

21.01.2019

Nemo for petitioner. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muslim Din, SDO for respondents present.

Representative of the respondents produced copy of voucher/Account bill in favour of petitioner for a sum of Rs. 160907/- and states that the judgment of Tribunal stands implemented.

Petitioner/learned counsel for the petitioner is not in attendance. The matter is adjourned to 26.02.2019 for further proceedings before S.B at camp court, D.I.Khan.

Chairman  
Camp Court, D.I.Khan

~~AS ORDERED~~

~~On behalf of the petitioner, Mr. Farhaj Sikandar, District Attorney, has produced a copy of the voucher/Account bill in favour of the petitioner for a sum of Rs. 160907/- and states that the judgment of the Tribunal stands implemented.~~  
~~Mr. Farhaj Sikandar, District Attorney, for the respondents is present.~~  
~~The petitioner's learned counsel is not in attendance for 26.02.2019.~~  
~~Case is adjourned to Camp Court, D.I.Khan.~~

26.02.2019

Counsel for the petitioner present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the petitioner requested for withdrawal of the present execution petition. In this regard signature of learned counsel for the petitioner was obtained at the margin of order sheet as a token of proof. According the present execution petition is dismissed as withdrawn. File be consigned to the record room.

*Drawn to with draw execution petition. Mr. Farhaj Sikandar*


ANNOUNCED  
26.02.2019

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

E.P No. 34/2018

12.09.2018

12<sup>th</sup> September has been declared as public holiday on account of 1<sup>st</sup> Muharram therefore, the case is adjourned for the same on 27.11.2018 before S.B at Camp Court D.I.Khan.



Camp Court D.I.Khan

27.11.2018

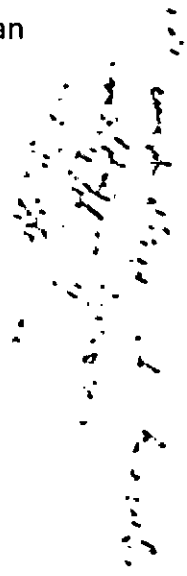
Petitioner alongwith his counsel present. Mr. Usman Ghani, District Attorney for the respondents present. Implementation report not submitted. Learned District Attorney requested for further adjournment. Adjourned. To come up for implementation report on 21.01.2019 S.B at Camp Court D.I.Khan.

*Note present on behalf of the petitioner Mr. Usman Ghani* 27.11.2018

*District Attorney for the respondents present. Notice be*  
*for attendance for 23.01.2019*  
*(Muhammad Amin Khan Kundi)*

Member  
Camp Court D.I.Khan

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



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Serial Number Posts	Section of establishment and name of incumbents	Substantive pay (Personal pay or Special pay if any should also be shown in this column as a separate entry below substantive pay)	Leave salary	Official Pay	Compensatory allowance	Total	For use in Audit Office	General Provident Fund	Postal Premium and other Fund deductions speedily fund	Net after deducting fund subscription etc.	Income tax	Miscellaneous recoveries (Fines and advances house rents, etc.)	Net amount	Remarks
	Haji Jdan Jan Ex-5/ENS 3676	19-5-85 to 30-6-85				4111	3284		3311	21701				
		1-7-85 to 30-4-86				4301	3024		1361	5833				Announced 3/ grade 13-86
		1-7-86 to 30-11-87				4527	3966		5391	6468				July 14-85 to 1-10-87
		1-7-87 to 30-11-88				4707	4114		5924	7109				1-8-85 until chg. Engineer
		1-7-88 to 31-8-88				4851	4158		7911	6665				(South) of one 5130/98/113-
		1-9-88 to 31-8-88				4851	4507		3947	1182				at 4-10-2010
		1-7-89 to 30-1-2000				5066	4507		5911	7097				
		1-7-2000 to 3-12-01				5291	4707		5911	7097				
		1-7-01 to 3-1-02				8207	7345		887	1062				2 identified the 115
		1-7-02 to 30-1-03				8527	7667		887	1212				amount has not previously
		1-7-03 to 30-11-04				8907	7937		887	1462				drawn
		1-7-04 to 30-1-05				9117	8237		887	1712				
		1-7-05 to 30-1-05				10457	9479		1027	5707				
		1-7-05 to 30-1-06				10837	9817		1027	12247				
		1-7-06 to 30-1-07				11197	10157		1027	71407				
		1-7-07 to 30-1-07				12357	11687		1177	5857				
		1-7-07 to 30-1-08				13247	12077		1177	8197				
		1-7-08 to 30-11-08				15327	14527		1317	70507				
		1-7-08 to 30-2-08				12407	13897		1417	42307				
									13627	131477				
		14-5-85 to 31-8-85				5727	1804		1567	80477				
									13627	80477				
		1-7-03 to 30-11-03				12757	11417		1337	6657				
		1-7-03 to 30-1-04				13297	1197		1337	9311				
		1-7-04 to 30-11-04				13237	1157		1337	6657				
		1-7-04 to 30-8-2000				13477	12347		1337	67837				
									13627	90497				
		1-7-04 to 30-1-05				13237	1197		1337	6657				
		1-7-05 to 30-1-05				13677	12347		1337	67837				
									13627	74487				
		1-7-06 to 30-11-06				1607	1457		1537	7617				
		1-7-06 to 30-2-05				14267	15237		1537	41311				
									13627	48967				
									13627	160907				

