

28-12-2020

Due to summer vacation, case is adjourned to
16-3-2021 for the same as before.

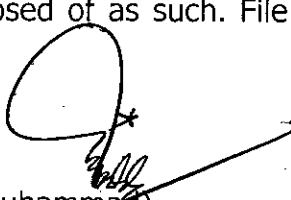

Reader


16.03.2021 Appellant alongwith counsel and Muhammad Rashid,
DDA alongwith Haseebullah, Superintendent for the
respondents present.

Learned counsel for the appellant has submitted copy
of office order dated 27.02.2020, whereby, the appellant
has been transferred from the office of Chief Engineer
(Central) C&W Department Peshawar to office of XEN
Building Division Tribal District South Waziristan at Tank
under the Spouse Policy of the Provincial Government.

In view of the above, the appellant does not wish to
further pursue his appeal having become infructuous.

Disposed of as such. File be consigned to the record
room.


(Mian Muhammad)
Member (E)


Chairman

ANNOUNCED
16.03.2021

04.02.2020

Appellant in person present. Addl: AG alongwith Mr. Fawad, Junior Clerk for respondents present. Representative of the respondents submitted written reply which is placed on file. To come up for rejoinder and arguments on 31.03.2020 before D.B-I.


Member

01.04.2020 Due to public holiday on account of COVID-19, the case is adjourned to 09.06.2020 for same as before.


Reader

09.06.2020

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Riaz Gul, Admin Officer for the respondents present. Notices be issued to appellant and his counsel for attendance and arguments for 18.08.2020 before D.B.


(Mian Muhammad)
Member


(M. Amin Khan Kundi)
Member

18.08.2020

Due to summer vacations, the case is adjourned to 28.10.2020 for the same.


Reader



OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

NO.28-E/ 1027 ICEC/C&W

DATED PESHAWAR THE 27/02/2020

OFFICE ORDER

The following posting/transfer of Computer Operators in the C&W Department is hereby ordered (in relaxation of ban) in the public interest, with immediate effect:-

S.No	Name	From	To	Remarks
1.	Muhammad Tariq	O/O Chief Engineer (Centre) C&W Department Peshawar	O/O XEN Building Division Tribal District South Waziristan at Tank	Vice No.2 Under Spouse Policy
2.	Farid Ullah	O/O XEN Building Division Tribal District South Waziristan at Tank	O/O XEN Highway Division Tribal District South Waziristan at Tank	He will draw is pay & allowances against the post of Assistant (BS-16)


CHIEF ENGINEER (CENTRE)

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Chief Engineer (Merged Areas) C&W Department Peshawar.
3. Superintending Engineer (Southern) C&W Merged Areas Circle Bannu.
4. Executive Engineer C&W Highway/Building Division Tribal District South Waziristan at Tank.
5. District Accounts Officer Tribal District South Waziristan at Tank.
6. Cashier (Local).
7. Official Concerned.


CHIEF ENGINEER (CENTRE)

31.12.2019

Appellant with counsel present.

7/1/19
Contends that the appellant was performing duty as Computer Operator in the office of Executive Engineer Building Division Tribal District South Waziristan at Tank while his wife Mst. Abida Noreen was posted at Government Primary School Gara Hayat District Tank. In utter-disregard of transfer/posting policy of Provincial Government the appellant was transferred to the office of Chief Engineer (Centre) C&W Department Peshawar on 22.08.2019. His departmental appeal against the transfer order was filed without assigning any reason. The impugned transfer of appellant to Peshawar has caused great inconvenience and disturbance to the his family.

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 15.01.2020 before S.B.

Appellant Deposited
Security & Process Fee

31/12/19


Chairman

15.01.2020

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

Learned AAG requests for time to contact the respondents and furnish the requisite reply/comments. Adjourned to 04.02.2020 before S.B.

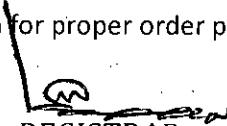


Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1771/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/12/2019	<p>The appeal of Mr. Muhammad Tariq presented today by Mr. Muhammad Zafar Tahirkheli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 13/12/19</p>
2-	18/12/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>31/12/19</u></p> <p> CHAIRMAN</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PUKHTOONKHWA
PESHAWAR

Service Appeal No. 1771 /2019

Muhammad Tariq,
Computer Operator,
Office of Chief Engineer C&W Peshawar.

