

21st Feb, 2023

Appellant in person present. Mr. Muhammad Adeel Butt,
Addl:AG alongwith Mr. Asim Mehmood, Senior Public
Prosecutor for respondents present.

2. Appellant submitted that he had been retired from service
and do not peruse this case anymore. He requested for withdrawal
of the instant appeal. As a token of admission of his submission
he signed the margin of the order sheet. Dismissed accordingly.
Consign.

3. *Pronounced in open court in Abbottabad and given under
our hands and seal of the Tribunal on this 21st day of February,
2023.*



(Salah Ud Din)
Member (J)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Since I have been retired, I don't
want to peruse this case anymore.
Dismissed accordingly.

29th Nov, 2022

None for the appellant present. Mr. Kabirullah Khattak: Addl: AG for respondents present.

SCANNED
KPST
Peshawar

This case pertains to camp court Abbottabad, therefore; let it be fixed for 13.12.2022 at camp court Abbottabad for arguments before D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

13th Dec, 2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Zaffar Abbas, District Public Prosecutor for official 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. Adjourned. To come up for arguments on 21.02.2023 before the D.B at Camp Court Abbottabad.

SCANNED
KPST
Peshawar




(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

12.05.2022 Junior to the counsel for the appellant present. Mr. Adeel Butt, Addl. Advocate General for the respondents present.

Due to general strike of the lawyers the case is adjourned. To come up for arguments on 12.07.2022 before D.B.


(Fareeha Paul)
Member(E)


Chairman

12-7-2022

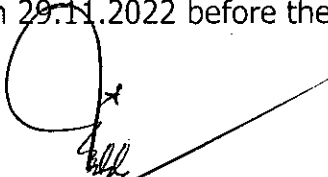
*Due to Holidays of Eid Ul Azha
the case is adjourned to 14-9-2022*


Reader

14.09.2022

Nemo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

Previous date was changed on the strength of Reader's Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post. Adjourned. To come up for arguments on 29.11.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

*The mentioned file
contact No. on file
said that he had
left that case.*


17.01.2022

Appellant in person present. Syed Abdul Mujeeb, AD (Legal) alongwith Mr. Noor Zaman Khattak, District Attorney for official respondents No. 1 to 4 present.

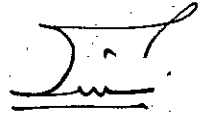
Representative of the department submitted acknowledgement receipts regarding service of the instant appeal upon private respondents No. 5 to 13, however none present on their behalf, therefore, they are placed ex-parte.

Learned District Attorney sought time for arguments on the ground that he has not gone through the brief of the instant appeal.

Appellant requested that the appeal in hand may be fixed for arguments before the D.B at Principal seat Peshawar. Adjourned. To come up for arguments on 26.01.2022 before the D.B at Principal seat Peshawar.



(Rozina Rehman)
Member (J)
Camp Court A/Abad



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

26.01.2022

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

Junior to counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. To come up for arguments before the D.B on 12.05.2022.



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



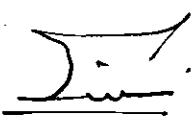
Chairman

23.12.2021

Appellant in person present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG, alongwith Syed Abdul Mujeeb, AD (Legal) for official respondents No. 1 to 4 present. Private respondents No. 5 to 13 are absent.

Representative of official respondents No. 1 to 4 present today shall apprise the Directorate of Prosecution to inform private respondents No. 5 to 13 and an acknowledgement receipt shall be positively produced before the Tribunal on the next date. Adjourned. To come for attendance of private respondents No. 5 to 13 as well as submission of reply on their behalf and arguments before D.B on 17.01.2022 at camp court Abbottabad.

(Mian Muhammad)
Member(E)


(Salah Ud Din)
Member(J)
Camp Court Abbottabad

13.10.2021

Appellant in person and Mr. Muhammad Adeel Butt, Addl. AG alongwith Saeed Naeem, Deputy Director Prosecution for the respondents.

Learned AAG on information from the departmental representative submits that reply on behalf of the official respondents is ready for submission. Therefore, they are directed to submit the same in office within 10 days. The private respondents No. 5 to 13 have been arrayed through Director General Prosecution Khyber Pakhtunkhwa. Proper service has so far not been effected upon them. The representative of the official respondents present today has been apprised that the Directorate of Prosecution shall inform all the private respondents mentioned in the heading of appeal for attendance before the Tribunal on next date and for submission of written reply, positively. Case to come up on 18.11.2021 for arguments before the D.B at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

18.11.2021

Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Naeem Saeed Director (Litigation) for respondents present.

Reply on behalf of official respondents No.1 to 4 submitted. Request for adjournment was made on behalf of appellant. Request is accorded. To come up for arguments on 23.12.2021 before D.B at Camp Court, Abbottabad.


(Rozifa Rehman)
Member (J)


Chairman
Camp Court, A/Abad

21.10.2020

Appellant in person present.

Usman Ghani learned District Attorney for respondents present.

Written reply/comments on behalf of respondents is still awaited. Notice be issued to respondents for submission of reply/comments, for 16.12.2020 before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad


*Due to COVID-19 case is
adjourned to 17-03-2021*



17.03.2021

Junior to counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Muhammad Asif Junior Clerk for respondents present.

Preceding date was adjourned on a Reader's note, therefore, notice be issued to respondents for submission of reply/comments on 13/07/2021 before S.B at Camp Court Abbottabad.



(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

Reader

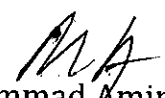
Due to summer vacation case to come up for the same on / 21 /
10 / 20 at camp court abbottabad.


Reader

Service Appeal No. 1086/2019

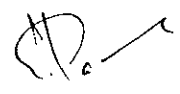
18.12.2019

Appellant in person and Mr. Usman Ghani, District Attorney present. Private respondents No. 8 & 13 in person present and requested for time to file written reply/comments. Representatives of official respondents No. 1 to 4 are absent therefore, notice be issued to official respondents No. 1 to 4 with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Private respondents No. 5 to 7 and 9 to 12 are also absent therefore, notices be also issued to them for attendance and submission of written reply/comments. Adjourned to 22.01.2020 for written reply/comments before S.B at Camp Court Abbottabad.


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad


22.01.2020

Appellant in person present. Written reply not submitted. Bashir Ahmad DPP representative of respondent department present and seeks time to furnish reply. Granted. To come up for reply on 19.02.2020 before S.B at Camp Court Abbottabad.


Member
Camp Court, A/Abad

25.10.2019

Appellant present in person. Learned counsel is not present due to the demise of Haji Faridoon Khan, Advocate. Appellant requested for adjournment. Adjourn. To come up for preliminary hearing on 22.11.2019 before S.B at camp court, Abbottabad.


Member
Camp court, A/Abad

22.11.2019


Appellant with counsel present. Preliminary arguments heard.

Appellant (Deputy Public Prosecutor) seeks antedation of his regular promotion as Deputy Public Prosecutor and for placing his name at proper serial number of the seniority list of the Deputy Public Prosecutors.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all the 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 18.12.2019 before S.B at Camp Court, A/Abad.

Appellant Deposited
Security & Process Fee

26/11/19


Member
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1086/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/08/2019	<p>The appeal of Mr. Itaf Hussain Akhtar presented today by Mr. Shad Muhammad Khan 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;"><i>[Signature]</i> REGISTRAR 23/8/19</p>
2-	30-8-19	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>25-10-2019</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p> <p>23/10/2019 Appellant is a person. Counsel for the appellate is not present due to general strike. The case is adjourned to the presence of Mr. Muhammad Farooq Khan Advocate. Appellant requested for adjournment. Adjourned to come up for preliminary hearing on 22/11/2019 before S.B. at camp court, Abbottabad.</p>

BEFORE THE AUGUST SERVICES TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

Service Appeal No. 1086 / 2019.

ILTAF HUSSAIN AKHTAR.

APPELLANT.

VERSUS

1. THE CHIEF SECRETARY GOVT; OF KPK, PESAWAR.
 2. THE SECRETARY ESTABLISHMENT GOVT; OF KPK, PESHAWAR.
 3. THE SECRETARY, HOME AND T.A. GOVT; OF KPK, PESHAWAR.
 4. THE DIRECTOR GENERAL, PROSECUTION, KPK, PESHAWAR AND OTHERS
- RESPONDENTS.

INDEX.

S.NO.	Description of documents	Date.	Annexure.	Pages.
1.	Memo of Appeal.			1-6
2.	Notification.	27.2.2012	A	7
3.	Notification.	13.7.2012	B	8
4.	Seniority List.	18.11.2013	C	9-11
5.	Charge assumption BS-18	03.02.2017	D	12
6.	Representation.	23.10.2018.	E	13-15
7.	Application.	22.07.2019	F	16-17
8.	Copy of rejection order.	03.08.2019	G	18-20
9.	Notification Status application	29.5.18	H	21
10.	Notification Status application	10.10.18	I	22-25
11.	Status app. of 16.10.18			26.
12.	Waiver of Name			

APPELLANT

THROUGH

SHAD MUHAMMAD KHAN

ADVOCATE.

1086/19

(1)

BEFORE THE AUGUST SERVICES TRIBUNAL KHYBER

Appeal no. 1086/2019
PAKHTUNKHUWA, PESHAWAR.

ILTAF HUSSAIN AKHTAR, DY PUBLIC PROSECUTOR...1086/19... APPELLANT.

MANSEHRA

VERSUS.

Khyber Pakhtunkhwa
Service Tribunal

Dy. No. 1197

23/8/2019

1. The Chief Secretary, Govt: of KPK, Peshawar.
2. The Secretary Establishment, Govt: of KPK, Peshawar.
3. The Secretary, Home and T,A. Govt: of KPK Peshawar.
4. The Director General, Prosecution, KPK, Peshawar.
- 5, Mr Zia-ul-Haq Dy:PP, Lower Dir.
Through Director General Prosecution, KPK, Peshawar.
6. Mr Attiq-ur-Rehman DY:PP, Nowshera.
Through Director General, Prosecution, KPK, Peshawar.
7. Mr Zeeshanullah Afridi DY:PP, Swabi.
Through Director General, Prosecution, KPK, Peshawar.
8. Miss Sobia Rasheed Raja DY:PP, Abbottabad.
Through Director General, Prosecution, KPK, Peshawar.
9. Mr Farasatuulah DY:PP, DI Khan.
Through Director General, Prosecution, KPK, Peshawar.
10. Miss Bibi Sumaira, DY:PP, Mansehra.
Through Director General, Prosecution, KPK, Peshawar.
11. Miss Mahjabeen, DY:PP, Mansehra.
Through Director General, Prosecution, KPK, Peshawar.
12. Mr Abdul Qadoos Khan, DY:PP, DI Khan.
Through Director General, Prosecution, KPK, Peshawar.
13. Miss Fari Rafique DY:PP, Abbottabad.
Through Director General, Prosecution, KPK, Peshawar.....

...RESPONDENTS.

APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT 1974, AGAINST
THE ORDER NO. SOR-III (E&AD) 4-2/2014 DATED 26th June 2019 OF
RESPONDENT NO. 2 WHEREBY THE REPRESENTATION OF THE
APPELLANT WAS REJECTED AND COMMUNICATED BY RESPONDENT
NO. 4 VIDE HIS LETTER NO. DP/E 7A /PF/ 7132-33 DATED 25.7.2019
THROUGH DISTRICT PUBLIC PROSECUTOR MANSEHRA ON 3.8.2019.

PRAVER.

It is humbly prayed that on acceptance of the instant service appeal, the appellant may be declared to have been regularly promoted from the date he took over the charge of the post of Deputy Public Prosecutor and the respondents Nos. 2&3 may very

Filed by
Registrar
23/8/19

(2)

graciously be directed to issue notification in this respect and place the name of appellant at the proper serial number of seniority list of Deputy Public Prosecutor in accordance with the final seniority list of Dy: PPs issued on 18th Nov 2013 with all consequential benefits and any other relief which this august Tribunal/ Court deems appropriate in the circumstances of the case may also be allowed.

.....

The appellant respectfully submits as under:-

BRIEF FACTS OF THE CASE.

1, That the undersigned along with other fellow prosecutor was appointed as Prosecuting Sub Inspector in the Frontier Police on 1.8.1991 and remained posted there till the year 2002, when a new Prosecution Department was established by the Govt: and the police Prosecution was merged therein as such all the PSIs were re-designated as Assistant Public Prosecutors BPS-14. Which was subsequently upgraded to BPS-16 from 31.5.2007.

2. That in the year 2012 the Prosecution department, KPK, considered the promotion of Assistant Public Prosecutors to the post of Deputy Public Prosecutor BPS-17 and the departmental Promotion Committee recommended the cases of 24 APPs from the seniority list for promotion wherein my name stood at serial no.22.

As 5 year service in BPS 16 required for promotion to BPS 17 fall short for just (4) months in the case of prosecutors falling at serial No. 14 to 24, so they were recommended for promotion on acting charge basis for the said period with immediate effect in the public interest. (Photo copy of notification dated 27.2.2012 is annexure "A") . The issuance of proper notification thereof remained pending for about (5) months and the competent authority finally issued the notification on 13th, July, 2012.(By that time the period falls short by 4 months was already completed.)(Copy of notification is annexure "B").

3. In pursuance to the above mentioned notification the Director General Prosecution, KPK, Peshawar, issued Tentative seniority List of Deputy Public Prosecutors BPS-17, on 17th December 2012, and on the basis of the said tentative

seniority list, a final seniority list of the Deputy Public Prosecutor BPS-17 was issued by the Home Department, after the approval of the honorable Chief Secretary, KPK, Peshawar, wherein my name is placed at serial No. 40, along with my other colleagues. (Photo copy is annexure "C") .Its noteworthy that the Prosecution Directorate subsequently whimsically manipulated the said seniority list, which was repeatedly objected to by the appellant but to no avail.

4. That the august Peshawar High Court in a writ of Assistant Public Prosecutors, ordered the provincial Govt: to upgrade all the Assistant Public Prosecutors to the BPS-17 from 2010. For the reason best known the Govt: upgraded the post w.e.from 1.12.2010. The august High Court once again directed the provincial govt: to issue corrigendum so as to order the up - gradation either from the calendar year i.e. 1st January, 2010 or from the financial year i.e. 1st July 2010 because the date of 1.12.2010 smelt some mala fide, but the same is still a dream.

5. That on the orders of august Peshawar High Court Peshawar upgradation of the post of the Deputy Public Prosecutor from BPS-17 to BPS-18 was notified on. 2.2.2017, as such I was accordingly upgraded. (Copy of charge assumption report is annexure "D").

6. That the Govt: has promoted 65 Assistant Public Prosecutor BPS-17 as Deputy Public Prosecutor BPS- 18 vide notifications SO(Prosecution) HD/1-2/2017/ vol-1 and NO.SO(prosecution)HD/1-2/2018/Vol-1.Dt: 29.5.2018 and Dt 10.10.2018 respectively through which, after six year I once again has been promoted as Deputy Public Prosecutor, instead of regularizing my promotion w.e.f the date I was promoted as Dy PP on acting charge i.e. from 27.2.2012. As is held by the august Supreme Court of Pakistan vide judgment "2006SCMR 1938".which reads :-

"The petitioners could not be permitted to be punished for the faults and inaction of others. We are of the view that where a post was available against which a civil servant could be promoted to such higher post; Where he was put on the said higher post on officiating or Acting charge basis because the requisite exercise of allowing the regular promotion to the said post was being delayed by the competent authority; and where

40

he was subsequently found fit for the said promotion and was so promoted on regular basis then he was entitled not only to the salary attaching to the said post but also to all consequential benefits from the very date from which he had been put on acting charge basis and was hold accordingly". *Notification is Annexure, H. Dept. 9*

7. That the above notification / order were impugned by the undersigned and a representation was submitted to the department concerned. (Copy is annexure "E"). The request of the undersigned for the correction of the order was acceded to by the home department and a summary in this respect was submitted vide File No. 1-10 of 2019, which was rejected by the establishment department and the file was returned to the Directorate of Prosecution.