Executive Engineer,  
Harpur Irrigation Division  
D.I. Khan

1. Held over amounts should be entered in the appropriate columns 3,4,5 or as the case may be in red ink and ignored in totalling.
2. In the remarks column should be record all unusual permanent event such as death, retirement, permanent transfer, first appointment which find on Place in the increment certificate.  
The total pay as officer officiating in a certain scale should be drawn for the period only that he officiates in that section. An officer during transit should, draw his pay in that scale according to which he draw pay for the period.  
Each scale should be divided by a red line drawn right across the sheet and a total of columns 3,4,5 and 6 for the scale should be put in column 7 in red ink.
3. The names of the men holding permanent posts should be entered in order of seniority as measured by substantive pay drawn and below those will be shown the posts left vacant and men officiating in the permanent vacant.

Name of Section and of Incumbant	Name post	Pay & acting allowance claimed (separately) for Government servants present on duty	Leave salary claimed (separately) for absentees	Compensatory allowance	Pay action allowance or leave salary held over for future payments	Fines	Net charge for each Section	G.P. Fund	Other Funds and miscellaneous recoveries	Income-tax	Net Amount payable	Remarks	Acquittances
		PM	HRZ	SRN	HRZ	DA	160907				160907		
		131472	8047	9044	7448	4896	160907				160907		
TOTAL:													

Deduct: -- Undisbursed pay refunded, as detailed below *Rs. one lac sixty thousand*

Net sum required for payment (in word and figures) *Rs. one lac sixty thousand* 160907

Received contents also certified that I have satisfied myself that all emoluments included in bills drawn 1 month, 2 months, and previous to this date with the exception of those detailed below of which the total has been refunded, by deduction from this bill) have been disbursed to the proper person, & that their receipts have been taken in acquittance rolls filed in my file, with receipts stamp duly cancelled for every payment in excess of Rs. 20.3 months.  
 Certified that no person in superior service has been absent either on deputation suspension or without leave (except on casual leave) during the month.  
 Certified that all Officers whose names are omitted from but whose pay has been drawn in this bill have actually been employed during the month.  
 Certified that no leave has been granted until by reference to applicant's service book and leave accounts and to the rules applicable to him.  
 Certified that all appointments & permanent promotions & such of the acting promotions as have to be entered in the service book as per column is the Standard Form No. R.R. or have been entered in the service books of the persons concerned under my initials.

Executive Engineer,  
Paharpur Irrigation Division  
D.I.Khan

Executive Engineer,  
Paharpur Irrigation Division,  
D.I.Khan  
Signature and Designation of Head of Office.

Station: .....  
 Dated: ..... 20

Detailed pay of absentees refunded

Section of Establishment	Name	Period	Amount	Section of Establishment	Name	Period	Amount	Pay Rs. ( )

Examined and Entered  
 Treasury Accountant  
 Dated: 20  
 Treasury Officer:

C.A.C. 7. (Full sheet) Detailed Pay Bill of Permanent Establishment of the *for the month of Dec/2018*

District: *D.I.Khan* *VEN Paharpur Irrigation S. Div. D.I.Khan*

Admitted Rs. \_\_\_\_\_ Head of Service Chargeable \_\_\_\_\_ Pay Rupees ( ) \_\_\_\_\_ Voucher No. \_\_\_\_\_  
 Objected Rs. \_\_\_\_\_ Auditor. \_\_\_\_\_ G.O. \_\_\_\_\_  
 Auditor: Senior Accountant. \_\_\_\_\_


