against law and facts on following grounds: (Copy of the impugned order dated 17/02/2022 is attached as Annexure N)


GROUND:


- A. Because appellant is innocent and falsely charged.
- B. Because as per inquiry report, appellant has not been held guilty for misconduct and inefficiency.
- C. Because the inquiry officer has held that appellant is guilty of negligence and the impugned penalty of compulsory retirement does not commensurate with the charge as consistently held by the Honorable Supreme Court of Pakistan reported in 2006 SCMR 60. (Copy of the judgment reported in 2006 SCMR 60 is attached as Annexure O)
- D. Because the Honorable Supreme Court of Pakistan has held that major penalty cannot be imposed for the charge of negligence.
- E. Because the handwriting of Moharrir/Naib Nazir in Ex CW-8/2 resembles with that of entry in Faisala Bahi register and therefore the alleged entry has been made by the Moharrir/Naib Nazir and to this effect, the present appellant is filing separate application with this Departmental appeal for forensic examination of the handwriting in Ex CW-8/2 as well as Faisala Bahi register.

- F. Because even the charge of negligence is not proved as the Learned Senior Civil Judge has recorded his finding as inquiry officer that the register Faisala Bahi doesn't remain in the exclusive custody of the reader but it goes into different hands of different Court officials.
- G. Because the appellant has specifically asserted in Para No 2 of the reply to charge sheet that the entries made in the register be sent to handwriting expert/Forensic Science Laboratory but the Learned inquiry officer failed to send the alleged entry made in the register to expert.
- H. Because the Learned inquiry officer has failed to arrive at the conclusion as to who has committed the act of entry of fake decree in the Faisala Bahi register.
- I. Because as per statement recorded by Inquiry officer, Qaiser (Reader to Senior Civil Judge Peshawar) has erlorted the fact that there is no entry made in the marking register of the Senior Civil Judge (Judicial) Peshawar.
- J. Because the mode and manner under which the entry has been effected in the Faisala Bahi register while squeezing the last row by dividing into two halves by itself speaks of the fact that it can't be entered by the appellant but the evil doers have effected the entry in a hurried manner by creating an extra row. Moreover, no serial number has been given to the said entry and the date of judgment is wrongly written as 2002 instead of 2020 which fortifies the fact that the entry has been made in a hurried manner by the evil doer.
- K. Because the cause lists and Peshi register is maintained by the reader (appellant) and there is no entry in the cause list as well as Peshi register. Moreover, the appellant has completed computer training of the software developed by District Judiciary. There is no entry in the computer software maintained by the appellant.
- L. Because it was the boundened duty of the inquiry officer to give finding beyond any shadow of doubt as to who has entered the fake/bogus entry.
- M. Because appellant has been made a scapegoat.

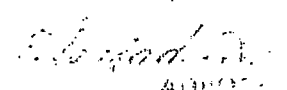
- N. Because there is neither any allegation upon the appellant nor its proof that appellant is in connivance with the beneficiary or has any relationship with the beneficiary fake decree holder.
- O. Because in such type of cases, the charge must be specific like criminal cases and must be strictly proved.
- P. Because the connected inquiry against the Moharrir/Naib Nazir wherein ultimately they have been inflicted with a more severe penalty of dismissal from service speaks of the fact that they were involved in making the entry. (Copy of the inquiry proceedings in the case of Moharrir is attached as Annexure P)
- Q. Because neither the Presiding Officer of the Court nor the KPO nor the stenotypist nor the Naib Qasid has been penalized.
- R. Because as per rules, all the accuseds should have been jointly tried but separate inquiries in the cases is illegal against law and facts.
- S. Because appellant is jobless and entitled for back benefits.

It is therefore humbly prayed that on acceptance of this departmental appeal, impugned order dated 17/02/2022 passed by Learned District and Session Judge Peshawar wherein appellant has been compulsorily retired from service may please be set aside and appellant may please be reinstated in service with all back benefits.

Appellant 
 Mujahid Ali S/O Muhammad Yousaf
 R/O Mohallah Mama Khel, Kalu Khan Tehsil
 Razzar District Swabi
 (Ex Senior Clerk/Reader Civil Judge XVII
 Peshawar)
 Cell No. 0302-8393957 & 0345-9673847

Through 
 Amjad Ali (Mardan)
 Advocate
 Supreme Court

Date: 02/03/2022


 AMJAD ALI
 ADVOCATE
 SUPREME COURT



DISTRICT JUDICIARY, K-HYBER PAKHTUNKHWA, PESHAWAR

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No. 1531
Dated Peshawar 04/3/22

Ann-0

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To

The worthy Registrar,
Peshawar High Court,
Peshawar.

Subject:

DEPARTMENTAL APPEAL AGAINST THE ORDER OF DISTRICT & SESSIONS JUDGE, PESHAWAR DATED 17/02/2022

Dear Sir,

The subject Departmental Appeal filed by Mr. Mujahid Ali, Ex-Senior Clerk of this Sessions Division, is forwarded herewith, please.

Encl: AS ABOVE

[ASHFAQUE TAJ]
District & Sessions Judge,
Peshawar.

Ann-P
(271)

**BEFORE THE HONORABLE SENIOR PUISNE
JUDGE PESHAWAR HIGH COURT PESHAWAR AS
APPELLATE AUTHORITY UNDER KP E&D
RULES 2011**

C.M No. _____/2022

IN

Departmental Appeal No. _____/2022

Mujahid Ali (Ex Senior Clerk/Reader CJ XVII Peshawar) S/O
Muhammad Yousaf R/O Mohallah Mama Khel, Kalu Khan Tehsil
Razzar District Swabi

.....Applicant

Versus

District and Session Judge Peshawar

.....Respondent

*Subject: Application for forensic examination through handwriting
expert of alleged entry made in Faisala Bahi register*

Respected Sir,

Applicant humbly submits as under:

1. That the aforementioned departmental appeal is filed today.
2. That despite request of the appellant, the Learned Inquiry Officer failed to conduct forensic examination of the entry made in the Faisala Bahi register and also restrained himself from giving findings as to in whose handwriting, the entry has been made.
3. That the appellant/applicant has not made the entry in the Faisala Bahi register and therefore it is essential to conduct forensic examination through handwriting expert.
4. That applicant requests that handwriting samples be taken from all persons made part of inquiry and sent to the handwriting expert.

It is, therefore humbly requested that handwriting samples be taken from all persons made part of the inquiry and sent to the handwriting expert for forensic examination of handwriting of the alleged entry made in the Faisala Bahi register.

Appellant
Mujahid Ali S/O Muhammad Yousaf
R/O Mohallah Mama Khel, Kalu Khan Tehsil
Razzar District Swabi
(Ex Senior Clerk/Reader Civil Judge XVII
Peshawar)
Cell No. 0302-8393957 & 0345-9673847

Through

Amjad Ali (Mardan)
Advocate
Supreme Court

Dated: 02/03/2022

(278)



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph#091-9210099 Fax#091-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 1118-23

Dated Peshawar 17-02-2022

ORDER

WHEREAS, in compliance with the directions of august Peshawar High Court, Peshawar, conveyed through letter No. 397/MIT dated 06/04/2021; Mr. Muhammad Sajid, learned Additional District & Sessions Judge-XIII, Peshawar was directed to conduct an inquiry into the matter of issuance of Fake Court Decree titled "Mst: Sahiba & others vs. Assistant Director Land, DHA & others" by the Court of Ms. Nosheen Nisar, Civil Judge-XVII, Peshawar. The learned Inquiry Officer, after concluding the proceedings, submitted his report to this Office, which was forwarded to the august Peshawar High Court, Peshawar for further appropriate order.

AND WHEREAS, the august Peshawar High Court, Peshawar was pleased to direct this Office, vide letter No. 735/MIT dated 22/09/2021, to proceed against the identified delinquent officials under the E&D Rules 2011, as well as to initiate criminal proceedings against the beneficiaries of fake judgment and other accomplices.

District & Sessions Judge Peshawar

AND WHEREAS, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar was appointed as Inquiry Officer to proceed against the delinquent official i.e. Mujahid Ali, Senior Clerk/Reader, under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as well as to identify the beneficiaries of said fake degree and their accomplices, and report to this Office at the earliest. A similar action was taken against the other delinquent official i.e. Qaiser Khan, Naib Nazir, by the learned Senior Civil Judge (Admn), Peshawar, being competent authority.

ATTESTED

21 Feb 2022


(Signature)

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AND WHEREAS, learned Inquiry Officer submitted his report dated 03/01/2022, wherein the accused official was held guilty of inefficiency & misconduct, therefore, final Show Cause Notice was issued to him for award of one of the penalties provided under rule 4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011

AND WHEREAS, the official concerned submitted his reply to the Final Show Cause Notice on 19/01/2022 which was not found satisfactory. He was also heard in person but could not present any plausible explanation for his negligence towards performance of his official duty.


NOW, THEREFORE, in exercise of powers conferred upon the undersigned under rule 4(b)(ii) of the Govt of Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules, 2011, the delinquent official i.e. Mujahid Ali, Senior Clerk of this Sessions Division is hereby **Compulsory Retired from Government Service**, in the interest of public, with immediate effect.


District & Sessions Judge,
Peshawar.

No. 83(DAS) 1118-23 Dated Peshawar, the 17/02 /2022

Copy forwarded for information/necessary action to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The learned Additional District & Sessions Judge-XIII, Peshawar.
3. The learned Senior Civil Judge (Admn), Peshawar.
4. The learned Senior Civil Judge (Judicial), Peshawar.
5. The learned Civil Judge-XVII, Peshawar.
6. Official concerned by name.


District & Sessions Judge,
Peshawar.

ATTESTED

21 FEB 2022
(Exam per)
District Court Peshawar

Ann-2

(274)

2006 SCMR 60

[Supreme Court of Pakistan]

Present: Muhammad Nawaz Abbasi and Mian Shakirullah Jan, JJ

AUDITOR-GENERAL OF PAKISTAN and others---Appellants

Versus

MUHAMMAD ALI and others---Respondents

Civil Appeals Nos. 199, 200 and 201 of 2002, decided on 6th October, 2005.

(On appeal from the judgment, dated 16-10-2000 passed by the Federal Service Tribunal, Islamabad in Appeals Nos. 45/Q of 1999, 1/Q and 2/Q of 2000).

(a) Constitution of Pakistan (1973)---

---Art. 212(3)---Leave to appeal was granted by Supreme Court to consider; whether on the ground of inefficiency and negligence, major penalty of compulsory retirement could have been converted and modified to that of reduction in time scale by three stages in exercise of appellate jurisdiction of Service Tribunal and that what type of inefficiency and negligence could attract imposition of major penalty.

(b) Service Tribunals Act (LXX of 1973)---

---Ss. 4 & 5---Government Servants (Efficiency and Discipline) Rules, 1973, Rr.2 & 3---Compulsory retirement from service---Carelessness, an act of misconduct---Deterrent and reformatory punishment---Import, object and scope---Converting major penalty into minor penalty---Senior officers who equally shared the responsibility of negligence in transaction of over payment, were awarded minor penalty of recovery of nominal amount of Rs.5,000 each, whereas civil servants being subordinate officials, on the basis of same set of facts, had been dealt with severely in the matter of punishment---Service Tribunal allowed the appeal filed by civil servants and penalty of compulsory retirement from service was converted into reduction in time scale by three stages for two years---Pl.a raised by authorities was that civil servants were negligent and inefficient and were responsible for causing loss to Government exchequer---Validity---Carelessness was an act of negligence which might not strictly fall within the ambit of misconduct as defined in R.2 of Government Servants (Efficiency and Discipline) Rules, 1973 but it was definitely a valid ground on the basis of which a Government servant could be awarded penalty as provided in R.3 of Government Servants (Efficiency and Discipline) Rules, 1973---Element of bad faith and wilfulness might bring an act of negligence within the purview of misconduct but lack of proper care and vigilance might not always be wilful to make the same a case of grave negligence inviting severe punishment---Philosophy of punishment was based on the concept of retribution, which might be either through the method of deterrence or reformation---Purpose of deterrent punishment was not only to maintain balance with the gravity of wrong done by a person but also to make an example for others as a preventive measure for reformation of society---Concept of minor penalty in law was to make an attempt to reform the individual wrong doer---In service matters, extreme penalty for mirror acts depriving a person from right of earning would defeat the reformatory concept of punishment in administration of justice---Supreme Court declined to take any exception to the view of the matter taken by Service Tribunal---Appeal was dismissed.

Raja Muhammad Irshad, D.A.-G. for Appellants.

Hafiz S.A. Rehman, Senior Advocate Supreme Court and M.A. Zaidi, Advocate-on-Record for Respondents.

Date of hearing: 6th October, 2005.

JUDGMENT

MUHAMMAD NAWAZ ABBASI, J.--- These connected appeals by leave of the Court, have been directed against the judgment dated 16-10-2000 passed by the Federal Service Tribunal whereby the major penalties of removal/compulsory retirement from service awarded to the respondents by the competent authority, were converted into reduction in time scale by three stages for two years without cumulative effect and the appeals of the respondents were partly allowed. These appeals, in which leave was granted vide order, dated 26-2-2002, involving common question of law and facts, are proposed to be disposed of through this single judgment. Leave granting order is read as under: --

"Through this order we propose to dispose of above captioned three petitions filed on behalf of Auditor-General of Pakistan to assail the validity of orders dated 16th of November, 2000 whereby the Federal Service Tribunal accepted the appeals of the respondents, set aside their respective impugned orders and modified their penalty to that of reduction in time scale by three stages for a period of two years without cumulative effect with the consequence that they were reinstated in service with direction that their intervening period would be treated as leave of the kind due.

With the assistance of the learned counsel for the petitioner and respondents, we have gone through the judgment impugned in all three cases. Hafiz S.A. Rehman Advocate Supreme Court representing the respondents has attempted to argue that excess payments paid to recipient Government officers is being recovered from them through the process of law, but we do not find any substantial evidence or the material to believe the same. Anyhow, the crucial question for determination involved in these cases is whether on the ground of inefficiency and negligence, the major penalty of compulsory retirement could have been converted and modified to that of reduction of time scale by three stages in exercise of the appellate jurisdiction of the A Tribunal. Furthermore, so to what type of inefficiency and negligence could attract the imposition of major penalty. To consider these questions, we grant leave to appeal in all three cases with direction to office to fix them for final disposal at an early date."

2. The respondents namely, Kazim Ali, (Assistant Officer) Muhammad Ali and Syed Zahid Mumtaz, (Senior Auditor), were proceeded against for the charge of negligence and inefficiency based on the allegation that they were responsible of causing loss to the Government exchequer on account of the over payment made in certain G.P.F. accounts on final payments. The Inquiry Office (Deputy Accountant-General) having held the respondents guilty of the charge of negligence and inefficiency submitted his report and the authorized officer, on the basis of inquiry report, issued show-cause notice to them proposing major penalty of removal from service. The competent authority, however, awarded the punishment of removal from service to Kazim Ali whereas Muhammad Ali and Syed Zahid Mumtaz were imposed the penalty of compulsory retirement. The respondents after exhausting the departmental remedies filed separate appeals before the Service Tribunal which were partly allowed and in consequence thereto, the punishment awarded to them by the competent authority was modified as stated above and they were reinstated in service with direction of treating the intervening period as leave of the kind due.

3. The learned Deputy Attorney-General has contended that Tribunal having come to the conclusion that respondents were guilty of the charge of inefficiency and negligence was not justified in converting the major penalty of removal from service and compulsory retirement into the reduction of time scale by three stages. However, on pointing out that the Tribunal having taken into consideration the nature of charge, coupled with the fact that there was no allegation of wrongful gain through fraud, misappropriation or embezzlement formed an opinion that punishment of removal and compulsory retirement from service in the circumstances of the case was harsh, reduced the penalty the learned counsel has not been able to satisfy us that the reasons given by the Tribunal for reduction of punishment in exercise of the powers under section 5 of the Service Tribunals Act, 1973, were unfounded or unreasonable and unjustified. The learned D.A.-G. also has not been able to satisfy us that senior officers who equally shared the responsibility of negligence in the transaction of over-payment, were awarded minor penalty of recovery of nominal amount of Rs.5,000

each whereas respondents, the subordinate officials, on the basis of same set of facts, have been dealt with severely in the matter of punishment. The carelessness is definitely an act of negligence which may not strictly fall with the ambit of misconduct as defined in section 2 of the Government Servants (E&D) Rules, 1975 but it is definitely a valid ground on the basis of which a Government servant can be awarded penalty as provided in rule 3 of the above rules. The element of bad faith and wilfulness may bring an act of negligence within the purview of misconduct but lack of proper care and vigilance may not always be wilful to make it a case of grave negligence inviting severe punishment. The philosophy of punishment is based on the concept of retribution, which may be either through the method of deterrence or reformation. The purpose of deterrent punishment is not only to maintain balance with the gravity of wrong done by a person but also to make an example for others as a preventive measure for reformation of the society, whereas the concept of minor punishment in the law is to make an attempt to reform the individual wrong doer. In service matters, the extreme penalty for minor acts depriving a person from right of earning would definitely defeat the reformatory concept of punishment in administration of justice. In view thereof, we would not take any exception to the view of the matter taken by the Tribunal.

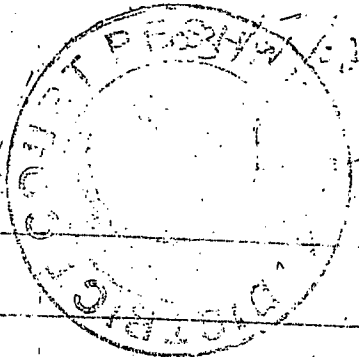
4. In the light of foregoing discussion, these appeals fail and are accordingly dismissed. There will be no order as to costs.

M.H/A-180/S

dismissed. Appeal

نور کتب

لغات عربیہ، فارسی، ہندی، انگریزی، سنسکرت، پنجاب، گجرات، سندھ، بنگالہ، اور دیگر علاقوں کے لکھنے والے نسخے



تعداد: 14
 تاریخ: 14/10/1914
 مقام: کیشوان

نوع و تفصیل	تعداد	ملاحظات
اردو لکھی اور دیگر کتب	4	
فارسی لکھی اور دیگر کتب	3	5-
ہندی لکھی اور دیگر کتب	4	8-
انگریزی لکھی اور دیگر کتب	2	13-
سنسکرت لکھی اور دیگر کتب	66	15-
گجراتی لکھی اور دیگر کتب	36	8-
بنگالی لکھی اور دیگر کتب	9	10-
پنجابی لکھی اور دیگر کتب	1	13-
دیگر کتب	6	3-
مجموعاً	119	151-
اور دیگر کتب	6	8-
مجموعاً	15	5-
مجموعاً	16	10-
مجموعاً	5	33-
مجموعاً	241	

ATTESTED

21/10/14

(Examiner)
 District Court Keshwan

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

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eMail: jscPeshawar@yahoo.com
web: Sessions Court Peshawar govpk

No. 1189
Dated Peshawar 2/10/2021

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

CHARGE SHEET

I, Muhammad Sher Ali Khan, Senior Civil Judge (Admn), Peshawar, as competent authority, hereby charge you, Qaiser Khan, Naib Nazir Muharrar as follow:

1. That you, while posted as Muharrar to the Court of the Ms. Nosheen Nisar, the then Civil Judge-XVII Peshawar, committed the following irregularities:
 - a. Prepared and issued a Fake Court Decree titled "Mst. Sahiba & others .vs.. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.
2. By reason of the above, you appear to be guilty of **misconduct and corruption** under Rules-3(b) & (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.
3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case, ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.

ATTESTED

(Examiner)
District Court Peshawar

[Muhammad Sher Ali Khan]
Senior Civil Judge (Admn)/
Competent Authority
Peshawar
Senior Civil Judge (Admn)
Peshawar

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph: 091-9210099 Fax: 091-9212419
E-Mail: sc.Peshawar@yahoo.com
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No 1184-87
Dated Peshawar 02-10-2021

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

ORDER

In compliance with the directions of Hon'ble District & Sessions Judge, Peshawar, conveyed through letter No. 5604-5607 dated 01/10/2021; Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed as Inquiry Officer to proceed against the delinquent official i.e. Qaiser Khan, Naib Nazir/Muharrar, under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as well as to identify the beneficiaries of said fake degree and their accomplices, and report to this Office at the earliest.

Mr. Amjad Khan Shinwari, Senior Clerk shall represent this Office during the inquiry proceedings.

[Signature]
[Muhammad Sher Ali Khan]
Senior Civil Judge (Admin),
Peshawar Civil Judge (Admin) 02/10/2021
Peshawar.

Endorsement No. 1184-87 Dated Peshawar, the 02/10/2021

Copy forwarded to:

1. The Hon'ble Member Inspection Team, Peshawar High Court, Peshawar, for information, please.
2. The Hon'ble District & Sessions Judge, Peshawar, for information, please.
3. The Senior Civil Judge (Judicial), Peshawar/Inquiry Officer, along with complete Inquiry file, in original, and copies of Charge Sheets and Statement of Allegations served upon the delinquent official Qaiser Khan, Naib Nazir.
4. The officials concerned.

ATTESTED

[Signature]
(Examiner)
District Court Peshawar

[Signature]
Senior Civil Judge (Admin),
Peshawar.
Senior Civil Judge (Admin) 02/10/2021
Peshawar.