It's worth mentioning here that neither the said was communicated to appellant nor despite best effort he was provided the copy thereof. The appellant also submitted an application in accordance with the "Provisions of Access to Information Act 2013". (Copy of the application is annexure "F") and thereafter He was intimated along with the copy of order. (Photo copy thereof is annexure "G").

The only reason for this deliberate and malafide act is that the appellant is qualified to be promoted to BPS 19, according to the rules and promotion formula, but the officials at the helm of affairs mala fidely wants to keep him out of the promotion.

GROUND.

1. That the respondents No.1 to 4 have not treated the appellant in accordance with the law, relevant rules and in violation of article-4 of constitution of Islamic Republic of Pakistan.
2. That the order of "acting charge basis" was only for 4 months, which was completed by the time the posting transfer orders issued by the Home Department vide notification dated. 13th July 2012, that is why the said does not carry any prefix of "Acting charge basis", and all the subsequent acts were on basis of malafide and personal grudge of the officials of respondents No. 4.
3. That the final seniority list dated 18th November 2013 issued by the Home department, properly contained the name of

the appellant at serial No. 40, which was subsequently malafidely manipulated by respondents No. 4, in clear violation of internationally accepted principle of Audi altrem partum. The same and all subsequent lists were repeatedly objected to by the appellant but to no avail.

According to the judgment of Supreme Court of Pakistan reported in 2012 SCMR 1700, issuance of every seniority list has a recurring cause.

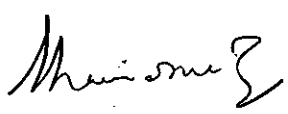
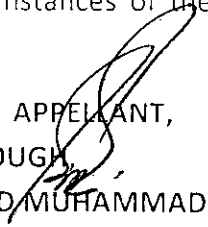
4. That if the order of Acting charge basis was in field, its sheer apathy on the part of the department that it was kept lingering on for a pretty 6 years without any reason and there was no fault on the part of the appellant.
5. That the department was duty bound; as soon as the period falling short was completed they should have completed the task of regularization.
6. That keeping in view the repeated dictum of the supreme Court of Pakistan, the appellant cannot be penalized for the fault of others, ie for the apathy/in efficiency of department and that the department cannot get a reward/premium for its dysfunctions in accordance with law and rules.
7. That the recommendation of Home department for the correction of orders by itself supports the case of appellant that his Case was genuine and there was no fault on his part.
8. That the order of establishment department clearly suggests that appellant was properly promoted to BS-17. That he, properly availed/obtained the financial benefits. That he, was properly upgraded to BS-18 and that he has been properly regularized in BS-18. But “Still the request for promotion w.e.f 27th Feb 2012 is rejected”. This is astonishing, as well as, against the settled principle of law held by august Supreme Court of Pakistan in repeated judgments. Hence not tenable in eyes of law.
9. That the Respondents No.5 to 13 were neither in the field when the appellant was promoted as Deputy Public Prosecutor in Feb: 2012 nor they figured anywhere in the final seniority list of Deputy Public Prosecutors issued on 18th Nov 2013, even then the seniority list issued by the respondent No. 3 shows them senior to the appellant which is against the law and rules, that is why they have been arrayed as respondents.
10. That the Prosecution Directorate through Home department is bent upon processing the promotion case of Deputy

Public Prosecutor^{Sans} the appellant, which will cause irreparable loss to him that why a separate application for injunction is also annexed to restrain the department from processing any promotion case of Deputy Public Prosecutors until the settlement of seniority of the appellant.

11. That the order of the respondents No. 2 is devoid of any legal, moral authority and is in violation of the express judgments of Supreme Court, Hence, not maintainable.

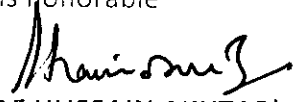
PRAYER:

It is, therefore, humbly prayed that on acceptance of instant service appeal, the appellant may be declared to have been regularly promoted from the date of taking over of charge of the post of Deputy Public Prosecutor and the respondents NO.2&3 may be directed to regularize the promotion and to place the name of the appellant at ^{the} proper serial number of the seniority list of Deputy Public Prosecutors ie before respondent No. 5, Mr Zia-ul-Haq DY: PP, Besides, any other relief which this honorable Court deem appropriate in the circumstances of the case, may also be allowed to appellant.

 APPELLANT,
THROUGH 
(SHAD MUHAMMAD KHAN)
ADVOCATE, SUPREME COURT.

VERIFICATION.

It is verified that all the contents of instant appeal are correct to best of my knowledge and nothing has been concealed from this honorable tribunal/court.


(ILTAF HUSSAIN AKHTAR)
Deputy Public Prosecutor,
Mansehra

27-02-2012

NOTIFICATION

No. SO (Prosecution) 110/2011: The Competent Authority on the recommendation of the Departmental Promotion Committee (D.P.C) is pleased to promote the following Assistant Public Prosecutors (BS-16) to the post of Deputy Public Prosecutor (BS-17) from S.No. 1 to 13 on regular basis and from S.No. 14 to 24 on acting charge basis, with immediate effect in the public interest.

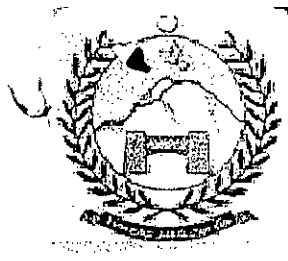
S.No.	Name of Officer
1.	Mr. Rab Nawaz
2.	Mr. Sher Zaman
3.	Mr. Muhammad Qaiser
4.	Mr. Kiranatullah
5.	Mr. Abdul Salam
6.	Mr. Ibrahim Khan
7.	Mr. Pervez Khan
8.	Mr. Muhammad Zahoor
9.	Mr. Qazi Aftab Ahmad
10.	Mr. Muhammad Saleem
11.	Mr. Inzraan Shah
12.	Mr. Javed Hussain Mughal
13.	Mr. Abdul Hamid
14.	Mr. Zulfiqar Khan
15.	Mr. Pervez Bahi
16.	Mr. Israr Ali
17.	Mr. Anis Ahmad Jan
18.	Mr. Altaf Hussain
19.	Mr. Fazale Hadi
20.	Mr. Murtaza Shah
21.	Mr. Sheikh Zahoor Ahmad
22.	Mr. Haf Hussain Akhtar
23.	Mr. Changaiz Khan
24.	Mr. Muhammad Nisar

Attended to be
true copy
Mansoor?

2
1

Annexure "B" 2

(8)



Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department

No. SO (Prosecution)/ HD/ 1-2/ 2012
Dated Peshawar the 13th July, 2012

NOTIFICATION.

No. SO (Prosecution)/ HD/ 1-2/ 2012. The Competent Authority is pleased to order the posting/ transfers of the following prosecutors with immediate effect:-

S: NO	NAME OF OFFICER WITH DESIGNATION AND BPS	FROM	TO	REMARKS
1.	Mr. Muhammad Qaiser Deputy Public Prosecutor (BS-17)	Peshawar	Peshawar	Vice No. 2
2.	Mr. Sifat Ullah, Deputy Public Prosecutor (BS-17)	Peshawar	Dir (Lower)	Against the vacant post of Deputy Public Prosecutor (BS-17)
3.	Mr. Kiramatullah Deputy Public Prosecutor (BS-17)	Lakki Marwat	Lakki Marwat	-do-
4.	Mr. Abdul Salam Deputy Public Prosecutor (BS-17)	Swat	Swat	-do-
5.	Mr. Ibrahim Khan Deputy Public Prosecutor (BS-17)	-do-	-do-	-do-
6.	Mr. Pervez Khan Deputy Public Prosecutor (BS-17)	Swabi	Swabi	-do-
7.	Mr. Muhammad Zahoor Deputy Public Prosecutor (BS-17)	Lakki Marwat	Lakki Marwat	Vice No. 8
8.	Mr. Taj Muhammad Deputy Public Prosecutor (BS-17)	Lakki Marwat	Bannu	Against the vacant post of Deputy Public Prosecutor (BS-17)
9.	Mr. Qazi Aftab Ahmad Deputy Public Prosecutor (BS-17)	Haripur	Haripur	Against the vacant post of Deputy Public Prosecutor (BS-17)
10.	Mr. Muhammad Saleem Deputy Public Prosecutor (BS-17)	Dir (Upper)	Dir (Upper)	-do-
11.	Mr. Imran Shah Deputy Public Prosecutor (BS-17)	Malakand	Malakand	-do-
12.	Mr. Javed Hussain Mughal Deputy Public Prosecutor (BS-17)	Chitral	Chitral	Against the vacant post of Public Prosecutor (BPS-18) in his own pay scale.
13.	Mr. Zulfiqar Khan Deputy Public Prosecutor (BS-17)	Nowshera	Mardan	Vice No. 14
14.	Mr. Malik Aman Deputy Public Prosecutor (BS-17)	Mardan	Buner	Against the vacant post of Deputy Public Prosecutor (BS-17)
15.	Mr. Pervez Ilahi Deputy Public Prosecutor (BS-17)	Peshawar	Peshawar	Vice No. 16
16.	Mr. Qaisar Khan Deputy Public Prosecutor (BS-17)	Peshawar	Dir (Upper)	Against the vacant post of Deputy Public Prosecutor (BS-17)
17.	Mr. Israr Ali Deputy Public Prosecutor (BS-17)	Malakand	Dir (Lower)	-do-
18.	Mr. Anis Ahmad Jan Deputy Public Prosecutor (BS-17)	Mansehra	Mansehra	-do-
19.	Mr. Altaf Hussain Deputy Public Prosecutor (BS-17)	D.I.Khan	D.I.Khan	-do-
20.	Mr. Fazale Hadi Deputy Public Prosecutor (BS-17)	Nowshera	Nowshera	-do-
21.	Mr. Murtaza Shah Deputy Public Prosecutor (BS-17)	Haripur	Battagram	Against the vacant post of Deputy Public Prosecutor (BS-17)
22.	Mr. Sheikh Zahoor Ahmad Deputy Public Prosecutor (BS-17)	Abbottabad	Abbottabad	Vice No. 23
23.	Mr. Bilal Qureshi Deputy Public Prosecutor (BS-17)	Abbottabad	Mansehra	Against the vacant post of Deputy Public Prosecutor (BS-17)
24.	Mr. Iltaf Hussain Akhtar	Abbottabad	Swabi	-do-

Minister to be one copy
Minister



Government of Khyber Pakhtunkhwa
Home & Tribal Affairs Department

No. SO (Prosecution)/ HD/ 1-2/ 2012
Dated Peshawar the 13th July, 2012.

S:NO	NAME OF OFFICER WITH DESIGNATION AND BPS	FROM	TO	REMARKS
25.	Mr. Changaiz Khan Deputy Public Prosecutor (BS-17)	Haripur	Kohistan	-do-
26.	Mr. Muhammad Nisar Deputy Public Prosecutor (BS-17)	Peshawar	Nowshera	Against the vacant post of Deputy Public Prosecutor (BPS-17)
27.	Mr. Anwar Khan Assistant Public Prosecutor (BS-16)	Kohat	Peshawar	Vice No. 28
28.	Mr. Ibad-Ur-Rehman Qurashi Assistant Public Prosecutor (BS-16)	Peshawar	Kohat	Vice No. 27
29.	Muhammad Afzal Assistant Public Prosecutor (BS-16)	Dir (Upper)	Chitral	Against the vacant post of Assistant Public Prosecutor (BS-16)

Secretary to Govt. of Khyber Pakhtunkhwa
Home & Tribal Affairs Department

Endst: of Even No. & Date:

Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director Prosecution, Khyber Pakhtunkhwa, Peshawar.
3. District Public Prosecutors, Peshawar, Dir (Lower), Lakki Marwat, Swat, Swabi, Bannu, Haripur, Dir (Upper), Malakand, Chitral, Nowshera, Mardan, Mansehra, D.I.Khan, Battagram, Abbottabad, Kohistan & Kohat.
4. District Accounts Officers Dir (Lower), Lakki Marwat, Swat, Swabi, Bannu, Haripur, Dir (Upper), Malakand, Chitral, Nowshera, Mardan, Mansehra, D.I.Khan, Battagram, Abbottabad, Kohistan & Kohat.
5. Officers concerned.
6. P.S to Secretary to Govt. of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, Peshawar.

XO Khan 16/07/2012
Section Officer (Prosecution)

Attended to be true copy.
Muhammad Nisar

Annexure "C" (9)

FROM :

FAX NO. :

21 Nov. 2013 9:29AM P3



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DP/ ERAIL(49)2013/14096-14
Dated Peshawar November 18, 2013

Office Phone # 091-9212559/ 091-9212542
Fax # 091-9212558
E-mail: kpprossecution@yahoo.com

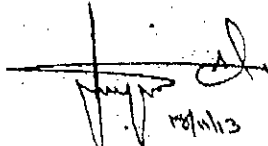
BY FAX

To

All District Public Prosecutors,
In Khyber Pakhtunkhwa.

Subject: - FINAL SENIORITY LIST OF DEPUTY PUBLIC PROSECUTORS (BS-17).

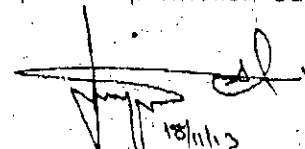
I am directed to enclose herewith copy of final seniority list of Deputy Public Prosecutors (BS-17) of this Directorate for information and circulation among all your subordinate concerned Prosecutors.


(LIAQAT ALI)

Deputy Director Admin/ Finance

Copy Forwarded for Information to:

1. The Section Officer (Prosecution), Home & Tribal Affairs Department, Khyber Pakhtunkhwa with reference to letter No.SO(Pros)/ HD/ 1-27/ 2011/ Vol-I dated 05-11-2013;
2. Mr. Niamat Ullah Jan, Steno typist/ PA to Director General Prosecution, Khyber Pakhtunkhwa with the direction to process promotion case of the Deputy Public Prosecutors (BS-17).


