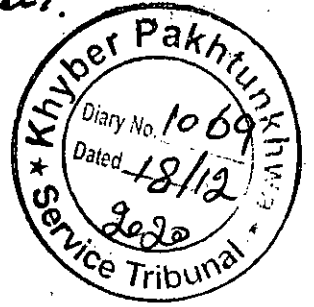


Before the Chairman KPK, Service Tribunal Peshawar.

Fazal Wahab vs Umer Zaman & others.



Put up to the court  
with relevant petition

Contempt Petition.

Application for fixation of titled petition  
at Principal seat and early hearing.

18/12/2020

Respectfully Sheweth,

- 1) That the instant contempt petition is being filed today before this honourable tribunal.
- 2) That the matter in the instant petition requires urgency and urgent matter is involved hence indulgence of this honourable tribunal is sought.

It is therefore, humbly prayed that  
case file may please be requisitioned for today.

Dated: 18/12/2020.

Pt.  
Petitioner  
through  
Counsel  
Waqar Waqar.



**BEFORE THE HONOURABLE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

**Service Appeal NO. 572 of 2017**

FazalWahab.....  
.....Appellant

**VERSUS**

**District Education Officer (Male) Battagram and  
others**

.....  
**Respondents**

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1	Comments		1 to 7
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3	Dispatch Register	A-1 & A-2	10 & 11
4	Calendar July-2008	B	12
5	Statement of ASDEO Circle Thakot & Head Teacher GPS Nehrai	C	13
6	Statement of Ex ASDEO Circle Thakot	D	14
7	Statement of SDEO	E	15
8	Statement of Head Teacher GPS Chohan	F	16
9	Statement of ASDEO Circle Kuza Banda	G	17
10	Statement of Ex ASDEO Circle Kuza Banda	H	18
11	Inquiry Report	I-1 & I-2	19 & 20
12	Order dated 09-12-2016	J-1&J-2	21&22
13	Notification of E&SE department regarding enquiry	K	23

  
**Respondent**

DEO(m)  
Battagram

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

**E.P No. 177 of 2020 in S.A NO. 572 of 2017**

**Fazal Wahab**

.....**Appellant**

**VERSUS**

**District Education Officer (Male) Battagram and  
others**

.....  
**Respondents**

<p><b>Para-wise Comments</b> <b>/Reply on behalf of</b> <b>Respondents NO. 1</b></p>
----------------------------------------------------------------------------------------------

**Respectfully Sheweth:**

That respondent has all respect for this Hon'ble and gracious Court and cannot even think to act in disregard of the same. Respondent have not committed any C.O.C, but always complied with the directions/orders of this Hon'ble Court. However in the instant case petitioner was reinstated in service in result of de novo inquiry conducted on the directions of this honorable court which was declared defective/erroneous and Null and Void by the competent authority and to redress the error and defect a fresh inquiry committee was constituted in this regard which is purely in accordance with rules and law and no contempt of this honorable court

directions was made. **Para wise Reply**  
is as under:-

**REPLY ON BEHALF OF RESPONDENT NO.1**

**LEGAL OBJECTIONS:**

1. In service appeal No 572/2017 there were three respondents mentioned their designations i.e DEO E&SE District Battagram, second Director E&SE of KPK and third Secretary E&SE KPK while in present COC Director & Secretary has been excluded while five respondents are impleaded. Respondents No.2 to No.5 were not the party in main service appeal in spite of the fact for the office of respondent No.1, the respondent No.3 SDEO(male) Battagram is the drawing and disbursing officer.
2. As only the question of being ghost employee of petitioner is involved and this is the policy matter of the Government and department therefore answering respondent is nothing to do with the making of policy. Therefore the related respondents have not been made party.
3. The answering respondent is not the drawing and disbursing officer of the salary of the petitioner, the preparation and the release of the salary of the petitioner does not relate to the job ascribed to the office of the answering respondent. Therefore subject of COC does not relate to the office of answering respondent. However in obedience to order of the court, the answering respondent has issued the correspondence to the officer concerned. That the E&D rules and under the garb of this COC, the petitioner is mishandling the inquiry proceedings and is not appearing before the competent officer under one pretext or the other and is taking the benefit of proceedings of this COC.

**FACTUAL OBJECTIONS:**

1. Para No.1 of the COC of facts is incorrect and unlawful and the subject of the Para is not admitted, appointment letter as well as all other figures and facts of letter are fake and fictitious and the petitioner is being proceeded as per law in the light of orders of this worthy tribunal as well as worthy High Court.

It is further submitted that the petitioner has also filed COC before worthy High Court on same subject. This fact is mentioned for judicial notice of this worthy tribunal.

2. Para No.2 of COC and the version advanced there in is correct as the very question of appointment is seriously involved.
3. Para No.3 of the COC is correct.
4. Para No.4 is correct.
5. Para No.5 is correct.
6. Para No.6 and the version of petitioner is however not in accordance with the facts as on alleged reinstatement the NAB is proceeding against the petitioner i.e Fazl-e-Wahab and his case before NAB is still in progress, therefore petitioner's salary was stopped. However in denovo/third inquiry he has been declared ghost employee. Actually by concealing all these facts the petitioner is taking the benefit of the concealments of the facts and the third inquiry report has never been challenged before this worthy service tribunal.
7. Para No.7 is correct to the extent of the criminal proceeding as mentioned in Para No.7.
8. Para No.8 is correct and it is further submitted that proceeding pending before NAB cannot be challenged before this learned tribunal; but the

petitioner is trying his best to take the shelter of proceedings before this learned tribunal for the alleged protection from NAB.

9. Para No.9 of the COC petition does not relate to this learned tribunal.

10. Para No.10 is correct.

11. Para No.11 of the COC petition does not relate to this worthy tribunal.

12. Para No.12 is being answered that fact of withholding the salaries does not relate to the case of inquiry came under the service appeal No.572/2017. This fact does relate to the separate and Denovo proceeding.

13. Para No.13 also does not relate to the subject of the said service appeal No.572/2017. The petitioner is trying his level best to hamper the proceeding of other nature under the garb of present COC.

14. Para No.14 does not relate to this worthy service tribunal.

15. The competently issued show cause notice in another inquiry cannot be made the subject of present COC.

16. Para No.16 of the present COC is not correct. The petitioner is attempting to take the shelter of this COC against the other proceedings, criminal i.e. NAB, anti-corruption as well as the proceedings of other inquiries in the same Para and its grounds void abnatio and unlawful.

**GROUND:**

A. The Para No. A of grounds is not correct and is being replied in the terms of legal objections mentioned above.

B. Para No. B is wrong and is a proof of sheer disobedience to the high official of the department.

- C. Para No. C is also fake and fictions, the subject of the present COC does not correspond to the subject of his service appeal. Being responsible Government Officer the answering respondent cannot think about disobedience.
- D. That the subject of Para No. D of the ground is unlawful. The petitioner cannot stop legal proceedings against him which were not the subject of his service appeal.
- E. Para No. E of the grounds of COC does not relate to the spirit of the articles mentioned.
- F. That the subject of the Para is not correct. However the same is unlawful as his service appeal bearing No.572/2017 was decided on 14.12.2018, but the petitioner is attempting to challenge the letter/orders dated 11.08.2020 passed much later to his service appeal. This all shows his mal intentions.
- G. Para No. G is also being replied in the same terms as mentioned above.
- H. That Para No. H of the grounds has also been replied in above Paras both legal and factual.
- I. Para No. I of the grounds is not correct, and is being replied as above Paras of present reply.
- J. Para No. J is also wrong. The petitioner is attempting to take the shelter from the proceedings of accountability Court under the garb of present alleged contempt proceedings.
- K. Subject of the Para No. K of the grounds of COC does not relate to this worthy service tribunal. However in the same worthy High Court has directed to proceed the matter that petitioner may be dealt under the E & D rules.
- L. That the subject of Para No. L of the ground is not correct and is being answered in the terms of the replies of above Paras of present reply.



M. Para No. M is wrong and unlawful and has already been replied in Paras above mentioned.

N. Para No. N is not correct.

O. The subject of this Para reveals that the petitioner is attempting hard to allegedly protect himself from the legal proceedings against him mainly being carried out much after the decision of his service appeal.

P. Para No. P of the ground is not correct.

Q. Para No. Q is not correct. Petitioner cannot take the answering respondent in surprise.

**REPLY TO THE PRAYER:**

It is therefore prayed that the COC along with all the Paras of alleged prayers may graciously be dismissed with cast and it is further submitted that this worthy tribunal is being submitted to take the judicial notice of the conduct of the present petitioner as the petitioner is attempting hard to allegedly protect himself from the legal proceedings and resources which are being taken as per law against him by the the different departments i.e. NAB, Accountability court, Anti-corruption cases etc. Therefore such proceedings carried out much after the decision of his service appeal and such proceedings may please be declared beyond to the domain of service appeal of the petitioner.

  
Respondent No.1

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

**Service Appeal NO. 572 of 2017**

FazalWahab.....  
.....Appellant

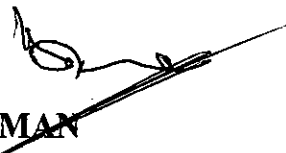
**VERSUS**

**District Education Officer (Male) Battagram and  
others**

.....  
**Respondents**

**AFFIDAVIT**

I Umar Zaman District Education officer(Male)  
Battagram do hereby affirm and declare on oath that  
content of Para-wise comments are true and correct  
to the best of my knowledge and belief that nothing  
has been concealed from this Honorable Court.

  
**UMAR ZAMAN**  
**District Education Officer (M)**  
**Battagram**

P-1

**OFFICE OF THE HEAD MASTER GHS BATTAMORI &  
OFFICE OF THE ASSISTANT DISTRICT EDUCATION  
OFFICER (MALE) BATTAGRAM**

To,

The District Education Officer (M)  
Battagram.

SUBJECT: INQUIRY REPORT IN R/O MR: FAZAL WAHAB

MEMO,

Reference your office notification No:4681-85 dated 09-08-2019 and reminder letter having no.2280-82 dated:11-05-2020, the under signed visited various offices and institutions to find out the facts and collect the record.

After Scrutinizing the available documents and statements of the concerned officials / officers the detailed report as per TORs is as under.

01: **ADVERTISEMENT COPY.**

Advertisement copy is neither available in the DEO (M) Battagram nor in the SDEO (M) Battagram office.

02: **INTERVIEW / ATTENDANCE DATA RECORD.**

Interview / attendance data record is not available in the DEO (M) Battagram office.

03: **DSC COMMITTEE MEMBERS NAMES.**

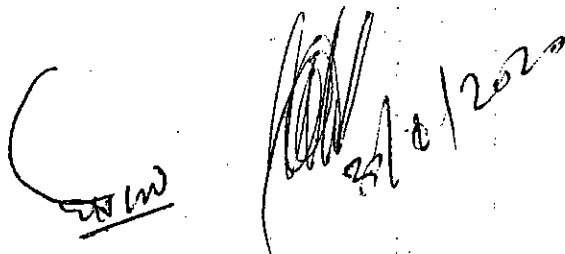
Detail of DSC Committee members is not available.

04: **MINUTES OF DSC .**

Minutes of DSC not available in the concerned office.

05: **APPOINTMENT ORDER ISSUED WITH REFERENCE TO PST.**

No record of the appointment order of Mr: Fazal Wahab is available in DEO (M) Battagram office. The appointment order bearing Endstt: NO 3192-96 does not match the dispatch register of the DEO (M)

  
30/6/20

Office D-40-1787  
30/6/20

Battagram office copy of the appointment order dispatch register & report of establishment DEO(M) Battagram or annexed as A1, A2 & A3.

06: **VERIFICATION OF DDEOS AND SDEOS SIGNATURE**

Source copies are not found and there for verification of DDEOs and SDEOs are also not present .

07: **SOURCE OF PAY RELEASE FROM SDEO TO DAO.**

Copy of source I is not available in SDEO (M) Battagram office. To get the copy of the source we visited District accounts office Battagram but the record was not provided.

08: **COPY OF PAYROLL.**

Payroll of Mr. Fazal Wahab is neither available in the SDEO (M) Battagram nor in the SDEO (M) Allai Office.

09: **PERSONAL NUMBER.**

Personal number of Mr: Fazal Wahab is 00660390.

10: **ATTENDANCE RECORD PRIOR TO GPS FAIRO IN 2015.**

There is no record of attendance of Mr: Fazal Wahab in the attendance registers of GPS Nehrai and GPS Chohan.

11: **STATEMENT OF THE HEAD TEACHER OF CONCERNED SCHOOLS.**

Head Teacher of GPS Nehrai and GPS Chohan have stated in their written statements that no teacher named Fazal Wahab has performed duty as PST in their concerned school with affect from 2008 to 2015. Statements of the Head Teachers of GPS Nehrai and GPS Chohan attached as annexure B1, and B2.

12: **VISIT REPORT / COMMENTS OF ASDEO CIRCLES.**

ASDEO Thakot circle Mr. Mir Samad and ASDEO Kuzabanda circle Wali ur Rehman have stated in their written statements that no teacher named Fazal Wahab has performed duty as PST at GPS Nehrai and GPS Chohan, Statements of both The ASDEOs attached as annexure C1, and C2.



13: **STATEMENTS OF DDEOS AND ASDEOS.**

SDEOs (M) Battagram and Allai have stated in their written statements that no record regarding service / duty of Mr: Fazal Wahab is available in their respective offices. Statements of both the SDEOs attached as annexure D1, and D2.

14: **OBSERVANCE OF SHOWCAUSE / REPLIES / ACTION TAKEN IN THE MATTER.**

Showcase notice was served upon Mr: Fazal Wahab on 09-08-2016. (No:8990-92 Annexure E)

His reply to the showcase notice was not satisfactory (Annexure F)

He was called for personal hearing on 14-10-2016 but according to the available record He could not justify his appointment order.

In light of the above proceedings the appointment order of Mr: Fazal Wahab was declared "NULL AND VOID" vide DEO (M) Battagram order No:18899-18907 dated:09-12-2016. ( Annexure G)

15: **AUTHENTICITY OF THE APPOINTMENT ORDER:**

The appointing authority has disowned the signature on the appointment order of Mr: Fazal Wahab (Annexure H)

16: **ARRIVAL REPORT / MEDICAL REPORT / FITNESS CERTIFICATE.**

Arrival report / Medical Report / fitness certificate is not available in the concerned offices.

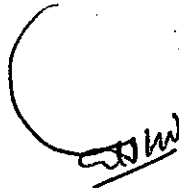
17: **CHARGE REPOST.**

Charge report is not available in the concerned office.

18: **DUTY STATIONS:**

Duty stations are not confirm and verified because all the concerned authorities have denied his service / duty.

19: **Re. VERIFICATION OF SIGNATURE IN THE SERVICE BOOK.**



The signatories have retired from Govt: service therefore signatures in the service book cannot be verified.

20: **ANY OTHER INFORMATION DEEMED REQUIRED IN THE MATTER.**

A: The PHC Abbottabad bench has dismissed W.P NO 704 -A/2016 for release of pay in a judgment announced on 22-03-2018.

Copy annexed as annexure I.

B: His case is in NAB Peshawar having NO. 07/17 titled Ayaz Quereshi and others vs govt of KPK.

C: His name is in the ghost employ list having serial no 5. Copy attached as annexure J.

D: Mr. Fazal Wahab was terminated as a result of 1st inquiry by the Principal.

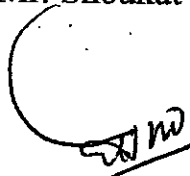
1. Mr. Muhammad Shoaib GHSS Kuzabanda

2. Mr. Akmal KHan GHS Chappagram

Copy attached as annexure K, in which they recommended actions against Mr. Fazal Wahab declaring him fake and bogus while the same persons later on did another denovo inquiry and submitted report declaring him innocent and recommended his reinstatement and back benefits copy attached as annexure, (L) so there is contradictions in both inquiries by same persons against same person which is doubtful, impugned and cannot be justified by natural law and He cannot be called innocent and correct.

E: Mr: Fazal Wahab was appointed as a result of an impugned order on 6-7-2008 as PST BPS-07 while now he is working in BPS-14 which should be inquired that who and why promotion is given to a fake and bogus PST employee.

F: Salaries of Mr. Fazal Wahab was stopped lastly by DEO Mr. Shoukat Sb in a letter having no 12945 dated 8-11-2018 and declaring the release of pay order dated 4-9-2018 as null and void, copy attached as annexure M, when NAB Peshawar called Mr. Shoukat Sb to NAB Head Quarter



Peshawar and clarified that there is contradiction in two inquiries by the same persons against same person which is not correct as per rule.

- G: Mr. Fazal Wahab is lastly once again favored by Peshawar High Court in one sided judgment dated 19-2-2020 in W.P No 5893-P/19 in which department is not informed and also comments and defense opportunity is not given. Copy attached as annexure (N).
- H: Court judgment dated: 19-02-2020 in w.p 5893-P/2019 is challenged in an application submitted in E&SE directorate having diary no. 357 dated: 12-03-2020 but due to lockdown final out comes still not received and presently his arrears are given conditionally in compliance of PHC judgment in a letter having no 2175-79 dated 29-04-2020 in response of judgment dated 19-02-2020 . Copy attached as annexure (O).
- I: Mr. Fazal Wahaab was offered/ served a questionnaire consisting of 23 questions on 26-09-2019 to clarify his position but he failed to give answers to the questions in the questionnaire for defense but he failed to answer even a single question or any other word in his defense. Copy of questionnaire is attached as annexure (P).

#### **FACTS AND FINDINGS**

1. By the evidences and documentary proofs attached, it is crystal clear that his appointment order is fake and bogus and so all things and favours given to him by some dishonest personals in the department cannot be called correct and justified.
2. His case is badly mishandled and complicated by some dishonest personals in Education & Account office and he is favored /facilitated illegally & without justification.
3. He was appointment unlawfully through an impugned order on 06-07-2008 as PST through back door channel and by unfair means but unfortunately he has got promotion and now he is SPST BPS-14 in GPS Faqero Allai as is cleared by a under Endst No.9592-97 dated:04-09-2018, Copy attached as annexure (Q).
4. He is also transferred for GPS Nerai/ Chohan to GPS Faqero in 2015.

A handwritten signature, possibly 'F.W.', is written in black ink. It is enclosed within a hand-drawn, irregular circular or oval shape.

5. He is a stranger and have got too much benefits / Rupees from national treasury illegally and without justification which is a beg national loss.
- 6 / He is reinstated in service secondary to denovo inquiry by the same officers ( detail is given in the previous paras who in their fist inquiry declared him fake and bogus while in second enquiry that declare him innocent and clear and give recommendations for reinstatement and back benefits, and thus there is contradiction in two inquiries conducted by the same persons against the same bogus and fake PST.
7. During all the period any FIR is not lodged by the relevant authorities and also any recovery is not don from the said bogus PST.

**RECOMMENDATIONS:**

- 1) It is strongly recommended to take legal disciplinary actions against fake and bogus PST teacher because by negligence dishonesty of any authority / persons /workers who mishandled the case of the said fake & bogus PST cannot be made innocent, correct & clean handed.

Najab Khan  
Head Master  
GHS Battamori

*Handwritten signature and date: 30/01/2020*  
Gul Muhammad  
Head Master  
GHS Gijbori  
**HEAD MASTER  
GHS GIJBORI  
BATTAGRAM**

*Handwritten signature and date: 30/01/2020*  
Wali Ur Rehman  
ADEO Local Office  
DEO (M) Battagram

*Handwritten signature and date: 30/01/2020*  
Wali Ur Rehman  
District Office  
Case Department Battagram





# July 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

بیان من جانب اول مدرس امین الحق GPS نیٹری ٹھکانوٹ لمطابق رجسٹر حافظری نوری  
اور لاگ بک سالانہ معائنہ جات!

