

Execution Petition 809/2022

16th June, 2022

Petitioner alongwith his counsel present. Mr. Kabir Ullah Khattak, Additional Advocate General for respondents present.

When confronted with the order passed vide notification No. SO (B-TG)/E&SED/5-4/Complaint/BISE Peshawar/Vol-G: dated 05.10.2021 submits that although the judgment has been implemented in letter and spirit but the consequential back benefits although granted vide above notification had not been released for which he submits that he might be permitted to take other legal steps under the law. Disposed of accordingly. Consign.

Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 16th day of June, 2022.

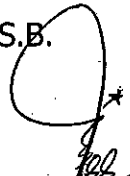


(Kalim Arshad Khan)
Chairman

20.01.2022

Clerk of learned counsel for the petitioner present.
Muhammad Adeel Butt, Addl: AG for respondents present.

Due to general strike of the bar, the case is adjourned. To
come up for further proceedings on 08.03.2022 before S.B.


(Mian Muhammad)
Member(E)

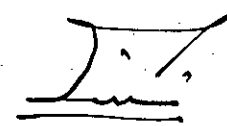
08.03.2022

Due to retirement of the Worthy Chairman, the
Tribunal is defunct, therefore, case is adjourned to
02.06.2022 for the same as before.


Reader.

02.06.2022

Petitioner in person present. Mr. Haseen Ullah,
Assistant and Mr. Sajid, Superintendent alongwith Mr.
Muhammad Adeel Butt, Additional Advocate General for the
respondents present. They stated at the bar that process
for implementation of the judgment is in progress and that
implementation report will be produced on the next date.
Adjourned. To come up for implementation report on
16.06.2022 before the S.B.


(Salah-Ud-Din)
Member (J)

12.10.2021

Petitioner with counsel present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Saleem Khan, SO for respondents present.

Respondent-department produced notification dated 05.10.2021 which is placed on file and copy thereof is handed over to the learned counsel for the petitioner. In case learned counsel for the petitioner has any objection or reservation, the same may be submitted before the court on the next date. Adjourned. To come up for further proceedings before the S.B on 07.12.2021.



(MIAN MUHAMMAD)
MEMBER (E)

07.12.2021

Counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Respondent-department has submitted notification dated 05.10.2021 whereby the petitioner has been exonerated from the charges leveled against him. However, learned counsel for the petitioner raised a technical question regarding not mentioning the word of reinstatement in service in the said Notification. The point is required to be clarified strictly in legal terms and sense by the learned AAG. To come up for further proceedings on 20.01.2022 before S.B.

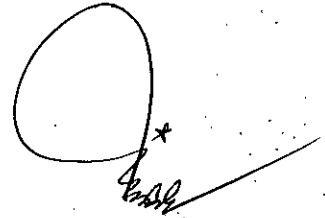


(MIAN MUHAMMAD)
MEMBER (E)

30.08 .2021

Petitioner alongwith his counsel present. Mr. Usman Ghani, District Attorney alongwith Mr. Saleem Khan, SO for respondents present.

Implementation report not submitted. Representative of the respondents stated that the implementation under execution is in process and will be submitted on the next date. He is directed to positively peruse the matter and submit proper implementation report on the next date of hearing. Adjourned. To come up for further proceedings before the S.B on 16.09.2021.



(MIAN MUHAMMAD)
MEMBER (E)

16.09.2021

Petitioner alongwith counsel and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned AAG assured that he will take up the matter with the respondents and requests for further time. Request is accorded. Case to come up for implementation report on 12.10.2021 before S.B.




Chairman

22.03.2021

Petitioner alongwith counsel and Mr. Kabirullah Khattak, Additional Advocate General alongwith Syed Naseer-ud-Din, Assistant for the respondents present.

Learned Additional Advocate General sought time for production of implementation report. Adjourned. To come up for implementation report before S.B on 08.04.2021.


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

08.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 15.07.2021 for the same as before.


Reader

15.07.2021

Petitioner in person and Mr. Muhammad Adeel Butt, Addl. AG alongwith Saleem Khan, SO for the respondents present. As far as the judgment of this Tribunal is concerned, the department was directed to conduct denovo enquiry within a period of ninety days after date of receipt of the judgment but the enquiry report could not be concluded within period of more than two years. The respondents are directed to furnish the outcome of denovo enquiry, if underway, failing which the direction for denovo enquiry shall be deemed as redundant. Case to come up on 30.08.2021 before S.B.

