

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT ABBOTTABAD

SERVICE APPEAL NO. 1025/2015

Date of institution ... 17.09.2015

Date of judgment ... 20.02.2019

Faraz Gul Son of Gharib Nawaz, Senior Clerk Wildlife, Mansehra.

... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar.
 2. Government of Khyber Pakhtunkhwa, through Secretary Finance, Peshawar.
 3. Conservator Wildlife Southern Circle, Peshawar.
 4. Divisional Forest Officer, Wildlife, Mansehra.
 5. Chief Conservator Wildlife, Khyber Pakhtunkhwa, Peshawar.
- ... (Respondents)

APPEAL AGAINST THE ORDER DATED 29.07.2015 PASSED BY RESPONDENT NO.5 WHEREBY RESPONDENT NO. 5 REJECTED THE APPEAL/REPRESENTATION FILED BY THE APPELLANT AGAINST THE ADVERSE REMARKS PASSED/ENTERED BY THE RESPONDENT NO. 4 IN THE ANNUAL CONFIDENTIAL REPORT OF THE APPELLANT FOR THE PERIOD FROM 01.01.2014 TO 10.07.2014.

Mr. Sajjad Ahmed Abbasi, Advocate.

.. For appellant.

Mr. Muhammad Bilal Khan, Deputy District Attorney

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI

.. MEMBER (JUDICIAL)

MR. AHMAD HASSAN

.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Appellant

alongwith his counsel present. Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith Mr. Khursheed Abbasi, SDFO for the respondents present.

Arguments heard and record perused.

2. Brief facts of the case as per present service appeal are that the appellant was serving in Wildlife Department as Senior Clerk. The appellant received a

*Mr. Amin in
20.2.2019*

letter dated 08.06.2015 issued by respondent No. 3 wherein adverse remarks against the appellant was recorded in the Annual Confidential Report of the appellant pertaining to the period from 01.01.2014 to 10.07.2014. The appellant filed departmental appeal on 13.07.2015 which was rejected on 29.07.2015 and the same was communicated to the appellant on 18.08.2015 as alleged by the appellant in the prayer of appeal hence, the present service appeal on 17.09.2015.

3. Respondents were summoned who contested the appeal by filing written reply/comments.

4. Learned counsel for the appellant contended that the appellant was serving as Senior Clerk in the Wildlife Department Mansehra. It was further contended that the appellant is serving in Wildlife Department for the last 20 years honestly, diligently and never indulged in any illegal activities. IT was further contended that the adverse remarks against the appellant ware baseless. It was further contended that during twenty years service not a single person has submitted a complaint against the appellant. It was further contended that the appellant performed his duty with the satisfaction of his superior. It was further contended that the adverse remarks pertain to the period with effect from 01.01.2014 to 10.07.2014 but the appellant received the same on 08.06.2015 through a letter of respondent No. 3 therefore, the adverse remarks was not communicated to the appellant within the stipulated period prescribed by the rules. It was further contended that no warning or counseling was issued prior to the adverse remarks recorded against the appellant pertaining to the period from 01.01.2014 to 10.07.2014. It was further contended that the adverse remarks recorded in the aforesaid annual confidential report of the appellant was without counseling, warning and any complaint and thus the same is not sustainable in

M. Amin
20.2.2019

the eyes of law therefore, the adverse remarks recorded in the aforesaid annual confidential report of the appellant are liable to be expunged.

5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the reporting officer as well as counter signing officer are in a better position to evaluate the performance of the subordinate staff than this Hon'ble court. It was further contended that the impugned adverse remarks has been issued after fulfilling all codal formalities therefore, prayed for dismissal of appeal.

6. Perusal of the record reveals that that adverse remarks in the Annual Confidential Report of the appellant was recorded in the year 2014 but the appellant was communicated the said adverse remarks for the first time in the month of June 2015 as reveled from the available record although it was mandatory upon the respondents to convey the adverse entry to the appellant within the stipulated period but the respondents have not conveyed the same to the appellant/^{Furthermore} There is nothing on the record to show that any counseling or warning was issued to the appellant at the proper time before recording the adverse remarks in the ACR of the appellant. ^{Therefore} Furthermore, the adverse entries are liable to be expunged. In this regard reliance is also made on 1999 PLC (C.S) 447 wherein it has been held

----Adverse remarks -----Expunction----Adverse
 remark viz. "below average and "not a wiling worker" were
 recorded in the Annual Confidential Report of civil servant
 for relevant year without bringing to the notice of civil
 servant at proper time that his performance lacked something
 which he might remove before the year closed up---before
 giving adverse entries in-Annual Confidential Report,
 counseling at proper time was essential---No document

M. Amin
 20.2.2019

having been appended by Authority showing that such requirement was adequately met with, adverse remarks against civil servant were untenable in absence of such a timely warning, civil servant could not be condemned at the fag-end of the year concerned and the impugned adverse remarks were expunged in circumstances.

It was also held in 1999 PLC (C.S) 624 Supreme Court (Azad Jammu and Kashmir)

(d) Civil Service-

---- Annual Confidential Report----Adverse entries Competency----Annual Confidential Report of Civil servant for the year 1985-86 were conveyed to civil servant in 1990---- Effect---- Incumbent upon Authority concerned to convey adverse annual confidential reports to civil servant within thirty days--- Adverse remarks against civil servant in his Annual Confidential Report, could not be read against him in circumstances.

