

2nd Nov., 2022

Assistant to learned counsel for the appellant present.

Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

Request for adjournment was made on behalf of learned senior counsel for the appellant due to his engagement before Honourable Peshawar High Court today. Last chance is given. To come up for arguments on 16.12.2022 before the D.B.



(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

16<sup>th</sup> Dec. 2022

Counsel for the appellant present. Mr. Muhammad

Jan, District Attorney for the respondents present. Mrs. Rozina Rehman, learned Member (J) is on leave, therefore, D.B is incomplete. The case is adjourned to 08.03.2023 for arguments before the D.B.

**SCANNED**  
**KPST**  
**Peshawar**



(Fareeha Paul)  
Member(E)

11.04.2022 Appellant in person present. Mr. Kabirullah Khattak learned Addl. AG for the respondents present.

Appellant requested for adjournment as his counsel is not available today. Last opportunity is granted. To come up for arguments before the D.B on 07.06.2022.

  
(Rozina Rehman)  
Member (J)

  
Chairman

07.06.2022 Clerk of learned counsel for the appellant present. Mr. Shahab Khattak, Legal Advisor alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 10.08.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

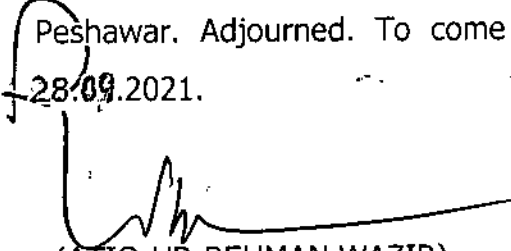
10.8.2022 Proper DB not available the case is adjourned to 2-11-2022

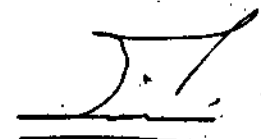
  
Leader

29.07.2021

Mr. Khaista Gul, (Father of the appellant) present. Mr. Shahab Khattak, Coordinator for respondents No. 1 to 5 present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondent No.6 present.

Father of the appellant requested for adjournment on the ground that counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on ~~28.09.2021~~.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)


  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

*28-9-2021* Due to Non availability of the  
Concerned DB the case as adjourned  
to 3-1-22  
Reader

03.01.2022

Clerk of counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney alongwith Shahab Khattak, Legal Advisor for the respondents present.

Former requests for adjournment due to non-availability of learned senior counsel for the appellant. Request accorded. To come up for arguments on 11.04.2022 before the D.B.


  
(Atiq-ur-Rehman Wazir)  
Member(E)

  
Chairman

11.11.2020

Junior to counsel for appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Khial Roz Inspector for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.

  
(Atiq-ur-Rehman Wazir)  
Member (E)


  
Chairman

26.01.2021

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

A request for adjournment was made as issue involved in the instant case is pending before Larger Bench of this Tribunal. Adjourned. To come up for arguments on 13.04.2021 before D.B.

  
(Mian Muhammad)  
Member (E)

  
(Rozina Rehman)  
Member (J)

13.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 29.07.2021 for the same as before.

  
READER

16.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 16.07.2020 before D.B.



Reader

16.07.2020

Due to COVID-19, the case is adjourned for the same on 01.09.2020 before D.B. .

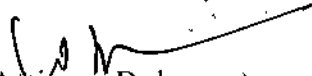


Reader


01.09.2020

Mr. Usman Ghani learned District Attorney alongwith Shahab Khattak Coordinator for respondents present.

Appellant present through counsel but attended the Tribunal at late hours. A request was made for adjournment by the appellant; allowed. To come up for arguments on 11.11.2020 before D.B.



(Atiq ur Rehman)  
Member (E)



(Rozina Rehman)  
Member (J)

11.12.2019

Appellant in person and Addl. AG for the respondents present.

Addl. AG requests for time to contact the respondents and furnish the requisite reply/comments. Adjourned to 22.01.2020 on which date reply/comments shall positively be submitted.

Chairman 

22.01.2020

Appellant present in person. Addl. AG for the respondents present. No authorized representative of the respondents is in attendance today.


Fresh notices be issued to the respondents for submission of reply/comments on 27.02.2020 by way of last chance.

Chairman 

27.02.2020

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith M/S Shahab Khattak legal Advisor for respondent No. 1, 2 & 5 and Hazrat Rehman Superintendent for respondent No. 3 & 4 present.

Reply on behalf of respondents No. 1, 2 & 5 already submitted. Representative of respondents No. 3 & 4 relies on the same. To come up for rejoinder, if any, and arguments on 16.04.2020 before the D.B.

  
(Hussain Shah)  
Member

767/2018

02.09.2019

Mr. Noor Muhammad Khan Mohmand Advocate for appellant present. .

An application for extension of time to deposit security and process fee has been submitted. It is noted that the requisite deposit could not be made in time due to unavoidable circumstances.

The application is allowed and the period for making the deposit is extended for another period of three days. After the requisite deposit notices be issued to the respondents for submission of written reply/comments on 04.11.2019 before S.B.

Appellant Deposited  
Security & Process Fee  
S.B.

Chairman

04.11.2019

Appellant in and Addl. AG alongwith Shahab Khattak Legal Advisor for the respondents present.

Parawise comments of respondents No. 1, 2 & 5 have been furnished. Placed on record. Learned AAG seeks time to contact the remaining respondents for furnishing comments. Adjourned to 11.12.2019 on which date the requisite reply/comments by respondents No. 3, 4 and 6 shall positively be submitted.

Chairman

M.G.

21.05.2019

Junior to counsel for the appellant present and submitted application for adjournment. Adjourn. To come up for preliminary hearing on 05.07.2019 before S.B.



Member

05.07.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Chowkidar) has filed the present service appeal being aggrieved against his removal from service vide order dated 08.12.2017. The appellant has also challenged the order dated 23.05.2018 through which his departmental appeal against the order dated 08.12.2017 was regretted.

Points urged need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 02.09.2019 before S.B



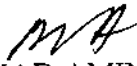
Member



Service Appeal No. 767/2018


01.02.2019

Clerk of counsel for the appellant present. Amended appeal submitted, which is placed on record. To come up for preliminary hearing on 07.03.2019 before S.B.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

07.03.2019

Appellant in person present and request for adjournment as his counsel is not in attendance. Adjourned. To come up for preliminary hearing on 12.04.2019 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

12.04.2019

Appellant in person present.

An application for adjournment has been submitted on account of non-availability of learned counsel for the appellant.

Instant matter has been adjourned on so many previous occasions, therefore, this time it is adjourned to 21.05.2019 but as a last chance.

  
Chairman

09.08.2018

Mr. Noor Muhammad Khan Mohmand, Advocate counsel for the appellant present and submitted application with the request to amend his appeal to the extent of challenging the order of appellate authority as at the time of filing the instant appeal, the said order was not annexed. The request is legal and genuine, hence application is allowed. Case to come up for amended appeal and preliminary hearing on 05.10.2018 before S.B.

  
Chairman

05.10.2018

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 09.11.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

9-11-2018

*Due to Retirement of Honorable Chairman the Tribunal is non functional therefore the case is adjourned to come up for the same on 28/12/2018*

*Refader*

28.12.2018

Clerk to counsel for the appellant present and seeks adjournment as learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 01.02.2019 before S.B





  
Member

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 767 /2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-  2-	01/06/2018	<p>The appeal of Mr. Muhammad Jamil resubmitted today by Mr. Noor Muhammad Mohmand Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Primary Bench preliminary hearing to be put up there on <u>13/6/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	13.06.2018	<p>Khaista Gul, father of the appellant present and requested for adjournment as learned counsel for the appellant is not in attendance. Granted. To come up for preliminary hearing on 19.07.2018 before S.B.</p> <p style="text-align: right;"> Chairman</p>
	19.07.2018	<p>Clerk to counsel for the appellant present and submitted application for adjournment. Adjourn. To come up for preliminary hearing on 09.08.2018 before S.B</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Muhammad Jamil son of Khaista Gul Chowkidar GCT Peshawar received today i.e. on 21.05.2018 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- ① Memorandum of appeal may be got signed by the appellants.
- ② Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ⑤ Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.


No. 1070 /S.T,

Dt. 22/05 /2018.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khan Mohmand  
Advocate, Peshawar.

File to be re-submitted after necessary  
completion.

Advocate  
  
30-5-18  
Noor Muhammad Khan  
Advocate High Court

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

Service Appeal No. 767 /2018

Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar.....

**Appellant**

**V E R S U S**

1. Principal Government College of Technology Kohat Road, Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. Govt. of Khyber Pakhtunkhwa through Secretary of Industries, Commerce and Technical Education Peshawar

.....**Respondents**

Amended

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974 AGAINST ILLEGAL, UNLAWFUL AND  
AGAINST RULES, ORDER DATED 23.05.2018  
OF RESPONDENTS, WHEREAS RESPONDENTS  
REMOVED THE APPELLANT FROM SERVICE.**

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Prayer

On acceptance of this appeal, the impugned order dated 23.05.2018 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate the appellant on his service with all back benefits.

Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant.

---

**Respectfully Sheweth:**

The appellant submits as under:-

1. That the appellant was permanent Govt. Servant s as a Chowkidar Since 31.01.2007 in Govt. College of technology Kohat Road, Peshawar. (Copy of the appointment letter is annexed).
2. That appellant filed an application for grant of 1 year leave on half pay the same was allowed from 10.02.2016 to 09.02.2017 on the completion of aforesaid leaves appellant attained his office for 02 months and 20 days and did his duty. (Copy of application and order is annexed).

3. That on 03.08.2017 appellant filed another application for grant of 1 years leave on half pay but the same has been rejected on personal capacity due to personal dispute with appellant nothing else. (Copy of the application and order are attached).
4. That appellant was feeling aggrieved from the order of principal appellant filed a departmental appeal and the same is pending in respondent No.5. (Copy of the appeal is attached).
5. That despite the pendency of above mentioned departmental appeal regarding the leave of appellant, impugned order dated 23.05.2018 for removal of he appellant has been passed.
6. That appellant filed an appeal D.No.6425 dated 21.12.2017 to the office of M.D, Khyber Pakhtunkhwa TEVTA.
7. That appellant was feeling aggrieved form the termination order dated 23.05.2018 approached to respondent No.6 and filed a departmental appeal on 26.01.2018 for set aside impugned order and restore to appellant on his post and grant him ex-pakistan. (Copy of appeal and dairy member are attached).
8. That during the pendency of the appeal appellant received an order dated 23.05.2018, wherein provided

that departmental appeal of appellant has been dismissed by respondent No.5. (Copy of the impugned order is attached).

9. That now appellant is feeling aggrieved from the impugned order dated 23.05.2018 appellant approaches before this Hon'ble Tribunal for set aside the impugned order dated 23.05.2018 and appellant may kindly be reinstated on this post with all back benefit on the following grounds

**G R O U N D S:**

- A. That impugned order dated 23.05.2018 of the termination is without any inquiry and without show cause.
- B. That the impugned order dated 23.05.2018 is hasty in nature and against natural justice, moreover impugned order has not been in good faith even an malafide and in the result of personal dispute.
- C. That the impugned order dated 23.05.2018 is illegal, against law and fact, therefore liable to be set aside.
- D. That principle and estate officer Mr. Idress of GCT have same personal issue with appellant brother, therefore, for the grant of Ex Pakistan leave in personal capacity without any legal reason. Moreover a departmental appeal is pending for taking legal proceeding against principle of GCT.



- E. That termination order is without any inquiry from appellant.
- F. That notice followed termination order from the office of respondent No.5 by your good office has published in newspaper not personally notice to appellant, even appellant had already been filed an appeal against order of the principle of GCT and the same is pending in the office of respondent No.5
- G. That appellant served 10 years as a Chowkidar his service in GCT, therefore he requests for grant of leave and restoration on his post.
- H. That other grounds will be raised at time of arguments and will be argued with permission of court.

It is, therefore requested that on acceptance of this appeal, the impugned order dated 23.05.2018 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate appellant on his service with all back benefits.

Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant.

Appellant

Through

  
**Noor Muhammad Khan**  
Advocate High Court,

1-2-19  
Dated ~~12.12.2018~~

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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....**Appellant**

**VERSUS**

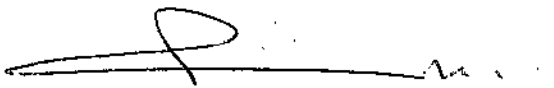
Principal Government College of Technology Kohat Road,  
Peshawar & others.....**Respondents**

**AFFIDAVIT**

*am special attorney*

I, \_\_\_\_\_ Khaista Gul, R/o Quarter No.E-4,  
Staff Colony Technical College Peshawar permanently  
Landi Akhoun, Ahmad P.O Islamia College, Main Gan  
Peshawar, do hereby solemnly affirm and declare on oath  
that the contents of the accompanying **Service Appeal**  
are true and correct to the best of my knowledge and  
belief and nothing has been concealed from this Hon'ble  
Court.