(LIAQAT ALI)

Deputy Director Admin/ Finance

*Received to be trace
copy. Aminov*


**FINAL SENIORITY LIST OF DEPUTY PUBLIC PROSECUTORS (BPS-17)
DIRECTORATE OF PROSECUTION, HOME & TRIBAL AFFAIRS DEPARTMENT, KHYBER PAKHTUNKHWA.**

Sl. No.	NAME OF OFFICER WITH QUALIFICATION	DATE OF BIRTH & DOWICILE	DATE OF FIRST ENTRY INTO SERVICE WITH BPS	REGULAR APPOINTMENT/PROMOTION TO PRESENT POST			PRESENT POSTING
				DATE	BPS	METHOD OF RECRUITMENT	
1.	Shafiqah, B.A, LL.B	31/12/1982 FR, Bannu.	21/09/2010 as Deputy Public Prosecutor, (BPS-17)	21/09/2010	(BPS-17)	Through Public Service Commission	Peshawar
2.	Usman Zaman Mohmand B.A, LL.B	04/11/1980 Mohmand Agency	26/05/2008 as Assistant Public Prosecutor (BPS-16)	21/09/2010	(BPS-17)	-do-	Peshawar (Section Officer (Courts) Home Deptt.
3.	Qasim Farooq, M.A, LL.B	27/12/1979 Abbottabad	05/05/2008 as Assistant Public Prosecutor (BPS-16)	21/09/2010	(BPS-17)	-do-	Abbottabad
4.	Hussain Ahmad, B.A, LLM	10/04/1980 Shagla	17/06/2009 as Assistant Public Prosecutor (BPS-16)	21/09/2010	(BPS-17)	-do-	Shangla
5.	Sifatullah, B.A, LL.B	10/04/1978 Peshawar	21/09/2010 as Deputy Public Prosecutor, (BPS-17)	21/09/2010	(BPS-17)	-do-	Peshawar
6.	Taimur Khattak, B.A, LL.B	25/12/1980 Nowshera	21-09-2010 as Deputy Public Prosecutor, (BPS-17)	21/09/2010	(BPS-17)	-do-	Nowshera
7.	Taj Muhammad, B.A, LL.B	05/03/1978 Lakki Marwat	21/09/2010 as Deputy Public Prosecutor, (BPS-17)	21/09/2010	(BPS-17)	-do-	Lakki Marwat
8.	Bakhtiar Khan, B.A, LL.B	12/01/1978 Mohmand Agency.	21/09/2010 as Deputy Public Prosecutor, (BPS-17)	21/09/2010	(BPS-17)	-do-	Charsadda
9.	Wajid Ali, M.A, LL.B	02/04/1980 Charsadda.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	24/09/2010	(BPS-17)	-do-	Charsadda
10.	Miss Shaheen Tabasum, B.A, LL.B	12/4/1982 Kohat.	11/03/2009 as Assistant Public Prosecutor (BPS-16)	27/08/2009	(BPS-17)	-do-	Kohat
11.	Azhar Ali, B.A, LL.B	18/04, 1983 Peshawar	24/09/2010 as Deputy Public Prosecutor (BPS-17)	24/09/2010	(BPS-17)	-do-	Mardan
12.	Jamshid Khan Mahsud, B.A, LL.B	01/06/1977 S.W.Agency.	24/09/2010 as Deputy Public Prosecutor (BPS-17)	24/09/2010	(BPS-17)	-do-	D.I.Khan
13.	Qaisar Khan, B.A, LL.B	01/01/1980 Peshawar.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	24/09/2010	(BPS-17)	-do-	Peshawar
14.	Ayaz Zarin, B.A, LL.B	20/04/1983 Chitral	24/09/2010 as Deputy Public Prosecutor (BPS-17)	24/09/2010	(BPS-17)	-do-	Chitral
15.	Rizwan-ud-Din, B.A, LL.B	19/12/1981 Kohat.	24/09/2010 as Deputy Public Prosecutor (BPS-17)	24/09/2010	(BPS-17)	-do-	Kohat
16.	Zafar Ali, B.A, LL.B	30/03/1982 Mohmand Agency.	26/05/2008 as Assistant Public Prosecutor (BPS-16)	24/09/2010	(BPS-17)	-do-	Charsadda
17.	Anas Jamil Khan, B.A, LL.B	21/03/1982 Hangu.	24/09/2010 as Deputy Public Prosecutor (BPS-17)	24/09/2010	(BPS-17)	-do-	Hangu
18.	Sangeen Shah, B.A, LL.B.	12/04/1982 Charsadda.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	24/09/2010	(BPS-17)	-do-	Charsadda
19.	Asma ul Ush, M.A, LL.B	15/03/1980 S.W.Agency.	24/09/2010 as Deputy Public Prosecutor, (BPS-17)	24/09/2010	(BPS-17)	-do-	Tank
20.	Mian Aziz Ahmad, M.A, LL.B	05/06/1979 Dir (Upper).	24/09/2010 as Deputy Public Prosecutor, (BPS-17)	24/09/2010	(BPS-17)	-do-	Peshawar
21.	Muhammad Bilal Qureshi B.A, LL.B	04/07/1983 Abbottabad.	24/09/2010 as Deputy Public Prosecutor, (BPS-17)	24/09/2010	(BPS-17)	-do-	Mansetra
22.	Akhatar Nawaz Khan, B.A, LL.B	19/12/1978 Haripur.	24/09/2010 as Deputy Public Prosecutor, (BPS-17)	24/09/2010	(BPS-17)	-do-	Haripur

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23.	Muhammad Qaisar, B.A, LL.B	20/12/1956, Charsadda.	01/01/1979 as PSI (BPS-07) in Police Department.	27-02-2012	(BPS-17)	By promotion on regular basis	Peshawar
24.	Kiramattullah, B.A, LL.B	02/08/1958, L/Marwat.	01/12/1982 as PSI (BPS-07) in Police Department.	27-02-2012	(BPS-17)	-do-	Bannu
25.	Abdul Salam, B.A, LL.B	06/06/1955, Swat.	22/02/1982 as PSI (BPS-07) in Police Department.	27-02-2012	(BPS-17)	-do-	Swat
26.	Ibrahim Khan, M.A, LL.B	20/04/1956, Swat	26/01/1982 as PSI (BPS-07) in Police Department.	27-02-2012	(BPS-17)	-do-	Lakki Marwat
27.	Muhammad Zahoor, B.A, LL.B	05/05/1958, Lakki Marwat.	18/01/1987 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Haripur
28.	Qazi Aftab Ahmad, B.A, LL.B	15/05/1956, Haripur	07/02/1984 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Dir (Upper)
29.	Muhammad Saleem, B.A, LL.B	14/09/1959, Matakand Agency	01/10/1987 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Malakand
30.	Imran Shah, M.A, LL.B	20/04/1959, Dir	01/10/1987 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Chitral
31.	Javeed Hussain Mughal B.A, LL.B	10/10/1961, Chitral	01/10/1987 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Mardan
32.	Zulfiqar Khan, B.A, LL.B	02/04/1956, Peshawar.	13/03/1988 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	By promotion on acting charge basis	Peshawar
33.	Pervez Iqbal, B.Sc, LL.B	01/01/1955, Peshawar.	01/07/1977 as PSI (BPS-07) in Police Department.	27-02-2012	(BPS-17)	-do-	Dir (Lower)
34.	Israr Ali, B.A, LL.B	15/02/1957, Dir (Lower)	31/10/1982 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Manshera
35.	Anis Ahmad Jan, B.A, LL.B	26/04/1958, Manshera	29/01/1984 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	D.I.Khan
36.	Ataf Hussain, B.A, LL.B	12/02/1961, D.I.Khan	17/09/1989 as PSI (BPS-11) in Police Department.	27-02-2012	(BPS-17)	-do-	Nowshera
37.	Fazale Hadi, B.A, LL.B	03/10/1960, Dir (Upper)	09/12/1990 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Battagram
38.	Murtaza Shah, B.A, LL.B	27/01/1957, Haripur.	31/07/1991 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Abbottabad
39.	Sheikh Zahoor Ahmad, B.A, LL.B	18/02/1958, Abbottabad	31/07/1991 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Swabi
40.	Itaf Hussain Akhtar, B.A, LL.B	01/04/1962, Manshera	31/07/1991 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Kohistan
41.	Changaiz Khan, B.A, LL.B	01/05/1962, Abbottabad	03/08/1991 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Nowshera
42.	Muhammad Nisar, B.A, LL.B	20/04/1955, Peshawar.	11/04/1992 as PSI (BPS-14) in Police Department.	27-02-2012	(BPS-17)	-do-	Nowshera

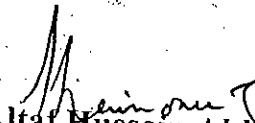

 (Sd/-) AKHTAR ALI SHAH
 Secretary to the Govt. of Khyber Pakhtunkhwa
 Home & Tribal Affairs Department

Attached to be true
 Copy
 Muhammad

CHARGE ASSUMPTION REPORT

In compliance with the Notification of the Worthy Secretary to Govt: of Khyber Pakhtunkhwa Home & Tribal Affairs Department Peshawar, bearing No. SO (Prosecution) HD/1-10-UP/2017/ Vol-I, dated 02/02/2017, in pursuance of Finance Department Government of Khyber Pakhtunkhwa letter No. KC/SO(FR)/FD/7-8/APP dated 02/02/2017, wherein post of Deputy Public Prosecutor BPS-17 is up-graded to BPS-18, therefore, I, Altaf Hussain Akhtar, Deputy Public Prosecutor BPS-17 Haripur assume the charge of the post of Deputy Public Prosecutor upgraded to BPS-18 today on 03/02/2017 (forenoon).

Dated: 03/02/2017


(Altaf Hussain Akhtar)
Deputy Public Prosecutor,
Haripur

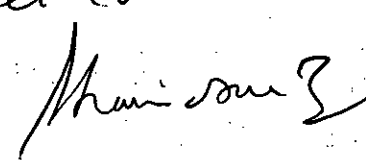
OFFICE OF THE DISTRICT PUBLIC PROSECUTOR, HARIPUR


No. 121-26 /DPP/17

Dated Haripur the 03/02/2017.

Copy forwarded to for Information:

1. The PS to Secretary, Home & T.As Department Peshawar.
2. The Director General Prosecution, Govt of Khyber Pakhtunkhwa, Home & T.As Department Peshawar.
3. Accountant General, Govt: of Khyber Pakhtunkhwa Peshawar.
4. The Section Officer (Prosecution), Home & T.As Department Peshawar.
5. The District Accounts Officer, Haripur.
6. Officer concerned.
7. Office Copy

*Attended to be done
copy*



(Hafiz Muhammad Haroon)
District Public Prosecutor,
Haripur



The
District Prosecution
Mansehra

No: /2018/DPP/MA.
Dated Mansehra October 23, 2018

Annexure "E" (13)

To

Director General of Prosecution,
Khyber Pakhtunkhwa Home &
Tribal Affairs Department, Peshawar.

Subject:- PROMOTION TO THE POST OF DEPUTY PUBLIC
PROSECUTOR BPS-18

Dear Sir,

I have the honor to enclose herewith application of Mr. Iltaf
Hussain Akhtar, Dy PP in original alongwith enclosures, for perusal and
consideration please.

District Public Prosecutor
Mansehra.

No. 1841-42/DPP/18 Dated Mansehra the 23-10-2018.

Copy forwarded to the:-

1. Officer concerned w/r to her application dated 23-10-2018.
2. Office record.

District Public Prosecutor
Mansehra.

Attended to Se'one Copy.
Munir


10.10.2018 through which after six year I once again has been promoted as DyPP, instead of regularizing my promotion w.e.f the date I was promoted as DyPP on acting charge i.e. from 27.2.2012. As is held by the august Supreme Court of Pakistan vide judgment " 2006 SCMR 1938 " .

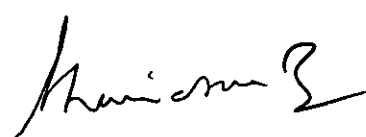
" The petitioners could not be permitted to be punished for the faults and inaction of others. We are of the view that where a post was available against which a civil servant could be promoted to such higher post; Where he was put on the said higher post on officiating or Acting charge basis because the requisite exercise of allowing the regular promotion to the said post was being delayed by the competent authority; and where he was subsequently found fit for the said promotion and was so promoted on regular basis then he was entitled not only to the salary attaching to the said post but also to all consequential benefits from the very date from which he had been put on acting charge basis and was hold accordingly " .

The only reason or the for this deliberate act is that I along with my two colleagues are the only Deputy Public Prosecutors among all the Dy PPs , who are qualified to be promoted to BS 19, according to the rules and promotion formula.

Keeping in view the above facts and the dictum of the Supreme Court of Pakistan the notification in hand may please be corrected so as to regularize the promotion of the under signed from 27.2.2012, the date I took over the charge of Deputy Public Prosecutor on acting charge basis and held the post continuously for the last six years.

I'LL be very grateful for this act of kindness.
Thanking you in anticipation


(ILTAF HUSSAIN AKHTAR)
Deputy Public Prosecutor,
Mansehra.

*Attended to be true
Copy. *

To,

The Honorable Secretary,
Home and Tribal Affairs,
Khyber Pakhtunkhwa, Peshawar.

Through: - The Director General Prosecution, Khyber Pakhtunhuwa, Peshawar.

Subject:- PROMOTION TO THE POST OF DEPUTY PUBLIC PROSECUTOR BPS-18.
Respected Sir,

The undersigned respectfully sheweth as under:-

1. That undersigned along with other fellow prosecutors was appointed as Prosecuting Sub Inspector in the Frontier Police on 1.8.1991 and remained posted there till the year 2002, when a new Prosecution Department was established by the Govt: and the police Prosecution was merged therein as such all the PSIs were re-designated as Assistant Public Prosecutors BPS-14. Which was subsequently upgraded to BPS-16 from 31.5.2007.
2. That in the year 2012 the Prosecution department, KPK, considered the promotion of Assistant Public Prosecutors to the post of Deputy Public Prosecutor BPS-17 and the Departmental Promotion Committee recommended the cases of 24 APPs from the seniority list for promotion wherein my name stood at serial no.17.
As 5 year service in BPS 16 required for promotion to BPS 17 fall short for just (4) months in the case of prosecutors falling at serial No. 14 to 24, so they were recommended for promotion on acting charge basis for the said period with immediate effect in the public interest. (Photo copy of notification dated 13.2.2012 is annexure "A"). The issuance of proper notification thereof remained pending for about (5) months and the competent authority finally issued the notification on 13th, July, 2012. Similarly in pursuance to the above mentioned notification the Director General Prosecution, KPK, Peshawar, issued Tentative seniority List of Deputy Public Prosecutors BPS-17, on 17th December 2012, wherein my name is placed at serial No.36, along with other Deputy Public Prosecutors.
3. That on the basis of the above mentioned tentative seniority list, a final seniority list of the Deputy Public Prosecutor BPS-17 was issued by the Home Department, after the approval of the honorable Chief Secretary, KPK, Peshawar, wherein my name is placed at serial No. 35, along with my other colleagues. (Photo copy is annexure "B").
5. That the august Peshawar High Court ordered the provincial Govt: to upgrade all the Assistant Public Prosecutors to the BPS-17 from 2010. For the reason best known, the Govt: upgraded the post w.e.f 1.12.2010. The august High Court once again asked the provincial govt : to issue corrigendum so as to order the up-gradation either from the calendar year i.e. 1st January, 2010 or from the financial year i.e. 1st July 2010 because the date of 1.12.2010 smelt some mala fide, but the same is still a dream.
6. That on the orders of august Peshawar High Court Peshawar upgradation of the post of the Deputy Public Prosecutor from BPS-17 to BPS-18 was notified on. 2.2.2017, as such I was accordingly upgraded.

It is submitted that the Govt: has promoted 65 Assistant Public Prosecutors as Deputy Public Prosecutor BS 18 vide notifications Dt: 29.5.2018 and Dt

*Abdul to be true copy,
Munir*

Annexure "F"

(16)

No: 942 /2019/DPP/MA.

The
District Prosecution
Mansehra

Dated Mansehra July, 22, 2019

To

The Director General of Prosecution,
Khyber Pakhtunkhwa Home &
Tribal Affairs Department, Peshawar.

Subject: -

APPLICATION FOR PROVISION OF COPY OF THE ORDER.

Dear Sir,

I have the honour to enclose herewith self explanatory application of Mr. Iltaf Hussain Akhtar, Deputy Public Prosecutor Mansehra in original for further necessary action at your end please.