280

467



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

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No. 1188
Dated Peshawar 2/10/2021

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

DISCIPLINARY ACTION

1. Muhammad Sher Ali Khan, Senior Civil Judge (Admn), Peshawar, as competent authority, am of the opinion that Qaiser Khan, Naib Nazir/Muharrar has rendered himself liable to be proceeded against, as he committed the following act/omission, within the meaning of Rules-3(b) & (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

STATEMENT OF ALLEGATION(S)

- a. Prepared and issued a Fake Court Decree titled "Mst: Sahiba & others vs.. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.
2. For the purpose of inquiry against the said accused, with reference to the above allegations, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed under Rule 10(1)(a) of the rules ibid.
3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record his findings and make, within **thirty** days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
4. The accused and Mr. Amjad Khan Shinwari, Senior Clerk/ representative of this office, shall join the proceedings on the date, time and place fixed by the Inquiry Officer.

ATTESTED

[Signature]

(Muhammad Sher Ali Khan)
Senior Civil Judge (Admn)
Competent Authority,
Peshawar.
Senior Civil Judge (Admn)

[Signature]
02/10/2021

281

~~408~~

BEFORE THE HON'BLE MR. FAZAL NISAR SHAH, LEARNED
SCJ (JUDICIAL) PESHAWAR, THE WORTHY INQUIRY
OFFICER

REPLY TO THE CHARGE SHEET AND STATEMENT OF
ALLEGATIONS DATED 02-10-2021

Respectfully Sheweth:

Qaisar Khan, Naib Nazir / Muharrar, District Courts Peshawar, the petitioner submits most respectfully the following statement / reply in respect of the charge sheet dated 02-10-2021 for your kind consideration and favour of acceptance.

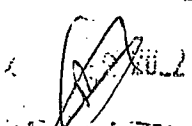
Para Wise Reply

- 1) That while serving as Muharrar attached to the court of Civil Judge XVII, Peshawar, a complaint was filed on behalf of Assistant Director Land, DHA against a decree allegedly passed on Sunday being a public holiday.
- 2) That on the directions of the august High Court, the learned D&SJ Peshawar, appointed Mr. Muhammad Sajid, AD&S-XIII, Peshawar as an Inquiry Officer vide office order dated 09-04-2021.
- 3) The worthy Inquiry Officer submitted his report dated 06-07-2021 with the observation as under;
 5. The subject case file has been entered by Moharrir Qaiser Khan in register No. 1, register Faisla Bahi, challan book and he also admitted receiving of subject case file as well as its consignment to the record room, therefore, it could be held that Moharrir of the court namely Qaiser Khan, being custodian of record as well as aware of the forged entry of subject case file in the record, seems to be prima facie involved in the matter. Secondly, the reader of the court namely Mujahid Khan was the custodian of register failsa bahi wherein reference of subject case file has been given but without any serial number. If the stance of the reader namely Mujahid Khan regarding his ignorance be taken to be true, even then he is guilty of negligence. The report, so compiled is submitted, please.

0-1
Continued
M

FAZAL NISAR SHAH
SCJ (JUDICIAL) PESHAWAR
08.10.21

ATTESTED


(Examiner)
District Court Peshawar

(Muhammad Sajid)
Ad. J. District & Session Judge-XIII
Peshawar/Inquiry Officer

282

[Handwritten signature]

4) That resultantly the petitioner was served with the Charge Sheet and Statement of Allegations dated 02-10-2021, wherein charge against him is mentioned as under;

a. Prepared and issued a Fake Court Decree titled "Mst: Sahiba & others .vs.. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.

5) To the above stated charge, it is graciously submitted that the procedure for institution of fresh-suit is clearly described and followed by the courts all over the province in the similar fashion.

The fresh institution is made before the court of Senior Civil Judge, which then marked to any other Civil Court by the SCJ. The reader attached to the court of Civil Judge receives the case file, wherein entries are made in the Dak Book (SCJ) duly signed by the reader in person. The Hon'ble Civil court makes necessary order regarding registration and reader of the Court enters in the fresh case into his daily diary register. Thereafter the case is received by Muharrar and the case is registered in civil register.

6) The petitioner received the court file from the court of learned CJ-XVII through the Peon and necessary entries were made in the relevant civil register along with 11 others freshly instituted cases on the same day.

7) The suit was disposed off by the Hon'ble court, wherein the case file was sent to the petitioner as Civil Muharrar for consigning the same to record room after necessary completion. The petitioner obliged according to the order accordingly.

8) It is necessary to mention that the suit file contained printed decree sheet, duly received from the Hon'ble court, wherein just small necessary entries were made by the petitioner and then the same was sent to the record room for its consignment. Thus the allegation of preparation of fake court decree is entirely incorrect and liable to be rescinded as such.

9) Needless to mention that the entries of the disposal of the suit file exists in the register of Faisla Bahi retained by the reader to the court and signatures of the worthy presiding Officer over each order sheet which were never proved to be fake till date.

10) It is worth mentioning that the worthy Inquiry Officer neither called, summoned the plaintiff nor his counsel to ascertain the real factum of the case in question. In absence of such findings the inquiry report the learned ADJ-XIII, Peshawar is incomplete and cannot be relied upon.

ATTESTED

(1)

[Handwritten signature]

Examiner
District Court Peshawar

The majority of the work done, in the suit file was in the court of learned CJ-XVII, Peshawar and the same was sent to the petitioner only for its final entries in the already printed out decree sheet, Faisal Bahi register and its consignment to the record room, which he did according to the laid down procedure.

0-1
Continued

FAISLA BAH
Senior Civil Judge
Peshawar

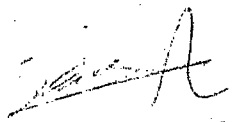
08-10-21

283

- 12) The petitioner has not committed anything wrong on his part, nor done any corrupt practice or violation of official duties, breach of trust and misconduct in official capacity, and had just followed the order contained in the order sheet of the suit file.
- 13) The petitioner has 20 years of long service at his credit and that neither any complaint was ever filed against him nor was any disciplinary proceedings initiated against him during entire period of his service.
- 14) The allegations made herein against the petitioner would adversely affect his otherwise clean service record and would definitely harm his reputation, which he built up in his long service career. There is no fault on the part of the petitioner, the charge sheet under reply is being made on the basis of false, frivolous and vague allegations is liable to be struck down while completely exonerating the petitioner of the charge leveled against him.


In view of the above, it is requested that by accepting this reply, the charges leveled against the petitioner may kindly be set aside, with the request to exonerate the petitioner from all the charges leveled against him.

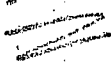
Peshawar, Dated
8th Oct, 2021


Caesar Khan
Naib Nazir / Muharrar,
District Courts Peshawar

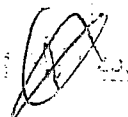
8/10/21

0-1
Continued


FAEZAL NASIR SHAH
Naib Nazir / Muharrar,
District Courts Peshawar

08.10.21


ATTESTED


(Examiner)
District Court Peshawar

خواجہ انوار شری صاحب / سید محمد حیدر صاحب / سید شہباز صاحب

0-4



انوار شری اور حلاف غیر خان

(9/1)

ESZAL SIR SPTT
Sindh Bar Council
Peshawar

29.10.21

غیر مستند برادری

12
2019/10/17

رہنما ڈیڑھ سے 17/10/2019
15/9/2019 سے 14/10/2019 تک (میراثہ) (میراثہ)

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

ATTESTED

25/10/2021

(Examiner)
District Court Peshawar

انوار شری
A.C.C.

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

میراثہ کے حوالے سے سوال نمبر 1 سے 10 تک کے جوابات جمع کرنا اور ان کو

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P.1

(Signature)

بیان قصیر خان دربار عدالت سمنر سول جج فیوڈیشن سٹیٹ

P.W.1
05.11.2019

حلفاً بیان کر رہا ہوں کہ سال 2019 میں

میں عدالت قیام آصف رضا دوسول جج صاحب کے

IX آئی آر عدالت کے قیام اور آئی آر میں سمنر سول جج

فیوڈیشن سٹیٹ عدالت میں ڈیوٹی سر ایام میں

آج میں برہم ڈیوٹی آفیسرز / سمنر سول جج میں

مارٹیل ڈیوٹی میں سر ایام میں سال 2019

سٹاٹوٹا میں۔ مطابق ریکارڈ / رجسٹرڈ

02.05.2019 تاریخ کو آئی آر میں

02.05.2019 کے آئی آر میں مقدمہ

صحبہ نام DHA کا آئی آر ہے۔ جو کہ

Exp. ہے۔ مشعل برہم قطعات میں

XX — صاحب منظم ایڈیٹر

ATTESTED

(Signature)

(Examiner)
District Court Peshawar

میں، میں 2019 میں

عدالت سمنر سول جج فیوڈیشن سٹیٹ عدالت میں تھا۔

میں، میں 2019 میں Exp. میں یا کوئی نہ

286

P. 2

PSW

05.11.2021

012

عائشہ عائشہ ڈیپارٹمنٹ XX

(حجر نادر موقع ڈیپارٹمنٹ)

سید نور محمد

مستحق
Date: 05/11/2021

ATTESTED

(Signature)

(Examiner)
District Court Peshawar

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P. 1

بیان ذاکر اللہ حمیرا / جو شہر کٹرک عدالت جناب سر جتندھ نوشین

P.W. 02

05.11.21

سول جج پشاور (J 277)

(Handwritten signature)

حلفاً بیان کیا کہ میں عدالت سول جج XVII

میں بطور سر لعیبات سول. میرا ساٹھ دوسرا نمبر

کا نمبر ان ہے۔ سال 2019 میں میں نے

سول جج میں بطور آئی پی ٹی عارضی طور لعیبات تھا

میں ستمبر 2019/12 تا 2020/03 سال 2020ء میں 24.02.2021

لینوائز D.H.A. پشاور تیار کیا گیا ہے

سمراہ لاہور میں عدالت میں زیر توجہ ہے

اور (سول جج پشاور) 10.11.2021 کو

درخواست 12(2) Ex PW 2/02 سے جو مکمل

پر 05 صفحات ہے۔ درخواست Suspension Execution

Ex PW 02/02 سے جو مکمل پر دو صفحات ہے

جواب درخواست جناب سول جج 05/05 کے

12(2) Ex PW 02/03 سے جو مکمل پر 4 صفحات ہے

جواب درخواست سول جج 05/05 کے

P.T.O

FAZAL NASIR
Senior Civil Judge
Peshawar
05.11.21

ATTESTED
2021
(Examiner)
District Court Peshawar

جو مشتمل ہر دو صفحات پر ہے گاوشتر بیان $Exp PW \frac{02}{04}$

صفحہ $Exp PW \frac{02}{05}$ سے نقل اتھارٹی لٹریچر D.H.A نام حاضر ہارپر

ایئر ڈسٹرکٹ، جناب ریاض انڈرسٹریٹ

درخواست ہر ایشیوں کے مزید دستاویزات جناب D.H.A

وکالت نامہ منجانب و ذرا رسول السیم $Exp PW \frac{02}{06}$

آڈریشن ٹاٹے $Exp PW \frac{02}{07}$ سے $Exp PW \frac{02}{08}$

جوہ مشتمل ہر تین صفحات ہیں، مثل (2)، (2) 12 میں

FAZAL... 14/11/21 سال 2019ء در موسم 2019ء 05.11.21

2020، 2021، 2022 لایون عیادہ عیسیٰ فرہ نامہ D.H.A

05.11.21

پینار کا ریکارڈ موجود ہے، جوہ محافظ خانے سے

طلب کیا گیا ہے، مذکورہ مقدمہ کا ریکارڈ $Exp PW \frac{02}{09}$

ہے، جوہ مشتمل ہر اہا صفحات ہیں، فائل کو ذرا نقل

$Exp PW \frac{02}{10}$ جوہ مشتمل ہر دو صفحات ہے۔

xx جناب ملزم ریکارڈ

یہ درست ہے کہ سال 2019ء میں عدالت سول جج XVII

میں لکھو ہر اہا صفحات نہیں لکھا، یہ درست ہے کہ یہ

ATTESTED
(Examiner)
District Court Peshawar

289

P. 03

P. 002
05/11/2021
کاری

ملزم الیکار کا اردو یا انگریزی تحریر کو میں سمجھتا ہوں

و خود کیا کہ میں صرف بکارڈ لایا ہوں

— xx —
مخالف نمائندہ ڈیپارٹمنٹ

(علیٰ گڑھ و سوئیچ ڈیپارٹمنٹ)

سن ۲۰۲۱ء میں

سید سید سید

Date: 05/11/2021

ATTESTED

(Examiner)
District Court Peshawar

223

PW-i
17-10-15

پیدا شد علی بن علی در سن ۱۳۴۸ هجری قمری
 سال ۱۳۴۸ هجری قمری در تاریخ ۱۷/۱۰/۱۵
 لاجپور در سن ۱۳۴۸ هجری قمری در سن ۱۳۴۸ هجری قمری
 قریباً ۱/۲ مایل از لاجپور در سن ۱۳۴۸ هجری قمری
 لاجپور در سن ۱۳۴۸ هجری قمری در سن ۱۳۴۸ هجری قمری
 در سن ۱۳۴۸ هجری قمری در سن ۱۳۴۸ هجری قمری
 در سن ۱۳۴۸ هجری قمری در سن ۱۳۴۸ هجری قمری
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 در سن ۱۳۴۸ هجری قمری در سن ۱۳۴۸ هجری قمری

۱۱

XXX شرح لوحه تکلیف از...

در صورت...

17/10/15
 (Examiner)
 District Court Peshawar

829

بیان و شرح قصید علی ولد حضرت خان سید ذاکر خان شہید
خورشید آفتاب محمد عباس خیل ہارسیرہ

PW-2
3-12-19

58

18

حلفاً بیان کیا کہ میں بیچ نام آراہن نسبت سیرہ نمبر 333،
334، 335 موضوع شاہی لالہ سید احمد عیونہ مابین DHA
اور عدلیان کے درمیان ہفتہ وار (درجہ اول) کے تبادلے کا
گواہ حاضر ہوں۔ جس کے نقل چیک سے منظر شدہ
Expans ہے۔ آج میں نے عدالت حضور میں اصل
بیچ نام دیکھ لیا ہے جس پر عدلیا دستی
اور انکسٹ دست طور پر ثبت شدہ ہے
اور میں اس کے سامنے فریقین اور گواہ حاضر
نے دستخط کیے ہیں اور انکسٹ عدالت کے ثبت کیے
ہیں۔ DHA کی طرف سے علی بن بوہرہ نے اصرار
کے ساتھ پیش کیا تھا جسے عدلیان کی طرف سے
مخفیہ (مختار عام) میں پیش کیا اور دونوں نے
انکسٹ و دستخط کیے ہیں۔ دعویٰ عدلیان بالکل درست
ہے جس کے ساتھ میں حاضر ہوں۔

ATTESTED

(Examiner)
District Court, Peshawar

XXX مع یوحیہ بیکرہ ندارد

سید کریم علی خاں
سول جج صاحب

NOSHEEN NISAR CIVIL AND CRIMINAL
PESHAWAR

~~527~~

Pk-3
3-12-19

بیان محمد رفیق دار عبداللطیف دار سیدتیہ بیابان

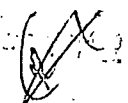
علیٰ بیان کیا کہ عید سعید - مہینہ رمضان کا
 گزشتہ سال میں ہوں۔ جس میں مدبرا دستی اور انگلیت
 ریست کھڑی ہوئی۔ اور اس کے بعد اور کئی بار
 دیکھ کر اس اذکار DHA اور زکریٰ خرمین محمد
 (مختار) اور دوسرے سب دواؤں سے کئی بار
 ہو کر دستوں اور انگلیت ٹپتے ہیں۔ DHA
 نے ذرا دینا دینا EXP کو ابھی ابھی کا علاج
 حاصل کیا ہے لیکن اس کا حال (67) عدد پیشانی
 فائل خرمین کو لپیٹے ہیں۔ اور خرمین
 مانگن درست و صحیح ہے جس کی عین تائید
 کرتا ہوں

XXX صحیح ہو کر بخیر گزار

سنا درست ہے

سجل صحیح ہے
سنا
Mali

ATTESTED


District Officer
District Office

PW-4
3-12-19

(1)

بیان مستحق محمد شفیع ولد محمد سعید صاحب پلاٹ نمبر 2827
 حلقہ بیار، ریکہ میں فرد بیان کا حوالہ نام ہوں۔
 عید مختار نام نیلے سے مندرجہ 1/2 Exp. 22
 ص 101 اصل مختار نام (م) ساویر علی
 پلاٹ نمبر 54 قدامت 1/2 پلاٹ نمبر 19 میں
 نقل 1/4 Exp. 1 اصل لداڑ علی صاحب
 فرد بیان کے حق میں ایک انتقال نمبر 2827 حوالہ
 کو 18/4 کو رجسٹرڈ لداڑ علی صاحب کے حق میں فرد بیان
 نمبر 533، 534 اور 535 موقع پلاٹ نمبر 19 ساویر علی
 پلاٹ نمبر 19-345 کے حوالہ نام و پلاٹ نمبر میں
 اور موقع نمبر 535 میں فرد بیان کو دیا گیا اس وقت
 نقل انتقال پیش کرنا ہوں۔
 Annexure "A"
 قلمی علیہم / DHA پلاٹ نمبر 2827 کے حوالہ نام و پلاٹ نمبر "DHA"
 ایک موقع پلاٹ نمبر 19 ساویر علی صاحب کے حق میں فرد بیان کو عین
 کیا اور اس وقت کافی گنت و شہادت نامی
 قلمی علیہم / DHA والوں نے فرد بیان کو شہادت پر
 کافی کر لیا کہ ان کی زمین پر قلم 2827 کینال واقع موقع
 پلاٹ نمبر 19 ساویر علی صاحب کے حق میں فرد بیان کے انتقال 2827

20

Handwritten signature/initials

ATTESTED
 District Court Peshawar
 Examiner

~~52~~

Pw-4
3-12-68

61

حاکمان و قاضیان ہیں، DHA والے میراث پلوٹس کے
 حاصل کریں گے اور ان کو 4 کنال یعنی ایک چوبیس کے بدلے ایک
 عدد فائل میرٹھہ ایک پلٹ ایک کنال دیا جائے گا یعنی
 268 کنال کے بدلے قلعیان کو (67) عدد فائل میرٹھہ
 ایک ایک کنال پلٹ دیا جائے گا۔ اس نسبت DHA کے ساتھ
 نے اسٹینڈرڈ ڈیٹیلنگ کمپنی کے ذریعے
 ایک عدد پلوٹ نام ریسٹریوڈ دستاویز نمبر 1935
 این ڈی ایڈیشن 2203 فورم $2\frac{12}{16}$ کو درج و
 تصدیق کرایا ہے۔ جس کی نقل $EXPW 4/2$ سے
 ہے جبکہ میں اصل پلوٹ نمبر 1935 دستی
 کرتا ہوں جس کی نقل $EXPW 4/2$ سے حاصل
 کیا ہے۔ یہ نقل دستی شدہ ہے۔ مذکورہ دستاویز میراث
 دستی کا اعلیٰ حتمی راجع علی نام قلعیان دست
 کو درج شدہ مشاہد ہے اور علی نام میراث سے
 روپیوں سے سب راجع ہے۔ یہ دستاویز میراث کے
 ATTESTED دستاویز مذکورہ نام دستی کا ورگٹ شدہ ہے
 ہے۔ جس دن مذکورہ دستاویز درج و تصدیق
 کی گئی اس دن سے DHA والوں نے میراث
 زمین میرٹھہ 268 کنال واقع موضع سے ہیں باہر
 میراث از قلعیان سے حاصل کیا ہے حالانکہ

Hall
 NOSHEEN NISAR CIVIL JUDGE
 PESHAWAR

ATTESTED
 (Examiner)
 District Court Peshawar

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P10-4
3-12-1935

فردان زمین پر کی گونہ گونہ زمینوں پر کی گونہ گونہ
DHA کے طور پر اس کو استعمال کرنا ہے اور اس کے

عائد کردہ فائدوں کا منسلک کرنا ہے اور DHA

سیستم میں شامل کر کے جو درجہ ذیلی تنظیم کرنا ہے

اور ان کے فائدوں کو فرق سے لے کر زمین پر استعمال
ہے۔ DHA کے قانون نے اس کا احوال بیان کیا ہے اور اس کے

ایک منسلک آرڈر کے حوالہ سے زمین پر استعمال کرنا ہے اور اس کے

تعمیراتی عملے کے استعمال کرنا ہے اور اس کے

اور اس کے دوسرے آرڈر کے حوالہ سے زمین پر استعمال کرنا ہے اور اس کے

فائدوں پر عمل کرنا ہے اور اس کے

دستور پر عمل کرنا ہے اور اس کے

فائدوں پر عمل کرنا ہے اور اس کے

اور اس کے دوسرے آرڈر کے حوالہ سے زمین پر استعمال کرنا ہے اور اس کے

فائدوں پر عمل کرنا ہے اور اس کے

اور اس کے دوسرے آرڈر کے حوالہ سے زمین پر استعمال کرنا ہے اور اس کے

2

ATTESTED

[Signature]

Examiner
District Court Peshawar

~~529~~

PW-4
3-12-19

(4)

DHA والے القاری سے تقریر کی ہے کہ دعویٰ
 خدیجان سے عتیقہ علیہ السلام کی شہادت کے احکامات
 کے تحت دہرائے گئے ہیں اور یہ دعویٰ DHA کی
 شہادت کے تحت ہی قائم کیا گیا ہے۔
 خدیجان سے عتیقہ علیہ السلام کی شہادت کے احکامات
 کے تحت دہرائے گئے ہیں اور یہ دعویٰ DHA کی
 شہادت کے تحت ہی قائم کیا گیا ہے۔
 XXX
 XXX
 XXX