میں اول مدرس امین الحق PSHT گورنمنٹ ڈرامہری سکول نیٹری لصدیق  
کرتا ہوں کہ درج بالا رجسٹری کے مطابق سکول ہذا میں جولائی 2008 -  
لکبر 23-11-2016 تک درج ذیل ترتیب سے ذیل اساتذہ تعینات تھے -

(1) اول مدرس محمد سلیم سال 2007 سے جون 2010 تک

(2) اول مدرس فخر خان جون 2010 سے جولائی 2013 تک

(3) اول مدرس امین الحق جولائی 2013 سے 23-11-2016 تک (تاحال)

جناب عالی مذکورہ ذیل کے عرصہ میں درج بالا رجسٹر کے مطابق

مجھے فضل و جناب نامی استاد کا کوئی علم نہیں اور نہ اس نے

کسی قسم کا خارج کیا ہے لصدیق باوثوق طریقے سے پیش خدمت

اول مدرس امین الحق GPS نیٹری ٹھکانوٹ

(Amin)

23/11/2016

Head Teacher  
Govt Primary School  
Nary (Battagram)

According to the above named registers there is no charge  
of it and any type of Entries found about Mr Fazal Wahab Pst  
at GPS Neerai Takot.

ASDEO  
ASDEO (M) 9/11  
E&SE, Battagram

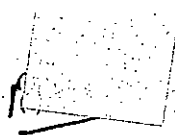
By

Attested/Verified

(Signature)

Head Teacher  
Govt Primary School  
Nary (Battagram)

16-5-20



32

AMERKMA  
11

میں کسی اول میں 905 جو جان

لفظ لوق کرنا ہوں اور فریجی کرنا ہوں۔ کہ میں حضرت دراب نامی شخص  
کو نہ دیکھا اور نہ ہی اس سکول میں کوئی ڈیوٹی سر انجام دی ہے۔  
اور سکول ایکارڈ میں اس کے کوئی نام بھی نہیں ہے۔ فریجی طور پر ہے

السلام  
بہر جیب سٹار 0 PSHT 905 743  
علا بہانہ تمہارے  
Pakistan

Re: اصفیاء  
13/05-2020  
MENA

13202-0751095-9

MOB No. 03333071492

17/17

# OFFICE OF THE SDEO (MALE) BATTAGRAM

No. 370.1

Dated: 16-5/2016

78

To,

The DEO (Male) Battagram

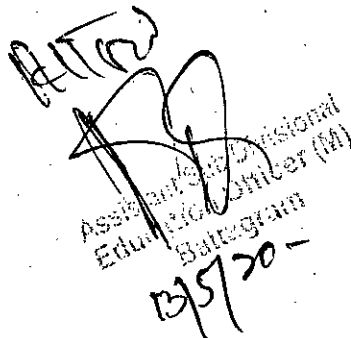
Through: SDEO (Male) Battagram

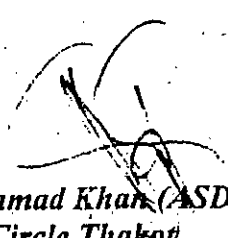
Subject: CLARIFICATION OF FAZAL WAHAB S/O RAHEEM  
ULLAH AS PST AT GPS NEHRAI CIRCLE THAKOT.

Respected Sir,

Regarding the above cited subject. It is submitted in your honor that the above named person has not remained as a PST at GPS Nehrai circle Thakot during the academic year 2008.

More over Mr. Muhammad Saleem head teacher & Mukhtiar v-teacher have performed duties there as per school record.

  
Assistant Sub-Divisional  
Education Officer (M)  
Battagram  
13/5/2016

  
Mir Samad Khan (ASDEO)  
Circle Thakot



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0997543540,539



12945 / Estab: Primary

Dated: 9 /11/2018

50

To

The District Accounts Officer  
Battagram

Subject: STOPPAGE OF PAY AND RECOVERY OF PAYMENT IN R/O MR. FAZAL  
WAHAB<sup>S</sup> PST GPS FAQEERO, ALLAI BATTAGRAM

Memo:

Reference to this office order bearing Endstt: No: 9592-97/EB/AE-I(Pry) dated Battagram 04-09-2018 regarding the release of pay and back benefits in favor of the above stated<sup>S</sup>PST is hereby declared "NULL AND VOID" with the request to stop the salary of the concerned forthwith, stop payment of arrears if not paid, otherwise arrears may be recovered accordingly as his case along with other ghost employees is under trial in NAB Khyber Pakhtunkhwa, Peshawar.

o/c

DISTRICT EDUCATION OFFICER (MALE)  
BATTAGRAM

Endstt: No: 12946-50 / Estab: Primary  
Copy for information to the.-

Dated: 9 /11/2018

1. Mr. Naeem Ullah Investigation Officer NAB Khyber Pakhtunkhwa Peshawar w/r to personal hearing dated 06-11-2018 at NAB headquarter Peshawar.
2. Director E&SE Khyber Pakhtunkhwa Peshawar.
3. Deputy District Education Officer (Male) Local Office.
4. SDEO (Male) Allai & Battagram for strict compliance and report.
5. Office file for record.

o/c

DISTRICT EDUCATION OFFICER (MALE)  
BATTAGRAM

**BEFORE PESHAWAR HIGH COURT PESHAWAR**  
**ABBOTTABAD BENCH**

W.P No. 764-A/2016

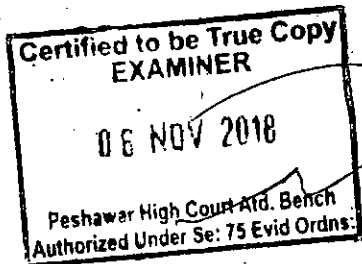
Fazal Wahab son of Raheemullah caste Yousafzai resident of Rashang,  
Tehsil Allai District Battagram.

....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Education,  
Peshawar
2. District Education Officer (School & Literacy), Battagram.
3. Sub-Divisional Education Officer (Schools & Literacy), Tehsil  
Allai District Battagram.

....RESPONDENTS



**WRIT PETITION** UNDER ARTICLE 199 OF  
THE CONSTITUTION OF ISLAMIC REPUBLIC  
OF PAKISTAN 1973.

Respectfully Sheweth: -

- NO 3428  
28.7.16
1. That, the petitioner was appointed as PST in BPS-7 in  
Education Department vide order dated 06.07.2008.

FILED TODAY

Registrar  
Peshawar High Court  
Abbottabad Bench  
28/7/16

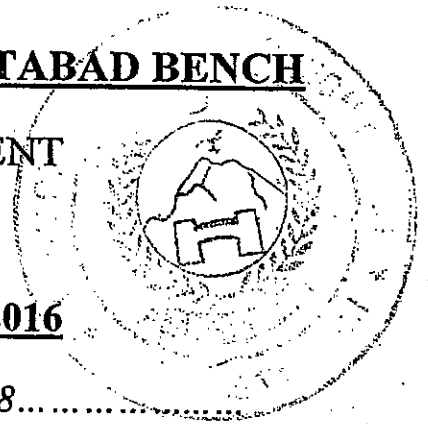


**PESHAWAR HIGH COURT, ABBOTTABAD BENCH**

JUDICIAL DEPARTMENT

JUDGMENT SHEET

**Writ Petition No.704-A/2016**



Date of hearing: .....22.03.2018.....

Petitioner(s).... (Fazal Wahab) by Mr. Tanveer  
Ahmad Mughal, Advocate,

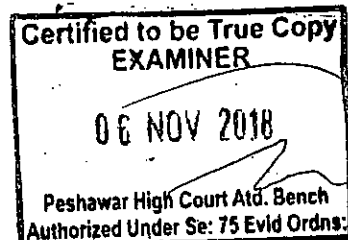
Respondent(s)... (The State) by Mr. Yasir Zahoor  
Abbasi, AAG

**LAL JAN KHATTAK, J.** Petitioner through this petition has applied to this Court for issuance of a writ directing the respondents to pay him his salaries since January, 2015 till date.

2. Arguments heard and record gone through.
3. Perusal of the case record would show that the very appointment order of the petitioner has been declared fake and bogus by the respondents. When the petitioner's appointment is fake then it makes no sense for him to pray this Court for directing the respondents to pay him the desired salaries.
4. For what has been discussed above, this petition, being bereft of any merit, is hereby dismissed.

**Announced**  
**Dt.22.03.2018**

Mohammad Ullah (Sr. SJ)



**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL PESHAWAR**

**Reply in Exacution Petition 177 of 2020 in**  
**Service Appeal NO. 572 of 2017**

**Fazal Wahab .....Appellant**

**VERSUS**

**Respondent No 3 to 5 and others No 1 Wali ur Rahman**  
**ADEO (Male) Battagram, No 2 Najab Khan Head Master GHS**  
**Battamorri, No3 Gul Muhammad |GHS Gijbori**

**.....Respondents**

**Index**

<b>S. No</b>	<b>Description /Documents</b>	<b>Annexure</b>	<b>Pages</b>
1	<b>Comments</b>		1 to 7
2	<b>Affidavit</b>		8
3	<b>Inquiry Report</b>	<b>Annex. A</b>	<b>Page 61</b> <b>to 57</b>
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**Respondent**

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL PESHAWAR**

**E.P No. 177 of 2020 in S.A NO. 572 of 2017**

**Fazal Wahab .....Appellant**  
**VERSUS**

No 1 Wali ur Rahman ADEO (Male) Battagram, No 2 Najab Khan  
Head Master GHS Battamorri, No3 Gul Muhammad |GHS Gijbori  
.....Respondents

**Joint Para-wise Comments /Reply on  
behalf of Respondents NO. 1 to 5**

**Respectfully Sheweth:**

That respondents have all respect for this Hon'ble and gracious Court and cannot even think to act in disregard of the same. Respondent have not committed any C.O.C, but always complied with the directions/orders of this Hon'ble Court. However in the instant case petitioner was reinstated in service in result of de novo inquiry conducted on the directions of this honorable court which was declared defective/erroneous and Null and Void by the competent authority and to redress the error and defect a fresh inquiry committee was constituted in this regard under letter no 4681-85 dated 09-08-2019 and reminder letter no 2280-82 dated 11-05-2020 attached with annexure A page No 55 and 56 which is purely in accordance with rules and law and no contempt of this honorable court directions was made. Detail of the case is as under:-=

**FACTS**

1. Para NO. 1 of the petition is incorrect. The petitioner was not appointed as Primary School Teacher (PST) by the competent authority. **THE APPOINTMENT ORDER HAVING ENDSTT; NO. 3192-96 DATED 06-07-2008 WAS DECLARED FAKE, BOGUS, FABRICATED AND NOT ISSUED BY THE**

**LAWFUL COMPETENT AUTHORITY**. Endstt;

NO. and date of the order are not matching with office dispatch record. Moreover no order/letter was issued on 06-07-2008 from this office as it was **SUNDAY i.e HOLIDAY on 06-07-2008** as per calendar July 2008. His claim regarding his appointment is incorrect/concoction. (Copies of appointment order Dispatch Register and Calendar July 2008 are attached on page 7,8,9 and 10.

2. Para NO. 2 of the petition is incorrect. The petitioner has neither been appointed by the competent authority as PST nor he assumed charge at his claimed station i.e Govt: Primary School Nehrai. As per statements of Head Teacher GPS Nehrai and ASDEOs Circle the petitioner never remained/performed any duty at that station. Neither his pay has been activated nor his Service Book has been maintained by concerned SDEO/DDO office. Show cause was issued under E&D rules, however the petitioner failed to satisfy the competent authority about his fake order. (Copies of statements of Head Teacher GPS Nehrai, Present and Ex ASDEOs Circle Thakot and SDEO are attached on **page no: 11 to 17.**
3. Para No. 3 needs no comments pertaining to record of the case.
4. Para No. 4 pertaining to record hence needs no comments.
5. Para NO. 5 as composed is incorrect, this honorable court directed the respondents to initiate de novo inquiry against the petitioner which was complied with, however the inquiry was found erroneous and defective and declared Null and Void by the competent authority and for redressing the error/defect in that inquiry a fresh

authority and inquiry was conducted in this regard. Moreover beside his service appeal petitioner also filed a writ petition in Peshawar High Court Abbottabad bench under W.P No. 704 –A/2016 which was dismissed by the honorable court. (copy of Judgment is attached on **Page 25 and 26.**

- 6. Para No. 6 is correct to the extent of de novo inquiry conduction however that inquiry was declared Null and Void by the competent authority through notification No 12939-44 dated 09-11-2018.
- 7. Para No. 7 is correct to the extent of pendency of petitioner’s case along with other ghost employees before the Hon’able NAB court. However it is incorrect that respondent No. 3 was pressurized by the NAB authorities hence denied.
- 8. Para No. 8 as composed is incorrect and denied. Respondent No. 3 has got no authority to stop the salary of the petitioner as respondent No. 3 is ADEO and was a member of inquiry committee however competent authority i.e D.E.O has stopped the salary of the petitioner as competent authority not of the pressure of NAB authorities.
- 9. Para No. 9 is pertaining to the case record, however department/respondent was not heard by the Hon’able PHC Peshawar bench and case decided by leaving the respondent unheard which is against the natural justice and settled rule of law “ No one can be condemned unheard”.
- 10. Pertaining to the record hence needs no comments.
- 11. Para No. 11 as composed is incorrect hence denied.
- 12. Para No. 12 is incorrect hence denied. Petitioner is a ghost employee and a stranger to the department hence act of the respondent is within the legal sphere.
- 13. Para No. 13 is correct to extent of transfer/adjustment of the petitioner at GPS dumrai and release of his salaries rest of the para is incorrect and

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denied. The DEO has right as competent authority to initiate fresh inquiry if he is not satisfied as he is competent authority and has given this power by law/rules. Petitioner was given/provided a fair chance of personal hearing by the committee comprising of respondent No. 3 to 5 on the desired time and place of choice of the petitioner on dated 26-09-2019 at GPS Faqero Allai respondent No. 3 to 5 as members inquiry committee met the petitioner and handed over the petitioner a questioner to reply attached on page 53 but petitioner failed to reply in his defense neither in writing nor any thing verbally. Moreover act of the respondents to refer the case of the petitioner 'for further probe and initiating inquiry against the petitioner' in the light of inquiry report submitted by respondent No. 3 to 5 is within the four corners of law. (Copy of the inquiry report along with all its annexure is attached as **Annex: "A"**).

14. Para No. 14 is correct and pertaining to record hence needs no comments.
15. Para No. 15 as composed is incorrect. Petitioner was served with show cause notice under Efficiency and Discipline rules on the directions of the Hon'able Peshawar High Court Abbottabad Bench in WP NO. 1002-A/2020 filed by the petitioner for release of his salaries as admitted by the petitioner in his petition.
16. Petitioner has got no cause of action and respondents have not done any contempt to this Hon'able Court hence this contempt petition may be dismissed without further proceedings.

**GROUND:**

- A. Ground (A) of the petition is incorrect. Act of the respondents is well within the four corners of law and rules of the department. Detailed reply is given in the preceding paras.

- B. Ground (B) of the petition is incorrect hence denied.  
Detailed reply is given in preceding paras.
  
- C. Ground (C) of the petition is incorrect. The respondents have not committed any contempt of this Hon'able court directions but complied with the directions of this Hon'able court by initiating de novo inquiry against the petitioner as replied in the above paras.
  
- D. Ground (D) of the petition is incorrect. Act of the respondents is well within the four corners of law and rules. Initiating fresh inquiry is the prerogative of the competent authority and well within the law hence not liable to be struck down.
  
- E. Ground (E) of the petition is incorrect. Act of the respondent is not against the article 4 & 10 of the constitution of Islamic Republic of Pakistan.
  
- F. Ground (F) of the petition is incorrect hence denied. Petitioner was reinstated by this Hon'able with the direction to the respondents to initiate and de novo inquiry against the petitioner which was hold however later on the inquiry was found erroneous and defective by the competent authority and declared it as Null and void and constituted and fresh inquiry. Respondents No. 3 to 5 conducted the inquiry 'as they were duty bound to do' and submitted their report with the recommendations on 30-06-2020. The said inquiry is well within the law and rules of the department and no violation of the fundamental rights of the petitioner made. By insisting on the turning down the fresh inquiry proceedings against the petitioner shows the mala fide of the petitioner, if he is clean handed and not

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concealing the facts of his fake/bogus appointment he should face the proceedings conducted under the Efficiency and Disciplinary rules 2011 on the directions of this Hon'ble Court and also Hon'able Peshawar High Court Abbottabad Bench.

- G. Ground (H) of the petition is incorrect. The directions of this Hon'able court was complied with however the inquiry conducted was found erroneous and defective and was declared Null and Void by the competent authority and constitution a fresh inquiry is in compliance with the directions of the Hon'able Court directions not in the disregard of the orders of the worthy Service Tribunal. Redressing a mistake/error is not against the law and natural justice which was done by the competent authority by declaring the erroneous and defective inquiry as Null and Void and constituting a fresh inquiry and by doing this no contempt of the orders of this Hon'able Court was made by the respondents.
- H. Ground (H) of the petition is incorrect hence denied. Detailed reply is given in the preceding paras.
- I. Incorrect and denied as replied and the above para.
- J. pertaining to record hence needs no comments.
- K. No comments pertaining to record of the case.
- L. Ground (L) of the petition is incorrect and denied. Act of the respondents is not illegal, and without lawful authority and in violation of rules on the subject.
- M. Incorrect and denied. Whole proceeding against the petitioner is within the law and rules and policy of the department and not of the result of any personal grudges of the respondents. As replied in the above paras.
- N. Ground (N) as composed is incorrect and denied. Detailed reply is given in the preceding paras.

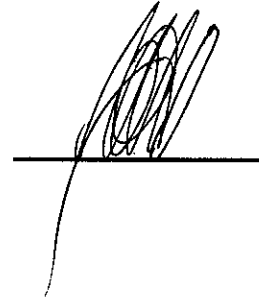


- O. Ground (L) of the petition is incorrect and denied. Act of the respondents is not against the principles of natural justice by redressing a mistake made.
- P. Incorrect and denied. Act of the respondents is not against the judgments passed by the superior courts on the subject.
- Q. Respondents also seek gracious permission of this Hon'able Court to raise other legal and factual points during the course of arguments.

In view of above, it is most humbly requested that in the light of above stated facts and circumstances very humbly prayed that the COC/Petition proceeding may kindly be dismissed with cost..

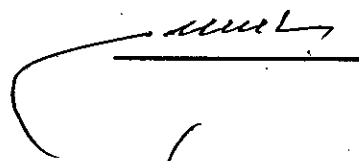
**Respondent NO. 3**

**Wali-ur-Rahman ADEO (M) Battagram**



**Respondent NO. 4**

**Najab Khan, Headmater GHS  
Battagram**



**Respondent NO. 5**

**Gul Muhammad Headmater GHS  
Gijhbori Battagram**



**HEAD MASTER  
GHS GIJBORI  
BATTAGRAM**

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA****SERVICE TRIBUNAL PESHAWAR****Reply in Exacution Petition 177 of 2020 in**  
**Service appeal no 572 of 2017****Fazal Wahab .....Appellant****VERSUS****Respondent No 3 to 5 and others****.....Respondents****AFFIDAVIT**

We respondent No 3 to 5 No1 Wali ur Rahman ADEO (Male) Battagram, No 2 Najab Khan Head Master GHS Battamorri, No3 Gul Muhammad |GHS Gijbori, do hereby affirm and declare on oath that content of Para-wise comments are true and correct to the best of our knowledge and belief that nothing has been concealed from this Honorable Court.

No 1: Wali Ur Rehman  
ADEO (M)Battagram.

*Wali-ur-Rehman*  
Assistant District Officer  
E&SE Department Battagram

No 2: Najab Khan  
Head Master GHS Battamorri.

*Najab Khan*  
Head Master  
Govt High School  
Battamorri

No 3: Gul Muhammad  
Head Master GHS Gijbori Battagram.

