

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 432/2018

Date of Institution... 29.03.2018

Date of Decision... 02.03.2023

Noor Muhammad S/O Faiz-ur-Rehman, Worker Agriculture Department,
Charsadda, Khyber Pakhtunkhwa. ... (Appellant)

VERSUS

The Director General Agriculture (Extension) Khyber Pakhtunkhwa,
Peshawar and 02 others. ... (Respondents)

MR. ARBAB SAIF-UL-KAMAL,
Advocate

--- For appellant.

MR. UMAIR AZAM KHAN,
Additional Advocate General

--- For respondents.

SALAH-UD-DIN
FAREEHA PAUL

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

JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precisely stated the facts giving rise

to filing of the instant service appeal are that after charging of the appellant in case FIR No. 62 dated 23.02.2006 under sections 302/324 PPC Police Station Parang District Charsadda, he went into hiding and was proceeded against on the allegations of absence from duty. The disciplinary action against the appellant culminated into his termination from service vide order dated 09.05.2006 passed by the then Executive District Officer Agriculture Charsadda. Vide order dated 22.05.2014 passed by learned Additional District & Sessions Judge Charsadda, the appellant was acquitted on the basis of compromise. The appellant



challenged the order of his termination from service through filing of departmental appeal, which was allowed vide order dated 15.06.2018 and he was reinstated in service with effect from 16.07.2014 by treating the absence period with effect from 24.02.2006 to 15.07.2014 as extra-ordinary leave without pay. The same was challenged by the appellant through filing of application before Secretary Government of Khyber Pakhtunkhwa Agriculture Department Peshawar seeking the relief of payment of arrears of salary as well as other back benefits of the absence period with effect from 24.02.2006 to 15.07.2014. The aforementioned application remained unfruitful, constraining the appellant to file instant service appeal.

2. Respondents were put on notice, who contested the appeal by way of filing of comments, wherein they negated the contention of the appellant and mainly alleged that after fulfillment of all legal requirements, the appellant was terminated from service on the allegations of absence from duty, therefore, he is not entitled to relief as prayed for.


3. We have heard the arguments of learned counsel for the parties and have gone through the record with their valuable assistance.


4. A perusal of the record would show that departmental action was taken against the appellant on the allegations of his absence from duty and he was terminated from service vide order dated 09.05.2006. The appellant challenged the same by way of filing departmental appeal on 16.07.2014, which was allowed vide order dated 15.06.2015 passed by Director General Agriculture (Extension) Khyber Pakhtunkhwa Peshawar and he was reinstated into service with effect from the date of filing of

departmental appeal i.e 16.07.2014, however the absence period with effect from 24.02.2006 to 15.07.2014 was treated as extra-ordinary leave without pay. The appellant if feeling aggrieved of the order dated 15.06.2015 passed in his departmental appeal, was required to have challenged the same through filing of Service Appeal within 30 days of its communication. The appellant, however submitted an application to the Secretary to Government of Khyber Pakhtunkhwa Agriculture Department, seeking the relief of payment of arrears of salary as well as other back benefits for the absence period with effect from 24.02.2006 to 15.07.2014 and then kept waiting for outcome of the same. The departmental appeal of the appellant was decided on 15.06.2015, while the instant service appeal was filed by him on 29.03.2018, which is badly time barred. This Tribunal can discuss the merits of the case only, when the appeal is within time. Worthy Supreme Court of Pakistan in its judgment reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on the ground of limitation, its merits need not to be discussed.

5. Consequently, the appeal in hand stands dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
02.03.2023


(FAREEHA PAUL)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

ORDER
02.03.2023

Learned counsel for the appellant present. Mr. Moeed Khan, Subject Matter Specialist alongwith Mr. Umair Azam Khan, Additional Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand stands dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
02.03.2023



(Fareeha Pahl)
Member (Executive)

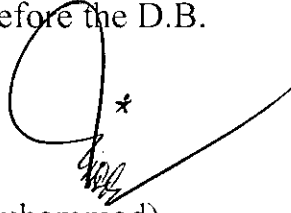


(Salah-Ud-Din)
Member (Judicial)

25.10.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 05.12.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

05th Dec. 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Former seeks adjournment due to engagement of learned senior counsel for the appellant in Honourable Peshawar High Court today. Last opportunity is granted. To come up for arguments on 02.03.2023 before the D.B.



(Fareeha Paul)
Member (E)



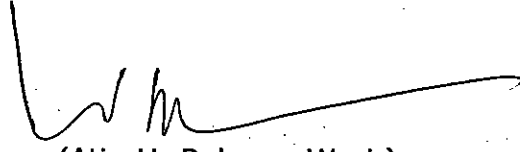
(Kalim Arshad Khan)
Chairman

SCANNED
KPST
Peshawar

22.12.2021

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Pir Muhammad Deputy Director for respondents present.

Former made a request for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments before D.B on 05.04.2022.

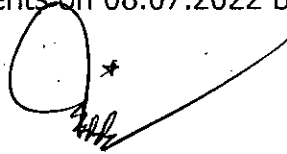

(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

05.04.2022

Learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Former seeks adjournment in order to properly assist the court. Adjourned. Last opportunity is granted. To come up for arguments on 08.07.2022 before the D.B.


(Mian Muhammad)
Member(E)


Chairman

8-7-2022

Due to Holidays of Eid Ul Azha
the case is adjourned to 25-10-2022


Reader

31.12.2020


Due to summer vacation, case is adjourned to 18.3.2021 for the same as before.


Reader

18.03.2021

Counsel for appellant and Mr. Muhammad Idrees, SMS (H) Charsadda for the respondents present.

Mr. Muhammad Rasheed DDA is present as proxy for learned Additional AG for the respondents. He states that learned Additional AG is engaged in a function of the Bar today, therefore, requests for adjournment. Adjourned to 18.05.2021 for arguments before D.B.


(SALAH-UD-DIN)
MEMBER (JUDICIAL)


CHAIRMAN

18.5-21

D


Due to COVID-19, The case is adjourned to 9.9.2021 for the hearing.

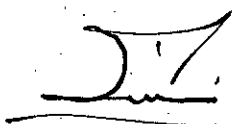

Chairman

09.09.2021

Clerk of counsel for the appellant present. Dr. Salah-ud-Din alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

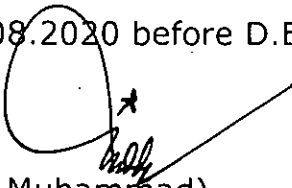
Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 22.12.2021.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

11.06.2020

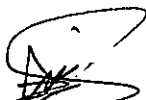
Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. To come up for record mentioned in order sheet dated 21.02.2020 and arguments on 19.08.2020 before D.B.


(Mian Muhammad)
Member


(M. Amin Khan Kundi)
Member

19.08.2020

Due to summer vacations, the case is adjourned to 29.10.2020 for the same.


