

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1129/2019

Date of Institution: 05.09.2019

Date of Decision: 22.07.2020

Manzoor Ahmad, Driver SDO Female Banda Daud Shah, Karak.

... (Appellant)

VERSUSDirector Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar
and Three (03) others

... (Respondents)

Mr. Zahoor Islam Khattak
Advocate

... For Appellant

Mr. Riaz Paindakhel
Assistant Advocate General

... For Official Respondents

Muhammad Ishaq
Advocate

... For Private Respondent No.4

Mr. HAMID FAROOQ DURRANI
Mr. ATTIQ UR REHMAN... **CHAIRMAN**
... **MEMBER (E)****JUDGEMENT: -.**

Mr. ATTIQ UR REHMAN: - Appellant Mr. Manzoor Ahmad was initially appointed as Driver in District Education Officer (Female) Karak. He was transferred by Respondent No. 2 to the office of SDEO(Female) Takhti Nasrati vide Notification No. 2519-23 dated 25.05.2019 and within three days re-transferred to SDEO (Female) Banda Daud Shah vide Corrigendum

No. 2669-72 dated 28.05.2019. The appellant has assailed the corrigendum dated 28.05.2019, whereby the appellant was allegedly re-transferred to Banda Daud Shah on political pressure exerted by private respondent No 4.

2. Brief facts of the case are that the appellant Mr. Manzoor Ahmad was appointed as Driver and posted in the office of DEO (Female) Karak since 2013. SDEO (Female) Takhti Nasrati submitted a complaint Dated 22.05.2019 to the office of DEO (Female) Karak against Driver Asif Iqbal (Private respondent No 4) and requested for another driver in his place. The DEO (Female) Karak vide Notification dated 25.05.2019 transferred Driver Asif Iqbal from Takhti Nasrati to the office of DEO (Female) Karak, whereas the appellant was transferred from Karak to Takhti Nasrati in place of respondent No. 4. The appellant reported arrival in Takhti Nasrati on 27.05.2019, but he was not allowed to resume charge of his duties. In the meanwhile, another notification/corrigendum dated 28.05.2019 was issued by the office of DEO(Female) Karak, whereby the appellant was transferred to Banda Daud Shah and respondent No 4 was retained in Takhti Nasrati. Aggrieved by the impugned order dated 28.05.2019, the appellant preferred an appeal to respondent No. 1 on 29.05.2019, which was not attended to so he approached this Tribunal through the instant appeal wherein he sought cancellation of the impugned corrigendum dated 28-05-2019.

3. Written reply/comments were submitted by respondents No 1,2,3 jointly and private respondent No. 4 separately.

4. Arguments heard and record perused.

5. Mr. Zahoor Islam Khattak, learned counsel for the appellant contended that the appellant was transferred in a time, when there was complete ban on posting/transfers in education Department in the first place. He referred to the Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department Notification dated 14.02.2019 imposing ban on all kinds of posting/transfers in the department till further orders. Further contended that despite the fact, the appellant abided by the order and reported arrival on 27.05.2019, but he was not allowed to resume his duties in Takhti Nasrati due to political pressure exerted by private respondent No

4. It was further clarified that Respondent No 4 was transferred under complaint from Takhti Nasrati due to his unsatisfactory performance, yet he was influential enough to cancel his transfer and retain himself in Takhti Nasrati, but the appellant, instead of sending back to Karak, was transferred to a far flung area(Banda Daud Shah), commuting daily 150 km to attend to his duties, which is difficult both financially as well as physically for a low paid employee and which is contrary to the norms of natural justice. The learned counsel for the appellant further argued that the impugned corrigendum dated 28.05.2019 was not corrigendum but a subsequent transfer order and that too in three days, was not in the public interest but in the interest of respondent No. 4. The learned counsel for the appellant further argued that the appellant performed his duties with due diligence and to the entire satisfaction of the high-ups and no complaint whatsoever was made against the appellant. On the other hand, respondent No 4 was under complaint but was favored. The learned counsel also referred to fundamental rights of the appellant involved in this case.

6. The learned Assistant advocate General appeared on behalf of official respondents and opposed the contention of learned counsel for appellant. He argued that both transfer order dated 25.05.2019 and corrigendum dated 28.05.2019 were issued in ban period, but it's strange that the first order is acceptable to the appellant, whereas the corrigendum is not acceptable to him, so the plea taken by the appellant is devoid of sense. He further argued that the transfer order and corrigendum was issued in the public interest with no malafide intention and no trace of any political interference. Counsel for the appellant failed to provide any evidence which prove political interference in this case. He further informed that the appellant remained posted in Karak for more than six years and has already completed his tenure in Karak. Being a civil servant, he is supposed to serve in any part of the district. Furthermore, he is not transferred out of the district but from one Tehsil to another Tehsil of the same district. He further argued fundamental rights of the appellant involved in this case is not the domain of Service Tribunal and he should consult the appropriate forum for it.

7. Muhammad Ishaq Advocate appeared on behalf of private respondent No. 4 and argued that respondent No 4 was initially appointed as driver in the office of SDEO (Female) Takhti Nasrati on 20.12.2017 vide Notification No. 4250-56 dated 20.12.2017 and has not completed his tenure in Takhti Nasrati, whereas the appellant has served for more than six years in Karak. The appellant failed to provided any evidence leading to involvement of political interference by respondent No. 4 or malafide intention of the official respondents. It was further argued that the appellant was not transferred

out of district but to another tehsil of the same district and respondent No. 4 is comparatively more away than appellant from the place of duty.


