



30<sup>th</sup> Nov. 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General alongwith Ijaz Ahmad, Assistant for the respondents present.

SCANNED  
KPST  
Peshawar

Learned counsel for the appellant wants to submit rejoinder. He may do so within a week. To come up for arguments on 03.02.2023 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman


07.06.2022

Clerk of learned counsel for the appellant present. Mr. Mushtaq Khan, Junior Clerk alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for submission of reply/comments as well as arguments on 10.08.2022 before the D.B.



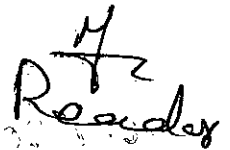
(Fareeha Paul)  
Member (E)



(Salah-ud-Din)  
Member (J)

10.8.2022

Proper DB not available the case  
is adjourned to 2.11.2022



2nd Nov., 2022

Assistant to learned counsel for the appellant present.

Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 30.11.2022 before the D.B.



(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

29.07.2021


Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

09.11.2021

Mr. Muhammad Amin Ayub, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Reply/comments on behalf of respondents not submitted, therefore, notices be issued to the respondents for submission of reply/comments as well as arguments before the D.B on 10.02.2022.

  
(Atiq-Ur-Rehman Wazir)  
Member (E)

  
(Salah-Ud-Din)  
Member (J)

10-2-2022

Due to retirement of the Hon'ble Chairman the case is adjourned to come up same as before on 7/6/2022

  
Reader

Stipulated period passed reply not submitted.

22.06.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 09.11.2021 before the D.B.

Appellant Deposited  
Security & Process Fee




23/6/21

  
Chairman

## FORM OF ORDER SHEET

Court of \_\_\_\_\_


Case No. - 821 /2021 2

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/01/2021	<p>The appeal of Mr. Imran resubmitted today by Mr. Khaled Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	15.03.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 22.06.2021 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Reader</p>

The present appeal was submitted on 02.12.2020 without annexures which was referred to in the memo of appeal the same was returned to the counsel for the appellant for completion and resubmission. Today i. e on 14.12.2020 the counsel for the appellant resubmitted the same which was scrutinized and the following deficiencies were found therefore, the same is returned again to the counsel for the appellant for completion and resubmission within 15 days.

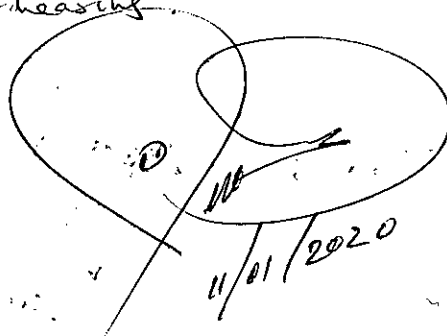
- 1- Copy of impugned original order dated 28.07.2016 and rejection order of departmental appeal dated 24.02.2017 mentioned in para-5 & 6 of the memo of appeal in respect of appellant are not attached with the appeal which may be placed on it.
- 2- In the judgment dated 11.5.2015 (Annexure-A) and order in review petition 04.12.2019 the name of the appellant may be highlighted/tick marked.

No. 4075 /S.T,  
DT 15/12 /2020

  
Registrar  
Service Tribunal  
Khyber Pakhtunkhwa  
Peshawar.

Mr. Khaled Rehman Adv. Pesh.

The original order dated 14<sup>6</sup>/<sub>16</sub> is replaced vide Page 36, 37A, with the name of the appellant highlighted. Similarly the name of the appellant is also highlighted in the appellate is at Page 58. Similarly the name of the appellant in the judgment dated 11<sup>5</sup>/<sub>15</sub> is also highlighted vide page 12. Appeal may please be fix for hearing

  
11/01/2020

The appeal of Mr. Imran Sepoy Bajur Levis Bajaur Agency Khar received today i.e. on 02.12.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Addresses of respondent no. 3&4 of the appeal are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Copy of impugned original order dated 28.07.2016 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 4- Copy of departmental appeal against the impugned order is not attached with the appeal which may be placed on it.
- 5- Annexures referred to in the memo of appeal are not annexed with the appeal which may be placed on it.
- 6- Annexures of the appeal may be flagged.
- 7- Wakalat nama in favour of appellant be placed on file.
- 8- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 8959 /S.T.

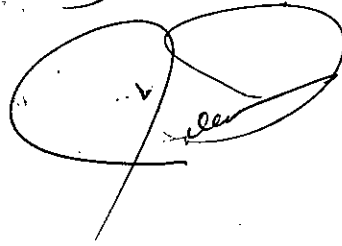
Dt. 03/12 /2020

REGISTRAR

SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Khaled Rehman Adv., Pesh.

طاب عالی! منوہم بالا احوال صاحب کو درودت خواہ دیا گیا ہے۔



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 821 /2020

Imran..... Appellant

Versus

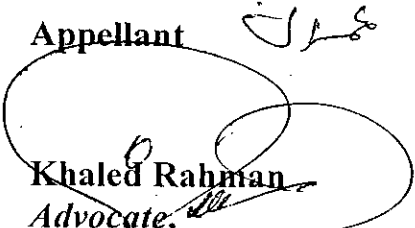
The Govt. of KPK and others..... Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal			1-8
2.	Consolidated Judgment of the Federal Service Tribunal	11.05.2015	A	9-26
3.	Order of the Hon'ble Supreme Court of Pakistan	20.10.2015	B	27-32
4.	Findings/Report of the Inquiry Committee	22.07.2016	C	33-35
5.	Impugned original order	14.09.2016	D	36-39
6.	Order rejecting the Representation/Appeal of appellant	24.02.2017	E	40
7.	Final Order of the FST	25.04.2017	F	41
8.	Judgment of the Federal Service Tribunal	04.12.2019	G	42-57
9.	Impugned final appellate order	03.11.2020	H	58-59
10.	Wakalat Nama			60

Through


Appellant

  
Khaled Rahman  
Advocate,  
Supreme Court of Pakistan

&

  
Muhammad Amin Ayub  
Advocate, High Court

&

  
Muhammad Ghazanfar Ali  
Advocate, High Court

4-B, Haroon Mansion  
Khyber Bazar, Peshawar  
Off: Tel: 091-2592458  
Cell # 0345-9337312

Dated: \_\_\_/12/2020



## BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. \_\_\_\_\_/2020 Khyber Pakhtunkhwa  
Service TribunalDiary No. 16040Dated 02/12/2020**Imran**

Sepoy (BPS-07),

Bajaur Levis, Bajaur Agency Khar .....

**Appellant**

Versus

1. **The Govt. of Khyber Pakhtunkhwa**  
through Chief Secretary,  
Civil Secretariat, Peshawar.
2. **The Secretary,**  
Govt. of Khyber Pakhtunkhwa  
Home & Tribal Affairs,  
Civil Secretariat, Peshawar.
3. **The Deputy Commissioner**  
District Khar.
4. **District Police Officer,**  
District Khar.....**Respondents**

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORIGINAL ORDER DATED 14-6-2016 AND THE IMPUGNED FINAL APPELLATE ORDER DATED 03.11.2020 OF RESPONDENT NO.2 WHEREBY DEPARTMENTAL REPRESENTATION OF THE APPELLANT **WAS UNLAWFULLY DISMISSED.**

**Filed to -**  
**Registrar**

2/12/2020

**PRAYER:**

On acceptance of the instant appeal, by modifying the impugned original order dated 14-6-2016 and setting aside the impugned final appellate order dated 03.11.2020, the appellant may be reinstated into service with effect from 20.03.2008 with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That the appellant alongwith others were appointed as Sepoys in the Respondent Department. Since the date of taking over charge appellant was not

proceeded against departmentally and was not subjected even to any minor penalty thus, rendered meritorious service to the department to the entire satisfaction of the high-ups.

2. That while discharging his duty against the said post, all of sudden vide order dated 20.03.2008 appellant alongwith others were visited with major penalty of dismissal from service, against which they availed the departmental remedy followed by the Service Appeals before the Federal Service Tribunal, Islamabad. Since all the appeals were almost identical in their characteristics, having similar facts involving common question of law, therefore, the same were disposed off jointly through a consolidated judgment dated 11.05.2015 (*Annex:-A*). The operative part of the judgment is reproduced herein below:-

*“15. Consequently upon what has been discussed above, we are of the considered view that the impugned orders whether verbal or written, are not sustainable in the eyes of law as they are in violation of the dictum laid down by the Hon'ble Supreme Court of Pakistan. The impugned orders are, therefore, accordingly set aside and resultantly the instant appeals are accepted and the appellants are ordered to be reinstated into service from the date of impugned orders. However, the question of back benefits shall be decided by the competent authority in accordance with the instructions contained at Serial No. 155, VoI.II of Civil Establishment Code (Estacode, 2007 Edition), and the dictum of law as laid down in judgment of the Hon'ble Supreme Court of Pakistan, reported as 2010 SMCR 11.”*

3. That Respondent/Department being dissatisfied from the Judgment assailed the same before the Hon'ble Apex Court by way of filing CPLAs which came up for final adjudication on 20.10.2015 and the Apex Court was pleased to uphold (*Annex:-B*) the Judgment dated 11.05.2015 of the learned Federal Service Tribunal by directing the Respondents to hold an inquiry as per the law and proceed to take appropriate action after issuance of notices to the Respondents/Appellants. It was further maintained that after the inquiry if any adverse action is taken against the Respondents/appellant they may approach the appropriate forum with further directions that the issue of back benefits of the respondents/appellants shall be depended upon the inquiry conducted and the result thereof.
4. That pursuant to which Respondents/Department reinstated the appellant into service with immediate effect vide office order dated 08.12.2015 and thereby

constituted Inquiry Committee to probe into the matter. It is clarified that in continuation of the order *ibid*, another office order dated 11.12.2015 was issued whereby it was held that the reinstatement order of the 242 Levies/Khasadar personnel is only for the purpose of conducting of proper inquiry and till finalization of the inquiry none of them will be entitled for any financial or other benefits including back benefits.

5. That eventually, the Inquiry Committee conducted the inquiry and submitted its Findings (*Annex:-C*) to the competent authority which are as under:-

- i. The competent authority may take action/ decision in the light of available record which is placed in the main file on serial numbers as mentioned in the notification *ibid* and which is also summarized in Para No.7/N above and remove/dismiss those who remained absent from duty.*
- ii. The Competent Authority may keep in consideration the pervious precedents where some other Levies personnel who were dismissed/removed alongwith the Levy personnel who are now under subject inquiry, the earlier had already been reinstated into service within pervious year or two.*
- iii. The Competent Authority may also keep into notice the situation prevailed during 2007 to 2010 which also pertinent from their written statements and expressed in their personal hearing that it was next to impossible to compete with huge number of miscreants with almost no resources in such a situation, sympathetic consideration may be given to theses 242 Levy personnel and to be reinstated in service with immediate effect subject to the certification of the superior officers wherein each and every person may be passed through verification process, necessary refreshing course/training and probation period.*
- iv. The Competent Forum/ Authority may take any other decision in light of the above points if agreed and which is best public interest."*

Pursuant to which appellant alongwith other though were reinstated into service vide impugned original order dated ~~2016~~<sup>14.6.2016</sup> (*Annex:-D*) but with immediate effect with further burden to keep them at the bottom of the seniority list which is not only against the recommendation of the Inquiry Committee but also unlawful and discriminatory.

6. That appellant being aggrieved from the impugned original order dated ~~28.07~~ 2016, moved a Representation to the Respondents/Department on 29.07.2016 which was not responded thus the appellant filed Service Appeal before the Federal Service Tribunal, Islamabad which was disposed of with directions to Respondents to pass an appropriate order upon the pending Departmental Representation of the appellant strictly in accordance with law but not later than one month. Respondents failed to comply with the direction of the Federal Service Tribunal hence, appellant alongwith other again filed Service Appeal before the Federal Service Tribunal, Islamabad wherein during pendency of their respective appeals the counsel for the Respondents apprised the Tribunal in respect of the office order dated 24.02.2017 (*Annex:-E*) therein Departmental Representation of the appellant alongwith other were dismissed, when counsel for the appellant was confronted he intended to have challenged the same through fresh appeals, resultantly the Service Appeal was disposed off vide order sheet dated 25.04.2017 (*Annex:-F*).
7. That thereafter having no other efficacious and adequate remedy appellant alongwith other invoked the jurisdiction of the Federal Service Tribunal, Islamabad by preferring their respective Service Appeals. In the meantime, Federal Government through 25<sup>th</sup> Constitutional Amendment, passed in May, 2018 paved the way for merger of FATA in the Province of Khyber Pakhtunkhwa. As a result the Government of Khyber Pakhtunkhwa issued an Ordinance-I of 2019. Furthermore, on 12.03.2019 the Government of Khyber Pakhtunkhwa promulgated two Ordinances whereby the Federal Levy Force and Khassadar Force, stood Provincialized. Therefore, by virtue of judgment dated 04.12.2019 (*Annex:-G*) which lead to Review Petitions remanded back to the Competent Authority/Respondent No.2 to treat the same as Departmental Appeals and decided fresh after giving the appellants opportunity of personal hearing.
8. That after obtaining the attested copies of the judgment *ibid* appellant provided the same alongwith other relevant record to the Respondent No.2 for further legal remedies, who vide impugned final appellate order dated 03.11.2020 (*Annex:-H*) turned down the relief sought without giving appellant a meaningful chance of personal hearing and that too with applying judicial mind.
9. That appellant, being aggrieved of the impugned appellate order *ibid*, files this appeal, *inter-alia*, on the following grounds:-

Grounds:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned appellate order and refused to allow the back benefits to the appellant, which is unjust, unfair and hence not sustainable in the eye of law.
- B. That the appellant was dismissed from service on account of the charge of alleged absence from duty. The appellant's absence from duty till the date of reinstatement was neither willful nor deliberate rather appellant was unlawfully shown absent from duty. It is momentous to apprise that dismissal orders of appellant and others was/were set aside by the Federal Service Tribunal by reinstating them into service from the date of impugned orders which were maintained by the Hon'ble Apex Court. It is further adduced that as per contents of the verdict *ibid*, the question of the back benefits had to be resolved in accordance with the instructions contained at Serial No.155, Vol.II of Civil Establishment Code (Estacode, 2007 Edition) and the dictum as laid down in judgment of the Hon'ble Apex Court reported in **2010 SCMR 11**. Therefore, this crucial aspect of the matter was outright discarded by the Appellate Authority/Respondent No.2 without conducting an inquiry into the matter that whether during that period appellant was running any business or otherwise hence, the Respondents were supposed to conduct an inquiry into matter as per the directions of the Hon'ble fora.
- C. That clear contravention of Section-17 of the Khyber Pakhtunkhwa Civil Servants Acts, 1973 has been made which caters for:- *“Provided further that where a civil servant has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.* The learned Federal Service Tribunal, Islamabad left no room for any uncertainty regarding the seniority of the appellant as he was reinstated into service from the date of imposition of major penalty of dismissal from service. Furthermore, during that period appellant had got no other employment or engaged in any profitable business but the same was not appreciated.
- D. That the appellant is entitled to back benefits as the other colleagues of the appellant similarly placed were reinstated into service as mentioned in the

findings of the Inquiry Committee and they were also allowed the same. Therefore, the impugned final appellate order dated 03.11.2020 is against the principle of consistency and equality before law and thus is not sustainable.

- E. **That** as per Article-13 of the Constitution of the Islamic Republic of Pakistan 1973 read with Section-26 of the General Clauses Act, 1897 "*No person shall be prosecuted or punished for the offence more than once,*" therefore, appellant by means of impugned final appellate order dated 03.11.2020 was not only denied the arrears but was also subjected to lower position in seniority hence, the same amounts to *double jeopardy* and is thus ultra vires of the Constitutional mandate and as such is liable to be struck down.
- F. That the refusal to the appellant of the same relief which has already been granted to the other colleagues of the appellant is an act of utter discrimination in violation of Article-25 read with Article-27 of the Constitution of the Islamic Republic of Pakistan-1973 and therefore cannot be maintained under the law of the land.
- G. That Article-10A of the Constitution of the Islamic Republic of Pakistan, 1973 read with Section-16 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 provides for the right of fair trial as per prescribed law and Rules. Even the meaningful opportunity of personal hearing was not provided to appellant and issued the impugned final appellate order dated 03.11.2020 and dismissed the Departmental Appeal of the appellate that too without any cogent reasons hence appellant was condemned unheard, thus the impugned appellate order is void, ab-initio as well as against the principle of natural justice. Furthermore, Rule-5 of the Khyber Pakhtunkhwa Civil Servant, (Appeals) Rules, 1986 stipulates that:-

*"5.(1) The appellate authority, after making such further inquiry or calling for such information or record or giving the appellant an opportunity of being heard, as it may consider necessary, shall determine-*

- (a) *Whether the facts on which the order appealed against was based have been established.*
- (b) *Whether the facts established afford sufficient grounds for taking action; and*
- (c) *Whether the penalty is excessive, adequate or inadequate.*

Therefore, the mandatory requirements of the cited Rule have been bypassed by the appellate authority/Respondent by issuing impugned final appellate order dated 03.11.2020 which is clear negation of the set procedure.

- H. That the bare reading of the Section-17 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 reveals that the word "may" has been used which makes the Competent Authority/Respondent No.2 responsible to exercise the discretion fairly and in structured manner as prescribed by the law. Under the law when something is required to be done in a manner then the same must be done in the required manner.
- I. That as per Section-16 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 "*A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.*" Procedure has been embodied in the Government Servants (Efficiency and Discipline) Rules, 1973. Moreover, a civil servant cannot be treated against the prescribed procedure/law, until and unless he contravenes the provision of Rule-2(4) which defines "misconduct". The Respondents have imposed upon the major penalties upon the appellant by way of impugned final appellate order dated 03.11.2020 irrespective of the fact that the same does not cover the definition of the misconduct. Thus the penalty imposed upon the appellant does not come within the ambit of Rule- 4 of the Rules *ibid*.
- J. That the appellant was not issued any Charge Sheet, Statement of Allegations and Show Cause Notice which are mandatory requirements of law for imposition of any penalty upon the civil servant. Thus without wriggling out the conditions as prescribed by law, the impugned appellate order is highly arbitrary, unlawful and hence cannot be sustained under any canons of law, justice and fair-play.
- K. That period of absence from duty has already been treated as extraordinary leave without pay meaning thereby that the said period has been regularized and when the civil servant is considered on leave then he could not be treated absent from duty, therefore, the impugned appellate is illegal, unlawful and hence not sustainable in the eye of law.
- L. That there is no provision in the law, rules regulating the seniority of the Levies/ Khassadar Force which provide placing of an employee at the bottom of the Seniority List on his reinstatement in service with effect from the date of

imposition of penalty. It is inalienable right of the appellant under the law to be dealt with under the law, therefore, the impugned appellate order of the Respondents of placing appellant at the bottom of the Seniority List is contravention of the above provisions.

M. That appellant would like to offer some other grounds during the course of arguments.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.


Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

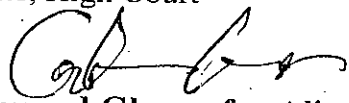
  
Appellant

  
Khaled Rahman,  
Advocate,  
Supreme Court of Pakistan

&

  
Muhammad Amin Ayub  
Advocate, High Court

&

  
Muhammad Ghazanfar Ali  
Advocate, High Court

Dated: \_\_\_/12/2020





Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
(Levy & Khassadars Wing)

No.CS(F)/L&K/4-Levy/Appeal/ 2558-80

Dated:03.11.2020

ORDER.

1. Appeal No 711(P)CS/2017, Review Petition No: 78/2019 Asghar Vs SAFRON.
2. Appeal No 720(P)CS/2017, Review Petition No: 84/2019 Umer Ayub Vs SAFRON.
3. Appeal No 721(P)CS/2017, Review Petition No: 85/2019 Imran Vs SAFRON.
4. Appeal No 722(P)CS/2017, Review Petition No: 86/2019 Nowshad Vs SAFRON.
- x 5. Appeal No 723(P)CS/2017, Review Petition No: 87/2019 Noorzada Vs SAFRON.
6. Appeal No 724(P)CS/2017, Review Petition No: 88/2019 Ghulam Younas Vs SAFRON.
7. Appeal No 725(P)CS/2017, Review Petition No: 89/2019 Najeebullahr Vs SAFRON.
8. Appeal No 726(P)CS/2017, Review Petition No: 90/2019 Shamur Rehman Vs SAFRON.
9. Appeal No 760(P)CS/2017, Review Petition No: 91/2019 Said Habib Jan Vs SAFRON.
10. Appeal No 761(P)CS/2017, Review Petition No: 92/2019 Abdullahr Vs SAFRON.
11. Appeal No 762(P)CS/2017, Review Petition No: 93/2019 Mozamin Vs SAFRON.
12. Appeal No 763(P)CS/2017, Review Petition No: 94/2019 Saeed ullah Vs SAFRON.
13. Appeal No 764(P)CS/2017, Review Petition No: 95/2019 Imran Vs SAFRON.
- x 14. Appeal No 766(P)CS/2017, Review Petition No: 96/2019 Muhammad Ayub Vs SAFRON.
15. Appeal No 767(P)CS/2017, Review Petition No: 97/2019 Faizuliah Vs SAFRON.
16. Appeal No 768(P)CS/2017, Review Petition No: 98/2019 Imranullah Vs SAFRON.
17. Appeal No 776(P)CS/2017, Review Petition No: 99/2019 Tila Muhammad Vs SAFRON.
18. Appeal No 777(P)CS/2017, Review Petition No: 100/2019 Adbul Rahim Vs SAFRON.
19. Appeal No 778(P)CS/2017, Review Petition No: 101/2019 Rohul Amin Vs SAFRON.

1. Whereas, the above captioned appeals along with Miscellaneous Petitions having identical question of Law and facts have been clubbed together.

2. And whereas, Appellants have impugned orders of Political Agent/Commandant Levy Force Bajaur dated 29.04.2016, 14.06.2016 and 28.07.2016, regarding placement of their services at the bottom of seniority list and withholding of back benefits.

3. And whereas, during militancy in Bajaur Agency, 242 personnel of Levy/Khassadars including appellants were removed from service due to absconding/desertion from duties. In compliance with Supreme Court of Pakistan Judgment dated 20.10.2015, appellants were reinstated and a Departmental Enquiry was conducted vide order dated 08.12.2015. Consequent upon recommendation of the Enquiry Committee, appellants reinstated in service with immediate effect and placed them at the bottom of Seniority with no Back Benefits etc vide order dated 29.04.2016, 14.06.2016 and 28.07.2016. The intermission period in between their termination and reinstatement was treated as leave without pay.

**ATTESTED**

H

4. And whereas, aggrieved from the order of Political Agent, the appellants filed appeals in the Hon'ble Federal Service Tribunal, Islamabad. Federal Service Tribunal vide judgment dated 04.12.2019 remanded Appeals/Misc: Petitions/Review petitions to the Competent Authority to treat it as Departmental Appeals and decide it afresh after giving the appellant opportunity of personal hearing.

5. And whereas, appellants were called for hearing by the Committee on 20.10.2020 and heard in person, the record of the case perused.

6. And whereas, after merger of erstwhile FATA with Khyber Pakhtunkhwa the Home & Tribal Affairs, Department, Khyber Pakhtunkhwa has been entrusted with the affairs of the Levies & Khassadars.

7. And whereas, appellants assailed the orders of the Political Agent Bajaur dated 29.04.2016, 14.06.2016 and 28.07.2016 and argued that respondent department has placed them at the bottom of seniority list and also withheld Back Benefits. They further contended that imposition of two penalties simultaneously are unlawful and needs to be cancelled.

8. Now therefore, the appellants did not performed duty during period of their termination and reinstatement, hence it would be unfair/injustice to treat them at par with those Levy/Khassadar personnel who performed duties perfectly and remained on front line with the Security Agencies in war against terrorism and offered sacrifices for the Nation. Therefore, orders of the Political Agent dated 29.04.2016, 14.06.2016 and 28.07.2016 are upheld and instant appeals are dismissed.

Secretary  
to Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

Endst. No. & date even.