Reader

29.10.2020

Proper D.B is on Tour, therefore, the case is adjourned for the same on 31.12.2020 before D.B.


Reader


21.02.2020

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Idress SMS for the respondents present.

During the course of the arguments it was pointed out that as per departmental appeal dated 06.07.2014 the appellant was appointed on fixed pay in the year 2004, he was appointed on contract basis in the year 2005 and later on his service was regularized under the 2005 regularization act.

Mr. Kabirullah Khattak raised objection that he was appointed on fixed pay dated 29.08.2004 and was appointed on contract basis vide order dated 30.09.2005 and later on he was terminated from service vide order dated 09.05.2006 therefore he was not regularized under 2005 employment regularization act and this court has no jurisdiction to entertain the appeal on the ground that the appellant is a contract employee. Copy of service book of the appellant is not available on record, therefore, the representative of the respondent department is directed to furnish the copy of fixed pay appointment order dated 29.08.2004, appointment on contract basis dated 30.09.2005, copy of service book as well as salary slip of the appellant on the next date. Adjourned. To come up for record and arguments on 01.04.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

01.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 11.06.2020 for same as before.


Reader

28.10.2019


Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 30.12.2019 before D.B.



Member


Member

30.12.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Mr. Idrees Deputy Director for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 21.02.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

09.04.2019

Appellant alongwith counsel and Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment for arguments. Adjourned. Case to come up for arguments on 11.06.2019 before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

11.06.2019

Appellant in person and Mr. Muhammad Jan, DDA for the respondents present.


Appellant requests for adjournment as his learned counsel is not available due to indisposition. Adjourned to 01.08.2019 for arguments before the D.B.


Member


Chairman

01.08.2019

Counsel for the appellant and Asst: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 28.10.2019 before D.B.



Member


Member

20.11.2018

Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney for the respondent present. Learned counsel for the appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourn. To come up for arguments on 09.01.2019 before D.B


Member


Member

09.01.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Additional Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 06.03.2019 before D.B.


Member


Member

06.03.2019

Junior counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Idrees, Agriculture Officer for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourn. To come up for arguments on 09.04.2019 before D.B.


(M. HAMID MUGHAL)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

16.07.2017

Appellant in person present. Learned Additional Advocate General alongwith Mr. Muhammad Idrees Agriculture Officer for respondents present. Written reply not submitted. Representative of the respondent department seeks time to file written reply/comments. Granted. To come up for written reply/comments on 09.08.2018 before S.B.



Member

09.08.2018

Appellant Noor Muhammad in person present. Mr. Muhammad Idrees, D.D alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present and submitted written reply/comments on behalf of respondents no. 1 to 3. Case to come up for rejoinder and arguments on 08.10.2018 before D.B.




Chairman

08.10.2018

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment to furnish rejoinder. Adjourned. To come up for rejoinder and arguments on 20.11.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Kundi)
Member

08/10/18

~~Appellant in person present. Learned Additional Advocate General alongwith Mr. Muhammad Idrees Agriculture Officer for respondents present. Written reply not submitted. Representative of the respondent department seeks time to file written reply/comments. Granted. To come up for written reply/comments on 09.08.2018 before S.B.~~
~~Appellant Noor Muhammad in person present. Mr. Muhammad Idrees, D.D alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present and submitted written reply/comments on behalf of respondents no. 1 to 3. Case to come up for rejoinder and arguments on 08.10.2018 before D.B.~~
~~Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment to furnish rejoinder. Adjourned. To come up for rejoinder and arguments on 20.11.2018 before D.B.~~

16.04.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that on account of his involvement in a false criminal case under section 302/324 PPC vide FIR no. 82 dated 23.07.2006 his services were terminated w.e.f 24.02.2006 vide order dated 09.05.2006. That the appellant surrendered to the local police and was convicted by the District & Sessions judge Charsadda by awarding punishment of life imprisonment. He was acquitted by the said court on 22.05.2014 on the basis of compromise. Upon release from jail he was informed about termination from service so he filed departmental appeal on 16.07.2014. Vide order dated 15.06.2015 he was reinstated in service w.e.f 16.07.2014 but the period of his absence i.e 24.02.2006 to 15.07.2014 was treated as extraordinary leave without pay. He preferred departmental appeal for grant of back benefits for the period referred to above which was rejected on 20.02.2018, hence, the instant service appeal. As monetary benefits are involved so limitation will not hit the case.

Points urged, need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 06.06.2018 before S.B.

Appellant Deposited
Security & Process Fee

(AHMAD HASSAN)
MEMBER

06.06.2018

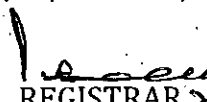

Junior counsel for the appellant and Addl: AG along with Mr. Muhammad Idrees, Research Officer for the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on **16.07.2018** before S.B

Member

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 432/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	02/04/2018	<p>The appeal of Mr. Noor Muhammad presented today by Uzma Syed Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR 2/4/18</p>
2-	03/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/04/18.</u></p> <p> MEMBER</p>


SCANNED
KPST
Peshawar

The appeal of Mr. Noor Muhammad son of Faiz-ur-Rehman Worker Agriculture Department Charsadda received today by i.e. on 29.03.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of rejection order of departmental appeal dated 02.3.2018 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 2- Address of respondent no.2 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Annexure-A of the appeal is illegible which may be replaced by legible/better one.
- 4- Pages attached with the appeal are torn.

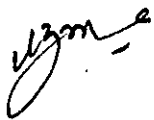
No. 662 /S.T,

Dt. 29/03 /2018


REGISTRAR 29/3/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Uzma Syed Adv. Pesh.

removed all objections & resubmitted.



2-4-2018.

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

Appeal No. _____

432/18

Noor Muhammad S/o Faiz Ur Rehman

VERSUS

The Director General Agricultural (Extension) KP, Peshawar and others

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3.	Order of AD & SJ-V, Charsadda, Dated 22/05/2014	B	5-6
4.	Copy of Departmental Appeal dated 16/07/2014	C	7-9
5.	Copy of Office Order dated 15/06/2015	D	10
6.	Copy of Application for Salaries	E	11
7.	Copy of Application of Salaries dated 02/03/2018.	F	12

Dated:29/03/2018

Appellant

through



**Arbab Saif Ul Kamal
Advocate**

(1)

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

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 432 /2018

Diary No. 458

Dated 29-3-2018

NOOR Muhammad S/O Faiz Ur Rehman
Worker Agriculture Department,
Charsadda, KPK.

Field

APPELLANT

VERSUS

1. The Director General Agriculture (Extension) KP, Peshawar.
2. The Secretary, ~~Agriculture Deptt. Govt. Secretariat, Peshawar.~~ *Govt. Secretariat, Peshawar.*
3. The Secretary, Government Finance Department, KP

RESPONDENTS

.....