سید محمد

Exhibitor
 [Signature]

ATTESTED
 [Signature]
 (Examiner)
 District Court Peshawar

(Handwritten signature)

بیان محمد سرپرطان ایچ اینج ویکارڈ رویم رسول
ڈسٹرکٹ آرٹ میٹرا

P.W. 05
12.11.2021

حلفاً بیان کیا کہ میں ہمراہ منسلک شدہ اجراء

بخ $\frac{11}{10}$ رجسٹر نمبر 2020، 11.12.2020 فیصلہ 07.09.2021

لقبوان سفاہ عسکیم وغیرہ بنیام اسٹیٹ ڈاٹ کام پلٹرز D.H.A.
ساٹھ ابا بیوں۔ جو کہ $\frac{03}{01}$ E x P منسلک بر 26 قطعان
ہیں۔ اسی طرح منسلک میں موجود سرٹیفکیٹس جناب

سول جج صاحبہ XVII پیٹاڈ $\frac{03}{02}$ E x P سے اصل

منسلک بعد از مد نظر عدالت حضور والیس شدہ منسلک اجراء

FAZAL NUSR SHAI
Senior Civil Judge (Jr) and
Peshawar

12.11.21 کو محفوظانہ میں وصول شدہ ہے۔ اسلی

12.11.21

طرح مقدمہ $\frac{14}{01}$ رجسٹر نمبر 2019، 2019، 2019 فیصلہ $\frac{02}{2020}$

لقبوان سفاہ عسکیم بنیام D.H.A. پیٹاڈ، $\frac{03}{02}$ منسلک منسلک شدہ

محفوظانہ ہے۔ جو کہ منسلک بریل سے منظر شدہ $\frac{03}{09}$ E x P

ہے۔ اسی طرح میں نے عدالت جناب XVIII ADJ پیٹاڈ میں

ATTESTED

ابتدائی آنیوٹری کے دوران صورتہ 28.06.2021 کو اپنا بیان

نطو (10-15) ریکارڈ کو لرا با تھا۔

(Examiner)
District Court Peshawar

نجانب ملزم ایٹکار

ڈنڈرود موقع دیا گیا

298

586

P.02

PW.03

12.11.21

جاری

مخانب غاگزده مياد وکالت

(دادارو سوخ درکات)

سون دروسته شلم با

1743

Date: 12.11.2021

ATTESTED

(Examiner)
District Court Peshawar

(Handwritten signature)

بیان پتادار

بیان محمد سعید کیسویٹر آئی آر سیر

psw.04

19-11-2021

برصغیر بیان سالانہ سال 2019ء میں

بطور کیسویٹر سیر لبرل عدالت جناب سول جج XVII ٹرسٹ

تعمینات تھا۔ آج کل میں عدالت جناب جج سول ٹریبونل

بطور کیسویٹر آئی آر لبرل عدالت میں نے فائل

نمبر 141/19 جو نمبر 02.05.2019ء ضلع 02.02.2020ء

تمام سبب و سبب نام D.H.A عدالت کر لی ہے۔

کہہ رہے ہیں پتادار کے بیان میں بطور Exp 02/09

مظہر تیار ہے۔ فصلہ 02.02.2020ء

میں میں عدالت کر لی ہے۔ یہ سبب نام

نہ ہے اور نہ ہی جج صاحبہ نے یہ سبب نام

نہ ہے۔ یہاں فارمیٹ اس سے بالکل مختلف

اس سے پہلے میں نے ابتدائی انداز میں

02.05.2021 کو عدالت جناب III AD پتادار

اپنا بیان دیکھا اور بطور 02.05.2021 کو

جناب ملزم ایسٹاد

نور محمد صاحب

ATTESTED

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District Court Peshawar

300

P-02

~~588~~

P.W.04

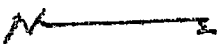
19.11.2021

قاری

منجانب نمائندہ ڈیپارٹمنٹ xx

(نذارد موقع دیانہ)

سن کر درست تسلیم ہوا۔


مستحق (مستحق)

Date. 19.11.2021

ATTESTED



(Examiner)
District Court Peshawar

(Signature)

P-01

بیان عامہ بزم سنہرے گلبرگہ دکن، ڈوہم سٹیشن پشاور PW-05
19.11.2021

حلفاً بیان کیا ہے کہ میں سنہرے گلبرگہ دکن

پشاور میں ڈوہمی سرانجام دے رہا ہوں جس میں بیچ اپنے

سہراہ صفحہ کی 50/14، مورخہ 05.04.2021 میں

05-04-2021 بعنوان سجاد صاحب نام DHA

لاٹھیوں، پلوں، 50/14 PW-05 سٹیشن بر 24 سطلات میں

XX ————— جانب ملزم ایسکار

(ڈوہم صفحہ دیکھو)

XX ————— جانب نمائندہ کی تیار شدہ

(ڈوہم صفحہ دیکھو)

سینکڑوں دست سیکم

ATTACHED

(Signature)
(Examiner)
District Peshawar

(Signature)
F. Z. ALI SHAH
P.S. (C) Peshawar
Date: 19.11.2021

302

P-01

بیان عفتاح مولانا اسٹیٹ لیکل آفسیٹرز D.H.A. پیتا

Pw. 06

19.11.2021

حلفاً بیان کیا کہ میں D.H.A. پیتا اور میں بطور

اسٹیٹ لیکل آفسیٹرز اپنی ڈیوٹی سر انجام دے رہا ہوں

اور آج میں عدالت کے حکم پر اپنا بیان قلمبند کروانے

آ رہا ہوں۔ اس سے پہلے میں نے ایسٹاٹی انڈسٹری

میں مورخہ 21-05-2021 بطور 02 ویں لیدر کتاب

محمد ساحل ADJX پیتا اور اپنا بیان قلمبند کر چکا ہوں۔

آج میں نے ذیل / مقدمہ نمبر 141 / رجسٹر نمبر 02-05-2019

فصلیہ 2020-21 لفظوں سما، صحیح و غلط نام D.H.A.

پیتا اور حکومت - 02/09/2021 Exp. کے بیان میں منظر شدہ

ہے اور ذکر کیا ہے کہ میں نے مقدمہ ہذا میں نہ تو

کوئی سمن / نوٹس وصول کیا ہے اور نہ ہی میں نے

سمن / نوٹس پر دستخط کیا ہے اور نہ ہی میں نے

عدالت حضور میں مقدمہ ہذا میں پیش کیا ہوں۔ 1/11

میں عدالت حضور سے کسی قسم کی مہلت مانگی ہے۔

FAZALPUR
Senior Clerk

19.11.21

ATTESTED

(Signature)

(Examiner)
District Court Peshawar

XX

مجاہد ملزم انیکاد

ڈگری کے بارے میں میں علم اہل خاب کے نوٹس سے پتا

P-02

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مفتاب نمائندہ ڈیپارٹمنٹ

PS-06
19.11.21

جاری

س: - مقدمہ فی 14/01/19 اجنرال عمارت صبیحہ بیگم DHA جو کہ

پے سے 03/07/19 Expw ہے . بظاہر آڈیٹ کے تحت

موردہ 03.07.2019 میں آپ کی حاضری لگائی

گئی ہے . کہ آپ اس تاریخ پیشی پر عدالت

میں پیش ہوئے تھے ؟

ج: - میں مذکورہ سیشن میں عدالت میں اس تاریخ کو عدالت

عدالت میں پیش نہیں ہوا تھا .

س: - مقدمہ فی 14/01/19 میں بظاہر آڈیٹ کے تحت موردہ

موردہ 27.07.2019 کے مطابق آپ کی حاضری لگائی گئی ہے

اور آپ کی طرف سے جواب دہی جمع کرنے کے لیے مہلت

طلب کی گئی ہے . کیا یہ درست ہے ؟

FAZAL NASIR QURESHI
Senior Civil Judge, District
Peshawar

19.11.21

ج: - یہ غلط ہے . میں نہ عدالت میں پیش ہوا ہوں اور

نہ ہی میں نے مہلت مانگی ہے .

اسی طرح میں 11-06-2019 کو عدالت میں

ATTESTED

21/11/21

میں ہوا ہوں

(Examiner)
District Court Peshawar

P-03



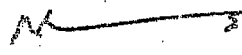
P-06

19.11.2021

جاری

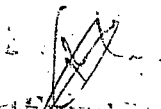
مجھے علم نہ ہے کہ اجراء کا نوٹس کون لے کر آیا تھا۔
 پان کے ہمراہ کوئی آیا تھا۔ اجراء میں نوٹس وصولی
 کے بعد ہم نے مقدمے کا ویکارڈ نکالا اور اس
 بناء پر ہم نے درخواست رجسٹرڈ دائر کی ہے۔ ہم
 نے ڈیڑھ پان کے خلاف کوئی کارروائی نہیں کی ہے۔
 البتہ ہم نے فائل میں جس نہ اُنکے حوالہ کی ہے
 اور نہ اُنہوں نے کوئی اور نامیدہ لیا ہے۔
 D.H.A. کی طرف سے کوئی انوائٹری نہیں ہوئی ہے۔

سن کر درست مستحکم بنا


 District Court Peshawar

Date. 19.11.2021

ATTESTED


 (Examiner)
 District Court Peshawar

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P. 1

بیان احمد خان شنواری اسٹیک ملز آف پاکستان

P.W. 07

26.11.2021

ڈیپارٹمنٹ سنی سول جج صاحب میٹاڈر

حلفاً بیان کیا کہ آج میں بحوالہ آئین آڈر

نمبر 1184-87 مورچہ 10-10-2021 از قلم *[Handwritten signature]*

سنی سول جج اور من پشاور کے مطابق جس میں بطور نمائندہ
ڈیپارٹمنٹ انڈوسٹری بر خلاف قاصر خان زاہد ناظم

انڈوسٹری آفس سنی سول جج ہوڈنٹیل کے نام سے انیسویں

جے میں پیش ہوا ہے۔ آئین 1973 کے تحت

موجودہ انڈوسٹری بحوالہ لیٹر نمبر 7035/MIT مورچہ

22 مئی 2021ء کے فیصلے کے تحت پشاور ہائی کورٹ پشاور شروع

کی گئی ہے۔ چھٹی انڈوسٹری Exp PW 07 ہے۔ قبل ازیں

ایک عدد فیملی خانڈنگ انڈوسٹری جناب محمد ساحد صاحب

ADJ VIII پشاور نے بھی کی تھی۔ جسکی روشنی میں ملزم

ایکٹار کے خلاف ذمہ داری عائد کی ہے۔ مذکورہ انڈوسٹری

Exp PW 03 ہے جو کہ مشمل بر 44 صفحات ہے۔ ابتدائی

انڈوسٹری بحوالہ چھٹی انڈوسٹری نمبر 3977/MIT مورچہ

26.04.2021 پشاور ہائی کورٹ پشاور شروع کی گئی جس

فصل Exp PW 04 ہے۔ جبکہ یہ انڈوسٹری ایک عدد جسکی ڈگری

FAZIL NUSIP SIKH
Sd/-
26.11.21

ATTEST

District Court Peshawar

306

P. 2

PW. 07

26.11.2021
تاری

جو کہ سول جج XVII پیٹاور کی عدالت جاری کی گئی تھی

جو کہ مشن پر بلے سے موجود ہے۔ جو کہ $\frac{03}{09}$ PW. 07 سے

سے 02 PW کے بیان میں مظہر شہزاد ہے۔ ڈگری کونوارہ

کے خلاف D.H.A پیٹاور نے ایک عداد درخواست

12(2) دائری ہے۔ جو کہ تاحال عدالت صواب

سول جج صاحب XVII میں زیر ترمیم ہے۔ درخواست

12(2) بلے سے لہجور $\frac{02}{01}$ PW. 07 مظہر شہزاد ہے۔

اور مشن پر موجود ہے۔ ڈگری منعلقہ ایگوارڈ گواہان نے

بلے سے شامل مشن کیا ہے۔

XX ————— جانب ملزم ایگوارڈ

میں درست ہے کہ میرے سامنے ملزم ایگوارڈ نے جعلی

ڈگری کو کیوٹری پر ثابت نہیں کیا ہے۔ تم بھی درست

ہے کہ کسی بھی نوادہ نے یہ نہیں کیا ہے۔ تم ہمارے سامنے

ملزم ایگوارڈ نے کیوٹری پر جعلی ڈگری ثابت کی ہے۔

جج صاحب کے جعلی دستخط کر کے مہر ثبت کیا ہے۔

میں کہ درست تسلیم کیا

DATE. 26.11.2021

(Examiner)
District Court, Peshawar

INQUIRY REPORT

Order.....
06/07/2021

1. This is a fact finding inquiry about the genuineness of conduct of proceedings and judgment in civil suit No.141/1 of 2019 titled "Mst: Sabiha and others Vs Assistant Director Land, DHA and others". The inquiry in hand was entrusted to undersigned as inquiry officer by the order of Hon'ble District & Sessions Judge, Peshawar vide office order No.2525-26 dated 09.07.2021.
2. Brief facts are that a civil suit bearing No.141/1 of 2019 titled "Mst: Sabiha and others Vs Assistant Director Land, DHA and others" was shown instituted in the Court of learned Senior Civil Judge, Peshawar and the same was entrusted to the court of learned civil judge-XVII, Peshawar vide order dated 02.05.2019. After completion of trial, the subject case was decreed ex-parte vide judgment and decree dated 02.02.2020. The date of subject judgment was a non-working day and the matter of subject judgment having been passed on the date falling on non working day i.e Sunday, was brought into the kind notice of Hon'ble Chief Justice of Peshawar High Court, Peshawar and his lordship had directed to look into the matter through an open inquiry.
3. Statements of following official were recorded:-
 - I. Mr. Qaiser Khan reader attached to the court of learned Senior Civil Judge(Judicial), Peshawar.
 - II. Mr. Fazal-e-Maula (Canoongo DHA, Peshawar) representative of defendants.
 - III. Miss Hina Murtaza (Process server).
 - IV. Waqas Ahmad (process server).

ATTACHED

06/07/2021
District Court, Peshawar


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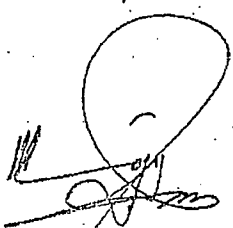
- V. Sultan Ul Arifeen (Naib Nazir) attached to the court of Senior Civil Judge, Peshawar.
- VI. Muhammad Masood Khan (Computer Operator) attached to the court of learned Judge-Family Court-IV, Peshawar.
- VII. Muhammad Amir (Naib Qasid) attached to the court of learned Civil Judge-VIII, Peshawar.
- VIII. Qaiser Khan (Moharrir) attached to the court of learned Civil Judge-XVII, Peshawar.
- IX. Mujahid Ali (Senior Clerk/Reader) attached to the court of learned Civil Judge-XVII, Peshawar.
- X. Muhammad Sareer incharge Record Room District Courts, Peshawar.
- XI. Comments were also called from Miss Nosheen Nisar, Civil Judge-XVII, Peshawar presently posted as Civil Judge at District Mardan and placed on file alongwith statement of above mentioned officials.

4. No doubt, the subject judgment was passed on non working day i.e Sunday but during the course of inquiry it came into the notice of undersigned that the institution and proceedings as well as the order sheets in the subject case file were forged, fake and fabricated on the grounds:-

- I. The order sheet bearing No.1 dated 02.05.2019 containing the signatures of learned Senior Civil Judge, Peshawar vide which the subject case was entrusted to the Court of learned Civil Judge-XVII, Peshawar was scanned and not original.
- II. The register of institution/marketing of suits etc of the year 2019 did not contain any entry regarding the institution of case file of subject suit.

ATTESTED


District Judge
District Court Peshawar


06/07/2021

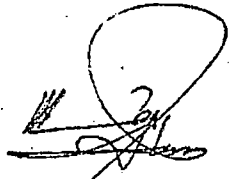
163

- III. The record of Naib Nazir i.e register No.23 is silent about the receiving of summons in respect of subject case from the court of learned Civil Judge-XVII, Peshawar.
- IV. Representative of defendants was shown present during proceedings of the subject case vide order sheets dated 11.06.2019, 27.06.2019, 03.07.2019 and 26.07.2019 but said representative of defendants namely Fazl-e-Maua has totally denied his appearance before the court concerned coupled with the fact that no authority letter in the name of above named representative is available on the record of the case.
- V. Two order sheets were shown written on single date of 21.12.2019 bearing two different numbers i.e Or.....13 & Or.....14.
- VI. The subject judgment was shown passed on 02.02.2020 but no short order of the same date was available on the record of the case.
- VII. There is no reference of the dates of subject case file in cause lists as well as in register Peshi.
- VIII. The margin on paper of order sheet No.3 to last one is in sequence, which in ordinary course, is not possible.
- IX. Visible and apparent variations in the signatures of presiding officer of the court on order sheets, which are not matching each other.
- X. Process server concerned has shown ignorance and denied service of summons in the subject case.
- XI. There is entry of subject case file in register Faista Bahi without bearing any specific number.

06/07/2019

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5. The subject case file has been entered by Moharrir Qaiser Khan in register No.1, register Faisla Bahi, challan book and he also admitted receiving of subject case file as well as its consignment to the record room, therefore, it could be held that Moharrir of the court namely Qaiser Khan, being custodian of record as well as aware of the forged entry of subject case file in the record, seems to be prima facie involved in the matter. Secondly, the reader of the court namely Mujahid Khan was the custodian of register faisla bahi wherein reference of subject case file has been given but without any serial number. If the stance of the reader namely Mujahid Khan regarding his ignorance be taken to be true, even then he is guilty of negligence. The report, so compiled is submitted, please.



(Muhammad Sajid)

Add: District & Sessions Judge-XIII,
Peshawar/Inquiry Officer

ATTESTED



(Examiner)
District Court Peshawar



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph# 091-9210099 Fax# 091-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 2525-26

Dated Peshawar 09/04/21

OFFICE ORDER

In compliance with the directions of august Peshawar High Court Peshawar, contained in letter No. 397/PIIT dated 06/04/2021; Mr. Muhammad Sajid, learned Additional District & Sessions Judge-XIII, Peshawar is directed to conduct open inquiry in to the matter, in line with the directions of august High Court, and submit report to this Office, at the earliest.

District & Sessions Judge,
Peshawar. 09 APR 2021

No. 83(DAS) 2525-26 Dated Peshawar, the 09/04/2021

Copy forwarded for information/necessary action to:

1. The Member Inspection Team, Peshawar High Court, Peshawar.
2. The AD & SJ-XIII Peshawar/Inquiry Officer.

District & Sessions Judge,
Peshawar. 09 APR 2021

ATTESTED

(Ex. miner)
District Court Peshawar

635

CW-1 Statement of Mr. Qaiser Khan Reader attached to the court of learned Senior Civil Judge, Judicial, Peshawar.

Stated on oath that I brought register of institution/markings of Suit etc for the year 2019 of the court of Hon'ble Senior Civil Judge, Judicial, Peshawar. The institution made in the court of Senior Civil Judge, Peshawar on 02.05.2019 did not contain the entry of suit titled "Mst. Sabeeha, etc Vs Assistant Director Land etc" in the relevant register. I produce the photostate copies of the relevant pages regarding institutions made on 02.05.2019 which are correct as per the original record and is Ex.CW11. Original register seen and returned.

RO&AC
16/04/2021

Muhammad Sajid,
ADJ-XIII Peshawar/Inquiry Officer.

ATTESTED

(Examiner)
District Court Peshawar

[Handwritten signature]

CW-2 Statement of Fazal E Moula S/O Faid Khan R/O Tahir Qila, Baila Baramd Khel Nahaqi, Tehsil & District, Peshawar (Qanoongo DHA, Peshawar).

Stated on oath that I am posted as Qanoongo Land Branch at DHA, Peshawar. I produced my CNIC and service card, the copies of which are Ex.CW2/1 and Ex.CW2/2. I have no knowledge regarding the proceedings and pendency of civil suit titled "Mst: Sabeeha etc Vs Assistant Director Land etc". I have never appeared and marked my attendance before the court of learned Civil Judge-III, Peshawar regarding the proceedings of above mentioned suit. In this regard I have also recorded my statement in department inquiry.

RO&AC
21/05/2021

[Handwritten signature]

M.hammad Sajid,
ADJ-XIII, Peshawar/Inquiry Officer.

ATTESTED

[Handwritten signature]

Distri...
Peshawar

314

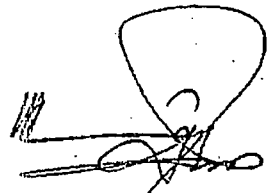
(B)

CW-3 Statement of Hina Murtaza Process Server, Peshawar

Stated on oath that summon in case titled "Mst: Sabeeha etc Vs Assistant Director Land etc" was neither handed over to me for execution nor I serve the alleged summon issued for 17.10.2019. Today I have seen the summon issued for 17.10.2019 and the hand writing shown upon the over leaf of summon is not of mine. I write the same words, as mentioned report over the summon, in my own handwriting before the court which is Ex.CW. /1.

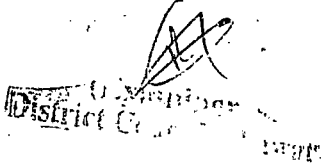
74

RO&AC
26/05/2021



Muhammad Sajid,
ADJ-XIII, Peshawar/Inquiry Officer.

