30.**0%,2022**022

Bench is incomplete, therefore, case is adjourned to dylingato Additional Advocate General for respondents for the same as before. present.

07.10.2022.

Learned counsel for the appellant made a bequest for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 07.11.2022 before D.B.

(Mian Muhammad) Member (E)

(Kalim Arshad Khan) Chairman

07.11.2022

Appellant present in person.

Naseer Ud Din Shah learned Assistant Advocate General for the respondents present.

Former requested for adjournment on the ground that his learned counsel is busy in hon'ble Peshawar High Court Peshawar. Last chance is given. To come up for arguments on 27.12.2022 before D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

27-12.23 Due to Winter Vocations
The case is adjurned

-to 3-4-23

01.02.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 01.04.2022 before the D.B.

(Rozina Rehman) Member (J) (Salah-ud-Din) Member (J)

1st April, 2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Former requests for adjournment due to nonavailability of learned senior counsel. Adjourned. Last opportunity is granted. To come up for arguments on 09.06.2022 before the D.B.

(MIAN MUHAMMAD) Member (E) **CHAIRMAN**

09.06.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General 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 30.08.2022 before the D.B.

(Fareeha Paul) Member (E) (Salah-ud-Din) Member (J) 16.09.2021

Mr. Arbab Saif-ul-Kamal, Advocate, for the appellant present. Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present.

Mr. Arbab Saif-ul-Kamal, Advocate submitted list of legal heirs of the deceased appellant alongwith Wakalat Nama, which

are placed on file.

Office is directed to make necessary entries in this respect in the memo of appeal as well as relevant record accordingly. Adjourned. To come up for arguments before the D.B. on 10.11.2021.

(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE) (SALAH-UD-DIN)
MEMBER (JUDICIAL)

10.11.2021

Mr. Arbab Saiful Kamal, Advocate for the appellant present Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 01.02.2022.

(ATIQ UR REHMAN WAZIR) MEMBER (E)

SCANNED KPST Peshawan (SALAH-UD-DIN) MEMBER (J) 01.04.2021

Nemo for parties.

Kabirullah Khattak, Additional Advocate General for respondents present.

The preceding date was adjourned on Reader's Note, therefore, both the parties be put on notice for 16-07-2021 for arguments before D.B.

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

16.07.2021

5x 22260. B. 16-18-27

Son of the appellant alongwith Mr. Arbab Saif-ul-Kamal, Advocate, present. Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present.

Learned counsel for the appellant stated at the bar that he has been informed that the appellant has died, therefore, he will submit—list of legal heirs of deceased appellant for impleadment as appellants in the instant appeal. Adjourned. To come up for further proceedings before the D.B on 16.09.2021.

(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE) (SALAH-UD-DIN) MEMBER (JUDICIAL) 15.05.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.08.2020 before D.B.

18.08.2020

Due to summer vacations, the case is adjourned to 20.10.2020 for the same.

Reader

20.10.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 30.12.2020 for hearing before the D.B.

(Mian Muhammad) Member Chairman

SCA K. Poshuwar

30.12.2020 Due to summer vacation, case is adjourned to 01.04.2021 for the same as before.

Reader

11.11.2019

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 13.01.2020 before D.B.

Member

Member

13.01.2020

Appellant absent. Learned counsel for the appellant absent. Mr. Usman Ghani learned District Attorney present. Due to general strike of the Bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 13.03.2020 before D.B. Appellant be put to notice for the date fixed.

Member

Member

13.03.2020

Learned counsel for the appellant and Mr. Ziay Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 15.05.2020 before D.B.

Member



09.04.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment. Adjourn. To come up for further proceeding on 25.06.2019 before D.B.

Member

Member

25.06.2019

Counsel for the appellant and Addl: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 27.08.2019 before D.B.

Member

Member

27.08.2019

Appellant in person present. Mr. Zia Ullah learned DDA present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 11.11.2019 before D.B.

SCANNED KPST Peshawat

Member

Service Appeal No. 1048/2017

13.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted despite last chance. Learned Additional AG requested for further adjournment. Last chance for filing of written reply is further extended subject to payment of cost of Rs. 1000/which shall be borne by the respondents from their own pockets. Representative of the department is also not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments and cost of Rs. 1000/- on 22.01.2019 before S.B.

Muhammad Amin Khan Kundi Member

22.01,2019

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Barkat Ali Litigation Officer present and submitted written reply/comments. Adjourn. To \ come up for rejoinder/arguments on 09.04.2019 before D.B.

02.08.2018

Miss. Uzma Syed, Advocate put appearance on behalf of counsel for the appellant. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Addl: AG requested for adjournment. Granted. To come up for written reply/comments on 13.09.2018 before S.B.

Chairman

~

13.09.2018

Miss. Uzma Syed, Advocate counsel for the appellant present. Mr. Kabirullah Khattak, Add: AG for respondents present. Written reply not submitted. Learned AAG requested for adjournment. Granted but as a last chance. Case to come up for written reply/comments on 29.10.2018 before S.B.

29-10-18

The to Retirement of Honorable Chairman the Tribunal is man functional therefore the lass exadjourned To come upfor the Same or 13/12/18

SCANNED KPST Peshawar 14.03.2018

Learned counsel for the appellant present. None present on behalf of the respondents. The present case is lingering on at the stage of pre-admission notice for sufficient time. Hence in the circumstances of the case, to avoid further delay the present appeal is admitted for regular hearing subject to all just/legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 30.04.2018 before S.B

Appellant Pannelted Security Process Fee



Member

30.04.2018 None present on behalf of appellant, Learned Addl: AG for the respondents present. The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 27.06.2018 before S.B.

Reader

54 at .D.

Junior counsel for the appellant and Mr. Muhammad Jan, DDA for the respondents present. Written reply not submitted. Requested, for adjournment, Adjourned. To come up for written reply/comments on 02.08.2018 before S.B.

Mulf Member 02.01.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 24.01.2018 before S.B.

(Gul Zeb Maan) Member (E)

24.01.2018

Learned counsel for the appellant present and seeks adjournment.

Adjourned. To come up for preliminary hearing on 20.02.2018 before

(Muhammad Hamid Mugha l) MEMBER

20.02.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 14.03.2018 before S.B.

(Gul Zeb Khan) -: Member

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SCA PILLO Ke St Peshawar

·.24.01/2018

35.001.00 3

Leasted counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 20.02.201 before StB.

(Muhammad Hamid Mugha I) MEMBER :- 3

Ú.

26.10.2017

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for preliminary hearing on 14.11.2017 before S.8.

(Muhammad Amin Khan Kundi) Member

28.10.2017

8

14.11.2017

Counselville residence and all control and an Adic control

Counsel for the appellant present and requested for

adjournment. Adjourned. To come up for preliminary hearing on 07.12.2017 before S.B.

