


FORM OF ORDER SHEET

Court of _____

Case No.- 239/2023

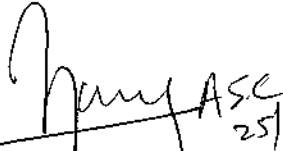
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/1/2023	<p>The appeal of Mr. Ejaz received today by registered post through Mr. Muhammad Yousaf Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;"> REGISTRAR</p>


The appeal of Mr. Ejaz Ex-Constable S.W Police department received today i.e. on 20.01.2023 is incomplete on the following score which is returned to the counsel for the appellat for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with Annexures marks.
- 3- Annexures of the appeal may be attested.
- 4- Copy of review petition mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 5- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 279 /S.T,

Dt. 20-1 /2023


25/1/23
Muhammad Youaf Khan Adv.
High Court D.I.Khan.


20/01/23
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

a

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

Service Appeal No. 239 of 2023

Ejaz
Versus.
Govt. of Khyber Pakhtunkhwa etc
Service Appeal

INDEX

S#	Description of Documents	Annexure	Page Numbers
1.	Service appeal	—	01 — 08
2.	Copy of leave application and medical documents of appellant	A	9 — 12
3.	Copy of order OB No.71 dated 04.11.2020 of District Police Officer, South Waziristan	B	13
4.	Copy of the Departmental Appeal to RPO D.I.Khan	C	14
5.	Copy of order No.1134/ES dated 12.03.2021 of RPO D.I.Khan	D	15
6.	Copy of the Revision Petition to I.G. Police	E	16
7.	Copy of order No.829-35/22 dated 14.04.2022 of I.G. Police Khyber Pakhtunkhwa	F	17
8.	Vakalatnama	—	18

Yours Humble Appellant


(Ejaz)

Through Counsel

Dt. 19-7-23


Muhammad Yousuf Khan
Advocate Supreme Court - D-1, Khas

03363232229 No file

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

Service Appeal No. 239 of 2023

Khyber Pakhtunkhwa
Service Tribunal

Case No. 3082

Date 20/1/2023

Ejaz son of Atlas Khan, Ex. Constable Bait No.2551, South Waziristan Police. Caste Wazir Yar Gul Khel, resident of Spin, Tehsil Wana, District South Waziristan.

APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. Additional Inspector General of Police (Establishment), Khyber Pakhtunkhwa, Peshawar.
4. Regional Police Officer, D.I.Khan Region, D.I.Khan.
5. District Police Officer, South Waziristan.

RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF THE K.P.
SERVICE TRIBUNALS ACT, 1974, AGAINST THE
ORDER BEARING No. 829-35/22 DATED
14.04.2022 OF THE RESPONDENT No.2
(RECEIVED TO APPELLANT ON 03.05.2022) AND
ALSO AGAINST ORDER No.1134/ES DATED
12.03.2021 OF RESPONDENT No.4 AND ORDER
OB No.71 DATED 04.11.2020 OF THE
RESPONDENT No.5.**

20/01/23
Registrar

PRAYER:

ON ACCEPTANCE OF PRESENT SERVICE APPEAL AND BY SETTING ASIDE ORDERS OF RESPONDENTS No.2, 4 & 5, BEARING NO. 829-35/22 DATED 14.04.2022, NO.1134/ES DATED 12.03.2021 AND OB No.71 DATED 04.11.2020 RESPECTIVELY, THE APPELLANT MAY PLEASE BE REINSTATED INTO THE SERVICE OF SOUTH WAZIRISTAN POLICE WITH ALL BACK BENEFITS.

SUCH OTHER RELIEF, AS MAY BE DEEMED PROPER & APPROPRIATE, BY THIS HONOURABLE TRIBUNAL IN THE ATTENDING CIRCUMSTANCES OF THE CASE, MAY ALSO BE GRANTED TO APPELLANT IN THE INTEREST OF JUSTICE.

Respectfully Sheweth,

1. That the appellant was serving in the Khasadar Force in erstwhile South Waziristan Agency, and owing to 25th Constitutional Amendment, South Waziristan was merged into province Khyber Pakhtunkhwa and in that eventuality, Khasadar Force Act, 2019 and Khasadar Force (Absorption in Khyber Pakhtunkhwa Police) Rules, 2019, were promulgated by the provincial government, and accordingly Khasadar Force was absorbed in the Khyber Pakhtunkhwa Police. The services of appellant too were absorbed in the K.P. Police.
2. That the appellant was performing his official duties and in the meanwhile he was directed to participate in the training. The

appellant was suffering from kidney disease and therefore, he applied for his leave. Copy of the leave application and medical documents are enclosed as Annexure A.