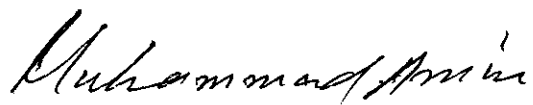
7. As a sequel to above discussion, we are constrained to accept the appeal and the adverse remarks recorded against the appellant in his ACR for 01.01.2014 to 10.07.2014 are expunged. Parties are left to bear their own costs.

File be consigned to the record room.

ANNOUNCED
20.02.2019



(AHMAD HASSAN)
MEMBER
CAMP COURT ABBOTTABAD

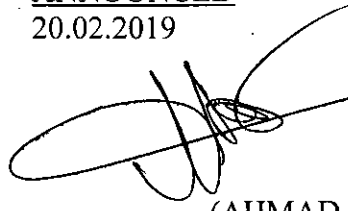

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT ABBOTTABAD

20.02.2019

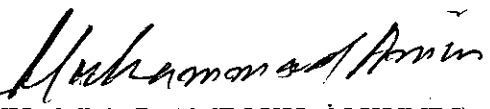
Appellant alongwith his counsel present. Mr. Muhammad Bilal Khan, Deputy District Attorney alongwith Mr. Khursheed Abbasi, SDFO for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of four pages placed on file, we are constrained to accept the appeal and the adverse remarks recorded against the appellant in his ACR for 01.01.2014 to 10.07.2014 are expunged. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
20.02.2019



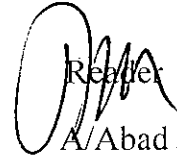
(AHMAD HASSAN)
MEMBER
CAMP COURT ABBOTTABAD



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT ABBOTTABAD

14.11.2018

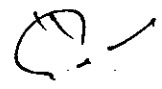
Counsel for the appellant present. Due to retirement of the Hon'ble Chairman the Service Tribunal is incomplete. Tour to Camp Court Abbottabad has been cancelled. To come up for the same on 17.01.2019 at camp court Abbottabad.


Reffer
A/Abad

17.01.2019


Learned counsel for the appellant and Mr. Muhammad Bilal learned Deputy District Attorney present. Learned Deputy District Attorney requested for adjournment. Adjourn. To come up for arguments on 20.02.2019 before D.B at Camp Court Abbottabad.

Member


Member
Camp Court A/Abad

19.07.2018

Appellant Mr. Faraz Gul alongwith his counsel Mr. Sajjad Ahmad Abbasi, Advocate present. Mr. Khursaid Abbasi, SDFO on behalf of the respondents alongwith Mr. Usman Ghani District Attorney. Due to load shedding for the entire day, arguments could not be heard. To come up for arguments on 19.09.2018 before the D.B at camp court, Abbottabad.


Member


Chairman
Camp Court, A/Abad

18.09.2018

Mr. Abdul Qayum, Advocate is present on behalf of learned counsel for the appellant Mr. Sajjad Ahmad Abbasi, Advocate present. Mr. Khursheed Abbasi, SDFO Wildlife alongwith Mr. Usman Ghani, District Attorney for the respondents present. The above named junior to counsel for the appellant requested for adjournment as learned senior counsel for the appellant is busy in the Hon'ble High Court and is not in a position to attend the Tribunal. Granted. To come up for arguments on 14.11.2018 before the D.B at camp court, Abbottabad.



Member


Chairman
Camp court, A/Abad

18.01.2018

Appellant in person and Mr. Muhammad Bilal, DDA alongwith Mr. Khushi Muhammad, SO for respondents present. Rejoinder submitted. Counsel for the appellant is not in attendance. Appellant seeks Adjournment. Adjourned. To come up for arguments on 21.03.2018 before D.B at camp court Abbottabad.


Member


Chairman
Camp court, A/Abad.

21.03.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Khursheed Abbasi, SDFO for the respondents present. ~~Counsel for the appellant requests adjournment. To come up for on argument on the 23-05-18 at CC A/Abad.~~


Member


Chairman
Camp court, A/Abad

23.05.2018

Appellant Faraz Gul in person present Mr. Sohail Ahmad Zeb, Assistant (Litigation) alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Requested for adjournment as senior counsel for the appellant named above has gone to village to attend funeral ceremony of his close relative.

Request is accepted. Case to come up for arguments on 19.07.2018 before the D.B. at camp court, Abbottabad.


Member


Chairman
Camp court, A/Abad


24.11.2016

Agent of counsel for the appellant and Mr. Munsif Ali, SDFO alongwith Mst. Bushra Bibi, Government Pleader for respondents present. Written reply submitted. Cost of Rs. 1000/- paid and receipt obtained from appellant. The appeal is assigned to D.B for rejoinder and final hearing for 19.04.2017 at camp court, Abbottabad.


Chairman
Camp Court, A/Abad

19.04.2017


Appellant with counsel and Mr. Akhlaq Ahmad, Range Officer alongwith Mr. Muhammad Bilal, Government Pleader for the respondents present. Rejoinder not submitted. Seeks adjournment. To come up for rejoinder and final hearing before the D.B on 17.10.2017 at camp court, Abbottabad.


Chairman
Camp court, A/Abad

17.10.2017

Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. To come up for rejoinder and arguments before the D.B on 18.01.2017 at camp court, Abbottabad.


Member


Chairman
Camp court, A/Abad.

