

Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	07.03.2016	<p style="text-align: center;"><u>BEFORE THE KPK SERVICE TRIBUNAL,</u> <u>PESHAWAR</u></p> <p style="text-align: center;">Appeal No. 1153/2014</p> <p style="text-align: center;">Haroon Badshah Versus Govt. of KPK through Chief Secretary, Peshawar etc.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>PIR BAKHSH SHAH, MEMBER.-</u> Appellant</p> <p>with counsel (Mr. Ijaz Anwar, Advocate) and Government Pleader (Mr. Muhammad Jan) with Hameedur Rahman, ADO for the respondents present.</p> <p>2. Initially appointed as Class-IV employee in the Education Department, the appellant was promoted to the post of Junior Clerk on 14.10.2005. According to record, Mr. Mir Azam, then Executive District Officer, E&amp;SE, Lakki Marwat, appointed 11 Junior Clerks in the year, 2011 and which appointments according to the competent authority were illegal, hence, the competent authority constituted enquiry committee comprising of Abdul Ghafoor Baig, Special Secretary, (BS-20) Higher Education, KPK Peshawar and Mr. Attaullah Khan, Principal (BS-20) RITE Peshawar against the said Mr. Mir Azam. In the said enquiry report, the appellant was</p>

also recommended to be posted out from the district and to be proceeded against under the Government Servants (E&D) Rules. On the basis of this enquiry report, a show cause notice was issued to the appellant charging him as follows:-

“i. That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing; and

ii. On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defence before the inquiry committee,

I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules;

(i) Mis-conduct.”:

He submitted his reply to this show cause notice. Vide impugned order dated 18.6.2014, the appellant was removed from service against which order his departmental review petition was not responded, hence this appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

3. Arguments heard and record perused.

4. The learned counsel for the appellant submitted that the appellant cannot be connected with allegation of appointment of 11 Junior Clerks by one Mir Azam and it

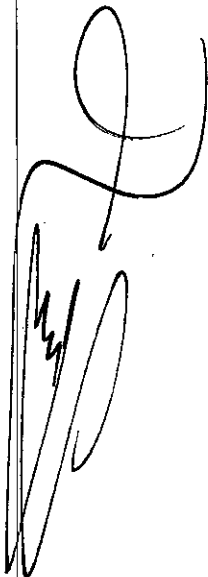
is evident that the appellant was maligned on political affiliation. It was further submitted that major penalty of removal from service has been imposed on the appellant but the procedure adopted was the shorter procedure of only a show cause notice which practice is against so many decisions of the august Superior Courts. It was submitted that no opportunity of defence or personal hearing was provided to the appellant and the penalty imposed is too harsh. The learned counsel for the appellant while assisting the Tribunal through the enquiry report of the enquiry committee against Mir Azam, submitted that no punishment, muchless punishment of removal from service, has been recommended even in this enquiry against the appellant and hence order of removal against the appellant was uncalled for. He submitted that the appellant may be reinstated into service with all back benefits, by setting aside the impugned order.

5. The appeal was resisted by the learned Government Pleader on the ground that all the codal formalities of show cause notice has been complied with and the competent authority was vested with powers to adopt shorter procedure for disciplinary proceedings against the appellant. He also submitted that in the said illegal appointments of the Junior Clerks, brother of the appellant namely Aftab was also appointed by the said Mir Azam. He also submitted that the appellant has

admitted his helping out the said Mir Azam. Finally it was stated that since the charge against the appellant has been proved, therefore, the instant appeal being devoid of merits may be dismissed.

6. We have heard pro & contra arguments and have perused the record.

7. A thorough perusal of the record did not reveal that the charge of rendering any illegal assistance in the recruitment of 11 Junior Clerks appointed by Mir Azam stand, proved before the enquiry committee. Undoubtedly, his brother was also appointed in the said appointments but the appellant being neither signatory on such appointments nor a member of the selection committee, then he cannot be held responsible for such appointment by a competent ~~another~~ authority. We have perused the enquiry report under discussion and unable to hold that appellant was also the accused officials before such enquiry committee. In pursuance of the recommendations of the enquiry committee, it was required that the appellant should have been issued a separate charge sheet followed by a departmental enquiry against him but the record shows that this procedure has not been adopted. Contrarily, a show cause notice was issued to the appellant and his reply to this show cause notice in which he denied charges, shows that the competent authority without going into the role of the



appellant for any such illegal appointments of the Junior Clerks or other cognizing materials against him, has passed the impugned order which conveys that the same was passed without application of mind. Charges leveled in the show cause notice, <sup>do</sup> not correspond with the so-called materials in the enquiry report. No opportunity of personal hearing has been given to the appellant. The Tribunal is of the considered view that the impugned order suffers from infirmity being not well-grounded in the alleged incriminating materials against the appellant, hence the same cannot be sustained. Thjerefore, the impugned order is set aside and the case is accordingly remitted to the respondent department to conduct denovo proceedings against the appellant strictly in accordance with law within a period of one month after receipt of this judgment in which full opportunity of defence be provided to the appellant.. Needless to mention that for such denovo proceedings, the appellant is reinstated into service. The issue of back benefits will also be decided by the respondent department in such denovo proceedings. The appeal is disposed off accordingly. Parties are left to bear their own costs. File be consigned to the record room.

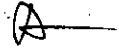
ANNOUNCED  
07.03.2016

  
(ABDUL LATIF)  
MEMBER

  
(PIR BAKHSH SHAH)  
MEMBER

30.09.2015

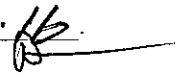
Appellant in person and Mr. Muhammad Jan, GP for respondents present. Arguments could not be heard due to learned Member (Judicial) is on official tour to D.I. Khan, therefore, case is adjourned to 4-12-15 for arguments.



Member

04.12.2015

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Learned counsel for the appellant submitted that he does not want to file rejoinder. He requested for adjournment to go through the record. To come up for arguments on 7-3-16.



Member



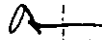
Member

Appeal No. 1153/2014  
Mr. Haroon Bial Mohi

5. 09.02.2015

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 18.06.2014, vide which the major penalty of removal from service has been imposed upon the appellant. Against the above referred impugned order appellant filed departmental appeal on 14.07.2014 which was not responded within the statutory period of 90 days, hence the instant appeal on 17.09.2014. He further contended that neither any show cause was issued to the appellant nor any charge sheet and statement of allegations were issued to the appellant.

Since the matter pertains to terms and conditions of service of the appellant, hence admit for regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply. To come up for written reply/comments on 09.03.2015 before the learned Bench-III.

  
Member

6 09.03.2015

Appellant with counsel and Mr. Khurshid Khan, SO for respondents alongwith Addl: A.G present. Comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 30.09.2015.

  
Chairman

Appellant deposited process fee  
A Security

[Redacted text]

A

3.  
Reader Note:

04.12.2014 Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned 09.01.2015 for the same.

4.  
Reader Note:

09.01.2015 Appellant in person present. Since the Tribunal is incomplete, therefore, case is adjourned 09.02.2015 for the same.

*[Signature]*  
Reader

*[Signature]*  
Reader

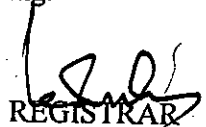
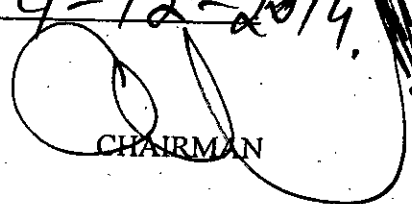
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Form- A  
FORM OF ORDER SHEET

Court of -----

Case No. 1153/2014

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	17-9-2014	<p>The appeal of Mr. Haroon Badshah submitted today by Mr. Sajid Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p> REGISTRAR</p>
2	22-9-2014	<p>This case is entrusted to Primary Bench for Preliminary Hearing to be put up there on <u>4-12-2014</u>.</p> <p> CHAIRMAN</p>

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

Appeal No. 1153/2014

Haroon Badshah s/o Beharm Khan Ex Junior Clerk R/O Naser khel,  
Sarai Naurang Lakki Marwat.....(*Appellant*)

**VERSUS**

Govt of Khyber Pakhtunkhwa through Secretary Elementary &  
Secondary Education Department, Peshawar and others.

(*Respondents*)

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4	Copies of the letter dated 12.05.2014 & Notification dated 18.06.2014	C & D	11-12
5	Copy of the departmental review	E	13-16
6	Copies of the application and enquiry report	F & G	17-31
7	Iqrar nama		32
8	Vakalatnama.		

Through

*H. A. Badshah*

Appellant

**HAZANWAR**

Advocate Peshawar

&

**SAJID AMIN**

Advocate, Peshawar

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

Appeal No. 1153/2014

1184  
17/9/2014

Haroon Badshah s/o Beharm Khan Ex Junior Clerk R/O Naser  
khel, Sarai Naurang Lakki Marwat.....(*Appellant*)

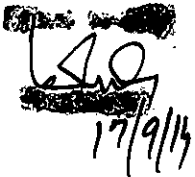
**VERSUS**

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Elementary & Secondary Education Department, Civil Secretariat Peshawar.
3. Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.

(*Respondents*)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the Notification dated 18.6.2014, whereby the appellant has been awarded major punishment of Removal from Service, against which the Departmental Review dated 14.7.2014 has not been replied so far.

Prayer in Appeal: -

  
17/9/14

On acceptance of this appeal the Notification dated 18.6.2014 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 on 15.12.1994 in the Education Department and on 14.10.2005 was promoted as Junior Clerk. Till to the last date he performed his duties to the best of his abilities and to the utmost satisfaction of his superiors.

2. That the respondents initiated as departmental proceedings regarding some alleged illegal appointments made by Mr. Mir Azam Khan Ex EDO (E&S) Lakki Marwat. A regular enquiry was conducted against the officer, however quite astonishingly after the conclusion of that inquiry, the appellant was served with a misconceived show cause notice. (Copy of the Show cause notice is attached as Annexure A)
3. That it is pertinent to point out here that the show cause notice was neither accompanied any alleged enquiry report, nor any statement of allegations albeit the appellant submitted his reply refuting the allegations. (Copy of the reply to the show cause notice is attached as Annexure B)
4. That the appellant was called for personal hearing, where he explained about his innocence however without considering his defence reply quite illegally the appellant was awarded the major penalty of Removal from service vide notification dated 18.06.2014. (Copies of the letter dated 12.05.2014 & Notification dated 18.06.2014 are attached as Annexure C &D)
5. That the appellant submitted his departmental Review dated 14.07.2014, however it was not replied so far. (Copy of the departmental review is attached as Annexure E)
6. That the impugned Penalty Order is illegal unlawful against law and facts hence liable to be set aside inter alia on the following grounds :

#### **GROUND OF APPEAL .**

- A. That the appellant has not been treated in accordance with law hence his rights secured and guaranteed under the law are badly violated.
- B. That no proper procedure has been followed before awarding the major penalty of removal from service to the appellant. No proper inquiry has been conducted, the appellant has not been associated with the inquiry proceedings, statements of witnesses if any were never taken in his presence nor he has been allowed opportunity of cross

examination, moreover he has not been served with any show cause notice, thus the whole proceedings are defective in the eyes of law.

- C. That without any prejudice to the above and in addition thereto, appellant has never been involved in any kind of misconduct by whatsoever name called. He had always performed his duties diligently and honestly to the utmost satisfaction of his superiors.
- D. That without any prejudice to the above and in addition thereto, the major penalty imposed upon him is against the rules and laws on the subject matter as well as against the principles of natural justice.
- E. That as explained earlier the case against the appellant is based on malafide arising out of personal vendetta and political victimization hence unsustainable in the eyes of law.
- F. That the authorities cannot blow hot and cold together for firstly procedure as envisaged in Rule 5 of E & D Rules were adopted then abruptly the inquiry was dispensed with and procedure U/O 7 was adopted. It is also a clear manifestation of malafide on the part of authorities.
- G. That the appellant was served with no charge sheet/show cause notice/statement of allegations during the formal inquiry conducted u/s 5 of E & D Rules 2011. Moreover the non provisions of the show cause notice and copy of report has rendered the whole proceedings void ab initio.
- H. That the appellant had no role in the appointment of Junior Clerks as the appointments were made in/by the office of the EDO/DEO (Male) Lakki Marwat whereas from April 2006 to June 2013 appellant was posted as Junior Clerk in the Office of Deputy District Officer (Female) E&SE Lakki Marwat and was having no concern with the EDO/DEO (Male) office.
- I. That the copy of the findings of the Inquiry report was not supplied despite demand, recently on his application, the enquiry report conducted against the EDO was provided to

him. It is very interesting to mention that it is written therein that the appellant has made him liable to be proceeded against Rule 3 (e) of E & D Rules 2011; which is preposterous. The appellant has never been involved in any subversive or anti state activities. He is a patriot Pakistani, a law abiding and peace loving citizen. (Copies of the application and enquiry report is attached as Annexure F &G)

- J. That it was recommended by the inquiry committee that the appellant may be posted out of the district but instead of this minor penalty a major penalty of removal from services was imposed upon appellant. It is against all the norms of civilized world. Also the authorities were bound to serve appellant with fresh show cause notice and giving reasons thereof of non agreement with the recommendation of the committee. Moreover, the committee itself cannot propose penalties.
- K. That the allegations that the brother of appellant was appointed due to his maneuvering has no legs to stand upon. The brother of the appellant was a candidate like others and fulfilled the minimum qualification criteria. Moreover the sons of the dealing clerk/assistant and District Officer (Who was member of DSC) and Deputy District Officer Education (Male) were also appointed but they have not been removed from services. Whereas the appellant who had no role in the appointments was removed from services. Clear manifestation of discrimination and bad faith.
- L. That the true story behind the false implication of the appellant in the said controversy is that the local MPA Mrs. Zareen Zia is a distant relative of the appellant; however, almost all members of the appellant family have political affiliations with Awami National Party. To set old scores she instigated one Mr. Khushdil Khan Senior Vice President PTI Lakki Marwat to start baseless and false propaganda against the appellant. Mr. Khushdil Khan even went to the length of publishing items against the appellant in a local news paper daily Mashriq dated 12.11.2013 and demanded transfer of the appellant. Since PTI is in power therefore, their stance was accepted and appellant was transferred. The appellant responded and as per local customs and traditions

a jirga was arranged between Mr. Khushdil Khan and the appellant. Wherein Mr. Khushdil Khan admitted his fault and the jirga gave the award/verdict dated 16.11.2013 that he by using his good office of PTI will re-transfer the appellant to his previous post and if he fails then he will have to pay to the appellant an amount of Rs. 500000/- as a penalty for damaging his reputation and causing him mental agony and torture. Mr. Khushdil Khan not only failed to bring back the appellant to his previous post but also refused to pay the agreed amount. A notice dated 3.2.2014 was served on him but vain. Therefore, the appellant brought a suit in the court of Civil Judge Lakki Marwat for recovery of the said money. This further enraged the MPA and his associates they tried to pressurize the appellant through different means but in vain. Therefore they falsely implicated the appellant in the said inquiry/case. (Copy attached)

- M. That even the order of Removal from service was misconceived when it finds reference to service of Charge sheet & regular enquiry, while in fact no such procedure ever adopted, thus the appellant has been denied his right to be dealt with in accordance with law, the procedure so adopted is a mere eye wash and malafide.
- N. That, it is pertinent to mention that during the formal inquiry neither any show cause was issued to the appellant nor any charge sheet and statement of allegations were issued to the appellant but straight away a show cause notice was issued to him which was replied with accordingly. A personal hearing was granted to the appellant but as the authorities had already decided to inflict harm upon appellant therefore it too was of no use. The authorized officer during the personal hearing not only refused to acknowledge documents and defense forwarded by the appellant but also turned down requests of the appellant to provide him with findings of the inquiry report and other evidences.
- O. That appellant has never committed any act or omission which could be termed as misconduct, albeit been awarded the penalty of "*Removal from Service.*"

- P. That the appellant is jobless since the illegal removal from service.
- Q. That the appellant also seeks permission of this Honourable Tribunal to rely on additional grounds at the time of hearing of the instant appeal.