Identified by




**Noor Muhammad Khan**  
Advocate High Court

**DEPONENT**

CNIC No. 17301-7574177-9

*NPIC, 1/19*  
*3/6*  
*2/5*  
*2/16*



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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....Appellant

**VERSUS**

Principal Government College of Technology Kohat Road,  
Peshawar & others.....Respondents

**ADDRESSES OF PARTIES**

**APPELLANT:**

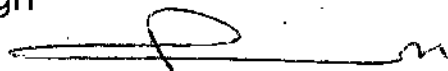
Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar

**RESPONDENTS:**

1. Principal Government College of Technology Kohat Road, Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. Govt. of Khyber Pakhtunkhwa through Secretary of Industries, Commerce and Technical Education Peshawar

Appellant

Through



**Noor Muhammad Khan**  
Advocate High Court,

Dated: 1/2/19

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

Service Appeal No. 767 /2018

Muhammad Jamil.....Appellant

**V E R S U S**

Principal Government College of Technology Kohat Road,  
Peshawar & others.....Respondents

**I N D E X**

S#	Description of Documents	Annex	Pages
1.	Service Appeal		1-5
2.	Affidavit		6
3.	Addresses of parties		7
4.	Copy of the appointment letter	A	8
5.	Copy of application		9
6.	Copy of the application and order		10-11
7.	Copy of the appeal		12-14
8.	Dismissal order dated 08.12.2017	B	15
9.	Copy of department and Dairy No.13048/26.01.2018	C	16-20
10	Departmental Appeal to MD		21-25
11.	Wakalatnama - Power of Attorney		26-29

(محمد جمیل)

خاتم

Appellant

Through

[Signature]

**Noor Muhammad Khan,**

Advocate High Court,

Cell No.0301-8865807

Dated 21/05/2018

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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar.....**Appellant**

**V E R S U S**

1. Principal Government College of Technology Kohat Road, Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. *Govt. K. P. K. through,*  
Secretary of Industries, Commerce and Technical Education Peshawar

.....**Respondents**

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974 AGAINST ILLEGAL AGAINST LAW AND  
against RULES ORDER dated 08.12.2017 OF  
RESPONDENTS, WHEREAS RESPONDENTS  
REMOVED THE APPELLANT FROM SERVICE.**

---

Prayer .

On acceptance of this appeal, the impugned order dated 08.12.2017 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate the appellant on his service with all back benefits .

Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant.

---

**Respectfully Sheweth:**

The appellant submits as under:-

1. That the appellant was permanent Govt. Servant s as a Chowkidar Since 31.01.2007 in Govt. College of technology Kohat Road, Peshawar. (Copy of the appointment letter is annexed).
2. That appellant filed an application for grant of 1 year leave on half pay the same was allowed from 10.02.2016 to 09.02.2017 on the completion of aforesaid leaves appellant attained his office for 02 months and 20 days and did his duty. (Copy of application and order is annexed).

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3. That on 03.08.2017 appellant filed another application for grant of 1years leave on half pay but the same has been rejected on personal capacity due to personal dispute with appellant nothing else. (Copy of the application and order are attached).
4. That appellant was felling aggrieved from the order of principal appellant filed a departmental appeal and the same is pending in respondent No.5. (Copy of the appeal is attached).
5. That despite the pendency of above mentioned departmental appeal regarding the leave of appellant, impugned order dated 08.12.2017 for removal of he appellant has been passed.
6. That appellant filed an appeal D.No.6425 dated 21.12.2017 to the office of M.D Khyber Pakhtunkhwa TEVTA.
7. That appellant was feeling aggrieved form the termination order dated 08.12.2017 approached to respondent No.6 and filed a departmental appeal on 26.01.2018 for set aside impugned order and resptoration to appellant on his post and grant him ex-pakistan leave on but they did nothing even they refused to give appellant in written regarding departmental appeal. (Copy of appeal and dairy member are attached).

8. That now appellant is feeling aggrieved from the impugned order dated 08.12.2017 appellant approaches before this Hon'ble Tribunal for set aside the impugned order dated 08.12.2017 and appellant may kindly be reinstated on this post with all back benefit on the following grounds

**GROUNDS:**

- A. That impugned order dated 08.12.2017 of the termination is without any inquiry and without show cause.
- B. That the impugned order dated 08.12.2017 is hasty in nature and against natural justice, moreover impugned order has not been in good faith even an malafide and in the result of personal dispute.
- C. That the impugned order dated 08.12.2017 is illegal, against law and fact, therefore liable to be set aside.
- D. That principle and estate officer Mr. Idress of GCT have same personal issue with appellant brother, therefore, for the grant of Ex Pakistan leave in personal capacity without any legal reason. Moreover a departmental appeal is pending for taking legal proceeding against principle of GCT.
- E. That termination order is without any inquiry from appellant.



5

- F. That notice followed termination order from the office of respondent No.5 your good office has published in newspaper not personally notice to appellant, even appellant had already been filed an appeal against order of the principle of GCT and the same is pending in the office of respondent No.5
- G. That appellant served 10 years as a Chowkidar his service in GCT, therefore he requests for grant of leave and restoration on his post.
- H. That other grounds will be raised at time of arguments and will be argued with permission of court.

It is, therefore requested that on acceptance of this appeal, the impugned order dated 08.12.2017 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate appellant on his service with all back benefit.

Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant

Through

Appellant



**Noor Muhammad Khan**  
Advocate High Court,

Dated 09.05.2018

6

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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....**Appellant**

**VERSUS**

Principal Government College of Technology Kohat Road,  
Peshawar & others.....**Respondents**

**AFFIDAVIT**

I, \_\_\_\_\_ Khaista Gul, R/o Quarter No.E-4,  
Staff Colony Technical College Peshawar permanently  
Landi Akhoun, Ahmad P.O Islamia College, Main Gan  
Peshawar, do hereby solemnly affirm and declare on oath  
that the contents of the accompanying **Service Appeal**  
are true and correct to the best of my knowledge and  
belief and nothing has been concealed from this Hon'ble  
Court.

Identified by



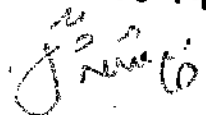
**Noor Muhammad Khan**  
Advocate High Court

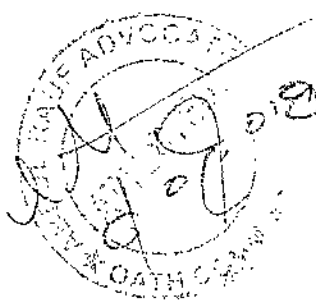


**DEPONENT**  
CNIC No. 17301-4108592-1

through  
attorney

17301-7574177-9





7

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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....Appellant

**V E R S U S**

Principal Government College of Technology Kohat Road,  
Peshawar & others.....Respondents

**ADDRESSES OF PARTIES**

**APPELLANT:**

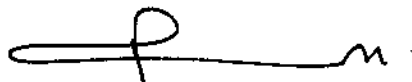
Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar

**R E S P O N D E N T S:**

1. Principal Government College of Technology Kohat Road,  
Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. Secretary of Industries, Commerce and Technical  
Education Peshawar

Appellant

Through



**Noor Muhammad Khan**  
Advocate High Court,

Dated 21/05/2018

annex A

8

DIRECTORATE OF TECHNICAL EDUCATION AND MANPOWER TRAINING, NWFP, PESHAWAR.

OFFICE ORDER:-

In pursuance of Government of NWFP Service and General Administration Department (General Wing) Circular letter No.SOR.VI(E&AD) 1-3/2003 dated 30-06-2003, Mr. Muhammad Jamil Khan S/O Khaista Gul, Landi Akhoun Ahmad, P.O. Islamia College, District, Peshawar is hereby appointed as Chowkidar (BPS-01) (Rs.2150-65-4100) plus usual allowances on contract basis against the vacant post at Govt. College of Technology, Peshawar from the date of taking over charge. His appointment is also subject to the following terms and conditions:-

TERMS AND CONDITIONS:-

- 1- His appointment will be purely on contract basis and his service can be terminated at any time without assigning any reason.
- 2- He will have to join duty at his own expenses.
- 3- The initial period of appointment shall be of three years. The contract shall automatically stand terminated on expiry of the initial period. In case of requirements of the job, fresh contract would be executed.
- 4- He will have to join duty at his own expenses.
- 5- He will have to produce a certificate of Medical fitness from concerned Medical Superintendent / Civil Surgeon within a week time of the resumption of duty.
- 6- He will be governed by such rules and orders as may be prescribed and issued by the Government from time to time for the category of Govt. Servants to which he belongs.
- 7- His character and antecedents are verified good by the Police authorities.
- 8- He will have to perform any duty assigned to him in connection with the affairs of this department.
- 9- If he wishes to accept the post on the above terms and conditions, he should report for duty to the Principal concerned within 30 days of the issue of this order failing which the offer of appointment will be treated as cancelled.

(MUHAMMAD TARIQ AWAN)  
DIRECTOR.

Endst:No.DTE&MT/Es/ 22-14(1) 3226-3) Dated 31/1/2007.

Copy forwarded for information & necessary action to:-

- 1- The Accountant General, NWFP, Peshawar.
- 2- The Principal, GCT, Peshawar.
- 3- Candidate concerned on his home address.

*(Signature)*  
DEPUTY DIRECTOR (ADMN)

*(Signature)*

Date: 06.2.07  
Accountant

1569

9

GOVERNMENT COLLEGE OF TECHNOLOGY KOHAT ROAD PESHAWAR.

OFFICE ORDER.

Under the Provision of Khyber Pakhtunkhwa Civil Servants Leave rules, 1981, Sanction is hereby accorded to the grant of 365 days Ex-Pakistan leave w.e.f 10-02-2016 to 09-06-2016 on full pay and 10-06-2016 to 09-02-2017 on half pay on private affairs in favour of Mr. Muhammad Jamil Khan, Chowkidar of this College.

On the expiry of leave the official concerned is likely to return to duty at this own post and station.

PRINCIPAL

Endst:NO.GCT/Pesh/Admn/PF/ 297 (1-3)

Dated 05/09/2016.

Copy forwarded for information and necessary action to: -

- 1- The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 2- The Accountant of this College.
- 3- The Official Concerned.

Noor Muhammad  
Subocate High Level



  
PRINCIPAL

10

To

The Principal,  
GCT Peshawar.

Subject: - APPLICATION FOR EX-PAKISTAN LEAVE

Dear Sir,

With utmost respect it is stated that I am Muhammad Jamil Khan serving as a security guard at your organization. I was granted 365 days Ex-Pakistan leave w.e.f 10/02/2016 to 09/02/2017, which has been expired on 09/02/2017.

It has brought in your kind information that according to civil servants revised leave rules, 1981, a government employee is authorized to avail 48 days leave in a calendar year and I have completed 09 years of services at your esteemed organization. So the leave permissible to me is  $48 \times 9 = 432$  days. Thus the number of day's permissible leave would be  $432 \times 2 = 864$  days; therefore I am entitled of leave for a period of two years is 730 days on half pay. (Rules copy attached)

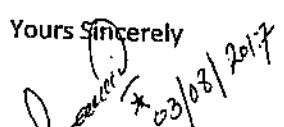
Kindly you are therefore, requested to sanction my further Ex-Pakistan leave from 03/08/2017 to 03/08/2018, and on half pay according to civil servants revised leave rules, 1981.

I shall be very thankful to you for this act of kindness.

Msc. Muhammad Jamil Khan  
(Security Guard)



Yours Sincerely

 \* 03/08/2017  
Muhammad Jamil Khan

Chowkidar

GCT Kohat Road Peshawar

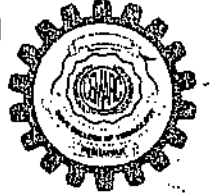


(11)

**GOVERNMENT COLLEGE OF TECHNOLOGY**  
Kohat Road Peshawar, Pakistan. 25000.

Phone: +92 91 2320043-44 | Fax: +92 91 92 12739  
Email: GCT\_Peshawar@kptepta.gov.pk Web: www.gctpesh.edu.pk

Accredited with NAVTTC Islamabad



No. GCT/Pesh/Estate office/PF/ 719(1-4)

DATED 15/08/2017

Mr. Muhammad Jamil Khan (Chowkidar),  
H. No. E/4 Staff Colony,  
GCT Peshawar.

Subject: EXTENTION IN EX-PAKISTAN LEAVE FOR ONE YEAR

Reference your application, received on dated 08/08/2017 on the subject noted above. Your application for the grant of extension in Ex-Pakistan leave w.e.f.03/08/2017 to 03/08/2018 is hereby regretted on the following grounds.

1. As you have availed more than one year (One year, three months and eight days) Ex-Pakistan Leave in 2016-17 with Govt. accommodation. Your leave application will be processed when you vacate the Govt. accommodation as per allotment rules 2015.
2. As this college is in the intense need of chowkidar due to the prevailing security Scenario and acute shortage of staff. In this perspective the college hired 4-No of Chowkidar from a private security company in 2016 during your Ex-Pakistan leave.
3. You have lodged the case regarding the Govt. accommodation occupied so far, in civil Court/Civil Judge-XI and is in process in the said Court.
4. Your brother (Mr. Pasham Gul) also lodged the case in anti-corruption department and filed some allegations against the undersigned. The case is also in process in the said department.
5. Mr. Pasham Gul also lodged a case in anti-corruption department and also filed allegations against Engr. Muhammad Idrees (Estate officer of this college). The case is also in process in the said department.