ATTESTED



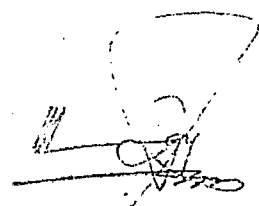
(315)

688

CW-4 Statement of Waqas Ahmad Procces Server, Peshawar

Stated on oath that summon in case titled "Kist: Sabecha etc Vs Assistant Director Land etc" was neither handed over to me for execution nor I serve the alleged summon issued for 11.06.2019. Today I have seen the summon issued for 11.06.2019 and the hand writing shown upon the over leaf of summon is not of mine. I write the same words, as mentioned report over the summon, in my own handwriting before the court which is Ex.CW4 1.

RO&AC
26/05/2021



Mehammad Sajid.
ADJ-XIII, Peshawar/Inquiry Officer.

ATTESTED



(Examiner)
District Court Peshawar

316

650

CW-5 Statement of Sultan Ul Arifeen Naib Nazir attached to Senior Civil Judge, Peshawar

Stated on oath that I have brought register No.23. I produced the relevant pages regarding the entries of summons from 23.05.2019 to 17.10.2019 received from the court of learned Civil Judge-XVII, Peshawar, wherein there is no reference/entry of summons in case titled "Mst. Sabeeha etc Vs Assistant Director Land etc". Original registers perused; found correct as per statement of witness and returned.

RO&AC
28/05/2021

Muhammad Sajid,
ADJ-XVII, Peshawar/Inquiry Officer.

REGISTERED

(Examiner)
District Court Peshawar

[Handwritten signature]

CW-6 Statement of Muhammad Masool Khan Computer Operator presently attached to the learned Judge Family Court-IV, Peshawar.

Stated on oath that during the relevant days, I was posted as Computer Operator in the Court of learned Civil Judge-XVII, Peshawar. Today I have seen the order sheets of the subject case but I cannot say with certainty that whether these order sheets were typed by me or not because the order sheets are in typed form and not hand written. So far as the judgment dated 02.02.2020 is concerned; I am sure that said judgment was not typed/written by me because during the whole time of my posting in the court concerned, I had not typed/written any judgment in the format of judgment in question.

RO&AC
29/05/2021

[Handwritten signature]
Muhammad Sajid,
ADJ-XIII, Peshawar/Inquiry Officer.

ATTESTED

[Handwritten signature]
District Court

CW-7

Statement of Muhammad Amir presently attached to the learned Civil Judge-VIII, Peshawar.

Stated on oath that I was appointed on 0 .11.2019. By designation I am Naib Qasid but after my appointment in the month of November 2019 I was serving as Madad Moharrir in the Court of Civil Judge-XVII, Peshawar upon the written directions of learned Senior Civil Judge (Admn), Peshawar. The Naib Qasid of court concerned used to brought files of different cases and after receiving the files, I used to place it in the relevant "Mutha". I was posted after the institution of subject case. Usually, I received files from the court room and handed over fresh institution and disposed off cases to the senior Moharrir. After the registration of fresh case by the senior Moharrir in the relevant register, I issued summons etc as per the directions of the court.

Question: What was the reason that you have not issued summons in the subject case as per directions of the court?

Answer: As I have not seen the file in question, so that was why I have not issued summons. Similarly I was appointed after the institution of the subject case.

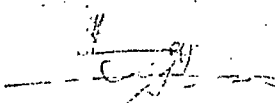
Question: Have you received the file in question in the office of moharrir?

Answer: May be I have received the file in question but I have not issued the summons.

Question: Who is this custodian of register according to which case files as per daily cause list were used to sent and received from the court concerned?

Answer: I was the custodian of the said register.

RO&AC
11/06/2021


Muhammad Sajid,
ADJ-XIII, Peshawar/Inquiry Officer.

6/2 319

CW-8 Statement of Qaiser Khan attached to the learned Civil Judge-XVII, Peshawar.

Stated on oath that by designation I am Naib Nazir but working as Moharrir in the Court of Civil Judge-XVII, Peshawar. Usually I received case files at fresh institution and disposed off cases from Madad Moharrir and then entered the same in the relevant register. After entry of the fresh instituted cases in the relevant register I hand over the same file to the Madad Moharrir and similarly after receiving of disposed off cases I after indexing the same, registered the same in the disposal register (Faisla Bahi). I also sent the files of disposed off case to the record room after entering the same in the challan. So far as the subject case file is concerned, I received the same from the peon/Naib Qasid of the court concerned. I have brought register No.1 wherein the entry of subject case is apparent; the copy of relevant pages is Ex.CW8/1. After the decision of subject case, I also received file in the manner aforesaid; I entered the same in the relevant register (Faisla Bahi) and handed over the case file to the officials of record room through challan. Copy of faisla Bahi and Challan book are Ex.CW8/2 and Ex.CW8/3.

RO&AC
12/06/2021

Mrhammad Sajid,
ADJ-XIII, Peshawar/Inquiry Officer.

ATTESTED

Examiner,
District Court, Peshawar

CW-9

Statement of Mujahid Ali (senior Clerk/reader) attached to the learned Civil Judge-XVII, Peshawar.

Stated on oath that I am totally unaware about the institution and proceedings of the case file in question because the same is not entered in register peshi as well as cause lists of the relevant dates. However, in register faisla bahi a reference of said file has been mentioned but the same is neither in my handwriting nor the same was entered in the register in my presence. Copy of relevant page of faisla Bahi is Ex.CW 9-1.

Question: Who is the custodian of register faisla bahi?

Answer: I am the custodian of said register.

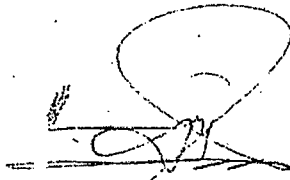
Question: Who use to affix official stamp of the court on different documents whenever required?

Answer: During court hours, the official stamp remain in my possession and I use to affix it on different papers, whenever required.

Question: Whether you have brought the fact of wrong entry in your register faisal bahi into the notice of competent authority?

Answer: No, I was not in knowledge of said wrong entry and came to know about during inquiry.

RO&AC
17/06/2021


Muhammad Sajid,
ADJ-XII, Peshawar/Inquiry Officer.

6/4

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CW-10 Statement of Muhammad Sareer incharge Record Room Sessions Court, Peshawar:

Stated on oath that I have brought Civil register-1 (Kulyat). On 24.02.2020 the subject case file was received from the Court concerned for the purpose of consignment in record room. I produce the photocopy of relevant page containing the entry of subject case file which is Ex.CW10/1. On the same date i.e 24.02.2020 one other case titled "Muhammad Hassan Vs Board" was also received from the court of learned Civil Judge-XVII, Peshawar for consignment. I also produce the copy of relevant page as Ex.CW10/2.

RO&AC
28.06.2021

Muhammad Sajid,
ADJ-XII, Peshawar/Inquiry Officer.

ATTACHED

District Court, Peshawar

(Handwritten signature)

DW-1
10-12-2021

بیان شعیب خان نائب ناظر حال محرم عدالت JMIC ^{VIII} پشاور

حالت بیان کرنا بیوں کہ میں بطور محرم عدالت سول

جج XVII میں ڈیوٹی سرانجام دے رہا تھا۔ موجودہ انٹرویو

میں میرے خلاف جو چارج شیٹ دیا گیا ہے۔ وہ اس وقت

14/11/2021 مقیم 02-02-2020، وصول 24-02-2020

لغویان سماج صبحیہ نیامر D.H.A جس میں اوارنے دن

نقلیہ کی ڈریج درج آئی تھی۔ کہ جب اس مقدمہ

فریش انڈراج میونسپلٹی کو وہ سسر سول جج صاحب

ہیڈ کوارٹر سے مارک ہوئے متعلقہ عدالت کو بھیج

دیا جاتا ہے۔ ریڈر متعلقہ عدالت فریش مقدمے کو

وصول کرنا ہے۔ اور متعلقہ عدالت کے جج صاحب

اس مقدمے میں آڈر شیٹ لکھ کر ریڈر کو تیار

درج کرنے کے لیے دے دیتا ہے۔ ریڈر اس میں

تاریخ درج کر کے بیڑیہ نائب قاضی عمر آئی طرف

بھیج دیتا ہے۔ کہ جس دن درج بالا مقدمہ مجھے

وصول ہوا۔ تو اسکے ساتھ 09/11/2021 کے

کی فائنل بھی موصول ہوئی۔ جو میں نے ضابطے کے

مطابق سول رجسٹر میں اندراج کر کے مقدمہ کر دیا

FAZAL NASIR SHAI
Senior Civil Judge,
Peshawar

10-12-21

ATTESTED

(Handwritten signature)
(Examiner)
District Court Peshawar

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D. No. 1
15.12.21
جاری

مقدم اندراج ہوا تھا تو اس دوران میں ایک ایسا بیٹا
 پیدا ہوا جس کا نام محمد علی ہے۔ اس کا پیدائش کا وقت
 تقریباً 15/12/21 ہے۔ اس کے والدین نے اس کا پیدائش
 کا وقت اور نام اس کے والدین نے اس کے پیدائش کے وقت
 ہی بتا دیا ہے۔ اس کے والدین نے اس کے پیدائش کے وقت
 ہی اس کا نام محمد علی رکھا ہے۔ اس کے والدین نے اس کے
 پیدائش کے وقت ہی اس کا نام محمد علی رکھا ہے۔ اس کے
 والدین نے اس کے پیدائش کے وقت ہی اس کا نام محمد علی
 رکھا ہے۔ اس کے والدین نے اس کے پیدائش کے وقت ہی اس
 کا نام محمد علی رکھا ہے۔ اس کے والدین نے اس کے پیدائش
 کے وقت ہی اس کا نام محمد علی رکھا ہے۔ اس کے والدین نے
 اس کے پیدائش کے وقت ہی اس کا نام محمد علی رکھا ہے۔

[Signature]
 FAZAL NASIR SHAH
 Senior Civil Judge, District
 Peshawar

10.12.21

ATTESTED

[Signature]
 (Examiner)
 District Court Peshawar

(Handwritten signature)

P.03

D.W. 1
10/12/2019
جاری

میرے پاس نہیں سہی تھی۔ بعد وٹور صاحب کے پاس بھی
سہی تھی۔ چونکہ وہ میں چھٹی بریوٹا باسی وٹور وٹور
کام سے باہر چلا جاتا تھا۔ جیسا کہ محافظ خانہ باسی
اور عدالت نو رٹنارڈ حوالہ کرتا۔ نو رٹنارڈ صاحب میرے
گھر سے پیشہ لیتے یا درجنت matter جس میں
stay وغیرہ دیتا تھا۔ وہ مقدمات لینے کے لیے میرے
گھر / محروم عدالت کا گھر کھول لیتا تھا۔ ان باتوں
کے گورمان شیخ صاحب اور عدالت کا وٹور محلے میں ہے۔
اس بات کی تصدیق آپ صاحبان ان سے کر سکتے ہیں۔

مخائب نمائندہ ڈیپارٹمنٹ

FAZAL NASIR SHAIKH
Senior Civil Judge, District
Peshawar
10.12.21

یہ درست ہے کہ مقدمہ 2019-05-02 کو مقدمہ ہوا
مجھے مبعوث وٹور مقدمات عدالت سے موصول ہوئے تھے۔
یہ درست ہے کہ محروم عدالت کے رجسٹر میں مقدمہ ہوا 141/

ATTESTED

جب میں مطلع ہوا تو آپ نے پیشی رجسٹر میں اندراج کیا تھا
اس دوران رجسٹر میں اندراج میں پیش کرنا تھا۔
دوسرا عمر در عاقر کرنا تھا۔

(Handwritten signature)
(Examiner)
District Court Peshawar
12

DW-1
10.12.2021
جاری

منعہ کے بعد مقدمہ ہذا کو ضابطہ کے مطابق میں نے کرشمہ و قلمب کر کے انڈیکس بنا کر منسلک حالان میں درج کر کے محفوظ خانہ بھجوا دیا تھا۔ یہ بھی درست ہے کہ میں نے منعہ میں انڈراج کیا تھا۔ یہ درست ہے کہ منعہ میں اور حالان تک سری ٹول میں ہوئے ہیں۔ گواہ نے وضاحت کیا کہ کمرے میں بیٹے بیٹے ہیں، جسکو دیگر عدالتوں کے کاواں بھی دیکھ سکتے ہیں اور کبھی کبھی صاحب بھی ملازم کر لیتے تھے۔ اس کے بعد سری ٹول کے دن دوسرا نمبر اس میں انڈراج بھی کیا تھا۔ جب مقدمہ ہذا (14/1) منعہ ہوا تو یہ فائل کی عدالت سے موصول ہوئی۔

FAZAL NASIR SHAH
Senior Civil Judge, District
Peshawar

10.12.21 سے :-

ج :- مقدمہ ہذا مجھے اُس دوران دوسرا نمبر جو میرے ساتھ تھیابت تھا، اُس سے موصول ہوا۔

ATTESTED

میرے علم میں یہ بات اُس وقت آئی کہ مقدمہ ہذا کی ڈگری جعلی ہے۔ جب عدالت صاحب صاحب خان AS کے پاس کی عدالت میں رٹوں کی درخواست ہوئی۔

(Examiner)
District Court Peshawar

مجھے یہ یاد ہے کہ مقدمہ ہذا کی بابت کوئی وکیل یا عدالت کی طرف سے

326

(Signature)

P-05

DW-1

10.12.2021
جاری

کوئی بھی میرے پاس مقدمہ کی ثابت معلومات لینے کے لیے آتا ہوں۔
 یہ درست ہے کہ مقدمہ عدالت کی ڈگری کی بنیاد پر اس عدالت
 میں اجراء خائن ہوئی تھی۔ یہ بھی درست ہے کہ اس اجراء
 کے خلاف رجسٹرڈ درخواست خائن ہوئی تھی۔ جو ابھی تک
 زیر تکریر ہے۔ مجھے یہ بھی یاد دہانی ہے کہ اجراء کی کارروائی
 کے دوران میرے پاس ڈگری داران کی طرف سے کوئی بھی آتا ہوں۔

سن درست تسلیم ہوا۔

سیکریٹری جنرل

Date: 10.12.2021

ATTESTED

(Signature)

(Clerk)
District Court Peshawar

(327)

62/1

سرکار نام قصبہ خان

میں مزید شہادت پیش کرنا چاہتا

قصبہ خان

قصبہ خان نایب ناظر / محرم

سین در دست شکم بنا

ASIR SHAH
Senior Civil Judge (Judicial)
Peshawar
Date 10-12-2021

ATTESTED

(Examiner)
District Court Peshawar

328

32/6 of 2021.

[Handwritten signature]

Or..01
02.10.2021.

In compliance with kind directions of Hon'ble District & Sessions Judge Peshawar, proceedings under E& D Rules 2011 are initiated against Qaiser Khan, Naib Nazir/Muharrar. Be entered in the relevant register.

He was charge sheeted and statement of allegations was drafted.

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For the purpose of fact finding inquiry, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial) Peshawar, is appointed as Inquiry Officer under Rule-10 sub-rule (a) read with rule-5(b) of the E&D Rules 2011.

Mr. Amjid Khan Shinwari, Senior Clerk, is appointed as departmental representative. Accused/official under Inquiry is directed to submit his written reply/defence to the charge sheet within seven days to the Inquiry Officer.

Inquiry Officer is directed to hold proper inquiry into the guilt of the accused/official and complete it as early as possible and send the report to the undersigned.

Accused/official and representative of the department are directed to appear before the Inquiry Officer on 12-10-2021

[Handwritten signature]
MUHAMMAD SHER ALI KHAN
Senior Civil Judge (Admin)
Peshawar. 10/10/2021

MUHAMMAD SHER ALI KHAN
Senior Civil Judge, (ADMIN)
Peshawar

ATTESTED

[Handwritten signature]
(Registrar)
District Court Peshawar

329

676



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph: 091 9210001 Fax: 091 9212419
eMail: dcf@h.w.pk.gov.pk
web: www.dcf.kpk.gov.pk

No. 1124-27
Dated Peshawar 07-10-2021

OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN) PESHAWAR

ORDER

In compliance with the directions of Hon'ble District & Sessions Judge, Peshawar, conveyed through letter No. 5604-5607 dated 01/10/2021; Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed as Inquiry Officer to proceed against the delinquent official i.e. Qaiser Khan, Naib Nazir/Muharrar, under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as well as to identify the beneficiaries of said fake degree and their accomplices, and report to this Office at the earliest.

Mr. Amjad Khan Shinwari, Senior Clerk shall represent this Office during the inquiry proceedings.

[Muhammad Sher Ali Khan]
Senior Civil Judge (Admin),
Peshawar
07/10/2021

Endorsement No. 1124-27 Dated Peshawar, the 07/10/2021

Copy forwarded to:

1. The Hon'ble Member Inspection Team, Peshawar High Court, Peshawar, for information, please.
2. The Hon'ble District & Sessions Judge, Peshawar, for information, please.
3. The Senior Civil Judge (Judicial), Peshawar/Inquiry Officer, along with complete Inquiry file, in original, and copies of Charge Sheets and Statement of Allegations served upon the delinquent official Qaiser Khan, Naib Nazir.
4. The officials concerned.

07/10/2021

Senior Civil Judge (Admin),
Peshawar
07/10/2021

ATTESTED

[Signature]

District

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 9220091 Fax: 9091 921311
E-mail: cc@peshawar.gov.pk
web: Session Court Peshawar.gov.pk

No. 1188
Dated Peshawar 2/10/2011

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OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

DISCIPLINARY ACTION

1. Muhammad Sher Ali Khan, Senior Civil Judge (Admn), Peshawar, as competent authority, on of the opinion that Qaiser Khan, Naib Naib/Mitcher has rendered himself liable to be proceeded against, as he committed the following as misdeed, within the meaning of Rules-3(b) & (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

STATEMENT OF ALLEGATION(S)

1. Prepared and issued a Fake Court Decree titled "Mst. Sahib & others vs.. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.
2. For the purpose of inquiry against the said accused, with reference to the above allegation, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed under Rule 10(1)(a) of the rules ibid.
3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record his findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
4. The accused and Mr. Amjad Khan Shiwari, Senior Clerk/ representative of this office, shall join the proceedings on the date, time and place fixed by the Inquiry Officer.

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14/10/2011

[Muhammad Sher Ali Khan]
Senior Civil Judge (Admn)
Competent Authority,
Peshawar.

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02/10/2011

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(Administer)
District Court Peshawar

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 9210039 Fax: 9210039-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 1189
Dated Peshawar 2/10/2021

OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN) PESHAWAR

CHARGE SHEET

I, Muhammad Sher Ali Khan, Senior Civil Judge (Admin), Peshawar, as competent authority, hereby charge you, Zaiser Khan, Naib Nazir/Muharrar as follows:

1. That you, while posted as Muharrar to the Court of the Ms. Nosheen Nisar, the then Civil Judge-XVII Peshawar, committed the following irregularities:
 - a. Prepared and issued a Fake Court Decree titled "Mst. Sahiba & others vs. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.
2. By reason of the above, you appear to be guilty of misconduct and corruption under Rules-3(b) & (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.
3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed

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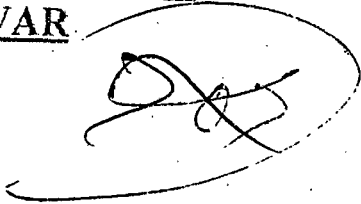
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District Court, Peshawar

2021
2-10-2021

[Muhammad Sher Ali Khan]
Senior Civil Judge (Admin)/
Competent Authority
Peshawar

**IN THE COURT OF FAZAL NASIR SHAH SENIOR
CIVIL JUDGE (JUD L.), PESHAWAR**

The State ...Vs. Qaisar Khan
Case No. 1416 of 2021



INQUIRY REPORT


1. Mst: Sabeeha & (4 others (hereinafter referred to as beneficiaries of the fake decree) filed execution petition on 11.12.2020 through their cc.ansel Danishmand Advocate which was marked to the learned Civil Judge-XVII, Peshawar as the decree pertained to the said Court. The execution petition was filed on the strength of judgment and decree dated 02.02.2020 passed in case No. 141/1 of 2019 instituted on 02.5.2019 titled "M. st: Sabeeha & others ...Vs... Assistant Director DHA & others". The petition was entered as case No. 11/10 of 2020 the same day i.e. on 11.12.2020 by the then learned Civil Judge- XVII, Peshawar and notice was issued to Defence Housing Authority, Peshawar (hereinafter referred to as DHA)

2. The representative of DHA attended the Court of the then learned Civil Judge-XVII, Peshawar on 24.02.2021. After the attendance of the representative the case was fixed for further proceedings. On 03.4.2021 learned counsel Muhammad Adnan Awan Advocate

FAZAL NASIR SHAH
Senior Civil Judge (Judicial Officer)
Peshawar

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submitted Vakalatnama on behalf of the beneficiaries of the fake decree. Learned counsel also filed application for the grant of temporary injunction and the then learned Civil Judge-VIII, Peshawar, being Judge on Duty, passed the following order:

"The Court seems it appropriate to issue notices of the status quo petition to the judgment debtor instead of granting ad-interim relief. Thus, notices of status quo petition be issued to judgment debtor for already date fixed."