*It is, therefore, humbly prayed that on acceptance of this appeal the notification dated 18.6.2014, may please be set-aside and the appellant may please be re-instated in service with full back wages and benefits of service.*

*H. A. Badshah*

Appellant

Through

*Ijaz Anwar*

IJAZ ANWAR

Advocate Peshawar

&

SAJID AMIN

Advocate, Peshawar

**AFFIDAVIT**

I, Haroon Badshah s/o Beharm Khan Ex Junior Clerk R/O Naser khel, Sarai Naurang Lakki Marwat, do hereby solemnly affirm and declare on oath that the contents of the above noted appeal are true and correct and that nothing has been kept back or concealed from this Honourable Tribunal.

Deponent



*H. A. Badshah*



(7)

ANNEX - 4

REGISTERED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No.SO (S/M) E&SED/4-17/2013/Mir Azam Ex-DEO Lakki & others  
Dated Peshawar the March 07, 2014

To

Mr. Haroon Badshah,  
Ex-Junior Clerk BS-07 O/O Deputy District Education Officer (Female)  
District Lakki Marwat. (Now Junior Clerk GHS Titter Khel Lakki Marwat.)

Subject: - SHOW CAUSE NOTICE

I am directed to refer to the subject noted above and to enclose herewith a copy of the Show Cause Notice wherein the Competent Authority (Chief Minister Khyber Pakhtunkhwa) has tentatively decided to impose upon you the Major Penalty of "Removal from Service" under Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 in connection with the charges leveled against you.

2. You are therefore directed to furnish your reply to the Show Cause Notice as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
3. Your reply should reach to this Department within Seven (07) days of the delivery of this letter otherwise ex-parte action shall be taken against you.
4. Copy of the inquiry report is enclosed herewith.

Encl: As Above:

(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)

Endst: Even No. & Date:

Copy of the above is forwarded to the:-

- i. PS to Secretary E&SE Department Khyber Pakhtunkhwa.
- ii. PS to Special Secretary E&SE Department Khyber Pakhtunkhwa.

SECTION OFFICER (SCHOOLS/MALE)

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## SHOW CAUSE NOTICE

I, Pervez Khattak, Chief Minister Khyber Pakhtunkhwa, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you, Mr. Haroon Badshah, Ex-Junior Clerk (BS-07) office of Deputy District Education Officer (Female) Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat) as follows:

- i. That consequent upon the completion of inquiry conducted against you by the inquiry committee for which you were given opportunity of hearing; and
- ii. On going through the findings and recommendations of the inquiry committee, the material on record and other connected papers including your defence before the inquiry committee.

I am satisfied that you have committed the following acts/omissions specified in rule-3 of the said rules:

- (i) Mis-conduct

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the penalty of Removal from service under rule 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

5. A copy of the findings of the inquiry officer/ inquiry committee is enclosed.

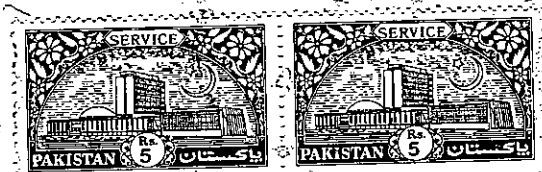
*Pervez Khattak*

(PERVEZ KHATTAK)  
CHIEF MINISTER KHYBER PAKHTUNKHWA  
COMPETENT AUTHORITY

28.02.2014.

Mr. Haroon Badshah, Ex-Junior Clerk (BS-07)  
office of Deputy District Education Officer (Female)  
Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat)

*[Handwritten signature]*



حساب عالی .

آج عودت 14<sup>جی</sup> کو جو فتح دریا پارہ کے مقام پر 9HS  
2014

تشریحی خط لکھا گیا ہے جو موجودہ حساب عالی کے ساتھ

9HS تشریحی معارف نامہ شاہ جو نیشنل سکول

لکھا گیا ہے معارف نامہ شاہ کے مدرسہ اور حساب عالی کے

مدرسہ سکول لکھا گیا ہے جو نیشنل سکول

دو نامہ لکھا گیا ہے۔ اور اس میں انٹرو انٹرمیڈیٹ

لکھا گیا ہے۔

*[Handwritten signature]*  
14-3-2014

Atish  
HEAD MASTER  
9HS Inter Med  
Lahore Murwal

9

Approved: B

The Honorable Chief Minister,  
Khyber Pakhtunkhwa,  
Peshawar

THROUGH PROPER CHANNEL.

Subject: Reply to Show Cause Notice dated 28/02/2014

Respectable Sir,

Kindly refer to letter Ref. No SO (S/M) E&SED/4-17/2013/Mir Azam Ex-DEO Lakki & others dated Peshawar the March 07, 2014.

On 14/3/2014 I was shocked to receive a show cause letter dated 28/2/2014 along with covering letter dated 07/03/2014 of even numbers (opened in the presence of Postman & Head Master GHS Titter Khel Lakki Marwat); wherein competent authority has decided to impose major penalty of removal from services u/r 4 of KP Govt Servant (E & D) rules 2011 on me. In this regard, I would like to draw your kind attention as well as that of the competent authority to the following facts:

1. I have never been involved in any kind of misconduct by whatsoever name called and have always performed my duties diligently and honestly to the utmost satisfaction of my superiors.
2. The major penalty proposed to be imposed upon me is against the rules and laws on the subject matter as well as against the principles of natural justice; hence illegal, unlawful and an infringement upon my rights.
3. With respect it is stated that as mentioned in Para 4 of letter and Para 5 of the show cause notice; no findings/report of Inquiry Officer/Inquiry Committee were enclosed. The non-provision of findings of inquiry is a clear indication of malafide on the part of authorities. (Copy of remarks of Postman attested by Head Master GHS Titter Khel Lakki Marwat enclosed.)



(10)

4. If there is any case against me it will be based upon political victimization and personal vendetta; for my family's political affiliations are with an opposition party and the local leaders (led by MPA Ms Zareen Zia and her husband) of ruling party are hell bent upon destroying my career. It is pertinent to mention that I cannot be grilled for political affiliations of my family. I am a government servant and have no political affiliations of whatsoever nature with any political party. I am ready to provide documentary proof in support of my stance during the personal hearing.
5. I would like to be heard in-person.
5. It is also important to mention that the inquiry mentioned in the number of the letter was against Mr. Mir Azam Khan Ex-EDO/DEO (Male) Lakki Marwat whereas from April 2006 to June 2013 I was posted as Junior Clerk in the office of Deputy District Officer (Female) E&SE Lakki Marwat and was having no concern with the EDO/DEO (Male) Office. It clearly augments my posture of mala fide proceedings against me.

In the light of above mentioned facts it is hereby requested that the proceedings against me may be dropped/quashed to alleviate me of the mental torture and agony that I am suffering due to the conspiracies of local leaders of the ruling party. It is further prayed that I may be exonerated of the allegations leveled against me.

Thanking you in anticipation.

Dated: - 20/03/2014

Yours faithfully,



(Haroon Badshah)  
Ex- Junior Clerk,  
Office of the Deputy District  
Officer (Female) E & SE,  
Lakki Marwat

Now/Present

Junior Clerk  
GHS Titter Khel  
Lakki Marwat



(11)

Amir - C/117

IMMEDIATE/THROUGH FAX



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

No. SO(S/M)E&SED/4-17/2013/Mir Azam, DEO Lakki,  
Dated Peshawar the May 12, 2014

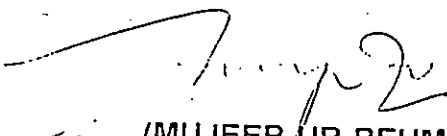
To

Mr. Haroon Badshah,  
Ex-Junior Clerk BS-07 O/O Deputy District Education Officer (Female)  
District Lakki-Marwat. (Now Junior Clerk GHS Titter Khel Lakki Marwat.

Subject: - PERSONAL HEARING.

I am directed to refer to the subject noted above and to state that it has been intimated by the Establishment Department, Khyber Pakhtunkhwa Peshawar vide letter No. SOR-I (E&AD)8-44/2013 dated 09-05-2014 and to state that the Chief Minister Khyber Pakhtunkhwa has authorized Secretary Establishment Department for your personal hearing before him on 16-05-2014 at 10:00 hours in his office.

2. You are hereby directed to ensure your presence during the personal hearing with the Secretary Establishment Department Khyber Pakhtunkhwa Peshawar on the above mentioned date, time and venue.

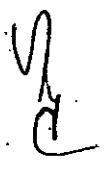
  
(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)

Endst: Even No. & Date:

Copy of the above is forwarded to the:-

- i. Section Officer (R-I), Establishment & Administration Department, Khyber Pakhtunkhwa, Peshawar w/r to his letter referred to above.
- ii. PS to Secretary Establishment & Administration Department Khyber Pakhtunkhwa.
- iii. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- iv. PS to Special Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (SCHOOLS/MALE)



(12)

Approved: D



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

Dated Peshawar the June 18, 2014

**NOTIFICATION**

**NO:SO(S/M)E&SED/4-17/2013/Mir Azam Ex-DEO:** WHEREAS Mr. Haroon Badshah, Ex-Junior Clerk (BS-07), office of the Deputy District Education Officer Female Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat) was proceeded against 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 inquiry committee was constituted comprising the following officers to conduct formal Inquiry against the accused official, for the charges leveled against him in accordance with the rules.

- i. Mr. Abdul Ghafoor Baig, Special Secretary BS-20, Higher Education, Archives & Libraries Department Khyber Pakhtunkhwa.
- ii. Mr. Atta Ullah Khan, Principal BS-20, RITE Male Peshawar.

3. AND WHEREAS the inquiry committee after having examined the charges, evidence on record and explanation of the accused official has submitted the report.

4. AND WHEREAS a show cause notice was served upon Mr. Haroon Badshah, Ex-Junior Clerk (BS-07), office of the Deputy District Education Officer Female Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat) dated 28-02-2014 circulated to him on 07-03-2014.

5. AND WHEREAS the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) after having considered the charges and evidence on record, inquiry report, explanation of the accused official in response to the Show Cause Notice and personal hearing granted to him by Secretary Establishment Khyber Pakhtunkhwa on behalf of Chief Minister Khyber Pakhtunkhwa on 16-05-2014 at 1030 hours, is of the view that the charges against the accused official have been proved.

6. NOW, THEREFORE, in exercise of the powers conferred under section 14 of Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa) is pleased to impose major penalty of "Removal from service" upon Mr. Haroon Badshah, Ex-Junior Clerk (BS-07), office of the Deputy District Education Officer Female Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat) 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, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 4- District Education Officer (Male/ Female), Lakki Marwat.
- 5- Mr. Haroon Badshah, Ex-Junior Clerk (BS-07), office of the Dy. District Education Officer Female Lakki Marwat (now Junior Clerk GHS Titter Khel Lakki Marwat).
- 6- District Accounts Officer Lakki Marwat.
- 7- PS to Chief Secretary Khyber Pakhtunkhwa Peshawar.
- 8- PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 9- PS to Special Secretary, E&SE Department, Khyber Pakhtunkhwa.
- 10- Office order file.

(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)



13

ANNEX:- E

Dated: - 11/07/2014

The Honorable Chief Minister,  
Govt: of Khyber Pakhtunkhwa,  
Peshawar

Received as  
14/7/14  
To: Mr. Azam

Office of the PECM  
D. No. 1515  
Date: 14/7/14

Sub: - Review Application/Representation/Departmental  
Appcal against Notification No. SO(S/M)E&SED/4-  
17/2013/Mir Azam Ex-DEO, dated 18/06/2014,  
whereby major penalty of removal from service was  
imposed upon applicant/appellant

May it please the Honorable Chief Minister,

*The appellant/applicant graciously craves permission to submit as  
under:*

1. That the appellant was appointed on 15/12/1994 in the Education department and on 14/10/2005 was promoted as Junior Clerk. Till to the last date he performed his duties to the best of his abilities and to the utmost satisfaction of his superiors.
2. That an inquiry in *August 2013* regarding some alleged illegal appointments was initiated against Mr. Mir Azam Khan Ex-EDO (E & S) Lakki Marwat and after finalization of the formal inquiry a show cause notice was issued to the appellant.
3. That the true story behind the false implication of the appellant in the said controversy is that the local MPA Mrs Zareen Zia is a distant relative of the appellant; however almost all members of the appellant's family have political affiliations with Awami National Party. To set old scores she instigated one Mr. Khushdil Khan Senior Vice President PTI Lakki Marwat to start baseless and false propaganda against the appellant. Mr Khushdil Khan even went to the length of publishing items against the appellant in a local news paper daily Mashriq dated 12/11/2013 (*Annex A Page 5*) and demanded transfer of the appellant. Since PTI is in power therefore their stance was accepted and appellant was transferred. The appellant responded and as per local customs and traditions a jirga was arranged between Mr. Khushdil Khan and the appellant. Wherein Mr. Khushdil Khan admitted his fault and the jirga

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gave the award/verdict dated 16/11/2013 that he by using his good office of PTI will re-transfer the appellant to his previous post and if he fails then he will have to pay to the appellant an amount of Rs.500000/- as a penalty for damaging his reputation and causing him mental agony and torture (Annex B, Page 6). Mr. Khushdil not only failed to bring back the appellant to his previous post but also refused to pay the agreed amount. A notice dated 03/02/2014 (Annex C, Page 7) was served on him but in-vain. Therefore the appellant brought a suit (Annex D, Page 8-12) in the court of learned Civil Judge V Lakki Marwat for recovery of the said money. This further enraged the MPA and his associates they tried to pressurize the appellant though different means but in vain. Therefore they (falsely) implicated the appellant in the said inquiry/case:

- 4. That, it is pertinent to mention that during the formal inquiry neither any show-cause was issued to the appellant nor any charge sheet & statement of allegations were issued to the appellant but straight away (i.e. after the inquiry) a show-cause notice was issued to him (Annex E, Page 13) which was replied with accordingly (Annex F, Page 15). A personal hearing (Annex G, Page 17) was granted to the appellant but as the authorities had already decided to inflict harm upon appellant therefore it too was of no use. The authorized officer during the personal hearing not only refused to acknowledge documents and defense forwarded by the appellant but also turned down requests of the appellant to provide him with findings of the inquiry report and other evidences.
- 5. That on 18/06/2014 (Annex H, Page 18) a major penalty of removal from services was imposed on the appellant. Hence this departmental appeal, inter alia, on the following amongst other:

Grounds

- A. That the appellant has neither been treated in accordance with law nor equal protection of law has been provided to him.
- B. *Without any prejudice to the above and in addition thereto,* appellant has never been involved in any kind of misconduct by whatsoever name called. He had always performed his duties diligently and honestly to the utmost satisfaction of his superiors.
- C. *Without any prejudice to the above and in addition thereto,* the major penalty imposed upon him is against the rules and laws on the subject matter as well as against the principles of

natural justice; hence illegal, unlawful and an infringement upon his rights.