District Public Prosecutor
Mansehra

Attended to the case
Copy. Mansehra

To,

The Director General of Prosecution,
Govt of Khyber Pakhtunkhwa Home &
Tribal Affairs Department, Peshawar.

Subject:- PROVISION OF COPY OF INFORMATION UNDER SECTION 07 OF INFORMATION ACT 2013 WHEREBY MY REPRESENTATION FOR REGULARIZATION OF PROMOTION AS DEPUTY PUBLIC PROSECUTOR W.E.F 27TH FEBRUARY 2012 HAS BEEN REJECTED.

Dear Sir,

The undersigned submits for your kind consideration as under:-

1. That undersigned has submitted an application for regularization of Promotion w.e.f 27th February 2012, from the date I took over charge as Deputy Public Prosecutor.
2. That the undersigned has learnt from reliable sources that my representation has been rejected by the establishment department and file has been returned to the Directorate of Prosecution.
3. Despite my best efforts, I am not being provided the copy of order so I can move the authorities concerned for redressal of my grievance.

It is, therefore, requested that I may please be provided with copy of the order, where my representation has been rejected so I can approach the authorities concerned.

I'll be very grateful for this act of kindness.

Thanking you in anticipation

(ILTAF HUSSAIN AKHTAR)
Deputy Public Prosecutor,
Mansehra

Attended to be
True Copy
Mansehra



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DPE/A/PF/7132-33

Dated Peshawar 25/07/2019

Office Phone # 091-9212559

Fax # 091-9212559

E-mail kpprosecution@yahoo.com

To

The District Public Prosecutor,
Mansehra.

Subject: - PROMOTION TO THE POST OF DEPUTY PUBLIC PROSECUTOR
BPS-18.

Dear Sir,

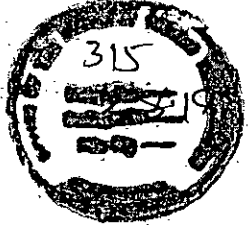
I am directed to refer to your letter No. 1841-42/2018/DPP/MA Dated: October 23, 2018 on the subject noted above and to enclose herewith the letter of Section Officer Prosecution alongwith its enclosures with the request to convey the same to the officer concerned.

Yours faithfully,

(Handwritten signature)
24/07/2019

(Shafiq Ullah)

Deputy Director Administration



Endst : of even No. dated:

Copy forwarded for information to:

- ✓ 1. Mr. Iltaf Hussain Akhtar, Deputy Public Prosecutor, Mansehra.
- 2. PA to Director General Prosecution, Khyber Pakhtunkhwa.

1
Deputy Director Administration

(Handwritten signature)

District Public Prosecutor
Mansehra.

Attended to be true
copy.
(Handwritten signature)

(19)



GOVERNMENT OF KHYBER PAKHTUNKHWA A
HOME & TRIBAL AFFAIRS DEPARTMENT
NO. SO (Pros)/HD/1-10/2018/Vol-I
Dated Peshawar the 15th July, 2019.

The Director General Prosecution
Khyber Pakhtunkhwa Peshawar.

Subject: PROMOTION TO THE POST OF DEPUTY PUBLIC PROSECUTOR (BS-18).

F1 B

I am directed to refer to your letter No. DP/E&A/1(100)/11004, dated 05-12-2018 on the subject noted above and to enclose herewith Establishment Department, Khyber Pakhtunkhwa letter No. SOR-III(E&AD)/4-2/014, dated 26-06-2019, which is self-explanatory for information and necessary action, please.

Encl: as above

Section Officer (Prosecution)

Copy forwarded to PS to Secretary, Home Department, Khyber Pakhtunkhwa.

Section Officer (Prosecution)

5990
17/7/19

19.7.19
JPA
17/7/19

17/07/2019

Attended to Se
Case Copy
Mansoor

ADP
17/7
EA PI



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

No. SOR-III (E&AD) 4-2/2014
Dated Peshawar the June 26, 2019

To

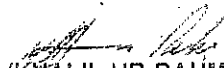
The Secretary to Govt of Khyber Pakhtunkhwa,
Home & T.As Department.

Subject: PROMOTION TO THE POST OF DEPUTY PUBLIC PROSECUTOR (BS-18)

Dear Sir,

I am directed to refer to Home & T.As Department letter No.SO(Pros)/HD/1-10/2018/Vol-I dated 14th January, 2019 on the subject cited above and to say that the request of the officer for anti dated promotion is not covered under the law. Moreover, he has availed/obtained all the financial benefits through acting charge basis in BS-17. Moreover the post has been upgraded to BS-18 in 2017 and the process finalized up to 2018 and he has accordingly been regularized in BS-18 alongwith others. Hence the request of the officer for ante-dated Promotion w.e.f 27th-Feb-2012 is not covered under the rules/policy.

Yours faithfully,


(KHALIL-UR-RAHMAN)
SECTION OFFICER (R-III)
Phone No.9211793

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OK/ha
28/6

SO (Pros)

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True Copy
Khalil-Ur-Rahman
28/6

28/6/19

Handwritten signature and date:
28/6

Annexure A (2M)

FROM : DFFHRP

FRAX. NO. : 0995637994

23 Aug. 2018



TO BE SUBSTITUTED FOR THE SAME NUMBER AND DATE

GOVERNMENT OF KHYBER PAKHTUNKHWA

HOME & TRIBAL AFFAIRS DEPARTMENT

Peshawar dated the 29th May, 2018.

NOTIFICATION

NO. SO (Prosecution) HD/1-10/2017/Vol-I: On the recommendations of the Provincial Selection Board, the Government of Khyber Pakhtunkhwa is pleased to promote the following Assistant Public Prosecutors, BS-17 to the post of Deputy Public Prosecutors, BS-18, on regular basis with immediate effect: -

S.#	Name of the Officers
1.	Mr. Altaf Hussain
2.	Mr. Fazale Hadi
3.	Mr. Iltaf Hussain Akhtar
4.	Mr. Muhammad Afzal
5.	Mr. Javed Iqbal Anwar
6.	Mr. Muhammad Shakeel
7.	Mr. Attaullah
8.	Mr. Muhammad Nadeem
9.	Mr. Hayatullah
10.	Mr. Sher Bahadar
11.	Mr. Ziaullah Wazir
12.	Mr. Khalid Khan
13.	Mr. Tasawar Hussain
14.	Mr. Amanullah
15.	Mr. Muzafar Ahmad
16.	Mr. Javed-ur Rehman
17.	Mr. Syed Falak Szair
18.	Mr. Manzoor Alam
19.	Mr. Umar Niaz
20.	Mr. Rafiullah
21.	Mr. Muhammad Tufail
22.	Mr. Ibadur Rehman
23.	Mr. Asim Mehmood

SECRETARY

2. The officers on promotion shall remain on probation for a period of one year extendable for another year, in terms of Section 6(2) of Khyber Pakhtunkhwa, Civil Servants Act, 1973, read with Rule 15(1) of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

SECRETARY
HOME DEPARTMENT

Ends: No. even, dated 11th December, 2018.

Copy forwarded to: -

1. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Peshawar.
2. The PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
3. The Accountant General Khyber Pakhtunkhwa Peshawar.
4. The Advocate General Khyber Pakhtunkhwa, Peshawar.
5. The Director General Prosecution Khyber Pakhtunkhwa.
6. All District Public Prosecutors in Khyber Pakhtunkhwa.
7. All District Accounts Officers in Khyber Pakhtunkhwa.
8. P.S to Secretary Home & Tribal Affairs Department, Peshawar.
9. PS to Special Secretary, Home & Tribal Affairs Department, Peshawar.

Attached to
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Annexure A

R. No 199
17/12/18
17/12/18

Section Officer (Prosecution)
11/12/18

Amesure, 9 (22)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar the October 10, 2018.

NOTIFICATION

NO.50 (Prosecution) HD/1-2/2018/VOI-1: Consequent upon their promotion to Deputy Public Prosecutor BS-18, as notified vide this Department's Notification of even number dated 29-05-2018, and appointment of the Assistant Public Prosecutor (BS-17) notification dated 20-09-2018, the Provincial Government of Khyber Pakhtunkhwa is pleased to order following posting/transfer and adjustment with immediate effect in the public interest:

S.No	Name of Prosecutors with designation	From	To	Remarks
1.	Mr. Altaf Hussain Deputy Public Prosecutor (BS-18)	D.I. Khan	Bannu	Against vacant post of Deputy Public Prosecutor (BS-18)
2.	Mr. Fatahe-Maci Deputy Public Prosecutor (BS-18)	Nowshera	Nowshera	--do--
3.	Mr. Hafiz Hussain Akhtar Deputy Public Prosecutor (BS-18)	Hafipur	Manshera	Against vacant post of Senior Public Prosecutor (BS-19) In OPS.
4.	Muhammad Afzal Khan Deputy Public Prosecutor (BS-18)	Chitral	Chitral	Against vacant post of Senior Public Prosecutor (BS-19) In OPS.
5.	Mr. Javed Iqbal Anwar Deputy Public Prosecutor (BS-18)	Abbottabad	Hafipur	Against vice No.3
6.	Muhammad Shakir Ahmad Deputy Public Prosecutor (BS-18)	Lakki Marwat	D.I. Khan	Against vice No.1
7.	Mr. Attaullah Khan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Bannu	Against vacant post of Deputy Public Prosecutor (BS-18)
8.	Muhammad-Usdeem Khan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Lakki Marwat	--do--
9.	Mr. Hayatullah Jan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Lakki Marwat	--do--
10.	Mr. Sher Bahadar Khan Deputy Public Prosecutor (BS-18)	D.I. Khan	Tank	--do--
11.	Mr. Ziaullah Wazir Deputy Public Prosecutor (BS-18)	Manshera	Manshera	--do--
12.	Mr. Khalid Khan Deputy Public Prosecutor (BS-18)	Mardan	Mardan	--do--
13.	Mr. Tasawar Hussain Deputy Public Prosecutor (BS-18)	Lakki Marwat	D.I. Khan	Against vacant post of Senior Public Prosecutor (BS-19) In OPS.
14.	Mr. Amanullah Deputy Public Prosecutor (BS-18)	Bannu	Kohat	Against vacant post of Senior Public Prosecutor (BS-19) In OPS.
15.	Mr. Muzafar Ahmad Deputy Public Prosecutor (BS-18)	Mardan	Swat	Against vacant post of Deputy Public Prosecutor (BS-18)
16.	Mr. Javed-ur Rehman Deputy Public Prosecutor (BS-18)	Malakand	Dir Lower	--do--
17.	Mr. Syed Fatih Sair Deputy Public Prosecutor (BS-18)	Mardan	Chorsadda	Against vacant post of Senior Public Prosecutor (BS-19) In OPS.
18.	Mr. Manzoor Alam Deputy Public Prosecutor (BS-18)			On deputation to FIA
19.	Mr. Umar Niaz Deputy Public Prosecutor (BS-18)	Bannu	Kohat	Against vacant post of Deputy Public Prosecutor (BS-18)

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20.	Mr. Rafiqullah Deputy Public Prosecutor (BS-16)	Mardan	Mardan	-do-
21.	Muhammad Tufail Deputy Public Prosecutor (BS-16)	Kohat	Muzakand	-do-
22.	Mr. Ismaeel Rehman Deputy Public Prosecutor (BS-16)	Nowshera	Hangu	-do-
23.	Mr. Asim Mahmood Deputy Public Prosecutor (BS-16)	Abbottabad	Abbottabad	Against vacant post of Senior Public Prosecutor (BS-16) in OPS.
24.	Mr. Saifullah Deputy Public Prosecutor (BS-16)	On repatriation from deputation	Directorate of Prosecution	Deputy Director Admin Against vice No.25 in OPS.
25.	Mr. Atiqur Rehman Deputy Public Prosecutor (BS-16)	Deputy Director Legal, Directorate of Prosecution	Nowshera	Mr. Aziz Ahmad presently holding the post of Deputy Director Administration shall work as Deputy Director Legal
26.	Mr. Fazal Mubsood Assistant Public Prosecutor (BS-17)	Initial Recruitment	Chitral	Against vacant post of Assistant Public Prosecutor (BS-17)
27.	Mrs. Aster Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swabi	-do-
28.	Mr. Zahid Ullah Assistant Public Prosecutor (BS-17)	Initial Recruitment	Karak	-do-
29.	Mr. Syeda Azeen Azra Assistant Public Prosecutor (BS-17)	Initial Recruitment	Manshara	Against the vacant post of Deputy Public Prosecutor (BS-18) in OPS.
30.	Mr. Shah Khalid Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swabi	Against the vacant post of Deputy Public Prosecutor (BS-18) in OPS.
31.	Mr. Muhammad Ijaz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Malakand	Against vice No.16
32.	Mr. Muhammad Sheraz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.12
33.	Mr. Imtiaz Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Buner	Against vacant post of Assistant Public Prosecutor (BS-17)
34.	Mr. Abdus Samad Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	D.I. Marwat	Against vice No.06
35.	Mr. Shanzad Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swat	Against vacant post of Assistant Public Prosecutor (BS-17)
36.	Mr. Malik Usman Akram Assistant Public Prosecutor (BS-17)	Initial Recruitment	Haripur	-do-
37.	Mr. Fahid Ali Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.15
38.	Mr. Suleman Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No. 17
39.	Mr. Shad Muhammad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Kohat	Against vacant post of Assistant Public Prosecutor (BS-17)
40.	Mr. Majid Ali Assistant Public Prosecutor (BS-17)	Initial Recruitment	Buner	-do-
41.	Mr. Shaid Ullah Assistant Public Prosecutor (BS-17)	Initial Recruitment	D.I. Khan	-do-
42.	Muhammad Tahir Zeb Assistant Public Prosecutor (BS-17)	Initial Recruitment	Torghar	Against vice No.51

*Attached to be
True Copy,
Minister*

(24)

FROM : DPP/HR

FAX NO. : 0995627994

23 Aug. 2018 11:57AM P4

FAX NO. : 0919213559

11 Oct. 2018 11:24PM P3

43.	Mr. Afraslyab Yousofzai Assistant Public Prosecutor (BS-17)	Initial Recruitment	Nowshera	Against vice No.22
44.	Mr. Farman Ullah Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Malakand	Against vacant post of Assistant Public Prosecutor (BS-17)
45.	Mr. Imran Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swat	-do-
46.	Mr. Muhammad Razaan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Dir Upper	-do-
47.	Miss. Naveeda Naz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Peshawar	-do-
48.	Miss. Aalia Assistant Public Prosecutor (BS-17)	Initial Recruitment	Peshawar	Against vice No.52
49.	Miss. Zainab Nigar Assistant Public Prosecutor (BS-17)	Initial Recruitment	Manshera	Against Vice No.11
50.	Mr. Semeen Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.20
51.	Mr. Imran Khan Assistant Public Prosecutor (BS-17)	Torghar	Abbottabad	Against vice No.05
52.	Muhammad Naseem Khan Assistant Public Prosecutor (BS-17)	Haripur	Abbottabad	Against vice No.23
53.	Mr. Qasim Zeb Assistant Public Prosecutor (BS-17)	Peshawar	Swabi	Against the vacant post of Deputy Public Prosecutor (BS-18) in OPS.
54.	Mr. Kamran Amir Assistant Public Prosecutor (BS-17)	Kohat	Barnu	Against Vice No.14
55.	Muhammad Muzaffar Assistant Public Prosecutor (BS-17)	Hangu	Charsadda	Against vacant post of Assistant Public Prosecutor (BS-17)
56.	Mr. Muhammad Arif Assistant Public Prosecutor (BS-17)	Dir Upper	Malakand	-do-
57.	Syed Abdul Mujeeb Assistant Public Prosecutor (BS-17)	Dir Lower	Mardan	Against vice No.58
58.	Miss. Sumaira Assistant Public Prosecutor (BS-17)	Mardan	Dir Lower	Against vice No.57
59.	Mr. Abdul Wahed Assistant Public Prosecutor (BS-17)	Chitral	Swat	Against vacant post of Assistant Public Prosecutor (BS-17)
60.	Mr. Arbab Muhammad Ahtisham Assistant Public Prosecutor (BS-17)	Mardan	Peshawar	-do-
61.	Mr. Waheedullah Assistant Public Prosecutor (BS-17)	Chitral	Dir Upper	-do-
62.	Mr. Zulfiqar Ali Assistant Public Prosecutor (BS-17)	Swat	Nowshera	Against vacant post of Assistant Public Prosecutor (BS-17)
63.	Mr. Haroon Khan Sahi Assistant Public Prosecutor (BS-17)	Buner	Swat	-do-
64.	Mr. Sikander Zaman Assistant Public Prosecutor (BS-17)	Dir Upper	Malakand	-do-
65.	Mr. Noshadwan Khan Assistant Public Prosecutor (BS-17)	Swat	Directorate of Prosecution	-do-

SECRETARY
HOME DEPARTMENT

page-03of04

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(25)

FROM : DFFHR

FAX NO. : 0995627894

23 Aug. 2019 11:57AM P5

FAX NO. : 0919212559

11 Oct. 2019 11:25PM P4

Endot. No. and date event:

Copy forwarded to:

- 1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- 2. The PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 3. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 4. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
- 5. All the District Public Prosecutors, Khyber Pakhtunkhwa.
- 6. All the District Accounts Officers, Khyber Pakhtunkhwa.
- 7. P.S to Secretary, Home Department, Peshawar.
- 8. Officer Concerned.