**APPEAL UNDER SECTION-4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE
ORDER DATED 15-6-2015, WHEREBY
THE APPELLANT WAS REINSTATED &
HIS ABSENCE PERIOD FROM DUTY i-e
FROM 24-2-2006 To 15-7-2014 IS HEREBY
TREATED As EXTRA ORDINARY
LEAVE W/O PAY. AGAINST FILED
DEPARTMENTAL APPEAL WHICH
WAS REJECTED ON 02-03-2018.**

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 15.06.2015 AND 02.03.2018 MAY KINDLY BE MODIFIED TO THE EXTENT OF THE ABSENCE PERIOD i-e FROM 24-2-2006 TO 15-7-2014 AS TREATED AS EXTRA ORDINARY LEAVE W/O PAY INTO FULL PAY UNDER THE LAW & RULES WITH ALL BACK & CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS TRIBUNAL DEEMS FIT AND APPROPRIATE MAY ALSO BE GRANTED IN FAVOUR OF APPELLANT.

Filed to-day

[Signature]
Registrar
29/3/18

Re-submitted to -day
and filed.

[Signature]
Registrar

2/4/18

R. SHEWETH;

2

2

1. That the appellant was initially appointed as field worker in the agriculture department, the appellant was performing his duty with full zeal & devotion and to the entire satisfaction of his superior.
2. That while serving in the said capacity, the appellant was falsely charge in a criminal case u/s 302/324ppc vide FIR NO 62 Dated 23-2-2006.
3. That there after Ex-parte action was taken against the appellant & appellant was terminated from service under Removal From 2000 vide order dated 09.05.2006 However the order of termination was never communicated to appellant **Annexure-A**
4. That the appellant surrender himself to Local Police & Faced Criminal trail initially the appellant was convicted by the District & Session Judge Charsadda latter on the said Punishment was converted into life imprisonment by the high court. ~~Order are~~ **attached.**
5. That in the year 2014, the appellant was acquitted by the District & Session Judge Charsadda on the basis of compromise vide order & Judgment dated 22.05.2014. **Annexure-B**
6. That after acquitted the appellant was released from jail on 12.06.2014 & reported for duty on 17.06.2014. the appellant was inform that you have been terminated from service & handed over the copy of terminated to the appellant. The appellant departmental appeal against the said order. **Annexure - C**
7. That on the acceptance of the Departmental the appellant was re-instated into service vide order dated 15.06.2015 wherein the absence period from duty i.e from 24.02.2006 to 15.07.2014 was treated as extra ordinary leave without pay. **Annexure - D & E**
8. That the appellant aggrieved from the said order & filed Departmental appeal which was rejected on 2/3/2018. Copy attached. **Annexure - F**
9. Hence the present appeal on the following grounds:

GROUND:

- A) That the order dated 15\6\2015 is not according to law\rules and to extend of absence period treated as extra ordinary leave w\o pay.

- 3
- 3
- B) That the appellant was legally entitle to the salaries and all back benefit the law and rules.
- C) That the appellant was acquitted from the charges by the district and session judge charsadda and as such there remained no grounds to penalize the appellant and the appellant was entitle to full pay and back\consequential benefit under the law and rules.
- D) That the appellant has not been treated according to law and rules and has been kept deprived from the salaries /benefits which is otherwise available to the appellant in law & rules.
- E) That after Hona'ble acquitted from the criminal charges, the appellant under the law & rules is fully entitled to full pay benefits from the said period therefore, the said period cannot be treated as who pay, to give huge loss in pay & pensionary benefits of the appellant.
- F) That the appellant have been acquitted from the charges & as per judgment of Hon"able Supreme court of Pakistan all acquittal even if pass on compromise on the strength of those judgments, the appellant is also entitled to full pay benefits from the period mentioned above.
- G) That the appellant seeks permission to advance other grounds & proofs at the time of arguments.

نور محمد

APPELLANT

Noor Muhammad

THROUGH:

||

ARBAB SAIF UL KAMAL
ADVOCATE

uzma Syed

Advocate

4

4

Annex - A

Annex-VII

35-P-11

OFFICER ORDER

Mr. Noor Mohammad, Field Worker, who was absent from duty since 24/09/2006. He was informed through notice vide this officer letter No.129/DOA/Chd dated 01-03-2006 and No.137-B dated 7/3/2006 and notice published in the Daily "Express" dated 9/4/2006, but he could not report for duty.

Therefore, I Mr. Inamullah Khan, Executive District Officer Agriculture Charsadda being Competent Authority exercise the powers delegated to me under Special Power Ordinance 2000, Rule of Business 2001, read with Notification No. SO(LG-1) 3-196/E.M/05 dated 07-10-2005 (Removal from Service) do hereby order to terminate the service of Mr. Noor Mohammad, Field Worker with effect from 24-2-2006.

(MR. INAMULLAH KHAN)
EXECUTIVE DISTT. OFFICER
AGRICULTURE CHARSADDA.

OFFICER OF THE EXECUTIVE DISTRICT OFFICER AGRICULTURE CHARSADDA.

No. 954-55 /EDO(Agric) Dated Chd: the 9/5 /2006.

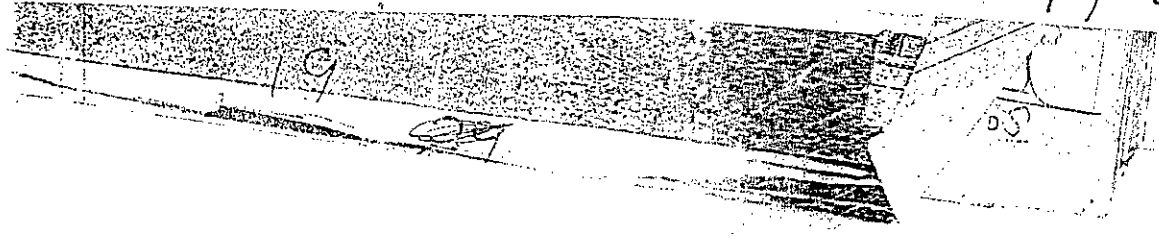
Copy forwarded to :-

- 1- The District Coordination Officer Charsadda for kind information please.
- 2- The Director General Agriculture, NWFP, Peshawar for information please.
- 3- The District Officer Agriculture, Charsadda for information and further necessary action please.
- 4- The District Accounts Officer Charsadda for information please.
- 5- P.S. to Zila Nazim Charsadda for information please.
- 6- Mr. Noor Mohammad, Field Worker C/O District Officer Agriculture Charsadda for information.

EXECUTIVE DISTT. OFFICER,
AGRICULTURE CHARSADDA.