3. That during the leave, salaries of appellant were stopped and upon query it transpired to him that ex-parte departmental proceedings have been culminated against him on the ground that appellant did not appear for training in response to letter No.1935 dated 02.09.2020. The appellant then appeared before the District Police Officer and apprised him the situation that appellant was on leave, neither the letter was communicated to him, nor any charge sheet/statement of allegation was delivered to him nor he was having any information about the departmental inquiry; but the District Police Officer, vide order OB No.71 dated 04.11.2020 (Annexure B), awarded major penalty of dismissal from service.

That the appellant then preferred an appeal before the Regional Police Officer, D.I.Khan, which was dismissed vide order No.1134/ES dated 12.03.2021. Copies of the Departmental Appeal and order No.1134/ES dated 12.03.2021 are enclosed as Annexure C & D respectively.

5. That the appellant preferred a Revision Petition under Rule 11-A of the Khyber Pakhtunkhwa Police Rules, 1975, before the Inspector General of Police Khyber Pakhtunkhwa, which too was dismissed vide order No.829-35/22 dated 14.04.2022. Copies of the Revision Petition and order No. 829-35/22 dated 14.04.2022 are enclosed as Annexure E & F respectively.

6. That the appellant received copy of the order No. 829-35/22 dated 14.04.2022 on 09.05.2022 from the office of District Police Officer,

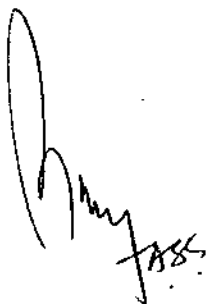
South Waziristan, and thus aggrieved from the orders as to dismissal from service as well as dismissal of his departmental appeal and revision petition, the appellant has been left with no option but to file present service appeal before this Honourable Tribunal for his reinstatement into service with all back benefits on, inter alia, the following grounds:

That on 09.05.2022 the appellant was provided with the copy of order dated 14.04.2022 and despite his request, no further record was handed over to him, therefore, copies of only those documents have been annexed which were in the custody of appellant.

GROUND:

- i. That the impugned Order bearing No. 829-35/22 dated 14.04.2022 of the respondent No.2 (received to appellant on 09.05.2022), Order No.1134/ES dated 12.03.2021, of respondent No.4 and order OB No.71 dated 04.11.2020 of the respondent No.5, are the biased, without jurisdiction, without lawful authority and having no binding effect upon rights of appellant.
- ii. That it is evident from the order OB No.71 dated 04.11.2020 that an ex-parte action was conducted against the appellant. Moreover, Para No.2 of the said order reveals that the Final Show Cause Notice was issued to the appellant with Charge Sheet, and thereafter, inquiry report was submitted; which procedure is illegal, unlawful, and is without any legal backing, which render the entire departmental proceedings against appellant as void.

- iii. That it is undeniable fact on the face of record that after the completion of alleged inquiry, neither any show cause notice was issued to the appellant nor inquiry report was communicated to him so that he may prefer his defence. The purported 'final show cause notice' issued during the inquiry is having no legal sanctity.
- iv. That the appellant was performing his official duties and in the meanwhile he was directed to participate in the training. The appellant was suffering from kidney disease and therefore, he applied for his leave. Thereafter, appellant was on leave and he was not communicated with the Charge Sheet etc or any alleged show cause notice, and thereby the appellant has not been associated with the inquiry proceedings. Hence, the appellant has been condemned unheard and as such, the impugned orders being hit by the doctrine of "*audi alteram partem*" are unwarranted.
- v. That the appellant was entitled to a fair trial within the contemplation of Article 10-A of the Constitution of Pakistan, 1973. On this score alone, the appellant is entitled to be reinstated.
- vi. That the appellant was not acquainted with the record or evidence on the basis whereof he was awarded major punishment. Also appellant was not issues a show cause notice before passing of order OB No.71 dated 04.11.2020. Due process has not been carried out and the appellant has been dismissed from service in a cursory, hasty and slipshod manner.