17.03.2016

Appellant in person, M/S: Abdur Rashid, SDWO and Irshad Muhammad, SO alongwith Mr. Muhammad Saddique, Sr. GP for respondents present. Requested for adjournment. To come up for written reply/comments on 23.6.2016 before S.B at Camp Court A/Abad.

23.06.2016

Agent of counsel for the appellant and Mr. Muhammad Siddique Sr.GP present. No representative present on behalf of the respondents. Learned Sr.GP requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 19.08.2016 before S.B at camp court, Abbottabad.


Chairman


Camp Court A/Abad


Chairman

Camp court, A/Abad,

19.08.2016

Appellant in person and Mr. Muhammad Siddique Sr.GP for the respondents present. Representative of the respondents is not in attendance nor written reply submitted despite repeated opportunities including last opportunity. Last opportunity is further extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 24.11.2016 before S.B at camp court, Abbottabad.


Chairman

Camp court, A/Abad.

16.11.2015

None present for appellant. Notice to counsel for the appellant be issued for preliminary hearing for 14.12.2015 before S.B at Camp Court A/Abad.



Chairman
Camp Court A/Abad.

14.12.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Senior Clerk in Wildlife Department and has put in about 20 years service. That Performance Evaluation Report of the appellant for the period commencing from 1.1.2014 to 10.7.2014 was marked as adverse which was communicated on 8.6.2015 where against appellant preferred departmental appeal on 13.7.2015 which was rejected on 29.7.2015 and communicated to the appellant on 18.8.2015 and hence the instant service appeal on 17.9.2015.

That the adverse remarks are likely to affect the terms and conditions of service of appellant and, moreover, the same are liable to be set aside as the same are against facts and law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 17.3.2016 before S.B at Camp Court A/Abad.


Chairman
Camp Court A/Abad

Appellant Deposited
Security & Process Fee

FORM-A

FORM OF ORDER SHEET

Court _____

Case No. 1025 / 2015

	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	17.09.2015	<p>The appeal of Mr. Faraz Gul presented to-day by Mr. Sajjad Ahmad Abbasi, Advocate, Advocate, may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
	21-9-15	<p>This case be put up before the S.Bench at camp court, Abbottabad for preliminary hearing on <u>20-10-15</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
	20.10.2015	<p>None present for appellant. The appeal be relisted for preliminary hearing for 16.11.2015 before S.B at Camp Court A/Abad.</p> <p style="text-align: right;"><i>[Signature]</i> Chairman Camp Court A/Abad.</p>

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1025 /2015

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL


INDEX

<i>S. #</i>	<i>Description</i>	<i>Page No.</i>	<i>Annexure</i>
1.	Appeal alongwith affidavit.	1 to 7	
2.	Addresses of the parties	8	
3.	Application for condonation of delay	9 to 10	
4.	Copy of letter	//	"A"
5.	Copy of representation	12 to 14	"B"
6.	Copy of order	15	"C"
7.	Wakalatnama.	16	


....APPELLANT

Dated: 14-9- /2015

Through;


(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad.

1

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1025 /2015

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

S.W.P. Province
Service Tribunal

Diary No. 1084

Dated 17-9-15

1. Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar.
2. Govt. of Khyber Pakhtunkhwa, through Secretary Finance, Peshawar.
3. Conservator Wild Life Southern Circle, Peshawar.
4. Divisional Forest Officer, Wild Life, Mansehra.
5. Chief Conservator Wild Life, Khyber Pakhtunkhwa, Peshawar.

...RESPONDENTS

APPEAL AGAINST THE ORDER DATED 29/07/2015
PASSED BY RESPONDENT NO. 5, WHEREBY
RESPONDENT NO. 5 REJECTED THE APPEAL/
REPRESENTATION FILED BY THE APPELLANT
AGAINST THE ADVERSE REMARKS PASSED/
ENTERED BY THE RESPONDENT NO. 4 IN THE

17/9/15.

ANNUAL CONFIDENTIAL REPORT OF THE
APPELLANT FOR THE PERIOD FROM 01/01/2014
TO 10/07/2014.

PRAYER: ON ACCEPTANCE OF THIS APPEAL,
THE ORDER PASSED BY RESPONDENT NO. 5
DATED 29/07/2015 (COMMUNICATED TO
APPELLANT ON 18/08/2015) AND THE ADVERSE
REMARKS PASSED/ ENTERED IN THE A.C.R OF
THE APPELLANT FOR THE PERIOD FROM
01/01/2014 TO 10/07/2014 BE SET ASIDE/
EXPUNGED.

Respectfully Sheweth:-

1. That the appellant is serving in Office of Wild Life, Mansehra as senior clerk Divisional Forest Officer, Wild Life Division, Mansehra.
2. That the appellant is serving in Wild Life Department for the last 20 years, honestly, diligently, and never indulged in any illegal activity.