RECEIVED

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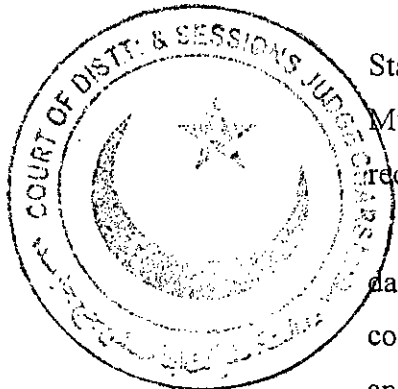
(5)

Annex (B)

مذکورہ بالا کیس میں درخواست گزار نے اپنی درخواست میں لکھا ہے کہ وہ ایک ایسے شخص کے خلاف شکایت درج کروا رہا ہے جس نے اسے اپنی جائیداد سے محروم کیا ہے۔

165	305	225	155	24/11/12
14	14	14	14	

ORDER - 3
22.05.2014

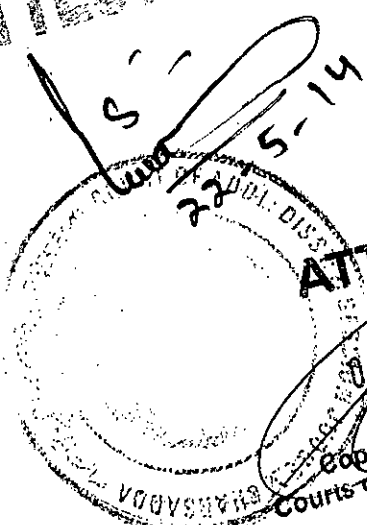


Learned counsel for applicant/convict and APP for the State present. Complainant Muhammad Ismail and PW Muhammad Tahir also present. Verification report of SHO received, which is placed on file.

The applicant/convict being involved in case FIR No.62, dated 23.02.2006, U/s 302/324 PPC, PS Prang, was tried by the court of the then learned Additional Sessions Judge-II, Charsadda and vide judgment dated 09.02.2008, he was convicted and sentenced to death u/s 302(b) PPC with fine of Rs.1,00,000/- or in default of undergo 02 years SI. He was also convicted u/s 324 PPC and was sentenced to suffer 05 years RI with fine of Rs.20,000/- or in default to undergo six months SI.

Feeling aggrieved of the said judgment, the applicant named above filed appeal before the Hon'ble Peshawar High Court, Peshawar and vide order/judgment dated 09.02.2009 passed in Criminal case No.60/2008, the appeal was allowed and the conviction was maintained but the sentence

ATTESTED



ATTESTED

Copying Agency
Courts of Distt & Sessions
Charsadda

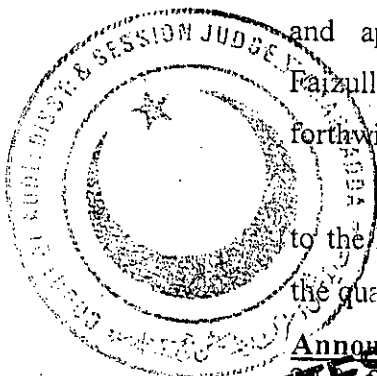
of death was altered to life imprisonment and the fine amount of one lac was converted in compensation u/s 544-A Cr.PC. Similarly, the sentence u/s 324 PPC was maintained but the two sentences were ordered to be run concurrently with benefit of section 382-B Cr.PC.

The instant application has been moved u/s 338-E PPC by counsel for the applicant/convict for compounding of offence. Legal heirs of the deceased Azam Jan, namely, Muhammad Ismail (father/complainant) and Mst. Salaha Bibi (mother of deceased) appeared before the court and submitted compromise deed with the applicant/convict. Their joint statement was recorded, wherein, they stated that they have pardoned the convict unconditionally by waiving their rights of Qisas, Diyat and have got no objection on the acquittal of applicant/convict. They further confirmed that the deceased was unmarried and they are his sole legal heirs. Joint statement of local elders, namely, Raj Wali Shah and Muhammad Asif was also recorded who confirmed the factum of compromise between the parties. The compromise Proforma is Ex: PA, Affidavit is Ex: PA/1 and certificate is Ex: PA/2. Similarly, victims of ineffective firing, namely, Muhammad Ismail and Muhammad Tahir also submitted affidavit Ex: PB in respect of compromise with the convict. Their joint statement was recorded, wherein, they stated that they have pardoned the applicant/convict unconditionally by waiving their rights of Arsh, Daman and have got no objection on his acquittal. Legal heirs of the deceased were also verified through SHO PS concerned and report of SHO in this regard is placed on file.

Learned counsel for the applicant/convict also submitted an affidavit to the effect that the convict has not moved any appeal against the judgment of Hon'ble High Court.

Since, the sections of law are compoundable and the compromise is in the best interests of both the parties, therefore, the same is accepted and applicant/convict, namely, Noor Muhammad alias Megai S/o Faizullah is acquitted on the sole ground of compromise. He be released forthwith if not required in any other case.

The application stands disposed off accordingly. File be consigned to the Record Room after its completion, whereas, record be returned to the quarter concerned.



ATTESTED
2014

07 JULY 2017

Examney
Copying Agency Branch
Courts of Distt & Sessions Judge
Charsadda

Shahnae Hameed Khattak
Mrs. Shahnae Hameed Khattak
AD & SJ-V, Charsadda

ATTESTED

16/7/14

Dept Appeal

Annex-Z

P-24

Annex C

The Director General Agriculture,
Khyber Pakhtunkhwa, Peshawar.

oper Channel

DEPARTMENTAL APPEAL AGAINST THE ORDER
DATED 09.05.2006, WHEREBY THE SERVICES OF THE
APPLICANT HAS BEEN TERMINATED W. E. F 14.02.2006.

peal.

*ON ACCEPTANCE OF THIS DEPARTMENTAL APPEAL,
THE ORDERS DATED 09.05.2006, MAY PLEASE BE SET
ASIDE AND THE APPELLANT MAY BE REINSTATED
INTO SERVICE WITH ALL BACK BENEFITS.*

Respectfully submitted.

I very humbly submit the following few lines for your kind and sympathetic consideration:

1. That I was initially appointed as Field Worker in the Agriculture department District Charsadda, on fixed pay in the year 2004. It is also pertinent to mention that in the year 2005, I was also appointed on contract basis, later my services were regularized under the Contract Employees Regularization Act, 2005.
2. That ever since my appointment, I had performed my duties assigned to me with zeal and devotion and there was no complaint what-so-ever regarding my performance.
3. That while serving in the said capacity, I was falsely implicated in a criminal case U/S 302/324 PPC vide FIR No. 62 dated 23.02.2006, Police Station Rrang Charsadda. I duly informed one Sabir Badshah the then Accountant, about my false implication in criminal case. Moreover the department was also duly informed by the police about my implication in criminal case.
4. That since my enemies were influential and there was serious threat to my life, therefore in order to save my life, I fled into hiding and therefore could not report for duties.
5. That certain absence notices were issued but never communicated to me, thereafter an ex- party action was taken against me and I was terminated from service under the Removal form Service (Special

SE PL.
17/7/14

E-14
17/7/14

10986
17/7/14

ATTENTION

④

2

P-25

Powers) Ordinance 2000, vide order dated 09.05.2006. The order of termination from my service was however never communicated to me.

