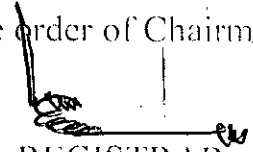


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. - \_\_\_\_\_

818/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/04/2023	<p>The appeal of Mr. Kaleem Ullah presented today by Mr. Abdul Samad Durrani Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>12-4-23</u>. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

\*

①

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

Appeal No. 818 /2023

Kaleem Ullah Khan, Naib Qasid (BPS-3) S/O Hamid Ullah Jan  
District Court Lakki Marwat.

(Appellant)

**VERSUS**

1. Registrar,  
Peshawar High Court Peshawar.
2. District & Sessions Judge, Lakki Marwat,
3. Senior Civil Judge (Admn), Lakki Marwat.
4. Departmental Promotion Committee,  
Through its Chairman, District Court Lakki Marwat.

(Respondents)

**APPEAL UNDER SECTION 4 OF THE**  
**KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL ACT, 1974 AGAINST THE ACTION**  
**AND INACTION OF RESPONDENTS, VIDE**  
**WHICH THE RESPONDENTS HAVE FAILED**  
**TO GIVE PROMOTION TO THE APPELLANT**  
**BY DEFERING PROMOTION OF CLASS-IV**  
**EMPLOYEES TO THE POST OF JUNIOR**  
**CLERKS, AGAINST WHICH THE**  
**DEPARTMENTAL APPEAL DATED 19.12.2022**  
**WAS INSTITUTED BEFORE RESPONDENT**  
**NO. 01, AND TILL DATE NO RESPONSE HAS**  
**BEEN GIVEN.**

**Prayer in Appeal: -**

On acceptance of this appeal the Respondents may kindly be directed to promote the appellant along with all other consequential relief including arrears and seniority, etc.

2

(2)

Respectfully Submitted:

Compendium of the facts from which the present appeal arises are as under:-

1. That the appellant was appointed as Naib Qasid (BPS-3) in District Court Lakki Marwat in the year 2015. It is pertinent to mention here that the appellant has M.A Qualification besides that six months diploma in computer (MS Office etc) and good typing speed. (Copies of Appointment Order and Educational Records are Annexure A & B)
2. That as per seniority list the appellant is on the top of the seniority list of Class-IV employees. (Copy of Seniority List is Attached as Annexure C).
3. That meeting of Departmental Promotion Committee was held on 26.11.2022 to consider promotion of Senior Clerks (BPS-14) on two vacant posts of Assistants (BPS-16), promotion of Junior Clerks (BPS-11) on two vacant posts of Senior Clerks (BPS-14), and promotion of Daftari & Record Lifter (BPS-5) or Class-IV (Naib Qasid, Mali, Chowkidar, Sweeper etc) (BPS-3) against the two vacant posts of Junior Clerk (BPS-11).
4. That the Departmental Promotion Committee has promoted the two Senior Clerks against the two vacant posts of Assistants, two Junior Clerks against two vacant posts of Senior Clerks but while considering the promotion against the three vacant posts of Junior Clerks, the Departmental Promotion Committee didn't even consider the appellant for the said post, while the other candidates/ employees were rejected due to their in-eligibility and guidance of Honorable Peshawar High Court were sought by the DPC for promotion against the posts of Junior Clerks amongst the Daftari & Class-IV. (Copy of Minutes of DPC is Annexure D)

3

5. That the appellant has perform his duty from his initial appointment with full devotion, zeal and zest and no complaint whatsoever regarding his performance yet by the respondents, which clearly proves that the appellant is hard working and devoted person and the appellant is well qualified for the post to be promoted but the respondents did not consider the appellant despite the fact that the appellant is in the top of the final seniority list which speaks of the Respondents' mala-fide intention, illegal, Unlawfull, without jurisdiction without law full authority, viod ab initio and ineffective upon the legal and valid rights of the appellant.
6. That the appellant throughout agitated the matter in department by filing application and departmental appeal, but the department remained reluctant and did not bothered to respond till the instant appeal. (Copy of Departmental Appeal is attached as annexure "E").
7. That feeling aggrieved form the illegal, mala-fide act of the respondents the appellant has no other option but to knock the door of this honorable Tribunal in the shape of the instant service appeal for the redressal of his grievances inter alia on the following grounds: -

#### **Grounds of Appeal:**

- A. That the appellant has not been treated in accordance with law.
- B. That the impugned minutes of meeting dated: 26.11.2022 is illegal, void abinitio, with malafide intentions, without lawful authority, jurisdiction, and ineffective upon the rights of the appellant, hence liable to be setaside.

4

- C. That the respondents have violated the rights guaranteed and secured to the appellant under the law by not promoting the appellant to the post of Junior Clerk despite having full qualification and eligible and fulfill all the criteria for the promotion.
- D. That no plausible reasons have been given while deferring the promotion for the post of Junior Clerks amongst the Class-IV, which the respondents are bound under the law to give reasons, hence the act of the Respondents is unwarranted under the law.
- E. That the appellant having high qualification and eligible for being well aware with the computer and typing knowledge, as compared to other candidates even compared to the candidates from the category of Daftari & Record lifter but despite of these important aspects, the appellant was ignored from promotion which is highly discriminatory and nullity in the eye of law.
- F. That the inaction of the Respondents to give promotion to the appellant offend the provision of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 to enjoy the protection of law and to be treated in accordance with law which is the inalienable rights of every citizen, wherever he may be, every other person for the time being within Pakistan.
- G. That the appellant has performed his duty with great zeal and devotion, hard work and till date no complaint of the appellant has registered to the respondents, in this regard guidance may be taken from the ACR's of the appellant.

(5)

H. That due to the inaction of Respondents, the appellant has been deprived from his promotion which is his inalienable right, attached to his service, as he completed 8 Years of continuous service in department more than required service for the promotion to the post of Junior Clerk. Hence the act of the Respondents i.e. not promoting the appellant is totally against the principle of Natural Justice.

I. That the act of the Respondents while determining the promotion cases without adopting proper criteria and codal requirements is against the worthy ruling of the Honorable Superior Courts of Pakistan and therefore, the same is illegal practice and such practice adversely affects efficiency of incumbents and also reduces their confidence and faith in public.

J. That the appellant had been made victim of discrimination, demerits, partiality and favoritism without any just and reasonable cause thereby offending the fundamental rights of the appellant as provided by the constitution of Islamic Republic of Pakistan, 1973.

K. That the appellant was condemned unheard, his departmental appeal was not adjudicated in the manner as provided by the law. Furthermore no chance of personal hearing was given to the present appellant in order to redress his grievances, which shows the mala-fide of the Respondents, hence needs interference of this Honorable Tribunal.

L. That the Respondents erroneously exercised their powers against judicial principles, hence, the promotion order issued by Respondents in gross violation of law is liable to be set aside.

