

21.01.2019

Petitioner in person and Mr. Farhaj Sikandar, District Attorney alongwith Samiullah, Data Entry Operator for the respondents present.

Representative of respondents has produced copy of letter dated 11.04.2018 issued by DHO, Tank, wherein it is noted that the petitioner was ineligible candidate for the post of Junior PHC Technician as per approved Service Structure of Government of Khyber Pakhtunkhwa Health Department, the office was therefore, unable to reinstate him. The letter alongwith its enclosures is placed on record and a copy has been handed over to the petitioner who seeks adjournment on account of non-availability of his learned counsel. Adjourned to 26.02.2019 before S.B at camp court, D.I.Khan.

Chairman
Camp Court, D.I.Khan

26.02.2019

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the appellant submitted application for withdrawal of the present service appeal on the ground mentioned in the application. Application is placed on record. In this regard signature of learned counsel for the appellant was also obtained at the margin of order sheet as a token of proof.

In the light of above application, the present service appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
26.02.2019

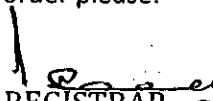
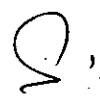


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

*I want to with draw instant Execution
Petition and submit application in his respect.
Samiullah
26.2.19*

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. _195/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	13.06.2018	<p>The execution petition submitted by Mr. Muzammil Hussain through Mr. M. Waqr Alam Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/6/18.</p>
2	14.6.2018	<p>This execution petition be put before Touring S. Bench at D.I.Khan on 13-9-2018 13-9-2018.</p> <p style="text-align: right;"> CHAIRMAN</p>
	13.09.2018	<p>Counsel for the petitioner present. Notice be issued to the respondents for implementation report for 27.11.2018 before S.B at Camp Court D.I.Khan.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan</p>
	27.11.2018	<p>Counsel for the petitioners present. Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the petitioner requested for adjournment. Adjourned. To come up for further proceedings on 21.01.2019 S.B at Camp Court D.I.Khan.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan</p>

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

EXECUTION PETITION NO. 195 OF 2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 682

Dated 13/06/2018

Muzamil Hussain s/o Muhammad Jahangir R/o Jabbar Wala, Dera
Ismail Khan.

(Petitioner)

Versus

- 1. Director General Health services, KPK Peshawar.**
- 2. District Health officer (DHO), District Tank.**

(Respondent)

EXECUTION PETITION

That the petitioner hereby applies for execution of the Judgement
herein below as follows:

1	Suit No.	Service Appeal No. 957/2015
2	Name of Parties	Muzamil Hussain s/o Muhammad Jahangir R/o Jabbar Wala, Dera Ismail Khan. (PETITIONER) VERSUS 1. Government of KPK, through secretary Health Department, KPK Peshawar. 2. Secretary to Govt: of KPK, Health Department, Peshawar. 3. Director General Health services, KPK Peshawar. 4. Director (Administration), Director General health services, KPK Peshawar. 5. District Health officer (DHO), District Tank. 6. District Accounts Officer, District Tank (RESPONDENTS)
2	Date of Judgment	19/02/2018
3	Whether any Appeal preferred from Department	Nil-
4	Previously execution petition is filled or not	No

5	Relief granted in the judgment	The appeal is accepted, impugned order dated 15/04/2015 is set aside and the appellant is reinstated into service with the direction to the respondents to examine his case to ascertain whether he is eligible to hold the post or not and shall dispose of the same after providing opportunity of hearing to the appellant.
6	Amount of Costs, if any	Nil
7	Against whom to be executed	<ol style="list-style-type: none"> 1. Director General Health services, KPK Peshawar. 2. District Health officer (DHO), District Tank.
8	Mode in which the assistance of the court if required	By issuing appropriate order against the respondents to reinstate the services of petitioner and implement the judgment dated 19/02/2018 in its true letter and spirit to execute the judgment in favour of petitioner.