*Gul Muhammad*  
HEAD MASTER  
GHS GIJBORI  
BATTAGRAM

**OFFICE OF THE HEAD MASTER GHS BATTAMORI &**  
**OFFICE OF THE ASSISTANT DISTRICT EDUCATION**  
**OFFICER (MALE) BATTAGRAM**

To,

The District Education Officer (M)  
Battagram.

**SUBJECT: INQUIRY REPORT IN R/O MR: FAZAL WAHAB**

MEMO,

Reference your office notification No:4681-85 dated 09-08-2019 and reminder letter having no.2280-82 dated:11-05-2020, the under signed visited various offices and institutions to find out the facts and collect the record.

After Scrutinizing the available documents and statements of the concerned officials / officers the detailed report as per TORs is as under.

01: **ADVERTISEMENT COPY.**

Advertisement copy is neither available in the DEO (M) Battagram nor in the SDEO (M) Battagram office.

02: **INTERVIEW / ATTENDANCE DATA RECORD.**

Interview / attendance data record is not available in the DEO (M) Battagram office.

03: **DSC COMMITTEE MEMBERS NAMES.**

Detail of DSC Committee members is not available.

04: **MINUTES OF DSC .**

Minutes of DSC not available in the concerned office.

05: **APPOINTMENT ORDER ISSUED WITH REFERENCE TO PST.**

No record of the appointment order of Mr: Fazal Wahab is available in DEO (M) Battagram office. The appointment order bearing Endstt: NO 3192-96 does not match the dispatch register of the DEO (M)

Diary # 1787 -  
Dated 30/06/2020



Battagram office copy of the appointment order dispatch register & report of establishment DEO(M) Battagram or annexed as A1, A2 & A3.

06: **VERIFICATION OF DDEOS AND SDEOS SIGNATURE**

Source copies are not found and there for verification of DDEOs and SDEOs are also not present .

07: **SOURCE OF PAY RELEASE FROM SDEO TO DAO.**

Copy of source I is not available in SDEO (M) Battagram office. To get the copy of the source we visited District accounts office Battagram but the record was not provided.

08: **COPY OF PAYROLL.**

Payroll of Mr. Fazal Wahab is neither available in the SDEO (M) Battagram nor in the SDEO (M) Allai Office.

09: **PERSONAL NUMBER.**

Personal number of Mr: Fazal Wahab is 00660390.

10: **ATTENDANCE RECORD PRIOR TO GPS FAQIRO IN 2015.**

There is no record of attendance of Mr: Fazal Wahab in the attendance registers of GPS Nehrai and GPS Chohan.

11: **STATEMENT OF THE HEAD TEACHER OF CONCERNED SCHOOLS.**

Head Teacher of GPS Nehrai and GPS Chohan have stated in their written statements that no teacher named Fazal Wahab has performed duty as PST in their concerned school with affect from 2008 to 2015. Statements of the Head Teachers of GPS Nehrai and GPS Chohan attached as annexure B1, and B2.

12: **VISIT REPORT / COMMENTS OF ASDEO CIRCLES.**

ASDEO Thakot circle Mr. Mir Samad and ASDEO Kuzabanda circle Wali ur Rehman have stated in their written statements that no teacher named Fazal Wahab has performed duty as PST at GPS Nehrai and GPS Chohan, Statements of both The ASDEOs attached as annexure C1, and C2.



13: **STATEMENTS OF DDEOS AND ASDEOS.**

SDEOs (M) Battagram and Allai have stated in their written statements that no record regarding service / duty of Mr: Fazal Wahab is available in their respective offices. Statements of both the SDEOs attached as annexure D1, and D2.

14: **OBSERVANCE OF SHOWCAUSE / REPLIES / ACTION TAKEN IN THE MATTER.**

Showcase notice was served upon Mr: Fazal Wahab on 09-08-2016. (No:8990-92 Annexure E)

His reply to the showcase notice was not satisfactory (Annexure F)

He was called for personal hearing on 14-10-2016 but according to the available record He could not justify his appointment order.

In light of the above proceedings the appointment order of Mr: Fazal Wahab was declared "NULL AND VOID" vide DEO (M) Battagram order No:18899-18907 dated:09-12-2016. ( Annexure G)

15: **AUTHENTICITY OF THE APPOINTMENT ORDER:**

The appointing authority has disowned the signature on the appointment order of Mr: Fazal Wahab (Annexure H)

16: **ARRIVAL REPORT / MEDICAL REPORT / FITNESS CERTIFICATE.**

Arrival report / Medical Report / fitness certificate is not available in the concerned offices.

17: **CHARGE REPOST.**

Charge report is not available in the concerned office.

18: **DUTY STATIONS:**

Duty stations are not confirm and verified because all the concerned authorities have denied his service / duty.

19: **Re. VERIFICATION OF SIGNATURE IN THE SERVICE BOOK.**



The signatories have retired from Govt: service therefore signatures in the service book cannot be verified.

20: **ANY OTHER INFORMATION DEEMED REQUIRED IN THE MATTER.**

A: The PHC Abbottabad bench has dismissed W.P NO 704 -A/2016 for release of pay in a judgment announced on 22-03-2018.

Copy annexed as annexure I.

B: His case is in NAB Peshawar having NO. 07/17 titled Ayaz Quereshi and others vs govt of KPK.

C: His name is in the ghost employ list having serial no 5. Copy attached as annexure J.

D: Mr. Fazal Wahab was terminated as a result of 1st inquiry by the Principal.

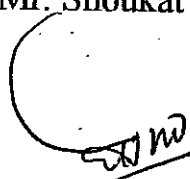
1. Mr. Muhammad Shoaib GHSS Kuzabanda

2. Mr. Akmal KHan GHS Chappagram

Copy attached as annexure K, in which they recommended actions against Mr. Fazal Wahab declaring him fake and bogus while the same persons later on did another denovo inquiry and submitted report declaring him innocent and recommended his reinstatement and back benefits copy attached as annexure, (L) so there is contradictions in both inquiries by same persons against same person which is doubtful, impugned and cannot be justified by natural law and He cannot be called innocent and correct.

E: Mr: Fazal Wahab was appointed as a result of an impugned order on 6-7-2008 as PST BPS-07 while now he is working in BPS-14 which should be inquired that who and why promotion is given to a fake and bogus PST employee.

F: Salaries of Mr. Fazal Wahab was stopped lastly by DEO Mr. Shoukat Sb in a letter having no 12945 dated 8-11-2018 and declaring the release of pay order dated 4-9-2018 as null and void, copy attached as annexure M, when NAB Peshawar called Mr. Shoukat Sb to NAB Head Quarter



Peshawar and clarified that there is contradiction in two inquiries by the same persons against same person which is not correct as per rule.

- G: Mr. Fazal Wahab is lastly once again favored by Peshawar High Court in one sided judgment dated 19-2-2020 in W.P No 5893-P/19 in which department is not informed and also comments and defense opportunity is not given. Copy attached as annexure (N).
- H: Court judgment dated: 19-02-2020 in w.p 5893-P/2019 is challenged in an application submitted in E&SE directorate having diary no. 357 dated: 12-03-2020 but due to lockdown final out comes still not received and presently his arrears are given conditionally in compliance of PHC judgment in a letter having no 2175-79 dated 29-04-2020 in response of judgment dated 19-02-2020 . Copy attached as annexure (O).
- I: Mr. Fazal Wahaab was offered/ served a questionnaire consisting of 23 questions on 26-09-2019 to clarify his position but he failed to give answers to the questions in the questionnaire for defense but he failed to answer even a single question or any other word in his defense. Copy of questionnaire is attached as annexure (P).

### FACTS AND FINDINGS


1. By the evidences and documentary proofs attached, it is crystal clear that his appointment order is fake and bogus and so all things and favours given to him by some dishonest personals in the department cannot be called correct and justified.
2. His case is badly mishandled and complicated by some dishonest personals in Education & Account office and he is favored /facilitated illegally & without justification.
3. He was appointment unlawfully through an impugned order on 06-07-2008 as PST through back door channel and by unfair means but unfortunately he has got promotion and now he is SPST BPS-14 in GPS Faqero Allai as is cleared by a under Endst No.9592-97 dated:04-09-2018, Copy attached as annexure (Q).
4. He is also transferred for GPS Nerai/ Chohan to GPS Faqero in 2015.




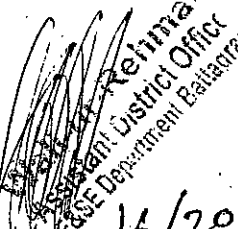
- 16
5. He is a stranger and have got too much benefits / Rupees from national treasury illegally and without justification which is a beg national loss.
  6. He is reinstated in service secondary to denovo inquiry by the same officers ( detail is given in the previous paras who in their fist inquiry declared him fake and bogus while in second enquiry that declare him innocent and clear and give recommendations for reinstatement and back benefits, and thus there is contradiction in two inquiries conducted by the same persons against the same bogus and fake PST.
  7. During all the period any FIR is not lodged by the relevant authorities and also any recovery is not don from the said bogus PST.

**RECOMMENDATIONS:**

- 1) It is strongly recommended to take legal disciplinary actions against fake and bogus PST teacher because by negligence dishonesty of any authority / persons /workers who mishandled the case of the said fake & bogus PST cannot be made innocent, correct & clean handed.

  
Najab Khan  
Head Master-  
GHS Battamori

  
30/06/2020  
Gul Muhammad  
Head Master  
GHS Gijbori  
HEAD MASTER  
GHS GIJBORI  
BATTAGRAM

  
30/6/20  
Wali Ur Rehman  
ADEO Local Office  
DEO (M) Battagram  
District Office  
Battagram



~~Annex - B~~

12

GENERAL THE EXECUTIVE TRUST OF TEACHERS & EMPLOYEES BATTAGRAM.

APPOINTMENT:

ANNEX

Consequent upon the approval of the District-Selection Board Battagram, Mr. Fawal Wahab S/O Rahim Ullah R/O Village Rashang Tehsil District Battagram is hereby appointed against PST post at Govt. Primary School Nehrai against vacant post in B-7 plus usual allowances as possible to him under the rules @ 25% open Merit in the interest of his service with effect from his date of taking over charge on the following terms and conditions:-

TERMS AND CONDITIONS:

- Charge report should be submitted to all concerned.
- He is entitled to get all benefits as admissible under the rules in Civil servant Act except pension. He should however be entitled to receive such amount contributed by him towards the contributory Provident Fund & with contribution made by the Provincial Govt. to his account in the said funds in prescribed manner.
- His service will be liable to termination on one month notice from either sides, in case of resignation without notice his one month pay shall be forfeited to the Govt. treasury.
- The candidate required to produce Age & Health certificate from DHO Battagram.
- The candidate should join his post within seven days of the issue of this order, otherwise appointed order will be cancelled.
- The appointee will get salaries against sanctioned post in the budget.
- He will be paid salaries after verification of his documents from the concerned university/board/institution on his own expenses by DDO concerned. Personally or by hand verification will not be acceptable.

*s.d.*  
(MUKHTAR AHMAD SWATI)  
EXECUTIVE DISTRICT OFFICER  
SCHOOLS & LITERACY BATTAGRAM

Order No 3-192-96 /EE/AE-II/F-ADPT:2007 Dated 6-7-2007

- Copy forwarded for information and necessary action to the:
  - District Coordination Officer Battagram.
  - Deputy District Education Officer (Male) S&L Battagram.
  - District Accounts Officer Battagram.
  - Candidate concerned.

*[Signature]*  
DISTRICT OFFICER (MALE)  
(SCHOOLS & LITERACY BATTAGRAM)

*[Signature]*



# Register of Letters Despatched



جسٹر ڈاک روانگی

Serial NO.	Month & Date	Name and Address	Place	Subject	File NO.	Stamps Received		Stamps Used		Stamps Balanced		Remarks
						Rs.	Ps.	Rs.	Ps.	Rs.	Ps.	
3187-9	11/1/06	All concerned, Head Master G.M.S. Bungee		Migration Notification								
3192		Director (EUSE) Registrar		Application for annual increments								
3193		Training Khan P.S.T.		Trained Period of Service								
3194-96	1/9	1/c HM G.H.S. Battagram		onelet								
		DAO, Battagram										
		Official Concern										
3197-99		All concerned		Grant of EP Fund Adm. Sanction								
319	22/00	DAO Battagram		Stoppage of Pay								
4000	u											
3201	11/9/06	Head Master G.M.S. Bungee		Migration								
3202	12											

9

# July 2008

Sunday    Monday    Tuesday    Wednesday    Thursday    Friday    Saturday

		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

*[Handwritten scribbles]*

10

B

POSTER  
G S GUPTA  
DALLI GRAM

Annex A3 //

TO,

The Wali ur Rehman

ADEO (Litg;)Member Inquiry committee

DEO (M) Battagram.

Subject;- **REPLY TO YOUR LETTER HAVING DIARY NO.871 DATED  
26.02.2020**

Memo;-

Reference to cited above subject it is clarified after scrutinizing all the relevant record and nothing is Found available in EST.Primary regarding Mr.Fazal wahab that

1. Advertisement copy
2. Interview and attendance record
3. DSC Committee members
4. APP.order No.3192-96 Dated 06.07.2008
- 5.Authetication of app order 3192-96 Dated 06.07.2008 .

*[Handwritten signature]*  
26/02/2020

ADEO (M) Estb.PRIMARY

DEO (M) BATTAGRAM.

B1

بیان من جانب اول مدرس امین الحق GPS نیٹری تھا کوٹ بمطابق رجسٹر حاضر ہی ہے اور لاگ بک سالانہ معائنہ جات!

میں اول مدرس امین الحق PSHT گورنمنٹ پرائمری سکول نیٹری لکھنوی کرتا ہوں کہ درج بالا رجسٹر کے مطابق سکول خزا میں جولائی 2008 - لیکر 23-11-2016 تک درج ذیل ترتیب سے ذیل اساتذہ تعینات تھے -

(1) اول مدرس محمد سلیم سال 2007 سے جون 2010 تک

(2) اول مدرس مختار خان جون 2010 سے جولائی 2013 تک

(3) اول مدرس امین الحق جولائی 2013 سے 23-11-2016 تک (تاحال)

جناب عالی مذکورہ دستے کے عرصہ میں درج بالا رجسٹر کے مطابق

محمد فضل وہاب نامی استاد کا کوئی علم نہیں اور نہ اس نے

کسی قسم کا خارج لیا ہے لکھنوی باوثوق طریقے سے پیش خدمت

اول مدرس امین الحق GPS نیٹری تھا کوٹ

(Amin)

23/11/2016  
Head Teacher  
Govt Primary School  
Nary (Battagram)

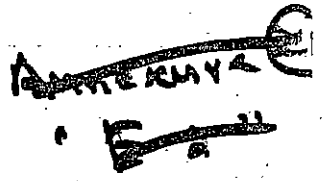
According to the above named registers there is no charge report and any type of Entries found about mr Fazal wahab pst at GPS Neerai Takot.

ASDEO 9/11  
ASDEO (M)  
E&SE, Battagram

Attested/Verified

Head Teacher  
Govt Primary School  
Nary (Battagram)

16-5-20



میں کسی اول میں GPS جو جان

لفظ لوق کرنا ہوں اور فریجی کرنا ہوں۔ کہ میں حضرت باب نامی شخص  
کو نہ دیکھا اور نہ ہی اس اسکول میں کوئی ڈیوٹی سر انجام دی ہے۔  
اور اسکول ایکارڈ میں اسکا کوئی نام ہی نہیں ہے۔ فریجی طور پر ہے۔

الس  
میر حبیب سہاہ GPS PSHT 13/05/2020  
علا بیان تحریر ہے  
PUSHAN

Re اصفیاء  
~~PSHT~~  
13/05-2020  
MIC No

13202-0751095-9

MOB No. 03333071492

14

78

# OFFICE OF THE SDEO (MALE) BATTAGRAM

No 370.1

Dated: 16/5/2016

To,

The DEO (Male) Battagram

Through: SDEO (Male) Battagram

Subject: CLARIFICATION OF FAZAL WAHAB S/O RAHEEM ULLAH AS PST AT GPS NEHRAI CIRCLE THAKOT.

Respected Sir,

Regarding the above cited subject, It is submitted in your honor that the above named person has not remained as a PST at GPS Nehrai circle Thakot during the academic year 2008.

More over Mr. Muhammad Saleem head teacher & Mukhtiar v-teacher have performed duties there as per school record.

*[Handwritten Signature]*  
Assistant Sub-Divisional  
Education Officer (M)  
Battagram  
13/5/2016

*[Handwritten Signature]*  
Mir Samad Khan (ASDEO)  
Circle Thakot



15 C2 38 77

# OFFICE OF THE SDEO (MALE) BATTAGRAM

No 371

Dated: 16/5/2016

To,

The DEO (Male) Battagram

Through: SDEO (Male) Battagram


Subject: DUTY CLAIMED REPORT OF FAZAL WAHAB S/O RAHEEM ULLAH.

Respected Sir,

Regarding the above cited subject, It is submitted for your kind information that the above named person has not remained as a PST at GPS Chohan under my supervision during the years 2014-15.

Where as Mr. Pir Habib Shah head teacher, Rustam Khan v-teacher & Babo khan Para teacher have been performing their duties at the said school since 2011 up to date.

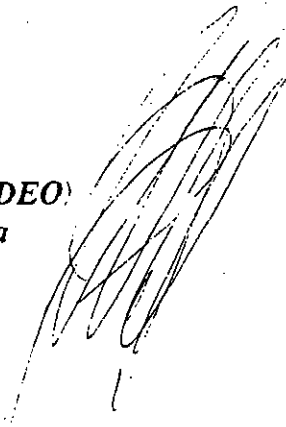
Attended



13/5/2020

Divisional  
Inspector of Schools (M)

Wali Ur Rehman (ASDEO)  
Circle Kuza Banada



Annex D1

16

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (MALE) BATTAGRAM

NO: 1842

DATED 25-02-2020

TO,

The District Education Officer

(Male) Battagram;

Subjed;

REPORT REGARDING APPOINTMENT ORDER NO:3192-96


06-07-2008 FOR ENQUIRY AGAINST MR; FAZAL WAHAB IMPROVED  
PST TEACHER

Memo;

Reference your letter No;1148/Litigation dated 25-02-2020

submitted that no record was found in our office file;

- 1, Charge Report.
- 2, Source One and Two
- 3, Service Book
- 4, Dairy Dispatch,
- 5, Attandance record,
- 6, Verification record.

  
SUB-DIVISIONAL EDUCATION  
OFFICER (MALE) BATTAGRAM

27/02/2020

NOX-D2 The District Education Officer (Male)  
District Ballagram.

No- 1477  
Dated 26-12-20

Subject Report REGARDING APPOINTMENT ORDER NO-  
3192-96 DATED 6-7-2008 FOR  
INQUIRY AGAINST MR FAZALWAHAB IMPUGNED  
PST TEACHER.

Memo, with reference to your office NO 1148 dated  
25/12/20 on the subject cited above.

It is stated that this office comments on the following  
information regarding the above mentioned subject  
as below.

