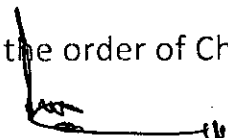


FORM OF ORDER SHEET

Court of _____

12(2) CPC Petition No. 754/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	23/12/2022	<p>The application U/S 12(2) CPC in appeal no. 5200/2021 submitted by Mr. Noor Muhammad Khattak Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>4-1-23</u>. Original file be requisitioned. Notice be issued to applicants and their counsel for the date fixed.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

12 (3) CPC Petition No. 754/2022
MISC: APPLICATION No. _____/2022

IN

S.A No. 5200/2021

Asmatullah etc.....Applicants

Versus

Tariq Saleem etc. Respondent

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Through Applicants

Noor Muhammad Khattak
Advocate, High Court
Peshawar

-1-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

12(2) CPC Petition No. 754/2022

MISC: APPLICATION No. _____/2022

IN

S.A No. 5200/2021

1. Asmatullah, Assistant
2. Samiullah, Assistant
3. Muhammad Iqbal, Assistant
4. Haji Zardad Khan, Assistant/Civil Nazir
District Judiciary, Lakki Marwat..... Applicants

VERSUS

1. Tariq Saleem, Assistant
Anti-Terrorism Court, Bannu.
2. The Registrar,
Peshawar High Court, Peshawar.
3. The Speical Judge,
Anti-Terrorism Court, Bannu.
4. The District & Sessions Judge, Lakki Marwat..... Respondents

Application U/S 12(2) CPC for setting aside the Judgment of this Hon'ble Tribunal dated 25.11.2022 passed in Service Appeal No.5200/2021 being procured by Respondent on the basis of misrepresentation.

Respectfully Sheweth,

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

1. That Respondent had filed Service Appeal No.5200/2021 before this Hon'ble Tribunal which was allowed vide impugned judgment 25.11.2022. The Respondent No.1 deliberately failed to bring material facts into the Notice of the Hon'ble Tribunal and that the applicants being necessary parties were not arrayed in the panel of Respondents. It is also important to add that the applicants are rendering their services against the posts of Nazir, Assistants and Senior Clerks respectively in the office of the Respondents No.4 while the Respondent No.1 was initially appointed as Assistant/Reader (BPS-11) vide office order dated 09.04.2003 in the office of Respondent No.3.
2. That the Respondent No.1 had moved application to Respondent No.2 for his transfer from Anti-Terrorism Court, District Bannu to District Courts Lakki Marwat

against vacant post on the ground that he had blood-feud enmity in Lakki Marwat. Respondent No.2/Registrar, of Peshawar High Court, Peshawar (father of Respondent No.1) in response accepted his request and resultantly he was transferred to District Lakki Marwat vide order dated 21.04.2003 with following remarks:-

"Transferred and services placed at the disposal of District & Sessions Judge, Lakki Marwat for posting as Assistant/Reader against the vacant post (BPS-11)."

Moreover, the application moved by Respondent No.1 for his transfer to District Lakki Marwat is also silent regarding his request of permanent absorption in District Courts, Lakki Marwat.

3. That the Respondent No.1 was transferred from ATC, Bannu to District & Sessions Courts, Lakki Marwat and he was drawing his monthly salary from the office of the District & Sessions Judge, Lakki Marwat and his name was also included in the Seniority Lists w.e.f. 2005 to 2020.
4. That Respondent No.2 on complaint/grievances of applicants alongwith other employees of District Judiciary, Lakki Marwat asked the Respondent No.4 for Para-wise detailed comments vide letter dated 13.07.2020. In response, Respondent No.4 filed comments vide letter dated 30.07.2020, where-after, Respondent No.2 issued office order dated 08.01.2021 vide which Respondent No.1 was sent back to his parent Department i.e ATC, Bannu/Respondent No.3. Respondent No.1 being dissatisfied of the same preferred departmental appeal on 27.01.2021 but the same was turned down vide impugned appellate order dated 21.05.2021.
5. That Respondent No.1 feeling aggrieved went in Service Appeal No. 5200/2021 by suppressing the material facts from this Hon'ble Tribunal which was allowed on 25.11.2022. Consequently, the Respondent No.1 procured the impugned judgment of this Hon'ble Tribunal dated 25.11.2022 under a patent and deliberate misrepresentation etc. by concealing the crucial facts having bearing on the decision of the case therefore, the impugned judgment is liable to be reversed in the interest of justice.
6. That the element of misrepresentation etc. on the part Respondent is quite apparent on the face of the record and he was supposed to bring into the notice of

the Hon'ble Tribunal the updated position on the subject matter but he failed in his duty and thus misled the Hon'ble Court by relying on his arguments.

7. That besides the above objects there were/are also other legal objections which were deliberately not brought into the notice of this Hon'ble Tribunal. Had those preliminary objections been taken into consideration then Service Appeal of the Respondent No.1 would have definitely been dismissed from the very inception without touching the merits of the lis. For the ends of the justice it is elucidated that the objections herein below should have been considered by this Hon'ble Tribunal without adverting the attention of the official Respondents:-

a. That the Service Appeal No.5200/2021 of the Respondent No.1 was liable to be dismissed on the ground of jurisdiction because he did/does not fall within definition of Civil Servant. Section-2(b) of the Khyber Pakhtunkhwa Civil Servant Act, 1973 bestows that:-

"Civil Servant means a person who is a member of a civil servants of the Province, or who holds a civil post in connection with the affairs of the Province."

As the Staff of the Anti-Terrorism Court is on the schedule of the Federal Government along with budgetary matters as is evident from the letter dated 06.03.2002 whereas the Peshawar High Court, Peshawar has only supervisory control over it. The Paralegal staff of Anti-Terrorism Courts being component of the Federal Government cannot be absorbed in the District Judiciary. Moreover, such employees cannot invoke the jurisdiction of this Hon'ble Tribunal being not provincial civil servants.

b. That as the matter of fact the Service Appeal of the Respondent No.1 was barred by limitation. The Respondent No.1 impugned the Original order dated 08.01.2021 by preferring Departmental Appeal on 27.01.2021 which was turned down vide impugned appellate order dated 21.05.2021 whereas he filed the Service Appeal on 04.01.2022 and that too without filing an application for condonation of delay which is against the spirit of Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, therefore, it settled legal proposition of law that when the service appeal is barred by limitation then there is no need to discuss the merits of case. Reliance is placed on **2007 SCMR 346, 2004 SCMR 1426 PLC 2009 SC 1099 and 2021 PLC (CS) 420**. Moreover, under the law it is/was foremost duty of the Court/Tribunal to first adjudicate the question of limitation and then proceed further and the other party shall not be compelled to draw the attention of the Court. Reliance is placed on **2021 SCMR 1617, 2020 SCMR 246, 2020 SCMR 2046, 2021 CLC 151 and 1985 PLD SC 153:-**

2021 CLC 151

---S.3---Suit instituted after period of limitation---Effect--- Institution of suit after the limitation period would be subject to the provisions of Limitation Act, 1908---Court was bound to decide the question of limitation first and only thereafter proceed to decide the matter on merits---Court was to address

*the question of limitation irrespective of the fact that whether it was agitated or not--Suit barred by time should be dismissed even if nobody had taken the ground of limitation--
-Plaint was to be rejected forthwith even without issuing notice to the other side if suit was barred by limitation.*

PLD 1985 SC 153

"-- S. 3-Civil Procedure Code (V of 1908), O. VII, r. 11-Section 3 mandatory in nature-Suit instituted after period of limitation subject to provisions of Ss. 4 to 25, Limitation Act, 1908, to be dismissed although limitation had not been set up as a defence-Statement in plaint showing suit to be barred by limitation-Suit liable to be rejected also under O. VII, r. 11, C. P. C.-Matter of limitation not left to pleadings of parties but it was imposed on Court itself in this regard-Limitation being matter of statute and provisions being mandatory, same could not be waived and even if waived could be taken up by party waiving it and by Court itself-Defendant, however, in exceptional cases, was debarred from raising plea of limitation on general principle of estoppel arising from his conduct particularly if plea belatedly taken involved an inquiry on facts.[Estoppel-Limitation]."

"-- S. 3-Question of limitation where not a mixed question of law and fact-Waiver by parties would not relieve Court itself of its duty under S. 3-Waiver by Court of question of limitation was not contemplated-Duty of Court to notice point of limitation, whether plea of limitation was raised or not-Waiver of question of limitation was not permissible, even where period of limitation was prescribed by special or a local law-[Waiver]."

Likewise, Superior Courts have also taken similar view as reported in 2021 YLR 2432, 2021 YLR 1055, 2019 YLR 2432 and 2019 MLD 1082. The relevant portion is reproduced herein below:-

---Art. 162---Civil Procedure Code (V of 1908), S. 114 & O.XLVII, R.1---Review petition, filing of---Limitation---Held, that the review petitions, in the present case, were filed with a delay of nineteen (19) days, even giving relaxation in accordance with S.12(2) of the Limitation Act, 1908 petitioner had not been able to explain the same with plausible reason---Petitioner, for condonation of delay, was required to explain each day with proper justification, whereas she had not been able to place sufficient material for the said purpose, as such the review petitions were barred by time---Review petitions were dismissed, in circumstances.

- c. That Service Appeal of the Respondent No.1 was not maintainable on the ground that applicants being necessary party were not arrayed as Respondents and the issue of Seniority has been resolved without hearing them which is against the reported judgments 2022 PLC (CS) 935 and 2019 SCMR 993 wherein it was held as under:-

"2019 SCMR 993."

8. That by means of impugned judgment dated 25.11.2022 not only the services of the Respondents No.1 were regularized but also conferred back dated seniority.

-----S. 8---Contract employees subsequently regularized in service---Seniority---Scope---Seniority could not be calculated for contract employees from the date of their initial contractual appointment---Seniority could only be determined when civil servants were commissioned into regular service

2021 SCMR 116

-----Seniority---Retrospective effect---Seniority with retrospective effect cannot be conferred unless such right was established.

2022 SCMR 448

Moreover, under the law seniority cannot be granted from retrospective effect. Reference is made to the reported judgment 2022 SCMR 448 and 2021 SCMR 116.

-----Inter-se seniority---Maxim: Audi alteram partem---Scope---Pro-forma promotion granted without hearing parties affected by the same---Respondent was appointed as Assistant Professor (BS-18) w.e.f. 08-08-2008 on the recommendations of Public Service Commission against the quota reserved for initial recruitment---Petitioner on the other hand was appointed as Assistant Professor (BS-18) when she became eligible, against the vacant post on 17-12-2009 on the recommendation of the Provincial Selection Board by way of promotion---Final seniority list of the relevant department was issued on 10-09-2012 wherein respondent appeared at serial No.4 while petitioner was at serial No.6---Such seniority list was not questioned by any one---Dispute appeared to have arisen from a Service Appeal filed by the petitioner to establish her seniority vis- vis another Assistant Professor, however the Service Tribunal did not settle that controversy and remanded the case to the department with a direction to decide the case on merit---Significantly neither the respondent nor three other Professors who would have been directly affected by any change in the seniority list were arrayed as respondents in appeal before Service Tribunal nor were they called, impleaded or heard by the department---Said persons were condemned unheard and the maxim: audi alteram partem was violated at both levels---Department processed the case of the petitioner in isolation without hearing other parties interested in the matter and ultimately notification was issued whereby the petitioner was unilaterally granted proforma promotion with retrospective effect from i.e. 22-01-2008 which was apparently the date on which the Post of Assistant Professor against the promotion quota became available---Department also clearly overlooked the fact that on the said date the petitioner was not eligible for promotion against the said seat on account of shortfall in her relevant experience---Service Tribunal had rightly set aside the notification which granted pro forma promotion to the petitioner---Petition for leave to appeal was dismissed and leave was refused.

5-

which is clear negation of the verdicts of the Apex Supreme Court of Pakistan. Suffice it to add here that under the law, regularization is a confirmation of an employee against the subject post. As contemplated in Section-8 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-17 of Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 that "Seniority in post, service or cadre to which civil servant is promoted/appointment shall take from the date of regular appointment", which was affirmed in series judgments.

9. That the element of misrepresentation etc. on the part Respondent is quite apparent on the face of the record and he was supposed to bring into the notice of the Hon'ble Tribunal the updated position on the subject matter but he failed to do so and thus misled the Hon'ble Court by relying on his arguments.

For the aforesaid reasons, it is therefore respectfully prayed, that on acceptance of this application, this Hon'ble Tribunal may kindly be pleased to recall the impugned judgment dated 25.11.2022 and by restoring Appeal of Respondent No.1 and decide the same on merits after adverting to the stance of the applicants and providing them opportunity of hearing.

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



Applicants

Through

Noor Muhammad Khattak
Advocate, High Court,
Peshawar

Dated: 23-12-22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

MISC: APPLICATION No. _____/2022

IN

S.A No. 5200/2021

Asmatullah etc.....Applicants

Versus

Tariq Saleem etc..... Respondent

AFFIDAVIT

I, Asmatullah s/o Haji Mir Sahib Khan, do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.


Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

MISC: APPLICATION No. _____/2022

IN

S.A No. 5200/2021

Asmatullah etc.....Applicants

Versus



Tariq Saleem etc. Respondent

Application for suspending the impugned Judgment till the final disposal of the instant Application.

Respectfully Sheweth,

1. That the above titled Application is being filed today before the Hon'ble Tribunal which is yet to be fixed for hearing.
2. That the facts alleged and grounds taken in the body of the accompanying application under Section-12(2) CPC which makes out an excellent prima facie case in favour of the applicants, may be taken as integral part of this application. The grounds so urged necessitate the suspension of the operation of the impugned Judgment otherwise the entire proceedings will fizzle out and the case would become infructuous.
3. That the balance of convenience also lies in favour of applicant and in case the impugned Judgment is not suspended, the applicants will suffer irreparable loss.


It is, therefore, humbly prayed that on acceptance of this application, operation of the impugned Judgment may graciously be suspended till the final disposal of the accompanying application.


Applicant
 Through

Noor Muhammad Khattak,
 Advocate, High Court, Peshawar

Dated: 23-12-22

AFFIDAVIT

I, Asmatullah S/o Haji Mir Salub do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.

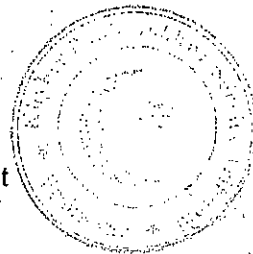

 Deponent

① "A" -9-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 5200 / 2021

Tariq Saleem,
Assistant,
Anti Terrorism Court, BannuAppellant



Versus

1. The Registrar,
Peshawar High Court, Peshawar
2. The Special Judge,
Anti Terrorism Court, Bannu
3. The District and Sessions Judge,
Lakki Marwat Respondents

**AMENDED APPEAL AS PER DIRECTION OF THIS HON ABLE TRIBUNAL
VIDE ORDER DATED 13.12.2021**

SERVICE APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUN KHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED OFFICE ORDER ENDST: NO. 296-301/ADMN DATED 08.01.2021 AND IMPUGNED APPELLATE ORDER NO. 7311 / ADMN DATED 21.05.2021 WHERE BY THE APPELLANT HAS BEEN TRANSFERRED BACK FROM DISTRICT COURT LAKKI MARWAT TO ANTI TERRORISM COURT BANNU AGAINST WHICH APPELLANT PREFERRED DEPARTMENTAL REPRESENTATION ON 27.01.2021 BUT THE SAME WAS NOT DISPOSED OFF WITHIN THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned Office Order Endst No. 296-301/admn dated 08.01.2021 and impugned appellate Order No. 7311/Admn dated 21.05.2021 may graciously be set aside being illegal, unlawful, against the rules, regulations and against the rights of the appellant and appellant may kindly be given his due rights in the District Court Lakki Marwat.

Respectfully Sheweth,

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

1. That the appellant is the permanent resident of District Lakki Marwat.

ATTESTED

(A)

- 10 -

2. That appellant was appointed as Assistant / Reader (BPS-11) vide order No. 22/ATC Bannu, Ends: No. 23-28/ATC dated 09.04.2003 (Annex:-A) in Anti Terrorism Court Bannu in pursuance of advertisement.
3. That after appointment of appellant in ATC Bannu, the appellant wrote application to the Registrar Peshawar High Court, Peshawar, i.e., respondent No. 1 to the effect that appellant has blood feud in his village for which he could not travel daily from District Lakki Marwat to District Bannu, therefore, appellant may be transferred and permanently adjusted / absorbed in the District Court Lakki Marwat against newly created vacant post of Assistant in District Court Lakki Marwat. As such the respondent No. 01 accepted the application of the appellant and accordingly vide order dated 21.04.2003 (Annex:-B-1), appellant was transferred by Peshawar High Court, Peshawar vide Ends: No. 4392-4396/Admn dated 21.04.2003 from ATC Bannu to District Court Lakki Marwat and posted as Assistant / Reader (BPS - 11) against newly created vacant post of Assistant in District Court Lakki Marwat. The aforesaid order was made by the respondent No. 1 and as such appellant was permanently absorbed in the District Court Lakki Marwat in the year 2003. Copies of transfer order dated 21.04.2003, application of appellant and No Objection remarks of respondent No. 02 are attached as Annexure B-1 to B-2.
4. That in light of the afore-said transfer order, the appellant submitted his arrival report which is duly accepted by the respondent No. 3 i.e. District and Sessions Judge Lakki Marwat vide office order No. 236-38 dated 02.05.2003 (Annex:-C-1) and permanently adjusted as Assistant on vacant post of Assistant by Office Order dated 05.07.2003 (Annex:-C-2) of District and Sessions Judge Lakki Marwat. As such appellant was permanently absorbed in the District Court Lakki Marwat on vacant post of Assistant. Copies of officer order dated 02.05.2003 and office order dated 05.07.2003 are attached as Annexure C-1 to C-2.
5. That as the post of Assistant was vacant and appellant was transferred from ATC Court Bannu to District Court Lakki Marwat on afore-said vacant post, therefore, the appellant was receiving monthly salary from District Court Lakki Marwat on afore-said vacant post, since transfer of the appellant on 21.04.2003. Similarly the Seniority (Seniority Lists Annex:-D) of the appellant is also maintained in the District Court Lakki Marwat since 2003 till 2020. All these facts clearly show that the appellant was permanently absorbed in the District Court Lakki Marwat and is no more employee of Anti Terrorism Court, Bannu.
6. That at the same time, the ATC Bannu has not maintained the seniority position of appellant in ATC Bannu and the employee namely Umer Ayaz who was Assistant

ATC BANNU
Umer Ayaz
Assistant

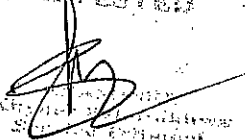
Sd/-

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-11-

in 2003 and Junior to the appellant at that time. In the year 2013 the aforesaid Umer Ayaz was given Promotion to the post of Superintendent in ATC Bannu. Meaning there by that appellant was no more employee of ATC Bannu nor his seniority position maintained there in ATC Bannu and the appellant was permanently absorbed in District Court Lakki Marwat. (Copy of appointment order of Umer Ayaz Assistant is already attached as **Annexure:-A**).

7. That after rending 17 long years in District Court Lakki Marwat, and being permanently absorbed in District Court Lakki Marwat, the respondent No.1 issued office order No: 296-301/Admin dated: 08-01-2021 (Annex:-E) vide which the respondent No. 1 cancelled its own order Ends: No: 21-04-2003 and appellant is transferred back to ATC Bannu.
8. That prior to passing impugned office order dated 08-01-2021, the Respondent No.1 called comments from the Respondent No.3 regarding the promotion of Assistants to the post of Superintendent as per seniority list maintained in the District Court Lakki Marwat. The Respondent No.3 in his detail reply (Annex:-F) admitted the fact that appellant is on top of the seniority list of Assistants as appellant's seniority is maintained since his transfer in 2003 in District Court Lakki Marwat and the appellant also drawn his salary on the post of Assistant from District Court Lakki Marwat since then.
9. That now as the appellant is on top of seniority list maintained for the Assistants since 2004 and is entitled for promotion to the post of Superintendent, now the appellant has been transferred back to ATC Bannu with malafide intention and with ulterior motives to deprive the appellant of his valuable rights in District Court Lakki Marwat.
10. That after issuing impugned order dated 08-01-2021 the appellant made Departmental representation to the competent Authority on 27.01.2021 through proper channel. (Copy of Departmental Representation dated 27.01.2021 along with registry receipt is attached as **Annex:-G**).
11. That feeling aggrieved of Office Order Ends No 296-301/ Admin dated 08.01.2021 and impugned Office Order No. 7311/ Admn dated 21.05.2021, the appellant called in question the same through departmental representation on 27.01.2021 but the same was not disposed off within the statutory period of 90 days, hence the instant appeal inter-alia on the following grounds. (Copy of Impugned Office Order No. 7311/Admn Dated Pesh the 21.05.2021 is attached as **Annex:-H**)

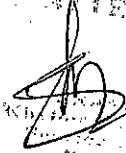

TESTED

District Court Lakki Marwat



12. That appellant, being aggrieved of the acts and actions of Respondents and having no other adequate and efficacious remedy, files this appeal inter-alia on the following grounds.