.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through
Secretary Communication & Works Department, Peshawar
2. Chief Engineer (Centre), Communication & Works Department, Peshawar
3. Administrative Officer, Communication & Works Department, Peshawar

.....Respondents

=====

I N D E X

S.No	Particulars	Annexure	Pages
1.	Memo of Petition		1-3
2	Impugned Order	dated 22-08-2019	"A" 4
3	Departmental Appeal	dated 28-08-2019	"B" 5
4	Refusal Order	dated 13-11-2019	"C" 6
5	Appointment Order		"D" 7
6	Transfer & Posting Policy		"E" 8-10
7	Vakalatnama	-	11

Peshawar, dated.
12-12-2019


(MUHAMMAD ZAFAR TAHIRKHELI)
Advocate


(Ansar Ullah Khan)
Advocate

①

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

Service Appeal No. 1771 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1863

Dated 13-12-2019

Muhammad Tariq,
Computer Operator,
Office of Chief Engineer C&W Peshawar.

.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through
Secretary Communication & Works Department, Peshawar
2. Chief Engineer (Centre), Communication & Works Department, Peshawar
3. Administrative Officer, Communication & Works Department, Peshawar

.....Respondents

=====

**SERVICE APPEAL U/S 4 OF NWFP SERVICE TRIBUNAL ACT, 1974,
AGAINST THE IMPUGNED TRANSFER ORDER DATED 22-08-2019,
(ANNEX "A"), WHEREBY THE APPELLANT WAS TRANSFERRED
FROM TANK TO PESHAWAR AND HIS DEPARTMENTAL
REPRESENTATION DATED 28-08-2019 WAS REFUSED VIDE ORDER
DATED 13-11-2019 COMMUNICATED ON 15-11-2019
(ANNEX "B" & "C").**

=====

PRAYER: Allowing the appeal by setting aside the impugned transfer order dated 22-08-2019, and allowing the appellant to serve at his previous place of posting at Building Division C&W Tribal District South Waziristan at Tank under the spouse policy of Government of Khyber Pakhtunkhwa.

RESPECTFULLY SHEWETH,

1. The appellant being qualified and eligible was selected and appointed as Computer Operator vide order dated 01-07-2009, for the newly created 5-projects (Floating) Division posts.

The appellant after his appointment has served at Chief Engineer Center C&W Department Peshawar for almost 3 years during two different postings w.e.f year 2009 to 2014.

2. That the appellant was posted as Computer Operator Executive Engineer Building Division, Tribal District South Waziristan at Tank and was shocked to receive the impugned transfer order dated 22-08-2019, which was issued in complete violation of the Govt. of KP Spouse Policy.

Filed to-day
Registrar
13/12/19

3. That the appellant filed his departmental appeal dated 28-08-2019 before the respondent No. 1, against the impugned order, which was refused vide impugned order dated 13-11-2019, communicated on 15-11-2019. (Annex "C")
4. Feeling aggrieved and finding no other remedy, the appellant has been constrained to approach the Hon'ble Service Tribunal for the redress of his grievance, inter-alia, on the following,

Grounds:

- a. The impugned orders have been passed in hastily manner, without considering the material facts on record.

The impugned action being ultra-virus of the law and the rules, discriminatory, arbitrary, malafide and without lawful authority, it is liable to be set right by this Hon'ble Court.

- b. That the appellant's wife Mst. Abida Noreen is posted as Primary School Teacher at Government Primary School GGPS Gara Hayat District Tank.

That the appellant was posted as Computer Operator at the office of Executive Engineer Building Division, Tribal District South Waziristan at Tank, wherein they resided together being posted at the same station. (Copy annexed hereto **marked "D"**)

- c. That it has been a consistent opinion of the superior courts and policy of the Provincial Government that, "Husband and wife, being civil servant, both in provincial services, should be posted at one station".

The appellant's transfer order has been in gross violation of such policy, subject to correction by this Hon'ble tribunal. (Copy annexed hereto **marked "E"**)

- d. It is necessary to mention that the appellant is permanently residing with his wife along with 04 minor children at Tank City, his posting at C&W Head Quarter Peshawar in completely unwarranted and uncalled for, thus liable to be rescinded as such. In utter disregard and in violation of the principles of equity and justice, the appellant has been subjected to arbitrary and discriminatory treatment.
- e. The impugned transfer order is thus arbitrary, discriminatory, against the principles of equity, law, justice and propriety, subject to correction by the worthy authority.
- g. Appellant seeks permission to take several other grounds at the time of arguments.

