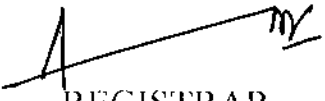


FORM OF ORDER SHEET

Court of _____

Case No. - 225/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1-	2	3
1-	25/1/2023	<p>The appeal of Mr. Munir presented today by Mr. Muhammad Maaz Madni Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 225 /2023

MUNIR KHAN

V/S

GOVT. OF KP
& OTHER

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S.NO	DOCUMENTS	DATED	ANNEXURE	PAGE
1.	Memo of appeal		1-5
2.	Appointment Order	24.02.2010	A	6
3.	Notification	30-06-2015	B	7
4.	Relevant Documents		C	8-10
5.	Letter	02-12-2020	D	11-12
6.	Departmental Appeal & Postal Receipt	28.09.2022	E	13-14
7.	Wakalatnama	15

Dated: 23-01-2023

APPELLANT

Through:



**MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT, PESHAWAR**

Office: TF-291, 292, Deans Trade Centre,
Peshawar Cantt:

0333-9313113, 0345-9090737

muhammad.m3adv@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 225 /2023

MUNIR KHAN s/o Muhammad Yousaf (Tube Well Operator),
Peshawar Museum, Peshawar
r/o H#204, Sector-5, Mohallah Mushtaq Abad, Nothia Jadeed,
Peshawar Cantt:.

.....APPELLANT

VERSUS

- 1- SECRETARY to GOVERNMENT OF KHYBER PAKHTUNKHWA,
Sports, Tourism, Culture, Archeology & Museum,
Civil Secretariat, Peshawar.
- 2- SECRETARY to GOVERNMENT OF KHYBER PAKHTUNKHWA,
Finance Department, Civil Secretariat, Peshawar.
- 3- DIRECTOR, ARCHAEOLOGY & MUSEUMS,
Khyber Pakhtunkhwa, Peshawar Museum, Peshawar.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 READ
WITH ALL ENABLING LAWS & RULES AGAINST THE
INACTION OF THE RESPONDENTS BY NOT
GRANTING/ALLOWING ACTUAL PAY SCALE OF BPS-06 AS
TUBE WELL OPERATOR TO THE APPELLANT AND
AGAINST NOT DECIDING THE DEPARTMENTAL APPEAL
DATED 28-09-2022 OF THE APPELLANT WITHIN THE
STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the inaction of the respondent by not granting/allowing actual pay scale of BPS-06 as Tube Well Operator may very kindly be declare as illegal and ineffective upon the rights of the appellant and the respondent may further please be directed to grant/allow BPS-06 to the appellant with all back & consequential benefits w.e.f. 30-06-2015. Any other remedy which this August Tribunal deems fit that may also be awarded in favor of the appellant.

Respectfully Sheweth:

FACTS:

Brief facts giving raise to the instant appeal are as under:

1. That appellant is the employee of the respondent Department and was appointed as Tube Well Operator (BPS-01) vide order dated 24-02-2010 after fulfilling all the legal & codal formalities required for the post and since from the date of appointment and taking over the charge of the post at Peshawar Museum Peshawar the appellant is performing his duty quite efficiently whole heartedly and as such the appellant has an unblemished service record of approximately 13 Years.

Copy of the Appointment Order dated 24.02.2010 is attached as **Annexure ... A.**

2. That respondent no. 1 issued notification dated 30-06-2015 whereby up-gradation was allowed/granted to the posts of BPS-1 to BPS-15 and accordingly the post of the appellant was up-graded from BPS-01 to BPS-03 as the appellant was working in BPS-01 and were given 02 step up-gradation in light of the *ibid* notification but unfortunately the actual basic pay scale of Tube Well Operator i.e. BPS-06 was not granted to the appellant and the appellant is deprived of his due right of BPS-06 from the date notification.

Copy of Notification dated 30-06-2015 is attached as **ANNEXURE** B.

3. That likewise in all other Government & semi-Government Departments the employee are benefited and enjoying BPS-06 on the post of Tube Well Operator but respondents has deprived the appellant from the benefit of BPS-06 since 30-06-2015 with out any cogent reason.

Copy of Relevant Documents are attached as **Annexure** C.