Respectfully Sheweth:

1. That the present petitioner filed the above mentioned service appeal, which was allowed in favour of appellant / petitioner vide judgment dated 19/02/2018 by holding in para 6 of the judgment, "The appeal is accepted, impugned order dated 15/04/2015 is set aside and the appellant is reinstated into service with the direction to the respondents to examine his case to ascertain whether he is eligible to hold the post or not and shall dispose of the same after providing opportunity of hearing to the appellant". Copies of service appeal, judgment of service tribunal are enclosed herewith.
2. That the respondents/DHO Tank misinterpret the judgment of this honourable Tribunal and issued an order dated 11/04/2018 which is communicated to the petitioner on 31/05/2018, hence, being aggrieved from the order dated 11/04/2018 the petitioner approaches this honourable Tribunal. Copy enclosed.

3. That this learned court has got vast power to entertain the instant petition.

It is therefore, humbly prayed that the instant petition may kindly be accepted.

Petitioner

Dated: 02/06/2018

Muzamil Hussain

Muzamil Hussain

Affidavit:

I, the petitioner, do hereby solemnly affirm and declared on Oath that all the contents of the petition are true and correct to the best of my knowledge and belief and no other petition on the same subject matter was filed earlier.

Oath Commissioner
District Court D.I. Khan

6/6/18

Muzamil Hussain
Deponent

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT D.I.KHAN.

Appeal No. 957/2015

Date of Institution ... 11.08.2015
Date of Decision ... 19.02.2018



Muzamil Hussain s/o Muhammad Jahangir R/o Jabbar Wala, Dera Ismail Khan.
... (Appellant)

VERSUS

1. The Govt: of Khyber Pakhtunkhwa through Secretary Health Department,
Khyber Pakhtunkhwa, Peshawar and 5 others. ... (Respondents)

MR. MUHAMMAD WAQAR ALAM,
Advocate

--- For appellant.

MR. USMAN GHANI,
District Attorney

--- For respondents

MR. AHMAD HASSAN,
MR. MUHAMMAD AMIN KHAN KUNDI

--- MEMBER (Executive)
--- MEMBER (Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER. - Arguments of the learned counsel for the parties

> heard and record perused.

ATTESTED

[Signature]
MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

FACTS

2. The brief facts are that the appellant was appointed as Junior PHC Technician on 25.04.2013. His services were terminated vide impugned order dated 15.04.2015 without solid justification. He preferred departmental appeal on 08.05.2015 which was not responded within stipulated period, hence, the instant service appeal.

ARGUMENTS

3. Learned counsel for the appellant argued that he was appointed as Junior PHC Technician (BPS-09) vide order dated 25.04.2013. Vide impugned order dated 15.04.2015 his services were terminated without assigning any reason. He preferred departmental

ATTESTED

[Signature]

2

appeal on 08.05.2015 which was not responded, hence, the instant service appeal. He further argued that the appellant was appointed after observance of all codal formalities It has been held by the august Supreme Court of Pakistan with in case where appointments are termed as illegal by the respondents action should be taken against government officials responsible making such appointments instead of affected employees. Opportunity of due process and fair trial were denied to him and as such he was condemned unheard. Reliance was placed on case reported as 2003 SCMR 1110, PLJ 2004 SC 216, 2012 SCJ 780, 2015 PLC (C.S) 1519 and judgment of this Tribunal dated 25.10.2017 passed in service appeal no. 878/2016 titled " *Shafiq-ur-Rahman-vs-Govt. of Khber - Pakhtunkhwa, through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others.*"

5

4. On the other hand learned District Attorney argued that his services were terminated because codal formalities were not observed by the competent authority during the course of his appointment. Moreover, he remained absent after appointment so action taken against him is fully justified under the rules.

CONCLUSION.

5. Careful perusal of record would reveal that the appellant was appointed by the competent authority as is evident from the appointment order dated 25.04.2013. He assumed the charge and started performing duties. Para-1 of the termination is very strange, wherein it is mentioned that you were appointed by Ex-DHO District Tank and without observing codal formalities. It is a sufficient proof that his service by terminated by the successor of Ex-DHO, which smacks of malafide/ personal grudge and extraneous influence on the part of the officer concerned. He was bound to follow law and rules. It has not been disputed by the respondents that the appellant fulfilled the required qualification for the said post and was eligible for appointment. Once a person is appointed a vested right is created and appointment cannot be withdrawn without following the due process of law. In the present circumstances the appellant was condemned unheard.

