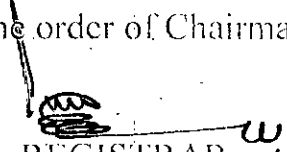


FORM OF ORDER SHEET

Court of _____

Case No.- _____

722/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
-1-	30/03/2023	<p>The appeal of Mr. Waheed Ullah presented today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 722 /2023.

Waheed UllahAppellant

Versus

Director (E&SE) Education Khyber Pakhtunkhwa,
Peshawar and others Respondents

I N D E X

S.No.	Description of documents.	Annexure	Pages.
1.	Memo of appeal		1-3
2.	Affidavit.		4
3.	Copy of appointment letter	A	5
4.	Copy of charge report	B	6
5.	Copies of departmental appeal	C	7-8
6.	Copies of service appeal and judgment dated 18.12.2022	D-E	9-16
7.	Copy of notification	F	17
8.	Wakalatnama.		


Dated: 30.03.2023

Appellant
Through


Saadullah Khan Marwat

Cell: 0311-9266609

&


Arbab Saif-ul-Kamal
Advocates,

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL.PESHAWAR.Service Appeal No. 722 /2023

Waheed Ullah s/o Gul Shah
 R/o PST at Govt. Primary School Babra No.2,
 Tehsil and District Charsadda.....Appellant

Versus

- 1) Director (E&SE) Education, near Govt. Higher School No.1 G.T. Road, Khyber Pakhtunkhwa, Peshawar.
- 2) Secretary Education, Govt. of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3) District Education Officer (Male), Charsadda..... Respondents

APPEAL U/S 4 OF THE SERVICE
 TRIBUNAL ACT, 1974 AGAINST
 APPELLATE ORDER DATED 08.03.2023 OF
 RESPONDENT NO.1 WHEREBY
 REPRESENTATION/ DEPARTMENTAL
 APPEAL WAS DISMISSED WITHOUT ANY
 LEGAL JUSTIFICATION.

Respectfully Sheweth;

- 1) That the appellant was appointed as PTC (PST) by respondent-department and was posted as such at Govt. Primary School Babra-II, Tehsil and District Charsadda. (Copy of appointment letter is attached as Annexure "A").
- 2) That after joining the post, the appellant performed his duty post regularly with zeal and enthusiasm and has never given a chance of displeasure to his superior.

- 3) That the appellant got leave for performing Umra and after performing Umra took charge of his post on 10.04.2012, at his school. (Copy of charge report is attached as Annexure "B").
- 4) That since 10.01.2012, appellant is performing duties but was not paid salaries for the services he is rendering.
- 5) That the appellant time and again requested the respondent to release the withheld salaries of the appellant but no action was taken on requests. (Copies of departmental appeal is attached as Annexure "C").
- 6) That at last the appellant preferred Service Appeal before the Hon'ble Services Tribunal vide appeal No.11007/2020, which was decided vide judgment dated 18.12.2022 by remitting the service appeal to the respondent department to decide the departmental appeal of the appellant through a speaking order under the law within a period of 30 days of the receipt of the judgment. (Copies of service appeal and judgment are attached as Annexure "D and E" respectively).
- 7) That the judgment of Hon'ble Tribunal was remitted to the respondent whereby the respondent No.1 being the appellate authority registered the departmental appeal vide order dated 09.03.2023 without following the law by referring to a provision which is not even in existence and deleted in the year 1992. (Copy of notification is attached as Annexure "F").

Hence this appeal, inter alia, on the following grounds:

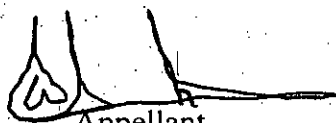
GROUNDS

- A. That receiving salaries is the fundamental right of the appellant.
- B. That the appellant was not dealt with in accordance with law.


- C. That salaries cannot be withheld of any employee.
- D. That FR-18 has been deleted in the year 1992, so referring to this provision is no more available to the respondents.
- E. That no impugned order of dismissal/ termination or even stopping of salaries is available with the respondents so withholding of salaries of the appellant is violation of the provision of the constitution.
- F. That the appellate order was not passed within time frame given by Hon'ble Tribunal so is illegal and void.
- G. That the appellant reserves the right to agitate any other ground at the time of hearing.