1. Charge report of 1st appointment order is not available  
as the official was appointed as P.T & took over charge at  
GPS Chohan Tehsil Ballagram.
2. Saer I is also not available in this office on the  
ground that this office was not functional before 01/4.
3. Service book is also not available in this office  
because the case is underproceeding in honorable  
high court.
4. Daily diary record is also related to DEO(m) Ballagram
5. The said teacher was reconstituted by DEO(m) Ballagram  
under order NO 5526-30 dated 20-5-018 at GPS Fageero  
Tehsil Alwar and pay also activated by the  
competent authority under No 992-97 dated 4-9-02018. (copy attached)
6. Stoppage of pay and Recovery of over payment vide No 12945  
dated 8-9-018 issued by competent authority &  
this office has stopped the pay, as the order of the competent  
authority & stopped the pay, as the District Education Officer (Male)  
Ballagram came to know that the ghost employees cas is under-  
proceeding at NAB and the said officer was also called up for  
inquiry by the NAB on 5 and 6 November 018. (Copy attached)
7. The office has submitted file for seeking guide lines under  
letter NO 1287 dated 4-10-2019.  
After dated 10-10-019 the said office has not been performing  
at any station/school. (Copy attached)

13/05/20  
SPED (M)  
Alwar



**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM**

**SHOW CAUSE NOTICE**

I Muhammad Riaz Swati, District Education Officer (Male) Battagram as competent authority under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) rules, 2011, do hereby serve you Mr. Fazal Wahab PST GPS Nehrai/Chohan presently working at GPS Faqero Tehsil Allai District Battagram as follows:

- a) As per findings of enquiry committee constituted vide this office order Endstt. NO. 4752-54 dated 19/04/2016 your appointment order is fake and bogus
  - i. Your appointment order NO. 3192-96 dated 06/07/2008 does not match with the office dispatch record.
  - ii. The two sanctioned posts were already occupied by Muhammad Saleem and Mukhtiar during the year 2008.
  - iii. The sole/single order is suspicious as single order is rarely found in advertised posts.
  - iv. No appointee of your name has been found in the staff attendance register.
  - v. The circle ASDEOs have given a written statement (both of Thakot & Kuza Banda) that neither you have performed duty nor your name is exist in the staff attendance register.
  - vi. Your name has not been found even in the log book of the school for annual inspection.
  - vii. Reports of ASDEOs have been verified by SDEO (M) Battagram vide his office Endstt. NO.200 dated 20/02/2016. He further stated that no entry has been found in the attendance register and no relevant record has been found and his office has not activated your pay, moreover your service book has not been properly maintained in his office.
- b) In exercise of the power conferred by the Khyber Pakhtunkhwa, Govt. servant (Efficiency & Discipline) rules, 2011, the Competent Authority is hereby pleased to serve you with the instant show cause notice regarding your fake and bogus appointment with the direction to submit your defence in writing within (07) Seven days of the issuance of this notice.
- c) In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defence to offer and ex-parte decision will be taken against you.

COMPETENT AUTHORITY

Mr. Fazal Wahab PST GPS Nehrai  
presently working at GPS Faqero  
Tehsil Allai District Battagram

Endst: No. 8990-92/1

Dated Battagram, the 9 / 8 /2016

Copy of the above is forwarded to:

- 1. PA to Director E&SE KPK Peshawar.
- 2. SDEO (M) Allai with the direction to serve the show cause upon the concerned official.
- 3. Mr. Fazal Wahab PST GPS Nehrai presently working at GPS Faqero Tehsil Allai District Battagram.

District Education Officer (M)  
Battagram

~~Annex-12~~  
P-21

Regd AD

REPLY SHOW CAUSE NOTICE

PRELIMINARY STATEMENT:

1. There exist an appointment letter in favor of under signed since 2008 and being an appointee till to date, as is even evident from the show cause notice itself, the under signed, is in no position personally either to declare the same as illegal or otherwise, however, the whole service record of the under signed is based on it which has duly been issued by an authority (may or may not be competent as the under signed can't declare him so in any capacity) acted upon which clearly has created vested rights in favor of the under signed thus at this juncture (without prejudice) the show cause notice under reply, a part from other legal defects, is directly in conflict with "Principle of Locus Poenitentiae" thus is liable to be withdrawn / cancelled / revoked
  
2. There might be "Show Cause" notices to appointing authority along with all the then staff, Account Officers through out the period, high-ups of the department under superintendence of whom services are being rendered regularly and continuously by the under signed, however no reference of the same notices / inquiry is found in show cause notice under reply. had the reference been there the instant answer would have been more elaborate and more comprehensive, even inquiry, under the law would have been on these lines and dimensions and any deviation by inquiry committee from these core aspects / issues / dimensions make the very inquiry report incomplete, unwarranted, dubious, capricious, flimsy which in no eventuality can be made basis for any further action.
  
3. The department can better judge the value of Show Cause Notice after receiving notices from KP Service Tribunal Peshawar and Peshawar High Court Circuit Bench Abbottabad and matter pending with NAB authorities.

P-22

PARAWISE STATEMENT;

Show cause notice is sent to Mr. Fazal Wahab SPST GPS Faqirio which ipso facto makes rest of the paras as redundant, ineffective and un-implement-able;


- a. Action of inquiry committee has been dealt / answered in para-2 of *preliminary statement* supra and para (a) is vehemently denied.
  - i. The undersigned has got nothing to do with the appointment letter, inquiry might have been conducted against all the concerned officials who issued and acted the same, the undersigned simply is in regular service the order match with the record or otherwise is an act which can in no eventuality can be even remotely linked by the undersigned.
  - ii. The undersigned has got no concern with the para ii, this is an internal arrangement of the department to which the under signed can not be a party or privy, rather it is an internal fact which has got no relevancy with the undersigned, the undersigned has been appointed and that appointment is intact and cannot be undone at this stage. it is pertinent to mention here that (without prejudice) action may be taken against the wrong doers but the vested rights of the undersigned cannot be even disturbed at this stage.

- iii. That undersigned has got no concern with the para iii, detail answer is already in the preceding paras.
  - iv. This para is even against the contents of show cause notice under reply, moreover detail answer is already in the preceding paras.
  - v. The undersigned is neither custodian nor manager of the record, he is simply a teacher even performing his duty till to date, para v is not related to the undersigned.
  - vi. Detail answer is already in the preceding paras.
  - vii. Detail answer is already in the preceding paras
- b. The appointment of undersigned at the stage on account of discrepancies (if any) by others cannot be questioned, it is submitted to please withdraw / cancel / revoke the show cause notice accordingly.



FAZAL WAHAB  
SPST Teacher

Govt. Primary School Faqiro  
Allai, District Battagram

Copy retained 



22      Annex - C1

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM**

**OFFICE ORDER**

WHEREAS you Mr. Fazal Wahab S/O Rahimullah R/O Rashang Tehsile Allai District Battagram transferred against the post of PST at GPS Faqero Allai were proceeded for having inducted yourself in this (E&SE) department through fabricated/fake and bogus appointment order not issued by the lawful authority and having no legal sanctity .

AND WHEREAS in result of your transfer order from GPS Chohan Battagram to GPS Faqero Allai issued vide this office Endstt. NO. 3345-49 dated 02/07/2015 obtained by you through fraud.

AND WHEREAS SDEO(M) Allai submitted your Service Book to this office with the request to verify your service documents i.e Appointment Order/Merit List from official record vide his office NO. 1675/verification dated 01/02/2016.

AND WHEREAS SDEO(M) Battagram was directed vide this office letter NO. 1573 dated 08/02/2016 to confirm your Service Book/Charge Report/Medical Certificate/Performance of Duty and drawl of Salaries.

AND WHEREAS SDEO(M) Battagram submitted his detail report/ reply vide his office NO. 200 dated 20/02/2016 along with reports of ASDEOs Circles Kuza Banda and Thakot wherein he submitted that;

- i. You have not taken over charge in the schools (GPS Nehrai Circle Thakot and GPS Chohan Circle Kuza Banda).
- ii. your documents have not been verified/attested by ASDEOs Circle or Dealing Assistant.
- iii. No entry has been found in school attendance registers.
- iv. No relevant record has been found in his office.
- v. Your salary has not been activated by his office.
- vi. Your Service Book has not been maintained by his office.

AND WHEREAS an Enquiry was initiated against you vide this office order Endstt. NO. 4752-54 dated 19/04/2016 constituting a committee comprising of two principals of Grade-18.

AND WHEREAS Enquiry Committee submitted its report/findigs along with supporting documents vide Principal GHS Chapargram Office NO. 314 dated 03/06/2016 as;

- i. You belong to village Rashang Tehsile Allai and your appointment order's NO. 3192-96 dated 06/07/2008 does not match with office dispatch NO.
- ii. The two sanctioned posts of PSTs at GPS Nehrai were already occupied by Muhammad Saleem and Mukhtiar.
- iii. No appointee of your name has been found in the staff attendance register.
- iv.. ASDEOs of both circle (Thakot and Kuza Banda) have given written statement that neither you have performed duty nor your name is exist in staff attendance registers.
- v. your name has not been found even in Log Book for annual inspection.
- vi. Reports of ASDEOs have been verified by SDEO vide his office NO. 200 dated 20/02/2016.

The enquiry committee concluded that your appointment order is bogus and fake and recommended that your pay may be stopped and legal proceeding under service rules may be initiated against you.

AND WHEREAS in the light of enquiry report a Show Cause Notice was served upon you vide this office Endstt. NO. 8990-92 dated 09/08/2016

AND WHEREAS reply to the Show Cause Notice was received from you vide this office diary NO. 2691 dated 09/09/2016.

AND WHEREAS you were called for personal hearing vide this office NO. 12001 dated 14/10/2016.



AND WHEREAS you appeared on the fixed date but could not justify your appointment order. Whereas your case is under enquiry along with other ghost/fake employees before NAB.

NOW THEREFORE, in the light of findings of enquiry committee, reports submitted by SDEOs/ASEOs and proceeding initiated against you as well as supporting documentary evidence the undersigned being Competent Authority is of the opinion that your appointment order is fake/bogus/fabricated/not issued by the lawful authority, thus having no legal sanctity is declared as "NULL AND VOID".

-sd-  
DISTRICT EDUCATION OFFICER (M)  
BATTAGRAM

Endst: No. 18899-18967 / Est(P)  
Copy forwarded to the:-

Dated Battagram, the 09 / 12 /2016

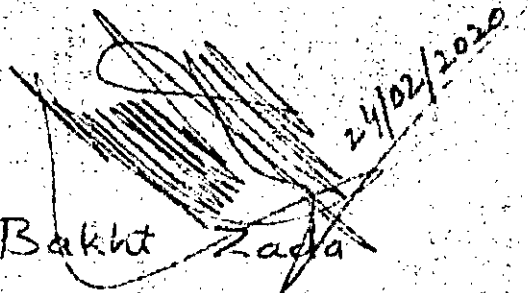
1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with the request to initiate departmental proceeding against the officials/officers involved in such like mal practices.
2. Director Anticorruption KPK Peshawar with the request to initiate proceeding against all those officials/officers who are involved in such like mal practices and a cause of huge financial loss to the provincial exchequer.
3. Deputy Commissioner Battagram.
4. District Account Officer Battagram.
5. District Monitoring Officer Battagram.
6. Sub Divisional Education Officer (Male) Battagram with the directions to calculate the total amount unlawfully released to the concerned person as salaries and approach to Anticorruption department to lodge FIR under relevant section of law.
7. Sub Divisional Education Officer (Male) Allai.
8. Circle Officer Anticorruption Battagram.
9. Fazal Wahab S/O Rahimullah R/O Rashang Tehsile Allai District Battagram .

  
DISTRICT EDUCATION OFFICER (M)  
BATTAGRAM

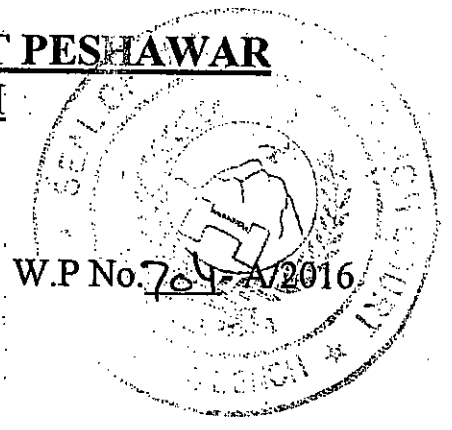
To,

District Education Officer (Male)  
DIST Battagram

Reference to your letter No. 1157 litigation Dated  
25.2.2020, with due respect it is stated  
that the Signature on Appointment order  
Endorsed No: - 3192-96/EB/AF-11/F-2007 dated 6.7.2008  
is evidently bogus and fake, so the undersigned  
disown and denounce the Signature.

  
24/02/2020  
Bakht Zada  
x. D.E.O. (M) Battagram

**BEFORE PESHAWAR HIGH COURT PESHAWAR**  
**ABBOTTABAD BENCH**



W.P No. 764-A/2016

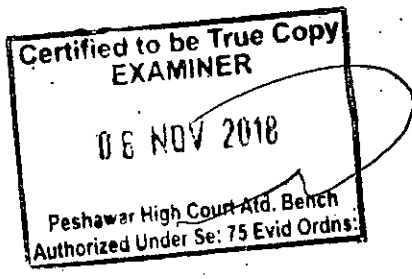
Fazal Wahab son of Raheemullah caste Yousafzai resident of Rashang,  
Tehsil Allai District Battagram.

....PETITIONER

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Education,  
Peshawar
2. District Education Officer (School & Literacy), Battagram.
3. Sub-Divisional Education Officer (Schools & Literacy), Tehsil  
Allai District Battagram.

....RESPONDENTS



**WRIT PETITION UNDER ARTICLE 199 OF**  
**THE CONSTITUTION OF ISLAMIC REPUBLIC**  
**OF PAKISTAN 1973.**

Respectfully Sheweth: -

NO 3428  
28.7.16

1. That, the petitioner was appointed as PST in BPS-7 in  
Education Department vide order dated 06.07.2008.

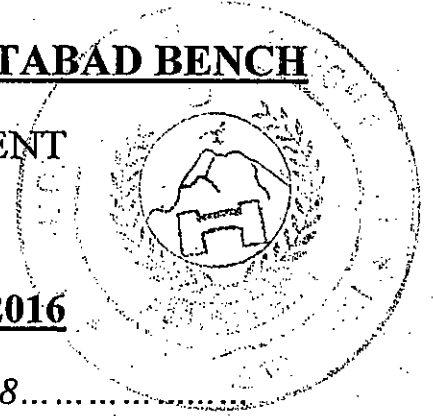
PRINT TODAY

*Handwritten signature and stamp:*  
Registrar  
Peshawar High Court  
Abbottabad Bench  
28/7/16

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH**

JUDICIAL DEPARTMENT

JUDGMENT SHEET

**Writ Petition No.704-A/2016**

Date of hearing: .....22.03.2018.....

Petitioner(s).... (Fazal Wahab) by Mr. Tanveer Ahmad Mughal, Advocate,

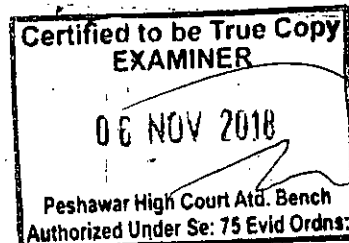
Respondent(s)... (The State) by Mr. Yasir Zahoor Abbasi, AAG

**LAL JAN KHATTAK, J.** Petitioner through this petition has applied to this Court for issuance of a writ directing the respondents to pay him his salaries since January, 2015 till date.

2. Arguments heard and record gone through.
3. Perusal of the case record would show that the very appointment order of the petitioner has been declared fake and bogus by the respondents. When the petitioner's appointment is fake then it makes no sense for him to pray this Court for directing the respondents to pay him the desired salaries.
4. For what has been discussed above, this petition, being bereft of any merit, is hereby dismissed.

**Announced****DL.22.03.2018**

Muhammad Lillah S (Sr.SJ)



Annex - J 27

~~25~~  
H.P.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0997311439



No: 17193-17209

Dated: 20/10/2016 Page(1/4)

To

Dr. Shaluzad Khan Bangash  
Secretary to Govt of Khyber Pakhtunkhwa  
Elementary & Secondary Education Department  
Peshawar

Subject: GHOST / FAKE EMPLOYEES REGULARLY DRAWN THEIR SALARIES AGAINST VARIOUS COST CENTERS OF E&SE DEPARTMENT BATTAGRAM AND INFLECTED HUGE FINANCIAL LOSS TO THE PROVINCIAL EXCHEQUER AND NAB KP PESHAWAR INITIATED INQUIRY AGAINST AURANGZEB SENIOR AUDITOR & HAMID SUB-ACCOUNTANT DISTRICT BATTAGRAM AND OTHERS REGARDING MISUSE OF AUTHORITY

Memo:

The undersigned would like to invite your kind attention to the following facts:-

1. That National Accountability bureau KP Peshawar initiated captioned inquiry and communicated to the District Education Officer Battagram vide letter No: 1/609/IW-II/NAB(KPK)/1273 Dated 30-06-2016 for provision of complete record regarding salary slips, copy of CNIC & Appointment Orders of 18 employees of E&SE Department Battagram. (Copy Attached and annexed as Annex-A).
2. That this office made request to DAO Battagram for provision of monthly salary slips / Payroll Vide office letter No: 7051-53 Dated 11-07-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-B). In response to that DAO Battagram replied vide his office letter No: 471/2016 Dated 14-07-2016 and provide copy of payroll of the 16 Employees out of 18 (Copy attached and annexed as Annex-C).
3. That all the payrolls received from office of the DAO Battagram were submitted to Deputy Director (Coord) NAB KP Peshawar vide this office letter No: 7396 Dated 20-07-2016 (Copy attached and annexed as Annex-D).
4. That after provision of payrolls this office asked the DDOs / Head of Schools / SDEOs concerned for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center. (Copy attached and annexed as Annex-E). All the concerned DDOs made reply with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center (annexed as Annex-F1-F22).  
Replies of the DDOs were communicated to NAB KP Peshawar vide this office letter No: 9132-33 Dated 15-08-2016. (Copy attached and annexed as Annex-G).
5. That NAB Peshawar issued call Notices addressed to the Employees through DEO Battagram asking them to attend NAB Office Peshawar on 03-08-2016, however the same were received in this office on 9-8-2016 which were endorsed to concerned DDOs / Head of Schools / SDEOs vide this office letter No: 9134-41 Dated 15-08-2016 (Copy attached and annexed as Annex-H1 to H2).
6. That Mr. Nacemullah Investigation Officer NAB KP Peshawar intimated his schedule of visit to the office of the DEO (M) Battagram on 17-08-2016 and asked that attendance of all the DDOs in the proceeding is mandatory and same may be ensured please. Accordingly the instruction of the investigation officer was communicated to the concerned DDOs / Heads of the Schools / SDEOs through this office letter No: 9144-52 Dated 15-08-2016 (Copy attached and annexed as Annex-I).

J



Page(2/4)

7. That IO initiated the proceeding on 17-08-2016 in the office of the undersigned and subsequently on 18-08-2016 recorded the statements of the DDOs and also served a format upon the DDOs and asked them for their concluding remarks against each employee drawn pay against their cost center. (Copies attached and annexed as Annex- J1-J8).
8. That the DDOs facing the inquiry made request to the DAO Battagram to provide the copies of the following documents to judge their legal sanctity and validity.
- |                                    |                                                    |
|------------------------------------|----------------------------------------------------|
| 1. Source 1 & 2,                   | 2. Appointment Order                               |
| 3. MC (Age and health Certificate, | 4. Pay release order from the competent authority. |
| 5. CNIC                            | 6. Charge Report.                                  |
9. That this office endorsed the request of the DDOs vide letter No: 9287-95 Dated 18-08-2016 to DAO Battagram for provision of said documents to enable the DDOs to avail the opportunity of defence. (Annexed as Annex-K1-K2)
10. That District Accounts Officer Battagram argued vide letter No: 620-23 Dated 18-08-2016 that keeping of such record is the responsibility of the concerned DDO and his office is unable to provide such type of record (Copy attached and annexed as Annex-L).
11. That on 19-08-2016 undersigned vide letter No: 9320-31 Dated 19-08-2016 again made request to the DAO Battagram that DDOs have no record in their offices regarding fake and bogus activation of pay in respect of ghost/ strangers persons drawn their pay through mal-practices without due process as required under the law. (Copy attached and annexed as Annex-M-1).
12. Undersigned submitted detail of case to Director E&SE KP Peshawar regarding the NAB inquiry and copies thereof to Secretary Finance Department, E&SED, Accountant General Additional Director E&SE Directorate & Deputy Commissioner Battagram (Copies attached and marked as M-2-M-4).
13. That it is further added that NAB KP Peshawar provided another list of 65 Employees for their pay slips and other record vide letter No: 1/609/IV- - II/NAB(KPK)/1338 Dated 21-07-2016 (Copies attached and marked as Annex- N 1 - N3).
14. In pursuance to the same this office approached to the DAO Battagram through letter No: 8967-70 Dated 06-08-2016 as the cost center was not mentioned in the letter of NAB KP. (Copy attached and annexed as Annex-O1-O2).
15. In response to that DAO Battagram replied vide office letter No: 632 Dated 03-08-2016 and provide copies of payroll of all the 65 Employees (Copy attached and annexed as Annex-P).
- That after provision of payrolls, this office checked it and found that 33 employees related to E&SE Department District Battagram while the other 32 belong to other various departments. Undersigned asked the DDOs / Head of Schools / SDEOs concerned vide letter No: 9908-15 Dated 01-09-2016 for provision of copies of CNIC & Appointment order in respect of all those officials who had drawn salaries against their cost center. (Copy attached and annexed as Annex-Q1-Q2).
16. All the concerned DDOs made replies with the contention that they never activated pay of the fake and ghost employees who had drawn salaries against their cost center except 04 out of 33 employees (annexed as Annex-R1-R21).
17. That replies of the DDOs and Payrolls provided by the DAO Battagram were communicated to NAB KP Peshawar vide this office letter No: 10365-71 Dated 19-09-2016 (Copy attached and annexed as Annex-S1-S3).