ATTESTED
[Signature]

ATTESTED
[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

7



OFFICE OF THE DISTRICT Phone: 0963-510755
HEALTH OFFICER DISTRICT TANK Fax: 0963-510755



No. 17/7 /Court:

Dated/7/05/2018

To

Mr. Muzamal Hussain S/o

Mr. Muhammad Khan Jahangir

R/o Jabbar Wala D.I.Khan.

Subject: ARRIVAL REPORT

Memo,

Your letter received through post on 16/05/2018 to the office of undersigned on the subject cited above. It is to inform you that this office has already been annexed the relevant law to the honourable registrar Khyber Pakhtunkhwa Service Tribunal Peshawar. However the copy of the same is attached for your good- self.

Muzamal Hussain
DISTRICT HEALTH OFFICER
DISTRICT TANK

No. _____/

Copy is forwarded to the:

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa.
3. SO litigation Health Department Khyber Pakhtunkhwa.
4. Master File.

DISTRICT HEALTH OFFICER
DISTRICT TANK

ATTESTED

[Signature]

21.01.2019

Petitioner in person and Mr. Farhaj Sikandar, District Attorney alongwith Samiullah, Data Entry Operator for the respondents present.

Representative of respondents has produced copy of letter dated 11.04.2018 issued by DHO, Tank, wherein it is noted that the petitioner was ineligible candidate for the post of Junior PHC Technician as per approved Service Structure of Government of Khyber Pakhtunkhwa Health Department, the office was therefore, unable to reinstate him. The letter alongwith its enclosures is placed on record and a copy has been handed over to the petitioner who seeks adjournment on account of non-availability of his learned counsel. Adjourned to 26.02.2019 before S.B at camp court, D.I.Khan.

Chairman
Camp Court, D.I.Khan

*I want to withdraw instead Execution
Petition and submit application in this respect.*

26.02.2019

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the appellant submitted application for withdrawal of the present service appeal on the ground mentioned in the application. Application is placed on record. In this regard signature of learned counsel for the appellant was also obtained at the margin of order sheet as a token of proof.

In the light of above application, the present service appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
26.02.2019

Muhammad Amin
(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

*Reg Officer
26.2.19*

عبدالرحمن صاحب سرور کو ترمیم کے لئے لکھنا اور ایک کورڈ ڈیپارٹمنٹ کے لئے

عزیز حسین ایم ڈی لکھنا اور عبدالرحمن صاحب کو مطلع کرنا

کارروائی اجراء

عبدالرحمن صاحب سے متعلق حسب ذیل عرضیں ارسال ہوئی ہیں -

1۔ ریٹائرمنٹ سے متعلق نوٹس کے حکم کے مطابق عبدالرحمن صاحب کو صرف 19/2/18

کو نوٹس دیا گیا ہے، حالانکہ حکم کے مطابق عبدالرحمن صاحب کو نوٹس دینا چاہیے تھا جو کہ اصولی طور پر

نے عمل درآمد نہ کیا جس کی نسبت سے متعلق نوٹس کے

اجراء کے کارروائی کے عمل میں تاخیر ہوئی ہے اس پر

توجہ دینی ہے

2۔ ریٹائرمنٹ سے متعلق نوٹس 21/1/2018 کو عبدالرحمن

صاحب کو ارسال کیا گیا تھا مگر اس کے مطابق کوئی کارروائی نہیں ہوئی ہے

اس پر نوٹس کے مطابق اس کے مطابق اس کے مطابق اس کے مطابق

میں تاخیر ہوئی ہے اس پر نوٹس 23/1/19

D.G. پروفیسر صاحب سے ایسے سے اجراء کی کارروائی

کو داخل دفتر فرمائیں۔

بسم اللہ الرحمن الرحیم

میں کو منظور فرماتے ہوئے کارروائی

اجراء کو داخل دفتر فرمائیں۔

26-2-2019

میرزا حسین

مدرسہ اسلامیہ
گورنمنٹ



**OFFICE OF THE DISTRICT
HEALTH OFFICER DISTRICT TANK**

Phone: 0963-510755

Fax: 0963-510755

No. 1338 /Court:

Dated// 10/04/2018



To:

The Honourable Registrar
Khyber Pakhtunkhwa,
Service Tribunal Peshawar.