CC to:

1. Registrar, Federal Service Tribunal, 47-Attaturk Avenue, Sector G-5/2, Islamabad.
2. Deputy Commissioner, Bajaur Tribal District.
3. District Police Officer, Bajaur Tribal District.
4. Deputy Secretary (Judicial), Home & TAs Department, Khyber Pakhtunkhwa

  
Section Officer (Levy & Khassadars)

**ATTESTED**

Judgment Sheet  
IN THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD

AWNS A  
-9-

S. No.	Appeals No.	Appellants	Date of Institution
1.	16(P)CS/2014	Ajmal s/o Nadar Khan, Ex-Sepoy No.4303, Bajaur Levies r/o Ghar Shamoza Tehsil Baring Bajaur Agency.	26.02.2014
2.	17(P)CS/2014	Amir Zada s/o Shamsher Khan, Ex-Sepoy No.4305, Bajaur Levies r/o Ghar Shamoza Tehsil Baring Bajaur Agency.	26.02.2014
3.	18(P)CS/2014	Nazir Zada s/o Abdullah Khan, Ex-Sepoy No.5043, Bajaur Levies r/o Islam Dhari, Usman Khalil Tehsil Salarzai, Bajaur Agency.	26.02.2014
4.	19(P)CS/2014	Hameedullah s/o Muzammil Khan, Ex-Sepoy No.4263, Bajaur Levies r/o Alizo Dag, Tehsil Khar, Bajaur Agency.	26.02.2014
5.	20(P)CS/2014	Rehan-ud-Din s/o Shahbudin, Ex-Sepoy No.5216, Bajaur Levies r/o Kohi, Tehsil Salarzai, Bajaur Agency.	26.02.2014
6.	21(P)CS/2014	Abdul Mujib s/o Akbar Sait, Ex-Sepoy No.3466, Bajaur Levies r/o Sharbatay Tehsil Baring Bajaur Agency.	26.02.2014
7.	22(P)CS/2014	Zarwar s/o Mian Gul, Ex-Sepoy No.3621, Bajaur Levies r/o Sharbatay Tehsil Baring Bajaur Agency.	26.02.2014
8.	23(P)CS/2014	Niaz Muhammad s/o Pinda, Ex-Sepoy No.5208, Bajaur Levies, r/o Kohi, Tehsil Salarzai, Bajaur Agency.	26.02.2014
9.	24(P)CS/2014	Abdur Rashid s/o Shamsher Khan, Ex-Sepoy No.5766, Bajaur Levies, r/o Geelay Dag, Tehsil Mamoid, Bajaur Agency.	26.02.2014
10.	25(P)CS/2014	Khalil-ur-Rehman s/o Haji Gul, Ex-Sepoy, Bajaur Levies, r/o Sadiq Abad, Tehsil Salarzai, Bajaur Agency.	26.02.2014
11.	26(P)CS/2014	Noshad s/o Noor Muhammad, Ex-Sepoy No.4201, Bajaur Levies r/o Sadiq Abad, Tehsil Salarzai, Bajaur Agency.	26.02.2014
12.	27(P)CS/2014	Nawab Khan s/o Gul Qayoum, Ex-Sepoy No.4721, Bajaur Levies r/o Nagay Tehsil Khar, Bajaur Agency.	26.02.2014
13.	28(P)CS/2014	Mukamil Shah, Ex-Sepoy No.4192, Bajaur Levies r/o Village Esar Totakam, P/o Totakan, Malakand Agency.	26.02.2014
14.	29(P)CS/2014	Waqif Khan s/o Yur Zaman, Ex-Sepoy No.5283, Bajaur Levies, r/o Talai Tehsil Salarzai, Bajaur Agency.	26.02.2014
15.	510(P)CS/2013	Abdur Rauf s/o Ghafoor, Ex-Sepoy No.4346, Bajaur Levies r/o Hilal Khalil Charming P.O. Loe Sim Tehsil Nawagai, Bajaur Agency.	30.09.2013
16.	511(P)CS/2013	Abdullah s/o Muhammad Rehman, Ex-Sepoy No.3413, Bajaur Levies r/o Village Batwar & PO: Pashl, Tehsil Salarzai, Bajaur Agency.	02.07.2013
17.	512(P)CS/2013	Bashirullah s/o Muhammad Yousaf, Ex-Sepoy No.4250, Bajaur Levies r/o Village Inayat Kalay & PO: Nyay, Tehsil Moimand, Bajaur Agency.	02.07.2013
18.	513(P)CS/2013	Abdul Subhan s/o Rehman Khan, Ex-Sepoy No.3415, Bajaur Levies r/o Village Batwar & PO: Pashl, Tehsil Salarzai, Bajaur Agency.	02.07.2013
19.	514(P)CS/2013	Jamshid Khan s/o Sabir Shah, Ex-Sepoy No.4196, Bajaur Levies r/o Village Musa Bena & PO: Dargai, District: Malakand.	02.07.2013

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20.	515(P)CS/2013	Abdul Qayyum s/o Bahadar Shah, Ex-Sepoy No.4296, Bajaur Levies r/o Village Navay Kalay & PO: Garl Usman Kahil, District: Malakand.	02.07.2013
21.	516(P)CS/2013	Javid s/o Akhwan Zada, Ex-Sepoy No.4228, Bajaur Levies r/o Niaz PO: Inayat Kalay, Tehsil Mamond, Bajaur Agency.	03.07.2013
22.	517(P)CS/2013	Hayat-ur-Rehman, Ex-Sepoy No.3459, Bajaur Agency r/o Bajawar Agency.	03.07.2013
23.	518(P)CS/2013	Sher Badshah s/o Imam Sharif, Ex-Sepoy No.5196, Bajaur Levies r/o Village: Manio Daihre, Tehsil Utman Khail, Bajaur Agency.	03.07.2013
24.	519(P)CS/2013	Ghulam Younas s/o Hazrat Munir, Ex-Sepoy No.4642, Bajaur Levies r/o Village Khar, Tehsil Khar, Bajaur Agency.	03.07.2013
25.	520(P)CS/2013	Asghar Khan s/o Jehangir Khan, Ex-Sepoy No.4336, Bajaur Levies r/o Village Khar, Tehsil Khar, Bajaur Agency.	03.07.2013
26.	521(P)CS/2013	Inam Sharif s/o Khilata Malik, Ex-Sepoy No.3912, Bajaur Levies r/o Koz Kalay, Tehsil Jaloz, Bajaur Agency.	03.07.2013
27.	578(P)CS/2013	Fazal Wahid, Ex-Sepoy No.4185, Bajaur Levies r/o Khar, Tehsil Nawagai, Bajawar Agency.	25.07.2013
28.	579(P)CS/2013	Niamatullah, Ex-Sepoy No.4524, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
29.	580(P)CS/2013	Attaullah, Ex-Sepoy No.4529, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
30.	581(P)CS/2013	Sartaj, Ex-Sepoy No.5105, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
31.	582(P)CS/2013	Kalimullah, Ex-Sepoy No.5134, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
32.	583(P)CS/2013	Taj Wali s/o Tor Lali, Ex-Sepoy No.4874, Bajaur Levies r/o Manio Dairy P.O. Gardai, Tehsil Utman Khail, Bajawar Agency.	25.07.2013
33.	584(P)CS/2013	Akhtar Ali s/o Gul Zaman, Ex-Sepoy No.4621, Bajaur Levies c/o Taj Wali r/o Manio Dairy P.O. Gardai, Tehsil Utman Khail, Bajawar Agency.	25.07.2013
34.	585(P)CS/2013	Rohullah, Ex-Sepoy No.5106, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
35.	586(P)CS/2013	Liaqat Ali s/o Muhammad Hanif, Ex-Sepoy No.4714, Bajaur Levies r/o Zulam Kotay Mandai, P.O. Khar, Tehsil Salarzai, Bajawar Agency.	25.07.2013
36.	587(P)CS/2013	Abdul Akbar Khan s/o Mir Akbar Shah, Ex-Sepoy No.4163, Bajaur Levies r/o Aman Kot, P.O. Khar, Tehsil Barang, Bajawar Agency.	25.07.2013
37.	588(P)CS/2013	Zarwar, Ex-Sepoy No.4233, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
38.	589(P)CS/2013	Fazal Manan, Ex-Sepoy No.4000, Bajaur Levies r/o Kotkay, Salarzai, Bajawar Agency.	25.07.2013
39.	590(P)CS/2013	Muhammed Karim s/o Gul Karim, Ex-Sepoy No.4534, Bajaur Levies r/o Khar, Tehsil Nawagai, Bajawar Agency.	25.07.2013
40.	591(P)CS/2013	Niaz Wali, Ex-Sepoy No.4353, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
41.	592(P)CS/2013	Aziz-ur-Rohman s/o Saeedullah, Ex-Sepoy	25.07.2013

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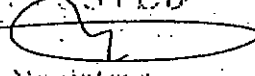
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		No.4918, Bajaur Levies r/o Khar, Tehsil Nawagai, Bajawar Agency.	
42.	593(P)CS/2013	Khista Rehman s/o Muhammadullah, Ex-Sepoy No.5140, Bajaur Levies r/o Khar, Tehsil Nawagai, Bajawar Agency.	25.07.2013
43.	594(P)CS/2013	Ishanullah s/o Hameedullah, Ex-Sepoy No.4954, Bajaur Levies r/o Khar, Tehsil Nawagai, Bajawar Agency.	25.07.2013
44.	595(P)CS/2013	Syed Ahmed, Ex-Sepoy No.3450, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
45.	596(P)CS/2013	Zafar Khan, Ex-Sepoy No.3449, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
46.	597(P)CS/2013	Khalid, Ex-Sepoy No.4026, Bajaur Levies r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
47.	598(P)CS/2013	Muhammad Asif, Ex-Sepoy No.3450, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
48.	599(P)CS/2013	Zafar, Ex-Sepoy No.3453, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
49.	600(P)CS/2013	Yar Muhammad, Ex-Sepoy No.4352, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
50.	601(P)CS/2013	Ghulam Yousaf, Ex-Sepoy No.3451, Bajaur Levies c/o Khalid r/o Civil Colony Ghare, Tehsil Nawagai, Bajawar Agency.	25.07.2013
51.	602(P)CS/2013	Waliat, Ex-Sepoy No.4831, Bajaur Levies r/o Govt. College Yousafabad, P.O. Raghgan, Bajawar Agency.	25.07.2013
52.	603(P)CS/2013	Atangir, Ex-Sepoy No.4830, Bajaur Levies r/o Kotkay, Salarzal, P.O. Raghgan, Bajawar Agency.	25.07.2013
53.	604(P)CS/2013	Lal Zaman s/o Gul Zaman, Ex-Sepoy No.3803, Bajaur Levies c/o Taj Wali r/o Mand Dairy, P.O. Gardaj, Tehsil Utman Khai, Bajawar Agency.	25.07.2013
54.	605(P)CS/2013	Nizam-ud-Din s/o Bekyour Khan, Ex-Sepoy No.5074, Bajaur Levies r/o Muslim Bagh, Tehsil Khar, Bajawar Agency.	26.07.2013
55.	606(P)CS/2013	Nisar Khan s/o Khan Bachai, Ex-Sepoy No.5077, Bajaur Levies r/o Salarzal Kol, P.O. Raghgan, Tehsil Khar, Bajawar Agency.	26.07.2013
56.	607(P)CS/2013	Rooh-ul-Amin s/o Din Jan, Ex-Sepoy No.4293, Bajaur Levies r/o Village Shrif Khana Chammang, Tehsil Nawagai, Bajawar Agency.	29.07.2013
57.	739(P)CS/2013	Said Shah Ali s/o Zar Mula Kahn Pachay, Ex-Sepoy No.4840, Bajaur Levies r/o Randonio P.O. Raghgan, Bajawar Agency.	05.11.2013
58.	740(P)CS/2013	Muhammad Imrah s/o Zar Mula Kahn Pachay, Ex-Sepoy No.5093, Bajaur Levies r/o Randonio P.O. Raghgan, Bajawar Agency.	05.11.2013
59.	668(P)CS/2013	Zahir Shah s/o Musafar Khan, Ex-Sepoy No.4522, Bajaur Levies r/o Kohe Tehsil Nawagai, Bajaur Agency.	26.09.2013
60.	669(P)CS/2013	Abdur-e-Rahim s/o Muhammad Sayeed, Ex-Sepoy No.3812, Bajaur Levies r/o Loe Sim / Inayat Kaly, Tehsil Mamond, Bajaur Agency.	26.09.2013
61.	670(P)CS/2013	Jan Muhammad s/o Gul Farosh, Ex-Sepoy No.3693, Bajaur Levies r/o Ontkai / Inayat Kalay, Tehsil Mamond, Bajaur Agency.	26.09.2013
62.	671(P)CS/2013	Muhammad Ayaz s/o Bakht Munir, Ex-Sepoy	26.09.2013

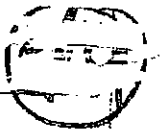
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-12-

63.	672(P)CS/2013	No.3535, Bajaur Levies r/o Loe Sim / Inayat Kaly, Tehsil Mamond, Bajaur Agency. Mamoor Khan s/o Toor Khan, Ex-Sepoy No.4534, Bajaur Levies r/o Wara Kharkay / Inayat Kalay, Tehsil Mamond, Bajaur Agency.	26.09.2013
64.	673(P)CS/2013	Hassan Khan s/o Imran Khan, Ex-Sepoy No.4569, Bajaur Levies r/o Ghnrai / Inayat Kalay, Tehsil Mamond, Bajaur Agency.	26.09.2013
65.	674(P)CS/2013	Ruffat s/o Fethi Khan, Ex-Sepoy No.4222, Bajaur Levies r/o Tarako Tehsil Mohmand, Bajaur Agency.	26.09.2013
66.	675(P)CS/2013	Muhammad Younas s/o Dilawar, Ex-Sepoy No.4539, Bajaur Levies r/o Sharif Khana, Tehsil Mamond, Bajaur Agency.	26.09.2013
67.	676(P)CS/2013	Jamshid s/o Said Raheem, Ex-Sepoy No.4561, Bajaur Levies r/o Manoond, Tehsil Inayat Kaly, Bajaur Agency.	26.09.2013
68.	677(P)CS/2013	Moza Ameen s/o Toor Khan, Ex-Sepoy No.4384, Bajaur Levies r/o Bagh dant, Tehsil Inayat Kaly, Bajaur Agency.	26.09.2013
69.	678(P)CS/2013	Azeem Jan s/o Noor Ahmed, Ex-Sepoy No.4670, Bajaur Levies r/o Zagay, Tehsil Inayat Kaly, Bajaur Agency.	26.09.2013
70.	679(P)CS/2013	Shih Nawaz s/o Shih Zamir, Ex-Sepoy No.4850, Bajaur Levies r/o Khar, Tehsil Salar Zai, Bajaur Agency.	26.09.2013
71.	680(P)CS/2013	Muhammad Hayat s/o Shamsur Rehman, Ex-Sepoy No.4295, Bajaur Levies r/o Doda, Bajaur Agency.	26.09.2013
72.	681(P)CS/2013	Liaqat Ali s/o Ashraf Ali, Ex-Sepoy No.4274, Bajaur Levies r/o Doda, Bajaur Agency.	26.09.2013
73.	682(P)CS/2013	Saida Khan s/o Muhammad Khan, Ex-Sepoy No.3966, Bajaur Levies r/o Doda, Tehsil Nawagai, Bajaur Agency.	26.09.2013
74.	683(P)CS/2013	Bakhtai s/o Bachu, Ex-Sepoy No.3407, Bajaur Levies r/o Loe Sim Tehsil Khar, Bajaur Agency.	26.09.2013
75.	684(P)CS/2013	Asmat Khan s/o Bakht Zareen, Ex-Sepoy No.4623, Bajaur Levies r/o Sara Cheena, Tehsil Khar, Bajaur Agency.	26.09.2013
76.	685(P)CS/2013	Imran, Ex-Sepoy No.4775, Bajaur Levies c/o Qari Farooq Mehbqob, Masjid Abdara Road, University Town, Peshawar.	26.09.2013
77.	686(P)CS/2013	Habibullah s/o Ihsanullah, Ex-Sepoy No.4571, Bajaur Levies r/o Bala Chingi, Tehsil Mamond, Bajaur Agency.	26.09.2013
78.	687(P)CS/2013	Maroof s/o Muhammad Muneer, Ex-Sepoy No.3694, Bajaur Levies r/o Wara Kharkay P.O. Inayat Kalay, Tehsil Mamond, Bajaur Agency.	26.09.2013
79.	688(P)CS/2013	Fazal Maula, Ex-Sepoy No.3538, Bajaur Levies c/o Qari Farooq Mahboob Masjid Abdara Road, University Town, Peshawar.	26.09.2013
80.	689(P)CS/2013	Jamil Nasir, Ex-Sepoy No.4867, Bajaur Levies r/o Loe Sim Tehsil Nawagai, Bajaur Agency.	26.09.2013
81.	690(P)CS/2013	Amira Khan s/o Ala Khan, Ex-Sepoy No.3406, Bajaur Levies r/o Loe Sim Tehsil Khar, Bajaur Agency.	26.09.2013
82.	691(P)CS/2013	Luqman s/o Noor Zaman, Ex-Sepoy No.4964, Bajaur Levies r/o Sheikh Kaly, Tehsil Khar, Bajaur Agency.	26.09.2013
83.	692(P)CS/2013	Sher Muhammad s/o Masood Khan, Ex-Sepoy No.4708, Bajaur Levies r/o Sheikh Kaly, Tehsil Khar, Bajaur Agency.	26.09.2013
84.	693(P)CS/2013	Muhammad Aslam s/o Gul Rehman, Ex-Sepoy	26.09.2013

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		No.4290, Bajaur Levies r/o Dabar P.O. Inayat Kalay, Tehsil Momand, Bajaur Agency.	
85.	695(P)CS/2013	Zareen s/o Tehsildar, Ex-Sepoy No.4354, Bajaur Levies r/o Hilal Khail Charming P.O. Loe Sim Tehsil Nawagai, Bajaur Agency.	30.09.2013
86.	696(P)CS/2013	Abdur Rauf s/o Ghafoor, Ex-Sepoy No.4346, Bajaur Levies r/o Hilal Khail Charming P.O. Loe Sim Tehsil Nawagai, Bajaur Agency.	30.09.2013
87.	697(P)CS/2013	Muhammad Sahib s/o Shabir, Ex-Sepoy No.4917, Bajaur Levies r/o Hilal Khail Charming P.O. Loe Sim Tehsil Nawagai, Bajaur Agency.	30.09.2013
88.	710(P)CS/2013	Hayat Khan s/o Bakhtsirnool, Ex-Sepoy No.4872, Bajaur Levies r/o Kolala P.O. Gardai, Tehsil Utmankhail, Bajaur Agency.	01.10.2013
89.	719(P)CS/2013	Alan Zeb s/o Gul Sultan, Ex-Sepoy No.3984, Bajaur Levies r/o Nawagai, Bajaur Agency.	11.10.2013
90.	720(P)CS/2013	Muhammad Noor s/o Gul Karim, Ex-Sepoy No.3771, Bajaur Levies r/o Nawagai, Bajaur Agency.	11.10.2013
91.	721(P)CS/2013	Khan Wali s/o Sharif, Ex-Sepoy No.3730, Bajaur Levies r/o Nawagai, Bajaur Agency.	11.10.2013
92.	722(P)CS/2013	Sabitullah s/o Zar Muhammad, Ex-Sepoy No.4021, Bajaur Levies r/o Nawagai, Bajaur Agency.	11.10.2013
93.	747(P)CS/2013	Said Aziz s/o Snid Rahim Khan, Ex-Sepoy No.4876, Bajaur Levies r/o Aman Kot, P.O.Khar, Bajaur Agency.	21.11.2013
94.	748(P)CS/2013	Farman s/o Pacha Gul, Ex-Sepoy No.4630, Bajaur Levies r/o Yousaf Abdul P.O. Khar, Bajaur Agency.	21.11.2013
95.	756(P)CS/2013	Jahangir Hayat s/o Hayat Khan, Ex-Sepoy No.3745, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	29.11.2013
96.	757(P)CS/2013	Noor Rehman s/o Sherwan, Ex-Sepoy No.3562, Bajaur Levies r/o Darn, Tehsil Salarzai, Bajaur Agency.	29.11.2013
97.	758(P)CS/2013	Ibrahim s/o Zafar Khan, Ex-Sepoy No.3479, Bajaur Levies r/o Ghingly, Tehsil Salarzai, Bajaur Agency.	29.11.2013
98.	759(P)CS/2013	Noorullah s/o Ibrahim, Ex-Sepoy No.3723, Bajaur Levies r/o Nawagai, Bajaur Agency.	29.11.2013
99.	760(P)CS/2013	Sonullah s/o Bahadr, Ex-Sepoy No.5619, Bajaur Levies r/o Qila, Tehsil Salarzai, Bajaur Agency.	29.11.2013
100.	761(P)CS/2013	Gul Qasim s/o Abdul Malik, Ex-Sepoy No.3506, Bajaur Levies r/o Chinar, Tehsil Salarzai, Bajaur Agency.	29.11.2013
101.	764(P)CS/2013	Munasib Khan s/o Miralam Khan, Ex-Sepoy No.5909, Bajaur Levies r/o Laghari, Tehsil Mamond, Bajaur Agency.	05.12.2013
102.	765(P)CS/2013	Mohammad Kalam s/o Ghulam Khan, Ex-Sepoy No.3788, Bajaur Levies r/o Chowrn, Tehsil Salarzai, Bajaur Agency.	05.12.2013
103.	792(P)CS/2013	Dilawar Khan s/o Habib Said, Ex-Sepoy No.4374, Bajaur Levies r/o Faqeer Abad, P.O. Inayat Kalay, Tehsil Mamond, Bajaur Agency.	23.12.2013
104.	793(P)CS/2013	Ahmad Yousaf s/o Abdul Wakeel Khan, Ex-Sepoy No.4854, Bajaur Levies r/o P.O. Khar, Tehsil Khar, Bajaur Agency.	23.12.2013
105.	794(P)CS/2013	Shafiullah s/o Sarfraz, Ex-Sepoy No.4664, Bajaur Levies r/o Faqeer Abad, P.O. Inayat Kaly, Momand, Bajaur Agency.	23.12.2013

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106.	795(P)CS/2013	Habibullah s/o Rehmanullah, Ex-Sepoy No.4333, Dajaur Levies r/o Naway Kalay, P.O. Khar, Tehsil Khar, Bajaur Agency.	23.12.2013
107.	796(P)CS/2013	Muqfar Khan s/o Fajoon Khan, Ex-Sepoy No.3437, Bajaur Levies r/o Khar, P.O. Inayat Kaly, Tehsil Mamond, Bajaur Agency.	23.12.2013
108.	797(P)CS/2013	Ismail s/o Gulsher, Ex-Sepoy No.4557, Bajaur Levies r/o Malauy, P.O. Inayat Kaly, Tehsil Mamond, Bajaur Agency.	23.12.2013
109.	798(P)CS/2013	Faizullah s/o Karim, Ex-Sepoy No.4366, Bajaur Levies r/o Inayat Kaly, Tehsil Mamond, Bajaur Agency.	23.12.2013
110.	806(P)CS/2013	Mansoor Ahmed s/o Said Muneer, Ex-Sepoy No.6217, Bajaur Levies r/o Barani Kandaro, P.O. Khar, Tehsil Khar, Bajaur Agency.	31.12.2013
111.	808(P)CS/2013	Shah Khalid s/o Gul Muhammad, Ex-Sepoy No.6196, Bajaur Levies r/o Sabar Shah P.O. Khar, Tehsil Khar, Bajaur Agency.	31.12.2013
112.	50(P)CS/2014	Inayatullah s/o Mancond, Ex-Sepoy No.4456, Bajaur Levies, r/o But Maly, Tehsil Salarzai, Bajaur Agency.	14.04.2014
113.	51(P)CS/2014	Sahib Zuda s/o Abdul Sattar, Ex-Sepoy No.4468, Bajaur Levies, r/o Raghgan, Tehsil Salarzai, Bajaur Agency.	14.04.2014
114.	52(P)CS/2014	Fazul Rehman s/o Malik Ameer, Ex-Sepoy No.3589, Bajaur Levies, r/o But Maly, Tehsil Salarzai, Bajaur Agency.	14.04.2014
115.	53(P)CS/2014	Chinar s/o Sher Muhammad, Ex-Sepoy No.4453, Dajaur Levies, r/o But Maly, Tehsil Salarzai, Dajaur Agency.	14.04.2014
116.	54(P)CS/2014	Bakhtawar s/o Dad Karim Khan, Ex-Sepoy No.5042, Bajaur Levies, r/o Palosi, Tehsil Salarzai, Bajaur Agency.	14.04.2014
117.	55(P)CS/2014	Abdul Wakil s/o Sultan Muhammad, Ex-Sepoy No.6489, Bajaur Levies, r/o Alizo, Tehsil Khar, Bajaur Agency.	14.04.2014
118.	56(P)CS/2014	Muhammad Zubir s/o Saeeduddin, Ex-Sepoy No.3756, Bajaur Levies, r/o Raghgan, Tehsil Salarzai, Bajaur Agency.	14.04.2014
119.	57(P)CS/2014	Subhanullah s/o Ghafoor, Ex-Sepoy No.4454, Bajaur Levies, r/o But Maly, Tehsil Salarzai, Bajaur Agency.	14.04.2014
120.	58(P)CS/2014	Khan Alam s/o Ajab Khan, Ex-Sepoy No.5443, Bajaur Levies, r/o Rajgan, Tehsil Salarzai, Bajaur Agency.	14.04.2014
121.	59(P)CS/2014	Khayesta Gul s/o Gul Khan, Ex-Sepoy No.4449, Bajaur Levies, r/o But Maly, Tehsil Salarzai, Bajaur Agency.	14.04.2014
122.	173(P)CS/2014	Asad Khan s/o Fazali Rehman, Ex-Sepoy No.4535, Bajaur Levies, r/o Charming, P.O. Loo Sitt / Nawagai, Dajaur Agency.	27.06.2014
123.	174(P)CS/2014	Ejaz Ali, Ex-Sepoy No.4042, Bajaur Levies, r/o Tehsil Baring, P.O. Khar, Dajaur Agency.	27.06.2014
124.	175(P)CS/2014	Musim Khan s/o Kisher Khan, Ex-Sepoy No.3505, Dajaur Levies, r/o Salarzai / Raghgan, Bajaur Agency.	27.06.2014
125.	176(P)CS/2014	Rafiq s/o Niazbeen Khan, Ex-Sepoy No.5109, Bajaur Levies, r/o Khar, Salarzai, Bajaur Agency.	27.06.2014
126.	177(P)CS/2014	Bahadar s/o Gul Zaman, Ex-Sepoy No.4197, Bajaur Levies, r/o Bara Nawagi P.O. and Tehsil Nawagai,	27.06.2014

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Federal Security Tribunal  
Islamabad