D. *Without any prejudice to the above and in addition thereto,* as explained earlier the case against the appellant is based on *mala-fide* arising out of personal vendetta and political victimization; hence unsustainable in the eyes of the law.

E. *Without any prejudice to the above and in addition thereto,* the authorities cannot blow hot and cold together for firstly procedure as envisaged in Rule 5 of E & D Rules were adopted than abruptly the inquiry was dispensed with and procedure u/r 7 was adopted. It is also a clear manifestation of malafide on the part of authorities.

F. *Without any prejudice to the above and in addition thereto,* the appellant was served with no charge sheet/show-cause notice/statement of allegations during the formal inquiry conducted u/s 5 of E & D Rules 2011. Moreover the non-provision of the show cause notice and copy of report has rendered the whole proceedings void ab initio.

G. *Without any prejudice to the above and in addition thereto,* The appellant had no role in the appointment of junior clerks as the appointments were made in/by the office of the EDO/DEO (Male) Lakki Marwat whereas from April 2006 to June 2013 appellant was posted as Junior Clerk in the office of Deputy District Officer (Female) E&SE Lakki Marwat and was having no concern with the EDO/DEO (Male) Office. (copy of service book as Annex I)

H. *Without any prejudice to the above and in addition thereto,* it is submitted that copy of the findings of the inquiry report was not supplied despite demand and now when unofficially the appellant managed to get his hand on the only Page 11 to page 14 of the report. It is very interesting to mention that it is written therein that the appellant has made him liable to be proceeded against Rule 3 (e) of E & D Rules 2011; which is preposterous. The appellant has never been involved in any subversive or anti state activities. He is a patriot Pakistani, a law abiding and peace loving citizen.

I. *Without any prejudice to the above and in addition thereto,* it was recommended by the inquiry committee that the appellant may be posted out of the district but instead of this minor penalty a major penalty of removal from services was imposed upon appellant. It is against all the norms of civilized world. Also the authorities were bound to serve appellant with fresh show cause notice and giving reasons

thereof of non agreement with the recommendations of the committee. More over the committee itself cannot propose penalties.

- J. *Without any prejudice to the above and in addition thereto,* the statements of the witnesses was not recorded in his presence. To add insult to injury he was not given the mandatory opportunity to cross examine the witnesses. Hence the whole proceeding(s) is void ab initio on this score alone.
- K. *Without any prejudice to the above and in addition thereto,* during the personal hearing when the appellant produced the above-mentioned documents in his defense the authorized officer failed/refused to take it into consideration. Hence the order of removal is illegal also on this point alone.
- L. *Without any prejudice to the above and in addition thereto,* the allegations that the appellant's brother was appointed due to his maneuvering has no legs to stand upon. For his brother fulfilled the minimum qualification criteria. Moreover the sons of the dealing clerk/ Assistant and District Officer (who was member of DSC) and Deputy District Officer Education (Male) were also appointed but they have not been removed from services. Whereas the appellant who had no role in the appointments was removed from services. Clear manifestation of discrimination and bad faith. (Merit list at Annex J).

It is evident from the above that the appellant is a victim of worst form of McCarthyism. Therefore it is humbly prayed that the order dated 18/06/2014 may be reviewed/ set-aside and the appellant may be reinstated in service with all back benefits with such other relief as may be deemed proper and just in circumstances of the case.

Sincerely,

*M. H. Badshah*  
11/7/14

Haroon Badshah  
S/O Behram Khan  
R/O Naser Khel, Sarai Naurang  
Lakki Marwat,  
(Ex-Junior Clerk GHS Titter Khel,  
Lakki Marwat)

Note: - Total enclosure in numbers 24

(17) ANSWER: F

بھنور والا شانہ جناب سکرٹری صاحب ای اینڈ ایس ای ڈی پارٹمنٹ صوبہ خیبر پختونخوا پشاور

عنوان: درخواست برائے فراہمی جامع نقول انکواری برخلاف ایس ای ڈی اوکی مروت میر اعظم خان

جناب عالی:

گزارش بھنور انور اینکے بعوان بالا ایک انکواری برخلاف ایس ای ڈی اوکی مروت میر اعظم خان کی بھی Removal from Service ہوئی، جو کہ سائل کے ساتھ سراسر ظلم، زیادتی اور نا انصافی ہے، کیونکہ سائل بالکل بے گناہ ہے، سائل اپنا حق حاصل کرنے اور سائل کی Removal from Service کے خلاف سروس ٹریبونل جانا چاہتا ہے، جس کیلئے وکیل صاحب نے سائل سے انکواری فائل کی جامع / مکمل نقول کا مطالبہ کیا ہے، جو ابھی تک سائل کو نہیں ملے ہیں۔

لہذا استدعا ہے کہ سائل کو انکواری بالا کے فائل کی تمام اجامع اور مکمل نقول فراہم کی جائے۔

سائل تازیت دعا گور ہے گا۔

مورخہ 03/9/2014

العارض

*(Handwritten Signature)*

ہارون بادشاہ ایس ای ڈی جوئیئر کلرک GHS تترخیل لکی مروت

*(Handwritten Signature)*  
4/9/14

D. No 1453  
Dated 4/9/14

Enquiry Report Regarding Illegal Appointments of Junior Clerks made in  
E & SE, Department District Lakki

Mr. Mir Azam, Ex-Executive District Officer Education, Lakki Marwat (hereinafter referred to as "*the accused officer*") had appointed eleven Junior Clerks (B-07) in the year, 2011. The Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa (hereinafter referred to as "*the department*") after receiving complaints regarding irregularities in the recruitment process, conducted facts finding enquiry against the accused officer. The department, on the basis of the of enquiry report, referred the case to the Provincial Government (hereinafter referred to as "*the Government*") for initiating disciplinary proceedings against the accused officer. The Chief Minister, Khyber Pakhtunkhwa, was pleased to issue charge sheet (*Annexure-I*) and Statement of Allegations (*Annexure-II*) against the accused officer and constituted two members enquiry committee consisting of the following officers:-

1. Mr. Abdul Ghafoor Baig, Special Secretary (B-20), HED, Peshawar
2. Mr. Attaullah Khan, Principal (B-20), RITE, Peshawar.

The department issued Notification regarding appointment of the above mentioned enquiry committee on 01/08/2013 bearing No. SO (S/M)E&SED/4-17/2013/Mir Azam Ex-DEO Lakki Marwat (*Annexure-III*), but the same was not issued well in time. The department, however, later on sent the said Notification under a covering letter bearing even number dated 23/10/2013 (*Annexure-IV*).

Background of the case

The then Executive District Education Officer, Lakki Marwat, Mr. Abdul Malik (hereinafter referred to as "*the EDO*"), advertised certain posts of Junior Clerks (B-07), including the posts of different categories of male & female teachers, (i.e. AT, TT, PST, DM, CT, PET etc), in the Daily Mashriq dated 06/10/2011 (*Annexure-A*) in Elementary & Secondary Education, Lakki in the year 2011. In response to the advertisement as many as 690

5/1/2014

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application forms were issued to various candidates for the post of Junior Clerk (B-07) out of which 572 application forms were received to the EDO till the closing date (i.e. 20/10/2011). The EDO constituted committees, under supervision of several Principals, for the purpose of conducting typing test as well as scrutiny of academic record/testimonials of the candidates (*Annexure-B*). The committees conducted typing test on manual typewriters in which 266 candidates out of 572 appeared (*Annexure-C/ 11 pages*) while the scrutiny committee completed its task in four consecutive days i.e. from 13/02/2012 to 16/02/2012 wherein 118 candidates out of 266 appeared for scrutiny of their testimonials / academic record (*Annexure-D/ 21 pages*).

During the recruitment process, the EDO was transferred by the Government on 18/02/2012 and the accused officer was posted as EDO, Lakki Marwat. The accused officer, after taking over charge of his office on 20/02/2012, completed the remaining process within seven months by preparing merit list, held meeting of the District Selection Committee (hereinafter referred to as "*the selection committee*") and consequently issued appointment orders on 01/10/2012. The accused officer, on the basis of typing test, prepared merit list of 16 candidates out of 266 and placed before the selection committee neither observed 33% reserved quota of Class-IV servants nor grading / divisions regarding academic qualification of fresh candidates was taken into consideration at the time of preparation of merit list.

### Proceedings

The Enquiry Committee summoned the present DEO (Male) Lakki and the accused officer through letter dated 11/11/2013 (*Annexure-V*) for production of the entire relevant record. The record was made available accordingly. The enquiry Committee went through the available record thoroughly. The following staff of Elementary & Secondary Education Department, related to the entire recruitment process of Junior Clerks, was called & examined in light of the available record:-


1. Mr. Mir Azam, the accused officer (Chairman of the Selection Committee)
2. Mr. Shafiulla Khan, PS to DC Lakki (Member of the Selection Committee)
3. Mr. Noor Alam, SO (Budget) E&SE (Member of the Selection Committee)

4. Mr. Muhammad Ayub, Ex-DDO Edu; (Member of the Selection Committee)
5. Mr. Mir Ajab, H/Clerk, DEO (Male) Lakki
6. Mr. Dil Jan, Sr. Clerk, DEO (Male) Lakki
7. Mr. Abdul Malik, Ex- DEO (Male) Lakki
8. Mr. Said Muhammad, Principal, GHS, Pezu
9. Mr. Sanaullah Khan, Principal, GHSS, Serai Naurang.
10. Mr. Muhammad Umar, Principal, GHSS, Masha Mansoor.
11. Mr. Nisar Ahmed, ADEO, Lakki
12. Mr. Haroon Badshah, Ex- Junior Clerk, DDEO(F) Lakki
13. Mr. Khalid Wahab, Principal, now DDO Education, Lakki
14. Mr. Sher Nawaz, Naib Qasid, GHSS, Serai Naurang (the complainant)
15. Mr. Gul Faraz S/O Gul Khan, candidate for Jr. Clerk (the complainant)

The enquiry committee thoroughly examined the above mentioned persons one by one and recorded their statements on oath, in order to, dig out factual position of the charges leveled against the accused officer in the charge sheet, every page of each statement is duly signed by the concerned person and countersigned by the enquiry committee. The statements are recorded in Urdu which are enclosed herewith (in original) under different number of annexure. Though the statements are self-explanatory yet its gist is reproduced hereunder in English.

1. Statement on oath in respect of Mr. Mir Azam, the accused officer, Ex-EDO, Lakki Marwat, (Chairman of the Selection Committee).

The accused officer/Chairman of the Selection Committee stated on oath that he was posted as DEO, Lakki from 20<sup>th</sup> February, 2012 to April, 2013. He has also served on various administrative posts in Education Department during his career, like DEO of District Charsadda, Kohat, Lakki Marwat, SDEO (Primary), Kohat, Principal & Headmaster of Government Higher Secondary/ Higher School. He further stated that he was fully conversant with the criteria prescribed for the post of Junior Clerk in the existing recruitment policy as well as 33% quota reserved therein for Class-IV servants and, as a matter of fact, neither quota for Class-IV servant nor specific division or grade in Matric for fresh candidates was





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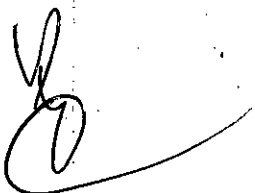
mentioned in the advertisement already published by his predecessor in office. He further stated that the entire recruitment process in the instant case had finalized by his predecessor in office and he relied upon the same without making any scrutiny of the record or apply his own mind.

During the course of cross-examination he added that though *direct recruitment against the reserved quota of Class-IV servants was illegal yet no seniority list of Class-IV servants was available* in office while its preparation at that time was too difficult for him so it was presumed that the rightful *Class-IV servants would be accommodated on the vacancies in the near future*. He further added that no doubt there were hundreds of more qualified candidates than the appointed persons but he issued appointment order of the eleven candidates *under public pressure and simply on the basis of typing test irrespective of their grades/division in Matriculation or taking extra qualification of other candidates into consideration as well*. The accused officer further disclosed that no member of the Selection Committee including him had raised any objection on the merit list prepared for this purpose in which *six (06) candidates out of sixteen (16) had possessed 3<sup>rd</sup> division in Matric.* However, the Selection Committee had duly approved & signed the said merit list in its meeting held in his office on October 1<sup>st</sup>, 2012.

Statement of the accused officer (7- pages in Urdu version) is enclosed in original at *(Annexure-E)*.

2. *Statement on oath in respect of Mr. Shafiullah Khan PS to DCO, Lakki Marwat, (Member of the Selection Committee).*

Mr. Shafiullah Khan, Member of the Selection Committee, stated that he has been serving as PS to DCO, Lakki since the year, 2003 till date. He added that prior to his present posting, he had served on various administrative posts, like Manager Employment Exchange, Assistant Director and Research Officer, therefore, is fully aware of the Service Rules and Esta Code. He further stated that he had participated in the Selection Committee as a representative of the DCO, Lakki and its meeting was held under the Chairmanship of the accused officer in his office on October 1<sup>st</sup>, 2012 regarding appointment of eleven Junior



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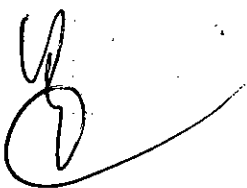
Clerks (B-07). He told that a merit list of 16 candidates was presented in the meeting ~~by the~~ accused officer for perusal and approval of the selection committee. Thus he including other members of the selection committee; in light of directions of the Chairman of the meeting, recommended the merit list by putting their signatures. However he, in the capacity of members of the *selection committee, had not verified or confirmed whether the typing papers were of the recommended candidates or not but he relied upon the merit list so prepared and presented in the meeting.*

During the course of cross examination, Mr. Shafiullah Khan confirmed that verification of the entire recruitment process and perusal of record, besides checking of testimonials of the candidates in light of which the merit list was prepared, was *the foremost duty of the selection committee but he himself & other members of the selection committee did not get assurance whether the merit list was prepared in accordance with the laid down procedure/policy or otherwise.* He further added that the *selection committee had neither conducted interview of the candidates existed in the merit list nor perused academic record of other candidates who appeared in the typing test.*

Statement (5- pages in Urdu version) is enclosed in original at (Annexure-F).

3. Statement on oath in respect of Mr. Noor Alam Khan Section Officer E & SE Department Khyber Pakhtunkhwa (Member of the Selection Committee).