8. We are conscious of the fact that transfer of any Government servant can be made by the competent authority in the exigency of service and public interest. No government servant has a legal right to remain posted at a particular place, but where transfer order is malafide and for extraneous consideration to accommodate some blue-eyed chap is justiciable. In such an eventuality, the matter would squarely fall within jurisdictional domain of Service Tribunal. In the instant case, record reveals that SDEO(Female) Takhti Nasrati lodged a complaint on 22.05.2019 against respondent No. 4 for his unsatisfactory performance and requested for another driver in his place. Consequently DEO(Female) Karak transferred respondent No. 4 from Takhti Nasrati to Karak on 25.05.2019 and the appellant was transferred in his place and which was made in the public interest and on the complaint of a responsible officer. Initial transfer order dated 25.05.2019 contained transfer of three drivers, whereas the impugned corrigendum dated 28.05.2019 was not in fact a corrigendum but a subsequent transfer order involving transfer of four drivers including the appellant and that too in a period of three days, which was based on malafide intention to retain respondent No. 4 In spite of the fact that respondent No. 4 was under compliant. The so-called corrigendum dated 28-05-2019 was not issued in the public interest but in the interest of respondent No. 4.

9. In view of the above, the instant appeal is accepted and the impugned corrigendum dated 28.05.2019 stands set aside. The transfer order dated

25.05.2019 is restored in the public interest. No orders as to costs. File be
consigned to the record room.

ANNOUNCED

22.07.2020



(ATIQ UR REHMAN)
MEMBER (E)




(HAMID FAROOQ DURRANI)
CHAIRMAN


22.07.2020

Learned counsel for the appellant present. Mr. Riaz Painsdakhel learned Assistant Advocate General for official respondent No. 1 to 3 and counsel for private respondent No.4 present.

Vide our detail judgment of today of this Tribunal placed on file, the present service appeal is accepted and the impugned corrigendum dated 28.05.2019 stands set aside. The transfer order dated 25.05.2019 is restored in the public interest. Parties are left to bear their own costs. File be consigned to the record room.

Announced
22.07.2020


(Attiq ur Rehman)
Member(E)


(Hamid Farooq Durrani)
Chairman

6.5.2020

Due to COVID19, the case is adjourned to

17/7/2020 for the same as before.


Reader

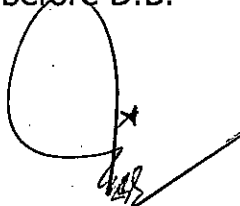
17.07.2020

Due to COVID-19, the case is adjourned to 22.07.2020
for the same.


Reader

06.03.2020

Counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. Umer Daraz, B&AO for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 19.03.2020 before D.B.



Member



Member

19.03.2020

Appellant in person present. Addl: AG alongwith Mr. Umer Daraz, B&AO for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 06.05.2020 before D.B.



(MAIN MUHAMMAD)
MEMBER

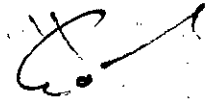


(M.AMIN KHAN KUNDI)
MEMBER

15.01.2020

Appellant absent. Learned counsel for the appellant absent. Umar Daraz Budget & Accounts Officer representative of the respondents present. Due to general strike of the Bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 29.01.2020 before D.B. Appellant be put to notice for the date fixed.

Member



Member

29.01.2020

Appellant in person and Mr. Muhammad Riaz Khan, Paindakhel, Asstt. AG for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 18.02.2020 for arguments before the D.B.



Member




Member

18.02.2020

Appellant in person present. Mr. Riaz Paindakhel learned Assistant AG alongwith Mr. Umer Daraz Budget & Account Officer for the respondents present. Private respondent No. 4 in person present. Appellant submitted rejoinder which is placed on file. Adjournment requested. Adjourned. To come up for arguments on 06.03.2020 before D.B.



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

Service Appeal No. 1129/2019

05.12.2019

Appellant in person present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Umer Daraz, Budget & Accounts Officer on behalf of official respondents and private respondent No. 4 in person present.

Private respondent No. 4 submitted written reply which is placed on record. Representative of official respondents seeks time to submit written reply/comments.


Adjourned to 20.12.2019 before S.B.


Chairman

20.12.2019

Appellant in person, Addl. AG alongwith Umar Daraz, Budget & Accounts Officer for respondents No. 1 to 3 and private respondent No. 4 in person present.

Representative of respondents No. 1 to 3 has furnished written comments on behalf of the said respondents. Placed on record. The appeal is assigned to D.B for arguments on 15.01.2020. The appellant may furnish rejoinder, within a fortnight, if so advised.


Chairman

30.10.2019

Counsel for the appellant present.

Learned counsel requests for time to place on record documents pertaining to initial posting of respondent No. 4 at Takht-e-Nasrati District Karak and other documents relevant for the purpose of appeal.

May do so on or before next date of hearing. Adjourned to 21.11.2019 before S.B.


Chairman

21.11.2019

Appellant alongwith counsel present.

Learned counsel referred to notification dated 14.02.2019 issued by Secretary Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department, whereby, complete ban was imposed on posting/transfer in the department till further orders. His contention is that the impugned transfer order pertaining to appellant was passed during the currency of ban which has not been done away with till date. The impugned transfer order followed by corrigendum dated 28.05.2019 issued by District Education Officer (Female) Karak is, therefore, without lawful authority and not sustainable on that score alone.

Instant appeal is admitted to regular hearing subject to all just exceptions in view of available record and arguments of learned counsel. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 05.12.2019 before S.B.


Chairman

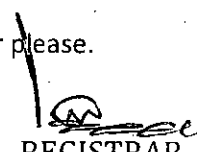

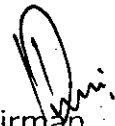
Appellant Deposited
Security & Process Fee

25/11/19

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1129/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/09/2019	<p style="text-align: center;">The appeal of Mr. Manzoor Ahmad presented today by Mr. Zahoor Islam Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 5/9/19</p>
2-	06/09/19.	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/09/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	16.09.2019	<p style="text-align: center;">Nemo for appellant.</p> <p style="text-align: center;">Notice be issued to appellant/learned counsel for preliminary hearing on 30.10.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1129 of 2019

Manzoor Ahmad, Driver SDO F-male Banda Daud
Shah Karak.