ATTESTED



		Bajaur Agency.	
127.	178(P)CS/2014	Mahib ullah s/o Kasha Gul, Ex-Sepoy No.5085, Bajaur Levies, r/o Mir Ali Qala, Tehsil Khar, Bajaur Agency.	27.06.2014
128.	179(P)CS/2014	Noor Zada s/o Muhammad Aziz, Ex-Sepoy No.5916, Bajaur Levies, r/o Cham, P.O. Khar, Bajaur Agency.	27.06.2014
129.	180(P)CS/2014	Bacha Rahim s/o Abdul Saeed, Ex-Sepoy No.4710, Bajaur Levies, r/o Mandil Dianga P.O. Khar, Bajaur Agency.	27.06.2014
130.	197(P)CS/2014	Fazal Subhan s/o Muzafar Khan, Ex-Sepoy No.4515, Bajaur Levies, r/o AlimbogZaly, P.O. Pasht, Tehsil Salarzai, Bajaur Agency.	16.09.2014
131.	198(P)CS/2014	Fareedullah s/o Lal Muhammad, Ex-Sepoy No.5764, Bajaur Levies, r/o Mola Kaly, Loy Momond, Bajaur Agency.	16.09.2014
132.	199(P)CS/2014	Nadir Shah s/o Haji Momen, Ex-Sepoy No.4011, Bajaur Levies, r/o Charmang Monogay, P.O. Loe Sim, Tehsil, Nawagni, Bajaur Agency.	16.09.2014
133.	200(P)CS/2014	Rohamullah s/o Gul Parash, Ex-Sepoy No.4016, Bajaur Levies, r/o Loe Sim, P.O. and Tehsil Khar, Bajaur Agency.	16.09.2014
134.	201(P)CS/2014	Gul Badshah s/o Jahn Zab, Ex-Sepoy No.3804, Bajaur Levies, r/o Galkay P.O. Raghan, Tehsil Salarzai, Bajaur Agency.	16.09.2014
135.	202(P)CS/2014	Ihannullah s/o Khalil-ur-Rahman, Ex-Sepoy No.4415, Bajaur Levies, r/o Chorak P.O. Pasht, Tehsil Salarzai, Bajaur Agency.	16.09.2014
136.	203(P)CS/2014	Tilla Muhammad s/o Muhammad Rasol, Ex-Sepoy No.4508, Bajaur Levies, r/o Shrikar Gul, P.O. Pasht, Tehsil Salarzai, Bajaur Agency.	16.09.2014
137.	204(P)CS/2014	Israr Khan s/o Nowsherwan, Ex-Sepoy No.5279, Bajaur Levies, r/o Shenky Ali Zai, P.O. and Tehsil Khar, Bajaur Agency.	16.09.2014
138.	205(P)CS/2014	Abdur Rahim s/o Rehmat Jan, Ex-Sepoy No.5883, Bajaur Levies, r/o Igrab P.O. Nakhjo, Tehsil Loi Marfond, Bajaur Agency.	16.09.2014
139.	145(P)CS/2014	Wali Khan s/o Saeed Khan, Ex-Sepoy No.4147, Bajaur Levies r/o Khar, Bajaur Agency.	30.04.2014
140.	146(P)CS/2014	Umar Ayub s/o Mina Gul, Ex-Sepoy No.4614, Bajaur Levies r/o Khar, Bajaur Agency.	30.04.2014
141.	208(P)CS/2014	Shams-ur-Rehman s/o Saif-ur-Rehman, Ex-Sepoy No.4615, Bajaur Levies r/o Khar, P.O. and Tehsil Khar, Bajaur Agency.	26.09.2014
142.	209(P)CS/2014	Saeedullah s/o Maroof Shah, Ex-Sepoy No.4279, Bajaur Levies r/o Irah Tehsil, Loe Mamond, Bajaur Agency.	26.09.2014
143.	210(P)CS/2014	Zareen Suid s/o Pacha Suid, Ex-Sepoy No.3504, Bajaur Levies r/o Tarkho, Tehsil Mamond, Bajaur Agency.	26.06.2014
144.	211(P)CS/2014	Ghulam Qadar s/o Kamal Khan, Ex-Sepoy No.5578, Bajaur Levies r/o Aikay P.O. Raghan, Tehsil Salarzai, Bajaur Agency.	26.06.2014
145.	254(P)CS/2014	Shakirullah s/o Mandali Khan, Ex-Sepoy No.4347, Bajaur Levies r/o Hilal Khal Charmang Tehsil Nawagai, Bajaur Agency.	24.10.2014
146.	255(P)CS/2014	Fazal Karim s/o Gul Karim, Ex-Sepoy No.4008, Bajaur Levies r/o Charmang Tehsil Nawagai, Bajaur Agency.	24.10.2014

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Federal Service Tribunal  
Islamabad

ATTESTED

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Federal Service Tribunal  
Kuala Lumpur

**ATTESTED**

147.	256(P)CS/2014	Kham Shor s/o Amin Khan, Ex-Sepoy No.4356, Bajaur Levies r/o Hiral Khal Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
148.	257(P)CS/2014	Azizullah s/o Noor Hashim, Ex-Sepoy No.4357, Bajaur Levies r/o Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
149.	258(P)CS/2014	Shamroz Khan s/o Amir Said, Ex-Sepoy No.4348, Bajaur Levies r/o Hiral Khal Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
150.	259(P)CS/2014	Nayyal Zaimo, Ex-Sepoy No.4203, Bajaur Levies r/o Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
151.	260(P)CS/2014	Zahidullah, Ex-Sepoy No.4203, Bajaur Levies r/o Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
152.	261(P)CS/2014	Imran Khan s/o Saif-ur-Rehman, Ex-Sepoy No.4616, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
153.	262(P)CS/2014	Abid s/o Amanullah, Ex-Sepoy No.3481, Bajaur Levies r/o Barana Dargal, Tehsil Nawagai, Bajaur Agency.	24.10.2014
154.	263(P)CS/2014	Rehmat Din Jan s/o Abdullah, Ex-Sepoy No.4645, Bajaur Levies r/o Inayat Kaley, Tehsil Khar, Bajaur Agency.	24.10.2014
155.	264(P)CS/2014	Raiz Wali s/o Ajmeer, Ex-Sepoy No.4528, Bajaur Levies r/o Asghir Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
156.	265(P)CS/2014	Rehman Wali s/o Skhee Gul, Ex-Sepoy No.3445, Bajaur Levies r/o Chinar Charnang Tehsil Nawagai, Bajaur Agency.	24.10.2014
157.	266(P)CS/2014	Milam-ud-Din s/o Aziz-ul-Haqueem, Ex-Sepoy No.5057, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
158.	267(P)CS/2014	Muhammad Iqbal s/o Sher Muhammad, Ex-Sepoy No.3544, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
159.	268(P)CS/2014	Saifur Khan s/o Makhmal Ali, Ex-Sepoy No.5176, Bajaur Levies r/o Takhi Tehsil Barang, Bajaur Agency.	24.10.2014
160.	269(P)CS/2014	Imran s/o Amanullah, Ex-Sepoy No.4769, Bajaur Levies r/o Barana Dargal, Tehsil Nawagai, Bajaur Agency.	24.10.2014
161.	270(P)CS/2014	Hidayatullah s/o Habibullah, Ex-Sepoy No.3872, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
162.	271(P)CS/2014	Fareedullah s/o Habibullah, Ex-Sepoy No.8084, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
163.	272(P)CS/2014	Fazil Subhan s/o Khista Rehman, Ex-Sepoy No.4083, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	24.10.2014
164.	300(P)CS/2014	Muhammad Zada s/o Masih, Ex-Sepoy No.5373, Bajaur Levies r/o Masih, Ex-Sepoy No.5373, Bajaur Agency.	17.11.2014
165.	301(P)CS/2014	Anwar Zeb s/o Said Kanim, Ex-Sepoy No.5219, Bajaur Levies r/o Qanqar Dag Tehsil Khar, Bajaur Agency.	17.11.2014
166.	302(P)CS/2014	Rehmat Gul s/o Ahsan, Ex-Sepoy No.3781, Bajaur Levies r/o Kins Tehsil Nawagai, Bajaur Agency.	17.11.2014
167.	303(P)CS/2014	Muhammad Nazeer s/o Muhammad Sultan, Ex-Sepoy No.4265, Bajaur Levies r/o Azhar Charnang Tehsil Nawagai, Bajaur Agency.	17.11.2014

*Rasheed*



168.	304(P)CS/2014	Abdur Rnof s/o Said, Ex-Sepoy No.3782, Bajaur Levies r/o Nawagi, Bajaur Agency.	17.11.2014
169.	305(P)CS/2014	Roolullah s/o Abdul Wakeel, Ex-Sepoy No.3639, Bajaur Levies r/o Bara Khlozo, P.O. Inayat Kaly, Tehsil Mamond, Bajaur Agency.	17.11.2014
170.	306(P)CS/2014	Amir Zada s/o Khan Sardar, Ex-Sepoy No.5282, Bajaur Levies r/o Saro Woto Tehsil Salarzai, Bajaur Agency.	17.11.2014
171.	307(P)CS/2014	Rahim Gul s/o Muhammad Saeed, Ex-Sepoy No.3477, Bajaur Levies r/o Nawagi Tehsil Nawagi, Bajaur Agency.	17.11.2014
172.	308(P)CS/2014	Qadir Khan s/o Masroof Khan, Ex-Sepoy No.4155, Bajaur Levies r/o Islam Khwaja Kaly, Tehsil Mamond, Bajaur Agency.	17.11.2014
173.	309(P)CS/2014	Snid Nawab s/o Shor Muhammad, Ex-Sepoy No.5278, Bajaur Levies r/o Khan Dahri, Tehsil Khar, Bajaur Agency.	17.11.2014
174.	310(P)CS/2014	Jalil-ud-Din s/o Fazal Karim, Ex-Sepoy No.3784, Bajaur Levies r/o Malkana Tehsil Nawagai, Bajaur Agency.	17.11.2014
175.	311(P)CS/2014	Imran Khan s/o Saeed Channay Khan, Ex-Sepoy No.4311, Bajaur Levies r/o Qazazi Tehsil Utman Khil, Bajaur Agency.	17.11.2014
176.	312(P)CS/2014	Sahib Zada s/o Mandali Jan, Ex-Sepoy No.5291, Bajaur Levies r/o Islam Dahri, Utman Khil, Bajaur Agency.	17.11.2014
177.	313(P)CS/2014	Idrees s/o Shehzada, Ex-Sepoy No.4924, Bajaur Levies r/o Zawarbandar, Tehsil Khar, Bajaur Agency.	17.11.2014
178.	314(P)CS/2014	Taj Muhammad s/o Farooq, Ex-Sepoy No.5075, Bajaur Levies r/o Chiargo, Tehsil Salarzai, Bajaur Agency.	17.11.2014
179.	315(P)CS/2014	Rayaz s/o Hukam Khan, Ex-Sepoy No.5551, Bajaur Levies r/o Rasha Dhari, Tehsil Salarzai, Bajaur Agency.	17.11.2014
180.	316(P)CS/2014	Fuzal Wadood s/o Fazal Hayan, Ex-Sepoy No.5446, Bajaur Levies r/o Baro Tehsil Salarzai, Bajaur Agency.	17.11.2014
181.	317(P)CS/2014	Khan Zeb s/o Jehanzeb, Ex-Sepoy No.5040, Bajaur Levies r/o Skindro Hayati, Tehsil Utman Khil, Bajaur Agency.	17.11.2014
182.	318(P)CS/2014	Rahil Muhammad s/o Dil Muhammad, Ex-Sepoy No.5090, Bajaur Levies r/o Haji Lowang Tehsil Khar, Bajaur Agency.	17.11.2014
183.	319(P)CS/2014	Iqbal s/o Dil Muhammad, Ex-Sepoy No.4661, Bajaur Levies r/o Haji Lowang, Tehsil Khar, Bajaur Agency.	17.11.2014
184.	320(P)CS/2014	Kamal Habib s/o Muhammad Habib, Ex-Sepoy No.3646, Bajaur Levies r/o Malkana, Tehsil Nawagai, Bajaur Agency.	17.11.2014
185.	321(P)CS/2014	Sajjad Ali s/o Ghulam Jan, Ex-Sepoy No.4845, Bajaur Levies r/o Kulala Tehsil Utman Khil, Bajaur Agency.	17.11.2014
186.	322(P)CS/2014	Ali Rehman s/o Mursaleen, Ex-Sepoy No.3691, Bajaur Levies r/o Shenay, Tehsil Mamond, Bajaur Agency.	17.11.2014
187.	323(P)CS/2014	Muhammad Ijaz s/o Saeed Muhammad Khan, Ex-Sepoy No.3313, Bajaur Levies r/o Kolala, Tehsil Utman Khil, Bajaur Agency.	17.11.2014

18/11/2014  
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 Federal Service Tribunal  
 Islamabad

ATTESTED

188.	324(P)CS/2014	Noor Muhammad s/o Saleh Muhammad, Ex-Sepoy No.3531, Bajaur Levies r/o Khas, Tehsil Nawagai, Bajaur Agency.	17.11.2014
189.	337(P)CS/2014	Badshah Munir s/o Masood, Ex-Sepoy No.4363, Bajaur Levies r/o Kaga Tehsil, Lol Mamond, Bajaur Agency.	24.11.2014
190.	338(P)CS/2014	Mr. Alam Zeb s/o Pachni Khan, Ex-Sepoy No.4371, Bajaur Levies r/o Kaga Tehsil, Mamond, Bajaur Agency.	24.11.2014
191.	339(P)CS/2014	Muhammad s/o Ajali Khan, Ex-Sepoy No.4209, Bajaur Levies r/o Meona Inter, Tehsil Mamond, Bajaur Agency.	24.11.2014
192.	340(P)CS/2014	Shoaib s/o Gulab Karim, Ex-Sepoy No.5265, Bajaur Levies r/o Kot Kay Tehsil Salar Zai, Bajaur Agency.	24.11.2014
193.	341(P)CS/2014	Tahir s/o Muhammad Zada, Ex-Sepoy No.5210, Bajaur Levies r/o Ali Zo Shankay Tehsil Khar, Bajaur Agency.	24.11.2014
194.	342(P)CS/2014	Khista Muhammad s/o Amir Muhammad, Ex-Sepoy No.5634, Bajaur Levies r/o Shagi Tehsil Salar Zai, Bajaur Agency.	24.11.2014
195.	343(P)CS/2014	Sharifullah s/o Sahib Zada, Ex-Sepoy No.4388, Bajaur Levies r/o Kaga Tehsil Mamond, Bajaur Agency.	24.11.2014
196.	344(P)CS/2014	Obaidullah s/o Kashmir Khan, Ex-Sepoy No.4246, Bajaur Levies r/o Karkol Tehsil Khar, Bajaur Agency.	24.11.2014
197.	345(P)CS/2014	Munir Khan s/o Wazir Gul, Ex-Sepoy No.4470, Bajaur Levies r/o Kaga Tehsil Mamond, Bajaur Agency.	24.11.2014
198.	346(P)CS/2014	Abdul Wadood s/o Wahab, Ex-Sepoy No.3950, Bajaur Levies r/o Kaga Tehsil Mamond, Bajaur Agency.	24.11.2014
199.	347(P)CS/2014	Najeeb s/o Usman Khan, Ex-Sepoy No.5222, Bajaur Levies r/o Karkol Tehsil Khar, Mamond, Bajaur Agency.	24.11.2014
200.	348(P)CS/2014	Muhabat Khan s/o Rehmat Khan, Ex-Sepoy No.5574, Bajaur Levies r/o Qilla Ali Jan, Tehsil Khar, Bajaur Agency.	24.11.2014
201.	349(P)CS/2014	Jahangir Khan s/o Sher Ali, Ex-Sepoy No.5141, Bajaur Levies r/o Ali Zo Dag, Tehsil Khar, Bajaur Agency.	24.11.2014
202.	350(P)CS/2014	Ajab Noor s/o Said Noor, Ex-Sepoy No.5917, Bajaur Levies r/o Ali Zo Dag, Tehsil Khar, Bajaur Agency.	24.11.2014
203.	351(P)CS/2014	Bacha Rehman s/o Muhammad Yousof, Ex-Sepoy No.5187, Bajaur Levies r/o Mandal, Tehsil Khar, Bajaur Agency.	24.11.2014
204.	352(P)CS/2014	Hannif-ur-Rehman s/o Khista Muhammad, Ex-Sepoy No.5256, Bajaur Levies r/o Chinari, Tehsil Salar Zai, Bajaur Agency.	24.11.2014
205.	353(P)CS/2014	Sajjad Ahmed s/o Lal Badshah, Ex-Sepoy No.5228, Bajaur Levies r/o Dclay, Tehsil Khar, Bajaur Agency.	24.11.2014
206.	354(P)CS/2014	Rizwanullah s/o Gul Nabi, Ex-Sepoy No.5642, Bajaur Levies r/o Ali Zo Dag, Tehsil Khar, Bajaur Agency.	24.11.2014
207.	355(P)CS/2014	Muzaffar Khan s/o Zer Ali, Ex-Sepoy No.5205, Bajaur Levies r/o Bar Tras, Tehsil Salar Zai, Bajaur Agency.	24.11.2014

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Registrar  
Federal Service Tribunal  
Islamabad

ATTESTED

208.	366(P)CS/2014	Alamgeer s/o Ahmad Shah, Ex-Sepoy No.4199, Bajaur Levies r/o Nawagi Dodha, Tehsil Nawagi, Bajaur Agency.	04.12.2014
209.	367(P)CS/2014	Liaqat Ali s/o Ashiq, Ex-Sepoy No.4709, Bajaur Levies r/o Mandal Lala Khasia, Tehsil Starazai, Bajaur Agency.	04.12.2014
210.	368(P)CS/2014	Sayed Zareen s/o Nazar Jan, Ex-Sepoy No.4698, Bajaur Levies r/o Pindah Khalona Village, Tehsil Barang, Bajaur Agency.	04.12.2014
211.	369(P)CS/2014	Muhammad Idrees s/o Abdullah, Ex-Sepoy No.2009, Bajaur Levies r/o Dhoell, Tehsil Khar, Bajaur Agency.	04.12.2014
212.	370(P)CS/2014	Riaz Khan s/o Khan Syed, Ex-Sepoy No.4688, Bajaur Levies r/o Pindah Khalona Village, Tehsil Barang, Bajaur Agency.	04.12.2014
213.	371(P)CS/2014	Fazl Rehman s/o Muhammad Ali, Ex-Sepoy No.4328, Bajaur Levies r/o Sadiqa, Tehsil Khar, Bajaur Agency.	04.12.2014
214.	372(P)CS/2014	Hayatullah s/o Sher Muhammad, Ex-Sepoy No.4772, Bajaur Levies r/o Ghar Shomazi, Tehsil Barang, Bajaur Agency.	04.12.2014
215.	373(P)CS/2014	Anwar-ud-Din s/o Gul Malo Din, Ex-Sepoy No.4009, Bajaur Levies r/o Tangi, Tehsil Khar, Bajaur Agency.	04.12.2014
216.	374(P)CS/2014	Fateh Muhammad s/o Sheerullah, Ex-Sepoy No.4722, Bajaur Levies r/o Mandol Markhorai, Tehsil Starazai, Bajaur Agency.	04.12.2014
217.	375(P)CS/2014	Hayyatullah s/o Abdur Rauf Khan, Ex-Sepoy No.4651, Bajaur Levies r/o Dng Qilla, Tehsil Khar, Bajaur Agency.	04.12.2014
218.	42(P)CS/2015	Zafar Ali s/o Yar Muhammad, Ex-Sepoy No.3862, Bajaur Levies r/o Kolata Utman Khail, Tehsil Utman Khail, Bajaur Agency.	23.01.2015
219.	43(P)CS/2015	Musamar Khan s/o Fateh Gul, Ex-Sepoy No.5920, Bajaur Levies r/o Shankai, Tehsil Khar, Bajaur Agency.	23.01.2015
220.	44(P)CS/2015	Khajista Jan s/o Noor Ahmed, Ex-Sepoy No.4665, Bajaur Levies r/o Khoro Rashkai Dag, Tehsil Khar, Bajaur Agency.	23.01.2015
221.	45(P)CS/2015	Rehan Yousaf s/o Rehman Yousaf, Ex-Sepoy No.4212, Bajaur Levies r/o Yousafabad, Tehsil Khar, Bajaur Agency.	23.01.2015
222.	46(P)CS/2015	Nasir Ali Khan s/o Gulam Nabi Khan, Ex-Sepoy No.4072, Bajaur Levies r/o Kot Ke Charmang, Tehsil Nawagai, Bajaur Agency.	23.01.2015
223.	47(P)CS/2015	Altaullah s/o Sher Muhammad, Ex-Sepoy No.4193, Bajaur Levies r/o Hayati, Tehsil Utman Khail, Bajaur Agency.	23.01.2015
224.	48(P)CS/2015	Ashfaq s/o Dost Muhammad, Ex-Sepoy No.4912, Bajaur Levies r/o Inayat Katy, Tehsil Khar, Bajaur Agency.	23.01.2015
225.	49(P)CS/2015	Iniran s/o Abdur Rashid, Ex-Sepoy No.4836, Bajaur Levies r/o Charmang Asghar, Tehsil Nawagai, Bajaur Agency.	23.01.2015
226.	50(P)CS/2015	Abdur Rashid s/o Hazrat Wali Khan, Ex-Sepoy No.5172, Bajaur Levies r/o Khar, Tehsil Khar, Bajaur Agency.	23.01.2015
227.	51(P)CS/2015	Noor Hakeem s/o Sher Muhammad, Ex-Sepoy No.4677, Bajaur Levies r/o Ghar Shomazi, Tehsil Barang, Bajaur Agency.	23.01.2015

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Federal Service Tribunal  
Islamabad

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-19-

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228.	52(P)CS/2015	Aminullah s/o Din Muhammad, Ex-Sepoy No.4705, Bajaur Levies r/o Mamond, Tehsil Salarzai, Bajaur Agency.	23.01.2015
229.	53(P)CS/2015	Dost Rehman s/o Bukhari, Ex-Sepoy No.3750, Bajaur Levies r/o Jalali Daire, Tehsil Salarzai, Bajaur Agency.	23.01.2015
230.	54(P)CS/2015	Muhammad Israr s/o Khoshnawaz, Ex-Sepoy No.4951, Bajaur Levies r/o Chargo, Tehsil Salarzai, Bajaur Agency.	23.01.2015
231.	55(P)CS/2015	Said Ghani s/o Penda Gul, Ex-Sepoy No.3470, Bajaur Levies r/o Takhat, Tehsil Khar, Bajaur Agency.	23.01.2015
232.	56(P)CS/2015	Syed Habib Jan s/o Syed Pao Jan, Ex-Sepoy No.4322, Bajaur Levies r/o Gambat, Tehsil Salarzai, Bajaur Agency.	23.01.2015
233.	57(P)CS/2015	Taj Meer s/o Taveez Khan, Ex-Sepoy No.4631, Bajaur Levies r/o Shikh Baba, Tehsil Khar, Bajaur Agency.	23.01.2015
234.	58(P)CS/2015	Rafi-ud-Din s/o Ameer, Ex-Sepoy No.4682, Bajaur Levies r/o Safr Sir Ghar Shomazi Hayati, Tehsil Utman Khail, Bajaur Agency.	23.01.2015
235.	59(P)CS/2015	Ayub Khan s/o Lawang, Ex-Sepoy No.4682, Bajaur Levies r/o Hital Khail Charnag, Tehsil Nawagal, Bajaur Agency.	23.01.2015
236.	60(P)CS/2015	Moghlebar Khan s/o Zagran Khan, Ex-Sepoy No.4843, Bajaur Levies r/o Dhoo, Tehsil Khar, Bajaur Agency.	23.01.2015
237.	61(P)CS/2015	Zahid Hussain s/o Shahbuddin, Ex-Sepoy No.4667, Bajaur Levies r/o Salarzai, Bajaur Agency.	23.01.2015
238.	62(P)CS/2015	Muhammad Ayub s/o Alim Zeb, Ex-Sepoy No.5806, Bajaur Levies r/o Khoro Chinn Gul, Tehsil Utman Khail, Bajaur Agency.	23.01.2015
239.	63(P)CS/2015	Bahar-ud-Din s/o Abdur Rehim, Ex-Sepoy No.5112, Bajaur Levies r/o Inaynt Kaly, Tehsil Khar, Bajaur Agency.	23.01.2015
240.	64(P)CS/2015	Sajjad Ahmed s/o Dilawar Jan, Ex-Sepoy No.5296, Bajaur Levies r/o Yousaf Abad, Tehsil Khar, Bajaur Agency.	23.01.2015
241.	65(P)CS/2015	Fazal Malik s/o Afreedi, Ex-Sepoy No.3512, Bajaur Levies r/o Barang, Tehsil Mamond, Bajaur Agency.	23.01.2015
242.	66(P)CS/2015	Hussain Shah s/o Namit Khan, Ex-Sepoy No.3628, Bajaur Levies r/o Gadq Mar, Tehsil Barang, Bajaur Agency.	23.01.2015

Date of Hearing: 11.05.2015

Date of Judgment: 11.05.2015

- RESPONDENTS: 1. The Secretary, SAFRON, Islamabad.  
2. The Additional Chief Secretary, FATA, Civil Secretariat (FATA), Warsak Road, Peshawar.  
3. The Political Agent / Commandant Bajaur Levies, Bajaur Agency at Khar.

BEFORE: Syed Rafique Hussain Shah, and  
Syed Muhammad Hamid, Members.

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Registrar  
FATA Secretariat, Peshawar

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PRESENT: Mr. Misbahullah Khan and Mrs. Samreen Akhtar, Advocates for the appellants.  
Mr. Iqbal Waheed, Advocate for respondent No.1.  
Mr. Iqbal Durrani, Advocate for Respondents No.2, 3 & 4 with Mian Zahid Jan, Reader as departmental representative.