*H. Qamar*

PRINCIPAL

Endst. No. GCT/Pesh/Estate office/PF/  
Copy for information to:

1. The Managing Director, KP-TEVTA
2. The Estate Officer GCT Peshawar.
3. The Accountant GCT Peshawar.
4. The Personal file.

DATED /08/2017

PRINCIPAL  
Engr. Noor-ul- Qamar

*P*

12

**BEFORE HON'BLE THE MANAGING DIRECTOR,**  
**KHYBER PAKHTUNKHWA, TEVTA.**

Muhammad Jamil Khan S/o Khaista Gul,  
R/o House No E/4, Staff Colony, Technical  
College, Kohat Road, Peshawar ..... **Appellant**

**VERSUS**

1. Principal Govt; College of Technology Peshawar.
2. The Estate Officer, GCT, Peshawar.
3. The Accountant, GCT, Peshawar.

..... **Respondents**

**DEPARTMENT APPEAL AGAINST**  
**THE ORDER OF RESPONDENT NO**  
**1, WHEREAS THE APPLICATION**  
**FOR GRANT OF LEAVE 1 YEAR**  
**WITH HALF PAY REJECTED**  
**UNLAWFUL, ILLEGALITY,**  
**WITHOUT ANY COGENT REASON.**

Respectfully Sheweth:-

**The Appellant submits as under:-**

1. That Appellant is permanent Govt servant as a Chowkidar since 31.01.2007 in Govt. College of

Nasir Muhammad Khan  
Advocate High Court





Technology Kohat Road, Peshawar. **(Copy of appointment letter is annexed).**

2. That Appellant filed an Application for grant of 1 year leave on half pay the same was allowed from 10.02.2016 to 09.02.2017 on the completion of aforesaid leaves Appellant attained his office for 02 month and 20 days and did his duty. **(Copy of Application and order is annexed).**

3. That on 03.08.2017 Appellant filed another Application for grant of 1 year leave on half pay but the same has been rejected on personal capacity due to personal dispute with Appellant nothing else. **(Copy of Application and order are attached).**

4. That Appellant is feeling aggrieved from the order of principal, Appellant approaches to for dismissal order of principal and grant of leave 1 year to Appellant on following grounds:

**GROUND:-**

A. That order of principal Respondent No 1 is in personal capacity due to the personal dispute with Appellant and the same has been very much proved from the Para No 3 and 5 of the rejection order.

*[Signature]*

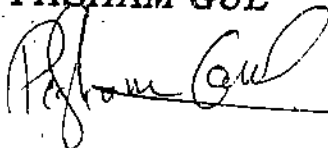
B. That Para No 1 of the rejection order of the Application for grant of leave totally against law and rules, because that Appellant has not been applied to extension in his leave even he attended his office and did his duty on the completion of his leave, therefore 2015 rules for vacation of house is not is not applicable on Appellant.

C. That Para no 2 of the rejection order is against fact and law while there is no shortage of staff with Respondent no 1 moreover Respondent No 1 is doing this all is only in personal capacity nothing else.

**It is, therefore, requested that on acceptance of this appeal impugned order of 1 year leave may kindly be set aside and 1 year leave may kindly be granted to Appellant in the interest of justice.**

**Muhammad Jamil**  
Through brother

**PASHAM GUL**



**NOTE:**

22-8-17

It is requested till the final disposal of this appeal Respondent No 1 may kindly be restrained from any kind of proceedings against Appellant.



انٹیموٹ 3



**KHYBER PAKHTUNKHWA  
TECHNICAL EDUCATION &  
VOCATIONAL TRAINING AUTHORITY**  
3-A, Chinari Road University Town, Peshawar

15

**TEVTA**  
KHYBER PAKHTUNKHWA

**OFFICE ORDER.**

Under the provision of the Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules, 2011, Mr. Muhamad Jamil, Chowkidar, Govt. College of Technology, Peshawar is hereby removed from service with effect from 03-08-2017 due to his willful absence from duty. The intervening period from 03-08-2017 onward is to be treated as un-authorized absence from duty.

MANAGING DIRECTOR

Endst.No.KP-TEVTA/22-14(1)/5724(1-3) Dated 8-12-2017.

Copy forwarded for information and n/action to:-

- 1- The Accountant General, Khyber Pakhtunkhwa, Peshawar .
- 2- The Principal, Govt. College of Technology, Peshawar.
- 3- Mr. Muhammad Jamil, Chowkidar, Quarter No. E-4, Staff Colony, Govt. College of Technology, Peshawar.

  
ASSISTANT DIRECTOR  
(ADMN/HR)

Govt. College of Technology  
Peshawar.

Dairy No...638.....

Date...14-12-2017.....

File No.....

Noor Muhammad Khan  
(Advocate High Court)



Annexure Q<sup>s</sup>

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The Hon'ble  
Secretary of industries, commerce  
and technical education,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST THE  
TERMINATION ORDER DATED 08-12-2017  
WHERE MUHAMMAD JAMIL KHAN  
(CHOWKIDAR) S/O KHAISTA GUL HAS  
BEEN REMOVED FROM SERVICE.

Sir,

*The appellant submits as under:-*

1. That appellant was permanent Govt. Servants as a Chowkidar since 31-01-2007 in Gov. College of technology Kohat Road, Peshawar. (Copy of appointment letter is annexed)
2. That appellant filed an application for grant of 1 year leave on half pay the same was allowed from 10-02-2016 to 09-02-2017 on the completion of aforesaid leaves appellant attained his office for 02 months and 20 days and did his duty. (Copy of application and order is annexed).

  
Muhammad Jamil Khan  
Chowkidar

3. That on 03-08-2017 appellant filed another application for grant of 1 year leave on half pay but the same has been rejected on personal capacity due to personal dispute with appellant nothing else. (Copy of application and order are attached).
  
4. That appellant was feeling aggrieved from the order of Principal appellant filed a departmental appeal and the same is pending in your office. (Copy of the appeal is attached)
  
5. That despite the pendency of above mentioned *departmental appeal regarding the leave of* appellant, impugned order dated 08-12-2017 for removal of he appellant has been passed.
  
6. That appellant filed an appeal D.NO. 6425 dated 21-12-2017 to the office of M.D. Khyber Pakhtunkhwa TEVTA.
  
7. That appellant is feeling aggrieved from the termination order approaches to your office for set



18

aside impugned order and restoration to appellant on his post and grant him Ex-Pakistan leave on following grounds:-

### Grounds

- A. That impugned order of the termination is without any inquiry and without show cause.
- B. That the impugned order is hasty in nature and against natural Justice.
- C. That impugned order is illegal, against law and facts, therefore, liable to set aside.
- D. That principle and estate officer Mr. idrees of GCT have same personal issue with appellant brother, therefore they rejected application of the appellant for grant of Ex.Pakistan leave in personal capacity without any legal reason. Moreover a departmental appeal is pending in your good office for taking legal proceeding against principle of GCT.
- E. That termination order is without any equity from appellant.

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F. That absentee notice followed termination order from your good office has published in newspaper not personally notice to appellant, even appellant had already been filed an appeal against order of the Principle of GCT and the same is pending in your good office.

G. That appellant served 10 years as a Chowkidar his service in GCT, therefore he requests for grant of leave and restoration on his past.

Prayer:-

*It is, most humbly prayed:*

*A. The on acceptance of this appeal appellant may kindly be restored /re-instead on his post with all his back benefits,*

*B. That an acceptance of this appeal 2 years ex-Pakistan leaves without pay may also be granted to appellant.*

Thanks

Yours Sincerely

Muhammad Jamil  
(Chowkidar)

GCT S/o Khaista G.I

R/o House No. E.4 Staff Colony.

26-1-2018

ICTD 13048

26/01/18

Get [unclear] [unclear]

(S)

(b) holding of elections for the purpose of recon-  
Committee at any time considered appropri-  
of appointment of the Administrator;

D.No-40

(c) compliance with provisions of the Ordinance  
to the trade organisation except those relat-  
and expenditure account and...

[unclear]

Magistrate (1st Class)  
Cantonment High Courts

[Signature]



D NO - 6425

21

DT: 21/12/17

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Handwritten signature or mark.

To

The Hon'ble Managing Director  
Khyber Pakhtunkhwa TEVTA Authority

Subject: DEPARTMENTAL APPEAL AGAINST THE  
TERMINATION ORDER DATED 08.12.2017 WHERE  
MUHAMMAD JAMIL KHAN (CHOWKIDAR) S/O  
KHAISTA GUL HAS BEEN REMOVED FROM  
SERVICE.

Respectfully Sheweth:

The appellant submits as under:-

1. That appellant was permanent Govt. Servant as a Chowkidar Since 31.01.2007 in Govt. College of technology Kohat Road, Peshawar. (Copy of appointment letter is annexed).
2. That appellant filed an application for grant of 1 year leave on half pay the same was allowed from 10.02.2016 to 09.02.2017 on the completion of aforesaid leaves appellant attained his office for 02 months and 20 days and did his duty. (Copy of application and order is annexed).
3. That on 03.08.2017 appellant filed another application for grant of 1 year leave on half pay

*Nisar Muhammad Khan*  
Advocate High Court



but the same has been rejected on personal capacity due to personal dispute with appellant nothing else. (Copy of application and order are attached).

4. That appellant was feeling aggrieved from the order of principal appellant filed a departmental appeal and the same is pending in your office. (Copy of the appeal is attached).
5. That despite the pendency of above mentioned departmental appeal regarding the leave of appellant, impugned order dated 08.12.2017 for removal of the appellant has been passed.
6. That appellant is feeling aggrieved from the termination order, approaches to your office for set aside impugned order and restoration to appellant on his post and grant him Ex-Pakistan leave on following grounds:-

**GROUND:**

- A. That impugned order of the termination is without any inquiry and without show cause.
- B. That the impugned order is hasty in nature and against natural justice.



- C. That impugned order is illegal, against law and facts, therefore, liable to set aside.
- D. That principle and estate officer Mr. Idress of GCT have same personal issue with appellant brother, therefore they rejected application of the appellant for grant of Ex.Pakistan leave in personal capacity without any legal reason. Moreover a departmental appeal is pending in your good office for taking legal proceeding against principle of GCT.
- E. That termination order is without any enquiry from appellant.
- F. That absentee notice fallowed termination order from your good office has published in newspaper not personally notice to appellant, even appellant had already been filed an appeal against order of the principle of GCT and the same is pending in your good office.
- G. That appellant served 10 years as a Chokidar his service in GCT, therefore he requests for grant of leave and restoration on his past.

Noor Muhammad Khan  
District High Court



25

Prayer

It is, most humbly prayed:

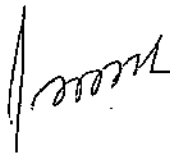
- a) the on acceptance of this appeal appellatant may kindly be restored/instead on his post with all his back benefits.
- b) That on acceptance of this appeal 2 years Ex-Pakistan leaves without pay may also be granted to appellatant.

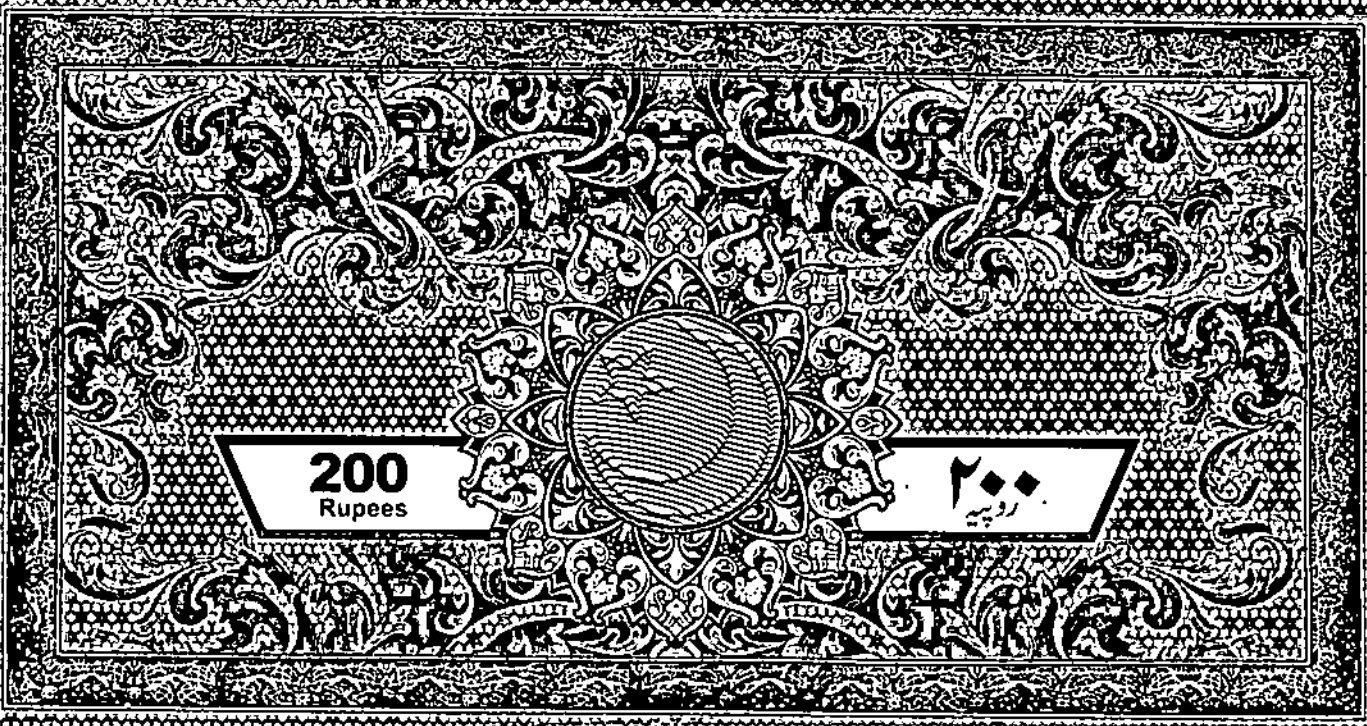
Yours Sincerely,

Muhammad Jamil  
(Chowkidar)  
GCT S/o Khaista Gul  
R/o House No.E-4 Staff Colony,  
G.C.T Peshawar  
Through Father

