

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT SWAT.

Service Appeal No. 326/2019

Date of Institution ... 05.03.2019

Date of Decision ... 07.02.2023

Fazal Ali S/O Muhammad Zahir Shah. R/O Kaho, Bishbanr, District Swat
(Chowkidar GPS Kaho, Bishbanr District Swat.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Education at
Peshawar Secretariat Peshawar and 04 others.

... (Respondents)

MR. MUHAMMAD RAHIM SHAH YOUSAFZAI,
Advocate

--- For appellant.

MR. MUHAMMAD RIAZ KHAN PAINDAKHEL,
Assistant Advocate General

--- For respondents.

MR. SALAH-UD-DIN
MR. MUHAMMAD AKBAR KHAN

--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precise averments as raised by
the appellant in his appeal are that, he was appointed as Chowkidar
at GPS Kaho, Bishbanr District Swat vide appointment order dated
29.04.2004; that a false and wrong complaint was lodged against
the appellant, where upon he was taken into custody by the security
forces in the year 2009; that after thorough probe and inquiry, the
appellant was cleared by the security agencies and was released on

22.02.2018; that a clearance certificate dated 02.10.2018 was also issued to the appellant by the security agencies; that after his release, the appellant challenged the order of his termination through filing of departmental appeal, which was rejected vide order dated 22.02.2019, hence the instant service appeal.



2. Notices were issued to the respondents, who submitted their para-wise comments, wherein they denied the assertions raised by the appellant in his appeal.

3. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in his service appeal. On the other hand, learned Assistant Advocate General for the respondents has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

4. We have heard the arguments of learned counsel for the parties and have perused the record.

5. A perusal of the record would show that it is an admitted fact that the appellant was appointed as Chowkidar vide order dated 29.04.2004. Available on the record is copy of letter No. 1/7-SO(L&O)/HP/09 dated 15.12.2009 addressed by Deputy Secretary (L&O) to the Commissioners Peshawar, Malakand, Kohat, Bannu and D.I.Khan Divisions, whereby the concerned EDOs/Head of the Departments were asked to initiate action under Removal from Service Ordinance, 2000 against the government officials

mentioned in the list annexed with the said letter. The impugned order dated 26.01.2010, whereby the appellant was terminated from service, would show that the same was issued in light of the above mentioned letter dated 15.12.2009 issued from the office of Home & Tribal Affairs Department Peshawar. On our query, departmental representative stated at the bar that as per the record available in the department, no regular inquiry was conducted prior to issuing of impugned order dated 26.01.2010, whereby the appellant was terminated from service. The competent Authority was required to have conducted a regular inquiry for awarding major penalty to the appellant but the same has not been done.

 6. The appellant has categorically alleged in his appeal that he was taken into custody by law enforcement agencies in the year 2009, which has not been specifically denied by the respondents in their comments. Letter No. 11054/P/File/C-IV dated 12.01.2019 addressed by the District Education Officer (Male) Swat to the Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar support the contentions of the appellant regarding his arrest by security forces and his release on 03.10.2018. Moreover,  the appellant alongwith his appeal has annexed a clearance certificate issued by the concerned Authority, which shows that the appellant has been cleared from security point of view by Pak Army Mingora Swat vide certificate dated 02 October 2018.

7. The appellant was awarded major penalty of termination from service on the allegations that he was involved in anti-state


activities/militancy. According to the certificate dated 20th October 2018 issued to the appellant by the security agency, the appellant has been declared as clear, therefore, the very ground on the basis of which the appellant was terminated from service has vanished away. The appellant had remained in custody of security agencies and his absence from duty was not due to any fault on his part, therefore, the impugned orders are not sustainable and are liable to be set-aside.

8. Consequently, the appeal in hand is accepted by setting-aside the impugned orders and the appellant is reinstated in service with all consequential/back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.02.2023



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT SWAT



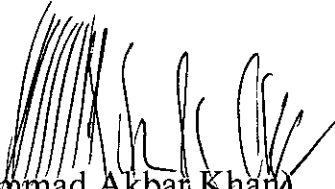
(MUHAMMAD AKBAR KHAN)
MEMBER (EXECUTIVE)
CAMP COURT SWAT


ORDER
07.02.2023

Appellant alongwith Mr. Muhammad Rahim Shah Yousafzai, Advocate present, who submitted fresh Wakalatnama. Mr. Hussain Ali, ADEO (Litigation) alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand is accepted by setting-aside the impugned orders and the appellant is reinstated in service with all consequential/back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.02.2023


(Muhammad Akbar Khan)
Member (Executive)
Camp Court Swat


(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

10th Nov, 2022

Appellant in person present. Mr. Muhammad Riaz Khan
Paindakhel, Assistant Advocate General for the respondents present.

Appellant seeks adjournment on the ground that his counsel is not
available today. To come up for arguments on 06.12.2022 before the
D.B at Camp Court Swat.

SCANNED
KPST
Peshawar.



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



(Kalim Arshad Khan)
Chairman
Camp Court Swat

06.12.2022

Tour is hereby cancelled, therefore, the case is adjourned
to 03.01.2023 for the same as before.



03.01.2023

Nemo for appellant.

*Counsel was
informed telephonically
on 25/1/23*

Muhammad Jan learned District Attorney alongwith
Bakhti Rehman Litigation Officer for respondents present.

Preceding date was adjourned on Reader's note, therefore,
notices be issued to appellant and his counsel for the next date.
To come up for arguments on 07.02.2023 before D.B at camp
court Swat.

SCANNED
KPST
Peshawar



(Fareeha Paul)
Member (E)
(Camp Court Swat)




(Rozina Rehman)
Member (J)
(Camp Court Swat)

SCANNED
KPST
Peshawar


08.09.2022

Appellant in person present. Mr. Hussain Ali, ADEO (Litigation) alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 06.10.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (Executive)
Camp Court Swat



(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

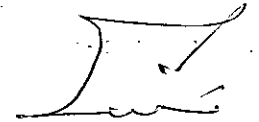
06.10.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Pindakhel, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant submitted an application for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat. Adjourned. To come up for arguments on 10.11.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)
Member (J)
Camp Court Swat

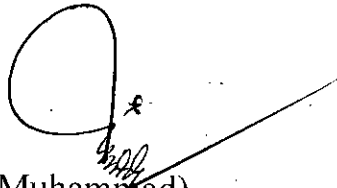


(Salah-Ud-Din)
Member (J)
Camp Court Swat

8th June, 2022

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

Counsel are on strike. To come up for arguments on
07.07.2022 before the D.B at camp court Swat.



(Mian Muhammad)
Member(E)



(Kalim Arshad Khan)
Chairman
Camp Court Swat.

07.07.2022

Appellant in person present.

Noor Zaman Khan Khattak, learned District Attorney for
respondents present.

Former made a request for adjournment as his counsel is
not available today. Adjourned. To come up for arguments on
03.08.2022 before D.B at Camp Court, Swat.



(Fareeha Paul)
Member(E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

3.8.22

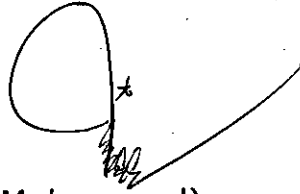
*due to summons vacated the case
is adjourned to 8.9.22 for the same.*



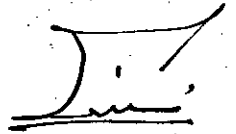
10.05.2022

Nemo for the appellant. Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 07.06.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat



(Salah-ud-Din)
Member (J)
Camp Court Swat

07.06.2022

Appellant in person present. Mr. Kabirullah Khattak, learned Additional Advocate General for the respondents present.