-21-

### JUDGMENT

SYED RAFIQUE HUSSAIN SHAH, MEMBER: - Since all the titled appeals are almost identical in their characteristics, having similar facts and involving common questions of law, therefore, we intend to dispose them off jointly through this single judgment, to be recorded in the instant appeal No.16(P)CS/2014.

2. Briefly, the appellants started their career as Sepoy in Bajaur Levies, Bajaur Agency, Khyber Pukhtoonkhwa. The period spreading over 2007 onward was very turbulent for the said region and the whole area remained under the constant raids and attacks of the miscreants who had taken shelter in the neighbouring Afghanistan. The life of the people of the area became so unsafe that majority of them migrated to down districts for the protection of their life, property and honour. The personnel of security forces i.e. local levies, etc. also remained under threat and attacks of the militants. Suicide attacks, bomb blasts and abduction for ransom became fashion of the day. The people of the area had to face great hardships and miseries. The Levy personnel who are normally not well-equipped used to come under the attack of the militants as they were deployed on front line at different security posts spreading alongwith the boarder.

3. It is alleged that the Levy Force could not properly resist the onslaught of the militants and did not fight the miscreants with courage rather they surrendered to the miscreants after laying down their arms to display their cowardice. On this allegation quite a large number of Levy personnel were terminated from their service. So many persons were sent home through verbal orders while so many others were terminated from service without conducting proper inquiry against them.

4. In this background, the affectees firstly approached their authority for reinstatement in service, denying the allegations of cowardice

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Registrar  
Federal Service Tribunal  
Islamabad

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against them. But on failure to get relief from the authority, they knocked the door of this Tribunal where their grievances were redressed accordingly on the ground that the authority proceeded against them without following the procedure required for dismissal of civil servants. In so many cases the concerned department of government failed to get the verdict of the Federal Service Tribunal reversed. In all those cases it was laid down that a civil servant could not be imposed major penalty of dismissal from service without holding a regular inquiry. So many cases were sent back to authority for conducting *denovo* inquiry against the accused officials but the directions of the Tribunal were not followed in letter and spirit. The authority on the strength of its might again repeated similar orders. So, for quite some time legal battle between the poor Levy personnel and the mighty political authority continued.

5. The titled appeals were also filed in the above-mentioned backdrop.

6. While assailing the authenticity, validity and legality of the impugned orders whereby the appellants were terminated / dismissed from service, the appellants submitted that the said orders were illegal because they were issued without any show cause notice to them and without conducting proper inquiry into the matter. It was further alleged by the appellants that neither the statement of allegations were issued to them nor charge sheets were served upon them and, as such, the dismissal orders were unlawful, arbitrary, void ab initio and ineffective against their rights. The appellants also made reference to identical cases *vide* which their colleagues were reinstated into service by this Tribunal. The judgments of this Tribunal dated 12.03.2013, 17.11.2011, 16.07.2010 and 15.02.2012 were cited by the appellants in support of their claim. It was categorically submitted by the appellants that in view of the judgment of the August Supreme Court of Pakistan reported as 1996SCMR 1185, they were entitled to the same benefits of the judgment, passed in favour of their colleagues.

7. The respondents vehemently contested the appeals filed by the appellants. In their parawise comments the respondents described the appeals as time barred and alleged that the appellants deserted and abandoned the important posts to the militants and in this way they

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Federal Service Tribunal  
Islamabad

ATTESTED

-22-

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displayed cowardice and; thus, they were dismissed from service. The respondents, however, in their parawise comments admitted that show cause notice could not be issued to the appellants because after their desertion they disappeared and despite repeated calls they did not appear before the competent authority.

8. We have heard the learned counsel for the parties and have gone through the case file.

9. We have also perused the judgments of this Tribunal dated 01.03.2013 passed in Appeals No.184 to 190, 196, 197, 200, 201, 227 to 234, 241 to 245, 247, 256 to 267, 318, 340 to 345, 366, 367, 402 to 414, 419 to 438, 438-A, 439 to 443, 446 to 454(P)CS/2012 and judgment, dated 12.02.2015 delivered in Appeals No.197, 198, 200 to 203 & 120(P)CS/2011.

10. Mr. Misbahullah Khan and Mrs. Samreen Akhtar, Advocates appeared on behalf of the appellants and addressed their arguments mainly stressing upon the point that it was settled principle of law that where nature of charges were serious and where these charges were denied by the accused officials, then holding of a regular inquiry was mandatory and without holding such inquiry no major punishment could be awarded. In this respect the learned counsel for the appellants placed reliance on 2004 SCMR 316, 2004 PLC (CS) 524, 2002 SCMR 57, 2001 SCMR 1566, 2000 SCMR 1321 & 1868, 1994 PLC (CS) 1717 and 1993 SCMR 603. It was next argued by the learned counsel for the appellants that the appellants were neither issued any show cause notice nor they were provided any opportunity of personal hearing and, as such, in this view of the matter the impugned orders lost their authenticity, legality and validity. They made reference to judgments of August Supreme Court of Pakistan reported as 2000 SCMR 1034 and 1994 SCMR 2232 in this connection. The learned counsel for the appellants further pointed out that the dismissal orders had made large number of people jobless thereby depriving them of the means of livelihood without considering their viewpoint, which was against the constitutional guarantee imposed upon the State regarding promotion of social justice. Reference in this respect was made to 1994 SCMR 2232.

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Federal Service Tribunal  
Islamabad

ATTESTED

- 24 -

11. Mrs. Samreen Akhter, Advocate further pleaded the case of Gulab Khan and ten others regarding their claim of pension and contended that the said appellants were quite entitled to pensionary benefits.

12. On the contrary, the learned counsel M/s Iqbal Durrani and Iqbal Waheed, Advocates while appearing on behalf of the respondents gave much stress on the point that the appellants were Levy personnel and they were duty bound to resist the militants to their hilt but instead they showed cowardice in the discharge of their duties, hence, they were rightly sent home by the authority because there was no place of such coward people in the Force. In view of the learned counsel for the respondents the retention of the appellants in the Levy Force was not in the interest of the Force as their presence could demoralize the other Force. The learned counsel for the respondents, however, did not deny the fact that the appellants were not issued show cause notice and that no regular inquiry was held against them. According to their contention since the appellants were not available and had gone in desertion, it was not possible for the authority to send them show cause notices or to hold regular inquiry against them.

13. We deem it appropriate to mention here that in the judgment of this Tribunal in Appeals No. 197, 198, 200 to 203 & 120(P)CS/2011, dated 12.02.2015 the question of jurisdiction of this Tribunal had been settled, holding that this Tribunal had got jurisdiction to entertain and adjudicate upon the appeals of such nature. So, we feel it unnecessary to discuss the jurisdictional issue.

14. Admittedly, the appellants were charged for displaying cowardice, surrendering to the militants and deserting from their places of duty. These charges, no doubt, were very serious and of factual nature, which were denied by the appellants, hence, oral evidence was needed to be recorded to prove these allegations, onus of which was totally upon the authority (prosecution). In the instant appeals, no record of any inquiry has been produced rather it has been admitted by the respondents in their comments that no inquiry was conducted because the appellants were not available. To prove that the respondents had issued notices to the appellants in any shape, whatsoever, nothing has been brought on the file

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 Federal Service Tribunal  
 Islamabad

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to substantiate the said version. There is no record available on the file to show that disciplinary proceedings were initiated against the appellants but they could not be completed due to non-availability of the appellants. We find no record of any inquiry on the file which was conducted prior to the imposition of the major penalty. Needless to explain that as per consistent view of the Hon'ble Supreme Court of Pakistan major penalty cannot be imposed without holding a regular inquiry. In this regard we may respectfully refer to the judgment of the Hon'ble Supreme Court of Pakistan reported as 2008 SCMR 1362 wherein it has been declared that regular inquiry should have been conducted to unveil the reality and major penalty of removal / dismissal from service should not have been imposed, being too harsh, in view of the nature of allegations, which could not be substantiated without inducing any cogent and concrete evidence. It may not be out of place to mention here that the Political Agent / Commandant Bajour Agency as well as Secretary FATA Peshawar have already reinstated a number of officials of Bajour Levies against whom similar allegations of desertion from duty were leveled. In this respect orders of the authority dated 23.12.2008, 06.08.2009, 12.01.2010 and 20.04.2009 were referred to by the appellants whereby certain officials of Bajour Levies were reinstated into service by the Political Agent / Commandant and Secretary FATA Peshawar. For this reason too the appellants deserved equal treatment because discriminatory treatment against them is violative of Articles 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

15. Consequent upon what has been discussed above, we are of the considered view that the impugned orders whether verbal or written, are not sustainable in the eyes of law as they are in violation of the dictum laid down by the Hon'ble Supreme Court of Pakistan. The impugned orders are, therefore, accordingly set aside and resultantly the instant appeals are accepted and the appellants are ordered to be reinstated into service from the date of the impugned orders. However, the question of back benefits shall be decided by the competent authority in accordance with the instructions contained at Serial.No.155, Vol.II of Civil Establishment Code [Estacode, 2007 Edition], and the dictum of law as laid down in judgment of the Hon'ble Supreme Court of Pakistan reported as 2010 SCMR 11:

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Federal Service Tribunal  
Islamabad

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-26-

16. Parties to bear their own costs and they be informed in accordance with rule 21 of the Service Tribunals (Procedure) Rules, 1974.

*[Signature]*  
MEMBER

*Hussain Rafique Mas*  
MEMBER

ISLAMABAD  
11.05.2015

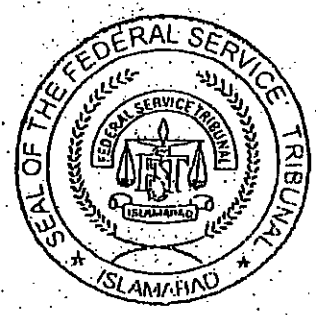
\*Saeed\*

Approved for reporting.

*Hussain Rafique Mas*  
MEMBER

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*[Signature]*  
Registrar  
Federal Service Tribunal  
Islamabad



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IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR  
MR. JUSTICE GULZAR AHMED  
MR. JUSTICE MAQBOOL HAQAR

CIVIL PETITIONS NO. 1653, 1884 TO 2069, 2100 TO 2149 AND 2320  
TO 2332 OF 2015

Against the judgment dated 11.5.2015 of the Federal Service Tribunal Islamabad passed in Service Appeals  
No. 1653/2014, 2071/2014, 2100/2014, 2101/2014, 2102/2014, 2103/2014, 2104/2014, 2105/2014, 2106/2014, 2107/2014, 2108/2014, 2109/2014, 2110/2014, 2111/2014, 2112/2014, 2113/2014, 2114/2014, 2115/2014, 2116/2014, 2117/2014, 2118/2014, 2119/2014, 2120/2014, 2121/2014, 2122/2014, 2123/2014, 2124/2014, 2125/2014, 2126/2014, 2127/2014, 2128/2014, 2129/2014, 2130/2014, 2131/2014, 2132/2014, 2133/2014, 2134/2014, 2135/2014, 2136/2014, 2137/2014, 2138/2014, 2139/2014, 2140/2014, 2141/2014, 2142/2014, 2143/2014, 2144/2014, 2145/2014, 2146/2014, 2147/2014, 2148/2014, 2149/2014, 2320/2015, 2321/2015, 2322/2015, 2323/2015, 2324/2015, 2325/2015, 2326/2015, 2327/2015, 2328/2015, 2329/2015, 2330/2015, 2331/2015, 2332/2015.

27  
ANSWER

1. Additional Chief Secretary FATA, Peshawar  
[in C.Ps. 1653, 2005 to 2020, 2050 to 2069, 2100 to 2149 & 2320 to 2332/2015]
2. The Political Agent/Commissioner Bajaur Levies, Bajaur Agency at  
Khar and another  
[in C.Ps. 1884 to 2004 & 2021 to 2049/2015]

VERSUS

...Petitioner(s)

1. Ajmal and another ...in C.P. 1653/2015
2. Amir Zada and another ...in C.P. 1884/2015
3. Nazir Zada and another ...in C.P. 1885/2015
4. Hamcedullah and another ...in C.P. 1886/2015
5. Rehman-ud-Din and another ...in C.P. 1887/2015
6. Abdul Majid and another ...in C.P. 1888/2015
7. Zarwar and another ...in C.P. 1889/2015
8. Niaz Muhammad and another ...in C.P. 1890/2015
9. Abdul Rasheed and another ...in C.P. 1891/2015
10. Khalil-ur-Rehman and another ...in C.P. 1892/2015
11. Noushad and another ...in C.P. 1893/2015
12. Nawab Khan and another ...in C.P. 1894/2015
13. Mulcamil Shah and another ...in C.P. 1895/2015
14. Waqif Khan and another ...in C.P. 1896/2015
15. Sher Muhammad and another ...in C.P. 1897/2015
16. Abdullah and another ...in C.P. 1898/2015
17. Bashirullah and another ...in C.P. 1899/2015
18. Abdul Subhan and another ...in C.P. 1900/2015
19. Jamshed Khan and another ...in C.P. 1901/2015
20. Abdul Qayyum and another ...in C.P. 1902/2015
21. Javed and another ...in C.P. 1903/2015
22. Hayat-ur-Rehman and another ...in C.P. 1904/2015
23. Sher Badshah and another ...in C.P. 1905/2015
24. Ghulam Younas and another ...in C.P. 1906/2015
25. Asghar Khan and another ...in C.P. 1907/2015
26. Imam Sharif and another ...in C.P. 1908/2015
27. Fuzli Wahid and another ...in C.P. 1909/2015
28. Niamatullah and another ...in C.P. 1910/2015
29. Attaullah and another ...in C.P. 1911/2015
30. Sartaj and another ...in C.P. 1912/2015

ATTESTED

Secretary  
Supreme Court of Pakistan  
Islamabad

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Supreme Court of Pakistan  
Islamabad

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- ...in C.P. 1914/2015
- ...in C.P. 1915/2015
- ...in C.P. 1916/2015
- ...in C.P. 1917/2015
- ...in C.P. 1918/2015
- ...in C.P. 1919/2015
- ...in C.P. 1920/2015
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- ...in C.P. 1966/2015
- ...in C.P. 1967/2015
- ...in C.P. 1968/2015

- 31. Kaimullah and another
- 32. Fayyaz Ali and another
- 33. Agha Ali and another
- 34. Roghayeh and another
- 35. Liqat Ali and another
- 36. Zorvar and another
- 37. Zorvar and another
- 38. Fazel Munson and another
- 39. Muhammad Karim and another
- 40. Niaz Wali and another
- 41. Aziz-Richman and another
- 42. Khwate Richman and another
- 43. Ishaqullah and another
- 44. Syed Ahmed and another
- 45. Zafar Khan and another
- 46. Muhammad Asif and another
- 47. Zafar and another
- 48. Yaqub Muhammad Khan and another
- 49. Ghulam Yousaf and another
- 50. Wajid and another
- 51. Alaygir and another
- 52. Lal Zaman and another
- 53. Nizam-ud-Din and another
- 54. Nisar Khan and another
- 55. Roohul Ami and another
- 56. Said Shah and another
- 57. Muhammad Imran and another
- 58. Zahir Kohin and another
- 59. Ameer Kohin and another
- 60. Jari Muhammad and another
- 61. Muhammad Ayes and another
- 62. Munir Khan and another
- 63. Hassan Khan and another
- 64. Riffat and another
- 65. Muhammad Younas and another
- 66. Jamshed and another
- 67. Moza Ameen and another
- 68. Azeem Jawi and another
- 69. Shah Nawaz and another
- 70. Muhammad Hayat and another
- 71. Lagat Ali and another
- 72. Saida Khan and another
- 73. Fakhri and another
- 74. Awwat Khan and another
- 75. Imran and another
- 76. Habibullah and another
- 77. Maroof and another
- 78. Fazel Maqia and another
- 79. Jamil Hanif and another
- 80. Amir Khan and another
- 81. Luqman and another
- 82. Shier Muhammad and another
- 83. Muhammad Ashun and another
- 84. Zarcen and another
- 85. Abdur Rauf and another
- 86. Muhammad Sahib and another

28

- 87. Hayat Khan and another ...in C.P.1969/2015
- 88. Alamzeb and another ...in C.P.1970/2015
- 89. Muhammad Noor and another ...in C.P.1971/2015
- 90. Khan Wali and another ...in C.P.1972/2015
- 91. Sabitullah and another ...in C.P.1973/2015
- 92. Said Aziz and another ...in C.P.1974/2015
- 93. Farman and another ...in C.P.1975/2015
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- 95. Noor Rehman and another ...in C.P.1977/2015
- 96. Ibrahim and another ...in C.P.1978/2015
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- 98. Saranullah and another ...in C.P.1980/2015
- 99. Gul Qasim and another ...in C.P.1981/2015
- 100. Munasib and another ...in C.P.1982/2015
- 101. Muhammad Kalam and another ...in C.P.1983/2015
- 102. Dilawar Khan and another ...in C.P.1984/2015
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- 104. Shafiqullah and another ...in C.P.1986/2015
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- 106. Musafar Khan and another ...in C.P.1988/2015
- 107. Ismail and another ...in C.P.1989/2015
- 108. Faizullah and another ...in C.P.1990/2015
- 109. Mansoor Ahmed and another ...in C.P.1991/2015
- 110. Shah Khalid and another ...in C.P.1992/2015
- 111. Inayatullah and another ...in C.P.1993/2015
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- 113. Fazlur Rehman and another ...in C.P.1995/2015
- 114. Chinar and another ...in C.P.1996/2015
- 115. Bakhtawar and another ...in C.P.1997/2015
- 116. Abdul Wakil and another ...in C.P.1998/2015
- 117. Muhammad Zubair and another ...in C.P.1999/2015
- 118. Subhanullah and another ...in C.P.2000/2015
- 119. Khan Alam and another ...in C.P.2001/2015
- 120. Khayesta Gul and another ...in C.P.2002/2015
- 121. Asad Khan and another ...in C.P.2003/2015
- 122. Ejaz Ali and another ...in C.P.2004/2015
- 123. Mansim Khan and another ...in C.P.2005/2015
- 124. Ruffiq and another ...in C.P.2006/2015
- 125. Mahibullah and another ...in C.P.2007/2015
- 126. Noor Zada and another ...in C.P.2008/2015
- 127. Shuma-ur-Rehman and another ...in C.P.2009/2015
- 128. Saeedullah and another ...in C.P.2010/2015
- 129. Zareen Said and another ...in C.P.2011/2015
- 130. Ohulam Qadar and another ...in C.P.2012/2015
- 131. Azizullah and another ...in C.P.2013/2015
- 132. Hayat Zaimo and another ...in C.P.2014/2015
- 133. Zahid Ullah and another ...in C.P.2015/2015
- 134. Imran Khan and another ...in C.P.2016/2015
- 135. Abid and another ...in C.P.2017/2015
- 136. Rehmat Din Jan and another ...in C.P.2018/2015
- 137. Muhammad Zada and another ...in C.P.2019/2015
- 138. Anwar Zeb and another ...in C.P.2020/2015
- 139. Muhammad Nazzer and another ...in C.P.2021/2015
- 140. Badshah Munir and another ...in C.P.2022/2015
- 141. Alamzeb and another ...in C.P.2023/2015
- 142. Shoaib and another ...in C.P.2024/2015

29

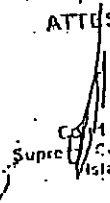
ATTESTED

Senior Associate  
Sindh High Court of Pakistan  
Islamabad

**ATTESTED**

143. Tahiq and another	...in C.P.2025/2015
144. Sharifullah and another	...in C.P.2026/2015
145. Obaidullah and another	...in C.P.2027/2015
145. Musharaf Khan and another	...in C.P.2028/2015
147. Abdul Wadood and another	...in C.P.2029/2015
148. Mujeebullah and another	...in C.P.2030/2015
149. Mohabat Khan and another	...in C.P.2031/2015
150. Jehangir Khan and another	...in C.P.2032/2015
151. Ajab noor and another	...in C.P.2033/2015
152. Bacha Rehman and another	...in C.P.2034/2015
153. Hanif-ur-Rehman and another	...in C.P.2035/2015
154. Sajjad Ahmed and another	...in C.P.2036/2015
155. Rizwan Ullah and another	...in C.P.2037/2015
156. Muzaffar Khan and another	...in C.P.2038/2015
157. Alamger and another	...in C.P.2039/2015
158. Liaquat Ali and another	...in C.P.2040/2015
159. Sayed Zareen and another	...in C.P.2041/2015
160. M. Idrees and another	...in C.P.2042/2015
161. Riaz Khan and another	...in C.P.2043/2015
162. Fazal Rehman and another	...in C.P.2044/2015
163. Hayat Ullah and another	...in C.P.2045/2015
164. Anwar-ud-Din and another	...in C.P.2046/2015
165. Patch Muhammad and another	...in C.P.2047/2015
166. Hayatullah and another	...in C.P.2048/2015
167. Zafar Ali Khan and another	...in C.P.2049/2015
168. Mustamar Khan and another	...in C.P.2050/2015
169. Khairata Jan and another	...in C.P.2051/2015
170. Rehman Yousaf and another	...in C.P.2052/2015
171. Nasir Ali Khan and another	...in C.P.2053/2015
172. Attaullah and another	...in C.P.2054/2015
173. Ashfaq and another	...in C.P.2055/2015
174. Imran and another	...in C.P.2056/2015
175. Noor Hakeem and another	...in C.P.2057/2015
176. Muhammad Israr and another	...in C.P.2058/2015
177. Said Ghani and another	...in C.P.2059/2015
178. Syed Habib Jan and another	...in C.P.2060/2015
179. Taj Meer and another	...in C.P.2061/2015
180. Rafi-ud-Din and another	...in C.P.2062/2015
181. Moghtaber Khan and another	...in C.P.2063/2015
182. Zahid Hussain and another	...in C.P.2064/2015
183. Muhammad Ayub and another	...in C.P.2065/2015
184. Bahar-ud-Din and another	...in C.P.2066/2015
185. Sajjad Ahmed and another	...in C.P.2067/2015
186. Fazal Malik and another	...in C.P.2068/2015
187. Hussain Shah and another	...in C.P.2069/2015
188. Bahadar and another	...in C.P.2100/2015
189. Bacha Rahim and another	...in C.P.2101/2015
190. Fazal Subhan and another	...in C.P.2102/2015
191. Fareedullah and another	...in C.P.2103/2015
192. Nadir Shah and another	...in C.P.2104/2015
193. Rehmanullah and another	...in C.P.2105/2015
194. Gul Badshah and another	...in C.P.2106/2015
195. Ihsanullah and another	...in C.P.2107/2015
196. Tilla Muhammad and another	...in C.P.2108/2015
197. Israr Khan and another	...in C.P.2109/2015
198. Abdur khalim and another	...in C.P.2110/2015

ATTSTED

  
 Associate  
 Supreme Court of Pakistan  
 Islamabad

**ATTESTED**



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|-----------------------------------|---------------------|
| 199. Wali Khan and another        | ...in C.P.2111/2015 |
| 200. Umer Ayub and another        | ...in C.P.2112/2015 |
| 201. Shakirullah and another      | ...in C.P.2113/2015 |
| 202. Fazal Karim and another      | ...in C.P.2114/2015 |
| 203. Khan Sher and another        | ...in C.P.2115/2015 |
| 204. Shamroz Khan and another     | ...in C.P.2116/2015 |
| 205. Raiz Wali and another        | ...in C.P.2117/2015 |
| 206. Rehman Wali and another      | ...in C.P.2118/2015 |
| 207. Ilham-ud-Din and another     | ...in C.P.2119/2015 |
| 208. Muhammad Iqbal and another   | ...in C.P.2120/2015 |
| 209. Safdar Khan and another      | ...in C.P.2121/2015 |
| 210. Imran and another            | ...in C.P.2122/2015 |
| 211. Hidayatullah and another     | ...in C.P.2123/2015 |
| 212. Fareedullah and another      | ...in C.P.2124/2015 |
| 213. Fazali Subhan and another    | ...in C.P.2125/2015 |
| 214. Rehmat Gul and another       | ...in C.P.2126/2015 |
| 215. Abdur Rauf and another       | ...in C.P.2127/2015 |
| 216. Roohullah and another        | ...in C.P.2128/2015 |
| 217. Amir Zaena and another       | ...in C.P.2129/2015 |
| 218. Rahim Gul and another        | ...in C.P.2130/2015 |
| 219. Qadir Khan and another       | ...in C.P.2131/2015 |
| 220. Said Nawab and another       | ...in C.P.2132/2015 |
| 221. Jabil-ud-Din and another     | ...in C.P.2133/2015 |
| 222. Imran Khan and another       | ...in C.P.2134/2015 |
| 223. Sahibzada and another        | ...in C.P.2135/2015 |
| 224. Idrees and another           | ...in C.P.2136/2015 |
| 225. Taj Muhammad and another     | ...in C.P.2137/2015 |
| 226. Rayaz and another            | ...in C.P.2138/2015 |
| 227. Fazal Wadood and another     | ...in C.P.2139/2015 |
| 228. Khunzab and another          | ...in C.P.2140/2015 |
| 229. Rohat Muhammad and another   | ...in C.P.2141/2015 |
| 230. Iqbal and another            | ...in C.P.2142/2015 |
| 231. Kamal Habib and another      | ...in C.P.2143/2015 |
| 232. Sajjad Ali and another       | ...in C.P.2144/2015 |
| 233. Ali Rehman and another       | ...in C.P.2145/2015 |
| 234. Muhammad Ijaz and another    | ...in C.P.2146/2015 |
| 235. Noor Muhammad and another    | ...in C.P.2147/2015 |
| 236. Muhammad and another         | ...in C.P.2148/2015 |
| 237. Khaista Muhammad and another | ...in C.P.2149/2015 |
| 238. Ayub Khan                    | ...in C.P.2328/2015 |
| 239. Abdur Rashid and another     | ...in C.P.2329/2015 |
| 240. Dost Rehman and another      | ...in C.P.2330/2015 |
| 241. Aminullah and another        | ...in C.P.2331/2015 |
| 242. Abdul Akbar Khan and another | ...in C.P.2332/2015 |

31

For the petitioner(s): Mr. M. Waqar Ahmed Khan, Addl.A.G. KPK  
(in all cases)

For the respondent(s): Not represented  
(in all cases)

Date of hearing: 20.10.2015

ATTESTED

Secretary  
Court of Pakistan  
Islamabad

ATTESTED

**ORDER**

**MIAN SAQIB NISAR, J.:** Having considered the submissions made by the learned counsel for the petitioners, we are of the view that before the imposition of major penalty upon the respondents qua dismissal, regular inquiry should have been conducted in the matter and this is also what has been stated by the learned Tribunal. Thus the petitioners shall after issuance of notice to the respondents hold an inquiry as per the law and proceed to take appropriate action. This, however, shall in no manner be considered to be waiving off of the objection of the petitioners regarding the jurisdiction of learned Tribunal which according to the petitioners' case is lacking on account of the bar contained in Article 247 of the Constitution of Islamic Republic of Pakistan, 1973. However, after the inquiry if any adverse action is taken against the respondents, they may approach the appropriate forum available to them under the law. The back benefits of the respondents shall be dependent upon the inquiry completed and the result thereof. The inquiry should be completed within six months from today. Limitation is confined in those cases which are barred by time. All these matters are disposed of accordingly.