Dated 20/12/2017

Received  
G.C.T Peshawar





200  
Rupees

۲۰۰  
روپیہ

27

### مختیار نامہ خاص برائے پیروی مقدمہ

محمد عیسیٰ خان ولد خاٹ گلہ محلہ میانگان  
لڈیے افسون احمد سیٹھ

دہندہ کا مقدمہ زیر تجویز ازیر سماعت ہے جس میں من مقرران بوجہ مصروفیات سے اصلاً عدالت حضور میں آنے سے قاصر ہیں اسلئے اپنی جانب سے خاٹ گلہ ولد پیرا گلہ لڈیے افسون احمد سیٹھ کو اختیار دیتے ہیں کہ وہ میری جانب سے عدالت میں حاضری دے، وکیل مقرر کرے، شہادت منجانب اختیار دہندگان تسلیم کرے، راضی نامہ کرے، جواب دعویٰ داخل کرے، فہرست گواہان پیش کرے، مقدمہ میں اپیل از جمع سیشن جج تاہا نیگورٹ داخل کرے، نظر ثانی کرے ہم اختیار دہندگان کو جملہ ساختہ پرواخذہ منظور و قبول ہوگا اور جملہ کارروائی در مقدمہ منجانب اختیار دہندگان قبول و منظور ہے۔ المرقوم:

لہذا اختیار نامہ خاص برائے پیروی مقدمہ لکھ دیا تاکہ سند رہے اور بوقت ضرورت کام آئے۔

ATTESTED AND VERIFIED  
ON MARGINAL WITNESSES  
ABDUL RAUF KHAN  
ADVOCATE HIGH COURT  
C U M  
NOTARY PUBLIC  
DISTRICT WAZIRAT PESHAWAR KP PAKISTAN

اختیار دہندہ  
شاخہ کارڈ نمبر: محمد عیسیٰ

العبد  
محمد عیسیٰ

17301-7574117-9  
28-08-2017

اختیار دہندہ

فائدہ مند  
العبد

گواہ شد  
دستخط: وصی گلہ  
نام: محمد گلہ ولد پیرا گلہ  
ولدیت: پیرا گلہ  
سکنہ: سندھ پانچاں، لڈیے افسون احمد سیٹھ  
شاخہ کارڈ نمبر: 17301-4479204-1

گواہ شد  
دستخط: خیر محمد  
نام: خیر محمد  
ولدیت: پیرا گلہ  
سکنہ: لڈیے افسون احمد سیٹھ  
شاخہ کارڈ نمبر: 17301-1390422-1

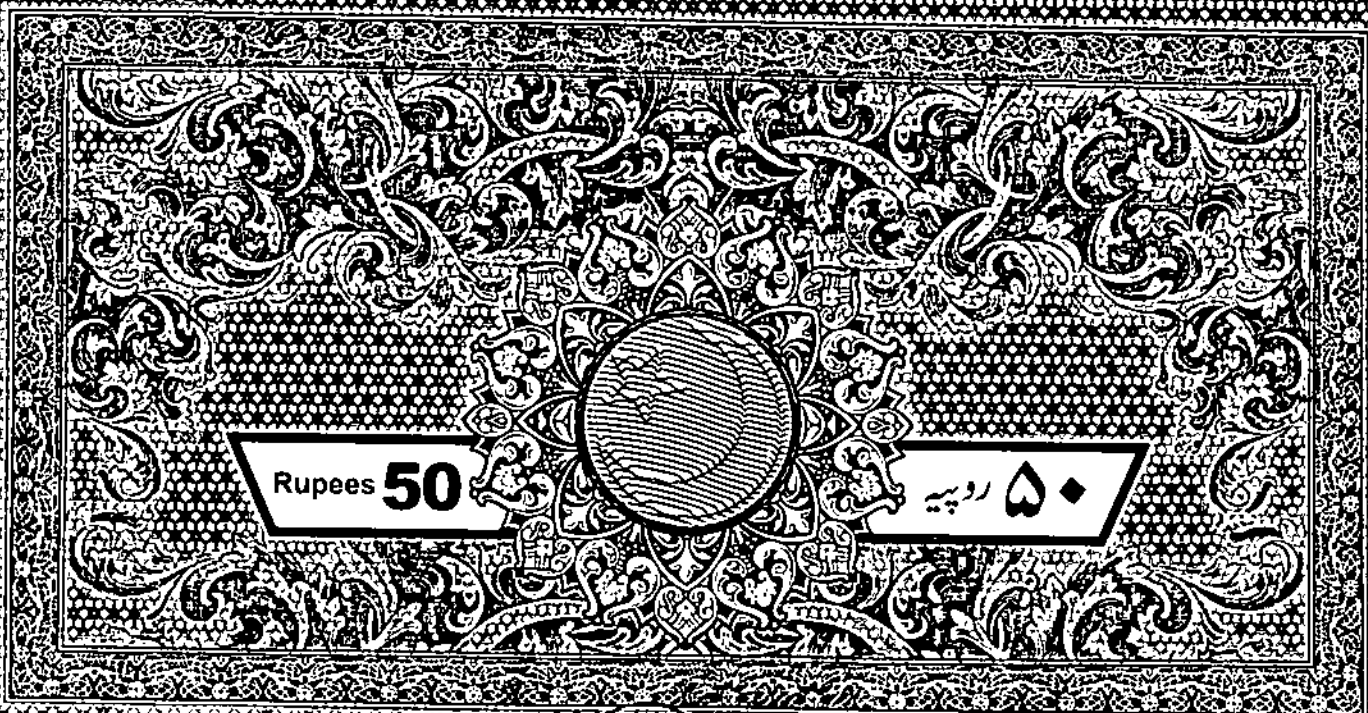
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RELEASED UNDER  
27 JUL 2011  
PESHAWAR

Handwritten signature or initials.

Peshawar Treasury  
Licence No 23/1998  
Date 21-9-1998  
Akhtar Gul Shahzad

C602101



Rupees **50**



۵۰ روپیہ

28

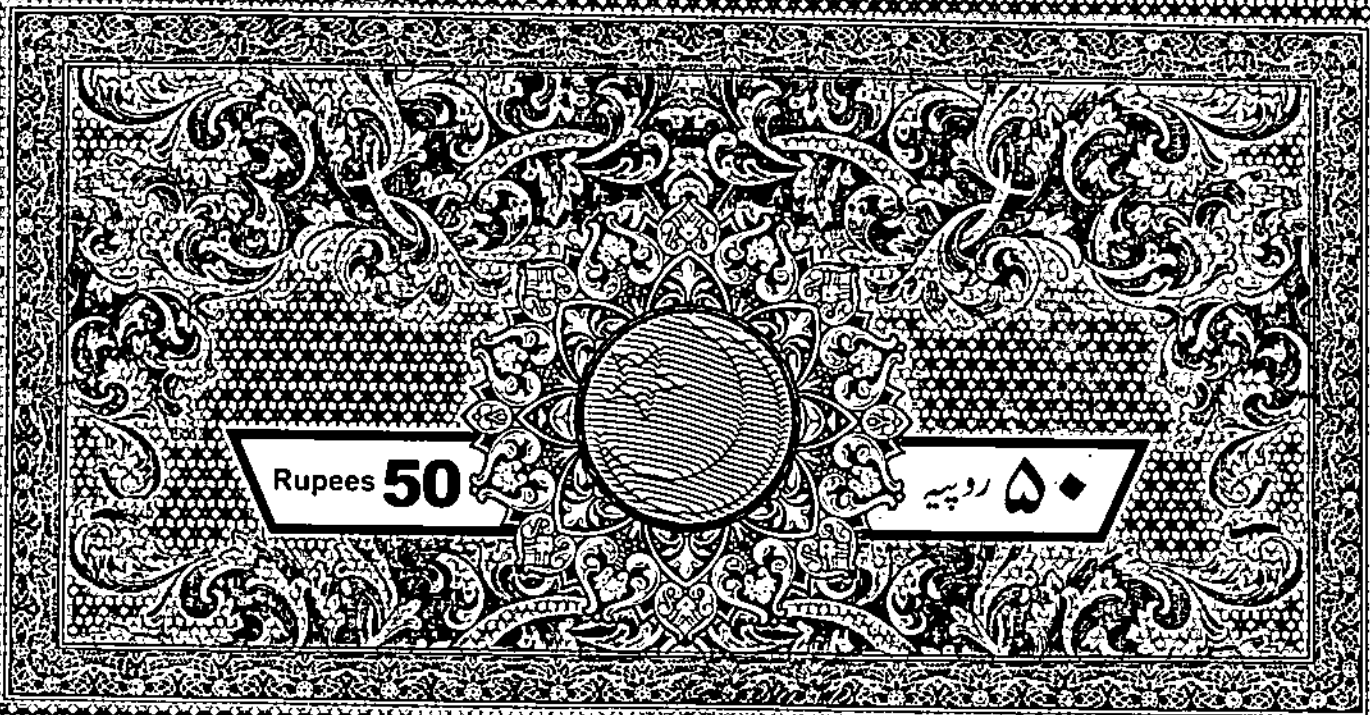


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TREASURY OFFICE  
27 JUL 2017  
PESHAWAR

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C602102



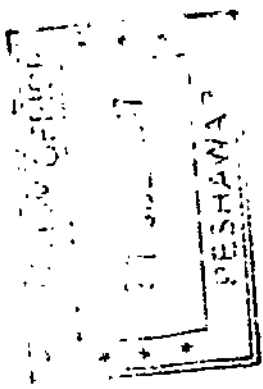
Rupees **50**





۵۰ روپیہ

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PESHAWAR TREASURY  
Date: 21-5-1998  
Amir Gul Shahzad

		96143
<p>پشاور بار ایسوسی ایشن، خیبر پختونخواہ</p>		
<p>بار کونسل ایسوسی ایشن نمبر: Be 107970</p>		<p>رابطہ نمبر: 0301-8865807</p>

بعدالت جناب: سرویس ٹریبیونل KPK مشاہدہ -

<p>منجانب: appellant</p> <p>محمد جمیل بنام پرنسپل ICT منیرہ</p>	<p>دعویٰ: سرویس ٹریبیونل</p> <p>علت نمبر: _____</p> <p>موضوع: _____</p> <p>جرم: _____</p> <p>تھانہ: _____</p>
<p><b>بابت تحریر آگہ</b></p>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
 آن مقام مشاہدہ کیلئے نور محمد خان صمدی کو کو وکیل مقرر  
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب  
 مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا  
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے  
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 18-5-19

المواہد العبد

مقام مشاہدہ کے لیے منظور ہے۔

Attested  
by  
Advocate.

نوٹ: اس وکالت نامہ کی ذمہ داری قابل قبول ہوگی۔

دستخط محمد جمیل ولد خالد احمد صاحب  
 آفون احمد صاحب  
 17301-4108598-11



~ 3178

10. 11. 1911

Before Hon,ble Service Tribunal K.P.K. Peshawar

P-19-7-2018

M. Jamil x/s G.T.C Principal

Petition for Adjournment.

Respectfully Sheweth:-

① That the above titled Appeal is pending before this Hon,ble Court.

② That Counsel for Petitioner is ill therefore could not attend this Hon,ble Court Session.

It is therefore, requested that present application may kindly be allowed Petitioner

Through  
Clear A. Ismail.

Dated 19-7-18



*[Signature]*

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

Mohammad Jamil.....**Appellant**

Versus

Principal GCT & others.....**Respondents**

**PETITION FOR THE AMENDMENT TO THE  
EXTENT OF CHALLENGING THE FINAL ORDER  
OF RESPONDENT NO.6 DATED 23.05.2018.**

---

**Respectfully Sheweth:**

1. That the above mention service appeal is pending before this Hon'ble Tribunal and the date is fixed for today
2. That the appellant when filed the instant appeal the challenged the order dated 08.12.2017 of the respondent No.1.
3. That at the time of filing of the instant appeal the order dated 23.05.2018 of the respondent no.6 was not received to the appellant and now it has been received so it is pivotal to amend the instant appeal to the extent of challenging the said order. dated 23.05.2018 of the respondent No.6, so the case may be decided according to law and justice.

*Placed on file  
9.8.2018*

It is, therefore prayed that the Application in hand may be accepted.

Applicant/Appellant  
Through



**Noor Muhammad Khan**  
Advocate High Court

Dated 06.08.2018.