Page(3/4)

18. In response to Deputy Commissioner Battagram office letter No. 6179/AE Dated 31-08-2016. brief history / detail of the case of ghost / fake employees reported by NAB KP Peshawar along with mentioned enclosures have already been communicated to DC Battagram vide this office letter No. 10511-17 Dated 22-09-2016. Copy attached and marked as annex-T1-T2)
19. The NAB KP Peshawar asked information, letters / Orders bearing Endst: Numbers on 7-10-2016 detail of which is mentioned in letter, reply to NAB made vide this office letter No: 12030-32 Dated 14-10-2016. (Copies attached and marked as AnnexU1 to U-18) NAB further asked all the DDOs concerned to attend NAB Peshawar Office on 13-10-2016 and this office informed all the DDOs to attend so (Copy attached and annexed as annex-V)

**In the light of above facts, you are requested to initiate departmental inquiry against all those officers / officials who have committed misuse of authority and inflicted such a huge loss to Govt treasury through mal-practices.**

**Detail of fake appointees / Ghost / Strangers employees who had drawn salaries through various DDO Codes / Cost centers are submitted as below:**

S.No	AG P.NO	NAME OF EMPLOYEE	DDO CODE	SCHOOL / OFFICE NAME
1	711974	SHAH FAISAL	BM 7033	SDEO (M) Battagram
2	701740	Qazi Rashid Hussain	BM 7033	SDEO (M) Battagram
3	684967	Khyal Muhammad	BM 7033	SDEO (M) Battagram
4	699014	Sarfaraz Khan	BM 7033	SDEO (M) Battagram
5	660390	Fazal Wahab	BM 7033	SDEO (M) Battagram
6	718733	SHAH JEHAN	BM 7034	SDEO (F) Battagram
7	718805	MUHAMMAD TARIQ	BM 7034	SDEO (F) Battagram
8	705608	NAVEEDA TARIQ	BM 7037	DDEO FEMALE BATTAGRAM
9	705607	Salma Gul	BM 7037	DDEO FEMALE BATTAGRAM
10	48646	Malik Hayat Khan	BM 7056	GHS SAKARGAH
11	720474	AFTAB ALAM	BM 7056	GHS SAKARGAH
12	720499	ETHISHAM UL HAQ	BM 7056	GHS SAKARGAH
13	720677	SHABANA BIBI	BM 7056	GHS SAKARGAH
14	720679	ASIM FAHEM	BM 7056	GHS SAKARGAH
15	709109	FAISAL LATIF	BM 7056	GHS SAKARGAH
16	721561	IMTIAZ ALI KHAN	BM 7056	GHS SAKARGAH
17	721562	IHSAN KHAN	BM 7056	GHS SAKARGAH
18	706742	Ismail Shah	BM 7067	GHS HUTAL BATKOL
19	718804	MUHAMMAD ADNAN	BM 7067	GHS HUTAL BATKOL
20	718227	Muhammad Naeem	BM 7070	GHS ASHARBAN
21	718138	MUHAMMAD IQBAL	BM 7070	GHS ASHARBAN
22	718811	AAMIR ZESHAN	BM 7070	GHS ASHARBAN
23	720678	ABDUL AWAL	BM 7070	GHS ASHARBAN
24	718806	ANWAR ZAIB	BM 7070	GHS ASHARBAN
25	718808	NAYAT SHAH	BM 7070	GHS ASHARBAN
26	706741	Neelam	BM 7063	GGHS BANIAN
27	702876	Nazia Hassan	BM 7063	GGHS BANIAN
28	701739	Jisarar Bibi	BM 7063	GGHS BANIAN



29	704377	NAEEMA	BM 7063	GGHS BANIAN
30	718734	NADIA NOOR	BM 7063	GGHS BANIAN
31	718810	UZMA NOREEN	BM 7063	GGHS BANIAN
32	720475	SHAHNAZ BEGAM	BM 7063	GGHS BANIAN
33	720682	FARAH NAZ	BM 7063	GGHS BANIAN
34	720683	HUMA	BM 7063	GGHS BANIAN
35	702865	KIRAN QAYUM	BM 7063	GGHS BANIAN
36	709118	ZARKA RONAQ	BM 7063	GGHS BANIAN
37	718228	AROOJ TEHSEEN	BM 7063	GGHS BANIAN
<b>REPORTED BY HEADMASTER GHS HUTAL BATKOOL OTHER THAN NAB INQUIRY</b>				
38	524242	Shahid CT	BM 7067, 6082	GHS HUTAL BATKOL
39	431101	Muhammad Zahoor SST	BM 7067, 6082	GHS HUTAL BATKOL
40	709119	Yasir Amin TT	BM 7067, 6082	GHS HUTAL BATKOL

-Sd-  
District Education Officer (Male)  
Battagram

Dated: \_\_\_/10/2016.

Endstt: No: \_\_\_\_\_/

Copy for information & n/a to the:

1. Secretary Government of KP Finance Department Peshawar.
2. Accountant General KP Peshawar.
3. Director E&SE Department Peshawar
4. Additional Director Establishment Directorate of E&SE KP Peshawar.
5. Mr. Naemullah Investigation Officer NAB KP Peshawar.
6. Deputy Commissioner Battagram.
6. District Accounts Officer Battagram.
8. SDEO (M) Battagram & Allai.
9. All the DDOs / Head Masters Concerned.

Page(4/4)

District Education Officer (Male)  
Battagram



RAMESH - R

41

OFFICE OF THE PRINCIPAL GOVERNMENT HIGH SCHOOL CHAPPARGRAM(BATTAGRAM)

No 314

Dated 03/06/2016

To;  
The District Education Officer (M)  
Elementary & Secondary Battagram.

Subject; INQUIRY AGAINST THE BOGUS APPOINTMENTS OF PSTs

Reference your office letter bearing endorsement no 4752-5 dated 19-04-16 about the subject cited above, to do the inquiry against the following two Primary school teachers, The committee approached the SDEO office concerned and collected the documentary proofs and statements for further proceeding (against or in favor of the concerned).

S.No	Name of teacher	Father name	School	P.NO	Appointment order	Transfer order no
01	Fazal Wahab	Rahimullah	GPS Nerai/Chohan	00660390	3192-96 dated 6-7-2008	3345-49 dated 2-7-2015
02	Mehrajuddin	Sirajuddin	GPS Andawali	00349221	8473-78 dated 20-04-2013	3345-49 dated 2-7-2015

FINDINGS

1. Fazal Wahab belongs to Village Rashang Tehsil Allai. His appointment order no 3192-96 dated 06-07-2008 does not match with the office dispatch no.
2. The two sanctioned posts were already occupied by 1. Muhammad Saleem the Head teacher 2. Mukhtiar the vice teacher during the year 2008.
3. The sole/single order is suspicious as single order is rarely found in the advertised posts.
4. No appointee of the said name has been found in the staff attendance register.
5. The circle ASDEOs have given a written statements (both of Takot and KuzaBanda) that neither the said teacher has done duty nor their name exists in the staff attendance register.
6. The said name has not been found in even in the log book of the school for annual inspection.
7. The report of both the ASDEOs has been verified by the SDEO (M) Battagram vide his office endorsement no 200 dated 20-02-20. 6. He further states that no entry has been found in the attendance register and no relevant record has been found and the local office has not activated the pay of the concerned, moreover the service book has not been properly maintained in his office.

SRST  
vide order no. PR-1-18  
Date 25-11-17

F. D. (M)  
M. B. (M)  
M. B. (M)  
11/11/16

**CONCLUSIONS**

After the thorough study of the relevant record and documentary proofs, this committee reaches on the following conclusions.

1. Single appointment looks suspicious, bogus and fake.
2. Some un-cleaned hands were involved in the office of the DEO in such type of mal practices.
3. The said teacher has been appointed through illegal channel.

**2. MIRAJUDDIN****FINDINGS**

1. He belongs to UC Pashto Tehsil Allai and he has been appointed at GPS AndarWali UC Bannian Tehsil Battagram.
2. The concerned teacher falls at S.no 21 in merit list while there were four vacant posts at UC Pashto and the top candidates except S.No 01 were accordingly appointed while SsNo 1 was appointed as DM.
3. The appointment order no 8473-76 dated 20-04-2013 does not match with the office dispatch record.
4. The attendance register shows that 02 sanctioned posts had already been occupied/filled by 1. Rafiullah the Head teacher 2. Muhammad Irshad the Vice teacher.
5. The SDEO(M) Battagram has given a clear cut statement vide his office no 200 dated 20-02-2016 that no teacher of such name has been found in the attendance register. He has further stated the salary has not been activated by his office, moreover he has stated that neither service book nor any other relevant record has been properly maintained by his office.

**CONCLUSIONS**

After thorough study of the relevant record /documentary proofs, the committee reaches on the following conclusions.


1. This sole/single appointment looks suspicious, bogus and fake.
2. The appointment is against the existing appointment policy based on union council.
3. Some un-cleaned hands /black sheep look involved in such type of mal practices.
4. The teacher has been appointed through illegal channel.

**RECOMMENDATIONS**

1. Since both these appointments are bogus /fake, so pays should be immediately stopped.
2. They should be immediately suspended from their posts.
3. Legal proceedings should be immediately initiated against them under the service rules.
4. Persons involved in such mal practices may be brought under the umbrella of justice.

  
AKMAL KHAN

**Principal**  
GHS Chappargran  
Distt: Battagram

  
MUHAMMAD SHOAIB KHAN

**PRINCIPAL**  
GHS Bateela (Allai)  
Battagram



8. He surely might have presented charge report and Medical certificate from the MS concerned for activation of his pay to the DAO, as no pay is activated without these.

9. He has been upgraded two times during his seven years carrier.

10. The court has given him lenient view on his seven years service as there is no wrong from a teacher as a teacher does not know official complications and formalities.

### Conclusions

Keeping in view the above Facts the committee Reaches on the following Conclusions.

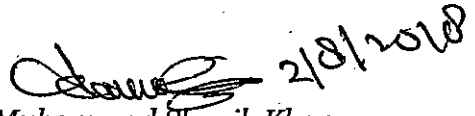
1. The impugned appointment order has been given legal status by the court .
2. Since the teacher has been found qualified for the post and he has rendered seven years service he is given the status of government servant.
3. The court has issued order for his re-Instatement and subsequently he has been re-instated vide your office no 5526-30/EB/Pry/Dated Battagram the 28-05-2018.


### Recommendations

Since the said teacher has already been re-instated the committee recommends that

1. The said teacher should be paid all back benefits w.e.f. 16-01-2015 up to date on humanitarian grounds so that he may earn bread and butter for his children and family.

### **Inquiry Committee**

  
Muhammad Shuaib Khan  
Principal  
GHSS KuzaBanda  
Battagram.

  
Akmal Khan  
Principal  
GHS Chappargram  
Battagram.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) 35

EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0997543540,539



12945 / Estab: Primary

Dated: 9 /11/2018

50

To

The District Accounts Officer  
Battagram

Subject: STOPPAGE OF PAY AND RECOVERY OF PAYMENT IN R/O MR. FAZAL WAHAB<sup>S</sup>PST GPS FAQEERO, ALLAI BATTAGRAM

Memo:

Reference to this office order bearing Endstt: No: 9592-97/EB/AE-I(Pry) dated Battagram 04-09-2018 regarding the release of pay and back benefits in favor of the above stated<sup>S</sup>PST is hereby declared "NULL AND VOID" with the request to stop the salary of the concerned forthwith, stop payment of arrears if not paid, otherwise arrears may be recovered accordingly as his case along with other ghost employees is under trial in NAB Khyber Pakhtunkhwa, Peshawar.

o/c

DISTRICT EDUCATION OFFICER (MALE)  
BATTAGRAM

Endstt: No: 12946-50 /Estab: Primary  
Copy for information to the.-

Dated: 9 /11/2018

1. Mr. Naeem Ullah Investigation Officer NAB Khyber Pakhtunkhwa Peshawar w/r to personal hearing dated 06-11-2018 at NAB headquarter Peshawar.
2. Director E&SE Khyber Pakhtunkhwa Peshawar.
3. Deputy District Education Officer (Male) Local Office.
4. SDEO (Male) Allai & Battagram for strict compliance and report.
5. Office file for record.

o/c

DISTRICT EDUCATION OFFICER (MALE)  
BATTAGRAM

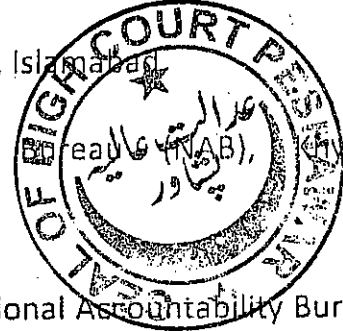
BEFORE THE HONORABLE PESHAWAR HIGH COURT PESHAWAR

W.P No. \_\_\_\_\_ /2019

Fazal Wahab (SPST), Government Primary School Faqiro, Allai, District Battagram

VS

1. Chairman, National Accountability Bureau (NAB), Islamabad
2. Director General, National Accountability Bureau (NAB), Khyber Pakhtunkhwa
3. Naeemullah Mehsud (Investigation Officer), National Accountability Bureau (NAB) Khyber Pakhtunkhwa Peshawar
4. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar
5. District Education Officer (DEO), District Battagram, Khyber Pakhtunkhwa

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKSITAN 1973

The petitioner is pleased to beseech before this Honorable Court as under;

1. That Reference No. 07/2017 in pending adjudication in the Honorable Accountability Court-II Peshawar against one "Ayaz Qureshi & Others" where the petitioner is at serial no. 08 of the list of accused/beneficiaries". The allegation against the petitioner is of being a "Ghost Employee" of the education department. (Copy of the Extracts of Relevant Part of the Reference is attached as F/A)
2. That being the employee of the education department, the petitioner was appointed on 06/08/2008 as "PST" in the

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**EXAMINER**  
 Peshawar High Court

education sector in district "Battagram". It is also added that after serving for more than seven years, his appointment order was declared "Fake & Bogus" due to which the petitioner filed service appeal no. 572/2017 in the Worthy Service Tribunal Peshawar KP which was allowed vide dated: 12/04/2018 with the direction to the Respondent No. 04 & 05 qua de-novo inquiry. (Copy of the Null & Void Order, Service Appeal to the Worthy Tribunal and Judgment Dated: 12/04/2018 is attached as F/B)

3. That the Respondent No. 05 conducted the de-novo inquiry and the petitioner was exonerated from the allegation and was re-instated vide order dated: 04/09/2018 with all back-benefits. (Copies of the Inquiry Report & Re-Instatement Order is attached as F/C)
4. That after getting finality after the order passed by the Respondent no. 05, the petitioner started serving at "GPS Fagiro, Tehsil Allai & District Battagram" which is evident from the attendance register and workshop conducted by PITE (Provincial Institute of Teachers Education). (Copy of the Attendance Register & PITE Workshop Attendance is attached as F/D)
5. That the petitioner being a lawful civil servant, after proper exoneration in the enquiry conducted by the Respondent No. 05 on the direction of the Worthy Service Tribunal Peshawar, filed application u/s 265-K before the Learned Accountability Court-II Peshawar for his acquittal on 25/10/2018 but soon after, storm in the tea cup emerged when the Respondent no. 05 started harassing the petitioner on one pretext or the other by taking the plea that Respondent No. 03 is annoyed by the re-instatement order of the petitioner by saying that it was un-lawful because already, the reference is pending before the Learned Accountability Court.
6. That with the flow of time, the irony of fate faced by the petitioner when excess of jurisdiction with un-lawful authority exhibited by the Respondent No. 03 (Investigation Officer), (Naeemullah Mehsud is the Investigation Officer pertaining to the Reference No. 07/207), by summoning the Respondent No. 05 to

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Peshawar High Court

the NAB Office Peshawar on 05/11/2018 & 06/11/2018 and directed him to cancel the reinstatement order dated: 04/09/2018 pertaining to which an office order was issued on 08/11/2018. (Copy of the Office Order Dated: 08/11/2018 is attached as F/E)

7. That feeling aggrieved, the petitioner submitted applications and appeal to the Respondent No. 04 as well as the Deputy Commissioner, Battagram but no heed has been paid. (Copy of the Applications & Appeal is attached as F/F)
8. That feeling peeved and deeply aggrieved due to the un-lawful acts of the Respondents, the Petitioner approaches this Honorable Court on the following grounds inter-alia;

GROUND:

- A. That the act of the Respondent No. 03, 04 and 05 is un-lawful, excess of jurisdiction, of no legal effect and violation of the Article 04 of the Constitution of Islamic Republic of Pakistan 1973.
- B. That it is a probity that NAB does not have the mandate to intervene in the departmental proceedings and cannot force, compel and coerce any department as well as any departmental official to act in any particular way or issue any order or notification.
- C. That the NAB Ordinance, 1999 as well as any other statute does not provide un-bridled powers to the NAB authorities to act as the competent authority of any department or intervene in their business except in accordance with law. The preamble of the NAB Ordinance 1999 is very much clear about the functions and authorities of the bureau which provides detection, investigation and prosecution. Reference can be made to 2013 PCrII 974.

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- D. That in fact, as per the mandate of Rule 14 (6), KP (E&D) Rules, 2011, even the enquiry committee was directed to conduct inquiry afresh which was complied with and recommendations were submitted on 2/08/2018 on which the competent authority issued the reinstatement order resulted in finality of the issue in question but still under the suppression and coercion of Respondent No. 03, the order was again taken back which is nullity in the eye of law.
- E. That it is also indispensable to submit that the impugned order issued by the Respondent No. 05 on the direction of Respondent No. 03 does not hold any water because once, the de-novo inquiry was directed by the competent court of law (Service Tribunal) to be conducted and after such de-novo conduction, when a person is exonerated and such gets finality, then the competent authority who issued such order becomes "Functus Officio" and he is un-authorized to take back such order but in this case, the impugned letter issued by the Respondent No. 05 is against the mandate of law and rules and sheer violation of the fundamental rights of the petitioner.
- F. That the de-novo inquiry was conducted on the direction of the competent court i.e. Service Tribunal which cannot be declared without lawful authority and un-lawful.
- G. That the impugned letter very conspicuously says about the un-lawful pressure and coercion poured over the Respondent No. 05 which cannot be covered by any law hence, tantamount to violation of the fundamental rights of the petitioner.
- H. That any other grounds can be raised at the time of arguments.