4. That respondent no. 3 forwarded a letter dated 02-12-2020 whereby respondent no. 1 was requested for attracting and including various posts falling under the control of respondent no. 3 including the post of the appellant as BPS-06 in the budget book of the Department as the same has not

been given effect to BPS-06 through notification dated 30-06-2015 but same has also not given any fruitful result for the appellant.

Copy of Letter dated 02-12-2020 is attached as Annexure D.

5. That appellant is continuously been effected financially and is suffering from a recurring financial loss every month by not granting BPS-06, hence, feeling aggrieved from the inaction of the respondent the appellant filed Departmental Appeal dated 28-09-2022 through register post before respondent no. 3 which was not responded after a lapse of more than the statutory period of 90 days.

Copy of Departmental Appeal dated 28.09.2022 & Postal Receipt is attached as Annexure E.

6. That the appellant feeling highly aggrieved and is left with no other remedy but to file the instant service appeal before this Honourable Tribunal on the following grounds:

GROUND:

- A-** That the act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is against the law, rules, facts, void ab initio, Norms of Natural Justice and materials available on the record hence not tenable in the eye of Law and needs interference of this Honourable Tribunal.
- B-** That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C-** That the respondents acted in an arbitrary and malafide manner by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015.
- D-** That act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is against Article 38 (e) of the Constitution of Pakistan, 1973 which is as:

“state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan.

- E-** That act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is a clear violation of Article-37 of the Constitution of Islamic Republic of Pakistan which is regarding the eradication of social evils in the society and promotion of social justice.
- F-** That act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is a clear violation of the Fundamental Rights as enshrines the Constitution of Pakistan & also against various judgments passed by the Apex Supreme Court of Pakistan.
- G-** That act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is clear violation of the notification of respondent no. 2 and hence the same is against the norm of Natural Justice.
- H-** That act & omission on the part of the respondent by not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 is highly discriminatory as in all other government & semi-government department the post of Tube Well Operator bears BPS-06 only in the case of the appellant the respondents has malafidely kept the appellant in BPS-03.
- I-** That respondents are duty bound to act fairly, justly and in accordance with Law but in the case of the appellant the respondent are not granting/allowing BPS-06 to the appellant w.e.f. 30-06-2015 hence the appellant is facing with continuous financial loss on each and every month and such act of the respondents needs to be struck down.
- J-** That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 23-01-2023

APPELLANT

MUNIR KHAN

Through:

MUHAMMAD MAAZ MADNI
Advocate High Court, Peshawar
0333-9313113, 0314-9965666

CERTIFICATE

No, such like appeal has been filed or pending on the subject matter between the parties before this Honourable Tribunal.



ADVOCATE

ADDRESSES OF PARTIES

Addresses of parties are correctly be given in the heading of the appeal, both the appellant & respondents are local and within the local access of the Tribunal and are sufficient for service.



ADVOCATE

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Service Laws
3. Other relevant case Laws

AFFIDAVIT

I, MUNIR KHAN, do hereby solemnly affirm on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



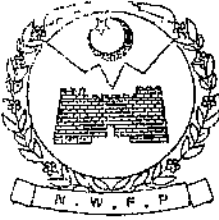
23/09/2023



DEPONENT
17300-5380428-7

6

ANNEXURE "A"



**DIRECTORATE OF ARCHAEOLOGY AND MUSEUMS
GOVERNMENT OF NWFP. PESHAWAR**

No. _____ / Archymus

C/O Peshawar Museum Peshawar

Dated: _____

Ph. # 091-9211194, 9211488

Fax # 091-9210690

OFFICE ORDER

On the recommendation of Departmental Promotion and Appointment Committee, held its meeting on 22-02-2010 Mr. Munir Khan S/o Mr. Muhammad Yousaf, is hereby appointed as Tub Well Operator BPS-01 (2970-90-5670) on regular basis in the Peshawar Museum, Peshawar, with immediate effect.

Under para-2 of the North-West Frontier Province Civil Servant (Amendment) Act, 2005 notified vide Establishment Department letter No. SO (Regulation) 6 (E&D)1-13/2005 dated 10/08/2005, the post is non-pensionable and he will be entitled to contributory Provident Fund at the prescribed rate of the Government. He will also be entitled to all those allowances and facilities as admissible to him under the said act and policy of the Provincial Government.