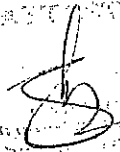
Grounds:

- a. That the respondents have not treated the appellant in accordance with law, rules and policy on subject and acted in violation of Article 04 of the Constitution Of Islamic Republic Of Pakistan, 1973, and unlawfully issued the impugned Office Order Endst. No. 296-301/Admn dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 which are unjust, unfair and hence not sustainable in the eye of law.
- b. That both the Courts i.e Anti Terrorism Court Bannu and District Court Lakki Marwat are under the administrative control of Peshawar High Court, Peshawar where staff of both the Courts are appointed and promotion given by the Peshawar High Court, Peshawar and funds are also released to both the Courts by the Peshawar High Court, Peshawar.
- c. That once the Peshawar High Court, Peshawar has transferred the appellant on 21.04.2003 from ATC Bannu to District Court Lakki Marwat and permanently adjusted/ absorbed the appellant in District Court Lakki Marwat against newly created post of Assistant, now the respondent No.1 is estopped by his own conduct while issuing impugned Office Order Endt No. 296-301/Admin dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021. As such the impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 are illegal, unlawful and without lawful authority.
- d. That Peshawar High Court Peshawar is competent authority in making order of appellant dated : 21-04-2003 whereby appellant was transferred from ATC Court Bannu and adjusted permanently as Assistant in District Court Lakki Marwat on newly created post of Assistant in District Court Lakki Marwat. As such the impugned order dated: 08-01-2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 are nullity in the eye of law.
- e. That had the post of Assistant not vacant in District Court Lakki Marwat, the appellant would not have been transferred from ATC Bannu to District Court Lakki Marwat. Similarly, the respondent No.02 has also given NO Objection to the application moved by the appellant to the Registrar Peshawar High Court Peshawar for transfer and permanent adjustment of appellant from ATC Bannu to District Court Lakki Marwat.

TESTED



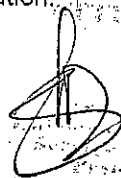
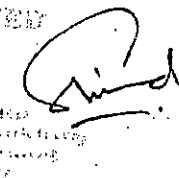
- f. That in the transfer order of appellant made by the Peshawar High Court Peshawar on 21.04.2003, there is no mention of word "Deputation or Detailment" but written as "Transferred and posted as Assistant against newly created vacant post". Which means that appellant has been transferred and permanently adjusted / absorbed as Assistant in District Court Lakki Marwat. As such the impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 have been issued in negation of its previous order dated 21.04.2003 whereby appellant is permanently absorbed as Assistant against newly created vacant post in District Court Lakki Marwat.
- g. That as the post of Assistant was vacant in District Court Lakki Marwat and appellant was transferred from ATC Court Bannu to District Court Lakki Marwat on afore-said vacant post, therefore, the appellant was receiving monthly salary from District Court Lakki Marwat on afore-said vacant post, since transfer of the appellant on 21.04.2003. Similarly the Seniority of the appellant is also maintained in the District Court Lakki Marwat since 2003 till 2020. All these facts clearly shows that the appellant was permanently absorbed in the District Court Lakki Marwat and is no more employee of Anti Terrorism Court, Bannu
- h. That since transfer of the appellant on 21.04.2003, seniority of the appellant is maintained in the District Court Lakki Marwat since 2003 till 2020. Similarly the appellant was also drawing his monthly salary from District Court Lakki Marwat. All the afore said facts clearly reveals that appellant was permanently absorbed in the District Court Lakki Marwat and was no more employee of ATC Bannu. But the impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 have deprived the appellant from various valuable rights including seniority position and promotion of the appellant.
- i. That appellant has rendered 17 years' service in District Court Lakki Marwat. The appellant is senior most Assistant in District Court Lakki Marwat and is entitled for promotion as Superintendent in the upcoming Departmental Promotion Committee Meeting but due to Office Order dated 08-01-2021 appellant has been deprived from promotion by taking away the right of senior most employee among Assistants in District Court Lakki Marwat. As such impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 have materially affected the seniority and promotion of the appellant, hence the same be struck down.
- j. That due to impugned office order dated: 08-01-2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021, the 17 long years service of appellant has been destroyed / wasted with just one stroke of pen and appellant has been deprived from seniority and promotion in District Court Lakki Marwat. As such great

RECEIVED



E-14-

- injustice has been done with the appellant vide impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 without any fault on part of the appellant. Where does and from whom the appellant will find his service benefits / rights as appellant has served 17 years long service in District Court Lakki Marwat?
- k. That at the same time, the ATC Bannu has not maintained the seniority position of appellant in ATC Bannu since his transfer in 2003 and the employee namely Umer Ayaz who was Assistant in 2003 and Junior to the appellant at that time was given Promotion to the post of Superintendent in ATC Bannu in year 2013. The Office Order dated 08/01/2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 have confused the status of appellant which has been issued after 17 long years of appellant's service in District Court Lakki Marwat. As such great injustice has been done with the appellant vide impugned Office Order dated 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021.
- l. That after transfer of the appellant from ATC Bannu to District Court Lakki Marwat, common seniority list of Assistants was maintained for the officials of District and Sessions Judge Lakki Marwat since 2004 in which appellant was also included and was placed at the bottom of Assistants at that time. The other official namely Amir Nasrullah was promoted to the post of Superintendent by Peshawar High Court Peshawar on dated 17.04.2017 from the same common seniority list of Assistants in which the name of appellant was also included and was at Serial No. 2 in the year 2017. The Peshawar High Court, Peshawar issued promotion Orders of employees from the same seniority list in which the appellant was also included since appellant's transfer in 2003 and no objection whatsoever has been raised upon the seniority position and induction of the appellant in the seniority list and becoming the appellant being transferred and permanently absorbed in District Court Lakki Marwat.
- m. That appellant is now senior most Assistant in District Court Lakki Marwat and is entitled for promotion as Superintendent in the upcoming Departmental Promotion Committee Meeting but due to office order dated 08-01-2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 appellant has been deprived from promotion. As such the impugned Office Order 08.01.2021 and impugned Appellate Order No. 7311/Admn dated 21.05.2021 have been issued with malafide intention and with ulterior motives to bypass the appellant for promotion.
- n. That fundamental rights of the appellant as enshrined in the Constitution Of Islamic Republic Of Pakistan, 1973 have been infringed of appellant including the rights reserved in Article 04 and Article 25 of the Constitution.

① -15-

c. That counsel of the appellant may be allowed to raise the additional grounds during the course of arguments

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

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

Through Appellant *TR*

Shahid Saleem Mina Khel
Advocate High Court *Shahid*

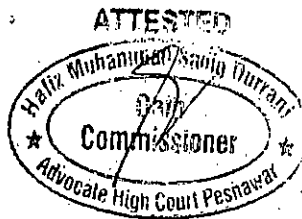
Date *04* /01/2022

Verification

I Tariq Saleem, Assistant Anti Terrorism Court Bannu do hereby affirm and declare on oath that the contents of this amended appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Appellant

04 JAN 2022



TR

22/12/22
34/-
22/12/22
22/12/22

- 16 -

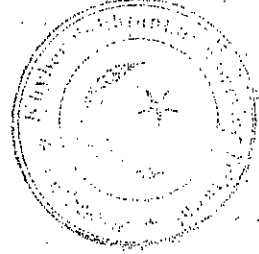
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 52001/2021

Tariq Saleem,
Assistant,
Anti Terrorism Court, BannuAppellant

Versus

1. The Registrar,
Peshawar High Court, Peshawar
2. The Special Judge
Anti Terrorism Court, Bannu
3. The District and Sessions Judge,
Lakki MarwatRespondents



SERVICE APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUN KHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED OFFICE ORDER ENDST: NO. 296-301/ADMN DATED 08.01.2021 WHERE BY THE APPELLANT HAS BEEN TRANSFERRED BACK FROM DISTRICT COURT LAKKI MARWAT TO ANTI TERRORISM COURT BANNU AGAINST WHICH APPELLANT PREFERRED DEPARTMENTAL REPRESENTATION ON 27.01.2021 BUT THE SAME WAS NOT DISPOSED OFF WITHIN THE STATUTORY PERIOD OF 90 DAYS.

PRAYER:

On acceptance of the instant appeal, the impugned Office Order Endst No. 296-301/admn dated 08.01.2021 may graciously be set aside being illegal, unlawful, against the rules, regulations and against the rights of the appellant and appellant may kindly be given his due rights in the District Court Lakki Marwat.

Respectfully Sheweth,

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


1. That the appellant is the permanent resident of District Lakki Marwat.
2. That appellant was appointed as Assistant / Reader (BPS-11) vide order No. 22/ATC Bannu, Ends: No. 23-28/ATC dated 09.04.2003 (*Annex:-A*) in Anti Terrorism Court Bannu in pursuance of advertisement.

ATTESTED

That after appointment of appellant in ATC Bannu, the appellant wrote application to the Registrar Peshawar High Court Peshawar, i.e., respondent No. 1 to the effect that appellant has blood fued enmity in his village for which he could not travel daily from District Lakki Marwat to District Bannu, therefore, appellant may be transferred and permanently adjusted / absorbed in the District Court Lakki Marwat against newly created vacant post of Assistant in District Court Lakki Marwat. As such the respondent No.01 accepted the application of the appellant and accordingly vide order dated 21.04.2003 (*Annex:-B-1*), appellant was transferred by Peshawar High Court, Peshawar vide Ends: No. 4392-4396/Admin. dated 21.04.2003 from ATC Bannu to District Court Lakki Marwat and posted as Assistant / Reader (BPS - 11) against newly created vacant post of Assistant in District Court Lakki Marwat. The aforesaid order was made by the respondent No. 1 and as such appellant was permanently absorbed in the District Court Lakki Marwat in the year 2003. Copies of transfer order dated 21.04.2003, application of appellant and No Objection remarks of respondent No. 02 are attached as Annexure B-1 to B-2.

4. That in light of the afore-said transfer order, the appellant submitted his arrival report which is duly accepted by the respondent No.3 i.e District and Sessions Judge Lakki Marwat vide office order No. 236-38 dated 02.05.2003 (*Annex:-C-1*) and permanently adjusted as Assistant on vacant post of Assistant by Office Oder dated 05.07.2003 (*Annex:-C-2*) of District and Sessions Judge Lakki Marwat. As such appellant was permanently absorbed in the District Court Lakki Marwat on vacant post of Assistant. Copies of officer order dated 02.05.2003 and office order dated 05.07.2003 are attached as Annexure C-1 to C-2.

5. That as the post of Assistant was vacant and appellant was transferred from ATC Court Bannu to District Court Lakki Marwat on afore-said vacant post, therefore, the appellant was receiving monthly salary from District Court Lakki Marwat on afore-said vacant post, since transfer of the appellant on 21.04.2003. Similarly, the Seniority (Seniority Lists *Annex:-D*) of the appellant is also maintained in the District Court Lakki Marwat since 2003 till 2020. All these facts clearly shows that the appellant was permanently absorbed in the District Court Lakki Marwat and is no more employee of Anti Terrorism Court, Bannu.

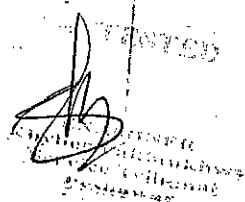


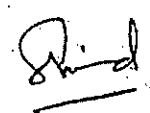
6. That at the same time, the ATC Bannu has not maintained the seniority position of appellant in ATC Bannu and the employee namely Umer Ayaz who was Assistant in 2003 and Junior to the appellant at that time. In the year 2013 the



aforesaid Umer Ayaz was given Promotion to the post of Superintendent in ATC Bannu. Meaning there by that appellant was no more employee of ATC Bannu nor his seniority position maintained there in ATC Bannu and the appellant was permanently absorbed in District Court Lakki Marwat. (Copy of appointment order of Umer Ayaz Assistant is already attached as *Annexure:-A*).

7. That after rendering 17 long years in District Court Lakki Marwat, and being permanently absorbed in District Court Lakki Marwat, the respondent No.1 issued office order No: 296-301/Admin dated: 08-01-2021 (*Annex:-E*) vide which the respondent No. 1 cancelled its own Office Order Ends: No: 4392-4396 dated 21-04-2003 and appellant is transferred back to ATC Bannu.
8. That prior to passing impugned office order dated 08-01-2021, the Respondent No.1 called comments from the Respondent No.3 regarding the promotion of Assistants to the post of Superintendent as per seniority list maintained in the District Court Lakki Marwat. The Respondent No.3 in his detail reply (*Annex:-F*) admitted the fact that appellant is on top of the seniority list of Assistants as appellant's seniority is maintained since his transfer in 2003 in District Court Lakki Marwat and the appellant also drawn his salary on the post of Assistant from District Court Lakki Marwat since then.
9. That now as the appellant is on top of seniority list maintained for the Assistants since 2004 and is entitled for promotion to the post of Superintendent, now the appellant has been transferred back to ATC Bannu with malafide intention and with ulterior motives to deprive the appellant of his valuable rights in District Court Lakki Marwat.
10. That after issuing impugned order dated 08-01-2021 the appellant made Departmental representation to the competent Authority on 27.01.2021 through proper channel. (Copy of Departmental Representation dated 27.01.2021 along with registry receipt is attached as *Annex:-G*).
11. That feeling aggrieved of Office Order Ends No 296-301/ Admin dated 08.01.2021, the appellant called in question the same through departmental representation on 27.01.2021 but the same was not disposed off within the statutory period of 90 days, hence the instant appeal inter-alia on the following grounds.





12. That appellánt, being aggrieved of the acts and actions of Respondents and having no other adequate and efficacious remedy, files this appeal inter-alia on the following grounds.

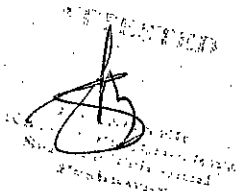
Grounds:

- a. That the respondents have not treated the appellant in accordance with law, rules and policy on subject and acted in violation of Article 04 of the Constitution Of Islamic Republic Of Pakistan, 1973, and unlawfully issued the impugned office order dated 08.01.2021 which is unjust, unfair and hence not sustainable in the eye of law.
- b. That both the Courts i.e Anti Terrorism Court Bannu and District Court Lakki Marwat are under the administrative control of Peshawar High Court, Peshawar where staff of both the Courts are appointed and promotion given by the Peshawar High Court, Peshawar and funds are also released to both the Courts by the Peshawar High Court, Peshawar.
- c. That once the Peshawar High Court, Peshawar has transferred the appellant on 21.04.2003 from ATC Bannu to District Court Lakki Marwat and permanently adjusted/ absorbed the appellant in District Court Lakki Marwat against newly created post of Assistant, now the respondent No. 1 is estopped by his own conduct while issuing impugned Office Order Endt No. 296-301/Admin dated 08.01.2021. As such the impugned Office Order dated 08.01.2021 is illegal, unlawful and without lawful authority.
- d. That Peshawar High Court, Peshawar is competent authority in making order of appellant dated : 21-04-2003 whereby appellant was transferred from ATC Court Bannu and adjusted permanently as Assistant in District Court Lakki Marwat on newly created post of Assistant in District Court Lakki Marwat. As such the impugned order dated: 08-01-2021 is nullity in the eye of law.
- e. That had the post of Assistant not vacant in District Court Lakki Marwat, the appellant would not have been transferred from ATC Bannu to District Court Lakki Marwat. Similarly the respondent No.02 has also given NO Objection to the application moved by the appellant to the Registrar Peshawar. High Court Peshawar for transfer and permanent adjustment of appellant from ATC Bannu to District Court Lakki Marwat.

APPELLED
[Signature]
[Stamp]

[Signature]

- f. That in the transfer order of appellant made by the Peshawar High Court Peshawar on 21.04.2003, there is no mention of word "Deputation or Detailment" but written as "Transferred and posted as Assistant against newly created vacant post". Which means that appellant has been transferred and permanently adjusted / absorbed as Assistant in District Court Lakki Marwat. As such the impugned Office Order dated 08.01.2021 has been issued in negation of its previous order dated 21.04.2003 whereby appellant is permanently absorbed as Assistant against newly created vacant post in District Court Lakki Marwat.
- g. That as the post of Assistant was vacant in District Court Lakki Marwat and appellant was transferred from ATC Court Bannu to District Court Lakki Marwat on afore-said vacant post, therefore, the appellant was receiving monthly salary from District Court Lakki Marwat on afore-said vacant post, since transfer of the appellant on 21.04.2003. Similarly the Seniority of the appellant is also maintained in the District Court Lakki Marwat since 2003 till 2020. All these facts clearly shows that the appellant was permanently absorbed in the District Court Lakki Marwat and is no more employee of Anti Terrorism Court, Bannu
- h. That since transfer of the appellant on 21.04.2003, seniority of the appellant is maintained in the District Court Lakki Marwat since 2003 till 2020. Similarly the appellant was also drawing his monthly salary from District Court Lakki Marwat. All the afore said facts clearly reveals that appellant was permanently absorbed in the District Court Lakki Marwat and was no more employee of ATC Bannu. But the impugned Office Order dated 08.01.2021 has deprived the appellant from various valuable rights including seniority position and promotion of the appellant.
- i. That appellant has rendered 17 years' service in District Court Lakki Marwat. The appellant is senior most Assistant in District Court Lakki Marwat and is entitled for promotion as Superintendent in the upcoming Departmental Promotion Committee Meeting but due to Office Order dated 08-01-2021 appellant has been deprived from promotion by taking away the right of senior most employee among Assistants in District Court Lakki Marwat. As such impugned Office Order dated 08.01.2021 has materially affected the seniority and promotion of the appellant, hence the same be struck down.
- j. That due to impugned office order dated: 08-01-2021, the 17 long years service of appellant has been destroyed / wasted with just one stroke of pen and appellant has been deprived from seniority and promotion in District Court Lakki Marwat. As such great injustice has been done with the appellant vide impugned


DISTRICT COURT
LAKKI MARWAT
PESHAWAR



Office Order dated 08.01.2021 without any fault on part of the appellant. Where does and from whom the appellant will find his service benefits / rights as appellant has served 17 years long service in District Court Lakki Marwat?

- k. That at the same time, the ATC Bannu has not maintained the seniority position of appellant in ATC Bannu since his transfer in 2003 and the employee namely Umer Ayaz who was Assistant in 2003 and Junior to the appellant at that time was given Promotion to the post of Superintendent in ATC Bannu in year 2013. The Office Order dated 08/01/2021 has confused the status of appellant which has been issued after 17 long years of appellant's service in District Court Lakki Marwat. As such great injustice has been done with the appellant vide impugned Office Order dated 08.01.2021.
- l. That after transfer of the appellant from ATC Bannu to District Court Lakki Marwat, common seniority list of Assistants was maintained for the officials of District and Sessions Judge Lakki Marwat since 2004 in which appellant was also included and was placed at the bottom of Assistants at that time. The other official namely Amir Nasrullah was promoted to the post of Superintendent by Peshawar High Court Peshawar on dated 17.04.2017 from the same common seniority list of Assistants in which the name of appellant was also included and was at Serial No. 2 in the year 2017. The Peshawar High Court, Peshawar issued promotion Orders of employees from the same seniority list in which the appellant was also included since appellant's transfer in 2003 and no objection whatsoever has been raised upon the seniority position and induction of the appellant in the seniority list and becoming the appellant being transferred and permanently absorbed in District Court Lakki Marwat.
- m. That appellant is now senior most Assistant in District Court Lakki Marwat and is entitled for promotion as Superintendent in the upcoming Departmental Promotion Committee Meeting but due to office order dated 08-01-2021 appellant has been deprived from promotion. As such the impugned Office Order 08.01.2021 has been issued with malafide intention and with ulterior motives to bypass the appellant for promotion.
- n. That fundamental rights of the appellant as enshrined in the Constitution Of Islamic Republic Of Pakistan, 1973 have been infringed of appellant including the rights reserved in Article 04 and Article 25 of the Constitution

REGISTERED
District Judge
District Court
Lakki Marwat



(4) -22-

o. That counsel of the appellant may be allowed to raise the additional grounds during the course of arguments

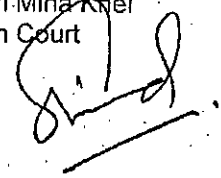
It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

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


Appellant

Through

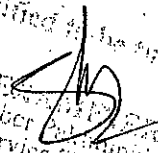
Shahid Saleem Mina Khel
Advocate High Court



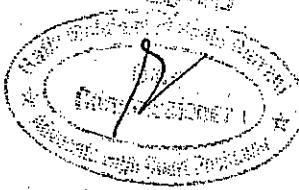
Date 19/5/2021

Verification / Affidavit

Tariq Saleem, Assistant Anti Terrorism Court Bannu do hereby affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


Deponent / Appellant

11 9 MAY 2021
ATTESTED


Value of the subject matter of the appeal 2800
Ward No. 301
Page No. 341
Date 22/12/22
Signature 22/12/22

① -23-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____/2021

Tariq Saleem Appellant

Versus

Registrar, Peshawar High Court, Peshawar and others..... Respondents

Application for suspending the proceedings of Departmental Promotion Committee for the post of Superintendent in District Court Lakki Marwat till final disposal of instant appeal.