Counsel are on strike. Adjourned. To come up for arguments on 08.06.2022 before the D.B at camp court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat



(Kalim Arshad Khan)
Chairman
Camp Court Swat

09.02.2022

Tour is hereby canceled .Therefore, the case is adjourned to 06.04.2022 for the same as before at Camp Court Swat.



Reader

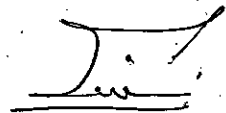
06.04.2022

Clerk of counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments on 10.05.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)
Member (J)
Camp Court, Swat




(Salah-Ud-Din)
Member (J)
Camp Court Swat

07.10.2021

Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present

Learned Members of the DBA are observing Sogh over the demise of Qazi Imdādullah Advocate and in this regard request for adjournment was made; allowed. To come up for arguments before the D.B on 08.12.2021 at Camp Court, Swat.



(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

08.10.2021

Counsel for appellant present.

Muhammad Rasheed learned Deputy District Attorney for the respondents present.

Former made a request for adjournment; granted. To come up for arguments on 09.02.2022 before D.B at Camp Court, Swat.



(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

06.01.2021

Due to COVID 19, the case is adjourned to
03.03.2021 for the same as before.

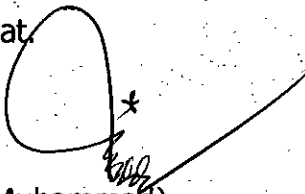

Reader


03.03.2021

Appellant present in person.

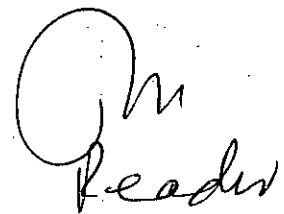
Riaz Khan Paindakheil learned Assistant Advocate General
alongwith Hussain Ali Litigation Officer for respondents
present.

Former made a request for adjournment as his counsel is
busy before Hon'ble Peshawar High Court; granted. To come
up for arguments on 7/6/2021 before D.B at Camp
Court, Swat.


(Mian Muhammad)
Member (E)
Camp Court, Swat


(Rozina Rehman)
Member (J)
Camp Court, Swat

Due to COVID-19 the case is
adjourned to 7/10/21


Reader

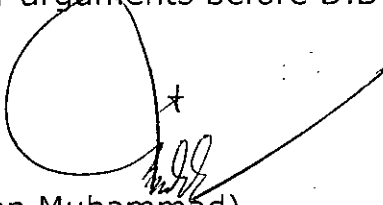
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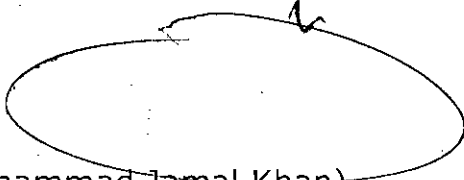
Due to COVID19, the case is adjourned to
05/10/2020 for the same as before.


Reader

05.10.2020

Learned counsel for the appellant is present. Mr. Usman Ghani, District Attorney alongwith representative of the department Mr. Hussain Ali, Litigation Officer are also present. Learned counsel for appellant is seeking adjournment that he has not prepared the brief of the instant appeal. Adjourned to 04.11.2020 on which to come up for arguments before D.B at Camp Court, Swat.


(Mian Muhammad)
Member (Executive)
Camp Court Swat



(Muhammad Jamal Khan)
Member (Judicial)
Camp Court Swat


04.11.2020

Appellant in person present.

Muhammad Jan learned Deputy District Attorney for respondents present.

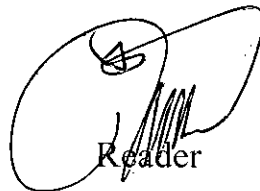
Lawyers are on general strike, therefore, case is adjourned to 06.01.2021 for arguments, before D.B at Camp Court Swat.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, Swat


(Rozina Rehman)
Member (J)
Camp Court, Swat

01.06.2020


Due to Covid-19, the case is adjourned. To come up for the same on 05.08.2020, at camp court Swat.



Reader


04.12.2019


Appellant in person present. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith representative Hussain Ali Litigation Officer present. Representative of respondent department submitted written reply/comments. To come up for rejoinder if any and arguments on 06.01.2020 before D.B at Camp Court, Swat.


Member
Camp Court, Swat

06.01.2020

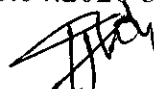
Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Hussain Ali, Litigation Officer for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 02.03.2020 for rejoinder, if any, and arguments before D.B at Camp Court Swat.



(Hussain Shah)
Member
Camp Court Swat


(M. Amin Khan Kundi)
Member
Camp Court Swat

02.03.2020

Appellant with counsel present. Mr. Usman Ghani learned District Attorney alongwith Hussain Ali, Litigation Officer for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourn. To come up for rejoinder and arguments on 06.04.2020 before D.B at Camp Court Swat.


Member


Member
at Camp Court Swat

Due to corona virus four
to camp Court Swat
has been cancelled. To come up for
the same on 07/06/20
Reader

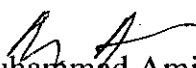
02.09.2019

Learned counsel for the appellant present. Written reply not submitted. Hussain Ali Litigation Officer representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for reply/comments on 08.10.2019 before S.B at Camp Court, Swat.


Member
Camp Court, Swat.

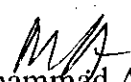
08.10.2019

Appellant in person and Mian Ameer Qadir, Deputy District Attorney alongwith Mr. Hussain Ali, Litigation Officer for the respondents present. Written reply on behalf of respondents not submitted. Representative of the respondents requested for adjournment. Adjourned to 05.11.2019 for written reply/comments before S.B at Camp Court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

05.11.2019

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Hussain Ali, Litigation Officer for the respondents present. Written reply on behalf of respondents not submitted. Representative of respondents seeks further adjournment. Last chance is granted. Adjourned to 04.12.2019 for written reply/comments before S.B at Camp Court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

05.04.2019

Learned counsel for the appellant present. preliminary arguments heard.

The appellant (Ex-Chowkidar) has filed the present service appeal against the order dated 26.01.2010 whereby he was terminated from service. Learned counsel for the appellant argued inter-alia that the appellant was taken into custody in 2009 by the security forces and was released on 22.02.2018; that after his release he filed departmental appeal for his reinstatement however the same was dismissed vide order dated 22.02.2019.

Points urged need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 11.06.2019 before S.B at Camp Court Swat.

Appellate Deposited
Security & Process Fee

11.06.2019



Appellant in person present. Written reply not submitted. Hussain Ali Litigation Assistant (for respondent No.3) present and seeks time to furnish written reply/comments. Toseef Ahmad Litigation Officer representative of respondent No.2 absent. Respondents No.1,2, 4 & 5 as well as absent representative be put to notice for submission of written reply/comments. Adjourn. To come up for written reply/comments on 02.09.2019 before S.B at Camp Court, Swat.


Member
Camp Court, Swat.


Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 326/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/03/2019	<p>The appeal of Mr. Fazal Ali presented today by Mr. Jehangir Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	13-3-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05-04-2019</u></p> <p> CHAIRMAN</p>





Before The Service Tribunal K.P at Peshawar

Appeal No. 326/2019

Fazal Ali.....Appellant

Versus

Government of KP and others.....Respondents.

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4	Copy of Clearance Certificate Dated 2 nd Oct, 2018.	A	9
5	Copy of Dismissal Order, Copy of Appeal, Copy order dated 22-2-2019	B	10-14
6	Copy of Letter dated 3/12/2018 and Letter Dated 12/01/2019	C	15-16
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Appellant,

Through



JEHANGIR
ADVOCATE, High Court.

1-3-19.

Office: Allah-o-Akbar Plaza, Saidu Sharif Road
Makan Bagh Mingora Swat.

Cell #. 0343-2187908

Dated: 01-03-2019

Before The Service Tribunal K.P at Peshawar

A. No. 326/19

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 304

Dated 5/3/2019

Fazal Ali S/o Muhammad Zahir Shah, R/o Kaho, Bishbanr,
District Swat/ (Chawkidar G.P.S Kaho, Bishbanr District
Swat.Appellant

Versus

- 1) Government of Khyber Pakhtunkhwa through
Secretary to Education at Peshawar Secretariat
Peshawar.
- 2) Director Education/ School & Literacy Khyber
Pakhtunkhwa at Peshawar.
- 3) District Education Officer School & Literacy District
Swat at Gul Kada Saidu Sharif Swat.
- 4) D.D.O of School & Literacy at Saidu Sharif Swat.
- 5) Head Master G.P.S, Kaho, Bishbanr, District Swat.

.....Respondents

APPEAL UNDER SECTION 4 OF K.P SERVICE
TRIBUNAL ACT 1974 AGAINST THE ORDERS
DATED 26-01-2010 OF RESPONDENT NO.3 &
ORDER DATED 22-02-2019 OF RESPONDENT
NO.2.

Filed to-day

Registrar

5/3/19

Prayer of Appeal:

On acceptance of this appeal the order dated 26-01-2010 of respondent No.3 & order dated 22-02-2019 of respondent No.2 may kindly be declare incorrect, void ab initio against service rules and justice the impugned orders of respondents of awarding punishment to the appellant may kindly be set a side, the appellant may kindly be reinstated in service with all back benefits. Any other remedy coupled with cost may also be granted to the appellant which has not been specifically asked by the appellant.

Respectfully Sheweth;

It is very humbly stated

- 1) That the appellant was initially appointed as Chawkidar at GPS Kaho, Bishbanr, District Swat on dated 29-04-2004. The service book of the appellant is in possession of respondent No.3, therefore the respondent may kindly be directed to submit the relevant service record of the appellant with their reply.
- 2) That due to local enmity and ill well with some of the villagers of the appellant, those opponents malafidely

and falsely complaint against the appellant to the security forces.

- 3) That due to those malafide and false & fake complaints the security forces arrested the appellant in 2009 and after a long period of arrest, the security forces after thorough and proper inquiries clear the appellant from all the charges.
- 4) That the appellant was in custody and letter on dated 22-02-2018 was released / acquitted from all the charges of intestate activities (copy of clearance certificate dated 02 October 2018 is attached as annexure A).
- 5) That on dated 04-10-2018 the appellant file appeal before the respondent No.2, which was dismissed on 22-02-2019. (Copy of dismissal order, copy of appeal, copy of order dated 22-02-2019 are attached is annexure B).
- 6) That the respondent No.3 has sent a letter dated 12-01-2019 to respondent No.1 in response of necessary assistance on appeal of the appellant. (copy of Letter dated 03-12-2018 of respondent No.2 & Letter dated 12-01-2019 of respondent No.3 are attached as annexure C).
- 7) That on the following grounds amongst other the above mentioned order are liable to be set a side and the appellant is entitled to be re-instated on his post with all back benefits.

Grounds:-

- i) *That the orders dated 26-01-2010 and Order dated 22-01-2019 of respondents are illegal, void ab initio, incorrect and against the natural justice hence liable to be set aside.*
- ii) *That no proper & legal procedure has been adopted by the respondents.*
- iii) *That impugned orders are against the service rules, procedure, policy & non speaking one, hence liable to be set aside.*
- iv) *That the appellant has unblemished services record & no adverse remarks are there against the appellant.*
- v) *That the appellant has been condemned unheard & no opportunity of defense & personal hearing was provided to the appellant.*
- vi) *That no regular inquiry has been conducted by the respondents against the appellant, neither any inquiry officer has given show cause notice or personal intimation of appearance to the appellant, before the impugned order dated 26-01-2010.*
- vii) *That no explanation has been asked by the respondents from the appellant.*

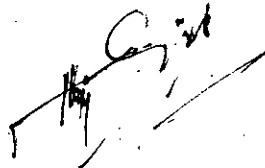
- viii) *That no right of defense and personal hearing has been awarded by the respondents to the appellant.*
- ix) *That the punishment awarded by the respondents to the appellant is very harsh, the appellant being sole earner and supporter of his family, belong to very poor family and no other source of income except the service hence the appellant needs to be reinstated in the service.*
- x) *That the respondents announced the impugned orders in a cursory manner.*
- xi) *That the appellant was innocent and has been punished while in custody of security forces for a long period of more than 8 years.*
- xii) *That if the appellant is not re-instated in his service, the appellant will face double jeopardy which is against the constitution.*
- xiii) *That due to un avoidable circumstances the appellant was unable to attend his service and due to those compulsions the appellant was removed from service without any intimation, explanation personal hearing or any other regular proceedings.*
- xiv) *That the appellant deserved to be re-instated on his post with all back benefits.*
- xv) *That some other grounds may be taken at the time of argument with due permission of this august court.*

Therefore it is very humbly prayed that
On acceptance of this appeal the order dated
26-01-2010 of respondent No.3 & order dated
22-02-2019 of respondent No.2 may kindly be
declare incorrect, void ab initio against service
rules and justice, the impugned orders of
respondents of awarding punishment to the
appellant may kindly be set aside, the appellant
may kindly be reinstated in service with all
back benefits. Any other remedy coupled with
cost may also be granted to the appellant which
has not been specifically asked by the
appellant.

Appellant Fazal Ali

FAZAL ALI

Through Counsel



JEHANGIR
ADVOCATE, High Court.

Office: Allah-o-Akbar Plaza, Saidu Sharif Road
Makan Bagh Mingora Swat.

Cell #. 0343-2187908

Dated: 01-03-2019

Before The Service Tribunal K.P at Peshawar

Fazal Ali V/s Government of KP and others

AFFIDAVIT

I, Fazal Ali, do hereby solemnly affirm and declare on oath that the contents of the attached **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Deponent:

Fazal Ali

FAZAL ALI



Before The Service Tribunal K.P at Peshawar

Fazal Ali.....Appellant

Versus

Government of KP and others.....Respondents.

ADDRESSES OF THE PARTIES

Address of Appellant:

Fazal Ali S/o Muhammad Zahir Shah, R/o Kaho, Bishbanr,
District Swat/ (Chawkidar G.PS Kaho, Bishbanr District
Swat.