Name of Section and of Incumbant	Name post	Pay & acting allowance claimed (separately) for Government servants present on duty	Leave salary claimed (separately) for absentees	Compensatory allowance	Pay action allowance or leave salary held over for future payments	Fines	Net charge for each Section	G.P. Fund	Other Funds and miscellaneous recoveries	Income-tax	Net Amount payable	Remarks	Acquittances
		<i>Classification</i>											
		<i>Pay = 131472</i>	<i>HRZ = 8047</i>	<i>SRN = 9044</i>	<i>HRZ = 7448</i>	<i>DA = 4896</i>	<i>160907</i>				<i>160907</i>		

Executive Engineer,  
Paharpur Irrigation Division  
D.I.Khan

22.06.2018

Petitioner Edda Jan in person alongwith counsel Mr. Sheikh Iftikharul Haq, Advocate present. Mr. Muslim Din, SDO on behalf of respondents No. 1 and 3 and Muhammad Suleman, Assistant on behalf of respondent No. 2 present.


Representatives of the respondents named above requested for adjournment to implement the order of this Tribunal. Being an old case of 2013, though the judgment was passed on 29.11.2017. As such representatives of the respondents are directed to implement the order of this Tribunal without loss of further time. To come up for implementation proof on 30.08.2018 before S.B at camp court, D.I.Khan.

  
Chairman

Camp Court, D.I.Khan





30-8-18

*Petitioner present in person. Mr. Muslim Din SDO for respondents present. Case is hereby cancelled, therefore the case is adjourned for the same on 12-9-18 at camp court D.I.Khan.*



FORM OF ORDER SHEET

Execution Petition No. 34/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	01.02.2018	<p>The Execution Petition of Mr. Edda Jan received to-day by post through Shaikh Iftikhar-ul-Haq 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</p> <p>This Execution Petition be put up before Touring S. Bench at D.I.Khan on <u>22-2-18</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-	22.02.2018	<p>Counsel for the petitioner present. Notice be issued to the respondents for attendance and implementation report for 26.04.2018 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>
	25.05.2018	<p>Due to retirement of the Worth Chairman, the Tribunal become non-functional. To come up for the same 22.06.2018. Notice be issued to the parties accordingly.</p> <p style="text-align: right;"> Member</p>

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

Implementation Petition No. 34/2018

In Service Appeal No. 983/2013

Decided on 29/11/2017

Edda Jan **VERSUS** Govt; of KPK etc

**INDEX**

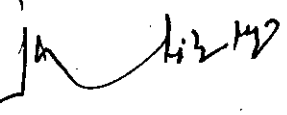
<b><u>S.NO</u></b>	<b><u>PARTICULARS</u></b>	<b><u>ANNEXURE</u></b>	<b><u>PAGE NO.</u></b>
1	Grounds of Implementation Petition along with affidavit.		1-3
2	Copies of the subject of the grounds of service appeal and order / judgment of this August Tribunal Court.	"A & A/1"	4-8
3	Copy of application and postal receipt	"B"	9-11
4	Wakalatnama		12-

Your Humble Appellant

  
Edda Jan

Dated: 29/01/2018

Through Counsel

  
**SHAIKH IFTIKHAR UL HAQ**  
Advocate High Court,  
Dera Ismail Khan.

①

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

Implementation Petition No. 34 /2018

In Service Appeal No. 983/2013

Decided on 29/11/2017

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 132

Dated 01/02/2018

**Edda Jan** S/o Haji Jalal Khan, Ex-Sub Engineer Irrigation  
Department, Dera Ismail Khan.

.....(Petitioner)

**VERSUS**

1. Government of Khyber Pakhtunkhwa, through Secretary Irrigation Department, Khyber Pakhtunkhwa Peshawar.
2. Secretary Finance, Government of Khyber Pakhtunkhwa, Peshawar.
3. Chief Engineer (O&M) Irrigation Department, Khyber Pakhtunkhwa, Peshawar.