Respectfully Sheweth,

1. That the above titled service appeal is being filed today which is yet to be fixed for hearing.
2. That appellant is on top of seniority list maintained for the Assistants in District Court/Judiciary Lakki Marwat and is entitled for promotion to the post of Superintendent, but due to impugned Office Order Endst No. 296-301/Admn dated 08.01.2021 the appellant has been transferred back from District Court/Judiciary Lakki Marwat to ATC Bannu and the appellant has been deprived of his seniority and promotion.
3. That after issuing impugned Office Order Endst No. 296-301/Admn dated 08.01.2021, the department is going to process the promotion cases of employees who are junior from appellant in the seniority list of District Court Lakki Marwat by bypassing the appellant and depriving the appellant from his valuable right.
4. That the facts alleged and grounds taken in the body of main appeal may kindly be taken as an integral part of this application, which makes out an excellent prima facie case in favor of the appellant.
5. That the balance of convenience also lies in favor of appellant and in case the interim relief is not extended to the appellant he will suffer irreparable loss.

It is therefore humbly requested that on acceptance of this application the proceedings of Departmental Promotion Committee for the post of Superintendent in District Court Lakki Marwat may kindly be suspended till final disposal of instant appeal.

Appellant

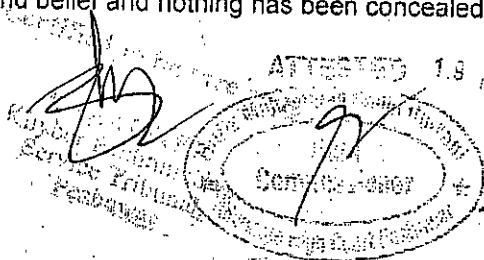
Through

Shahid Saleem Mina Khel
Advocate High Court

Date 19/5/2021

Affidavit

I Tariq Saleem, Assistant Anti Terrorism Court Bannu do hereby affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Applicant/Appellant

(94) *Amir A*

OFFICE OF THE SPECIAL JUDGE, ANTI-TERRORISM COURT,
BANNU

-24-

OFFICE ORDER:

No. _____ /ATC, Bannu.
Dated 7/4/2003.

As recommended by the Selection Committee, the following appointment and posting is made in the interest of public with immediate effect, subject to medical fitness.

<u>S.No.</u>	<u>NAME, FATHER NAME AND ADDRESS.</u>	<u>REMARKS.</u>
1-	Asif Waiz S/O Wazirullah R/O Khalid Afridi Quarters, Quarter No.2 by Pass road near Sugar Mills, Mardan.	Appointed & Pos as Stenographer B.P.S. 15
2- <i>✓</i>	Farid Saleem S/O Salim Khan Minn Khel R/O Ketchary Road, Opposit Eid-Gah Larki Marwat.	Appointed & pos as Reader/Assis in B.P.S-11.
3-	Umer Ayaz Khan S/O Mohammad Janan R/O Kotka Mohammad Yaqoob P.O. Bazar Ahmad Khan, Bannu.	Appointed & pos as Reader/Assis in B.P.S-11

Note:- The appointment will be subject to all Govt. Rules & Regulations.

(Muhammad Yaqoob Khan Khattak
Special Judge,
Anti-terrorism Court, Bannu.

Encl: No. 23-28 /ATC, Bannu, Dated: 7/4/2003.

Copies to:-

- 1- Registrar, Peshawar High Court, Peshawar.
- 2- The District Accounts Officer, Bannu,
- 3- Official/candidates concerned.

Attested
[Signature]

[Signature]
(Muhammad Yaqoob Khan Khattak)
Special Judge,
Anti-terrorism Court, Bannu.

(107) Urdu -
25-

PESHAWAR HIGH COURT, PESHAWAR.

ORDER.

Dated Peshawar the 21st April, 2003.

The Hon'ble Chief Justice of this Court has been pleased to Order the following transfer/posting amongst the staff of subordinate Courts with immediate effect.-

Sr.No.	Name of Official with designation.	From	To	Remarks.
1)-	Mr.Tariq Saleem, Assistant/Reader to the Court of Anti-Terrorism Court. (EPS-11).	Bannu	Lakki-Marwat.	Transferred and services placed at the disposal of District and sessions Judge, Lakki-Marwat for posting as Assistant/Reader against the vacant post. (EPS-11).

NOTE:- AS the transfer is being made on the request of the applicant, No T₁/DA will be admissible.

BY ORDER OF THE CHIEF JUSTICE

SAL
MUHAMMAD SALIM KHAN MINAKHEL
REGISTRAR.

Endst.No. 4392-4396 / Admn. Dated Peshawar the 21/4 /2003.

Copy forwarded to :-

- 1)- The special Judge, Anti-Terrorism Court, Bannu with reference to his Endst.No. 45, dated 21.4.2003.
- 2)- The District and Sessions Judge, Lakki-Marwat.
- 3)- The District Accounts Officers, Bannu and Lakki-Marwat.
- 4)- The official concerned by name.

Attested
SAL
(MUHAMMAD SALIM KHAN MINAKHEL)
REGISTRAR.

21-4-2003.

① - 26 - *Amman B*

To,

The Registrar,
Peshawar High Court, Peshwar.

Subject:-

TRANSFER OF THE APPLICANT FROM
ANTI-TERRORISM COURT, BANNU TO
DISTRICT COURTS LAKKI MARWAT.

Respected Sir,

I have the honour to submit that on merits I have been recruited as an Assistant/Reader in the Anti-terrorism Court, Bannu.

2- I am permanent residence of District Lakki Marwat away from District Bannu some 65/66 Kilo-meters and I use to come to perform my duty from Lakki Marwat to Bannu as I have no facility of accomodation in the Distt: Bannu.

3- I have blood-feud enmity. Since I use to come to my duty place daily a one notable time, therefore, apprehend serious danger to my life. On account of my enmity it will not be possible for me to reside at Bannu alone as I have no relative in the Bannu.

4- In the circumstances, I may kindly be transferred from Anti-terrorism Court, Bannu to District Courts Lakki Marwat as one post of Assistant is vacant there. I will pray all the time for your honour for the above accomodation.

Attested
S. P. S.

Tariq Saleem
(Tariq Saleem)
Assistant/ Reader in the
Court of Anti-terrorism Court,
Bannu.

(P.T.O)

OFFICE OF THE ANTI-TERRORISM COURT, BANNU.

-27-

NO. 45 /ATC, BANNU. DATED 21/4/2007.

Forwarded in original with the remarks that this Court has got no objection on the transfer of applicant from this Court to District Courts Lakki Marwat. The grounds pleaded in the petition by the applicant are correct.

Muhammed Yaqoob Khed Chhattak,
Special Judge,
Anti-terrorism Court, Bannu.

JUDGE
Anti Terrorism
Court Bannu

-28-

(L.M.) *Wahid*

Page No. 499
P. S. H.
Record No. 499
Dated. 02-5-2003
Signature. *[Signature]*

OFFICE OF THE DISTRICT AND SESSION JUDGE, LAKKI MARWAT

OFFICE ORDER

In pursuance of the order of the PFCP Endstt: No. 4392-4396/Adm: dated 21.4.2003, whereby Mr. Tariq Saleem Assistant/Reader to the court of Anti-Terrorism Court Bannu SPS-11 was transferred to this court and on submitting arrival report by Mr. Tariq Saleem, he is posted as Assistant/Reader in SPS-11 in the court of Additional & District Judge Lakki Marwat against newly created post.

(WILAYAT ALI KHAN)
DISTRICT & SESSION JUDGE
LAKKI MARWAT.

No. 237/38 dated Lakki Marwat the, 02-5-2003.

Copy forwarded to:-

- 1:- The Registrar, Peshawar High Court Peshawar.
- 2:- The Senior Civil Judge, Lakki Marwat.
- 3:- The District Account Officer, Lakki for information.

[Signature]
DISTRICT & SESSION JUDGE
LAKKI MARWAT.

Attested
[Signature]

(10)

Amman -29-

OFFICE OF THE DISTRICT & SESSIONS JUDGE, LAKKI MARWAT.

OFFICE ORDER.

The following transfers and posting are hereby ordered with immediate effect in the interest of Public services.

<u>Name of the official.</u>	<u>From</u>	<u>To</u>	<u>Remarks.</u>
1-Mashal Khan, Steno Grapher to Addl: Distr: and Sessions Judge, Lakki.	Addl: District and Sessions Judge, Lakki.	District and Sessions Judge Lakki Marwat.	Transferred & posted as Steno Grapher against vacant post.
2-Liaqat Ali Khan, Steno Grapher to Senior Civil Judge Lakki Marwat.	Senior Civil Judge, Lakki	Addl: District and Sessions Judge, Lakki.	Transferred and posted as Steno Grapher vice No.1.
3-Muhammad Ilyas, Typset/ J-C to civil Judge-I, Lakki.	Civil Judge-I, Lakki.	Senior Civil Judge, Lakki.	Transferred and posted as Typset and adjusted in his own pay & scale vice No 2
4-Tariq Salim, Assistant, Reader.		Addl: District and Sessions Judge, Lakki.	Posted/ adjusted as Assistant/ Reader against vacant post.
5-Asmatullah, Reader to Civil Judge-IV, Lakki.	Civil Judge IV Lakki Marwat	Addl: District and Sessions Judge, Lakki	Transferred and posted as Moharrir.
6-Muhammad Nasir Khan, Civil Moharrir.	Civil Judge-II Lakki Marwat.	Civil Judge-IV Lakki Marwat	Transferred and posted as Moharrir/ Reader, vice No.5.

Attested
S. D.

(Wilayat Ali Khan)
District & Sessions Judge
Lakki Marwat.

No. 412-421 Dated Lakki the 5/07/2003.

- Copy forwarded to:-
- 1- The Addl: District & Sessions Judge, Lakki.
 - 2- The Senior Civil Judge, Lakki Marwat.
 - 3- Civil Judge-II, Lakki Marwat.
 - 4- The Civil Judge-IV, Lakki.
 - 5- *Officials concerned*
- S. D.*
Distt: & Session Judge,
Lakki.

Final Seniority List in respect of Assistant (BPS-16) of the District Judiciary, Larki Marwal for the year 2019

Total Sanctioned Strength : 06
 District & Session Judge : 04 (03 working)
 Senior Civil Judge : 02
 Vacant Post : 01

S.#	Name	Father's Name	Qualification	Date of Birth	Present Post held with BPS	Date of Initial Appointment	Date of Recruitment to the Present Post	Mode of Recruitment	Date of attaining Superannuation
1	Tariq Saleem	Muhammad Saleem	BA	04/01/1981	Assistant (BPS-16)	09/04/2003	21/04/2003	Direct	02/04/2042
2	Asmatullah	Haji Mir Sahib Khan	BA	01/09/1972	Assistant (BPS-16)	21/01/1991	25/11/2011	Promotion	31/08/2035
3	Taj Muhammad	Saleh Muhammad	MBA	13/03/1985	Accountant (BPS-16)	29/01/2008	01/10/2010	Direct	12/03/2048
4	Mir Abbas	Nizam Khan	BA	07/11/1966	Assistant (BPS-16)	10/09/1987	24/02/2018	Promotion	06/01/2029
5	Zardad Khan	Yousaf Jan	Matric	12/08/1966	Civil Nazir (BPS-16)	13/09/1986	26/02/2018	Promotion	11/08/2029
	Vacant								

616

Received on 26-1-2024
 Copying 26-1-2024

26-1-2024
 26-1-2024

APPROVED
 District & Session Judge
 Larki Marwal

Attested
 [Signature]

District & Sessions Judge,
 Larki Marwal

Provisional Seniority List in respect of Assistant (BPS-16) of the District Judiciary, Larkki Marwat as it stood on 31-12-2018

Total Sanctioned Strength : 05
 District & Session Judge : 03
 Senior Civil Judge : 02
 Vacant Posts : 02

S. #	Name	Father's Name	Qualification	Date of Birth	Present Post held with BPS	Date of Initial Appointment	Date of Recruitment to the Present Post	Mode of Recruitment	Date of attaining Superannuation
1	Tariq Saleem	Muhammud Saleem	BA	04/01/1981	Assistant (BPS-16)	09/04/2003	21/04/2003	Direct	02/04/2039
2	Sher Shah	Qabal Khan	B/VLLB	14/12/1958	Assistant (BPS-16)	29/08/1986	21/12/2010	Promotion	13/12/2018
3	Asmatullah	Haji Mir Sahib Khan	B.A.	01/09/1972	Assistant (BPS-16)	21/01/1991	25/11/2011	Promotion	31/08/2032
4	Vacant								
5	Vacant								

12/12/18
 12/12/18
 12/12/18

Dated: 29-01-2018

ATTESTED

Examiner to
 District & Session Judge
 Larkki Marwat

District & Sessions Judge,
 Larkki Marwat

Attested
 [Signature]

Final Seniority List in respect of Assistant (BPS-14/16) of the District Judiciary, Lakki Marwat as it stood on 31-12-2015.

Total Sanctioned Strength = 06
 District & Session Judge = 04
 Senior Civil Judge = 02

1	2	3	4	5	6	7	8	9	10	
#	Name	Father's Name	Designation	Qualification	Date of Birth	Present Post held with BPS	Date of Initial Appointment	Date of Recruitment to the Present Post	Mode of recruitment	Date of attaining superannuation
1	Nasrullah	Ghulam Sarwar	Assistant	Matric	16/11/1959	Assistant (BPS-16)	26/06/1978	09/10/2000	By Promotion	15/11/2019
2	Tariq Saleem	Muhammad Saleem Khan	Assistant	BA	03/04/1979	Assistant (BPS-16)	09/04/2003	21/04/2003	By Promotion	02/04/2039
3	Rehmatullah	Abdullah Khan	Assistant/Civil Nazir	Matric	10/12/1956	Assistant (BPS-16)	03/09/1977	25/02/2004	Direct	09/12/2016
4	Sher Shah	Kabul Khan	Assistant	BALLB	14/12/1958	Assistant (BPS-16)	29/08/1986	21/12/2010	By Promotion	13/12/2018
5	Asmatullah	Haji Mir Sahib Khan	Assistant	BA	01/09/1972	Assistant (BPS-16)	21/01/1991	25/11/2011	By Promotion	31/08/2032
6	Taj Muhammad	Salih Muhammad	Assistant/Accountant	MBA	13/03/1985	Budget & Account Assistant (BPS-14)	29/01/2008	01/10/2010	Direct	12/03/2045

Dated: 05-04-2016

Note: The official at Sr. No. 6 has been included provisionally subject to Up-gradation of the post of Accountant from BPS-14 to BPS-16.

Examiner to
 District & Session Judge
 Lakki Marwat

District & Sessions Judge
 Lakki Marwat

33

Final Seniority List in respect of Assistant (BPS-14/16) of the District Judiciary, Lakki Marwat as it stood on 31-12-2014.

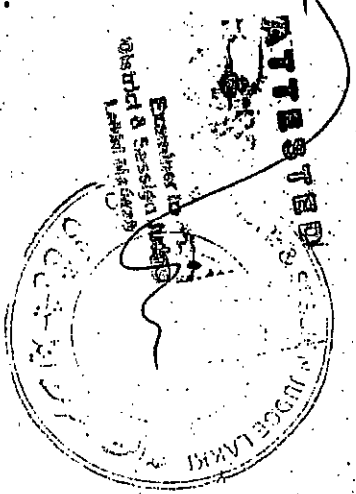
Total Sanctioned Strength= 06
District & Session Judge= 04
Senior Civil Judge= 02
do clarify with BPS & provide post held

Attended
[Signature]

#	Name	Father's Name	Designation	Qualification	Date of Birth	Initial Appointment as	Date of Initial Appointment	Date of Recruitment to the Present Post	Mode of recruitment (*)	Date of attaining superannuation
1	Nasrullah	Ghulam Sarwar	Assistant	Matric	16/11/1959	Process Server	26/06/1978	09/10/2000	P	15/11/2019
2	Tariq Saleem	Muhammad Saleem Khan	Assistant	BA	03/04/1979	Assistant	09/04/2003	24/04/2003	D	02/04/2039
3	Rehmatullah	Abdullah Khan	Assistant/Civil Nazir	Matric	10/12/1956	Process Server	03/09/1977	25/02/2004	P	09/12/2016
4	Sher Shah	Kabul Khan	Assistant	BALB	14/12/1958	Process Server	29/08/1986	21/12/2010	P	13/12/2018
5	Asmatullah	Haji Mir Sahib Khan	Assistant	BA	01/09/1972	Junior Clerk	21/04/1991	25/11/2011	P	31/08/2032
6	Taj Muhammad	Saleh Muhammad	Assistant/Accountant	MBA	13/03/1985	Assistant	29/01/2008	01/10/2010	D	12/03/2045

D: Direct Promotion
P: Promotion
Dated: 29-09-2015

Note: The official at Sr. No. 6 has been included provisionally subject to Up-gradation of the post of Accountant from BPS-14 to BPS-16.



