



OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI, BUNER

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No. 676 /DSJ, Buner

Dated at Buner the 15/03/23.

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

EXECUTION PETITION NO.212/2022

IN

SERVICE APPEAL NO.41/2016

~~Service Tribunal~~  
Service Tribunal

Case No. 4487

Date 21/3/2023

ZUBAIR AHMAD

VERSUS

DISTRICT JUDICIARY, BUNER

**SUBJECT: IMPLEMENTATION REPORT.**

Respectfully Sheweth:

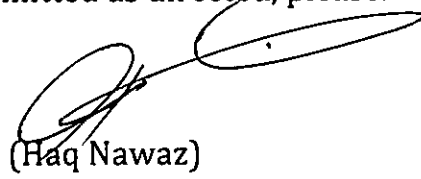
In-compliance of order sheet dated 09.02.2023 passed by this Hon'ble court, in the Execution Petition No.212/2022, the respondent humbly submits, implementation report of the judgment dated 25.01.2022 as under:

1. That the said judgment was challenged before the Hon'ble Supreme Court of Pakistan through CPLA NO.264-P/2022 along with an application for suspension of operation of the impugned order which is pending before the Apex Court. (Copy of CPLA annexed as A)
2. However, as per above judgment, the petitioner was reinstated into service as Senior Clerk (BPS-14) with all back benefits vide this office order dated 25.06.2022 and order dated 02.01.2023, subject to final decision of pending CPLA NO.264-P/2022. (Copy of orders are annexed as Annexure B & C for ready reference)
3. Moreover, in the light of above judgment the learned SCJ (Admn) Buner demanded Budget Estimate of Rs.67,67,534/- for the clearance of arrears (Pay & Allowances) of the petitioner, with effect from 12.06.2011 to 25.06.2022. (Copy of Budget Estimate is annexed as D).
4. In the light of ibid judgment the seniority of the petitioner was re-casted on 17.11.2022 amongst the Senior Clerks of District Judiciary, Buner in which the petitioner was placed on top of seniority list, subject to outcome of the pending CPLA. (Copy of Old Seniority list and

revised/re-casted seniority list are annexed as **Annexure E & F** for ready reference).

5. In the meanwhile Departmental Promotion Committee (**DPC**) held its meeting on 15.10.2022, which is challenged by the petitioner in Departmental Appeal No. 05/2023 before the Hon'ble Peshawar High Court, Peshawar, wherein comments has been submitted by this office on 04.03.2023. (Copy of letter & Comments is annexed as **Annexure G&H**).
6. After the Departmental Promotion Committee (DPC) dated 15.10.2022, there is no post of Assistant (BPS-16) available in District Judiciary Buner, against which the petitioner can be considered for promotion.

The implementation report is submitted as directed, please.



(Haq Nawaz)  
District & Sessions Judge,  
Buner at Daggar.

①

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CPLA NO. 264-P /2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

-----

*Appeal from* : Hon'ble Khyber Pakhtunkhwa Service  
Tribunal, Peshawar  
*Counsel for Petitioner* : *Advocate General, Khyber Pakhtunkhwa,*  
*Peshawar*  
*Instituted by* : Moin-ud-Din Humayun, AOR

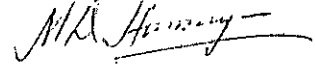
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**CERTIFIED** that the paper book has been prepared in accordance with the rules of the Court and all the documents necessary for due appreciation of the court have been included in it. Index is complete in all respect.



(Moin-ud-Din Humayun)  
Advocate-on-Record  
Supreme Court of Pakistan  
For Government

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CPLA NO. \_\_\_\_\_/2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

CONCISE STATEMENT

1	Subject matter and the law	Service/Reinstatement in Service with all back benefits	
2	Controversy between the parties	The respondent was proceeded against for two acts of misconduct i.e misbehave and absence form duty and was removed from service. His departmental appeal was also dismissed while service appeal was accepted hence this CPLA	
3	Which side has filed this petition	Government / petitioners	
4.	Court/Forum	Date of a) Institution b) Decision	Who filed it and with what result
5.	Service Appeal before the Hon'ble Service Tribunal, Peshawar	a) 19/02/2016 b) 25/01/2022	Respondents filed Service Appeal which has been accepted
6	Points/Questions noted in the impugned Judgment	Treatment of points in the impugned judgment	
	Learned Counsel for the respondent has contended that the impugned orders are against law, fact and norms of natural justice, therefore liable to be set aside; that the respondent has not been treated in accordance with law, hence his rights secured under the Constitution has badly been violated; that the order dated 06/08/2011 had been issued with retrospective effect which as per verdict of the apex Court could not legally be done, therefore the order is not tenable in the eye of law and liable to be set at naught; that the respondent has not been connected with the charges, rather the evidence on both the inquiry files suggest that the respondent has not committed any negligence in performance of his duty that the respondent has not sent any threatening messages to the Civil Judge, nor misbehaved with him and the charges so leveled against the respondent are frivolous and not based on facts; that other charges of corruption, missing of Court Management File and the case file of Muhammad Saleem Vs Bakht Feroosh etc were	We are of the considered opinion that the respondent was not treated in accordance with law and was unlawfully awarded with major punishment of compulsory retirement from service in a	

not proved, so remarks given by Civil Judge-I in the ACR for the year 2010 of the respondent has automatically washed out as the same allegations in the complaint and remarks in the ACR for the year 2010 were based on malafide; that no data from concerned mobile company regarding alleged receipt of messages to the cell number of Civil Judge-I and his Steno were obtained and placed on inquiry file, hence remain unproved, even the phone owner was not called for inquiry despite the application of respondent, which caused grave miscarriage of justice; that the opinion/recommendations of the inquiry officer and authorized officer and making it ground for imposing major penalty of compulsory retirement from service by the petitioners in the impugned order with regard to absence of respondent from duty with effect from 07/12/2010 to 20/12/2010 are also not in accordance with rules of medical leave, as such impugned order/judgment to this effect is not tenable; that malafide of the petitioners is also evident from the fact that the he was not the authority of respondent, still his explanations were called regarding his absence thus acted beyond his powers and on this score alone, the impugned orders being void ab-initio is liable to be aside.