6

M. That the other grounds will be raised, if any, at the time of arguments, with the permission of this Honble tribunal.

It is, therefore, prayed that on acceptance of this appeal, this Honorable Tribunal may graciously be please to;

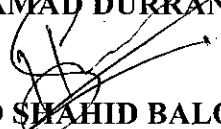
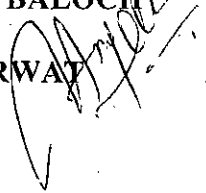
- a) Direct the respondents to give promotion to the appellant according to the seniority list.
- b) Direct the Respondents to give promotion to the appellant to the post of Junior Clerk, from 26.11:2022, along with other consequential relief including arrears, seniority, etc.
- c) Direct the Respondents to include the name of appellant in the seniority list of Junior Clerks after giving seniority to the appellant.

Any other better relief may also kindly be granted in the circumstances of the appellant's case.

Appellant

Through

  
ABDUL SAMAD DURRANI

  
SHAHZAD SHAHID BALOCH  
&  
AMJAD KHAN MARWAT  
Advocates Peshawar 

7

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2023

Kaleem Ullah Khan, Naib Qasid (BPS-3) S/O Hamid Ullah Jan  
District Court Lakki Marwat.

**(Appellant)**

**VERSUS**

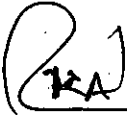
Registrar, Peshawar High Court & Others.

**(Respondents)**

**AFFIDAVIT**

*I, Kaleem Ullah Khan, Naib Qasid (BPS-3) S/O Hamid Ullah Jan District Court Lakki Marwat, do hereby solemnly affirm and declare that the contents of the above appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.*

**Deponent**

  
Kaleem Ullah Khan



Annexure 'A'

8

**OFFICE OF THE SENIOR CIVIL JUDGE, LAKKI MARWAT.**

**OFFICE ORDER.**

Consequent upon the recommendations of Departmental Selection Committee held on 3<sup>rd</sup> June 2015 under the chairmanship of the undersigned, the following candidates are hereby appointed for the posts of Naib Qasid (BP-01) mentioned against their names in the interest of public service.

S.No	Name candidates	F/Name & Address	Address	Remarks	Quota
1	Muhammad Yasin	Amir Jan	Mohallah Sheru Khel Lakki	Appointed as Naib Qasid (BPS-01) against the transferred posts District Swat vide order No.7329-37 dated 17.11.2011	Merit
2	Rizwan Ullah	Badshah Khan	Dolat Tajazai Lakki		
3	Nurshoban	Umdar Gul	Dolat Tajazai		
4	Kaleem Ullah	Hameed Ullah Jan	Chuni Masti Khel presently near HBL Lakki	Appointed as Naib Qasid (BPS-01) against the newly created post for family court vide order No.1622-26 dated 19-03-2015	Merit
5	Ihsan Ullah	Wali Muhammad	Mohallah Saeed Khel Lakki.	Appointed as Naib Qasid (BPS-01) against the vacant post.	25% Rtd son's quota

**Term and condition.**

- 1- The official shall be on probation for a period of six months which is extendable by one year.
- 2- Their service shall be governed by Civil Servant Act 1973, KPK E&D Rules 2011 and conduct Rules 1987 read with High Court Rules and Order, as the case may be.
- 3- The appointment of the official shall be subject to being found medically fit by the standing medical board arranged for the purpose at the nearest District Head Quarter Hospital Lakki Marwat.
- 4- Their appointment shall be subject to verification of antecedents /character from three agencies i.e local police, special branch and Intelligence Bureau.

**ATTESTED**  
Examiner to  
District & Session Judge  
Lakki Marwat

9

- 5- The appointment shall be subject to the Govt; policy of the Provincial Govt; and all the service rules, for the time being in force, shall be applicable.
- 6- The appointment is subject to arrival within fifteen days.
- 7- On acceptance of the above terms and conditions, the appointee shall report to the office of Senior Civil Judge, Lakki within fifteen days positively failing which their appointment letter shall be deemed as cancelled.

( Ajmal Shah )  
Senior Civil Judge,  
Lakki Marwat.

Endst: No 428-35 /Dated Lakki the 06-06-2015

Copy forwarded to the:

1. The Worthy Registrar, Peshawar High Court, Peshawar.
2. The learned District & Sessions Judge, Lakki Marwat.
3. The District Account Officer, Lakki Marwat.
4. The Member of Departmental Selection Committee.
5. The Medical superintendent DHQ Hospital Lakki Marwat for arranging Medical Board of the appointee and report in r/o Health and age certificate be furnished within a week positively.
6. The District Police Officer, Lakki Marwat for verification of antecedence/character rolls of the appointee within fifteen days positively.
7. Official Concerned.
8. Master file.

( Ajmal Shah )  
Senior Civil Judge,  
Lakki Marwat.

**ATTESTED**

Examiner to  
District & Session Judge  
Lakki Marwat

2/8/22, 3:02 PM



Amxure 'B' (19)

## UNIVERSITY OF LAKKI MARWAT

Lakki Marwat: 28420, Khyber Pakhtunkhwa (Pakistan)

Phone No. 0969-511819, www.ulm.edu.pk

### RESULT CARD

MASTER OF ARTS IN ISLAMIYAT

2021 - Annual

Name: Kalim Ullah Khan

Father Name: Hamidullah Jan

Roll No:82110

#### PREVIOUS

Subjects	Marks	Marks Obtained			
		Th	Prac	Total	In Words
Al-Quran	100	66	-	66	Sixty Six
Arabic Grammar	100	40	-	40	Forty
History Of Islam	100	67	-	67	Sixty Seven
Islamic Jurisprudence	100	72	-	72	Seventy Two
Al-Hadith	100	53	-	53	Fifty Three
Total: 500, Obtained: 298 ( Two Hundred Ninety Eight ), 60%				Remarks: Pass	

Errors and omissions if any are subject to rectification.

Controller of Examinations

Muhammad Mehrez-Din  
M.A (English), M.Ed.  
Subject Specialist in English  
G.H.S.S. No. 3, Chaur Ahal  
Lakki Marwat

RESULT CARD

116



**UNIVERSITY OF LAKKI MARWAT**

Lakki Marwat: 28420, Khyber Pakhtunkhwa (Pakistan)

Phone No. 0969-511819, www.ulm.edu.pk

**RESULT CARD**

**MASTER OF ARTS IN ISLAMIYAT**

2021 - Annual

**Name:** Kalim Ullah Khan  
**Father Name:** Hamidullah Jan

Roll No: 82110

**FINAL**

Subjects	Marks	Marks Obtained			
		Th	Prac	Total	In Words
Islam Aur Jadeed Maghashee Nazaryat	100	77	-	77	Seventy Seven
Taqabal' E Adyan	100	50	-	50	Fifty
Islami Akhlaq Aur Unka Taswar	100	69	-	69	Sixty Nine
Viva	100	60	-	60	Sixty
Al-Fiqh	100	60	-	60	Sixty
Ilm Ul Kalam	100	80	-	80	Eighty
<b>Total: 600, Obtained: 396 ( Three Hundred Ninety Six ), 66%</b>					<b>Remarks: Pass</b>

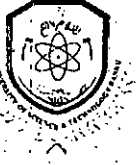
Errors and omissions if any are subject to rectification.