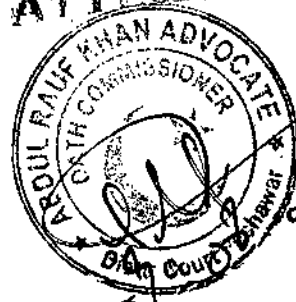
**AFFIDAVIT**

It is stated on oath that the contents of the Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

**ATTESTED**



17301-7574177-9



Tele: \_\_\_\_\_

GOVERNMENT OF KHYBER PAKHTUNKHWA  
INDUSTRIES, COMMERCE AND TECHNICAL  
EDUCATION DEPARTMENT

No.SOIII(IND)4-3/2017

23<sup>rd</sup> May, 2018

5849-52

Dated Peshawar, the \_\_\_\_\_

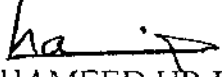


To

✓  
Muhammad Jamil. Ex-Chowkidar,  
Govt. College of Technology, Kohat Road,  
House No.E-4, Staff Colony, Peshawar.

Subject: - DEPARTMENTAL APPEAL AGAINST THE TERMINATION ORDER DATED 08.12.2017 WHERE MUHAMMAD JAMIL KHAN (CHOWKIDAR) S/O KHAISTA GUL HAS BEEN REMOVED FROM SERVICE.

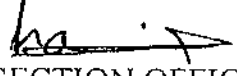
I am directed to refer to the subject noted above to convey that your appeal against the impugned order/notification No.KP-TEVTA/22-14(1)5724(1-3) dated 18.12.2017 of MD KP-TEVTA has been considered and regretted by the appellate authority, please.

  
(HAMEED UR REHMAN)

SECTION OFFICER-III 23/5/18

Copy forwarded to the;

1. Managing Director KP-TEVTA, University Town, Peshawar.
2. Principal Govt. College of Technology, Peshawar.
3. PS to Secretary IC&TE

  
SECTION OFFICER-III

Before Hon,ble Judge of Service Tribunal K.P.K.

S. Appeal No. 767/18

M. Jamil v/s Principle GTC and others

Petition for Adjournment.

Respectfully sheweth:-

① That the above titled appeal is pending before this Hon,ble court and date fixed for today.

② That Counsel for appellant has gone to perform Umra (حج) to Arab, therefore Counsel for appellant can not appear personally.

It is therefore, requested that present petition may kindly be allowed.

Counsel for Appellant  
Through

Khastar Gul (client)

Anwar Zeb Khan Advocate.

Dated 21  $\frac{5}{19}$

Before Hon,ble Service Tribunal Judge Peshawar.

Service Appeal 767/18

Muhammad Jamial x/s Principle etc  
an other.

Petition for Adjournment.

Respectfully Sheweth:-

① That above titled Appeal is Pending before this Hon,ble Court and fixed for today.

② That Counsel for appellant is unable to appear before this Hon,ble Court due to the death of his close relative.

It is therefore, requested that Present application may kindly be allowed.

Counsel for appellant  
Moor Muhammad Khan  
Advocate High Court.  
Through

Dated. 12 <sup>21</sup>/<sub>19</sub>  
Jamil Jmail Clerk

Before Hon,ble Service Tribunal KPK Peshawar.

Muhammad Jamil v/s Principal GTC  
Petition for Adjournment.

Respectfully sheweth :-

① That the above titled case is pending before this Hon,ble Court and fixed today.

② That Counsel for appellant Mr. Noor Muhammad Khan is unable to appear personally before this Hon,ble Court due to his illness.

It is therefore, requested that present Petition may kindly be allowed.

Counsel for  
Noor Muhammad Khan  
Through

Dated 12  
2018

Clark I mail  
[Signature]

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

Appeal No. 767 of 2018

Mahammed Jamil Appellant/Petitioner

Versus

Principal Govt, College P. etc, Respondent

Respondent No. I

Principal Govt, College of Technology  
Kohat Road Peshawar.

Notice to: -

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 4-11-2019 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence. -

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

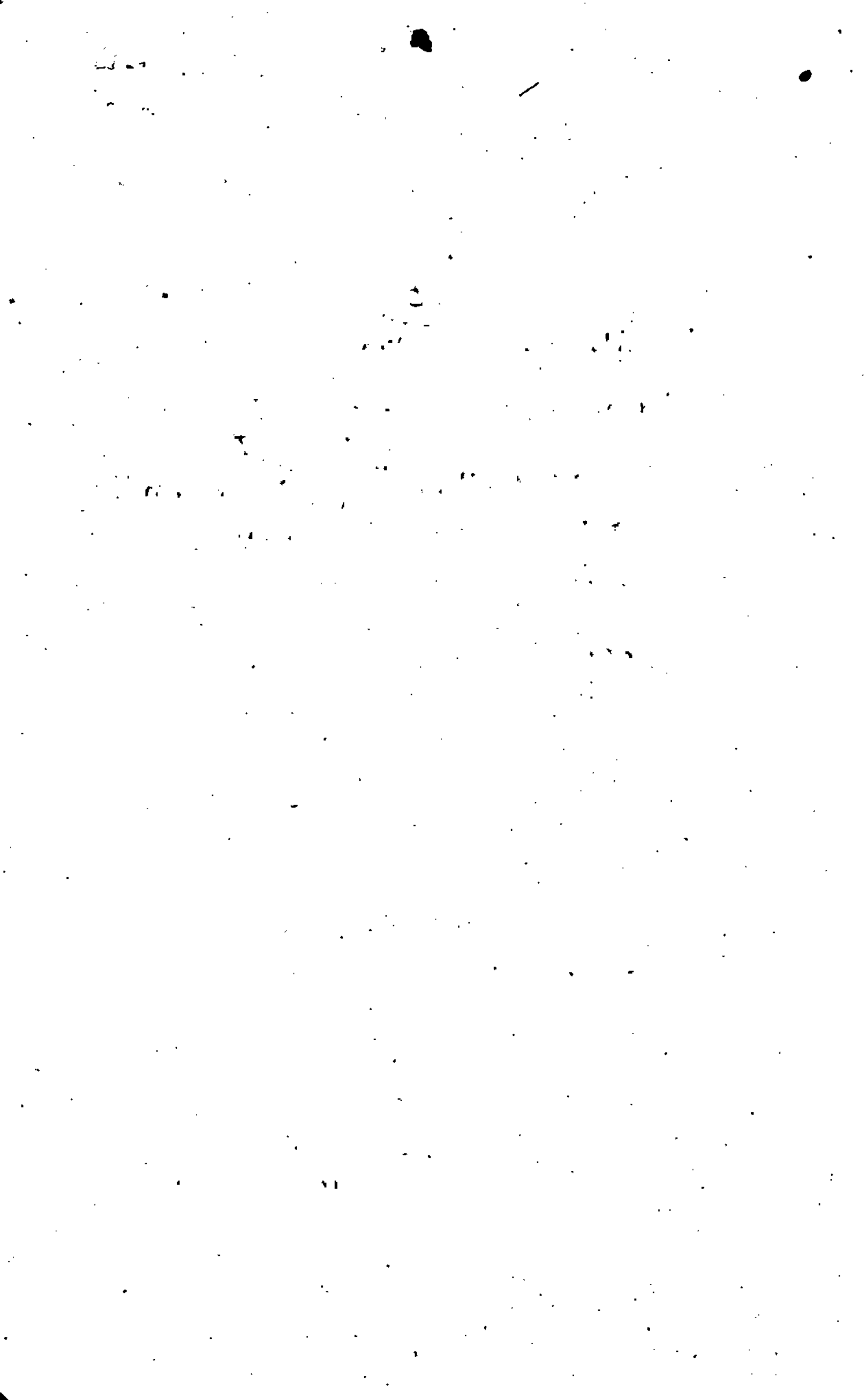
✓  
Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 17<sup>th</sup>

Day of Oct 2019.

H. J. A.  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

Appeal No..... 767 ..... of 2018

..... Muhammad Jamil ..... Appellant/Petitioner

Versus

..... Principal Govt, Colleg etc ..... Respondent

Respondent No..... 3 .....

Notice to: —

Superintendent Gct, Peshawar.


WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... 4.11.2018 ..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this... 17/11 .....

Day of..... Oct ..... 2018

  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

- Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.





**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

Appeal No. 767 of 2018.

Muhammad Jamil Appellant/Petitioner

*Versus*  
Principal Govt College etc Respondent

Respondent No. 4

Accountant, Gct, Peshawar

Notice to: —


WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 4-11-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 17th

Day of Oct 20 18

  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.**

No.

Appeal No. 767 of 2018  
Muhammad Jamil Appellant/Petitioner

Principal Govt College etc Respondent

Managing Director, (KPK TEVTA) Respondent No.

Notice to: —


WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby ~~enformed~~ <sup>informed</sup> that the said appeal/petition is fixed for hearing before the Tribunal \*on.....20/10/18.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of.....20.....

  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No.....767..... of 2018

Muhammad Jamil.....Appellant/Petitioner  
versus

Principal Govt College etc, Respondent

Respondent No.....8.....

Notice to: - Govt, of KPK through Secretary of Industries  
Commence and Technical Education  
Peshawar.


WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....4-11-2018.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....17/11/18.....

Day of.....Oct.....20 18

  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
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**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**

**PESHAWAR.**

No.

767

18

Muhammad Jamil ..... of 20

Principal Govt College de ..... Appellant/Petitioner

..... Respondent

Estate Officers, Govt No., Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 17/11

Given under my hand and the seal of this court, at Peshawar this.....

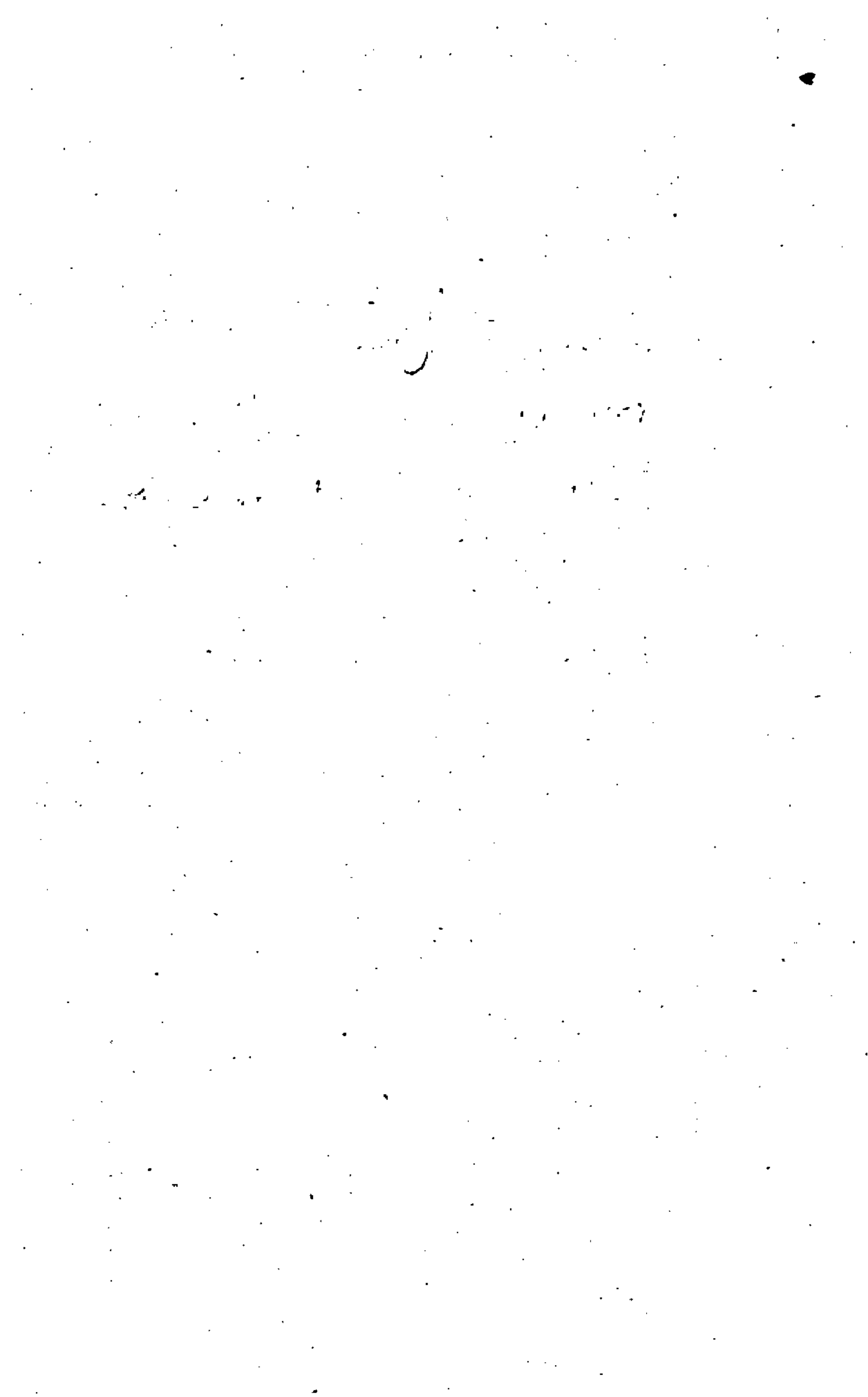
Day of.....20

*[Handwritten signature and stamp]*

*[Handwritten signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.