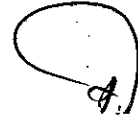

Chairman

08.02.2021

Petitioner in person present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Hayat Khan Assistant Director and Muhammad Salim S.O for respondents present.

Hayat Khan Assistant Director made a request for last chance in order to produce all relevant record in shape of proper implementation report. Last chance is given. To come up for proper implementation report on 08.03.2021 before S.B.



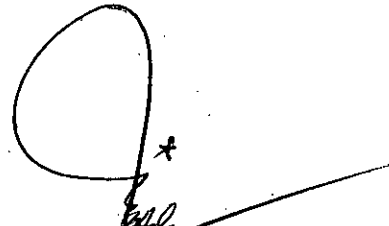
(Rozina Rehman)
Member (J)

08.03.2021

Petitioner with counsel present. Mr. Noor Zaman Khattak, District Attorney alongwith Syed Naseer Ud Din, Assistant for respondents present.

Learned District Attorney requested for two weeks time so as to submit final and conclusive implementation report. The request is allowed with the directions that in case of failure cost will be imposed on the respondents

Adjourned to 22.03.2021 before S.B.

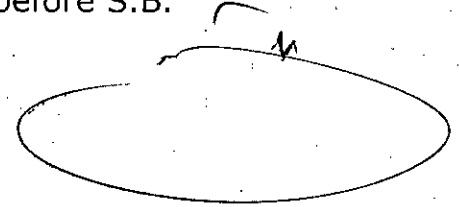


(Mian Muhammad)
Member (E)

03.11.2020

Nemo for petitioner. Mr. Kabirullah Khattak, Additional Advocate General is present.

Neither implementation report on behalf of respondents submitted nor representative of the department is present, therefore, notice be issued to the respondents for submission of implementation report for 24.12.2020 before S.B.



(Muhammad Jamal Khan)
Member (Judicial)

24.12.2020

Counsel for the appellant and Asstt. AG for the respondents present.

No representative of respondents is in attendance today. Similarly, the requisite implementation report has also not been submitted.

In the circumstances, it is appropriate to issue notice to the respondent No. 3 for appearance alongwith record relevant for the matter in hand.

Order accordingly. Adjourned to 08.02.2021 before S.B.



Chairman

04.08.2020

Petitioner alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG alongwith M/S Fazle Subhan, Section Officer and Abdul Wahid, Litigation Officer for the respondents present.

The judgment of this Tribunal dated 08.05.2019 has not been implemented so far in letter and spirit. Learned Additional AG seeks further time to furnish the implementation report. Adjourned to 17.09.2020 on which date implementation report shall positively be submitted.


(MIAN MUHAMMAD)
MEMBER (E)

17.09.2020

Petitioner with counsel and Addl. AG alongwith Abdul Wahid, Litigation Officer for the respondents present.

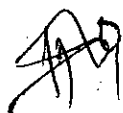
Representative of respondents informed that the nominated enquiry officer has retired, therefore, the respondents need further time for implementation of judgment under execution.

In view of the above, it is appropriate to allow more time to the respondents but within reasonable limit to do the needful. Adjourned to 03.11.2020 before S.B.


Chairman

26.02.2020

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Irfan Superintendent for the respondents present. Representative of the respondents seeks time to furnish implementation report. To come up for implementation report/further proceedings on 25.03.2020 before S.B.


(Hussain Shah)
Member

27.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before S.B.


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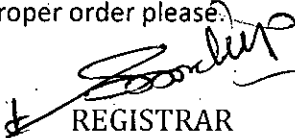




18.06.2020

Petitioner in person present. Addl: AG alongwith Mr. Irfan Ullah, Assistant and Mr. Fazal Subhan, SO for respondents present. Petitioner seeks adjournment as his counsel is not available today. Adjourned. To come up for further proceedings on 04.08.2020 before S.B.


MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____
Execution Petition No.- 426/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	19.11.2019	<p>The execution petition of Mr. Taj Ali Khan submitted today by Mr. Taimoor Ali Khan Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	20/11/19	<p>This execution petition be put up before S. Bench on <u>13/12/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
13.12.2019		<p>Petitioner in person present. Notices be issued to the respondents for implementation report for 23.01.2020 before S.B.</p> <p style="text-align: right;"> (MUHAMMAD AMIN KHAN KUNDI) MEMBER</p>
	23.01.2020	<p>Petitioner in person and Addl. AG for the respondents present.</p> <p>Learned AAG seeks time to contact the respondents and furnish the reply/implementation report.</p> <p>Adjourned to 26.02.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Execution petition No. 426 /2019
In Service Appeal No.397/2016

Khyber Pakhtunkhwa
Service Tribunal

Entry No. 1197

Date 19-11-2019

Taj Ali Khan, SST (Science)
GHS PAF, Shaheen Camp, Peshawar.

PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. Director (E&SE) Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS

.....

**EXECUTION PETITION FOR DIRECTING THE
RESPONDENTS TO IMPLEMENT THE
JUDGMENT DATED 18.05.2019 OF THIS
HONOURABLE SERVICE TRIBUNAL IN
LETTER AND SPIRIT.**

.....

RESPECTFULLY SHEWETH:

1. That the petitioner has filed an appeal bearing No.397/2016 in this august Service Tribunal against the impugned order dated 23.11.2015 whereby the petitioner was compulsory retired from service and against not taking action on his review petition.
2. That the said appeal was finally heard on 18.05.2019 and the Honourable Tribunal was kind enough to accept the appeal and the impugned order dated 23.11.2016 was set aside and the respondents were directed to conducted denovo inquiry within the period of ninety days after the receipt of the judgment and the issue of back benefits shall be the subject to the outcome of denovo inquiry. **(Copy of judgment dated 18.05.2019 is attached as Annexure-A)**
3. That in the compliance of the judgment dated 18.05.2019 of this august Service Tribunal, the petitioner was reinstated into service for the purpose of denovo inquiry vide notification dated 11.06.2019, but



after the lapse of stipulated period of ninety days given by this august Service Tribunal in its judgment dated 18.05.2019, the respondents did not conduct denovo inquiry against the petitioner due to which the issue of back benefits of the petitioner remain unsolved. **(Copy of notification dated 11.06.2019 is attached as annexure-B)**

- 4. That in-action and not fulfilling formal requirements by the respondents after passing the judgment of this august Service Tribunal, is totally illegal amount to disobedience and Contempt of Court.
- 5. That the judgment is still in the field and has not been suspended or set aside by the Supreme Court of Pakistan, therefore, the respondents are legally bound to implement the judgment of this Honourable Service Tribunal in letter and spirit.
- 6. That the petitioner has having no other remedy except to file this execution petition for Implementation of judgment dated 18.05.2019 of this august Service Tribunal.

It is, therefore, most humbly prayed that the respondents may be directed to implement the judgment dated 18.05.2019 of this august Service Tribunal in letter and spirit. Any other remedy, which this august Service Tribunal deems fit and appropriate, may also be awarded in favour of petitioner.


FAZAL WAHID
ADVOCATE

THROUGH:


PETITIONER

(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT,

&
(ASAD MAHMOOD)
ADVOCATE HIGH COURT

AFFIDAVIT:

It is affirmed and declared that the contents of the execution petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this august Service Tribunal.


DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR



Appeal No. 397/2016

A. W. P. No. 375
Service Tribunal
14-4-2016

Taj Ali Khan, Ex- SST (Science), Govt. High School
Badizai Nasir Bagh Road, Peshawar.

(Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the order dated 23.11.2015, whereby the appellant has been awarded major punishment of Compulsory Retirement From Service against which his Review Petition dated 08.01.2016, has not been responded despite the lapse of 90 days Statutory Period.

Prayer in Appeal: -

On acceptance of this appeal the order dated 23.11.2015, may please be set-aside and the appellant may please be re-instated in service with full back wages and benefits of service.

Respectfully Submitted:

1. That the Appellant was initially appointed as SET, vide order dated 31.05.1999. Ever since his appointment, the Appellant had performed his duties as assigned with great zeal and devotion and there was no complaint what so ever regarding his performance.

Attest
Attested

ATTESTED

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

[Signature]
14/4/16

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 509/2016

Date of Institution ... 13.05.2016

Date of Decision ... 08.05.2019



Mussawar Jan, Associate Profess^{or} (BPS-19), Ex Controller of Examinations Board of Intermediate and Secondary Education Peshawar. ... (Appellant)

VERSUS

Chief Secretary, Govt. of Khyber Pakhtunkhwa Peshawar and two others: ... (Respondents)

MR. FAZAL SHAH MOHMAND,
MR. TAIMUR ALI KHAN,
MR. YASIR SALEEM,
Advocate

--- For appellant.

MR. M. RIAZ KHAN PAINDAKHEL
Assistant Advocate General

--- For respondents.