Subject: - **ORDER JUDGMENT IN APPEAL NO.957/2015, MR. MUZAMIL KHAN
HUSSAIN**

R/Sir,

Reference your good -self letter bearing No. 432/ST dated 01/03/2018 annexed with verdict in the shape of Judgment dated 19/02/2018 of honourable Khyber Pakhtunkhwa Service Tribunal Peshawar

I have the honour to submit that as per direction of the Khyber Pakhtunkhwa Service Tribunal Peshawar contained in the judgment dated 19/02/2018 after thoroughly examination of the case by providing him fully opportunity of hearing, Mr. Muzamal Hussain son of Muhammad Jahangir resident of Jabaar Wala District D.I.Khan in ineligible candidates for the post Junior PHC Tech: as per approved service structure of Government of Khyber Pakhtunkhwa health Department for paramedics and this office is unable to reinstate the concerned petitioner. The relevant law is annexed herewith for your good- self perusal.


DISTRICT HEALTH OFFICER
DISTRICT TANK

No. 1339 /

Copy is forwarded to the:

1. Director General Health Services Khyber Pakhtunkhwa.
2. SO litigation Health Department Khyber Pakhtunkhwa.
3. DAO Tank.
4. Mr. Muzamil Hussain S/O Muhammad Jahangir R/O Jabaar Wala District D.I.Khan.
5. Master File.


DISTRICT HEALTH OFFICER
DISTRICT TANK

Government of N.W.F.P.

Health Department

DATED PESHAWAR THE 10TH MAY 2006

Notification :

No. SOH-III /8-60/05(Paramedics)

**EIGHT STAGE PARAMEDICS
SERVICE STRUCTURE
OF N.W.F.P.**

	1	2	3	4	5	6
93.	5.	Clinical Technologist (Gastroenterology) BPS-17	50% by initial recruitment with Bachelor Degree in relevant field from Medical Faculty OR Recognize Institution	50% by promotion from amongst Chief Clinical Technicians BPS-16 in relevant field on basis of seniority cum fitness with 5 years service as such	18-40 years	50% by initial recruitment 50% by promotion
94.	6.	Senior Clinical Technologist (Gastroenterology) BPS-18	50% by initial recruitment with Master Degree in relevant field from Recognize Institution / MPH/M All Sc	50% by promotion from amongst Clinical Technologist BPS-17 on basis of seniority cum fitness with 7 years service as such	18-45 years	50% by initial recruitment 50% by promotion
95.	7.	Chief Clinical Technologist (Gastroenterology) BPS-19	_____	100% by promotion from amongst Senior Clinical Technologist BPS-18 on basis of seniority cum fitness with 7 years service as such	_____	By promotion
96.	8.	Principal Clinical Technologist (Gastroenterology) BPS-20	_____	100% by promotion from amongst Chief Clinical Technologist BPS-19 on basis of seniority cum fitness with 7 years service as such	_____	By promotion

(PART-XIII)

(PRIMARY HEALTH CARE-MULTI-PURPOSE)