39



Sd/- Mian Saqib Nisar, J.  
 Sd/- Gulzar Ahmed, J.  
 Sd/- Maqbool Baqir, J.

Certified to be True Copy

Copy Attached  
 Supreme Court of Pakistan  
 Islamabad

Ishratulhaq, the  
 20th October, 2015  
 Not Approved For Reporting  
 Syed Hussain

Case No: 14700/15  
 Date of presentation: 22/10/15  
 No. of pages: 10  
 No. of Exhibits: 18  
 Date of filing: 22/10/15  
 Date of disposal: 29/10/15  
 Date of preparation: 29/10/15  
 Prepared by: A-A-16/10/15

**ATTESTED**



Phone # (0942-220559)

ANNEX C 33

# OFFICE OF THE

**ASSTT: POLITICAL AGENT BAJAUR/  
Addl: District Magistrate, Khar.  
DEPUTY COMMANDANT BAJAUR LEVIES.**

No. 4340 /APA/ADM Khar Dated 22-07-2016.

To,

**The worthy Political Agent,  
Bajaur/ Authority.**

**Subject: NOTIFICATION/ INQUIRY OF THE 242 PERSONNEL OF BAJAUR LEVIES FORCE.**

Memo:

Kindly refer to your good office notification No. 1688/BL dated 14-12-2015 and in continuation of this office memo: No. 3628/APA/ADM (K) dated 08-06-2016, on the caption cited above.

In obedience of the judgment dated 20-10-2015 of the honourable Supreme Court of Pakistan in a Civil Petition No. 1653, 1884 to 2069, 2100 to 2149 and 2328 to 2332 of 2015, general findings/ recommendations of inquiry conducted by the committee constituted for the purpose vide notification under reference and verification conducted by the Security Agencies vide No. 5347/2/Verification/IS/BA dated 21<sup>st</sup> April, 2016, the proposal for re-instatement of the following personnel of Bajaur Levies/ Khassadars is forwarded herewith for further orders under the rules, please:

S#	Name of the personnel	Regiment No.	Clarification of the Security Agencies	Remarks/ reasons recorded by the committee during the course of inquiry
1.	Sepoy Fazal Wahid	4185	Clear	Recommended for minor penalties.
2.	Sepoy Nazir Zada	5043	Clear	Recommended for minor penalties.
3.	Sepoy Khalilur Rehman	5358	Clear	Recommended for minor penalties.
4.	Sepoy Sher Muhammad	4708	Clear	Recommended for minor penalties.
5.	Sepoy Abdullah	3413	Clear	Recommended for minor penalties.
6.	Sepoy Abdul Subhan	3415	Clear	Recommended for minor penalties.
7.	Sepoy Sher Badshah	5196	Clear	Recommended for minor penalties.
8.	Sepoy Taj Wali	4874	Clear	Recommended for minor penalties.
9.	Sepoy Akhtar Ali	4621	Clear	Recommended for minor penalties.
10.	Sepoy Khaista Rehman	5140	Clear	Recommended for minor penalties.
11.	Sepoy Nisar Khan	5077	Clear	Recommended for minor penalties.
12.	Sepoy Roothul Amin	4293	Clear	Recommended for minor penalties.
13.	Sepoy Said Shah Ali	4140	Clear	Recommended for minor penalties.
14.	Sepoy Mozamin	4384	Clear	Recommended for minor penalties.
15.	Sepoy Shah Nawaz	4850	Clear	Recommended for minor penalties.
16.	Sepoy Muhammad Hayat	4295	Clear	Recommended for minor penalties.
17.	Sepoy Luqman	4964	Clear	Recommended for minor penalties.
18.	Sepoy Sabitullah	4021	Clear	Recommended for minor penalties.
19.	Sepoy Ibrahim	3390	Clear	Recommended for minor penalties.
20.	Sepoy Dilawar Khan	4374	Clear	Recommended for minor penalties.
21.	Sepoy Habibullah	4333	Clear	Recommended for minor penalties.
22.	Sepoy Faizullah	4366	Clear	Recommended for minor penalties.
23.	Sepoy Mansoor Ahmad	6217	Clear	Recommended for minor penalties.

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24.	Sepoy Shah Khalid	6196	Clear	Recommended for minor penalties.
25.	Sepoy Sahib Zada	4468	Clear	Recommended for minor penalties.
26.	Sepoy Rafiq	5109	Clear	Recommended for minor penalties.
27.	Sepoy Muhibullah	5085	Clear	Recommended for minor penalties.
28.	Sepoy Saeedullah	4279	Clear	Recommended for minor penalties.
29.	Sepoy Badshah Munir	4368	Clear	Recommended for minor penalties.
30.	Sepoy Alam Zeb	4371	Clear	Recommended for minor penalties.
31.	Sepoy Sharifullah	4388	Clear	Recommended for minor penalties.
32.	Sepoy Sajjad Ahmad	5228	Clear	Recommended for minor penalties.
33.	Sepoy Muhammad Idrees	5009	Clear	Recommended for minor penalties.
34.	Sepoy Anwaruddin	4009	Clear	Recommended for minor penalties.
35.	Sepoy Hayatullah	4651	Clear	Recommended for minor penalties.
36.	Sepoy Ashfaq	4912	Clear	Recommended for minor penalties.
37.	Sepoy Said Habib Jan	4322	Clear	Recommended for minor penalties.
38.	Sepoy Bacha Rahim	4710	Clear	Recommended for minor penalties.
39.	Sepoy Fazal Subhan	4515	Clear	Recommended for minor penalties.
40.	Sepoy Faridullah	5764	Clear	Recommended for minor penalties.
41.	Sepoy Nadar Shah	4011	Clear	Recommended for minor penalties.
42.	Sepoy Rahmanullah	4016	Clear	Recommended for minor penalties.
43.	Sepoy Ihsanullah	4415	Clear	Recommended for minor penalties.
44.	Sepoy Fazal Karim	4008	Clear	Recommended for minor penalties.
45.	Sepoy Riaz Wali	4528	Clear	Recommended for minor penalties.
46.	Sepoy Taj Muhammad	5075	Clear	Recommended for minor penalties.
47.	Sepoy Khan Zeb	5040	Clear	Recommended for minor penalties.
48.	Sepoy Rahat Muhammad	5090	Clear	Recommended for minor penalties.
49.	Sepoy Muhammad Eijaz	3313	Clear	Recommended for minor penalties.
50.	Sepoy Amin Ullah	4705	Clear	Recommended for minor penalties.

GENERAL RECOMMENDATIONS OF THE INQUIRY COMMITTEE:

- i. The Competent Authority may take action/ decision in light of available record which is placed in the main file on serial numbers a mentioned in the notification ibib and which is also summarized in Para No. 7/N above and remove/ dismiss those who remained absent from duty.
- ii. The Competent Authority may keep in consideration the previous precedents where some other levy personnel who were dismissed/ removed along with the levy personnel who are now under the subject inquiry, the earlier had already been reinstated into services within previous year or two.
- iii. The Competent Authority may also keep into notice the situation prevailed during 2007 to 2010, which is also pertinent from their written statement and expressed in their personal hearing that it was next to impossible to compete with huge number of miscreants with almost no resources. In such a situation, sympathetic consideration may be give to these 242 Levy personnel and to be reinstated in service with immediate effect subject to the satisfaction of the Superior Officers wherein each and every person may be passed through verification process, necessary refreshing courses/ training and probation period.

**ATTESTED**

The Competent Forum/ Authority may take any other decision in light of the above points, if agreed and with is in best public interest.

v. Para-7/N stated in the aforementioned Para-i is reproduced below:

"VII. This is also surprising to note that when they (242 Levies Personnel) were dismissed/ removed from their services because of their absentees from duty or because of some miscreants attacked on a levy piquet or Civil Colony Newagai which was entrusted to them for protection, or either they were frightening from the militants activities and left the duty places or they remained away from their duty because they were shifting their families to a safe places during the period to 2007 to 2010; the question is why they remained disinterested for such a long time to be reinstated.  
Explanation: A Levy personnel dismissed from his service in 2007, 2008, 2009 or in 2010 and he did not struggle to submit his appeal/ application for his reinstatement into service to his competent forum/ authority but intentionally remained reluctant from initiative shows their irresponsible attitude and kept themselves aloof from the duties and they were waiting for godof"

vi. Keeping in view the judgment of the honourable Supreme Court of Pakistan and Para.ii and iii of the general recommendation of the inquiry committee, all the ~~50~~ personnel mentioned above are recommended for re-instatement, please.

(Inquiry Officer)  
Asstt: Political Agent  
Addl: District Magistrate,  
Khar, Bajaur Agency.

**ATTESTED**



Phone # (0912-220551)

36  
**OFFICE OF THE**  
**ASSTT: POLITICAL AGENT KHAR/**  
**DEPUTY COMMANDANT BAJAUR LEVIES**

**OFFICE ORDER.**

No. 3725/APA (K)/ B.L.

Dated Khar the 14-06-2016.

In continuation of this office order No. 2884/APA (K)/ B.L. dated 29-04-2016 and in pursuance of the judgment dated 20-10-2015 of the honourable Supreme Court of Pakistan in a Civil Petition No. 1653, 1884 to 2069, 2100 to 2149 and 2328 to 2332 of 2015, consequent upon the findings/ recommendations No. ii, iii & vi of the inquiry conducted by the committee constituted for the purpose vide notification No. 1688/B.L. dated 14-12-2016, verification conducted by the Security Agencies vide No. 5347/2/Verification/IS/BA dated 21<sup>st</sup> April, 2016, approval of the worthy Political Agent/ Commandant Bajaur Levies, the following personnel are hereby re-instated into service with immediate effect at the bottom of the seniority with no back benefits etc. The intermission between date of dismissal and dated of re-instatement will be treated as leave without pay:

S#	Name of the personnel	Regiment No.
1.	Sepoy Ajmal	4303
2.	Sepoy Amir Zada	4305
3.	Sepoy Zarawar	3621
4.	Sepoy Abdur Rasheed	5766
5.	Sepoy Nawab Khan	4701
6.	Sepoy Mukamil Shah	4192
7.	Sepoy Jamsheed Khan	4196
8.	Sepoy Abdul Qayum	4296
9.	Sepoy Javid	4228
10.	Sepoy Sirtaj	5105
11.	Sepoy Roohullah	5106
12.	Sepoy Liaqat Ali	4714
13.	Sepoy Khalid	4026
14.	Sepoy Alamgir Khan	4830
15.	Sepoy Nizamuddin	5074
16.	Sepoy Mamoor Khan	4554
17.	Sepoy Sepoy Rofat	4222
18.	Sepoy Sepoy Jamshid	4561
19.	Sepoy Azim Jan	4670
20.	Sepoy Liaqat Ali	4574
21.	Sepoy Saida Khan	3966
22.	Sepoy Asmat Khan	4623
23.	Sepoy Imranullah	4775
24.	Sepoy Jamal Nasir	4867
25.	Sepoy Muhammad Aslam	4390
26.	Sepoy Hayat Khan	4872
27.	Sepoy Alam Zeb	3984
28.	Sepoy Said Aziz	4876
29.	Sepoy Farman	4630
30.	Sepoy Manasib Khan	5909

*(Signature)*

31.	Sepoy Ahmad Yousaf	4854
32.	Sepoy Ismail	4455
33.	Sepoy Inayat Ullah	4456
34.	Sepoy Fazal Rehman	3589
35.	Sepoy Chinar	5453
36.	Sepoy Bakhtawar	5042
37.	Sepoy Abdul Wakil	6489
38.	Sepoy Subhanullah	4454
39.	Sepoy Khaista Gul	4449
40.	Sepoy Ijaz Ali	4042
41.	Sepoy Zahid Ullah	3990
42.	Sepoy Muhammad Zada	5373
43.	Sepoy Abdul Wadood	4006
44.	Sepoy Jhangir Khan	5141
45.	Sepoy Ajab Noor	5917
46.	Sepoy Rizwanullah	5642
47.	Sepoy Riaz Khan	4688
48.	Sepoy Hayatullah	4772
49.	Sepoy Zafar Ali Khan	3862
50.	Sepoy Must Mir Khan	5962
51.	Sepoy Rehan Yousaf	4212
52.	Sepoy Noor Hakim	4677
53.	Sepoy Israruddin	4957
54.	Sepoy Rafiuddin	4682
55.	Sepoy Mutabar Khan	4843
56.	Sepoy Zahid Hussain	4667
57.	Sepoy Muhammad Ayub	5806
58.	Sepoy Sajjad Ahmad	5296
59.	Sepoy Hussain Shah	3628
60.	Sepoy Tilla Muhammad	4508
61.	Sepoy Israr Khan	5179
62.	Sepoy Abdur Rahim	5883
63.	Sepoy Wali Khan	4147
64.	Sepoy Muhammadin	5057
65.	Sepoy Safdar Khan	5176
✓ 66.	Sepoy Imran	4769
67.	Sepoy Hidayatullah	4872
68.	Sepoy Roohullah	3639
69.	Sepoy Imran Khan	4321
70.	Sepoy Idrees Khan	4924
71.	Sepoy Sajjad Ali	4845
72.	Sepoy Abdur Rashid	5172
73.	Sepoy Abdul Akbar Khan	4163

37

This order is hereby considered as last chance and if any such negligence happened in future on the part of any of the above, he will be treated as dismissed. This is further hereby ordered that they will go through compulsory training, so as to restore their energies and to develop their professionalism being a force.



  
Asstt. Political Agent Khar/  
Deputy Commandant Bajaur Levies.

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No. 3726-24/ APA (K) / B.L.

Dated Khar the 14-06-2016.

Copies forwarded to: -

1. The honourable Registrar, Supreme Court of Pakistan, for information.
2. The Secretary SAFRON Division; Islamabad.
3. The Registrar Federal Service Tribunal Islamabad.
4. The Secretary Home and Interior Department, Peshawar.
5. The Secretary Law & Order, FATA Secretariat, Peshawar.
6. The Commissioner Malakand Division at Saidu Sharif Swat.

For Information please.

7. The worthy Political Agent/ Commandant Bajaur Levies, for information and with the remark that though the process of inquiry has been completed, however, recommendation in respect of the remaining personnel will be submitted soon after receipt of clearance from the Security Agencies.
8. The Asstt: Political Agent, Nawagai for information.
9. Agency Accounts Officer, Bajaur for information and necessary action.
10. SM Bajaur Levies for information and necessary action.
11. Personnel concerned for information and compliance, immediately.

*[Signature]*  
 Asstt. Political Agent Khar/  
 Deputy Commandant Bajaur Levies.



**OFFICE OF THE**  
**ASST. POLITICAL AGENT KHAR/**  
**DEPUTY COMMANDANT BAJAUR LEVIES.**

**OFFICE ORDER.**

No. 445/1/APA (K)/B.L.

Dated Khar the 28-07-2016.

-38

In continuation of this office order No. 7725/APA (K)/ B.L. dated 14-06-2016 and in pursuance of the judgment dated 20-10-2015 of the honourable Supreme Court of Pakistan in a Civil Petition No. 1653, 1884 to 2069, 2100 to 2149 and 2328 to 2332 of 2015, consequent upon the findings/ recommendations No. ii, iii & vi of the inquiry conducted by the committee constituted for the purpose vide notification No. 1688/B.L dated 14-12-2016, verification conducted by the Security Agencies vide No. 5347/2/Verification/IS/BA dated 19<sup>th</sup> July, 2016, approval of the Worthy Political Agent/ Commandant Bajaur Levies, the following 50 personnel are hereby reinstated into service with immediate effect at the bottom of the seniority with no back benefits etc. The intermission between date of dismissal and dated of reinstatement will be treated as leave without pay:

S/No	Name of the personnel	Regiment No.	Remarks
1	Sepoy Fazal Wahid	4185	R-2458/BL dt: 10-8-2008 ✓
2	Sepoy Nazir Zada	5043	Vp No. 2415/BL dt: 5-12-2008 ✓
3	Sepoy Khalilur Rehman	5358	D-2199/BL dt: 18-7-2008 ✓
4	Sepoy Sher Muhammad	4708	D-No. 2367/BL dt: 17-11-2008 ✓
5	Sepoy Abdullāh	3413	D-2252-89/BL dt: 3-8-2008 ✓
6	Sepoy Abdul Subhan	3415	D-No. 2961/BL dt: 11-12-2009 ✓
7	Sepoy Sher Badshah	5196	D-No. 1877/BL dt: 27-9-2008 ✓
8	Sepoy Taj Wali	4874	R-No. 2253/BL dt: 17-12-2007 ✓
9	Sepoy Akhtar Ali	4621	D-No. 91/BL dt: 15-12-2008 ✓
10	Sepoy Khalifa Rehman	5140	R-513 dt: 23-2-2008 ✓
11	Sepoy Nisar Khan	5071	P-No. 2252/BL dt: 3-8-2009 ✓
12	Sepoy Rasool Amin	5073	D-No. 216/BL dt: 20-2-2008 ✓
13	Sepoy Saïd Shah Ali	4140	D-No. 2032/BL dt: 20-10-2008 ✓
14	Sepoy Mozaffar	4384	
15	Sepoy Shah Nawaz	4850	R-No. 556/BL dt: 24-2-2008 ✓
16	Sepoy Muhammad Hayat	4295	D-No. 2202/BL dt: 26-11-2008 ✓
17	Sepoy Luqman	4964	R-No. 2167/BL dt: 7-12-2008 ✓
18	Sepoy Subhanullah	4002	P-No. 1317/BL dt: 27-6-2008 ✓
19	Sepoy Ibrahim	3390	
20	Sepoy Dilawar Khan	4374	D-No. 2415/BL dt: 5-12-2008 ✓
21	Sepoy Habibullah	4333	D-No. 2032/BL dt: 20-10-2008 ✓
22	Sepoy Falzullah	4366	D-No. 2415/BL dt: 5-12-2008 ✓
23	Sepoy Mansoor Ahmad	6217	D-No. 264/BL dt: 19-2-2011 ✓
24	Sepoy Shah Khalid	6196	
25	Sepoy Sahib Zada	4468	
26	Sepoy Rafiq	5109	D-No. 1877/BL dt: 27-9-2008 ✓
27	Sepoy Muhibullah	5085	R-No. 2961/BL dt: 11-12-2009 ✓
28	Sepoy Saïdullah	4279	
29	Sepoy Badshah Munir	4368	D-No. 216/BL dt: 20-2-2008 ✓
30	Sepoy Akhtar Zair	4371	R-No. 642/BL dt: 3-8-2009 ✓
31	Sepoy Sharifullah	4388	D-No. 2032/BL dt: 20-10-2008 ✓
32	Sepoy Sajjad Ahmad	5298	D-No. 1816/BL dt: 15-9-2008 ✓

**ATTESTED**

35	Sepoy Muhammad Farooq	4009 R. No. 2161/BL dt. 6.12.2007 ✓
36	Sepoy Anwaruddin	4651
37	Sepoy Hayatullah	4912 R. No. 2161/BL dt. 6.12.2007 ✓
38	Sepoy Ashfaq	4322 D. No. 444/BL dt. 20.3.2008 ✓
39	Sepoy Saïd Habib Jan	4710 R. No. 477/BL dt. 6.12.2007 ✓
40	Sepoy Bacha Rahim	4515 R. No. 2161/BL dt. 6.12.2007 ✓
41	Sepoy Fazal Sulhan	5764 R. No. 393/BL dt. 16.3.2010 ✓
42	Sepoy Faridullah	1011 R. No. 2155/BL dt. 6.12.2007 ✓
43	Sepoy Nader Shah	4016 D. No. 1441/BL dt. 12.7.2008 ✓
44	Sepoy Rahimullah	4415 D. 698/BL dt. 24.4.2008 ✓
45	Sepoy Ihsanullah	4008 R. No. 2195/BL - 13.12.2007 ✓
46	Sepoy Fazal Karim	4528 R. No. 2167/BL dt. 7.12.2007 ✓
47	Sepoy Riaz Wali	5075 D. No. 1135/BL dt. 7.7.2008 ✓
48	Sepoy Taj Muhammad	5040 R. No. 513/BL dt. 23.2.2009 ✓
49	Sepoy Khan Zeb	5090 D. No. 1935/BL dt. 8.10.2008 ✓
50	Sepoy Rahat Muhammad	3313 R. No. 297/BL dt. 10.2.2009 ✓
51	Sepoy Muhammad Eijaz	4705 R. No. 223/BL dt. 2.2.2009 ✓
52	Sepoy Armin Ullah	

This order is hereby considered as last chance and if any such negligence happened in future on the part of any of the above, he will be treated as dismissed. It is further hereby ordered that they will go through compulsory training, so as to give their energies and to develop their professionalism being a force.

Asstt. Political Agent Khar/  
Deputy Commandant Bajaur Levies.

U/S 2(2) APA (K)/ B.L.

Dated Khar the 28-07-2016.

Copies forwarded to :-

1. The honourable Registrar, Supreme Court of Pakistan, for information.
2. The Secretary SAFRON Division, Islamabad.
3. The Registrar Federal Service Tribunal Islamabad.
4. The Secretary Home and Interior Department, Peshawar.
5. The Secretary Law & Order, FATA Secretariat, Peshawar.
6. The Commissioner Malakand Division at Saidu Sharif Swat.
7. The worthy Political Agent/ Commandant Bajaur Levies, for information and with the remark that though the process of inquiry has been completed, however, recommendation in respect of the remaining personnel will be submitted soon after receipt of clearance from the Security Agencies.
8. The Asstt. Political Agent, Nawagai for information.
9. Agency Accounts Officer, Bajaur for information and necessary action.
10. SM Bajaur Levies for information and necessary action.
11. Personnel concerned for information and compliance, immediately.

For Information please.

Asstt. Political Agent Khar/  
Deputy Commandant Bajaur Levies.

**ATTESTED**

DECISION ON THE REPRESENTATION DATED 28/07/2016 OF SAID HABIB  
JAN R. NO 4322 SEPOY BAJAUR LEVIES KHAR.

ORDER

Dated of personnel hearing : 21/02/2017

Date of Order. 24/02/2017

-40-  
ANNEX E

Being aggrieved of the order dated 28/07/2016, Said Habib Jan Sepoy Bajaur levies filed representation dated 29/07/2016 to secretary SAFRON which is now received to this office for passing an order.

Said Habib Jan Sepoy was summoned for hearing who attended this office on 21/02/2017, he was questioned to explain his 08 Days, 04 Months and 08 years absence from duty without permission and to explain whether during absence he was involved in any beneficial business/Services, and to also explain the service break for the stipulated period.

The appellant/applicant did not explained his unauthorized absence from duty and he admitted that during the aforementioned period of his absence he had not turned to attend his duty nor has filed any departmental appeal before the political Agent/Secretary Law & Order FATA Secretariat Peshawar while according to the secret inquiry conducted established that he was running a Health clinic at Salarzai and then he went for business to Karachi till his re-instatement into service.

The appellant heard and record perused. The services of the levies personnel is governed by levies service rules and according to rule 14, there is only 10 days long leave provision in the levies service rules that too with the permission of the competent authority. In service discipline he can earn leave on his own right, but for its grant, he must have followed proper procedure provided under the rules. He was not supposed to avail any kind of leave entirely in his discretion and choice in departure to the rules and service discipline. Absence from duty without leave, even if not willful, but same being an act of disorder in service would constitute gross misconduct. His absence from duty was converted into extra ordinary leave without pay. It is well established fact that extra ordinary leave without pay causes break in service, more so during that period such person does not render service to Government, nor it can be treated as qualifying service for the purpose of pension and gratuity involving financial implication to the Govt, and it cause unnecessary illegal loss to public treasury.

In such like situation his services shall not be treated at par with those personnel who performed their duties perfectly, without break and regularly, and they should not be suffered and disturbed for a person who did not care of his service. Thus I am not inclined to interfere or modify order dated 28/07/2016, therefore, his representation/Appeal is hereby dismissed.

  
POLITICAL AGENT/  
COMMANDANT BAJAUR LEVIES.