..... Appellant

VERSUS


Director of Elementary & Secondary Education, KPK,
Peshawar and others


..... Respondents

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S.No.	Description of documents	Annexure	Page No.
1.	Memo of appeal		1-4
2.	Affidavit		5
3.	Copy of transfer order dated 25/05/2019	"A"	6
4.	Copy of withdrawal order dated 28/05/2019	"B"	7
5.	Copy of departmental appeal	"C"	8
6.	Wakalat Nama		In original

Dated 04/09/2019


Appellant
Through


Zahoor Islam Khattak
Advocate, Peshawar
Cell # 0346-9083579

D

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1129 of 2019

Manzoor Ahmad S/o Rabnawaz, Driver SDO F-male
Banda Daud Shah Karak.

... .. Appellant

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1233

Dated 25/9/2019

- 1- Director of Elementary & Secondary Education,
KPK, Peshawar.
- 2- District Education Officer (Fe-Male) Karak.
- 3- SDEO, (Fe-Male) Takht-e-Nasrati District Karak
- 4- Asif Iqbal Driver, SDEO Fe-Male Takht-e-Nasrati
District Karak

... .. Respondents

Filed to-day

Registrar

5/9/19

**APPEAL UNDER SECTION 4 OF KPK SERVICE
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED TRANSFER ORDER DATED
28/05/2019 COMMUNICATED TO THE
APPELLANT, WHEREBY THE APPELLANT
FILED DEPARTMENTAL APPEAL AGAINST
THE IMPUGNED ORDER DATED 28/05/2019
WHICH HAS NOT BEEN DECIDED WITHIN
STATUTORY PERIOD OF 90 DAYS.**

Prayer

On acceptance of appeal, the above referred impugned order dated 28/05/2019 may be set aside and order dated 25/05/2019 of the respondent No.3 may kindly be restored in the best of interest of justice and which is most suitable and convenient.

2)

Respectfully Sheweth:

Brief facts leading to the instant appeal are as under:

- 1- That the appellant was initially appointed is as Driver DEO (Fe-Male) Karak and presently by transfer as Driver SDO Fe-Male Banda Daud Shah District Karak.
- 2- That the appellant has provided his services to the respondent No.2 with due diligence and no complaint whatsoever was made against the appellant.
- 3- That appellant during his service was transferred to SDEO Fe-Male Takht-e-Nasrati District Karak vide order dated 25/05/2019. (Copy of transfer order is annexed as Annexure "A").
- 4- That appellant before making arrival to SDEO (Fe-Male) Takht-e- Nasrati District Karak but respondent No.2 with malafide intention and with political interference issued corrigendum and transfer order of the appellant was withdrawn/cancelled.
- 5- That the appellant aggrieved from the act and omission of the respondents has filed departmental appeal dated 29/05/2019 to respondent No.1

which has not been decided within the statutory period of 90 days, hence the instant appeal inter-alia on the following grounds: (Copy of Departmental appeal is annexed herewith)

Grounds:

- A) That the act and omission of the respondents to withdrawn /cancelled the impugned transfer order dated 25/05/2019 and issued corrigendum and again with malafide intention transferred the appellant on dated 28/05/2019 was against the law, transfer rules, hence not tenable in the eye of law.
- B) That the appellant was transferred when there was complete ban on the transfer in the education deptt: so the respondent No. 1 without keeping the notification No. SO(S-F)E&SE/4-16/2019 ban posting /transfer / Khyber Pakhtunkhwa dated 14/02/2019.
- C) That the appellant was transferred outside District and it is inconvenient for him to perform duty in Banda Daud Shah which is far-flung area for the appellant.
- D) That appellant there is no complaint and the high ups is satisfied with the good conduct of

4)
the appellant and the transfer of the appellant
with the political interference and favoritism. is against

the law
and ethics

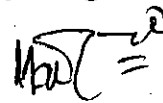
E) That the fundamental right of the appellant is
involved in the instant case and appellant
would suffer irreparable loss if the impugned
order is not cancelled with immediate effect.

F) That the appellant seeks leave of this Hon'ble
Tribunal to rely on additional grounds at the
time of arguments.

It is, therefore, prayed that acceptance of appeal,
the above referred impugned order dated 28/05/2019
may be set aside and order dated 25/05/2019 of the
respondent No.3 may kindly be restored in the best of
interest of justice and most suitable and convenient to
the appellant.

Any other relief as deemed proper in the
circumstances of the case may be given to him.

Dated 04/09/2019



Appellant

Through



Zahoor Islam Khattak
Advocate, Peshawar.

5)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. _____ of 2019

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Shah Karak.

..... Appellant

VERSUS

Director of Elementary & Secondary Education, KPK,
Peshawar and others

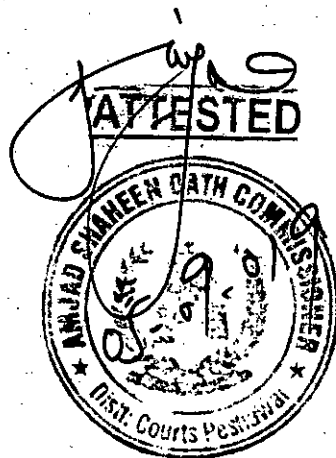
..... Respondents

AFFIDAVIT

I, Manzoor Ahmad S/o Rabnawaz Khan, Driver
SDO F-male Banda Daud Shah Karak do hereby
solemnly affirm and state on oath that the contents of
the accompanied appeal are true and correct to the best
of my knowledge and belief and nothing wrong has been
stated by me in the matter.

Manzoor
DEPONENT

14203-3864314-1





OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Address: KDA Karak

Phone: 0027-291177

Email: emiskarak@yahoo.com

TRANSFER ORDER

The transfer order of the following Drivers are hereby ordered on their own pay & grade with effect from the date of their taking over charge name & office noted against each in the best interest of public service.