Handwritten signature, possibly initials, with the letters 'ASS' written below it.

- vii. That the counsel for appellant may be allowed to raise additional grounds at the time of arguments.

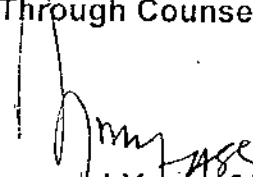
It is therefore, humbly prayed that the present service appeal may graciously be allowed as prayed for and thereby the appellant may please reinstated into service with all back benefits.

Yours Humble Appellant



(Ejaz)

Through Counsel


Muhammad Yousuf Khan
Advocate Supreme Court

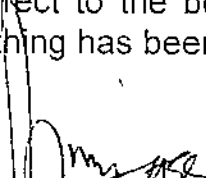
DL 19-1-23

VERIFICATION: I, the appellant, on this day of May-2022, herein mentioned above, do hereby verify that all the contents of this appeal are true & correct and also that it is the first appeal on the subject matter and no such appeal has earlier been filed.



Appellant

AFFIDAVIT: I, the appellant; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above **Service Appeal** are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.


Identified by Counsel:
Muhammad Yousuf Khan ASC.



Deponent

(7)

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

Civil Misc. Application No. _____ of 2022

In Service Appeal No. _____ of 2022

Ejaz
Versus.

Govt. of Khyber Pakhtunkhwa etc
Service Appeal

**APPLICATION FOR CONDONATION OF DELAY (IF
ANY) IN FILING OF ABOVE TITLED SERVICE APPEAL.**

Respectfully Sheweth,

1. That the above titled service appeal is being filed before this Honourable Court and grounds of same may please be considered as an integral part of this application.
2. That the impugned order of the Inspector General of Police was signed on 09.04.2022 which was given despatch number on 14.04.2022; however, copy of the same was not addressed to the appellant, and therefore, no copy of the said letter has been received to appellant through post; nevertheless, the appellant on 09.05.2022 got information from the D.P O. South Waziristan Office about dismissal of his revision petition. On the same day appellant got copy of the order of I.G. Police Khyber Pakhtunkhwa from DPO South Waziristan Office and thus got the knowledge of dismissal of his departmental Revision Petition. Thus the limitation starts from the date of knowledge and basic judgment in this regard is "*Allahdino vs. Faqir Muhammad*" (PLD 1969 SC 582).
3. That the delay in filing of appeal was neither wilful nor deliberate but was due to the aforesaid reasons and thus the delay in filing the appeal (if any) is condonable in the interest of justice.

8

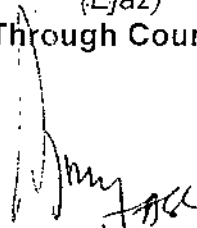
4. That the facts and circumstances elucidated in this application involves the question of "substantial justice", where delay in filing the appeal deserves to be condoned in the overall interest of justice. On the other hand, if condoning the delay being denied it would seriously undermine the cause of justice, resulting into miscarriage of justice.

It is, therefore, humbly prayed that this honourable Tribunal on scrutinizing facts & circumstances in this application may please construe the facts & circumstances as "sufficient cause" for condoning the delay and the delay (if any) in filing of appeal may graciously be condoned in the interest of justice by treating the same as within time.

Yours Humble Appellant

(Ejaz)

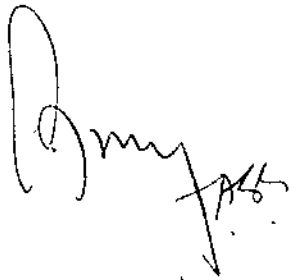
Through Counsel



Muhammad Yousuf Khan
Advocate Supreme Court

Dt. 19-1-23

AFFIDAVIT: I, the appellant through Counsel; do hereby solemnly affirm and declare on oath that all the Para-wise contents of above CMA to condone the delay are true & correct to the best of my knowledge, belief and information; and that, nothing has been deliberately concealed from this Honourable Tribunal.