Said Habib Jan Sepoy Regt: No. 4322  
Address .....

**ATTESTED**

26 APR 2017

Order Sheet

IN THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD

Appeals No.599 to 602(P)CS/2016

Tila Muhammad and others

Vs.

Ministry of States and Frontier Regions (SAFRON) etc.

-41-

ANNEX F

25.04.2017 BEFORE: Mr. Justice (R) Sayed Zahid Hussain, Chairman and Dr. Nazir Saeed, Member

Miscellaneous Petition No.2354/2016:

PRESENT: Rana Samreen Akhtar, Advocate for the petitioner  
Syed Sardar Hussain, Advocate for the respondents  
Mian Zahid Jan, Reader as DR.

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A copy of the order dated 24.02.2017 of the decision on representation of the petitioner has been produced today and has been delivered to the learned counsel for the petitioners also. In such view of the matter, the order dated 28.10.2016 stands implemented and this petition has become infructuous. The learned counsel however states that the petitioners would avail remedy against the above mentioned order in accordance with law.

The petition is disposed of accordingly.

Sd-  
MEMBER

Sd-  
CHAIRMAN

*Nazir*

897/2017

26-4-2017

**ATTESTED**

IN THE FEDERAL SERVICE TRIBUNAL, 47-ATTATURK AVENUE, SECTOR. G-5/2,  
ISLAMABAD.

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-42- D. No. 11874  
Dated 06 DEC 2019

Subject:- ORDER PASSED IN APPEAL NO. 87 to 89(P)CS-2019, 1118, 1221(P)CS-2017, 862(P)CS-2018, 85, 86, 93, 94, 95, 264(P)CS-2019, 1008, 1010, 1011, 1019, 1022, 1023 to 1026, 1028, 1030, 1031, 1032, 1033, 1035 to 1038, 1042 to 1044, 1088, 1349 to 1351(P)CS-2018, 377(P)CS-2019, 781(P)CS-2017, 742 to 744, 1441(P)CS-2018, 527, 546(P)CS-2016, 857, 858, 974 to 976, 980, 1409 to 1412, 1431, 1503(P)CS-2018, 877 to 880(P)CS-2017, 263, 91, 178, 252, 344, 831 to 835(P)CS-2019, 13(P)CS-2017, 777(P)CS-2019, MISC. PETITIONS NO. 320, 321, 2488, 2487, 2098, 2099, 342 to 359/18, 2144/16, 352 to 354, 1017, 935, 936, 937, 934, 938/17 & 2118/18 IN APPEAL NO.1106, 1116(P)CS-17, 591(P)CS-2015, 38(P)CS-2016, 19(P)CS-2014, 348(P)CS-2014, 1117, 1119 to 1123, 1125 to 1136(P)CS-2017, 340(P)CS-2014, 211(P)CS-2014, 301(P)CS-2014, 312(P)CS-2014, 584(P)CS-2015, 635(P)CS-2015, 10, 14, 24 & 27(P)CS-2016, 27(P)CS-2014, REVIEW PETITIONS NO.78 & 84 to 101/19 IN APPEAL NO. 711, 720 to 726, 760 to 764, 766 to 768 & 776 to 778(P)CS-2017 FILED BY MR. SHER GULAB & OTHERS VS SAFRON ETC.

A certified copy of the judgment passed by this Honourable Tribunal in the appeals/Misc. Petitions/Review Petitions noted in the subject is sent herewith for your information/compliance.

By Order

  
REGISTRAR

To,

1. Mr. Sher Gulab Khan S/o Bacha Syed, R/o Shandai Morh, Shandai, P.O. Khar, Tehsil Khar, District Bajaur.
2. Mr. Najeeb Ullah S/o Shina, R/o Bara Laghary, P.O. Tarkho, Tehsil Mamund, District Bajaur, Khyber Pakhtunkhwa.
3. Mr. Saleem S/o Saeed ur Rehman, R/o Meena Mamund, P.O. Tarkho, Tehsil Mamund, District Tribal Bajaur.
4. Mr. Bacha Muhammad S/o Gul Muhammad R/o Gang, P.O. Khar, Tehsil Khar, District Bajaur Agency.
5. Mr. Muhammad Yar, R/o P.O. Reghangan, Odigerum, Salarzai, District Bajaur Agency.
6. Mr. Shireen S/o Pinda Khan, R/o Pashat, P.O. Khar, Tehsil Salarazai, District Bajaur Agency.
7. Mr. Saur Khan S/o Chamni Khan, R/o Mano Dherai, P.O. Gharday Tehsil Utman Khel, District Bajaur, Khyber Pakhtunkhwa.
8. Mr. Jamal ud Din S/o Munawar, R/o Odigram, P.O. Raghgan, Tehsil Salar Zai, District Bajaur, Khyber Pakhtunkhwa.
9. Mr. Ummer Rehman S/o Wali Muhammad R/o Lagha Post Office Annayat Kalay, Tehsil Memond, District Bajaur Agency.
10. Mr. Mudeer Khan S/o Muhammad Noor R/o Lagha Post Office Annayat Kalay, Tehsil Memond, District Bajaur Agency.
11. Mr. Abdul Azim Jan, Ex-Khasadar, Reg # 3700, Bajaur Levies.
12. Mr. Hayat Khan S/o Mian Gul Jan, R/o GAGA, P.O. Inayat Kalay, Tehsil Momand, Bajaur Agency.
13. Baz Muhammad s/o Sher Muhammad, Ex-Sepoy R.No.4057, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
14. Muhammad Khan s/o Muhammad Ahaz, Ex-Sepoy R.No.4482, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
15. Fos Khan s/o Ahwn, Ex-Sepoy R.No.5822, Bajaur Levies R/o Kat Kot P.O.Tarkho, Bajaur Agency.
16. Mr. Abdul Rehman S/o Nadir Khan, R/o Bati Khar, Bajaur Agency.
17. Muhammad s/o Murad Gul, Ex-Sepoy R.No.4437, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
18. Wazir Khan s/o Khial Gul, Ex-Sepoy R.No.4474, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
19. Faiz Khan s/o Shehzada, Ex-Sepoy R.No.4715, Bajaur Levies R/o Mandal Tehsil Khar, Bajaur Agency.

**ATTESTED**

9

**ATTENDED**

20. Abdul Hadi s/o Muhammad Hassan, Ex-Sepoy R.No.4497, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
21. Shoukatullah s/o Musafar Ex-Sepoy R. No.5821 Bajaur Levies R/o Kat Kot P.O. Tarkho, Bajaur Agency.
22. Sultan Muhammad s/o Abdul Ameen, Ex-Sepoy R.No.5425, Bajaur Levies R/o Khar, Tehsil Salarzai, Bajaur Agency.
23. Sardar Alam s/o Muhammad Alam, Ex-Sepoy R.No.4490, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
24. Noor Sim s/o Saz Noor, Ex-Sepoy R.No.4425, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
25. Waheedullah s/o Lal Khan, Ex-Sepoy R.No.4436, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
26. Qadir Khan s/o Hazrat Gul, Ex-Sepoy R.No.4426, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
27. Niaz Muhammad s/o Taj Muhammad Said, Ex-Sepoy R.No.4498, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
28. Gul Bar Gul s/o Alam Khail, Ex-Sepoy R.No.4493, Bajaur Levies R/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
29. Naeem s/o Behram Khan Ex-Sepoy R. No.4466 Bajaur Levies R/o Dabar Barsadin P.O. Pasht Salarzai, Bajaur Agency.
30. Asmad Yar s/o Syed Akber Khan, Ex-Sepoy R.No.4431, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
31. Noor Muhammad s/o Niaz Muhammad, Ex-Sepoy R.No.4433, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
32. Naseeb Shah s/o Gul Said, Ex-Sepoy R.No.4472, Bajaur Levies r/o Tarkho P.O. Khar Tehsil Barang, Bajaur Agency.
33. Mr. Anwar S/o Chaman, R/o Tarkho, P.O. Khar, Tehsil Barang, Bajaur Agency.
34. Mr. Fazal Ameen, S/o Musharat, R/o Sadiq Abad Pakrak, P.O. Khar, Bajaur Agency.
35. Mr. Sraij ud Din S/o Malak Toor Khan, R/o P.O. Khar, Tehsil Salarzai, District Bajaur Agency.
36. Mr. Muhammad Zada S/o Lajbar, R/o Kher, Tehsil Salarzai, District Bajaur Agency.
37. Mr. Gul Zada S/o Pachay, R/o Hayat e Skandar, P.O. Karoee, Tehsil Umankhel, District Bajaur Agency.
38. Mr. Nisar Khan S/o Nadir Khan, R/o Mano Dheri, P.O. Gardar, Tehsil Uman Khel merged District Bajaur Agency.
39. Mr. Abdullah Jan, R/o Reedo Shah Gai, Yusuf Abad, P.O. Khar, Raado Shah Gai, Tehsil Khar, District Bajaur Agency.
40. Mr. Abdullah Jan S/o Bakhtiar, Reedo Shah Gai, Yusuf Abad, P.O. Khar, Raado Shah Ghal, Tehsil Khar, District Bajaur Agency.
41. Mr. Munasib Khan, R/o Mir Atzal Khan Labour Colony, Asar Khan S/o Mashog Khan, Quarter No.10, District Mardan, Khyber Pakhtunkhwa.
42. Mr. Jan Alam S/o Mashog Khan, R/o Mir Atzal Khan Labour Colony Asar Khan S/o Mashog Khan, Quarter No.07, District Mardan, Khyber Pakhtunkhwa.
43. Mr. Rehmat Gul S/o Bakhtiar, Reedo Shah Gai, Yusuf Abad, P.O. Khar, Raado Shah Ghal, Tehsil Khar, District Bajaur Agency.
44. Mr. Naeem Khan S/o Akbar Khan R/o Muhtarom Ghundai, P.O. Khar, Tehsil Khar, Bajaur Agency.
45. Mr. Muhammad Younas R/o Mohallah Eid Gah, Tehsil Khar Bajawat Agency.
46. Mr. Muhammad Shah S/o Noor Zamin, R/o Ghar Shamozai Barkalay, P.O. Qalanganai Sher Batai, Tehsil Barang, District Bajaur Agency.
47. Mr. Saeed Gul S/o Ajab Gul R/o Sher Batai, P.O. Qalanganai, Tehsil Barang, District Bajaur Agency.
48. Mr. Muhammad S/o Ibar Gul R/o Tarkho, P.O. Khar, Tehsil Barang, Bajaur Agency.
49. Mr. Abdul Haq S/o Rofar Khan R/o Muslim Bagh, P.O. Inayat Kalay, District Bajaur Agency.
50. Mr. Waheed Ullah S/o Gul Nazir R/o Shah Sary, P.O. Pasht Salarzai, Bajaur Agency.
51. Mr. Muhammad Jamshed Khan S/o Muhammad Shah, R/o Garodi, P.O. Gazafi, Bajaur Agency.
52. Mr. Muhammad Farooq, R/o Laddee Tarkho, Tehsil Momand, District Bajaur, Bajaur Agency.
53. Mr. Shah Hussain, Ex-Sepoy, Reg # 5155, Bajaur Levies.
54. Mr. Ikram S/o Syed Ahmad, R/o Laddee Tarkho, Tehsil Momand, District Bajaur, Bajaur Agency.
55. Mr. Abdullah, R/o Village Shanqi, Tehsil Khar, District Bajaur, Bajaur Agency.
56. Mr. Shahzad ur Rehman S/o Haji Rehmat Kartm R/o Moh. Kass, P.O. Dir, Dir Town, Tehsil Dir, Upper Dir.
57. Mr. Laig Rehman, R/o Village Kot Tehsil Bakheela District Malakand Khyber Pakhtunkhwa.
58. Mr. Feroz S/o Muhammad Shah R/o Hital Khail Charmang, Tehsil Nawagai, Bajaur Agency.
59. Mr. Aziz Ullah S/o Gul Zaman, C/o Fazal Haq R/o Khar, Tehsil Khar, Bajaur Agency.
60. Mr. Fazal Haq S/o Muhammad Hakeem R/o Khar, Tehsil Khar, Bajaur Agency.
61. Mr. Burhan S/o Gul Zaman, R/o Khar, Tehsil Khar, Bajaur Agency.
62. Mr. Muhammad Ameen, GAGA Post Office, Tehsil Mamond Bajaur Agency.
63. Mr. Said Aziz S/o Saeed Rahim Jan, R/o Aman Kot, District Tribal Bajaur.
64. Mr. Liaqat Khan S/o Abdullah R/o Dag Qilla P.O. Raghnan Tehsil Salarzai, Bajaur Agency.
65. Mr. Habib Rasool S/o Bahri Mulk, R/o Mohallah Boodha Baba Oach, Tehsil Adm Zai & District Dir Lower, Khyber Pakhtunkhwa.
66. Mr. Amir Nawab, Subedar (BPS-13) Malakand Levies at Malakand.
67. Mr. Shaitullah, Sepoy, R/o Anayat Kalay, Kakah Tehsil Momand, District Bajaur Agency.
68. Mr. Khan Alam, Sepoy, R/o Anayat Kalay, Kakah Tehsil Momand, District Bajaur Agency.
69. Mr. Abdul Qayum, Sepoy, R/o Anayat Kalay, Kakah Tehsil Momand, District Bajaur Agency.
70. Mr. Alam Zeer, Sepoy, R/o Anayat Kalay, Kakah Tehsil Momand, District Bajaur Agency.
71. Mr. Dilawar Khan, Sepoy, R/o Anayat Kalay, Kakah Tehsil Momand, District Bajaur Agency.
72. Mr. Muhammad Ayyaz, Moharri/Sepoy No.5010, Malakand Levies, District Malakand.

48-

**ATTESTED**

128. The Secretary, SAFRON, Islamabad.
129. The Additional Chief Secretary, FATA, Civil Secretariat (FATA) Warsak Road, Peshawar.
130. The Deputy Commissioner/Commandant, Bajaur Levies, District Bajaur at Khar.
131. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
132. Secretary, Home & Tribal Affairs Department, Khyber Pakhtunkhwa.
133. The Commandant, Levies Force, Khyber Pakhtunkhwa.
134. The Secretary, Establishment Division, Government of Pakistan, Islamabad.
- 
127. Mr. Rohul Amin, R. No. 4293 Sepoy (BS-05) R/o Loe Same, Sharif Khana, Tehsil Nawagai, District Bajaur Agency, Bajaur.
126. Mr. Abdur Rahim, R. No. 5883 Sepoy (BS-05) R/o Loe Same, Sharif Khana, Tehsil Nawagai, District Bajaur Agency, Bajaur.
125. Mr. Tilla Muhammad, R. No. 4508 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
124. Mr. Imran Ullah, R. No. 4775 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
123. Mr. Raizullah, R. No. 4366 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
122. Mr. M. Ayub, R. No. 5806 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
121. Mr. Imran, R. No. 4769 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
120. Mr. Saeed Ullah, R. No. 4279 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
119. Mr. Mozamim, R. No. 4384 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
118. Mr. Abdullah, R. No. 3413, Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
117. Mr. Saeed Habib Jan, R. No. 4322, Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
116. Mr. Shams ur Rehman, R. No. 4615 Sepoy (BS-05), P.O. Anayat Kalay, Kalkoo, Tehsil Mamond, Bajaur Agency.
115. Mr. Najeeb Ullah, R. No. 5222 Sepoy (BS-05), R/o P.O. Anayat Kalay, Kalkoo, Tehsil Mamond, Bajaur Agency.
114. Mr. Ghulam Younis, R. No. 4642 Sepoy (BS-05), R/o P.O. Khar, Tehsil Khar, District Bajaur Agency.
113. Mr. Noor Zada, R. No. 5916 Sepoy (BS-05) R/o Tehsil Chum, Khar, Bajaur Agency.
112. Mr. Nowshad, R. No. 4201 Sepoy (BS-05), R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
111. Mr. Imran, R. No. 4616 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
110. Mr. Umer Ayub R. No. 4614 Sepoy (BS-05) R/o Khar Tehsil Khar, Bajaur Agency, District Bajaur.
109. Mr. Asghar Khan, R. No. 4336, Sepoy (BS-05), Bajaur Levies, Bajaur Agency, Khar.
108. Mr. Nawab Khan S/o Gul Qayum R/o Nogay Tehsil Khar Bajaur Agency.
107. Sarwar s/o Ameer Gul, Ex-Sepoy R.No.3719, Bajaur Levies R/o Qumber P.O. Khar, Tehsil Barang, Bajaur Agency.
106. Suleman Khan s/o Muhammad Gul, Ex-Sepoy R.No.5169, Bajaur Levies r/o Skandar, Tehsil Umankhel, Bajaur Agency.
105. Muhammad Sarwar Khan s/o Naik Muhammad, Ex-Sepoy R.No.5509, Bajaur Levies r/o Rod Soli Khar Tehsil Salazar, Bajaur Agency.
104. Firdos Khan s/o Zar Muhammad, Ex-Sepoy R.No.3708, Bajaur Levies r/o Gunman Kot P.O. Khar Tehsil Barang, Bajaur Agency.
103. Hafiz ur Rehman, Ex-Sepoy No.3752, S/o Shams ur Rehman, R/o Khar, P.O. Khar, Bajaur Agency.
102. Mr. Hussain Badshah S/o Amir Nawab, R/o Dag Qalia, P.O. Khar, Bajaur Agency.
101. Sahib Zada S/o Mandail Jan, Ex-Sepoy No.5291, Bajaur Levies R/o Islam Dahr, Uman Khil, Bajaur Agency.
100. Anwar Zeb S/o Said Karim, Ex-Sepoy No.5219, Bajaur Levies R/o Qandir Dag Tehsil Khar, Bajaur Agency.
99. Ghulam Qadar S/o Kamal Khan, Ex-Sepoy No.5578, Bajaur Levies R/o Atkay P.O. Raghgan, Tehsil Salazar, Bajaur Agency.
98. Mr. Shoab S/o Gulab Karim, Ex-Sepoy, R/o Kot Kay Tehsil Salazar, District Bajaur Agency.
97. Mr. Asmat Khan S/o Bakht Zareen R/o Sara Cheena, Tehsil Khar, Bajaur Agency.
96. Mr. Israr Khan S/o Nowsherwan R/o Shenky, Ali Zai, Tehsil Khar, Bajaur Agency.
95. Mr. Abdul Wakeel, S/o Sultan Muhammad, R/o Ali Zo, P.O. & Tehsil Khar, Bajaur Agency.
94. Mr. Rizwan Ullah S/o Gul Nabi, R/o Ali Zo Dag, Tehsil Khar, Bajaur Agency.
93. Mr. Ahmed Yousof S/o Abdul Wakeel Khan R/o P.O. Khar, Tehsil Khar, Bajaur Agency.
92. Mr. Muhammad Zada S/o Ali Muhammad, R/o Village Shinko, Tehsil Umankhel, Bajaur Agency.
91. Mr. Abdul Hakim S/o Ahmed Jan R/o Village Mano Dherai, Tehsil Umankhel, Bajaur Agency.
90. Mr. Amir Badshah S/o Shah Zad Mir R/o Village Takht Barang, Tehsil Khar, Bajaur Agency.
89. Mr. FAIZ Ullah S/o Zubair Khan, R/o Village Khar, Tehsil Barang, Bajaur Agency.
88. Mr. Yar Muhammad S/o Ali Muhammad R/o Village Haryan Kot, Tehsil Barang, Bajaur Agency.
87. Mr. Aft Khan S/o Sharif Khan, R/o Village Siya Baran, Tehsil Salazar, Bajaur Agency.
86. Mr. Gulab Khan S/o Razi Khan, R/o Village Bajigim, Tehsil Salazar, Bajaur Agency.
85. Mr. Amin Ullah S/o Din Muhammad R/o Momand, Tehsil Salazar, Bajaur Agency.
84. Mr. Bacha Reman S/o Muhammad Yousof R/o Mandal Dianga, P.O. Khar, Tehsil Khar, Bajaur Agency.
83. Mr. Nisar Khan S/o Khan Bachai R/o Salazar, Kot, P.O. Raghgan, Tehsil Khar, Bajaur Agency.
82. Mr. Mansoor Ahmed S/o Said Muneer R/o Barani Kandaro, P.O. Khar, Tehsil Khar, Bajaur Agency.
81. Mr. Bacha Karim S/o Abdul Saeed R/o Mandail Dianga, P.O. Khar, Tehsil Khar, Bajaur Agency.
80. Mr. Fazal I Wahid, R/o Khar, Tehsil Nawagai, Bajaur Agency.
79. Mr. Mohabar Khan S/o Rehmat Khan, R/o Qilla Ali Jan, Tehsil Khar, Bajaur Agency.
78. Mr. Hameed Ullah S/o Muzammil Khan, R/o Alizo Dag, Tehsil Khar, Bajaur Agency.
77. Fazal Malik S/o Ghulam Rabani, R/o Kaga, Landai Tehsil Mamond, Bajaur Agency.
76. Mr. Ismail, S/o Imtiaz Jan R/o Badi Samar P.O. Inayat Kalay, Bajaur Agency.
75. Mr. Nawab Zada S/o Nadir Khan, R/o Shinkay, Umankhel, Tehsil Umankhel, Bajaur Agency.
74. Mr. Nasir Khan S/o Fateh Mui Khan R/o Village Qazafi, Bandagai, Marano Sha, Tehsil Umankhel, Bajaur Agency.
73. Mr. Sajjad Ali S/o Ghulam Jan, R/o Village Kwala, P.O. Gardai, Tehsil Uman Khel, Tribal Bajaur District Agency.

-45-

135. The Advocate General, Khyber Pakhtunkhwa, Peshawar.
136. The Secretary, Law & Order, Governor's Secretariat, Peshawar.
137. Muhammad Hussain, N/Subedar Reg No.3164, Posted in the Office of the Political Agent, Bajaur Agency.
138. The Commandant/Commissioner, Dir Upper.
139. The Government of Pakistan through Interior Ministry, Pak. Secretariat, Islamabad.
140. Mr. Farid Ullah, Subedar Major (BPS-16) Malakand Levies at Malakand.
141. The District Accounts Officer, District Malakand.
142. The D.P.O. Bajaur, Tribal District, Bajaur, Khyber Pakhtunkhwa.
143. The Secretary, Establishment Division, Government of Pakistan, Islamabad.
144. The Solicitor, Law & Justice Division, Islamabad.