*(Handwritten signature)*

*(Handwritten signature)*

Controller of Examinations

Muhammad Habib-ud-Din  
M.A (English), M.Ed.  
Subject Specialist in English  
G.H.S No. 3 Machan Khel  
Lakki Marwat



# UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

12

S.No:385385

**DETAILED MARKS CERTIFICATE**



**Bachelor of Arts**

Session: 2015-2017

Part-II Annual Examination Held in December, 2017

Name: Kalim Ullah Khan Roll No: 73413

Father's Name: Hamidullah Jan Reg No: 2015-UB-LP-80323

Institute Name: Private Candidate

The candidate has secured the following marks and is placed in **Second** Division.

No.	Subjects	Max Marks	MARKS OBTAINED				Remarks
			Theory	Practical	Total	In Words	
1	Part-I	285		---	166	ONE HUNDRED SIXTY-SIX	
2	English (Comp)	75	35	---	35	THIRTY-FIVE	
3	Islamic Studies (Elective)	75	54	---	54	FIFTY-FOUR	
4	Pakistan Studies (Comp)	40	18	---	18	EIGHTEEN	
5	Arabic	75	48	---	48	FORTY-EIGHT	
<b>Total</b>		<b>550</b>			<b>321</b>	<b>THREE HUNDRED TWENTY-ONE</b>	

Note: Required Pass Percentage in each Subject (Written & Practical Separately) 33, Aggregate Pass Percentage 36  
The Examination was taken as a Whole

Prepared by: *Deen*

Checked by: *Asad*

*Jahid Ali*  
**Controller of Examinations**  
University of Science & Technology, Bannu

Result Declaration Date	22-03-2018
Issue Date	20-04-2018



Roll No: 73413  
Kalim Ullah Khan S/O Hamidullah Jan  
Village Moh Khoidad khel LM

Errors & omissions excepted, if any, are subject to subsequent rectification.

13



**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION,  
BANNU N-W.F.P. PAKISTAN** S.No 00739

**Higher Secondary School Certificate Examination**

**Session: 2006 (Annual Part-II)**

Roll No: 36156

Group: Humanities

Registration No: 15101-BP-PI-04

Certificate No: 20636156

This is to certify that Kaleem Ullah Khan  
Son / Daughter of Hameed Ullah Jan  
and a student of Lakki Marwat

has secured the marks shown against each subject, in the Higher Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in May, 2006 as Private Candidate

Subject	Marks	MARKS OBTAINED				Total	Grade
		Part I		Part II			
		Theory	Practical	Theory	Practical		
1. English	200	39	27	26	24	66	Sixty-Six
2. Urdu	200	46	40	0	0	86	Eighty-Six
3. Islamic Education	50	0	0	0	34	34	Thirty-Four
4. Pakistan Studies	50	0	0	26	0	26	Twenty-Six
5. Islamic Studies	200	89	0	37	0	146	One Hundred Forty-Six
6. Islamic History	200	33	0	52	0	85	Eighty-Five
7. Arabic	200	61	0	76	0	137	One Hundred Thirty-Seven

Total	1100	580-C	Five Hundred Eighty-Only
Remarks			

Date of declaration of Result: 05-08-2006

Prepared by: [Signature]

Checked by: [Signature]

Date of issue: 05-08-2006

Note. Error/Omission excepted

**Controller of Examinations**  
**Board Of Intermediate and**  
**Secondary Education, Bannu.**  
 Mohammed Hameed  
 M.A (English), M.Ed.  
 Subject Specialist in English  
 G.H.S.S No. 01, Mirchan  
 Lakki Marwat

Supplied by Computer CELL BISE, Bannu

14

171157

GG. No.

# Board of Intermediate & Secondary Education

## BANNU

### DETAILED MARKS CERTIFICATE Secondary School Certificate Examination

### (GENERAL GROUP)

Session 200 0 (Annual/Supplementary)



Name Kalimullah Khan  
Father's Name Hamidullah Jan Roll No. 59562

SUBJECT	Total Number of marks allotted	MARKS OBTAINED			
		Theory	Practical	Total	Words
1. English	150			86	
2. Urdu	150			81	
3. Islamiyat Comp:	75			54	
4. Pakistan Studies	75			32	
5. Gen. Mathematics	100			61	Four hundred sixty eight
6. General Science	100			44	
7. <u>IS</u>	100			49	
8. <u>Ar</u>	100			61	
<b>Total</b>	<b>850</b>			<b>468-C</b>	

Note: This certificate is issued errors and omissions excepted.

Prepared by: [Signature]

Checked by: [Signature]

[Signature]

Date 200

Controller of Examinations  
Board of Intermediate & Secondary Education  
Bannu

[Signature]  
M.A. (English), M.E.S.  
Subject Specialist in English  
G.H.S. No. 3 Bannu K.F.  
Lahore





167

BN No. 4302

Roll No. 59562

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



# Board of Intermediate & Secondary Education

Bannu N.W.F.P Pakistan  
Secondary School Certificate Examination  
SESSION 2000 (ANNUAL)

THIS IS TO CERTIFY THAT KALIM ULLAH KHAN

Son/Daughter of HAFID ULLAH JAN

and a student of GOVT. HIGH SCHOOL ZANGI KHEL, LAKKI MARWAT

has passed the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu.

as a Regular/~~Private~~ candidate. He/She obtained 468 Marks out of 850 and has been placed in Grade C Representing GOOD

The Candidate passed in the following subjects.

- |            |                     |                 |                 |
|------------|---------------------|-----------------|-----------------|
| 1. English | 3. Islamiyat        | 5. GEN: MATHS   | 7. ISL: STUDIES |
| 2. Urdu    | 4. Pakistan Studies | 6. GEN: SCIENCE | 8. ARABIC       |

He/She has been awarded Grade C on the basis of Internal assessment by the Institution concerned.

Date of birth according to admission form is 2nd APRIL one thousand nine hundred and EIGHTY FOUR (02/4/1984)

*[Signature]*  
Ass. Secretary

*[Signature]*  
Secretary  
22/2/05

This certificate is issued without alteration or erasure.

*[Handwritten notes and stamps on the right margin]*

17

C/No. 34

Admission No. 990

# GOVERNMENT HIGH SCHOOL ZANGI KHEL



DISTT: LAKKI MARWAT

## PROVISIONAL CERTIFICATE

Session 2000

I Certify that Mr. Kaleem Ullah Khan

Son of Hameed Ullah Khan Masti Khel

Roll No. 59562 (Was presented in the school as a regular candidate in the S.S.C Annual Examination 1998-99 and has passed statement supplied to me by the secretary B.G.S.E. Bannu in the said Examination.

