

21.09.2015

Counsel for the appellant present. Preliminary arguments heard and record perused.

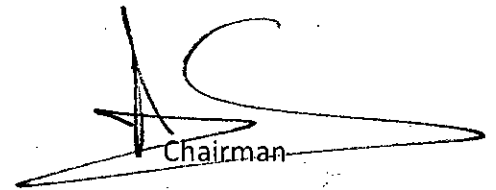
The appellant has preferred the present appeal against order dated 27.4.2010 vide which his services were terminated where-after he preferred departmental appeal which was dismissed on 15.6.2015 and hence the instant service appeal on 7.7.2015.

Brief facts of the case of the appellant are that the appellant was appointed as Computer Operator (BPS-12) in the Court of learned Civil Judge/Illaqqa Qazi Behrain Swat. His services were terminated during probation period vide impugned order dated 27.4.2010 regarding which departmental appeal of the appellant was dismissed by respondent No. 1 Hon'ble Administrative Judge, Peshawar High Court, Peshawar vide order dated 15.6.2015.

Perusal of record would suggest that the services of the appellant were dispensed with as he was not in a position to give satisfactory performance during probation period.

Since the services of the appellant were dispensed with without any stigma and due to unsatisfactory performance during the period of probation as such no appeal would lie against such orders. The appeal is, therefore, dismissed in limine. File be consigned to the record.

ANNOUNCED  
21.9.2015

  
Chairman  
21.09.15

4

27.07.2015

Appellant in person present. Counsel for the appellant is not in attendance due to death of his relative. Adjourned to 10.8.2015 for preliminary hearing before S.B.

  
Chairman

5

10.08.2015

Agent of counsel for the appellant present. Seeks adjournment. Adjourned to 24.8.2015 for preliminary hearing before S.B.

  
Chairman

6

24.08.2015

Agent of counsel for the appellant present. Seeks adjournment. Adjourned to 31.8.2015 for preliminary hearing before S.B.

  
Chairman

7

31.08.2015




Appellant in person present. Learned counsel for the appellant is not in attendance due to strike of the Bar. Adjourned to 21.9.2015 for preliminary hearing before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 752 /2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07.07.2015	<p>The appeal of Mr. Akhtar Hussain presented today by Mr. Javed Iqbal Gulbela Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	10-7-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>13-7-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3	13.7.2015	<p>Counsel for the appellant present. Seeks adjournment in order to show that unsatisfactory performance is a stigma. Adjourned for preliminary hearing to 27.7.2015 before S.B.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA**

**PESHAWAR**

In Re W.P # 752 /2015

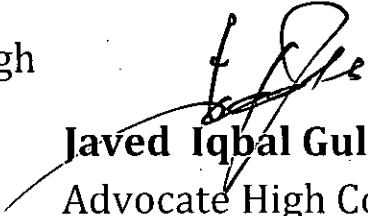
Akhtar Hussain Vs The Hon'ble Administrative Judge PHC  
and others

**INDEX**

S#	Description of Documents	Annexure	Page #
1.	Grounds of Petition		1-4
2.	Affidavit & addresses of Parties		5-6
3.	Copy of appointment letter	"A" to A <sub>IV</sub>	7-12
4.	Copy of the termination order	"B"	13
5.	Copies of departmental appeal & impugned order dated 15-06-2015	"C & D" / I	14-22
6.	Copy of performance certificate	"E" & E <sub>I</sub>	23-24
7.	Copies of other documents	"F" to "H"	25-44
8.	Wakalat Nama		45

Appellant

Through

  
**Javed Iqbal Gulbela**

Advocate High Court Peshawar

Cell # 0345-9405501

1

**BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA**  
**PESHAWAR**

In Re S.A # 752/2015

**A.W.P. Provincial  
Service Tribunal**  
Diary No. 777  
Dated 07-7-2015

Akhtar Hussain (Ex-Computer Operator) S/o Ellahi Bakhsh  
R/o Chail Shagai Saidu Sharif, District Swat.