3. That on 08/06/2015 the respondent No. 3 issued a letter bearing No. 1070WL(SC) dated 08/06/2015 in the name of appellant wherein it was shown that "Adverse remarks against the appellant were recorded in the ACR of the appellant pertaining to the period from 01/01/2014 to 10/09/2014. Copy of letter is annexed as Annexure "A".
4. That on 13/07/2015 the appellant filed a representation/ appeal before the higher authority i.e conservator Wild Life Southern Circle, Peshawar against the adverse remarks recorded in appellant's ACR. Copy of representation is annexed as Annexure "B".
5. That on 29/07/2015, the Conservator of Wild Life Southern Circle, Peshawar dismissed the representation/ appeal filed by the appellant. Copy of order is annexed as Annexure "C".
6. That the adverse remarks recorded in the ACR of the appellant for the period from 01/01/2014 to 10/09/2014 and the order dated 29/07/2015 passed by the Conservator of Wild Life Southern Circle, Abbottabad are wrong, against facts, law and are liable to be set aside/ expunged (Copy of decision was

communicated to appellant on 13/08/2015), inter-alia, on the following amongst other grounds:-

GROUNDS:-

- a. That the adverse remarks are devoid of any details and reasons upon which the adverse remarks are based.
- b. That the adverse remarks are baseless. No adverse report was ever communicated to the appellant.
- c. That the appellant is serving the department honestly and diligently for the last 20 years and there is no evidence on record against the appellant which could support the allegation leveled against the appellant. Not a single person has ever complained against the appellant for indulging in corruption or corrupt practices. Nor any substantial allegation has ever been leveled or proved against appellant.
- d. That the appellant worked according to the satisfaction of his superiors, and so far so subordinates are concerned they have never

complained against the appellant regarding appellant's behaviour and integrity.

- e. That the appellant had a record of 19 years unblemished service.
- f. That before recording of adverse remarks in appellant's ACR, the appellant never received any warning or counseling from the reporting authority.
- g. That the adverse remarks in appellant's ACR are not recorded by the competent authority.
- h. That the adverse remarks were not communicated to the appellant within the prescribed limit of time and the same are apparently biased and malafide and are baseless.
- i. That the adverse remarks against the appellant are not supported by any evidence.
- j. That the adverse remarks recorded against the appellant are not sustainable and are liable to be expunged.

It is, therefore, humbly prayed that on acceptance of this appeal, the order passed by respondent No. 5, dated 29/07/2015 (Communicated to appellant on 18/08/2015) be set aside and the adverse remarks passed/ entered in the ACR of the appellant for the period from 01/01/2014 to 10/07/2014 be set aside/ expunged.



Faraz Gul
...APPELLANT

Dated: 14-9-2015

Through;



(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad.

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



...APPELLANT

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra, do hereby solemnly affirm and declare on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


DEPONENT

Identified By:-


(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

ADDRESSES OF THE PARTIES

Respectfully Sheweth:-

Addresses of the parties are as under:-

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar.
2. Govt. of Khyber Pakhtunkhwa, through Secretary Finance, Peshawar.
3. Conservator Wild Life Southern Circle, Peshawar.
4. Divisional Forest Officer, Wild Life, Mansehra.
5. Chief Conservator Wild Life, Khyber Pakhtunkhwa, Peshawar.

...RESPONDENTS


....APPELLANT

Dated: 14-9-2015

Through;



(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad.

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. _____/2015

Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Forest Department, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

APPLICATION FOR CONDONATION OF DELAY
IN FILING THE APPEAL.

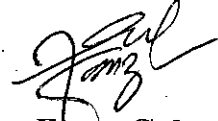
Respectfully Sheweth;-

1. That the titled appeal is being filed before this Honourable Tribunal.
2. That although as per record the departmental appeal filed by the appellant was rejected on 29/07/2015 but decision was not communicated to appellant in time.
3. That the order dated 29/07/2015 passed by respondent No. 5 was first time communicated to the appellant on 18/08/2015.
4. That soon thereafter this appeal is being filed.
5. That the delay in filing appeal cannot be attributed to the appellant as no information of order dated

29/07/2015 was ever communicated to appellant before 18/08/2015.

6. That there is no willful delay in filing the appeal.

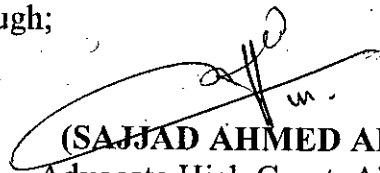
It is, therefore, humbly prayed that on acceptance of this appeal, the delay if any agitated before this court in filing appeal be condoned.



Faraz Gul
...APPELLANT

Dated: 14-9-2015

Through;



(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad

AFFIDAVIT:-

I, Faraz Gul son of son of Gharib Nawaz, Senior Clerk Wild Life, Mansehra, do hereby solemnly affirm and declare on oath that the contents of forgoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



DEPONENT

Identified By:-



(SAJJAD AHMED ABBASI)
Advocate High Court, Abbottabad

OFFICE OF THE CONSERVATOR WILDLIFE SOUTHERN CIRCLE, PESHAWAR.

To

Mr. Faraz Gul Senior Clerk C/O
Divisional Forest Officer Wildlife Manshra

ANNEXURE A

11

No. /WL(SC) dated Peshawar the 27/06/2015

Subject:- ADVERSE REMARKS RECORDED IN THE PERFORMANCE EVALUATION REPORTS FOR THE PERIOD FROM 1-1-2014 TO 10-7-2014

The following adverse remarks have been recorded by the Reporting Officer in your performance Evaluation Report for the period from 1-1-2014 to 10-7-2014.