MR. AHMAD HASSAN,
MR. HAMID FAROOQ DURRANI

--- MEMBER (Executive)
--- CHAIRMAN

JUDGMENT

AHMAD HASSAN, MEMBER:-

This judgment shall dispose of the instant service appeal as well as connected service appeals no. 397/2016 titled Taj Ali Khan and no. 540/2016 titled Irfanullah, as similar question of law and facts are involved therein.

2. Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS

3. Learned counsel for the appellant argued that on the recommendations of Khyber Pakhtunkhwa, Public Service Commission, he was appointed as Lecturer

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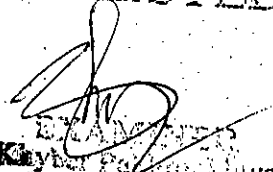
Ahmad Hassan
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

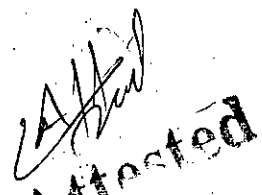
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(BPS-17) on 14.01.2002. Again he was directly appointed as Associate Professor (Mathematics) in 2010. The appellant was posted as Secretary, Board of Intermediate & Secondary Education, Peshawar in February 2012 and thereafter transferred as Controller of Examination in the same organization on 23.10.2012. On the allegations of leakage of an award list of Intermediate Examination 2014 conducted by BISE, Peshawar, he was placed under suspension vide notification dated 23.07.2014. A fact finding enquiry was conducted by the respondents, wherein it was recommended that the appellant be repatriated to his parent department. Subsequently, regular enquiry was conducted and after winding up of the process minor penalty of stoppage of two annual increments for two years was awarded to him vide impugned order dated 23.11.2015. Feeling aggrieved, he filed review petition on 21.01.2016, which remained un-responded, hence, the present service appeal. The Coordinator Mr. Irfanullah (appellant) was appointed by the Chairman, BISE, Peshawar and had admitted the charge of leakage of award list as the same were in his custody. Moreover, charges of leakage of said list were also proved against Mr. Taj Ali Khan, SET/scrutinizer (appellant). As a sequel to the enquiry an FIR was lodged against him and held responsible for the said offense. Resultantly, major penalty of compulsory retirement was awarded to him. He further argued that perusal of enquiry report revealed that charge leveled against the appellant was not proved, therefore, minor penalty awarded to him was illegal and unlawful. Neither statements of witnesses were recorded in his presence nor opportunity of cross examination was afforded to him. He was also denied the opportunity of personal hearing. In short, he was condemned unheard.

ATTESTED


 Keyed Personnel
 Service Tribunal,
 Peshawar


 Attested

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4. On the other hand learned Assistant Advocate General argued that the appellant failed to discharge responsibilities as Controller of Examination, BISE, Peshawar. The fact finding enquiry and regular enquiry proved beyond doubt his involvement in leakage of award list referred to above. He was bound to put in place a full proof system for maintaining proper secrecy of the examination, process right from the start to the announcement of result. The Coordinator and other staff were working under his administrative control. He was held guilty of negligence/misconduct in the performance of official duty.

CONCLUSION

5. Perusal of fact finding enquiry revealed that responsibility of leakage of award list of Physics, Part-II, Chemistry, Part-II and English, Part-II of Jinnah College for Women was fixed on Controller, Coordinator, Secrecy Officer and Secrecy Superintendent of BISE, Peshawar. Various recommendations were also made in concluding part of the report. It was followed by regular enquiry conducted against the concerned as per letter dated 10.12.2014. The inquiry officer in his findings opined that charge leveled against the appellant was not proved. Similarly charge against the co-accused Mr. Irfanullah (appellant) was also not proved, whereas charge against Mr. Taj Ali Khan, SET/Scrutinizer stood proved.

6. Para-2 and Para-4 of the enquiry report were worth perusal, wherein the enquiry officer highlighted that all accused officials were cross examined and heard in person. In sub-rule-1(2) of Rule-10 of the E&D Rules 2011, it is laid down that record of the case and the list of witnesses, if any shall be communicated to the enquiry officer/ committee, as the case may be alongwith