3. The beneficiaries of the fake decree filed appeal against the interim order dated 03.4.2021 of the then learned Civil Judge-VIII, Peshawar/JOD through learned counsel Danishmand Advocate which was decided by the learned Additional District & Sessions Judge-IX, Peshawar on 05.4.2021 in case No. 50/14 of 2021 instituted on 05.4.2021 titled "Mst: Sabeeha & others ...Vs... Assistant Director DHA & others". The following order was passed:

"The appellant stated at the bar that the Respondent has not filed any appeal against judgment and decree dated 02/02/2020 in case titled "Sabeeha and others vs DHA". In the light of above circumstances, affidavit of appellant and ex-parte record coupled

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District Court Peshawar

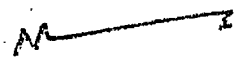
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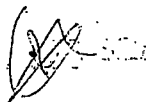
with 56 (d) of specific relief Act. the Respondents are not restrained from developmental work at the spot however they are directed to preserve 67 files till date fixed before learned trial court, subject to notice to the Respondent. Any subsequent transfer to this extent if not preserved will have no effect against the rights of appellant subject to notice to Respondent and till date fixed before the learned trial court. Appeal disposed of." (sic)

4. On 07.9.2021 the then learned Civil Judge-XVII, Peshawar sine die adjourned the execution petition. The following order was passed

"Record transpires that the instant execution is fixed for further proceedings due to the reason that an application u/s 12(2) CPC (which is separately registered, regarding case file no. 141/1 of 2019, dated 02.02.2020 is yet pending for decision. This Court is of the view that till decision 12(2) CPC no proceedings could be initiated in the instant execution petition. Therefore, same is adjourned sine-die till decision of 12(2) CPC."

5. This was one side of the story. The other side is somewhat dramatic. On receipt of notice in the execution petition the DHA found that the decree in the case has been


FAZAL NASIR SHAH
Senior Civil Judge (District)
Peshawar
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passed on 02.02.2020 which date is a public holiday i.e. Sunday, so they reported the matter. The matter was brought into the kind notice of Hon'ble the Chief Justice Peshawar High Court, Peshawar and his Lordship was pleased to direct that the matter should be looked into. After preliminary discreet probe it was found that the judgment and the order sheets etc. suffered from intended variations. An open inquiry was ordered to be conducted in the matter vide letter No. 397/MIT dated Peshawar the 06.4.2021 of the office of the worthy Member Inspection Team, Peshawar High Court, Peshawar. The learned Additional District & Sessions Judge-XIII, Peshawar was appointed as Inquiry Officer vide Office Order No. 2525-26 dated 09.4.2021 of the worthy District & Sessions Judge, Peshawar. The learned Judge submitted the inquiry report on 06.7.2021 which was forwarded by the worthy District & Sessions Judge, Peshawar to the Hon'ble Peshawar High Court, Peshawar for further orders. The following findings were given by the learned Additional District & Sessions Judge-XIII, Peshawar in para-5 of the inquiry report:

"The subject case file has been entered by Moharrir Qaisar Khan in register No.1, register Faisla Bahi, challan book and he also admitted receiving of

MAZAL MAHARRI SHAIKH
Senior Civil Judge (District)
Peshawar

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subject case file as well as its consignment to the record room, therefore, it could be held that Moharrir of the court namely Qa ser Khan, being custodian of record as well as aware of the forged entry of subject case file in the record, seems to be prima facie involved in the matter. Secondly, the reader of the court namely Mujahid Khan was the custodian of register faisla bahi wherein reference of subject case file has been given but without any serial number. If the stance of the reader namely Mujahid Khan regarding his ignorance be taken to be true, even then he is guilty of negligence."

6. The Hon'ble Peshawar High Court, Peshawar was pleased to direct vide letter No. 735/MIT dated 22.9.2021 to proceed against the identified delinquent officials under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (hereinafter referred to as the E&D Rules) and to initiate criminal proceedings against the beneficiaries of the fake judgment and their accomplices. It is in this background that the undersigned was appointed as Inquiry Officer and to submit report within 30 days.

FAZAL NASIR SHAH
Senior Civil Judge, Peshawar

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7. The learned Senior Civil Judge (Admn), Peshawar served Statement of Allegation(s) on Qaisar Khan Naib Nazir/Moharrir (hereinafter referred to as the accused/official) vide Office Order No. 1188 dated Peshawar 02.10.2021. He was charge sheeted by the learned Senior Civil Judge (Admn), Peshawar vide Office Order No. 1189 dated Peshawar 02.10.2021 and was directed to submit written defence to the Inquiry Officer within 07 days. The Charge Sheet reads thus:

"a. Prepared and issued a Fake Court Decree titled "Mst. Sahiba & others vs. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers."

8. The undersigned was appointed as Inquiry Officer vide Office Order No. 1184-87 dated Peshawar 02.10.2021 of the learned Senior Civil Judge (Admn), Peshawar to proceed against the accused/official under the E&D Rules, 2011 and to identify the beneficiaries of the fake decree and their accomplices. Mr. Amjad Khan Shinwari Senior Clerk was appointed as representative of the department. Regarding the same incident another inquiry (case No. 13/6 of 2021) was also marked to the undersigned

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FAZAL NAJIB SHAH
Senior Civil Judge (Admn)
Peshawar

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District Court Peshawar

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by the worthy District & Sessions Judge, Peshawar against
Mujahid Ali Senior Clerk/Reader which inquiry will also be
finalized today.

9. The accused/official submitted written reply to
the Charge Sheet and Statement of Allegation(s) on
08.10.2021, where after evidence was recorded. The
representative of the department examined 07 witnesses.
Qiasar Khan Reader Senior Civil Judge (Judt:), Peshawar
was examined as PW-01. Zakir Ullah Moharrir/Junior Clerk
Civil Judge-XVII, Peshawar was examined as PW-02.
Muhammad Sareer Khan Incharge Record Room (Civil)
District Courts, Peshawar was examined as PW-03.
Muhammad Masood Computer Operator Judge Family
Court-IV, Peshawar was examined as PW-04. Amir Nadeem
Senior Clerk Record Room (Sessions) was examined as PW-
05. Fazal Maula Assistant Legal Officer DHA Peshawar was
examined as PW-06. Amjad Khan Shinwari Assistant
Clerk/Representative of the department examined himself as
PW-07.

Qiasar Khan accused/official examined himself sole
witness as DW-01.

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FAZAL NASIR SILANI
Senior Civil Judge (Judt:)
Peshawar
03.01.22

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10. The file of the fake decree dated 02.02.2020 is available on file as Ex:PW-2/9. The beneficiaries of the fake decree are so adamant that they still consider the decree to be genuine. In this respect their reply to the application u/s 12(2) CPC is important wherein they have stressed on the dismissal of the application on the grounds mentioned therein. The application u/s 12(2) CPC filed by DHA is available on file as Ex:PW-2/1 and the written reply of the beneficiaries of the fake decree is Ex:PW- 2/3. In view of the written reply a little bit of discussion is necessary regarding the genuineness or otherwise of the decree.

11. Qaisar Khan (P-V-01) has produced the Marking Register of Fresh Suits for the year 2019 of the Court of the learned Senior Civil Judge (Judl.), Peshawar wherein there is no entry regarding the marking of the case (Mst: Sabecha etc. ...Vs... DHA etc.) on 02.5.2019 to the Court of the learned Civil Judge-XVII, Peshawar. The relevant pages are available on file as Ex:PW-1/T. Mujahid Ali (the then Reader of the Court of the learned Civil Judge-XVII, Peshawar who is also accused in the other inquiry and has recorded his statement as DW-01 in case No. 13/6 of 2021) has categorically denied receipt of any file/plaint from

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FALAH USIR SHAIKH
 Senior Civil Judge (Judl.)
 Peshawar

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the Court of the learned Senior Civil Judge (Judl.), Peshawar on 02.5.2019. There is no entry in the Register Peshi (Attendance Register) for the year 2019 of the Court of the learned Civil Judge-XVII, Peshawar regarding the case "Mst: Sabeeha etc. ...Vs... Dh A Peshawar" on 02.5.2019 and afterwards. The Process Servers (Hina Murtaza and Waqas Ahmed) have categorically denied receipt and service of summons on the defendants in their statements recorded as CW-03 and CN-04 respectively in the preliminary inquiry conducted by the learned Additional District & Sessions Judge-XIII, Peshawar which inquiry is available on file as Ex:PV- 7/3. Fazal e Maula Representative of DHA is shown to have attended the Court on certain dates but he has denied any attendance in Court in his statement recorded as PV-06 in the present inquiry. Last but not the least the then learned Civil Judge-XVII, Peshawar (Ms. Nosheen Nisar) has categorically denied the issuance of the decree from her Court. In this respect letter No. 44/Civil Judge dated the Mardan 21.5.2021 from Ms. Nosheen Nisar, the learned Civil Judge, Mardan addressed to the learned Additional District & Sessions Judge-XIII,

FAZAL NASIR SHAIKH
Senior Civil Judge (Judl.)
Peshawar

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District Court Peshawar

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Peshawar is important where n the following three points have been mentioned:

1. The proceedings and signatures in the subject case on order sheets/judgment and decree are not mine.
2. The signatures and proceedings in the subject case are not authentic rather fabrications.
3. I have no knowledge of any proceeding in the subject case, as I have not conducted the trial of the subject case."

The above facts clearly show that the whole file of case No. 141/1 of 2019 instituted on 02.5.2019 decided on 02.02.2020 titled "Mst: Sabeeha & others ...Vs... Assistant Director Land DHA Peshawar & others" is fake, bogus and criminally manipulated. The only page which is real in the whole file is the Index prepared by the Moharrir (accused/official).

12. The statements of all the PWs are consistent on the point that no such case was ever instituted in any Court (the Court of the learned Senior Civil Judge (Judl:), Peshawar and the Court of the learned Civil Judge-XVII, Peshawar). The other accused (M. Jahid Ali) has also denied receipt of the file in his statement recorded as DW-01 in case

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No. 136 of 2021. The stance of the accused/official (Qaisar Khan) is different and unique. In his reply to the Charge Sheet and Statement of Allegation(s) he has admitted receipt of the file at the time of its institution. He has also admitted consignment of the case to the Record Room. Paras 6 & 7 of the reply are important and are hereby reproduced here:

"6) The petitioner received the court file from the court of learned CJ-X/II through the Peon and necessary entries were made in the relevant civil register along with 11 others freshly instituted cases on the same day.

"7) The suit was disposed off by the Hon'ble court, wherein the case file was sent to the petitioner as Civil Muharrar for consigning the same to record room after necessary completion. The petitioner obliged according to the order accordingly."

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FAZAL NASIR SHAH
Senior Civil Judge (Additional)
Peshawar
03.01.22

The same stance was narrated by the accused/official in his statement recorded as DW-01.

13. The accused/official has produced no other witness except himself to prove his stance regarding the receipt of the file from the Court. The name of the peon (whom he has mentioned in para 6 of the reply) is not disclosed at any stage of the proceedings. Similarly he has

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not examined the said peon. The Register Peshi of the Moharrir Civil Judge-XVII, Peshawar was examined in which there is no entry regarding the next date of hearing which was 23.5.2019. It was observed that there is no entry of any case in the said register after 26.3.2019 till 14.6.2019. Even after 14.6.2019 there is no entry in the register regarding the next date of hearing (in case titled "Mst: Sabeeha etc. ...Vs... DHA").

14. Accused/official has produced no Cause List in which there is entry of the said case i.e. case No. 141/1 of 2019. It seems that accused/official has taken a stance which has no footing at all. The decree is fake, bogus and fraudulent. The stance of the accused/official that the case was duly instituted and decided by the Court is totally wrong and misleading. When the Reader and even the Presiding Officer of the Court are denying the institution and the disposal of the case, how the Moharrir of the Court can say that he has received the file and has consigned it to the Record Room.

15. The person who has typed the plaint, the order sheets and the judgment dated 02.02.2020 on computer is not known as there is no direct evidence. Similarly the

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FAZAL NABIR KHAN
Senior Civil Judge
Peshawar

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District Court Peshawar

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person who has written the evidence is also not known because of lack of direct evidence. It is also not proved through evidence that the accused/official has typed the judgment and the order sheets etc. or has written the evidence of the PWs. However the circumstantial evidence is so strong that the active involvement of the accused/official in the whole process cannot be ruled out. His admission of receiving the plaint on 02.5.2019 and consignment of the case to the Record Room is enough to prove the charges levelled against him. Whoever may be involved in the criminal offence but the execution of the commission of the act was not possible without the active support of the accused/official.

16. The magnitude of the offence is so huge that it can raise questions on the working of the courts particularly in respect to the institution, disposal and consignment of the cases. The accused (some of whom are still unknown) have succeeded in sending a fake file to the Record Room (Civil) without being noticed by anyone. The accused/official not only is defending himself but is also trying to defend those who were involved with him in the whole process. He has

not disclosed the name of any accomplice during the inquiry

FAZAL NASIR SHAH
Senior Civil Judge (Additional)
Peshawar

03.01.22

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proceedings. The charges against the accused are fully proved through circumstantial evidence. He has sent a fake and fabricated decree (file) to the Record Room (Civil) District Courts, Peshawar after putting Index on the same.

17. The beneficiaries of the fake decree are the plaintiffs in the case (No. 141/1 of 2019) and their attorney.

The plaintiffs are:

- Mst: Sabeeha w/o Muhammad Saeed.
- Mst: Faiqa Huma w/o Muhammad Shoaib.
- Mst: Shah Room Abdur Razzaq.
- Mst: Falak Naz w/o Muhammad Rafiq.
- Mst: Nasreen w/o Qasim Jan all rs/o Shahi Bala, Peshawar.

The attorney is:

- Muhammad Shafi s/o Muhammad Saeed r/o Shahi Bala, Peshawar.

The learned counsel who have appeared in the cases

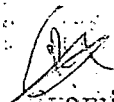
are:

- Asad Khan Advocate (Civil Suit No. 141/1 of 2019 instituted on 02.5.2019 decided on 02.02.2020 titled "Mst: Sabeeha etc. ...Vs... DHA etc." decided by the learned Civil Judge-XVII, Peshawar i.e. fake decree).
- Muhammad Adnan (Malik) Awan Advocate (Execution Petition No. 11/10 of 2020 instituted on 11.12.2020 decided on 07.9.2021 titled "Mst: Sabeeha etc. ...Vs... DHA etc." decided by the learned Civil Judge-XVII, Peshawar).

FAZAL NASIR SHAIKH
Senior Civil Judge, District Court Peshawar

03.01.2020

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District Court Peshawar

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- Muhammad Adnan (Malik) Awan Advocate & Mohsin Ali Khan Advocate (Application u/s 12(2) CPC No. 3/12(2) of 2021 instituted on 24.02.2021 titled "DHA Peshawar ...Vs... Mst: Sabeeha etc." pending adjudication in the Court of the learned Civil Judge-XVII, Peshawar).
- Danishmand Advocate (Civil Appeal No. 50/14 of 2021 instituted on 05.4.2021 decided on 05.4.2021 titled "Mst: Sabeeha ...Vs... DHA" decided by the learned Additional District & Sessions Judge-IX, Peshawar).

The inquiry report is hereby submitted for further orders/necessary action.

[Signature]

Fazal Nasir Shah
Senior Civil Judge (Judl:)
Peshawar.

03.01.22

CERTIFICATE

Certified that this inquiry report consists of fifteen (15) pages. Each page has been read over, corrected and signed by me wherever was necessary.

[Signature]

Fazal Nasir Shah
Senior Civil Judge (Judl:)
Peshawar.

03.01.22

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No. 9821

Dated of Application 21-2-22

Name of Applicant

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Fee

Signature

Dated of P

Dated of Delivery 21-2-22

CERTIFIED TO BE TRUE COPY

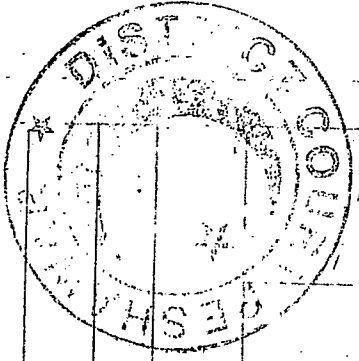
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(Examiner)
Copying Agency District Court
Peshawar

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بعدالت جناب محمد شیر علی خان سینئر سول جج صاحب (ایڈیشن) ، پشاور

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انگریزی پر تازہ فیہرفان (نائب ناظر / احسن)

تفصیلات	تاریخ فیہرفان	رجسٹر	ایس آر جی	انگریزی نمبر
	17.02.2022	02.10.2021	02.10.2021	32/6
فیہرفان				
ایڈیشن پر تازہ فیہرفان				
05	1/5	1		
01	6/6	2		
03	7/9	3		
03	10/12	4		
01	13/13	5		
01	14/14	6		
01	15/15	7		
01	16/16	8		
02	17/18	9		
01	19/19	10		
01	20/20	11		
01	21/21	12		
فیہرفان				
01	22/22	13		
01	23/23	14		
15	24/38	15		

District Collector (Examining) District Council

فیہرفان نمبر 14/6، رجسٹر 03.10.2021، فیہرفان 03.01.2022 اور SCJ (I) 241 فیہرفان نمبر (تاریخ)

مہر و مہتمم

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District Jail, District Council, District Jail, District Council

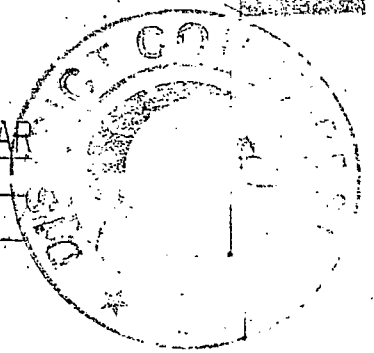


DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

PH: 091-9212209 Fax: 091-9212419
eMail: scj@peshawar-judicial.gov.pk
web: Senior Civil Judge Peshawar

No. _____

Dated Peshawar: _____



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OFFICE OF THE SENIOR CIVIL JUDGE (ADMIN) PESHAWAR

CHARGE SHEET

22

I, Muhammad Sher Ali Khan, Senior Civil Judge (Admin), Peshawar, as competent authority hereby charge you, Qaiser Khan, Naib Nazir/Muharrir as follow:

1. That you, while posted as Muharrir to the Court of the Ms. Nosheen Nisar, the then Civil Judge-XVI Peshawar, committed the following irregularities:

a. Prepared and issued a Fake Court Decree titled "Mst. Sahiba & others vs. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.

2. By reason of the above you appear to be guilty of misconduct and corruption under Rules 2(b) & (c) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalty as specified in rule-4 of the rules cited.

3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.

4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case, ex-parte action shall be taken against you.

ATTESTED

21 FEB 2017

EXHIBIT
DISTRICT COURT PESHAWAR

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.

(Muhammad Sher Ali Khan)
Senior Civil Judge (Admin)
Competent Authority
Peshawar

02/10/2017
Senior Civil Judge (Admin)
Peshawar

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DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 091-213534
E-mail: peshawar@gmail.com
Website: SessionsCourtPeshawar.gov.pk

No. 03/SCJ (Admn)
Dated Peshawar 02/01/2022

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), PESHAWAR

FINAL SHOW CAUSE NOTICE

229

I, Muhammad Sher Ali Khan, Senior Civil Judge (Admn), Peshawar, as competent authority, under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Quiser Khan, Naib Nazir, as follow:

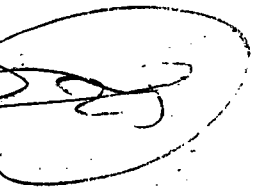
1. That vide inquiry report dated 03-01-2022 of the learned Inquiry Officer Senior Civil Judge (Judicial) Peshawar, you have been held guilty of "manipulating and helpful in making a fake and bogus case file filed "Mst. Sahib & others ...VS... Assistant Director Land, DHA & others", drafting a forged decree sheet in it and making on it the signature of Presiding Officer of the court, incorporating false entries in the relevant registers and consigning it to the record room", therefore, you are asked to show cause why one or more of the penalties as mentioned in rule 4 of the E&D Rules 2011 not be imposed on you;
2. You are, therefore, required to furnish reply to this notice within ten days from the date of its receipt failing which it shall be presumed that you have nothing in your defense and in that case, ex-parte proceedings/action shall be taken against you.
3. You are also asked to state in your reply whether you desire to be heard in person.

Muhammad Sher Ali Khan,
Senior Civil Judge (Admn),
Peshawar.

MUHAMMAD SHER ALI KHAN
Senior Civil Judge (ADMN),
Peshawar

ATTESTED


(Examiner)
District Court Peshawar

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BEFORE THE HON'BLE MR. SHER ALI KHAN, LEARNED SCJ.
(Admin) PESHAWAR, THE WORTHY INQUIRY
OFFICER

REPLY TO THE SHOW CAUSE DATED 06-01-2022

Respectfully Sheweth:


Senior Civil Judge (Admin)
Peshawar

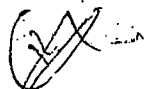
Qaisar Khan, Naib Nazir / Muharrar, District Courts Peshawar, the petitioner submits most respectfully the following statement / reply in respect of the show cause dated 06-01-2022 for your kind consideration and favour of acceptance.

Para Wise Reply

- 1) That while serving as Muharrar attached to the court of Civil Judge XVII, Peshawar, a complaint was filed on behalf of Assistant Director Land, DHA against a decree allegedly passed on Sunday being a public holiday.
- 2) That on the directions of the august High Court, the learned D&SJ Peshawar, appointed Mr. Muhammad Sajid, AD&S.-XIII, Peshawar as an Inquiry Officer vide office order dated 09-04-2021.
- 3) The worthy Inquiry Officer submitted his report dated 06-07-2021 followed by Charge Sheet and Statement of Allegations dated 02-10-2021, wherein charge against him is mentioned as under;
 - a. Prepared and issued a Fake Court Decree titled "Mst. Sahiba & others vs. Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the Presiding Officers.
- 4) That Mr. Fazal Nasir Shah learned SCJ (Judicial) was appointed as an Inquiry Officer in the instant matter vide order dated 02-10-2021 of the Learned SCJ (Admin) Peshawar. The petitioner submitted his reply dated 08-10-2021 to the worthy Inquiry Officer. The Inquiry report was submitted on 03-01-2022.
- 5) Consequent upon the findings of Inquiry report, the petitioner was served with the impugned final show cause notice dated 06-01-2022.
- 6) To begin with it is respectfully submitted that the procedure for institution of fresh suit is clearly described and followed by the courts all over the province in the similar fashion.