It is, therefore, most humbly prayed that on acceptance of this appeal, the order dated 08.03.2023 be set aside and appellant be allowed to perform his duties with the directions to the respondents to pay the appellant's withheld salaries w.e.f. 20.04.2012 till date and onwards in the interest of justice and appellant be adjusted according to his right in any of the school at Charsadda.

Dated: 30/03/2023


Appellant

Through



Saadullah Khan Marwat

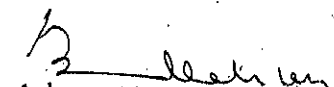
&



Arbab Saif-ul-Kamal
Advocates,

CERTIFICATE:

Certified as per information furnished by my client that no such like appeal has earlier been filed before this Hon'ble Tribunal.


Advocate

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. _____/2023


Waheed UllahAppellant

Versus

Director (E&SE) Education Khyber Pakhtunkhwa,
Peshawar and others Respondents

AFFIDAVIT

I, Waheed Ullah s/o Gul Shah R/o PST at Govt. Primary School Babra No.2, Tehsil and District Charsadda do hereby affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Deponent

CNIC No.17101-0346301-9

A 5 (5)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PESHAWAR.

H/A Bahr-Nail
G.P.S. Hain w. Lata
Gul-Shan

OFFICE ORDER:-
APPOINTMENT OF P.T.C TEACHER.

Mr; WAHEED ULLAH H. S/O Gul-Shan

candidate is hereby appointed as P.T.C teacher on Rs:750/-PM fixed in P.S NO:7 of Rs:750/-PM fixed plus usual allowances as admissible under the rules with effect from the date of his taking over charge at G.P.S Bahr Nail against vacant P.T.C post of G.P.S Bahr Nail under the following terms and conditions:-

Amr =
(A)

CONDITIONS.

1. Charge reports should be submitted induplicate to all concerned.
2. No T./DA is allowed being first appointment.
3. No joining time is allowed what is absolutely necessary for transit is allowed.
4. The appointment is purely made on temporary basis and subject to the termination at any reasons or prior notice. In case he wishes to leave the Department he shall have to submit one Month's prior notice or in lieu thereof forfeited one Month's pay and allowances to the Govt; of NWFP. His Educational qualification should be checked up before handing over the charge of his new post.
5. He should produce his health and age certificate from the Civil Surgeon, Peshawar within Seven days of reporting arrival. duty as required under the rules (F.R-10.S.4.4).
6. In case the candidate fails to take over charge within 10 days from the date of issue of this letter his appointment will stand cancelled automatically.
7. The verification roll of character and antecedent should be submitted to this office for further verification and record.
8. The candidate should not be handed over charge if his age is not between 18-25 years.
9. He should execute necessary bond and in case he is required to handle Govt; money or property.
10. The pay scale and service rules would be subject to revision in accordance with the orders to be passed by the Govt; of NWFP Peshawar from time to time.
11. He will produce Photo Stat copies of his SSC/Intermediate/IA and all other necessary documents including domicile and Identity Card to SEBC(M) concerned at the time of taking over charge.
12. He will be dealt with under P.S Rules if he violates Govt; rules and regulations.

(MOHAMMAD ZAHEER JAMIL)
DISTRICT EDUCATION OFFICER (MALE)
PESHAWAR.

ENCL: NO: 474 / Apptt; P.T.C U/T Lated Peshawar thc/ 5-4- /1988.