Prayer:

In view of the above, it is most humbly requested that by accepting this appeal the impugned transfer order dated 22-08-2019 and refusal order dated 13-11-2019, communicated on 15-11-2019, may kindly be set aside and the respondent department may be directed to retain the appellant at his previous place of posting at the office of Executive Engineer Building Division, Tribal District South Waziristan at Tank.

Any other relief deemed appropriate may also be granted.

[Signature]
Appellant

Through,

[Signature]

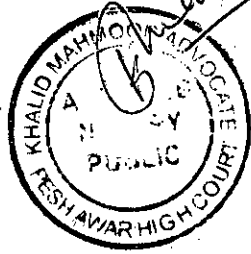
(MUHAMMAD ZAFAR TAHIRKHELI)
Advocate

Peshawar, dated
12-12-2019

(Ansar Ullah Khan)
Advocate

Affidavit

I, the appellant, do hereby state on Oath that the contents of the accompanying appeal are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Hon'ble Tribunal.



[Signature]
DEPONENT

ANNEXURE A

**OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR**

No. 28-E / 311 / CEC / C&WD

Dated Peshawar the 22 / 08 / 2019

OFFICE ORDER


The following posting/ transfer amongst Computer Operators (BPS-16), in the C&W Department is hereby ordered, with immediate effect, in the public interest:-

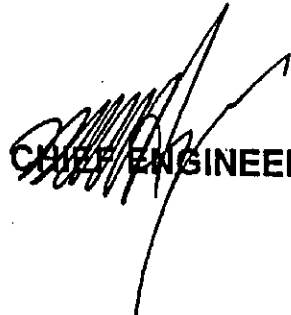
Sl #	Name & designation	From	To	Remarks
1	Mr. Muhammad Tariq (Computer Operator)	O/O Executive Engineer Building Division Tribal District South Waziristan at Tank	O/O Chief Engineer (Centre) C&W Deptt: Peshawar	Vice # 2
2	Mr. Farid Ullah (Computer Operator)	O/O Chief Engineer (Centre) C&W Deptt: Peshawar	O/O Executive Engineer Building Division Tribal District South Waziristan at Tank	Vice # 1

CHIEF ENGINEER (CENTRE)

Copy to the: -

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Accountant General (PR) Sub-Office Peshawar.
3. Chief Engineer (Merged Area) W&S Department Peshawar.
4. Superintending Engineer (Southern) C&W Circle Tribal District Bannu.
5. Executive Engineer Building Division Tribal District South Waziristan at Tank.
6. District Accounts Officer, District Tank.
7. Cashier (Local).
8. Officials concerned.

TRUE COPY



CHIEF ENGINEER (CENTRE)

بخدمت جناب سیکریٹری صاحب محکمہ مواصلات و تعمیرات گورنمنٹ آف خیبر پختونخوا پشاور

عنوان: حکمانہ اپیل برائے Spouse پالیسی کے تحت تبادلہ روکنا۔

(Recd By)

28/8/2019 -

جناب عالی!

No.28-E/311/CEC/C&WD متذکرہ پانہ گزارش ہے کہ سائل کو مراسلہ بحوالہ مورخہ: 22/08/2019 موصول ہوا کہ جس کے تحت سائل کا تبادلہ بلڈنگ ڈویژن ساوتھ وزیرستان ضلع ٹانک سے چیف انجینئر (سنٹر) دفتر مواصلات و تعمیرات پشاور ہوا ہے باوجود اسکے کہ سائل کی بیوی مسماة عابدہ نورین دختر محمد اسماعیل گورنمنٹ پرائمری سکول گرہ حیات ضلع ٹانک میں بطور سینئر پرائمری سکول ٹیچر ڈیوٹی سرانجام دے رہی ہیں اس وجہ سے سائل مجبوراً قبائلی ضلع ساوتھ وزیرستان کے بلڈنگ ڈویژن ضلع ٹانک میں بطور کمپیوٹر اپریٹر اپنی ڈیوٹی سرانجام دے رہا ہے کیونکہ محکمہ مواصلات و تعمیرات بلڈنگ ڈویژن ساوتھ وزیرستان کا ڈویژنل دفتر ضلع ٹانک سٹی میں واقع ہے جبکہ ضلع ٹانک Settle کے ڈویژنل دفتر میں کمپیوٹر آپریٹر کی پوسٹ نہیں ہے اب چونکہ تمام قبائلی اضلاع صوبہ خیبر پختونخوا میں انضمام ہو چکا ہے اور سائل اپنا مذکورہ تبادلہ Spouse پالیسی کے تحت روکنے کا حق رکھتا ہے۔