ATTESTED

Kh. [Signature]
Service Tribunal,
Peshawar

[Signature]
Attested



orders of enquiry. The record placed before us proved that no such lists were provided to the enquiry officer. Sub-Rule-1 of Rule-11 stipulates that the enquiry officer/enquiry committee shall inquire into the charges and may examine such oral or documentary evidence in support of the charges or in defense of the accused as may be considered necessary and wherein witness is produced by one party the other party shall be entitled to cross examine such witnesses. (2011-PLC (C.S) 1111, 2010 SCMR 1554 AND 2018 SCMR 108). Furthermore, sub-rule-4 of Rule-11 of the Rules ibid provides that statement of witnesses and departmental representative if possible will be recorded in the presence of the accused and vice-versa. It is pertinent to point out that all these involved in the scam tried to shift responsibility on the other by leveling counter allegations. Its veracity could not be affirmed/denied by providing them opportunity of cross examination. The enquiry officer failed to record the statements of witnesses nor opportunity of cross examination was afforded to the accused. It made the entire process dubious and without legal sanction. The role of conducting process of cross examination by the enquiry officer was utter violation of the rules referred to above. He went beyond his assigned mandate and his actions were nullity in the eyes of law.

7. We would also like to highlight that charge leveled against Mr. Taj Ali Khan (appellant) in the charge sheet was quite different from the one highlighted at serial no. 8 of para-3 of the enquiry report. The enquiry officer failed to bring on record any incriminating evidence against all the accused and specially the one referred to above. He was supposed to give tailor made recommendations after scrutiny of record. Statements of incumbent Chairman BISE, Peshawar etc. were not recorded for reasons best known to the enquiry officer. Being overall

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Attested
 Peshawar


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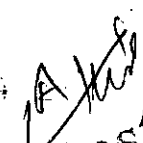
incharge/head of the organization he should have been associated with the inquiry process. Was it not his failure to put in place a fool proof system to avoid such incidents? It can be safely inferred he mainly relied on conjectures, suppositions and surmises and failed to dig out real facts and fix responsibility on the concerned. Moreover, all the accused were held to be guilty of negligence, therefore, penalty awarded to Mr. Taj Ali on the basis of unsubstantiated charges appeared to be quite harsh. He mainly relied on mobile data obtained by BISE, Peshawar at their own in which apart from Taj Ali Khan names of Aurangzeb and Zahid were also mentioned but statements of Aurangzeb and Zahid and record of the said conversation was not made part of the enquiry report. It lends credence to the fact that the charge leveled against Mr. Taj Ali Khan was not proved, as admitted by the enquiry officer in its report and the relevant portion is reproduced before for ready reference:

"Although, there is no record of any direct contact of Mr. Taj Ali with media person (Zahid), however, the above mentioned telephonic conversation by Taj Ali & Zahid Shows Taj Ali used Aurangzeb as a facilitator to gain access to media man (Zahid) and through this connection, the award list was leaked out to the press which caused great embarrassment to the Provincial Government."

8. Rule-14 of E&D Rules 2011 relates to passing of order on receipt of report from the enquiry officer/enquiry committee by the Competent Authority. Attention is invited to Sub-rule-(2) and (3) of the said rules. As charges against Mr. Mussawar Jan and Irfanullah were not proved so on the strength of the rule referred to above, they were required to be exonerated by an order in writing. An opening was available for the competent under Sub-rule-(6) of the above rule that in case enquiry proceedings are not conducted in accordance with the provisions

ATTESTED


Enquiry Officer,
Peshawar


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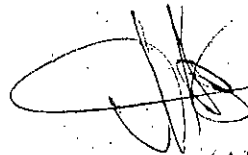
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of these rules or the facts of merits of the case are ignored or there are specific grounds, it may after recording reasons in writing, either remand to the Enquiry Officer or the enquiry committee as the case may be that such directions as the competent authority may be like to give, or may order a de-novo through a different Enquiry Officer or Enquiry Committee. We have not been able to comprehend whether the competent authority was justified to give minor penalty to the accused referred to above, as charges could be established against them in the inquiry report? Prima-facie, his action appears to be a violation of laid down procedure and not tenable in the eyes of law.

9. As a sequel to above, the appeal is accepted, impugned order dated 23.11.2015 is set aside. The respondents are directed to conduct de-novo enquiry within a period of ninety days after the date of receipt of this judgment. The issue of back benefits shall be subject to the outcome of the de-novo enquiry. Parties are left to bear their own costs. File be consigned to the record room.