6. That I surrendered myself to the local police in January, 2007, and faced criminal trial, initially I was punished with death sentence by the District and Session Judge, Charsadda, later the punishment was converted into life imprisonment by the Honourable High Court.
7. That in the year 2014, I was acquitted by the District and Session Judge Charsadda, on the basis of compromise vide order and judgment dated 22.05.2014.
8. That after my acquittal when I was released from jail on 12.06.2014, thereafter I went to my office to report for duty on 17.06.2014, however I came to know that I have been proceeded in absentia and my services have been terminated vide order 09.05.2006. thereafter I received the copies of the termination order and other documents.
9. That I pray for the acceptance of the instant departmental appeal inter alia on the following grounds:

GROUND'S OF DEPARTMENTAL APPEAL.

- A. That I have not been treated in accordance with law hence my rights secured and guaranteed under the law are badly violated.
- B. That no proper procedure has been followed before MY termination from Service neither I have been served with charge sheet, statement of allegations or any other notice nor any inquiry has been conducted, I have been proceeded ex party, thus the whole proceedings are defective in the eye of law as such the order of termination is liable to be set aside on this score alone.
- C. That I have not been allowed opportunity of personal hearing before the termination of my service, thus I have been condemned unheard.
- D. That though reference in the termination order has been made to the Removal from Service (Special Powers) ordinance, 2000, however the procedure prescribed under the RSO, 2000 has not been adhered to before terminating my services. Moreover the penalty of termination from service was nowhere provided under the said law.
- E. That I have not been served with any charge sheet/ statement of allegations or show cause notice nor have any absence notice ever communicated to me, thus I have not been provided opportunity to defend myself against the charges leveled.


ATTACHED

(9)

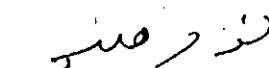
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P-26

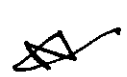
- F. That the department was duly informed about my false implication in the criminal case, thus thereafter instead of proceeding against me in absentia, under the law they were supposed to have suspend me and wait for the out come of the criminal case.
- G. That no inquiry, as required under the RSO, 2000, have been conducted before the termination of my service, thus the order of termination is illegal and void abinitio.
- H. That the order of termination from service had been made with retrospective effect thus not tenable under the law.
- I. That I have never committed any act or omission which could be termed as misconduct, my absence from duty was not willful but was due to my false implication in the criminal case, moreover I was arrested in 2007, and was behind the bar, therefore I could not report for duty nor had I any knowledge about the action taken against me.
- J. That I am jobless since my illegal termination from service.
- K. That I belong to a poor family, moreover I have a large family to feed up, thus due to my termination from service, not only me but my whole family is suffering.
- L. That I had at my credit a spotless service career, the penalty imposed upon me is harsh and liable to be set aside.

It is therefore, humbly prayed that on acceptance of this departmental appeal, the orders dated 09.05.2006, may please be set aside and the appellant may be reinstated into service with all back benefits.

Yours Obediently,


NOOR MUHAMMAD
S/O Muhammad Faiz ur Rehman
Ex- Field Worker
Agriculture Department,
Charsadda.

Dated: 16 / 07 / 2014


ATTESTED

10

Impress order
Annex

**DIRECTOR GENERAL, AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR.**

OFFICE ORDER

In pursuance of Additional District and Session Judge-V Charsadda Judgement dated 22.5.2014 and opinion of Law Department vide letter No.SO (OP-I) /LD/5-2/2012-Vol-II/12716-17 dated 4.5.2015, Mr. Noor Muhammad is hereby reinstated into service with effect from 16.7.2014 and posted as Field Worker against the vacant post in the office of the District Director Agriculture, Charsadda.

His absence period from duty i.e from 24.2.2006 to 15.7.2014 is hereby treated as extra ordinary leave without pay.

Sd/- (QAYASH BAHADAR)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA,
PESHAWAR

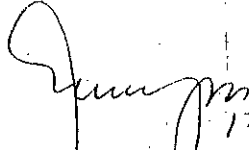
No.16/125/Estt/ 13 385-88 /DG Dated Peshawar: the 15-6 /2015

Copy forwarded to: -

1. The District Director Agriculture Charsadda w/r to his letter No.1953/DDA dated 10.11.2014.
2. The District Accounts Officer, Charsadda.
3. The official concerned.

For information and necessary action.

4. File No.18/1/Estt/ for record.


17/06/2015
DIRECTOR GENERAL


ATTESTED

106
2nd Appeal
Amen — (E) 107

To:

The Secretary,
Government of Khyber Pakhtunkhwa,
Agriculture Department, Peshawar.

Subject: APPLICATION FOR SALARIES/BACK BENEFITS FOR THE PERIOD SINCE THE DATE OF ARREST 23-2-2006 TO 15-7-2014 ACCORDING TO THE RIGHTS OF APPLICANT.

Respectfully sheweth,

1. That the applicant was the employee of the Department and is serving as Field Worker.
2. That unfortunately the applicant was involved in Criminal Case vide FIR No. 69 dated 23-2-2006 U/S 302-PPC.
3. That the Executive District Officer, Charsadda terminated the applicant from service on 09-5-2006 with retrospective effect from 24/2/2006, without following the legal procedure.
4. That the applicant was arrested by the Police 26-1-2007, faced the trial and later on acquitted by the trial Court on 22-5-2014.
5. That after acquittal, the applicant moved an application for re-instatement with salaries and all back benefits.
6. That the applicant was re-instated by the Director General vide order dated 15-6-2015 but the period spend in jail was treated as extra ordinary leave without pay. (Copy attached).
7. That the order dated 15-6-2015 is not a legal order as salaries and benefits cannot be denied to a person who, without his fault was deprived of his normal life and his livelihood, which could affect his whole family
8. That in such cases, the superior courts are of the view that such person cannot be denied of his salaries and service benefits, if he remained un-employed during the period.

It is therefore most humbly prayed that the applicant be allowed his salaries and back benefits for the period he remained behind the bars for no fault on his part.

AS
16/39
16/39
16/39

Applicant

نور محمد

(NOOR MUHAMMAD)

Field Worker, Charsadda.