لہذا استدعا کی جاتی ہے کہ آپ صاحبان مہربانی فرما کر سائل کو Spouse پالیسی کے تحت اپنے موجودہ ڈویژنل دفتر مواصلات و تعمیرات بلڈنگ ڈویژن ساوتھ وزیرستان ٹانک میں برقرار رکھنے کی اور مذکورہ بالا تبادلے کے مراسلہ کو واپس کرنے کی سفارشات جاری فرمائیں۔

عین نوازش ہوگی

العارض

28/08/19

سائل محمد طارق کمپیوٹر اپریٹر
بلڈنگ ڈویژن ساوتھ وزیرستان ضلع ٹانک

کاپی برائے ضروری کارروائی چیف انجینئر (سنٹر) محکمہ مواصلات و تعمیرات خیبر پختونخوا پشاور

28/8/19

D.No 1783

Dated. 28/8/19

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ANNEXURE

GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

No. No. SOE/C&WD/24-60/2019 C/Oper
Dated Peshawar, the Nov 13, 2019

TO

Mr. Muhammad Tariq
Computer Operator O/O
Chief Engineer (Centre) C&W Peshawar

Subject: **APPEAL FOR CANCELLATION OF TRANSFER ORDER UNDER SPOUSE POLICY**

I am directed to refer your appeal/representation dated 28.08.2019, which was processed and submitted to the Competent Authority (Secretary C&W). The Competent Authority has filed your appeal/representation.


2. You are hereby informed accordingly.


(ABDUR RASHID KHAN)
SECTION OFFICER (Estb)

Endst even No. & date

Copy forwarded to PS to Secretary C&W Department, Peshawar

SECTION OFFICER (Estb)

C.E. C&W Deptt (Centre)
Dairy No 2151
Date 15/11/2019
Case No
C.E.
S.E.
D.E.
T.O.
A.O. 

TRUE COPY



OFFICE OF THE DISTRICT EDUCATION OFFICER (F) TANK
OFFICE ORDER.

The Transfer/Adjustment of the following PST Teachers are here by ordered on the administrative ground in the interest of public service with immediate effect.

S No	Name & Designation	From	To	Remarks
1	Anjum Rahim SPST	GGPS Gara Baloch.	GGPS, Thiri Malook Tank.	V/Post.
2	Farzana Kiran SPST	GGPS, Chadrar Tank.	GGPS, G/Baloch Tank.	V/S, No, 1
3-	Zubaida Khanum SPST	GGPS K/Ali Abad Tank	GGPS, Chadrar Tank	V,S, No, 2
4-	Abida Nureen PST	GGPS Gula Kurai	GGPS Gara Hayat	V/Post

Note.

1. Charge report should be sent to all concerned.
2. No TA/DA is allowed.

District Education Officer,
(Female) Tank

Endst No 2126-29

Dated Tank the 23 / 11 / 2013

Copy to the:-

- 1- SDEO(F) Tank.
1. H/Teacher Schools Concrend.
2. DAO Tank.
3. Official Concerned.

District Education Officer,
(Female) Tank

TRUE COPY

ANNEXURE E (8)



ESTA CODE

**ESTABLISHMENT CODE KHYBER PAKHTUNKHWA
(REVISED EDITION) 2011**

**A COMPENDIUM OF LAWS, RULES AND INSTRUCTIONS
RELATING TO THE TERMS AND CONDITIONS
OF PROVINCIAL CIVIL SERVANTS**

**COMPILED BY;
(O&M) SECTION
ESTABLISHMENT & ADMINISTRATION DEPARTMENT**

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Posting and Transfer

Statutory Provision.

Section 10 of the NWFP Civil Servants Act, 1973.

Posting and Transfer. Every civil servant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government, or any Provincial Government or Local authority, or a Corporation or body set up or established by any such Government:-

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region;

Provided further that, where a civil servant is required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

Posting/transfer policy of the Provincial Government.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas.
- v) ⁷⁹[]

⁷⁹ Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.

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- vi) ⁸⁰While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, NWFP needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, NWFP shall be obtained.