District & Sessions Judge
Lakki Marwat

Priority List of the Establishment of Session Court Lakki as stood on 2013

Sl No	Name	Designation	4	5	6	7	8	9	10	11
Sl No	Name	Designation	Date of Birth	Date of Initial Appointment	Date of Promotion as Present	Dated of Qualifying Service	Date of Superannuation on 60 Years	Signature	Remarks	
1	Awaj Zaman	Superintendent	20/09/1968	24/10/1988	1/7/1994	23/10/2013	19/9/2028			
2	Mashtal Khan	Stenographer	3/1/1959	25/5/1987	3/12/1993	24/5/2012	2/4/2015			
3	Liaqat Ali	Stenographer	3/4/1974	19/11/1995	12/4/2000	18/11/2020	2/4/2034			
4	Siraj ud Din	Stenographer	1/5/1975	2/11/1995	6/2/2004	1/11/2020	30/04/2035			
5	Muhammad Iqbal	Steno Typist	6/7/1980	10/12/1999	1/10/2003	9/12/2024	5/7/2040			
6	Habib Ahmad	Steno Typist	3/20/1984	8/4/2004	8/4/2004	7/4/2029	2/10/2044			
7	Abdul Bari	Steno Typist	20/3/1981	24/1/2004	24/1/2004	23/1/2029	19/3/2041			
8	Fatmullah	Steno Typist	4/3/1986	29/5/2007	7/11/2007	28/5/2032	3/3/2046			
9	Nazkullah	Assistant	16/11/1959	26/4/1972	9/10/2001	25/6/2003	14/11/2019			
10	Taqi Saleem	Assistant	3/4/1973	9/4/2003	9/4/2003	6/4/2028	2/4/2059			
11	Taj Muhammad	Accountant	13/3/1985	29/1/2008	1/10/2010	29/1/2033	12/3/2045			
12	Prinze Sadiq	Assistant	14/12/1958	29/8/1986	21/11/2010	28/9/2011	13/12/2018			
13	Asmatullah	Assistant	1/9/1972	21/1/1991	25/1/2011	20/1/2016	31/08/2032			
14	Amir Hamza	Computer Operator	4/1/1981	15/8/2003	15/8/2003	14/8/2028	3/1/2041			
15	Ihsanullah	Computer Operator	18/3/1982	15/3/2003	15/8/2003	14/8/2028	17/3/2042			
16	Atiq Ahmad	Computer Operator	14/12/1968	21/1/2004	13/11/2006	20/1/2029	13/12/2038			
17	Ijaz Ahmad Shah	Computer Operator	14/9/1986	13/1/2005	13/11/2006	12/11/2031	13/9/2046			
18	Hikmat Alam	Computer Operator	12/12/1978	21/6/1999	26/11/2003	21/6/2024	12/12/2038			

Establishment of Session Court Lakki
 District & Sessions Judge
 Lakki

(48)

20	Mir Abbas	Operator	14	1/4/1989	22/02/2013	22/02/2013	21/02/2018	31/03/2019		
21	Sanaullah	Senior Clerk	9	7/1/1966	10/9/1987	9/10/2000	9/9/2012	6/1/2026		
22	Sanaullah	Senior Clerk	9	1/1/1966	4/12/1993	15/9/2003	3/12/2018	31/10/2026		
23	Muhammad Iqbal	Senior Clerk	9	12/10/1975	1/11/1995	15/9/2003	31/10/2020	11/10/2035		
24	Saeed Ahmad	Senior Clerk	9	20/3/1973	22/1/1990	21/9/2010	21/1/2015	19/2/2033		
25	Abdul Mujir	Senior Clerk	9	8/6/1972	15/1/1995	21/12/2010	14/11/2020	7/6/2032		
26	Muhammad Nazeer	Junior Clerk	7	24/12/1972	30/11/1995	25/1/2011	29/11/2020	23/12/2032		
27	Ayazuddin	Junior Clerk	7	23/1/1974	5/12/1995	5/12/1995	5/12/2020	22/11/2034		
28	Mumtaz Khan	Junior Clerk	7	15/6/1976	5/6/1996	5/6/1996	4/6/2021	14/6/2036		
29	Javed Iqbal	Junior Clerk	7	4/3/1970	4/7/1996	4/7/1996	3/7/2021	3/2/2030		
30	Sarfraz	Junior Clerk	7	11/7/1976	10/9/2001	10/9/2001	9/9/2026	10/7/2036		
31	Hameedullah	Junior Clerk	7	16/3/1973	5/12/1993	2/4/2003	4/12/2018	15/3/2033		
32	Muhammad Iqbal	Junior Clerk	7	20/2/1973	16/11/1995	29/1/2004	15/11/2020	19/2/2033		
33	Muhammad Iqbal	Junior Clerk	7	16/1/1968	24/12/2004	8/4/2004	23/1/2029	15/1/2028		
34	Ashad Iqbal	Junior Clerk	7	5/9/1978	8/4/2004	8/4/2004	23/1/2029	15/1/2028		
35	Ashad Alam	Junior Clerk	7	16/1/1968	24/12/2004	8/4/2004	23/1/2029	15/1/2028		
36	Muhammad Suleman Yousof	Junior Clerk	7	15/3/1981	13/11/2006	13/11/2006	12/11/2031	14/9/2041		
37	Rahimullah	Junior Clerk	7	20/9/1982	13/11/2006	13/11/2006	12/11/2031	14/9/2041		
38	Naqibullah	Junior Clerk	7	16/3/1979	24/1/2004	26/11/2008	23/1/2009	15/3/2039		
39	Raees Khan	Junior Clerk	7	21/12/1985	26/11/2008	26/11/2008	25/1/2033	20/12/2045		
39	Lajli ur Rehman	Junior Clerk	7	17/11/1976	20/10/1998	20/10/1998	19/10/2015	16/11/2036		
				1/3/1966	24/1/2004	21/12/2010	30/1/2029	28/02/2026		

2013

Director & Specialist
Public Manager

ATTACHED

Attested

Handwritten signatures and initials are present in the right-hand column of the table, corresponding to each row.

41	Matuliah	Junior Clerk	7	16/3/1983	26/2/2004	16/4/2012	26/2/2013	15/1/2013			
42	Amanullah	Junior Clerk	7	7/10/1981	22/02/2013	22/02/2013	21/2/2013	5/1/2013			
43	Zahidullah	Junior Clerk	7	15/3/1983	22/02/2013	22/02/2013	21/2/2013	16/3/2013			
44	Asif Khan	Junior Clerk	7	3/4/1991	22/02/2013	22/02/2013	21/2/2013	2/4/2013			
45	Rafiqullah	Junior Clerk	7	10/4/1991	22/02/2013	22/02/2013	21/2/2013	9/4/2013			
46	Gul Muhammad	Push Imam	5	15/08/1979	22/2/2013	22/02/2013	21/2/2013	14/08/2013			
47	Tahir Shah	Bailliff	4	1/1/1973	19/11/1995	30/4/2003	18/11/2010	31/12/2013			
48	Muhammad Khan	Daftri	4	9/5/1985	5/7/1982	25/1/2011	4/7/2007	4/5/2015			
49	Ihsanullah	Daftri	4	22/2/1978	26/1/2004	18/4/2012	25/1/2013	22/12/2018			
50	Taggar Adil	Process Server	3	14/9/1981	26/2/2004	26/2/2004	25/2/2013	13/9/2011			
51	Adnan Yousaf	Process Server	3	4/4/1983	26/2/2004	26/2/2004	25/2/2013	13/9/2011			
52	Abdul Ghani	Naib Qasid	2	13/4/1957	14/9/1986	14/9/1986	13/9/2011	12/1/2017			
53	Muhammad Azeem	Naib Qasid	2	11/3/1965	6/2/1986	6/2/1986	5/2/2011	10/3/2012			
54	Fateh Muhammad	Naib Qasid	2	14/1/1969	13/6/1982	13/6/1982	12/6/2012	13/1/2019			
55	Ahmad Jan	Naib Qasid	2	8/3/1972	26/9/1995	26/9/1995	15/9/2010	2/9/2012			
56	Hameedullah	Naib Qasid	2	11/4/1974	7/1/1995	2/11/1995	1/11/2019	10/3/2024			
57	Kaleemullah	Naib Qasid	2	3/7/1971	21/1/1995	21/1/1995	20/1/2014	4/7/2011			
58	Liaqat Ahmad	Naib Qasid	2	22/3/1979	28/2/2004	28/2/2004	27/2/2019	11/3/2019			
59	Nawaz Ali	Naib Qasid	2	2/2/1982	8/4/2004	8/4/2004	7/4/2019	3/2/2012			
60	Illah Din	Naib Qasid	2	20/3/1986	13/1/2006	13/1/2006	12/1/2011	19/3/2016			
61	Tariq Hamayun	Naib Qasid	2	23/12/1987	26/1/2008	26/1/2008	25/1/2013	22/12/2017			
62	Waqas Khan	Naib Qasid	1	9/10/1987	23/02/2013	23/02/2013	22/02/2018	8/10/2017			
63	Akhtar Munir	Chowkidar	2	1/1/1961	14/9/1986	14/9/1986	13/9/2011	31/12/2021			
64	Aslam Khan	Chowkidar	2	13/4/1963	15/1/1995	15/1/1995	14/11/2010	12/4/2013			
65	Umera Avez	Chowkidar	2	17/4/1968	26/2/2004	26/2/2004	25/2/2019	16/4/2018			
66	Chowkidar	Chowkidar	2	1/1/1979	23/1/2004	8/4/2004	22/1/2019	31/12/2019			

Attested: [Signature]

 Bank: [Signature]

 [Other illegible handwritten notes and stamps]

BA - 37-

67	Habib ur Rehman	Chowkdar	2	6/10/1984	8/4/2004	8/4/2004	14/1/2029	5/10/2044	
68	Imam Ahmad	Chowkdar	1	30/11/1977	23/02/2013	23/02/2013	22/02/2038	29/11/2037	
69	Aziz ur Rehman	Sweeper	2	9/6/1961	22/9/1985	22/9/1985	21/9/2010	8/6/2021	
70	Umar Gul	Sweeper	2	6/11/1965	19/10/1989	19/10/1989	19/10/2014	5/11/2025	
71	Ghulam Qasim	Sweeper	2	00/00/1973	26/2/2004	26/2/2004	25/2/2029	00/00/2033	
72	Fazal ur Rehman	Sweeper	2	00/00/1984	8/4/2004	8/4/2004	7/4/2029	00/00/2044	
73	Mousam Khan	Sweeper	1	15/3/1978	23/02/2013	23/02/2013	22/02/2038	14/03/2038	
74	Hani Ullah	Mali	2	1/11/1981	28/9/2010	28/9/2010	27/9/2035	31/10/2041	

District & Sessions Judge

Lakhi Marwal

ATTESTED

Exhibit No. 10
District & Sessions Judge
Lakhi Marwal

Attested
[Signature]

SENIORITY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARWAT AS STOOD ON 31/12/2012

Sr. Name	Designation	BPS	Date of Birth	Date of Initial appointment	Date of Completion as present	Date of Qualifying Service	Date of Superannuation on 60 years	Signature	Remarks
1. Masud Khattak	S. Stenographer	16	05-01-1959	24-10-1988	01-07-1994	24-10-2013	20-09-2028	[Signature]	
2. Masud Khattak	S. Stenographer	16	05-01-1959	26-05-1987 (BPS-12)	03-12-1993 (BPS-15)	26-05-2012	03-01-2019	[Signature]	
3. Lagat Ali	S. Stenographer	16	03-04-1994	19-11-1995 (BPS-12)	12-04-2000 (BPS-15)	19-11-2020	03-04-2034	[Signature]	
4. Saif Uddin	S. Stenographer	16	01-05-1975	02-11-1995 (BPS-5)	06-02-2004 (BPS-15)	02-11-2020	01-05-2035	[Signature]	
5. Muthamirad Ilyas	J. Stenographer	14	06-07-1981	10-12-1999 (BPS-5)	01-10-2003 (BPS-12)	10-12-2024	06-07-2040	[Signature]	
6. Rashid Ahmad	J. Stenographer	14	03-10-1984	08-04-2004 (BPS-12)	08-04-2004	08-04-2029	03-10-2044	[Signature]	
7. Abdul Baqi	J. Stenographer	14	20-03-1981	24-01-2004	24-01-2004	24-01-2029	20-03-2041	[Signature]	
8. Faridullah	J. Stenographer	14	04-03-1986	29-05-2007	07-11-2007	29-05-2032	04-03-2046	[Signature]	
9. Nasrullah	Assistant	14	16-11-1959	26-06-1978	09-10-2000	26-06-2003	16-11-2019	[Signature]	
10. Tariq Saleem	Assistant	14	03-04-1979	09-04-2003 (BPS-11)	09-04-2003 (BPS-11)	09-04-2028	03-04-2039	[Signature]	
11. Taj Muhammad	Accountant	14	13-03-1985	29-01-2008	01-10-2010	29-01-2033	13-03-2045	[Signature]	
12. Saif Uddin	Assistant	14	14-12-1958	29-08-1986	21-12-2010	29-08-2011	14-12-2018	[Signature]	
13. Saif Uddin	Assistant	14	01-09-1972	21-01-1991	25-11-2011	21-01-2016	01-09-2032	[Signature]	




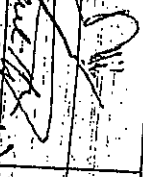
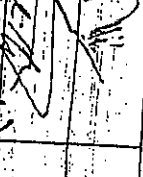
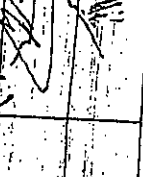
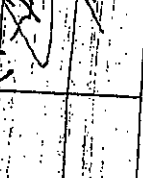
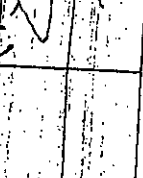
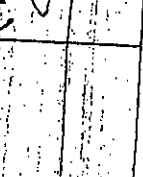
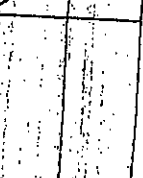

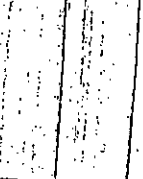
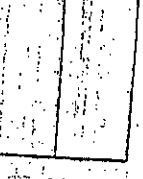
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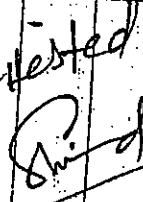
Objection
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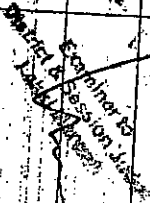
Attested
 [Signature]

SENIORITY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARWAT AS STOOD ON 31/12/2012

14	Amir Hamza	Computer Operator	14	04-01-1981	15-08-2003 (BPS-10)	15-08-2003	15-08-2028	04-01-2041	
15	Ihsanullah	Computer Operator	14	18-03-1982	15-08-2003 (BPS-10)	15-08-2003	15-08-2028	18-03-2042	
16	Aftab Ahmad	Computer Operator	14	14-12-1968	21-01-2004 (BPS-01)	13-11-2006	21-01-2029	14-12-1928	
17	Ijaz Ahmad Shah	Computer Operator	14	14-09-1985	13-11-2006 (BPS-10)	13-11-2006	13-11-2031	14-09-2046	
18	Iftikhar Akram	Computer Operator	14	12-12-1997	24-06-1999	26-11-2008	21-06-2024	12-12-2038	
19	Mir Abbas	Senior Clerk	09	07-01-1966	10-09-1987	09-10-2000	10-09-2012	07-01-2026	
20	Sahullah	Senior Clerk	09	01-11-1966	04-12-1993	15-09-2003	04-12-2018	01-11-2026	
21	Sanaullah	Senior Clerk	09	12-10-1975	01-11-1995	15-09-2003	01-11-2020	12-10-2035	
22	Muhammad Iqbal	Senior Clerk	09	20-03-1973	22-01-1990	21-09-2010	22-01-2015	20-03-2033	
23	Saeed Ahmad	Senior Clerk	09	08-06-1972	15-11-1995	21-12-2010	15-11-2020	08-06-2032	
24	Abdul Munir	Junior Clerk	09	24-12-1972	30-11-1995	25-11-2011	30-11-2020	24-12-2032	
25	Muhammad Naseer	Junior Clerk	07	23-11-1974	05-12-1995	05-12-1995	05-12-2020	23-11-2034	
26	Ashrafullah	Junior Clerk	07	15-06-1976	05-06-1996	05-06-1996	05-06-2021	05-06-2036	
		Junior Clerk	07	04-03-1970	04-07-1996	04-07-1996	04-07-2021	04-03-2030	
			07	11-07-1976	10-09-2001	10-09-2001	10-09-2026	11-07-2036	

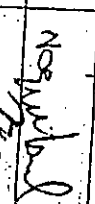
Checked


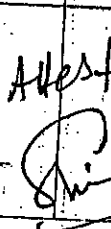
Examiner for
 Technical & Revision
 (Signature)


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29	Sarfraz	Junior Clerk	07	16-03-1973	05-12-1993	02-04-2003	05-12-2018	16-03-2033	
30	Hameedullah	Junior Clerk	07	02-02-1973	16-11-1995	29-01-2004	16-11-2020	02-02-2033	
31	Aslam Khan	Junior Clerk	07	13-04-1972	20-11-1995	08-04-2004	20-11-2020	13-04-2032	
32	Muhammad Iqbal	Junior Clerk	07	16-01-1968	24-01-2004	08-04-2004	24-01-2029	16-01-2028	
33	Arshad Muntir	Junior Clerk	07	05-09-1978	08-04-2004	08-04-2004	08-04-2029	05-09-2038	
34	Arshad Alam	Junior Clerk	07	15-03-1981	13-11-2006	13-11-2006	13-11-2031	15-03-3041	
35	Muhammad Suleman	Junior Clerk	07	20-09-1982	13-11-2006	13-11-2006	13-11-2031	20-09-2042	
36	Rahimullah	Junior Clerk	07	16-03-1979	24-01-2004	26-11-2008	24-01-2009	16-03-2039	
37	Naqibullah	Junior Clerk	07	21-12-1985	26-11-2008	26-11-2008	26-11-2033	21-12-2045	
38	Latif ur Rehman	Junior Clerk	07	01-03-1966	24-01-2004	21-12-2010	24-01-2029	01-03-2026	
39	Matiullah	Junior Clerk	07	16-03-1983	26-02-2004	18-04-2012	26-02-2029	16-03-2043	
40	Gul Alam	Driver	06	01-10-1953	01-03-1994	01-03-1994	01-03-2019	01-10-2013	
41	Tahir Shah	Bailiff	04	01-01-1973	19-11-1995	30-01-2003	19-11-2020	01-01-2033	
42	Muhammad Khan	Daftri	04	05-05-1965	05-07-1982	25-11-2011	05-07-2007	05-05-2025	
		Daftri	04	22-12-1978	26-01-2004	18-04-2012	26-01-2029	22-12-2038	


 Tahir Shah
 Bailiff
 19-11-2020


 Naqibullah
 Junior Clerk
 26-11-2033

Attested


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44	Tajdar Adil	Process Server	03	14-09-1981	26-02-2004	26-02-2004	26-02-2029	14-09-2041		
45	Adnan Yousaf	Process Server	03	04-04-1983	26-02-2004	26-02-2004	26-02-2029	04-04-2041		
46	Abdul Ghani	Naib Qasid	02	13-01-1957	14-09-1986	14-09-1986	14-09-2011	03-11-2017		
47	Muhammad Azeem	Naib Qasid	02	11-03-1962	06-02-1986	06-02-1986	06-02-2011	11-03-2022		
48	Fateh Muhammad	Naib Qasid	02	14-01-1969	13-06-1987	13-06-1987	13-06-2012	14-01-2029		
49	Ahmad Jafri	Naib Qasid	02	08-03-1972	26-09-1995	26-09-1995	26-09-2020	08-03-2032		
50	Hameedullah	Naib Qasid	02	11-03-1974	02-11-1995	02-11-1995	02-11-2020	11-03-2024		
51	Saleem Khan	Naib Qasid	02	03-07-1971	21-11-1995	21-11-1995	21-11-2020	03-07-2031		
52	Liaqat Ahmad	Naib Qasid	02	12-03-1979	28-02-2004	28-02-2004	28-02-2029	12-03-2039		
53	Mawab Ali	Naib Qasid	02	02-02-1982	08-04-2004	08-04-2004	08-04-2029	20-02-2042		
54	Ullaud Din	Naib Qasid	02	20-03-1986	13-11-2006	13-11-2006	13-11-2031	20-03-2046		
55	Tareq Hamayun	Chowkidar	02	23-12-1987	26-11-2008	26-11-2008	26-11-2033	23-12-2047		
56	Akhter Munir	Chowkidar	02	01-01-1961	14-09-1986	14-09-1986	14-09-2011	01-01-2021		
57	Aslam Khan	Chowkidar	02	13-04-1963	15-11-1995	15-11-1995	15-11-2020	13-04-2023		
			02	17-04-1968	26-02-2004	26-02-2004	26-02-2029	17-04-2038		

Handwritten signatures and stamps at the bottom of the table, including names like 'Tajdar Adil', 'Adnan Yousaf', and 'Abdul Ghani', along with official stamps and dates.