(h, 12.2017 before S.B.

(Gul Zeb Khan)

(Ananam Memberin Khan Kan di)

07.12.2017

Junior counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 02.01.2018 before B.

(Gul Zeb Khan) Member (E) √5.\{0.2017

Counsel for the appellant present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving as Chowkidar in Education Department however, during service a criminal case was registered against the appellant vide FIR No. 140 dated 14.11.2004 under sections 302/324 PPC Police Station Saddar. It was further contended that after registration of the said criminal case the attendance of the appellant was beyond his control therefore, the competent authority terminated him from service vide order dated 20.03,2007 on the allegation of his absence. It was further contended that the competent court vide order dated 29.05.2013 acquitted the appellant from the charges level against him on the basis of compromise and thereafter the appellant filed departmental appeal on 20.05.2016 as well as departmental appeal dated 25:05.2017

but the same was not responded hence, the present service appeal. When the learned counsel for the appellant was confronted that the appellant was acquitted on 29.05.2013 but the appellant filed the departmental appeal in the year 2016 and another departmental appeal in the year 2017 and the same is beyond the date of limitation period. Learned counsel for the appellant contended that since the matter pertains to pensionary benefits and the impugned order of termination of the appellant has been passed retrospectively therefore, the same is void ab-initio. As such the limitation does not run against the void order. Since the departmental appeal has been filed after the limitation period therefore, pre-admission notice be issued to the Learned Additional Advocate General Office for assistant on the point of limitation. Adjourned. To come up for preliminary hearing on 26.10.2017 before S.B.

(Muhammad Amin Khan Kundi)

Form-A

FORMOF ORDERSHEET

Court of	4.50	:		<u>.</u>
Case No.		1048/ 2017	•	'

	Case No	. 1048/2017
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1,	18/09/2017	The appeal of Mr. Qamar Ali Khan presented today by Mr. Saadullah Khan Marwat Advocate, may be entered in the Institution Register and put up to the Learned Member for
		proper order please. REGISTRAR
Ž- '	20/9/17	This case is entrusted to S. Bench for preliminary hearing to be put up there on $\frac{S-10-201}{7}$
		MEMBER
	\ - -	
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, ,		

16.09.2021

Mr. Arbab Saif-ul-Kamal, Advocate, for the appellant present. Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present.

Mr. Arbab Saif-ul-Kamal, Advocate submitted list of legal heirs of the deceased appellant alongwith Wakalat Nama, which are placed on file.

Office is directed to make necessary entries in this respect in the memo of appeal as well as relevant record accordingly. Adjourned. To come up for arguments before the D.B on 10.11.2021.

(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE) (SALAH-UD-DIN) MEMBER (JUDICIAL) 30.12.2020 Due to summer vacation, case is adjourned to 01.04.2021 for the same as before.

Reader

01.04.2021

Nemo for parties.

Kabirullah Khattak, Additional Advocate General for respondents present.

The preceding date was adjourned on Reader's Note, therefore, both the parties be put on notice for _______ for arguments before D.B.

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

16.07.2021

Son of the appellant alongwith Mr. Arbab Saif-ul-Kamal, Advocate, present. Mr. Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present.

Learned counsel for the appellant stated at the bar that he has been informed that the appellant has died, therefore, he will submit list of legal heirs of deceased appellant for impleadment as appellants in the instant appeal. Adjourned. To come up for further proceedings before the D.B on 16.09.2021.

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

(SALAH-UD-DIN) MEMBER (JUDICIAL)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 1048/2017

Qamar Ali Khan

versus

D.E.O & Others

INDEX

S. N	Documents	Annex	P. No.
1.	Memo of Appeal		1-3
2.	Appointment order dated 06-10-1987	A."	4
3.	FIR No. 140 dated 14-11-2004	: "B"	. 5
.4.	Termination order dated 20-03-2007	'C"	6
5.	Representation dated 18-04-2007	"D".	7
6.	Acquittal order dated 29-05-2013	"E"	8-11
6.	Sub-sequent Rep: dated 20-05-2016	"F"	12
7.	Final Rep: dated 22-05-2017	"G"	13-14
Ī			

Through

Appellant

Saadullah Khan Marwat

Advocate.

21-A Nasir Mansion, Shoba Bazaar, Peshawar.

Ph: 0300-5872676 0311-9266609

Dated. 16.09.2017

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A	No.	/201	7
•		<u> </u>	,

Qamar Ali Khan S/O Hayat Khan, R/O Gedder Mama Khel, Bannu, Ex-Chowkidar, GPS, Gedder Mama Khel.

Appellant

VERSUS

- 1. District Education Officer (M)
 | Bannu.
- 2. Director, Elementary Education, KP, Peshawar

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APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST OFFICE ORDER NO. 2494-97, DATED 2003-2007 R. NO. 1 WHEREBY APPELLANT WAS
TERMINATED FROM SERVICE WITH EFFECT FROM
15-11-2004:

⇔<=>⇔<=>⇔<=>⇔

Respectfully Sheweth;

- 1. That appellant was appointed on 06-10-1987 as Chowkidar and was posted at GPS, Gedder Mama Khel, Bannu. (Copy as Annex "A")
- 2. That appellant was performing his official duties without any complaint when on 14-11-2004, he was implicated in criminal case along with other relatives by complainant Muhammad Haroon. (Copy as Annex "B")

- 3. That on 20-03-2007, appellant was terminated from service by R. No. 01 with effect from 15-11-2004. (Copy as Annex "C")
- 4. That appellant submitted representation on 18-04-2007 with Registry No. 1293 dated 18-04-2007, before R. No. 2 for reinstatement in service but in vain. (Copy as Annex "D")
- That due to the fear of torture of police as well as enemies, he was not in position to do the needful, yet after compromising the matter, he was acquitted from the charges on 29-05-2013 by Additional Session Judge-I, Bannu. (Copy as Annex "E")
- 6. That on 20-05-2016 appellant submitted sub-sequent representation before the authority. The same was marked to SDEO (M), Pry for detail report but no further action was taken. (Copy as Annex "F")
- 7. That on 22-05-2017, appellant submitted final representation before R. No. 02 but without any fruitful result. (Copy as Annex "G")

Hence this appeal, inter alia, on the following grounds:-

GROUNDS:

- 1. That appellant rendered 17/18 spotless services to the department but no benefit of the same was given to him.
- 2. That appellant did not absent from duty willfully but was due to the aforesaid compelling circumstances.
- 3. That after gaining acquittal from the competent court of Law, the department was legally bound to reinstate appellant in service.
- 4. That since 18-04-2007, appellant submitted representations to the Authorities for reinstatement in service, but no heed was paid to the same for ulterior motive.
- 5. That no order could be given retrospective effect.