- Copy for information to the:-
- 1:- Sub-Divisional Education Officer (Male) Peshawar.
 - 2:- Sub-Divisional Education Officer (Male) Nowshera.
 - 3:- Sub-Divisional Education Officer (Male) Charsadda.
- } With the remarks to check-up the original documents of the candidates concerned before taking over charge of his new post.
4. Candidate of the above named concerned.
 5. PA to Director of Education (Schools) NWFP Peshawar.
 6. PS to _____
 7. PS to _____

G. L. J.
DISTRICT EDUCATION OFFICER (MALE)
PESHAWAR.

B-6

Ann - (c)

چارج رپورٹ

من مسمی و خرید دہلی PS-7 جو کہ ٹھکانے پر تھا اب دوبارہ
ٹھکانے ختم ہونے پر 20/12 کو 13/11/2014 ماٹرنہ میں آئے ٹھکانے

کا چارج دوبارہ استعمال لیتا ہوں

حکومت

چارج گریڈ

[Handwritten signature]

چارج دینک

Head Master
GPS No: 2
Dabhi

[Handwritten signature]

leaved without pay (service book entry)

starts

[Handwritten signature]

بعض حجاب ڈائریکٹر آف ریلز کی اینڈ سٹیڈی ریجنل ایجنسیوں کو ایسے

Ann-D

(8)

عنوان - حکمانہ پبلس

خطاباتی مسائل / ایپلینٹ حسب ذیل عمر فرماں ہے

۱۔ کہہ مسائل / ایپلینٹ کے مورخہ ۱۲ اپریل ۱۹۸۸ء کو محکمہ بڑا بطور بی بی سی

ٹیکر لکھی ہے اور 2-PS-2 بارہ ضلع جاری شدہ تعینات کیا گیا ہے

۲۔ کہ نہ روز ترقیاتی بطور بی بی سی ٹیکر سے تاحال مسائل / ایپلینٹ کے

دیئے فراغت منہی / ڈیوٹی / ایانداری، خلوس اور احسن طریقے

رد کرتا آ رہا ہے۔ اور بعض بھی اپنی ڈیوٹی میں کوتاہی کا مظاہرہ

پنیں کیا ہے۔ اور نہ ہی کبھی کسی بھی Misconduct کا مرتکب

۳۔ کہ سال ریٹائر ہو کر مسائل / ایپلینٹ کو فراغت کی ادائیگی

کے لئے ارشد تعافی کے جانب بلاوا ہوتا۔ تو مسائل / ایپلینٹ نے

محاز افتاری کے خدمت میں ارجحیت کی درخواست دائر کی۔

اور ۴۔ کہ ایپلینٹ کے بعد یعنی چھٹیوں کے ختم ہونے پر مسائل / ایپلینٹ

2-PS-2 بارہ اپنی پوسٹ کی طرز باقاعدہ طور سمجھی۔

۵۔ کہ مسائل / ایپلینٹ کو دفتر کسی وجہ دعوای کے دوبارہ طرز

لیفٹ سے کرتا حال اپنی Due Salaries ادا نہیں کی گئی ہے

اور دفتر کسی قانونی وجہ مسائل / ایپلینٹ کی تنخواہ بند کی

گئی ہے۔ بدین وجہ مسائل / ایپلینٹ نے متقرر ہار محاز افتاری

کو بذریعہ درخواست نامے استدعا کی ہے کہ مسائل کی Due Salaries

ادا کرنا کا حکم جاری کریں۔ اور نیز تنخواہ کے بندش کے وجوہات

سے مسائل / ایپلینٹ کو آگاہ کریں۔ کہیں اس کے باوجود بھی

ADAMS

انہوں نے اپنی محکمہ برائے نہ سائل اپیلینٹ کو اس Due Salaries ادا نہیں۔ اور
نہیں سائل اپیلینٹ کو تنخواہ کی بندش کے وجوہات سے آگاہ کیا۔

کی ہے کہ سائل اپیلینٹ بخلاف اگر محکمہ برائے کوئی بھی Adverse

حکم (جس سے انکار ہے) جاری کی ہو۔ تو وہ قانون فطرت

کی خلاف ورزی ہوگی۔ کیونکہ نہ تو سائل کو اس سے ماخبر رکھا گیا

اور نہ ساتھ حکم (جس سے انکار ہے) کو جاری کرنے سے پہلے سائل کو

کسی قسم کا Show notice دیکھ کر جاری کیا گیا ہے۔ اور تاکہ
کارروائی اگر کوئی ہو، وہ سائل اپیلینٹ علم موجودگی میں ہوگی ہوگی