Deponent

(9)

A

بخدمت جناب DPO صاحب دانا

موضوع: مذوی اے مجاز ولد اطللس خان پولیس کانسٹیبل ہے۔
مذوی اے گردے خراب ہے ڈاکٹر نے اہرام کا مشورہ دیا ہے۔
ٹریٹمنٹ کیلئے فیس میں چھوٹ دینے کی منظوری عنایت فرمادیں

جناب عالی:

گزارش کا یہ ہے کہ مذوی پولیس میں کانسٹیبل ہے
مذوی گردے کا مریض ہے۔ مذوی کو ڈاکٹر نے اہرام کا مشورہ دیا ہے
جناب دلال مذوی کا ٹریٹمنٹ شروع ہو رہا ہے۔
ڈاکٹر نے مطالبہ مذوی چاہنا ہے کہ علاج مشکل ہونے تک
مذوی کو چھٹی دی جائے تاکہ مذوی اپنا علاج کروا سکیں
مذوی کا بیس ڈاکٹر کے کا ملزما ہو جو رہے۔
لہذا عہدہ ہالی فریئر مذوی کو چھٹی دیکر مشنور فرمائیں

ان لوڈز میں ہوئی

تاریخ 14/9/2020

الحق الحق

اے مجاز ولد اطللس خان سکنا سہین

2551

10

DHIS-02(F)

Sent To: _____

OUT DOOR PATIENT TICKET

District _____

CRP No: _____

Facility Name _____

Name _____

Age: _____

Sex: _____

Father's / Husband's Name _____

Monthly OPD Serial No. _____

Provisional Diagnosis: _____

Date

Clinical Findings / Investigations / Treatment / Referred / Test Findings

۱۲/۶

New to urologist
for (L) ureteral
stone

[Signature]
Medical Specialist
D.H.Q. Hospital Wana (S.W.)

من کسٹبل
دہلی ۶ مشورہ دیا
رہا دینے کی صفا
کی

من صین کسٹ
کو ڈاکٹر نے ار
بروع ہو رہا
کے کمر علاج صفا
مدد دی رہا
رہا ہو جو
بھیج دیا گیا

۷

(11)

DHIS-02(15)

Sent To: _____

OUT DOOR PATIENT TICKET

District: _____

CRP No: _____

Facility Name: _____

Name: _____

Age: _____

Sex: _____

Father's / Husband's Name: _____

Monthly OPD Serial No. _____

Provisional Diagnosis: _____

Date

Clinical Findings / Investigation / Treatment / Refers / Test Findings

6/6

RC

Refer to
Multan
for further Tx

T. Howais

Supreme Court
Enrollment No: 4994

03363232222 nice job

12-

مہر سید ظفر علی شاہ

بی بی ایس (پشاور)، ڈی ایم آر ڈی (لاہور)

الٹراساؤنڈ سپیشلسٹ

کلر ڈی ایئر الٹراساؤنڈ کلینک

توالیہ

12

النور میڈیکل

5-243177

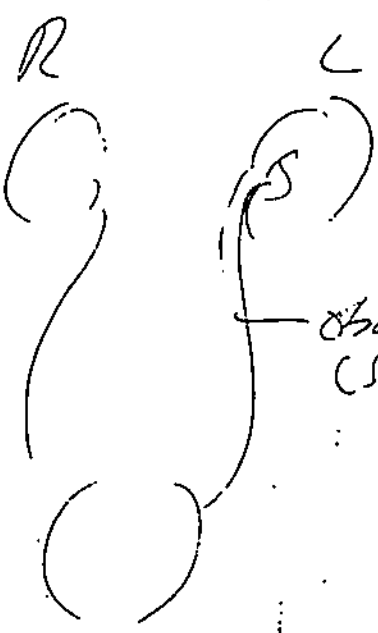
Age

Sex

8/9/20
Date



ڈیو کی وی



Cholecystitis
(stone)
Swollen

Left Uterine
Cholecystitis (stone)
with mild Hypertension

- Liver
- Gall Bladder
- C.B.D
- Spleen
- Pancreas
- Kidneys
- Abd/Pelvis

June-2020

Supreme Court of
Enrollment No: 4994

03363232222

(13) ✓ B

**OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN TRIBAL DISTRICT.**

ORDER

My this order will dispose off departmental proceedings initiated against Constable Ijaz No. 2557 on the score of allegations that he was selected for training with pak Army in the training centers of South Waziristan vide this office letter No. 1935, dated 02.09.2020, but he badly failed to report the training center. He was intentionally absented from mandatory training without prior approval/permission from the high ups.