The official concerned will be on probation for a period of one year. During probation period, his service can be terminated any time without assigning any reason.

He should report to the Directorate of Archaeology and Museums Govt of NWFP, Peshawar for duty. He is also required to produce medical fitness certificate from a recognized Medical Officer/Civil Surgeon.

Saleh Muhammad Khan
Director.

Enist: No. 11-37-37/A-73 / Archymus.

Dated: 24.02.2010

Copy forwarded for information and further necessary action to:

1. Accountant General Officer NWFP, Peshawar.
2. Private Secretary to Minister for Archaeology and Museums Govt of NWFP.
3. Assistant Curator, Peshawar Museum, Peshawar.
4. Superintendent, Directorate of Archaeology and Museums Govt of NWFP.
5. Account Section, Directorate of Archaeology and Museums Govt of NWFP.
6. Mr. Munir Khan S/o Mr. Muhammad Yousaf, resident of Mushtaq Abad Sector No. 05 House No. 204, Nouthia Jadeed, Tehsil/District Peshawar.
7. Personal file.

Director.

ATTESTED

(7)

ANNEXURE "B"



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)**

Dated Peshawar, the 30-06-2015

NOTIFICATION

NO.FD/SO(FR)7-20/2015 The competent authority has been pleased to accord approval to the upgradation of pay scales of the following provincial government employees with effect from 01-07-2015:

- a) Two pay scale upgradation will be allowed to all provincial government employees from BS-01 to BS-05.
 - b) One pay scale upgradation will be allowed to all provincial government employees from BS-06 to BS-15
 - c) Special Compensatory Allowance equal to difference of notional upgradation of BS-16 to BS-17 will be allowed to all provincial government employees in BS-16 in lieu of upgradation.
 - d) Upgradation will be applicable to both pay and allowances with freezing limits and other conditions currently in vogue unless revised by the government.
 - e) Pay fixation on upgradation will be applicable w.e.f. 01-07-2015 or 01-12-2015 on the option to be given by the concerned employee.
 - f) All provincial government employees who have been upgraded en-block or individually in last five years starting from 01-07-2010 or have been granted special allowance / pay equal to 40 % or more of their normal pay shall not be entitled for the instant upgradation.
2. Pay of existing incumbents of the posts shall be fixed in higher pay scales at a stage next above the pay in the lower pay scale.
 3. All the concerned Departments will amend their respective service rules to the same effect in the prescribed manner.
 4. The above-upgradation scheme shall not be applicable to employees of Autonomous Bodies, Semi Autonomous Bodies and Public Sector Companies.
 5. Explanatory note and subsidiary instructions on the subject will be issued separately.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

ATTESTED

P.T.O.

(8)

ANNEXURE 'C'

NC21017 (013)
HEALTH

073101 GENERAL HOSPITAL SERVICES

FUNCTIONAL CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2016-2017	2017-2018	2016-2017	2016-2017	2017-2018
			Rs	Rs	Rs
07 HEALTH					
073 HOSPITAL SERVICES					
0731 GENERAL HOSPITAL SERVICES					
073101 GENERAL HOSPITAL SERVICES					
LK7007 MS District Head Quarter Hospital Lakki Marwat					
M018 Medical Technician (BPS-12)	3	3	458,000		596,000
P111 Physiotherapy Technician (BPS-12)	1	1	110,000		143,000
P249 Primary Health Care Technician (M.P) (BPS-12)	4	4	440,000		1,112,000
J013 Junior Clerk (BPS-11)	4	4	200,000		651,000
C229 Civil Technician (BPS-10)	1	1	100,000		130,000
E022 Electrician Grade-3 (BPS-10)	1	1	110,000		143,000
E025 Electro Medical Technician (BPS-10)	1	1	110,000		143,000
H297 Humous Dispenser (BPS-10)	1	1	110,000		287,000
P022 Posh Inam (BPS-10)	1	1	220,000		287,000
S119 Sterilization Assistant (BPS-10)	1	1	110,000		287,000
S127 Store Keeper (BPS-08)	2	2	220,000		299,000
E019 Electrician (BPS-07)	2	2	230,000		313,000
P047 Plumber (BPS-07)	1	1	240,000		313,000
R014 Receptionist (BPS-07)	1	1	240,000		313,000
T019 Telephone Operator (BPS-07)	3	3	260,000		338,000
C012 Carpenter (BPS-06)	1	1	100,000		130,000
D112 Driver (BPS-06)	4	4	459,000		597,000
G013 Generator Operator (BPS-06)	1	1	100,000		130,000
T049 Tubewell Operator (BPS-06)	2	2	200,000		260,000
D007 Dai (BPS-04)	6	6	300,000		651,000
W004 Ward Orderli (BPS-04)	9	9	721,000		939,000
W039 Ward Attendant (BPS-04)	35	35	4,953,000		6,449,000
B006 Behishai (BPS-03)	15	15	1,213,000		1,579,000
C057 Chowkadar (BPS-03)	15	15	1,213,000		1,582,000
D007 Dai (BPS-03)	10	10	800,000		1,042,000
D007 Dhobi (BPS-03)	5	5	300,000		651,000