Date of birth (In Words) 2/4/1984 W/H & Eighty Four

NOTE:- This certificate is given only with the object of enabling student to be admitted in a College, and is to be held to the certificate to be given to him by the Secretary B.G.S.E. Bannu.

Marks Obtained 468/850

Grade (i) Inter. C

(ii) External C

Enrolment No. 58-BB/ZKI-98

Conduct Good

Prepared by [Signature]

Date 12-8-2000

### Subject Passed Marks

1. English	96
2. Urdu	81
3. Islamiyat (Comp.)	54
4. Pakistan Studies	32
5. Maths;	61
6. G/Science	44
7. ...	49
8. Arabic	61

[Signature]  
Headmaster,  
Govt. High School Zangi Khel  
(Lakki Marwat)

Mohammad Akhbar  
M.A. (English),  
Subject Specialist in English  
G.H.S. Zangi Khel

18

CERT. No. 229

REG. No. LCL/LM/1030A

# LCL

## LUCKY COMPUTER LAND

REGISTERED

Institute of Advance Technology  
Lakki Marwat (Pakistan)

### Certificate

This is certified that Mr. KALEEM ULLAH S/O HANID ULLAH JAR  
has successfully completed "6-Months Professional Computer  
course & Typing Course" from 01/07/2018 to 31/12/2018 from  
Lucky Computer Land (LCL) affiliated with KP B.T.E Peshawar.

Date of issue: 05/01/2019

Mohammed Michan  
M.A (English), M.E  
Subject Specialist in English  
G.H.S No.3 Michan  
Lakki Marwat



19

# DOMICILE CERTIFICATE

I, Kalimullah Khan Son / Daughter / Wife of Hameedullah Jan, declare that I was born of parents who are permanently Domiciled in NWFP, having belonged to it by birth/ settled in it.

I belong by birth to Mohallah Umeri Khel

Village Chunai Mastikhel Tehsil Lakki Marwat, District Lakki Marwat.

Self / Father / Brother / Husband  
11201-3918629-7

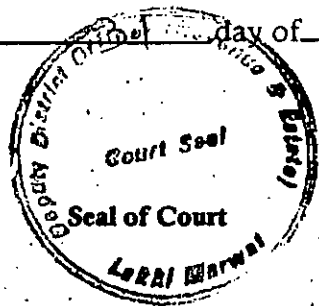
Kalimullah Khan  
Signature of the Applicant  
Dated: 22/01/2007

Pursuance to the declaration dated: 22/01/2007 filled by Kalimullah Khan Son / Daughter / Wife of Hameedullah Jan domiciled in the NWFP.

It is hereby certified that the said Kalimullah Khan is born of parents who are permanent residents of the NWFP, having belonged to it by birth/ settled in it.

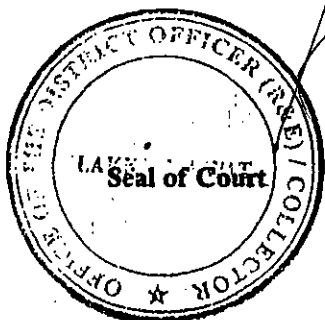
I have satisfied my self from personal knowledge/ verification through Revenue Staff that the above declaration is true & certified.

This 01 day of 01 2007



Deputy District Officer  
Revenue & Estate / Judicial  
Lakki Marwat

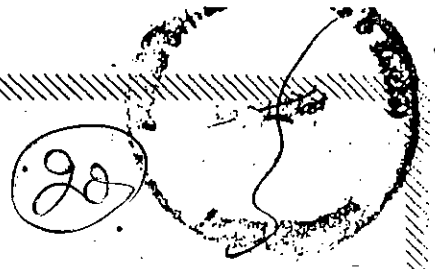
No. 848 / DO / R&E / LM Dated: 31 / 01 / 2007



M.A. (English), M.C.  
Subject Specialist in E.  
G.H.S. No. 3, Lakki Marwat

COUNTERSIGNED

District Officer (R&E) /  
Collector, Lakki Marwat



جناب عالی!

تصدیق کی جاتی ہے۔ کہ مسی / مسماة علیہ السلام  
ولد / دختر / زوجہ عہد اللہ جان قوم مروت  
خود اور اس کے والدین محلہ عمری ضلع گاؤں ضلع مروت  
تخصل مروت ضلع لکی مروت کے مستقل رہائشی و پیدائشی باشندگان ہیں۔  
اور ایف آر سے کوئی تعلق نہیں رکھتے۔ لہذا رپورٹ عرض ہے۔

پٹواری حلقہ

مظہار اللہ میراگورا  
23.1.2007

تصدیق شد  
خانہ  
23.1.2007

گرد اور سرکل

Attested as verified by the Revenue Staff

Tehsildar / Naib Tehsildar

24/1/2007

Muhammad Mahesh  
M.A (English), M.E.  
Subject Specialist in E  
C. S. C. M. S. Chauhan  
Lahore, Pakistan

18

C/No. 34

Admission No. 990

# GOVERNMENT HIGH SCHOOL ZANGI KHEL



## DISTT: LAKKI MARWAT CHARACTER CERTIFICATE

Certified that Mr. Kaleem Ullah Khan

Son of Kaleem Ullah Jan

President of City/Village Yasti Khel Distt: Lakki Marwat

remained on roll of this School with effect from 9/5/1998

to 20/3/2000

During his stay in this School he bore a good moral CHARACTER

He took part in Game Cricket

*[Signature]*  
Headmaster,  
Govt. High School Zangi Khel  
(Lakki Marwat)

Prepared by *[Signature]*

*[Handwritten notes and scribbles on the right side of the certificate]*

(Handwritten initials)

Annexure C

(7)

**Final Seniority List of all eligible/ existing Class-IV staff (Chowkidar, Sweeper & Naib Qasid) for the purpose of promotion to the post of Daftari (BPS-05)**