97.	1.	Junior Primary Health Care Technician (Multi-purpose) BPS-9	SSC Health Science from recognized board and certificate from NWFP Medical Faculty / recognized institution in relevant field / Health Technology	_____	18-25 years	By initial recruitment
98.	2.	Primary Health Care Technician (Multi-purpose) BPS-12	50% by initial recruitment with Diploma in relevant field / Health Technology from Medical Faculty OR Recognize Institution	50% by promotion from amongst Junior Clinical Technicians relevant field on basis of seniority cum fitness with 5 years service as such	18-38 years	50% by initial recruitment 50% by promotion
99.	3.	Senior Primary Health Care Technician (Multi-purpose) BPS-14	_____	100% by promotion from amongst clinical technician BPS-12 in relevant field on seniority cum fitness with 4 years service as such	_____	By promotion
100.	4.	Chief Primary Health Care Technician (Multi-purpose) BPS-16	_____	100% by promotion from amongst clinical technician BPS-14 in relevant field on seniority cum fitness with 4 years service as such	_____	By promotion
101.	5.	Primary Health Care Technologist (Multi-purpose) BPS-17	50% by initial recruitment with Bachelor Degree in relevant field from Medical Faculty OR Recognize Institution	50% by promotion from amongst Chief Clinical Technicians BPS-16 in relevant field on basis of seniority cum fitness with 5 years service as such	18-40 years	50% by initial recruitment 50% by promotion
102.	6.	Senior Primary Health Care Technologist (Multi-purpose) BPS-18	50% by initial recruitment with Master Degree in relevant field from Recognize Institution / MPH/M All Sc	50% by promotion from amongst Clinical Technologist BPS-17 on basis of seniority cum fitness with 7 years service as such	18-45 years	50% by initial recruitment 50% by promotion

As a nutshell to the above discussion, the appeal is accepted. Impugned order dated 5.04.2015 is set aside and the appellant is reinstated into service with the direction to the respondents to examine his case to ascertain whether he is eligible to hold the post or not and shall dispose of the same after providing opportunity of hearing to the appellant. Parties are left to bear their own costs. File be consigned to the record room.

SD

(AHMAD HASSAN)
MEMBER
CAMP COURT D.I.KHAN

SD

(MUHAMMAD AJJIN KHAN KUNDI)
MEMBER

ANNOUNCED
19.02.2018

Certified to be true copy
MEMBER
Khayal Chhankawa
Service Tribunal,
Peshawar

~

8



**OFFICE OF THE DISTRICT
HEALTH OFFICER DISTRICT TANK**

Phone: 0963-510755
Fax: 0963-510755

No. 1338 /Court:

Dated // 10/4 /2018

To
The Honourable Registrar
Khyber Pakhtunkhwa,
Service Tribunal Peshawar.

Subject: - **ORDER JUDGMENT IN APPEAL NO.957/2015, MR. MUZAMIL KHAN
HUSSAIN**

R/Sir,

Reference your good -self letter bearing No. 432/ST dated 01/03/2018 annexed with verdict in the shape of Judgment dated 19/02/2018 of honourable Khyber Pakhtunkhwa Service Tribunal Peshawar

I have the honour to submit that as per direction of the Khyber Pakhtunkhwa Service Tribunal Peshawar contained in the judgment dated 19/02/2018 after thoroughly examination of the case by providing him fully opportunity of hearing, Mr. Muzamal Hussain son of Muhammad Jahangir resident of Jabaar Wala District D.I.Khan in ineligible candidates for the post Junior PHC Tech: as per approved service structure of Government of Khyber Pakhtunkhwa health Department for paramedics and this office is unable to reinstate the concerned petitioner . The relevant law is annexed herewith for your good- self perusal.

Muzamal Hussain
DISTRICT HEALTH OFFICER
DISTRICT TANK

No. 1339-43 /court

Copy is forwarded to the:

1. Director General Health Services Khyber Pakhtunkhwa.
2. SO litigation Health Department Khyber Pakhtunkhwa.
3. DAO Tank.
4. Mr. Muzamil Hussain S/O Muhammad Jahangir R/O Jabaar Wala District D.I.Khan.
5. Master File.

ATTESTED
[Signature]

[Signature]
DISTRICT HEALTH OFFICER
DISTRICT TANK

OFFICE OF THE DISTRICT HEALTH OFFICER TANK.

11

9

No: 1013-15/1

Dated: 25/04/2013

To

Mr. Muzamil Hussain S/O Mohammad Jehangir
R/O Village Jabbar Wala District DIKhan.

Subject: OFFER OF APPOINTMENT.