CNIC No. 15602-0412951-9

Cell # 0340-9246534

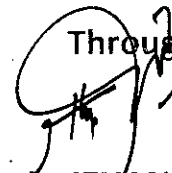
Addresses of Respondents:

- 1) Government of Khyber Pakhtunkhwa through
Secretary to Education at Peshawar Secretariat
Peshawar.
- 2) Director Education/ School & Literacy Khyber
Pakhtunkhwa at Peshawar.
- 3) District Education Officer School & Literacy District
Swat at Gul Kada Saidu Sharif Swat.
- 4) D.D.O of School & Literacy at Saidu Sharif Swat.
- 5) Head Master G.P.S, Kaho, Bishbanr, District Swat.

.....Respondents

Appellant,

Through Counsel



JEHANGIR

Advocate, High Court

Annex A

TO WHOM IT MAY CONCERN

It is stated that Mr Fazal Ali s/o Muhammad Zahir Shah r/o Beshbanr P/O Manglore Tehsil and District Swat CNIC No 15602-0412951-9 has undergone De-radicalization course at PAITHOM from 14 Nov 2017 to 14 Feb 2018 (registration number AMI/Swt/Act/18/6057 dated 14 Feb 2018). The said indl is currently working for this setup. Nothing adverse has surfaced against him during our probe and no criminal record found in concerned Police Station.

[Handwritten Signature]

Maj/DD
General Staff Officer-II
(ISI Sub Sector HQ Swat)



Station: Mangora (Swat)

Date: 2 October 2018

C.T.C
[Handwritten Signature]
Ichong's Advocate

Anex
B

OFFICE ORDER

With reference to Home and Ats Department NWFP vide litter No. 1/7-SO JL and O/HD/09, dated 15.12.2009 Anti-state activities and under removal from service Ordinance 2000/2001.

AND WHEREAS the Provincial Government decided to terminate the service of those Government servants involved in Anti-state activities/ militancy in the meeting of competent authorities.

NOW THEREFORE, the services of the following officials is hereby terminated with immediate effect under section 3[1][d] of the North-West Frontier Province Removal from Service [Special Power] Ordinance No.V of 2000 read with section 3[2][b][i] and 5[4] of the said ordinance.

S.No	No in the list	Name of Official	Post	BPS	Place of Duty
1	82	Muhammad Ghafoor s/o Nadar Khan	N/Q	1	GHSS; Mankyal
2	84	Sarfaraz Khan S/o Muhammad Khan	W/M	1	GMS: Shakardara
3	106	Anwar Shah S/o Mian Syed Jan	Chw	1	GPS: Malalay
4	107	Fazal ur Rahman S/o Gulambar.	N/Q	1	GMS: Dakorak
5	111	Fazal Ali s/o Muhammad Zahir Shah r/o Kahe Yakhtany PS Mingora	C-IV	1	GPS: Kaho Bishbanr
6	112	Fazal Mabood S/o Abdul Wahid r/o Besbanr	C-IV	1	GMS: Besbannr
7	115	Moamber r/ Damghar	C-IV	1	GPS: Danighar
8	123	Saran Zeb S/o Samandar R/o Kalagay Madian	C-IV	1	GPS: Kalagay
9	129	Amir Siab S/o Muhtaj R/o Mohlllah Amir Khan Nawakaly Mingora	Swc:	2	DDO {M} Swat
10		Ali Rahman	PST	2	GPS: Pir Patay
11	98	Inam s/o Gul Bacha r/o Arkot	PST	9	GPS: Nela gram
12	104	Anwar Zarin S/o Zowan Faqir r/o Doghlaj	PST	9	GPS: Doghal
13	116	Gulab s/o Momen r/o Chekrai Fatchpur	PST	9	GPS: Baben
14	155	Sher Zada S/O Sher Muhammad r/o Chekrai	PST	9	GPS: Babin

EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION SWAT

C.T.C
Jehangir
Abwala

Dist No. 1867 / F.No.321/Absenteesim dated 26/3/2010

Copy of the above is forwarded to: -

1. Secretary Education NWFP, Peshawar.
2. The Director Elementary and Secondary Education NWFP, Peshawar.
3. Commissioner MKD Division.
4. District Coordination Officer Swat.
5. The D.A.O Swat.
6. Deputy District Officer Elementary and Secondary Education Swat.
7. All Concerned.

EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION SWAT

C.T.C
Jehangir
Amoani

major Swat 3 & his he 82

بخصوص جناب ڈائریکٹر ایجوکیشن صوبہ خیبر پختونخواہ بمقام پشاور۔

درخواست بحالی ملازمت بدس مراد کہ سائل مسمی فضل علی ولد محمد ظاہر شاہ جو کہ گورنمنٹ پرائمری سکول

پشہر کہو میں بحیثیت کلاس فور ملازم تھا کو دوران آرمی اپریشن راہ راست / کشیدہ حالات سال 2009 میں

آرمی / سیکورٹی فورسز نے گرفتار کیا تھا اور اب من سائل کو مورخہ 22/02/2018 کو پاک آرمی /

سیکورٹی فورسز نے وائٹ قرار دیکر بری / Release کیا ہے لہذا من سائل کے حسب سابق جملہ

مرامعات و استفادہ حیات ملازمت متذکرہ بر بحال کرنے کا حکم صادر فرمایا جائے۔

اپیلانٹ ذیل عرض رساں ہے۔

جناب عالی!

یہ کہ اپیلانٹ دیہہ پشہر کہو منگور تحصیل بابوزی ضلع سوات کا مستقل رہائشی

۱۔

باشندہ ہے اور فضل علی ولد محمد ظاہر شاہ جو کہ گورنمنٹ پرائمری سکول پشہر

کہو میں بحیثیت کلاس فور ملازم تھا اور ملازمت کی ماہوار تنخواہ ہی سے اپنے

اہل و عیال کی کفالت کرتا تھا۔

DACA (dun)

17/12/2018

یہ کہ سائل کو دوران آرمی اپریشن راہ راست / کشیدہ حالات سال 2009

۲۔

میں آرمی / سیکورٹی فورسز نے گرفتار کیا تھا اور اس طرح سائل کئی سال آرمی

کے زیر حراست رہا بدین وجہ سائل کو افسران بالانے ملازمت سے برخاست

کیا۔ جبکہ سائل نے جنوری 2010 تک باقاعدہ ماہوار تنخواہ وصول کی ہے۔

یہ کہ بعد ازاں من سائل کو مورخہ 22/02/2018 کو پاک آرمی / سیکورٹی

۳۔

فورسز نے وائٹ قرار دیکر بری / Release کیا ہے۔ اور اب من سائل

پر کسی بھی قسم کے کوئی سول یا فوجداری مقدمات نہ ہے۔ سائل / ملزم کو غلط فہمی

کی بنیاد پر متعلقہ سیکورٹی فورسز نے گرفتار کیا تھا جس میں اب سائل بے گناہ

48
12-12-18

بیتھو
بیتھو

قرار پایا ہوں اسلئے من من سائل کو حسب سابق جملہ مراعات و استفادہ جات ملازمت متذکرہ پر بحال کرنا قرین قانون و انصاف ہے۔