.....(Respondents)

**IMPLEMENTATION PETITION UNDER  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT 1974 (SECTION -7) READ  
WITH KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL RULES, 1974 (AS AMENDED)  
FOR IMPLEMENTATION THE ORDER /  
JUDGMENT IN SERVICE APPEAL NO.  
983/2013 DECIDED ON 29/11/2017 BY  
THIS HONOURABLE TRIBUNAL.**

**Respectfully Sheweth:-**

The petitioner humbly submits as under:-

1. That the petitioner submitted service appeal for selection grade "BPS-16" w.e.f 14/05/1995 after passing the "A" grade Departmental examination. Copies of the subject of the grounds of service appeal and order / judgment of this August Tribunal are enclosed as Annexure "A & A/1".

2. That the petitioner submitted various application to the respondent but was not accepted. Hence the instant implementation petition amongst other on



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the following grounds, the copy of application along with postal receipts are enclosed as **Annexure "B"**.

**GROUNDS:-**

- a)** That the acts and omission of the respondents are clear cuts violations of law and statutes and constitutions.
- b)** That the lame excuse on behalf of respondents authority not maintainable and the respondents were required to implement the judgments of this Honourable Tribunal in letter and spirits.
- c)** That the Counsel of the petitioner may very graciously be allowed to add further grounds during the course of hearing.

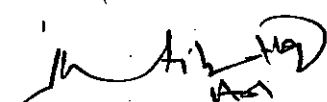
***It is, therefore, humbly prayed that the respondents be directed to implement the judgment / order of this Honourable Tribunal in letter and sprit. Any other relief deem fit may kindly be given in favour of petitioner.***

Your Humble Appellant

  
**Edda Jan**

Through Counsel

Dated: 29/01/2018

  
**SHAIKH IFTIKHAR UL HAQ**  
**Advocate High Court,**  
**Dera Ismail Khan.**

(3)

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

Implementation Petition No. \_\_\_\_\_/2018

In Service Appeal No. 983/2013

Decided on 29/11/2017

Edda Jan

**VERSUS**

Govt; of KPK etc

**VERIFICATION:-**

It is verified that it is first petition and no such petition has ever been preferred in this Honourable Tribunal by the Petitioner. And all the contents of above petition are true and correct.

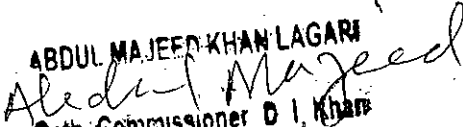
  
**Edda Jan**

**AFFIDAVIT**

I, **Edda Jan** S/o Haji Jalal Khan, Ex-Sub Engineer Irrigation Department, Dera Ismail Khan, the petitioner, do hereby solemnly affirm declared on oath that contents of the above **Implement Petition** are true and correct to the best of my knowledge and nothing has been concealed from this Honourable Tribunal.



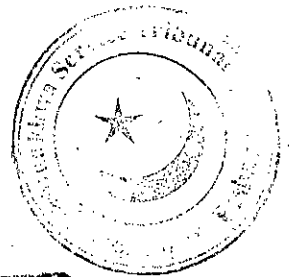
**DEPONENT**

ABDUL MAJEEB KHAN LAGARI  
  
Oath Commissioner D I Khan  
Date: 27/11/18

(1) (4)

BEFORE THE SERVICE TRIBUNAL K.P.K. PESHAWAR.

S.T.A No. 983 2013



Abda Jan S/O Haji Jalal Khan  
Ex-Sub Engineer Irrigation Deptt:  
D.I.Khan ,New Farhan General Store  
Eidgah Road D.I.Khan.

~~Signature~~  
973  
27/5/13

Appellant.

V/S

1. Govt of K.P.K through Secretary Irrigation Deptt: Peshawar.
2. Secretary Finance Govt of K.P.K. Peshawar.
3. Chief Engineer (O&M) Irrigation Deptt: KPK Peshawar.

Respondents.

Filed to-day  
~~Signature~~  
9/5/13

SERVICE APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT.

ATTESTED

~~Signature~~  
EX-CHIEF  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

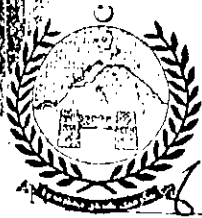
PRAYER.