ATTESTED



12

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

NO.SOE(AD)VI-106/2017/EW
Dated Peshawar, the February 20, 2018

To

The DG Agriculture Extension,
Khyber Pakhtunkhwa Peshawar

SUBJECT:- APPLICATION FOR SALARIES/BACK BENEFITS FOR THE PERIOD SINCE THE DATE OF ARREST 23.02.2006 TO 15.7.2014 ACCORDING TO THE RIGHTS OF APPLICANT

I am directed to refer to the subject noted above and to enclose herewith copy of application filed by Mr.Noor Muhammad Field Worker, O/o the DDA, Charsadda alongwith copy of advice of Government of Khyber Pakhtunkhwa Law Department letter No.SO(OP-1)/L.D/5-2/2012-Vol-III/11008-9 dated January, 2018, which is self-explicit for onward communication to the official concerned for information.

Encl: As above

(MANZOOR AHMAD AFRID)
SECTION OFFICER-ESTT:

Endst. of even No. & Date.

Copy forwarded for information to:-

1. PS to Secretary Agriculture, Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER-ESTT.

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA, PESHAWAR.

Endst.16/125/Estt/ 5032 /DG, Dated Peshawar, the 2/3 2018.

Copy forwarded to the District Director Agriculture Charsadda. For information and necessary action.

21/3/18
(YAR MUHAMMAD)
SUPERINTENDENT ESTT

Attended

63 2018 -

11-40



GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS &
HUMAN RIGHTS DEPARTMENT

No. SO(OP-I)/LD/5-2/2012-VOL-III / 11008-9
DATED: PESH: THE JAN, 2018

To

The Secretary to Government of Khyber Pakhtunkhwa
Agriculture Livestock & Cooperative Department

Subject:- APPLICATION FOR SALARIES/ BACK BENEFITS FOR THE PERIOD SINCE THE DATE OF ARREST 23-02-2006 TO 15-07-204 ACCORDING TO THE RIGHTS OF APPLICANT.

Dear Sir,

I am directed to refer to your Department's letter No.SOE(AD)/VI-106/2012/Ext dated 25-01-2018 on the subject noted above and to state that the reinstatement Office Order No.16/125/Estt/13385-88/D.G dated 15-06-2015 is a legal order and the Competent Authority was empowered under Rule-12(3) of Revised Leave Rules, 1981 to treat the absence period as without pay, which is a final order.

Yours Faithfully,

Section Officer (Opinion-I)

Endst: of even No. & date.



Copy is forwarded for information to the P.S to Secretary, Law Department.

Section Officer (Opinion-I)

Sub. Agriculture
No. 1155
Date 31-1-18

12-29



قیمت 50	 	33394
ایڈوکیٹ:	پشاور بار ایسوسی ایشن، خیبر پختونخواہ	
بار کونسل ایسوسی ایشن نمبر:		
رابطہ نمبر:	0311 9440376	

بجرات جناب Peshawar KP Service Tribunal

منجانب: ایڈوائفٹ	دعویٰ:
نور محمد	علت نمبر:
بنام	مورخہ:
حکومت	جرم:
	تھانہ:

بابت تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام پشاور کیلئے خط ادب ادب کو ارسال کیا گیا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی 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
 کاروائی 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 داخستہ 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

المرقوم: 2018-3-29

المواہد العبد
 العبد
 مقام Peshawar کے لیے منظور ہے۔

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 432/2018

Noor Muhammad S/O Faiz-ur-Rehman Field Worker Agriculture Department Charsadda
KPK..... (Appellant)

*Plan no 114
Q. No. 2018*

VERSUS

Director General Agriculture (Extension), Khyber Pakhtunkhwa,
Peshawar and others (Respondents)

INDEX

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4	Second Explanation Letter	Annexure-B	6
5	Newspapers Notice	Annexure-C	7-8
6	Termination letter	Annexure-D	9

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 432/2018

Noor Muhammad S/O Faiz-ur-Rehman Field Worker Agriculture Department Charsadda
KPK..... (Appellant)

VERSUS

1. Director General Agriculture (Extension), Khyber Pakhtunkhwa, Peshawar
2. The Secretary Agriculture, Civil Secretariat Peshawar.
3. The Secretary Government, Finance Department KP. (Respondents)

Para wise reply on behalf of respondent No. 1 to 3

Preliminary objections:

1. That the appeal is not maintainable in its present form.
2. That the appeal is barred by law.
3. That the *appellant* has got no locus standi.
4. That the Appellant has got no cause of action to file the appeal.
5. That the Appellant has not come to this honorable Tribunal with clear hand.
6. That the Appellant has concealed the facts from this honorable Tribunal.
7. That the appeal is badly time-barred.
8. That the honorable Tribunal has no jurisdiction to adjudicate the matter.

Respectfully Sheweth:

Para-1. No Comments, pertains to record.

Para-2. Pertains to record.

Para-3. Incorrect the appellant was remained absent from the office from 24/2/2006 to 1/3/2006 without any prior approval from the competent authority. The concern authority issue/call his first explanation vide letter No.130/DOA, Charsadda dated 1/3/2006, (Annex-A) but no response received from applicant. Meanwhile another explanation was called ^{from} the office through letter No.137B/D.O. Agri: dated Charsadda the 7/3/2006 (Annex-B). No respond was received from appellant till at the end of March. 2006. Therefore the District Officer Agriculture published his absentee notice in the Newspapers i.e Daily Express Peshawar Sunday 9 April 2006 and Daily Ajj 10 April 2006 (Annex-C). After the expiry of period of notice, his termination order was issued by Executive District Director Charsadda vide office order No.954-57/EDO (Agri;) dated Chd: the 9/05/2006 (Annex-C).

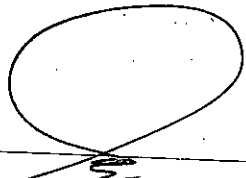
- Para-4. This Para is not related with the Respondents.
- Para-5. Pertains to record.
- Para-6. Detail given in para-3.
- Para-7. Correct, the reinstatement order of the appellant was issued by the competent authority under Rule-12(3) of Revised Leave Rules, 1981 to treat the absence period as without pay.
- Para-8. No comment hence, denied however there is no second department ~~merit~~ appeal under law.

Grounds

- Para-a. Incorrect, the order dated 15/6/2015 is legal and according to law/rules which covered the absence period, treated extra ordinary leave without pay, because the competent authority is empowered under Rule-12(3) of Revised Leave Rules, 1981 to treat the absence period as without pay.
- Para-b. Incorrect the appellant remained absence from his lawful duty, hence not entitled for its pay.
- Para-c. Denied as per para-b.
- Para-d. Detail given in para-a and para-b.
- Para-e. Detail given in para-a.
- Para-f. As per paras above.
- Para-g. No comments

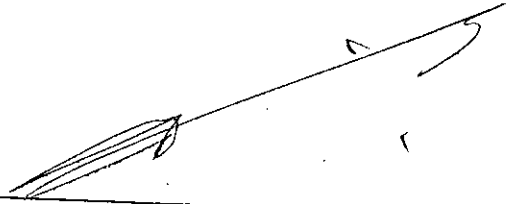
It is therefore humbly requested ~~that appeal of the appellant, being devoid of~~
~~merit~~ may kindly be dismissed.