۴۔ یہ کہ سائل / اپیلانٹ کے ضعیف العمر اور بیمار والدہ، بیوی اور پانچ بچوں کی کفالت صرف اور صرف اپنی تنخواہ ہی سے کرتا تھا۔ اور دیگر کوئی بھی ذریعہ معاش نہ ہے۔ صرف اور صرف تنخواہ ہی سے من سائل اپنے بچوں و اہل خانہ کا پیٹ پالتا ہوں۔ سائل کو اپنے ذریعہ معاش سے خلاف انصاف محروم کیا گیا ہے۔ بدیں وجہ برخاستگی حکم معترضہ قابل منسوخی قرار دیا کر من سائل کو بحال کرنا قرین قانون و انصاف ہے۔

لہذا استدعا ہے کہ سائل / اپیلانٹ کو تاریخ برخاستگی سے جملہ مراعات سرکاری کے ساتھ نوکری پر بحال فرمایا جائے۔ تو سائل / اپیلانٹ اور سائل / اپیلانٹ کے ضعیف العمر والدہ اور چھوٹے چھوٹے بچے آپ صاحبان کے لئے تادم حیات دعاگو رہینگے۔

Fazal Ali عریض

سائل / اپیلانٹ، فضل علی ولد محمد ظاہر شاہ ساکن پیشینہ کھول ضلع سوات
گورنمنٹ پرائمری سکول پیشینہ کھول

المرقوم: 11/12/2018

C.T.C
J. J. J.
Jehangir
Advocate

Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar

NOTIFICATION.

WHEREAS, on finality of disciplinary proceedings under Khyber Pakhtunkhwa E&D Rules-2011 major penalty of removal from service was imposed upon Mr. Fazal Ali, Ex-Chowkidar GPS Kaho Bishbanr District Swat by the DEO (M) Swat Notification No. 1867-73 dated 26.01.2010.

AND WHEREAS, the said aggrieved Chowkidar filed a departmental appeal dated 4.10.2018 & 11.12.2018 to the Director E&SE Khyber Pakhtunkhwa Peshawar (appellate Authority) for redressal of his grievances/reinstatement in service.

AND WHEREAS, the appellate authority in pursuance of Section 17 read with sub rule (1) & (2) of the E&D Rules-2011 called for the record of the case and comments from the concerned DEO vide letter No. 1182 dated 3.12.2018 for consideration of the appeal.

AND WHEREAS, the DEO concerned provided the requisite record/comments accordingly vide his letter No. 11054 dated 12.1.2019.

AND WHEREAS, perusal of relevant record, reason and circumstances by the appellate authority under which Mr. Fazal Ali, Ex-Chowkidar GPS Kaho Bishbanr District Swat (appellant) was removed from service, the appeal submitted by the aforesaid Ex-Chowkidar for reinstatement was not found tenable.

NOW, THEREFORE, in exercise of the powers conferred under Section-17, rule (2) (a) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules-2011, the Director E&SE/appellate authority **"uphold the order of Major penalty and reject appeal"** lodged by Mr. Fazal Ali, Ex-Chowkidar GPS Kaho Bishbanr District Swat (appellant)

DIRECTOR
Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar

Endst: No. 51097-520 /F.No. 45/A-20/C-IV/Swat-8 Dated Peshawar the 28/12 /2019.

Copy of the above is forwarded for information and n/action to the:-

- 1- District Education Officer (Male) Swat w/r to his letter No. cited above.
- 2- District Accounts Officer Swat.
- 3- Appellant concerned.
- 4- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.

Assistant Director (Admn)
E&SE, Khyber Pakhtunkhwa, Peshawar

C. T. C
Jehangir
Advocate

Most Urgent
Reminder-1st

Directorate of Elementary & Secondary Education,
Khyber Pakhtunkhwa, Peshawar.
No. 317 /F.No. 451/A-20/C-IV/Swat-8
Dated Peshawar the 11/12 /2018.

Anex C

9


To

The District Education Officer
(Male) Swat

Subject: REINSTATEMENT.

Memo:


I am directed to refer to this office Endst No. 1182 dated 03/12/2018 on the subject noted above and to ask you once again that the required report is still awaited which may be furnished at your earliest.



12/12/2018
Assistant Director (Admin)
Directorate of E&SE K.P, Peshawar
A/c

Endst; No. _____

Copy forwarded to the: -

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.


12/12/2018
Assistant Director (Admin)
Directorate of E&SE K.P, Peshawar
A/c

C.T.C

Jehangir
Aduchi



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) SWAT

No. 11054 /P/File/C-IV Dated 12/11/2018

To,

The Director Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar

Subject:- Re-instatement.

Memo:-

Reference your No. 1182/F.No.45/A-20/C-IV/Swat-8 dated Peshawar the 03-12-2018 and reminder No: 4363/F.No.45/A-20/C-IV/Swat-8 dated Peshawar the 14-12-2018 on the subject cited above.

In continuation to this office No. 4611P/File/C-IV in r/o Mr. Fazal Ali Ex-Chwokidar GPS: Kaho Bishbanr District Swat had been absent from duty and this office published absence Notice in daily News Paper on 15-01-2010 after the critical situation in District Swat as per Notification of Chief Sectary Vide No. SOR-I (E & AD) I-13/81 18-11-2009 and Latter No. COO /E&3/1-15/2001 dated 21-11-2001 (photo Copy attache). He removed from service due to anti sate activities/Service ordinance 2001 Vide office order No. 1867-73/F.No. 321 Absentism date 26-01-2010 (Photo Copy Attached) and was released by Security Forces on 03-10-2018 (Photo Copy attached) moreover the official concerned arrested by Pak Army on February 2010 (Photo Copy attached) which is submitted for your kind perusal and further necessary action please.

DISTRICT EDUCATION OFFICER (M)
SWAT

C. F. G. J.
Jehangir
Advocate.

**BEFORE THE KHYBER PAKTUN KHWA SERVICE TRIBUNAL AT CAMP COURT
SWAT.**

Service Appeal No. 326/2019

Fazal Ali Chawkidar Government Primary School Kaho, Bishbanr, District Swat.

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
2. Director Elementary and secondary education Khyber Pakhtunkhwa at Peshawar.
3. District Education officer (Male) Swat.
4. D.D.O of School & Literacy Saidu Sharif Swat.
5. Head Master GPS Kaho, Bishnanr, District Swat

..... Respondents.

Parawise Comments on Behalf of the Respondents

Respectfully shewith

Preliminary objections

1. That the appellant is not an aggrieved person within the meaning of Section 4 of the service tribunal Act, 1974.
2. That the appellant has no cause of action / locus standi.
3. That the appellant has not come to this honorable court with clean hands.
4. That the appellant has filed this instant service appeal just to pressurize the respondents.
5. The present service appeal is liable to be dismissed for non-joinder/miss joinder of necessary parties.
6. That the instant service appeal is against the prevailing law and rules.
7. That the appellant has filled this instant Service Appeal on malafide motives.
8. That the instant appeal is time barred.
9. That the instant service appeal is not maintainable in the present form, and above in the present circumstances of the issue.
10. That the appellant has estopped by his own conduct.
11. That the appellant has concealed the material facts from this honorable tribunal.