S/No	Name & Designation	From	To	Remarks
1	Mr. Asif Iqbal Driver	SDEO (Female) Takhti Nasrati.	SDEO (Female) Karak.	V S No. 2
2	Qamar Zaman Driver	SDEO (Female) Karak	DEO (Female) Karak	V S No. 3
3	Manzoor Ahmad Driver	DLO (Female) Karak	SDEO (Female) Takhti Nasrati	V S No. 1

- Note:- 1. Charge report should be submitted to all concerned
2. No TA/DA is allowed

*A Hested to be a
low copy*

DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.

Endst: No 2519-23 T-I V-I Dist. Tms KM Dated Karak the 25/05 2019.
Copy to the -

1. Sub Divisional Education Officer (Female) concerned
2. DAO Karak.
3. DMO Karak
4. Candidate concerned
5. Office copy.

DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

*A Hested to be
low copy*

22



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK**

Address: KDA Karak

Phone: 0927-291177
Email: emiskarak@yahoo.com

CORRIGENDUM:-

In continuation of this office Endst: No. 2519-23, Dated 25/5/2019.

1. Mr. Manzoor Ahmad Driver may please be read from DEO (Female) Karak to SDEO (Female) Banda Daud Shah instead of SDEO (Female) Takhti Naarsati & Mr. Asif Iqbal Driver SDEO(F) T/Nasrati will still work at SDEO (Female) Takhti Naarsati.
2. Mr. Muhammad Yaqoob Driver SDEO (Female) Banda Daud Shah to DEO (Female) Karak.
3. Mr. Wasi Ullah Driver DEO (Female) Karak to SDEO (Female) Karak.

Note:-

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

**DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.**

Endst: No. 2669-724 Dated Karak the 22/05 2018

Copy to the:-

1. District Accounts Officer Karak.
2. Sub Divisional Education Officer (Female) Karak/Takhti Naarsati/B.D.Shah.
3. Accountant local office.
4. Office copy.

*Attended today
9 the copy*

**DISTRICT EDUCATION OFFICER
(FEMALE) KARAK.**

22

(8)

محضوریہ جناب ڈائریکٹر ایجنسی اینڈ سیکلڈری ایجوکیشن ضلع کوٹلی پشاور
عنوان: ایس پی سی ڈی (F) تحت فون سے ماہرہ داود شاہ

جناب عالی!

تذرا دیکھ کہ سن سال 2013 سے حال (DBO(F) کر کے سائے ڈیوی

سرایم دے رہا تھا۔ اب چونکہ نامعلوم جو عہدے بنا دیے (F) ڈیوی
نے سب سے سب ڈیوی ایجوکیشن ایس تحت فون کو دی۔ بحوالہ نمبر

2519-25 بتاریخ 25/05/2019 میں آفس آف ایس ڈیوی کو
SDEO(F) تحت فون ایڈر کمپلٹ (F) کر کے دیا گیا۔ اس نے MNA

ایڈیشن کی پناہ لی۔ پھر اس نے ایڈیشن کی پناہ لی

2519-25 سے گورنمنٹ کے گورنمنٹ آرڈر نمبر 2669-72 بتاریخ 08/05/19 کو
ب ڈیوی ایجوکیشن ایس ماہرہ داود شاہ تبدیل کر دیا۔ جناب کے خدمت

ارٹھ کے لئے سب سے سب ڈیوی ایجوکیشن ایس ماہرہ داود شاہ

ڈیوی ایجوکیشن ایس ماہرہ داود شاہ کے لئے ایڈیشن کی پناہ لی

تذرا دیکھ کہ سن سال 2013 سے حال (DBO(F) کر کے سائے ڈیوی

سرایم دے رہا تھا۔ اب چونکہ نامعلوم جو عہدے بنا دیے (F) ڈیوی
نے سب سے سب ڈیوی ایجوکیشن ایس تحت فون کو دی۔ بحوالہ نمبر

2519-25 بتاریخ 25/05/2019 میں آفس آف ایس ڈیوی کو
SDEO(F) تحت فون ایڈر کمپلٹ (F) کر کے دیا گیا۔ اس نے MNA

ایڈیشن کی پناہ لی۔ پھر اس نے ایڈیشن کی پناہ لی

سورہ 29/05/19

ایس پی سی ڈی (F)

نوٹ: تمام کلیمز آف

ایس پی سی ڈی (F) ماہرہ داود شاہ / کنستبل

Attested to be

a true copy

(29)

50 روپے

25308



ایڈوکیٹ: _____

بار کونسل/ایسوسی ایشن نمبر: 10-9178

رابطہ نمبر: 0346-9083579

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعد االت جناب: _____

دعویٰ: _____	منجانب: _____
علت نمبر: _____	
مورخہ: _____	
جرم: _____	
تھانہ: _____	

بنام

کود ریکورڈ نمبر 10-9178

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
مقرر شدہ کو وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سندر ہے

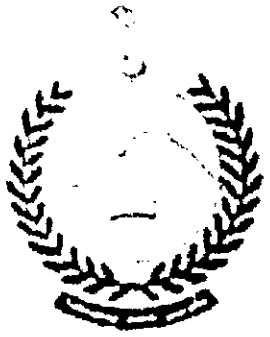
المرقوم: _____ 5-9-2019

المقام _____

المقام _____ کے لیے منظور ہے۔

Accepted

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔
Attested



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Fax # 091-9211419

Dated Peshawar the February 14th, 2019

NOTIFICATION

NO SIDS F&SE D-14-2019 Ban Posting/Transfer/Khyber Pakhtunkhwa: The Competent Authority is pleased to impose complete ban on all kind of posting/ transfers in Elementary & Secondary Education Department Khyber Pakhtunkhwa with immediate effect till further orders, except the following

- i. Fresh recruitment and subsequent adjustment
- ii. Promotion and subsequent adjustment
- iii. Summaries already submitted to honorable Chief Minister, Khyber Pakhtunkhwa