ON ACCEPTANCE OF THE INSTANT APPEAL THE SELECTION  
GRADE BPS 16 MAY KINDLY BE GRANTED TO THE  
APPELLANT W.E.FROM 14.5.1995 WHEREIN THE  
APPELLANT HAS PASSED 'A' GRADE DEPARTMENTAL  
EXAMINATION.

re-submitted to  
and filed

~~Signature~~  
18/6/13

~~Signature~~  
ACW



OFFICE OF THE CHIEF ENGINEER (SOUTH)  
IRRIGATION DEPARTMENT KHYBER PAKHTUNKHWA PESHAWAR  
Phone No. 091-9212116 Fax No. 091-9212652

672/IB/A

Dated Peshawar the 6/02/2018

To

The Section Officer (Fstt)  
Government of Khyber Pakhtunkhwa  
Irrigation Department Peshawar..

Subject:-

REQUEST FOR IMPLEMENTATION /EXECUTION ON THE DECISION  
OF HONORABLE SERVICE TRIBUNAL COURT KPK  
REQUEST OF GRANT OF SELECTION GRADE BS-16 WITH EFFECT  
FROM 14-5-95

Reference:-

Your letter No.SO(E)IRR:/14-2/2011/Ida Jan,dated 30-1-2018

I am directed to refer to the subject noted above and to state that in 1999, 14 Nos Sub Engineers were granted Selection Grade BS-16 with immediate effect vide office order No.SO(E)IRR:/4-3/91/11963-66,dated 1-9-99 (Copy attached) .Out of which some Sub Engineers filed appeal for re-consideration of Selection Grade with retrospective effect which was accepted and they were allowed Selection grade BS-16 with retrospective effect vide your order No.SO(E)IRR:/4-3//91,dated 13-1-2004 (Copy attached) Mr. Ida Jan Ex- Sub Engineer along with his other colleagues also preferred appeals for the said benefit with retrospective effect which were not decided at Departmental level. Mr. Farid Gul Sub Engineers filed appeals in the Khyber Pakhtunkhwa Service Tribunal Peshawar for the grant of selection grade BS-16 with retrospective effect which were accepted and as such he was allowed selection grade BS-16 with retrospective effect through Departmental Promotion Committee vide your letter No.SO(E)IRR:/4-3/DPC,dated 16-11-2009 (Copy attached)

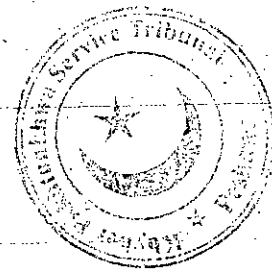
The case of Mr. Ida Jan is identical to that of M/S Wali Jan and Farid Gul Sub Engineers who were granted selection grade BS-16 with retrospective effect vide order referred above in para-1 above.

To proceed further at Departmental level advise of Government of Khyber Pakhtunkhwa Law Department for preferring appeal in the Honorable Supreme Court of Pakistan or otherwise is essential please.

  
SUPERINTENDING ENGINEER  
(HEADQUARTERS)

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Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3



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

**Appeal No. 983/2013**

Date of Institution ... 27.05.2013  
Date of Decision ... 29.11.2017

Edda Jan S/O Haji Jalal Khan,  
Ex-Sub Engineer Irrigation Department,  
D.I.Khan, New Farhan General Store,  
Eidgah Road, D.I.Khan.

**Appellant**

**VERSUS**

The Government of Khyber Pakhtunkhwa through Secretary  
Irrigation Department, Peshawar & 2 others.

**Respondents**

Sheikh Iftikhar-ul-Haq,  
Advocate --- For appellant.

Mr. Farhaj Sikandar,  
District Attorney --- For respondents.

MR. GUL ZEB KHAN --- MEMBER  
MR. MUHAMMAD AMIN KHAN KUNDI --- MEMBER


**JUDGMENT**

29.11.2017

GUL ZEB KHAN, MEMBER: Learned counsel for the  
appellant present. Mr. Farhaj Sikandar, District Attorney for the  
respondents present.

2. Appellant Edda Jan has filed the present appeal u/s 4 of the

**ATTESTED**

  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Khyber Pakhtunkhwa Service Tribunal Act, 1974 wherein the appellant has challenged the impugned office order dated 01.09.1999 wherein he has been granted selection grade (B-16) with immediate effect instead of due date.