X
 Section Officer (Prosecution) 11/18

*Attended to be
 true copy
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BEFORE THE AUGUST SERVICES TRIBUNAL KHYBER
PAKHTUNKHUWA, PESHAWAR.

ILTAF HUSSAIN AKHTAR, DY PUBLIC PROSECUTOR..... APPELLANT.

VERSUS.

- 1. The Chief Secretary, Govt: of KPK, Peshawar.
- 2. The Secretary Establishment, Govt: of KPK, Peshawar.
- 3. The Secretary, Home and T,A. Govt: of KPK Peshawar.
- 4. The Director General, Prosecution, KPK, Peshawar and others.....Respondents

Subject:- APPLICATION FOR STATUS QUO.

Sir,

The applicant submit as under:-

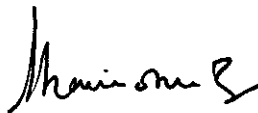
- 1. That the appellant has filed an appeal before this honorable Tribunal and this application may be treated as part and parcel of the said appeal.
- 2. That when the appellant was promoted as Deputy Public Prosecutor, the respondents' No. 5 to 13 were not yet appointed, but for reason best known they have been assigned seniority which is evident from the seniority list.
- 3. That the appellant has a prima facie case and the balance of convenience also tilts in favor of the appellant.
- 4. That the respondents No. 3 & 4 are bent upon processing the promotion case of the Deputy Public Prosecutor sans the appellant, which will cause irreparable loss to the appellant besides seriously jeopardizing the benefits of the appellant and giving undue benefits to the respondents and others, while the case of the appellant is at par with the others and at a better footing than the respondents.

It is, therefore, requested that in light of the above discourse status quo may please be granted and respondents No.3 & 4 may be restrained from processing any promotion case of Deputy Public Prosecutor until the settlement of seniority of the appellant.

APPELLANT,
THROUGH
(SHAD MUHAMMAD KHAN)
ADVOCATE, SUPREME COURT.

AFFIDAVIT.

I do hereby solemnly affirm and state that all the contents of this application are correct to the best of knowledge and nothing has been concealed from this august Tribunal/Court.


(ILTAF HUSSAIN AKHTA)
DEPUTY PUBLIC PROSECUTOR,
MANSEHRA.

وکالت نامہ

SERVICES TRIBUNAL UPIC, PESHAWAR

بعدالت جناب
 الدعوی یا جرم
 بینام
 منجانب
 باعث تحریر آنکہ

مندرجہ بالا عنوان میں اپنی طرف سے پیروی و جوابدہی بمقام

شاد محمد خان ایڈووکیٹ سپریم کورٹ آف پاکستان

یہ میں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص خود، عدالت حاضر ہوتا ہوں گا۔ اور بوقت، پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام پکھری کے کسی اور جگہ سماعت ہونے پر یا بروز پکھری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے یا مختیار نامہ واپس کرنے کے مجھے صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء، ڈگری و نظر ثانی اپیل نگرانی دائر کرنے، نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کارروپیہ وصول کرنے اور رسید دینے اور داخل کرانے کا ہر قسم بیان دینے اور سپرد ثالثی و راضی نامہ و فیصلہ، برخلاف کرنے و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا بطرفہ درخواست حکم اتمامی یا ڈگری نقل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ پیروی مختیار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل اور اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے شیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو، پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختیار نامہ لکھ دیا ہے کہ سند ہے۔

مضمون مختیار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

المرقوم..... 22/8/19

عبد العبد العبد

ATTESTED & ACCEPTED
 SHAD MUHAMMAD KHAN,
 Advocate Supreme Court,
 of Pakistan.

Shad Muhammad Khan
 22/8/19

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL, CAMP COURT ABBOTABAD**

Service Appeal No. 1086-P/2019

Iltaf Hussain Akhtar, Deputy Public Prosecutor.

Petitioners.....


VERSUS

Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber
Pakhtunkhwa and others.

Respondents.....

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S.No	DESCRIPTION	Annexure	PAGE
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2.	Final Seniority List	A	5-12
3.	Promotion Notification dated 10.10.2018	B	13-16
4.	Copy of order/judgment	C	17-18
5.	Reply to Application for Status Quo	D	19-20
6.	Affidavit	-	21
7.	Authority Letter		22

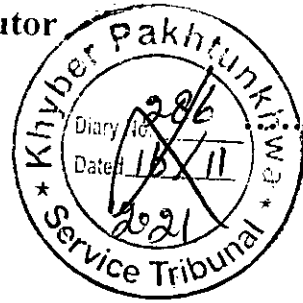

(Saeed Naeem)
Director Legal
Directorate of Prosecution
Khyber Pakhtunkhwa

(1)

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

Service Appeal No. 1086/ 2019

Iltaf Hussain Akhtar, Deputy Public Prosecutor



..... Petitioner

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa & others.....

.....Respondents

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS 1 to 4.

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:-

- 1) That, the appellant has got no cause of action.
- 2) That, the instant service appeal is not maintainable in its present form.
- 3) That, the appellant has got no locus standi to file the instant service appeal.
- 4) That, the appellant is estopped by his own conduct to file the present service appeal.
- 5) That, the appellant has not come to this Hon'ble Tribunal with clean hands.
- 6) That, the appellant has concealed material facts from this Hon'ble Tribunal and based on gross misstatement, hence bad in law and facts both.
- 7) That, the appeal is bad for mis-joinder and non-joinder of necessary parties.
- 8) That, the Hon'ble Tribunal has got no jurisdiction to entertain the instant appeal.
- 9) That the instant appeal is barred by law.
- 10) That the appellant has never impugned any seniority list, thus, the same has got finality and cannot be reopened or questioned at this belated stage.



1. Para-1 pertains to record. Hence, needs no comments.
2. Para-2 is misconceived, the appellant was not promoted on regular basis as his required length of service of the appellant was not completed by that time therefore, he was appointed on acting charge basis to the post of Deputy Public Prosecutor (BPS-17) under rule-9 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. Moreover, as per rule-9(6) of the rules ibid appointments on acting charge basis shall not confer any vested right to a civil servant to be posted on such post through regular promotion.
3. Para-3 is misconceived, hence denied. The final seniority list of Deputy Public Prosecutor was issued on 18-11-2013, wherein the name of the appellant was inadvertently placed at serial No. 40 with the remarks in the relevant column of such seniority list i.e "by promotion on acting charge basis" but later on, the respondents No. 4 rectified its mistake with the recommendation that name of appellant be placed in the seniority list of Assistant Public Prosecutor being appointed on the post of Deputy Public Prosecutor on acting charge basis. Thus, on the approval of the Competent Authority (Chief Secretary), the final seniority list of Assistant Public Prosecutors was issued and his name was accordingly placed at serial No. 9 of the Final Seniority list of the Assistant Public Prosecutors (BPS-17) (**Annexure-A**) with the remarks in the relevant column as (working as Dy: Public Prosecutor (BPS-17) on acting charge basis at Swabi)
4. Para-4 pertains to record, moreover, the instant service appeal has got no nexus with the mentioned writ petition.
5. Para-5 pertains to record, hence, needs no comments.
6. Para-6 is misconceived. As the appellant was appointed on acting charge basis to the post of Deputy Public Prosecutor (BPS-17) vide final seniority list, therefore he was promoted to Deputy Public Prosecutor (BPS-18) vide Notification dated 10-10-2018 (**Annexure-B**). It is worth to note that the promotion case of the appellant was not preceded due to pending appeal filed by Shiekh Zahoor, Assistant Public Prosecutor who was also appointed on acting charge basis, wherein stay on the promotion process was issued. (copy of the relevant order / judgment as **Annexure-C**).
7. Para-7 pertains to record, hence needs no comments, while the rest of para is baseless, having no legal footings.

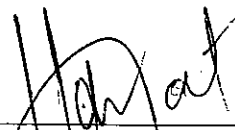
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REPLY TO GROUNDS:-

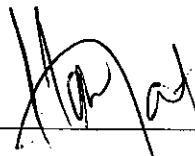
1. Para is incorrect, hence denied. No legal/ fundamental rights of the appellant has been violated rather the appellant has been treated in accordance with law/ rules in vogue.
2. Para is incorrect, hence denied, as replied vide para No. 2 of the facts.
3. Para is incorrect, hence denied. As the said seniority list was later on rectified by the replying respondent, which has got the finality, thus the same cannot be questioned at this belated stage.
4. Para is incorrect, hence denied. Moreover, the promotion process/ case of the appellant was kept pending due to court order / pending litigation and the replying respondents have committed no illegality thus, the question of mala-fide or ill will does not arise at all.
5. As replied vide preceding paras of the facts.
6. Para is incorrect. As no illegality or irregularity whatsoever has been committed by the replying respondents No 1 to 4 rather he has been treated in accordance with law.
7. Incorrect, hence denied. As no proof has been appended with the appeal, hence reply could not be offered.
8. Incorrect and misconceived.
9. Para is misleading and hypocritic, hence, denied. The appellant has rightly been promoted to (BPS-18) on 29-05-2018 and he cannot question the seniority of the private respondents No. 5 to 13 as they were in (BPS-18) on regular basis at the time when the appellant was in (BPS-17).
10. Para is misconceived, the promotion case of Deputy Public Prosecutor is not affecting any legal right of the appellant and similarly question of irreparable loss or inconvenience does not arise. Thus, request of the appellant with respect to restraining the promotion case of Deputy Public Prosecutor is baseless, without legal footing and justification.
11. Para is legal hence, needs no comments.

PRAYER:

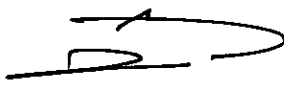
In light of the above facts and circumstances of the case, appeal filed by the appellant is devoid of any merit and legal substance; therefore, may graciously be dismissed with cost, please.




**Chief Secretary
Govt. of Khyber Pakhtunkhwa
(Respondent No. 1)**



**Secretary to Govt. of Khyber
Pakhtunkhwa
Establishment Department
(Respondent No. 2)**



**Secretary to Govt. of Khyber
Pakhtunkhwa
Home & Tribal Affairs Department
(Respondent No. 3)**



**Director General Prosecution
Home Department,
Govt of Khyber Pakhtunkhwa
(Respondent No. 4)**

**FINAL SENIORITY LIST OF ASSISTANT PUBLIC PROSECUTORS (BPS-16)
IN KHYBER-PAKHTUNKHWA.**

S. #.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
1.	Mr. Zulfiqar Khan, B.A, LL.B	02/04/1956, Peshawar.	13/03/1988 as PSI (BPS-11) in Police Department.	31/05/2007	(BPS-16)	All the post in BPS-14 have been upgraded to BPS-16 by the Provincial Government in accordance with KPK Service Rules, 2005 as amended in 2010	Working as Dy: PP (BS-17) on acting charge basis at Nowshera
2.	Mr. Pervez Ilahi, B.Sc, LL.B	01/01/1955, Peshawar.	01/07/1977 as PSI (BPS-07) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Peshawar.
3.	Mr. Israr Ali, B.A, LL.B	15/02/1957, Dir (Lower)	31/10/1982 as PSI (BPS-11) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Dir Lower.
4.	Mr. Anis Ahmad Jan, B.A, LL.B	26/04/1958, Mansehra	29/01/1984 as PSI (BPS-11) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Mansehra
5.	Mr. Altaf Hussain, B.A, LL.B	12/02/1961, D.I.Khan	17/09/1989 as PSI (BPS-11) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Tank.
6.	Mr. Fazale Hadi, B.A, LL.B	03/10/1960, Dir (Upper)	09/12/1990 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Battagram.
7.	Mr. Syed Murtaza Shah, B.A, LL.B	27/01/1957, Haripur.	31/07/1991 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Abbottabad
8.	Mr. Sheikh Zahoor Ahmad, B.A, LL.B	18/02/1958, Abbottabad	31/07/1991 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Swabi.
9.	Mr. Iltaf Hussain Akhtar, B.A, LL.B	01/04/1962, Mansehra	31/07/1991 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Peshawar
10.	Muhammad Changaiz Khan, B.A, LL.B	01/05/1962, Abbottabad	03/08/1991 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Working as Dy: PP (BS-17) on acting charge basis at Nowshera.
11.	Mr. Qamar Zab, B.A, LL.B	21/08/1965, Nowshera.	18/12/1991 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Haripur
12.	Mr. Muhammad Nisar, B.A, LL.B	20/04/1955, Peshawar.	11/04/1992 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Mardan
13.	Mr. Zaheer-ud-Din, B.A, LL.B	18/02/1964, Haripur.	11/04/1992 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Chitral
14.	Mr. Javed Iqbal, B.A, LL.B	13/05/1956, Mardan	10/04/1977 as PSI (BPS-07) in Police Department.	31/05/2007	(BPS-16)	-do-	
15.	Muhammad Afzal Khan, M.A, LL.B	01/05/1965, Chitral	18/06/1992 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	

13 th	14 th	15 th	16 th
Vacancy	Vacancy	Vacancy	Vacancy
Zone-5	Zone-1	Zone-2	
20	09	14	
Meru			
Ihsan			
Waqas Ashraf S/O	Shoukat Ali S/O	Atiq ur Rehman S/O	Haji Saced ur Rehman
Muhammad Ashraf.	Rehman Wali.		
Mohmand Agency/1	Peshawar/2	Mohmand Agency	
Quota	Quota	Quota	Quota
Own	Own	Merit	Quota