Memo

The Govt: hereby offers you a post of Jr. PHC Technician (MP) Insect Collector against the vacant post of under the control of this office in BPS-09 Viz: @ Rs. 6200-380-17600/-PM plus usual allowances as admissible under the rules and subject to revision time to time on the following terms and conditions according to the Government Policy.

1. Your appointment in the Health Department is purely on temporary Basis and your services are liable to be terminated at any time without giving notice or assigning irrespective of the facts that you may belong to a post other than one to which you are recruited.
2. You have to join duty at your own expenses in case you wish to resign at any time one month notice will be essential or in lieu thereof one month pay shall be forfeited.
3. You will be governed by such rules and orders relating to leave, TA, Medical charges as may be issued by the Govt: from time to time for the category of Government Servant to which you may belong.
4. If you accept the offer on the above conditions you should report to this for further duty within fifteen (15) days of the receipt of this letter, failing which your services will be terminated.
5. The appointment will be subject to the production of Medical Fitness Certificate.

[Signature]
DISTRICT HEALTH OFFICER
TANK.

Cc: -

1. District Accounts Officer, Tank.
2. Account Clerk of this Office.
3. Estab: Clerk of this office.

25-04-2013

DISTRICT HEALTH OFFICER
TANK.

[Large handwritten signature]

ATTESTED
[Signature]



0340 888 6002

خدمت صاب ۵۴۵ صاحب نام ملک صلح خانک

10
B

صاحب عالی

گزارش کے لئے ۲۱ ج مورخہ ۱۱-۵-۱۴ کے آرڈر

نمبر ۱۵۵۱ مورخہ ۱۴-۴-۳۰ کے طالبی ایچ ایو قصبہ

پر حاصل کردی ہے

بھیجا گیا ہے اور جاری رسیدی Arrival Report
منظور کی جاتی ہے۔

میں سید عین نواز میں سوئی

مورخہ ۱-۵-۲۰۱۴

ATTESTED

میرزا گل حسین ملک پورہ
ای ایچ ایو قصبہ

Pen

Forwarded to D.H.O. Tank
for information and n/a please

Dated
11/05/2014
B.H.U. Cherna.

Signature

Medical

Med No. 4

11

MEDICAL CERTIFICATE

Name of Official Muzammil Hussain

Caste or Race Baloch

Father's Name Muhammad Jahangir

Residence village Jabbar walla Tehsil Bishtak

D. I. Khara

Date of Birth 23.05.1996 (12101-1407971-9)

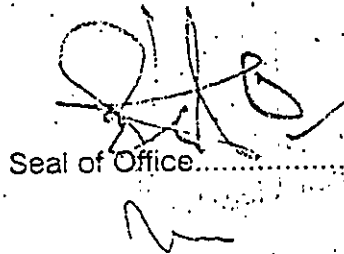
Exact height by measurement 5-6"

Personal marks of identification wood scar lateral to Rt eye

Signature of the Official Muzammil

Signature of

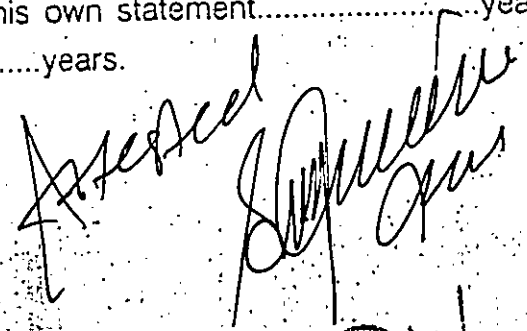
head of office


Seal of Office

I do hereby certify that I have examined Mr. Muzammil Hussain
a candidate for employment in the Office of the D.H.O. Tank
and can not discover that head any disease communicable or other constitutional
effication or bodily infirinity except

I do not consider this as disqualification for employment in the office of the
His age according to his own statement year and
by appearance about years.