The fresh institution is made before the court of Senior Civil Judge, which then marked to any other Civil Court by the SCJ. The reader attached to the

ATTESTED


(Examiner)
District Court Peshawar

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court of Civil Judge receives the case file, wherein entries are made in the Dak Book (SCJ) duly signed by the reader in person. The Hon'ble Civil court makes necessary order regarding registration and reader of the Court enters in the fresh case into his daily diary register. Thereafter the case is received by Muharrar and the case is registered in civil register.

- 7) The petitioner received the court file from the court of learned CJ-XVII through the Peon and necessary entries were made in the relevant civil register along with 11 others freshly instituted cases on the same day.
- 8) The suit was disposed off by the Hon'ble court, wherein the case file was sent to the petitioner as Civil Muharrar for consigning the same to record room after necessary completion. The petitioner obliged according to the order accordingly.
- 9) It is necessary to mention that the suit file contained printed decree sheet, duly received from the Hon'ble court, wherein just small necessary entries were made by the petitioner and then the same was sent to the record room for its consignment. Thus the allegation of preparation of fake court decree is entirely incorrect and liable to be rescinded as such.
- 10) Needless to mention that the entries of the disposal of the suit file exists in the register of Faisla Bahi retained by the reader to the court and signatures of the worthy presiding Officer over each order sheet which were never proved to be fake till date.

11) It is worth mentioning that the worthy Inquiry Officer in his report dated 03-01-2022 has categorically stated that,

15. The person who has typed the plaint, the order sheets and the judgment dated 02-02-2020 on computer is not known as there is no direct evidence. Similarly the person who has written the evidence is also not known because of lack of direct evidence. It is also not proved through evidence that the accused / official has typed the judgment and the order sheets etc. or has written the evidence of the PWs. However the circumstantial evidence is so strong that the active involvement of the accused / official in the whole process cannot be ruled out. His admission of receiving the plaint on 02-05-2019 and consignment of the case to the Record Room is enough to prove the charges leveled against him. Whoever may be involved in the criminal offence but the execution of the commission of the act was not possible without the active support of the accused / official.

12) That the entire observation regarding the alleged involvement of the petitioner has been based on assumptions, presumptions, conjunctures and surmises having no legal effect.

The findings of the worthy Inquiry Officer were not based on any substance or supported by any solid or cogent evidence. The Inquiry Officer

[Handwritten signature]
Senior Civil Judge (Admn)
Peshawar.

ATTESTED

[Handwritten signature]
Examiner
District Court Peshawar

while concluding his observations has admitted that, "16.....
The charges against the accused are fully proved through circumstantial evidence." However no detail of such evidence was given, which makes the entire proceeding dubious and untrustworthy.

- 13) That the petitioner has not committed anything wrong on his part, nor done any corrupt practice or violation of official duties, breach of trust and misconduct in official capacity, and had just followed the order contained in the order sheet of the suit file.
- 14) The petitioner has 20 years of long service at his credit and that neither any complaint was ever filed against him nor was any disciplinary proceedings initiated against him during entire period of his service.

Handwritten signature
Senior Civil Judge
Peshawar.

- 15) That the impugned show cause notice has been based upon the Inquiry report, which is not only inconclusive but also a vague assertion based on whimsical approach of the worthy Inquiry Officer, which is liable to be struck down by the worthy authority.

- 16) The impugned action is thus not only arbitrary but also discriminatory and is against the principles of equity, law, justice and propriety calling for interference by the worthy authority.

In view of the above, it is requested that by accepting this reply, the impugned show cause notice, may kindly be set aside while exonerating the appellants of all the charges leveled against him.

Note:

Further I requested to be heard in person.

Qaisar Khan
Naib Nazir / Muharrar,
District Courts Peshawar

Peshawar Dated
15th January, 2022

ATTESTED

21/01/2022

(Examiner)
District Court Peshawar




DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 091-9213534
Email: scjpeshawar@gmail.com
Web: www.SessionsCourtPeshawar.gov.pk

No. 15-19
Dated Peshawar 17-2-22

OFFICE ORDER

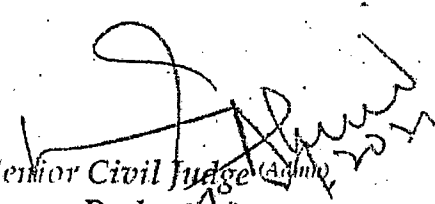
Consequent upon disciplinary proceedings against accused official, Qaiser Khan, Mubarrar/Naib Nazir, major penalty of dismissal from service under rule 4(b)(iv) of the *Govt. of Khyber Pakhtunkhwa Civil Servants (Efficiency & Disciplinary) Rules 2011* is imposed upon him. Office is directed to do the needful in this regard.


MUHAMMAD SHER ALI KHAN
Senior Civil Judge (Admin)
Peshawar
MUHAMMAD SHER ALI KHAN
Senior Civil Judge, (ADMIN)
Peshawar

No. 15-19 Peshawar Dated 17/2/2022.

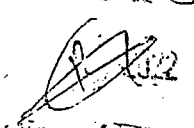
Copy forwarded for Information/Compliance to:

1. The Hon'ble District & Sessions Judge, Peshawar
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Clerk of Court, Senior Civil Judge, Peshawar.
4. Official concerned by name.
5. Office File.


Senior Civil Judge (Admin)
Peshawar

MUHAMMAD SHER ALI KHAN
Senior Civil Judge, (ADMIN)
Peshawar

ATTESTED


(Examiner)
District Court Peshawar



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph#091-9212419 Fax#091-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 5604-5607
Dated Peshawar 01-10-2021

ORDER

WHEREAS, in compliance with the directions of august Peshawar High Court, Peshawar, conveyed through letter No. 397/MT dated 06/04/2021; Mr. Muhammad Sajid, learned Additional District & Sessions Judge-XIII, Peshawar was directed to conduct an inquiry into the matter of issuance of Fake Court Decree titled "Mst: Sahiba & others ..vs.. Assistant Director Land DHA & others" by the Court of Ms. Nosheen Nisar, Civil Judge-XVII, Peshawar. The learned Inquiry Officer, after concluding the proceedings, submitted his report to this Office, which was forwarded to the august Peshawar High Court, Peshawar for further appropriate order.

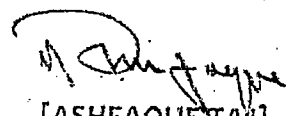
AND WHEREAS, the august Peshawar High Court, Peshawar was pleased to direct this Office vide letter No. 755/MIT dated 22/09/2021, to proceed against the identified delinquent officials under the E&D Rules 2011, as well as to initiate criminal proceedings against the beneficiaries of fake judgment and other accomplices.

NOW THEREFORE, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed as Inquiry Officer to proceed against the delinquent official i.e. Mujahid Ali, Senior Clerk/Reader, under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as well as to identify the beneficiaries of said fake degree and their accomplices, and report to this Office at the earliest.

Mr. Sajjad Ahmad Jan, Assistant/A.C.C shall represent this Office during the inquiry proceedings.

ATTESTED

(Examiner)
District Court Peshawar

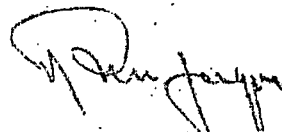

[ASHFAQETAJ]
District & Sessions Judge,
Peshawar.

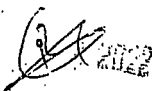
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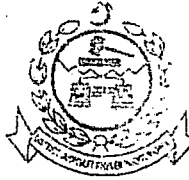
No. 83(DAS) 5604-07 Dated Peshawar, the 01 / 10 /2021

Copy forwarded to:

1. The Member Inspection Team, Peshawar High Court, Peshawar, for information, please.
2. The Senior Civil Judge (Judicial), Peshawar/Inquiry Officer, along with complete Inquiry file, in original, and copies of Charge Sheets and Statement of Allegations served upon the delinquent official Mujahid Ali, Reader.
- ✓ 3. The Senior Civil Judge (Admn), Peshawar alongwith copy of Inquiry Report, with the direction to initiate proceedings against the delinquent official i.e. Qaiser Khan, Naib Nazir/Muharrar, being competent authority, in accordance with law.
4. The officials concerned.


District & Sessions Judge,
Peshawar.

ATTESTED

(Examiner)
District Court Peshawar



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph: 091-9210001 Fax: 091-9212419
eMail: scPeshawar@yahoo.com
web: Sessions Court Peshawar.gov.pk

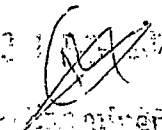
No. 5603
Dated Peshawar 01/10/21

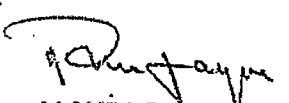
CHARGE SHEET

Ashfaqe Taj, District & Sessions Judge Peshawar, as competent authority, hereby charge you, Mujahid Ali, Senior Clerk/Reader as follow:

1. That you, while posted as Reader to the Court of the Ms. Nosheen Nisar, the then Civil Judge-XVII Peshawar, committed the following irregularities:
 - a. You were custodian of Faisla Bahi in the Court of learned CJ-XVII, Peshawar and entry of a fake decree titled "Mst: Sahiba & others ...vs... Assistant Director Land, DHA & others" was made in the Faisla Bahi.
2. By reason of the above, you appear to be guilty of Inefficiency and misconduct under Rules-3(a) & (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.
3. You are, therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the Inquiry Officer.
4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case, ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.

ATTESTED


District Court Peshawar


[ASHFAQE TAJ]
District & Sessions Judge/
Competent Authority,
Peshawar.



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph# 091-9210099 Fax# 091-9212419
eMail: sdPeshawar@yahoo.com
web: SessionCourtPeshawar.gov.pk

No. 5602
Dated Peshawar 01/10/21

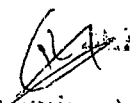
DISCIPLINARY ACTION

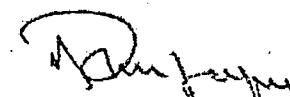
I, Ashfaque Taj, District & Sessions Judge, as competent authority, am of the opinion that Mujahid Ali, Senior Clerk/Reader has rendered himself liable to be proceeded against, as he committed the following act/omission, within the meaning of Rules-3(a) & (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

STATEMENT OF ALLEGATION(S)

- a. You were custodian of Faisla Bahi in the Court of earned C-17, Peshawar and entry of a fake decree titled "M/s. Sahiba & others vs. Assistant Director Land, DHA & others" was made in the Faisla Bahi.
2. For the purpose of inquiry against the said accused with reference to the above allegations, Mr. Fazal Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed under Rule 10(1)(a) of the rules ibid.
3. The inquiry officer shall, in accordance with the provisions of the ibid. rules, provide reasonable opportunity of hearing to the accused, record his findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
4. The accused and Mr. Sajjad Ahma / Jan, Assistant/representative of this office, shall join the proceedings on the date, time and place fixed by the Inquiry Officer.

ATTESTED


(Examiner)
District Court Peshawar

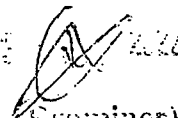

[ASHFAQUE TAJ]
District & Sessions Judge/
Competent Authority,
Peshawar.

INQUIRY REPORT

Order.....
06/07/2021

1. This is a fact finding inquiry about the genuineness of conduct of proceedings and judgment in civil suit No.141/1 of 2019 titled "Mst: Sabiha and others Vs Assistant Director Land. DHA and others". The inquiry in hand was entrusted to undersigned as inquiry officer by the order of Hon'ble District & Sessions Judge, Peshawar vide office order No.2525-26 dated 09.04.2021.
2. Brief facts are that a civil suit bearing No.141/1 of 2019 titled "Mst: Sabiha and others Vs Assistant Director Land, DHA and others" was shown instituted in the Court of learned Senior Civil Judge, Peshawar and the same was entrusted to the court of learned civil judge-XVII, Peshawar vide order dated 02.05.2019. After completion of trial, the subject case was decreed ex-parte vide judgment and decree dated 02.02.2020. The date of subject judgment was a non working day and the matter of subject judgment having been passed on the date falling on non working day i.e Sunday, was brought to the kind notice of Hon'ble Chief Justice of Peshawar High Court, Peshawar and his lordship had directed to look into the matter through an open inquiry.
3. Statements of following official were recorded:-
 - I. Mr. Qaiser Khan reader attached to the court of learned Senior Civil Judge(Judicial), Peshawar.
 - II. Mr. Fazal-e-Maula (Qanoongo DHA, Peshawar) representative of defendants.
 - III. Miss Hina Murtaza (Process server).
 - IV. Waqas Ahmad (process server).

ATTENDED


(Examiner)
District Court Peshawar

- V. Sultan Ul Arif-en (Naib Nazir) attached to the court of Senior Civil Judge, Peshawar.
- VI. Muhammad Masood Khan (Computer Operator) attached to the court of learned Judge Family Court-IV, Peshawar.
- VII. Muhammad Amir (Naib Qasid) attached to the court of learned Civil Judge-VIII, Peshawar.
- VIII. Qaiser Khan (Moharrir) attached to the court of learned Civil Judge-XVII, Peshawar.
- IX. Mujahid Ali (Senior Clerk/Reader) attached to the court of learned Civil Judge-XVII, Peshawar.
- X. Muhammad Sareer Incharge Record Room District Courts, Peshawar.
- XI. Comments were also called from Miss Nosheen Nisar, Civil Judge-XVII, Peshawar presently posted as Civil Judge at District Mardan and placed on file alongwith statement of above mentioned officials.

4. No doubt, the subject judgment was passed on non working day i.e Sunday but during the course of inquiry it came into the notice of undersigned that the institution and proceedings as well as the order sheets in the subject case file were forged, fake and fabricated on the grounds:-


- I. The order sheet bearing No.1 dated 02.05.2019 containing the signatures of learned Senior Civil Judge, Peshawar vide which the subject case was entrusted to the Court of learned Civil Judge-XVII, Peshawar was scanned and not original.
- II. The register of institution/marketing of suits etc of the year 2019 did not contain any entry regarding the institution of case file of subject suit.

ATTESTED

(Examiner)
District Court Peshawar

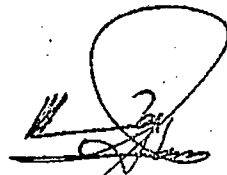
- III. The record of Naib Nazir i.e register No.23 is silent about the receiving of summons in respect of subject case from the court of learned Civil Judge-XVII, Peshawar.
- IV. Representative of defendants was shown present during proceedings of the subject case vide order sheets dated 11.06.2019, 27.06.2019, 03.07.2019 and 26.07.2019 but said representative of defendants namely Fazl-e-Maua has totally denied his appearance before the court concerned coupled with the fact that no authority letter in the name of above named representative is available on the record of the case.
- V. Two order sheets were shown written on single date of 21.12.2019 bearing two different numbers i.e Or.....13 & Or.....14.
- VI. The subject judgment was shown passed on 02.02.2020 but no short order of the same date was available on the record of the case.
- VII. There is no reference of the dates of subject case file in cause lists as well as in register Peshi.
- VIII. The margin on paper of order sheet No.3 to last one is in sequence, which in ordinary course, is not possible.
- IX. Visible and apparent variations in the signatures of presiding officer of the court on order sheets, which are not matching each other.
- X. Process server concerned has shown ignorance and denied service of summons in the subject case.
- XI. There is entry of subject case file in register Faisla Bahi without bearing any specific number.

ATTESTED


(Examiner)
District Court Peshawar

06/07/2021


5. The subject case file has been entered by Moharrir Qaiser Khan in register No.1, register Faisla Bahi, challan book and he also admitted receiving of subject case file as well as its consignment to the record room, therefore, it could be held that Moharrir of the court namely Qaiser Khan, being custodian of record as well as aware of the forged entry of subject case file in the record, seems to be prima facie involved in the matter. Secondly, the reader of the court namely Mujahid Khan was the custodian of register faisla bahi wherein reference of subject case file has been given but without any serial number. If the stance of the reader namely Mujahid Khan regarding his ignorance be taken to be true, even then he is guilty of negligence. The report, so compiled is submitted, please.



(Muhammad Sajid)

Addl: District & Sessions Judge-XIII,
Peshawar/Inquiry Officer

ATTESTED


Examiner
District Court Peshawar



The
PESHAWAR HIGH COURT
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58
Off: 9210135
Fax: 9210170

www.peshawarhighcourt.gov.pk
info@peshawarhighcourt.gov.pk
phcpsh@gmail.com

No. 397 /MIT

Date: Peshawar the 06/04/2021

To

✓ The District & Sessions Judge,
Peshawar.



SUBJECT: - JUDGMENT DATED 02.02.2019 IN CIV. L SUIT # 141/A OF 2019 TITLED 'MST. SABIHA & OTHERS VERSUS ASSISTANT DIRECTOR LAND, DHA AND OTHERS' PERTAINING TO THE COURT OF MS. NOSHEEN NISAR CIVIL JUDGE-XVII, PESHAWAR

The matter of the subject judgment having been passed on the date falling on non-working day i.e. Sunday was brought into kind notice of Hon'ble the Chief Justice and his lordship was directed to look into the matter. After preliminary discreet probe and scrutiny of orders sheet as well as judgment, there is sufficient material to believe that not only the subject judgment but proceedings in the case resulting into the judgment seemingly suffer from intended variation necessitating an open inquiry. You are requested to get an open inquiry conducted in the following lines:-

- Comments of Ms. Nosheen Nisar, Civil Judge-XVII, Peshawar (wherever she is posted) may be obtained as to her knowledge of the proceedings and authenticity of her signatures on orders sheet particularly No. 05 onward and on the judgment and decree.
- Who were the Reader, Steno typist, Computer Operator and Moharrir attached with the Court of Civil Judge-XVII, Peshawar in the eventful period and their statements may be recorded about the matter.
- The statement of Process Server entrusted with the process of the case be recorded in light of his report on record, if available.
- Mr. Fazal-e-Mola Tehsildar at DHA named as representative of defendants and shown present in various orders be examined as to authority of his attendance leading to ex-parte proceedings.
- Any other statement as may be deemed appropriate for logical conclusion as to affixing of responsibility, it becomes expedient.


(AHMAD SULTAN TAREEN)
Member Inspection Team



DISTRICT JUDICIARY, KH. BER PAKHTUNKHWA, PESHAWAR

Ph#091-9210099 Fax#091-9212419
eMail: scPeshawar@yahoo.com
web: SessionsCourtPeshawar.gov.pk

No. 2525-26
Dated Peshawar 09/04/21

OFFICE ORDER

In compliance with the directions of august Peshawar High Court Peshawar, contained in letter No. 397/MIT dated 06/04/2021; Mr. Muhammad Sajid, learned Additional District & Sessions Judge-XIII, Peshawar is directed to conduct open inquiry into the matter, in line with the directions of august High Court, and submit report to this Office, at the earliest.

District & Sessions Judge,
Peshawar. 09 APR 2021

No. 83(DAS) 2525-26 Dated Peshawar, the 09/04/2021

Copy forwarded for information/necessary action to:

1. The Member Inspection Team, Peshawar High Court, Peshawar.
2. The AD & SJ-XIII Peshawar/Inquiry Officer.

District & Sessions Judge,
Peshawar. 09 APR 2021

ATTESTED

2022
District Court Peshawar

3611

[Handwritten signature]



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph#091-9210099 Fax#091-921-419
e-mail: scPeshawar@yahoo.com
web: Sessions/CourtPeshawar.gov.pk

No. 1150
Dated Peshawar _____

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

ORDER

in compliance with the directions of Hon'ble District & Sessions Judge, Peshawar, conveyed through letter No. 5604-5007 dated 01/10/2021; Mr. Fiaz Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed as Inquiry Officer to proceed against the delinquent official i.e. Qaiser Khan, Naib Nazir/Muharrir under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as well as to identify the beneficiaries of said fake degree and their accomplices, and report to this Office at the earliest.

Mr. Amjad Khan Shinwari, Senior Clerk shall represent this Office during the inquiry proceedings.

[Signature]
[Muhammad Sher Ali Khan]
Senior Civil Judge (Admin),
Peshawar, 07/10/2021

Endorsement No. 1150-27 Dated Peshawar, the 07/10/2021

Copy forwarded to:

1. The Hon'ble Member Inspection Team, Peshawar High Court, Peshawar, for information, please.
2. The Hon'ble District & Sessions Judge, Peshawar, for information, please.
3. The Senior Civil Judge (Judicial), Peshawar/Inquiry Officer, along with complete inquiry file, in original, and copies of Charge Sheets and Statement of Allegations served upon the delinquent official Qaiser Khan, Naib Nazir.
4. The officials concerned.

ATTACHED

[Handwritten signature]
District Court Peshawar

Senior Civil Judge (Admin),
Peshawar
[Handwritten signature]



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Ph: 091-9210099 Fax: 091-9212419
e-mail: scPeshawar@jshoo.com
web: SessionsCourtPeshawar.gov.pk

No. 158
Dated Peshawar 2/11/11

OFFICE OF THE SENIOR CIVIL JUDGE (ADMN) PESHAWAR

DISCIPLINARY ACTION

Muhammad Sher Ali Khan, Senior Civil Judge (Admn), Peshawar, as competent authority, am of the opinion that Qaiser Khan, Naib Nazir/Muhattar has rendered himself liable to be proceeded against, as he committed the following act/omission, viz in the meaning of Rules-3(b) & (c) of the Khyber Pakhtunkhwa Government Servants' (Efficiency & Discipline) Rules, 2011.