Learned Deputy District Attorney for the petitioners has contended that the respondent was posted as Reader with Civil Judge-I Buner; that during his posting, he misbehaved with the said judicial officer; that the respondent was also in the habit of absenting himself from his official duty and a complaint was made by the then Civil Judge to the then District & Session Judge, who called his explanation, but reply so furnished by the respondent was not found satisfactory and he ordered inquiry into the allegations; that Additional District & Session Judge-I was appointed as authorized officer, who charge sheeted the respondent and statement of allegation was served upon him and Senior Civil Judge was appointed as Inquiry Officer, who conducted inquiry and sent his inquiry report to the authorized officer; that the authorized officer concurred with the recommendations of the inquiry officer and recommended imposition of major penalty within the meaning of Rule-4(1)(B) of E&D Rules, 1973; that the District & Session Judge transferred the respondent from the Court of Civil Judge-I to his own office and on assumption of charge, the respondent again started absenting himself on one pretext or the other; that his explanation was called time and again; that the respondent submitted medical prescriptions advising the respondent for bed rest, however there was no application with any of the medical prescription; that the respondent was advised to appear before a standing medical board, however the respondent did not comply

revengeful manner, which however was not warranted. The charges of misbehavior and sending threatening messages to Civil Judge-I were not proved against the respondent by the Inquiry Officer and so was the allegation of absence which was neither so long nor willful, it however was noted that leave on medical ground was initially granted for three days by the Civil Judge-I but later on, when the tussle escalated, the remaining leave was refused. All the actions of petitioners were based on malafide only to penalize the respondent for lodging complaint against him to the District & Session Judge and it can easily be inferred that disciplinary

<p>with the orders and willfully defied the same; that the inquiry officer recommended the respondent for imposition of major penalty within the meanings of rules ibid, to which the authorized officer also agreed; that the respondent remained indulged in maligning integrity of the judicial officers by sending text messages and past history of the respondent is reflective of frequent departmental inquiries and disciplinary actions taken against him, some even conveyed to Peshawar High Court; that the respondent remained a permanent headache for the hole local set up throughout his service career and he paid no heed to his official responsibilities, absented himself from official duty unabated on one pretext or the other and his overall conducted was totally unbecoming of a responsible official; that due to his least interest in his job and contemptuous behavior toward his colleagues and superiors, no judicial officer would accept him for duty; that as a result of the above mentioned two fold departmental proceedings and concurrent recommendations of the inquiry officer and authorized officer in both the above cases and taking a lenient view, the official was compulsory retired from service.</p>	<p>proceedings against the respondent were based on personal grudge, which was not warranted. In view of the situation, the instant appeal is accepted. The impugned orders dated 06/08/2011 and 16/11/2015 are set aside and the respondent is reinstated in service with all back benefits.</p>
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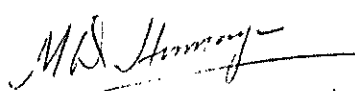
<p>7 Question requiring consideration &amp; decision by the Supreme Court</p>	<p>1. Whether the respondent was not proved guilty of mis-conduct during inquiries for which major punishment was imposed on the respondent.</p>
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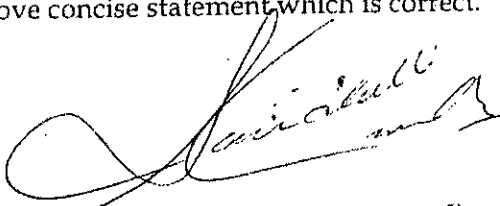
8. **LAW/RULING ON THE SUBJECT**

FOR		AGAINST	
1.	CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973	1	
2.	KP ESTA CODE, 2011	2	
3		3	

CERTIFICATE

Certified that, we, the undersigned prepared the above concise statement which is correct.

  
 (Moin-ud-Din Humayun)  
 Advocate-on-Record  
 Supreme Court of Pakistan  
 For Government/Petitioners

  
 (Additional Advocate General)  
 Khyber Pakhtunkhwa

6

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CPIA NO. 364 / 2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

Appeal from

Counsel for Petitioner

Instituted by

: Hon'ble Khyber Pakhtunkhwa Service  
: Tribunal, Peshawar  
: Advocate General, Khyber Pakhtunkhwa,  
: Peshawar  
: Moin-ud-Din Humayun, AOR



7  
75

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CMA NO. \_\_\_\_\_/2022

IN

CPLA NO. \_\_\_\_\_/2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

-----  
*APPLICATION FOR SUSPENSION OF OPERATION OF THE  
IMPUGNED JUDGMENT OF THE HON'BLE SERVICE TRIBUNAL,  
PESHAWAR DATED 25/01/2022 PASSED IN SERVICE APPEAL  
NO.41/2016 AND MAINTAIN THE STATUS-QUO TILL THE FINAL  
DECISION OF THE CASE.*  
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RESPECTFULLY SHEWETH:-

1. That the respondent was serving as reader/senior clerk in the Provincial Judiciary and was posted in the Court of Mr. Ashfaq Ahmad Civil Judge-I, Buner at Dugger. A complaint was made by Ishfaq Ahmad Civil Judge-I Buner to the District and Session Judge, Buner namely Muhammad Ibrahim Khan to the effect that the respondent misbehaved with him and the respondent is also in habit of absenting himself from his official duty who called for explanation of respondent the reply of which was found unsatisfactory hence departmental proceedings were initiated against the respondent. Mr Muhammad Asif, Additional District and Sessions judge-I Buner was appointed as authorized officer who issued charge sheet and statement of allegation to the respondent and Mr. Manzoor Qadir Senior Civil Judge, Buner was appointed as inquiry officer who conducted inquiry in the matter and submitted his recommendations. On the receipt of

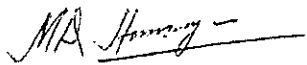
recommendation of the I.O the authorized officer imposed major penalty of removal from service on the respondent.

2. That the Learned District and Civil Judge transferred the respondent and posted him in his own office. After assumption of charge by Muhammad Sabir, the then District and Session Judge Buner the respondent again started absenting himself from duty hence his explanation was called, the respondent sent medical prescriptions of private doctor with bed rest. The then District and Session Judge directed the respondent to appear before the standing medical Board but the respondent neither appeared before the standing Medical Board, nor joined his duty hence his explanation was called but respondent failed to submit reply to the same. The District and Session judge, Buner initiated departmental proceedings against the respondent and Mr. Muhammad Asif Additional District and Session Judge-I, Buner was appointed as an authorized officer. The authorized officer appointed Manzoor Qadir Senior Civil Judge Buner as I.O. During inquiry the respondent appeared before the standing medical board who reported that respondent is not suffering from any disease. The I.O submitted his recommendation on the basis of which the authorized officer the major penalty of Compulsory retirement was imposed on the respondent vide order dated 6.8.2011.
3. That the respondent filed departmental appeal before the Peshawar High Court, Peshawar which was dismissed on 16.11.2015.
4. That the respondents filed Service Appeal No.41/2016 before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in which comments of petitioners were called which were filed by refuting/denying the stance of the respondents.
5. That the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar was pleased to accept and allow the Service Appeal

No.41/2016 of respondent vide impugned judgment/ order dated 25/01/2022.