It is, therefore, most humbly prayed that on acceptance of appeal, order dated 20-03-2007 of R. No. 01 be set aside and appellant be reinstated in service with all back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

OR

In the alternate, appellant be given Pensionery benefits, G.P fund, Gratuity, etc of the rendered services.

Appellant

Through

I ble Klee

Saadullah Khan Marwat

Arbab Saiful Kamal Advocates

Dated 16-09-2017

4 6-10-8

OFFICE OF THE SUB DIVL: EDUCATION OFFICER (M) BANNU.

APPOINTMENT.

is hereby appointed against the post of Chowkidar at GPS ludor Mama Wal @Rs. 600/-PM in revised Basic Pay

scale No.1 from the date of taking over charge.

Charge reports should be submitted to this office.

He is directed to produce Health & age certificate

from Medical Superintendent DHQ Hospital Bannu.

He will be governed by the service rules in force.

No TA/DA is allowed at the time of first appointment

If he wishes to resign he will give prior notice

or one months pay will be forfeited in lieu thereof.

He is not allowed to take over charge if age is less than 18 years or above than 40 years.

(MIR ADAT KHAN)...
SUB DIVL: ELUCATION OFFICER,
(M) BANNU.

Endst: No. 8254-56/ Dated 6/6/1987

1. Headteacher GPS - Gidor Mama Khil

2. Candidate concerned.

Sub Divl: Education Officer,
(M) Bannu.

(MOHSIN)

12.00 Up 14 04 000 000 1000 تحط نهر بلا فار 19.00 -00 14 01 05 5 2 18.30 -00 14 01 1029/10 de Cis This Cost & District of Control of - Distribution routeils for be - its Co one coil is. 100 TO 100 600 600 W Chings in in Ching Ob Cing Cin Cin 2 76 Pin Sim مررن تران نام المحد معرف تراس مراس مران مران مان رسول المرفل في سيل ميه ورمان ع - ح ديث مين ٥٥ ١٦ ع فردست مرك مل منه عمران ی درد فن کسین مدارهای سیسرافی ک کرم در این م الله المراجع wide out price a minicipe on think of the information of الم المن المناس المناس من الله من المناس الم من المعالم الم Find of the reserve du tob offer and a wife Collair - letiolis or comment of of in come action of Baconing and in some and in de inthe and as a find with the state of On Estimated I plus on 6 Constitution & de with the the survive of the property of the services of Tid naport of francis of the form of the The Sund Sing 2- Aut 8 de

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10 15 بجصفى LEAVE Reason of Signature and designation of the Head of the Reference to any termination Allocation of periods of (such as recorded punish-Signature of leave on average pay upto four months (or earned Date of promotion, ment, or censure Signature of the the Head of termination office or other transfer or reward or head of the office or other Nature the office of leave not exceeding 120 days) to which leave salary or appointpraised of the Attesting Officer in dismissal and other Attest-ing Officer ment Government etc) duration Attesting officer is debitable to another scrvant attestation' of leave Government چار ماه یک کی رخصت کیلئے اوسط پہنچوا و کا تعین of columns taken وحويات I to 8 تاريخ انقطاع ملازي رخصت کی ترقىء تنادله انقظاع Govt. to which debitable كادكروكى كاربيكارو Period نوعييت و با برطرتی ملازمت عمصه رقم إدا بهوكي tlip 12 Mr Gamar Ali Khan howhalar Got Godar. Mana while is hirry to minuted from service west. 15/11/2 or 4 due to long willful atsence after fulfilment of all codel formalities Ly EDG 552 L NO 2494-97 2-14/VOL: 1/AE-1 daled 20/3/2007 Dy: D.O. Edu. (m) Pry. Bannu Merkey

18-4-07 ندست فياب در وك الحوكش انسرماب بنوى , Py No. 1293 درفواست براد کا کا براسوک dutil 18.4.07 دن زارس ا - يكر ما مل قد كيد مس كشه و برار كفرى موا تما اورتوراند برانم رك كريد كلى مي وزمات سراي ر رع كفا . مرکعی تعویمی حسیت سے سائس کو مورہ کا ۱۹۰۱۱ کو فوجواری مندم میں برنوی سے موٹ کیا گیا۔ ٣- به منه ما باس راخی ما فی کیا - اور معی مورج 29 م كاروس ازعدات فياب المان و بيون ركا في على -ع نے ماعزے بری ہونے کے لیم ساس مرکزی کا کا خدارہے مولكم مقدم بالإس بعها مأوت كباكيا نفار فيا على ما ع م مم بويغر قي و د دمنوج فرط مورا مر مال رن مه حک صاور فی موس ، ماز ایست و ما کر رسول طی 16 Ja 2 - Usi Je La Juli Will it is the Common Mi Idam ما يتم توكيما رايدنت برائم عاسك كريم و محرف بول. D THE PROPERTY

PP for the state present.

Accused Qamar Ali in custody produced.

Mutation No. 1098, duly attested by the revenue official on 28/5/2013, whereby in toto 8 kanals 18 marlss landed property has been transferred in names of the minors namely Sadam and Kamran (minor sons of deceased) and Mst. Zaiba (minor daughter of deceased) according to their respective shares in Diyat on behalf of the accused party, on which the complainant party/L.Rs of deceased got satisfied, placed on file.

ment of legal heirs namely Aftar Khan (father)

Mst: Bas Kamala (widow), Mst: Bakht Janan

(mother), Adnan and Muhammad Haroon (sons

of deceased) and Mst: Bahnama (daughter)

in respect of compromise with the accused

Qamar Ali has been recorded, according

to which they have pardoned their rights of

Qisas and Divat being major L.Rs of deceased

Quick and Compromise of the control of the con

2 Las Sand Constructions in Section 12 miles in 18 mil

A Bakhi Jana A Adhan, 5 And 6 Mst 140 dated Innu and Ali and Of the had

Θ,

and have also got no objection upon acquittal of the accused Qamar Ali.

Regarding factum of compromise,

joint statement of elders namely Mujib-ur-Fehman
and Muhammad Tahir Khan has also been recorded

placed on file. They also took responsibility
in case of any illwell in between the accused
and the L.Rs of deceased. Compromise papers
are also available on file.

As theoffence being compoundable and compromise seems to be genuine, I while accepting compromise, acquit accused Qamar Ali from the charge, levelled against him. He is in custody, he be released forth, if not required in any other case.