کیونکہ حق دعاء سائل اپیلینٹ کا شرعی اور مروجہ قانونی حق ہے۔

بلکہ وہ اگر محکمہ تعلیم نے سائل کے خلاف کوئی Adverse حکم

جاری کیا ہو، تو اس کی کوئی قانونی وقت نہ ہے۔ اور قابل سوئی

بے اللہ اسد علیہ کہ بطور ہی اسل ایڈرا سائل اپیلینٹ کو

اسی Due Salaries کی ادائیگی حکم بہادر فرمایا جاوے۔ بصورت دیکھ

اگر کوئی Adverse order (جس سے انکار ہے) کیا گیا ہو۔ اس سے

سائل اپیلینٹ کو آگاہ کیا جاوے تاکہ وہ معاذ عدالت میں
اس کے خلاف قانونی کارہ ہوئی کر سکے۔

المکرم 20-5-20

سائل اپیلینٹ

وجید اللہ (PST) دلہا جی گلشن

20/5/2020

جی پی ایس کے بارہ تحصیل و ضلع حارسہ

محمد مدنی نعمت آباد نزد پٹرول پمپ

0313-8007474

نوشہ روڈ حارسہ

AD-AD

D 9

**BEFORE THE HONOURABLE
SERVICE TRIBUNAL, KP PESHAWAR**

Service Appeal No. _____/2020

Waheed Ullah S/o Gul Shan
PST at Govt. Primary School Babra No. 2,
Tehsil & District Charsadda

(Appellant)

V E R S U S

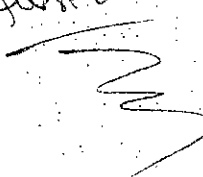
- 1) Govt. of Khyber Pakhtunkhwa through its Secretary Education, Civil Secretariat, Peshawar
- 2) Director (E&SE) Education Khyber Pakhtunkhwa, Peshawar
- 3) District Education Officer (Male) Charsadda

(Respondents)

**Appeal Under Section 4 of the Service
Tribunal Act 1974 for release of due salaries
of the appellant.**

Prayer:

**On acceptance of this appeal, the respondents
department may kindly be directed to release
the due salaries of the appellant forthwith.**

A. A. S.


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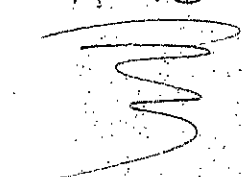
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Respectfully Sheweth,

Matrix of the case given rise to the instant appeal are under:

- 1) That on 28.04.1988 the appellant was appointed as PTC (PST) by respondents department and was posted as such at Govt. Primary School Babra No. II, Tehsil & District Charsadda. (Copy of appointment letter is annexed as Annexure A)
- 2) That after joining, the appellant performed his duty regularly with zeal and enthusiasm and with entire satisfaction of his superiors.
- 3) That in the year 2012, the appellant was granted leave for purpose of performing Umra. (copy of the visa is attached as Annexure B)
- 4) That after expiry of leave, the appellant reported for his duty and took charge of his post on 10.04.2012 and since then, he is performing his duty regularly. (Copy of charge report is attached as Annexure C)
- 5) That through, the appellant after expiry of his leave, regularly performing his duty till now but the respondents department has withheld due salaries of the appellant without any legal and cogent justification and without an order in black and white.
- 6) That the appellant time and again requested his immediate boss / respondent No. 3 for release of his due salaries but in vain.