ATTESTED
(Signature)

9

NC21046 (038)
SPORTS, CULTURE, TOURISM & MUSEUMS

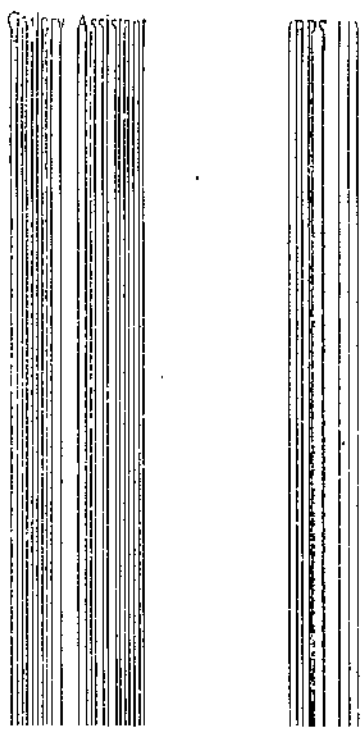
wj

095101 ARCHIVES LIBRARY AND MUSEUMS

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS 2018-2019	AUTHORIZED EXPENDITURE JUL-OCT 2018	RELEASED JUL-OCT 2018
	Rs	Rs	Rs
09 EDUCATION AFFAIRS AND SERVICES			
095 SUBSIDIARY SERVICES TO EDUCATION			
0951 SUBSIDIARY SERVICES TO EDUCATION			
095101 ARCHIVES LIBRARY AND MUSEUMS			
PR5712 Peshawar Museum Peshawar			
A01 TOTAL EMPLOYEES RELATED EXPENSES.		4,438,000	3,328,500
A011 TOTAL PAY	42	2,691,000	2,018,250
A011-1 TOTAL PAY OF OFFICERS	5	697,000	522,750
A01101 Total Basic Pay Of Officer	5	692,000	519,000
C177 Curator (BPS-18)	1	163,000	122,250
R172 Research Officer (BPS-17)	1	157,000	117,750
A138 Assistant Research Officer (BPS-16)	1	104,000	78,000
A109 Assistant Curator (BPS-16)	1	124,000	93,000
C082 Computer Operator (BPS-14)	1	144,000	108,000
A01102 Special Pay		5,000	3,750
A011-2 TOTAL PAY OF OTHER STAFF	37	1,994,000	1,495,500
A01101 Total Basic Pay Other Staff	37	1,993,000	1,494,750
0955 Senior Clerk (BPS-14)	1	127,000	95,250

[Handwritten Signature]

ATTESTED





DIRECTORATE OF CITY DISTRICT GOVERNMENT

PESHAWAR

Phone: - 091-9210363

Fax: - 091-9223000

Email: - info@cdgpeshawar.gov.pk

Address: - BACHA KHAN SQUARE, PESHAWAR CITY

No. 2789 / 95 / D (G) / CDGP,

Dated Peshawar the 11/13 /2019

OFFICE ORDER

The Competent Authority has been pleased to order transfer / Posting of the below official of the Directorate of City District Government, Peshawar with immediate effect.