File of this court be consigned to RR,

Announced 29-5-2013 (Liagat Ali Khan Marwat) Addl: Sessions Judge-I, Bannu

V. Kegravation No

2. Date of Prosentation of Application
3. Date of Proparation of copy

4. Case of Delivery of copy

5. Negacopies of a inheritation
6. Usual Fee fig.

7. Special for Rs.

8. Signature of Copyint

Joint statement of legal heirs of deceased Imran Khan namely 1.Mst Bas Kamala (widow), 2.Mst Bakht Jana (mother), 3.Aftab Khan (father), 4.Adnan, 5. Muhammad Haroon (complainant) (sons) and 6.Mst Bahnama (daughter)

That Muhammad Haroon has registered a case FIR No.140 dated 14-11-2004 under sections 302/324/34 PPC of P.S Haved, Bannu and for the offence of Qatl-e-Amd of our deceased son Murad Ali and ineffective firing over the complainant. We, the legal heirs of the deceased have patched up the matter with the accused and had forgiven the accused in the name of Almighty Allah and have waived the right of Qisas and Diyat while the accused is ready to alienate the property in the names of minors Sadam and Kamran (minor sons of deceased) and Mst Zaiba (minor daughter of deceased) according to their respective shares of Diyat amount. If any legal heir of the deceased is dig out then we shall be responsible. We have got no objection on acquittal of accused. The compromise deed EX:PA and proforma EX:PA/1 are correctly bear over signatures and thumb impressions.

RO&AC 15-05-2013

(Liaqat Ali Khan Marwat) Additional Sessions Judge-I, Bannu

Aftab Khan (father) (father of deceased) No.11101-584910-7

Mst Bas Kamala (widow of decease) NIC No.11101-8938242-8

Mst Bakhat Janan (mother of deceased) NIC No.11101-8451797-2

عريان Adnan (son). coplex

Muhammad Haroon (son/complainant) NIC No.11101-1463680-3

Mst Bahnama (daughter)

The ladies are identified by Aftab-Khan

Copylest
Dictrict & Session Judge
Banny

(Liaqat Ali Khan Marwat) Additional Sessions Judge-I, Bannu Joint statement of the elders 1.Mujib-ur-Rehman S/O Raqib Khan and 2.Muhammad Tahir Khan S/O Sher Ghulam Khan stated on oath.

the village of the deceased and accused party. We know both the parties being our co-villagers. Through our efforts both the parties have patched up the matter. The deceased party has forgiven the accused in the name of Almighty Allah and waived off the rights of Qisas and Diyat while the accused is ready to alienate the property in the names of minors Sadam and Kamran (minor sons of deceased) and Mst Zaiba (minor daughter of deceased) according to their respective shares in Diyat amount. Apart from the major legal heirs of the deceased if any other legal heir is dig out than we shall be responsible for it. The compromise is genuine and in the best interest of the parties. The compromise deed EX:PA bears our signature correctly.

RO&AC -15-05-2013

> (Liagat Ali Khan Marwat) . Additional Sessions Judge-I, Bannu

1.Mujib-ur-Rehman CINC No.11101-8672203-1 2.Muhammad Tahir Khan NIC No.11101-4913862-5

(Liaqat Ali Khan Marwat) Additional Sessions Judge-I, Bannu

District Sunday

عرض مد و مركك المحسن المردان على من ر کی طالر برختی سے اور 14 مرسائل کا 302 کی تقدم در تر برکیا ۔ می طالر برختی سے الک 14 مرسائل کا 302 کی تقدم در تر برکیا ۔ 129 - 1105 2011 of view on 2011 for 100 2011 for ساکی فیر تفواسی کال درواست کاریستی اور ایم ای کاریستی اور ایم کاریستی آ ۔ فاولام کی الم ماکی ماکی ماکی میں کا میں مار تھا ہے تمريعي عان ولرضا عان وليزار عن رس سرومل

22-5-17 محترور المار المربور ماص المار من المربور ي المربور ماص المار من المربور ماص المار من المربور من ا ایبل بخراد می ای برسروس / میشش وغیره 136-6 ذہل گزار سن ہے ، به سائل كورف 1987-10-60 كو كفيفيك جوكبوار بعرتى موا اور كورنث يريشري كول كيدو وا ما جول منول مين متعين كيكب ـ 2) ہے۔ الل ای فسر لگوں معنی لیکٹر کسی شکابی کے سرانی دیے رہا تھا کہ بولسی سے ورفہ4002-11-141 کو مُستفین و روان نے فوجد (ری فقدممر) دہررات، دارول مستصحسراه ملوت میار يه مه د منون ي ور ي وجه س س الل بس بيرده حلا كما سك كعير ازال رامي نا مه معو سر فورفه 201 - 20- 29 كو مُندمه بالاست برى كر د باكبر). يتم مر رهائي سے ثبل کال فور فر 4002-40-81 كو جن) الحو يوش آنمیسک خومت میں بی ی بر فوزمدے در خواس کے زاری عی سین ایس بر وئی عمل در رَمَر نبي مِلْ بركي ب سے کہ سائل کہ خلاف تاکونی کو ازمان کی مکیس نیسی کی گئی اور (بغیر کسی لؤنشی) سے کہ سائل کہ خلاف تاکونی کو ازمان کی مکیس نیسی کی گئی اور (بغیر کسی لؤنشی) والكوالبريء ألازمت سي برطرف بركب. بيه من مواجم عن تقدراً وعمداً منه تفي بلكه الفي أني أرع الموراج اور وُستُمنو ل وكوليس کے واری وجہ سے تھی جو منظروں سے باہر تھی ون عداً وقعماً خرص سی کہ خکم فورض 7004-80- 20 خلاف دانی ک سے اور بروکے مبعلہ مشری کورے کم توجو اری تقرام حشم خوے سے تعبل سے میں کی کی لی

سے لیے فی رقوم سے رجوع شرک را کی سائے لعندا استرعاء سے معلم تورفہ 7 معد- 30-00 خلاف قالذل و الله واقعات مفوت و وبسر مسنى بربرنسنى ومنسوخ مرما كل كو ملا مَا مُسْرِقًا نَ بِي كُوبِي لَ مِنْ كَاظَمُ مِهَا در مِحْبِيرٍ, كَعَمِرِنَ دَبِيرً الل تو محکمل سینندی فوانگر کر) نوستی قطار کرد کا محکم م) در دُفاً تو رهورگا Jaman Stivan المرقوم -2017-20-22 فمرملی خای وکرمیات خان کند کررژ مرمیل سول . ساكفه چوتيودار ورمنى براغمركول كبراز مرمول برول.