Respondent No.1.




Director General Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.

Respondent No.2.



Govt. of Khyber Pakhtunkhwa, through
Secretary Agriculture, Civil Secretariat Peshawar.

Respondent No.3



Govt. of Khyber Pakhtunkhwa, through
Secretary Finance Department, Civil Secretariat Peshawar.

(7) page (5)
Annex-A
Annex-III
42

No. / DOA, Charsadda
Dated, Charsadda the 1/3 / 2006.

To, Mr. Noor Mohammad
Field Worker, Charsadda.

Subject: ABSENT FROM DUTY.
Memo.

You are absent from duty w.e.f. 24.02.2006 with out any information/
prior approval of the competent authority.

You are directed to explain the reason of willful absence with in two days
positively and join your duties immediately; otherwise strict disciplinary action will be
taken against you under the Special Power Ordinance 2000.

Sd _____
DISTRICT OFFICER AGRICULTURE
CHARSADDA.

No. 130 / DOA, Charsadda

Copy forwarded to Executive District Officer Agriculture Charsadda for
information please.

DISTRICT OFFICER AGRICULTURE
CHARSADDA.

E.D.O. (Agn) Pk

Inform DOA
if the office is
not in service in day
suspend / terminate 2/3

Attested
SM' durr
SMSCHS Chd.

page no (6) Annex-IV

D.O. Agri: Dated Charsadda the /2006.

To
Mr. Noor Mohammad Field Worker.

Annex (B)

P-

Subject:- ABSENT FROM DUTY.

Memo
Please refer this office letter No 129 dated 01-03-2006.
You are directed to submit your reply within Two days positively other wise stric disciplinary action will be taken against you under the special powers 2000.

Sd
District Officer Agriculture
Charsadda

No 137-B /D.O. Agri: Dated Charsadda the 7/3 /2006.

✓ Copy forwarded to the Executive District Officer Agriculture Charsadda with reference to this office endost: No. 130 dated 01-03-2006 for further necessary action please.

E.D.O (Agri.) Please
9/3/06

[Signature]
District Officer Agriculture
Charsadda.

Attested
[Signature]
SMS (HS) Chd.

To
Mr. Noor Mohammad Field Worker.

Subject:- ABSENT FROM DUTY.

Memo
Please refer this office letter No 129 dated 01-03-2006.
You are directed to submit your reply within Two days positively other
wise stric disciplinary action will be taken against you under the special powers 2000.

Sd
District Officer Agriculture
Charsadda

No 137 B D.O. Agri: Dated Charsadda the 7/3 /2006.
Copy forwarded to the Executive District Officer Agriculture Charsadda with
reference to this office endost: No. 130 dated 01-03-2006 for further necessary action
please.

F.D.O (Agri.) Please
9/3/06

[Signature]
District Officer Agriculture
Charsadda.

Attested
[Signature]
SMS (AS) Chde

روزنامہ آج

پیر 10 اپریل 2006ء

سروسوں میں کمی سے متعلقہ اداروں پر مشتمل سے ہونے والی جاری نہیں لے اہلی کام سے مطالبہ کیا ہے
مہل کیے گی ہونے والوں میں کی آئے اور جن علاقوں میں کس طبقے میں اقدامات کریں۔

غیر حاضری
آپ ماسٹر لیلوہ کو دفتر ڈسٹرکٹ آفیسر زراعت چارسدہ سکتہ زری چارسدہ مورخہ 25 فروری 2006ء سے
بہتر چوٹی کے اپنی ذہنی سے غیر حاضر ہے لہذا آپ کو بذریعہ اشتہار مطلع کیا۔ تاہم آپ اشتہار کی اشاعت
کے 15 دن کے اندر دفتر ڈسٹرکٹ آفیسر زراعت چارسدہ میں بری کریں اور اپنی غیر حاضری کی
وضاحت کریں۔ بصورت دیگر آپ کو ملازمت سے برخواست کر دیا جائے گا۔

ایگزیکٹو ڈسٹرکٹ آفیسر زراعت چارسدہ
Also available on www.nwfp.gov.pk

INF(P)851

S.No	Item Name	Quantity
1	Landy Raizo (ITALI) CNG Kit 50/55 Kg Fiber Cylinder with 3 years Warranty for Admin	2
2	Landy Raizo (ITALI) CNG Kit 50/55 Kg Fiber Cylinder with 3 years Warranty for Mobile Service Unit (MSU)	1

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r all

شرکت:- (1) نینڈر ہندوستان کی طرف سے نینڈر بیج کرانٹیک ہیں۔ (2) نینڈر کے ساتھ کال اجازت کتاب دو پیمبر کے
ساتھ بیج کرانٹیک ہوگا۔ کتاب بولی ہندوستان کو خریدنا اور نینڈر ہندوستان کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک
میں بیج کرانٹیک میں نینڈر کو بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ
بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ
بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ
بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ بیج کرانٹیک کے ساتھ

ایگزیکٹو ڈسٹرکٹ آفیسر زراعت چارسدہ
فون نمبر 0937-9230035

INF(MR)27

Attested
SMJ
SMSC(H) clod.

ایکسپریس

قریب (لاہور) ایکسپریس کے لیے ایک ڈیپارٹمنٹ
ڈیپارٹمنٹ کے سربراہ نے ایک ڈیپارٹمنٹ کے لیے ایک
ڈیپارٹمنٹ کے سربراہ نے ایک ڈیپارٹمنٹ کے لیے ایک

تورہر سلاطینہ جرنلسٹس
یونین کا استانی سنٹر کا ورہ

شیر گڑھ میں باؤلے کتوں کی بھرمار، شہری پریشان

حکام کتوں کیلئے ہونے والے کتوں کی بھرمار
شیر گڑھ (لاہور) ایکسپریس شہر گڑھ میں باؤلے کتوں کے
کتوں کی بھرمار کی وجہ سے شہریوں کی پریشانیاں
لاہور شہر میں باؤلے کتوں کی بھرمار کی وجہ سے شہریوں کی
پریشانیاں بڑھتی جا رہی ہیں۔ شہر گڑھ میں باؤلے کتوں کی
بھرمار کی وجہ سے شہریوں کی پریشانیاں بڑھتی جا رہی ہیں۔