S.No.	Name of Official	Designation	From	To
01	Mr. Hamish Gul	Tube Well Operator BPS-07	General Bus Stand	Main Office of Directorate of CDG, Peshawar.

However he will draw monthly salary against his substantive post.

---SD---

DIRECTOR GENERAL
CITY DISTRICT GOVERNMENT PESHAWAR.

No. 2789 / 95 / D (G) / CDGP, Dated Peshawar the 11/13 /2019

Copy for information to the:-

1. The P.S to Director General, City District Government, Peshawar.
2. The Deputy Director (Terminals), City District Government, Peshawar.
3. The Accounts Officer (L/F), City District Government, Peshawar.
4. The Manager (General Bus Stand), City District Government, Peshawar.
5. Official Concerned.
6. Master File.

ATTESTED

ASSISTANT DIRECTOR (Admin) / 11/13/19
CITY DISTRICT GOVERNMENT PESHAWAR

(11)

ANNEXURE- D
F 2
=



DIRECTORATE OF ARCHAEOLOGY AND MUSEUMS
GOVT. OF KHYBER PAKHTUNKHWA, PESHAWAR

No. 777/A-67
Archymus

Dated: 12-2-20

C/O Peshawar Museum Peshawar

Ph. # 091-9211194, 9211488
Fax # 091-9210690

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Sports, Tourism, Culture, Archaeology & Museums,
Department Peshawar.

Subject: UPGRADATION OF VARIOUS POSTS VIDE NOTIFICATION NO. FD/SO(FR) 7-20/2015 DATED 30-06-2015.

Dear Sir,

Kindly refer to the above noted subject and to state that various posts in this Directorate were not upgraded in the budget copy (enclosed budget copy) as per the above notification.

Which are as under:

A: BU 4429 BANNU MUSEUM DISTRICT BANNU

S. No.	Name of Post	No. of Post	BPS	
			Existing	Revised
01	E 019- ELECTRICIAN	01	05	07
02	G 031- Gallery Assistant	02	11	12

B: SW 4496 ARCHAEOLOGICAL MUSEUM SWAT

S.No.	Name of Post	No. of Post	BPS	
			Existing	Revised
01	C 084- Conservation Assistant	01	11	12
02	E 019- Electrician	01	05	07
03	S 400- Site Supervisor	01	05	07

OB

12

C: CA4199 PUSHKALVATI MUSEUM

S.No	Name of Post	No. of Post	BPS	
			Existing	Revised
01	L035- Library Attendant	02	04	06
02	L035- Library Attendant	01	03	05

D: PR 5712 PESHAWAR MUSEUM PESHAWAR


S.No	Name of Post	No. of Post	BPS	
			Existing	Revised
01	G031- Gallery Assistant	01	11	12
02	L034- Library Assistant	01	11	12
03	C011- Care Taker	01	03	05
04	E019- Electrician	01	05	07
05	T049- Tube well Operator	01	03	06

E: CL 4015 CHITRAL MUSEUM

S.No	Name of Post	No. of Post	BPS	
			Existing	Revised
01	G031- Gallery Assistant	01	11	12

F: DA 4019 ARCHAEOLOGY AND MUSEUMS
DIR LOWER

S.No	Name of Post	No. of Post	BPS	
			Existing	Revised
01	G031- Gallery Assistant	01	11	12
02	L034- Library Assistant	01	11	12
03	E019- Electrician	01	05	07
04	T049- Tube well Operator	01	03	06


ATTESTED

(13)

ANNEXURE

"ع"

خدمت جناب ڈائریکٹر صاحب آرکیالوجی و میوزیم،

خیبر پختونخوا پشاور

درخواست برادر: عطائگی اصل بنیادی سکیل 06

جناب عالی!