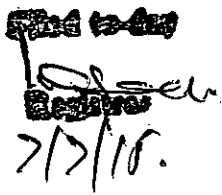
.....Appellant

**VERSUS**

1. The Hon'ble Administrative Judge Peshawar High Court Peshawar
2. The Registrar Peshawar High Court Peshawar
3. The District & Session Judge/Zilla Qazi Swat.
4. The Civil Judge/Ilaqa Qazi Bahrain Swat.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL ACT-1974  
AGAINST THE IMPUGNED JUDGMENT & ORDER DATED  
15-06-2015 OF THE HON'BLE RESPONDENT NO. 1  
WHEREBY DEPARTMENTAL APPEAL AGAINST THE  
IMPUGNED ORDER DATED 27-04-2010 OF THE  
LEARNED RESPONDENT NO. 3 WAS DISMISSED IN A  
CLASSICALLY CURSORY MANNER**

  
7/7/15.

**RESPECTFULLY SHEWETH,**

1. That the appellant was duly appointed as Computer Operator (BPS-12) against a sanctioned & regular post at the court of the learned respondent no. 4, after going through the required criteria & prescribed manner. (Copy of appointment letter is annexed as Annexure "A").

- (2)
2. That as usual appellant was initially appointed on probation basis to be followed with regularization. It was just after few months of appointment that the appellant's service was abruptly terminated vide the impugned order dated 27-04-2010 of the District & Session Judge/Zilla Qazi Swat. (Copy of the termination order is annexed herewith as Annexure "B").
  3. That being aggrieved from abrupt termination, the appellant preferred a departmental appeal to the worth Administrative Judge Peshawar High Court Peshawar, but the same was dismissed vide the impugned judgment & order dated 15-06-2015. (Copies of departmental appeal & impugned order dated 15-06-2015 are annexed herewith as Annexure "C & D", respectively).
  4. That again feeling aggrieved the appellant prefers the instant appeal for setting aside the impugned orders dated 15-06-2015 & 27-04-2010, upon the following grounds, inter alia.

**GROUND:**

- A. That the termination order as well as of the Worthy Appellate Authority is against facts of the case, material available & law governing the subject, hence not tenable at all.
- B. That both the impugned orders are based on conjunctures & surmises & do not hold any water in the eyes of law.
- C. That the Hon'ble Appellate Authority failed to appreciate the fact that appointment against a regular & sanctioned post, through prescribed manner can not be terminated such abruptly & in a slip shad manner & solely on caprices & whims of the competent authority, but as per Sec-24 (a) of the General Clauses Act, the same must be reasonable, fair, transparent and must be a speaking order.
- D. That the appellant was proceeded against under E&D Rules, but the same rules prescribed a mechanism & a thorough procedure for removal, dismissal etc of service, but has never

(3)

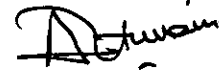
provided any provision for such termination & that too for such abrupt termination.

- E. That even the Hon'ble Appellate Authority failed to appreciate the fact that as far as the "Unsatisfactory" performance is concerned & report by the immediate officer of the appellant i.e respondent no. 4 is concerned, the same respondent No.4 had appreciated the performance & even issued a certificate to that effect, but certainly the alleged view was changed without any justification and the appellant was made and escape goat. (Copy of performance certificate is annexed as Annexure "E").
- F. That there then issued neither any mandatory instrument in the form of any notice, show cause notice etc, nor was even allowed to be heard in person & was thus condemned unheard.
- G. That the appellant was appointed after going through the prescribed mechanism & after getting on to the rolls of the District Courts Service, so definitely certain vested & fundamental rights have been accrued to the appellant which could not be taken away such abruptly & even without any notice or rather without affording any opportunity of being heard in person, to the appellant or without any due process of law.
- H. That the Hon'ble Appellate Authority also didn't take notice of the established position that probationer & his services are not solely dependent upon the caprices & whims of the Competent Authority, but in rather governed by the law and rules.
- I. That from all prospective the termination order as well as the order of the Hon'ble Appellant Authority are unwarranted, against the rules & laws governing the subject & are liable to be set aside.
- J. That any other ground not raised here, may graciously be allowed to be raised at the time of arguments.