Abdul Bari Jan	Chowkidar	02	01-01-1979	23-01-2004	08-04-2004	23-01-2029	01-01-2039	01-01-2039	01-01-2041
Habibur Rehman	Chowkidar	02	06-10-1984	08-04-2004	08-04-2004	08-04-2029	01-01-2039	01-01-2039	01-01-2041
Aziz ur Rehman	Sweeper	02	09-06-1961	22-09-1985	22-09-1985	22-09-2010	09-06-2021	09-06-2021	01-11-2041
Umar Gul	Sweeper	02	06-11-1965	19-10-1989	19-10-1989	19-10-2014	06-11-2025	06-11-2025	01-11-2041
Ghulam Qasim	Sweeper	02	00-00-1973	26-02-2004	26-02-2004	26-02-2029	00-00-2033	00-00-2033	01-11-2041
Fazal ur Rehman	Sweeper	02	00-00-1984	08-04-2004	08-04-2004	08-04-2029	00-00-2044	00-00-2044	01-11-2041
Hanif Ullah	Mali	02	01-11-1981	28-09-2010	28-09-2010	28-09-2035			01-11-2041

Be certified amongst the staff members by getting their initials / signatures

Muhammad Hamid Mughal
District & Sessions Judge
Lakki Marwat

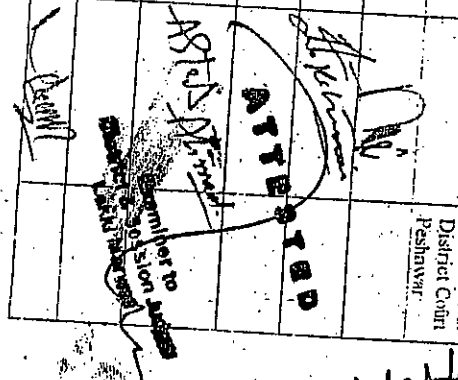
Attested
[Signature]

ATTESTED
District & Sessions Judge
Lakki Marwat

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SENIORITY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARAT AS STOOD ON 31/12/2009

S#	Name	Designation	BPS	Dated of Birth	Date of Initial Appointment	Date of Promotion as Present	Date of qualifying Service	Date of Superannuation on 60 years	Signature	Remarks
1	Awal Zaman	Superintendent	16	20.9.1968	24.10.1988	01.07.1994	24.10.2013	20.09.2028		
2	Mashal Khan	Stenographer	15	03.1.1959	26.05.1987	03.12.1993	26.05.2012	3.01.2019		
3	Laiqat Ali	Stenographer	15	03.04.1974	19.11.1995	12.04.2000	19.11.2020	03.04.2034		
4	Siraj-ud-Din	Stenographer	15	01.05.1975	02.11.1995	06.02.2004	02.11.2020	01.05.2035		
5	Muhammad Ilyas	Steno Typist	12	06.07.1980	10.12.1999	01.10.2003	10.12.2024	06.07.2040		
6	Rashid Ahmed	Steno Typist	12	03.10.1984	08.04.2004	08.04.2004	08.04.2029	03.10.2044		
7	Faridullah	Steno Typist	12	04.03.1986	29.05.2007	07.11.2007	29.05.2032	04.03.2046		
8	Abdul Baqi	Steno Typist	12	20.03.1981	24.01.2004	24.01.2004	24.01.2029	20.03.2041		
9	Nasrullah	Assistant	14	16.11.1959	26.06.1978	09.10.2000	26.06.2003	16.11.2019		
10	Tariq Saleem	Assistant	14	03.04.1979	09.04.2003	09.04.2003	09.04.2028	03.04.2039		
11	Amir Humza	Computer Operator	12	04.01.1981	15.08.2003	15.08.2003	15.08.2028	04.01.2041		On detachment at District Court Peshawar
12	Fazal-ur-Rehman	Computer Operator	12	18.12.1981	15.08.2003	15.08.2003	15.08.2028	18.12.2041		
13	Ihsanullah	Computer Operator	12	18.03.1982	15.08.2003	15.08.2003	15.08.2028	18.03.2042		
14	Aftab Ahmad	Computer Operator	12	14.12.1968	21.01.2004	13.11.2006	21.10.2029	14.12.2028		
15	Jiaz Ahmad Shah	Computer Operator	12	14.09.1986	13.11.2006	13.11.2006	13.11.2031	14.09.2046		
16	Ibrakhar Alam	Computer Operator	12	12.12.1978	21.06.1999	26.11.2008	21.06.2024	12.12.2038		


 Commissioner to Sessions Court
 District Peshawar

Attested
C. S.

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D.O.B District

Promotion 2009

17	Sher Shah	Senior Clerk	09	14.12.1958	29.08.1986	08.05.1994	29.08.2011	14.12.2018		
18	Asmatullah	Senior Clerk	09	01.09.1972	21.10.1991	14.12.1995	21.01.2016	01.09.2032		
19	Mir Abbas ✓	Senior Clerk	09	07.01.1966	10.09.1987	09.10.2000	10.09.2012	07.01.2026		
20	Sani Ullah ✓	Senior Clerk	09	01.11.1966	04.12.1993	15.09.2003	04.12.2018	01.11.2026		
21	Sana Ullah ✓	Senior Clerk	09	12.10.1975	01.11.1995	15.09.2003	01.11.2020	12.10.2035		
22	Muhammad Iqbal	Junior Clerk	07	20.03.1973	22.01.1990	13.11.1993	22.01.2015	20.03.2033		
23	Saif Ahmad	Junior Clerk	07	08.06.1972	15.11.1995	15.11.1995	15.11.2020	08.06.2032		
24	Abdul Munir	Junior Clerk	07	24.12.1972	30.11.1995	30.11.1995	30.11.2020	21.12.2032		
25	Muhammad Naseer	Junior Clerk	07	23.11.1974	07.12.1995	07.12.1995	07.12.2020	23.11.2034		
26	Asmatullah	Junior Clerk	07	15.06.1976	05.06.1996	05.06.1996	05.06.2021	15.06.2036		
27	Munir Khan	Junior Clerk	07	04.03.1970	04.07.1996	04.07.1996	04.07.2021	04.03.2030		
28	Alimud Saeed Qureshi	Junior Clerk	07	15.09.1976	23.11.2000	23.11.2000	23.11.2025	15.09.2036		
29	Javed Iqbal	Junior Clerk	07	11.07.1976	10.09.2001	10.09.2001	10.09.2026	11.07.2036		
30	Sarfraz Khan	Junior Clerk	07	16.03.1973	05.12.1993	02.04.2003	15.12.2018	16.03.2033		
31	ASLAM KHAN	Junior Clerk	07	02.02.1973	16.11.1995	29.01.2004	16.11.2020	02.02.2033		
32	Muhammad Iqbal	Junior Clerk	07	13.04.1972	20.11.1995	08.04.2004	20.11.2020	13.04.2032		
33	Arshad Munnir	Junior Clerk	07	16.01.1968	24.01.2004	08.04.2004	24.01.2029	16.01.2038		
34	M Saleman Yousaf	Junior Clerk	07	15.03.1981	13.11.2006	13.11.2006	13.11.2031	15.03.2041		
35	Rahim Ullah	Junior Clerk	07	20.09.1982	13.11.2006	13.11.2006	13.11.2031	20.09.2042		
36	Syed Badshah	Junior Clerk	07	21.12.1985	26.11.2008	26.11.2008	26.11.2029	16.03.2039		
37	Gul Alam	Driver	06	04.02.1981	08.09.2003	08.09.2003	08.09.2028	04.02.2041		
38	Fahir Shah	Balliff	04	01.10.1955	01.03.1994	01.03.1994	01.03.2019	01.10.2013		
39	Tajdar Adil	Process Server	03	14.09.1981	26.02.2004	26.02.2004	26.02.2029	01.01.2033		
40	Adnan Yousaf	Process server	03	04.04.1983	26.02.2004	26.02.2004	26.02.2029	14.09.2041		
41	Latif-ur-Rehman	Daftari	03	01.03.1966	20.01.2004	26.11.2008	24.01.2029	01.03.2026		
42	Munir Khan	Naib Qasid	02	16.03.1983	26.02.2004	26.11.2008	24.01.2029	01.03.2026		
43	Abdul Ghani	Naib Qasid	02	05.05.1965	05.07.1982	05.07.1982	05.07.2007	16.03.2043		
44	Muhammad Azeem	Naib Qasid	02	13.11.1957	14.09.1986	14.09.1986	14.09.2011	05.05.2025		
45			02	11.03.1962	06.02.1986	06.02.1986	06.02.2011	11.03.2022		

On deputation at District court Bannu

Examined by District & Sessions Judge Bannu

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

MAJID I.B.T.

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49	Fateh Muhammad	Naib Qasid No	02	14.01.1969	13.06.1987	13.06.1987	13.06.2012	14.01.2029	
50	Ahmad Jan	Naib Qasid No	02	08.03.1972	26.09.1995	26.09.1995	26.09.2020	08.03.2032	
51	Haneed Ullah	Naib Qasid No	02	11.03.1974	02.11.1995	02.11.1995	02.11.2020	11.03.2034	
52	Saleem Khan	Naib Qasid No	02	03.07.1971	21.11.1995	21.11.1995	21.11.2020	03.07.2031	
53	Liaqat Ali	Naib Qasid No	02	13.03.1979	28.02.2004	28.02.2004	28.02.2029	12.03.2039	
54	Nawab Ali	Naib Qasid No	02	20.02.1982	08.04.2004	08.04.2004	08.04.2029	20.02.2042	
55	Illau-Din	Naib Qasid No	02	20.03.1986	13.11.2006	13.11.2006	13.11.2031	20.03.2046	
56	Tanq Hamayun	Naib Qasid No	02	23.12.1987	26.11.2008	26.11.2008	26.11.2033	23.12.1947	
57	Akhter Munir	Chowkidar No	02	01.01.1961	14.09.1986	14.09.1986	14.09.2011	01.01.2021	
58	Aslam Khan	Chowkidar No	02	13.04.1963	15.11.1995	15.11.1995	15.11.2020	13.04.2023	
59	Umer Ayaz	Chowkidar No	02	17.04.1968	26.02.2004	25.02.2004	26.07.2029	17.04.2028	
60	Habib-ur-Rehman	Chowkidar No	02	06.10.1984	08.04.2004	08.04.2004	08.04.2029	06.04.2044	
61	Aziz-ur-Rehman	Sweeper No	02	09.06.1961	22.09.1985	22.09.1985	22.09.2010	09.06.2021	
62	Umer Gul	Sweeper No	02	06.11.1965	19.10.1989	19.10.1989	19.10.2014	06.11.2025	
63	Ihsan Ullah	Sweeper No	02	22.12.1978	26.01.2004	26.01.2004	26.01.2029	22.12.2038	
64	Ghulam Qasim	Sweeper No	02	00.00.1973	26.02.2004	26.02.2004	26.02.2029	00.00.2033	
65	Fazal-ur-Rehman	Sweeper No	02	00.00.1984	08.04.2004	08.04.2004	08.04.2029	00.00.2044	

Be circulated amongst the staff member by getting their initials/signatures.

ATTESTED
 Examiner to
 District & Sessions Judge
 LAKKI MARVAI

Muhammad Yaqoob Khattak
 (Muhammad Yaqoob Khattak)
 District & Sessions Judge,
 LAKKI MARVAI

Attested
[Signature]

SENIORITY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARWAT AS STOOD ON 31/12/2008

S#	Name	Designation	BPS	Date of Birth	Date of Initial Appointment	Date of Promotion as Present	Date of Qualifying Service	Date of Superannuation (on 60 years)	Signature	Remarks
1	Awal Zaman	Superintendent	16	20-09-1968	24-10-1988	01-07-1991	24-10-2013	20-09-2028		
2	Masud Khan	Steno. Grapher	15	03-01-1959	26-05-1987	03-12-1993	26-05-2012	03-01-2019		
3	Eagat Ali	Steno. Grapher	15	03-04-1974	19-11-1995	12-04-2000	19-11-2020	03-04-2034		
4	Sraji Ud Din	Steno. Grapher	15	01-05-1975	02-11-1995	6-07-2004	02-11-2020	01-05-2035		
5	Muhammad Ilyas	Stenotypist	12	06-07-1980	10-12-1999	01-10-2003	10-12-2024	06-07-2040		
6	Rashid Ahmed	Stenotypist	12	03-10-1984	08-04-2004	08-04-2004	08-04-2029	03-06-2044		
7	Farridullah	Stenotypist	12	04-03-1986	29-05-2007	07-11-2007	29-05-2032	07-03-2046		
8	Abdul Baqi	Stenotypist	12	20-03-1981	24-01-2004	24-01-2004	24-01-2029	20-03-2041		
9	Shah Alam	Assistant	14	12-09-2049	06-06-1973	19-11-1995	06-06-1998	12-09-2009		
10	Abdul Maan	Assistant	14	15-10-1949	02-05-1973	04-04-1996	02-05-1998	15-10-2009		
11	Nasrullah	Assistant	14	16-11-1994	26-06-1978	09-10-2000	26-06-2003	16-11-2049		
12	Fauq Saleem	Assistant	14	03-04-1979	09-04-2003	09-04-2003	09-04-2028	03-04-2039		
13	Amur Hamza	K.P.O	10	04-01-1981	15-08-2003	15-08-2003	15-08-2028	04-01-2041		
14	Fazal Ur Rehman	K.P.O	10	18-12-1981	15-08-2003	15-08-2003	15-08-2028	08-08-2041		
15	Shahzad	K.P.O	10	18-03-1982	15-08-2003	15-08-2003	15-08-2028	08-03-2042		

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On detailment at District Court Peshawar

Examiner to District & Sessions Judge

ATTESTED

Signature of District Judge

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16	Aftab Ahmed	K.P.O	10	14-12-1968	21-01-2004 (BPS-01)	13-11-2006 (BPS-10)	21-01-2029	14-12-2028	APAS M. M. M. M.	
17	Ijaz Ahmed Shah	K.P.O	10	14-09-1986	13-11-2006 (BPS-10)	13-11-2006 (BPS-10)	13-11-2031	14-09-2046	APAS M. M. M. M.	
18	Mikhar Alam	K.P.O	10	12-12-1978	21-06-1999	26-11-2008	21-06-2024	12-12-2038	APAS M. M. M. M.	
* 19	Muhammad Ali	Senior Clerk	09	20-10-1949	08-03-1973	01-03-1994	08-03-1998	20-10-2009	APAS M. M. M. M.	
20	Sher Shah	Senior Clerk	09	14-12-1958	29-08-1986	08-05-1994	29-08-2011	14-12-2018	APAS M. M. M. M.	
21	Asmat Ullah	Senior Clerk	09	01-09-1972	21-01-1991	14-12-1995	21-01-2016	01-09-2032	APAS M. M. M. M.	On detachment at District Court Bannu
22	Mir Abbas	Senior Clerk	09	07-01-1966	10-09-1987	09-10-2000	10-09-2012	07-01-2026	APAS M. M. M. M.	
23	Sami Ullah	Senior Clerk	09	01-11-1966	04-12-1993	15-09-2003	04-12-2018	01-11-2026	APAS M. M. M. M.	
24	Sara Ullah	Senior Clerk	09	12-10-1975	01-11-1995	15-09-2003	01-11-2020	12-10-2035	APAS M. M. M. M.	
25	Muhammad Iqbal	Junior Clerk	07	20-03-1973	22-01-1990	13-11-1993	22-01-2015	20-03-2035	APAS M. M. M. M.	
26	Said Ahmed	Junior Clerk	07	08-06-1972	15-11-1995	15-11-1995	15-11-2020	08-06-2032	APAS M. M. M. M.	
27	Abdul Manir	Junior Clerk	07	24-12-1972	30-11-1995	30-11-1995	30-11-2020	24-12-2032	APAS M. M. M. M.	
28	Muhammad Naseer	Junior Clerk	07	23-11-1974	07-12-1995	07-12-1995	07-12-2020	23-11-2034	APAS M. M. M. M.	
29	Asmat Ullah	Junior Clerk	07	15-06-1976	05-06-1996	05-06-1996	05-06-2021	05-06-2036	APAS M. M. M. M.	
30	Mumtaz Khan	Junior Clerk	07	04-03-1970	04-07-1996	04-07-1996	04-07-2021	04-03-2030	APAS M. M. M. M.	
* 31	Ahna' Saeed Qureshi	Junior Clerk	07	15-09-1976	23-11-2000	23-11-2000	23-11-2025	15-09-2036	APAS M. M. M. M.	
32	Javed Iqbal	Junior Clerk	07	11-07-1976	10-09-2001	10-09-2001	10-09-2026	11-07-2036	APAS M. M. M. M.	
33	Sarfraz	Junior Clerk	07	16-03-1973	05-12-1993	02-04-2003	05-12-2018	16-03-2033	APAS M. M. M. M.	
34	Hameed Ullah	Junior Clerk	07	02-02-1973	16-11-1995	29-01-2004	16-11-2020	02-02-2033	APAS M. M. M. M.	
35	Aslam Khan	Junior Clerk	07	13-04-1972	20-11-1995	08-04-2004	20-11-2020	13-04-2032	APAS M. M. M. M.	
36	Muhammad Iqbal	Junior Clerk	07	16-01-1968	24-01-2004	08-04-2004	24-01-2029	16-01-2028	APAS M. M. M. M.	

Handwritten signatures and initials are present at the bottom of the table, including names like 'Sarfraz', 'Aslam Khan', and 'Muhammad Iqbal'. There are also some illegible scribbles and marks.

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37.	Arshad Munir	Junior Clerk	07	05-09-1978	08-04-2004	08-04-2004	08-04-2004	08-04-2029	05-09-2038	
38.	Arshad Alam	Junior Clerk	07	15-03-1981	13-11-2006	13-11-2006	13-11-2006	13-11-2031	15-03-2041	
39.	M. Sulaiman Yousaf	Junior Clerk	07	20-09-1982	13-11-2006	13-11-2006	13-11-2031	20-09-2042		
40.	Rahimullah	Junior Clerk	07	16-03-1979	24-01-2004	26-11-2008	24-01-2029	26-09-2039		
* 41.	Syed Badshah	Junior Clerk	07	04-02-1981	08-09-2003	08-09-2003	08-09-2028	04-02-2041		
42.	Naqibullah	Junior Clerk	07	21-12-1985	26-11-2008	26-11-2008	26-11-2033	21-12-2045		
43.	Gul Alam	Driver	06	01-10-1953	01-03-1994	01-03-1994	01-03-2019	01-10-2013		
44.	Tahir Shah	Process Server	03	04-04-1983	26-02-2004	26-02-2004	26-02-2029	14-09-2041		
45.	Tajdar Adil	Process Server	03	14-09-1981	26-02-2004	26-02-2004	26-02-2029	14-09-2041		
46.	Adnan Yousaf	Process Server	03	01-03-1966	24-01-2004	26-11-2008	24-01-2029	04-04-2041		
47.	Latif-Ur-Rehman	Process Server	03	16-03-1983	26-02-2004	26-02-2004	26-02-2029	04-04-2041		
48.	Mait Ullah	Process Server	03	05-05-1965	05-07-1982	05-07-1982	05-07-2007	05-05-2025		
49.	Mumtaz Khan	Process Server	03	13-01-1957	14-19-1986	04-09-1986	14-09-2011	03-11-2017		
50.	Abdul Ghani	Process Server	02	11-03-1962	06-2-1986	06-2-1986	6-2-2011	11-03-2022		
51.	Muhammad Azeem	Process Server	02	08-03-1972	26-09-1995	26-09-1995	26-09-2020	08-03-2032		
52.	Fazal	Process Server	02	11-03-1974	02-11-1995	02-11-1995	02-11-2020	11-03-2034		
53.	Muhammad Ali	Process Server	02	03-07-1971	21-11-1995	21-11-1995	21-11-2020	03-07-2031		
54.	Hameed Ullah	Process Server	02	12-3-1979	28-02-2004	28-02-2004	28-02-2029	12-03-2039		
55.	Saleem Khan	Process Server	02	20-02-1982	08-04-2004	08-04-2004	08-04-2029	20-02-2042		
56.	Liqaq Ahmed	Process Server	02	20-03-1986	13-11-2006	13-11-2006	13-11-2031	20-03-2046		
57.	Navab Ali	Process Server	02	23-12-1987	26-11-2008	26-11-2008	26-11-2033	23-12-2047		
58.	Haid Din	Process Server	02							
59.	Tariq Hamayun	Process Server	02							

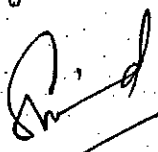
Handwritten signatures and initials are present at the bottom of the table, including names like 'Mud Sultan', 'Said', 'Mud Sultan', and 'Said'. There are also some illegible handwritten notes and stamps.

49-

60.	Akhbar Munir	Chowkidar	02	01-01-1961	14-09-1986	14-09-1986	14-09-2011	01-01-2021		
61.	Aslam-Khan	Chowkidar	02	13-04-1963	15-11-1995	15-11-1995	15-11-2020	13-04-2023		
62.	Umer Ayaz	Chowkidar	02	17-04-1968	26-02-2004	25-02-2004	26-02-2029	17-04-2028		
63.	Abdul Bari Jan	Chowkidar	02	01-01-1979	23-01-2004	08-04-2004	23-01-2029	01-01-2039		
64.	Habib Ur rehman	Chowkidar	02	06-10-1984	08-04-2004	08-04-2004	08-04-2029	06-04-2044		
65.	Aziz Ur Rehman	Sweeper	02	09-06-1961	22-09-1985	22-09-1985	22-09-2010	09-06-2021		
66.	Umer Gul	Sweeper	02	06-11-1965	19-10-1989	19-10-1989	19-10-2014	06-11-2025		
67.	Husan Ullah	Sweeper	02	22-12-1978	26-01-2004	26-01-2004	26-01-2029	22-12-2038		
68.	Ghulam Qasim	Sweeper	02	00-00-1973	26-02-2004	26-02-2004	26-02-2029	00-00-2033		
69.	Fazal Ur Rehman	Sweeper	02	00-00-1984	08-04-2004	08-04-2004	08-04-2029	00-00-2044		

Be circulated amongst the staff member by getting their initials/signatures.