FACTS

1. That the Para No.1 is correct to the extent of appointment order. However, rest of Para is incorrect and irrelevant.
2. That the Para No.2 is irrelevant, hence no comments.
3. That the Para No.3 is irrelevant, hence no comments.
4. That the Para No.4 is irrelevant about his Acquittal from charges leveled against him. However, according to the security forces' Statement, the appellant remained in De-radicalization Course at PAITHOM of security forces from 14-11-2017 to 14-02-2018. But his removal took place in 2010. **(Statement & Removal order is Annexure A,B)**
5. Para No. 5 is correct.
6. Para No. 6 is correct.
7. That the instant service appeal of the appellant is bereft of any merit, hence liable to be dismissed inter alia following grounds.

GROUNDS

- i. That Para No. i is baseless because the respondents issued legal orders which comes under the jurisdiction of the concerned authorities.
- ii. That the Para No. ii is incorrect because the order had been issued under the legal procedure by respondents.
- iii. That Para No. iii is incorrect because the orders have been issued according to the service rules and procedures.
- iv. That Para No. iv is incorrect because the appellant has been guilty of absentees from the service.
- v. That Para No. v is incorrect because the appellant was informed via daily Mashriq dated 15-01-2010 page-4 to ensure his presence on his duty station otherwise compulsory actions would be taken against absentee. **(Annexure C)**
- vi. That the Para No. vi is incorrect because the department had proofs against the appellant of his absentee from duty.
- vii. That Para No: vii is incorrect because the appellant was not available on his duty station from a long time.
- viii. That the Para iiiv is incorrect because the appellant failed to make his presence sure after the notice via the newspaper mentioned above in para No. V
- ix. That the Para NO.ix is incorrect because " He who seeks equity must do equity "

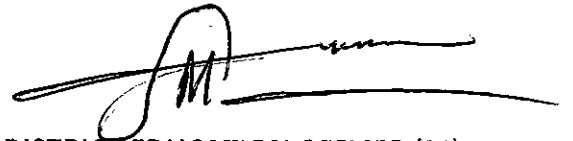
- x. That the Para No. x is incorrect because the action against the appellant was not announced in cursory manner but it was taken after the proper procedure.
- xi. That the Para No. xi is irrelevant to the present respondents, hence no comments. However, according to the statement of the law enforcing agencies the appellant remained in De-radicalization Course at PAITHOM of security forces from 14-11-2017 to 14-02-2018. But his removal took place in 2010.
- xii. That The para No. xii is irrelevant. Hence no comments
- xiii. That the Para No. xiii is irrelevant; hence no comments.
- xiv. That the Para No. xiv is denied because he is not entitled for any back benefits due to his removal from service.
- xv. That the Para No. xv is irrelevant, however, the respondents also seek permission of this honorable tribunal to advance furthers grounds at the time of arguments.

It is, therefore, very humbly prayed that the instant service appeal of the appellant may be dismissed with cost in favor of the respondents.

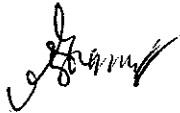


HEAD MASTER


GPS KAHO, DISTRICT SWAT



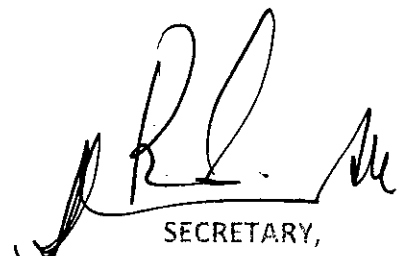
DISTRICT EDUCATION OFFICER (M)
SWAT AT GULKADA



SUB DIVISIONAL EDUCATION OFFICER (M)
BABUZAI SWAT



DIRECTOR,
ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA



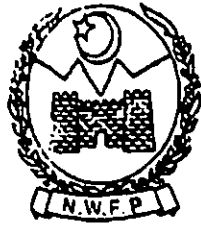
SECRETARY,
ELEMENTARY AND SECONDARY
EDUCATION PESHAWAR

Annex A

141

Office of the Commissioner
Dlary No. 1545
Dated: 22/12/09

CONFIDENTIAL



GOVERNMENT OF NWFP
Home and Tribal Affairs Department, Peshawar
Tel: 091-9210513 *Fax: 091-9210201
No. 117-SO L60/1142/109
December 15, 2009

The Commissioners
Peshawar, Malakand, Kohat, Bannu and DI Khan Divisions

SUBJECT: ANTI SATE ACTIVITIES BY THE GOVT OFFICIALS

Dear Sir

I am directed to refer to the subject cited above and to state that a committee has been constituted to review the action and progress by the concerned departments vis-à-vis the government employees who are involved in the anti sate activities. The committee held a meeting on 11/12/2009 under the chairmanship of ACS Home; minutes of the meeting are enclosed herewith.

I am further directed to forward you a list of the government officials where the concerned EDOs/Head of the Departments shall initiate action under Removal from Service Ordinance 2000. The commissioners and the concerned departments should intimate progress to the Secretary Establishment and Secretary Law Department with a copy to Home Department.

For details see enclosures: annexure -I

sincerely yours

[Signature]
Deputy Secretary (L&O)

21 DEC 2009

Spreak
22/12
Support -
22/12
Min. with minutes
to the meeting
held at Pesh
that was attended
by the J/Commissioner.
13/12
22/12

137

137

Copy to the:

1. Chief Secretary NWFP
2. Secretary Establishment NWFP
3. Secretary Law Department NWFP
4. Secretary Elementary & Secondary Education Department NWFP
5. Secretary Health Department NWFP
6. Secretary Auqaf & Hajj Department NWFP
7. Secretary Local Government Department NWFP
8. Secretary Agriculture & Livestock Department NWFP
9. Secretary Irrigation Department Peshawar
10. Provincial Police Officer NWFP
11. Project Director Gomal Zam Dam Dikhan
12. SP Railway Police Peshawar
13. General Manager PTCL NWFP
14. General Manager WAPDA Peshawar
15. Manager Utility Stores Corporation NWFP
16. DCO Bannu
17. DCO Malakand
18. DCO Lower Dir
19. PSO to Chief Minister NWFP for information with reference to CM's directive during the presentation of Commissioner Malakand

M. Q. Q.

Deputy Secretary (L&O)

Annex A

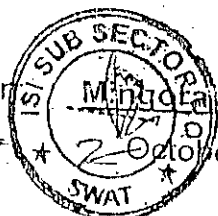


Annex A

TO WHOM IT MAY CONCERN

It is stated that Mr Fazal Ali s/o Muhammad Zahir Shah r/o Beshbarr P/O Manglore Tehsil and District Swat CNIC No 15602-0412951-9 has undergone De-radicalization course at PAITHOM from 14 Nov 2017 to 14 Feb 2018 (registration number AMI/Swt/Act/18/6057 dated 14 Feb 2018). The said indl is currently working for this setup. Nothing adverse has surfaced against him during our probe and no criminal record found in concerned Police Station.

Maj/DD
General Staff Officer-II
(ISI Sub Sector HQ Swat)



Station Manglore (Swat)

Date: 2 October 2018

C.T.C
AG
Jahangir Adnan

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY

17 Annex B
ER SWAT, (10)
Annex B

ORDER

With reference to Home and Ats Department NWFP vide litter No. 1/7-SO [L and O/HD/09, dated 15.12.2009 Anti-state activities and under removal from service Ordinance 2000/2001.

AND WHEREAS the Provincial Government decided to terminate the service of those Government servants involved in Anti-state activities/ militancy in the meeting of competent authorities.