SECRETARY

List of even No. & date:

- Copy forwarded to the
1. Accountant General Khyber Pakhtunkhwa, Peshawar.
 2. Principal Secretary to Chief Minister Khyber Pakhtunkhwa, Peshawar
 3. Director F&SE Khyber Pakhtunkhwa, Peshawar.
 4. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
 5. Director DC TE Khyber Pakhtunkhwa, Abbottabad.
 6. Director PTE Khyber Pakhtunkhwa.
 7. Director RTE (Male Female) Khyber Pakhtunkhwa.
 8. All District Education Officers (Male/ Female) Khyber Pakhtunkhwa.
 9. All District Accounts Officers Khyber Pakhtunkhwa.
 10. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for E&SE, Peshawar.
 11. PS to Secretary, Establishment & Administration Department, Peshawar.
 12. PS to Secretary, Finance Department, Peshawar.
 13. PS to Secretary E&SE Department.
 14. PS to Special Secretary, E&SE Department.
 15. PA to Additional Secretary (Estab) E&SE Department.
 16. PA to Deputy Secretary (Admin) E&SE Department.
 17. Incharge EMISE, E&SE Department for uploading at official website at the earliest.
 18. Office order file

(SHABIR KHAN)

SECTION OFFICER (SCHOOLS FEMALE)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1129/2019

Manzoor Ahmad S/o Rab Nawaz, Driver SDEO (Female)

Banda Daud Shah Karak.....Appellant

VERSUS

1. Director of Elementary & Secondary Education, KPK Peshawar

2. District Education Officer (Female) Karak.

3. SDEO (Female) Takht-e-Nasrati (Karak).

4. Asif Iqbal Driver, SDEO (Female) Takht-e-Nasrati Distt: Karak

Subject:- REPLY ON BEHALF OF PRIVATE RESPONDENT NO.4

PRELIMINARY OBJECTION.

- a. The Appeal of appellant is not based on facts.
- b. The appeal of appellant is barred by law and limitation.
- c. The appellant has got no cause of action to knock at the door of the honourable Tribunal.
- d. The appeal of appellant is bad for joinder and mis-joinder of necessary parties.
- e. The appellant has wrongly and malafidely approached this honourable Tribunal. The appeal is not maintainable.

- f. The appellant in order to harass the private and official respondents has filed the appeal.

FACTS.

1. Needs no comments on behalf of private respondent No.4 as it pertains to the service record of appellant.
2. Need no comments on behalf of private respondent No.4 as evaluation of the performance of subordinate official is the job of senior and superior officers.
3. Needs no comments.
4. Incorrect, the impugned order was issued in public interest. The appellant

Has failed to point out any mala-fied on the part of official respondents.

Similarly nothing has been brought on record to prove political interference behind the impugned order. Further more the respondent No.4 has already been appointed on 20/12/2011 against the Driver post at SDEO (Female) Takht-e-Nasrati Distt: Karak, while the appellant made his transferred order on 25/05/2019 vide order No.2519-23. Respondent No.4 has not completed tenure on the same post.

5. The departmental appeal of appellant and appellant has filed the appeal on flimsy grounds. The service appeal of the appellant is not

tenable on the given grounds.

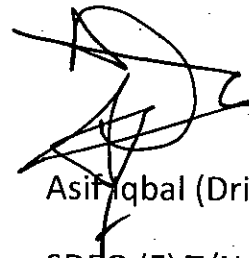
GROUNDS

- A. Incorrect, the impugned order is just legal and has been issued by Competent authority with law and rules.
- B. Incorrect, appellant has admitted vide para No.4 of the facts of the appeal.
- That before making arrival to SDEO (Female) Takht-e-Nasrati his transfer
- Order was withdrawn. Furthermore, choice posting is not the right of civil Servant.
- C. Completely incorrect, Banda Daud Shah is Sub Division of District Karak.
- Appellant has wrongly stated that he was transferred out of District.
- Furthermore, the respondent No.4 is comparatively more away than appellant .
- D. Need no comments on behalf of answering respondent.
- E. Incorrect, Civil Servant is under statutory obligations to serve any whereIn the Province. No fundamental right of appellant has been violated.
- Furthermore, for lodging service appeal violation of terms and condition of Service is mandatory. In case of violation of fundamental right the aggrieved person will approached High Court for resolving his grievances.

Therefore, the appeal is not maintainable.

F. The private respondent No.4 also seek permission for relying on additional grounds.

It is therefore, requested that the appeal of the appellant may be dismissed With cost.



Asif Iqbal (Driver)

SDEO (F) T/Nasrati

Karak

Service Appeal No.1129/2019

Manzoor Ahmad S/o Rab Nawaz, Driver SDEO (Female)

Banda Daud Shah Karak.....Appellant

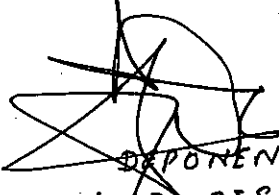
VERSUS

1. Director of Elementary & Secondary Education, KPK Peshawar
2. District Education Officer (Female) Karak.
3. SDEO (Female) Takht-e-Nasrati (Karak).
4. Asif Iqbal Driver, SDEO (Female) Takht-e-Nasrati Distt: Karak.

AFFIDAVIT

I, Asif Iqbal S/o Mir Dat Khan, Driver SDEO (Female) T/Nasrati Karak

do hereby solemnly affirm and state on Oath that the contents of the reply are true and correct to the best of my knowledge and belief and nothing wrong has been stated by me in the matter.


DEPONENT
14263-0358033-5

9/6/17



OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Address: KDA Karak

Phone: 0927-291177
Email: emiskarak@yahoo.com

APPOINTMENT

Consequent upon recommendation of the Selection Committee Mr. Asif Iqbal S.O Mir Dat Khan is hereby Appointed against the vacant of Driver in the office of Sub Divisional Education Officer (Female) Takhti Nasrati in BPS No.06 (Rs.10620-560-27420) plus Usual Allowances as Admissible under the existing Rules/Policy of the Provincial Government on the basis of Open Merit with the following terms and Condition with effect from the date of their taking over charge.