Sr.	Name of Official	Father's Name	Present Position Held	Academic Qualification	Date of Birth	Date of acquiring SSC	Date of 1st entry in Dist. Judiciary on regular Basis	Date of appointment in present position (BS-03)	Date of attaining Superannuation	Pertain to the Establishment of	Remarks
1	Kalim Ullah Khan	Hamid Ullah Jan	Naib Qasid (BPS-3)	MA	2/Apr/1984	2000 (Annual)	9/Jun/2015	9/Jun/2015	1/Apr/2044	SCJ	
2	Akbar Zaman	Ghulam Jan	Sweeper (BPS-3)	BA	8/May/1978	1995 (Annual)	31/Jul/2017	31/Jul/2017	7/May/2038	DSJ	
3	Asad Raza	Ashiq Hussain	Sweeper (BPS-3)	Middle	25/Jan/1990	NA	31/Jul/2017	31/Jul/2017	24/Jan/2050	DSJ	
4	Rafee Ullah Khan	Abdur Raheem Khan	Naib Qasid (BPS-3)	BA	1/Oct/1991	2008 (Supplementary)	31/Jul/2017	31/Jul/2017	30/Sep/2051	DSJ	
5	Rafi Ullah	Umer Daraz	Naib Qasid (BPS-3)	Middle	1/Jun/1989	NA	26/Feb/2018	26/Feb/2018	31/May/2049	SCJ	
6	Fida Ullah	Muhammad Ishaq	Naib Qasid (BPS-3)	BA	14/Mar/1996	2015 (Annual)	26/Feb/2018	26/Feb/2018	13/Mar/2056	SCJ	
7	Muhammad Asad Ullah	Fateh Muhammad	Naib Qasid (BPS-3)	Middle	5/Apr/1998	NA	26/Feb/2018	26/Feb/2018	4/Apr/2058	SCJ	
8	Ahmad Saleem Khan	Muhammad Saleem Khan	Naib Qasid (BPS-3)	FA	3/Mar/1999	2016 (Supplementary)	26/Feb/2018	26/Feb/2018	2/Mar/2059	SCJ	
9	Muhammad Munir	Abdul Ghani	Naib Qasid (BPS-3)	Matric	10/Oct/1987	2004 (Supplementary)	28/Feb/2018	28/Feb/2018	9/Oct/2047	SCJ	
10	Nasir Muhammad	Abdul Qayyum	Naib Qasid (BPS-3)	BA	9/Mar/1989	2007 (Supplementary)	28/Feb/2018	28/Feb/2018	8/Mar/2049	SCJ	
11	Mudassar Munir	Akhtar Munir	Chowkidar (BPS-3)	FA	11/Mar/2000	2016 (Annual)	27/Oct/2018	27/Oct/2018	10/Mar/2060	SCJ	
12	Shoukat Ali	Nawab Ali Khan	Naib Qasid (BPS-3)	Middle	6/Sep/2001	NA	8/Oct/2020	8/Oct/2020	5/Sep/2061	SCJ	
13	Behar Zaman	Aziz Ur Rahman	Chowkidar (BPS-3)	Matric	11/Mar/1986	2021 (Annual)	19/Oct/2020	19/Oct/2020	10/Mar/2046	DSJ	
14	Arif Ullah	Abdul Kalam	Naib Qasid (BPS-3)	MA	1/Apr/1987	2003 (Annual)	19/Oct/2020	19/Oct/2020	31/Mar/2047	DSJ	

*gama*  
District & Sessions Judge  
Lakki Marwat

**ATTESTED**

Examiner to  
District & Session Judge  
Lakki Marwat

8

**Final Seniority List of all existing Class-IV staff (Chowkidar, Sweeper & Naib Qasid) for the purpose of promotion to the post of Junior Clerk (BPS-11) when non-availability/ non-suitability of Daftari/ Record Lister (BPS-05) as stood on 30-04-2022**

Sr.	Name of Official	Father's Name	Present Position Held	Academic Qualification	Date of Birth	Date of acquiring SSC	Date of 1st entry in Dist. Judiciary on regular Basis	Date of appointment in present position (BS-03)	Date of attaining Superannuation	Period to the Establishment of	Remarks
1	Kalim Ullah Khan	Hamid Ullah Jan	Naib Qasid (BPS-3)	MA	2/Apr/1984	2000 (Annual)	9/Jun/2015	9/Jun/2015	1/Apr/2044	SCJ	
2	Akbar Zaman	Ghulam Jan	Sweeper (BPS-3)	BA	8/May/1978	1995 (Annual)	31/Jul/2017	31/Jul/2017	7/May/2038	DSJ	
3	Rafee Ullah Khan	Abdur Raheem Khan	Naib Qasid (BPS-3)	BA	1/Oct/1991	2008 (Supplementary)	31/Jul/2017	31/Jul/2017	30/Sep/2051	DSJ	
4	Fida Ullah	Muhammad Ishaq	Naib Qasid (BPS-3)	BA	14/Mar/1996	2015 (Annual)	26/Feb/2018	26/Feb/2018	13/Mar/2056	SCJ	
5	Ahmad Saleem Khan	Muhammad Saleem Khan	Naib Qasid (BPS-3)	FA	3/Mar/1999	2016 (Supplementary)	26/Feb/2018	26/Feb/2018	2/Mar/2059	SCJ	
6	Muhammad Munir	Abdul Ghani	Naib Qasid (BPS-3)	Matric	10/Oct/1987	2004 (Supplementary)	28/Feb/2018	28/Feb/2018	9/Oct/2047	SCJ	
7	Nasir Muhammad	Abdul Qayyum	Naib Qasid (BPS-3)	BA	9/Mar/1989	2007 (Supplementary)	28/Feb/2018	28/Feb/2018	8/Mar/2049	SCJ	
8	Mudaser Munir	Akhtar Munir	Chowkidar (BPS-3)	FA	11/Mar/2000	2016 (Annual)	27/Oct/2018	27/Oct/2018	10/Mar/2060	SCJ	
9	Arif Ullah	Abdul Kalam	Naib Qasid (BPS-3)	M.A	1/Apr/1987	2003 (Annual)	19/Oct/2020	19/Oct/2020	31/Mar/2047	DSJ	
10	Babar Zaman	Aziz Ur Rehman	Chowkidar (BPS-3)	Matric	11/Mar/1986	2021 (Annual)	19/Oct/2020	19/Oct/2020	10/Mar/2046	DSJ	

*gajna*  
District & Sessions Judge  
Lakki Marwat

ATTESTED

Examiner to  
District & Session Judge  
Lakki Marwat



(11)

**WORKING PAPER FOR PROMOTION OF MINISTERIAL STAFF DISTRICT COURTS KHYBER PAKHTUNKHWA**  
**COURT OF DISTRICT AND SESSIONS JUDGE, LAKKI MARWAT**  
**Junior Clerk (BPS-11)**  
 02  
 41, (out of which 12 posts to be filled through DPC while 29 posts to be filled through DSC:  
 So the promotion of 02 Junior clerks to the post of senior clerks, for maintaining the quota of direct and promotion appointments, subsequently 02 posts of junior clerks will be filled through DPC then the appointments through promotion quota will be filled completely.