3. Learned counsel for the appellant argued that the appellant was appointed as Sub Engineer in the Irrigation Department on 15.10.1973 and now stands retired on 28.02.2009. That the appellant was declared passed in the Grade "A" Sub-Engineers Departmental Examination held in December 1994 in all subjects (passed one subject in 1993 and three subjects in 1995) as per office order dated 14.05.1995. That passing of the department appeal was mandatory for further promotion. That according to the government notification dated 19.12.1975, 25% of the total posts of diploma holder engineers shall be placed in Grade-16, to be filled in on the basis of seniority cum fitness and subject to 10 years service and passing of the prescribed departmental examination. That the appellant falls within the similarly placed persons as decided by this Tribunal in appeal No. 797/2017 wherein his other colleagues have been granted selecting grade from the date when they became eligible. That the appellant has been allowed selection grade w.e.f 01.09.1999, thus denying him the benefits of selection grade to be accrued on the due date, because in the case of others, the same facility has been granted retrospectively with effect from completion of 10 years service and passing of departmental examination. That the appellant being aggrieved, preferred

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal.  
Peshawar

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departmental appeal on 11.02.2013 but was not decided. That being the case of financial//pensionary benefits, is not stopped by the limitation. That the impugned order dated 01.09.1999 may be set aside and the benefits of the selection grade may be extended to the appellant with effect from the due date i.e the date of passing of the departmental examination.

4. On the other side the District Attorney argued that the appellant has joined the Department as Sub Engineer on 15.07.1973 and retired from Government Service w.e.f 28.02.2009. Further argued that the appellant has passed Grade B & A Departmental Examination on 05.03.1993 and 14.05.1995 and granted Selection Grade (B-16) on availability of post with effect from 01.09.1999. That the <sup>appeal</sup> ~~appellant~~ was time barred and granted Selection Grade B-16 w.e.f 01.09.1999, which he accepted and later on, after retirement, he preferred appeal to the Department on 11.02.2013. That the appeal of the appellant was not considered due to discontinuation of the facility of Selection Grade by the Finance Department. Hence the instant service appeal may kindly be dismissed.

5. We have heard arguments of the learned counsel for the appellant and District Attorney for the respondents and have gone through the record available on file.

6. According to the government notification dated 09.12.1975, twenty five percent of them total posts of diploma holder Sub-

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

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Engineer shall be placed in Grade-16 to be filled on the basis of seniority-cum-fitness subject to 10 years and passing of the prescribed departmental examination. It is no disputed that the appellant was appointed as Sub Engineer in the Irrigation Department on 15.10.1973, and the date of completion of 10 years mandatory service falls on 15.10.1983. However the grant of selection grade has been made conditional with passing of the departmental examination, which the appellant has done as per notification dated 14.04.1995. Hence he is eligible for the grant of Selection Grade w.e.f 14.05.1995 on the analogy of the similarly placed person and not from immediate effect.

7. As a sequel to above, the present appeal is accepted and the respondent department is directed to consider him for the grant of selection grade with effect from 14.05.1995 accordingly. Parties are left to bear their own costs. File be consigned to the record room.

*Announced* *Self-Genl Zeb Khan, Member*  
*29.11.2017* *Camp const D.I. Khan*

Certified to be true copy

*[Signature]*  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

*Self-M. Amin Khan Kundi, Member*

Date of Presentation of Application 04-01-2018  
 Number of Wards 2000  
 Cases filed 12-0  
 Urgent 2-0  
 Total 14-0  
 Name of Officer [Signature]  
 Date of Signature 04-01-18  
 Date of Delivery of Copy 04-01-18



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To

1. The Secretary to Govt. of Khyber Pakhtunkhwa  
✓ Irrigation Department.
2. The Chief Engineer (South) Irrigation Department  
Khyber Pakhtunkhwa Peshawar.

REQUEST FOR IMPLEMENTATION / EXECUTION ON THE DECISION OF  
HONORABLE SERVICE TRIBUNAL COURT KPK.

Subject: REQUEST OF GRANT OF SELECTION GRADE B:16 WITH EFFECT FROM  
14/05/1995.

R/Sir;

In context of cited subject it is stated that I have made an appeal / request to your good-self as well as to Chief Engineer (South) for granting of selection grade B:16 with effect from 14/05/1995 instead of 1999 but could not be honored by your good office level, then no option left with undersigned except to knock the door of Honorable Service Tribunal that I am fulfilling all criteria for the subject selection grade since 1995 on the following ground:-

- i. That I have been appointed as Sub Engineer on 15/07/1973.
- ii. Passed Departmental Examination of Grade B & Grade A on 5/3/1991 & 14/05/1995 respectively meaning hereby that I am qualified for selection grade B-16 with effect from 14/05/1995 due to the reason that having more than 10-year service and passed professional exam, which is mandatory requirement for the same.