NOW THEREFORE, the services of the following officials is hereby terminated with immediate effect under section 3[1][d] of the North-West Frontier Province Removal from Service [Special Power] Ordinance No.V of 2000 read with section 3[2][b][i] and 5[4] of the said ordinance.

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EXECUTIVE DISTRICT OFFICER
ELEMENTARY AND SECONDARY
EDUCATION SWAT

C.T.C
Jalangi
Abwale

11/12/09

یربالات میں کوئی جگہ نہیں ڈی پی او

ڈی پی او نے اپوزیشن میں ناجائز تہذبات پر شدید برسرِ کاروں کے اظہار کرتے ہوئے کہا کہ ناجائز تہذبات کی وجہ سے قوم کو فتنہ مٹانے کی ضرورت ہے۔ انہوں نے کہا کہ تہذیب و تمدن کی بنیادیں ہمارے ہاں نہیں ہیں۔ انہوں نے کہا کہ ہمیں اپنی تہذیب کی بنیادیں مضبوط کرنی ہیں۔

زوداد جو انان سید و شریف کے صدر منتخب

سید و شریف کے صدر منتخب ہونے پر انان سید نے کہا کہ ان کا انتخاب ایک تاریخی لمحہ ہے۔ ان کا کہنا ہے کہ ان کی قیادت میں قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔ ان کا کہنا ہے کہ ان کی قیادت میں قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔

پرو فیسر کفو ظ جان کی تقابلی خدمت یاد رکھی جائیگی

پرو فیسر کفو ظ جان کی تقابلی خدمت یاد رکھی جائیگی۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔

ان کرکٹ ٹورنامنٹ سرگزہری ایون

ان کرکٹ ٹورنامنٹ سرگزہری ایون نے چار سو ایک کو شکست دے دی۔ ان کی ٹیم نے اپنی تمام صلاحیتیں دکھانے میں کامیاب رہی۔ ان کی ٹیم نے اپنی تمام صلاحیتیں دکھانے میں کامیاب رہی۔



پرو فیسر کفو ظ جان کی تقابلی خدمت یاد رکھی جائیگی۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔

پرو فیسر کفو ظ جان کی تقابلی خدمت یاد رکھی جائیگی

پرو فیسر کفو ظ جان کی تقابلی خدمت یاد رکھی جائیگی۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔

ذیرہ اسماعیل خان (شرقی)

ذیرہ اسماعیل خان (شرقی) نے ایک دلچسپ تقریر کی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔

ذیرہ اسماعیل خان (شرقی) نے ایک دلچسپ تقریر کی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔

بحوالہ حکم ایگزیکٹو سی ایف بی سی کے تحت

بحوالہ حکم ایگزیکٹو سی ایف بی سی کے تحت۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔

روزنامہ "شرق" پشاور مورخہ 9/01/2010ء

روزنامہ "شرق" پشاور مورخہ 9/01/2010ء۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔

ایف آر کوہٹا کی نیوی فورس میں

ایف آر کوہٹا کی نیوی فورس میں۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔ ان کی خدمات کو قوم کو یاد رکھنا ضروری ہے۔





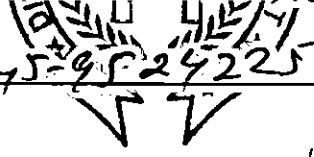
نمبر	ٹاپو گرافی	نمبر	ٹاپو گرافی	نمبر	ٹاپو گرافی	نمبر	ٹاپو گرافی
1	سورج پورہ	1	سورج پورہ	1	سورج پورہ	1	سورج پورہ
2	سورج پورہ	2	سورج پورہ	2	سورج پورہ	2	سورج پورہ
3	سورج پورہ	3	سورج پورہ	3	سورج پورہ	3	سورج پورہ
4	سورج پورہ	4	سورج پورہ	4	سورج پورہ	4	سورج پورہ
5	سورج پورہ	5	سورج پورہ	5	سورج پورہ	5	سورج پورہ
6	سورج پورہ	6	سورج پورہ	6	سورج پورہ	6	سورج پورہ
7	سورج پورہ	7	سورج پورہ	7	سورج پورہ	7	سورج پورہ

ذیرہ اسماعیل خان (شرقی)


ذیرہ اسماعیل خان (شرقی) نے ایک دلچسپ تقریر کی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔

ذیرہ اسماعیل خان (شرقی)

ذیرہ اسماعیل خان (شرقی) نے ایک دلچسپ تقریر کی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔ ان کا کہنا ہے کہ قوم کو ترقی دینے کی جدوجہد جاری رکھی جائے گی۔

 <p>بار کونسل نمبر: BC-11-2462</p>	 <p>113829</p>
 <p>بار ایسوسی ایشن نمبر: 5345-9524225</p>	
 <p>ای میل ایڈریس</p>	<p>ڈسٹرکٹ بار ایسوسی ایشن سوات</p>

بعدالت جناب: سرورس ٹی ویو نیل خیر: محتوی نمبر 05 کمپ کو روٹ سو دت


<p>منجانب: ایڈووکیٹ</p>  <p>مختل</p>	<p>دعویٰ اور خواہش: سرورس ٹی ویو نیل 326/19</p> <p>علت نمبر:</p> <p>مورخہ:</p> <p>جرم:</p> <p>تھانہ:</p>
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بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

آن مقام سو دت کیلئے محمد رحیم شاہ لوسٹریٹری ریٹروولف یاڈی کو روٹ کو مقرر کر کے اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث کرنے، دعویٰ، جوابت دعویٰ، اقبال دعویٰ اور درخواست برائے سرسزگی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہزارہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ ذمہ دار اختیار منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہرجانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے، لہذا وکالت نامہ لکھ دیا کہ سندر ہے

مقام کل کو روٹ سو دت کے لئے منظور ہے۔

ایڈوکیٹ دستخط: 

المقوم: 07/02/2023

ایڈووکیٹ فضل علی

بعدالت جناب سرور میں تشریف فرما صاحب / بچاؤ عملیہ سرور

مقدمہ عنوان: منظر عملی بنام ایجوکیشن

درخواست بمراد تبدیلی تاریخ پیشگی

جناب عالی! درخواست ذیل عرض ہے۔

(۱) یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے جس میں آج تاریخ پیشگی مقرر ہے۔

(۲) یہ کہ وکیل محمد عبدالرشید پشاور ہائی کورٹ مینگورہ بینچ ضلع سوات میں مصروف ہے اور مقدمہ عنوان بالا میں پیش ہونے سے قاصر ہے۔ نقل کا زلسٹ لف ہے۔