بعالت جاب روس طربونل صوبر سرمد بشاور منجانب العلائف منجانب منجانب العلائف منجانب منجانب منجانب منجانب من منجانب منجا باعد المرام المرام مة يدمند مبعنوان بالامي ابني لمرضيه واسط بيري وجواب دمي وكل كاروا كى متعلقة ال مقام لبثاور كسيطي السعد افات خان وقيت اليوكيط إنى كورط كووك مقررك إظارك وانست كرماب تمويتوي كومقد مي كاكارواتي كاكابل ابنة يارسج كانيز وكيل صاحب كوكرينه دايني المروتقور ثالث وانيصله بزطف ييغ جواب دنسي اوراقبال دعولي اوربفتوتز كأكري كسيفا براء أوروصولي جيك وروبيه أوربرض رعوي اور ررخواسيت مِوْتِم ی نقارین اوران برمیتخط کرنے کا اختیار تو گارنیز لیمورز عدم بیروی یا داگری بکیطرفیریا ایل کی برکیدگی من من از اوران برمیتخط کرنے کا اختیار تو گارنیز لیمورز عدم بیروی یا داگری بکیطرفیریا ایل کی برکیدگی ا در منسوخ البزر واز کرنے اپنی نگران ونظرانی و بیروی کرنے کا اختیار برزگا اوربھورت هرورت مقدر بنور كة كل يا فَرْدِي كارِدا أَى تَسْتَ واستِلْ اوروسِل يا مُنارِقا نون كو البني مُرَاه يا ابنى بجائے تمرز كا اختيار سوكار ا ورصاصيه مفرين ه كويمي وسي جمار مذكوره بالا اختيارات عامل مول شير ا وراس كارسا نعته برفيا خند مناور قبول مجدًا و دولانِ مقدمة ب جوخر حبر و برجانه النوار مقدمير سيب مبوكا الصمستمق وكمل ها حب مَرِينَ وَنَ بَهِ لَ كَ مَيزِ لِفَا يَا دِخْرِجِهِ كَيْ وَصُولَ كُرِينَ كَا بَعِي اَخْلِيارِ مُرَجِكًا ٱلْركوني بَارِيخٍ بِيشَى مَفَامُ روره ہر ہمو یا فدسے اہر ہو تو وکیل صاحب یا بند نہ ہوں گے کہ بیروی مذکور کرتی۔ لبنز وكالت نامه بكھ وباكہ سنرشيے۔ المُعَاثِد العرب تحريمي فان الموليك الأوكنط الموكسط

BEFORE THE HONOAURABLE KHYBERPAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1048 OF 2017

Qamer Ali Khan

Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & Others Respondents.

JOINTS PARAWISE COMMENTS ON & FOR THE BEHALF OF THE

RESPONDENT NO.1,2 and 3.

PRELIMINARY OBJECTIONS.

- 1- That the appellant has got no cause of action/locus Standi.
- 2- That the instant appeal is badly time barred.
- 3- That the appellant has concealed material facts from this honourable Tribunal
- 4- That the instant service appeal is based on mala-fide intentions.
- 5- That the appellant has not come to the Honourable Tribunal with clean hands.
- 6- That the appellant is not entitled for the relief he has sought from this Honourable Tribunal.
- 7- That the instant service appeal is against the prevailing Law & Rules.
- 8- That the instant appeal is based on mala-fide intentions just to put extra pressure on the respondents.
- 9- That the appeal is not maintainable in its present form.
- 10-That the appeal is bad for mis-joinder & non joinder of necessary parties.
- 11-That the instant Service Appeal is barred by Law.
- 12-That the appellant is not competent to file the instant appeal against the respondents.
- 13-That the appellant is stopped by his own conduct to file the instant appeal.

FACTS.

- 1- Para No. 1 is correct to the extent of the appellant that the appellant appointed as chowkider on 6-10-1987 and was posted at GPS Gedder Mama Khel, Bannu.
- 2- Para No. 2 is correct to the extent of the appellant that the appellant has been charged vide case FIR No.140 dated 14-11-2004 Registered under section 302/PPC at police station Haved District Bannu. However, the appellant did not inform the department with respect to involvement in criminal case. (copy of FIR is Annexed as Annexure-A)
- 3- Pare No.3 is also incorrect, that the appellant remained absent w.e.f., 14-11-2004 to 18-4-2007 and the Department has served upon three absentee notices to the appellant vide NO. 2347 dated 27-6-2006, No2471 dated 27-7-2006 and 2544 dated 18-8--2006 and also published his absentee notice in Daily Express dated 15-11-2006. The respondents also sent letter for Personal Hearing vide this office letter to appear before the enquiry committee framed for personal hearing on 15-2-2007 in

Anax (Maring) Construction Anax (A) 5,700 m14 the spirite is 218.00 in 14 th (500 51030 in 14 th Sylinds (Ju 23 de Strain à Uni de l'air villes cien si 199/14 1990 है कि कार्य के कार्य कि कि कार्य के Meshical visite of State of the Bucilis Mich My Story of Well Mill Coll Strate 25 Printice we good wo the light is it to the conjust colored من ورود و اع الحدالة المراكة الموالي العالم المالية والمراكة والم العالم المالية والم العالم المع المراكة والم missible de la lastife de la file pociones de elegatione الم الم الله الله وهوى من الروسي في المراسية الم المضامر مرست من عربال على والمرب ر عرب ن مارك و مربال وربال و دربال و دربال العران والمالي المالية Wife wind it is Out of in for the Blook of Monge phylipse Estemblication with Usb and مرت رک نوف ورک ماری رازماندان

2347 . العليم في وا الحوالم بركز كراكن فيد من أول دوكي 3 July Milly Sold of المالعي مؤلى و الواسية وس 1/1/2 2348

و نی دُر نراز از دروا م مراتم ی کرارز بران م و فرس فان جو لساير 27 =6 19/2 2347 (25 11) 00, 213 . - - 11 3/30/2-8-4/20/6/ در در ون و حقول می ای میرون و کور در این کی میرون و کی کی ای کار مر 1000 July 3/1/200 - 1/1/2 -With the service of the country of the

19/8/2006 19/0 و بنی در سول ا بناك المعلى فال فولسور سراري سول ليدر مميا ورور نيز ريا ٢٤٦ درام ١٥٠٥ -924 الموسية الموسرية المائية رسی مزمه وای کی لی مردل د مرا مید واد ایس موسا _ ليدوق ل هدار المام و الرابيد

تهايمست كالكاشم كممايلعد للمثر بمدون وذميم يشيم 🖟 كاكل ليفتل عل الوينزن التارسنة 19 بتيل يقل وير