6. That the petitioner has a good prima facie case and balance of convenience also lies in maintaining status-quo.
7. That if the impugned judgment and order is not suspended and status-quo is not granted the very purpose of this petition would be lost.

It is, therefore, humbly prayed that the operation of the impugned judgment/order of the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in Service Appeal No.41/2016 Dated 25/01/2022 may graciously be suspended and to maintain status quo till the final decision of the case.

  
(Moin-ud-Din Humayun)  
Advocate-on-Record  
Supreme Court of Pakistan  
For Government

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CPLA NO. \_\_\_\_\_/2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

AFFIDAVIT OF FACTS

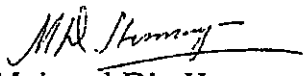
I, Moin-ud-Din Humayun, Advocate-On-Record for the Government/petitioners do hereby solemnly affirm and declare as under:-

- 1- That the contents of the accompany CPLA alongwith Stay Application are true and correct to the best of my knowledge and belief.
- 2- That the facts have been obtained by perusal of the case and information furnished by the petitioners.

SWORN  
Dated this the day

AT

PESHAWAR

  
(Moin-ud-Din Humayun)  
Advocate-on-Record  
Supreme Court of Pakistan  
For Government

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

CPLA NO. \_\_\_\_\_/2022

Appellate Judge through Registrar, Peshawar High Court,  
Peshawar & another

-----PETITIONERS

VERSUS

Zubair Ahmad

-----RESPONDENT

AFFIDAVIT OF SERVICE

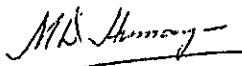
I, Moin-ud-Din Humayun, Advocate-On-Record for the Government/petitioners do hereby solemnly affirm and declare as under:-

That I did serve the respondent with Notice Registered A/D post to the effect that I am filing CPLA, stay application in the above noted case against the judgment of Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar dated 25-01-2022 in Service Appeal No.41/2016 in the Supreme Court of Pakistan in its Branch Registry at Peshawar.

SWORN  
Dated this the day

AT

PESHAWAR

  
(Moin-ud-Din Humayun)  
Advocate-on-Record  
Supreme Court of Pakistan  
For Government



OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI,  
BUNER

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No. 1635-1639 /DSJ, Buner

Dated at Buner the 25/06/2022

**OFFICE ORDER**

In pursuance of the Judgment dated 25.01.2022, passed by the Khyber Pakhtunkhwa Service Tribunal Peshawar, in Service Appeal No.41/2016 titled "Zubair Ahmad Vs Registrar, Peshawar High Court, Peshawar & DSJ, Buner and subsequent letter No.9368/Admn dated 06.06.2022 of the Hon'ble Peshawar High Court, Peshawar, Mr. Zubair Ahmad, is reinstated into service as Senior Clerk, with immediate effect, subject to final decision of the Hon'ble Apex Court in the pending CPLA.

(Hafiz Nawaz)  
District & Sessions Judge/ZQ,  
Buner at Daggar. %c

Dated Daggar the, 25/06 /2022.

No. 1635-39 /DSJ/Buner  
Copy forwarded for information to:

- 1) The worthy Registrar, Peshawar High Court, Peshawar w/r to their good self letter referred above.
- 2) The worthy Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 3) The learned Senior Civil Judge (Admn) Buner.
- 4) The District Accounts Officer, Buner.
- 5) Mr. Zubair Ahmad, Senior Clerk.
- 6) Office copy for record.

District & Sessions Judge/ZQ,  
Buner at Daggar. %c



(13)

**OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI,  
BUNER**

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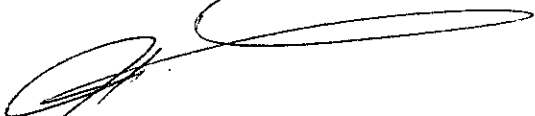
Fax:+92-939-512162

No. \_\_\_\_\_ /DSJ, Buner

Dated at Buner the \_\_\_\_\_

**OFFICE ORDER**

In continuation of this office order bearing No.1635-39/dsj/Buner dated 25.06.2022, and in the light of Judgment dated 25.01.2022 of the Hon'ble Khyber Pakhtunkhwa Service Tribunal Peshawar, in Service Appeal No.41/2016 as well as order dated 29-11-2022, passed in Execution Petition No.212/2022 and subsequent letter No.01/Admn dated 02.01.2023 of the Hon'ble Peshawar High Court, Peshawar, Mr. Zubair Ahmad, is conditionally reinstated in his service as Senior Clerk, with all back benefits, subject to final decision of the Hon'ble Apex Court in the pending CPLA NO.264-P/2022 and submission of undertaking by the official in respect of refund of arrears, if the CPLA is decided against him.


  
**(Haq Nawaz)**  
District & Sessions Judge/ZQ,  
Buner at Daggar. o/c

No. 01-5 /DSJ/Buner

Dated Daggar the, 02/01 /2023.

Copy forwarded for information to:

- 1) The worthy Registrar, Peshawar High Court, Peshawar w/r to their good self letter referred above.
- 2) The worthy Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 3) The learned Senior Civil Judge (Admn) Buner.
- 4) The District Accounts Officer, Buner.
- 5) Mr. Zubair Ahmad, Senior Clerk.
- 6) Office copy for record.

  
District & Sessions Judge/ZQ,  
Buner at Daggar. o/c



(14)

**OFFICE OF SENIOR CIVIL JUDGE (ADMIN), BUNER**

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No. \_\_\_\_\_/SCJ Admin, Buner

Dated Buner the 14 / 03 / 2023

To,

**The Hon'ble,**  
District & Sessions Judge,  
Buner at Daggar.

From;

**SHERAZ FIRDOS,**  
Senior Civil Judge (Admin),  
Buner at Daggar.

SUBJECT:

**Budget Estimate of Pay and Allowances in respect of**  
**Mr.Zubair Ahmad (Senior Clerk) w.e.f 11.06.2011**  
**to 25.06.2022 for the year (2022-23).**

Respected Sir,

I have honour to submit that in pursuance to the judgement dated 25.01.2022, passed Khyber Pakhtunkhwa Service Tribunal, Peshawar, Mr.Zubair Ahmad was reinstated into service as Senior Clerk vide your good office order, bearing No.1635-39/DSJ, Buner dated 25.06.2022. Therefore, his Budget Estimate of Pay and Allowances w.e.f 11.06.2011 to 25.06.2022 is hereby submitted for your kind perusal and further necessary action, please.