**ATTESTED**  
  
**EXAMINER**  
Peshawar High Court

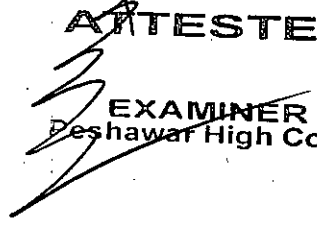
**PRAYER:**

In light of the foregoing submissions, it is therefore, most convivially and humbly prayed that on acceptance of the instant writ petition, this Honorable Court may graciously be pleased to;

1. Declare the interference of the Respondent No. 03 (Investigation Officer, NAB) in the official work being stepping into the shoes of the Respondent No. 04 & 05 by pouring undue influence and coercion to restrain/stop the petitioner from the performance of his duties as "SPST (Senior Primary School Teacher) at Government Primary School, Faqiro, Tehsil Allai & District Battagram" as un-lawful, void ab-initio, of no legal effect, Coram non judice, violation of the fundamental rights of the petitioner as well as against the spirit of the "National Accountability Ordinance, 1999"
2. Declare the impugned Office Order Dated: 08/11/2018 issued by Respondent No. 05 based on the un-lawful coercion and influence used by the Respondent No. 03 as against the mandate of law, rules, of no legal effect, passed without lawful authority and having no legal protection and be set-aside

**ATTESTED**  
**EXAMINER**  
Peshawar High Court

- 3. Direct the Respondent No. 04 & 05 to follow the mandate of law and rules and to comply with the re-instatement order issued vide dated: 04/09/2018 after conduction of regular inquiry as per the direction of the Worthy Khyber Pakhtunkhwa Service Tribunal keeping in view the fact that the Respondent No. 04 has become "Functus Officio" after issuance of the re-instatement order under the mandate of Rule 14(3) of the Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011
  
- 4. Direct the Respondent No. 01 & 02 to initiate departmental/disciplinary proceedings against the Respondent No. 03 for his un-professional attitude to use un-lawful coercion and undue influence by poking his nose into the official work and compelling the Respondent No. 04 & 05 to declare the re-instatement order of the petitioner as "null & void"
  
- 5. Any other relief may also be awarded in favor of the petitioner against the Respondents

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**EXAMINER**  
 Peshawar High Court

INTERIM RELIEF:

By the way of interim relief, the impugned Office Order Dated: 08/11/2018 may graciously be suspended till the final decision of the instant writ petition.

Petitioner

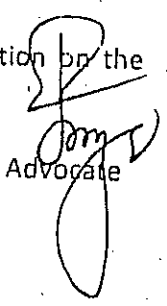
Through

(Mian Muhammad Imran)  
Advocate High Court  
BC-13-42-13  
&

(Adnan Khan)  
Advocate High Court  
Office No. 05, Shan Plaza,  
Sikandar Pura Chowk, Hashtnagri  
Peshawar.....0333-9577770  
0333-9274073

Certificate:

Certified that this is the first writ petition on the subject-matter.

  
Advocate

List of Books:

1. Constitution of Islamic Republic of Pakistan 1973
2. NAB Ordinance 1999
3. KP E&D Rules, 2011
4. Any other book as per need

**ATTESTED**

  
**EXAMINER**  
Peshawar High Court

43 ANNEX-0

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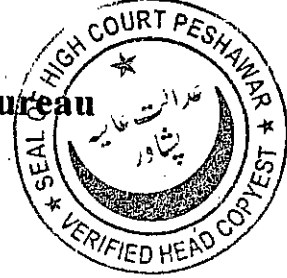
**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**JUDICIAL DEPARTMENT**

**W.P. No.5893-P/2019**

**Fazal Wahab**

**Vs.**

**Chairman, National Accountability Bureau  
(NAB), Islamabad and 04 others**



**JUDGMENT**

**Date of hearing 19.02.2020**

**Mian Muhammad Imran, Advocate, for the  
petitioner.**

**Muhammad Riaz Mohmand, ADPG, for the  
respondent-NAB.**

\*\*\*\*\*

**IJAZ ANWAR, J.** Fazal Wahab,  
petitioner herein, through the instant  
Constitutional petition under Article 199  
of the Constitution of Islamic Republic of  
Pakistan, 1973, has prayed for the  
following relief:-

*"1. Declare the interference of the  
respondent No.03 (Investigation  
Officer, NAB) in the official work  
being stepping into the shoes of  
the respondent No.04 and 05 by  
pouring undue influence and  
coercion to restrain/stop the  
petitioner from the performance  
of his duties as SPST (Senior*

**ATTESTED**

**EXAMINER**  
Peshawar High Court

*Primary School Teacher) at Government Primary School, Faqiro, Tehsil Allai and District Battagram” as unlawful, void ab-initio, of no legal effect, coram-non-judice, violation of the fundamental rights of the petitioner as well as against the spirit of the “National Accountability Ordinance, 1999.*

*2. Declare the impugned Office Order dated 08.11.2018 issued by the respondent No.05 based on the unlawful coercion and influence used by the respondent No.03 as against the mandate of law, rules, of no legal effect, passed without lawful authority and having no legal protection and be set-aside.*

*3. Direct the respondent No.04 and 05 to follow the mandate of law and rules and to comply with the re-instatement order issued vide dated 04.09.2018 after conduction of regular inquiry as per the direction of the worthy Khyber Pakhtunkhwa Services Tribunal keeping in view the fact, that the respondent No.04 has become “Functus Officio” after issuance of the reinstatement order under the mandate of Rule 14(3) of the Khyber Pakhtunkhwa*

ATTESTED

EXAMINER  
Peshawar High Court

*(Efficiency & Disciplinary) Rules, 2011.*

*4. Direct the respondent No.01 and 02 to initiate departmental/ disciplinary proceedings against the respondent No.03 for his unprofessional attitude to use unlawful coercion and undue influence by poking his nose into the official work and compelling the respondent No.04 and 05 to declare the reinstatement order of the petitioner as "null and void".*

*5. Any other relief may also be awarded in favour of the petitioner against the respondents.*

2. Facts, in brief, leading to the instant writ petition are that petitioner in the year, 2008 was appointed as Primary School Teacher in the respondent-Education Department. After serving for more than seven years, the petitioner's appointment order was cancelled by declaring it as fake and bogus vide Office Order dated 09.12.2016, issued by the District Education Officer (M), Battagram. Being aggrieved from the aforesaid order, petitioner called in



**ATTESTED**  
*[Signature]*  
**EXAMINER**  
Postwar High Court

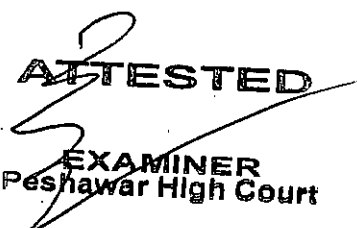
question it in appeal before the Khyber Pakhtunkhwa Services Tribunal, Peshawar. The aforesaid appeal was allowed vide judgment and order dated 12.04.2018, with the direction to the respondents No.4 and 5 to conduct a de-novo inquiry within a period of ninety days. Accordingly, respondent No.5 conducted a de-novo inquiry, as a result of which, petitioner was exonerated from the charges/allegations leveled against him and accordingly, was reinstated in service. It has further been averred in the petition that a Reference bearing No.07/2017 has been filed by the NAB authorities in the learned Accountability Court-II, Peshawar against one "Ayaz Qureshi and others", wherein, petitioner has also been named as accused and same is pending adjudication before it. After his reinstatement, petitioner filed an application under Section 265-K before the learned Accountability Court, thereafter, respondent No.5 started

  
**ATTESTED**  
**EXAMINER**  
Peshawar High Court



harassing him by taking the plea that his re-instatement order is unlawful. At the same time, on 05.11.2018 and 06.11.2018, respondent No.5 summoned the respondent No.3 at the NAB Office, Peshawar and gave a direction to him to cancel the reinstatement order of the petitioner and accordingly, the reinstatement order was cancelled. Being aggrieved, petitioner filed applications and appeal to the respondent No.4 and as well to the Deputy Commissioner, Battagram for the redressal of his grievance, but all in vain. Hence, this writ petition.

3. In view of the averments made in the petition in hand, comments were called from the respondents No.1 to 3, who furnished the same accordingly. They, in their comments, submitted that petitioner is a ghost employee who connived with the main accused No.01 to 05 of Reference No.07/2017, pending before the learned Accountability Court-


**ATTESTED**  
  
**EXAMINER**  
Peshawar High Court

appointment order. Thus, his reinstatement order has rightly been cancelled by the respondent-Education Department; as such, the instant writ petition, being meritless, deserves to be dismissed forthwith.

4. Arguments heard and record perused.

5. Perusal of the record reveals that petitioner has been charged by the respondent-NAB as ghost teacher and a NAB Reference is also pending trial before the learned Accountability Court at Peshawar against him. The record further transpires that petitioner was proceeded on the ground of obtaining appointment by committing fraud, as such, his appointment order was declared as null and void by the District Education Officer (M), Battagram vide Office Order dated 09.12.2016.

6. The petitioner filed an appeal before the Khyber Pakhtunkhwa Services Tribunal, Peshawar against the aforesaid

**ATTESTED**  
  
**EXAMINER**  
Peshawar High Court

order, which was allowed vide judgment and order dated 12.04.2018, and accordingly, he was reinstated in service with a direction to the respondents to conduct a de-novo inquiry within a period of ninety days. The Departmental Authority, while complying with the judgment and order of the Khyber Pakhtunkhwa Services Tribunal vide Office Order dated 28.05.2018, reinstated the petitioner in service and further direction was issued for the de-novo inquiry. The inquiry Committee, so constituted, conducted the de-novo inquiry and gave the following recommendations regarding the petitioner:-

**Recommendations:-**

*Since the said teacher has already been re-instated, the Committee recommends that:-*

- 1. The said teacher should be paid full back benefits w.e.f. 16.01.2015 upto dated.*
- 2. Necessary entries should be made in his service book and*

**ATTESTED**

**EXAMINER**  
Peshawar High Court

*be attested from the DDO concerned.*

3. *His service for various years should be re-verified.*

7. The competent authority, while accepting the recommendations of the Inquiry Committee, reinstated the petitioner in service vide order dated 04.09.2018, with all back benefits. Interestingly, the NAB Authorities called upon the appointing authority at the office of NAB, Peshawar and upon their direction, the reinstatement order of the petitioner was cancelled vide Office Order dated 08.11.2018 by the District Education Officer (M), Battagram.

8. Learned counsel, representing the respondent-NAB, was asked to justify that under what authority, respondent-NAB can interfere with the departmental matters of the Education Department; however, no satisfactory response was given to this query of the Court.

9. There is no cavil with the proposition that the Departmental

**ATTESTED**

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proceedings and criminal proceedings can go side by side, however, direct interference of the respondent-NAB Authorities in forcing the District Education Officer (M), Battagram for the removal of petitioner from service, in no way, could be appreciated or sustained. If there is any charges/allegations against the petitioner regarding his misconduct, he, being employee of the Education Department, can only be proceeded under the Khyber Pakhtunkhwa Efficiency & Disciplinary Rules, 2011; while, for the criminal charges, he can be tried before the learned Accountability Court, where the charges are to be proved or otherwise, as the case may be. In the instant case, petitioner has been proceeded Departmentally and already exonerated from the charges, leveled against him, as such, he was rightly reinstated in service by the Education Department. Thus, the direction of the NAB authorities to the Education

  
  
**ATTESTED****EXAMINER**  
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### سوالنامہ برائے فاضل وہب PS آئی ، PS پی وغیرہ الٹی

بحال DEO میں روانہ شدہ نوٹیفکیشن بر 85-4681 حرف 9/8/19 زمرہ سٹفل کو آئی کی تقرری کے حوالے سے سنا گیا ہے۔ رٹنورٹری کمیٹی کا جبر سنا گیا ہے۔ اس سلسلے میں آئی کی سے مندرجہ ذیل سوالات کے جوابات بطور ثبوت مطلوب ہیں۔

- 1) آئی کی PS آئی کی صحت سے تقرری تک ہو گیا ہے؟ تقرری کی ہالی منسب کریں۔
- 2) کیا آئی کی نے حکم تعلیم کی طرف سے خالی آسامیوں پر قبوی کمیٹی کے افسار اختیار کی بنیاد پر تقرری کیلئے درخواست دی تھی۔ اگر ہاں تو دستاویزی کاپی منسب کریں۔
- 3) کیا تقرری کے عمل کے دوران آئی کی نے انٹرویو میں شرکت کی تھی اور کیا آئی کی صافری لگی تھی اگر ہاں تو انٹرویو/صافری کا تاریخ نام لکھیں۔
- 4) آئی کی تقرری کے وقت PS آئی کی سکول میں ہوئی تھی؟
- 5) کیا آئی کی نے اس سکول میں جاننا لیا تھا؟ اگر ہاں تو جاننے اور اس کی ہالی منسب کریں۔
- 6) آئی کی نے کتنے دن تک اس سکول میں صافری کی تھی؟ کیا آئی کی نے اس سکول کے افسر کے ذریعے انٹرویو تو کیا کیا؟
- 7) کیا آئی کی نے اس سکول میں انٹرویو کی سکول میں کیا ہوئی تھی؟ اگر انٹرویو انٹریو منسب کریں۔
- 8) آئی کی نے شیواہ کی ماہ سے صافری کی تھی تھی۔ اور اس کے ذریعے شیواہ صافری سے ماہ سے؟
- 9) کیا آئی کی نے فاضل شہد میں و سرورس کی ہے اس کی آئی کی نے شیواہ کی ہے اگر نہیں تو سکول؟
- 10) کیا آئی کی نے ماہ سے ذیل کے سرورس ونگ کی ہالی کو درجے؟ اگر ہاں تو ہالی منسب کریں۔
- 11) کیا آئی کی نے شیواہ کے وقت سے؟ ہے ہالی کی ہالی منسب کریں۔
- 12) کیا آئی کی نے شیواہ کے وقت سے؟
- 13) کیا تقرری کے وقت آئی کی نے سکول میں تھا؟ اگر ہاں تو صدر فاضل اور اس کی ہالی منسب کریں۔
- 14) آئی کی نے اپنے شیواہ کے وقت سے سکولوں میں PS آئی کی کے افسر کے پاس؟

S.No - نام سکول -

- 15) کیا آئی کی سرورس میں تھی ہے؟ اگر ہاں تو اس کا نام ہے؟ PS آئی کی میں ہے؟ اگر آئی کی نہیں ہے تو سرورس میں کیا کی تھی؟ فاضل کی منسب کریں۔
- 16) تقرری کے وقت آئی کی تعلیمی قابلیت کیا تھی؟ تعلیمی امتداد کی کاپیاں منسب کریں۔
- 17) کیا تقرری کے وقت آئی کی نے PS آئی کی کو سرورس میں لایا تھا؟ سند کی ہالی منسب کریں۔
- 18) اب آئی کی تعلیمی قابلیت کیا ہے؟
- 19) آئی کی نے سرورس سے دو دفعہ درخواست نمود نہیں اس کی وجہ کیا تھی؟
- 20) آئی کی نے دفعہ نوکری پر حال نہیں ہوئے ہیں آئی کی نے خالی نہ بنیاد پر ہوئی ہے؟
- 21) کیا آئی کی نے آئی کی کو سرورس پر حال نہیں؟ اگر نہیں تو آئی کی نے بنیاد پر سکول میں صافری کیا ہے؟

26/9/19

26/9/19

اس کا نام اصل سوالنامہ (سوال نمبر 01 تا سوال نمبر 23) حرف 26/9 کو انٹرویو کمیٹی سے وصول ہے۔  
 میں سوالنامے کا جواب حرف 2019-2019-01-10 تک رٹنورٹری کمیٹی کو رت بطور فاضل وہب PS پی وغیرہ۔  
 26/9/19

22) کیا وجود PS کون سا ہے؟  
 کیا آئی کی کو PS 12 سے PS 14 میں ترقی ممکن طور پر ہلی ہے۔ PS 12 سے PS 14  
 کی طرف؟ نوٹیفکیشن منسب کریں۔  
 23) PS آئی کی (پہلے شمار) کی تبدیلی کیا ہوئی ہے؟ اور انہوں نے جانے ہوئے خارجہ کی کے حوالے کیا تھا؟ اگر رد کی ہالی منسب کریں۔

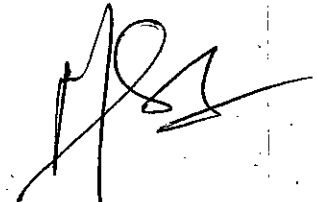
26/9/19



**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)  
BATTAGRAM**

RELEASE OF PAY.

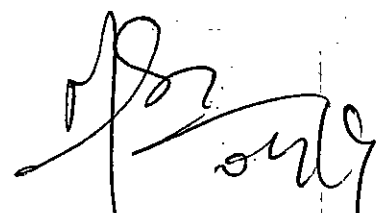
Consequent upon the recommendation of Inquiry Committee constituted by this office under Endst:No.5506-12 Dated 28/05/2018, and he has reinstated into Govt: Service vide office order issued under Endst:No.5526-30 Dated 28/05/2018, in the light of above decision the salary in respect of Mr.Fazal Wahab SPST GPS:Faqiro is hereby released with all back benefits WEF:16/01/2015.

*ofc*  
  
DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM

Endst:No 9592-97- EB/AE-I(Pry) Dated Battagram the 4/9/2018.

Copy for information to the,

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar with reference Appeal No.572/2017.
2. District Accounts Officer Battagram.
3. SDEO(Male) Allai.
4. ASDEO Cirlee.
5. Head Teacher GPS:Faqiro.
6. Office copy.

*ofc*  
  
DISTRICT EDUCATION OFFICER  
(MALE) BATTAGRAM



# OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

EMAIL: emisbattagram@gmail.com BATTAGRAM PHONE NO: 0207543540 & 539

## NOTIFICATION

The following inquiry committee is hereby constituted to conduct de-novo inquiry against Mr. Fazal Wahab PST GPS Faqero, Allai Battagram keeping in view the following TORs as the previous inquiry in the instant case submitted to this office vide GIS Chappgram No.517 dated: 02-08-2018 is declared defective, "NULL & VOID" and "cancelled" vide this office order No: 12939-44/Estab: Primary dated 09-11-2018 and subsequently de-novo inquiry were constituted vide this office notification No: 14023-28/Estab: Primary dated 13-11-2018 but the inquiry officer refused to conduct inquiry vide letter No: 208 dated 13-11-2018.

- |    |                                                       |            |
|----|-------------------------------------------------------|------------|
| 1. | Mr. Gul Muhammad Head Master GIS Battagram No.2       | (Chairman) |
| 2. | Mr. Najab Khan Head Master GIS Battamori              | (Member)   |
| 3. | Mr. Wali ur Rehman ADEO Local office DES(M) Battagram | (Member)   |

## TORs:

1. Advertisement Copy.
2. Interview / attendance data record.
3. DSC Committee Members Name.
4. Minutes of DSC.
5. Appointment order issued with reference to PST.
6. Verification of DDEOs/SDEOs signature.
7. Source of pay release from SDEO to DAO.
8. Copy of Payroll.
9. Personal Number.
10. Attendance record prior to transfer to GPS Faqero in 2015.
11. Statement of the Head Teachers of concerned schools.
12. Visit report/comments of the ASDEOs Circles.
13. Statements of DDEOs and ASDEOs.
14. Observance of showcause / replies / action taken in the matter already taken.
15. Authenticity of the appointment order.
16. Arrival report / Medical report / fitness certificate.
17. Charge report.
18. Duty stations where he served.
19. Re-verification of signatures in the service book.
20. Any other information deemed required in the matter.

Committee is directed to submit their report along with clear cut recommendation with documentary proof / evidence within 10 days positively.

-sd-

District Education Officer  
(Male) Battagram

Endstt: No: 4681-85 /Est:Pry/Dated: 9/8/2019.