**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

Appeal No. 767 of 20 18

Muhammad Jamil Appellant/Petitioner

Versus

Principal Court: College Kohat Road Peshawar Respondent

Respondent No. 1

*Regd.*

Notice to: -

Principal Court: College CF Technology  
Kohat Road. Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 27/2/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 30/12

Day of Jan 20 20

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

SB

No.

Appeal No. 767 of 20 18

Muhammad Jamil Appellant/Petitioner

Versus  
 Principal Govt. College Kohat Road Peshawar Respondent

Respondent No. 3

Recd

Notice to: Superintendent C.T. Peshawar

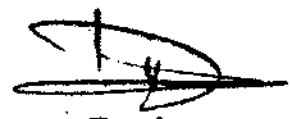
WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 27/2/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

\* Given under my hand and the seal of this Court, at Peshawar this 30/1/20

Day of Jan 20 20



Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

7

1

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

S.B

No.

Appeal No. 767 of 2018

Muhammad Jamil Appellant/Petitioner

Versus

Principal Govt. College Kohat Road Pesh Respondent

Respondent No. 4

Notice to: Accountant, GCT, Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 27/2/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 30th

Day of Jan 20 20

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

S.B

No.

Appeal No. 767 of 20 18

Muhammad Jamil Appellant/Petitioner

Principal Govt. College Kohat Road Pina Respondent

Respondent No. 5

Notice to: Managing Director (Khyber Pakhtunkhwa TEVTA)

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 27/2/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 30th Day of Jan 20 20



Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.





**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR. S.B

No.

Appeal No. 767 of 20 18

Muhammad Jamil Appellant/Petitioner

Principal Govt. College Kohat Road Peshawar Respondent

Respondent No. 2

Notice to: —

Estate Officer, C.T., Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 07/01/2020 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

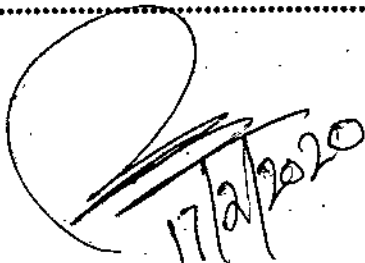
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

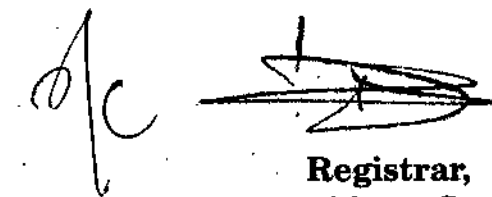
Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

30/1/20

Given under my hand and the seal of this Court, at Peshawar this.....

Day of Jan 20 20

  
17/1/2020

  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

S.B

Appeal No.....767..... of 20 18

.....Muhammad Jamil.....Appellant/Petitioner

Versus

Principal Govt. College Kohat Road Peshawar.....Respondent

Respondent No.....6.....

Notice to:

- through Secretary Industries Commerce and Technical Education Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....27/2/2020.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....30/1/20.....

Day of.....JAN.20 20.....

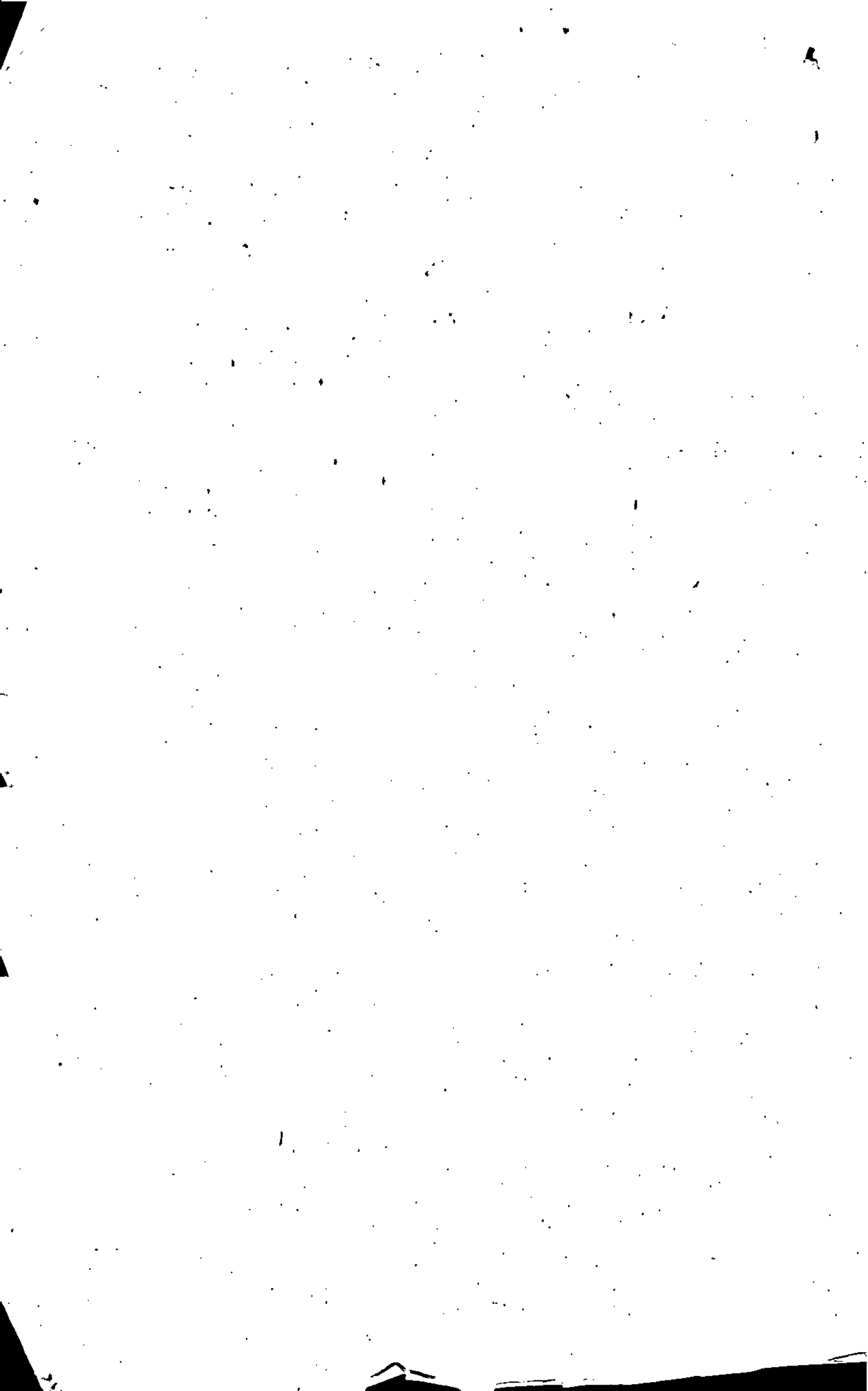
*Law*  
13/02/2020



Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.



Before Honble Tribunal N. P. K. Deshpande

Appeal no 767/18

M. Jamial vs GTC Deshpande

Petition for extension of date for depositing security and process fee (money).

2/ Sir,

① That above titled appeal is pending before this Honble Tribunal.

② That appellant has not been deposited security money due to some unavoidable reasons.

It is therefore requested that present petition may kindly be allowed.

Appellant through  
Mr. N. Deshpande

~~Dr. Deshpande~~  
N. P. K. Deshpande  
19

**BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR**

**Appeal No.767/2018**

**Muhammad Jamil S/O Khaista Gul,**  
R/O Quarter No. E-4, Staff Colony, Technical College Peshawar.....**APPELLANT.**

**ADVERSUS**

Principal, GCT, Kohat Road, Peshawar and others.....**RESPONDENTS**

**I N D E X**

S. No	Description	Annexure	Page No
1	Reply		1-2
2	Affidavit		3
3.	Warning	A	4
4.	Arrival Report	B	5
5.	Arrival Report	C	6
6.	Rejection letter	D	7
7.	Notices for absentee	E-I,II,III	8-10
8.	Publications in News Papers	F-I,II	11,12
9.	Impugned Order	G	13
10	Departmental reply	H	14

**BEFORE THE NWP SERVICE TRIBUNAL, PESHAWAR**

**Appeal No.767/2018**

**Muhammad Jamil S/O Khaista Gul,**  
R/O Quarter No. E-4, Staff Colony, Technical College Peshawar.....**APPELLANT.**

**VERSUS**

- 1) Principal, GCT, Kohat Road, Peshawar.
- 2) Estate Officer, GCT, Peshawar.
- 3) Superintendent GCT, Peshawar.
- 4) Accountant, GCT, Peshawar.
- 5) Managing Director, KP-TEVTA, Peshawar.
- 6) Govt: of Khyber Pakhtunkhwa through  
Secretary Industries and Technical Education, Peshawar.....**RESPONDENTS**

**Parawise comments on behalf of Respondent No.1,2 and 5**

**Respectfully Sheweth,**

**PRELIMINARY OBJECTIONS:**

- A- That the appeal is badly time barred.
- B- That the appellant has no cause of action.
- C- That the appellant has got no locus standi.
- D- That the appeal is incompetent in its present form.
- E- The appellant has not come to the court with clean hands.
- F- That the appeal is bad in its present form for non-joinder and mis-joinder of the necessary parties.

**FACTS**

1. Para 1 pertains to appellant record.
2. Para-2 of the appeal is incorrect and clarified as, the appellant availed ex-Pakistan leave for one year w.e.f 10.02.2016 to 09.02.2017. Instead of submitting his arrival report, he applied for extension in ex-Pakistan leave for further two more years, which was not granted to him. The principal concerned directed the appellant to attend his duty on he expiry of his leave but he remained constantly absent from his duty. A warning notice was issued to him in this regard by the principal concerned on 3.5.2017 at **Annexure-A**. The appellant submitted his arrival report on 18.5.2017 at **Annexure-B**, after availing ex-Pakistan leave w.e.f 10.2.2016 to 9.2.2016 and absence w.e.f 10.2.2017 to 17.5.2017 which was treated as extra ordinary leave without pay at **Annexure-C**.
3. It is incorrect. Fact of the matter is that the appellant again applied for ex-Pakistan leave w.e.f 3.8.2017 to 3.8.2018 which was not accepted and communicated to him by the Principal concerned at **Annexure-D**. In spite of the appellant remained absent from his duty w.e.f 3.8.2017 without any permission.
4. The Departmental appeal was responded and ex-pakistan leave was rejected by due to the prevailing security scenario and acute shortage of staff.
5. It is incorrect with further clarification that the appellant has been removed from service due to his willful absence and after fulfillment of all codal formalities under E & D Rules 2011. The appellant remained absent from his duty w.e.f 3.8.2017 without any permission. Director HR: Admn, vide letter vide letters dated 8.9.2017, 21.9.2017 and


29.9.2017 at Annexure-E-I,II,III, directed him to explain his position with regard to his willful absence from duty within 07 days of the receipt of the letter otherwise disciplinary action would be initiated against him but the appellant turned a deaf ear. The appellant willful absentee Notice was published in the two leading daily News papers on 03.11.2017 and 4.11.2017 to resume his duty within 15 days but the appellant failed to do so at Annexure-F-I,II. After fulfillment all the codal formalities under the provision of E & D Rules 2011, 3 (d) and Rule 9 of Khyber Pakhtunkhwa the appellant was removed from service on 8.12.2017 due to his willful absence at Annexure-G.

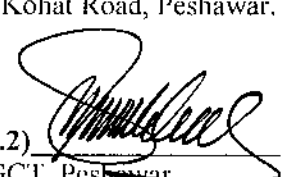
6. No comments.
7. The Departmental appeal was duly responded and communicated to the appellant at Annexure-H.
8. As explained in the preceding paras.
9. No comments.


### **GROUND'S**

- A. Incorrect. According to Rule-9 of E&D Rules 2011, the legal procedure has been adopted in the appellant case.
- B. It is incorrect. The correspondence in this regard has been done to the appellant so many times but he didn't pay any heed.
- C. It is incorrect and the impugned order is in accordance with the Law.
- D. It is incorrect application of the appellant for extension of ex-Pakistan leave was rejected for a valid reason and the departmental appeal of the appellant has been disposed of.
- E. It is incorrect. In willful absence an ex-parte decision is taken under (E&D Rule-9) if the absentee fail to resume duty within 15 days of the publication of the notice in newspapers.
- F. As explain in paras ibid.
- G. Needs no comments.
- H. Needs no comments.

In view of the above, it is requested that the instant appeal may be dismissed with cost.

  
**Respondent No.1)**  
Principal, GCT, Kohat Road, Peshawar.

  
**Respondent No.2)**  
Estate Officer, GCT, Peshawar

  
**Respondent No.5)**  
Managing Director, KP-TEVTA,  
Peshawar



**BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR.**

**Appeal No.767/2018**

**Muhammad Jamil S/O Khaista Gul,  
R/O Quarter No: E-4, Staff Colony, Technical College Peshawar.....APPELLANT.**

**VERSUS**

**Principal, GCT, Kohat Road, Peshawar and others. ....RESPONDENTS**

**AFFIDAVIT**

*I Shahab-ud-Din Khattak, Legal Coordinator of Technical & Vocational Training Authority Khyber Pakhtunkhwa Peshawar do hereby solemnly affirm and declare that contents of the accompanying reply are true to the best of my knowledge and belief.*

  
DEPONENT

0334-9199058

Annexure - 9A<sup>9</sup>

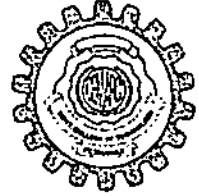
(A) - 4



GOVERNMENT COLLEGE OF TECHNOLOGY  
Kohat Road Peshawar, Pakistan. 25000.