He stated that meeting of the Selection Committee was held in the office of ADO Circle Taja Zai non 01/10/2012 at a distance of about 5 or 6 Kilometer from the office of EDO, Lakki. He himself and other members of the selection committee had neither taken interview nor perused original documents of the candidates existed in the merit list due to which he did not put his signature on it, however, there was not 3<sup>rd</sup> division holder Matric amongst them. If the accused officer had made any change in the documents after recommendation of the selection committee it tantamounts to fraud and the appointment of 3<sup>rd</sup> division holders had not only made the recommendation of the selection committee as doubtful but also the appointment order as null and void.



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He had raised the question of 33% reserved quota of Class-IV servants in the meeting but the accused officer replied that there is no such quota in these appointments. He further added that the accused officer has ignored the codal formalities while making appointments of these eleven Junior Clerks.

Statement (5- pages in Urdu version) is enclosed in original at (Annexure-G).

4. Statement on oath in respect of Mr. Muhammad Ayub Ex-Dy; District Officer Education, Lakki Marwat, (Member of the Selection Committee).

He stated that the selection committee had neither taken interview nor perused original academic record of the candidates whose name existed in the merit list which was prepared in light of the directives of the accused officer. The selection for appointment of the candidates had been made on the basis of typing test. Being the then District Officer, Lakki he had given no role by the accused officer in the entire recruitment process, however, the appointments had been made in accordance with the laid down policy. It is correct that his son Mr. Muhammad Imran had been appointment as Junior Clerk in the same appointment on merit basis.

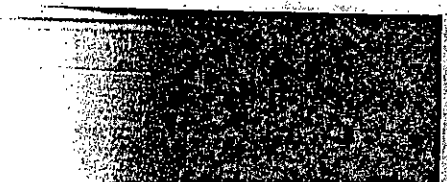
Statement (4- pages in Urdu version) is enclosed in original at (Annexure-H).

5. Statement on oath in respect of Mr. Mir Ajab, Head Clerk, District Officer Education, Lakki Marwat.

He stated that:

1. The recruitment process of Junior Clerks had not been processed through him but through Mr. Dil Jan, Sr. Clerk and Mr. Ayub Khan, B&AO of the office.
2. It is correct that his son Mr. Sibghatullah had been appointed as Junior Clerk in the same appointment order but he fulfilled the criteria.

Statement (1- page in Urdu version) is enclosed in original at (Annexure-I).



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6. Statement on oath in respect of Mr. Dil Jan, Senior Clerk, District Officer Education, Lakki Marwat.

He stated that:

1. He had issued application forms for the post of Junior Clerk till the closing date (i.e. 20/10/2011).
2. The last application he issued to Mr. Waqas Gul at S.No. 702 in the issue Register on the closing date.
3. The application forms were not received by him but by another incumbent of the office whose name he did not know.
4. He knew that the typing test of the candidates was conducted in the DEO office, Lakki, however, he did not know about the selection and appointment process.

Statement (2- pages in Urdu version) is enclosed in original at (Annexure-J).

7. Statement on oath in respect of Mr. Abdul Malik, Ex-District Officer Education, Lakki Marwat.

He stated that:

1. He had made advertisement in the Daily Newspaper of the vacant posts of Junior Clerks during his tenure commencing from 28/02/2011 to 18/02/2012.
2. He had constituted two committees comprising of Principals of High Schools i.e. Mr. Sanaullah and Mr. Said Muhammad, for conducting typing test. However, the marking of these tests had not been made in his tenure because of his transfer on 18/08/2012. These papers were marked during the tenure of his successor ( Mir Azam).
3. It is correct that 33% quota is reserved for Class-IV employees and the competent authority is bound to observe the quota, however, mistakenly neither the number of posts of Jr. Clerks nor the reserved quota had been mentioned in the advertisement.
4. The basic qualification is Matric and that there are separate marks for grading/division or higher qualification (i.e. FA, BA, MA etc).
5. It had come into his knowledge that the typing tests he had taken through the committees was not taken into consideration, however, the details could be confirmed from the committees he had constituted for that purpose.

Statement (2- pages in Urdu version) is enclosed in original at (Annexure-K).

8. Statement on oath in respect of Mr. Said Muhammad, Principal GHS, Pezu, Lakki Marwat,

He stated that:

1. He had conducted typing test of about half of the candidates out of total appeared in test.
2. He had put his signature on each paper.
3. He did confirm his signatures on 11 papers placed before him by the enquiry committee, however, his signatures put on the nine (09) papers of passed candidates (names are mentioned the statement) are fake and not his original signatures.

Statement (2- pages in Urdu version) is enclosed in original at (Annexure-L).

9. Statement on oath in respect of Mr. Sanaullah, Principal GHS, Serai Naurang, Lakki Marwat,

He stated that:

1. He had conducted typing test of about half of the candidates out to total appeared in the test in the DEO Office, Lakki on the same day.
2. He had signed all papers and confirmed his original signs put on 135 papers and disowned his original sign on seven (07) papers of passed candidates (names are mentioned in the statement).

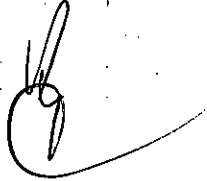
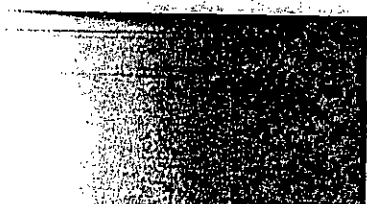
Statement (3- pages in Urdu version) is enclosed in original at (Annexure-M).

10. Joint Statement on oath in respect of M/S. Muhammad Umar, Principal GHS, Masha Mansoor, and Muhammad Nisar ADO Education, Lakki Marwa

In their joint statement they stated that:

1. They had not conducted interview but simply checked the original academic certificates/degrees of about 118/119 candidates for four consecutive days.
2. They had prepared list of all these candidates, duly signed its each paper, handed over to Mr. Mir Ajab, Head Clerk and informed Mr. Abdul Malik, the then DEO, accordingly (Copy enclosed).

Statement (2- pages in Urdu version) is enclosed in original at (Annexure-N).

26

11. Statement on oath in respect of Mr. Haroon Badshah, Ex-Junior Clerk, Dy; District Education Officer (Female), Lakki Marwat.

He stated that:

1. He had no role in the recruitment process of Junior Clerks but he on the request of the accused officer perused the entire record and assisted him in the preparation of reply to the charge sheet.
2. He had dealing court cases of the office and met the accused officer in his office off and on in connection with official business.
3. He had also settled the dispute once arose between the accused officer and Mr. Khalid Wahab, Principal, now DDEO, Lakki on the basis of these appointments.
4. It is correct that his real brother Mr. Aftabullah S/O Behram Khan who possessed 3<sup>rd</sup> Division in Matric had been appointed by the accused office in these appointments because he was expert in typing.
5. He had appointed as N/Qasid and later on promoted as Junior Clerk in 2005 under the 33% reserved quota of Class-IV.

Statement (5- pages in Urdu version) is enclosed in original at (Annexure-0).

12. Statement on oath in respect of Mr. Khalid Wahab, Ex-Principal GHS, Serai Naurang, Now Dy; DEO, Lakki Marwat,

He stated that:

1. Several Class-IV of his School had applied for the post of Junior Clerk on open merit as well as under the reserved 33% reserved quota. One of them Mr. Shahab possessed MA qualification.
2. He, being Principal, on the request of his Class-IV servants visited to the accused officer to enquire about the position of their selection/appointment. He got angry upon it due to which untoward situation was created, however, the matter was settled later on through Jirga and the accused officer informed him that the Class-IV of his school had been failed in typing test.
3. In his opinion all the appointments had been made beyond the merit, ~~corrected~~ litigation and hundreds of cases are pending in the courts.

Statement (3- pages in Urdu version) is enclosed in original at (Annexure-P).

*[Handwritten signature]*

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13. Supplementary Statement on oath in respect of Mr. Mir Azam, the accused officer, Ex-EDO, Lakki Marwat, (Chairman of the Selection Committee).

He stated in his supplementary statement that:

1. He was aware of the reserved quota of Class-IV servants and also had time of about 7 months for preparation of their seniority list but due to huge public and political pressure he could not do so and filled all these vacancies through initial recruitment.
2. Typing test and other record had been received by him from his predecessor after 2 months; however, he did not get himself satisfied over its authenticity by contacting the examiners who now have disowned their signatures on the typing answer papers of 16 passed candidates.
3. All members of the Selection Committee had signed the merit list except one Mr. Noor Alam Khan, which was not necessary because preparation of merit list was the responsibility of the EDO Education, Lakki.
4. He had contacted his predecessor in office, Mr. Abdul Malik, to come his office and brief him about the matter but he failed to do so, therefore, he relied upon the record "as it was" and got not confirmation of the typing test, signatures of the examiners etc.
5. Mr. Haroon Badshah, Junior Clerk, who promoted from Class-IV, visited his office off and on in connection with official matters. He was his neighbour and intelligent one, therefore, assisted him in court matters. He also assisted him in settling the dispute arose with Mr. Khalid Wahab, Principal etc over the appointment of Class-IV servants against the reserved quota.

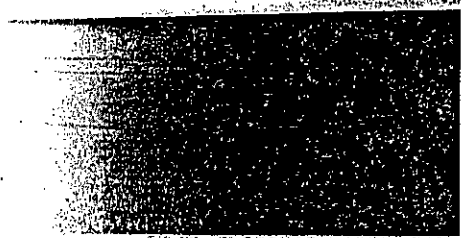
Statement (4- pages in Urdu version) is enclosed in original at (Annexure-Q).

14. Supplementary Statement on oath in respect of Mr. Mir Ajab, Head Clerk, District Officer Education, Lakki Marwat.

He, in his supplementary statement, stated that:

1. Some of the appointees at S. No. 1, 2, 5 & 6 are close relatives of the members of the Selection Committee and other employees of the DEO Office, Lakki.
2. He had requested time and again to the accused officer to review the entire process of the recruitment through committees but in vain.
3. Typing test / interview and merit list of the candidates was not made on the basis of merit.

*Handwritten signature*



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4. According to his view point *the appointment of Junior Clerks was not based on merit*, therefore, many complaints have been lodged whereupon enquiries are going on and many petitions were pending before the court.

Statement (2- pages in Urdu version) is enclosed in original at (*Annexure-R*).

15. Statement on oath in respect of Mr. Sher Nawaz, N/Qasid, GHSS, Serai Naurang, Lakki Marwat (The Complainant).

He stated that:

1. He had applied for *the post under the reserved quota of Class-IV*.
2. He has made complaints to the competent forums for redressal of his grievances but in vain.

Statement (2- pages in English version) is enclosed in original at (*Annexure-S*).

16. Statement on oath in respect of Mr. Gul Faraz S/O Gul Khan M.AIT of Lakki Marwat Qualified candidate for the post of Jr. Clerk, (The Complainant).

He stated that:

1. He was eligible for the post possessing MA & DIT qualification.
2. The appointments are based on nepotism (details are reflected in the statement).
3. The appointment is based on political influence and bribery.

Statement (2- pages in English version) is enclosed in original at (*Annexure-T*).

### Findings

The Enquiry Committee, in light of the available record, statements/cross examination of all concerned and Government Recruitment Policy, finds that:

1. The preparation of Merit List, Selection & subsequent appointment of Junior Clerks have been carried out in gross violation of the provisions contained in *Chapter II proviso (2) (ii) of the Efficiency & Discipline Rules, 2011* Government of Khyber Pakhtunkhwa (Annexure-U);



(29)

2. The *Answer Sheets and Obtained Marks with Fake Signatures* was prepared and presented before the Selection Committee *with the active involvement of the members of the committee* except Mr. Noor Alam (Departmental Representative) who had not signed the merit list.
3. As per list of the Scrutiny Committee (Annexure-D) out of 118 candidates *six (06) possessed SSC qualification, forty two (42) Intermediate or equivalent, thirty eight (38) Bachelor or equivalent, thirty two (32) Master or equivalent* and several amongst them possessed *One Year Diploma in Information Technology (DIT)* who have been ignored. One amongst them namely Ibrar Ahmed S/O Abdul Manan Roll No.508 (Master Degree holder) possesses throughout 1<sup>st</sup> Division.
4. The Selection Committee has *neither conducted interview nor scrutinized the original documents* of the successful sixteen candidates, existed in the merit list.
5. The Selection Committee has *completely ignored the merit, Esta Code and the recruitment policy* issued by the Provincial Government.
6. The accused Officer while preparing merit list has *given preference to several 3<sup>rd</sup> division holders in SSC over the candidates possessed higher qualification* and the Selection Committee also overlooked the fact.
7. The Selection Committee, for this purpose, is too *equally held responsible for recommending ineligible and 3<sup>rd</sup> division holder candidates for appointment by ignoring eligible candidates.*
8. The accused Officer *neither himself had conducted typing test nor confirmed from the two Principals*, for this purpose, by his predecessor in office.
9. Both the Principals appointed for conducting typing test have *disowned their signatures on the answer sheets of the successful sixteen candidates* and are of the view that those *are fake signatures.*
10. The accused officer had *sufficient time of seven months for the preparation of seniority list of Class-IV servants* of the District to fill the reserved quota
11. The accused officer, in particular and the Selection Committee, in general have *ignored the right of promotion of the Class-IV servants against 33% reserved quota* in the available vacancies of Junior Clerks.
12. The merit list of sixteen candidates has been prepared *on the basis of typing test for which 30 marks instead of 20 were specified* by the accused officer against the ~~list~~ down under provision (e) of the Annexure of the Rules *ibid (Annexure-V).*

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13. Two appointees out of eleven, reflecting at S. No. 2 & 9 are 3<sup>rd</sup> division holders while other two at S. No. 3 & 4 were not even present on the dates of the scrutiny of original testimonials. Besides this, all the four candidates placed on the waiting list, reflecting at S.No.12 to 16 in the Merit List (Annexure-W) were also not present on the dates of the scrutiny of original documents conducted by the scrutiny committee.
14. The merit list has been prepared with wrong intentions, in order to, accommodate the favourites.
15. Some of the appointees reflecting at S. No. 1, 2, 5 & 6 in the appointment order bearing No. 7675-89 dated 01/10/2012 (Annexure-X) are close relatives of the members of the Selection Committee and other employees of the Elementary & Secondary department of the District Lakki Marwat.
16. The recruitment of the eleven Junior Clerks (B-07) proved as without merit, made with malafide intentions of the accused officer, in particular and members of the committee, in general.
17. Mr. Haroon Badshah, Junior Clerk GHSS who has closely associated with the accused officer has influenced the selection process and has got his brother appointed as Junior Clerk namely Mr. Aftab S/O Behram Khan appearing at S. No. 2 in the appointment order (Annexure-X) who is simply matriculate and possessed 3<sup>rd</sup> division. He himself being Naib Qasid got promoted as Junior Clerk in 2005 under the reserved 33% quota of Class-IV.
18. The accused officer, in the capacity of appointing authority, has committed gross irregularities while making selection/appointments of Junior Clerks without observing codal formalities and violated the instructions contained in para-3 issued by Provincial Government vide circular No. SORI(S&GAD) 1-73/88, dated 23<sup>rd</sup> October, 1988 (Annexure-Y). Minutes of the Meeting of the District Selection Committee held on 01/10/2012 are enclosed at (Annexure-Z).
19. The charges leveled against the accused officer in the Charge Sheet stand established in light of the above account.