دی کل مشهوری ایران سافتی فار 1110-11110 30054302

شروري فيندري ترواه هذات مي ويتواشيس برهد يووفي الماقية ميس

لِنَّلِ اعْرِيمُ عَلَى 30 مَامِدِ اللِّيلِ رَوْلُهِ مِنْ 318253 042 042

والأفرال كألك كمسف واسط أن اسيت مك ووحل يرجعه

30066300--

فلندا تمانمه ويسير عن الميان يحل بدل قد عن كادكول سلطان الرانيده كيست ثنادمهم خان اغده كيست تحراجيب لهديد لعلا العكام كول كم التن اختا فاسترق مر يحتشبهات فالتاتي الداوي فالعالم المعاركم كالكرك سيكساه ماتها كسائل كرشتين كالمحل إمل كشلى اب مسامام خان کے ایک معیل محتوے معاصلا است لمم مو مے کارکھا ئە ئىلىن ئىنىكى ئۇدىت يەستىكا كىرىدى يالىلىلى ئىسانى مند خان کا مام سے مرکزوں کے مرموز تر مردش ارافی من كارك يام وكرستاى بلدو سد مدار و كل مراح و المراحز بابمذك يذماتناه على زمست كماكل

مردان میں عاز مین حج کے

مولاتاستيمالله والدور كرماه وقرم كادكرة ادر مراسف أفاكل التفاط مودان (الماحد فسومی) فی خدمت کیل منع بردان فيض محرام اعلى ماى مديق ادرميدالسرا إمات فإن كام كرماتك في كرآن وسندك دوس فريخ كذي اجمام بان كن م كيك ومركار فكا وركناب كوشد دوز باربعل عمامتاز ترجى فنبيت ماندة وفي واكز مزيز ت ع اور حرو کی اوا کی اور قرائش اور سند مین کے ام کی رہن کی بر شند، برقی بس می مثل مرے ماز میں وكلاب على خاتمن الديرونان كوم كارزارت فالك یا نے میر تردوی ٹرکت کی درکتاب علی کے خدمت امورکی فرف سے حماحتی شکے بھی توات کے بعدازاں کنی کمش مردان کے مربرست ابنی موتا ؛ سیدہ خہ جان مقاولا احرك طرف عالاع كرام كاوادى ي تكند تمران بحك دياكيار ونكرميد بدارول قارى ايجب ماتى مديّل جيئونّ قرى

منت في بومائ بروارسين! كم اخان كرة من كول ماكف بيل يادى لك يمل جاء ك يم بر الكون الربر برك والم الد فيور بمؤن مال (لاكده الكيريس)ك اين في ك موبان سلان سے لاکول روے کا چند، وسول کرتے والے آن الی کی برحل دہشت گردی در بریریت کے مُؤالب احمان ہ دائی کول ٹھی ایوں نے کہ کر ہے وک آن يت ايك يين عل فهل غ كما كر امريكي ايا، ي مرف الل کے دزاروں سے بے ہوئے پیوکرا مریک ک مرف عدد الرون كالإر الركس أرب

كالل كام كالرواد مين إكداع كالت كاما كو إلا کے معدایم ایم اے کوانڈ ٹی طور پر مکومت ہے '' لمنال ش جراد كادنان كرف وافي لادل في الكول

اجوزير سل كفلاف موالى موت

TOTAL TOTAL

آپ کا قرقی مین خیراتی کودمشت به توی شمل کمیلا مرفیل حق چرکیده که زمیده اک بسند براساند مراسان بر 2347 ميور 27.6.2006 واشت قبر 2471 ميور 27.7.2006 يامشت قبر 2544 مرو 18.8.2008 كر للرواز الخياة المركمة آخير (موالد) يعافري على الكارات كافي كراً بسرود 2004، 15.11 يصري مل ايا أن ب فيرما شمك إن جينا كل مست كوم في إد عدا كبرك . قد إي في ب يستود فير، شريد، بندا آب و بدريدا شبار فيا أفليرية كالإجريك فألك فت كالمعمدا إذا في ما ترويا كيلط متوليدة كرك بكراي مت كينة الخال في أن ين فيرما خروس . إمورت و كم أب يجز ف معدل آول بني 2001 م ع في بخرف كاردوال لل يمره ل بالحل ما مرا ب كرع ذمت ست برعامت الزكواب يا .

مەد 15 ئىم 2006 - يىغا بەرة ئىمۇزىمى ئارىلىدى بەرئىلەش مىزىسمان يۇك ئىددى ئىدائىپ جەل ب دې ښک ټيوړيم کړنه تيک.

نسسوانط (۱) ما این ۲ ما تذکرنے کے لئے کا 10:00 بیٹے مٹے برابازت ہوگ ص کے بدینا ہ ٹروخ اوبات ك د(١) يَ يَمُونِ مِن مُعَادِلِنَا فِي مُعَالِم اللهِ عَلَيْهِ اللهِ الثَّافَ كَالِمُ مِن مُرول بد و در وال عل حدثين ليا باستكار (٢٠). يا يامتم برئ بركام زب يال دوند كري مل أمّ الا 25 م ق بره كري ميرك بترييز يا 75٪ وتم بمسائم فمن (3) يم سكاندها كما بوكي بيّدة في زكات كرميدت عن بعاد في مركز نبذكر لإبات ك (٢) رم: ا تَعْمَلُ كُلُ فُرَحْدُكُ فِي الْمُعْمِلُ فِي الْمُعْمِلُ فَيْمِ عِلْمُ مِنْ مِعْمَالِ عَلَيْهِ العالمان الانتساسات إلى سكاتعناسية فرسية بالخاشيك

فرشدة فيرزي كالدكوم كالمراء فنواطره وتناجر

مامنا ہے جس کی وجہ سے ابن کی تعلیم اوموری وہ باتی ہے المين في كما كرموجود ميكل ماسة عم بالدائن سائے گاکائی ٹی کمیلٹ میرنیک ہے تہیں ہے کہ کہ ہائس انظامات کی وجہ سے وارے عالمے کی سیمورال مرض هروى بيد الهوات كهاك يبال بروايداك

کا جلری تکرونو کے بستر کول سزا بالميشترون كانتهست قاقم برخى فرعيدهمام کی در سب

ひくりひひとくとことくくくじじんとしてき

مع مكول مات من الدرجي مكونها كي فارت الي تبير حمي

کے کے دنیں کی دننے کیس جکو کل سکواں کو اپ کر ڈیٹو کیا

ميا أله الماسة كما كد ميات آبادي ويستش سنرمى ال جام اے جس کے لیے فیال دن جارکرایا کیا ہے اور جندی

اس برم م شروع کردیا جائے کا مولی میس سے سال سے مالے ہے انہوں نے کہا کہ نے غورٹی اوس کے کی دوراں