Phone: +92 91 2320043-44 | Fax: +92 91 92 12739  
Email: GCT\_Peshawar@kptepta.gov.pk Web: www.gctpesh.edu.pk

Accredited with NAVTTC Islamabad



NO.GCT/PESH/PF/

DATED

/05/2017

To

Mr. Muhammad Jamil Khan (Chowkidar),  
H. No. E/4 Staff Colony,  
GCT Peshawar.



Subject: WARNING

Reference vide this office letters NO. GCT/Pesh/P.F/292 (1-5), dated 14/02/2017, NO. GCT/Pesh/P.F/400 (1-6), dated 09/03/ and to state that your Ex- Pakistan leave is expired on 09-02-2017 but you are continuously absent from the duty till date.

Therefore, you are directed to attend your duty immediately. In case of failure disciplinary action shall be initiated against you as per rules

PRINCIPAL

DATED 03/05/2017

~~Serial~~ No. GCT/Pesh/P.F/526(1-S)

Copy for information to:

1. The Managing Director, KP-TEVTA
2. The Estate Officer GCT Peshawar
3. The Superintendent GCT Peshawar
4. The Accountant GCT Peshawar.
5. Hostel Warden No. 03

*[Signature]*

PRINCIPAL

Prof. Engr. Noor-ul- Qamar

*[Handwritten signature]*  
Dini HR VA

*[Handwritten signature]*  
05/15/17

*[Handwritten signature]*  
05/16/17

*[Handwritten signature]*  
Fahad 85

خدمت قیام پر مشتمل گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ

قاری بہاؤ ڈوٹی

قید کی: گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ / PESH/P/ NO. 952/2017 / 526(1-5)

قاری ڈوٹی پر مقرر ہونے کے لیے درخواست دینے والے قاریوں کے بارے میں دوبارہ جاننے کے لیے درخواست گزار کے پاس آج کے دن سے منوع کر دیا، اس لیے دوبارہ ڈوٹی پر مقرر ہونے سے

اپنی سرکاری رپورٹ کے ساتھ arrival Report منظور کر لیں

دوبارہ ڈوٹی پر مقرر ہونے کے لیے درخواست گزار کو 18/5/2017

کو ڈوٹی جانے سے منع کر دیا گیا۔ 18/5/2017

Govt. College of Technology Peshawar.

Dairy No. 258

Date. 18-05-2017

File No.

محمد جمیل خان گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ

Muhammad Jameel Khan

18/05/2017

کامیاب اطلاع: گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ NP-TEVTA

1- گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ NP-TEVTA

2- گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ NP-TEVTA

3- گورنمنٹ ٹیکنالوجی کالج وڈ ٹیچاؤ NP-TEVTA

Annex "C"

@-6



KHYBER PAKHTUNKHWA  
TECHNICAL EDUCATION & VOCATIONAL  
TRAINING AUTHORITY  
3-A, Chinari Road University Town, Peshawar



No.KP-TEVTA/HR-I/22-14 (1) 2521

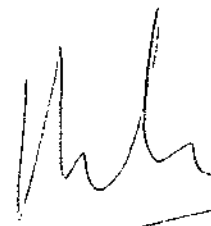
Dated 30/05/2017.

To

The Principal,  
Govt. College of Technology,  
Peshawar.

Subject: - ARRIVAL REPORT

I am directed to refer to your letter no. GCT/Pesh/PF/567 dated 24/05/2017 on the subject noted above and to state that the absentee period of the concerned official w.e.f. 10-02-2017 to 17-05-2017 may be treated as Extra- Ordinary Leave without pay and strict warning may also be issued.

  
ASSISTANT DIRECTOR  
(ADMN/HR).

96  
30  
30-17

Annex - D

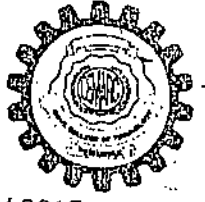
(11)



GOVERNMENT COLLEGE OF TECHNOLOGY  
Kohat Road Peshawar, Pakistan. 25000.

Phone: +92 91 2320043-44 | Fax: +92 91 92 12739  
Email: GCT\_Peshawar@kptepta.gov.pk | Web: www.gctpesh.edu.pk

Accredited with NAVTTC Islamabad



No. GCT/Pesh/Estate office/PF/ 719(1-4)

DATED 15/08/2017

Mr. Muhammad Jamil Khan (Chowkidar),  
H. No. E/4 Staff Colony,  
GCT Peshawar.

Subject: EXTENTION IN EX-PAKISTAN LEAVE FOR ONE YEAR

Reference your application, received on dated 08/08/2017 on the subject noted above. Your application for the grant of extension in Ex-Pakistan leave w.e.f.03/08/2017 to 03/08/2018 is hereby regretted on the following grounds.

1. As you have availed more than one year (One year, three months and eight days) Ex-Pakistan Leave in 2016-17 with Govt. accommodation. Your leave application will be processed when you vacate the Govt. accommodation as per allotment rules 2015.
2. As this college is in the intense need of chowkidar due to the prevailing security Scenario and acute shortage of staff. In this perspective the college hired 4-No of Chowkidar from a private security company in 2016 during your Ex-Pakistan leave.
3. You have lodged the case regarding the Govt. accommodation occupied so far, in civil Court/Civil Judge-XI and is in process in the said Court.
4. Your brother (Mr. Pasham Gul) also lodged the case in anti-corruption department and filed some allegations against the undersigned. The case is also in process in the said department.
5. Mr. Pasham Gul also lodged a case in anti-corruption department and also filed allegations against Engr. Muhammad Idrees (Estate officer of this college). The case is also in process in the said department.

*H/gawan*

PRINCIPAL

DATED /08/2017

Endst No. GCT/Pesh/Estate office/PF/  
Copy for information to:

1. The Managing Director, KP-TEVTA
2. The Estate Officer GCT Peshawar.
3. The Accountant GCT Peshawar.
4. The Personal file.

*P*

PRINCIPAL  
Engr. Noor-ul-Qamar

Annex D

7



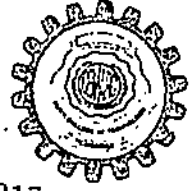
**GOVERNMENT COLLEGE OF TECHNOLOGY**

Kohat Road Peshawar, Pakistan. 25000.

Phone: +92 91 2320043-44 | Fax: +92 91 92 12739

Email: GCT\_Peshawar@kptepta.gov.pk | Web: www.gctpesh.edu.pk

Accredited with NAVTTC Islamabad



NO. GCT/PESH/PF/

To

DATED \_\_\_/\_\_\_/2017

Mr. Muhammad Jamil Khan,  
Chowkidar H. No. E/4 Staff Colony,  
GCT Peshawar.

Subject: EXTENTION IN EX-PAKISTAN LEAVE FOR TWO YEARS

Reference your application, dated 16-01-2017 on the subject noted above.  
Application for the grant of extension in Ex-Pakistan leave for the period of 2 years  
from 10-02-2017 to 09-02-2019 is hereby regretted.

You are, therefore, directed to attend your duty immediately as your Ex-  
Pakistan leave is expired on 09-02-2017. In case of failure disciplinary action shall be  
initiated against you as per rules

- No. GCT/Pesh/P.F/292 (1-5)
- For information to:
  - The Managing Director, KP-TEVTA
  - The Estate Officer GCT Peshawar
  - The Superintendent GCT Peshawar
  - The Accountant GCT Peshawar.

PRINCIPAL

14<sup>th</sup> February, 2017

*[Signature]*

PRINCIPAL

Prof: Engr. Noor-ul-Qamar

Annex - E.I

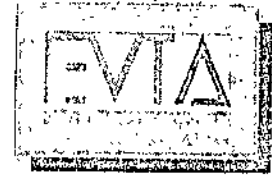
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E1-E3

(8)



KHYBER PAKHTUNKHWA TECHNICAL  
EDUCATION & VOCATIONAL TRAINING  
AUTHORITY 3-A, CHINAR ROAD  
UNIVERSITY TOWN, PESHAWAR



No.KP-TEVTA /HR-I/22-14(1)/ 3565(1-2) Dated. 8 / 9 / 2017.

To

Mr.Muhammad Jamil,  
Chowkidar,  
Govt. College of Technology,  
Peshawar.

Subject: - ABSENCE FROM DUTY

It has been reported by the Principal, GCT, Peshawar vide letter No. GCT/Pesh/Estate office/PF/756(1-3) dated 07-09-2017 that you have been absent from duty w.e.f. 03-08-2017 till date, without any permission/information. Your act is contrary to the rules & requires disciplinary proceedings to be initiated against you on account of misconduct and disobedience on your part.

You are, therefore, directed to explain your position with regard to your absence from duty etc. within seven days of the receipt of this letter. otherwise strict disciplinary action would be initiated against you under the prevailing rules.

DIRECTOR (ADMN/HR)

Endst:No. TEVTA/HR-I/22-14(1)/ 3565(1-2) Dated. 8 / 9 / 2017.

Copy forwarded for information and n/a to the Principal, GCT, Peshawar.

DIRECTOR (ADMN/HR)

8 / 9 / 2017

E2  
⑨



KHYBER PAKHTUNKHWA TECHNICAL  
EDUCATION & VOCATIONAL TRAINING  
AUTHORITY 3-A, CHINAR ROAD  
UNIVERSITY TOWN, PESHAWAR



No.KP-TEVTA /HR-I/22-14(1)/ 3746(1-2) Dated. 21 / 9 / 2017.

To

Mr.Muhammad Jamil,  
Chowkidar,  
Govt. College of Technology,  
Peshawar.

Subject: - ABSENCE FROM DUTY

I am directed to refer to this office letter No.KP-TEVTA/HR-I/22-14(1)/3565  
(1-2) dated 08-09-2017 on the subject noted above.

You are once again directed to resume your duty immediately on the receipt of  
this letter, failing which disciplinary action shall be taken against you under the prevailing rules.

*[Signature]*  
DIRECTOR (ADMN/HR)  
20/9/2017

~~File~~ No. TEVTA/HR-I/22-14(1)/ 3746(1-2) Dated. 21/9/ 2017.

Copy forwarded for information and n/a to the Principal, GCT, Peshawar.

*[Signature]*  
DIRECTOR (ADMN/HR)  
20/9/2017



E3 (10)

Registered



KHYBER PAKHTUNKHWA TECHNICAL  
EDUCATION & VOCATIONAL TRAINING  
AUTHORITY 3-A, CHINAR ROAD  
UNIVERSITY TOWN, PESHAWAR



No. KP-TEVTA /HR-1/22-14(1)/ 3962(1-2) Dated. 29/1/2017.

To

Mr. Muhammad Jamil,  
Chowkidar, Quarter No. E-4,  
Staff Colony, Govt. College of Technology,  
Peshawar.

Subject: - ABSENCE FROM DUTY

I am directed to refer to this office letter No. KP-TEVTA/HR-1/22-14(1)/3565  
(1-2) dated 08-09-2017 on the subject noted above.

You are once again directed to resume your duty immediately on the receipt of  
this letter, failing which disciplinary action shall be taken against you under the prevailing rules.

DIRECTOR (ADMN/HR)

Endst: No. TEVTA/HR-1/22-14(1)/ 3962(1-2) Dated. 29/1/2017.

Copy forwarded for information and n/a to the Principal, GCT, Peshawar.