### Recommendations

The Enquiry Committee, in view of the foregoing findings, recommends that:

1. The conduct of the accused officer constitutes "misconduct" under Rule-2(i) of Government of Khyber Pakhtunkhwa E&D Rules, 2011 and deserves Major Penalty of "Removal from Service" under Rule-4 (b) (iii) of the Rules ibid. The conduct of other members of the Selection Committee namely, Mr. Shafiqul Khan

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(Representative of DC Lakki) and Mr. Muhammad Ayub, ex-DDO Education, Lakki also constitutes "inefficiency" and deserve to be proceeded against under Rule-3 (a) of the Rules ibid. Mr. Noor Alam who also failed to fulfill his responsibilities effectively in the capacity of departmental representative should be issued warning and may not be allowed to represent on behalf of the department, in future. All the appointments of Junior Clerks made vide order bearing No. 7675-89 dated 01/10/2012 be declared null and void being "illegal" and fresh applications for recruitment against the vacancies be processed in accordance with the laid down criteria by properly observing 33 % quota reserved for promotion of Class-IV servants.

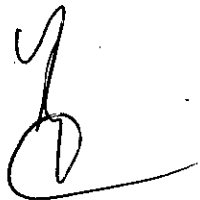
2. Mr. Haroon Badshah, ex-Junior Clerk Dy; District Education Officer (Female) Lakki, now at Government High School, Titter Khel, Lakki has negatively influenced the selection process of Junior Clerks by close linkages with the accused officer made himself liable to be proceeded against under Rule-3 (e) of the Rules ibid and be posted out of the District.

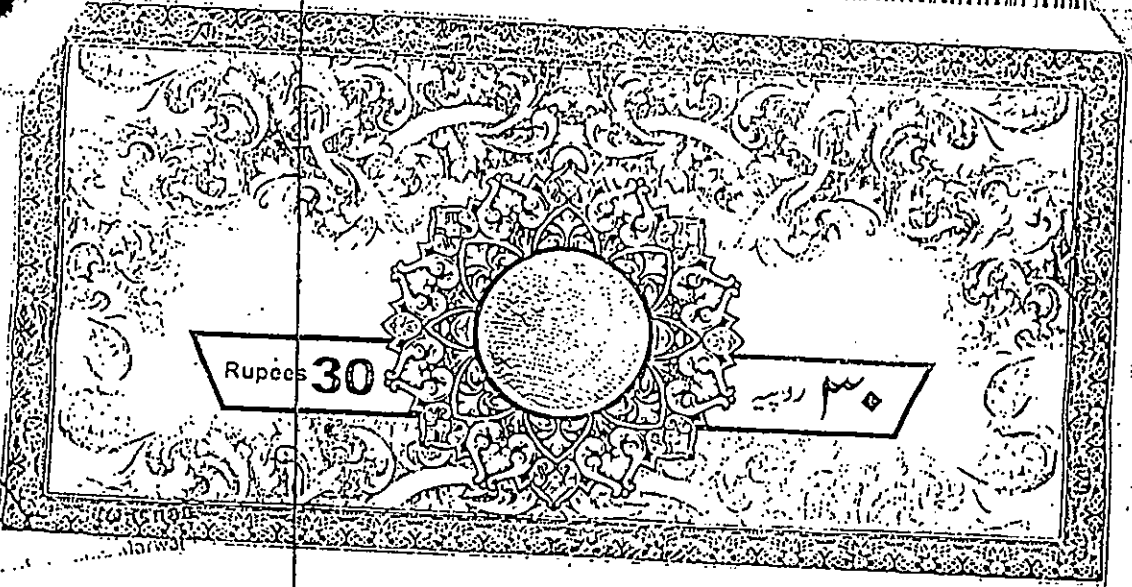


(Abdul Ghafoor Baig)  
Special Secretary, Higher Education,  
Khyber Pakhtunkhwa, Peshawar /  
(Enquiry Officer)



(Attaullah Khan)  
Principal, (RITE), Peshawar /  
(Enquiry Officer)





Mails PA: Civil

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مذکورہ خزانہ دار صاحبہ سے مندرجہ ذیل کے لئے  
پولیس گارنٹی کے لئے مندرجہ ذیل کے لئے  
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11201-8536757-3

پولیس گارنٹی کے لئے مندرجہ ذیل کے لئے

16-11-2013

پولیس گارنٹی کے لئے مندرجہ ذیل کے لئے

پولیس گارنٹی کے لئے مندرجہ ذیل کے لئے

11201-91348-95-9

**POWER OF ATTORNEY**

In the Court of KPK Service Tribunal Peshawar  
Haron Badsha } For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

**VERSUS**

Govt of KPK etc } Defendant  
} Respondent  
} Accused  
}

Appeal/Revision/Suit/Application/Petition/Case No. \_\_\_\_\_ of \_\_\_\_\_  
Fixed for \_\_\_\_\_

I/We, the undersigned, do hereby nominate and appoint

**IJAZ ANWAR ADVOCATE, SUPREME COURT OF PAKISTAN**

Syed Amin Adnan my true and lawful attorney, for me  
in my same and on my behalf to appear at Govt to appear, plead, act and  
answer in the above Court or any Court to which the business is transferred in the above  
matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits.  
Compromises or other documents whatsoever, in connection with the said matter or any  
matter arising there from and also to apply for and receive all documents or copies of  
documents, depositions etc, and to apply for and issue summons and other writs or sub-  
poena and to apply for and get issued and arrest, attachment or other executions, warrants  
or order and to conduct any proceeding that may arise there out; and to apply for and  
receive payment of any or all sums or submit for the above matter to arbitration, and to  
employee any other Legal Practitioner authorizing him to exercise the power and  
authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other  
lawyer may be appointed by my said counsel to conduct the case who shall have the same  
powers.

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

**AND** I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf  
under or by virtue of this power or of the usual practice in such matter.

**PROVIDED** always, that I/we undertake at time of calling of the case by the  
Court/my authorized agent shall inform the Advocate and make him appear in Court, if the  
case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be  
held responsible for the same. All costs awarded in favour shall be the right of the counsel  
or his nominee, and if awarded against shall be payable by me/us

**IN WITNESS** whereof I/we have hereto signed at Peshawar  
the \_\_\_\_\_ day to \_\_\_\_\_ the year \_\_\_\_\_  
Executant/Executants \_\_\_\_\_  
Accepted subject to the terms regarding fee Haron Badsha

Ijaz Anwar  
**Ijaz Anwar**  
Advocate High Courts & Supreme Court of Pakistan

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

Service Appeal # 1153/2014.

Haroon Badshah S/O Behram Khan Ex-J/Clerk.....**Appellant**  
VERSUS

Secretary (E&SE) Govt: of Khyber Pakhtunkhwa & others..... **Respondents**

Parawise reply and comments for & on behalf of Respondents.

**Respectfully Sheweth,**  
**Preliminary Objections:-**

1. The appellant has no cause of action/ locus standi.
2. The instant appeal is badly time barred.
3. The appellant has concealed the material facts from this Hon 'able Tribunal, hence liable to be dismissed.
4. The appellant has not come to this Hon 'able court with clean hands.
5. The appellant has filed the instant appeal just to pressurize the Respondents.
6. The present appeal is liable to be dismissed for non joinder / misjoinder of necessary parties.
7. The appellant has filed the instant appeal on malafide motives.
8. The instant appeal is against the prevailing law and rules.
9. The appellant is estopped by his own conduct to file the instant appeal.
10. The instant appeal is not maintainable in the present form and also in the present circumstances of the issue.

06  
09.03.15

**FACTS.**

1. The statement of the appellant in this para is related to the Service record hence needs no comments.
2. Incorrect : In fact, the appellant was found guilty of misconduct under the E&D Rules 2011. Hence the appellant was served with show cause notice according to the law rules on the subject. Hence whole para is denied.
3. Incorrect. It is pertinent to mention here that the appellant has closely associated with the accused officer i.e The Ex-E.D.O (E&SE) District Lakki Marwat namely Mir Azam Khan and influenced the selection process and has got his brother appointed as J/Clerk namely Mr. Aftab S/O Behram Khan who is simply matriculate with 3<sup>rd</sup> division. (Annex-G para 17 of findings), hence denied. Moreover, the appellant participated in the said inquiry and recorded his statement orally, as well as in written whereby the appellant confessed to provide assistance to the main accused officer i.e Mr. Mir Azam Khan, Ex-E.D.O E&SE, District Lakki as evident from para 11 of the inquiry report (Annexure-G of the appeal) hence the whole para is denied.

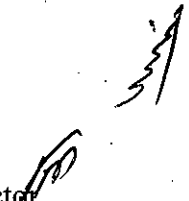
4. Incorrect. The appellant was provided a chance of opportunity of personal hearing to defend his case, while the appellant badly failed to provide/present any cogent legal defence before the competent authority. Then the competent authority after considering the charges and evidence on record, inquiry report, explanation of the accused official in response to the show cause notice and personal hearing, is of the view that the charges against the accused official i.e The appellant have been proved. And the competent authority was pleased to impose major penalty of Removal from Service in accordance with law, rules on the subject, hence the whole para is denied.
5. Incorrect and denied, the statement of the appellant is false baseless and against the facts. The Departmental appeal filed by the appellant was thoroughly examined and rejected vide letter/order dated 23-09-2014.
6. Incorrect and not admitted: The order mentioned in this para is legal, lawful and in accordance with law and fact, by the competent authority hence liable to be declared tenable in the eye of law inter alia on the following grounds:


**ON GROUNDS.**

- A. Incorrect. The appellant has been treated in accordance with law hence no right of the appellant has been violated.
- B. Incorrect and denied. That proper procedure has been followed before awarding the major penalty of removal from Service to the appellant. Moreover, proper inquiry has been conducted and every opportunity of defence has been provided to the appellant. Hence the whole para is denied being against facts, material on record and inquiry report (Annex-G of the appeal).
- C. Incorrect. According to impartial enquiry report the appellant was proved guilty of misconduct, hence denied.
- D. Incorrect. The major penalty imposed upon the appellant is according to the rules, law on the subject and as well as in accordance with natural justice, hence denied.
- E. Incorrect, the statement of the appellant is false, baseless without any legal proof, while there is no malafide on the part of respondents, hence this para is denied.
- F. Incorrect and denied. As replied in para above.
- G. Incorrect. The proper inquiry was conducted by the competent authorities and all codal formalities are fulfilled, hence this para is denied.
- H. Incorrect. The statement of the appellant is misleading one. According to the inquiry report (Annex-G of appeal) The appellant influenced the Selection process of J/Clerk by close linkages with the Ex-E.D.O E&SE, Lakki (i.e the accused officer ) Mir Azam Khan and made himself liable to be proceeded under E&D Rules 2011.

- I. Incorrect and denied. As replied in para-H above Moreover, the statement of the appellant in this para is misleading one and false, baseless.
- J. Correct to the extent that the competent authority has imposed major penalty removal from Service in accordance with law, rules on the subject.
- K. Incorrect; The appellant get appointed his brother having 3<sup>rd</sup> division in S.S.C. hence, the whole para is denied being against the facts and inquiry report. Annex-G of the appeal).
- L. Incorrect: The statement of the appellant in this para is concocted story. Hence denied being with out any cogent legal proof.
- M. Incorrect. The appellant was dealt in accordance with law.
- N. Incorrect and denied. The statement of the appellant is baseless, false against the record, facts and enquiry report i.e the Annex-G of the appeal).
- O. Incorrect: The appellant is proved guilty of misconduct as per inquiry report.
- P. This para is related to appellant hence denied.
- Q. That the respondents also seek the permission of this Hon'able tribunal to adduce more ground and proofs at the time of hearing.

In view of the above made submissions, it is, therefore, most humbly requested that this Honourable tribunal may very graciously be pleased to dismiss the appeal in hand with cost in favour of the Respondent Department.

  
Director  
Elementary & Secondary Education,  
Peshawar

  
Secretary,  
Elementary & Secondary Education,  
Department.  
(For & on behalf of Respondents No. 1&2)



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 435 /ST

Dated 14 / 3 / 2016


To

The Secretary E&SE,  
Peshawar.

Subject: - **JUDGMENT**

I am directed to forward herewith a certified copy of Judgement dated 7.3.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.

Haroon Baacha, Case.  
on behalf of the Appellant.

IN THE COURT OF MR. ASIF KAMAL  
CIVIL JUDGE-II, LAKKI MARWAT.

Haroon Bad Shah Vs Khushdil Khan

Or.....31 27/11/15 <sup>17.2.14</sup> <sup>20.2.15</sup> <sup>335</sup> <sup>1</sup> <sup>3000</sup>  
27.11.2015

Parties present. Plaintiff submitted an application for withdrawal of instant suit. The application is EX-PA. In this regard he recorded statement wherein he stated that he does not want to proceed the case further. The copy of CNIC of plaintiff is EX-PB.

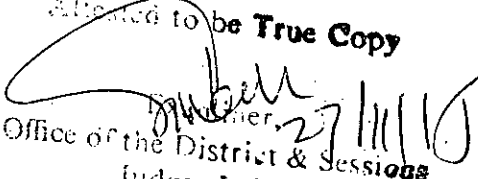
In view of the application and statement of plaintiff the suit in hand is hereby dismissed as withdrawn.

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

Announced.  
27.11.2015

  
(Asif Kamal)  
Civil Judge-II, Lakki Marwat.

"C.D. No. 5612  
Application received on... 27/11/15  
Copying fee deposited on...  
Judgment received for copying... 27/11/15  
No. of words 18 sheets  
Copy of fee  
Searched  
Urgent  
Name of Copyist Javed  
Copy completed on 27/11/15  
Copy delivered on 27/11/15  
Name of Typist

attested to be True Copy  
  
Office of the District & Sessions  
Judge Lakki

لکھنؤ میں سوانہ صاحبہ کے ساتھ

IX-PH

پارون ہائوس بارشہ  
بیم فوسل خانہ  
دکھی پہنچانہ وصولی

Withdrawn / دربارہ دوس /  
تہہ قلم لکھنؤ

مہر

رہائشہ قلم لکھنؤ  
زیر لکھنؤ

رہائشہ قلم لکھنؤ  
لکھنؤ

لکھنؤ لکھنؤ  
دست برداری و اس کی کتب  
کتاب

حدہ 27-11-15

پارون ہائوس بارشہ

M. H. Begum

27/11/15

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Examiner.  
Office of the District & Sessions  
Judge. Lakki

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Attested to be True Copy  
 Civil Judge-II  
 Lakki Marwat

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3-9-15 Handwritten text in Urdu, including the number 6.7.15.

0 — 25  
 03/09/15.

Partis present. counsel for the  
 defendant sought adjournment.  
 Granted. To come up for

Attested to be True Copy  
 Examiner  
 Office of the District & Sessions  
 Judge, Lakki

inputs on 07 RII CPC on  
 7/09/15.