S. No.	Name (in order seniority) of all the holders of the posts from amongst whom the subject post is to be filled in	Present post held	Present post held since	Date of joining the service	First appointment as	Typing speed	Shorthand speed	Computer proficiency	QUALIFICATION					PERFORMANCE EVOLUTION						Remarks			
									Matric	FA/ F.Sc	BA/ B.Sc	M.A	etc	2019			2020				2021		
									Division/grade					Average	Good	Very Good	Average	Good	Very Good		Average	Good	Very Good
1	Imam Ahmad	Record Lifter (BPS-5)	25-04-2022	23.02.13	Chowkidar	N	N	N	N	-	-	-	-	-	Good	-	-	Good	-	-	Good	-	Under Matric
2	Rizwan Ullah	Daftari (BPS-5)	25-04-2022	08.06.15	Naib Qasid	N	N	N	C	E	-	-	-	-	Good	-	-	Good	-	-	Good	-	Lack of required service length
3	Kalim Ullau	Naib Qasid (BPS-03)	09-06-2015	09.06.15	Naib Qasid (BPS-03)	Y	N	Y	C	C	C	B	-	-	Good	-	-	Good	-	-	Good	-	
4	Akbar Zaman	Sweeper (BPS-03)	08-06-2017	08.06.17	Naib Qasid (BPS-03)	Y	N	N	D	D	-	-	-	-	Good	-	-	Good	-	-	Good	-	

Prepared by

Checked by

**ATTESTED**

Countersigned by District & Sessions Judge,  
Lakki Marwat.

Examined by  
District & Sessions Judge  
Lakki Marwat

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Annexure D<sup>3</sup>

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**MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION COMMITTEE**  
Held on 26<sup>th</sup> November, 2022 at 10:30AM in the office of the District & Sessions Judge, Lakki Marwat (Chairman)

Meeting of the Departmental Promotion Committee was held on 26-11-2022 at 10:30 AM to consider the promotions of Senior Clerk (BPS-14) against two vacant posts of the Assistants (BPS-16), promotion of Junior Clerks (BPS-11) against the two vacant posts of the Senior Clerks (BPS-14), promotion of Daftari & Record Lifter (BPS-05) or other Class-IV staff (i.e Naib Qasid, Mali, Chowkidar, Sweeper etc) against the two vacant posts of Junior Clerks (BPS-11) and promotion of Naib Qasid, Chowkidar, Sweeper etc (BPS-03) against the post of Daftari/ Record Lifter (BPS-05) subject to fulfillment of the requisite requirements on the basis of Seniority cum fitness. The vacant posts fall in the establishment of District & Sessions Judge and Senior Civil Judge (Admn), Lakki Marwat.

The following attended the meeting:

1. Mr. Ijaz Rashid, District & Session Judge, Lakki Marwat  
(Chairman of the Departmental Promotion Committee.)
2. Mr. Mian Mahmood, Addl: District & Session Judge, D.I.Khan  
(Nominee of the Hon'ble PHC, Peshawar as nominated by the Peshawar High Court, Peshawar vide letter bearing No.15961/SDJ/IRW/ADMIN dated 25/11/2022 as a member)
3. Mr. Khalid Anwar, Senior Civil Judge (Admn), Lakki Marwat,  
(Nominee of the Chairman of DPC, Lakki Marwat as a member)

The proceedings of the meeting started with the recitation from the Holy Quran Majeed.

**AGENDA NO. 01**

**PROMOTIONS TO THE 02 VACANT POSTS OF ASSISTANT (BPS-16)**

DETAIL OF VACANT POSTS: 01 post became vacant on the retirement of Mr.Mir Abbas, Ex-Assistant from his service in the Establishment of the District & Sessions Judge, Lakki Marwat and 01 post became vacant in the Establishment of the District & Sessions Judge, Lakki Marwat on the reversion of Mr.Said Ahmad from the post of Assistant (BPS-16) to his original position of Senior Clerk (BPS-14). This post of Senior Clerk (BPS-14) was a newly created post vide the Peshawar High Court, Peshawar letter bearing Endst: BO-II/FD/3-14/SNE/PHC/2022-23 dated 11/10/2022 in the Establishment of SCJ (Admn).

The criteria for the Post of Assistant (BPS-16) under Serial No. 4 of the schedule to the Peshawar High Court, Peshawar (Subordinate Courts Staff) Recruitment Rules, 2003 is:

Nomenclature of post	Method of recruitment
Assistant/ Reader (BPS-16)	i. Twenty five percent by initial recruitment; and ii. Seventy five percent by promotion, on the basis of seniority-cum-fitness, from amongst holders of the posts of Senior Clerks at serial # 10 to 12 (all BPS-14) with at least three years service as such.

The Committee at the very outset considered the factum of calculation of quota by promotion and through direct recruitment of the vacant posts of Assistant (BPS-16). Total sanctioned strength in both the Establishments i.e. District & Sessions Judge & Senior Civil Judge (Admn), Lakki Marwat is 04, out of which 03 posts are to be filled through promotion and 01 post through direct recruitment/appointment. Total vacant posts of Assistant (BPS-16) at

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Examiner to  
District & Session Judge  
Lakki Marwat

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present are 03 while only one post is working under promotion quota and as per the calculation, it would be 03 posts under the promotion quota, so, 02 more posts will be filled through promotion for fulfilling the requisite quota under the promotion category as one post is already in promotion category.

Final Seniority List for the year 2022 of the Senior Clerks (BPS-14) of both the Establishments i.e District & Sessions Judge & Senior Civil Judge (Admn) Lakki Marwat is Annexure-"A"

After examining the service records of prospective officials from amongst holders of the posts of Senior Clerk (BPS-14) for promotion to the vacant posts of Assistant (BPS-16) and common Seniority List prepared for the purpose of promotion to the posts of Assistant (BPS-16), the senior most officials amongst the Senior Clerks (BPS-14) in the said seniority list for the year 2022 for the purpose of promotion to the posts of Assistant (BPS-16) were interviewed one by one and their academic/professional records were also examined and it was revealed that the officials as mentioned at serial No.01 & 02 in the common seniority list prepared for the purpose of promotion to the vacant post of Assistant (BPS-16), namely, Mr. Sami Ullah, Senior Clerk (BPS-14) and Mr. Muhammad Iqbal, Senior Clerk (BPS-14) had been dropped from promotion to the vacant post of Assistant (BPS-16) due to lack of requisite qualification for the post i.e. Bachelor Degree in the previous DPC meeting held on 19-12-2019 and the official namely, Mr. Said Ahmad, Senior Clerk (BPS-14) placed at serial No.03 in the seniority list was promoted to the said vacant post of Assistant (BPS-16) as he possessed Bachelor Degree. Mr. Sami Ullah, Senior Clerk (BPS-14) being aggrieved filed departmental appeal against the proceedings of said DPC vide bearing No.03/2020 before the Hon'ble Peshawar High Court, Peshawar which was dismissed on 13/09/2021 and then he filed Service Appeal bearing No.7508/2021 before the learned Khyber Pakhtunkhwa Service Tribunal, Peshawar for promotion to the post of Assistant (BPS-16) being deserving and eligible cum fit official. The learned Khyber Pakhtunkhwa Service Tribunal, Peshawar disposed of the said Service Appeal on 29-06-2022 with the following observations/decision.