#.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
16.	Muhammad Saeed, B.A, LL.B	14/08/1962, Mardan	21/02/1993 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Dir Lower
17.	Mr. Javid Iqbal Anwar, B.A, LL.B	20/09/1965, Haripur.	29/03/1993 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Haripur
18.	Muhammad Shakeel Ahmad B.A, B.Ed, LL.B	02/05/1968, D.I.Khan.	02/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	D.I.Khan
19.	Mr. Attaullah, B.Sc, LL.B	20/08/1971, Lakki Marwat.	06/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Lakki Marwat
20.	Mr. Muhammad Nadeem, B.A, LL.B	09/04/1969, Lakki Marwat.	06/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Lakki Marwat
21.	Mr. Hayatullah, B.A, LL.B	02/01/1970, Bannu	08/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Bannu
22.	Mr. Sher Bahadar Khan, B.Sc LL.B	06/09/1973, D.I.Khan	02/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	D.I.Khan
23.	Mr. Ziaullah Wazir, B.A, LL.B	26/10/1965, F.R Bannu	08/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Abbottabad
24.	Mr. Khalid Khan, B.A, LL.B	10/02/1969, Swabi.	15/10/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Swabi
25.	Mr. Tasawar Hussain, B.A, LL.B	01/04/1970, D.I.Khan	02/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	D.I.Khan
26.	Mr. Amanullah, M.A, LL.B	19/12/1966, Lakki Marwat.	08/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Bannu
27.	Mr. Muzafar Ahmad, B.A, LL.B	12/02/1968, Dir (Lower)	05/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Buner
28.	Mr. Javed Ur Rehman, B.A, LL.B	02/09/1965, Mardan.	06/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Malakand
29.	Syed Falak Sair, B.Sc, LL.B	05/12/1964, Dir (Upper)	06/04/1999 as PSI (BPS-14) in Police Department.	31/05/2007	(BPS-16)	-do-	Charsadda
30.	Mr. Manzoor Alam Khan, B.A, LL.B	27/04/1982, Peshawar.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	By Fresh appointment through PSC	Peshawar
31.	Mr. Umer Niaz, B.A, LL.B	12/03/1981, Karak	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Karak
32.	Mr. Zahir Khan, B.A, LL.B	13/01/1982, Mohmand Agency	26/05/2008 as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Kohat
33.	Mr. Rafi Ullah, M.A, LL.B	01/04/1983, Mohmand Agency	26/5/2008 as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Mardan
34.	Mr. Shaukat Ali, B.A, LL.B	09/08/1977, Mohmand Agency	26/05/2008 as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Charsadda

13 th Vacancy	Merit	08	Ihsan Ul Haq	Agency	Own Quota
14 th Vacancy	Zone-3	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Haji Saeed ur Rehman	Peshawar/2	Own Quota
			Muhammad Tufail S/O	Mohmand	Merit Quota

13 th Vacancy	Merit	08	Ihsan Ul Haq	Agency	Own Quota
14 th Vacancy	Zone-3	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Haji Saeed ur Rehman	Peshawar/2	Own Quota
			Muhammad Tufail S/O	Mohmand	Merit Quota

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S. #.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
35.	Muhammad Tufail, B.A, LL.B	30/03/1981, Mohammad Agency	26/05/2008-as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Charsadda
36.	Mr. Ibad-ur-Rehman, B.Sc, L.L.B	17/12/1978, Peshawar.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Kohat
37.	Mr. Asim Mehmood, B.A, LL.B	01/04/1980, Abbottabad	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Mansehra
38.	Mr. Waqas Ashraf, M.A, LL.B	27/06/1979, Abbottabad.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Abbottabad
39.	Mr. Zia-ul-Qamar Safi, B.A, LL.B	30/01/1978, Mohmand Agency	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Nowshera
40.	Mr. Rafi Ullah, B.A, LL.B	31/08/1975, Mingora, Swat.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Swat
41.	Muhammad Muzafar, B.A, LL.B	06/09/1979, Khyber Agency	26/05/2008 as Assistant Public Prosecutor (BPS-16)	26/5/2008	(BPS-16)	-do-	Haripur
42.	Mr. Amjad Hussain, B.A, LL.B	09/02/1980, Dir (Upper).	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Charsadda
43.	Mr. Kashif Dilawar, M.A, LL.B	20/03/1980, Haripur.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Haripur
44.	Mr. Bakht Baidar Khan, M.A, LL.B	02/05/1980, Bunir.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Buner
45.	Mr. Anwar Khan, M.A, LL.B	25/05/1980, FR Peshawar	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Peshawar
46.	Muhammad Zaib Khan, B.A, LL. B	01/03/1972, Swabi.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Charsadda
47.	Muhammad Ilyas Khan, M.A, LL.B	20/09/1976, Abbottabad	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Kohistan
48.	Syed Asghar Asad, M.A, L.L.M	20/08/1977, Peshawar	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Peshawar
49.	Mr. Farih Ullah, B.Sc, LL.M	29/03/1978, Dir (Lower)	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Dir Lower
50.	Mr. Khani Zaman, M.A, LL.B	11/11/1978, Mansehra	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Abbottabad
51.	Muhammad Inam, M.A, LL.B	30/05/1979, Mardan.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Mardan
52.	Muhammad Naeem, B.A, LL.B	20/02/1980, Malakand Agency	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Swat
53.	Mr. Javed Ali, B.A, LL.B	23/03/1981, Mohmand Agency	26/05/2008 as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Peshawar

13 th Vacancy	Merit	08	Rafi Ullah S/O Ihsan Ul Haq	Mohmand Agency	Quota
14 th Vacancy	Zone-5	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09.	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Haji Saeed ur Rehman	Peshawar/2	Own Quota

-do-	charge basis at Charsadda.
-do-	Peshawar
-do-	Haripur

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S. No.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
54.	Mr. Javed Akhtar Wazir, B.A, LL.B	01/10/1981, S.W. Agency	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	D.I Khan
55.	Mr. Murtaza Khan, M.A, LL.B	01-02-1982, Mardan	05-05-2008 as Assistant Public Prosecutor (BPS-16)	05-05-2008	(BPS-16)	-do-	Mardan.
56.	Mr. Noor Salam Khan, B.A, LL.B	13/04/1973, N.W. Agency Miranshah.	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Bannu
57.	Mr. Niamatullah Jamal B.A, LL.B	12/04/1974, D.I.Khan	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	D.I.Khan
58.	Mr. Yousaf Jamal, MA, LL.B	20/04/1981, Karak	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Karak
59.	Mr. Gohar Ali, M.A, LL.B	10/11/1970, Swat	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Peshawar
60.	Mr. Latif Khan, B.A, LL.B	03/02/1975, Bannu	05/05/2008 as Assistant Public Prosecutor (BPS-16)	05/05/2008	(BPS-16)	-do-	Bannu
61.	Mr. Zahoor Khan, B.A, LL.B	04/03/1981, Peshawar	26/05/2008 as Assistant Public Prosecutor (BPS-16)	26/05/2008	(BPS-16)	-do-	Kohat
62.	Mr. Sher Alam, M.A, LL.B	10/01/1980, Mansehra	08/07/2009 as Assistant Public Prosecutor (BPS-16)	08/07/2009	(BPS-16)	-do-	Mansehra
63.	Muhammad Sohail, B.A, LL.B	20/05/1985, Battagram.	08/08/2009 as Assistant Public Prosecutor (BPS-16)	08/08/2009	(BPS-16)	-do-	Battagram
64.	Miss Haseena Syed, B.A, LL.B	23/03/1984, Peshawar	01/09/2009 as Assistant Public Prosecutor (BPS-16)	01/09/2009	(BPS-16)	-do-	Directorate
65.	Mr. Fawad Ahmad, B.A, LL.B	14/04/1981, Swat.	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Shangia
66.	Mr. Amjad Ali, B.A, LL.B	12/03/1980, Peshawar	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Kohat
67.	Mr. Abdul Sattar, B.A, LL.B	12/04/1978, Peshawar	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Kohat
68.	Mr. Zafranullah, M.A, LL.B	10/06/1979, Karak	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Karak
69.	Mr. Qaid ul Islam, B.A, LL.B	20/02/1978, Chitral	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Chitral
70.	Muhammad Arif Masud, M.A, LL.B	01/04/1981, Mansehra	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Mansehra
71.	Mr. Abdul Qasim, B.A, LL.B	15/04/1983, Karak	03/01/2011 as Assistant Public Prosecutor (BPS-16)	03/01/2011	(BPS-16)	-do-	Karak

13 th Vacancy	Merit	08	Rafi Ullah S/O Ihsan Ul Haq	Mohmand Agency	Quota
14 th Vacancy	Zone-5	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Haji Saeed ur Rehman	Peshawar/2	Own Quota

-do-	Working as Dy:PP (BS-17) on acting charge basis at Charsadda.
-do-	Peshawar
-do-	Haripur

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S. #.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
72.	Mr. Waheed Ullah Khan BA, LLB	29-11-1981, Lakki Marwat	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	Through PSC	Lakki Marwat
73.	Syed Wahaj Ali Shah BSC, LLB	15-03-1985, Haripur	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Abbottabad
74.	Mr. Atta Ur Rehman BA, LLB	02-03-1984, Swat	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Swat
75.	Mr. Imran Khan BA, LLB	09-01-1984, Mohmand Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Malakand
76.	Mr. Tahir Khan BA, LLB	10-04-1985, Mohmand Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Peshawar
77.	Mr. Raees Khan BA, LLB	30-07-1986, Peshawar	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Malakand
78.	Mis. Zobia Bibi BA, LLB	01-04-1979, Haripur	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Haripur
79.	Mr. Gul Nawaz BA, LLB	13-03-1982, Khyber Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Mardan
80.	Syed Mohsin Mustafa BA, LLB	20-04-1983, Mansehra	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Mansehra
81.	Mr. Ahmad Zaib Shah BA, LLB	07-02-1982, Swat	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Swat
82.	Mr. Sadiq Ullah BA, LLB	17-08-1983, Mohmand Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Peshawar
83.	Muhammad Sajjad Khan MA, LLB	11-01-1982, Mardan	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Swabi
84.	Mr. Imran Khan BA, LLB	01-01-1986, Shangla	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Nowshera
85.	Muhammad Rashid BA, LLB	20-03-1980, Mardan	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Dir Upper
86.	Mr. Mubarak Ali BSC, LLB	15-03-1982, Peshawar	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Nowshera
87.	Mis. Sahibzadi Yasmeen Ara MA, LLB	15-04-1985, Peshawar	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Directorate
88.	Mr. Mukhtair Ahmad MA, LLB	12-04-1982, Peshawar	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Charsadda
89.	Muhammad Ikram MA, LLB	02-09-1983, Mardan	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Mardan
90.	Muhammad Ayaz B, LLB	10-08-1983, Mohmand Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Peshawar

13 th Vacancy	Merit	08	Rafi Ullah S/O Ihsan Ul Haq	Mohmand Agency	Merit Quota
14 th Vacancy	Zone-5	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Hali Saeed ur Rehman	Peshawar/2	Own Quota

-do-	charge basis at Haripur.
-do-	Working as Dy:PP (BS-17) on acting charge basis at Charsadda.
-do-	Peshawar
-do-	Haripur

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(11)

#.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
91.	Mr. Zafar Ali Khan BA, LLB	14-04-1982, South Waziristan Agency	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	D.I.Khan
92.	Mr. Khalid Khan Wazir BA, LLB	01-04-1983, FR Bannu	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Karak
93.	Mr. Shabaz Noor BSC, LLB	04-04-1984, Hangu	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Hangu
94.	Mis. Amina Bibi BA, LLB	15-07-1984, Haripur	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Haripur
95.	Mr. Amjad Khan BA, LLB	12-12-1985, Buner	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Buner
96.	Mr. Ibrar Ahmad BA, LLB	28-03-1983, Karak	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Tank
97.	Syed Amir Shah BA, LLB	08-10-1985, Kohat	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Kohat
98.	Muhammad Naseem Khan, BA, LLB	06-12-1983, Abbottabad	20-12-2012 as Assistant Public Prosecutor (BPS-16)	20-12-2012	16	-do-	Mansehra
99.	Mr. Mazhar Ali Shah MA, LLB	20-03-1982, Mardan	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Swabi
100.	Mr. Fazli Haadi MA, LLB	01-04-1981, Buner	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Buner
101.	Muhammad Sikandar Khan BA, LLB	01-11-1984, Peshawar	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Charsadda
102.	Mr. Amir Anjum BA, LLB	18-12-1986, Peshawar	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Nowshera
103.	Mr. Nayyar Rashid BA, LLB	31-12-1980, Mansehra	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Peshawar
104.	Muhammad Ullah BA, LLB	10-04-1983, Mohmand Agency	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Dir Lower
105.	Mr. Rashid Khan BA, LLB	20-02-1984, Nowshera	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Mardan
106.	Muhammad Umair Umer BA, LLB	21-11-1986, Charsadda	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Swabi
107.	Mr. Imran Ullah Khan BA, LLB	03-04-1983, Lakki Marwat	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Lakki Marwat
108.	Mr. Habib Ullah Khan BA, LLB	13-04-1979, Haripur	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Haripur
109.	Mr. Asfandiyar BA, LLB	18-02-1985, Mohmand Agency	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Dir Lower

13 th Vacancy	Merit	08	Rafi Ullah S/O Ihsan Ul Haq	Mohmand Agency	Merit Quota
14 th Vacancy	Zone-5	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Own Quota
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Own Quota
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O	Peshawar/2	Own Quota

-do-	Working as Dy:PP (BS-17) on act charge basis at Abbottabad
-do-	Working as Dy:PP (BS-17) on act charge basis at Haripur.
-do-	Working as Dy:PP (BS-17) on act charge basis at Charsadda.
-do-	Peshawar
-do-	Haripur

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#.	Name of officer with academic Qualification.	Date of Birth & Domicile.	Date of first entry into service with BPS.	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
110.	Mr. Naeem Ullah BA, LLB	20-02-1985, Peshawar	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Dir Upper
111.	Muhammad Yasir Khan BA, LLB	13-04-1985, Tank	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Tank
112.	Mis. Attia Rafiq MA, LLB	05-04-1982, Nowshera	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Peshawar
113.	Mr. Irfan Ullah BA, LLB	16-09-1983, Upper Dir	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Dir Upper
114.	Mr. Rahamdil Haq BA, LLB	12-06-1982, Bajaur	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Swat
115.	Mis. Irum Aisha BA, LLB	25-10-1985, Lakki Marwat	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Abbottabad
116.	Mr. Iftikhar Ahmad BA, LLB	20-04-1981, Swat	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Swat
117.	Mr. Inam Ullah BA, LLB	05-05-1984, South Waziristan Agency	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	D.I.Khan
118.	Mr. Sheema Ayub BA, LLB	17-05-1985, Peshawar	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Peshawar
119.	Mr. Ilyas Saeed BA, LLB	21-03-1985, Peshawar	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Dir Upper
120.	Mr. Umer Saif Ul Jalil BA, LLB	31-01-1986, Chitral	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Chitral
121.	Mr. Mazhar Ali Shah BA, LLB	13-03-1983, Swat	18-06-2013 as Assistant Public Prosecutor (BPS-16)	18-06-2013	16	-do-	Swat

M. Ullah
(ASMAT ULLAH KHAN GANDAPUR)

Director General Prosecution
Khyber Pakhtunkhwa

29-07-2014

13 th Vacancy	Merit	08	Rafi Ullah S/O Ihsan Ul Haq	Mohmand Agency	Quota Merit
14 th Vacancy	Zone-5	20	Waqas Ashraf S/O Muhammad Ashraf.	Abbottabad/5	Quota Own
15 th Vacancy	Zone-1	09	Shoukat Ali S/O Rehman Wali.	Mohmand Agency/1	Quota Own
16 th Vacancy	Zone-2	14	Atiq ur Rehman S/O Hali Saeed ur Rehman	Peshawar/2	Quota Own

-do-	Working as Dy:PP (BS-17) charge basis at Har
-do-	Working as Dy:PP (BS-17) charge basis at Chars
-do-	Peshawar
-do-	Haripur



Amor-B.