**SHERAZ FIRDOS**  
Senior Civil Judge(Admin)/A.I.Q  
Buner at Daggar

*(Signature)*



## Office of the Senior Civil Judge (Admin), Buner at Daggar

Budget Estimate

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Budget Estimate of Pay and Allowances for the year (2022-23) w.e.f 11.06.2011 to 25.06.2022 in respect of Mr.Zubair Ahmad Senior Clerk attached to the court of Senior Civil Judge (Admin), Buner

Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	S.No	B.Pay	HRA	Md AI	Convey AI	Utility AI	Jud AI	S.Jud AI	Spl Add AI	SRA	Dearnes AI	Compen AI	Ar.2010	Ar.2009	AR.2005	AR. 2011	AR. 2018	AR.2019
June, 2011	1	7730	1146	1000	920	1000	1546	-	370	585	698	1000	3865	1546	585	-	-	21991
July, 2011	2	11900	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26526
August, 2011	3	11900	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26526
September, 2011	4	11900	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26526
October, 2011	5	11900	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26526
November, 2011	6	11900	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26526
December, 2011	7	12280	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26906
January, 2012	8	12280	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26906
February, 2012	9	12280	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26906
March, 2012	10	12280	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26906
April, 2012	11	12280	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	26906
May, 2012	12	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	585	1090	-	27286
June, 2012	13	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	AR.2012	1090	-	26701
July, 2012	14	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	2532	1090	-	29233
August, 2012	15	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	2532	1090	-	29233
September, 2012	16	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	2532	1090	-	29233
October, 2012	17	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	2532	1090	-	29233
November, 2012	18	12660	1146	1000	1150	1000	1546	-	-	-	698	1000	3865	1546	2532	1090	-	29233
December, 2012	19	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
January, 2013	20	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
February, 2013	21	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
March, 2013	22	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
April, 2013	23	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
May, 2013	24	13040	1146	1000	1500	2800	4200	-	-	-	698	1000	3865	1546	2532	1090	-	34417
June, 2013	25	13040	1146	1000	1500	2800	4200	-	-	-	AR.2013	1000	3865	1546	2532	1090	-	33719
July, 2013	26	13040	1146	1000	1500	2800	4200	-	-	-	1956	1000	3865	1546	2532	1090	-	35675
August, 2013	27	13040	1146	1000	1500	2800	4200	-	-	-	1956	1000	3865	1546	2532	1090	-	35675
September, 2013	28	13040	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34469

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Months	S.No	B.Pay	HRA	Md AI	Convey AI	Utility AI	Jud AI	S.Jud AI	Spl Add AI	SRA	Dearnes AI	Compen AI	Ar.2010	Ar.2009	AR.2005	AR. 2011	AR. 2018	AR.2019
October, 2013	29	13040	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34469
November, 2013	30	13040	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34469
December, 2013	31	13420	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34849
January, 2014	32	13420	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34849
February, 2014	33	13420	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34849
March, 2014	34	13420	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34849
April, 2014	35	13420	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	34849
May, 2014	36	14100	1146	1000	1840	2800	4200	-	-	-	1956	1000	3865	-	2532	1090	-	35529
June, 2014	37	14100	1476	1000	1840	2800	4200	-	-	AR.2014	1956	1000	3865	-	2532	1090	-	35859
July, 2014	38	14100	1476	1200	2856	2800	4200	-	-	1410	1956	1000	3865	-	2532	1096	-	38491
August, 2014	39	14100	1476	1200	2856	2800	4200	-	-	1410	1956	1000	3865	-	2532	1096	-	38491
September, 2014	40	14100	1476	1200	2856	2800	4200	-	-	1410	1956	1000	3865	-	2532	1096	-	38491
October, 2014	41	14100	1476	1200	2856	2800	4200	-	-	1410	1956	1000	3865	-	2532	1096	-	38491
November, 2014	42	14100	1476	1200	2856	2800	4200	-	-	1410	1956	1000	3865	-	2532	1096	-	38491
December, 2014	43	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
January, 2015	44	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
February, 2015	45	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
March, 2015	46	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
April, 2015	47	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
May, 2015	48	14710	1476	1200	2856	2800	4200	-	-	1471	1956	1000	3865	-	2532	1096	-	39162
June, 2015	49	14710	1476	1200	2856	2800	4200	-	AR.2015	1471	1956	1000	3865	-	2532	1096	-	39162
July, 2015	50	19030	1476	1500	2856	2800	4200	-	1903	1471	1956	1000	3865	-	2532	1096	-	45685
August, 2015	51	19030	1476	1500	2856	2800	4200	-	1903	1471	1956	1000	3865	-	2532	1096	-	45685
September, 2015	52	19030	1476	1500	2856	2800	4200	-	1903	1471	1956	1000	3865	-	2532	1096	-	45685
October, 2015	53	19030	1476	1500	2856	2800	4200	-	1903	1471	1956	1000	3865	-	2532	1096	-	45685
November, 2015	54	19030	1476	1500	2856	2800	4200	-	1903	1476	1956	1000	3865	-	2532	1096	-	45690
December, 2015	55	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
January, 2016	56	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
February, 2016	57	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
March, 2016	58	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
April, 2016	59	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
May, 2016	60	19820	1476	1500	2856	2800	4200	-	1903	1410	1956	1000	3865	-	2532	1090	-	46408
June, 2016	61	19820	1476	1500	2856	2800	4200	AR.2016	1903	1410	1956	1000	3865	-	2532	1090	-	46408
July, 2016	62	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536

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Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	S.No	B.Pay	HRA	Md AI	Convey AI	Utility AI	Jud AI	S.Jud AI	Spl Add AI	SRA	Dearnes AI	Compen AI	Ar.2010	Ar.2009	AR.2005	AR. 2011	AR. 2018	AR.2019
August, 2016	63	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
September, 2016	64	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
October, 2016	65	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
November, 2016	66	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
December, 2016	67	23500	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
January, 2017	68	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	52536
February, 2017	69	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	54496
March, 2017	70	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	54496
April, 2017	71	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	54496
May, 2017	72	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	54496
June, 2017	73	25460	1476	1500	2856	2800	4200	2448	1903	1410	1956	1000	3865	-	2532	1090	-	54496
July, 2017	74	30390	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	1090	-	54496
August, 2017	75	30390	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	50849
September, 2017	76	30390	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	50849
October, 2017	77	30390	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	50849
November, 2017	78	30390	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	50849
December, 2017	79	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	50849
January, 2018	80	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	52019
February, 2018	81	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	52019
March, 2018	82	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	52019
April, 2018	83	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3156	-	-	-	52019
May, 2018	84	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	-	-	-	52019
June, 2018	85	31560	1476	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	-	-	-	52013
July, 2018	86	31560	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	-	-	-	52013
August, 2018	87	31560	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	3150	-	-	55901
September, 2018	88	31560	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	3150	-	-	55901
October, 2018	89	31560	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	3150	-	-	55901
November, 2018	90	31560	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3150	3150	-	-	55901
December, 2018	91	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551
January, 2019	92	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551
February, 2019	93	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551
March, 2019	94	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551
April, 2019	95	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551
May, 2019	96	32730	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	57551