ATTENDED

Attested


(Muhammad Yaqoob Khatrak)
 District & Sessions Judge,
 Lakki Marwat.
 District & Sessions Judge
 Lakki Marwat

105

SENDRY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARWAT
AS STOOD ON 31/12/2006

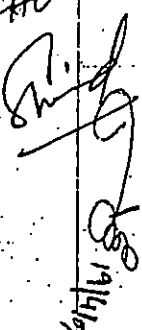
Name	Designation	BPS	Date of Birth	Date of Initial Appointment	Date of Promotions Present	Date of Qualification in Service	Date of Superannuation (Non 60 Years)	Signature	Remarks
M. A. Khub	Superintendent	15	03-01-1959	26-05-1987 (BPS-12)	03-12-1993 (BPS-15)	26-05-2012	03-01-2019	<i>[Signature]</i>	Superintendent of High Court is working on detention
Enaqt Ali	-do-	15	03-04-1974	19-11-1995 (BPS-12)	12-04-2000 (BPS-15)	19-11-2020	03-04-2034	<i>[Signature]</i>	
Siraj ud Din	-do-	15	01-05-1975	02-11-1995 (BPS-05)	06-02-2004	02-11-2020	01-05-2035	<i>[Signature]</i>	
Muhammad Iyas	Stenotypist	12	06-07-1980	10-12-1999 (BPS-05)	01-10-2003 (BPS-12)	10-12-2024	06-07-2040	<i>[Signature]</i>	
Tahir Iqbal	-do-	12	14-05-1984	08-04-2004 (BPS-12)	08-04-2004 (BPS-12)	08-04-2029	14-05-2044	<i>[Signature]</i>	
Rashid Ahmed	-do-	12	03-10-1984	08-04-2004 (BPS-12)	08-04-2004 (BPS-12)	08-04-2029	03-10-2044	<i>[Signature]</i>	
Shah Alam	Assistant	11	12-09-1949	06-06-1973	19-11-1995	06-06-1998	12-09-2009	<i>[Signature]</i>	
Abdul Maman	-do-	11	15-10-1949	02-05-1973	04-04-1996	02-05-1998	15-10-2009	<i>[Signature]</i>	Examine to District & Session Judge Lakki Marwat
Nasrullah	-do-	11	16-11-1952	26-06-1978	09-10-2000	26-6-2003	16-11-2012	<i>[Signature]</i>	
Tariq Saleem	-do-	11	03-04-1979	09-03-2003 (BPS-11)	09-04-2003 (BPS-11)	09-04-2028	03-04-2039	<i>[Signature]</i>	On deatiment at District Court Peshawar

Attested
[Signature]

TESTED

Examine to District & Session Judge Lakki Marwat

Amir Hamza	K.P.O	10	04-01-1981	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	04-01-2041		
Fazal ur Rehman	-do-	10	18-12-1981	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	18-12-2041		
Hasanullah	-do-	10	18-03-1983	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	18-03-2042		
Atabulhmad	-do-	10	14-12-1968	21-11-2004 (BPS-01)	13-11-2006 (BPS-10)	21-01-2027	14-12-2038		
Ijaz Ahmad Shah	-do-	10	14/9/1986	13-11-2006 (BPS-10)	13-11-2006 (BPS-10)	13-11-2031	14-09-2045		
Muhammad Ali	Senior Clerk	07	20-10-1949	08-03-1973 (BPS-10)	01-03-1994 (BPS-10)	08-03-1998	20-10-2009		
Sher Shah	-do-	07	14-12-1958	29-08-1986		14-12-2011	14-12-2018		On detailment at District Court Bannu
Asmatullah	-do-	07	01-09-1972	21-01-1991	14-12-1995	21-01-2016	01-09-2032		
Mir Abbas	-do-	07	07-01-1966	10-09-1987	09-10-2000	10-09-2012	07-01-2026		
Sambillah	-do-	07	01-11-1966	04-12-1993	15-09-2003	04-12-2018	01-11-2026		
Sanaullah	-do-	07	12-10-1975	01-11-1995	15-09-2003	01-11-2020	12-10-2035		
Muhammad Iqbal	Junior Clerk	05	20-03-1973	22-01-1996	13-11-1993	22-01-2015	20-03-2033		
Said Ahmed	-do-	05	08-06-1972	15-11-1995	15-11-1995	15-11-2020	08-06-2032		
Abdul Muqir	Junior Clerk	05	24-12-1972	30-11-1995	30-11-1995	30-11-2020	24-12-2032		
Muhammad Naseer	-do-	05	23-11-1974	07-12-1995	07-12-1995	07-12-2020	23-11-2034		
















Attested

 19/11/19

Examiner of District & Sessions Judge
 Lokai Mandir

INTERESTED

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28.	Asmatulhah	-do-	05	15-06-1976	05-06-1996	05-06-1996	05-06-2021	15-06-2036	
29.	Alhend Saeed Qureshi	-do-	05	04-03-1970	04-07-1996	04-07-1996	04-07-2021	04-03-2030	
30.	Javed Iqbal	-do-	05	15-09-1976	23-11-2000	23-11-2000	23-11-2025	15-09-2036	
31.	Safaraz	-do-	05	11-07-1976	10-09-2001	10-09-2001	10-09-2026	11-07-2036	
32.	Abdul Bagi	-do-	05	16-03-1973	05-12-1993	02-04-2003	05-12-2018	16-03-2033	
33.	Hameedullah	-do-	05	20-03-1981	24-01-2004	24-01-2004	24-01-2029	20-03-2041	
34.	Muhammad Iqbal	-do-	05	02-02-1973	16-11-1995	29-01-2004	16-11-2020	02-02-2033	
35.	Aslam Khan	-do-	05	13-04-1972	29-11-1995	08-04-2004	20-11-2020	16-01-2028	
36.	Arshad Munir	-do-	05	05-09-1978	08-04-2004	08-04-2004	08-04-2029	05-09-2038	
37.	Hobshar Alam	-do-	05	12-12-1978	21-06-1999	13-11-2006	21-06-2024	12-12-2038	
38.	Arshad Alam	-do-	05	15-03-1981	13-11-2006	13-11-2006	13-11-2031	15-03-2041	
39.	M. Sulaiman Yousaf	-do-	05	20-09-1982	13-11-2006	13-11-2006	13-11-2031	20-09-2042	
40.	Gul Alam	Driver	04	01-10-1953	01-03-1994	01-03-1994	01-03-2019	01-10-2013	
41.	Rahmullah	Dattari	02	16-03-1979	24-01-2004	03-04-2004	24-01-2029	16-03-2039	
42.	Muniruz Khan	Narb Qasid	01	05-05-1965	05-07-1982	05-07-1982	05-07-2007	05-05-2025	
















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19-4-2024
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44.	Abdul Ghani	-do-	01	13-11-1957	14-09-1986	14-09-1986	14-09-2011	03-11-2017		
45.	Muhammad Asem	-do-	01	11-03-1962	06-02-1986	06-02-1986	16-02-2011	11-03-2022		
46.	Fateh Muhammad	-do-	01	14-01-1969	13-06-1987	13-06-1987	13-06-2012	14-01-2029		
47.	Hameedullah	-do-	01	11-03-1974	02-11-1995	02-11-1995	02-11-2020	11-03-2034		
48.	Ahmed Jan	-do-	01	08-03-1972	26-09-1995	26-09-1995	26-09-2020	08-03-2032		
49.	Sateh Khan	-do-	01	03-07-1971	21-11-1995	21-11-1995	21-11-2020	03-07-2031		
50.	Martullah	-do-	01	16-03-1983	26-02-2004	25-02-2004	26-02-2029	16-03-2043		
51.	Lingal Ahmed	-do-	01	12-03-1979	28-02-2004	28-02-2004	28-02-2029	12-03-2039		
52.	Nawab Ali	-do-	01	20-02-1982	08-04-2004	08-04-2004	08-04-2029	20-02-2042		
53.	Ilmud-Din	-do-	01	20-03-1986	03-11-2006	13-11-2006	13-11-2031	20-03-2046		
54.	Akhter Munir	Chowkdar	01	01-01-1961	14-09-1986	14-09-1986	14-09-2011	01-01-2021		
55.	Aslam Khad	-do-	01	13-04-1963	15-11-1995	15-11-1995	15-11-2020	13-04-2023		
56.	H.Laifur Rehman	-do-	01	01-03-1966	24-01-2004	24-01-2004	24-01-2029	01-03-2026		
57.	Umer Ayyaz	-do-	01	17-04-1968	26-02-2004	25-02-2004	26-02-2029	17-04-2028		
58.	Ahmad Bari Jan	-do-	01	01-01-1979	23-01-2004	08-04-2004	23-01-2029	01-01-2039		
59.	Habibur Rehman	-do-	01	06-10-1984	08-04-2004	08-04-2004	08-04-2029	06-10-2044		

Attested

[Signature]

Examiners of
Mag. & Sessions Judges
UPP (M) Barbed

INTERESTED

[Signature]

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61	Umer Gul	-do-	01	09-06-1961	22-09-1985	22-09-1985	22-09-210	09-06-2021		
62	Ihsanullah	-do-	01	06-11-1965	19-10-1989	19-10-1989	19-10-2014	06-11-2025		
63	Choham Qasim	-do-	01	22-12-1978	26-01-2004	26-01-2004	26-01-2029	22-12-2038		
64	Fazl ur Rehman	-do-	01	00-00-1984	08-04-2004	08-04-2004	08-04-2029	00-00-2033		

Be circulated amongst the staff member by getting their initials / signatures.

ATTESTED

Examined by
District & Sessions Judge
LAKKI MARRAT

(AMIR GULAB KHAN)
District & Sessions Judge
LAKKI MARRAT
Distt. & Sesion Judge
LAKKI MARRAT

Attested
[Signature]

[Signatures]

**SENIORITY LIST OF THE ESTABLISHMENT OF SESSIONS COURT LAKKI MARWAT
AS STOOD ON 31/12/2005**

Sr	Name	Designation	BPS	Date of Birth	Date of Initial Appointment	Date of Promotion is Present	Date of Qualifying Service	Date of Superannuation on 60 Years	Signature
1		Superintendent							
2	Mahal Khan	Senior Grapher	15	03-01-1959	26-05-1987 (BPS-12)	03-12-1993 (BPS-15)	26-05-2012	03-01-2019	
3	Liakat Ali	Do	15	03-04-1974	19-11-1995 (BPS-12)	12-04-2000 (BPS-15)	19-11-2020	03-04-2034	
4	Siraj ud Din	Do	15	01-05-1975	02-11-1995 (BPS-05)	06-02-2004	02-11-2020	01-05-2035	
5	Muhammad Hias	Senior Typist	12	06-07-1980	10-12-1999 (BPS-05)	01-10-2003 (BPS-12)	10-12-2024	06-07-2040	
6	Muhammad Adrees	Do	12	12-05-1983	26-02-2004 (BPS-12)	08-04-2004 (BPS-12)	26-02-2029	12-05-2043	
7	Tahir Iqbal	Do	12	14-05-1984	08-04-2004 (BPS-12)	08-04-2004 (BPS-12)	08-04-2029	14-05-2044	
8	Rashid Ahmed	Do	12	03-10-1984	08-04-2004 (BPS-12)	08-04-2004 (BPS-12)	08-04-2029	03-10-2044	
9	Shah Alam	Assistant	11	12-09-1949	06-06-1973	19-11-1995	06-06-1998	12-09-2009	
10	Abdul Mannan	Do	11	15-10-1949	02-05-1973	01-04-1996	02-05-1998	15-10-2009	
11	Nasrullah	Do	11	16-11-1952	26-06-1978	09-10-2000	26-6-2003	16-11-2012	
12	Tariq Saleem	Do	11	03-04-1979	09-04-2003 (BPS-11)	09-04-2003 (BPS-11)	09-04-2028	03-04-2039	
13	Amir Hamza	K.P.O	10	04-01-1981	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	04-01-2041	
14	Fazal ur Rehman	Do	10	18-12-1981	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	18-12-2041	
15	Ihsanullah	Do	10	18-03-1982	15-08-2003 (BPS-10)	15-08-2003 (BPS-10)	15-08-2028	18-03-2042	

Attested
[Signature]

Examined by
Sd/- Sessions Judge
Lakki Marwat

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16	Nasir Ferroz	Do	10	25-12-1974	21-08-2003	21-08-2003	21-08-2028	25-12-2034
17	Muhammad Ali	Senior Clerk	07	20-10-1949	08-03-1973	01-03-1994	08-03-1998	20-10-2009
18	Sher Shah	Do	07	14-12-1958	29-08-1986	08-25-1994	29-08-1986	14-12-2018
19	Asmatullah	Do	07	01-09-1972	21-01-1991	14-12-1995	21-01-2016	01-09-2032
20	Mir Abbas	Do	07	07-01-1966	10-09-1987	09-10-2000	10-09-2012	07-01-2026
21	Samiullah	Do	07	01-11-1986	04-12-1993	15-09-2003	04-12-2018	01-11-2026
22	Sanaullah	Do	07	12-10-1975	01-11-1995	15-09-2003	01-11-2020	12-10-2035
23	Muhammad Iqbal	Junior Clerk	05	20-03-1973	22-01-1990	13-11-1993	22-01-2015	20-03-2033
24	Said Ahmed	Do	05	08-06-1972	15-11-1995	15-11-1995	15-11-2020	08-06-2032
25	Abdul Munir	Junior Clerk	05	24-12-1972	30-11-1995	30-11-1995	30-11-2020	24-12-2032
26	Muhaammad Naseer	Do	05	23-11-1974	07-12-1995	07-12-1995	07-12-2020	23-11-2034
27	Asmatullah	Do	05	15-06-1976	05-06-1996	05-06-1996	05-06-2021	15-06-2036
28	Mumtaz Khan	Do	05	04-03-1970	04-07-1996	04-07-1996	04-07-2021	04-03-2030
29	Ahemd Saeed Qureshi	Do	05	15-09-1976	23-11-2000	23-11-2000	23-11-2025	15-09-2036
30	Javed Iqbal	Do	05	11-07-1976	10-09-2001	10-09-2001	10-09-2026	11-07-2036
31	Sairfaraz	Do	05	16-03-1973	05-12-1993	02-04-2003	05-12-2018	16-03-2033
32	Abdul Baqi	Do	05	20-03-1981	24-01-2004	24-01-2004	24-01-2029	20-03-2041
33	Hameedullah	Do	05	02-02-1973	16-11-1995	29-01-2004	16-11-2020	02-02-2033
34	Muhammad Iqbal	Do	05	16-01-1968	24-01-2004	08-04-2004	24-01-2029	16-01-2028
35	Atiab Ahmed	Do	05	14-12-1968	24-01-2004	08-04-2004	24-01-2029	16-01-2028
36	Aslam Khan	Do	05	13-04-1972	20-11-1995	08-04-2004	20-11-2004	13-04-232
37	Arshad Munir	Do	05	05-09-1978	08-04-2004	08-04-2004	08-04-2029	05-09-2038
38	Gul Alam	Driver	04	01-10-1953	01-03-1994	01-03-1994	01-03-2019	01-10-2013
39	Rahmatullah	Daftari	02	16-03-1979	24-01-2004	08-04-2004	24-01-2029	16-03-2039
40	Mumtaz Khan	Naib Qasid	01	05-05-1965	05-07-1982	05-07-1982	05-07-2007	05-05-2025
41	Abdul Ghani	Do	01	13-11-1957	14-09-1986	14-09-1986	14-09-2011	03-11-2017
42	Muhammad Azeem	Do	01	11-03-1962	06-12-1986	06-12-1986	16-12-2011	11-03-2022

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Examined by
District & Session Judge

4

-57-

43	Fateh	Do	01	14-01-1969	13-06-1987	13-06-1987	13-06-2012	14-01-2029
44	Muhammad	Do						
44	Hameedullah	Do	01	11-03-1974	02-11-1995	02-11-1995	02-11-2020	11-03-2034
45	Ahmed Jan	Do	01	08-03-1972	26-09-1995	26-09-1995	26-09-2020	08-03-2032
46	Saeem Khan	Do	01	03-07-1971	21-11-1995	21-11-1995	21-11-2020	03-07-2031
47	Mafullah	Do	01	16-03-1983	26-02-2004	25-02-2004	26-02-2029	16-03-2043
48	Liaqat Ahmed	Do	01	12-03-1979	28-02-2004	28-02-2004	08-04-2029	20-02-2042
49	Nawab Ali	Do	01	20-02-1982	08-04-2004	08-04-2004	08-04-2029	20-02-2042
50	Akhter Munir	Chowkidar	01	01-01-1961	14-09-1986	14-09-1986	14-09-2011	01-01-2021
51	Aslam Khan	Do	01	13-04-1963	15-11-1995	15-11-1995	15-11-2020	13-04-2023
52	H.Latif ur Rehman	Do	01	01-03-1966	24-01-2004	24-01-2004	24-01-2029	01-03-2026
53	Umer Ayaz	Do	01	17-04-1968	26-02-2004	25-02-2004	26-02-2029	17-04-2028
54	Abdul Bari Jan	Do	01	01-01-1979	23-01-2004	08-04-2004	23-01-2029	01-01-2039
55	Habib ur Rehman	Do	01	06-10-1984	08-04-2004	08-04-2004	08-04-2029	06-10-2044
56	Aziz ur Rehman	Swapper	01	19-06-1961	22-09-1985	22-09-1985	22-09-210	09-08-2021
57	Umer Gul	Do	01	06-11-1965	19-10-1989	19-10-1989	19-10-1989	19-10-2014
58	Ihsanullah	Do	01	22-12-1978	26-01-2004	26-01-2004	26-01-2029	26-01-2029
59	Ghulam Qasim	Do	01	00-00-1973	26-02-2004	26-02-2004	26-02-2029	00-00-2033
60	Fazl ur Rehman	Do	01	00-00-1984	08-04-2004	08-04-2004	08-04-2029	00-00-2044

Be enclosed amongst the 51st members bill
getting their initials/signatures.

DEPUTY SESSIONS JUDGE
Lakki Marwat

ATTESTED

(AMIR GUL SHAH)
District & Sessions Judge
Lakki Marwat.

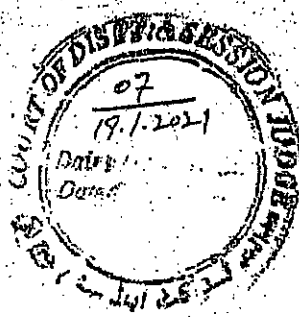
Examiner to
District & Sessions Judge
Lakki Marwat

Attested
[Signature]

to

~~Adverse~~

-58-



PESHAWAR HIGH COURT, PESHAWAR

ORDER

Dated Peshawar the 29th December, 2020

The Competent Authority has been pleased to withdraw the transfer/posting order of Mr. Tariq Saleem, Assistant/Reader from Anti-Terrorism Court, Bannu to Sessions Court, Lakki Marwat bearing Endst: No.4392-4396/Admn: dated 21.04.2003. He is transferred back to his original establishment i.e. Anti-Terrorism Court, Bannu, in the public interest, with immediate effect.

By order of Hon'ble the Chief Justice

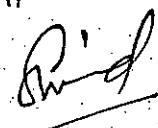

(KHAWAJA WAJIH-UD-DIN)
REGISTRAR

Endst: No. 296-301 /Admn:


Dated Pesh the 08/01/2021

Copy forwarded to: -

1. The Member Inspection Team, Peshawar High Court, Peshawar.
2. The Director (HR&W) SDJ, Peshawar High Court, Peshawar.
3. The Judge, Anti-Terrorism Court, Bannu.
4. The District & Sessions Judge, Lakki Marwat.
5. The District Accounts Officers, Bannu & Lakki Marwat.
6. The SCS to Hon'ble Chief Justice, Peshawar High Court, Peshawar.
7. The official concerned by name.

Attested


(KHAWAJA WAJIH-UD-DIN)
REGISTRAR

Seen

District & Sessions Judge,
Lakki Marwat
19/01/2021

49-59

No. 832- DSJ-Admn
Dated: 30/07/2020
E.mail. dsjlakki@yahoo.com

From: District & Sessions Judge,
Lakki Marwat.
To, The Registrar,
Peshawar High Court,
Peshawar.