STATEMENT OF ALLEGATION(S)

1. Prepared and issued a Fake Court Decree titled "Mst: Sahiba & others...vs... Assistant Director Land, DHA & others" by making false entries in the relevant registers, and forged signatures of the residing Officers.
2. For the purpose of inquiry against the said accused, with reference to the above allegations, Mr. Fazl Nasir Shah, learned Senior Civil Judge (Judicial), Peshawar is appointed under Rule 10(1)(a) of the rules ibid.
3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record his findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.
4. The accused and Mr. Amjad Khan Shinwari, Senior Clerk/ representative of this office shall join the proceedings on the date, time and place fixed by the Inquiry Officer.

ATTESTED

(Examiner)
District Court Peshawar

[Muhammad Sher Ali Khan]
Senior Civil Judge (Admn)
Competent Authority,
Peshawar.

Senior Civil Judge (Admn)
Peshawar.



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA, PESHAWAR

Phone: 09-9213533
eMail: scjpesawar@yahoo.com
Web: www.SessionsCourtPeshawar.gov.pk

No. 02
Date: Peshawar 03.01.22

OFFICE OF THE SENIOR CIVIL JUDGE (JUDL:) PESHAWAR

From: **Fazal Nasir Shah,
Senior Civil Judge (Judl.),
Peshawar**

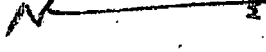
To: **The learned,
Senior Civil Judge (Admn),
Peshawar.**

Subject: **INQUIRY REPORT.**


Dear Sir,

Reference Office Order No. 1184-87 dated Peshawar 02.10.2021 of your good self, the inquiry report in respect of delinquent official Qaiser Khan Naib Nazir/Moharrir is hereby submitted for further orders/necessary action.

Yours faithfully,


**Fazal Nasir Shah
Senior Civil Judge (Judl.)
Peshawar.**

ATTESTED


**(Examiner)
District Court Peshawar**

Register peshe

(367)

لباسه جنج و تيب نانا و ...

عدد 11/17

لباسه جنج و تيب نانا

فردا

23-5-2017

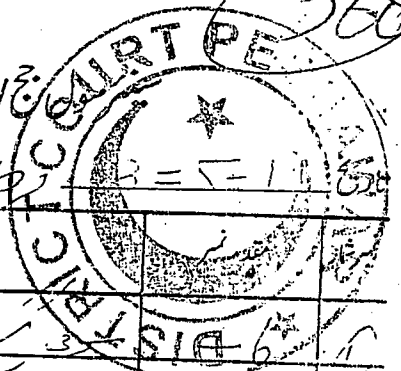
03-2-2020

پشاور ایسٹریٹ لاء

368

پشاور ایسٹریٹ لاء جج اسول جج اجوڈیشل، جسٹریٹ پشاور

112-X



تاریخ 19

نمبر شمار	مقدمہ نمبر
1	32/1
2	33/1
3	9/1
4	63/1
5	4/1
6	5/1
7	1-1

عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت
دریے کا عمارت	30/5	01-7-19
افولہ احمین و گلند شادین	02/5/19	29-1-19
گلند بلگرام و لولہ احمین	11	29-6-19
محمد آصف و مریمہ فریقہ	15/5/19	27-6-19
زاہدہ بلگرام و عوام الالبان	13/5/19	31-6-19
شیرازہ و گلند صہبہ	14/5/19	29-5-19
محمد رفیق و گلند بلگرام	15/5/19	14-6-19
صبر علی و گلند بلگرام	30/5/19	

پشاور ایسٹریٹ لاء جج اسول جج اجوڈیشل، جسٹریٹ پشاور

1	26/1
2	33/6
3	03/1
4	1/1
5	3/1

08/12	23/5/19	22-6-19
36/6	25/5/19	22-6-19
20-6	8/5/19	15-6-19
56-1	10/5/19	14-6-19
326/6	11/5/19	17-6-19

FD.CS.1796/64-SCJ Peshawar-156 N. of 2001-17.05.18/PHC Kdo. Peshawar

ATTESTED

270 MAY 2022

(Examiner)
District Court Peshawar

سینئر سول جنرل اسول جی اچو ڈیٹیل بمسٹریٹ پشاور

369

کارروائی عدالت	آئندہ پیش	عنوان مقدمہ	مقدمہ نمبر	نمبر شمار	کارروائی عدالت
18-6-19	02-5-19	ماتہ نگار عیسیٰ و مسز خاتون	332/1	1	01-7
17-6-19	03-5-19	سید رفیق بیگم و سید محمد	133/1	2	29-6
18-6-19	03/5/19	محمد عزیز و سید عزیز	369/1	3	29-
30-5-19	"	محمد عیسیٰ و ناصر	103/1	4	27-
13-6-19	09/5/19	محمد رفیق و سید عزیز	131/1	5	21-6
17-6-19	11-5-19	سید اللہ و سید محمد	155/1	6	29-6
	14/5/19	طالب بیگم و سید عزیز	T-1	7	14-6
(تیسری)					
24-6-19	30/4/19	سید محمد و سید عزیز	126/1	1	
22-6-19	"	وزیر عیسیٰ و سید عزیز	33/6	2	22-6
24-5-19	17/5/19	سید عزیز و سید عزیز	303/1	3	22-6
M.O					
13-6-19	09/5/19	سید عزیز و سید عزیز	10/1	1	17-6
13-6-19	"	"	13/1	2	

GS-40, S6, 1700/E4 SCJ Peshawar-156 R. of 2004-17.05.11/PHC Jobs/Peshi Register

7/17
District Court, Peshawar

کاروائی عدالت آئندہ پیشی عنوان مقدمہ مقدمہ نمبر نمبر شمار

02-7-19	29/4/19	بانتہ نازیبون	125/1	1
03-7-19	02/5/19	الہ	5	2
03-5-19	03-5-19	محمد علی	90/1	3
03-5-19	03-5-19	محمد علی	32/1	4
12-7-19	09/5/19	سینل انجمن	98/1	5
02-7-19	11-5-19	السلطانہ	31/1	6
25/6/19	11-5-19	بانتہ کابل	82/6	7
27/6/19	31-5-19	محمد علی	140/1	8
21-6-19	01-6-19	صبا علی	163/1	9
21-6-19	01-6-19	محمد علی	160/1	10
20-6-19	01-6-19	محمد علی	24/1	11

17-6-19	03/5/19	محمد علی	46/1	12
02-7-19	06/5/19	محمد علی	222/1	13
02-6-19	06-5-19	محمد علی	54/1	14
29-6-19	17/5-19	محمد علی	25/1	15
21-6-19	11-5-19	محمد علی	123/1	16
26-6-19	27/5/19	محمد علی	5-1	17
18-6-19	01-6-19	محمد علی	206/1	18

GS&PD, SE. 1796/c4-SCJ Peshawar-156 R. of 2001-17.05.18/PHC Jobs/Pesh Register

ATTESTED

20 MAY 2022

(Examiner)
District Court Peshawar

سینٹر سول جج اسول جج اجوزڈیشنل مجسٹریٹ

371

11-6-19 (لاکھ ڈیرہ) بر

نمبر	مقدمہ نمبر	عنوان مقدمہ	تاریخ پیش	بات
1	312/1	لاکھ ڈیرہ و ضلع	29/4/19	02-7-19
2	11/1	ضلع زنگیہ و ضلع	29/4/19	25-6-19
3	144/1	لاکھ ڈیرہ و ضلع	02/5/19	22-6-19
4	58-1	لاکھ ڈیرہ و ضلع	03-5-19	17-6-19
5	13-13	محمد علی و حاشیہ	06-5	02-7-19
6	34/1	لاکھ ڈیرہ و ضلع	07-5-19	20-6-19
7	143/1	لاکھ ڈیرہ و ضلع	11-5-19	27-6-19
8	515/1	لاکھ ڈیرہ و ضلع	21-5-19	27-6-19
9	T-1	لاکھ ڈیرہ و ضلع	27-5-19	26-6-19
10	T-1	لاکھ ڈیرہ و ضلع	11	22-6-19
11	34/1	لاکھ ڈیرہ و ضلع	30-5-19	20-6-19
(لاکھ ڈیرہ)				
12	323/1	لاکھ ڈیرہ و ضلع	02/5/19	24-6-19
13	16/1	لاکھ ڈیرہ و ضلع	09/5/19	27-6-19
14	T-1	لاکھ ڈیرہ و ضلع	27/5/19	25-6-19
140				
15	T-1	لاکھ ڈیرہ و ضلع	22/6/19	28-6-19
16	134/1	لاکھ ڈیرہ و ضلع	22/5/19	28-6-19

371
District Court Peshawar

سیٹرز سول جج اسونج اجوڈیشل سٹریٹ پشاور

(379)

بروز 17/6/11

(379)

تاریخ

نمبر شمار	کاروائی اعداد	آئندہ پیش	عنوان مقدمہ	تقدمہ نمبر	نمبر شمار
1	25-7	18/5/11	اندر صحت و "لی رالو"	43-6	1
2	13-7	"	صحت مند و انتظامیہ امور	25-6	2
3	13-7	"	صحت مند و انتظامیہ امور	01-10	3
4	25-7	18/5/11	صحت مند و انتظامیہ امور	36-6	4
5	23-7	20/5/11	صحت مند و انتظامیہ امور	06-12	5
6	25-7	20-5-11	اندر اللہ و انتظامیہ امور	20-6	6
7	23-7	"	صحت مند و انتظامیہ امور	41-6	7
8	10-7	23/5/11	صحت مند و انتظامیہ امور	162/1	8
9	12-7	29/5/11	صحت مند و انتظامیہ امور	102/1	9
10	12-7	"	صحت مند و انتظامیہ امور	83/1	10
11	12-7	29-5-11	صحت مند و انتظامیہ امور	99/1	11
12	3-7	11-6-11	صحت مند و انتظامیہ امور	11/1	12
(صحت مند و انتظامیہ امور)					
13	18-7	23/5/11	صحت مند و انتظامیہ امور	08/12	13
14	23-3	27/5/11	صحت مند و انتظامیہ امور	260/1	14
15	11-7	23/5/11	صحت مند و انتظامیہ امور	142/1	15
16	16-7	30/5/11	صحت مند و انتظامیہ امور	32/1	16
17	26-7	"	صحت مند و انتظامیہ امور	40-1	17
18	18-7	30/5/11	صحت مند و انتظامیہ امور	143/1	18

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سینٹر سول جج اسول جج ایجوکیشنل رجسٹریشن پشاور

(373)

روز شنبہ

کاروائی عدالت	آئندہ پیشی	عنوان مقدمہ	مقدمہ نمبر	پرکار
22-7	20/5/19	علی محمد و اللہ بخش	46/1	1
23-7-19	11	فضل خالق و سندھ افتخار	05-12	2
25-7-19	20-5-19	محمد الودیع	31-6	3
22-7-19	20-5-19	اقبال حسین و طاہر اقبال	26-1	4
18-7-19	22/5/19	ماتہ نسیم اختر و ناصر	82/1	5
22-7	27-5-19	خدیجہ عزیز و اسلام	357/1	6
08-7	22-5-19	محمد انیس و محمد اقبال	30/1	7
05-7-19	11-6-19	اللہ خاں و اختر	113/1	8
08-7-19	11-6-19	طارقین و م. ا.	515/1	9
08-7-19	12-6-19	ماتہ نسیم اختر و 3 زبان	351/1	10
08-7-19	15/6/19	محمد الودیع و ناصر	21/1	11
05-7-19	20-6-19	خدیجہ عزیز و ناصر	254/1	12

373/1

22-7-19	20-5-19	علی محمد و اللہ بخش	65-6	1
25-7-19	11	محمد الودیع	95/1	2
25/7	11	محمد الودیع	30/1	3
18-7-19	11-6-19	ماتہ نسیم اختر و طارق	164/1	4
28-6-19	18/6/19	محمد الودیع و ناصر	76/6	5
15/7/19	13-6-19	محمد الودیع و ناصر	09/10	6
		محمد الودیع و ناصر	12/1	7
		محمد الودیع و ناصر	162/1	8

GS&PD.ES.178/54-SJI Peshawar-15-R. of 200L-17.05.18/PHC Jobs/Peshl Register

ATTESTED

28 MAY 2022

(Examiner)
District Court Peshawar

تاریخ	آگے کی تاریخ	تعداد	تعداد	کاروائی عدالت	آگے کی تاریخ
11-7-19	12/6/19	298/1	1	22-7	11-6-19
12/7/19	13/6/19	168/1	2	17-7	12-6-19
03-9-19	19/6/19	308/1	3	17-7	13/6/19
11-7-19	20/6/19	34/1	4	10-7	14/6/19
08-7-19	03-7-19	146/1	5	18-7	14/6/19
12-7-19	26-6-19	15-6	6	15/6	15/6/19
12-7-19	"	04-1	7	22-7	17/6/19
12-7-19	"	16-6	8	22-7	17/6/19
(تعمیرات)					27/6
23-7-19	31-5-19	194/1	9	23-7	11/6/19
23-7-19	"	197/1	2	23-7-19	"
"	"	298/1	3	"	31-5-19
"	"	196/1	4	"	31-5-19
"	"	186/1	5	"	"
"	"	199/1	6	"	"
"	31-5-19	197/1	7	"	"
"	31-5-19	191/1	8	"	"
"	"	138/1	9	"	"
"	"	190/1	10	"	"
"	31-5-19	192/1	11	"	"
"	31-5-19	195/1	12	13-7-19	"
"	"	192/1	13	11-7-19	"
"	"	"	"	11-7-19	"

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سینئر سول جج اسول جج اجوڈیشل مجسٹریٹ پشاور

376

تاریخ 26/7/2022 (سہ ماہیہ) بروز جمعہ

نمبر	مقدمہ	تنوان مقدمہ	آئندہ پیشی
1	11/6/22	ذوالکرم و کبیر	26-6-18
2	51-1	المہر شاہ و نادر	08-7-18
3	26/1/22	افتخار حسین و خالید علی	9-7-18
4	12/1/22	سید اشرف و نادر	10-7-18
5	113/1	امان اللہ و پرویز اللہ	11/7/18
6	113/1	اورنگزیب و نادر شاہ	11/7/18
7	1-1	اقبال علی و نور	13/7/18
8	1-1	صنایع الحق و نور	"
9	70/1	شکیل حسین و نور	16/7/18
10	1-1	البرکات و نور	"
11	6-6	محمد رفیق و محمد علی	24/7-2018
12	40-1	ساتھ حسین و اکرم	27-6-18
13	64/1	ساتھ حسین و لیاقت علی	11/7/18
14	16/1	محمد الہی و نادر	16/7/18
15	22-1	ذوالکرم و نادر	19/7/18
16	1-1	المہر شاہ و نادر	"
17	114/1	محمد رفیق و محمد علی	24/7-2018

نمبر	تاریخ
1	27
2	28
3	29
4	30
5	31
6	1
7	2
8	3
9	4
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12

GS&PO,SS-1796/C-1-SC Peshawar-156 Pt. of 2001-17.05.15/PHC Jobs/Peshi Register

ATTESTED

20 MAY 2022

(Examiner)
District Court Peshawar

سینٹر سول جج اسول جج اجودیشل مجسٹریٹ پشاور

378

روز

تاریخ

نمبر	تقدیر	عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت
1	17-6	ماتہ درویشہ فقیر vs نسیم نسیم	18-7-19	25-9-19
2	51-6	السماعیل vs ذکیا بیگم	18-7-19	28-9-19
3	03/10	عدالت عدالت vs شہزادہ	19/7/19	25-9-19
4	49-6	انور الحسن vs گلنیر شاہین	20-7-19	01-10-19
5	50-6	گلنیر شاہین vs انور الحسن	20-7-19	01-10-19
5	02-6	عبدالرزاق vs عبدالستار	"	28-9-19
6	350/1	سلجہ vs نذیر	22/7/19	28-9-19
7	35/10	ذکیا بیگم vs نسیم نسیم	23/7/19	25-9-19
8	01-10	ذکیا بیگم vs نسیم نسیم	27-7-19	28-9-19
9	04/10	آفتاب احمد vs ایمنہ بیگم	27-7-19	17-9-19
10	20-6	گلنیر شاہین vs انور الحسن	31/7/19	18-9-19
11	44/6	گلنیر شاہین vs انور الحسن	31/7/19	27-9-
(M. J. Hassan)				
10	25/1	محمد اسد vs سید اسد	19/7/19	26-9-19
2	232/1	عبدالحمید vs عبدالستار	20/7/19	18-9-19
3	21-6	شاہد vs محمد امین	"	19-9
4	06-10	مشال vs P.P.A	22/7/19	30-9
5	25/1	ذکیا بیگم vs نسیم نسیم	"	30-9
6	01-13	سید عبدالرشید vs گلنیر شاہین	23/7/19	28-9
7	230/1	ذکیا بیگم vs نسیم نسیم	31/7/19	12-9
8	100/1	نواز بیگم vs جان	04/9/19	01-10

GS&PD-SS-1796/64-SCJ Peshawar-156 R. of 2001-I 05-18/PRC Jobs/Peshi Registrar

ATTESTED

20 MAY 2022

(Examinee)
District Court Peshawar

روز جمعہ 17/10/19

17/10/19

روز

کاروائی عدالت	تاریخ پیش	عنوان	مقدمہ نمبر	کاروائی عدالت	پیش
		فوری سے شکر کھنڈ	54/1	وام نامہ	26
	06-11-19	سید عرف اللہ	67/1	01-11-19	30/10
	06-11-19	امیر زاہد	345/1	06-11-19	11
	02-11-19	مستور	58/1	06-11-19	30
	06-11-19	آصفہ	253/1	01-11-19	11
	06-11-19	مہتمم	82/1	28-10-19	30
	31-10-19	لکھت اللہ	10/1	06-11-19	11
	06-11-19	م. سید	367/1	05-11-19	03/10
	06-11-19	عارفین	515/1	04-11-19	03/11
	31-10-19	سید	127/1	01/19	11
	06-11-19	طارق	515/1	30-10	04/1
	07-11-19	محمد	373/1	30-10	11
	30-10-19	سید	283/1		
	19-10-19	سید	398/1		
			14/10		
	26-10-19	سید	14/10	05-11-19	20/11
	06-11-19	سید	366/1	28-10-19	30/11
	28-10-19	A.W.T	12/1	06-11-19	11
				02-11-19	11
				02-11-19	11
				05-11-19	01-10
				29-10-19	11
			392/1	06-11-19	11
			262/1	05/11/19	03/11

342/1 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

GS&PO, SS-1796/64-SC/Peshawar 156 R. of 2001; 05.18/PHC Jobs/Pechl Register

ATTESTED

20 MAR 2022

(Examiner) District Court Peshawar

سینئر سول جی اے سیل جی اے جی ڈی اے نیشنل مجسٹریٹ پشاور

سینئر

7/10/19

بروز جمعہ 7/10/19

تاریخ 7-10-19 (جائزہ)

نمبر شمار	مقدمہ نمبر	عنوان مقدمہ	آمدہ پیشی	کارروائی عدالت	مقدمہ نمبر
1	70/1	سینئر سول جی اے سیل	28/9/19	20/10/19	54/1
2	360/1	مقامی عدالت، نیشنل	30/9/19	01-11-19	67/1
3	71-6	سینئر سول جی اے سیل	11/10/19	06-11-19	345/1
4	315/1	مقامی عدالت، نیشنل	30/9/19	06-11-19	58/1
5	367/1	مقامی عدالت، نیشنل	11/10/19	01-11-19	253/1
6	321/1	مقامی عدالت، نیشنل	30/9/19	28-10-19	82/1
7	140/1	مقامی عدالت، نیشنل	11/10/19	06-11-19	10/1
8	F-1	مقامی عدالت، نیشنل	03/10/19	05-11-19	367/1
9	113/1	مقامی عدالت، نیشنل	03/10/19	04-11-19	515/1
10	F-1	مقامی عدالت، نیشنل	11/10/19	01/19	127/1
11	326/1	مقامی عدالت، نیشنل	04/10/19	30-10	515/1
12	327/1	مقامی عدالت، نیشنل	11/10/19	30-10	373/1
					283/1
					399/1
					14/1
					14/10
					366/1
					12/1
					02-11-19
					02-11-19
					05-11-19
					29-10-19
					06-11-19
					07/11/19

مقامی عدالت، نیشنل

(382)
 سینئر سول جج اسول جج ایجوکیشنل مجسٹریٹ پشاور
 تاریخ: 11-11-57 (پشاور) بروز جمعہ 11/11/57

نمبر شمار	مقدمہ نمبر	عنوان مقدمہ	تعمدہ پیش	کارروائی عدالت	تاریخ
1	350/1	حاجی سید 11/10/11	27/11	15/10/11	176/1
2	63-1	محمد سید	29/11	18-10-11	373/1
3	429/1	عادل گوہر	3-11	11-11	270/1
4	82/1	سید قاسم علی	28/11	19-10-11	296/1
5	32/10	سید علی	30/11	19-10-11	306/1
6	370/1	محمد سید	30/11	11-11	143/1
7	383/1	محمد سید	27/11	21-11	385/1
8	379/1	محمد سید	27/11	21-11	26-1
9	20/1	محمد سید	28/11	23/10/11	232/1
10	F-1	محمد سید	28/11	25/10	34/1
					51-6
11	142/1	محمد سید	30-11	15/10/11	259/1
2	151/1	محمد سید	30-11	11/11	230/1
3	142/1	محمد سید	30-11	11/11	66/60
4	148/1	محمد سید	30-11	11/11	
5	150/1	محمد سید	30-11	11/11	100/1
6	144/1	محمد سید	11/11	11/11	61/1
7	143/1	محمد سید	11/11	11/11	T-2
8	145/1	محمد سید	11/11	11/11	161/1
9	146/1	محمد سید	11/11	11/11	342/1
10	148/1	محمد سید	11/11	11/11	141/1
11	79/10	محمد سید	28-11	17/10/11	
12	39/1	محمد سید	27-11	18/10	5/1
13	17/1	محمد سید	27/11	11/11	16/1