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Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	S.No	B.Pay	HRA	Md AI	Convey AI	Utility AI	Jud AI	S.Jud AI	Spl Add AI	SRA	Dearnes AI	Compen AI	Ar.2010	Ar.2009	AR.2005	AR. 2011	AR. 2018	AR.2019
June, 2019	97	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	-	-	58721
July, 2019	98	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	3390	-	62111
August, 2019	99	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	3390	-	62111
September, 2019	100	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	3390	-	62111
October, 2019	101	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	3390	-	62111
November, 2019	102	33900	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3390	3390	3390	-	62111
December, 2019	103	35070	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3507	3507	3507	-	63632
January, 2020	104	35070	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3507	3507	3507	-	63632
February, 2020	105	35070	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3507	3507	3507	-	63632
March, 2020	106	35070	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3507	3507	3507	-	63632
April, 2020	107	35070	2214	1500	2856	2800	4200	2546	190	-	735	1000	-	3507	3507	3507	-	63632
May, 2020	108	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
June, 2020	109	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
July, 2020	110	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
August, 2020	111	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
September, 2020	112	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
October, 2020	113	35070	2214	1500	2856	8000	4200	2546	190	-	735	1000	-	3507	3507	3507	-	68832
November, 2020	114	35070	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3507	3507	3507	-	73632
December, 2020	115	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
January, 2021	116	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
February, 2021	117	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
March, 2021	118	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
April, 2021	119	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
May, 2021	120	36240	2214	1500	2856	8000	9000	2546	190	-	735	1000	-	3624	3624	3624	-	75153
June, 2021	121	36240	3321	1500	2856	8000	9000	2546	190	S.Allow.2021	735	1000	AR.2021	3624	3624	3624	-	76260
July, 2021	122	36240	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	83384
August, 2021	123	36240	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	83384
September, 2021	124	36240	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	83384
October, 2021	125	36240	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	83384
November, 2021	126	36240	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	83384
December, 2021	127	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	84554
January, 2022	128	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3624	3624	3624	3624	-	84554
February, 2022	129	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3741	3741	3741	3741	-	85022
March, 2022	130	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3741	3741	3741	3741	-	85022

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	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Months	S.No	B.Pay	HRA	Md AI	Convey AI	Utility AI	Jud AI	S.Jud AI	Spl Add AI	SRA	Dearnes AI	Compen AI	Ar.2010	Ar.2009	AR.2005	AR. 2011	AR. 2018	AR.2019
April, 2022	131	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3741	3741	3741	3741	-	85022
May, 2022	132	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3741	3741	3741	3741	-	85022
June, 2022	133	37410	3321	1500	2856	8000	9000	2546	190	3500	735	1000	3741	3741	3741	3741	-	85022
		3218190	234243	177400	326546	475200	606828	182136	57442	94082	154740	133000	326218	247557	326895	207057	0	6767534
<b>Grand Total/grass Total of pay and allowances w.e.f 11.06.2011 to 30.06.2022</b>																		<b>6767534</b>

**Sheraz Firdos**  
 Senior Civil Engineer (Asst. Dy. Commr. & Dy. Commr.)  
 District Engineer  
 District Engineer

*Sheraz Firdos*



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**DISTRICT & SESSIONS JUDGE/ZILLA QAZI, BUNER**

E-mail: [dsjbuner@yahoo.com](mailto:dsjbuner@yahoo.com)

Ph:+92-939-510434

Fax:+92-939-512162

No. 182 - 253 / Seniority /DSJ, Buner

Dated at Buner the 25/01/2022

To:

- 1) All the Senior Clerks, Sessions Division, Buner
- 2) All the Junior Clerks, Sessions Division, Buner
- 3) All the Drivers, Sessions Division, Buner
- 4) All the Class-IV employees, Sessions Division, Buner

Subject: Tentative/Common Seniority list.

Memo:

The attached seniority lists are hereby circulated amongst you with the directions to submit your objections, if any, on or before 10.02.2022 for further necessary action.

(Haq Nawaz)

District & Sessions Judge/ZQ  
Buner at Daggar

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**TENTATIVE COMMON SENIORITY LIST FOR PROMOTION TO THE POST OF ASSISTANT (BPS-16)  
DISTRICT BUNER AS STOOD ON 22.01.2022**

S. #	NAME & ACADEMIC QUALIFICATIONS	DOMICILE	DATE OF BIRTH/RETIREMENT	POST	DATE OF 1 <sup>ST</sup> ENTRY IN DISTRICT JUDICIARY ON REGULAR BASIS	DATE OF APPOINTMENT/PROMOTION IN PRESENT POSITION (BS)	PRESENT POSTING/REMARKS
1.	Abdul Akbar MA, LLB(P#00274871)	Sultanwas, Buner	<u>18/10/1972</u> 10/10/2032	Senior Clerk (BPS-14)	14/02/1996	11/11/2003	Reader to AD&SJ-I
2.	Said Wahid Shah BA(P#00274544)	Elai, Buner	<u>20/05/1972</u> 19/05/2032	Senior Clerk (BPS-14)	15/02/1996	09/03/2005	Incharge, Sessions Record Room, Buner
3.	Razi Mulk SSC(P#00274830)	Bajkata, Buner	<u>20/04/1972</u> 19/04/2032	Senior Clerk (BPS-14)	15/01/1994	16/6/2007	Reader to CJ-IV/JFC
4.	Sher Qayum FA(P#00275175)	Rega, Buner	<u>01/07/1975</u> 30/06/2035	Senior Clerk (BPS-14)	01/03/1994	20.05.2010	Muharrir to AD&SJ-II
5.	Azam Ali FA(P#00274812)	Karapa, Buner	<u>25/03/1972</u> 24/03/2032	Senior Clerk (BPS-14)	18/02/2000	20.05.2010	Reader to CJ-V Buner
6.	Mustafa Kamal BA(P#00274229)	Shalbandi, Buner	<u>10/05/1968</u> 09/05/2028	Senior Clerk (BPS-14)	18/05/2000	20.05.2010	Muharrir to CJ-I Buner
7.	Ali Abbas Khan BA(P#00273641)	Amnawar, Buner	<u>03/03/1983</u> 02/03/2043	Senior Clerk (BPS-14)	19/01/2004	20.05.2010	Reader to SCJ (J) Buner
8.	Mr. Nazar Muhammad BA(P#00272854)	Chinglai, Buner	<u>05/04/1975</u> 04/04/2035	Senior Clerk (BPS-14)	19/01/2004	11/02/2017	Reader to CJ-Totalai
9.	Mr. Muhammad Naeem M.A (P#00273628)	Kalpani, Buner	<u>10/10/1983</u> 09/10/2043	Senior Clerk (BPS-14)	09/03/2005	22/06/2019	Muharrir to D&SJ Buner
10.	Mr. Muhammad Hasham, BA (P#00273236)	Channar Buner	<u>02-01-1983</u> 01-01-2043	Senior Clerk (BPS-14)	09/03/2005	21.11.2020	Earned leave
11.	Mr. Salim Khan MA (P#00273236)	Bajkata, Buner	<u>20-05-1979</u> 19-05-2039	Senior Clerk (BPS-14)	09/03/2005	15.01.2022	Reader to DSJ, Buner
12.	Mr. Ahmad Gul BA, LLB (Diploma in Criminology) (P#00273585)	Ambela, Buner	<u>20-04-1982</u> 19-04-2042	Senior Clerk (BPS-14)	09/03/2005	15.01.2022	Care-taker to Sessions Court, Buner