"..... (8). In view of the discussion, the appeal in hand is allowed by setting-aside the impugned orders and the appellant is held entitled to be promoted to the post of Assistant (BPS-16) with effect from 20-12-2019 with all consequential benefits".

In compliance with the order of the learned Khyber Pakhtunkhwa Service Tribunal, Peshawar passed on 29-06-2022 in the said Service Appeal No.7508/2021 titled "Sami Ullah Vs District & Sessions Judge, Lakki Marwat", Mr. Sami Ullah, Senior Clerk (BPS-14) is promoted and considered as Assistant (BPS-16) w.e.f. 20-12-2019 with all back benefits.

Therefore, after examining the service records of prospective officials and considering their qualification as per requirement under the rules of Peshawar High Court, Peshawar (Subordinate Court Staff) Recruitment Rules-2003 for the purpose of promotion to

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Examiner to  
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Lakki Marwat

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the vacant posts of Assistant (BPS-16), the Committee unanimously recommended the following two officials named below, in order of seniority, for promotion against the 02 vacant posts of Assistant (BPS-16) on the basis of seniority-cum-fitness with immediate effect.

S. No.	Name of Official	Promoted		With effect from	Remarks
		From the post	To the post		
1.	Mr. Sami Ullah	Senior Clerk (BPS-14)	Assistant (BPS-16)	20-12-2019 As per the Service Appeal No.7508/021	Against vacant post of Mr. Mir Abbas, Ex-Assistant on his retirement from his service under the establishment of District & Sessions Judge, Lakki Marwat
2.	Muhammad Iqbal			Immediately	Against vacant post of Mr. Said Ahmad, on his reversion to his original position from the post of Assistant (BPS-16) to the post of Senior Clerk (BPS-16) under the establishment of District & Sessions Judge, Lakki Marwat

AGENDA NO. 02

PROMOTIONS TO THE 02 VACANT POSTS OF SENIOR CLERK (BPS-14)

DETAIL OF VACANT POSTS: 02 posts of Senior Clerks (BPS-14) became vacant in the Establishment of SCJ (Admn), Lakki Marwat on the promotion of Mr. Sami Ullah and Muhammad Iqbal, Ex-Senior Clerks (BPS-14) to the posts of Assistants (BPS-16) during the current DPC meeting.

The criteria for the Post of Senior Clerk (BPS-14) under the Peshawar High Court, Peshawar (Subordinate Courts Staff Recruitment Rules, 2003) is:-


Nomenclature of post	Method of recruitment
Senior Clerk (BPS-14)	By promotion on the basis of seniority-cum-fitness from amongst holders of the posts of Junior Clerks (BPS-11), at Serial No. <u>13 to 18</u> (all BPS-11) with at least three years' service as such.

Final Seniority List as stood on 31-12-2021 of the Junior Clerks (BPS-11) of both the Establishments i.e District & Sessions Judge & Senior Civil Judge (Admn) Lakki Marwat is Annexure-"B"

After examining the service record of prospective officials from amongst holders of the posts of Junior Clerk (BPS-11) and after perusal of common Seniority List prepared for the purpose of promotion to the posts of Senior Clerks, the senior most officials amongst the Junior Clerks (BPS-11) in the said seniority list as stood on 31-12-2021 for the purpose of promotion to the posts of Senior Clerk (BPS-14) were interviewed one by one and their academic/professional records were also examined.

Subsequently, in the light of requirements under the Peshawar High Court, Peshawar (Subordinate Court Staff Recruitment Rules-2003) for the purpose of promotion to the vacant posts of Senior Clerk (BPS-14), the Committee unanimously recommended the following officials named below, in order of following seniority, for promotion against the

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

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02 vacant posts of Senior Clerks (BPS-14) on the basis of seniority-cum-fitness with immediate effect.

S. No	Name of Official	Promoted		W.E.F	Remarks
		From the post	To the post		
1.	Hafiz Latif-Ur-Rehman	Junior Clerk (BPS-11)	Senior Clerk (BPS-14)	Immediately	Against the vacant post of Mr. Sami Ullah, Ex-Senior Clerk (BPS-14) on his promotion to the post of Assistant (BPS-16) during the instant DPC meeting under the establishment of SCJ (Admn), Lakki Marwat.
2.	Muti Ullah				Against the vacant post of Mr. Muhammad Iqbal, Ex-Senior Clerk (BPS-14) on his promotion to the post of Assistant (BPS-16) during the instant DPC meeting under the establishment of SCJ (Admn), Lakki Marwat.

AGENDA NO. 03

PROMOTIONS TO THE 03 VACANT POSTS OF JUNIOR CLERK (BPS-11)

The criteria for the post of Junior Clerk (BPS-11) under the rules of Peshawar High Court, Peshawar (Subordinate Court Staff) Recruitment Rules, 2003 is:

Nomenclature of post	Method of recruitment
Junior Clerk (BPS-11)	I. Not less than 70 percent by initial recruitment; and II. not more than 30 percent by promotion, from amongst the holders of the posts of Daftari and Record Lifter with Matric and three years' service as such; and in case no suitable candidate from amongst holders of the posts of Daftari and Record Lifter is available, then from amongst holders of the posts of Chowkidar, Naib Qasid, Sweeper, Chowkidar-cum M.P. Nali and Water Carrier who have passed Secondary School Certificate Examination and have at least five years' service as such.

The Committee at the very outset considered the factum of calculation of quota by promotion and through direct recruitment of the vacant posts of Junior Clerk (BPS-11). Total sanctioned strength in both the Establishments i.e. District & Sessions Judge & Senior Civil Judge (Admn), Lakki Marwat is 41, out of which 12 posts are to be filled through promotion and 29 posts through the direct recruitment/appointment. After promotion to the posts of Senior Clerks (BPS-14), total number of vacant posts of Junior Clerk (BPS-11) becomes 15 while the available working posts under the promotion quota is 09 and as per the calculation, it would be 12 posts under the promotion quota, so 03 more posts will be filled through promotion to fulfill the requisite quota under the promotion category.

**ATTESTED**

*(Signature)*  
Examiner to  
District & Session Judge  
Lakki Marwat

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Junior Clerk (BPS-11) under promotion quota will be filled in the next DPC to be conducted at proper time.

It is also worth noting that the office placed the application of Tariq Humayun, Naib Qasid (BPS-03), before the Departmental Promotion Committee as he submitted that he had passed Middle Standard Examination, which is the required qualification for promotion to the post of Daftari/ Record Lifter, but in the seniority list he was mentioned as illiterate. He, though, had been acknowledging the provisional seniority list when ever it had been circulated.

On examination of common seniority list, it was revealed that the same needs to be prepared subject to proper verification in accordance with Hon'ble Peshawar High Court, Peshawar (Subordinate Courts Staff) Recruitment Rules-2003 notified vide notification No. J-39 dated 26-03-2003 and read with guide lines of Peshawar High Court, Peshawar circulated vide notification no. 2315/49/SDJ/Reg dated 29-04-2019.