Amir

Subject: PROMOTION AGAINST THE VACANT POST OF
SUPERINTENDENT (BPS-17)

Sir,

With reference your office letter No. 11361/PHC/HDJ/HRW/ADMIN dated: 13/07/2020 on the subject noted above, I have the honour to submit the detail reply of the following questions:

1. Whether the applicant was appointed in the Establishment of ATC was further re-appointed by transfer in the Establishment of D&SJ Lakki Marwat?

Reply of Q. No. 1

Y.M.

- (a) Mr. Tariq Saleem was got appointed in ATC Bannu vide order No.22/ATC Bannu and its Endst:No. 23-28/ATC on 09-04-2003 as Assistant/Reader (BPS-11). Copy enclosed as Annexure "A".
- (b) Thereafter, on the written request of Mr. Tariq Saleem, he was transferred from ATC, Bannu and his services were placed at disposal of District & Session Judge, Lakki Marwat for posting as Assistant/Reader (BPS-11) against the newly created vacant post vide order Endst: No.4392-4396/Admn dated 21-04-2003 of the August Peshawar High Court, Peshawar. Copy enclosed as Annexure "B"
- (c) After the above facts, he was posted as Assistant/Reader in (BPS-11) in the Court of Additional District & Session Judge, Lakki Marwat against the newly created vacant post vide D&SJ, Lakki Marwat office order Endst: No. 236-38 dated 02/05/2003. Copy enclosed as Annexure "C".

Q. No. 2

Whether his services placed at the disposal of D&SJ, Lakki Marwat will be considered on deputation, if appointment by transfer was not made?

Reply Q. No. 2

Mr. Tariq Saleem made written request to the competent Authority to the effect that as Tariq Saleem is the permanent resident of District Lakki Marwat,

Attested
Said

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therefore, he may kindly be transferred to his own native land i.e Lakki Marwat, on newly created vacant post of Assistant (BPS-11).

At that time, a newly created vacant post of Assistant (BPS-11) was existed for the Addl: Sessions Judge, Lakki Marwat. Upon request of Mr. Tariq Saleem the Competent Authority Peshawar High Court, Peshawar issued transferred order Endst: No. 4392-4396/Admn dated: 21/04/2003 of Mr. Tariq Saleem with the following remarks:

"Transferred and services placed at the disposal of District & Sessions Judge, Lakki Marwat for posting as Assistant/Reader against the vacant post (BPS-11)"

In light of afore-said transfer order, District & Sessions Judge, Lakki Marwat accepted his arrival report vide office order No.236-38 dated: 02/05/2003 and posted Mr. Tariq Saleem in the Court of Addl: Sessions Judge, Lakki Marwat against newly created post of Assistant (BPS-11). Copy attached.

As such District & Sessions Judge, Lakki Marwat posted Mr. Tariq Saleem as Assistant/Reader (BPS-11) in the Court of Addl: Sessions Judge, Lakki Marwat against newly created post. Order Endst: No. 412-421 dated: 05/07/2003 Annexure "C".

The service of Mr. Tariq Saleem placed at the disposal of District & Sessions Judge, Lakki Marwat will not be considered on deputation for the reason that there is no mention of the word "Deputation" in the transfer order of Tariq Saleem and deputation is always made on higher scale/post and not in same scale and post. Other reasons are as under:

The term "Deputation" has not been defined anywhere in Act or Rule but as a matter of practice, it has been defined by the Supreme Court of Pakistan in its Judgment reported as 1997 PLC(C.S) 451, as "Deputationist is defined to be a Government servant who is appointed or transferred through the process of selection to a post in a department or service altogether different from the one to which he status so long as he holds the new post in a officiating or a temporary capacity but ceases to be regarded as such either on confirmation in the new post or on reversion to his substantive post".

Attested
Sh. d.

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-6-

In the light of definition of deputation rendered by the Supreme Court is its judgment referred above, the transfer order of Mr. Tariq Saleem will not be considered on deputation for the following reasons:

- a. The post or cadre of Mr. Tariq Saleem has not be changed by transfer. Mr. Tariq Saleem was appointed as Assistant (BPS11) in ATC Bannu and he has been transferred on the same post of Assistant in BPS-11 in DSJ, Lakki Marwat.
- b. Mr. Tariq Saleem has not been given deputation allowance since his transferred in 2003 till date, as it is necessary to be given deputation allowance during his transfer period in light of the KPK. Esta Code page No. 81-84.
- c. The maximum period of deputation is 03 years, whereas Mr. Tariq Saleem has been permanently transferred from ATC Bannu to District & Session Judge, Lakki Marwat.
- d. Deputation is always made from one department to another Department where there is lack of skills in relevant field in borrowing Department whereas in case of Mr. Tariq Saleem, both the Courts are under the Administrative control of one and the same Department i.e August Peshawar High Court, Peshawar. The notification dated: 26/01/2010, No. 21-J on page No. 245 of Judicial Esta Code (Revised & Enlarged 2011) further makes is clear that ATC Bannu is also under the Administrative control of August Peshawar High Court, Peshawar.

For the reasons stated above, it can safely be stated that service of Mr. Tariq Saleem at the disposal of DSJ Lakki Marwat will not be considered on deputation.

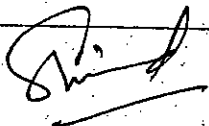
Q. No. 3

Whether he can seek enlistment in the seniority list maintained for the officials of D&SJ, Lakki Marwat.

Reply of Q. 3

In the year 2003, Hon'ble Peshawar High Court Peshawar created newly post of Assistant (BPS-11) for ADJ Lakki Marwat. After request of Mr. Tariq Saleem, he has been transferred permanently on the afore-said post in the District & Sessions Judge, Lakki Marwat as such Mr. Tariq Saleem, is rightly included in

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the common seniority list of Assistant maintained for the officials of District & Sessions Judge, Lakki Marwat since 2005. (Common Seniority list of 2003 & 2004 was not made in the office of District & Sessions Judge, Lakki Marwat). The other officials, namely, Mr. Mir Abbas Khan and Amir Nasrullah were promoted to the post of Superintendent by Peshawar High Court, Peshawar from the same common seniority list of Assistants in which the name of Mr. Tariq Saleem was also included after Mr. Amir Nasrullah Ex-Superintendent being senior most among the Assistants.

The afore-said seniority list remained un-challenged for the about 15/16 years since 2003. In the year 2017, when the promotion of Superintendent was due and the common seniority list was sent to the Hon'ble Peshawar High Court Peshawar, in which Mr. Amir Nasrullah ex-Superintendent was on top of seniority list followed by Mr. Tariq Saleem at Sr. No. 2 of the afore-said common seniority list. Where after Peshawar High Court Peshawar approved the same common seniority list and issued promotion order of Mr. Amir Nasrullah dated: 17/04/2017. Copies of common seniority list for year 2005-2006 and 2017-2018 are attached herewith.

Parawise comments to the departmental appeal:

1. Para-1 of the departmental appeal is correct.
2. Para-2 of the departmental appeal is correct to the extent of placing the services of the Mr. Tariq Saleem at the disposal of District & Sessions Judge, Lakki Marwat.
3. Para-3 of the departmental appeal is correct.
4. Para-4 is wrong and incorrect. During the period of detailment, position of Mr. Tariq Saleem was not disturbed in the common seniority list for the reason that the said official was working in Peshawar District Courts on mere detailment basis, where as he has drawn his monthly pay from District Lakki Marwat on his own sanctioned post. During his detailment period his seniority list was maintained for official District & Sessions Judge, Lakki Marwat since 2005.
5. Para-5 is correct to the extent that applicants have moved similar application on 23-01-2017. In response to the afore-said application, Peshawar High Court, Peshawar called comments from District & Sessions

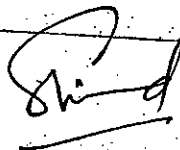
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Judge, Lakki Marwat on 25-02-2017. The then District & Sessions Judge, Lakki Marwat sent comments to the Registrar Peshawar High Court, Peshawar on 08-03-2017. Where after Peshawar High Court, Peshawar promoted official, namely, Amir Nasrullah as Superintendent on dated 17-04-2017. Where as Mr. Tariq Saleem was at Serial No. 2 of the afore-said common seniority list at that time in the year 2017. As such despite the similar application made by the applicants in 2017, the Peshawar High Court, Peshawar raised no objection to the common seniority list prepared since year 2005 in which Mr. Tariq Saleem was at serial No. 2 of seniority list (copy attached).

6. Para-6 of the departmental appeal is incorrect to the extent that Mr. Tariq Saleem has come from ATC Bannu to District & Sessions Judge, Lakki Marwat on deputation basis but his services have been placed at the disposal of District & Sessions Judge, Lakki Marwat on newly created vacant post by the order of Competent Authority Peshawar High Court, Peshawar. The name of Mr. Tariq Saleem Assistant BPS-16 in the common seniority list of Assistant maintained for the officials of District & Sessions Judge, Lakki Marwat is coming since 2005 and he was not included by himself. In the year 2017, the promotion of Superintendent was due and the common seniority list was sent to the Hon'ble Peshawar High Court Peshawar, in which Mr. Amir Nasrullah ex-Superintendent was on top of seniority list followed by Mr. Tariq Saleem at Serial No. 2 of the afore-said common seniority list. Where after Peshawar High Court, Peshawar approved the same common seniority list and issued promotion order of Mr. Amir Nasrullah dated: 17/04/2017.
7. Para-7 of the departmental appeal is correct.
8. Para-8 of the departmental appeal is wrong, incorrect and misleading one. ATC Bannu is also part and parcel of Judicial Justice system under the Administrative control of August Peshawar High Court, Peshawar. ATC Bannu is not separate department or autonomous body but it is controlled by the Peshawar High Court, Peshawar and in this respect various provisions are also included in Judicial Esta Code-2011. Moreover, regarding detailment of Mr. Tariq Saleem detail answer has already been given in para No.4.

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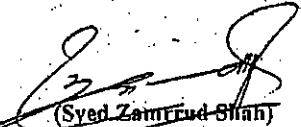


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9. Para-9. No comments. As it is relating to actual records pertaining to the -
ATC Bannu.

10. Para-10 is mis-leading one. In the year 2003, all the appellants were
working as Junior Clerks who have got their promotions from time to time
according to their own seniority lists prepared at that time. Therefore,
appellants have not been effected from the common seniority list of
Assistants prepared since 2005, maintained for official of District &
Sessions Judge, Lakki Marwat.

The detail reply of the questions and comments are submitted as directed as
desired, please.


(Syed Zamrud Shah)
Sessions Judge,
Lakki Marwat

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- 65 - Annex - G

No. 048 / Judge/A.T.C. Dated Bannu the 27/01/2021

From: Special Judge,
Anti-Terrorism Court,
Bannu Division.

To: Registrar,
Peshawar High Court,
PESHAWAR.

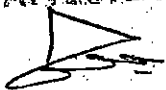
Subject: PRESENTATION/ DEPARTMENTAL APPEAL
AGAINST ORDER BEARING ENDST: 296-
301/ADMN DATED 08-01-2021.

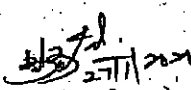
Dear Sir,

Enclosed please find herewith , through proper channel representation /Departmental appeal of Mr Tariq Saleem Assistant of this court is forwarded for further necessary action please.


Your's Sincerely,

ATTESTED


Examiner Anti-Terrorism Court
Bannu
0305-021


(Babar Ali Khan)
Special Judge, Anti-Terrorism Court,
Bannu Division/North Waziristan

JUDGE
Anti-Terrorism Court Bannu
Division Bannu

Attested


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To,

The Hon'ble Registrar,
Peshawar High Court, Peshawar.

Subject:

REPRESENTATION / DEPARTMENTAL APPEAL AGAINST
ORDER ENDST: NO. 296-301/ADMIN DATED 08.01.2021 of
Hon'ble PESHAWAR HIGH COURT, PESHAWAR

Through Proper Channel

Respected Sir,

The applicant humbly requests as under:-

1. That the applicant is the permanent resident of District Lakki Marwat.
2. That applicant was appointed as Assistant / Reader (BPS-11) vide order No. 22/ATC Bannu, Endst: No. 23-28/ATC on 09.04.2003 in Anti Terrorism Court Bannu in pursuance of advertisement. Copy of appointment order of applicant is attached as Annexure - A.
3. That on 21.04.2003, applicant was transferred by Peshawar High Court, Peshawar vide Endst: No. 4392-4396/Admin dated 21.04.2003 from ATC Bannu to District Judiciary Lakki Marwat and posted as Assistant / Reader (BPS 11) against newly created vacant post of Assistant. Copy of transfer order dated 21.04.2003 is attached as Annexure - B.
4. That in light of the afore-said transfer order, the applicant submitted his arrival report which is duly accepted by the District and Sessions Judge Lakki Marwat vide office order No. 236-38 dated 02.05.2003 and applicant was posted as Assistant in Court of Additional Sessions Judge Lakki Marwat against newly created post of Assistant. Copy of order No. 236-38 dated 02.05.2003 is attached as Annexure - C.
5. That since transfer of the applicant on 21.04.2003, the applicant was permanently receiving salary from District Judiciary Lakki Marwat against the newly created post of Assistant. Similarly the Seniority of the applicant is also maintained in the District Judiciary Lakki Marwat since 2003 till now. Copies of seniority lists of applicant are attached as Annexure - D.
6. That from the afore-said facts and grounds realities, it is clear that applicant is permanently absorbed in the District Judiciary Lakki Marwat and applicant is no more employee of ATC Bannu for the reason that applicant has spent 17 long

ATTESTED

Examiner Anti-Terrorism Court
Bannu


03-05-021


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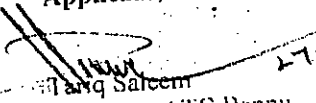
years of his service in District Judiciary Lakki Marwat and has drawn his salaries and given seniority on yearly basis from District Judiciary Lakki Marwat.

7. That at the same time, the ATC Bannu has not maintained the seniority position of applicant in ATC Bannu and the employee namely Umar Ayaz who was Assistant in 2003 and Junior to the applicant at that time. Recently the afore-said Umar Ayaz Assistant was given promotion to the post of Superintendent in ATC Bannu. Meaning thereby that applicant was no more employee of ATC Bannu and permanently absorbed in the District Judiciary Lakki Marwat. Copy of appointment order of Umar Ayaz Assistant is already attached as Annexure - A.
8. That after transfer of the applicant from ATC Bannu to District Judiciary Lakki Marwat, common seniority list of Assistants was maintained for the officials of District and Sessions Judge Lakki Marwat since 2005 in which applicant was also included. The other official namely Amir Nasrullah was promoted to the post of Superintendent by Peshawar High Court Peshawar on dated 17.04.2017 from the same common seniority list of Assistants in which the name of applicant was also included and was at Serial No. 2. Copy of seniority list is attached as Annexure - E.
9. That the afore-said seniority of applicant remained unchallenged for about 16/17 years since 2003 and applicant has spent 17 long years of his service in District Judiciary Lakki Marwat and being entitled to promotion to the post of Superintendent. Now at this stage the impugned order dated 08.01.2021 has materially affected valuable rights of the applicant.
10. That applicant is the senior most employee amongst Assistants in District Judiciary Lakki Marwat and is entitled for promotion, therefore, keeping in view the valuable rights of applicant, it is humbly requested that proceedings of Departmental Promotion Committee for the post of Superintendent may not be conducted till final decision of instant representation.

ATTESTED

Examiner Anti-Terrorism Court
Bannu
03-05-2021

Attested


It is therefore, humbly requested that impugned office order 296-301 Admin, dated 08.01.2021 may very graciously be set aside and applicant may kindly be given valuable rights in District Judiciary Lakki Marwat.

Applicant,

Taq Saleem
Assistant, ATC Bannu.



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ATTESTED

[Signature]

Examiner Anti-Terrorist Court

03-05-021 No 48 dt 27.11.2021

No.1369

For Insurance Notices see reverse. Stamps affixed except in case of unregistered parcels more than the initial weight prescribed in the Post Office Guide or on which no acknowledgment is due.

The

Reshankar Singh



Received a registered article addressed to

Reshankar Singh

Date Stamp

Initials of Receiving Officer Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) (in words)

If insured.

Insurance fee Rs. Ps. Weight } Kilo Grams (in words)

Name and of sender RGL37446849

Attested

[Signature]

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"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.5200/2021.

Tariq Saleem Appellant


Versus

The Registrar PHC etc. Respondents

INDEX

S.#	Description of Documents	Date	Annex Reply	Pages
1.	Reply alongwith Counter Affidavit			1-6
2.	Letter of DSJ, Lakki Marwat	13.07.2020	1	7
3.	Detailment order	18.11.2005	2	8

Respondent No. 1

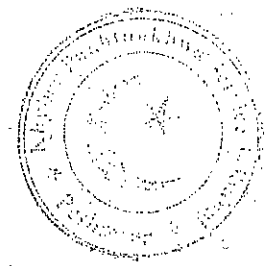

Registrar,
Peshawar High Court,
Peshawar.

Dated: 17 /12/2021.

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1

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR



Service Appeal No.5200/2021.

Tariq Saleem Appellant

Versus

The Registrar PHC etc: Respondents

COMMENTS/ REPLY ON BEHALF OF RESPONDENT No.1-3.

Respectfully Sheweth,

Preliminary Objection:-

1. The appellant has neither cause of action nor locus standi to file the instant appeal hence the same being outright untenable is liable to be dismissed.
2. That the appellant has been guilty of concealment of material facts, hence the appeal in hand cannot further be proceeded.
3. That the appeal is hit by the doctrine of estoppel, the appellant willingly chose to be posted out of his own cadre and therefore, relinquished his rights during the period of his ex-cadre posting.
4. That appeal in hand is also incompetent on account of non-joinder of necessary parties who are likely to be affected in case the prayer of the appellant is granted.
5. That the appeal is barred by law of limitation.

RECEIVED

The Registrar PHC etc.
Peshawar

ON FACTS.

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1&2. Need no reply.

3. Correct to the extent that the appellant had moved application (*Annexure B-2 Page 11 of the appeal*) to Respondent No.01 for his transfer from Anti-Terrorism Court District Bannu to District Courts Lakki Marwat against vacant post on the ground that he had blood-feud enmity in Lakki Marwat. Respondent No.01 in response accepted his request and resultantly he was transferred to District Lakki Marwat with following remarks vide order dated 21.04.2003 (*Annexure B-1 Page 10 of the appeal*):-

"Transferred and services placed at the disposal of District & Sessions Judge, Lakki Marwat for posting as Assistant/Reader against the vacant post (BPS-11)."

Rest of the Para is denied for a reason that the aforesaid order passed by Respondent No.1 is totally silent regarding the permanent absorption of appellant in District Courts, Lakki Marwat.

4. Correct to the extent that upon submission of arrival report of appellant to the District & Session Judge, Lakki Marwat, he was posted/adjusted as Assistant/ Reader (BPS-11) in the Court of Additional District & Sessions Judge, Lakki Marwat vide office order dated 02.05.2003 & 05.07.2003 (*Annexure C-1 & C-2 Page 12 & 13 of the appeal*). Rest of the Para is denied. Similarly, the application moved by appellant for his transfer to District Lakki Marwat is also silent regarding his request of permanent absorption in District Courts, Lakki Marwat.

5. Correct to the extent that the appellant was transferred from ATC, Bannu to District & Sessions Courts, Lakki Marwat and he was drawing his monthly salary from the office of the District & Sessions Judge, Lakki Marwat and his name was also included in the seniority lists w.e.f. 2005 to 2020. Rest of the Para regarding his permanent absorption is denied.

6. Pertains to record. When the appellant was transferred to District & Sessions Courts, Lakki Marwat, he was no more employee of Respondent No.2. Moreover, Mr. Umer Ayaz Khan being most senior Office Assistant

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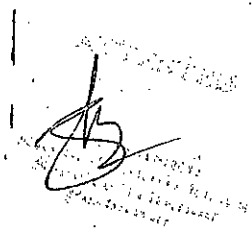
in the Anti-Terrorism Courts, Bannu was promoted by the competent authority, on merit and in accordance with law, after following all the codal formalities vide order dated 28.09.2013 issued by Respondent No.1.