DIRECTOR (ADMN/HR)

روزنامہ

پشاور پاکستان

عبدالواحد یوسفی ایڈیٹر

شمارہ 295

جلد 28

ہفتہ 4 دسمبر 2017

صفحہ نمبر 14

1439

13

4 نومبر

2017

**نوٹس**

**غیر حاضری**

**ٹیکنیکل ایجوکیشن اینڈ ووکیشنل ٹریننگ اتھارٹی خیبر پختونخوا پشاور**

تم مسز محمد نسیب چوکیدار گورنمنٹ کالج آف ٹیکنالوجی پشاور مورچہ 3 اگست 2017 سے اپنی ذیوبانی سے غیر حاضر ہیں۔ اس سلسلے میں آپ کو گھر کے پتہ پر بذریعہ رجسٹرڈ لیٹر نمبر KP-TEVTA/HR-I/22-14(1)3565(1-2)dated 08-09-2017

KP-TEVTA/HR-I/22-14(1)3962(1-2)dated-29-09-2017

بھیجے گئے تھے جس میں آپ سے اپنی ذیوبانی پر حاضری کا کہا گیا تھا لیکن تم بحال نہ ہی اپنی ذیوبانی پر حاضر ہو سکے اور نہ ہی کوئی جواب دیا ہے اس لئے آپ کو بذریعہ نوٹس ہدایت کی جاتی ہے کہ اس نوٹس کے اشاعت کے 15 دن کے اندر اندر اپنی ذیوبانی پر حاضر ہو جائیں اور اپنی غیر حاضری کی وجوہات بیان کریں بصورت دیگر آپ کے خلاف سرجہ قانون کے مطابق ایکشن کارروائی کر کے آپکو نوکری سے برخاست کر دیا جائے گا۔

**ڈپٹی ڈائریکٹر (ایڈمن اسٹریجنس)**

**SAY NO TO CORRUPTION / DRUGS**

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اللہ ہی کیلئے ہیں مشرق و مغرب القرآن

DAILY MASHRIQ PESHAWAR

# مشرق

پشاور

روزنامہ

سیدنا سیدنا  
سیدنا سیدنا

سلسلہ اشاعت کے 51 سال

ABC CERTIFIED  
پشاور رسالہ آئیڈیوٹک سٹیٹ پبلشرز اور اشاعت قومی اخبار

جلد 51  
حجت المبارک 13 صفر المظفر 1439ھ = 03 نومبر 2017ء کا ایک قیمت 13 روپے

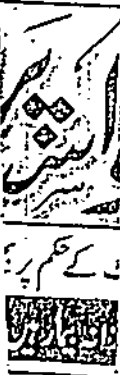
www.khyberpakhtunkhwa.gov.pk

**پیشکش**  
آپ سر جو جیل پر کھڑا کر گشت کاغذ آف پیکٹاوی پشاور مورخہ 13 اگست 2017ء سے اپنی ذمہ داری سے فرما رہے ہیں۔ اس سلسلے میں آپ کو روٹی  
رہنما ڈیزائن نمبر (1-2) dated 29-09-2017 جیسے گئے تھے اس میں آپ سے اپنی ذمہ داری پر ماموری کا کہا گیا تھا لیکن آپ نے اس میں اپنی ذمہ داری سے  
جواب دیا ہے۔ اس لئے آپ کو بذریعہ نوٹس ہدایت کی جاتی ہے کہ اس نوٹس کی اشاعت کے 15 دن کے اندر اندر اپنی ذمہ داری پر حاضر ہو جائیں ورنہ  
کی وجوہات بیان کریں۔ بصورت دیگر آپ کے خلاف مزید قانون کے مطابق حکمروا کر دیا جائے گا۔ آپ کو کوئی سے درخواست کر دیا جائے گا۔

**پیشکش**  
ZINE (P) 6247 Also available on  
www.khyberpakhtunkhwa.gov.pk

**ای۔ ای۔ بیڈنگ (ٹیکسٹائلز)**  
آئیڈیوٹک سٹیٹ پبلشرز اور اشاعت قومی اخبار  
مجلس سبیل ایڈمنسٹریشن عریلیاں کوٹل آف پول بورڈ خیریتو خرا کے رجنڈر ایڈمنسٹریٹو سے نئے ڈیزائن کی۔ بڈنگ سیم پر pay/above/below کی بنیاد پر 2017ء  
برائے سال 2016-17 کی درج ذیل تر تالی کیوں کیلئے سرگرمیوں کے درجہ ذیل شرائط پر مبنی ہیں۔

**سوات ٹریڈنگ کی سیکل کیلئے**  
پہاڑوں کی کٹائی، ٹرانسمیشن لائنیں بنانے، سرنگوں کی ڈرنگ و لائٹنگ، کارکنوں کی سیکورٹی کا موثر بندوبست کرنے کی  
کیا ہے اور ان کی سرگرمیوں کے درجہ ذیل شرائط پر مبنی ہیں۔



31/10/17  
12.7

P. 130

P. 50

72

Annex - G

G - (13)



KHYBER PAKHTUNKHWA  
TECHNICAL EDUCATION &  
VOCATIONAL TRAINING AUTHORITY  
3-A, Chinara Road University Town, Peshawar



**ORDER.**

Under the provision of the Khyber Pakhtunkhwa Govt. Servants  
and Discipline Rules, 2011, Mr. Muhammad Jamil, Chowkidar, Govt.  
College of Technology, Peshawar is hereby removed from service with effect from  
to his willful absence from duty. The intervening period from  
is to be treated as un-authorized absence from duty.

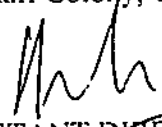
MANAGING DIRECTOR

SP-TEVTA/22-14(1) / 124 (1-3) Dated 5/12/2017.

P. 143  
=  
P. 112  
P. 111  
P. 11

Forwarded for information and n/action to:-

- Secretary General, Khyber Pakhtunkhwa, Peshawar .
- Principal, Govt. College of Technology, Peshawar.
- Mr. Muhammad Jamil, Chowkidar, Quarter No. E-4, Staff Colony, Govt. College of Technology, Peshawar.

  
ASSISTANT DIRECTOR  
(ADMN/HR)  
7/12/2017

Annex H

(H)

(14)

Tele: \_\_\_\_\_



GOVERNMENT OF KHYBER PAKHTUNKHWA  
INDUSTRIES, COMMERCE AND TECHNICAL  
EDUCATION DEPARTMENT

No.SOIII(IND)4-3/2017

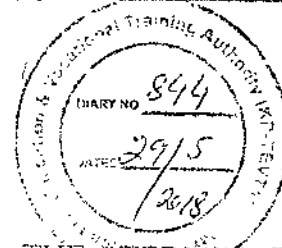
5849-52

23<sup>rd</sup> May, 2018

Dated Peshawar, the \_\_\_\_\_

To

Muhammad Jamil, Ex-Chowkidar,  
Govt. College of Technology, Kohat Road,  
House No.E-4, Staff Colony, Peshawar.



Subject: - DEPARTMENTAL APPEAL AGAINST THE TERMINATION ORDER DATED 08.12.2017 WHERE MUHAMMAD JAMIL KHAN (CHOWKIDAR) S/O KHAISTA GUL HAS BEEN REMOVED FROM SERVICE.

I am directed to refer to the subject noted above to convey that your appeal against the impugned order/notification No.KP-TEVTA/22-14(1)5724(1-3) dated 18.12.2017 of MD KP-TEVTA has been considered and regretted by the appellate authority. please.

*ha*  
(HAMEED UR REHMAN)  
SECTION OFFICER-III 23/5/2018

Copy forwarded to the;

1. Managing Director KP-TEVTA, University Town, Peshawar.
2. Principal Govt. College of Technology, Peshawar.
3. PS to Secretary IC&TF

*ha*  
SECTION OFFICER-III

D A / 24/12

Before Hon,ble Service Tribunal K.P.K Pesh.

Service Appeal No. 767/2018

M. Jamil vs Principal G.C. Tetc.

Application for Adjournment.

Respectfully sheweth :-

① That above titled Service appeal is pending before this Hon,ble court and date fixed for today.

② That Counsel for appellant is unable to appear before this Hon,ble court for today due to his illness.

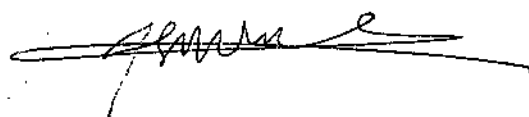
It is therefore, requested that instant appeal may kindly be adjourned for some other suitable date.

Counsel for Appellant.

Abbar Muhammad Khan  
Advocate High court.

Through

Clark Smail



Dated  
26 / 1 / 2021

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

Service Appeal No. 767 /2018

Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar.....**Appellant**

**V E R S U S**

1. Principal Government College of Technology Kohat Road, Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. Govt. of Khyber Pakhtunkhwa through Secretary of Industries, Commerce and Technical Education Peshawar.

.....**Respondents**

Amended

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974 AGAINST ILLEGAL, UNLAWFUL AND  
AGAINST RULES, ORDER DATED 23.05.2018  
OF RESPONDENTS, WHEREAS RESPONDENTS  
REMOVED THE APPELLANT FROM SERVICE.**

---

Prayer

**On acceptance of this appeal, the impugned order dated 23.05.2018 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate the appellant on his service with all back benefits.**

**Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant.**

---

**Respectfully Sheweth:**

The appellant submits as under:-

1. That the appellant was permanent Govt. Servants as a Chowkidar Since 31.01.2007 in Govt. College of technology Kohat Road, Peshawar. (Copy of the appointment letter is annexed).
2. That appellant filed an application for grant of 1 year leave on half pay the same was allowed from 10.02.2016 to 09.02.2017 on the completion of aforesaid leaves appellant attained his office for 02 months and 20 days and did his duty. (Copy of application and order is annexed).



3. That on 03.08.2017 appellant filed another application for grant of 1 years leave on half pay but the same has been rejected on personal capacity due to personal dispute with appellant nothing else. (Copy of the application and order are attached).
4. That appellant was feeling aggrieved from the order of principal appellant filed a departmental appeal and the same is pending in respondent No.5. (Copy of the appeal is attached).
5. That despite the pendency of above mentioned departmental appeal regarding the leave of appellant, impugned order dated 23.05.2018 for removal of he appellant has been passed.
6. That appellant filed an appeal D.No.6425 dated 21.12.2017 to the office of M.D Khyber Pakhtunkhwa TEVTA.
7. That appellant was feeling aggrieved form the termination order dated 23.05.2018 approached to respondent No.6 and filed a departmental appeal on 26.01.2018 for set aside impugned order and restore to appellant on his post and grant him ex-pakistan. (Copy of appeal and dairy member are attached).
8. That during the pendency of the appeal appellant received an order dated 23.05.2018, wherein provided

that departmental appeal of appellant has been dismissed by respondent No.5. (Copy of the impugned order is attached).

9. That now appellant is feeling aggrieved from the impugned order dated 23.05.2018 appellant approaches before this Hon'ble Tribunal for set aside the impugned order dated 23.05.2018 and appellant may kindly be reinstated on this post with all back benefit on the following grounds

**G R O U N D S:**

- A. That impugned order dated 23.05.2018 of the termination is without any inquiry and without show cause.
- B. That the impugned order dated 23.05.2018 is hasty in nature and against natural justice, moreover impugned order has not been in good faith even an malafide and in the result of personal dispute.
- C. That the impugned order dated 23.05.2018 is illegal, against law and fact, therefore liable to be set aside.
- D. That principle and estate officer Mr. Idress of GCT have same personal issue with appellant brother, therefore, for the grant of Ex Pakistan leave in personal capacity without any legal reason. Moreover a departmental appeal is pending for taking legal proceeding against principle of GCT.

- E. That termination order is without any inquiry from appellant.
- F. That notice followed termination order from the office of respondent No.5 by your good office has published in newspaper not personally notice to appellant, even appellant had already been filed an appeal against order of the principle of GCT and the same is pending in the office of respondent No.5
- G. That appellant served 10 years as a Chowkidar his service in GCT, therefore he requests for grant of leave and restoration on his post.
- H. That other grounds will be raised at time of arguments and will be argued with permission of court.

It is, therefore requested that on acceptance of this appeal, the impugned order dated 23.05.2018 of the respondents may kindly be set aside and the respondents may kindly be directed to reinstate appellant on his service with all back benefits.

Any other remedy, which this August Tribunal deems fit and appropriate that, may also be awarded in favour of the appellant.

Appellant  
Through



**Noor Muhammad Khan**  
Advocate High Court,

1-2-19  
Dated ~~19-12-2018~~

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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....**Appellant**

**VERSUS**

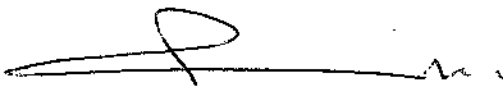
Principal Government College of Technology Kohat Road,  
Peshawar & others.....**Respondents**

**AFFIDAVIT**

*am special attorney*

I, \_\_\_\_\_ Khaista Gul, R/o Quarter No.E-4,  
Staff Colony Technical College Peshawar permanently  
Landi Akhoon, Ahmad P.O Islamia College, Main Gan  
Peshawar, do hereby solemnly affirm and declare on oath  
that the contents of the accompanying **Service Appeal**  
are true and correct to the best of my knowledge and  
belief and nothing has been concealed from this Hon'ble  
Court.


Identified by



**Noor Muhammad Khan**  
Advocate High Court

**DEPONENT**

- CNIC No. 17301-7574177-9

*NP 10, Kohat*  
*3/6*  
*25/10*  


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

Service Appeal No. \_\_\_\_\_/2018

Muhammad Jamil.....Appellant

**VERSUS**

Principal Government College of Technology Kohat Road,  
Peshawar & others.....Respondents

**ADDRESSES OF PARTIES**

**APPELLANT:**

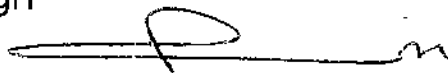
Muhammad Jamil S/o Khaista Gul,  
R/o Quarter No.E-4, Staff Colony  
Technical College Peshawar

**RESPONDENTS:**

1. Principal Government College of Technology Kohat Road, Peshawar
2. Estate Officer, GCT, Peshawar
3. Superintendent GCT, Peshawar
4. Accountant, GCT, Peshawar
5. Managing Director, (Khyber Pakhtunkhwa TEVTA)
6. Govt. of Khyber Pakhtunkhwa through Secretary of Industries, Commerce and Technical Education Peshawar

Appellant

Through



**Noor Muhammad Khan**  
Advocate High Court,

Dated 1/2/19