ASIF KAMAL  
 Civil Judge-II Lakki Marwat

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ASIF KAMAL  
 Civil Judge-II Lakki Marwat

مدکی تاسو نه م... 05-27  
28.9.15  
با... 12 10/15

ASIF KAMAL  
Civil Judge-II Lakki Marwat

فرقت تاسو... 05-28  
12.10.15  
با... 28 10/15

ASIF KAMAL  
Civil Judge-II Lakki Marwat

فرقت تاسو... 05-29  
28.10.15  
با... 12 10/15

ASIF KAMAL  
Civil Judge-II Lakki Marwat

فرقت تاسو... 05-30  
12.11.15  
با... 12 10/15

ASIF KAMAL  
Civil Judge-II Lakki Marwat

Requested to be True Copy  
Examiner, 27/11/15  
of the District & Sessions  
Judge, Lakki

Cont: Or...20

can be prevented from omitting/deleting relief from his main prayer subject to the condition that such omission may not prejudice the right of opposite party. In the instant lis no prejudice is likely to cause to the respondent from the proposed deletion in the main prayer. Consequently application in hand is allowed. No order as to cost. Muharrir is directed to do the needful. File to come up on 09.04.2015.

Announced.  
20.03.2015

**AMJAD HASSAN TANOLI.**  
Civil Judge-II Lakki Marwat.

دست مدعی، مدعیہ نذرانہ قدر ماہر - دست مدعیہ طاقی کورٹ اپنا بیان لکھنے کے لیے دست نامہ لکھنے کے لیے دست نامہ درخواست ہے پی آر 07.11.15 سے 27.04.15  
Os-21  
09.04.15

Amjad Hassan Tanoli  
Civil Judge - II  
Lakki Marwat

دست مدعی - مدعیہ نذرانہ قدر ماہر - دست مدعیہ طاقی کورٹ اپنا بیان لکھنے کے لیے دست نامہ لکھنے کے لیے دست نامہ درخواست ہے پی آر 07.11.15 سے 15.05.2015  
Os-22  
27.04.15

Amjad Hassan Tanoli  
Civil Judge - II  
Lakki Marwat

دست مدعیہ طاقی کورٹ اپنا بیان لکھنے کے لیے دست نامہ لکھنے کے لیے دست نامہ درخواست ہے پی آر 07.11.15 سے 08.06.2015  
Os-23  
15.05.15

Amjad Hassan Tanoli  
Civil Judge - II  
Lakki Marwat

To be True Copy  
Examiner  
of the District & Sessions  
Judge Lakki

OS-18  
23.03.2015  
قریبی، دلاڑخان - جبکہ درخواست کنندہ نے اپنی درخواست میں بابت

دریہ جہت سے 2015-03-05 کو پیش ہو

Amjad Hassan Tahirli  
Civil Judge - II  
Lakki Marwat

OS-19  
05.03.15  
مدعی بذریعہ خود دلاڑخان - مدعا علیہ سے وکی دلاڑخان نے - نیز مدعی نے درخواست

سے 2015-03-20 کو پیش ہو

Amjad Hassan Tahirli  
Civil Judge - II  
Lakki Marwat

OR.....20  
20.03.2015

Parties alongwith counsel present.

This order is directed to dispose of application filed by the plaintiff for partially withdrawal of second Para " خرج " of his relief claim in the plaint. Reply submitted. Arguments heard and record perused.

Learned counsel for the petitioner vehemently contended that it is choice of the plaintiff to withdraw any Part of his claim. Further argued that there is no legal impediment qua acceptance of instant application, therefore, the same be allowed.

In rebuttal to the arguments forwarded by the learned counsel for the petitioner, learned counsel for the respondent solicited that the petition is without any probable cause and reason and just an attempt prolonging the matter further without any justification.

Keeping in view available record and submission solicited by the learned counsel for the parties this court is of the view that no party to the lis

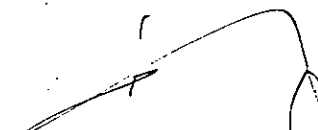
Subscribed to be True Copy  
Amjad Hassan Tahirli  
Civil Judge - II  
Lakki Marwat

OS.....15

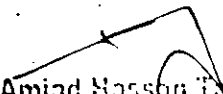
12-01-2015

The instant case has been received from the court of learned Civil Judge-V Lakki Marwat by the order of learned/Hon,ble District & Sessions Judge, Lakki Marwat vide office order bearing endorsement no.1034-35 DSJ dated Lakki the 20-12-2014. Be registered in the relevant register.

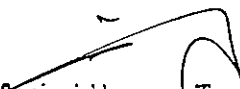
Plaintiff with counsel and defendant in person present. On the request of defendant, adjourned for arguments on application on 24.01.2015.

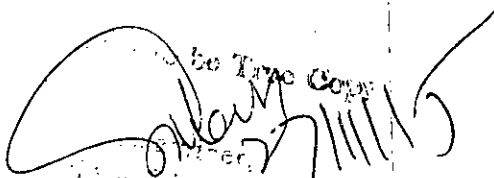
  
( Amjad Hassan Tanoli )  
Civil Judge-II,  
Lakki Marwat.

OS-16  
24.01.2015  
نہ فیصلہ ہو گا۔ دونوں طرف سے وکلاء کی مداخلت پر یہ فیصلہ درج ہے۔  
باب اولیٰ جزئیہ، مقدمہ نمبر 09-02-2015 و سبیل و

  
Amjad Hassan Tanoli  
Civil Judge - II  
Lakki Marwat

OS-17  
09.02.15  
کاغذی جواب سنا۔ وکیل مدعی نے طرف سے مداخلت پر یہ فیصلہ درج ہے۔  
سے 23-02-2015 و سبیل و

  
Amjad Hassan Tanoli  
Civil Judge - II  
Lakki Marwat

  
District & Sessions Judge  
Lakki Marwat




C-13  
13/11/14

Presence as before. Counsel  
for defendant requested for  
adjournment - Given. Put up for  
arguments and order on application  
for withdrawal on 19/11/14

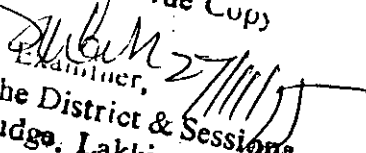
ORDER-14  
19.11.2014

Malik Muhammad Hasnain  
Civil Judge No. V Lakki Marwat

Presence as before. Defendant counsel  
sought time for arguments on application, given.  
Adjourned. File to come up for arguments on  
application on 13-12-14

  
(Civil Judge-V, Lakki)


لوئی ریٹ / عدالت ہائے سولہ - سوات - سوات ہائیڈرو پاور (پرائیویٹ) لمیٹڈ  
13-12-14  
پریسنگ - سوات ہائیڈرو پاور 15/12/14  
- 69 -

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Examiner,  
Office of the District & Sessions  
Judge, Lakki

**ORDER-10**  
**06.09.2014**

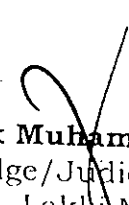
Presence as before.

Today learned counsel for the plaintiff submitted an application for withdrawal of suit to the extent of Para-"Bay". Given. File to come up for replication and arguments on instant application as well as application for the rejection of plaint on 29-9-14.

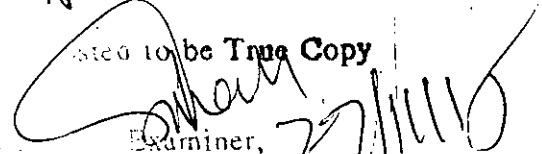
  
(Malik Muhammad Hasnain)  
Civil Judge/Judicial Magistrate-V,  
Lakki Marwat.

**ORDER-11**  
**29.09.2014**

Clerk of counsel for the parties present. Learned counsel for plaintiff submitted application for adjournment that today he is busy before the Hon'ble High Court, Bannu Bench. Adjourned. File to come up on arguments on 22-10-14.

  
(Malik Muhammad Hasnain)  
Civil Judge/Judicial Magistrate-V,  
Lakki Marwat.

0-12 Plaintiff ~~Hand~~ through  
22/10/14  
Counsel present. Defect. adjournment  
Counsel present. Replication filed.  
Per copy for arguments to  
13/11/14

sted to be True Copy  
  
Examiner,  
Office of the District & Session  
Judge, Lakki


Hafiz Ahmad Shaban. Versus Khushkhan Khan.

Civil suit No. 141 of 2014.

Or.....07.  
21.05.2014.

Plaintiff through counsel present.

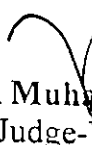
Defendant in person alongwith his counsel present. Wakalat Nama afresh on behalf of defendant filed by Mr. Irfanullah Khan Advocate and sought time for arguments being newly engaged, adjourned. Put up for arguments on application for rejection of plaint on 5-6-14.

  
(Malik Muhammad Hasnain)  
Civil Judge-V, Lakki Marwat.

Or.....08.  
05.06.2014.


Plaintiff in person and defendant through counsel present.

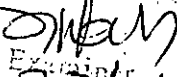
Plaintiff submitted an application for adjournment on the ground that his counsel is busy before the august Peshawar High Court, Bannu Bench, adjourned. Put up for arguments on application for rejection of plaint on 26-6-14.

  
(Malik Muhammad Hasnain)  
Civil Judge-V, Lakki Marwat.

Or.....09  
26.05.2014

Counsel for the parties present. learned counsel for defendant sought time for arguments. Time given. To come up for arguments on 6-9-14.

  
(Malik Muhammad Hasnain)  
Civil Judge-V, Lakki Marwat.

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Examiner  
of the High Court  
Lakki Marwat

Note Reader.  
10.03.2014.

Parties in person present.

Learned Presiding Officer is on casual leave, so case is posted to

24.03.2014.


  
Reader.

Or.....04.  
24.03.2014.

Parties with their respective counsel present.

Today plaintiff submitted Judicial stamps amounting to  
Rs.15,000/- for the purpose of Court fee, placed on file.

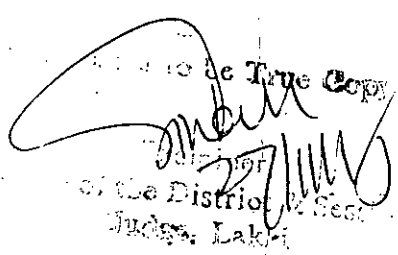
Learned defence counsel submitted an application under Order-  
VII Rul-11 CPC, copy given. File to come up for arguments on 08.04.2014.

  
(Malik Muhammad Hasnain)  
Civil Judge-V, Lakki Marwat.

Or.....05.  
08.04.2014.

Parties present in person.

Today Bar is on strike, adjourned. Put up for replication and  
arguments on application under Order-VII Rule-11 CPC on 29.04.2014.

  
(Malik Muhammad Hasnain)  
Civil Judge-V, Lakki Marwat.

0-6 Present Counsel for parties.  
29/4/14 Parties also present. Replication  
files. Put up for arguments &  
applications for rejection of plaint &  
21/5/14

بسم اللہ الرحمن الرحیم

محکم دلائل سے مزین و متنوع ومنفرد موضوعات پر مشتمل مفت آن لائن مکتبہ  
17-2-14

2- مقدمہ  
14-2-17 تاریخ جواب  
لدیئر سید علی احمد صاحب

Malik Muhammad Hasnain  
Civil Judge, No. 1, Lakki Mairwat

پارون بادشاہ نام  
عنوان

چیک لسٹ

- |   |                             |
|---|-----------------------------|
| 10 - کیا ہے؟  | 1 - تحریر کی تاریخ کیا ہے؟  |
| 11 - تین بیان دہو؟  | 2 - مطلوبہ نقل مرصعہ دہو؟   |
| 12 - جزدقی امارش واری کی درخواست؟                                       | 3 - فریقین کا پست پتہ؟      |
| 13 - قریحت پڑائی دہو؟ خلاف مدعا ہے؟                                     | 4 - لہرت، دائرہ بیان دہو؟   |
| 14 - شاہد برائی کی تفصیلات 92, 91, 80, 79                               | 5 - مرآت کا اشارہ ثابت؟     |
| 15 - عم 1 تا 8 شاہد برائی کی تفصیل کے تقاضوں کی تکمیل (بشرط اطلاق)؟     | 6 - ثابت دہو اور گورنمنٹ؟   |
| 16 - عم 1 تا 8 شاہد برائی کی تفصیل (نفاذ دہو)؟                          | 7 - افسار کردہ دستاویزات؟   |
| 16 - مدعی المدعا علیہ کے تابع ہونے کی صورت میں عم 32 شاہد برائی پر عمل؟ | 8 - دیگر دستاویزات کی لہرت؟ |
|   | 9 - نوٹس؟                   |

پڑتال ریپورٹ  
صواب مال  
مدعا لفظوں و کلمات نام  
لدیئر سید علی احمد صاحب

ریپورٹ عدالت

حکم

3- اصل مدعی حاضر۔ مدعا علیہ کی لہرت کرنا ہے۔ دینا ضروری معلوم  
17-2-14  
میوٹر میں بنا / مدعا علیہ صدر نے 10/3 کو پیش کیا  
مدعی کی بیعت کا جانا ہے۔ نہ لہرت میں تاثر ہے۔ دہو کی لہرت

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Examiner  
Office of the District & Sessions  
Judge, Lakki

کے بعد اس کے مندرجہ ذیل ناموں کے ساتھ

یاروز خان بادشاہ ولد بہادر خان سید لفظ ضلع شملہ (موجی)

خواجہ صاحب خان ولد بہادر خان سید صاحبزادہ میرا ذیل قلم بردار (مولا علی)

دکھائی دینے والی جملہ کو اور اس طرح  
موجودہ صورت پر جو خاصہ حقہ درگاہ دار امی  
جو زمین القاب ہے

ANJAL SETHI  
Senior Deputy Magistrate  
Sec-30 CrP Code Marwat  
17-2-74

(ب) دکھائی دینے والی جملہ کو اور اس طرح  
طور کہ درج ذیل ناموں کے ساتھ  
کو جس میں کوئی 2 صدقہ ایسا ہے جس پر قبضہ اور زمین موجی  
کو اپنے قبضہ اور ملکیت میں بدنام کرنے میں کسی کو  
کو قبضہ میں لے کر اپنے قبضہ میں لے کر  
جس کا کو قبضہ میں لے کر اپنے قبضہ میں لے کر  
اپنے قبضہ میں لے کر اپنے قبضہ میں لے کر  
یعنی درگاہ دار امی جو زمین القاب ہے

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Examiner  
Office of the District & Sessions  
Judge Takki

سید علی دکنی موجی ذیل میں

راہ گندھین موجی محمد کرم محمد دکنی صاحب  
کشمور صاحب صاحبزادہ صاحب صاحب

موجودہ صورت پر جو خاصہ حقہ درگاہ دار امی

موجودہ صورت پر جو خاصہ حقہ درگاہ دار امی

۱۱) چونکہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

۵

۱۲) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

AJMA/21148  
Gandhi Bldg  
Sec 30 Cipe Lahore 114-11416  
17

۱۳) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

۱۴) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

۱۵) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

۱۶) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

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District & Sec...