لہذا استدعا ہے کہ منظوری و درخواست بمراد مقدمہ عنوان بالا میں

تاریخ پیشگی تبدیل کرنے کا حکم صادر فرمایا جائے۔

عریفہ محمد عبدالرشید المرقوم $6 \frac{10}{2082}$

سائل / بندر محمد عبدالرشید
جیل خان

PESHAWAR HIGH COURT, MINGORA BENCH, SWAT

S.B CAUSE LIST FOR THURSDAY, THE 6th OCTOBER, 2022
BEFORE Mr. JUSTICE MUHAMMAD IJAZ KHAN

MOTION CASES

1. Cr.M 62-M/2022
{Quashment Petition} Vs The State & others
Nasar Alam
(Syed Saltanat Khan)
2. Cr.A 21-C/2019
{Against Acquittal}
{u/s 452/337-F (iv) 34
PPC} Vs Fazal Wahid & others
{Through Video Link}
Javed Ahmed
(Safiullah Khan)
3. Cr.A 85-M/2021
With Cr.M 114/2021
{Against Acquittal}
{u/s 324, 147, 149-PPC} Vs The State & others
Sahib Zaman
(Dost Muhammad Khan)
4. Cr.A 107-M/2021
{Against Acquittal}
{u/s 324/34-PPC} Vs Islam ud din & others
Amir Amanullah
(Sabir Shah)
5. Cr.A 357-M/2021
{Against Acquittal}
{u/s 496-A, B PPC} Vs Asghar & 1 other
Noor ul Haq
(Muhammad Nabi)
6. Cr.A 28-M/2022
{Against Acquittal}
{u/s 496-A, B PPC} Vs Mst. Saima Bibi & 1 other
Noor ul Haq
(Muhammad Nabi)
7. C.R 505-M/2019
With Cr.M 1096/2022
{Declaration Suit etc} Vs Bakht Shad & 1 other
Gul Shad
(SHAMS UL HAEDI)
8. C.R 144-M/2020
With C.M 648/2020
{Declaration Suit etc} Vs Mst. Lal Baha
Hazir Muhammad
(Syed Abdul Karim)

30. R.F.A 50-M/2019
{*Enhancement of Compensation Amount*}
{Award No. 4188-92/208/Acq (V.2)}
- Hakim Khan
(Arshad Iqbal)
- Vs Govt. of Khyber Pakhtunkhwa,
through Secy. Health & others
31. R.F.A 64-M/2019
{*Declaration Suit etc*}
{Award No. 4187/208/Acq (V.2)}
- Shamsher Ali & others
(Muhammad Arif)
- Vs Collector Land Acquisition Swat
& others
(A.A.G)
32. R.F.A 164-M/2019
{*Enhancement of Rates*}
{Award No. 4187/208/Acq (V.2)}
- Syed Hazrat Ali
(Jehangir & Muhammad Arif)
- Vs Land Acquisition Collector Swat
& others
A.A.G
33. R.F.A 261-M/2020
{*Against Enhancement*}
{Award No. 4187/208/Acq (v.2)}
- Chief Executive & Principal
SGTH/SMC Swat & others
(A.A.G)
- Vs Roshandiyar Khan & others
(Abdul Wadood)
34. R.F.A 262-M/2020
{*Against Enhancement*}
{Award No. 4187/208/Acq (v.2)}
- Land Acquisition Collector/ D.C
Swat & others
(A.A.G)
- Vs Syed Hazrat Ali
()
35. R.F.A 135-M/2020
{*Against Fixation of Compensation Amount*}
{Award No. 4187/208/Acq (v.2)}
- Land Acquisition Collector/
DOR Swat & others
(A.A.G)
- Vs Shamsher Ali & others
(Muhammad Arif)
36. R.F.A 136-M/2020
{*Against Fixation of Compensation Amount*}
{Award No. 4187/208/Acq (v.2)}
- Govt. of Khyber Pakhtunkhwa,
through Secy. Health & others
(A.A.G)
- Vs Hakeem Khan
(Arshad Iqbal)
37. R.F.A 71-M/2021
With C.M 1674/2022
{*Against Enhancement*}
{Award No. 4187/208/Acq (v.2)}
- LAC/DOR Swat & others
(A.A.G)
- Vs Akbar Ali
(Abdul Halim Khan)
{*General Adjournment*}

PESHAWAR HIGH COURT, MINGORA BENCH, SWAT

D.B CAUSE LIST FOR THURSDAY, THE 6th OCTOBER, 2022

BEFORE Mr. JUSTICE MUHAMMAD NAEEM ANWAR

Mr. JUSTICE Dr. KHURSHID IQBAL

MOTION CASES

1. Cr.A 349-M/2019
(Against Acquittal)
{u/s 302,324/34-PPC}
Abdur Rahman
()
Vs The State & others
2. Cr.A 48-M/2021
(Against Acquittal)
{u/s 409, 489-F PPC}
The State
(A.A.G)
Vs Amjad Karim
3. Cr.A 115-M/2021
(Against Acquittal)
{u/s 302,324,114/34-PPC}
Mohammad Yar
(Gauhar Ali Khan)
Vs Sher Baz & others
4. C.M 1809-M/2022
In W.P 986-M/2022
{for withdrawal}
Rahat Gul
(Asmat Ali)
Vs Govt. of Khyber Pakhtunkhwa
through Secretary Local Govt. &
others
5. C.M 1823-M/2022
In W.P 347/2022
{for suspension}
Dr. Salman Hanif & others
(Barrister Dr. Adnan Khan)
Vs Govt. of Khyber Pakhtunkhwa
through Secy. Health & others
6. W.P 435-M/2019
With Interim Relief,
C.M 1336/2020
& C.M 435/2019
{Service/Upgradation}
Fayaz ul Haq & others
(Shams ul Hadi)
Vs Govt. of Khyber Pakhtunkhwa,
through Secy. LGE&RDD &
others
(A.A.G)
7. W.P 471-M/2020
{Group Insurance}
Mir Hyder Ali Khan
(Rahimullah Chitrali)
Vs Govt. of Khyber Pakhtunkhwa,
through Chief Secy. & others
(A.A.G)

(Date By Court)

25. W.P 997-M/2022
{Service/ Appointment
RSQ} Hazrat Bilal
(Jehangir) Vs Govt. of Khyber Pakhtunkhwa
through Chief Secretary & others
26. W.P 998-M/2022
With Interim Relief
{Civil/others} Hayat Khan
(Arshad Ali Noshervi) Vs Govt. of Khyber Pakhtunkhwa
through Chief Secretary &
others
{Through Video Link}
27. W.P 1016-M/2022
With Interim Relief
{Service/Appointment} Mr. Fouzul Azim
(Sajjad Wahid) Vs Govt. of Khyber Pakhtunkhwa
through Secy. E&SE & others
28. W.P 1017-M/2022
With Interim Relief
{Service/Appointment} Dr. Didar Muhammad
(Syed Abdul Haq & Aftab Hussain
Butt) Vs Govt. of Khyber Pakhtunkhwa
through Secy. Health & other
29. W.P 1030-M/2022
{General/ for Issuance of
NIC} Mst. Gulshan & others
(Wasim Akram) Vs Govt. of Khyber Pakhtunkhwa
through Chief Secretary &
others
30. W.P 1040-M/2022
With Interim Relief
{Other/Land Acquisition} Syed Hassan & others
(Muhammad Irshad Mohmand) Vs Govt. of Khyber Pakhtunkhwa
through Secretary C&W & others
(A.A.G)
{Date By court}
31. W.P 1051-M/2022
With Interim Relief
{Service/Appointment} Subhan Ali
(Nawaz Ali) Vs Govt. of Pakhtunkhwa through
Secy. Education & others
32. W.P 1053-M/2022
With Interim Relief
{Civil/other} Said Afzal & others
(Shah Salam Khan & Abdul Halim
Khan)
{General Adjournment} Vs Deputy Commissioner/District
Collector Dir Lower & others
33. W.P 1058-M/2022
{General/Examination} Zahid Khan & others
(Muhammad Rahim Shah) Vs Controller of Examination,
University of Malakand & others