TERMS AND CONDITION

1. NO T/A/DA is allowed.
2. Charge Report should be submitted to all concerned.
3. Appointment is purely on Temporary liable to termination without any notice.
4. He should not hand over charge if he is exceed 32 years and/or Below 18 years of age. He Fail to takeover charge with in fifteen the Appointment order given will be Decmed as cancelled.
5. Health and age certificate should produce from the Medical superintendent concern before taking over Charge.
6. The appointee will be entitled for the benefits of civil servants under the existenc rules/policy of Government.
7. He will be on probation for period of one year.

(NARCIS JAMALI)
DISTRICT EDUCATION OFFICER
FEMALE KARAK

Endorsement No. 4250-56 / File appointment Dated Karak the 20/12 2017.
Copy of the above is forwarded to

1. The Director of Elementary & Secondary Education Peshawar KPK.
2. The Deputy Commissioner Karak
3. The District Nazim Karak for information please
4. The District Accounts Officer Karak
5. The SDEO Female Takhti Nasrati.
6. Candidate's concerned.
7. Office copy

DISTRICT EDUCATION OFFICER
FEMALE KARAK

Shahid Iqbal
Sub. Divis. Edo. Officer
Elementary & Secondary
Education
Takhti Nasrati

BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR. .

Service Appeal No. 1129 of 2019

Manzoor Ahmad (Appellant)

VERSUS

Director (E & S) Edu: Deptt: Peshawar & others (Respondents).

INDEX

S. No	Description of Documents	Annexure	Page
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4			

Dated:- 09/12/2019

1. *Director Elementary & Secondary Education Department Khyber Pakhtunkhwa.*
2. *Distinct Education Officer (Female), Karak.*
3. *SDEO(F), Takht-e-Nasrati Karak.*

**BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. 1129 of 2019

Manzoor Ahmad (Appellant)

VERSUS

Director (E & S) Edu: Deptt: Peshawar & others (Respondents).

WRITTEN COMMENTS.

Respectfully Sheweth

Parawise written comments on behalf of Official Respondents

Preliminary Objections.

1. That appellant has got no cause of action to file the instant appeal.
2. That the appellant has got no locus standi.
3. That the instant service appeal is against the law and facts.
4. That the appellant is estoppel to file the instant service appeal.
5. That the instant service appeal is not maintainable & entertainable in its present form.
6. That the appellant has not come to this Hon'able Tribunal with clean hands and concealed the material facts.
8. That the service appeal is liable to be dismissed due to mis-joinder and non-joinder of necessary parties.
9. That the appeal is badly time barred.

Factual Objections

1. Para No. 1 of the appeal is correct.
2. Para No. 2 is incorrect and wrong as the appellant also served for 06 years & 05 months in the office DEO(F), Karak.
3. Para No. 3 of the instant appeal is correct.
4. Para No. 4 of the instant appeal is wrong and incorrect hence denied. The respondent No.2 has issued corrigendum.

vide office order No. 2669-72 dated Karak the 28/05/2019 in Transfer order vide Endst. No. 2519-23 dated 25/05/2019 in the interest of public. Neither malafide intentions are involved in the corrigendum office order nor any political pressure. The allegations leveled by the appellant are wrong and incorrect.

5. Para No. 5 is incorrect and wrong hence denied. No omission has been committed by the respondent No. 2 while issuing the impugned corrigendum office order, however, the appellant filed departmental appeal before the appellate authority which was not considered.

OBJECTIONS ON GROUNDS

- a. Ground "A" is incorrect and wrong. Detail reply has been mentioned in the above mentioned paras regarding the impugned corrigendum office order. The appellant being civil servant is bound to perform his official duty anywhere in the best interest of public.
- b. Reply of Ground "B" is that as & when the services of civil servant are required to anywhere the competent authority can transfer civil servant so the appellant has been transferred without any malafide intentions or political involvement.
- c. Ground "C" is incorrect and wrong. The appellant has been transferred within district and the office of SDEO(F) B.D. Shah is situated within the District, Karak.
- d. Ground "D" is incorrect and wrong hence denied.
- e. Ground "E" is incorrect and wrong. No fundamental rights has been violated of the appellant by the impugned transferred order. No irreparable loss is sustaining by the appellant with the impugned transferred order as the office of SDEO(F), B.D. Shah is situated within the District, Karak.
- f. Ground "F" needs no comments.

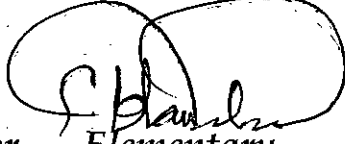
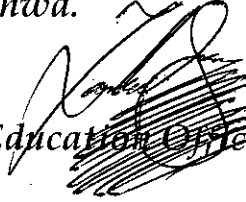
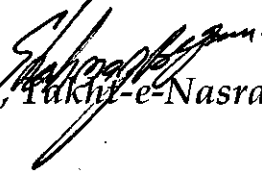
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Prayer

So it is, therefore, most humbly and respectfully prayed that keeping in view the above mentioned written statement this Hon'able Tribunal may very kindly be dismissed the instant Service Appeal with cost throughout.

=====

Dated:- 09/12/2019

1. 
Director Elementary & Secondary
Education Department Khyber
Pakhtunkhwa.
2. 
Distinct Education Officer (Female),
Karak.
3. 
SDEO(E), Tukt-e-Nasrati
Karak.

4

**BEFORE THE HON'ABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No. 1129 of 2019

Manzoor Ahmad (Appellant)

VERSUS

Director (E & S) Edu: Deptt: Peshawar & others (Respondents).