۱۷) یہ کہہ سکتے ہیں کہ درخواست کنندہ نے اپنی درخواست میں اس کے ساتھ ساتھ ایک سرکاری نوٹس بھی جمع کیا ہے۔

رانا امیر محمد عیسیٰ صاحب کرامت صاحب اہلبیت اور اہل بیت دسالی  
ضربہ کلکٹر کراچی جیسان کا کارڈ

کیا اس سے پہلے ڈگری صاحب کرامت کی دیکھا ہے وہی وہی ہے  
درجہ کلکٹر کراچی ضلع کراچی

17-2-16 تاریخ

پارون یار سالا

M. H. Badshah

AJMAL SHAH  
Senior Secretary  
Secy 30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100  
17-2-16

True Copy  
M. H. Badshah  
Secretary

لقد ہی عبارت  
لقد ہی بی عالی ہند  
مہاراجہ کی دلچسپی  
علم و لغت کی لائق

پارون یار سالا  
M. H. Badshah



کچھ عہدہ سنبھالنے کے لئے سولہ مارچ ۱۹۱۴ء

بارون ہاسٹلہ بنام خوشن خان

تعمیرات کے لئے

فرد سب سے فریضہ خیر میں

سب سے فریضہ سب سے دل سے

دوستی سے اس سے دل سے

Malik Muhammad Hasnain  
Civil Judge No. 1, Lakki Marwat

17-2-14

تاریخ 17.2.14

بارون ہاسٹلہ - موٹھی

M. A. Badar

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Judge, Lakki

Malik Mir Hamza Hashain  
Civil Judge No. 10, Bahawalpur

17-2-14

NO. 630 For Insurance Notices see reverse. Rs. Ps. 33/AD

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initials of Receiving Office \_\_\_\_\_ Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary. Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_

Insurance fee Rs. \_\_\_\_\_ Weight \_\_\_\_\_ Grams \_\_\_\_\_

Name and address of sender \_\_\_\_\_ 372/14

لٹوس مالوانی

بارون پٹیالہ ولد بہار افسان سہہ لکھنؤ ضلع ضلع پٹیالہ (لٹوس دھندہ)  
خوشدل خان ولد ہاشم خان سہہ نار صاحبہ اور بیاد ضلع ضلع پٹیالہ (لٹوس گھندہ)

ان لٹوس گھندہ کو بہار علی مالوانی لٹوس مسلم لیجا نامہ کہہ اس لٹوس گھندہ  
نے من لٹوس دھندہ لیا تو حورثہ  $\frac{11}{13}$  / 6 کو اس اکرور نامہ نامہ  
صورتی تبادلہ من لٹوس دھندہ لکھنؤ ریڈ من لٹوس دھندہ منبر  
کہ لکھنؤ ریڈ نامہ / Compensation کہ لکھا اور نہ لکھا اکرور نامہ  
من صید دین کی حالت طلب کی تو مذکورہ اکرور نامہ کو 80  
گزارے آباد جو نہ من لٹوس گھندہ کا تبادلہ صورتی ہو چکا اور  
نہ اس لٹوس گھندہ نے من لٹوس دھندہ کو لکھنؤ ریڈ  
نامہ اور گی 40 آباد جو اکرور نامہ اس لٹوس گھندہ

Malik Malik  
Civil Judge  
Lahore

نے اختیار کیا بیان حورثہ  $\frac{12}{13}$  اور نامہ حورثہ شمارہ چارہ میں  
دیا گیا۔ اب اس لٹوس گھندہ کو بہار علی مالوانی لٹوس  
کہ لٹوس دھندہ نے اس لٹوس گھندہ سے انہر من لٹوس دھندہ  
میلو کہ لکھنؤ ریڈ نامہ / Compensation کہ لکھا اور نہ لکھا  
دیکھ من لٹوس دھندہ اپنے صنفی دیوانی اور خوشیاری عدالت  
سے رجوع کر گیا جس سے اس لٹوس گھندہ نے  
لیو لٹوس کو لکھنؤ ریڈ نامہ مالوانی مالوانی لٹوس گھندہ کی حالت

محمد علی صاحب

ورثہ  
3-2-19

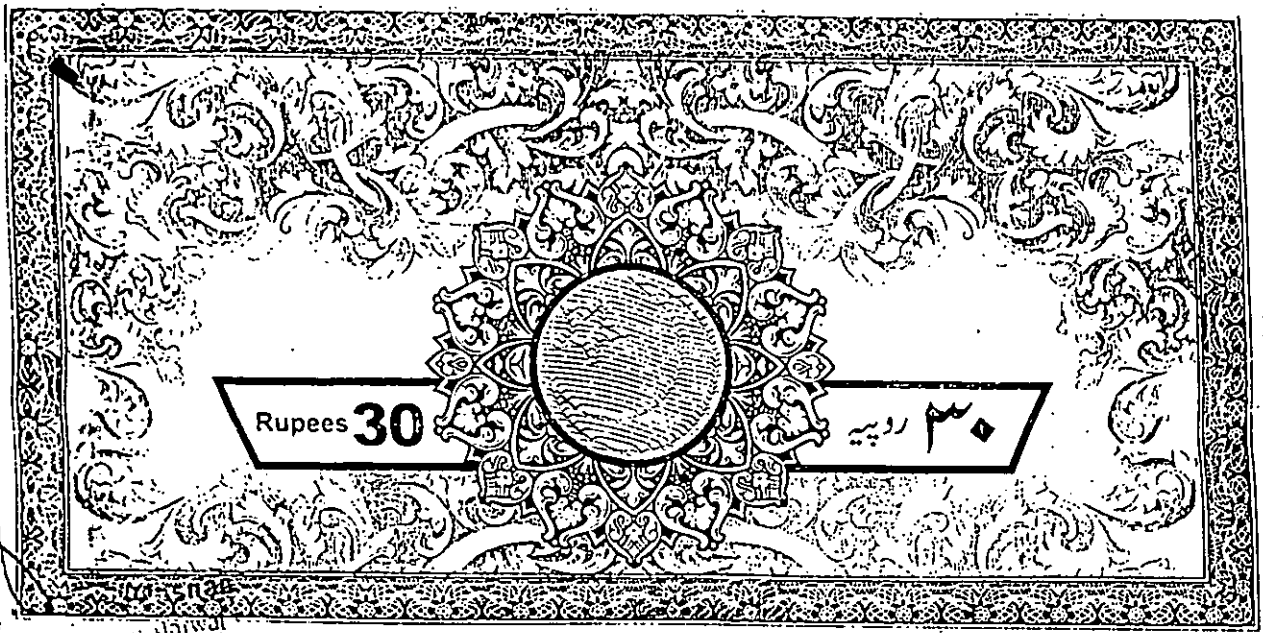
گواہ لٹوس خان اہل و عیال  
بار

لٹوس دھندہ  
بارون پٹیالہ  
CNIC: 11201-0378639-1

11/11/19

نائب لٹوس لکھنؤ ریڈ نامہ

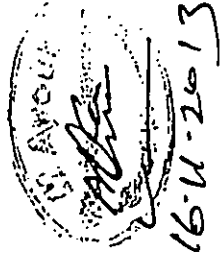
3-2-19



Malik  
Civil Judge

۱۳۰۲

مکتبہ فوسٹریل خان و دیگر باہم خان سکنہ خار صاحبہ اور علی سرزنگ



۱۳۰۲-۱۶

بنالکھار صاحبہ اور خندا ادراس مولیٰ کہ میرے طرف سے بخارون بابر

و دیگر باہم خان سکنہ لکھنؤ علی کھنڈ قلم لکھنؤ کیمبر و

روزنامہ دستا میں جو بیان آئے ہیں وہ سب صحیح و سچا ہیں

کی تردید نہ رہے اور سب بخارون بابر اور اسی دوران اسکا

تباہی ہے اور لکھنؤ میں سے DEO نہیں آئی ہے نہ کبھی

نہ غامی کبھی سے بلکہ باہم خان سکنہ بخارون بابر کا

دہ بدراہم خان کو ادا کرنے کا بیڑا ہے اور سب سچے سچے

نہ کبھی سے بخارون بابر کے بیان کے ساتھ ساتھ

کے ساتھ

الکھنڈا کے ساتھ

جو سید نور خان

رہنڈہ صاحبہ

نہ کبھی سے

کے ساتھ  
مکتبہ فوسٹریل خان  
علی سرزنگ

الکھنڈا  
صاحبہ الفان  
نہ کبھی سے

۱۱۲۰۱۰۵۳۹۸۶۱۲۵۰

۱۱۲۰۱۰۵۳۹۸۶۱۲۵۰

الکھنڈا  
بخارون بابر

الکھنڈا  
فوسٹریل خان

۱۱۲۰۱۰۵۳۷۸۶۳۹۰۱

۱۱۲۰۱۰۸۵۳۶۷۵۷-۳

۱۱۲۰۱۰۹۱۳۴۸۹۵-۶

نہ کبھی سے

398  
16/11/13

بسم الله الرحمن الرحيم  
الحمد لله الذي هدانا لهذا  
ما كنا لنهتدي لولا أن هدانا الله  
والحمد لله رب العالمين

16.11.2013

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اللہ ہی کیلئے ہیں مشرق و مغرب القرآن

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عہدہ کے بانی  
پشاور  
مشرق  
مسلسل اشاعت کے 47 سال

پشاور و اسلام آباد سے یک وقت شائع ہونے والا شیراز اشاعت قومی اخبار  
ABC CERTIFIED

جلد 47 منگل 7 محرم الحرام 1435ھ 12 نومبر 2013ء قیمت 12 روپے شمارہ 86

Malik Muhammad Hasnain  
Civil Judge (senior) Akki Marwat

17-2-14

تحریک انصاف کی نکلنے کے تدارک کی منسوخی کیلئے ڈیڑ لاکھ دیدی

محکمہ تعلیم کا اہلکار نے کیلئے بنائی کا باعث بن رہا ہے تین دن کے دوران پورے شہر میں خوشحال خان

کی صورت (مجموعہ مشرق) پاکستان تحریک انصاف مطالبہ حلیم نہ ہوا تو بھرپور احتجاج کریں  
کی صورت اور ان کی دیگر تحریکوں نے ایجوکیشن کلرک کے دستخط کیلئے کی صورت میں پی ٹی آئی کے  
باروں کا چارج کیسٹل کرنے کے لئے تین دن کی ڈیڑ ملی سینئر نائب صدر خوشحال خان کی زیر صدارت  
لاکھ روپے کی رقم کی ادائیگی کی صورت و وقت کے اندر (بقیہ 51 صفحہ 10)

51 تحریک انصاف کی

اہل اس مشفقہ اور جن میں انصاف اور آواز دہانہ کی توجہ کے طور  
میں اور شہر اور خان اور دیگر مہم جہادوں و کارکنوں نے  
تیز قدموں میں حرکت کی اسلحا میں ایک فریڈا کے  
روئے سوبالی اور تعلیم اور دیگر سوبالی اہل الزمان سے  
ملا کر کیا گیا کہ تعلیم کے کلرک اور ہمدون کو چھ ماہ کی  
کڑیوں کے باعث ایجوکیشن ٹی سٹی آفس سے تبدیل کر دیا  
گیا تھا ایک بار ہمدون اور کی صورت میں تین ٹی سٹی میں تبدیل  
کیا گیا اس کا چارج لے کر ہمدون پر مشورہ کیا گیا ہے۔

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

Notification.

Mr. Haroon Badshah Junior Clerk GHS Titar Khel, Lakki Marwat is hereby transferred to office of the DEO (F) Lakki Marwat against vacant Junior Clerk post on his own pay and BPS in the interest of public service with effect from the date of his taking over charge.

Note:


1. Charge report should be submitted to all concerned.  
2. No TADA etc. is allowed.

DIRECTOR  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 593-99 /A-23/MS/Lakki/Vol-II. Dated Peshawar the 7/11 /2013.

Copy forwarded to the:-

1. District Education Officer (Male) Lakki Marwat.
2. District Education Officer (Female) Lakki Marwat.
3. District Accounts Officer Lakki Marwat..
4. Head Master concerned.
5. Official concerned.
6. Master file.
7. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

  
Deputy Director (F&A)  
Directorate of Elementary & Secy: Education  
Khyber Pakhtunkhwa, Peshawar  
9

897

Handwritten signature and text in Urdu/Arabic script.

12-11-2014

Malik Muhammad Hasnain  
Civil Judge Near Lakki Marwat  
17-2-14

Qty	Particular	Rates	Rs	Pisa
10	100 (1273)	6/-	60	-
30	100 (1273)	2/-	60	-
125	100 (1273)	125/-	125	-
35	Sp Redupin	35/-	35	-
			250	-
			7	-
	<b>Total</b>		250	-

Signature





Malik Muhammad Hasnain  
Civil Judge New Delhi Marwat

17-2-14

ڈاکٹر الطاف حسین

سینئر میڈیکل آفیسر

ماہر امراض اطفال

Pt. Name

آرون بارہ

Age 3 1/2

Sex M

Date

17/2/14

Clinical Record

Rx

Bp = 160/100 mmHg  
- palpitation  
- insomnia  
- loss of appetite

1) Td-Ca-B  
5

12

- D. B. A  
30

D. B. A  
12

17-2-14



Saffron

Inj. SONNET  
250, 500mg, 1g

Noctis  
Cap. 20mg / Inf 40mg

Locus  
250, 500mg Tab.  
500mg / 100ml Inf.

898

*[Handwritten signature]*

15-11-2013  
60  
16

*[Handwritten signature]*  
Malik M. Hameed Masnain  
Civil Judge No. 1, District Court  
17-2-14

Qty	Particular	Rates	Rs	Pisa
20	100 CARB.	6/-	120	-
10	100 Loxatrop	16.00	160	-
10	Sp. Cravison	5.00	50	-
10	100 Metillin	4.00	40	-
			390	-
			7	-
	<b>Total</b>		390	-

*[Handwritten signature]*  
Signature

هو الثاني  
 Malik Muhammad Hasnain  
 Civil Judge No. V Ludhiana  
 17-2-14

ڈاکٹر الطاف حسین  
 سینٹر میڈیکل آفیسر  
 ماہر امراض اطفال

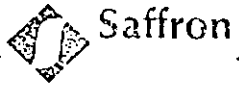
Pt. Name: [Handwritten Name] Age: [Handwritten] Sex: [Handwritten] Date: [Handwritten]

Clinical Record

Pt. = 15 years old

Rx  
 - TB (Ca, B, M)  
 - 3-4 weeks  
 - 3-4 weeks  
 - 3-4 weeks  
 - 3-4 weeks  
 - 3-4 weeks  
 - 3-4 weeks

15/1/13



Inj. SONNET  
 250, 500mg, 1g

Noctis  
 Cap. 20mg / Inf 40mg

Locas  
 250, 500mg Tab.  
 500mg / 100ml Inf.

700

الرجوع  
بموجب  
قرار المحكمة  
المدنية  
الرقم 700  
تاريخ 22.11.03

22.11.03  
م

عقود

Qty	Particular	Rates	Rs	Pisa
20 0/3	1er Apsoni	125	125	
03	Sp viteligni	90	90	
10	1er Rosilloni	40	40	
			255	w
			7	
	<b>Total</b>		255	

Malik M. M. Masnain  
Civil Judge No. 1, Lado Malwat

17-2-14

Signature  
R/M

هوالتان

ڈاکٹر الطاف حسین

سینئر میڈیکل آفیسر

ماہر امراض اطفال

Pt. Name

دعا رین مارواڑ

Age

Sex

Date

27/11/13

Clinical Record

Rx


12 - TB:  $\frac{10}{20}$

of  $\frac{10}{20}$

D.  $\frac{10}{20}$

27/11/13

Maik Me Hasham Hasham  
Civil Judge No. 11 Lohar Marwar  
17-2-14

 Saffron

Inj. SONNET  
250, 500mg, 1g

Noctis  
Cap. 20mg / Inf 40mg

Loctis  
250, 500mg Tab.  
500mg / 100ml Inf.