The meeting ended with a vote of thanks to and from the Chair.



(MIAN MAHMOOD)


Add: District & Sessions Judge, D.I.Khan  
(Nominee of the Hon'ble PHC, Peshawar as a member)



(KHALID ANWAR)

Senior Civil Judge (Admn), Lakki Marwat,  
(Nominee of the D&SJ/Chairman DPC, Lakki Marwat as a member)

**ATTESTED**

  
(IJAZ RASHID)

District & Session Judge, Lakki Marwat  
(Chairman, DPC)

  
Examiner to  
District & Session Judge  
Lakki Marwat

To,

THE REGISTRAR  
PESHAWAR HIGH COURT,  
PESHAWAR.

Annexure 'E'

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Subject: DEPARTMENTAL APPEAL AGAINST

THE ORDER DATED: 26-11-2022 OF DEPARTMENTAL PROMOTION COMMITTEE WHEREBY THE APPELLANT BEING, WELL QUALIFIED AND BEING ON TOP OF THE SENIORITY LIST OF CLASS-IV, WAS LEFT / WITHHELD FROM PROMOTION TO THE POST OF JUNIOR CLEK.

Through Proper Channel:-

Worthy Sir,

Most respectfully, the appellant submits his grievances being aggrieved from the above mentioned order.

1. That the present appellant joined the department way back in the year 2015 when the appellant was appointed as Naib Qasid.
2. That as per seniority list the appellant is on the top of the seniority list of class-IV employees.
3. That meeting of Departmental Promotion Committee was held on 26-11-2022 to consider promotion of Senior Clerks (BPS-14) on two vacant posts of Assistants (BPS-16), promotion of Junior Clerks (BPS-11) on two vacant posts of Senior Clerks (BPS-14) and promotion of Daftari & Record Lifter (BPS-5) or Class-IV (Naib Qasid, Mali, Chowkidar, Sweeper etc) (BPS-3) against the two vacant posts of Junior Clerk (BPS-11).
4. That the Departmental Promotion Committee has promoted the two Senior Clerks against the two vacant posts of Assistants, two Junior Clerks against two vacant posts of Senior Clerks but while considering the promotion against the three vacant posts of Junior Clerks, the Departmental Promotion Committee didn't even consider the appellant for the said post, while other candidates / employees were rejected due to their in-eligibility and guidance of Hon'ble Peshawar High Court were sought by the DPC for promotion against the posts of Junior Clerks amongst the Daftari & Class-IV. (Copies of seniority list, Minutes of DPC are attached herewith)
5. That being aggrieved from the above mentioned orders this appeal is preferred on the following grounds inter-alia:-

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Grounds:-

- a. That the appellant has more than 5 years of service and being top of seniority list, is eligible for the promotion to the post of Junior Clerk.
- b. That the Departmental Promotion Committee has illegally left the appellant from considering of the promotion to the post of junior clerk, while the appellant possess all the qualifications required under the Peshawar High Court Peshawar (Subordinate Courts Staff) Rules 2003.
- c. That the appellant fulfill all the criteria required by the law for promotion for the post of Junior Clerk as the appellant has complete command on computer use and typing.
- d. That Departmental Promotion Committee have illegally deferred the promotion for the post of junior which is not sustainable in eyes of law.
- e. That above mentioned rules are clear in respect of the promotion to the post of junior clerk and also discussed by the Departmental Promotion Committee but illegally and without just cause only left the appellant from the promotion, even the DPC didn't bother to discuss the name of the appellant. It is pertinent to mention that class-IV Akbar Zaman who is below than the appellant in the seniority list was considered by rejected due to his in-eligibility of unawareness with computer typing but the appellant who was on the top of the list was left without just and proper cause.
- f. That, Appellant have been kept deprived of his fundamental right as he deserve promotion to the post of Junior Clerk. It is clear principal laid down by the Apex Court that if an employ is prevented to work on the higher grade despite he was eligible for that higher post then he was entitled the benefits of the said higher post.
- g. That the DPC was concerned in respect of seniority of Daftari Rizwan Ullah (BPS-5) as he is not eligible for the promotion to the post of Junior Clerk due to his less than 3 years of service on the post of Daftari and due

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to the same reason guideline were sought from Hon'ble Peshawar High Court which is against the mandate of law and policy because there are 3 posts vacant for the promotion amongst the Daftari, Record lifter (BPS-5) and class-IV, therefore promotion of eligible candidates from Class-IV could not be delayed / deferred due to in-eligibility of Daftari Rizwan Ullah.

h. That any other grounds which are in favour of appellant may kindly be considered for the purpose of deciding the instant appeal.

Keeping in view the dictum laid down by the Apex Courts, it is respectfully prayed that instant appeal may kindly be accepted and the appellant may graciously be granted anti-dated promotion to the post of Junior Clerk along with all back benefits.

Dated: 17-11-2022

Appellant

*Kaleem Ullah*

Kaleem Ullah  
Naib Qasid (BPS-3)  
District Courts  
Lakki Marwat.

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat  
Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@yahoo.com

No. 4043 /DSJ/L.M.

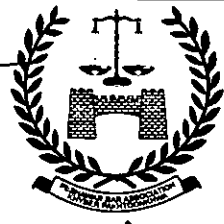
Dated 17/11/2022

Forwarded in original to the Registrar, Peshawar High Court, Peshawar please.

*Qasid*  
District & Sessions Judge,  
Lakki Marwat.

قیمت 50 روپے

68491



ایڈویکٹ:   
 بار کونسل ایسوسی ایشن نمبر: Bc-19-3479   
 رابطہ نمبر: 0346-9099470

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

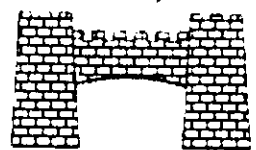
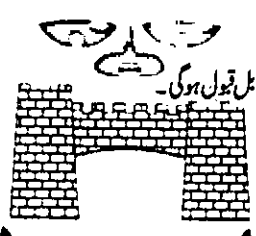
Before The KPK Service Tribunal Peshawar

<p>Kaleem Ullah / Appellant مخائب</p>	<p>دعویٰ: Service Appeal</p>
	<p>علت نمبر: _____ مورخہ: _____ جرم: _____ تھانہ: _____</p>
<p><b>باعت تحریر آگہ</b></p>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ **خان عروسی گل خان** **مندر کیلے عبدالحمید درانی** کے ساتھ **مقام** **کر کے اقرار کیا جاتا ہے** کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز نوکیل صاحب کو رضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور نوکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور ان کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ الحوائج مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے **کلی صاحب پابند نہ ہوں گے** کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

کلی صاحب  
کلی صاحب  
کلی صاحب

**Abdul Samad Durrani**  
Advocate High Court  
Peshawar  
المقوم



نوٹ: اس وکالت نامہ کی نوٹو کاپی ناقابل قبول ہوگی۔