He was Charge Sheeted vide this office No. 1726-28/EC dated 23-09-2020. Mr. Sharif Ullah Khan SDPO/Sarwakai has been nominated as enquiry officer to conduct proper departmental enquiry in to the matter. The enquiry officer conduct proper departmental enquiry and submit finding reports that the said constable neither report to DC compound nor receive his charge sheet & Final Show Cause Notice. Therefore, recommended for ex-parte action.

He was called again in Orderly Room and proper opportunity were provided to defend himself but he did not defend himself nor satisfied the undersigned.

In light of findings/recommendations of the Enquiry Officer and available record on file against the delinquent official, I Shaukat Ali, District Police Officer, South Waziristan Tribal District being Competent Authority, hereby awarded "Major punishment of dismissal from service" with immediate effect.

OB No. 71
Dated: 11/11/2020

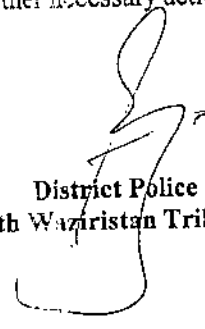

District Police Officer
South Waziristan Tribal District.

Dated 04/11/2020.

No. 2152-57 /SWTD

Copy of above is submitted to:-

- b. The Regional Police Officer, DI Khan Region for favour of information.
- a. Acctt: PA, OASI, Reader, SRC for information and further necessary action.


District Police Officer
South Waziristan Tribal District.

2170879334355

Supreme Court of
Enrollment No: 4994

03363232222

14

C

The R.P.O.
District Dera Ismail Khan

Subject:

Restoration of Service
Release of pay

Office of The
Deputy Inspector General
of Police D.I. Khan
By: 1317
No. 25-11-2024

Sir, Respectfully Submitted that I am
serving in Dist. South Waziristan Wana Police
department as a Constable.

Sir I have kidney problem and
concern doctor diagnosed kidney stone. Doctor
advised me bed rest and gave medicine.
I filed application to my immediate officer
for leave. All relevant documents and
application copy is attached with this
application. Despite of leave, I was dismissed
from service and my ~~pay~~ salary was
closed.

I would therefore request your kind
office, to please revive my case on medic
grounds. I will be extremely thankful for
your this act of kindness. Regards.

M. Ejaz s/o Atlas Khan
Police Constable.
Belt No. 2551.
Contad, 03045996640



OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION

No. 1134 /ES, Dated DI Khan the 12/03/2021

ORDER

This order is aimed to dispose of the departmental appeal of Ex-Constable Ejaz No. 2551 of District Police SWTD against the Major Punishment order i.e. Dismissal from Service by DPO SWTD vide OB No. 71 dated 01.11.2020, on the following allegations:

Facts arising of the case are that he was selected for training with Pak Army in the training centers of South Waziristan vide SWTD office letter No.1935 dated 02.09.2020, but he failed to report at the training Center. He intentionally absent from mandatory training without prior approval/permission from the high ups.

He was issued charge sheet and proper departmental proceedings was initiated against him. Enquiry into the matter was conducted by Mr. Sharifullah Khan SDPO Sarwakai. The inquiry officer submitted his finding report in which he stated that the above mentioned constable neither reported to DC compound nor received his Charge Sheet and Final Show Cause Notice. Therefore, recommended for ex parte action. Hence, DPO SWTD has passed the order dated 04.11.2020.

He preferred an appeal to the undersigned on 25.11.2020 against the order of DPO SWTD. His appeal was sent to DPO SWTD for comments and to provide his service record vide this office letter No. 9907/ES dated 27.11.2020. DPO SWTD vide his office memo: No. 2574/SWTD dated 18.12.2020 has furnished the comments on the subject appeal.

The undersigned perused the file of the appellant thoroughly. He was called in orderly room on 23.02.2021 but he deliberately/intentionally not appeared before the undersigned.

Therefore, I, YASEEN FAROOQ, Regional Police Officer, Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11(4)(a) of Police Rules 1975 amended 2014, uphold the major punishment of Dismissal from Service awarded by DPO SWTD and his appeal is hereby **rejected being meritless.**

[Signature]
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

[Signature]
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN

No. 1135 /ES

Copy of above is sent to the DPO SWTD alongwith service records w.r.t his office memo: No. 2574/SWTD dated 18.12.2020.