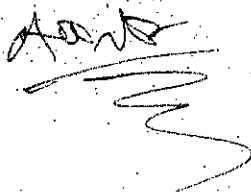
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- ③ 11
- 7) That being so, on 20.05.2020 the appellant preferred a departmental appeal before the appellate authority / respondent No. 2 but same has not been decided yet, hence this service appeal on following grounds inter alia. (Copy of departmental appeal is attached as Annexure D)

GROUNDS

- a) That act of withholding / stoppage of due salaries of the appellant by the respondents / department is against law and rules on subject, unconstitutional and even against Quran & Sunnah, hence same is liable to correct.
- b) That the appellant had performed his duty regularly, hence he has vested rights to be paid for this duties / work done. The impugned act of the respondents / department is also violative of Article 9 of the Constitution of Islamic Republic of Pakistan.
- c) That the respondents department without holding any inquiry illegally and without any justification withheld / stopped the due salaries of the appellant and in this respect, even any written order is also not in existence, i.e. there is no order in black and white in respect of stoppage of salaries of the appellant because till now the respondents department has not communicated any sort of adverse order to the appellant.
- d) That the appellant has not been treated by respondents department in accordance with law. Moreover, as per judgments of superior courts, withholding / stoppage of salaries of an employee is amount to deprive him from his life.



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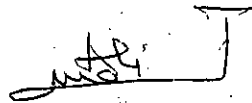
- e) That any other ground will be raised at the time of arguments with prior permission of this hon'ble tribunal.

It is, therefore, humbly requested that on acceptance of this appeal, the respondents may kindly be directed to release the due salaries of the appellant with effect from 20.04.2012 forthwith.

Any other relief which is not specifically prayed for but is more conducive in the facts and circumstances of the case may also be granted additionally.

Appellant

Through



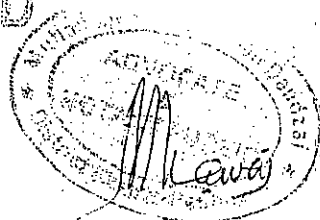
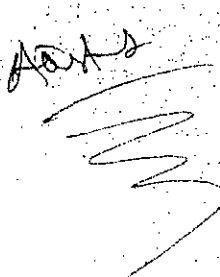
Javed Ali Mohammadzai
Advocate High Court,
Peshawar

Dated: 15.09.2020

AFFIDAVIT

I, **Waheed Ullah** S/o Gul Shan PST at Govt. Primary School Babra No. 2, Tehsil & District Charsadda, do hereby solemnly affirm and declare on Oath that the contents of instant "**Service Appeal**" are true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable court.

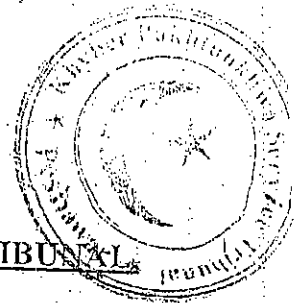
ATTESTED



15-8
2020

DEPONENT

E 13



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Service Appeal No. 11007/2020

SCANNED
KPST
Peshawar

BEFORE: SALAH UD DIN --- MEMBER(J)
MIAN MUHAMMAD --- MEMBER(E)

Waheed Ullah S/o Gul Shan PST at Govt. Primary School Babra
No.2, Tehsil & District Charsadda..... (*Appellanti*)

VERSUS

1. Government of Khyber Pakhtunkhwa through its Secretary Education, Civil Secretariat, Peshawar.
2. Director (E&SE) Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Charsadda..... (*Respondents*)

Present:

ARBAB SAIFUL KAMAL,
Advocate --- For Appellant.

ASIF MASOOD ALI SHAH,
Deputy District Attorney --- For respondents.

Date of Institution..... 16.09.2020
Date of Hearing..... 08.12.2022
Date of Decision..... 08.12.2022

JUDGEMENT

MIAN MUHAMMAD, MEMBER(E):- The instant service appeal has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with the prayer that "on acceptance of this appeal, the respondent department may kindly be directed to release the due salaries of the appellanti forthwith".

ATTESTED

02. Brief facts, as per averments in the memorandum of service appeal, are that the appellanti was appointed as PTC on 28.04.1998 and he was posted at Government Primary School

(Signature)
MEMBER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Handwritten signature and scribbles)

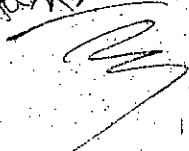
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2

Babra No. 2 Charsadda. The appellant was granted leave for the purpose of performing Umra in the year 2012 and after expiry of said leave, the appellant reported back for his duty and took over the charge on 20.04.2012 but since then his due salaries have been withheld by the respondents without any reason. Feeling aggrieved, the appellant filed departmental appeal on 20.05.2020, however the same was not responded within the statutory period hence the appellant filed the instant service appeal on 16.09.2020 for redressal of his grievances.

03. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant as well as learned Deputy District Attorney for the respondents and have gone through the record with their valuable assistance.

04. Learned counsel for the appellant contended that the appellant was granted leave for performing Umra and after expiry of the leave, the appellant duly reported back for his duty on 20.04.2012 and since then he is performing his duty. The respondents without conducting any inquiry and legal justification, have wrongly and illegally withheld salaries of the appellant. Moreover, stoppage of due salaries of the appellant is not only against the spirit but blatant violation of Article-9 of the Constitution. He further argued that the august Supreme Court of Pakistan has graciously held as reported in 2001 SCMR 1320 that

Adm


ATTESTED

EXAMINER
EDUCATION OFFICER
Babra No. 2 Charsadda

withholding/stoppage of salaries of an employee illegally and without any enquiry, tantamounts to deprive him of livelihood, therefore, respondents may be directed to release the due salaries of the appellant with effect from 20.04.2012, he concluded.

05. Learned Deputy District Attorney controverted the assertions raised in the service appeal as well as arguments of learned counsel for the appellant and contended that the appellant remained absent from duty since 2010 and reappeared in the year 2020 through an application for release of his salaries. He next argued that the appellant has not performed any duty since 2010 and he had never been granted any kind of leave by the competent authority. When the appellant did not perform any duty the department cannot pay him salary under the cardinal principle of "where there is no duty, there is no pay". His salary has therefore, been stopped w.e.f 01.04.2010 by the District Accounts Officer, Charsadda. The service appeal is unjustifiable, baseless, false, frivolous and vexatious, may be dismissed with costs, he concluded.

06. Without touching the merits of the case, we are of the considered view that departmental appeal of the appellant has remained un-responded and no appellate order has been passed thereon by the appellate authority. It is, therefore, imperative to remit the instant service appeal to the respondent department with the direction that departmental appeal of the appellant be decided through a speaking order under the relevant law and rules within

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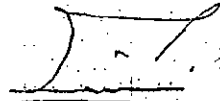
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ATTESTED
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Deputy District Attorney

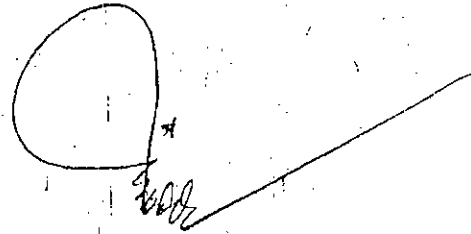
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a period of 30 days of the receipt of copy of this judgement.
Parties are left to bear their own costs. File be consigned to the
record room.

07. Pronounced in open court at Peshawar and given under
our hands and seal of the Tribunal this 08th day of December,
2022.



(SALAH UD DIN)
MEMBER (J)



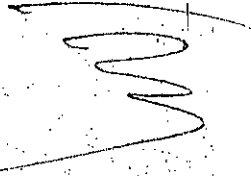
(MIAN MUHAMMAD)
MEMBER (E)

Certified to be true copy

E. A. KHAN
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 10/3/23
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**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT KHYBER PAKHTUNKHWA, PESHAWAR**