Sender's Name & Address

*Haroon Badash S/O Behram*

آپ کی سہولت ہماری خدمت

*Khan Rlo Nagar Khel Seraw Nagar. Larkana District*

--	--	--	--	--	--

POSTCODE

پوسٹ آفسز میں بجلی / گیس / پانی اور ٹیلیفون کے بل ادا کیجئے  
پاکستان پوسٹ سے متعلق شکایات اس نمبر پر درج کرائیں 051-9261618

*6-42*  
*کے لئے*



*میں نے سہولت کے لئے درخواست دی ہے*  
*10-2-14*



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Savings Bank**

PAKISTAN POST

خدمت، دیانت، امانت



Rs. 10



Rs. 10

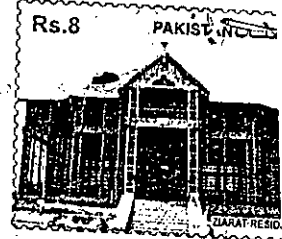
خوشدل خان ولد یاسین خان سہ ماہی صاحب

بیمار خان سرائے بائو

7873 4970 34



POSTCODE



Rs. 8

PAKISTAN

ZIARAT RESID.

630

SARAI BAYNO  
3-957

ACKNOWLEDGEMENT DUE

CARD

Duik Muhammad Hasna  
Civil Judge (Munsif) Marwa



16-2-16  
نام محمد امجد علی

پتہ کے پی ایچ سرائے

ڈاکخانہ ضلع بکرورت

پوسٹ کوڈ

(پوسٹ کوڈ لکھنا ضروری ہے)



رجسٹری یا پیر بھیجنے والے کو پشت پر ایسے کے پتے پر واپس بھیجا جائے۔

\* ایک رجسٹری فرسٹ کلاس 300/-

برائے (نام)

وزن اور پتہ

• بیک کی مالیت

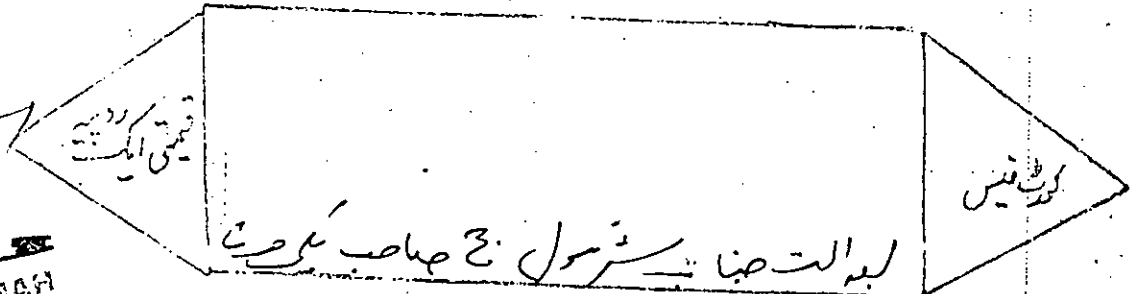
تاریخ تقسیم

مکتوب الیہ کے دستخط

\* یہاں کسی آپسٹ ہونے کی صورت میں اس کو بھیج دیا جائے گا۔ بیک کی صورت میں اس کو پتہ لکھنا ضروری ہے۔  
• صرف بیک کی صورت میں یہاں کوئی آپسٹ لکھنا ضروری ہے۔

قیمت پان روپے - Rs. 5/-

وکالت نامہ



AJMAL SHAH  
Senior Advocate, Muz  
Sumb 38 oppo Lakki Marwat  
17-2-2014

199 سید منجانب  
بارون بادشاہ بنام فوشمول کان  
پابلیک ٹیکسز اینڈ  
ڈیوٹی  
جرم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطہ پیری و جواب دہی دکن کارروائی کے تحت  
تمام تعلق صورت  
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز  
دکن صاحب کو راجسٹریز و تقررات و فیصلہ پر عمل دینے جواب ہی اور اقبال ڈوی اور بصورت  
ڈکن کوئی کوئی اجراء اور اصولی ایک مدعیہ اور راجسٹری ڈوی اور درخواست شہریم کی تصدیق زیر  
اس پر دستخط کر کے کا مقدمہ کو اپنے دست عدم پیری یا ڈکن کی طرف یا آبل کی برآمدگی اور نسوختی  
دار کوئی اپیل نگرانی و نظر ثانی و پیری کر کے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ کو کور کے کل پیری  
کارروائی کے واسطہ اور دکن یا پھر راجسٹری کو اپنے ہمراہ یا اپنی بجائے تقریر کا اختیار ہوگا اور تمام  
مقدمہ کو کور و پیری ملکر یہ بالا اختیار آسان ہوگا۔ اور اس کا اختتام پیرا اختتام منظور قبول  
ہوگا۔ اور دو ما مقدمہ میں جو خرچہ و پیرا پیرا مقدمہ کے ساتھ ہوگا۔ اس کے ساتھ دکن صاحب  
مقدمہ کو کور و پیری ملکر یہ بالا اختیار ہوگا۔ اور اس کا اختتام پیرا اختتام منظور قبول  
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مقدمہ کو کور و پیری ملکر یہ بالا اختیار ہوگا۔ اور اس کا اختتام پیرا اختتام منظور قبول  
ہوگا۔ اور دو ما مقدمہ میں جو خرچہ و پیرا پیرا مقدمہ کے ساتھ ہوگا۔ اس کے ساتھ دکن صاحب

2014  
المترقوم 17  
2

بارون بادشاہ  
A. H. Badshah

تعمیراتی ایکٹ  
A.H.S.H.

Attested to be True Copy  
Examiner,  
Office of the District & Sessions  
Judge, Lakki

سمن بغرض حتمی تصفیہ مقدمہ

نام

(حکم ۵، قاعدہ ۵ مجموعہ ضابطہ دیوانی) ۱۰/۱۶

بعدالت .....  
 نمبر و عنوان مقدمہ .....  
 سمن نام: .....  
 پتہ: .....

ہر گاہ ..... نے آپ کے خلاف ایک مقدمہ جس کے عرضی دعویٰ نقل کی لف ہذا ہے بابت .....  
 دائر کیا ہے لہذا بذریعہ سمن ہذا آپ کو ہدایت کی جاتی ہے کہ تاریخ ..... ماہ .....  
 بوقت ..... بجے صبح، اصالتاً یا بذریعہ وکیل جو آپ کی جانب سے واضح ہدایات رکھتا ہو اور دعویٰ سے متعلق تمام ضروری سوالات کا  
 جواب دینے کے قابل ہو، حاضر عدالت ہو کر دعویٰ داری کی جوابدہی کریں۔

نیز آپ کی حاضری کیلئے مقرر تاریخ چونکہ مقدمہ کے حتمی تصفیہ کیلئے معین لہذا لازم ہے کہ آپ وہ تمام گواہان جن کی شہادت پر اور وہ دستاویزات  
 جن پر اپنے دفاع میں انحصار کرنا چاہتے ہیں اس روز پیش کرنے کو تیار ہوں۔  
 واضح ہو کہ تاریخ مذکورہ بالا کو آپ کی عدم حاضری کی صورت میں مقدمہ آپ کی غیر موجودگی میں سماعت اور فیصلہ کیا جائے گا۔

آج تاریخ ..... ماہ ..... کو یہ ثبت میرے دستخط و مہر عدالت جاری کیا جائے

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 Examiner,  
 Office of the District & Sessions  
 Judge, Lakki

۳  
 حسنین

دستخط جج صاحب

۱۹/۶/۶  
 ہر قسم کے فارم ملنے کا پتہ  
 مروت بکڈ لوٹو انڈیا لیکچر سٹور  
 مین بازار لکھی مروت

خوشدل خان ولد صاحب خان کٹر نار صاحب پور  
صدر دفترا

صنایع مال

مذکورہ میں سے کہ من زیادہ بردے تیل وقعہ پر کار مہناسد  
خوشدل خان کی امداد مالی اہلیتاً کٹتے۔

مورخہ: 14-3-1

میرزا پور کے سرکار کے لئے

مہناسد حسن خان اکبر پور

بیان حلیوں  
3/3/14  
بیان کرنا ہے کہ مذکورہ میں

تصدیق شدہ

میرزا پور کے دوست

مورخہ: 14-3-1

سید

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Examiner,  
Office of the District & Sessions  
Judge, Lakki

بعد از جناب سول ج صاحب کرم صلوات علیہم اعلیٰ علیہم اجمعین

پارون بادشاہ نام خوشدل خان

دعویٰ میں ڈگری آئی لکھو رویدہ وغیرہ  
24/3

دعویٰ نمبر 1 اور اخراج نمبر 1 دعویٰ عنوان باہر نمبر 0-7-R-11  
CPC

ضمانت نامی: درخواست مدعا علیہ ذیل عرض ہے

1) یہ کہ مقدمہ عنوان باہر نمبر 1 جو نمبر عدالت اکتساب ہے۔ جس میں

مقدمہ 24/3 کی تاریخ پیشی ہو رہی ہے

2) یہ کہ دعویٰ عنوان باہر موجودہ صورت میں ناقص اور

ناقابل نمبر ہو رہی ہے۔ مدعی نے دعویٰ خود سے ضرب میں  
non-joinder ہے نہیں آئی ہے۔

3) یہ کہ دعویٰ مدعی جو Non-joinder اور Misjoinder ہے  
جس میں اصل اضرار ہے۔ نہ ہی مدعی نے Locus Standi ہے

4) یہ کہ مدعی نے دعویٰ خود نمبر کورٹ میں تصدیق نہیں کیا ہے  
نہ ہی کورٹ میں چسپائی کی ہے۔

5) یہ کہ عدالت صورت کو اختیار سماعت بھی حاصل نہیں  
نہ ہی مدعی کو بہ ہدف مدعا علیہ Cause of action  
حاصل ہے۔

لہذا استدعا ہے کہ دعویٰ مدعی راہم اردو ہے سول نمبر 11  
ضابطہ دیوانی قابل اخراج ہے۔ قیام زمانہ جان  
مستغ

Deemed to be True Copy  
Examiner,  
Office of the District & Sessions  
Judge, Lakhnau

خوشدل خان  
کرم

Office of the District & Sessions Judge, Lahore  
District & Sessions Judge, Lahore  
Office of the District & Sessions Judge, Lahore

M. A. Hasnain  
14/4/14

29.4.14  
The District & Sessions Judge, Lahore

14/4/14  
The District & Sessions Judge, Lahore

Mohd. Mehar Ahmad Hasnain  
CIVIL JUDGE, DISTRICT & SESSIONS, LAHORE

14/4/14  
The District & Sessions Judge, Lahore

14/4/14

14/4/14

لکھنؤ ضلع سولہ سو (1600) روپے کے لئے

معاذین / لکھنؤ ضلع سولہ سو (1600) روپے کے لئے

دکھن ڈویژن / لکھنؤ ضلع

دکھن ڈویژن / لکھنؤ ضلع

ضلع سولہ

1600

رہائش میں مدد کے لئے خاص فرم - برہمن  
سٹیٹ کالونی

رہائش میں مدد کے لئے خاص فرم - برہمن  
سٹیٹ کالونی

کے لئے اس لئے خاص فرم - برہمن  
سٹیٹ کالونی

تاریخ 16.9.14

معاذین / لکھنؤ ضلع

معاذین / لکھنؤ ضلع

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Examiner,  
Office of the District & Sessions  
Judge, Lakk

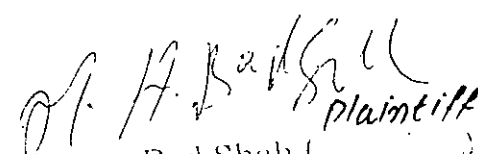
STATEMENT OF HAROON BAD SHAH  
S/O BEHRAM KHAN R/O NASSAR KHEL  
NARUANG LAKKI MARWAT (PLAINTIFF)

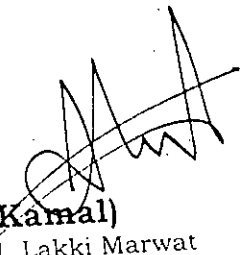
On Oath

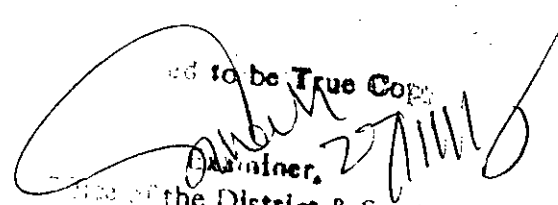
Stated that I had instituted the instant suit against defendant Khusdil Khan but due to intervention of elders of locality we have patched up the matter privately and the defendant ensured me that he will not damage my family reputation and will not repeat any act prejudice to my future service. I do not want to prosecute the defendant further more and want to withdraw the suit. The application for withdrawal is EXPA while CNIC of plaintiff is EXPB.

R O & A C  
27/11/2015

  
(Asif Kamal)  
Civil Judge-II, Lakki Marwat

  
Haroon Bad Shah (Plaintiff)  
CNIC No. 11201-0378639-1

  
(Asif Kamal)  
Civil Judge-II, Lakki Marwat

  
to be True Copy  
Asif Kamal  
Civil Judge-II, Lakki Marwat



STATEMENT OF KHUSHDIL KHAN S/O  
HASHAM KHAN R/O NAR SAHIB DAD  
MAIDAD KHEL (DEFENDANT).


**On Oath**

Stated, a baseless release was issued from myself which was published in Daily "Mashriq" Peshawar dated 12/11/2013 against the plaintiff Mr. Haroon Bad Shah (EX-Junior clerk) Education Department Lakki, on the direction of elders of PTI, only on political grudges with plaintiff family members affiliation with "Awami National Party" and also a false propaganda started against him to destroy his family reputation and his service. As a result his removal from service was ordered on 18/06/2014. I did all on the direction of my political party elders. It is requested that my apology may kindly be accepted to the satisfaction of plaintiff.

R O & A C  
27/11/2015

  
(Asif Kamal)

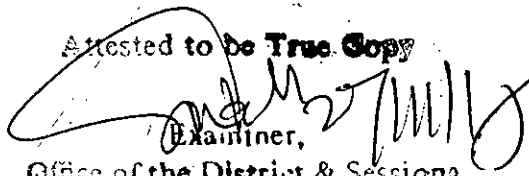
Civil Judge-II, Lakki Marwat

  
Khushdil Khan (defendant)  
CNIC No. 11201-8536757-3

  
(Asif Kamal)

Civil Judge-II, Lakki Marwat.

Attested to be True Copy

  
Examiner,  
Office of the District & Sessions  
Judge, Lakki