SS&PD, SS-1796/64-SCI Peshawar-156 R. of 2000-17.05.18/PHC Jobs/Pestil Register

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 20 MAR 2022
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 District Court Peshawar

سینئر سول جی اسول آف ایجوڈیشنل مجسٹریٹ پشاور

11/11/08

کاروائی عدالت	مقدمہ نمبر	عنوان مقدمہ	تاریخ پیش	کاروائی عدالت
	176/1	سکاٹل	15/10/11	27/11
21-11	373/1	سکاٹل	17/10/11	29/11
26-11-11	270/1	سکاٹل	18-10-11	3-12
26-11-11	296/1	سکاٹل	18-10-11	28/11
23-11-11	306/1	سکاٹل	18-10-11	28/11
16-11-11	143/1	سکاٹل	21-10-11	30/11
8-12	385/1	سکاٹل	21-10-11	27/11
27-11	26-1	سکاٹل	21-10-11	27/11
25-11-11	232/1	سکاٹل	21-10-11	28/11
21-11-11	34/1	سکاٹل	22/10/11	28/11
20-11	51-6	سکاٹل	22/10/11	30-11
25-11	259/1	سکاٹل	28-10-11	30-11
12-11	230/1	سکاٹل	31/10/11	30-11
14-11	66/60	سکاٹل	04/11/11	30-11
09-11-11	900/1	سکاٹل	22/10/11	30-11
21-11-11	61/1	سکاٹل	24/10/11	11-11
20-11-11	16/11	سکاٹل	30-10-11	11-11
27-11-11	342/1	سکاٹل	31-10-11	11-11
22-11-11	14/11	سکاٹل	06-11-11	11-11
13-11	25/1	سکاٹل	11/11/11	28-11
4-11-11	271/1	سکاٹل	24/11/11	27-11
	30/11/11	سکاٹل		27/11

21/11/11

22/11/11
23/11/11
24/11/11

سیکرٹریٹ چیف اسٹورج ایجنسی
 17/12/19 تاریخ
 25-1-20

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سیکرٹریٹ

نمبر شمار	مقدمہ نمبر	تاریخ	عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت
1	18-12	26/11/19	کاتبہ کمالیہ و الفتحا	20-1-20	06-1-20
2	02-6	27-11-19	فوزیہ بیگم و بی بی	27-11-19	27-11-19
3	498/1	27/11/19	عبدالرزاق و عبدالمصطفیٰ	27/11/19	27/11/19
4	106/6	27-1-20	شہزاد محمد و بی بی	27-1-20	27-1-20
5	39/6	28/11/19	مشاہدہ علیہ و کمالیہ	28/11/19	28/11/19
6	253/1	11-11-19	آصف محمد و بی بی	11-11-19	11-11-19
7	80-6	18/11	محمد سعید و بی بی	18/11	18/11
8	20/6	10/12/19	محمد سعید و بی بی	10/12/19	10/12/19
9	445/1	27/11	محمد سعید و بی بی	27/11	27/11
10	32/1	17/11	محمد سعید و بی بی	17/11	17/11
11	464/1	27/11	محمد سعید و بی بی	27/11	27/11
12	455/1	30/11	محمد سعید و بی بی	30/11	30/11
13	39/10	04/12/19	محمد سعید و بی بی	04/12/19	04/12/19
14	10-12	28-11	محمد سعید و بی بی	28-11	28-11
15	377/1	29/11/19	محمد سعید و بی بی	29/11/19	29/11/19
16	25/1	29-1-20	محمد سعید و بی بی	29-1-20	29-1-20
17	283/1	30/11/19	محمد سعید و بی بی	30/11/19	30/11/19
18	429/1	18-1-20	محمد سعید و بی بی	18-1-20	18-1-20
19	03/12/19	22-1-20	محمد سعید و بی بی	22-1-20	22-1-20
20	115/1	12/11	محمد سعید و بی بی	12/11	12/11

NOT RECORDED
 District Court Peshawar

سینئر سول جج اسول جج اجوڈ نیشنل مجسٹریٹ پشاور

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تاریخ: 11/11/2011 (پشاور) بروز

نمبر شمار	مقدمہ نمبر	عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت	مقدمہ
	۴	سیدی خان و امیر علی	۱۱/۱۱	۵۱-۱-۲۵	۱۱/۱۱
	429/۱	خاندان لوہار و دیگر ڈیڈ ٹرسٹ دانا خواں	۱۱/۱۱	۵۱-۱۲-۶۹	۵۱/۱۱
	۱	نور حسن و محمد اسحاق	7/11	۲-۱-۱۲	۱۱/۱۱
	386/۱	امداد اللہ و دیگر	12/11	۱۱/۱۱	۱۱/۱۱
	459/۱	مستاد احمد و دیگر	3/11	۱۱/۱۱	۱۱/۱۱
	2/6	محمد اشرف و دیگر	3/11	۵۱/۱۱	۱۱/۱۱
	۱	عشرت سجاد و دیگر	13/12	۱۲-۱۲	۱۱/۱۱
	۱	" " " "	"	۱۲-۱۲	۱۱/۱۱
	۱	سید احمد و دیگر	13/11	۱۲-۱۲	۱۱/۱۱
	330/۱	شمس الحق و دیگر	13/11	۵۸/۱۱	۱۱/۱۱
	۱	امداد اللہ و دیگر	13/11	۵۲-۱-۱۲	۱۱/۱۱
	۴	شاہی علی و دیگر	13/11	۱۲-۱۲	۱۱/۱۱
	۴	" " " "	13/11	۱۲-۱۲	۱۱/۱۱
	۱	محمد اسحاق و دیگر	14/11	۱۲-۱۲	۱۱/۱۱
	418/۱	عزیز الدین و دیگر	25/11	۱۲-۱۲	۱۱/۱۱
	۱	محمد اسحاق و دیگر	3/11	۵۱/۱۱	۱۱/۱۱
	۴	عشق و دیگر	13/11	۵۱/۱۱	۱۱/۱۱
	371/۱	منور زمان و دیگر	13/11	۵۱/۱۱	۱۱/۱۱
	۱۱۱/۱	شمس الحق و دیگر	13/11	۵۸/۱۱	۱۱/۱۱
	315/۱	محمد اسحاق و دیگر	"	۱۷/۱۲	۱۱/۱۱
	229/۱	" " " "	"	۱۷/۱۲	۱۱/۱۱
	۱۰۰/۱	فتح پور و دیگر	13/11	۵۱/۱۱	۱۱/۱۱
	305/۱	نور جان و دیگر	14/11	۵۱/۱۱	۱۱/۱۱
	537/۱	محمد اسحاق و دیگر	25/11	۵۱/۱۱	۱۱/۱۱

GS&PJ.SS.1796/64-SCJ Peshawar-156 R, of 2001-17 15.18/PHC Jobs/Pesh Register

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20 MAY 2012
(Examiner)
District Court Peshawar

سینٹر سول حج اسول حج اجوڈیشنل مجسٹریٹ پشاور

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بروز

(سہ ماہیہ)

مقدمہ نمبر	نواکں مقدمہ	آئندہ پیش
211/1	محمد امجد علی	02/11/11
465/1	شبانہ خواجہ	11/11/11
143/1	صبا امین و منیر شاہ	7/11
56/1	رضیلا محمد سکیم و صلا اللہ	13/11
173/1	حیات بسم اللہ رحمان و روشن بیگم	13/11
79/1	سجاد علی و فرحان اللہ	13/11
46/1	علی محمد و گل حسین	13/11
331/1	روایت ادرہ و انوار ادرہ	13/11
357/1	خان فرار و نسیم	13/11
260/1	اکرام اللہ و اسیم	11
308/1	نشدہ لیز و لطیف الرحمن	14/11
309/1	نذیم بریدیز و شبانہ صدیق	14/11
39/1	حاجہ داؤد بیگم	14/11
245/1	حیات بسم اللہ رحمان و عواذ اللہ	19/11
152/1	اورنگزیب و مدعا علیہ سہیل	20/11
65/6	علی محمد و گل حسین	13-11
70/1	عقیل لطیف و دلارا	13/11
آ	محمد ان خان و شہت	14/11
368/1	سید ادرہ	20/11
493-1	سید ادرہ	20/11
391/1	سید ادرہ	20/11
		26/11

15/11/11 و 17/11/11

2021
District Court Peshawar

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سینٹر سول جی اسول جی اجوڈیشنل مجسٹریٹ پشاور

سینٹر سول

تاریخ 2020-1-8

روز جمعہ

2020-1-8

نمبر	مقدمہ	عنوان مقدمہ	تاریخ	کاروائی	نمبر	مقدمہ
1	33/1	شعبہ الحوا و لہذا	13/12	04-2-2020	1	278/1
2	456/1	وہا لہذا	11	04-2-2020	2	282/1
3	353/1	سیریز	17/12	04-2-2020	3	281/1
4	564/1	ساتھ اور	07/12	04-2-2020	4	390/1
5	09/1	کے	07/12	30-1-2020	5	73/1
6	F-1	مشاورت	11/12/19	24-1-20	6	331/1
7	452/1	دہلی	12-12-19	13-1-2020	7	260/1
8	449/1	ای	12/12/19	13-1-2020	8	357/1
9	150/1	مشاورت	11	13-1-2020	9	230/1
10	65-6	افتر	18-12-19	21-1-2020	10	78/1
11	583/1	اور	23/12/19	15/1/2020	11	76/1
12	F	مشاورت	23/12/19	24-1-20	12	206/1
13					13	40/1
.....						
14	114/1	مشاورت	08/12	04/2/2020	14	528/1
15	356/1	مشاورت	07/12/19	29-1-2020	15	96/1
16	228/1	مشاورت	10/12/19	30-1-2020	16	224/1
17	493/1	مشاورت	17/12/19	29-1-2020	17	61/1
18	318/1	مشاورت	02/1/20	29-1-20	18	62/1
19					19	63/1
20					20	56-1

ATTESTED

28 MAY 2022

(Examiner)
District Court

سیٹر سولہ اصول حج اچھوڑ کر نکل مجسٹریٹ پیسڈور

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تاریخ

حالات

روز

نمبر شمار	مقدمہ نمبر	عنوان مقدمہ	آگے کی تاریخ	کارروائی کی تاریخ
1				04-2-2020
2	456/1	وہا الہیہ	11	04-2-2020
3	353/1	سیر زائدہ	18/12	04-2-2020
4				04-2-2020
5	08/11		17/12	30-1-2020
6	F-1		12/12/11	24-1-2020
7	452/1	ذمہ داری	12-12-79	13-1-2020
8	449/1	ایگریمنٹ	12/12/11	13-1-2020
9	450/1	P.D.A	11	13-1-2020
10	65-6		18-12-19	24-1-2020
11	563/1		23/12/11	15/1-2020
12	F		23/12/11	24-1-2020
13				
14				
15				
16				
17				
18				
19	114/1		08/12	28-1-2020
20				29-1-2020
21				30-1-2020
22	493/1		17/12/11	2-2-2020
23			22/12/11	

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تاریخ	موضوع	مقرر	نمبر	تاریخ اجراء
29-1-2020	29/1/19	278/1	1	04-2-202
03-2-20	30/1/19	282/1	2	04-2-20
03-2-2020	1/2	281/1	3	04-2-202
15-1-20	30/1/19	310/1	4	04-2-20
03-2-2020	03/12/19	73/1	5	30-1-202
04-2-2020	11	331/1	6	24-1-20
06-2-2020	03/12/19	260/1	7	13-1-20
06-2-2020	03/12/19	357/1	8	13-1-20
09-1-2020	09/12/19	230/1	9	13-1-20
16-1-2020	12/12/19	78/1	10	21-1-20
18-1-20	16/12/19	176/1	11	15/1/20
08-2-20	18/12/19	206/1	12	24-1-
25/1/20	23/12/19	40/6	13	
28-1-20	04-12-19	528/1	14	
28-1-2020	04-12-19	526/1	15	04/2/2
28-1-2020	04-12-19	96/6	16	29-1-2
28-1-20	11/12	224/1	17	30-1-
22-1-20	13/12	61/6	18	29-1-
22-1-20	13/12	62/6	19	29-1-
	14/12/19	63/1	20	
	20/12/19	56/1	21	

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سینئر سول جج اسول جج ایجوڈیشنل مجسٹریٹ پشاور

تاریخ 2022-2-23 (سول جج)

نمبر شمار	تاریخ 2022-2-23
1	306/1
2	111/1
3	T-1
4	T-1
5	73/1
6	202/1
7	281/1
8	T-1
9	T-1
10	T-1
11	113/1
12	T-1
13	72-1
14	T-1
15	05/12/20
16	11/2/2
17	T-1
18	905/1
19	823/1
20	11/2/20
21	11/2/20
22	11/2/20
23	11/2/20
24	11/2/20
25	11/2/20
26	11/2/20
27	11/2/20
28	11/2/20
29	11/2/20
30	11/2/20

نمبر شمار	مقدمہ	عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت
1	21-10	محمد اسلم و شریکین	11/1/20	13-2-2022
2	305/1	محمد اسلم و شریکین	11/1/20	13-2-2022
3	T-1	محمد اسلم و شریکین	11/1/20	09-3-2022
4	T-1	محمد اسلم و شریکین	11/1/20	06/1/20
5	233/1	محمد اسلم و شریکین	11/1/20	29-2-2022
6	182/1	محمد اسلم و شریکین	11/1/20	04-3-2022
7	318/1	محمد اسلم و شریکین	11/1/20	07/3
8	238/1	محمد اسلم و شریکین	11/1/20	03/3
9	17/6	محمد اسلم و شریکین	11/1/20	03/3
10	47/6	محمد اسلم و شریکین	11/1/20	11/1/20
11	554/1	محمد اسلم و شریکین	11/1/20	16/1/20
12	21-6	محمد اسلم و شریکین	11/1/20	26-2-2022
13	469/1	محمد اسلم و شریکین	11/1/20	16-1-2022
14	459/1	محمد اسلم و شریکین	11/1/20	22/1/2022
15	459/1	محمد اسلم و شریکین	11/1/20	22/1/2022
16	T-1	محمد اسلم و شریکین	11/1/20	29-2
17	416/1	محمد اسلم و شریکین	11/1/20	27/2
18	T-1	محمد اسلم و شریکین	11/1/20	03/3
19	17/1	محمد اسلم و شریکین	11/1/20	15/2
20	05/16	محمد اسلم و شریکین	11/1/20	15/2
21	30/1	محمد اسلم و شریکین	11/1/20	05/3
22	225/1	محمد اسلم و شریکین	11/1/20	15/2
23	11/1/1	محمد اسلم و شریکین	11/1/20	28/2
24	11/1/1	محمد اسلم و شریکین	11/1/20	11/2/2022

ATTESTED

2022

(Examiner)
District Court Peshawar

GS&PD.SS.1795/64-SC/Feature-156 R. of 2001-17.05.18/PHC Jobs/Peshl Register

نمبر شمار	مقدمہ نمبر	عنوان مقدمہ	آئندہ پیشی	کارروائی عدالت
1	304/1	ذوالورضیات محمد الحق	06/1/2020	09-3-2020
2	41/1	مدان محمد گل محمد اللہ	06/1/2020	05/3/2020
3	T-1	محمد محمد انور	06/1/2020	06/1/2020
4	T-1	محمد محمد انور	06/1/2020	05/3/2020
5	73/1	سید آرمی	08/1/2020	05/3/2020
6	282/1	سید اللہ بادی شاہ	11/1/2020	25/2/2020
7	281/1	سید محمد انور	11/1/2020	25/2/2020
8	T-1	لوئیس محمد عزیز	11/1/2020	10-2-2020
9	T-1	محمد اللہ انور	11/1/2020	27/2/2020
10	T-1	محمد انور	11/1/2020	04-3-2020
11	431/1	محمد نصیب	11/1/2020	09-3-2020
12	T-1	ناظم محمد	11/1/2020	27/2
13	T-1	افضل بانو	11/1/2020	17/2/2020
14	T-1	محمد انور	11/1/2020	05/3/2020
15	05/1/2020	محمد انور	11/1/2020	19/2/2020
16	T-1	محمد انور	06/1/2020	24/2/2020
17	105-1-19	محمد انور	13/1/2020	17/2/2020
18	4237/1-3	محمد انور	13/1/2020	24/2/2020
19	4237/1-4	محمد انور	13/1/2020	24/2/2020
20	4237/1-5	محمد انور	13/1/2020	24/2/2020
21	4237/1-6	محمد انور	13/1/2020	24/2/2020
22	4237/1-7	محمد انور	13/1/2020	24/2/2020
23	4237/1-8	محمد انور	13/1/2020	24/2/2020
24	4237/1-9	محمد انور	13/1/2020	24/2/2020
25	4237/1-10	محمد انور	13/1/2020	24/2/2020
26	4237/1-11	محمد انور	13/1/2020	24/2/2020
27	4237/1-12	محمد انور	13/1/2020	24/2/2020
28	4237/1-13	محمد انور	13/1/2020	24/2/2020
29	4237/1-14	محمد انور	13/1/2020	24/2/2020
30	4237/1-15	محمد انور	13/1/2020	24/2/2020

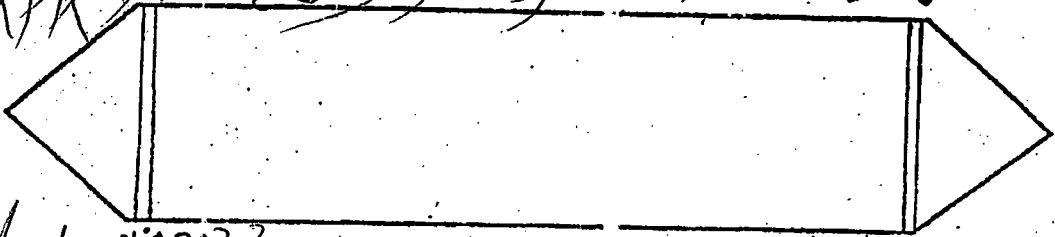
REGISTRATION NO. 156 R. of 20GL 17.05.18/PHC Jobs/Pesh Register

CERTIFIED TO BE TRUE COPY
 (E. Minister)
 Copying Agency District Court
 Peshawar.

[Handwritten Signature]

(393)

بعد التنازل - سروس ٹریڈنگ اینڈ ایکسچینج کمپنی



2022ء پنجاب ایسٹریٹس
بنام

موزخہ 13/6/22

مقدمہ دعویٰ جرم
سید عرفان حسین
مخبر طارق احمد
سی این ایچ ایس اینڈ
وکیل

باعث ٹریڈنگ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب سروسوں کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو رضی نامہ کرنے و تقرر نامہ فیصلہ بر حلقہ دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چکا۔ دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروا کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جو مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا ادا کالت نامہ لکھ دیا کہ ندر ہے۔

المرقوم 13/6/22 ماہ جون 2022ء

واہ العی 161043470288

Be 105506 کے لئے منظور ہے۔ Peshawar مقام

Attested by
Amjad Ali
Advocate

Handwritten notes and signatures on the right margin, including a signature at the top and vertical text below.

“A”

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

No.

913

SB

APPEAL No..... of 20²²

Mujahid Ali

Appellant/Petitioner

Versus

District and Session Judge Peshawar

RESPONDENT(S)

Respondent (1)

District and Session Judge

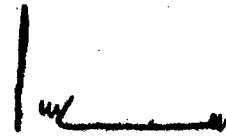
Notice to Appellant/Petitioner

Peshawar at Judicial Complex Peshawar

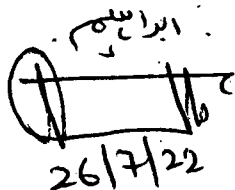
Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 04/08/2022 at 9:00am

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 Reply
(Copy appeal is attached)



Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

ابراہیم

26/7/22

English Branch.

"A"

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

SB

No.

913

APPEAL No..... of 2022.

Mujahid Ali

Appellant/Petitioner

Versus

District & Session Judge Peshawar

RESPONDENT(S)

Respondent (2)

Notice to Appellant/Petitioner

Registrar Peshawar High Court

Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 04/08/2022 at 9:00am

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 Reply
Copy of appeal is
attached

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Received
26/07/2022

"A"

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

No.

APPEAL No. 913 of 2022.

Mujahid Ali

Apellant/Petitioner

Versus

District and Session Judge Peshawar

RESPONDENT(S)

Respondent (3)
Notice to Appellant/Petitioner Appellant authority (Senior Justice Judge Peshawar High Court) through Registrar Peshawar High Court Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 04/08/2022 at 9.00am

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 Reply
(Copy of appeal is attached)

Received
26/07/22

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

"A"

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

No.

913

APPEAL No..... of 20²²

SB

Mujahid Ali

Appellant/Petitioner

Versus

District & Session Judge Peshawar.

RESPONDENT(S)

Notice to Appellant/Petitioner

Respondent (4) Peshawar High Court Peshawar
through Registrar at Peshawar High Court

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 04/08/2022 at 9:00 am

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

For Reply
(Copy of appeal is attached)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Received
26/07/2022