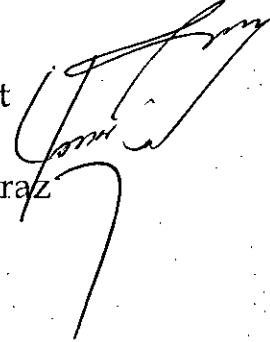
AFFIDAVIT

I, Umar Daraz, Budget Officer BPS -17 in the office of DEO (F), Karak do hereby solemnly affirm and declare on oath that all the contents of accompanying written statement are true and correct to the best of my knowledge and belief, nothing is lie and nothing has been concealed from this Hon'able court.

Dated 09/12/2019

Deponent

Umar Daraz



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE),
KARAK.

No _____

Dated _____

AUTHORITY LETTER

Mr. Umar Daraz Khan, Budget & Account Officer BPS-17 is hereby authorized to attend Service Tribunal in Service Appeal No. 1129 of 2019 titled " Manzoor Ahmad V.S Director E & SED KP Peshawar on District Education Officer (Female), Karak & Other official respondents.


District Education Officer (Female),
Karak.

10/12/19.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1129/2019

*Manzoor Ahmad
Appellant*

VERSUS


*Director of Elementary & Secondary
Education KP Peshawar and others*

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<u>S.No.</u>	<u>Description of documents</u>	<u>Annexure</u>	<u>Pages</u>
1.	<i>Rejoinder</i>		1-4
2.	<i>Affidavit</i>		5
3.	<i>Copy of arrival report and charge report</i>	"A"	6-7
4.	<i>Copy of notification of ban on transfer and posting</i>	"B"	8
5.	<i>Copy of letter issued by SDEO (F) Takht-e- Nasrati</i>	"C"	9

Dated 18/02/2020


**Appellant
Through**


**Zahoor Islam Khattak
Advocate
High Court, Peshawar
Cell # 0346-9083579**

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1129/2019

*Manzoor Ahmad
Appellant*

VERSUS

*Director of Elementary & Secondary
Education KP Peshawar and others*

**APPELLANT'S REJOINDER IN RESPONSE
TO REPLY OF RESPONDENTS NO.1,2,3
AND 4.**

Respectfully Sheweth:

Preliminary objections:

The all preliminary objections raised by respondents in their reply are irrelevant to the fact of the case illegal, wrong and incorrect and are denied in every detail. The appellant has a genuine cause of action and his appeal does not suffer from any formal defect whatsoever.

FACTS:

- 1- Para No.1 of the appeal is admitted by the respondent by filing no comments.*
- 2- Para No.2 of the of comments is incorrect, while that of appeal is correct. That appellant was transferred to SDEO (Female) Takht-e- Nasrati*

on dated 25/05/2019 while later on the same transfer order was withdrawn through corrigendum and impugned transfer order dated 28/05/2019 with malafide intention and political interference.

3- Para No.3 of the appeal is admitted by the respondents.

4- Para No.4 of the reply of the respondents is incorrect while that of the appeal is correct that respondents have issued impugned transfer order dated 28/05/2019 and through this order corrigendum was issued and well balance order of the appellant dated 25/05/2019 was withdrawn with malafide in political interference. It is pertinent to mention here that the appellant is made arrival to SDEO (Female) Takht-e- Nasrati on dated 27/05/2019 but no charge was given to the appellant because at the very next day the impugned transfer order of the appellant dated 28/05/2019 was issued and blue eye person i.e. respondent No.4 was retained through political interference and the charge report of the appellant was refused. (Copy of the arrival and charge Report are annexed herewith).

5- Para No.5 of the appeal is correct while that of the reply of the respondents is incorrect, the impugned transfer order issued through corrigendum based on malafide intention and political interference and through this impugned transfer order a blue eyed person has been retained in station of his own choice.

GROUND:

A) That Para A of the Ground of appeal is correct, while that of reply of the respondents is incorrect. That the impugned transfer order dated 28/05/2019 is based on malafide intention and appellant transfer order dated 25/05/2019 was cancelled through political interference and malafide intention. Because there was complete ban on posting and transfer when the impugned transfer order was issued.

B) That Para B of the ground of the appeal is correct while that of reply of the respondents is incorrect, appellant is ready to perform duty anywhere but respondents is malafide intention transferred the appellant to remote area of more than 150 Kilometer from the home station. It is pertinent to mention here that the appellant was transfer when there is

complete ban on posting and transfer when the notification No.SO(S/F)E&SED/4-16/2019 ban posting transfer Khyber Pakhtunkhwa dated 14/02/2019 was in field. Moreover respondent No.4 is transfer due to his misconduct and irresponsible attitude in the department. (Copy of the notification along with letter is annexed herewith).

C) Para C of the Ground of the appeal is correct while that of the reply of the respondents is incorrect the appellant has been transferred within District but the Tehsil of far-flung area of than 150 KM.

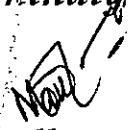
D) Para D of the ground of the appeal is admitted by the respondents.


E) Para E of the ground of the appeal is correct while that of the reply of the respondents is incorrect, the appellant is suffered at the hands of the respondents by transferring him to far-flung area of Tehsil Banda Daud Shah and appellant has performing his duty with enthusiasm and zeal but respondent No.4

despite his irresponsible and irrational attitude in the department is retained at the posting of his own choice.

It is, therefore, prayed that on acceptance rejoinder, the impugned transfer order dated 28/05/2019 issued by District Education Officer (F) Karak may be set aside and order dated 25/05/2019 by SDEO (F) may kindly be restored.