Hence in light of above the Honorable Court have decided the case in favour of undersigned on 29/11/2017, therefore I am humbly submitting my request and to honor the court order that selection Grade B-16 may be accorded with effect from 14/05/1995

Encl: -  
Court Decision

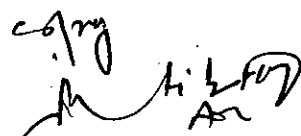
Yours obedient



Mr. Ida Jan  
Ex: Sub Engineer  
Irrigation KPK

24/11/2018

Attested to be true

copy  
  
sh. Iftikhar ul Haq  
AZ

24/1/2018

11:40

D.J.Khan GPO

UMS53061957

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IDA/DA  
RO/RB/DA/1  
Dem. Islami K  
03450830956

SECRETARY IRRIGATION DEPDT  
IRRIGATION SECRETORATE  
IRRIGATION PESHAWAR  
Peshawar

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SADIQ

Attended to be trace copy

*(Signature)*  
A-10

sh: Jftibhor ul-*(Signature)*



CN: 1064658455

Product Code: 6 Date: 2018-01-25 15:18

Payment Mode: CASH

ORG-DIST: D1K-PEW

Staff #: 109666

Name: IDA JAN  
 Contact: 03459828958  
 Address: DERA ISMAIL KHAN

Name: THE SECRETARY OF GOVT OF  
 Address: KPK IRRIGATION DEPTT PESHAWAR KPK  
 Phone: 03009999899

DOCS

Insured Value: Rs. 0

**Payment Details**

Service CHG	224.0
Other Amount	0.0
VAS	0
Insurance CHG	0
GST	36
<b>TOTAL</b>	<b>260.0</b>

Remarks:

Instructions: ON SHIPPER RISK

Signature:

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CNF# D1K 10021391

SHIPPER: JERA ISMAIL KHAN  
 DESTINATION: DERA ISMAIL KHAN

Signature: [Handwritten Signature]

RECEIVED BY: T. GONISANFI Engineer  
 Head Quarter Office  
 Chief Engineer Irrigation  
 Department Warsak Road  
 Kababiyari Peshawar

DATE: 2018-01-25

NO VALUE DECLARED

SHIPPER SIGNATURE: [Handwritten Signature]

*Attached to be true copy*  
*[Handwritten Signature]*  
 Shifftiker uliy



SH. IFTIKHAR UL HAQ  
Advocate High Court  
N.I.C. 12201-0316740-9  
S.No 1365



Issuing Authority

وکالت نامہ

12

کورٹ  
فیس

Before the K.P.K Service Tribunal <sup>پہلے عدالت</sup>

Petitioner

مخالف

Camp Court <sup>کیمپ کورٹ</sup>

Idda Tam

court of K.P.K

Implementation of Service Appeal No 983/2013 <sup>دعویٰ یا جرم</sup>

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

D. I. Khan <sup>مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جواب دہی برائے پیشی یا تصفیہ مقدمہ نظام</sup>

Sh. Iftikhar ul Haq <sup>مخالف</sup>

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بنا بذریعہ رو برو عدالت حاضر ہونا ضروری ہے اور ہر وقت پکارے جانے مقدمہ وکیل صاحب کو موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور 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 یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا سخت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ نجہ کوکل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسلئے ڈگری نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ثالثی یا راضی نامہ و فیصلہ برطرف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ سرگور بیرون از پکھری صدر پیروی مقدمہ سرگور نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا منسوخی ڈگری یک طرفہ یا درخواست حکم استثنائی یا ترقی یا گرفتاری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا ملکی علیحدہ مختص پیروی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو گا کہ مقدمہ سرگورہ یا امن کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی اپیل نگرانی یا دیگر معاملہ و مقدمہ مذکورہ کسی دوسرے وکیل یا بیرٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے بشیر قانون کو بھی ہر امر میں وہی اور دیے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پیروی نسیں تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

2018  
29  
مورثہ

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Attested  
Accepted  
sh. Iftikhar ul Haq

26/11/2018

حسن کا بیبر ستر اندرون سین زرار کیت بالقابل جائزہ و دل زبرد اسامیل خان