1. PART-II A. PERFORMANCE
S.No. 01 Below Average (C)
S. No.02 Below Average (C)
S.No.03 Poor (D)
S.No.04 Poor (D)

B-PERSONAL TRAITS
S.No.05 Below Average (C)
S.No.06 Below Average (C)
S.No.07 Poor (D)
S.No.08 Below Average (C)
S.No.09 Below Average (C)
S.No.10 Poor (D)
S.No.13 No
S.No.14 No
2. PART-III
S.No.(d) Not yet fit for promotion?
3. PART IV
(iv) Below Average?

PEN PICTURE:

The overall performance during the period remained poor and unsatisfactory.

You are directed to note the said remarks for improving your efficiency, official work and conduct. This will be in your own interest to follow the instructions.

Please acknowledge the receipt.

Conservator Wildlife Southern Circle
Peshawar

No. 10709 /WL (SC)

Three copies forwarded to Divisional Forest Officer Wildlife Manshra for information and communication to the concerned subordinate. One copy may be handed over to the subordinate concerned whose acknowledgement should be obtained on the remaining two copies. One copy bearing his acknowledgement should be returned to this office and the other be placed in Divisional copy of his character roll. A copy of Performance Evaluation Reports of Mr. Faraz Gul, Senior Clerk for the period from 01-01-2014 to 10-7-2014 duly countersigned is also forwarded to Divisional Forest Officer Wildlife Manshra for record in his office.

[Signature]
Conservator Wildlife Southern Circle
Peshawar

OFFICE OF THE DIVISIONAL FOREST OFFICER MANSEHRA WILDLIFE DIVISION
MANSEHRA

ANNEXURE B²
(12)

To


The Conservator Wildlife
Southern Circle
Peshawar.

No. 48 /WL-M dated Mansehra the 13 -07-2015..

Subject: ADVERSE REMARKS RECORDED IN THE PERFORMANCE
EVALUATION REPORT FOR THE PERIOD FROM 01-01-2014 TO 10-
07-2014.

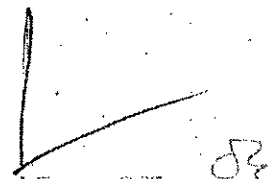
Reference: This office letter No.1325/WL-M dated 15-06-2015.

Enclosed please find herewith an appeal against adverse remarks PER/ACR for the periods 01-01-2014 to 10-07-2014, furnished by Mr. Faraz Gul Senior Clerk of this Division for favour of kind information and further necessary action please.


Divisional Forest Officer
Mansehra Wildlife Division
Mansehra 2

No. 49 /WL-M

Copy forwarded to Mr. Faraz Gul Senior Clerk for information.


Divisional Forest Officer
Mansehra Wildlife Division
Mansehra 2

13

The Conservator Wildlife,
Southern Circle, Peshawar.

Annexure B

Through Proper Channel.

Subject: **ADVERSE REMARKS RECORDED IN THE PERFORMANCE
EVALUATION REPORT FOR THE PERIOD FROM 01.01.2014
TO 10.07.2014**

REFERENCE: Your letter No.10707/WL(SC) dated 08.06.2015.

Dear Sir,

I have the honour to submit that the adverse remarks recorded in my ACR for the period from 01-01-2014 to 10-07-2014 is the result of personnel grudges without any base. In this connection the following few lines are submitted for your kind perusal:-

1. I am single handedly running the office business of the Mansehra Wildlife Division since last five years to the entire satisfaction of my superior and no charges of inefficiency has been leveled against me.
2. Prior to this report none of the reporting officer including Mr. Muhammad Hussain has written such an adverse report of the undersigned.
3. As compared to other Wildlife Divisions where sufficient ministerial staff including Head Clerk, Steno Grapher, Senior Clerk and junior Clerk have been provided where as in Mansehra I am the lonely senior Clerk running the office affair's in on unfriendly and tense atmosphere. This naturally results in committing mistakes and confusion.
4. In May 2014, this very reporting Officer broke Locks of two of my official Almeries and draws where I used to keep vouchers, cheques book and service books in my absence and took away all the vouchers and cheques book. On my arrival he not only insulted me but also threatened of dire consequences besides shunting me out of the office. In the circumstances I was left with no option but to inform my Conservator Wildlife Southern Circle of the situation. On listening to my request he advised me to submit written report of the incident. I accordingly submitted the same report in written on which an enquiry was ordered by the then Chief Conservator of Wildlife. All this process agitated the ex DFO Wildlife Mansehra and he on that occasion also threatened me of his revenge.

Handwritten signature

14

In light of above exposition it is crystal clear that the adverse remarks recorded in my ACR are the result of personnel grudges and merits to be expunged in the name of justice and save service career of a poor low paid employee of the department. I kindly be provided an opportunity of personnel hearing.

In the end I once againen sure you of my services to the department with the same zeal and devotion in future as well.

Thanking you in anticipation please.

Yours faithfully

**Faraz Gul
(Senior clerk)**

Mansehra Wildlife Division

OFFICE ORDER NO 03 /WL(SC) DATED PESHAWAR THE 29-07 2015 ISSUED
BY DR. MOHSIN FAROOQUE CONSERVATOR WILDLIFE SOUTHERN
CIRCLE PESHAWAR

(15)

ANNEXURE C

Adverse entries in the Performance Evaluation Reports of Mr. Faraz Gul Senior Clerk of Mansehra Wildlife Division for the period from 1-1-2014 to 10-7-2014 were recorded by Mr. Muhammad Hussain-I. Divisional Forest Officer Wildlife (reporting officer). The official submitted an appeal and consequently comments of the Reporting Officer were obtained on his appeal.