District & Sessions Judge/ZQ  
Buner at Daggar.



22)

OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI,  
BUNER

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Ph:+92-939-510434

Fax:+92-939-512162

No. 4276-98 /DSJ, Buner

Dated at Buner the 17/11/2022.

To,

All the Senior Clerks,  
District Judiciary, Buner.

**SUBJECT: TENTATIVE SENIORITY LIST OF SENIOR CLERKS  
(BPS-14).**

Memo:

As per directions of the Hon'ble Peshawar High Court, Peshawar vide letter No.15149/SDJ/HRW/ADMN DATED 08.01.2022, enclosed find herewith tentative seniority list of Senior Clerk of District Judiciary, Buner, subject to final decision of the pending CPLA NO.264-P/2022.

If any of the Senior Clerk has any objection on the subject seniority list, his self contained objection petition may reach to this office within 15 days, after receipt of this letter, positively.

  
(Haq Nawaz)

District & Sessions Judge/ZQ  
Buner at Daggar

d/c



**TENTATIVE SENIORITY LIST OF SENIOR CLERKS (BPS-14) OF**  
**DISTRICT JUDICIARY, BUNER, AS PER DIRECTIONS OF PESHAWAR HIGH COURT, PESHAWAR LETTER NO.15149/SDJ/HRW/ADMN DATED 08/11/2022,**  
**SUBJECT TO FINAL DECISION OF THE HON'BLE APEX COURT IN THE PENDING CPLA NO.264-P/2022, OF THE OFFICIAL AT Sr NO.1.**

S. #	NAME & QUALIFICATIONS	DOMICILE	DATE OF BIRTH/RETIREMENT	POST	DATE OF 1 <sup>ST</sup> ENTRY INTO GOVERNMENT SERVICE	DATE OF APPOINTMENT / PROMOTION IN PRESENT POSITION.	PRESENT POSTING
1.	Mr. Zubair Ahmad BA.	Charsadda	<u>30/09/1975</u> 29/09/2035	Senior Clerk (BPS-14)	21/09/1994	15/02/1996 as Sr. Clerk	Digitization Cell Sessions Court, Buner
2.	Said Wahid Shah BA(P#00274544)	Elai, Buner	<u>20/05/1972</u> 19/05/2032	Senior Clerk (BPS-14)	15/02/1996	09/03/2005	Record Keeper
3.	Razi Mulk SSC(P#00274830)	Bajkata, Buner	<u>20/04/1972</u> 19/04/2032	Senior Clerk (BPS-14)	15/01/1994	16/6/2007	Reader to SCJ(Admn)
4.	Sher Qayum FA(P#00275175)	Rega, Buner	<u>01/07/1975</u> 30/06/2035	Senior Clerk (BPS-14)	01/03/1994	20.05.2010	Muharrir to AD&SJ-II
5.	Azam Ali FA(P#00274812)	Karapa, Buner	<u>25/03/1972</u> 24/03/2032	Senior Clerk (BPS-14)	18/02/2000	20.05.2010	At the Disposal of CJ Totalai, Buner
6.	Mustafa Kamal BA(P#00274229)	Shalbandi, Buner	<u>10/05/1968</u> 09/05/2028	Senior Clerk (BPS-14)	18/05/2000	20.05.2010	Muharrir to CJ-V
7.	Ali Abbas Khan BA(P#00273641)	Amnawar, Buner	<u>03/03/1983</u> 02/03/2043	Senior Clerk (BPS-14)	19/01/2004	20.05.2010	Reader to SCJ(J) Buner
8.	Mr. Nazar Muhammad BA(P#00272854)	Chinglai, Buner	<u>05/04/1975</u> 04/04/2035	Senior Clerk (BPS-14)	19/01/2004	11/02/2017	Reader to CJ-Totalai
9.	Mr. Muhammad Naeem M.A (P#00273628)	Kalpani, Buner	10/10/1983 09/10/2043	Senior Clerk (BPS-14)	09/03/2005	22/06/2019	Muharrir to D&SJ Buner
10.	Mr. Muhammad Hasham FA (P#00273632)	Chanar, Buner	02/01/1983 01/01/2043	Senior Clerk (BPS-14)	09/03/2005	21.11.2020	On leave
11.	Mr. Salim Khan MA(00273236)	Bajkata, Buner	20/05/1979 19/05/2039	Senior Clerk (BPS-14)	09/03/2005	15.01.2022	Reader to DSJ, Buner
12.	Mr. Ahmad Gul BA.LLB (Diploma in Crim) P#00273585	Ambella Buner	20/04/1982 19/04/2042	Senior Clerk (BPS-14)	09/03/2005	15.01.2022	Care Taker Sessions Court, Buner
13.	Mr. Habib Gul, BA(P#00273088)	Ghazikhanai, Buner	06/02/1977 05/02/2037	Senior Clerk (BPS-14)	09/03/2005	15.10.2022	Acting Steno to Civil Judge- V, Buner

District & Sessions Judge,  
Buner at Daggar.



OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI, BUNER

E-mail: dsjbuner@yahoo.com

Ph:+92-939-510434

Fax:+92-939-512162

No. 4232 / /DSJ, Buner

Dated at Buner the 12/11/2022.

To,

The worthy Registrar,  
Peshawar High Court, Peshawar

**SUBJECT: DEPARTMENTAL APPEAL OF MR.ZUBAIR AHMAD  
SENIOR CLERK (BPS-14).**

Respected Sir,

Please find enclosed herewith Departmental Appeal by Mr. Zubair Ahmad, Senior Clerk, addressed to the Hon'ble Administrative Judge, Peshawar High Court, Peshawar for necessary action.