(4)

It is, therefore, humbly prayed that on acceptance of the instant appeal the impugned judgment & order dated 15-06-2015 of the Worthy Administrative Judge/Appellate Authority Peshawar High Court Peshawar & impugned order dated 27-04-2010 of the Learned District & Session Judge/Zilla Qazi Swat may very graciously be set aside & by doing so the appellant may very graciously be re-instated into service with all back benefits.


Any other relief not specifically asked for may also graciously be extended in favour of the appellant in the circumstances of the case.



Appellant

Dated: 04/07/2015

Through

  
**JAVED IQBAL GULBELA**  
Advocate High Court  
Peshawar

**Note:**

No such like appeal for the same appellant has earlier been filed by me, prior to the instant one.

  
Advocate

**List of Books:-**

1. Service Tribunal Act
2. Case Law
3. Any other book as per need.

  
Advocate



(5)

**BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA**

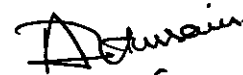
**PESHAWAR**

In Re W.P # \_\_\_\_\_/2015

Akhtar Hussain      Vs      The Hon'ble Administrative Judge PHC  
and others

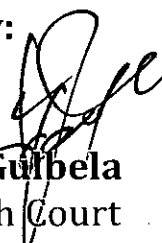
**AFFIDAVIT**

I, Akhtar Hussain (Ex-Computer Operator) S/o Ellahi Bakhsh R/o Chail Shagai Saidu Sharif, District Swat, do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.



**Deponent**

**Identified By:**



**Javed Iqbal Gulbela**  
Advocate High Court  
Peshawar

(5)

**BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA**  
**PESHAWAR**

In Re W.P # \_\_\_\_\_/2015

Akhtar Hussain Vs The Hon'ble Administrative Judge PHC  
and others

**ADDRESS OF THE PARTIES**

**PETITIONER**

Akhtar Hussain (Ex-Computer Operator) S/o Ellahi  
Bakhsh R/o Chail Shagai Saidu Sharif, District Swat.

**RESPONDENTS**

1. The Hon'ble Administrative Judge Peshawar High Court Peshawar
2. The Registrar Peshawar High Court Peshawar
3. The District & Session Judge/Zilla Qazi Swat.
4. The Civil Judge/Ilaqa Qazi Bahrain Swat.

*Akhtar Hussain*

Appellant

Through

*Javed Iqbal Gulbela*  
Javed Iqbal Gulbela  
Advocate High Court  
Peshawar

Dated: 04/07/2015

(7)

Ann-A


**ORDER**

On the recommendation of Departmental Selection Committee, and in the interest of public service, the following candidates are appointed on the vacant posts mentioned against each:

S.#	NAME	APPOINTED AS
1.	Mr. Kashif Islam s/o Shamsul Islam	Assistant / Reader (BPS-14)
2.	Mr. Shahid Sangam s/o Gulam Sarwar	Assistant / Reader (BPS-14)
3.	Mr. Sheraz Ali s/o Zafar Ali	Steno Typist (BPS-12)
4.	Mr. Muhammad Nawab s/o Amir Sawab	Steno Typist (BPS-12)
5.	Mr. Muhammad Anwar s/o Mamin Khan	Steno Typist (BPS-12)
6.	Mr. Akhtar Hussain s/o Illahi Bakhsh	Computer Operator (BPS-12)
7.	Mehboob Alam s/o Luqman Sherin	Junior Clerk (BPS-07)

The above appointments are subject to the following terms and conditions:

- 1) Each appointee shall produce Medical Fitness Certificate before assumption of charge.
- 2) The terms and conditions of his service shall be governed by the NWFP Civil Servants Act, 1973, and all other Laws and Rules applicable to Government Servants.
- 3) He shall remain on probation for the period prescribed by the relevant rules.

  
District & Sessions Judge/  
Zilla Q. i. Swat

He will be eligible for the continuance and eventual confirmation on the post, on satisfactory completion of period of probation, subject to the availability of permanent post.