### Copy for information to tho:

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar with reference to appeal No. 572/2017.
2. Mr. Naeem ullah Investigation Officer NAB Khyber Pakhtunkhwa Peshawar.
3. Director I & SE Khyber Pakhtunkhwa Peshawar.
4. Inquiry Officers.
5. SDEO(Male) Allai & Battagram with the direction to extend full cooperation with inquiry committee to dig out un earthed facts. SDEO(M) Battagram & Allai are further directed to inform the concerned school heads to provide all the relevant record and factual ground realities to the inquiry committee.

District Education Officer  
(Male) Battagram





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**Office of The District Education Officer (Male)**  
**Battagram**  
**Elementary & Secondary Education Department**  
**Government of Khyber Pakhtunkhwa**  
Email: edu-battagram@gmail.com Tel: 0997-543540

NO. 2281-S2 Dated: 11/05/2020

**REMINDER-I**

To

1. Mr. Gul Muhammad Head Master GHS Gijbori.
2. Mr. Najab Khan Head Master GHS Battamori.
3. Mr. Wali Ur Rahman ADEO Litigation local office DEO (M) Battagram.

Subject: **INQUIRY AGAINST MR. FAZAL WAHAB PST GPS FAQEERO ALLAI;**

Memo:

With reference to this office notification No.4681-85 dated: 09/08/2019 regarding de-novo inquiry against Mr. Fazal Wahab PST GPS Faqeero Allai, Battagram. You were directed to submit the report along with documentary proof/evidence within 10 days, but the report is still awaited.

You are once again directed to submit the above mentioned inquiry report within a week for further proceeding.

*[Signature]*  
11/05/2020  
District Education Officer (M)  
Battagram

Endst. Even No. & Date:

Copy forwarded for information to:

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. SDEO (M) Allai.
3. Office copy.

*[Signature]*  
District Education Officer (M)  
Battagram

نام: عیاض احمد، پست: GPS، دفتر: سرکاری زون PST

مندرجہ ذیل اہلکار کی دستخطوں کے دن کے اندر رٹورن کر کے پیش کرنا  
کو مہیا کریں۔

- 1- دفتر حاضری - جولائی 2015 تا 2015
- 2- گرانٹ کی فہرست 2015 تا 2015
- 3- 210 رپورٹ سٹریٹنگ وہم - (2015) (2018)
- 4- سٹریٹنگ وہم کی تبدیلی کا آرڈر 2015
- 5- سٹریٹنگ وہم کا Termination آرڈر
- 6- سٹریٹنگ وہم کا Reinstatement آرڈر
- 7- اس آرڈر کے لیے 200 تحت سٹریٹنگ وہم - کو 2018 میں نوکری سے رفاقت پانچ ماہ سے پہلے

26/09/2019.

26/9/19

26/9/19

Received by Ejaz Ahmad PST GPS Faqir,  
A Shikara sheet returned to him in  
two days. 26/09/19

Before the KPK Service Tribunal Peshawar.

Fazal Wahab Vs Umer Zaman DEO etr.

Contempt Petition.

Application for Adjournment

177/2020

Respectfully Sheweth,

1) That the captioned case is pending adjudication before this Honourable tribunal and today is the date fixed for hearing.

2) That the counsel for the petitioner/applicant is busy before the Honourable Peshawar High Court Abbottabad Bench in different so he couldnot attend this honourable tribunal today hence this application for adjournment.

It is therefore, most humbly prayed that on acceptance of the instant application, the captioned case ~~is~~ may please be adjourned to some other date.

Deponent.

Dated: 1/6/2021.

Fazal Wahab.  
Petitioner/Applicant  
Fh

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH**

**D.B. CAUSE LIST**

**TUESDAY, 01.06.2021**

**BEFORE HONOURABLE JUSTICE MOHAMMAD IBRAHIM KHAN &**

**HONOURABLE JUSTICE SHAKEEL AHMAD JUDGES**

**MOTION CASES**

1	CM No. 342-A/21 (Res) in WP No. 296-A/09	Dewan Suleman Fibre Limited (Haji Ghulam Basit Adv)	Vs	Govt of KPK	
2	CM No. 343-A/21 (Res) in WP No. 149-A/09	Dewan Suleman Fibre Limited (Haji Ghulam Basit Adv)	Vs	Govt of Pakistan	
3	CM No. 373-A/21 (Res) in WP No. 1011-A/18 (Quashment)	Metadar (Muhammad Riaz Adv)	Vs	Robina Aamir	
4	CM No. 374-A/21 (Res) in WP No. 1010-A/18 (Quashment)	Metadar (Muhammad Riaz Adv)	Vs	Robina Aamir	
5	CM No. 396-A/21 (Res) in WP No. 417-A/21 (Quashment)	Syed Abid Hussain Shah (Mazhar Khan Jadoon Adv)	Vs	Syed Iftikhar Haider Naqvi	
6	CM No. 397-A/21 (Imp) in WP No. 268-A/15	Abid Ayub (Kamran Gul, Jamal Shah Adv)	Vs	Govt of KPK	
7	CM No. 424-A/21 (Directions) in WP No. 561-A/21 (Service)	Mehr-un-Nisa (Muhammad Waqas Adv)	Vs	Govt of KPK	
8	CM No. 425-A/21 (Directions) in WP No. 562-A/21 (Service)	Nasira Saleem (Muhammad Waqas Adv)	Vs	Govt of KPK	
9	COC No. 100-A/19 in WP No. 325-A/12	Adnan Khan (Javed Qureshi Adv)	Vs	Baidullah Shah	DBC
10	CM No. 4-A/20 (12(2) CPC) in WP No. 325-A/12	Khalid Aziz (Haq Nawaz Adv)	Vs	Adnan Tareen (Javed Qureshi Adv)	
11	COC No. 17-A/20 in WP No. 1012-A/17 with CM No. 435-A/21	Tahir Naeem (Nazakat Ali Tanoli Adv)	Vs	Medical Superintendent	DBC
12	COC No. 10-A/21 in WP No. 1202-A/20	Shakeel (Zafar Iqbal Adv)	Vs	Govt of KPK	
13	COC No. 32-A/21 in WP No. 1366-A/20	Raja Adil Habib (Abdul Saboor Khan Adv)	Vs	Fazal Qadir	
14	COC No. 20-A/21 in WP No. 65-A/16	Yaseen Ahmad (Syed Waqas Naqvi Adv)	Vs	Umar Khan Kundi	
15	COC No. 23-A/21 in WP No. 779-A/20	Asmatullah (Abdul Saboor Khan Adv)	Vs	Arif Javed	
16	COC No. 29-A/21 in WP No. 767-A/12	Fazal-e-Rabbi (Sohail Ahmad Khan Jadoon Adv)	Vs	Cap R. Munir Azam	
17	COC No. 38-A/21 in WP No. 65-A/16	Saeed Kamran (Syed Waqas Naqvi Adv)	Vs	Umar Khan Kundi	
18	COC No. 44-A/21 in WP No. 1505-A/20	Jehangir Ahmad (Masood ur Rehman Khan Adv)	Vs	Shahid Hashmi	
19	COC No. 73-A/21 in WP No. 1113-A/18	Dr. Mehreen Jadoon (Muhammad Arshad Khan Tanoli Adv)	Vs	Dr. Muhammad Arif	DBC
20	COC No. 74-A/21 in WP No. 1471-A/20	Muhammad Aksar (Masood ur Rehman Khan Adv)	Vs	Mukhtiar Ahmad	
21	COC No. 75-A/21 in WP No. 1551-A/20	Muhammad Arshad (Muhammad Arshad Khan Tanoli Adv)	Vs	Yahya Akhwanzada	
22	COC No. 77-A/21 in WP No. 770-A/19	Dr. Akhtar Iqbal (Abdul Saboor Khan Adv)	Vs	Dr. Tahir Irfan	
23	COC No. 78-A/21 in WP No. 79-A/10	Shamroz Khan (Muhammad Akhtar Awan, Sher Afzal Jadoon Adv)	Vs	Yahya Akhwanzada	
24	COC No. 79-A/21 in WP No. 1450-A/20	Wasiq Khan (Masood ur Rehman Khan Adv)	Vs	Dr. Mohsin Raza Tarabi	
25	COC No. 81-A/21 in WP No. 229-A/16	Bilal Khan (Zulfiqar Ahmad Adv)	Vs	Prof. Umar Farooq	

26	WP No. 907-A/13	Haji Muhammad Ashraf (Muhammad Arshad Khan Tanoli Adv)	Vs Federal Govt (D.A.G/ Fida Bahadur Adv)	
27	WP No. 62-A/16 with I-Relief (Service)	Sagheer Ahmed Malik (Shad Muhammad Khan Adv)	Vs Amjad Ali Khan etc (A.A.G)	
28	Rev Pet No. 14-A/18 in WP No. 1210-A/16 (Service)	Muhammad Sajjad Hussain (Muhammad Arshad Khan Tanoli Adv)	Vs Federation of Pakistan	
29	WP No. 450-A/18 (other)	Rehmat Steel Furnace Factory (Waqas Ali Malik, Tayaba Abbasi Adv)	Vs Federal Govt	
30	WP No. 512-A/19 (Service)	Muhammad Zaman (Muhammad Jehangir Khan Adv)	Vs Govt of KPK (A.A.G/ Sheikh Abid Ali Adv)	DBC
31	WP No. 807-A/19 with CM No. 402-A/21 (Service)	Sania Malik (Muhammad Shatiqua Awan Adv)	Vs Govt of Pakistan	
32	WP No. 327-A/20 with I-Relief (Service)	Tasleem Akhtar (Muhammad Arshad Khan Tanoli Adv)	Vs Board of Director TEVTA	
33	WP No. 459-A/20 with I-Relief (other)	Usman Ali (Khan Afzal Khan, Taimour Afzal Khan Adv)	Vs NHA	
34	WP No. 714-A/20 with I-Relief & 438-A/21 (Service)	Muhammad Awais Razzaq (Munir Ahmad Bhatti Adv)	Vs Federal Govt (D.A.G/ Yaseen Ayaz Adv)	
35	WP No. 1018-A/20 (other)	Noor Gul (Sher Afzal Khan Adv)	Vs Federal Govt	
36	WP No. 1463-A/20 with I-Relief (Service)	Ahmad Hussain Shah (Sajid ur Rehman Khan Adv)	Vs Govt of KPK	
37	WP No. 1479-A/20 (Service)	Uzma Bibi (Raheela Mughal Adv)	Vs Govt of KPK	
38	WP No. 1542-A/20 with I-Relief (Service)	Saqib Khan (Hafiz Kala Khan Adv)	Vs Govt of KPK	
39	WP No. 17-A/21 (other)	Muhammad Jamil Tanoli (Ashfaq Haider, Nazar Muhammad Adv)	Vs KPK Bar Council	
40	WP No. 102-A/21 with I-Relief (other)	Shah Nawaz (Muhammad Awais Khan Qazi Adv)	Vs Banking Court	
41	WP No. 223-A/21 (other)	Khaliq Dad (Saeed Khan Tanoli Adv)	Vs Govt of KPK (A.A.G)	DBC
42	WP No. 507-A/21 with I-Relief (Service)	Rajab Ali (Nizakat Ali Tanoli Adv)	Vs Govt of KPK	
43	WP No. 565-A/21 (other)	Lubna Khan (Waqar Orakzai Adv)	Vs Govt of KPK	
44	AWP No. 569-A/21 with I-Relief (Service)	Mst. Sana Yousaf (Sardar Shahzad Akbar, Babar Shah Tirmizi Adv)	Vs KPK Public Service Commission	
45	WP No. 585-A/21 with I-Relief (Family)	Saqib Raza (Tanveer Ahmad Din Adv)	Vs Mst. Sidra Maqbool	
46	WP No. 593-A/21 (other)	Saad (Nazakat Ali Tanoli Adv)	Vs Govt of Pakistan	
47	WP No. 601-A/21 with I-Relief (other)	Zari Taraqiati Bank Ltd (Syed Iqbal Hussain Shah Gillani Adv)	Vs Federation of Pakistan	
48	WP No. 613-A/21 with I-Relief (Admission)	Mohsin Abbasi (Junaid Anwar Khan Adv)	Vs Govt of Pakistan	
49	WP No. 620-A/21 with I-Relief (Quashment)	Arshad Mehmood (Dildar Ahmad Khan Lughmani Adv)	Vs The State	
50	WP No. 621-A/21 with I-Relief (Service)	Malik Aman (Shad Muhammad Khan Adv)	Vs Govt of KPK	
51	WP No. 626-A/21 with I-Relief (other)	Muhammad Saeed Khan (Junaid Anwar Khan Adv)	Vs Govt of Pakistan	
52	WP No. 630-A/21 with I-Relief (other)	Zohaib Khan (Kiran Ayub Tanoli Adv)	Vs CEO Cantt Board Abbottabad	

53	WP No. 631-A/21 with I-Relief (other)	Sohail Latif Siddiqui (Isaac Ali Qazi Adv)	Vs	Federation of Pakistan
54	WP No. 632-A/21 with I-Relief (other)	M/S Neelam Steel Mills (Isaac Ali Qazi Adv)	Vs	Federation of Pakistan
55	WP No. 633-A/21 with I-Relief (other)	Gulab Khan (Isaac Ali Qazi Adv)	Vs	Federation of Pakistan
56	WP No. 634-A/21 with I-Relief (other)	M/S Pakistan Steel Re-Rolling Mills	Vs	Federation of Pakistan
57	WP No. 635-A/21 with I-Relief (Family)	Muhammad Haroon (Nasir Ayub Khan Adv)	Vs	Mst. Khalida
58	WP No. 636-A/21 with I-Relief (Service)	Khalid Mehmood (Masood ur Rehman Khan Adv)	Vs	Govt of KPK
59	WP No. 642-A/21 (other)	Junaid Khan (Malik Amjad Ali Awan Adv)	Vs	The State
60	Cr.A No. 79-A/19 (Acq)	Siraj (Qazi Muhammad Arshad Adv)	Vs	Juma Gul Khan
61	Cr.A No. 321-A/19 (Acq)	The State (A.A.G)	Vs	Muhammad Saleem

### **CRIMINAL APPEALS (NOTICE)**

1	Cr.M No. 129-A/21 (u/s 426) in Cr.A No. 24-A/21 (S.S)	Saeed Ahmad (Waqar Ahmad Khan Adv)	Vs	The State (A.A.G)
2	Cr.A No. 151-A/19 (Lite)	Muhammad Fayyaz (Qazi Shams-ud-Din, Saeed Ahmad Awan Adv)	Vs	The State (A.A.G/ Shah Nawaz Asim Adv)
3	Cr.R No. 24-A/19	Naseer Ahmad (Shah Nawaz Asim Adv)	Vs	The State (A.A.G/ Qazi Shams-ud-Din Adv)
4	Cr.A No. 47-A/20 (Lite)	Aamir Ali (Muhammad Sardar Khan Tanoli Adv)	Vs	The State (A.A.G/ Malik Amjad Ali Adv)
5	Cr.A No. 48-A/20 (S.S)	Aamir Ali (Muhammad Sardar Khan Tanoli Adv)	Vs	The State (A.A.G/ Malik Amjad Ali Adv)
6	Cr.R No. 12-A/20	Khalil ur Rehman (Malik Amjad Ali Adv)	Vs	The State (A.A.G/ Muhammad Sardar Khan Tanoli Adv)
7	Cr.A No. 7-A/20 (S.S)	Anas Saleem (Qazi Muhammad Arshad/ Muhammad Ali Qazi Adv)	Vs	The State (A.A.G/ Shad Muhammad Khan Adv)
8	Cr.A No. 10-A/20 (S.S)	Ameer (Alif Ali Jadoon Adv)	Vs	The State (A.A.G/ Shad Muhammad Khan Adv)
9	Cr.R No. 49-A/20	Bakht Khan (Shad Muhammad Khan Adv)	Vs	Anas Saleem (A.A.G/ Qazi Muhammad Arshad Adv)
10	Cr.A No. 124-A/20 (S.S) with Cr.M No. 936-A/20 (u/s 426)	Muhammad Rasheed (Shad Muhammad Khan Adv)	Vs	The State (A.A.G)
11	Cr.A No. 303-A/19 (S.S)	Dildar Khan (Muhammad Idris Khan Adv)	Vs	State (A.A.G)
12	Cr.A No. 113-A/14 (Acq)	Muhammad Sabir (Qazi Muhammad Arshad, Muhammad Ali Qazi Adv)	Vs	Ashraf (A.A.G/ Wajih ur Rehman Khan Swati Adv)

### **OTHER NOTICE CASES**

1	CM No. 569-A/20 (Susp) in WP No. 1106-A/20 (Service)	Fida Hussain (Zafar Ali Khan Adv)	Vs	Govt of KPK (A.A.G)	
2	I-Relief (N), CM No. 107, 444-A/21 with WP No. 149-A/21 (other)	M/S Pattan & Co (Abdul Saboor Khan Adv)	Vs	Govt of KPK (A.A.G/ Zahid Mehmood Qureshi, Muhammad Riaz Adv)	DBC
3	CM No. 161-A/21 in WP No. 436-A/20	Ibrar Saeed (Tipu M. Sultan, Kiran Ayub Tanoli, Shahid Aziz Adv)	Vs	Secretary Higher Education (Haji Sabir Hussain Tanoli, Muhammad Ali Khan Jadoon Adv)	
4	WP No. 225-A/21 with I-Relief (other)	Syed Faheem Hussain Shah (Shahid Aziz, Kiran Ayub Tanoli Adv)	Vs	Govt of KPK	
5	I-Relief (N) with WP No. 134-A/21 (Admission)	Farooq Anwar (Sardar Aman Khan Adv)	Vs	Govt of KPK (A.A.G/ Asad Tanveer Qureshi Adv)	DBC
6	I-Relief (N) with WP No. 519-A/17 (Service)	Syed Umair Shah etc (Syed Sajjad Hassan Shah Adv)	Vs	Govt of Pakistan etc (D.A.G/ A.A.G, Barrister Asghar Khan/ Haji Sabir Hussain Tanoli Adv)	
7	WP No. 127-A/18 (Quashment)	Muhammad Saeed (Raja Aftab Ahmad Adv)	Vs	Ex-Officio (A.A.G)	

8	WP No. 399-A/18 (Quashment)	Alam Zaib (Syed Ali Raza Adv)	Vs	Mst. Shahnaz Akhtar (A.A.G)	
9	WP No. 641-A/18 (Family)	Muhammad Ishfaq (Muhammad Bashir Mughal Adv)	Vs	Mst. Bismeenaa (Muhammad Bilal Khan Adv)	
10	WP No. 646-A/18 (22-A)	Muhammad Banaras (Malik Amjad Ali, Sehrish Habib Adv)	Vs	The State (A.A.G/ Wajih-ur-Rehman Khan Swati Adv)	
11	WP No. 655-A/18 (Quashment)	Muhammad Nawaz (Muhammad Nawaz Khan Swati Adv)	Vs	The State (A.A.G)	
12	I-Relief (N) with WP No. 1000-A/18	Fazal ur Rehman (Syed Waqas Naqvi Adv)	Vs	Govt of KPK (A.A.G)	
13	WP No. 1026-A/18 (Quashment)	Muhammad Riaz (Fida Bahadur Adv)	Vs	ASJ Havelian (A.A.G)	
14	WP No. 1098-A/18 with I-Relief (22-A)	Sardar Malik Jan (Sardar Muhammad Akmal Adv)	Vs	State etc (A.A.G/ Junaid Anwar Khan Adv)	
15	I-Relief (N) with WP No. 1166-A/18	Abrar Hussain (Tauqir Ahmad Adv)	Vs	Govt of Pakistan (D.A.G/ Sajjad Ahmad Abbasi Adv)	
16	WP No. 1271-A/18 with I-Relief & CM No. 708-A/19	M/S Chinot Enterprises (Khuram Ghias Khan Adv)	Vs	Federation of Pakistan (D.A.G)	
17	WP No. 837-A/19 (Service)	Manzoor Ahmad (Muhammad Ali Khan Jadoon/ Jawad Ali Khan Adv)	Vs	Secretary Auqaf (A.A.G/ Nasir Mehmood Adv)	Appl for Adj
18	WP No. 127-A/20 with CM No. 365-A/20	Javed Iqbal (Barrister Gohar Ali Khan Adv)	Vs	Govt of KPK (A.A.G)	DBC
19	WP No. 194-A/20 (other)	Javed Iqbal (Barrister Gohar Ali Khan Adv)	Vs	Govt of KPK (A.A.G)	DBC
20	I-Relief (N) with WP No. 924-A/20 (other)	Muhammad Zameer (Fida Bahadur Adv)	Vs	Federation of Pakistan (D.A.G/ A.A.G)	
21	I-Relief (N) with WP No. 925-A/20 (other)	Muhammad Sajjad (Fida Bahadur Adv)	Vs	Federation of Pakistan (D.A.G/ A.A.G)	
22	WP No. 1226-A/20 with I-Relief (Service)	Muhammad Aziz (Masood ur Rehman Khan Adv)	Vs	Govt of KPK (A.A.G)	
23	I-Relief (N) with WP No. 115-A/21 (U/S 561-A)	Faisal Shah Jehan (Muhammad Ayaz Khan, Shahid Qayyum Khattak Adv)	Vs	Yasir Farid (A.A.G/ Juanid Anwar Khan Adv)	DBC
24	I-Relief (N) with WP No. 155-A/21 (other)	M/S Al-Hadeed Industries (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G/ Zahid Mehmood Qureshi, Zahid Waqar Adv)	
25	WP No. 581-A/21 with I-Relief (Quashment)	Faisal Farooq (Muhammad Awais Khan Qazi Adv)	Vs	The State (A.A.G)	DBC
26	I-Relief (N) with WP No. 22-A/21 (other)	M/S Royal Chemicals (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
27	I-Relief (N) with WP No. 23-A/21 (other)	M/S Coronet Foods Pvt Ltd (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
28	I-Relief (N) with WP No. 24-A/21 (other)	M/S Coronet Foods Pvt Ltd (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
29	I-Relief (N) with WP No. 25-A/21 (other)	M/S Pakistan Accumulators (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
30	I-Relief (N) with WP No. 26-A/21 (other)	M/S Baddar Grinding Mills (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
31	I-Relief (N) with WP No. 27-A/21 (other)	M/S Al-Madina Steel Industry (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
32	I-Relief (N) with WP No. 28-A/21 (other)	M/S Ehsan Steel Pvt Ltd (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
33	I-Relief (N) with WP No. 29-A/21 (other)	M/S Aim Plastic & Packages (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
34	I-Relief (N) with WP No. 30-A/21 (other)	M/S Hazara Steel Mills (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	
35	I-Relief (N) with WP No. 31-A/21 (other)	M/S Mustehkam Lining & Acid Industry (Muhammad Ilyas Khan Adv)	Vs	Govt of KPK (A.A.G)	

**Additional Registrar**

Honourable Service Tribunal KPK Peshawar.