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for at least eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officers/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/ transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement

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VAKALATNAMA

In the Court of

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No. _____ of 2019

Petitioner
Plaintiff
Applicant
Appellant
Complainant

Muhammad Tariq

Decree-Holder

VERSUS

Respondent
Defendant
Opponent
Accused

Govt. etc

Judgment-Debtor

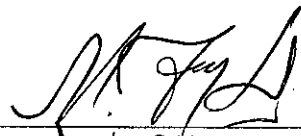
I / We Muhammad Tariq the above noted Appellant do hereby appointed and constitute, **Muhammad Zafar Tahirkheli & Ansar Ullah Khan, Advocates High Court**, to appear, plead, act, compromise, withdraw or refer to arbitration for me / us as my / our counsels / advocates in the above noted matter, without any liability for his default and with the authority to engage any other Advocate / Counsel at my / our cost.

The Client / Litigant will ensure his presence before the Court on each and every date of hearing and the counsel would not be responsible if the case is proceeded ex-parte or is dismissed in default of appearance. All cost awarded in favour shall be the right of Counsel or his nominee, and if awarded against shall be payable by me/us.

I / We authorize the said Advocates to withdraw and receive on my / our behalf all sums and amounts payable or deposited on my / our account in the above noted matter.

Dated 12/12-2019

Office **ATIQU LAW ASSOCIATES,**
87, Al-Falah Street, Besides State Life Building,
Peshawar Cantt, Phone: 091-5279529
E-mail : zafartk.advocate@gmail.com



Client.
M. Zafar Tahir

Attested & Accepted (Advocates)



Ansar Ullah Khan

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 1771/ 2019

Muhammad Tariq
Computer Operator
O/O Chief Engineer (Centre)
C&W Department Peshawar

.....**Appellant**

VERSUS

1. The Govt: of Khyber Pakhtunkhwa through Secretary C&W Department Peshawar
2. Chief Engineer (Centre) C&W Department Khyber Pakhtunkhwa Peshawar
3. Administrative Officer C&W Department Peshawar

.....**Respondents**

WRITTEN COMMENTS OF OFFICIAL RESPONDENTS

RESPECTFULLY SHEWETH!

PRELIMINARY OBJECTION

1. The appellant has got no cause of action to institute the instant appeal.
2. The Appellant has not come to the Tribunal with clean hands.
3. The Appeal is based on malafide and not maintainable in the present form.
4. The Appeal is frivolous and vexatious, not entertainable, liable to dismissal.

ON FACTS

1. Correct to the extent that after clearance/recommendation by the Public Service Commission, the appellant was inducted as Computer Operator in

07/2009 against the Newly Created, Floating Highway Divisions (05-in Numbers). The posting position of appellant is tabulated here under:-

S.No	Name of office	From	To
1	Chief Engineer (Centre) C&W Deptt: Peshawar	01.07.2009	08.03.2010
2	XEN Highway Division D.I.Khan	10.03.2010	31.01.2012
3	Chief Engineer (Centre) C&W Deptt: Peshawar	01.02.2012	18.05.2014
4	XEN Building Division Tribal District South Waziristan at Tank	19.05.2014	31.08.2019
5	Chief Engineer (Centre) C&W Deptt: Peshawar	01.09.2019	Till Date


2. Correct to the extent the appellant was holding posting in the O/O Executive Engineer Building Division Tribal District South Waziristan at Tank and was posted in the O/O Respondent-2 due to the exigencies of services.
3. Pertain to record, not need to comment.
4. Being Civil Servant, he has to serve any-where under the Khyber Pakhtunkhwa, Civil Servant Act, 1973.

ON GROUNDS


- a. Incorrect and have no validity in the eyes of Law.
- b. The replying Respondents do not maintain the list of wed-lock and their family's working or service nor the appellant in past expressed of his wife services.
- c. The Government policy with regard to Spouse, posting at one station not seems specific in nature, but presumptively be exercised, thus posting orders have been issued in good faith and good governance.
- d. Mis-conceiving. As expressed in Para-4, above the appellant should serve any-where as and when deemed appropriate.

- e. Incorrect, the posting order cannot be said arbitrary, discriminatory or without lawful authority.
- f. The official respondents also seek permission of this Honourable Tribunal for further arguments.

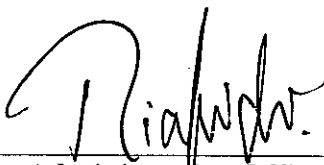
In the wake of above said circumstances, it is prayed that the instant appeal may please be dismissed with cost, having no force thereto.



Secretary to Govt of KP
C&W Department
(Respondent No.1)



Chief Engineer (Centre)
C&W Department
(Respondent No.2)



Administrative Officer
O/O Chief Engineer (Centre)
C&W Department
(Respondent No.3)