- 5) His service shall be liable to be dispensed with at any time without notice and assigning any reason before the expiry of the period of his probation/extended period of probation, if his work or conduct during the said period is not found satisfactory. In the event of termination from service, he will be given fourteen days notice or in lieu thereof fourteen days pay will be paid to him. In case of resignation, he will give one month notice to the Authority or in lieu thereof one month pay shall be

**ATTESTED**

forfeited to the Government. The resignation shall, however, be subject to acceptance by the Authority.

- 6) He shall not be entitled for pension and gratuity and shall, in lieu thereof, be entitled to receive such amount as contributed by him towards the Contributory Provident Fund along with the contribution made by the Government to his account in Fund in the prescribed manner.
- 7) If the above terms and conditions of appointment are acceptable to him, he should report for duty to the undersigned immediately. In case of any appointee failing to report for duty within 7-days, his appointment shall be deemed to have been cancelled.

Dated: 21<sup>st</sup> January, 2010:

  
District & Sessions Judge/  
Zilla Qazi, Swat/Chairman  
Departmental Selection Committee  
~~District & Sessions Judge/  
Zilla Qazi, Swat~~

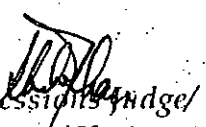
OFFICE OF THE DISTRICT & SESSIONS JUDGE / ZILLA QAZI, SWAT

Enst: No. 345-57 / E.C.Brh:

Dated: 21<sup>st</sup> January, 2010

Copy forwarded to :

- 1) The worthy Registrar, Peshawar High Court, Peshawar.
- 2) Mr. Muhammad Tariq, Additional District & Sessions Judge/1zafi Zilla Qazi- VI, Swat/ Nominee of the Chairman.
- 3) Syed Anis Badshah Sukhari, Additional Member Inspection Team-III, Peshawar High Court, Peshawar / Nominee of the Hon'ble Peshawar High Court.
- 4) The District Comptroller of Accounts, Swat.
- 5) All the appointees by name.
- 6) The Nazir of this Court.
- 7) Incharge Information Center, District Courts Swat.

  
District & Sessions Judge/  
Zilla Qazi, Swat/Chairman  
Departmental Selection Committee

~~District & Sessions Judge/  
Zilla Qazi, Swat~~

(8)

Ann-A/1

**ORDER**

The following postings and transfers amongst the ministerial staff of this Sessions Division are hereby ordered in public interest with immediate effect:-

S.#	Name of the official with designation	From	To
1.	Mr. Shah Dawran, Stenographer	Incharge, Information Center, District Courts, Swat.	Nazir Office of District & Sessions Judge/Zila Qazi, Swat.
2.	Mr. Shahid Sangam, Assistant	On his first appointment.	Incharge, Record Room & Copying Branch, District Courts, Swat.
3.	Mr. Kashif Islam, Assistant	On his first appointment.	Incharge, Information Center, District Courts, Swat.
4.	Mr. Asghar Ali, Computer Operator	Civil Judge/Ilaga Qazi-Behrain, Swat.	Judicial Magistrate/Ilaga Qazi-I, Swat
5.	Mr. Akhtar Hussain, Computer Operator	On his first appointment.	Civil Judge/Ilaga Qazi-Behrain, Swat.
6.	Mr. Sheraz Ali, Steno Typist	On his first appointment.	Civil Judge/Ilaga Qazi-Behrain, Swat.
7.	Mr. Fazal Rehman, Steno Typist	Civil Judge/Ilaga Qazi-Behrain, Swat.	Civil Judge/Ilaga Qazi-VI, Swat.
8.	Mr. Muhammad Anwar, Steno Typist	On his first appointment.	Civil Judge/Ilaga Qazi-IV, Swat.
9.	Mr. Muhammad Nawab Steno Typist	On his first appointment.	Civil Judge/Ilaga Qazi-XI, Swat.
10.	Mr. Aziz ur Rehman Senior Clerk / Reader	Civil Judge/Ilaga Qazi-XI, Swat.	Reader, Civil Judge/Ilaga Qazi-Behrain, Swat.
11.	Mr. Behram Khan, Senior Clerk / Reader	Civil Judge/Ilaga Qazi-II, Swat.	Reader, Civil Judge/Ilaga Qazi-XI, Swat.
12.	Mr. Wali Khan, Senior Clerk / Reader	Civil Judge/Ilaga Qazi-XI, Swat.	Reader, Civil Judge/Ilaga Qazi-II, Swat.
13.	Mr. Akbar Hussain, Senior Clerk / Reader	Civil Judge/Ilaga Qazi-Behrain, Swat.	Reader, Ilaga Qazi (Criminal) Matta, Swat.
14.	Mr. Muhammad Rafiq, Senior Clerk	Copying Branch, Office of District & Sessions Judge/Zila Qazi, Swat.	Office of District & Sessions Judge/Zila Qazi, Swat.
15.	Mr. Rafiuddin, Senior Clerk / Reader	Civil Judge/Ilaga Qazi-VI, Swat.	Reader, Civil Judge/Ilaga Qazi-VII, Swat.
16.	Mr. Muhammad Fashid, Senior Clerk / Reader	Civil Judge/Ilaga Qazi, VII, Swat	Reader, Civil Judge/Ilaga Qazi-VI, Swat.
17.	Mr. Yousaf Ali, Junior Clerk/ Nazir	Accounts Branch, Office of District & Sessions Judge/Zila Qazi, Swat.	Muharrir, Civil Judge/Ilaga Qazi-IV, Swat.
18.	Mr. Noor Islam, Junior Clerk/Muharrir	Civil Judge/Ilaga Qazi-II, Swat.	Muharrir, Judicial Magistrate/Ilaga Qazi-II, Swat