Contentions of the official were based on presumption that he is the only dealing hand in running the office and the reporting officer has malafide intentions against the official reported upon: which are not based on facts. The office of the Divisional Forest Officer Wildlife Mansehra has been provided with sufficient manpower through local arrangement and also the point raised against the reporting officer has been quashed through proper enquiry.


The appellatant is directed to give up the complaining attitude and mend his ways to avoid complications in future. Thus the appeal stands rejected.

Dr. Mohsin Farooque
Conservator Wildlife Southern Circle
Peshawar

No 394-97/WL(SC)

Copy forwarded for information and necessary action to:-

1. Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar.
2. Divisional Forest Officer Wildlife Mansehra
- ✓ 3. Official Concerned.
4. Office order file for record.


Conservator Wildlife Southern Circle
Peshawar
29/7/15

DBA NO. 107
 BC No. 10-1121
 Name of Advocate سکھار احمد علی سی

S.No 11827



16

District Bar Association
 Abbottabad

وکالت نامہ

بعدالت سروس سزبوزل RPK پیشاور
 عنوان: سزبوزل
 منجانب: اہل عدالت
 نوعیت مقدمہ Service Appeal
 باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطہ بیروی وجود ہی برائے پیشی یا تصفیہ مقدمہ بمقام ایسے آبار کے لیے
 سجاد احمد سکھار احمد علی سی کو
 کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بروقت پکارے
 جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر منظر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ
 سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے
 علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ
 سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے
 کسی معاوضہ کے ادا کرنے یا مجتاذ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف
 مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل گمرانی و ہر قسم
 درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے
 اور ہر قسم کے بیان دینے اور اس پر ثانی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیر و نجات
 از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کسٹرز درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب
 موصوف کو بشرط ادائیگی علیحدہ مجتاذہ بیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے
 کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں
 وہی اور ایسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف
 کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ
 کی بیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 14/9/15
 دن 14 ماہ 9 سال
 مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

فازانہ (1)

Accepted
 14.9.15

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP
COURT ABBOTTABAD SERVICE APPEAL NO 1025/2015**

Mr. Faraz Gul S/o Gharib Nawaz, Senior Clerk Wildlife Department

.... (Appellant)

VERSUS

**Government of Khyber Pakhtunkhwa through Secretary Forestry, Environment
and Wildlife Department, Peshawar and Others**

..... (Respondents)

Respectfully Sheweth:

Para wise comments on behalf of respondent's No 1,2,3,4 and 5.

Preliminary Objections:

1. That the appellant has got no cause of action to file the present appeal.
2. That the appellant has not come to this Honorable tribunal with clean hands.
3. That the appellant is estopped by his own conduct.
4. That the appeal is bad in its present form.
5. That the appeal is time barred.
6. That the appellant has suppressed the original facts from this Honorable Tribunal hence not entitled for any relief and appeal is liable to be dismissed.
7. That the order passed by the authority after fulfillment all the codal formalities hence the appeal is liable to be dismissed without any further proceeding.


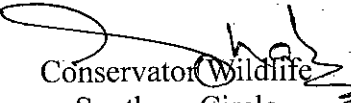
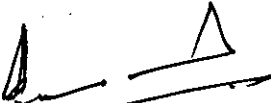
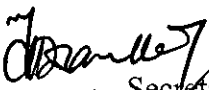
ON FACTS

1. Correct
2. Incorrect. Though the appellant has 20 years service at his credit but in fact through out most of the times he remained absent from duty. The absence from duty was treated as leave without pay by the authority but the appellant has managed that the entry regarding leave without pay should not be made in his service book. Mr. Muhammad Hussain, the then Divisional Forest Officer, Wildlife Mansehra as a competent authority at that time sent charge sheet and memo of allegation to Conservator Wildlife Southern Circle, Peshawar with the request to appoint an enquiry officer to conduct an inquiry against the accused. In this respect Mr. Muhammad Faique Khan Divisional Forest Officer Wildlife Abbottabad was appointed as inquiry officer to conduct an inquiry and submit his findings. The inquiry officer proved the accused official as a guilty of the charges leveled against him. The accused was given full opportunity in his defense but he failed to prove him self innocent and the inquiry officer in his findings recommended a minor penalty of with holding of one year increment for a specific period. The competent authority also served show cause notice to the accused official for personal hearing but he again failed to provide proof against the charges, and the competent authority agreed with the finding of inquiry officer.
3. It is incorrect in fact the overall performance during the period 01-01-2014 to 10-07-2014 remained poor and unsatisfactory in this regard the reporting officer has recorded the adverse remarks in the Performance Evaluation Report of the appellant.
4. Correct
5. Correct. After getting comments from the reporting officer the Conservator Wildlife Southern Circle, Peshawar has rejected the appeal.
6. Incorrect, the order passed on by the Conservator Wildlife Southern Circle, Peshawar after thorough examination of the office record, comments of the reporting officer and reply of appellant.