مؤدبانہ گزارش کی جاتی ہے کہ سائل آپ کے زیر سایہ بطور ٹیوب ویل آپریٹر کام کر رہا ہے۔ سائل کہ تعیناتی مورخہ 24-02-2010 کو سارے قانونی تقاضوں اور اصولوں کو مد نظر رکھ کر کی گئی تھی اور ٹھیک تعیناتی کے دن سے سائل اپنے ڈیوٹی انتہائی ایمانداری اور خوش اسلوبی کے ساتھ ادا کر رہا ہے اور کبھی بھی اپنے ڈیوٹی کے انجام دہی میں کوتاہی نہیں بھری ہے۔ تعیناتی کے وقت سائل کو تعیناتی کے حکم نامہ کے مطابق ٹیوب ویل آپریٹر BPS-01 دیا گیا بعد میں جب سائل کو معلوم ہوا کہ دوسرے حکموں میں ٹیوب ویل آپریٹر کا بنیادی پے سکیل 06 ہے لیکن مجھے BPS-01 دے دیا گیا ہے۔ 2015ء کے اپگرڈیشن کے مطابق سائل کا بنیادی پے سکیل 07 ہونا چاہیے تھا لیکن سائل کو 07 کی بجائے 03 دیا گیا۔ چونکہ خیبر پختونخوا کے دوسرے حکموں میں ٹیوب ویل آپریٹر کی بنیادی پے سکیل 06 اور 07 ہے لیکن سائل کو اپنے اصل بنیادی پے سکیل سے محروم رکھا گیا ہے۔ جو کہ سائل کے پے سلسلے سے صاف ظاہر ہے۔ جسکی وجہ سے سائل کی تنخواہ BPS-07 کی بجائے BPS-03 میں آتی ہے جو کہ ایک نائب قاصد یا کلاس فور کی تنخواہ ہے۔

اسلئے! آپ صاحبان کی خدمت میں انتہائی عاجزانہ التماس کی جاتی ہے کہ سائل کو ٹیوب ویل آپریٹر کی اصل بنیادی پے سکیل جو کہ BPS-06 بنتی ہے عطائگی کے احکامات صادر فرمائیں ساتھ ہی سائل کو بھرتی کے دن سے ہی ٹیوب ویل آپریٹر کے اصل پے سکیل کے تمام مراعات جو ادا نہیں کئے گئے ہیں اور سائل حقدار ہے وہ بھی ادا کرنے کے احکامات صادر فرمائیں۔ سائل عمر بھر مشکور و ممنون رہے گا۔

ارض

المرقوم: 28/09/2022

آپکا تاجدار: 28/09/2022
منیر خان (ٹیوب آپریٹر)
17301-5380428-7
0311-8861396

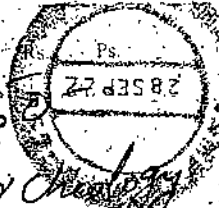
ATTESTED

14

No. 798

RGL94735784

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uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is required



Received a registered
addressed to _____

Date-Stamp

Director of Archaeology

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

Insured for Rs. (in figures) 10 (in words) ten

Insurance fee-Rs. _____ Ps. _____ (in words) _____ Kilo _____ Grams _____

Name and address of sender { _____

OB

ATTESTED

(POWER OF ATTORNEY)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2023

MUNIR KHAN

VS

GOVT. OF KP& OTHERS

I, Munir Khan do hereby nominated and appointed **MUHAMMAD MAAZ MADNI**, Advocate High Court, Peshawar, to be counsel in the above matter for me/us and on my/our behalf as agreed to appear, plead, act and answer in the above court or any appellate court or any court to which the business is transferred in the above matter as and is agreed to sign and file petition, appeals, statements, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc and to apply for and issue summons and other writs or subpoena and to apply for and get issued any arrest, attachment or other execution, warrants or order and to conduct any proceedings that may arise there out; and to apply for and receive payment of any or all sums or submit the above matter to arbitration, and to employ an other legal practitioner authorizing him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

AND to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.
AND I/WE hereby agree to ratify and confirm all lawful acts done on my/our behalf; under or by virtue of these present or of the usual practice in such matter. PROVIDED always that I/WE undertake at the time of calling of the case by the court I/MY authorized agent shall inform the advocate and make him appear in the court, if the case, may be dismissed in default, it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHERE OF I/We hereunto set MY/OUR hand to these presents, the contests of which have been explained to and understood by ME/US this 23rd day of January 2023.

EXECUTANT

(Munir Khan)

Accepted subject to the terms regarding fees:

MUHAMMAD MAAZMADNI,

ADVOCATE HIGH COURT, PESHAWAR

BC No. (BC-11-1460)

CNIC No. 17101-9263898-1

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