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

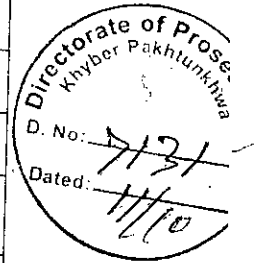
(13)

Dated Peshawar the October 10, 2018.

NOTIFICATION

NO.SO (Prosecution) HD/1-2/2018/VOL-1: Consequent upon their promotion to Deputy Public Prosecutor BS-18, as notified vide this Department's Notification of even number dated 29-05-2018, and appointment of the Assistant Public Prosecutor (BS-17) notification dated 10-09-2018, the Provincial Government of Khyber Pakhtunkhwa is pleased to order following posting/transfer and adjustment with immediate effect in the public interest:-

S.No	Name of Prosecutors with designation	From	To	Remarks
1.	Mr. Altaf Hussain Deputy Public Prosecutor (BS-18)	D.I. Khan	Bannu	Against vacant post of Deputy Public Prosecutor (BS-18)
2.	Mr. Fazal-e-Hadi Deputy Public Prosecutor (BS-18)	Nowshera	Nowshera	--do--
3.	Mr. Iltaf Hussain Akhtar Deputy Public Prosecutor (BS-18)	Haripur	Manshera	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
4.	Muhammad Afzal Khan Deputy Public Prosecutor (BS-18)	Chitral	Chitral	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
5.	Mr. Javed Iqbal Anwar Deputy Public Prosecutor (BS-18)	Abbottabad	Haripur	Against vice No.3
6.	Muhammad Shakeel Ahmad Deputy Public Prosecutor (BS-18)	Lakki Marwat	D.I Khan	Against vice No.1
7.	Mr. Attaullah Khan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Bannu	Against vacant post of Deputy Public Prosecutor (BS-18)
8.	Muhammad Nadeem Khan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Lakki Marwat	--do--
9.	Mr. Hayatullah Jan Deputy Public Prosecutor (BS-18)	Lakki Marwat	Lakki Marwat	--do--
10.	Mr. Sher Bahadar Khan Deputy Public Prosecutor (BS-18)	DI Khan	Tank	--do--
11.	Mr. Ziaullah Wazir Deputy Public Prosecutor (BS-18)	Mansehra	Mansehra	--do--
12.	Mr. Khalid Khan Deputy Public Prosecutor (BS-18)	Mardan	Mardan	--do--
13.	Mr. Tasawar Hussain Deputy Public Prosecutor (BS-18)	Lakki Marwat	D.I Khan	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
14.	Mr. Amanullah Deputy Public Prosecutor (BS-18)	Bannu	Kohat	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
15.	Mr. Muzafar Ahmad Deputy Public Prosecutor (BS-18)	Mardan	Swat	Against vacant post of Deputy Public Prosecutor (BS-18)
16.	Mr. Javed-ur Rehman Deputy Public Prosecutor (BS-18)	Malakand	Dir Lower	--do--
17.	Mr. Syed Falak Sair Deputy Public Prosecutor (BS-18)	Mardan	Charsadda	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
18.	Mr. Manzoor Alam Deputy Public Prosecutor (BS-18)			On deputation to FIA
19.	Mr. Umar Niaz Deputy Public Prosecutor (BS-18)	Bannu	Kohat	Against vacant post of Deputy Public Prosecutor (BS-18)



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20.	Mr. Rafiullah Deputy Public Prosecutor (BS-18)	Mardan	Mardan	--do--
21.	Muhammad Tufail Deputy Public Prosecutor (BS-18)	Kohat	Malakand	--do--
22.	Mr. Ibadur Rehman Deputy Public Prosecutor (BS-18)	Nowshera	Hangu	--do--
23.	Mr. Asim Mehmood Deputy Public Prosecutor (BS-18)	Abbottabad	Abbottabad	Against vacant post of Senior Public Prosecutor (BS-19) in OPS.
24.	Mr. Shafiullah, Deputy Public Prosecutor (BS-18)	On repatriation from deputation	Directorate of Prosecution	Deputy Director Admin against vice No.25 in OPS.
25.	Mr. Atiq-ur Rehman Deputy Public Prosecutor (BS-18)	Deputy Director Legal, Directorate of Prosecution	Nowshera	Mr. Aziz Ahmad presently holding the post of Deputy Director Administration shall work as Deputy Director Legal
26.	Mr. Fazal Mabood Assistant Public Prosecutor (BS-17)	Initial Recruitment	Chitral	Against vacant post of Assistant Public Prosecutor (BS-17)
27.	Miss. Aster Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swabi	-do-
28.	Mr. Zahid Ullah Assistant Public Prosecutor (BS-17)	Initial Recruitment	Karak	-do-
29.	Mr. Syeda Aleena Ayaz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mansehra	Against the vacant post of Deputy Public Prosecutor (BS-18) in OPS.
30.	Mr. Shah Khalid Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swabi	Against the vacant post of Deputy Public Prosecutor (BS-18) in OPS.
31.	Mr. Muhammad Ijaz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Malakand	Against vice No.16
32.	Mr. Muhammad Sheraz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.12
33.	Mr. Imtiaz Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Buner	Against vacant post of Assistant Public Prosecutor (BS-17)
34.	Mr. Abdus Samad Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Lakki Marwat	Against vice No.06
35.	Mr. Shahzad Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swat	Against vacant post of Assistant Public Prosecutor (BS-17)
36.	Mr. Malik Usman Akram Assistant Public Prosecutor (BS-17)	Initial Recruitment	Haripur	-do-
37.	Mr. Tahir Ali Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.15
38.	Mr. Suleman Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No. 17
39.	Mr. Shad Muhammad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Kohat	Against vacant post of Assistant Public Prosecutor (BS-17)
40.	Mr. Majid Ali Assistant Public Prosecutor (BS-17)	Initial Recruitment	Buner	-do-
41.	Mr. Shahid Ullah Assistant Public Prosecutor (BS-17)	Initial Recruitment	D.I Khan	-do-
42.	Muhammad Tasneem Zeb Assistant Public Prosecutor (BS-17)	Initial Recruitment	Torghar	Against vice No.51

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	Mr. Afrasiyab Yousafzai Assistant Public Prosecutor (BS-17)	Initial Recruitment	Nowshera	Against vice No.22
	Mr. Farman Ullah Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Malakand	Against vacant post of Assistant Public Prosecutor (BS-17)
	Mr. Imran Khan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Swat	-do-
	Mr. Muhammad Ramzan Assistant Public Prosecutor (BS-17)	Initial Recruitment	Dir Upper	-do-
	Miss. Naveeda Naz Assistant Public Prosecutor (BS-17)	Initial Recruitment	Peshawar	-do-
	Miss. Aalla Assistant Public Prosecutor (BS-17)	Initial Recruitment	Peshawar	Against vice No.53
	Miss. Zainab Nisar Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mansehra	Against vice No.11
50	Mr. Sameen Ahmad Assistant Public Prosecutor (BS-17)	Initial Recruitment	Mardan	Against vice No.20
51	Mr. Imran Khan Assistant Public Prosecutor (BS-17)	Torghar	Abbottabad	Against vice No.05
52	Muhammad Naseem Khan Assistant Public Prosecutor (BS-17)	Haripur	Abbottabad	Against vice No.23
53	Mr. Qamar Zeb Assistant Public Prosecutor (BS-17)	Peshawar	Swabi	Against the vacant post of Deputy Public Prosecutor (BS- 18) in OPS.
54	Mr. Kamran Amir Assistant Public Prosecutor (BS-17)	Kohat	Bannu	Against vice No.14
55	Muhammad Muzaffar Assistant Public Prosecutor (BS-17)	Hangu	Charsadda	Against vacant post of Assistant Public Prosecutor (BS-17).
56	Mr. Muhammad Arif Assistant Public Prosecutor (BS-17)	Dir Upper	Malakand	-do-
57	Syed Abdul Mujeeb Assistant Public Prosecutor (BS-17)	Dir Lower	Mardan	Against vice No.58
58	Miss. Sumaira Assistant Public Prosecutor (BS-17)	Mardan	Dir Lower	Against vice No.57
59	Mr. Abdul Waheed Assistant Public Prosecutor (BS-17)	Chitral	Swat	Against vacant post of Assistant Public Prosecutor (BS-17)
60	Mr. Arbab Muhammad Ahtisham Assistant Public Prosecutor (BS-17)	Mardan	Peshawar	-do-
61	Mr. Waheedullah Assistant Public Prosecutor (BS-17)	Chitral	Dir Upper	-do-
62	Mr. Zulfiqar Ali Assistant Public Prosecutor (BS-17)	Swat	Nowshera	Against vacant post of Assistant Public Prosecutor (BS-17)
63	Mr. Haroon Khan Safi Assistant Public Prosecutor (BS-17)	Buner	Swat	-do-
64	Mr. Sikandar Zaman Assistant Public Prosecutor (BS-17)	Dir Upper	Malakand	-do-
65	Mr. Noshawan Khan Assistant Public Prosecutor (BS-17)	Swat	Directorate of Prosecution	-do-

SECRETARY
HOME DEPARTMENT

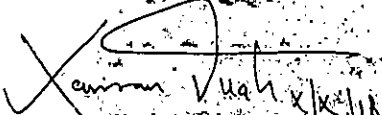
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C16

Endst: No. and date even:

Copy forwarded to: -

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. The PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
3. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
4. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
5. All the District Public Prosecutors, Khyber Pakhtunkhwa.
6. All the District Accounts Officers, Khyber Pakhtunkhwa.
7. P.S to Secretary, Home Department, Peshawar.
8. Officer Concerned.


Section Officer (Prosecution) 2/1/18

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Khyber
Pakhtunkhwa

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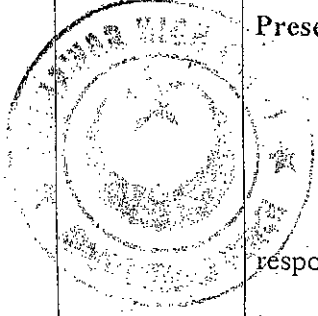
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PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM 'A'
FORM OF ORDER SHEET

Date of Order or Proceedings	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES
1	2
10.07.2014	<p data-bbox="550 515 1141 548"><u>C.M No.443-A/2014 and C.M No.444-A/2014.</u></p> <p data-bbox="550 582 981 616">Present: Counsels for the parties.</p> <p data-bbox="877 683 933 705">***</p> <p data-bbox="550 750 1268 1041">Applicants seek their impleadment as respondents and also for vacation of interim order passed in C.M No.334-A/2014 and 335-A/2014. These applications have been contested by the respondents by submitting their reply.</p> <p data-bbox="710 1086 1173 1120">Arguments heard and record perused.</p> <p data-bbox="550 1153 1268 1444">The main contention of the applicants are that since their promotion cases are in the pipe line but their promotion process has been stayed, therefore they have requested for the vacation of interim order passed in C.M No.334-A/2014 and C.M No.335-A/2014.</p> <p data-bbox="550 1478 1268 1792">From the perusal of record it reveals that petitioners Sheikh Zahoor Ahmed etc filed C.M No.334-A/2014 and C.M NO.335-A/2014 for implementation of judgment dated 21-11-2013 passed by this Court in W.P No.241 of 2011 and for restraining the respondents, not</p>



J.S.

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to process the promotion from BPS-17 to PBS-18 before the implementation of above judgment. These CMs NO.334-A/2014 and 335-A/2014 were fixed before the Division Bench on 27.05.2014 and notices were issued to respondents and in C.M No.335-A/2014 ~~status quo was maintained~~. Now the applicants wanted to vacate the above order. Since the status quo order has been passed by D.B, therefore, this order cannot be set aside or reviewed by S.B. No DB is functional at Abbottabad during summer vacation. Since, the matter is of urgent nature, therefore, office is directed to fix the case immediately after the summer vacation and be placed at senior part of the cause list.

~~In the meantime while respondents were also directed to positively implement the judgment dated 21.01.2015 of this Court.~~

C.M No.457-A/2014.

The present C.M is allowed and the document annexed with the C.M be considered as part and parcel of C.M No.444/2014.


JUDGE

Ant-D.

(19)

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

Service Appeal No. 1086/ 2019

Iltaf Hussain Akhtar, Deputy Public Prosecutor

..... **Petitioner**

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa & others.....

.....**Respondents**

REPLY TO APPLICATION FOR STATUS QUO.

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:-

- 1) That, the petitioner has got no cause of action.
- 2) That, neither the ingredients, essentials for grant of temporary injunction leans in favour of the appellant, what to say of having any prima facie and arguable case.
- 3) This Hon'ble Tribunal has got no jurisdiction to entertain this instant application.

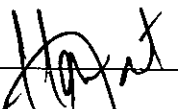
ON FACTS

1. Para-1 is legal, hence, needs no comments.
2. Para-2 is misleading, concocted and sternly denied. The respondent No. 5 to 13 in the main service appeal were in BPS-17 (before up-gradation) at a time, while the appellant was serving in BPS-17 on acting charge basis, so he is estopped to question the seniority of his senior colleagues i.e Respondent No. 5 to 11.
3. Para-3 is incorrect hence, denied. As the appellant is failed to made out prima facie case, therefore, balance of convenience does not tilts in his favour.
4. Para-4 is incorrect hence, denied. Neither the appellant has got any cause of action, nor is having any essential ingredients in his favour, so the question of causing irreparable loss in the event of promotion of the respondents No. 5 to 13 in the main service appeal does not arise at all.

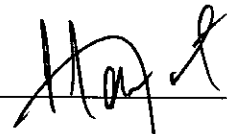
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PRAYER:

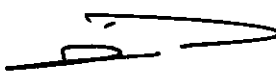
It is therefore, most humbly prayed that on the acceptance of the instant reply the application for the status quo rather temporary injunction may graciously be dismissed with cost, please.




**Chief Secretary
Govt. of Khyber Pakhtunkhwa
(Respondent No. 1)**



**Secretary to Govt. of Khyber
Pakhtunkhwa
Establishment Department
(Respondent No. 2)**



**Secretary to Govt. of Khyber
Pakhtunkhwa
Home & Tribal Affairs Department
(Respondent No. 3)**



**Director General Prosecution
Home Department,
Govt of Khyber Pakhtunkhwa
(Respondent No. 4)**

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, CAMP COURT ABBOTABAD

Service Appeal No. 1086-P/2019

Iltaf Hussain Akhtar, Deputy Public Prosecutor.

Petitioners.....

VERSUS

Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa and others.

Respondents.....

AFFIDAVIT

I, Saeed Naeem, Director Legal, Directorate of Prosecution do hereby solemnly affirm and declare on oath that the contents of the Para wise reply in the above cited Service Appeal No. 1086-P/2019, are true and correct to the extent of office record and belief and nothing has been concealed from this Hon'able court.

ATTESTED



Deponent

CNIC No. 15302-0903670-5

Cell No. 03005749006

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, CAMP COURT ABBOTABAD

Service Appeal No. 1086-P/2019

Iltaf Hussain Akhtar, Deputy Public Prosecutor.