**ATTESTED**



-46-

**Judgement Sheet**  
**IN THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD**

BEFORE : **Qazi Khalid Ali, Chairman and**  
: **Raja Hasan Abbas, Member**

S. No.	Appeals No.	Appellants	Date of Institution
1.	87(P)CS/2019	Mr. Sher Gulab, Ex-Sepoy, S/o Bacha Syed, R/o Shandai Morh, Shandai, P.O. Khar, Tehsil Khar, District Bajaur	18.01.2019
2.	88(P)CS/2019	Najeeb Ullah, Ex-Sepoy, S/o Shina R/o Bara Laghary, P.O. Tarkho, Tehsil Mamund, District Bajaur	18.01.2019
3.	89(P)CS/2019	Saleem, Ex-Sepoy, S/o Saeed ur Rehman, R/o Meena Mamund P.o. Tarkho, Tehsil Mamond, District Bajaur Agency	18.01.2019
4.	1118(P)CS/2017	Bacha Muhammad, Ex-Sepoy S/o Gul Muhammad, R/o Gang, P.O. Khar, Tehsil Khar, District Bajaur Agency.	18.10.2017
5.	1221(P)CS/2017	Muhammad Yar, Ex-Sepoy, R/o P.O. Raghagan, Odigerum, Salarzai, District Bajaur Agency.	06.12.2017
6.	862(P)CS/2018	Shireen, Havaladar, S/o Painsa Khan R/o Pashat P.O. Khar, Tehsil Salarzai, District Bajaur Agency.	15.05.2018
7.	85(P)CS/2019	Saur Khan, Ex-Sepoy, S/o Chamni Khan, R/o Mano Dherai, P.O. Gharday Tehsil Utman Khel, District Bajaur Agency.	18.01.2019
8.	86(P)CS/2019	Jamal ud Din, Ex-Sepoy, S/o Manawar, R/o Odigram, P.O. Raghgan, Tehsil Salarzai, District Bajaur Agency.	18.01.2019
9.	93(P)CS/2019	Ummer Rehman S/o Wali Muhammad, Ex-Khasadar, R/o Lagha Post Office Annayat Kalay, Tehsil Memond, District Bajaur Agency.	07.02.2019
10.	94(P)CS/2019	Mudeer Khan S/o Muhammad Noor, Ex-Sepoy R/o Lagha Post Office Annayat Kalay, Tehsil Memond, District Bajaur Agency.	07.02.2019
11.	95(P)CS/2019	Abdul Azim Jan, Ex-Khasadar, Reg # 3700, Bajour Levies	07.02.2019
12.	264(P)CS/2019	Hayyat Khan S/o Mian Gul Jan Ex-Khasadar, R/o Gaga Post Office Teshil Mamond, District Bajaur Agency.	21.03.2019
13.	1008(P)CS/2018	Baz Muhammad, Ex-Sepoy, S/o Sher Muhammad R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
14.	1010(P)CS/2018	Muhammad Khan, Ex-Sepoy, S/o Muhammad Ahaz, R/o Tarkho P.O. Khar, Tehsil Barang, Ex-Sepoy, District Bajaur Agency. District Bajaur Agency.	08.06.2018
15.	1011(P)CS/2018	Fos Khan, Ex-Sepoy, S/o Ahwan, R/o Kat Kot P.O. Tarkho Tehsil Barang, District Bajaur Agency.	08.06.2018
16.	1019(P)CS/2018	Abdul Rehman, Ex-Sepoy, S/o Nadir Khan, R/o Bati Khar, District Bajaur Agency.	08.06.2018
17.	1022(P)CS/2018	Muhammad, Ex-Sepoy, S/o Murad Gul R/o Tarkho P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018

**ATTESTED**  
  
Registrar  
Federal Service Tribunal  
Islamabad

**ATTESTED**

18.	1023(P)CS/2018	Wazir Khan, Ex-Sepoy, S/o Khial Gul, R/o Tarkho P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
19.	1024(P)CS/2018	Faiz Khan, Ex-Sepoy, S/o Shehzada R/o Mandal Tehsil Khar, District Bajaur Agency.	08.06.2018
20.	1025(P)CS/2018	Abdul Hadi, Ex-Sepoy, S/o Muhammad Hassan, R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
21.	1026(P)CS/2018	Shoukatullah, Ex-Sepoy, S/o Musafar R/o Kat Kot, P.O. Tarkho, District Bajaur Agency.	08.06.2018
22.	1028(P)CS/2018	Sultan Muhammad, Ex-Sepoy, S/o Abdul Ameen, R/o Khar, Tehsil Salarzai, District Bajaur Agency.	08.06.2018
23.	1030(P)CS/2018	Sardar Alam, Ex-Sepoy, S/o Muhammad Alam, R/o Tarkho, P.O. Khar, Tehsil Khar, District Bajaur Agency.	08.06.2018
24.	1031(P)CS/2018	Noor Sim, Ex-Sepoy, S/o Saz Noor, R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
25.	1032(P)CS/2018	Waheed Ullah, Ex-Sepoy, S/o Lal Khan, R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
26.	1033(P)CS/2018	Qadir Khan, Ex-Sepoy, S/o Hazrat Gul R/o Tarkho P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
27.	1035(P)CS/2018	Niaz Muhammad, Ex-Sepoy, S/o Taj Muhammad Said, R/o Tarkho P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
28.	1036(P)CS/2018	Gul Bar Gul, Ex-Sepoy, S/o Alam Khail R/o Tarkho, P.O. Khar Tehsil Barang, District Bajaur Agency.	08.06.2018
29.	1037(P)CS/2018	Naeem Ex-Sepoy, S/o Behram Khan R/o Dabar Barsadin, P.O. Pasht Salarzai, District Bajaur Agency.	08.06.2018
30.	1038(P)CS/2018	Asmad Yar, Ex-Sepoy, S/o Syed Akbar Khan, R/o Tarkho P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
31.	1042(P)CS/2018	Noor Muhammad, Ex-Sepoy, S/o Niaz Muhammad, R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
32.	1043(P)CS/2018	Naseeb Shah, Ex-Sepoy, S/o Gul Said, R/o Tarkho, P.O. Khar Tehsil Barang, District Bajaur Agency.	08.06.2018
33.	1044(P)CS/2018	Anwar Ex-Sepoy, S/o Chaman R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency.	08.06.2018
34.	1088(P)CS/2018	Fazal Ameen, Ex-Sepoy, S/o Musharaf, R/o Sadiq Abad Paktak, P.O. Khar, District Bajaur Agency	10.07.2018
35.	1349(P)CS/2018	Siraj ud Din, Ex-Sepoy, s/o Malak Toor Khan R/o P.O. Khar, Tehsil Salarzai, District Bajaur Agency	16.08.2018
36.	1350(P)CS/2018	Muhammad Zada, Ex-Sepoy, S/o Lajbar, R/o Kher Kano, P.O. Khar, Tehsil Salarzai, District Bajaur Agency	16.08.2018
37.	1351(P)CS/2018	Gul Zada, Ex-Sepoy, S/o Pachay, R/o Hayat e Skandaro, P. O Karoee, Tehsil Utmankhel, District Bajaur Agency	16.08.2018
38.	377(P)CS/2019	Nisar Khan Ex-Sepoy, S/o Nadir Khan R/o	23.04.2019

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 Registrar  
 Federal Service Tribunal  
 Islamabad

ATTESTED

		Mano Dheri, P.O. Gardai, Tehsil Utman Khel, merged District Bajaur Agency	
39.	781(P)CS/2017 with MP	Abdullah Jan, Naib Subedar, R/o Reedo Shah Gai, Yusuf Abad, P.O. Khar, Raado Shah Ghai, Tehsil Khar, District Bajaur Agency	26.05.2017
40.	742(P)CS/2018	Abdullah Jan, Ex-Naib Subedar, S/o Bakhtiar, Reedo Shah Gai, Yusuf Abad, P.O. Khar Raado Shah Ghai, Tehsil Khar, District Bajaur Agency	18.04.2018
41.	743(P)CS/2018	Munasib Khan, Ex-Naib Subedar, R/o Mir Afzal Labour Colony C/o Asar Khan S/o Mashoq Khan Quarter No. 10, District Mardan	18.04.2018
42.	744(P)CS/2018	Jan Alam, Ex-Naib Subedar, R/o Mir Afzal Labour Colony C/o Asar Khan S/o Mashoq Khan Quarter No. 10, District Mardan	18.04.2018
43.	1441(P)CS/2018	Rehmat Gul, Ex-Subedar Major, S/o Hameed Gul R/o P/o Khar Shah Narai, Tehsil Khar District Bajaur Agency	19.10.2018
44.	527(P)CS/2016	Naeem Khan, Ex-Sepoy, S/o Akbar Khan R/o Muharram Ghundai, P.O. Khar, Tehsil Khar, District Bajaur Agency	11.08.2016
45.	546(P)CS/2016	Mohammad Younas, Ex-Sepoy, R/o Mohallah Eid Gah, Tehsil Khar, District Bajaur Agency	26.08.2016
46.	857(P)CS/2018	Muhammad Shah, Ex-Sepoy, S/o Noor Zamin, R/o Ghar Shamoza Barkalay, P.o Qalangai Sher Batai, Tehsil Barang, District Bajaur Agency	11.05.2018
47.	858(P)CS/2018	Saeed Gul, Ex-Sepoy S/o Ajab Gul, R/o Sher Batai, P.O. Qalangai, Tehsil Barang, District Bajaur Agency	11.05.2018
48.	974(P)CS/2018	Muhammad, Ex-Sepoy, S/o Itbar Gul, R/o Tarkho, P.O. Khar, Tehsil Barang, District Bajaur Agency	25.05.2018
49.	975(P)CS/2018	Abdul Haq, Ex-Sepoy, S/o Rofat Khan R/o Muslim Bagh, P.O. Inayat Kalay, District Bajaur Agency.	25.05.2018
50.	976(P)CS/2018	Waheed Ullah, Ex-Sepoy, S/o Gul Nazir, R/o Shah Saray P. O. Pashat Salarzai, District Bajaur Agency.	25.05.2018
51.	980(P)CS/2018	Muhammad Jamshed, Ex-Sepoy, S/o Muhammad Shah, R/o Garodi, P.O. Gazafi, District Bajaur Agency.	25.05.2018
52.	1409(P)CS/2018	M. Farooq, Ex-Sepoy, R/o Iadaee Tarkho, Tehsil Mamond, District Bajour Agency	28.09.2018
53.	1410(P)CS/2018	Shah Hussain, Ex-Sepoy, Reg # 5155, District Bajour Agency	28.09.2018
54.	1411(P)CS/2018	Ikram S/o Syed Ahmad, Ex-Sepoy, R/o Ladaee Tarkho, Tehsil Mamond District Bajour Agency	28.09.2018
55.	1412(P)CS/2018	Abdullah Ex-Sepoy, R/o Village Shanki, Tehsil Khar, District Bajour Agency	28.09.2018
56.	1431(P)CS/2018	Shahzad ur Rehman, Ex-Assistant/Reader, S/o Haji Rehmat Karim R/o Moh. Kass, P.O. Dir, Dit Town, Tehsil Dir, Upper Dir.	09.10.2018
57.	1503(P)CS/2018	Laiq Rehman, Ex-Levy Sepoy, R/o Village Kot Tehsil Bathkela District Malakand	14.11.2018
58.	877(P)CS/2017	Feroz S/o Muhammad Shah, Ex-Sepoy R/o Hilal Khail Charmang, Tehsil Nawagai,	21.06.2017

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Registrar  
Federal Service Tribunal  
Islamabad

ATTESTED

		Bajaur Agency.	
59.	878(P)CS/2017	Aziz Ullah S/o Gul Zaman, Sepoy, C/o Fazal Haq R/o Khar, Tehsil Khar, Bajaur Agency	21.06.2017
60.	879(P)CS/2017	Fazal Haq S/o Muhammad Hakeem, Sepoy, R/o Khar, Tehsil Khar Bajaur Agency.	21.06.2017
61.	880(P)CS/2017	Burhan S/o Gul Zaman, Sepoy, C/o Fazal Haq, R/o Khar, Tehsil Khar, Bajaur Agency.	21.06.2017
62.	263(P)CS/2019	Muhammad Ameen, Ex-Khasadar, R/o Gaga Post Office, Tehsil Mamond, District Bajaur Agency	21.03.2019
63.	91(P)CS/2019	Said Aziz, Sepoy, S/o Saeed Rahim Jan, R/o Aman Kot, District Tribal Bajaur.	04.02.2019
64.	178(P)CS/2019	Liaqat Khan, Ex-Sepoy, s/o Abdullah R/o Dag Qila P.O. Raghan Tehsil Salarzai, District Bajaur Agency	14.02.2019
65.	252(P)CS/2019	Habib Rasool, Ex-Sepoy, S/o Bahri Mulk, R/o Mohallah Boodha Baba Oach, Tehsil Adin Zai & District Dir Lower.	20.03.2019
66.	344(P)CS/2019 With MP	Amir Nawab, Subedar, Malakand Levies at Malakand.	03.04.2019
67.	831(P)CS/2019	Shaifullah, Sepoy, R/o Anayat Kalay, Kakah Tehsil Mamond, District Bajaur Agency	08.11.2019
68.	832(P)CS/2019	KhanAlam, Sepoy, R/o P.O. Anayat Kalay, Kakah, Tehsil Mamond District Bajour Agency.	08.11.2019
69.	833(P)CS/2019	Abdul Qayyum, Sepoy, R/o P.O. Anayat Kalay, Kakah, Tehsil Mamond District Bajour Agency.	08.11.2019
70.	834(P)CS/2019	Alam Zeer, Sepoy, R/o P.O. Anayat Kalay, Kakah, Tehsil Mamond District Bajour Agency.	08.11.2019
71.	835(P)CS/2019	Dilawar Khan, Sepoy, R/o P.O. Anayat Kalay, Kakah, Tehsil Mamond District Bajour Agency.	08.11.2019
72.	13(P)CS/2017	Muhammad Ayaz, Moharrir/Sepoy No.5010, Malakand Levies, District Malakand.	11.01.2017
73.	777(P)CS/2019	Sajjad Ali, Sepoy, S/o Ghulam Jan, Villag Kulala, P/o Gardai Tehsil utaman Khel, Tribal Bajaur District	

**Misc. Petition for Implementation**

74.	MP No.320/2018 1106(P)CS/2017	Nasir Khan S/o Fateh Mul Khan R/o Village Qazafi, Bandagai Marano Sha, Tehsil Utmankhel, District Bajaur Agency	16.02.2018
75.	MP No.321/2018 1116(P)CS/2017	Nawab Zada S/o Nadir Khan R/o Shiinkay Utmankhel, Tehsil Utmankhel, District Bajaur Agency	16.02.2018
76.	MP No.2488/2018 591(P)CS/2015	Ismail S/o Imtiaz Jan, Ex-Sepoy, R/o Badi Samar P.O. Inayat Kaly, District Bajaur Agency	28.12.2018
77.	MP No.2487/2018 38(P)CS/2016	Fazal Malik Ex-Sepoy S/o Ghulam Rabani, R/o Kaga Landi, Tehsil Mamond District Bajaur Agency	28.12.2018
78.	MP No.2098/2018 19(P)CS/2014	Hameed Ullah S/o Muzammil Khan Ex-Sepoy, R/o Alizo Dag, Tehsil Khar, District Bajaur Agency	13.11.2018
79.	MP No.2099/2018	Muhabat Khan, Ex-Sepoy, S/o Rehmat	14.11.2018

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 Registrar  
 Federal Service Tribunal  
 Islamabad

**ATTESTED**

	348(P)CS/2014	Khan R/o Qillah Ali Jan Tehsil Khar, District Bajaur Agency	
80.	<u>MP No.342/2018</u> 1117(P)CS/2017	Fazal i Wahid r/o Khar, Tehsil Nawagai, District Bajaur Agency	21.02.2018
81.	<u>MP No.343/2018</u> 1119(P)CS/2017	Bacha Reahim S/o Abdul Saeed R/o Madil Dianga, P.O. Khar, District Bajaur Agency	21.02.2018
82.	<u>MP No.344/2018</u> 1120(P)CS/2017	Mansoor Ahmed S/o Said Muneer R/o Barani Kandaro P.O. Khar Tehsil Khar, District Bajaur Agency	21.02.2018
83.	<u>MP No.345/2018</u> 1121(P)CS/2017	Nisar Khan S/o Khan Bachai R/o Salarzai, Koi, P.O. Raghan Tehsil Khar, District Bajaur Agency	21.02.2018
84.	<u>MP No.346/2018</u> 1122(P)CS/2017	Bacha Rehman s/o Muhammad Yousaf R/o Mandal Dianga, P.O Khar, Tehsil Khar, District Bajaur Agency	21.02.2018
85.	<u>MP No.347/2018</u> 1123(P)CS/2017	Amin Ullah S/o Din Muhammad R/o Momand, Tehsil Salarzai District Bajaur Agency	21.02.2018
86.	<u>MP No.348/2018</u> 1125(P)CS/2017	Gulab Khan S/o RAzi Khan, R/o Village Bajigrm, Tehsil Salarzai, District Bajaur Agency	21.02.2018
87.	<u>MP No.349/2018</u> 1126(P)CS/2017	Alif Khan S/o Sharif Khan R/o Village Siya Baran, Tehsil Barang, District Bajaur Agency	21.02.2018
88.	<u>MP No.350/2018</u> 1127(P)CS/2017	Yar Muhammad S/o Ali Muhammad R/o Village Haryan Kot, Tehsil Barang, District Bajaur Agency	21.02.2018
89.	<u>MP No.351/2018</u> 1128(P)CS/2017	Faiz Ullah S/o Zubair Khan R/o Village Khar, Tehsil Khar, District Bajaur Agency	21.02.2018
90.	<u>MP No.352/2018</u> 1129(P)CS/2017	Amir Badshah S/o Shah Zad Mir, R/o Village Takht Barang, Tehsil Khar, District Bajaur Agency	21.02.2018
91.	<u>MP No.353/2018</u> 1130(P)CS/2017	Abdul Hakim S/o Ahmed Jan R/o Village Mano Dherai, Tehsil Utmankhel, District Bajaur Agency	21.02.2018
92.	<u>MP No.354/2018</u> 1131(P)CS/2017	Muhammad Zada S/o Ali Muhammad R/o Village Shinko, Tehsil Utmankhel, District Bajaur Agency	21.02.2018
93.	<u>MP No.355/2018</u> 1132(P)CS/2017	Ahmad Yousaf S/o Abdul Wakeel Khan R/o P.O. Khar, Tehsil Khar, District Bajaur Agency	21.02.2018
94.	<u>MP No.356/2018</u> 1133(P)CS/2017	Rizwan Ullah S/o Gul Nabi, R/o Ali Zo Dag, Tehsil Khar, District Bajaur Agency	21.02.2018
95.	<u>MP No.357/2018</u> 1134(P)CS/2017	Abdul Wakeel S/o Sultan Muhammad R/o Ali Zo, P.O. & Tehsil Khar, District Bajaur Agency	21.02.2018
96.	<u>MP No.358/2018</u> 1135(P)CS/2017	Israr Khan S/o Nowsherwan R/o Shenky, Ali Zai, Tehsil Khar, District Bajaur Agency	21.02.2018
97.	<u>MP No.359/2018</u> 1136(P)CS/2017	Asmat Khan S/o Bakht Zareen R/o Sara Cheena Tehsil Kharn, District Bajaur Agency	21.02.2018
98.	<u>MP No.2144/2016</u> 340(P)CS/2014	Shoaib S/o Gulab Karim, Ex-Sepoy, R/o Kot kay Tehsil Salarzai, District Bajaur Agency	04.11.2016
99.	<u>MP No.352/2017</u> 211(P)CS/2014	Ghulam Qadir S/o Kalam Khan, Ex-Sepoy, R/o Atkay P.O. Raghan, Tehsil Salarzai, District Bajaur Agency	10.02.2017
100.	<u>MP No.353/2017</u> 301(P)CS/2014	Anwar Zeb S/o Said Karim, Ex-Sepoy, R/o Qamar Dag, Tehsil Khar, District Bajaur Agency	17.11.2014

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 Registrar  
 Federal Service Tribunal  
 Islamabad

**ATTESTED**

101.	<u>MP No.354/2017</u> 312(P)CS/2014	Sahib Zada S/o Madali Jan, Ex-Sepoy, R/o Islam Dabri, Utman Khil, District Bajaur Agency	10.02.2017
102.	<u>MP No.1017/2017</u> 584(P)CS/2015	Hussain Badshah, Ex-Sepoy, S/o Amir Nawab, R/o Dag Qila P.O Khar, District Bajaur Agency.	17.04.2017
103.	<u>MP No.935/2017</u> 635(P)CS/2015	Hafiz ur Rehman, Ex-Sepoy, S/o Shams ur Rehman R/o Khar P.O. Khar, District Bajaur Agency.	06.04.2017
104.	<u>MP No.936/2017</u> 10(P)CS/2016	Firdoos Khan, Ex-Sepoy, S/o Zar Muhammad, R/o Guman Kot, P.O. Khar, Tehsil Barang, District Bajaur Agency.	06.04.2017
105.	<u>MP No.937/2017</u> 14(P)CS/2016	Muhammad Sarwar Khan, Ex-Sepoy, S/o Naik Muhamamd R/o Rod Soli Khar Tehsil Salarzai, District Bajaur Agency.	06.04.2017
106.	<u>MP No.934/2017</u> 24(P)CS/2016	Suleman Khan, Ex-Sepoy, S/o Muhammad Gul R/o Skandaro Tehsil Utman Khail District Bajaur Agency.	06.04.2017
107.	<u>MP No.938/2017</u> 27(P)CS/2016	Sarwar Ex-Sepoy, S/o Ameer Gul, R/o Qumber P.O. Khar, Teshil Barang, District Bajaur Agency	06.04.2017
108.	<u>MP No.2118/2018</u> 27(P)CS/2014	Nawab Khan S/o Gul Qayum Ex-Sepoy, R/o Nogay Tehsil Khar, District Bajaur Agency	19.11.2018

### Review Petitions.

109.	<u>RP No.78/2019</u> 711(P)CS/2017	Asghar Khan, Sepoy, Tehsil Khar, District Bajaur Agency.	19.06.2019
110.	<u>RP No.84/2019</u> 720(P)CS/2017	Umer Ayub, Sepoy, Tehsil Khar, District Bajaur Agency.	28.06.2019
111.	<u>RP No.85/2019</u> 721(P)CS/2017	Imran, Sepoy, Tehsil Khar, District Bajaur Agency.	28.06.2019
112.	<u>RP No.86/2019</u> 722(P)CS/2017	Nowshad, Sepoy, Tehsil Khar, District Bajaur Agency.	28.06.2019
113.	<u>RP No.87/2019</u> 723(P)CS/2017	Noor Zada, Sepoy, Tehsil Chum, Khar, District Bajaur Agency.	28.06.2019
114.	<u>RP No.88/2019</u> 724(P)CS/2017	Ghulam Younis, Sepoy, Sadiqabad, Tehsil Khar, District Bajaur Agency.	28.06.2019
115.	<u>RP No.89/2019</u> 725(P)CS/2017	Najeeb Ullah, P.O. Sepoy Annayat Kalay, Katkoot Tehsil Momand, Bajour Agency.	28.06.2019
116.	<u>RP No.90/2019</u> 726(P)CS/2017	Shams ur Rehman, Sepoy Annayat Kalay, Katkoot Tehsil Momand, Bajour Agency.	28.06.2019
117.	<u>RP No.91/2019</u> 760(P)CS/2017	Saeed Habib Jan, R. No. 4322, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
118.	<u>RP No.92/2019</u> 761(P)CS/2017	Abdullah R. No. 3413, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
119.	<u>RP No.93/2019</u> 762(P)CS/2017	Mozamin, R. No. 4384, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
120.	<u>RP No.94/2019</u> 763(P)CS/2017	Saeed Ullah, R. No. 4279, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
121.	<u>RP No.95/2019</u> 764(P)CS/2017	Imran, R. No. 4769, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
122.	<u>RP No.96/2019</u> 766(P)CS/2017	M. Ayub, R. No. 5806, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
123.	<u>RP No.97/2019</u> 767(P)CS/2017	Faizullah R. No. 4366. Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
124.	<u>RP No.98/2019</u> 768(P)CS/2017	Imran Ullah, R. No. 4775, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019

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 Federal Service Tribunal  
 Islamabad

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Federal Service Tribunal  
Islamabad

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2. Appellants are ex-employees of Federal Levies Force. The Competent authority imposed major penalty of dismissal from service in most of the cases on charge of misconduct, whereas in some other cases they were retired. Aggrieved by these orders instant appeals were filed before Federal Service Tribunal which are pending decision. Notices were issued to the respondents i.e. M/o SAFRON, FATA Secretariat through Additional Chief Secretary, FATA and the concerned Political Agent/Commandant.

These appeals and petitions can be categorized into appeals, implementation petitions and review petitions.

**RAJA HASAN ABBAS, MEMBER:-**

**JUDGEMENT**

1. The Secretary, SAFRON, Islamabad.
  2. The Additional Chief Secretary, FATA Civil Secretariat (FATA), Warsak Road, Peshawar.
  3. The Political Agent/Commandant/Deputy Commissioner Bajaur Levies, District Bajaur at Khar.
  4. Mr. Fared Ullah, Subedar Major (BS-16), Malakand Levies at Malakand.
  5. Mr. Muhammad Hussain, N/Subedar, Reg. No. 3164, posted in the office of Political agent/commandant/Deputy Commissioner, Bajaur Levies, District Bajaur at Khar.
- Mr. Misbahullah Khan, Rana Samreen Akhtar, Noor Muhammad Khattak, Sardar Saleem Akhtar and Amaad Nasir Kundi, Advocates for the Appellants.  
Ch. Ishfaq Meherban, Deputy Attorney General for the Federation, Mr. Siraj Haider, Legal Coordinator, M/o SAFRON, Mr. Nisar Khan, Asstt. Accounts Officer, District Accounts Office, Malakand and Mr. Sajjad Ahmad, Litigation Clerk, Deputy Commissioner's Office, Bajaur as DRS and Mian Gulzar Hussain, Advocate for Respondent No.4

PRESENT

RESPONDENTS

:-VS:-

Date of Hearing	:	28.11.2019
Date of Judgement		04.12.2019

125.	RP No.99/2019	776(P)CS/2017	Tilla Muhammad, R. No. 4508, Sepoy, Bajaur levies, Bajaur Agency Khar	28.06.2019
126.	RP No.100/2019	777(P)CS/2017	Abdul Rahim, R. No. 5883, Sepoy, Bajaur levies, Bajaur Agency Khar, R/o P.O. Loe Same Sharif Khan Tehsil Nawagai, District Bajour Agency.	28.06.2019
127.	RP No.101/2019	778(P)CS/2017	Rohul Amin, R. No.4293, Sepoy, Bajaur levies, Bajaur Agency Khar, R/o P.O. Loe Same Sharif Khan Tehsil Nawagai, District Bajour Agency.	28.06.2019

53-

Comments/objections were received partially and in most of the cases notices were being issued for submission of the same. In the meantime, Federal Government through 25<sup>th</sup> Constitutional Amendment Act passed in May, 2018 paved the way for merger of FATA in the province of Khyber Pakhtunkhwa. As a result thereof Government of KPK issued Ordinance I of 2019 (later passed as an Act), in order to allow Federal Levies Force to continue their functions and to regulate and maintain them under the administrative control of Government of KPK. The force was renamed as Khyber Pakhtunkhwa Levies Force under Section 3 of the Act, comprising the Director General, the Deputy Director General, Commandant and all existing strength of members of the Levies Force, working in the merged Districts and Sub-divisions. Above mentioned Officers would be the Officers from Police. Section 9 of the Act provided for absorption of the members of Federal Levies in the Police. Section 9 (2) stipulates that "until their absorption in the police, the members of the Levies Force shall be governed by their existing terms and conditions of service under Federal Levies Force (Service) Rules, 2012.

3. It is important to refer to a letter from M/o SAFRON dated 24<sup>th</sup> April, 2019 addressed to Secretary Home & Tribal Area Department, Government of KPK on the subject pertaining to service matters regarding Levies/Khassadars, admitted in Federal Service Tribunal, Islamabad. It is imperative to reproduce para 2-3 of the letter:-

"2. It is stated that consequent to the 25<sup>th</sup> Constitutional Amendment, the erstwhile PATA and FATA have been merged into the province of Khyber Pakhtunkhwa. Furthermore, on 12<sup>th</sup> March, 2019 the Government of Khyber Pakhtunkhwa has promulgated two Ordinances whereby the Federal Levy Force and Khassadar Force, stand provincialized. We had already written to the concerned Registrars of Courts and Service Tribunals to delete the name of Secretary, SAFRON from the array of respondents.

3. It is requested that these alongwith future appeals in connection to the Federal Levy Force and Khassadar Force, may now be addressed at your end while ensuring that reports/comments are submitted to Honorable Federal Service Tribunal, Islamabad on the scheduled date of hearings.