شركيس كى كرامة فيم كى الرالية 366 كردوية ك لاكرت

ے کیس کا معمور محمل کیا کہا اور اب ان مذاؤں کی وام کو

میس کی محالت بسرے خوالے کہا کہ تن کے مثاقہ نثر،

دومرا بداسله خند مال دوؤول كا فما كروزون دوي كي

ا كت عدد دول كالمير مل كالدويق اعدرودول

تحبر کاکام جاری ہے الميوں نے كها كر حيات آ باد والن

اور المراكم كندا الماك ويرع مثلات كا ماما

ہ کونا تما اس سنے سے مل کے لیے موال کومت سے

تناون سے و مائل كروز روي كى فاكت ويك ير. ايك

مرول كا ماراك جي كفد ايك يان فا ماراك

جمل عُراسنعثوں سے تھنے دائے پائی کی مری سام تھ کے گ

جاع کی ہے آ مائی کے کے بھی دستری کیا جاسے ک

البول في كو كونيش ورقول من أبياق ك في بالى كا

سل براکرا قداس سلے کئ کے مالیں اوروب

ك الاكمت عد المروال كى منالى كى كى جمل عداً بالى كالجمل

سلامى بوكياب يتيول في كياكد إلى كسار من كرانان

على سيكان الهرباي بالإن الكلايك

فناس کے موال موست کے تعادل سے حیات آ ادی

كالذياد كم بهيتال بالإبار إب جس كي الم فياك دان تيار

كرلياكيا بادرال سنوب يرفي مدارب والدكت

آئے کی بنیوں نے کہا کو جس ماؤں می کل سے وہ لے

ے کی سائل کا ماما ہے کی منافول علی سے تنامغادم

لا سنة ك ادركل ك وري تهديل كالتمي جبك إنى منافران

يس كى النائدة ارمرك تبديلى اوريكى كى جرون كى تبديل ك

م وقد سے خصوص إت چيت ميكدد دان كيا۔ اس موقع برحم

اقبال خان بابوزق شرنئ حر دانتيونان محربهام فان عر

الخرعالم ذان بين وأيامي موجعة عند البين الناكري كان

منسل تخت أباد كي أبادي 27000 بزور كمرازي برستنل

ب كر بدستى ت دارى و زنن وسل لا تداوسال كا كار

ب منوں نے کہا کہ یافی علم فنت ہے تر ہم بیت ک ماف یائی ے اروم ہی جس کے یا مث محدما آ اور یائ ہے بر محدد تیں من کی دجے عاصة كن إدر ترافراد بيث

کی مختلف جاری میں بھا ہوئیکہ تیں انہوں نے کہا کہ مولّ

کیس ایم شرودست ہے کر پیال کے سمین ہوئی میس جمیک

ويم مواقت سنة مكل الحرام إلى الدم في مجس شاهر شاهر خاك

وجہ سے مذیبے کے محام کھڑی جائے پر بچور ہیں۔ پنجور

ف كباكر برى كالمنول تحدة إدى وكيون كالح إلى

سكول نديون كي ديدسته يهال كماتز كيون كونند بدمشكات كا

والقد تمرأ وتطالحا

لے اوبادل ہے

اس کے لیے زمین تو یہ ح تنبی اور ستا می و کوں نے

الار 4 ما مي مك داي زيمن كي: منتتهما جماعما لحاليماء كسده نے مجی ٹرکمت کی امینوں بھی ڈیٹ المون كا التهار كيا كميا أور ون به الدواسة أمذكها كباويزى بتر ے تنام مذافق علی ڈیکن واوئ آ كيابا شكال كرف الريار مك الإزنان نے رقم كى فراسى ك يمكن ولما بزور فعالي البزور فروان كاكباب الم ن الرطائر حكام كالمتكرب الماكرم ادرسوبا في متوصد كاكداس متعدي الح كذاذرا كقام مذلول يم برع كابات

: لقه تمسر جيزة ككامنوب إيتحل كحديث نىپ ولىنى ئىنتورى كى دى كى ت افتال کالونی مرداد اند بای کاز كارفالون كومترسحت قرامروسية کارما ٹول کی وجہ سے مناقد کننے المارين اورمو إنى مكومت في بيتر افی کے ارنائے شمرے ایمنظر ایک سال کزرنے کے باد مورور داشت ندبونگار انہوں سے مو پاک ماليكيا بدركيا كدى شف سايما كان. اورك كاشريد خفره لاحل ب مدار تمام سرف تالين بافي كارة فول و

لزون كالله عاكم ووافي كت شديق إمرانا بالأمامة منتاثيرة دائی آرائی *آوان کا دی*ارید وروائل عامل كرك برر كتب كي مطيحنا كونته الحراث ا

البين سيري كروزوا في مروري ئے می برید اور استی است إبرهٔ مایی کی بشی بی زمندی م ک ایس مواہر و کا مراقبی کے سرتنو ومنياند جمباري ستانه برجواكد. مهند بیرادده مادی و یکنهندش ياكستان يؤمران كمامرز تهتاب ترتك سكالرز إومعاختورول كاخواز

چادر (کل رم رقر) میماننز که : لحاذبين ادر إلحنوش اقال ان

ررزنامدائلیولیس ۱۵۵6 - ۱۱- ماه

CHIES OF THE EXECUTIVE DISTRICT OFFICER, SCHOOLS & LITERACY, BANNI.

TERMINATION ORDER.

3.

In exercise of Power vested to me under Govt: of N.W.F.P. Local Govt: Election & Eural Development Department Notification NO. 50 (I-G-1)3-196/E-M/05 dated 7-10-2005, Mr. Qamer Ali Khan Chowkidar G.P.S. Gidder Mama Khel Bannu is hereby terminated from Service wef. 15-11-2004 due to long will-ful absence after fulfilment of all codel formalities.

> 7 BIECTTIVE DISTRICT OFFICER, / SCHOOLS & LITERACY, BANNU.

2694-97 L-14/Vol: I/AB-I/M/Pry: Dated Bannu the 20 /3/2007.

Copy for information to the:-

District Accounts Officer, Banmup. 1-

Deputy District Officer (M) Pry: Bannu with reference to his NO. 3020 dated 20/10/2006 2.

Mr. Qamer Ali Khan Ex-Chowkidar GPS Gidder Mama Khel

Head Teacher School Concerned.

ZEXECUTIVE DISTRICT OFFICEP. SCHOOLS & LITERA-CY, BANNI.

BEFORE THE HONOAURABLE KHYBERPAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 1048 OF 2017

Qamer Ali Khan

Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & Others

Respondents.

AFFIDAVIT.

1 Barkat Ali Khan Subject Specialist BPS NO.17 Legal representative of District Education Officer (Male) Bannu do hereby solemnly affirm and declare on oath that contents of the reply to Appeal are true and correct to the best of my knowledge and nothing has been concealed from the Honourable court.

DISTRICT OFFICER (MALE) Elementary & Secy: Education

(LITIGATION OFFICER)

DEO (Male) Bannu.