NOTIFICATION

1. Whereas, the appellant namely Mr. Waheed Ullah was appointed against the PST post vide order dated 28/04/1988 & subsequently, he was adjusted at Govt. Primary School Babara No.2 Charsadda.
2. And whereas, in the year 2010, the teacher concerned disappeared from his official duty unexpectedly without prior approval of the competent authority. Consequently, the salary of the teacher concerned was stopped by the District Account Office Charsadda in the year 2010. However, astonishingly, the appellant approached to the authority concerned for release of salary against the noted post in year 2020 which is against the mandate of law, rules & policy in vogue.
3. And whereas, feeling aggrieved, the appellant invoked the constitutional jurisdiction under Article-212 of the constitution of Islamic Republic of Pakistan through filing Service Appeal No. 11007/2020 before the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar with the prayer that the Respondents may be directed to release the due salaries of the appellant forthwith.
4. And whereas, the Honorable Khyber Pakhtunkhwa Service Tribunal decided the Service Appeal No. 11007/2020 of the appellant vide judgement dated 08/12/2022, whereby, the case of the appellant has been converted into Departmental Appeal & remitted to the Respondent Department with the directions to decide the same through a speaking order under the relevant law and rules within a period of 30 days of the receipt of the judgment.
5. And whereas, in compliance of the judgement *ibid*, the case of the appellant was referred to the meeting of Departmental Appellate Committee, held on 20-02-2023 under the chairmanship of worthy Director E&SE Department, wherein, pro & contra evidences of the case were thoroughly discussed. The committee has unanimously concluded that the appellant is not entitled to the salaries against the PST post by placing reliance on the cardinal principle of law that "where there is no duty, there is no pay" as the appellant has not performed his official duty & remained willful absent since 2010. Moreover, the appellant is not entitled to resume the charge of duty under the mandatory provision of FR.18 which states that "after five years continuous absence from duty the Government servant ceases to be a Government employee".

Now therefore, in compliance of the judgement dated 08-12-2022 of the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar, having gone through the whole case record & consulting with the recommendations of the Departmental Appellate Committee meeting, held on 20-02-2023; the undersigned, being appellate authority/Respondent No.2, in the instant case, is of the firm opinion that the appellant is not entitled to the salaries against the PST post on the ground of willful absence from official duty under the mandatory provision of FR.18, hence, the Departmental Appeal of the appellant is hereby regretted with immediate effect in the interest of public service.

**Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

Encls: No: 7077-700 /

Dated, Peshawar the: 09/12/2023

Copy forwarded for information & action to the:-

1. Learned Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Learned AAG, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
3. Additional Secretary (G) E&SE Department Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Male) Charsadda.
5. Deputy Director (Legal) E&SE Khyber Pakhtunkhwa Peshawar.
6. Official concerned.
7. Master file.

Handwritten signature
Assistant Director (Estab/M-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Handwritten signature

یعدالت چٹائی سروس ٹریڈ یونیورسٹی صوبہ سندھ ایسٹ اور

منجانب ایڈووکیٹ

مقام محکمہ تعلیم

وصیر اسٹریٹ

دعویٰ اپیل

باسمہ تعالیٰ

①

②

مستندہ سند جو عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام ایسٹ اور
کیسٹ اسٹڈنٹس خان سرور سے ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب
موسوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا نیز وکیل صاحب کو کرنے والی نامہ و تقریر ثالثہ و فیصلہ برتلاف
یہ جو جواب دہی اور اقبال دعویٰ اور لہذا ڈگری کرنے اور دوسری چیمک در پیر اور مرضی دعویٰ اور درخواست
ہر قسم کی نقد لیں اور اس پر کو غلط کر لینے کا اختیار ہوگا نیز لہذا عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی
اور مستوفی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور لہذا ضرورت مقدمہ نہ گور
کے کل یا پیروی کاروائی کے واسطے اور وکیل یا ایسٹار قانونی کو لینے پر یا اپنی بجائے تقریر کا اختیار ہوگا
اور وہ اپنے مقرر شدہ کو بھی وہی جملہ مندر کردہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پروا ختم نہلاور
قبول ہوگا اور دوران مقدمہ میں جو شرطیں و ہر جانہ التوا مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب
موسوف ہوں گے نیز لہذا دفعہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام رورہ
پر ہو یا عدست باہر ہو تو وکیل صاحب یا بندہ ہوں گے کہ پیروی مندر گور کریں۔

لہذا وکالت نامہ رکھ دیا کہ مستند ہے۔

30-03-23

المترقوم

العبد

العبد

العبد

ارباب نیفا اہمال
ایڈووکیٹ

سید علی محمد
سید محمد عثمان فرست
ایڈووکیٹ

الحمد لله

محمد نواز
ایڈووکیٹ