Fazal-e-Wahab VS Umer Zaman etc.

Contempt Petition.

Application for Adjournment.

Respectfully Sheweth,

- 1) That the above captioned case is pending adjudication before this honourable tribunal and today is the date fixed for hearing.
- 2) That the undersigned is the resident of Abbottabad and is severely ill so he cannot come to Peshawar to appear before the tribunal today.
- 3) That the absence is not wilful.

It is therefore, most humbly prayed that on acceptance of the instant application, the captioned case may please be adjourned to some other date in the best interest of Justice.

Dated: 23/8/2021

Deponent.  
Fazal Wahab  
through.  
Syed Waqas Naqvi  
Advocate H.C.  
Waqas Naqvi.





MOTION CASES

- |    |                                              |                                                                |    |                                   |
|----|----------------------------------------------|----------------------------------------------------------------|----|-----------------------------------|
| 1  | CM No. 189-A/21 in<br>RFA No. 310-A/20       | Aurangzeb<br>(Malik Muhammad Asif Adv)                         | Vs | Muhammad Ajab                     |
| 2  | CM No. 422-A/21 (Susp) in<br>CR No. 405-A/20 | Muhammad Shafi<br>(Muhammad Saleem Awan Adv)                   | Vs | Muhammad Ajab                     |
| 3  | Cr.M No. 674-A/21<br>(BCA)                   | Noor Hussain<br>(Muhammad Arshad Awan Adv)                     | Vs | Ayub                              |
| 4  | Cr.M No. 864-A/21<br>(BCA)                   | Mst. Momina<br>(Syed Waqas Naqvi Adv)                          | Vs | Muhammad Pervez                   |
| 5  | Cr.M No. 900-A/21<br>(BCA)                   | Shahid Amin Khan<br>(Muhammad Tariq Afridi Adv)                | Vs | Akhtar Nawaz                      |
| 6  | CR No. 267-A/21 with<br>CM No. 365-A/21      | Akhtar Zaman<br>(Haji Sabir Hussain Tanoli Adv)                | Vs | Mst. Sarwar Jan                   |
| 7  | COC No. 14-A/21 in<br>CR No. 359-A/18        | Junaid Aziz<br>(Abdur Rauf Khan Jadoon Adv)                    | Vs | Hamid Munir                       |
| 8  | CR No. 43-A/21                               | Muhammad Ashiq<br>(Muhammad Ilyas Khan Adv)                    | Vs | Muhammad Nisar                    |
| 9  | CR No. 237-A/21                              | Jamroz Khan<br>(Zafar Ali Khan Adv)                            | Vs | Aziz ur Rehman                    |
| 10 | CR No. 240-A/21                              | Khalid<br>(Junaid Anwar Khan Adv)                              | Vs | Muhammad Naseem                   |
| 11 | CR No. 250-A/21 with<br>CM No. 341-A/21      | Misri<br>(Chaudry Alique Ahmad Adv)                            | Vs | Gulnaz Bibi                       |
| 12 | CR No. 269-A/21 with<br>CM No. 367-A/21      | Syed Mustafa Shah<br>(Syed Hamad Hussain Shah Gillani Adv)     | Vs | Safdar Khan                       |
| 13 | CR No. 285-A/21 with<br>CM No. 382-A/21      | Ibrar<br>(Zulfiqar Ali Tanoli Adv)                             | Vs | Malik Muhammad Asif               |
| 14 | CR No. 286-A/21 with<br>CM No. 383-A/21      | Fazal Dad<br>(Zulfiqar Ali Tanoli Adv)                         | Vs | Fatima Jan                        |
| 15 | CR No. 302-A/21 with<br>CM No. 415, 416-A/21 | Mst. Bakht Noor<br>(Ahmad Hussain Tanoli Adv)                  | Vs | Mst. Raeesa Bibi                  |
| 16 | WP No. 755-A/21<br>(other)                   | Muhammad Shafique<br>(Malik Muhammad Asif Adv)                 | Vs | Assistant Commissioner Abbottabad |
| 17 | WP No. 762-A/21 with<br>I-Relief (Family)    | Faisal Khan<br>(Nadeem Khan Adv)                               | Vs | Bisma Gul                         |
| 18 | WP No. 763-A/21 with<br>I-Relief (Civil)     | Haji Ahmad<br>(Nadeem Khan Adv)                                | Vs | Muhammad Safdar                   |
| 19 | RFA No. 269-A/20 with<br>CM No. 208-A/20     | Abdul Haq<br>(Junaid Anwar Khan Adv)                           | Vs | Collector Land Acquisition        |
| 20 | FAO No. 25-A/21 with<br>CM No. 121-A/21      | Hashim Saeed<br>(Abdul Aziz Tanoli Adv, Adeel Ahmad Nazir Adv) | Vs | Aamir Rashid                      |
| 21 | RFA No. 107-A/21 with<br>CM No. 184-A/21     | Irshad Ahmad Khan<br>(Syed Amjad Ali Shah Adv)                 | Vs | The State                         |
| 22 | RFA No. 129-A/21                             | Zamurad Khan<br>(Zahid Mehmood Qureshi Adv)                    | Vs | Abdul Malik Jadoon                |
| 23 | Cr.R No. 27-A/21                             | Shaheen<br>(Qazi Muhammad Arshad Adv)                          | Vs | The State                         |
| 24 | Cr.R No. 27-A/21                             | Shaheen<br>(Qazi Muhammad Arshad Adv)                          | Vs | The State                         |

BAIL APPLICATIONS

- |   |                             |                                            |    |                      |
|---|-----------------------------|--------------------------------------------|----|----------------------|
| 1 | Cr.M No. 813-A/21<br>(Bail) | Yasir Naseer<br>(Qazi Muhammad Arshad Adv) | Vs | The State<br>(A.A.G) |
|---|-----------------------------|--------------------------------------------|----|----------------------|

2	Cr.M No. 817-A/21 (Bail)	Zaheer Ahmad (Majid Khan Swati Adv)	Vs	The State (A.A.G)	
3	Cr.M No. 832-A/21 (Bail)	Hamza Fayyaz (Tahir Faraz Abbasi Adv)	Vs	The State (A.A.G/ Noman Malik Adv)	DBC
4	Cr.M No. 845-A/21 (Bail)	Jamshed (Yasir Mustufa Khan Swati Adv)	Vs	The State (A.A.G)	DBC
5	Cr.M No. 846-A/21 (Bail)	Asad Rehman (Qazi Muhammad Arshad Adv)	Vs	The State (A.A.G)	DBC
6	Cr.M No. 849-A/21 (Bail)	Muhammad Ahmad (Muhammad Zareed Qureshi Adv)	Vs	The State (A.A.G)	DBC
7	Cr.M No. 863-A/21 (Bail)	Khan Sher (Abdul Saboor Khan Adv)	Vs	The State (A.A.G)	
8	Cr.M No. 871-A/21 with Cr.M No. 928-A/21 (Bail)	Irshad (Abdul Saboor Khan Adv)	Vs	The State (A.A.G/ Atif Ali Jadoon Adv)	DBC
9	Cr.M No. 903-A/21 (Bail)	Asad Sher Afzal (Atif Ali Jadoon Adv)	Vs	The State (A.A.G)	DBC
10	Cr.M No. 904-A/21 (Bail)	Haq Nawaz (Atif Ali Jadoon Adv)	Vs	The State (A.A.G)	DBC

### CIVIL MISCELLANEOUS APPLICATIONS

1	CM No. 331-A/16 (Res) in WP No. 312-A/08	Muzaffar Ahmad Shah (Naz Ellahi Mughal Adv)	Vs	Mst. Syeda Chand Bibi (Tahir Hussain Lughmani Adv)	
2	CMs No. 257 & 272/17 in RFA No. 126-A/17	Govt of KPK etc AAG	Vs	Zia ur Rehman (Mian Muhammad Tasleem Adv)	
3	CM No. 111-A/19 (Stay) in RFA No. 89-A/19	Aamir (Muhammad Ayub Awan Adv)	Vs	XEN WAPDA (A.A.G)	
4	CM No. 131-A/19 (Susp) in RFA No. 114-A/19	Govt of KPK (A.A.G)	Vs	Abdul Wakeel (Waheed Khan Adv)	
5	CM No. 217-A/19 (Susp) in RFA No. 291-A/19	Haji Said Nammer (Malik Shujaat Ali Adv)	Vs	DC Kohistan (Sajjad Ahmad Abbasi Adv)	
6	CM No. 126-A/20 (Susp) in RFA No. 187-A/20	SNGPL (Zaheer Khan Jadoon, Shahid Nawaz Khan Adv)	Vs	Noor Zaman (Saima Naseem Swati Adv)	
7	CM No. 174-A/20 (Stay) in CR No. 171-A/20	Akhtar Bibi (Gul Shareen Khan Jadoon Adv)	Vs	Sartaj Ali (Muhammad Ayub Awan Adv)	
8	CM No. 230-A/20 (Susp) in RFA No. 285-A/20	WAPDA (Sajjad Ahmad Abbasi Adv)	Vs	Peerzada (A.A.G/ D.A.G)	

### OLD NOTICE CASES

CM No.05/02 U/s 12 (2) CR No. 116/11	Govt AAG	Vs	Faqeer Mohammad (M.Shafique Awan/Tahir Hussain Lughmani Adv)	Senior Part
	Taj Muhammad Khan (Raja Muhammad Shakil/Tahir Hussain Lughmani Adv)	Vs	Govt of KPK AAG	
CR No. 13-A/04 with M No. 256-A/21	Ghulam Jan (Sajjad Ahmad Abbasi Adv)	Vs	Muhammad Pervez (Muhammad Shoab Khan Adv)	

### PRE-ADMISSION CASES

No. 173-A/18	Silver Lake Foods Ltd (Javed Qureshi Adv)	Vs	Shah Jehan (Qazi Rasheed Ahmad Arshad Adv)	Senior Part
p. 57-A/18	Govt of KPK AAG	Vs	M/S Al-Aziz Construction (Muhammad Ilyas Khan, Tahir Hussain Lughmani Adv)	
70-A/18	Abdul Wahab (Nadeem Khan/ Nasir Mushtaq Adv)	Vs	Imtiaz Ahmad Khan (Hafiz Iftikhar Ahmad Adv)	
32-A/19	Malikan Khatoon (Mehdi Zaman Khan, Yaseen Ayaz Adv)	Vs	Babu (Asad Shahzad Tanoli Adv)	
-A/20 with	Syed Inham Ali Shah (Muhammad Salim Awan Adv)	Vs	Sardar Jawad Riaz (Zaheer Khan Jadoon/ Shahid Nawaz Khan Adv)	
/20 with	Sardar Manzoor ahmad (Zafar Iqbal Adv)	Vs	Sardar Jawad Riaz (Zaheer Khan Jadoon/ Shahid Nawaz Khan Adv)	

7	CR No. 140-A/21 with CM No. 198-A/21	Zaman Khan (Haji Ghulam Basit Adv)	Vs	Manzoor Ellahi (Hassan Ali Mashwani, Zahir Shah Mashwani Adv)
	WP No. 107-A/13	Nasir Khan (Muhammad Ilyas Khan Adv)	Vs	Shamrez (Asadullah Malik, Moosa Siddique Adv)
9	WP No. 990-A/19 (Civil)	Molvi Muhammad Yousaf (Muhammad Rafique Yousaf Adv)	Vs	MBR (Haji Sabir Hussain Tanoli Adv)
10	WP No. 891-A/19 (Civil)	Abdul Rasheed (Muhammad Wajid Khan Adv)	Vs	MBR
11	WP No. 643-A/20 with I-Relief (Family)	Muhammad Asif (Muhammad Ayub/ Waqar Ayub Adv)	Vs	Mst. Samina Bibi (Riaz Ahmad Adv)
12	WP No. 720-A/20 with I-Relief (Family)	Mst. Aasma Rasheed (Haji Sabir Hussain Tanoli Adv)	Vs	Muhammad Zaheer (Hamid Faraz Abbasi Adv)
13	WP No. 804-A/20 with I-Relief (Family)	Syed Moin ul Haq Shah (Syed Waqas Naqvi Adv)	Vs	Javeria Sajjad
14	WP No. 1161-A/20 with	Fida Muhammad (Saima Naseem Khan Adv)	Vs	Mst. Sumera Bibi
15	RFA No. 258-A/20 with CM No. 194-A/20	Yaqoob (Sehrish Habib Dilazak, M. Awais Khan Adv)	Vs	Haji Saeed ur Rehman
16	WP No. 741-A/21 with I-Relief (Mines)	Muhammad Aslam (S.M Munir Adv)	Vs	Govt of KPK (A.A.G/ Ikram ul Qayyum Adv)
17	WP No. 676-A/21 with I-Relief (Mines)	Muhammad Younis (Haji Sabir Hussain Tanoli Adv)	Vs	Govt of KPK (A.A.G/ S.M Munir, Ikram ul Qayyum, Sardar Muhammad Irshad Adv)
18	WP No. 994-A/21 with I-Relief (Mines)	Muhammad Aslam (Haji Sabir Hussain Tanoli Adv)	Vs	Govt of KPK (A.A.G)

### OTHER NOTICE CASES

1	Cr.M No. 873-A/20 (BCA)	Alamzeb (Awais Munir Khan Adv)	Vs	Nisar Ahmad Khan (A.A.G)	
2	Cr.A No. 203-A/19 with Cr.M No. 455-A/19 (IDA)	Mehboob Khan (Raheela Mughal Adv)	Vs	Nawaz Khan (A.A.G/ M. Shakeel Tanoli Adv)	DBC
3	Cr.A No. 152-A/20 (S.S) (S.S)	Ali (Hamayun Khan, Fazalullah Khan Adv)	Vs	The State	
4	Cr.A No. 49-A/21 (S.S) with Cr.M No. 242, 243-A/21 (u/s 426)	Shoaib (Hamayun Khan, Fazalullah Khan Adv)	Vs	The State	
5	CR No. 110-A/16	Syed Jamil Shah (Nasrullah Khan Jadoon Adv)	Vs	Lubna Shaheen (Syed Amjad Ali Shah Adv)	
6	CR No. 15-A/19 (Recovery/ Declaration)	Qasim Khan (Mr. Zaffar Iqbal, Advocate)	Vs	GDA etc (Muhammad Ayub Awan Adv)	
7	RFA No. 87-A/11	M/S Shahzeb Pharmaceutical Pvt Ltd (Qazi Misbah-ud-Din Adv)	Vs	M/S National Traders	
8	FAO NO. 35-A/12	Workers Welfare Board (Khairullah, Aziz Khan, Shahid Aziz Adv)	Vs	Latif-ur-Rehman (A.A.G/ Sardar Nasir Aslam Khan Adv)	
9	RFA No. 86-A/16	Raja Shahzad Gul (Muhammad Awais Khan Qazi Adv)	Vs	Mubashir Saeed Khan (Amjad Satti Adv)	
10	RFA No. 12-A/17 with CM No. 28-A/17	Muhammad Rafique (Baber Ilyas Khan Adv)	Vs	Muhammad Imtiaz (Malik Shujahat Ali/ Ms Sonia Kiran Adv)	Appl for Adj
11	RFA No. 128-A/17	Arsala Khan (Munir Hussain Lughmani Adv)	Vs	Akber Khan (Junaid Anwer Khan Adv)	
12	RFA No. 56-A/18	M/S Ishtiaq Fabrics (Javed Qureshi Adv)	Vs	Fakhar Saeed AAG/ Malik Mehmood Akhtar, Qazi M. Arshad, M. Ilyas Khan Adv)	
13	I-Relief in RFA No. 57-A/18	Ishtiaq Fabrics (Ijaz Akhtar Janjua Adv)	Vs	Secretary Industries KPK (A.A.G, Malik Mehmood Akhtar, Qazi M. Arshad, M. Ilyas Khan Adv)	
14	RFA No. 112-A/18	M/s Zardad Khan (Rashid ul Haq Qazi Adv)	Vs	Chief Engineer EEAP (Haibat Khan Adv)	
15	RFA No. 130-A/2018 with CMs No. 243/2018 & 244-A/2018	KP EZMD (Mr. Waqas Aziz Qureshi/ Malik Mehmood Akhtar Advocate)	Vs	Abdul Haq etc (Abdur Rauf Khan Jadoon/ Malik Abdul Jalil Adv)	Award 23
16	RFA No. 45-A/20	Muhammad Azam Khan (Syed Ijaz Hussain Shah, Saleena Iram Adv)	Vs	Collector Land Acquisition (A.A.G/ D.A.G)	Award 16

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

S.B. CAUSE LIST

MONDAY 27.09.2021

BEFORE HONOURABLE JUSTICE MOHAMMAD IBRAHIM KHAN JUDGE

MOTION CASES

✓ Cr.M No. 914-A/21  
(Transit Bail)

Abdul Ahan Khan Niazi  
(Syed Waqas Naqvi Adv)

Vs The State

Additional Registrar

PESHAWAR HIGH COURT, ABBOTTABAD BENCH

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