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 Federal Service Tribunal  
 Islamabad

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Another Memorandum from M/o SAFRON dated 18<sup>th</sup> March, 2019 addressed to Chief Secretary, KPK, Advocate General, KPK and Additional Chief Secretary, Merged Areas Secretariat states as under:-


*"Now, therefore all the administrative, legal and ancillary matters, including service appeals, promotions and litigation in respect of both the forces i.e. Levies Force and Khasadar Force have been transferred to the Government of Khyber Pakhtunkhwa and its relevant forums from 12<sup>th</sup> March, 2019, the date of the issuance of above said Ordinance.*

*It is clarified that Ministry of States and Frontier Regions (SAFRON) has ceased to be the controlling authority in respect of Levies Force and Khasadar Force working in erstwhile FATA & PATA. All concerned commandants and others Forums may kindly be informed accordingly."*

4. It was in this back drop that we had issued Notices to the learned Attorney General for Pakistan in accordance with Orders 27 Rule 1 of CPC to assist the Tribunal with regard to the point of jurisdiction as well s 25<sup>th</sup> Constitutional Amendment including interpretation of Levies Amendment Rules, 2013. After hearing the learned Deputy Attorney General and counsels of the appellants on 30.07.2019 a detailed order was passed. Relevant portion is reproduced:-

*"7. We have carefully considered the arguments. Notwithstanding, the submissions made by the learned counsels, fact of the matter is that Government of Pakistan Ministry of States and Frontier region has made a formal request for their deletion from the list of the respondents in all these appeals with a further request that these matters may now be addressed to Secretary, Home and Tribal Areas Department, Government of Khyber Pakhtunkhwa.*

*8. By operation of the Ordinance supra and 25<sup>th</sup> Constitutional Amendment, employees of the Federal Levies and Khassadar Force have become provincial Government employees. In several implementation petitions, which are pending at the moment before the Tribunal, provincial Home and Tribal Area Department have been issued notices of appearance, however, they have shown very lukewarm response. This is despite the fact that notices were served through Chief Secretary, KPK. We are cognizant of the fact that Constitutional and legal provisions allow continuation of proceedings before the Tribunal, however, we are concerned*

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 Federal Service Tribunal  
 Islamabad

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about the practical aspects of the issue. Since the petitioners have become provincial Government employees, no proceedings can move unless the respondent Provincial Government discharges its legal responsibilities.

9. It is therefore, imperative and prudent to direct Secretary Ministry of States and Frontier Region to depute an officer not below the rank of J.S to appear and assist the Tribunal in the matter.

10. Chief Secretary KPK Government is required to direct Secretary Home and Tribal Areas Department to depute an officer not below the rank of Additional Secretary (BS-19) to appear in the pending proceedings before the Tribunal.

11. Advocate General KPK is directed to depute a law officer to appear and assist the Tribunal in the matter on the next date".

5. Since then Provincial Government of KPK has been represented twice by learned Assistant Advocate General. He was not present today nor on 18.11.2019. We have not received any written statement on behalf of Government of KPK since 30.07.2019 despite clear direction vide order dated 18.11.2019.

6. Today we have heard learned Counsels of the appellants who are also present in large number. Learned Counsels of the appellants stated that the appellants are poor low paid employees. Since their dismissal in 2007-2008, they have been running from pillar to post for getting justice. The constitutional amendment and subsequent legislation has further complicated matters for them. However, the Tribunal is still vested with the jurisdiction as already determined vide order dated 30.07.2019 and the appeals may be decided on merits of each case.

7. We are conscious of the fact that the appellants are facing hardship on account of prolonged judicial proceedings. It is however, more dismaying that the respective provincial authorities are not paying due attention to these matters, pending before us. There is an attitude of indifference towards these proceedings. We are afraid even if the pending issues are decided on merit, their implementation would be still more complicated as is the case even now. No meaningful proceedings can take place in the absence of a positive response from Government of Khyber Pakhtunkhwa.

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 Federal Service Tribunal  
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8. We have apprised the learned Counsels of the practical aspects/difficulties and with their consent remand all the pending appeals to the respective competent authority to treat them as pending departmental appeals and decide them afresh after giving the appellants opportunity of personal hearing. These appeals are disposed of in the above terms.

Misc. Petition Nos.320, 321, 2488,2487,2098,2099,2018, 342 to 359/2017, 2144/2016, 352 to 354, 1017, 935 to 937, 934, 938/2017, 2118/2018

in  
Appeal No.1106, 1116(P)CS/2017, 591(P)CS/2015, 38(P)CS/2016, 19, 348(P)CS/2014, 1117, 1119, 1120 to 1123, 1125 to 1136(P)CS/2017, 340, 211,304, 312(P)CS/2014, 584, 635, 10, 14, 24, 27(P)CS/2016 & 27(P)CS/2014

Above Misc. Petitions were filed seeking implementation of judgement dated 11.05.2015 and 30.10.2017. Whereas vide order dated 30.10.2017 direction were given for deciding pending departmental appeals, vide judgment dated 11.05.2015 directions were given for reinstatement of the appellants. However, for the question of back benefits it was directed to decide the same in accordance with instructions contained in Sl. No. 155 of ESTACODE (Edition 2007 Volume-II). The Petitioner have been reinstated however, through these petitions the issue of implementation of the order for determination of back benefits was raised. The respondents, despite repeated notices failed to respond and provide the latest status about implementation of the judgement.

10. These petitions are also remanded to the competent authority for implementation in the light of the direction of the Tribunal in Judgements dated 11.05.2015 and order dated 30.10.2017. A compliance report be furnished to the Registrar of the Federal Service Tribunal by first week of February, 2020. The petitions stand disposed of.

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Registrar  
Federal Service Tribunal  
Islamabad

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Review Petition Nos.78, 84 to 101/2019

in  
Appeal No.711, 720 to 726, 760 to 764, 766 to 768, 776 to 778(P)CS/2017

-57-

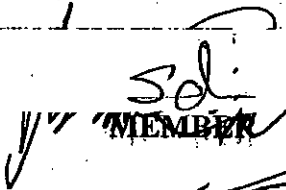
This brings us to the above titled review petitions which were disposed of vide order dated 20.05.2019.


12. It is contended that the appellants were given to understand that with the promulgation of 25<sup>th</sup> Amendment, Federal Service Tribunal had been divested of jurisdiction. The provincial authorities were not inclined to listen to their grievances and it would be travesty of justice if they are left without any forum to seek justice.

13. Strictly legally speaking the petition could not be entertained because of the limitation of scope of review. However, keeping in view the facts that finer legal aspects of the issues arising out of the merger of tribal areas and their administrative setup in KPK were beyond their comprehension and they might not have got the necessary assistance to pursue their appeals, we are inclined to *accept* these review petitions. As a result thereof the appeals are restored to their original numbers. The directions in para 8 of the judgement would apply mutatis mutandis in these appeals also.


14. Copies of the orders be sent to Chief Secretary KPK, Secretary, Home KPK, Commandant Levies Force, KPK for ensuring implementation of the judgment and submission of a report within three months to Registrar of the Federal Service Tribunal. Copy of the judgment be also sent to Secretary, M/o SAFRON and Secretary, Establishment Division.

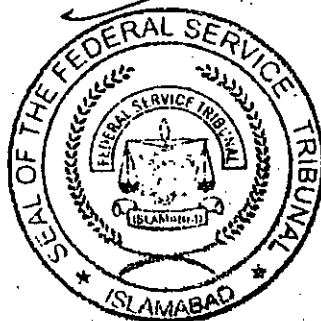
15. No order as to costs. Parties will be informed.

  
 MEMBER

  
 CHAIRMAN

\*Gulzar\*  
04.12.2019

CERTIFIED TRUE COPY  
  
 Registrar  
 Federal Service Tribunal  
 Islamabad



**ATTESTED**



Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department  
(Levy & Khassadars Wing)

No. CS(F)/L&K/4-Levy/Appeal/ 2558-80  
Dated: 03.11.2020

ORDER.

1. Appeal No 711(P)CS/2017, Review Petition No: 78/2019 Asghar Vs SAFRON.
2. Appeal No 720(P)CS/2017, Review Petition No: 84/2019 Umer Ayub Vs SAFRON.
3. Appeal No 721(P)CS/2017, Review Petition No: 85/2019 Imran Vs SAFRON.
4. Appeal No 722(P)CS/2017, Review Petition No: 86/2019 Nowshad Vs SAFRON.
5. Appeal No 723(P)CS/2017, Review Petition No: 87/2019 Noorzada Vs SAFRON.
6. Appeal No 724(P)CS/2017, Review Petition No: 88/2019 Ghulam Younas Vs SAFRON.
7. Appeal No 725(P)CS/2017, Review Petition No: 89/2019 Najeebullah Vs SAFRON.
8. Appeal No 726(P)CS/2017, Review Petition No: 90/2019 Shamur Rehman Vs SAFRON.
9. Appeal No 760(P)CS/2017, Review Petition No: 91/2019 Said Habib Jan Vs SAFRON.
10. Appeal No 761(P)CS/2017, Review Petition No: 92/2019 Abdullahr Vs SAFRON.
11. Appeal No 762(P)CS/2017, Review Petition No: 93/2019 Mozamin Vs SAFRON.
12. Appeal No 763(P)CS/2017, Review Petition No: 94/2019 Saeed ullah Vs SAFRON.
13. Appeal No 764(P)CS/2017, Review Petition No: 95/2019 Imran Vs SAFRON.
14. Appeal No 766(P)CS/2017, Review Petition No: 96/2019 Muhammad Ayub Vs SAFRON.
15. Appeal No 767(P)CS/2017, Review Petition No: 97/2019 Faizuliah Vs SAFRON.
16. Appeal No 768(P)CS/2017, Review Petition No: 98/2019 Imranuliah Vs SAFRON.
17. Appeal No 776(P)CS/2017, Review Petition No: 99/2019 Tila Muhammad Vs SAFRON.
18. Appeal No 777(P)CS/2017, Review Petition No: 100/2019 Adbul Rahim Vs SAFRON.
19. Appeal No 778(P)CS/2017, Review Petition No: 101/2019 Rohul Amin Vs SAFRON.

1. Whereas, the above captioned appeals along with Miscellaneous Petitions having identical question of Law and facts have been clubbed together.
2. And whereas, Appellants have impugned orders of Political Agent/Commandant Levy Force Bajaur dated 29.04.2016, 14.06.2016 and 28.07.2016, regarding placement of their services at the bottom of seniority list and withholding of back benefits.
3. And whereas, during militancy in Bajaur Agency, 242 personnel of Levy/Khassadars including appellants were removed from service due to absconding/desertion from duties. In compliance with Supreme Court of Pakistan Judgment dated 20.10.2015, appellants were reinstated and a Departmental Enquiry was conducted vide order dated 08.12.2015. Consequent upon recommendation of the Enquiry Committee, appellants reinstated in service with immediate effect and placed them at the bottom of Seniority with no Back Benefits etc vide order dated 29.04.2016, 14.06.2016 and 28.07.2016. The intermission period in between their termination and reinstatement was treated as leave without pay.

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-59-

4. And whereas, aggrieved from the order of Political Agent, the appellants filed appeals in the Hon'ble Federal Service Tribunal, Islamabad. Federal Service Tribunal vide judgment dated 04.12.2019 remanded Appeals/Misc: Petitions/Review petitions to the Competent Authority to treat it as Departmental Appeals and decide it afresh after giving the appellant opportunity of personal hearing

5. And whereas, appellants were called for hearing by the Committee on 20.10.2020 and heard in person, the record of the case perused

6. And whereas, after merger of erstwhile FATA with Khyber Pakhtunkhwa the Home & Tribal Affairs, Department, Khyber Pakhtunkhwa has been entrusted with the affairs of the Levies & Khassadars.

7. And whereas, appellants assailed the orders of the Political Agent Bajaur dated 29.04.2016, 14.06.2016 and 28.07.2016 and argued that respondent department has placed them at the bottom of seniority list and also withheld Back Benefits. They further contended that imposition of two penalties simultaneously are unlawful and needs to be cancelled.

8. Now therefore, the appellants did not performed duty during period of their termination and reinstatement, hence it would be unfair/injustice to treat them at par with those Levy/Khassadar personnel who performed duties perfectly and remained on front line with the Security Agencies in war against terrorism and offered sacrifices for the Nation. Therefore, orders of the Political Agent dated 29.04.2016, 14.06.2016 and 28.07.2016 are upheld and instant appeals are dismissed.

Secretary  
to Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

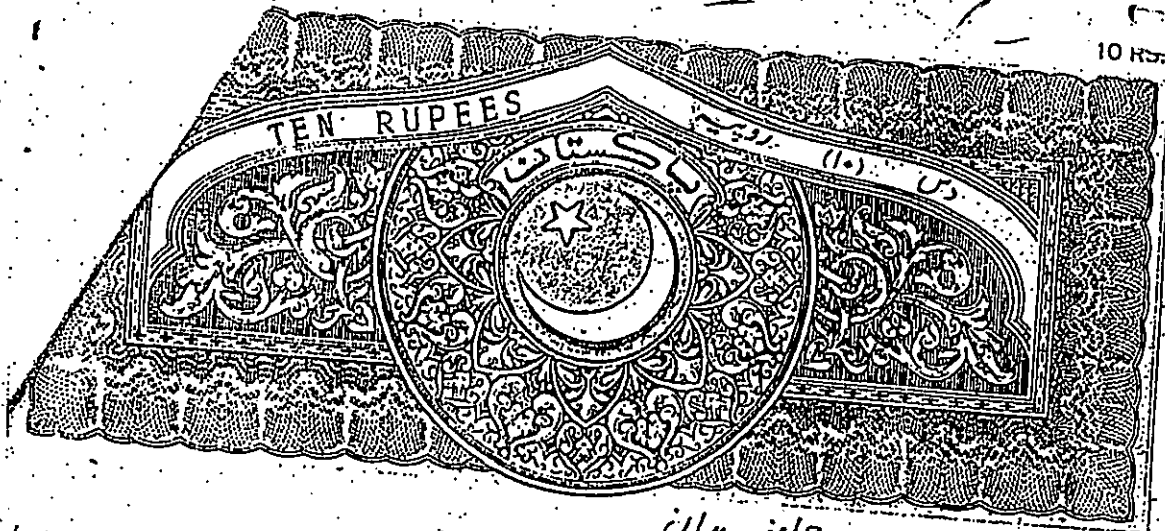
Endst. No. & date even.

CC to:

1. Registrar, Federal Service Tribunal, 47-Attaturk Avenue, Sector G-5/2, Islamabad.
2. Deputy Commissioner, Bajaur Tribal District.
3. District Police Officer, Bajaur Tribal District.
4. Deputy Secretary (Judicial), Home & TAs Department, Khyber Pakhtunkhwa

  
Section Officer (Levy & Khassadars)

**ATTESTED**



10 RS.

60

ANNEX I

حلفیہ بیان

میں سنی پھیسار خان انجارج لیونیز میں اقرار کرتا ہوں کہ سیاہی سپر حبیب جا  
 رجسٹریٹ نمبر 4322 ہمارے پاس لیونیز میں اینڈ ڈپوٹی انصاف ایمان زاری کیس کا حکم سہراجا  
 دینا رہا ہے۔ انہوں نے نہ تو اپنی پوسٹ سے کوئی غیر ماضی کی ہے۔ اور نہ ہی کو  
 دوسرا غیر قانونی کام کیا ہے۔ اور نہ ہی ہم نے ان کے خلاف کوئی رپورٹ ک  
 ہے۔ ڈپوٹی کی دوران ان کو زبانی طور پر بتایا گیا کہ ان کے ڈپوٹی 5 دن کے  
 میں فتم کر دی گئی ہے۔ جناب عالی مذکورہ سیاہی سپر حبیب ہونے کیس کا حکم جو  
 انتہائی ایمان زاری ہے۔ لہذا عدالت ہڈ سے اپیل کرتا ہوں کہ مز کو  
 سیاہی کو اپنی ڈپوٹی پر بحال کر کے ان کو انصاف فراہم کی جائے

انصاف من  
 خیر سید  
 ایسا تابع حکم حوالہ دار محمد سیدار خان رجسٹریٹ نمبر 2542 انجارج لیونیز  
 لیونیز میں خیر سیدار خان رجسٹریٹ نمبر 3823 خیر سیدار خان

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 Shahab-ud-Din Khattak  
 Advocate High Court

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بھخور جناب پولیٹیکل ایجنٹ / اسٹنٹ پولیٹیکل ایجنٹ صاحب خار، باجوڑ ایجنسی۔

عنوان:- پریزنٹیشن (Presentation)

جناب عالی!

-61-  
ANNEX-

بندہ آپ صاحبان کی خدمت میں ذیل گزارشات پیش کرتا ہے:-

- 1- بندہ باجوڑ لیویز میں 04/02/2003 کو بھرتی ہوا تھا اور پوری ایمانداری کیساتھ ڈیوٹی سرانجام دیتا رہا۔
  - 2- بندہ 20/03/2008 کو نوکری سے بغیر کسی وجہ درخواست کر دیا گیا نہ کوئی سمن بھیجا گیا اور نہ ہی کوئی انکوائری کرائی گئی۔
  - 3- بندہ کو زبانی طور پر اس وقت بتایا گیا جب روٹین کی ڈیوٹی سے واپس آیا۔
  - 4- برخاستگی کے وقت سول کالونی خاریوی مس میں ڈیوٹی سرانجام دے رہا تھا۔
  - 5- برخاستگی سے قبل بندہ نے نہ کوئی غیر قانونی کام کیا اور نہ ہی غیر حاضر تھا (پوسٹ انچارج بیان کاپی "A" منسلک ہے)۔
  - 6- بندہ نے بروقت ڈس کاپی حاصل کرنے کیلئے درخواست بھی دی تھی، لیکن اس پر کوئی عمل درآمد نہیں ہوا (کاپی درخواست "B" منسلک ہے)۔
  - 7- بندہ نہ تو حالات سے گھبرایا اور نہ ہی غیر حاضر رہا اسلئے بروقت حکمانہ اپیل پولیٹیکل ایجنٹ کی خدمت میں پیش کیا (کاپی اپیل "C" منسلک ہے)۔
  - 8- 14/04/2008 کو سیکرٹری لاء اینڈ آرڈر فائٹا پشاور میں ڈیپارٹمنٹل اپیل دائر کیا (کاپی اپیل "D" منسلک ہے)۔
  - 9- جب مقررہ مدت میں ان اپیلوں کا کوئی نتیجہ برآمد نہ ہو سکا تو بندہ نے پشاور سروس ٹریبونل میں اپیل دائر کیا (کاپی اپیل "E" منسلک ہے)۔
  - 10- اسکے بعد سروس ٹریبونل اسلام آباد میں اپیل دائر کیا اور سروس ٹریبونل نے مئی 2015ء بندہ کے حق میں فیصلہ کر دیا اور بندہ کو برخاستگی کے تاریخ سے سروس پر بحال کیا (کاپی کورٹ آرڈر "F" منسلک ہے) لیکن بد قسمتی سے ٹریبونل کے آرڈر پر سمن وگن عمل درآمد نہ ہو سکا۔
- جناب والا! بندہ عاجزانہ درخواست گزار ہے کہ بندہ کو پریزنٹیشن کے ذریعے اپنا حق دیا جائے اور سروس ٹریبونل کے آرڈر پر سمن وگن عمل کیا جائے اور اسی کی روشنی میں 20/03/2008 سے بحال رکھا جائے۔
- تاحیات دُعا گوں رہوں گا۔

سپاہی سید حبیب جان رجمنٹل نمبر 4322 باجوڑ لیویز۔

S. Habib Jan

ATTESTED

J



حکومت ضابطہ پوسٹل اینڈ ٹیلی گراف  
 باجوڑ ایجنسی بمقام حاکم

62

درخواست برآمد: عطا ٹیلی گراف  
 حکم نمبر 444 مورخہ 20/03/2014

ضابطہ عالی :-

سائیل کے ذیل عرض رساں ہے

- ① یہ کہ سائیل مورخہ 20/03/2014ء بطور سپاہی باجوڑ لیوین میں تعینات ہوا۔ (تخل حکم لف ہے)
- ② یہ کہ سائیل خوش اسلوبی سے اپنے نرائس منجی انجام دے رہا ہے اور کبھی اپنی نرائس میں کوئی کوتاہی نہیں کی۔
- ③ یہ کہ سائیل کو زبانی طور پر بتایا گیا ہے کہ اسے نوکری ختم کر دی گئی ہے۔ باوجود اس کے کہ سائیل کو کوئی تحریری حکم نامہ نہیں دیا جا رہا ہے۔
- ④ یہ کہ سائیل سسٹل ایسی دیوٹی پر حاضر رہا ہے اور اب تک حالات اس کے سناٹے والے ہیں۔ سائیل کو دینڈ ضابطہ پوسٹل اینڈ ٹیلی گراف باجوڑ کے کوئی بھی تحریری حکم نامہ / غزات دینے سے انکار دیا ہے۔ اس لیے بڑی مشکل سے سائیل کو منتقل کیا گیا ہے کہ اسکی نوکری بحوالہ حکم 444 مورخہ 20/03/2014ء کو ضابطہ پوسٹل اینڈ ٹیلی گراف سے ختم کر دی ہے۔

⑤ یہ کہ سائیل قبل ازیں بھی ایک درخواست

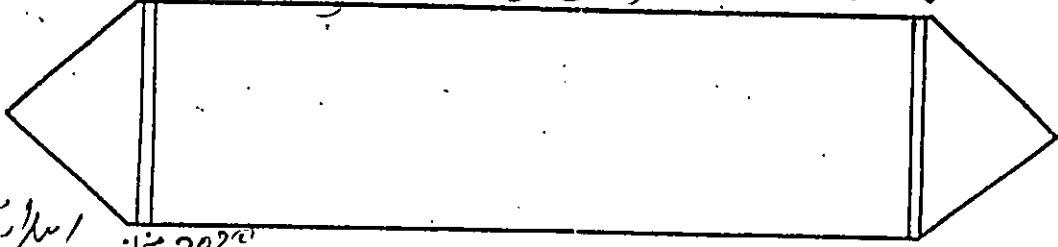
دے چکا ہے۔ اس کے بعد اسے حکم مذکورہ بالا کی نقل صاف ملانے کے لیے

محمد الغفران ساہی سید صاحب خان  
 4322 ولد سید باو خان سلسلہ گھمٹ سدار رزی باجوڑ  
 14/03/2014

ATTESTED  
 Shahab-ud-Din Khattak  
 Advocate High Court

ATTESTED

## بعدالت سرورس ٹریبونل کے فی کے



2022ء پنجاب اسلام آباد

عمران بنام ٹریبونل

موزخہ  
مقدمہ  
دعویٰ  
جرم

### باعث تحریر آئیکہ

مقدمہ مشدرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام سٹاڈر \_\_\_\_\_ کیلئے خالد دھان، اعین ایوب، فہیمہ عقیقہ علی اور سید حوسب

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقررثالتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانتا التوائے مقدمہ کے سبب سے دہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سندر ہے۔

المرقوم 47 ماہ دسمبر 2022ء

واہ العب

کے لئے منظور ہے۔

بمقام سٹاڈر

Handwritten signature and initials.

**"B"**

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

No.

Appeal No. 821 to 834 of 20 21

Imran & (13) others Appellant/Petitioner

Versus

The Court: KPK Chief Secy: Peshawar Respondent

Respondent No. 3

Recd

Notice to: the Deputy Commissioner Distt: Khat Bajaur

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 9/11/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Along with (13) connected appeal  
Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

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

Given under my hand and the seal of this Court, at Peshawar this 25/6

Day of..... June 20 21

Registrar  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. 821 to 834 of 2021

Imran & (13) others Appellant/Petitioner

Versus

The Govt. KPK Chief Secy: Peshawar Respondent

Respondent No. 4

*Legal*

Notice to: —

Distt. Police Officer, Distt. Khas Bajaur

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 9/11/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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*Along with (13) connected Appeal*

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

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

Given under my hand and the seal of this Court, at Peshawar this 25<sup>th</sup>

Day of June 2021



Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

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

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD, P.B.  
PESHAWAR.

No.

Appeal No. 821 to 834 of 20 21

Imran & (13) others connected Appellants  
Appellant/Petitioner

*versus*

the Govt. of K.P. Chief Secy. Respondent

Respondent No. 3

Notice to: —

the Deputy Commissioner Distt  
Khad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 16<sup>th</sup>

Day of Nov 20 21

*(for Reply)*

  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. 821 to 834 of 20 21  
Imran (13) others connected Appeals Appellant/Petitioner

*egd*  
Versus  
the Govt. of KP (Chief Secy) Respondent

Respondent No. 4

Notice to: —

Distt. Police Officer Distt.  
Khad.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10/2/22 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 16<sup>th</sup>

Day of Nov 20 21

*(for Reply)*

  
Registrar

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. 821 to 834 of 20 21  
Imran & (13) others connected appeals Appellant/Petitioner

Versus  
The Court of KP Chief Secy. Respondent

Respondent No. 1

Notice to: — The Court of KP through Chief Secretary Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10/2/21 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 16<sup>th</sup>

Day of.....Nov.....20 21

(for Reply)

19/11

[Signature]  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No... 821 to 834 ..... of 20 21

Imran 2(13) others connected Appeals  
Appellant/Petitioner

Versus

The Govt. of KPK Chief Secy. Respondent

Respondent No. 2

Notice to: —

The Secretary Govt. of KPK Home  
Deptt. Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10/2/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 16th.....

Day of..... Nov. 20 21

(for Reply)

Signature

Registrar

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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