ATTESTED





LEFT HAND THUMB AND FINGER
IMPRESSIONS

Medical Superintendent
Civil Hospital
District



OFFICE OF DISTRICT HEALTH OFFICER
TANK


No. 1051 /04/2014

Dated

DIKhan-the 30 /04/2014

OFFICE ORDER

Mr. Muzamil Hussain Jr. PHC Tech: (MP) Insect Collector attached to this office is hereby directed to report for duty at BHU Cheena with immediate effect in the interest of public services.


District Health Officer
Tank

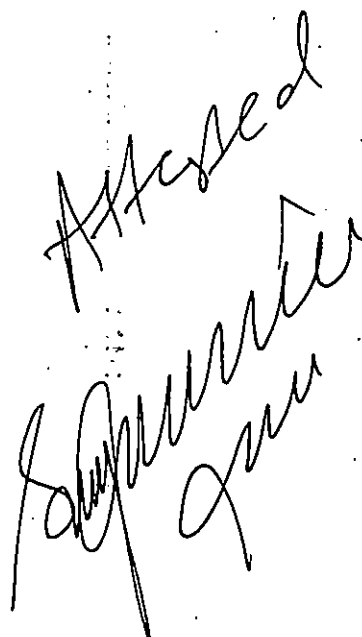
CC

- 1- Incharge BHU Cheena.
- 2- Establishment Clerk of this office.
- 3- Accountant of this office.


District Health Officer
Tank

ATTESTED




Attested


وکالت نامہ

N.W.F.P. BAR COUNCIL

MUHAMMAD WAQAR ALAM
Advocate High Court
N.I.C. 12101-4283535-5
S.No. 1291



Issuing Authority

Father's Name: MUHAMMAD KHURSHID ALAM
Address: USTRANA SOUTH NEAR GCT
D.J.KHAN
Office Tel: 0966-718370, Cell # 0333-9950616
Enrolment Dt. L.C. 28-05-2007
Enrolment Dt. H.C. 03-10-2009
Place of Practice D.J.KHAN
Date of Birth: 15-04-1982
Blood Group:

1st Floor G-Block, Khyber Road Peshawar. Ph. 091-9211172
E-mail: nwfpbarcouncil@hotmail.com

The Khyber-Pakhtunkhwa Service Tribunal **جناب بعدالت جناب**
Peshawar.

Petitioner: **مجاہد**

Muzamil Hussain نام **the DHO etc**

دعویٰ یا جرم **تفصیل دعویٰ یا جرم**
Execution Petition

باعث تحریر آنکے

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام **محمد وقار عالم ایڈووکیٹ ہائی کورٹ** کیلئے

کوسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ اختیار خاص رو برو دعوات حاضر ہوتا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں۔ اور مقدمہ میری غیر معاضرتی کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز خطیل ہی دی کرنے کے ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز خطیل ہی دی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر پکھری کے علاوہ اور جگہ سمیت ہونے یا بروز خطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاضرت کے ادا کرنے یا نکلانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخلہ صاحب موصوف محل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ، یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اپیل و گمرانی و ہر قسم درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور ہر حکم کو روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر حکم کے بیان دینے اور اس پر حاشی یا ماضی نامہ فیصلہ بر حلیف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ ہر دن از پکھری صدر ہی مقدمہ مذکورہ نظر ثانی و اپیل و گمرانی و برآمدگی مقدمہ یا سٹوٹی ڈگری یا طرف یا درخواست حکم استغاثی یا ترقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا تکلی علیہ معائنہ ہی دی کا اختیار ہوگا اور تمام ساختہ پر داخلہ صاحب موصوف محل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل یا گمرانی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا پھر سزا کا پتہ بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے شیر قانون کو بھی ہر امر میں وہی اور ویسے اقتیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جانب التوا ہو چکا، وہ صاحب موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی ہی دی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

Accepted
Muzamil Hussain
2/6/18

لہذا اذکالت نامہ لکھ دیا ہے۔ تاکہ سند رہے

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مضمون وکالت نامہ کن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

العبد العبد العبد
منبر محل مسین
MOZAMIL

محمد وقار عالم ایڈووکیٹ ہائی کورٹ