مطالعات نہ مانے گئے تو احتجاج کریں گے، سیکرٹری یونین کونسلوں

گیارہ دن کی سیکرٹری یونین کونسلوں
ڈیپارٹمنٹ کے سربراہ نے ایک ڈیپارٹمنٹ کے لیے ایک
ڈیپارٹمنٹ کے سربراہ نے ایک ڈیپارٹمنٹ کے لیے ایک
ڈیپارٹمنٹ کے سربراہ نے ایک ڈیپارٹمنٹ کے لیے ایک

پانی کی بندش، حضرت میاں گلے کی زمینیں بنجر ہونے کا خدشہ

سلاسل بنیاد کی پانی کی بندش کا خدشہ
پانی کی بندش کی وجہ سے بنجر کی زمینیں بنجر ہونے کا
خدشہ ہے۔ بنجر کی زمینیں بنجر ہونے کا خدشہ ہے۔

Table with 5 columns: S.No., Name of Bridge, Official Reserved Price (Million Rs.), Security Rs., Date of opening of Bids, Next date for opening of Bids. Row 1: Dismantling and Auction of Security Post at Michni Northern Bridge Peshawar Wazak Road, Rs. 0.095 Million, Rs. 10,000/-, 27.04.2006, 29.04.2006.

مصرف ان فراہم شدہ زمینوں کو بولی میں حصہ لینے کی اجازت ہوگی جو جملہ پورٹ فولڈنگ اور دیگر
مصرف ان فراہم شدہ زمینوں کو بولی میں حصہ لینے کی اجازت ہوگی جو جملہ پورٹ فولڈنگ اور دیگر
مصرف ان فراہم شدہ زمینوں کو بولی میں حصہ لینے کی اجازت ہوگی جو جملہ پورٹ فولڈنگ اور دیگر

991-9210434 فون: 091-9210557
INF(P)847

Invitation for Bids

Government of Pakistan has received a loan from the Asian Development Bank for various agencies for ADB-RH Project, and it intends to apply part of proceeds of this loan for various packages under the contract (contracts) for the supply of following packages in the target districts Bannu, Battagram, Buner, Dir(Lower), Dir(Upper), FATA, Gilgit-Baltistan, Islamabad Capital Territory, Khyber Pakhtunkhwa, Punjab, Sindh, Balochistan, and Federally Administered Tribal Areas.

Table with 2 columns: Name and Specification of the Item, Number of Units. Items include Clinical Equipments, Vehicle: 2446 cc Diesel Engine Pickup, Vehicle: 12 Seater Diesel Engine Van, Branded Computer (Non Clinical), Branded Computer Intel Pentium 4.

تونس غیر حاضری

آپ نور محمد فیڈرل ڈسٹرکٹ آفیسرز کا چارلسٹون چارلسٹون
مورے 24 فروری 2006ء سے غیر حاضری سے غیر حاضری لے لیں
بذریعہ اشتہار مطلع کیا جاتا ہے کہ آپ اشتہار کی اشاعت کے پندرہ دن کے اندر اندر
ڈسٹرکٹ آفیسرز میں حاضری کریں اور اپنی غیر حاضری کی وضاحت کریں
بہر صورت دیگر آپ کو ملازمت سے برخواستہ کیا جائے گا۔

INF(P)852
Also available on www.rwfp.gov.pk

طبعی و دیگر طلبی دستوں

طبعی و دیگر طلبی دستوں
طبعی و دیگر طلبی دستوں
طبعی و دیگر طلبی دستوں

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Annex-D page 9
Annex-e

OFFICER ORDER

Mr. Noor Mohammad, Field Worker, who was absent from duty since 24/02/2006. He was informed through notice vide this officer letter No.129/DOA/Chd dated 01-03-2006 and No.137-B dated 7/3/2006 and notice published in the Daily "Express" dated 9/4/2006, but he could not report for duty.

Therefore, I Mr. Inamullah Khan, Executive District Officer Agriculture Charsadda being Competent Authority exercise the powers delegated to me under Special Power Ordinance 2000, Rule of Business 2001, read with Notification No. SO(LG-1) 3-196/E.M/05 dated 07-10-2005 (Removal from Service) do hereby order to terminate the service of Mr. Noor Mohammad, Field Worker with effect from 24-2-2006.

(MR. INAMULLAH KHAN)
EXECUTIVE DISTT: OFFICER
AGRICULTURE CHARSADDA.

OFFICER OF THE EXECUTIVE DISTRICT OFFICER AGRICULTURE CHARSADDA.

No. 954-SS /EDO(Agr) Dated Chd: the 9/5 /2006.

Copy forwarded to :-

- 1- The District Coordination Officer Charsadda for kind information please.
- 2- The Director General Agriculture, NWFP, Peshawar for information please.
- 3- The District Officer Agriculture, Charsadda for information and further necessary action please.
- 4- The District Accounts Officer Charsadda for information please.
- 5- P.S. to Zila Nazim Charsadda for information please.
- 6- Mr. Noor Mohammad, Field Worker C/O District Officer Agriculture Charsadda for information.

EXECUTIVE DISTT: OFFICER,
AGRICULTURE CHARSADDA.

Blieshid
G.M. / J.M.R
SMS (Chd) Chd.

BEFORE THE KPK, SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 432/2018

Noor Muhammad

VS

Aggriculture deptt
Police Deptt:

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-8) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 No comments endorsed by the respondents deptt: which means that the respondent deptt: admitted para-1 of the appeal as correct. Moreover, the service record of the appellant was already in custody of the respondent deptt:.
- 2 Para-2 of the appeal was admitted correct by the respondent deptt: as service record of the appellant was already in custody of the respondent deptt:.
- 3 Incorrect. While para-3 of the appeal is correct as mentioned in the main appeal of the appellant.

- 4 Not replied by the respondent.
- 5 Para-5 of the appeal was admitted correct by the respondent deptt: as service record of the appellant was already in custody of the respondent deptt:.
- 6 Incorrect. While para-6 of the appeal is correct as mentioned in the main appeal of the appellant.
- 7 Incorrect. While para-7 of the appeal is correct as mentioned in the main appeal of the appellant.
- 8 Incorrect. While para-8 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, there is no second appeal was filed, the present appeal was filed on the basis of fresh cause of action.

GROUND:

- A) Incorrect. The orders of the respondents are against the law, rules and norms of justice therefore not tenable and liable to be set aside.
- B) Incorrect. While para-B of the appeal is correct as mentioned in the main appeal of the appellant.
- C) Incorrect. Incorrect. While para-C of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. Incorrect. While para-D of the appeal is correct as mentioned in the main appeal of the appellant.
- E) Incorrect. Incorrect. While para-E of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Incorrect. Incorrect. While para-F of the appeal is correct as mentioned in the main appeal of the appellant.

G) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.


APPELLANT

Through:


(UZMA SYED)
Advocate High Court

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder are true and correct to the best of my knowledge and belief.


DEPONENT