24/03/2021
034-5996640

Supreme Court of
Enrollment No: 4994

03363232222 No. 034

DPO/SWTD

OB
EC/SRC

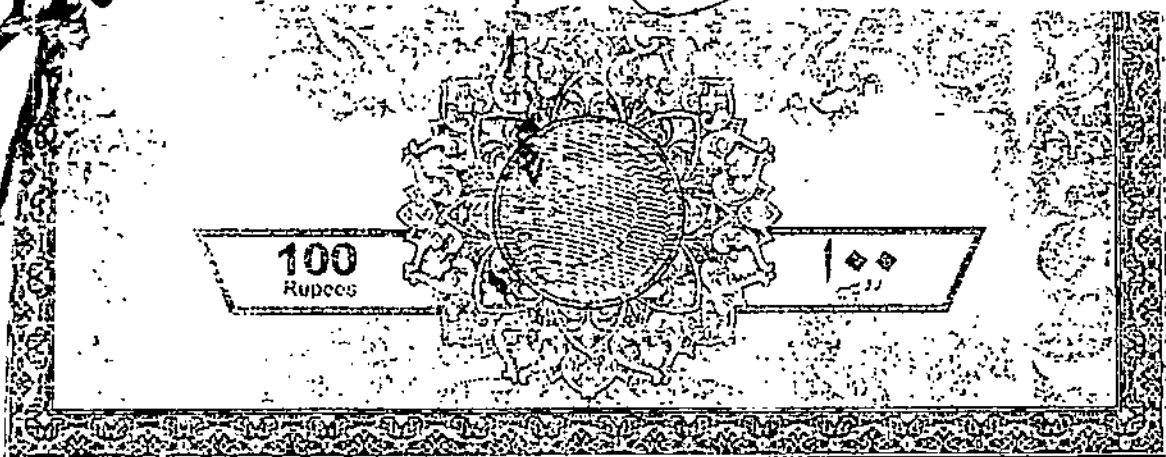
for m/action, please.
29/03

15

D

16

E



بیان حلفی

بخدمت جناب آئی۔ جی پولیس خیبر پختونخواہ پشاور

مذکورہ مسکمی اعجاز ولد طلحہ خان قوم وزیر یار گل خیل سکنتہ سپین تحصیل وانا SWTD حلفاً بیان کرتا ہوں کہ میں SWTD خاصہ دار فورس کا سپاہی تھا۔ اور خیبر پختونخواہ پولیس میں ضم ہو گیا۔ کچھ وجوہات کی بناء پر مجھے نوکری سے برخاست کیا گیا۔ برطانی کے بعد پہلے RPO/DIG ڈیرہ اسماعیل خان اور اب آپ کو اپیل کی ہے۔ میں حلفاً بیان کرتا ہوں کہ میں نے اپنی برطانی اور نوکری بحالی کیلئے آپ جناب کے علاوہ کسی دوسرے عدالت یا ٹریبونل میں کوئی بھی کیس، مقدمہ یا اپیل دائر نہیں کی ہے۔ اور نہ ہی کسی کورٹ یا دیگر عدالتوں میں کوئی پیشکش داخل کی ہے اس بابت میں بیان حلفی ہذا تحریر کر رہا ہوں جو کہ سند تحریر ہے۔

21-06-2021

سائنس: کنشٹیبل اعجاز ولد طلحہ خان قوم وزیر یار گل خیل سکنتہ سپین تحصیل وانا ضلع جنوبی وزیرستان ٹرائبل ڈسٹرکٹ بیلٹ نمبر 2551 ڈسٹرکٹ پولیس ساؤتھ وزیرستان ٹرائبل ڈسٹرکٹ

Supreme Court
Enrollment No: 4994

03363232222



17

F

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Ejaz No. 2551. The petitioner was dismissed from service by District Police Officer, South Waziristan Tribal District vide OB No. 71, dated 01/11/2020 on the allegations that he was selected for training with Pak Army in the training centers of South Waziristan vide SWTD office letter No. 1935 dated 02.09.2020, but he failed to report at the training center. He intentionally absent from mandatory training without prior approval/permission from the high ups. His appeal was rejected by Regional Police Officer, DIKhan vide order No.1134-35/ES, dated 12.03.2021.