7. Correct to the extent that appellant served for about 17 years and Respondent No.1 has lawfully and legally withdrawn earlier office order dated 21.04.2003 by issuing fresh order dated 08.01.2021 vide which the appellant was transferred back to his original establishment i.e. ATC, Bannu (Attached as annexure "E" at page 42 of the appeal).
8. Correct to the extent that Respondent No.1 on complaint/grievances of employees of District Judiciary, Lakki Marwat asked the Respondent No.3 for Para-wise detailed comments vide letter No. dated 13.07.2020 (Annex:- Reply/1). In response, Respondent No.3 filed detailed and exhaustive comments vide letter dated 30.07.2020 (Annex-F of the appeal at page No. 43), where-after, Respondent No.1 issued office order dated 08.01.2021 vide which appellant was sent back to his parent department i.e ATC, Bannu.
9. Correct to the extent that the name of the appellant was although placed on top of Seniority List of Assistants, however, it does not make any difference when his earlier order of transfer from ATC, Bannu to District Courts, Lakki Marwat was withdrawn by the Competent Authority.
10. Correct to the extent that the appellant made departmental appeal but the same has been declined/rejected.

11&12. Need no reply.

PARA-WISE REPLY ON GROUNDS: -

- A. Incorrect hence outright denied. The matter/case of appellant was properly dealt with in accordance with law and rules.
- B. Denied to the extent the Paralegal Staff of Anti-Terrorism Court is not under the direct Administrative Control of Peshawar High Court, Peshawar rather the same is under the control of the Provincial Government whereas



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the Peshawar High Court, Peshawar has only control over recruitment process along with budgetary matters even then it does not mean that the Paralegal staff of Anti-Terrorism Courts may join the District Judiciary as employee. Rest of the Para is denied.

- C. As already explained hereinabove.
- D. Not admitted. Appellant cannot sail in two Boats at one and the same time. On one hand appellant is of the contention that the Respondent No.1 is Competent Authority of making order of his transfer from Anti-Terrorism Courts, Bannu to District Courts, Lakki Marwat while on the other he is of the contention that the Respondent No.1 order dated 08.01.2021 whereby he was sent back to his parent department i.e. Anti-Terrorism Court, Bannu is nullity in the eye of law.
- E. Needs no reply.
- F. Correct to the extent that the earlier order dated 21.04.2003 by Respondent No.1 does not speak about the word "Deputation or Detailment." Likewise, the said order also does not speak about his permanent absorption in the District Courts, Lakki Marwat. Explanation given by the appellant in Ground-F of the subject appeal regarding permanent absorption/adjustment in District Courts, Lakki Marwat is his own interpretation.
- G&H. Need no reply.
- I. Needs no reply. Needless to observe that when Respondent No.1 withdrew his earlier order dated 21.04.2003 by issuing fresh order dated 08.01.2021 then there exists no question of his promotion to the post of Superintendent.
- J. Denied. The appellant has not been deprived from his service rather he was sent back to his parent Department i.e. Anti-Terrorism Court, Bannu and is still working there.
- K. Needs no reply.

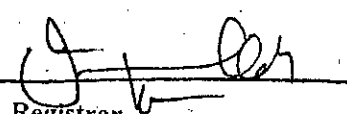
RECEIVED
JAN 11 2021
ANTI-TERRORISM COURT
BANNU

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- L. Partially correct to the extent that the appellant was transferred from ATC, Bannu to District Courts, Lakki Marwat and his name was also enlisted in seniority list maintained since 2005 instead of 2004 for promotion to the post of Superintendent. It would not be out of place to state here that the appellant soon after his transfer from ATC, Bannu to District Courts, Lakki Marwat went to District Courts, Peshawar on detailment and remained there approximately for 07 years. Rest of the Para is denied.
(Copy of detailment order of appellant Annex:-Reply/2)
- M. Partially correct to the extent that the name of appellant was blinking at the top in the seniority list for the promotion to the post of Superintendent (BPS-17), however, he was transferred back to his original parent Department i.e. ATC, Bannu by the Hon'ble Peshawar High Court, Peshawar vide order dated 08.01.2021. Rest of the Para is denied.
- N. Vehemently denied as no fundamental rights of appellant whatsoever have been infringed rather he was sent back to his parent Department i.e. Anti-Terrorism Court, Bannu.
- O. Needs no comments.

It is, therefore, respectfully prayed that on acceptance of the Reply, the appeal may graciously be dismissed.

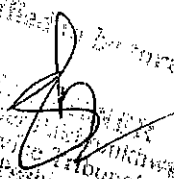
Respondent No.1

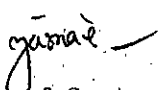

Registrar,
Peshawar High Court,
Peshawar

Respondent No.02


Special Judge,
Anti Terrorism Court,
Bannu.

Respondent No.03


District & Sessions Judge,
Lakki Marwat


District & Sessions Judge,
Lakki Marwat.



The
PESHAWAR HIGH COURT
Peshawar

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

Exch: 9210149-58
Off: 9210135
Fax: 9210170

www.peshawarhighcourt.gov.pk
Info@peshawarhighcourt.gov.pk
phcpsb@gmail.com

7

No 11361 /PHC/SDJ/HRW/ADMIN

Dated Pesh the 13/7/2020

To,

The District & Sessions Judge,
Lakki Marwat.

Subject: PROMOTION AGAINST THE VACANT POST OF SUPERINTENDENT (BPS-17)

Dear Sir,

I am directed to refer to your office letter No. 1075/DSJ/LK/Admn, dated: 16.5.2020 on the subject noted above and to say that the competent authority has been pleased to direct you to submit detail reply of the following questions:

- I. Whether the applicant was appointed in the establishment of ATC. was further reappointed by transfer in the establishment of D&SJ Lakki Marwat?
- II. Whether his services placed at the disposal of D&SJ Lakki Marwat will be considered on deputation, if appointment by transfer was not made.
- III. Whether he can seek enlistment in the seniority list maintained for the officials of D&SJ, Lakki Marwat.

I am further directed to enclose herewith copy of departmental appeal/grievance of the district judiciary, for your Parawise comments and also apprise this Court that whether the seniority list submitted to this Court is in accordance with the law & procedure.

Sincerely Yours,


ADDITIONAL REGISTRAR (ADMIN)
FOR REGISTRAR

11.7.2020

PESHAWAR HIGH COURT PESHAWAR

ORDER

76-

(8)

Dated Peshawar, the 18th November, 2005

Hon'ble the Chief Justice of this Court has been pleased to order the detailment of Mr. Tariq Saleem, Assistant of the Establishment of District & Sessions Judge, Lakki to the Establishment of District & Sessions Judge, Peshawar, with immediate effect.

BY ORDER OF THE CHIEF JUSTICE

(MUHAMMAD SHER SHAH)
REGISTRAR

10218-10223.

Encls: No. _____ /Admn. Dated: Peshawar, the 18-11-2005.

Copy forwarded to:-

1. The District and Sessions Judge, Lakki Marwat.
2. The District & Sessions Judge, Peshawar.
3. The Accountant General N-WFP, Peshawar.
4. The District Accounts Officer, Lakki. Marwat.
5. The official concerned by name.

Seen.
Dx SS Peshawar
19/11/05

Mu. Sher Shah
(MUHAMMAD SHER SHAH)
REGISTRAR



"C"
-77-

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 5200/2021

BEFORE: MRS. ROZINA REHMAN ... MEMBER(J)
MISS FAREEHA PAUL ... MEMBER(E)

Tariq Saleem, Assistant Anti Terrorism Court, Bannu.

.... (Appellant)

Versus

1. The Registrar, Peshawar High Court, Peshawar.
2. The Special Judge, Anti Terrorism Court, Bannu.
3. The District & Sessions Judge, Lakki Marwat.

.... (Respondents)

Mr. Shahid Saleem Mina Khel,
Advocate

For appellant

Mr. Kabirullah Khattak,
Addl. Advocate General

For respondents

Date of Institution.....19.05.2021
Date of Hearing.....25.11.2022
Date of Decision..... 25.11.2022

JUDGEMENT

FAREEHA PAUL, MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the office order dated 08.01.2021 whereby the appellant was transferred back from District Courts, Lakki Marwat to Anti Terrorism

ATTESTED

Fareeha Paul
Member (E)

-78-

Court, Bannu and against appellate order dated 21.05.2021 whereby his departmental appeal/representation was rejected.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was appointed as Assistant/Reader (BPS-11) on 09.04.2003 in Anti Terrorism Court, Bannu. After getting appointment there, the appellant submitted an application to the Registrar, Peshawar High Court i.e. respondent No. 1 to the effect that he had blood feud/enmity in his village for which he could not travel from Lakki Marwat to Bannu and hence requested for transfer and permanent adjustment/absorption in the District Courts, Lakki Marwat against a newly created post of Assistant there. Respondent No. 1 accepted the application of the appellant and vide order dated 21.04.2003, he was transferred by the Peshawar High Court from Anti Terrorism Court Bannu to District Courts, Lakki Marwat and posted as Assistant/Reader (BPS-11) against the newly created post of Assistant in District Courts, Lakki Marwat. In view of the aforesaid order, the appellant was permanently absorbed in District Courts Lakki Marwat in the year 2003. He submitted his arrival report which was duly accepted by the District & Sessions Judge, Lakki Marwat (respondent No. 3) vide office order date 02.05.2003 and permanently adjusted as Assistant on a vacant post by office order dated 05.07.2003. The appellant started receiving monthly salary from District Court Lakki Marwat and his seniority was also maintained there since 2003 till 2020. At the same time the Anti Terrorism Court, Bannu stopped maintaining the seniority of the appellant and an employee namely

APPELLANT
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79-

Umer Ayaz, who was Assistant and junior to the appellant at that time, was promoted to the post of Superintendent in ATC Bannu in the year 2013, meaning thereby that the appellant was no more employee of ATC Bannu nor his seniority was maintained there. After rendering 17 long years in District Courts, Lakki Marwat and being permanently absorbed there, respondent No. 1 issued the impugned order dated 08.01.2021 vide which he cancelled his own order dated 21.04.2003 and transferred back the appellant to ATC Bannu. Prior to passing the order dated 08.01.2021, respondent No. 1 called comments from respondent No. 3 regarding the promotion of Assistant to the post of Superintendent as per seniority list maintained in the District Courts, Lakki Marwat. Respondent No. 3 in his detailed reply admitted the fact that the appellant was on the top of seniority list of Assistants maintained since his transfer in 2003 in District Courts, Lakki Marwat. Feeling aggrieved against the order dated 08.01.2021, the appellant preferred departmental representation to competent authority through proper channel but the same was not disposed off within the statutory period; hence the instant service appeal. During pendency of the service appeal, departmental appeal/ representation was rejected on 21.05.2021.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Additional Advocate General for the respondents and perused the case file with connected documents in detail.

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4. Learned counsel for the appellant presented the details of the case and contended that once the Hon'ble Peshawar High Court transferred the appellant in 2003 from Anti Terrorism Court, Bannu to District Courts Lakki Marwat and permanently adjusted/absorbed him there against the newly created post of Assistant, it was estopped by its own conduct while issuing the impugned order dated 8.01.2021 and the impugned appellate order dated 21.05.2021. He further contended that had the post of Assistant not being vacant in District Courts Lakki, the appellant could not have been transferred from Anti Terrorism Court, Bannu to District Courts, Lakki Marwat. Similarly, respondent No. 2 had also given no objection to the application moved by the appellant to Honourable Peshawar High Court for transfer and permanent adjustment from Anti Terrorism Court, Bannu to District Courts, Lakki Marwat. He further argued that the appellant was the senior most Assistant in District Courts, Lakki Marwat and was entitled and due for promotion as Superintendent in the upcoming DPC meeting but due to the impugned orders he had been deprived from that promotion and that it was infringement of his right as enshrined in Constitution of Islamic Republic of Pakistan.

5. The learned Additional Advocate General argued that the appellant was posted from ATC Bannu to District Courts Lakki Marwat on his own request and that he willingly chose to be posted out of his own cadre and therefore, relinquished his rights during the period of his ex-cadre posting. He further argued that the order passed by respondent No. 1 in 2003 was


ADMITTED
 2021/05/21
 District Courts Lakki Marwat

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totally silent regarding the permanent absorption of the appellant in District Courts, Lakki Marwat and that there was no bar on the competent authority to post him back to his original establishment.

6. Perusal of record transpires that the appellant was transferred, on his own request, from Anti Terrorism Court, Bannu to District Courts, Lakki Marwat by an order of the Honourable Chief Justice Peshawar High Court, issued by the Registrar of the court. After submitting his arrival report, the appellant was posted/adjusted as Assistant/Reader against a vacant post in the court of Additional District & Sessions Judge, Lakki Marwat. The District & Sessions Judge, Lakki Marwat started maintaining his seniority in his office since 2005 which is supported by all the seniority lists provided in the service appeal and further supported by the District & Sessions Judge, Lakki Marwat in his response to certain queries of the Registrar Peshawar High Court through his letter dated 30.07.2020 as well as reply of the respondents. The same response also clarified that posting of the appellant from Anti Terrorism Court, Bannu to District & Sessions Judge, Lakki Marwat was not on-deputation, rather it was a transfer. To a query of the Registrar, Peshawar High Court whether the appellant can seek enlistment in the seniority list maintained for the officials of District & Sessions Judge, Lakki Marwat, the District & Sessions Judge, Lakki Marwat mentioned that the appellant had been transferred permanently on the post of Assistant in Lakki Marwat and as such he is rightly included in the common seniority list of Assistants maintained for officials of his office

ATTESTED


 Registrar
 Peshawar High Court
 Peshawar



since 2005. He further goes to the extent of saying that two officials were promoted to the post of Superintendent by the Peshawar High Court from the same seniority list of Assistants in which name of the appellant was included. According to him the seniority list remained unchallenged for 15-16 years and it was in the year 2017 when the promotion for superintendent was due and the common seniority list was sent to the Hon'ble Peshawar High court in which one Mr. Amir Nasrullah, Ex-Superintendent was on top followed by Mr. Tariq Saleem at Sr. No. 2 (the appellant), where after the Hon'ble Peshawar High Court approved the common seniority list and issued promotion order of Mr. Amir Nasrullah in the year 2017.

7. The District & Sessions Judge, Lakki Marwat has given a complete picture indicating that the appellant is now an employee of the District & Sessions Judge, Lakki, being adjusted permanently in that office against an available vacancy back in 2003 and that his seniority is also being maintained there. The reply of the respondents also indicates that when the appellant was transferred to Lakki Marwat, he was no more an employee of respondent No. 2 i.e. Special Judge, Anti Terrorism Court, Bannu. Reply of the respondents further indicates that one Mr. Umer Ayaz Khan, being the senior most office Assistant in Anti Terrorism Court, Bannu was promoted by the competent authority, indicating that the name of appellant was no more in the seniority list maintained by that office. It is strange to note that despite getting detailed and exhaustive comments from respondent No. 3

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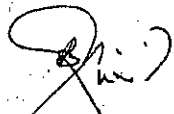
[Signature]

(District & Sessions Judge, Lakki Marwat), respondent No. 1 issued the impugned order, without giving any heed to those comments.

8. As regards the question of transfer and absorption of the appellant is concerned, this bench is of the view that when the appellant was transferred to Lakki Marwat and the District & Sessions Judge started maintaining his seniority in that office, and no objection was raised at that time, it is construed that the appellant has been absorbed in the office of District & Sessions Judge, Lakki Marwat. The action of transfer of the appellant to ATC Bannu by the Registrar Peshawar High Court at a belated stage, when seventeen years had passed, is not maintainable.

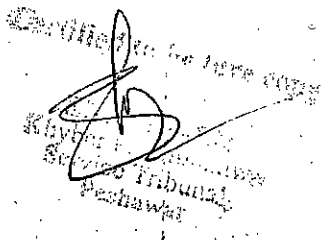
9. In view of the details given above, service appeal in hand is allowed as prayed for. Parties are left to bear their own costs. Consign.

10. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 25th day of November, 2022.


(ROZINA REHMAN)
Member (J)


(FAREEHA PAUL)
Member (E)

22/12/2022
2800
30/-
4/-
34/-
22/12/2022
22/12/2022


Tribunal
Peshawar

GOVERNMENT OF PUNJAB
Law, Justice and Human Rights Division

Lahore, the 6th March, 2002.

From: Mr. Abdul Qadir,
Section Officer.

To: The Accountant General NWFP,
Peshawar.

Subject: CREATION OF TEMPORARY POSTS FOR ANTI-TERRORISM COURTS IN THE PROVINCE OF NWFP.

-84-11D-

Sir,
I am directed to convey the sanction of the President to the creation of following temporary posts in the Anti-terrorism Courts in the Province of NWFP during the current financial year, 2001-2002 on purely temporary basis. The staff strength of the Courts has been approved by the competent authority on purely temporary basis and shall remain enforce so long as the Anti-terrorism Act, 1997 remains enforce. The following posts as per approved scale for each Court may be filled by deputationists, from the employees of the Provincial Government or recruited locally, if necessary on purely temporary basis:-

S.No.	Name of the Post with EPS	Peshawar	D.I.Khan	Bannu	Seidu Shaif Swat (Peshawar)	Abbottabad (Hazara)	Kohat	Mardan
1.	Judge i) (BPS-19/20) in case of serving Addl. District and Sessions Judge Dist. & Sessions Judge, respectively) ii) (Fixed) salary of Rs. 33,000/- p.m. in case the Judge is appointed on contract basis)	01	01	01	01	01	01	01
2.	Steno-copier (BPS-15)	01	01	01	01	01	01	01
3.	Assistant/Reader (BPS-11)	02	02	02	02	02	02	02
4.	Naib Qasid (BPS-1)	02	02	02	02	02	02	02
5.	Chowkidar (BPS-1)	01	01	01	01	01	01	01
6.	Sweeper (BPS-1)	01	01	01	01	01	01	01
	TOTAL:	08	08	08	08	08	08	08

2. The Provincial Government may create temporary posts accordingly.
3. The Provincial Government/High Court is authorized to make expenditure out of the allocated funds placed at the disposal of Government of NWFP/Peshawar High Court, Peshawar as supplementary grant vide Finance Division's letter Dy.No.1524-DFA(Law)/2001, dated 22-11-2001 (copy enclosed) for allocation of funds to the Anti-terrorism Courts established in the Province during financial year 2001-2002.

Your obedient servant,
(Abdul Qadir)
Section Officer.

- Copy to:-
1. Chief Secretary, Government of NWFP, Peshawar.
 2. Secretary, Home Department, Government of NWFP, Peshawar.
 3. Secretary, Finance Department, Government of NWFP, Peshawar.
 4. Registrar, Peshawar High Court, Peshawar.
 5. DFA (Law & Justice), Islamabad.
 6. S.O (P-4), Finance Division, Islamabad.
 7. ACU (Sub-Office), Peshawar.
 8. Director General, A.P.N. Sub-Office, Peshawar.
 9. Head Accounts Office, D.I.Khan, Law, Justice & Human Rights Division, Islamabad.
 10. S.O, DFA, Law, Justice & Human Rights Division, Islamabad.

(Abdul Qadir)
Section Officer.

بعدالت کیوں نہیں لے اور
 20ء منجانب عصمت اللہ صاحبہ
 مورخہ
 مقدمہ
 دعویٰ

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن
 کے لئے لورڈ محمد حنیف ایچ وکننگٹن
 مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز
 وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت
 ڈگری کرانے اجراء اور وصولی چک روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زر و لہجہ
 اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
 وائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل
 یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور
 صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہونگے۔ اور اس کا ساختہ برداشتہ منظور
 و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق
 وکیل صاحب موصوف ہونگے۔ نیز بقایا خرچہ کی وصولی کر نیز کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام
 دورہ پر ہو یا جگہ سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کہ پیروی مقدمہ مذکور کریں۔

نیز اگر بھی وجہ بیماری، معذوری، علالت وغیرہ کی وجہ سے عارضی یا مستقل پیروی مقدمہ نہ کر سکیں تو بھی
 وکیل صاحب یا اسکے لواحقین کو بقایا فیس (اگر کوئی ہے) ادا کرنے کا پابند ہوگا ہونگے اور ادا شدہ فیس کی
 واپسی کا تقاضہ کرنے کا حق نہیں ہوگا۔ مضمون وکالت نامہ سن اور سمجھ کروکالت نامہ لکھدیا کہ سند رہے
 المرقوم
 20ء
 ماہ

العبد گواہ شد العبد

کے لئے منظور ہے۔ طاہر زور در درخان سند رسول بافر
 سیم اللہ خان بمقام
 سند

Wahid
 Affadul e Anstul
 AYAN Printers Lakki