GROUND

- a. Incorrect due to poor performance and unsatisfactory work adverse remarks recorded by the reporting officer in the ACR of the appellant.
- b. Incorrect. The adverse remarks recorded in the performance evaluation report for the period 01-01-2014 to 10-07-2014 of the appellant has communicated in time vide Conservator Wildlife Southern Circle, Peshawar office letter No 10607-10608WL (SC) dated 08-06-2015.
- c. As explained vide Sr. No 2 of the appeal.
- d. As explained above
- e. Incorrect
- f. Incorrect
- g. Incorrect
- h. Incorrect As explained Juz (B) above.
- i. Incorrect
- j. Incorrect

In view of the above ex-position it is quite clear that neither the injustice has been made to the appellant / petitioner nor the merit has been ignored. It is therefore, most humbly prayed that on acceptance of above reply the appeal may graciously be dismissed.

 Divisional Forest Officer Mansehra Wildlife Division Mansehra	 Conservator Wildlife Southern Circle Peshawar 25.8.16
 Chief Conservator Wildlife Khyber Pakhtunkhwa Peshawar	 Secretary Forestry, Environment & Wildlife Department Khyber Pakhtunkhwa Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP
COURT ABBOTTABAD SERVICE APPEAL NO 1025/2015**

Mr. Faraz Gul S/o Gharib Nawaz, Senior Clerk Wildlife Department.....(Appellant)

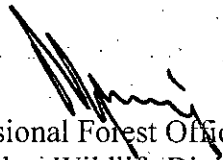
VERSUS

**Government of Khyber Pakhtunkhwa through Secretary Forestry, Environment
and Wildlife Department, Peshawar and Others..... (Respondents)**

AFFIDAVIT

I, Mr. Muhammad Faique Khan Divisional Forest Wildlife Mansehra do hereby solemnly affirm and declare on oath that all contents of accompanied comments / reply are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this honorable court.

Deponent


Divisional Forest Officer
Mansehra Wildlife Division
Mansehra

بعدالت خیبر پختونخواہ سروس ٹریبونل کیمپ کورٹ ایبٹ آباد

اپیل نمبر 1025/2015

فراز گل سینئر کلرک محکمہ وائلڈ لائف۔

۔۔۔ اپیلانٹ

بنام

صوبائی حکومت KPK بذریعہ سیکریٹری جنگلات ماحولیات و وائلڈ لائف ڈیپارٹمنٹ پشاور وغیرہ۔

۔۔۔ رسپانڈنٹس

جواب الجواب منجانب اپیلانٹ

جناب عالی! جواب الجواب منجانب اپیلانٹ ذیل عرض ہے۔

۱۔ فقرہ نمبر 1 غلط ہے۔ اپیلانٹ کو یہ حق ہے کہ وہ اپنے حقوق کے حصول کے لئے عدالت ہذا سے رجوع کر سکے۔

۲۔ فقرہ نمبر 2 غلط ہے۔ اپیلانٹ صاف ہاتھوں سے عدالت ہذا میں آیا ہے۔

۳۔ فقرہ نمبر 3 غلط ہے۔ اپیلانٹ کے راستے میں کوئی "Estoppel" نہ ہے۔

۴۔ فقرہ نمبر 4 غلط ہے۔ اپیل درست ہے۔

۵۔ فقرہ نمبر 5 غلط ہے۔ اپیل اندر معیاد ہے۔

۶۔ فقرہ نمبر 6 دریں صورت غلط ہے اپیلانٹ درخواست گزار کے ساتھ متعلقہ کوارٹر کی جانب انتہائی زیادتی اور

نا انصافی کی گئی ہے جس پر اپیلانٹ نے مجاز اتھارٹی کو اپیل کی جس کے منظور نہ ہونے پر انصاف کے حصول کے

لئے عدالت کا دروازہ کھٹکھٹایا جو میرا بنیادی اور قانونی حق ہے بادی النظر میں ہی میرا مقدمہ مضبوط اور قابل

رفتار ہے اور مجھے عدالت سے فوری انصاف کی قوی امید ہے۔

۷۔ فقرہ نمبر 7 غلط ہے اول میرے ساتھ رپورٹنگ آفیسر کی جانب سے زیادتی کی گئی اور بیک جنبش قلم میری ACR میں منفی تاثرات کا اظہار کیا گیا جس پر میں نے مجاز Appellate اتھارٹی کو اپیل کی تاہم مجھے شدید مایوس کیا گیا جس پر مجبوراً مجھے متعلقہ فورم یعنی عدالت ہذا Competant Court سے رجوع کرنا پڑا۔

عذرات واقعاتی؛

۱۔ -No Comments

۲۔ فقرہ نمبر 2 جس طرح ترتیب دیا گیا غلط ہے 20 سالہ طویل سروس کیریئر میں مدعی کبھی بھی Leave Without Pay نہیں لی۔ ہمیشہ Punctual رہا ہے۔ یوں فقرہ ہذا احتجاج ثبوت ہے اگر مدعی غیر حاضر رہتا تو اس عرصہ کے دوران Reporting Officer لازمی طور پر اس کا اندراج سروس بک میں کرتے۔ سروس ریکارڈ اس حوالے سے خاموش ہے جو اس بات کی غمازی ہے کہ پیرا ہذا من گھڑت اور خلاف واقعات ہے باقی فقرہ اس حد تک درست ہے کہ اس وقت کے DFO محمد حسین نے من اپیلانٹ کے خلاف انکو آڑی کی بابت کنزرویٹو صاحب کے آفس کو تحریر کیا جس پر متعلقہ کواٹر نے محمد حسین صاحب کے ایک دوسرے Colleague ڈی ایف او محمد فائق خان کو انکو آڑی آفیسر مقرر کیا من سائل نے بحیثیت ملازم ماتحت مذکورہ آفیسر سے بھرپور تعاون کیا اور جملہ حقائق ان کے سامنے رکھے تاہم نامعلوم وجوہات کی بناء پر انکو آڑی آفیسر نے اپنے ہمسر DFO کو Favour دیا اس طرح میرے ساتھ انکو آڑی آفیسر کی جانب سے بھی زیادتی ہوئی۔ Show Cause نوٹس کا باقاعدہ جواب دیا گیا تھا۔