Petitioners.....

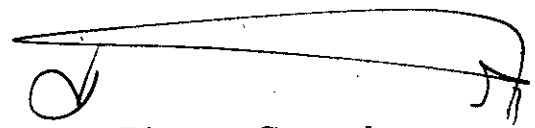
VERSUS

Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa and others.

Respondents.....

AUTHORITY LETTER

It is certified that Mr. Saeed Naeem, Director Legal, Directorate of Prosecution is authorized for submission of Para wise comments alongwith its enclosures on the behalf of Respondents in Service Appeal No. 1086-P/ 2019.



**Director General
Directorate of Prosecution
Home & Tribal Affairs Department
Khyber Pakhtunkhwa
Peshawar.**

Before the Honble Service Tribunal Camp Court Abbottabad

Altaf Husain Akhtar vs Chief Secretary ^{repe}
& others.

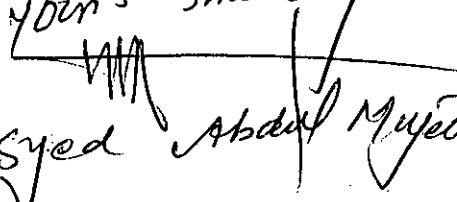
Acknowledgment letters-

Respected sir,

Respondent No. 5 to 13 are hereby informed through letters and acknowledgment letters in respect of Respondent No. 5 to 13 are hereby attached with this application for further process please.

Date 17/01/22

Yours Sincerely.


Syed Abdul Mujib

Assistant Director
(Legal) Directorate of
Prosecution.

Respondent No. 5

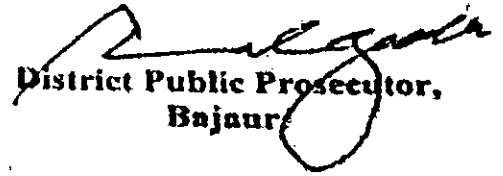
To:

The Worthy Director General Prosecution,
Khyber Pakhtunkhwa, Peshawar.

**Subject: SERVICE APPEAL NO. 1086/2019 TITLED ILTAF HUSSAIN AKHTAR VS
CHIEF SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
& OTHERS.**

Dear Sir,

With reference to the above noted subject, the acknowledgment of Mr. Zia Ul Haq Deputy Public Prosecutor, Bajaur is enclosed here with for further necessary action.


District Public Prosecutor,
Bajaur.

By:

The Assistant Director legal, Directorate of Prosecution
Khyber Pakhtunkhwa, Peshawar

2022.01.14 12:52



OFFICE OF THE DISTRICT PUBLIC PROSECUTOR,
BAJAUR

To

The District Public Prosecutor,
Bajaur.

ACKNOWLEDGMENT

Subject: SERVICE APPEAL NO.1086/2019 TITLED ILTAF HUSSAIN AKHTAR VS
CHIEF SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA
& OTHERS.

Dear Sir,

I, Zia Ul Haq, Deputy Public Prosecutor, Bajaur hereby acknowledged that I received letter No.DPL/service appeal NO.1086/17893-99, dated 28/12/2021 of Directorate of Prosecution Khyber Pakhtunkhwa Peshawar.


DEPUTY PUBLIC PROSECUTOR,
BAJAUR

2022/01/21

Respondent No. 6



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DPL - ALT of Hussain - Appeal - 10 86/2019

Dated Peshawar 13/10/2021 / 13936-44

Office Phone # 091-9212559

Fax # 091-9212559

E-mail kpprosecution@yahoo.com

To

The District Public Prosecutors,
Tank, Bajaur, Bannu, Abbottabad, Mansehra and Torghar.

Attention: Mr. Farasat Ullah, Deputy Public Prosecutor, Tank.
Mr. Zia ul Haq, Assistant Public Prosecutor, Bajaur.
Mr. Abdul Qadoos, Deputy Public Prosecutor, Bannu.
Ms. Sobia Rasheed Raja, Deputy Public Prosecutor, Abbottabad.
Ms. Fari Rafique, Deputy Public Prosecutor, Abbottabad.
Ms. Mahjabeen, Deputy Public Prosecutor, Mansehra.
Ms. Bibi Sumaira, Deputy Public Prosecutor, Torghar.

Subject: SERVICE APPEAL NO. 1086/2019 TITLED ILTAF HUSSAIN
AKHTAR VS CHIEF SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA AND OTHERS.

Dear Sir,

I am directed to refer to the subject noted above and to state that today the date was fixed for hearing in the subject titled appeal. The Honorable Khyber Pakhtunkhwa Service Tribunal at Camp Court Abbottabad directed to submit Para-wise comments in the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar within 10 days positively. While the next date fixed for hearing is 18-11-2021.

I am, therefore directed to request you to inform the concerned Prosecutors/respondents to submit the Para-Wise comments in the subject titled appeal within 10 days positively and acknowledgment of this letter may kindly be forwarded to this directorate before the date fixed for further necessary action, please.

Yours faithfully,


Deputy Director Legal

Copy forwarded for information to the:

- Mr. Atiq ur Rehman, Director Administration, Directorate of Prosecution, Khyber Pakhtunkhwa.
- Mr. Zeeshan Ullah Afridi, Deputy Director (R&A), Directorate of Prosecution.
- PA to Director General Prosecution.


Deputy Director Legal

The officer is support
the finance department
and my reply may be
consider, the department
finance

ATIQ UR REHMAN
Director Administration
Directorate of Prosecution KP
Home Department Peshawar

18/1.

Respondent No. 7



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DPL - Altaf Hussain - Appeal - 1086/2019

Dated Peshawar 13/10/2021

Office Phone # 091-9212559

Fax # 091-9212559

E-mail kpprosecution@yahoo.com

To

The District Public Prosecutors,
Tank, Bajaur, Bannu, Abbottabad, Mansehra and Torghar.

Attention: Mr. Farasat Ullah, Deputy Public Prosecutor, Tank.
Mr. Zia ul Haq, Assistant Public Prosecutor, Bajaur.
Mr. Abdul Qadoos, Deputy Public Prosecutor, Bannu.
Ms. Sobia Rasheed Raja, Deputy Public Prosecutor, Abbottabad.
Ms. Fari Rafique, Deputy Public Prosecutor, Abbottabad.
Ms. Mahjabeen, Deputy Public Prosecutor, Mansehra.
Ms. Bibi Sumaira, Deputy Public Prosecutor, Torghar.

Subject: SERVICE APPEAL NO. 1086/2019 TITLED ILTAF HUSSAIN
AKHTAR VS CHIEF SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA AND OTHERS.

Dear Sir,

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I am, therefore directed to request you to inform the concerned Prosecutors/respondents to submit the Para-Wise comments in the subject titled appeal within 10 days positively and acknowledgment of this letter may kindly be forwarded to this directorate before the date fixed for further necessary action, please.


Yours faithfully,


Deputy Director Legal

Copy forwarded for information to the:

- Mr. Atiq ur Rehman, Director Administration, Directorate of Prosecution, Khyber Pakhtunkhwa.
- Mr. Zeeshan Ullah Afridi, Deputy Director (R&A), Directorate of Prosecution.
- PA to Director General Prosecution.


Deputy Director Legal

Received


the undersigned support the stance of
Department and my reply may be
considered, the department stance shall

13/1/2022



The
District Prosecution
Abbottabad

No: 1534-35 /2021/DPP/ATD.

Dated Abbottabad 30 Dec, 2021

Phone & Fax # 0992-405749

Email: dppatd@gmail.com

To

**The Director General Prosecution,
Home & Tribal Affairs Department,
Khyber Pakhtunkhwa, Peshawar.**

**Subject: SERVICE APPEL NO. 1086/2019 TITLED ILTAF HUSSAIN
AKTHAR VS CHIEF SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA AND OTHERS.**

Dear Sir,

I have the honour to refer letter No. DPL/Service Appeal No. 1086/17893-99 dated 28/12/2021 on the subject cited above and to state that the learned Prosecutors posted at District Abbottabad have already been communicated vide this office letters No. 1176-78/DPP/ATD/21 dated 16/10/2021 and No. 1341/2021/DPP/ATD dated 22/11/2021. Learned Prosecutors have also acknowledged the same (copy annexed). However, they have been again informed through their WhatsApp numbers today on 30/12/2021, as desired please.

**District Public Prosecutor,
Abbottabad.**

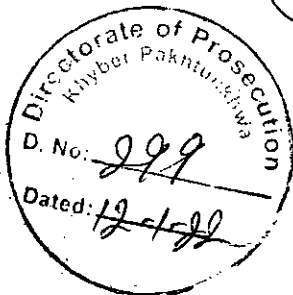
No. _____/DPP/ATD/21.

Dated Abbottabad the

Dec, 2021

Copy forwarded to the:

1. Director Legal Prosecution, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
2. Office record.



**District Public Prosecutor,
Abbottabad.**

Handwritten signatures and dates: '12/10/22', '12/01', and 'ADL'.

Handwritten signature and date: '12/01' and 'ADL'.



DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA

No. 1086/2019 Appeal No. 1086/2019/15528-33

Dated Peshawar 17/11/2021

Office Phone # 01-9212559

Fax # 001-9212559

E mail: prosecution@yahoo.com

By Today/Through FAX

To

The District Public Prosecutors,
Tank, Bajaur, Bannu, Abbottabad, Manshra and Torghar.

Attention: Mr. Farasat Ullah, Deputy Public Prosecutor, Tank.
Mr. Zia ul Haq, Assistant Public Prosecutor, Bajaur.
Mr. Abdul Qadoos, Deputy Public Prosecutor, Bannu.
✓ Ms. Sobia Rasheed Raja, Deputy Public Prosecutor, Abbottabad.
✓ Ms. Fari Rafique, Deputy Public Prosecutor, Abbottabad.
Ms. Mahjabeen, Deputy Public Prosecutor, Manshra.
Ms. Bibi Sumaira, Deputy Public Prosecutor, Torghar.

Subject: SERVICE APPEAL NO. 1086/2019 TITLED ALTAF HUSSAIN
AKHTAR VS CHIEF SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA AND OTHERS.

Sir,

In continuation to this office letter No. DPL.Altaf
1086/2019/13936-44 dated 13-10-2021 on the subject noted above, I am
pleased to state that your acknowledgment of the above mentioned letter is still awaited.

It is, therefore once again requested you for the acknowledgment of the
above mentioned letter to this directorate for information and further necessary
action, please

Received

Sobia Rasheed DPP

S. Raja
18-11-21

Fari Rafique Dy:PP

18/11/21

Yours faithfully,

[Signature]
Deputy Director Legal

For information to the:

PA to Director General Prosecution.

[Signature]
Deputy Director Legal

333
17-11-21

~~17/11/21~~
Copies be
delivered to
officers

DPP-ATD
17-11-2021



Respondent No. 9
**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DPL/Service Appeal No. 1086/17893-99

Dated Peshawar 28/12/2021

Office Phone # 91-9212559

Fax # 091-9212559

E-mail kp prosecution@yahoo.com

To

Attention:

- The District Public Prosecutors,
Tank, Bajaur, Bannu, Abbottabad,
Mansehra & Dir Lower Timergara
- Mr. Farasatullah, Deputy Public Prosecutor Tank
- Mr. Abdul Qudus, Deputy Public Prosecutor Bannu.
- Ms Sobia Rashid Raja, Deputy Public Prosecutor Abbottabad.
- Ms Fari Rafiq, Deputy Public Prosecutor Abbottabad.
- Miss Mahjabeen Deputy Public Prosecutor Mansehra.
- Miss Sumaira bibi, Deputy Public Prosecutor Torghar.
- Mr. Zia-ul-Haq, Assistant Public Prosecutor Bajaur.

Subject:

SERVICE APPEAL NO.1086/2019 TITLED ILTAF HILAKHTAR VS CHIEF SECRETARY TO GOVERNMENT KHYBER PAKHTUNKHWA & OTHERS.

Dear Sir,

In continuation to this office letter No.DPL/Service Appeal No.1086/2019/15528-33 dated 17.11.2021, on the subject noted above, I am directed to state that acknowledgement of the above mentioned letter is still awaited on your part.

I am once again directed to request that acknowledgement of the above mentioned letter be forwarded to this Directorate by tomorrow through fax for further necessary action, please.

Your's sincerely,

[Signature]
Assistant Director Legal

Encl.No. & Date

Copy forwarded for information to:-

1. PA to Director General Prosecution Khyber Pakhtunkhwa.

[Signature]
Assistant Director Legal

*R/Six,
only this letter has been received
I am unaware about substance
of appeal. I may kindly be
provided copy of appeal and
opportunity to engage lawyer.*

*28/12
AD*

28/12/21 DY-PP



The
District Prosecution
Torghar

No: 592 /2021/DPP/TOR.

Dated Torghar December, 31, 2021

Respondent No-10

To

The Deputy Director Legal,
Directorate of Prosecution Khyber Pakhtunkhwa,
Home and Tribal Affairs Department, Peshawar.

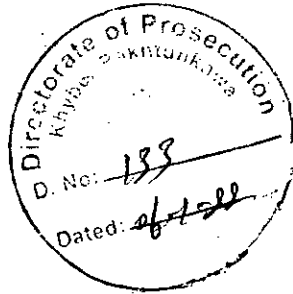
Subject: -

SERVICE APPEAL NO. 1086/2019 TITLED ILTAF HUSSAIN
AKHTAR VS CHIEF SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA & OTHERS.

Sir,

In reference to letter No. DPL/Service Appeal No.1086/17893-99 dated
28-12-2021, please find attached herewith acknowledgement submitted by Miss. Sumaira Bibi,
Deputy Public Prosecutor, Torghar for further necessary action please.

Iltaf Hussain Akhtar
Iltaf Hussain Akhtar
District Public Prosecutor
Torghar



06/02/22
AK

3
06/01

AK

*Please check, who
did not forward
acknowledgment letter*

*Plz check
P.C. No.*

26/01
AK

Reference to letter no DPL/Service
Appeal NO 1086/2019/15528-33
dated 17-11-2021. I am hereby submitting
my acknowledgment of the above
mentioned letter.



Bibi Sumaira
Deputy Public Prosecutor
Torghar

Date: 31-12-21

Respondent No. 11.

The worthy Director General
Peshawar
Home & Tribal Affairs Department
Peshawar KPK

Sub. Acknowledgment receipt of
Service appeal 1086/2019 titled
Atay Hussain v. Chief Secretary
KPK Affairs

Dear Sir,

I have received notice
vide letter of your good office
bearing NO DPY Service appeal
No 1086/2019 in subject service
appeal submitted P12
Najibdeen, (15/11/19)
DIPP

Response No. 12

Respected Sir

Only this letter has been received I am unaware about substance of appeal.

I may kindly be provided copy of appeal and opportunity to engage lawyer.



Abdul Qudus Khan

Dy. PP anticorruption court

Southern Region

3-12-2021
DL

3
31/12

13071
31-12-21

W.P. # 37 / N.O. []

Received 21

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antiampylon

cont

30-12-21

RECEIVED
LABORATORY
FEB 22 1922

The following information is being furnished to you for your information. It is based on the results of the tests conducted on the material submitted to this laboratory on the date mentioned above.

The material submitted was found to contain the following elements: Carbon, Hydrogen, Nitrogen, and Oxygen. The results of the analysis are as follows: Carbon, 68.8%; Hydrogen, 11.2%; Nitrogen, 10.0%; Oxygen, 9.0%.