Meeting of Appellate Board was held on 29.03.2022 wherein petitioner was heard in person. Petitioner contended that he was not informed about training.

Petitioner failed to advance any plausible explanation in rebuttal of the charges. Therefore, the Board decided that his petition is hereby rejected.

Sd/-

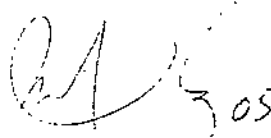
SABIR AHMED, PSP

Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 829-35 /22, dated Peshawar, the 14/4 /2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, DIKhan. One Service Roll alongwith copy of complete enquiry file of the above named Ex-FC received vide your office Memo: No..2971/ES, dated 12.07.2021 is returned herewith for your office record
2. District Police Officer, South Waziristan Tribal District.
3. PSO to IGP/Khyber Pakhtunkhwa; CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.



(ARIF ANTARIO) PSP
AIG Establishment,

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Supreme Court
Enrollment No: 4994

03363232222

MOHAMMAD YOUSAF KHAN
ADVOCATE SUPREME COURT
2101-2665069-2

وکالت نامہ

کرون نمبر: حیدر دکنہ گواہ سروسز ٹریڈنگ کمپنی لٹیمیشن اور ایجنسی کے خلاف ایجنسی خاں
بعدالت جناب

منجانب: الحیار بنام حکومت KPK

مقدمہ: سروسز ٹریڈنگ کمپنی
باعث تحریر آگ

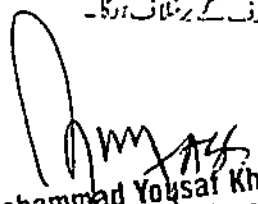
دعویٰ یا جرم
تفصیل دعویٰ یا جرم

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجود ہی، بانے پیشی یا تفسیر مقدمہ بمقام

محمد یوسف خان ایجوکیشنل سروسز گواہ گورنمنٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ قیام خاص در عدالت حاضر ہوتا رہوں گا اور ہر وقت پورا کرنے کے لئے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر ظہر حاضر نہ آتا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے، نیز ذیل صاحب موصوف مقدمہ مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے وکیل کسی سبب سے اس کے ادا کرنے یا پھانسی کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخل صاحب موصوف مثل کردہ ذات خود قبول، ظہر دینا اور صاحب موصوف کو عرضی دعویٰ یا درخواست اجراء کے ذریعہ نظر ثانی ٹکرا، ایجنسی ٹکرائی اور ہر قسم درخواست پر تصدیق کرنے کا بھی اختیار ہوگا اور کہ ہر قسم یا ذمہ داری کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور واپس کرنے کے بیان دینے اور اس پر پالیسی یا راشی نامہ فیصلہ برحالت کرنے، اقبال دعویٰ کا بھی اختیار ہوگا اور بصورت مقرر ہونے تاریخ پیش مقدمہ مذکورہ بیرون از پکھری صدر بیرونی مقدمہ مذکورہ نظر ثانی و ٹکرائی و برآمدگی مقدمہ یا منسوخ یا ڈگری کی طرف یا درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از فیصلہ اجراء کے ذمہ داری بھی صاحب موصوف کو بشرط ادائیگی ٹیبلتہ ضمانتہ بیرونی کا اختیار ہوگا۔ تمام ساختہ پر داخل صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا ایسی کسی جزوی کارروائی یا بصورت درخواست نظر ثانی یا ٹکرائی یا دیگر حالت مقدمہ مذکورہ کسی دوسرے وکیل یا ایجنسی کو اپنے بجائے یا اپنے امراء مقرر کریں۔ اور ایسے شیرت قانون کو بھی ہر امر میں وہی اور دیکھتے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جانتا تو اس پر ذمہ دار نہ ہوں گا۔ صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا کرنے کی ضرورت ہوگی اور دوران مقدمہ میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف ہوگا۔

فردا وکالت نامہ لکھ دیا ہے تاکہ سند ہے۔



Mohammad Yousaf Khan
Advocate
Supreme Court of Pakistan
Enrollment No: 4994

19-1-23

مضمون وکالت نامہ میں لیا ہے اور اس کی طرف سے لیا ہے اور سند ہے۔

العبد

العبد



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