۳۔ حکمانہ جواب غلط ہے اس ضمن میں میری اپیل کا پیرا نمبر 3 ہر لحاظ سے درست ہے ریکارڈ ملاحظہ فرمایا جاسکتا ہے۔

۴۔ محتاج جواب نہ ہے۔

۵۔ فقرہ نمبر 5 کے جواب میں عرض ہے کہ اپیل غلط طور پر Reject کی گئی تھی۔ البتہ جب اسی آفیسر جس نے من سائل کی ACR میں منفی تاثرات کا اظہار کیا تھا سے Comments لینے کی ضرورت نہیں تھی۔

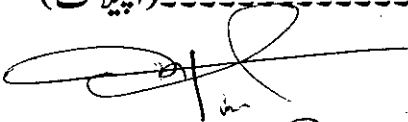
۶۔ فقرہ نمبر 16 اپیل من اپیلانٹ ہر لحاظ سے درست اور حقیقت پر مبنی ہے۔

جواب گراؤنڈ:

- a فقرہ اپیل من سائل درست ہے محکمانہ جواب غلط اور محتاج ثبوت ہے۔
- b فقرہ اپیل من سائل درست ہے جواب مسئول علیہ محتاج ثبوت ہے۔ ریما ریس بروقت نہیں پہنچائے گئے۔
- c فقرہ اپیل من سائل درست ہے جواب مسئول علیہ غلط ہے۔
- d فقرہ اپیل من سائل درست ہے جواب مسئول علیہ غلط ہے۔
- e فقرہ اپیل من اپیلانٹ درست ہے جبکہ مسئول علیہ کی جانب سے جواب غلط ہے۔
- f فقرہ اپیل اپیلانٹ درست ہے ACR میں لکھے گئے منفی تاثرات قانون کی نظر میں قابل Expunged ہیں کسی ملازم کو محض ایک دن کی مبینہ غیر حاضری کی پاداش میں Leave without pay کرنا تو درست ہو سکتا ہے لیکن اس آڑ میں اس کے مستقبل کو تباہ کرنا قانون کی نظر میں قرین انصاف نہ ہے۔
- g یہ کہ اپیلانٹ سنیا رٹی کے لحاظ سے اپنے کئی ہمسرے آگے ہے ACR کی موجودہ شکل بحال رہے یا مقدمہ کے Prolong ہونے کی صورت میں سائل کی پروموشن رک سکتی ہے جس سے سائل کو ناقابل تلافی نقصان ہو سکتا ہے جس سے اپیلانٹ کا 23 سال پر محیط شاندار سروس کیریئر تباہ ہو سکتا ہے۔
- استدعا ہے کہ اپیل، اپیلانٹ منظور فرمائی جاوے۔

المرقوم: 18-1-2018

فراز گل سینئر کلرک حال دفتر DFO ڈائلاکف بگرام (اپیلانٹ)



18-1-18

بیان دلنی


جن اسپیڈت دلقا بیانا ہوں کہ
محمد رائت جواب الحوائت درست اور لکھ
اور عدالت سے اس سے کوئی اور فیصلہ نہیں ہو سکتا ہے
فراز گل سینئر کلرک





AUTHORITY LETTER

Mr. **Khurshid Abbasi** Sub-divisional Wildlife Officer Mansehra is hereby authorized to attend the honorable **Service Tribunal Camp Court Abbottabad** in case title "Faraz Gul Senior Clerk V/S Govt of Khyber Pakhtunkhwa and others" on behalf of Divisional Forest Officer Wildlife Mansehra on each and every date of hearing till final decision is taken in the case by court.


Divisional Forest Officer
Mansehra Wildlife Division
Mansehra

DBA NO. 157
 BC No. 10-1121
 Name of Advocate سجاد احمد عباسی

S.No 11827



16

District Bar Association
 Abbottabad

وکالت نامہ

بعدالت سروس ٹریبونل RPK پشاور
 عنوان: فراز گل
 منجانب: ایڈووکیٹ
 نوعیت مقدمہ Service Appeal
 باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے بیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ایسے تیار کے لیے
 سجاد احمد عباسی ایڈووکیٹ کو

کو حسب ذیل شرائط پروکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا بخاندانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر ساختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کار و پیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم انتہائی یا قرقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا اینگی علیحدہ مختانہ بیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔
 مورخہ: 14/9/15
 دن 14 ماہ 9 سال
 مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Acceptance
 14.9.15

فراز گل

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 484 /ST

Dated 25 - 3 - / 2019

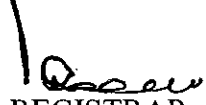
To

The Divisional Forest Officer Wild Life Department
Government of Khyber Pakhtunkhwa,
Mansehra.

Subject: - JUDGMENT IN APPEAL NO. 1025/2015, MR. FARAZ GUL.

I am directed to forward herewith a certified copy of Judgement dated 20.02.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.