Dated 18/02/2020


Appellant
Through


Zahoor Islam Khattak
Advocate, Peshawar

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1129/2019

*Manzoor Ahmad
Appellant*

VERSUS

*Director of Elementary & Secondary
Education KP Peshawar and others*

AFFIDAVIT

*I, Manzoor Ahmad Son of Rab Nawaz R/o
Village Topi Kala, Tehsil Takht-e-Narati District
Karak do hereby solemnly affirm and state on oath
that all contents of appeal and rejoinder are true
and correct to the best of my knowledge and belief
and that nothing wrong has been stated by me in
the matter.*

Manzoor Ahmad

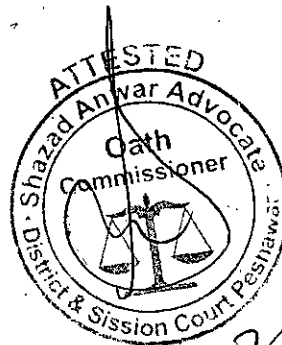
DEPONENT

CNIC # 14203-3864314-1

Identified by

Zahoor Islam Khattak

**Zahoor Islam Khattak
Advocate**



18.02.2020

Arrival Report

Certified that the Mr. Manzoor Ahmad Driver
has arrived the office of the Sub-Divisional Education
Office Takht-e-Nasrati (Karak) on 27/05/2019
A/j Noun on this day. Transfer order issued by
the DEO (F) Karak Endst NO 2519-23 date
25/05/2019.

Received on 27 5
2019

P. Siddiqui
Sub: Divil: Edu: Officer
(F) Takht-e-Nasrati

Manzoor Ahmad
27/05/2019

Driver SDEO (F)
TAKHT-E-NASRATI (KARAK)

CHARGE REPORT

1. Certified that we have on the fore/afternoon of this day 27/05/2019 Made over and receive Charge of this office/post ^{of Officer} Vide District Education Officer(Female) Karak Endst: 2519-23/F.1/Vol:1/Drvr/ Trns:/KK/ Dated Karak the 25.05.2019.

Signature of relieved _____
Government servant _____

Station **SDEO (F) T.Nasrati.**

Signature of relieving Manzoor
Government: Manzoor Ahmad Driver
Servant:-

Dated _____

Endst; No _____ / Dated _____ /2019
Copy to the above is forwarded to the;

- 1 District Education officer (F) Karak
- 2 District Accounts officer Karak.
- 3 Office copy.

SUB DIVIL:EDUCATION OFFICER
(FEMALE) TAKHTI NASRATI



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Fax # 091-9211419

NOTIFICATION

Dated Peshawar the February 14th, 2019

NO. S.O. E&SE/D-4-16/2019. Ban Posting/Transfer/Khyber Pakhtunkhwa: The Competent authority is pleased to impose complete ban on all kind of posting/ transfers in Elementary & Secondary Education Department Khyber Pakhtunkhwa with immediate effect till further orders, except the following:

- i. Fresh recruitment and subsequent adjustment
- ii. Promotion and subsequent adjustment
- iii. Summaries already submitted to honorable Chief Minister, Khyber Pakhtunkhwa

End of order No. & date:

SECRETARY

Copy forwarded to the

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
3. Director E&SE, Khyber Pakhtunkhwa, Peshawar.
4. PSO to Chief Secretary Khyber Pakhtunkhwa, Peshawar.
5. Director DC TE, Khyber Pakhtunkhwa, Abbottabad.
6. Director PTE, Khyber Pakhtunkhwa.
7. Director RTE (Male/ Female) Khyber Pakhtunkhwa
8. All District Education Officers (Male/ Female) Khyber Pakhtunkhwa
9. All District Accounts Officers Khyber Pakhtunkhwa.
10. PS to Advisor to Chief Minister Khyber Pakhtunkhwa for E&SE, Peshawar.
11. PS to Secretary, Establishment & Administration Department, Peshawar.
12. PS to Secretary, Finance Department, Peshawar.
13. PS to Secretary E&SE Department
14. PS to Special Secretary, E&SE Department.
15. PS to Additional Secretary (Estab) E&SE Department.
16. PS to Deputy Secretaries (Admin) E&SE Department
17. Exchange BMISE, E&SE Department for uploading at official website at the earliest.
18. Office order file.

(SHABIR KHAN) 14/2/19
SECTION OFFICER (SCHOOLS FEMALE)

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER FEMALE TAKHAT-E
NASRATI KARAK

No 1430

Dated 22/05/2019

To

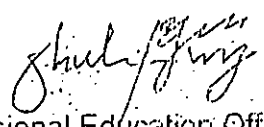
The District Education Officer
Female Karak

Subject: - REQUEST FOR DRIVER AT SUB DIVISION FEMALE TAKHAT-E-NASRATI

It is stated that Asir Iqbal was appointed as driver in December 2017. The case of the driver appointment was pending and decided by High court in February 2019.

The undersigned is not satisfied from his performance. In this regard it is requested to transfer him, and depute alternate driver in his place to SDEO female Takhat-e-Nasrati office.

I shall be extremely grateful.


Sub Divisional Education Officer(F)
Takhat-e-Nasrati.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1954 /ST.

Dated 29/7/2020


To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Charsada.

Subject: - JUDGMENT IN APPEAL NO. 1065/2019, MR. NAVEED GUL.

I am directed to forward herewith a certified copy of Judgement dated 21.07.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

قیمت
50 روپے

42437



ایڈوکیٹ: محمد اسحاق ایڈووکیٹ
بار کونسل ایسوسی ایشن نمبر: 135-18-1581
رابطہ نمبر: 03328686417

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: Chairman Service Tribunal KPK

مخانب: <u>محمد اسحاق ایڈووکیٹ</u>	دعویٰ:
	علت نمبر:
بنام	مورخہ:
	جرم:
ڈائریکٹر ایجوکیشن، وفاق اور	تھانہ:

بامث تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کارروائی متعلقہ

آن مقام پشاور کیلئے محمد اسحاق ایڈووکیٹ محمد نور خان کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم:

مقام _____
واہ شد _____
_____ کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی نا قابل قبول ہوگی۔

محمد اسحاق

Accepted & Accepted

Accepted

Accepted