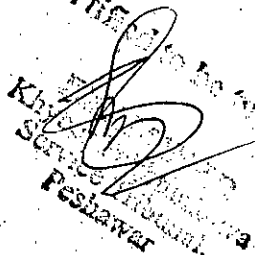


(HAMID FAROOQ DURRANI)
CHAIRMAN

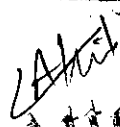


(AHMAD HASSAN)
MEMBER

ANNOUNCED
08.05.2019

Certified to be true copy

 Khairul Momin
 Secretary
 Peshawar

Date of Presentation of Application 15-05-19
Number of Words 2800
Copying Fee 16.00
Urgent —
Total 16.00
Name of Copyist [Signature]
Date of Completion of Copy 16-05-19
Date of Delivery of Copy 16-05-19

Attested




GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the, 11-06-2019

Notification.

No.SO(B/T)E&SE/5-4/2019/BISE Peshawar. In Compliance of the judgement of Khyber Pakhtunkhwa Service Tribunal Peshawar dated 08-05-2019 delivered in service appeal No. 397 / 2016, the competent authority has been pleased to reinstate Mr. Taj Ali Khan' Ex SST (Science) GHS Badizai Nasir Bagh Road Peshawar in to Government service with immediate effect for the purpose of denovo inquiry.

2. Consequent upon above, his services are placed at the disposal of Directorate E&SE for further adjustment.

SECRETARY

Endst: of even No. & Date.

A Copy is forwarded to:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. Chairman, BISE Peshawar.
4. District Education Officer (M) Peshawar.
5. PSO to Chief Minister Khyber Pakhtunkhwa, Peshawar.
6. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
7. P.S to Advisor for Chief Minister E&SE PSO to Chief Minister Khyber Pakhtunkhwa.
8. PS to Secretary E&SE Department.
9. PA to deputy Secretary (Admn) E&SE Department.
10. Officer concerned.

(LAL SAEED KHATTAK)
SECTION OFFICER (BOARD&TRG)

Attested
12-6-19

قیمت
50 روپے

26921



ایڈوکیٹ: ذمخوڑا خان

بار کونسل / ایسوسی ایشن نمبر: _____

رابطہ نمبر: _____

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

مخانب: <u>ساجد علی خان</u>	دعوی:
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

باعت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ ذمخوڑا خان کے آں مقام لکشا مور کیلئے ذمخوڑا خان، اسد محمور احمد مسد الو کوکیل 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 تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم:

مقام _____ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 4147/ST

Dated 30/12/2020

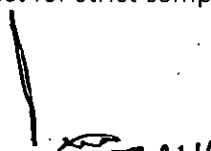
To

The Director E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: - **ORDER IN EXECUTION PETITION NO. 426/2019 MR. TAJ ALI KHAN.**

I am directed to forward herewith a certified copy of order dated 24.12.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the October 5th, 2021

NOTIFICATION

NO.SO(B-TG)/E&SED/5-4/Complaint/BISE Peshawar/Vol-G:

WHEREAS Mr. Taj Ali, SST BS-16 was proceeded under the Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet and statement of allegations.

2. AND WHEREAS Muhammad Taufique (PMS BS-18) Deputy Secretary C&W Department, now Deputy Secretary, Regulation-I Establishment Department was nominated as inquiry officer to conduct De-Novo inquiry against the accused Mr. Taj Ali, Ex-SST, for the charges levelled against him in accordance with the rules.

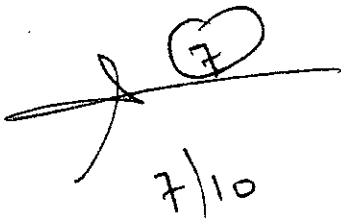
3. AND WHEREAS the inquiry officer after having examined the charges, evidence on record has submitted the report on 11.02.2021 who recommended **Exoneration** of Mr. Taj Ali, Ex-SST from the charges levelled against him. Now therefore, in light of the decision of the Chief Minister / Competent Authority, you, Mr. Taj Ali, are hereby exonerated with all back benefits from the charges levelled against you in the instant case with immediate effect.

SECRETARY

Endst: of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. PSO to Chief Minister Khyber Pakhtunkhwa, Peshawar
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Male), Peshawar.
5. PS to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
6. PS to Minister E&SE Department, Khyber Pakhtunkhwa, Peshawar.
7. PS to Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar.
8. Section officer School (Male) E&SE Department.
9. Mr. Taj Ali, SST (Science) GHS Badizai, Nasir Bagh Road, Peshawar
10. Incharge EMIS E&SE Department.
11. Master File.


7/10


(IMTIAZ KHAN) 5/10/2021
SECTION OFFICER (B/T)