Qamar Ali Khan

versus

D.E:O & others

LIST OF LEGAL HEIRS OF LATE QAMAR ALI KHAN:

Respectfully Sheweth;

- $\dot{1}$. That the subject appeal is fixed for hearing on 16-09-2021.
- 2. That during the pendency of appeal, appellant died on 10-07-2019 at his natural death and left the legal heirs as under:-

i. Gul Zahiriye Widow

ii. Qamar Zaman Son (Died)

iii. Umer Ali Khan Son

iv. Muhammad Raza Khan Son

v. Samar Ali Khan Son

·vi. Zafir Ullah Khan Son

vii. Shah Noor Zaman Son

viii. Khalid Khan Son

ix. Khaniaz Khan Son

x. Benazira Daughter (Married)

xi. Andaleba , Daughter (Married)

It is, therefore, most humbly requested that legal heirs of the appellant be placed on file.

Appellant

Through

Legal Heirs

Saadullah Khan Marwat

Advocate

Dated 15-09-2021





حكومت خيبر پختو نخوا پاكستان

THE GOVT OF KHYBER PAKHTUNKHWA PAKISTAN

وفات مسر طيفيكيث

DECEASED NAME/ FATHER NAME/ CNIC BIRTH SEX RELIGION OF DEATH PERIOD NATURAL KHAN NATURAL KHAN 1-1-1951 10-7-2019 10-7-201			•			•				
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של ש			1	-	<u>.</u>	· .	م: بنول `	محصيل بتنول؛ صنا	يدرو م <u>مه حيل،</u>	پشه: گاؤل ک
PPLICANT NAME: GUL ZAHIRYE PPLICANT CNIC: 1110172211550 RELATION WITH DECEASED: Husband DDRESS: VILLAGE: GIDAR MAMA KHEL, TEHSIL: BANNU, DISTRICT: BANNU DECEASED NAME: FATHER NAME: DATE OF SEX RELIGION PLACE/DATE: OF DEATH BURIAL OF DEATH PERIOD CNIC: CNIC: BIRTH GIDAR MAMA KHEL CAMER ALI HAYAT KHAN MALE ISLAM GIDAR MAMA NATURAL KHAN KHEL 1-1-1951 10-7-2019 10-7-2019 PERSON CAUSING DISPOSAL OF BODY NAME: SAMER ALI KHAN CNIC: 1110154601039 GRAVEYARD NAME: GIDAR MAMA KHEL ENTRY DATE: 2001-12-18-2001-13-18-2001	وت مدت علالت	ناریخ دفن وجه مو	، وفات <i>اتاریخ</i>	۱ اجائے	 مدنهب 	جنس	تاریخ پیدائش	والد كا نام <i>ا</i> شناختى كارڈ نمسر	کا نام <i>ا</i> فارڈ نمبر	متوفی شناختی <i>ا</i>
PPLICANT NAME: GUL ZAHIRYE PPLICANT CNIC: 1110172211550 RELATION WITH DECEASED: Husband DDRESS: VILLAGE: GIDAR MAMA KHEL, TEHSIL: BANNU, DISTRICT: BANNU DECEASED NAME/ FATHER NAME/ DATE OF SEX RELIGION PLACE/DATE: DATE OF REASON SICKNES CNIC: CNIC BIRTH OF DEATH BURIAL OF DEATH PERIOD QAMER ALI HAYAT MALE ISLAM GIDAR MAMA KHEL 1-1-1951 10-7-2019 10-7-2019 PRODUCTION PERSON CAUSING DISPOSAL OF BODY NAME: SAMER ALI KHAN CNIC: 1110154601039 GRAVEYARD NAME: GIDAR MAMA KHEL ENTRY DATE: 218-2021	بى	<u> </u>	ررهمه خيل		اسلام	مرد		ت خال	٠	على خال
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المراج: المراج: 1110127118341 BLOOD RELATION PERSON CAUSING DISPOSAL OF BODY NAME: SAMER ALI KHAN CNIC: 1110154601039 GRAVEYARD NAME: GIDAR MAMA KHEL ENTRY DATE: 21-8-2021 SARAL MADE: SAMER 21-8-2021 SARAL MADE: SAMER ALI KHAN 21-8-2021 SARAL MADE: SAMER ALI KHAN ADRES SAMER ALI KHAN 21-8-2021	ODRESS: VILL EHSIL: BANNU, [DECEASED NAME/	AGE: GIDAR MA DISTRICT: BANN FATHER:NAME/	MA KHEL, U DATE OF	- · · · • · · ·	RELIG	GION	PLACE/DATE	DATE OF	·.	1
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ان کارڈ نمبر خیل تاان کا نام کے گیروٹممہ خیل تا کارڈ نمبر کیل کیل کیل کیل کیل کارڈ نمبر کیل کیل کیل کیل کارڈ نمبر کیل	DDRESS: VILL EHSIL: BANNU, [DECEASED NAME/ CNIC' DAMER ALI CHAN	AGE: GIDAR MA DISTRICT: BANN FATHER NAME/ CNIC HAYAT	MA KHEL, U DATE OF BIRTH	SEX	RELIG	GION	PLACE/DATE OF DEATH GIDAR MAMA KHEL	DATE OF BURIAL	OF DEATH	SICKNES: PERIOD
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PATE DATE TABLE TABLES ANADED TO DESCRIPTION OF THE PARTY	DDRESS: VILL EHSIL: BANNU, [DECEASED NAME/ CNIC: CAMER ALI KHAN 1110127118341	AGE: GIDAR MA DISTRICT: BANN FATHER NAME/ CNIC HAYAT KHAN	MA KHEL, U DATE OF BIRTH 1-1-1951	SEX	RELIG	GION ,	PLACE/DATE OF DEATH GIDAR MAMA KHEL 10-7-2019	DATE OF BURIAL 10-7-2019	OF DEATH NATURAL	PERIOD [أرجي رشته دار تمر على خال
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	DDRESS: VILL EHSIL: BANNU, [DECEASED NAME/ CNIC: CAMER ALI CHAN BLOOD RE IAME: SAMER A CNIC: 111015460 GRAVEYARD NAME	AGE: GIDAR MA DISTRICT: BANN FATHER NAME/ CNIC HAYAT KHAN LATION PE LI KHAN 11039 ME: GIDAR MAN	DATE OF BIRTH	SEX	RELIG	GION ,	PLACE/DATE OF DEATH GIDAR MAMA KHEL 10-7-2019	DATE OF BURIAL 10-7-2019	OF DEATH NATURAL ا مدفین ا ا ا ا ا ا ا ا ا ا ا ا ا ا ا ا ا ا ا	لله المستدار المستدار المستدار المستدار المستدار المستدار المستدار المستدار المستدار المستدال كانام

Village Council Mama Khel I Bannu لل (43) كالمعادية

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