Faithfully yours,

(Haq Nawaz)  
District & Sessions Judge/ZQ  
Buner at Daggar  
District & Session Judge  
Zilla Qazi  
Buner at Daggar.

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To

**Registrar,**  
Peshawar High Court,  
Peshawar.

Mr. Zubair Ahmad Sr. Clerk District Court Buner.

(Appellant)

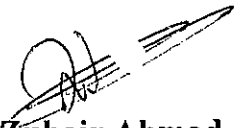
VS

1. Mr. Abdullah Akbar Assistant presently serving as reader in the court of Civil Judge VI Buner.
2. District and Session Judge Buner.

(Respondents)

**INDEX**

S.No.	Description of documents	Annexures	Pages
1	Index		1
2	Departmental appeal against impugned order dated 15.10.2022		02 - 04
3	Appointment as reader/Sr.Clerk	A	05
4	Order of KP Service Tribunal	B	06 - 15
5	Office order Dated 15.10.2022	C	16
6	Tentative Seniority List of Readers/Assistant, Senior Clerks & Junior Clerks of 2010.	D	17
7	Tentative Seniority List of Readers/Assistant, Senior Clerks & Jr.Clerks of 2022	E	18
8	Office Order 11.11.2003	F	19
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**Zubair Ahmad**  
Appellant

To

REGISTRAR, PESHAWAR HIGH COURT,  
PESHAWAR.

**THROUGH: PROPER CHANNEL:**

**SUBJECT: APPEAL AGAINST THE DPC MINUTES DATED 15/10/2022 AND PROMOTION ORDER/ NOTIFICATION DATED 15/10/2022 WHEREBY THE JUNIOR OFFICIALS WERE PROMOTED TO THE POST OF ASSISTANT BS-16. WHICH IS ILLEGAL AGAINST LAW AND FACTS.**

**PRAYER:**

THAT ON THE ACCEPTANCE OF THIS DEPARTMENTAL APPEAL, IMPUGNED PROMOTION ORDER AND DPC DATED 15/10/2022 MAY PLEASE BE SET-ASIDE AND THE APPELLANT BEING SENIOR MAY ALSO BE CONSIDER FOR PROMOTION TO THE POST OF ASSISTANT (BPS-16) FROM HIS DUE DATE BEING ELIGIBLE WITH ALL BACK AND CONSEQUENTIAL BENEFITS.

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That appellant was appointed as Senior Clerk in the year 19996 vide order dated 12/02/1996. The appellant work with full zeal and zest (Copy of appointment order is attached as Annexure-A).
2. That the appellant was compulsory retired from the service vide order dated 5-8-2011 on baseless allegation. The appellant challenge the same in KP Service Tribunal Peshawar in appeal no: 41/2016, which was accepted by the Hon'ble KP Service Tribunal vide judgment dated 25-01-2022 and the appellant was reinstated into service with all back and consequential Benefits. (Copy attached as Annexure-B).
3. That in compliance of the judgment the appellant was reinstated into  
The appellants came to know that the deptt: conducted DPC

the promotion order of junior official was handed over to the appellant of same date. **(Copy attached as annexure-c).**

4. That the appellant was senior most senior clerk which is evident from the seniority list of 2010 (which is issued before the termination order of the appellant) but the appellant was ignored despite the fact that the appellant was reinstated by the KP Service Tribunal Peshawar with all back and consequential benefits. Hence, the appellant aggrieved from the impugned promotion order file this departmental appeal on the following grounds amongst other. **(Copy attached as Annexure-D & E).**

**GROUND:**

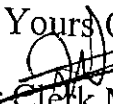
- A. That the impugned promotion order dated 15/10/2022 is against the law, facts, norm of justice, material on record, therefore not tenable and liable to be set aside.
- B. That the appellant is senior most and was placed at the top of the seniority list of 2010, and after reinstatement with all back and consequential benefit again got his position in seniority list, therefore liable to be consider for promotion. But the appellant was ignored which is against the norms of justice.
- C. That the appellant is discriminated as the appellant was appointed as senior clerk in 1996, junior official whom were promoted to the post of assistant was promoted to the post of senior clerk on 2003 and 2005 respectively. Hence the appellant is senior most than the promoted officials. **Copy of orders is attached as annexure-F.**
- D. That inaction and omission of respondent department, not to consider the appellant for promotion is against the spirit of section-9 of Civil Servants Act,1973 and service rights duly protected under the Civil Servants laws.
- E. That the appellant has more than 26 years of service and senior most forester and depriving him from his legal right of promotion by promoting other official illegally will also affect his promotion chances in future.
- F. That the appellant is not treated according to law and rules and will keep deprive from the benefits of promotion by promoting blue eyes person.

- G. That the apex Court has already clearly held in case of Anita Turab (PLD-2013 Supreme Court Page No. 195) that matter of tenure, appointment, posting, transfer and promotion, of service could not be dealt with in an arbitrary manner but could only be sustained if it was in accordance with law. Whenever there was statutory provision or rules or regulation of government the matter of appointment of Civil Servants that must be followed honestly and scrupulously and discretionary must be exercised and structured, transparent and reasonable manner, thus the verdict of the Honorable Supreme Court fully favours the appellant's case.
- H. That according to fresh amendment the appellant has the right to promoted with his due date i.e when the junior to the appellant was promoted.
- I. That the appellant has not been treated and accordance with the law and has been discriminated because his other colleagues and juniors to the appellant have been promoted and ignored the appellant despite of having seniority eligibility and post of availability.

It is, therefore, most humbly prayed that the impugned promotion order dated 15/10/2022 may please be set aside and consider the appellant for promotion from his due date.

Date: 12-11-2022

Yours Obediently,

  
Senior Clerk Muhammad Zubair  
O/o the District & Session Judge Buneer,

29)

The  
**PESHAWAR HIGH COURT**  
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58  
Off: 9210135  
Fax: 9210170

www.peshawarhighcourt.gov.pk  
info@peshawarhighcourt.gov.pk  
phcpsh@gmail.com

No. 2954...../Admn

Dated 27/02/2023.

To,

The District & Sessions Judge,  
Buner.

**Subject: DEPARTMENTAL APPEAL NO. 05/2023.**

Zubair Ahmad .....Vs....D&SJ, Buner.

Dear Sir,

Enclosed please find herewith the subject Departmental Appeal filed by **Mr. Zubair Ahmad, Senior Clerk** of your establishment, and to ask you to submit your parawise comments, duly indexed and supported by relevant documents, at earliest, please.

Yours Sincerely

*Seen  
E.C to do  
the needful  
Dis J  
Buner  
05-3-23*

*Signature*  
Aabid Sarwar)  
ADDITIONAL REGISTRAR (ADMN)  
FOR REGISTRAR  
29/2/23

*Comments sent made under no. 569  
4-3-23*



30)

**DISTRICT & SESSIONS JUDGE/ZILLA QAZI, BUNER**

E-mail: [dsjbuner@yahoo.com](mailto:dsjbuner@yahoo.com)

Ph:+92-939-510434

Fax:+92-939-512162

No. 569 /DSJ, Buner

Dated at Buner the 04/3/2023

To,

**The worthy Registrar,  
Peshawar High Court, Peshawar.**

**SUBJECT: COMMENTS IN DEPARTMENTAL APPEAL  
NO.05/2023 ZUBAIR AHMAD VS DSJ BUNER**

Respected Sir,

I have the honour to refer your good-self letter No.2054/Admn dated 27/02/2023, on the subject noted above and to enclose herewith Para-wise comments along-with supporting documents duly indexed, as directed, please.

Yours faithfully,

  
(Haq Nawaz)

District & Sessions Judge/ZQ,  
Buner at Daggar





31)

**BEFORE THE HON'BLE ADMINISTRATIVE JUDGE PESHAWAR HIGH COURT, PESHAWAR.**

**Departmental Appeal No. 05/2023**

**Mr. Zubair Ahmad Vs DSJ, Buner.**

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3.	Letter No.596/DSJ Buner dated 11.03.2011	B	7-10
4.	Order dated 06.08.2011 (Compulsory retirement w.e.from 12.06.2011)	C	11-14
5.	Judgment of PHC, Peshawar dated 16.11.2015	D	15-18
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9.	Minutes of the meeting of DPC dated 15.10.2022 along with seniority list of senior clerks issued on 25.01.2022.	I&J	38-43

Prepared By

Assistant (English Branch)

Checked By

Superintendent.

Countersigned.

District & Sessions Judge/Z.Q  
Buner at Daggar

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OFFICE OF DISTRICT & SESSIONS JUDGE/ZILLA QAZI, BUNER

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No. 559 /DSJ, Buner

Dated at Buner the 03/03/2023

**BEFORE THE HON'BLE ADMINISTRATIVE JUDGE,**  
**PESHAWAR HIGH COURT, PESHAWAR.**

**DEPARTMENTAL APPEAL NO.05/2023.**

ZUBAIR AHMAD

VERSUS

DSJ, BUNER

SUBJECT: **COMMENTS.**

Respectfully Sheweth:

The respondent humbly submits Para-wise comments as under:

1. Para No.1 is correct to the extent of his appointment while remaining part is incorrect, as per record, the past history of his service is full of departmental inquiries and disciplinary actions as the same had already been communicated to the Hon'ble Peshawar High Court, Peshawar vide this office letter No. 1994 dated 03.11.2010 and letter No. 296 dated 11.03.2011 (Copy annexed **A&B**).
2. In reply to Para No. 2, it is submitted that in the light of two departmental inquiries/proceedings, the appellant was compulsorily retired from service w.e.f. 12.06.2011. The appellant filed Departmental Appeal in the Court of Hon'ble Peshawar High Court, Peshawar which was dismissed on 16.11.2015 (Copy annexed **C&D**). Later on, the appellant filed Service Appeal No.41/2016 in Khyber Pakhtunkhwa Service Tribunal which was accepted and the official was reinstated in service with all back benefits vide judgment dated 25.01.2022. However, the said judgment was challenged before the Hon'ble Supreme Court of Pakistan through CPLA No.264-P/2022 along with an application for suspension of operation of the

impugned order which is pending before the Apex Court. (Copy of CPLA annexed as **E**).

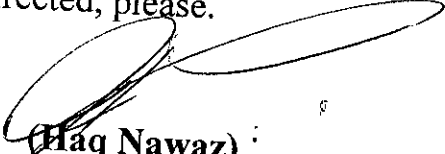
3. The judgment dated 25.01.2022 of the Hon'ble Tribunal was implemented whereby the petitioner was re-instated into service on 25.06.2022 with immediate effect however, later on 02.01.2023, his re-instatement was considered with all back benefits in light of the order dated 29.11.2022 passed by the Khyber Pakhtunkhwa Service Tribunal in Execution Petition No.212/2022 and subsequent letter No.1/Admin dated 02.01.2023 by the respected Addl: Registrar (Admin), Peshawar High Court, Peshawar subject to final decision of the pending CPLA No.264-P/2022 by the August Supreme Court of Pakistan. (Copy of the reinstatement orders dated 25.06.2022 and 02.01.2023 are annexed as **F & G**). Similarly, his tentative seniority list as Senior Clerk (BPS-14) was re-casted on 17.11.2022 upon his application and directions of the Addl: Registrar (Admin), Peshawar High Court vide letter No.1549/SDJ/HRW/Admn dated 08.11.2022. (Copy of the tentative list of seniority with covering letter No.4276-98/DSJ, Buner dated 17.11.2022 are enclosed herewith as **H**). In the meanwhile, meeting of the Departmental Promotion Committee was held on 15.10.2022 and official at Serial No.1 of the present seniority list was recommended for promotion to the post of Assistant (BPS-16). (Copy of minutes of the meeting of Departmental Promotion Committee held on 15.10.2022 and seniority list of the Senior Clerks issued on 25.01.2022 along with its covering letter are enclosed as annexure **I & J**).
4. The contents of Para No.4 are incorrect as the tentative seniority list of the appellant was not re-casted at the time of meeting of the Departmental Promotion Committee on 15.10.2022.

Reply on Grounds.

34)

- A. Incorrect.** The promotion orders dated 15.10.2022 is well reasoned which was made on the basis of unanimous recommendations of the Departmental Promotion Committee on the basis of seniority list issued on 25.01.2022.
- B.** The contents of ground B are incorrect. The application of the appellant for seniority was forwarded to the Hon'ble Registrar, Peshawar High Court, Peshawar on 21.09.2022 vide letter No.2031 however, the tentative seniority list was re-casted on 17.11.2022 after meeting of the Departmental Promotion Committee in light of directions of the Addl: Registrar (Admn), Peshawar High Court, Peshawar contained in letter No.15149/SDJ/HRW/Admn dated 08.11.2022.
- C.** Incorrect as explained above.
- D. D to F and I.** Incorrect in view of the above explanation.
- E. G & H.** The Execution Petition is pending before the Khyber Pakhtunkhwa Service Tribunal in spite of reinstatement of the appellant with back benefits and re-casting of his seniority. However, there is no vacancy available for his promotion at present, therefore, the matter will be brought in the notice of Hon'ble Tribunal accordingly.

The comments are submitted as directed, please.

  
(Haq Nawaz)  
District & Sessions Judge,  
Buner at Daggar.