ATTESTED

19.	Mr. Sikandar Hayat, Muharrir / Junior Clerk	Civil Judge / Ilqa Qazi- Behrain, Swat.	Muharrir, Civil Judge/Ilqa Qazi-VIII, Swat.
20.	Mr. Murad Ali, Junior Clerk / Muharrir.	Civil Judge / Ilqa Qazi- VI, Swat.	Muharrir, Civil Judge/Ilqa Qazi-Behrain, Swat.
21.	Mr. Niaz Muhammad, Junior Clerk/ Muharrir,	Civil Judge / Ilqa Qazi- IV, Swat.	Accounts Branch, Office of District & Sessions Judge/Zila Qazi, Swat.
22.	Mr. Akbar Hussain, Junior Clerk/ Copy Clerk	Library, District Courts, Swat.	Office of District & Sessions Judge/Zila Qazi, Swat.
23.	Farmanat Khan, Junior Clerk/ Copyist	Copying Branch, Office of District & Sessions Judge/Zila Qazi, Swat.	Record Room, Office of District & Sessions Judge/Zila Qazi, Swat.
24.	Mr. Javed Ali, Junior Clerk/Muharrir	Additional District & Sessions Judge/Izafi Zila Qazi-III, Swat.	Copying Branch, Office of District & Sessions Judge/Zila Qazi, Swat.
25.	Mr. Akbar Ali, Junior Clerk/Execution Muharrir	Senior Civil Judge/A'ala Ilqa Qazi, Swat.	Muharrir, Civil Judge/Ilqa Qazi-X, Swat.
26.	Mr. Abdur Rashid, Junior Clerk/Execution Muharrir	Senior Civil Judge/A'ala Ilqa Qazi, Swat.	Muharrir, Ilqa Qazi (Criminal) Khwaza Khela, Swat.
27.	Mr. Anjad Ali, Junior Clerk/Execution Muharrir	Civil Judge / Ilqa Qazi- VIII, Swat.	Muharrir, Additional District & Sessions Judge/Izafi Zila Qazi, Behrain, Swat.
28.	Mr. Bakhtiar Ali, Junior Clerk/ Muharrir	Ilqa Qazi (Criminal) Khwaza Khela, Swat.	Record Room, Office of District & Sessions Judge/Zila Qazi, Swat.
29.	Mr. Zafar Iqbal, Junior Clerk/ Execution Muharrir	Civil Judge / Ilqa Qazi- VI, Swat.	Office of the Senior Civil Judge/A'ala Ilqa Qazi, Swat.
30.	Mr. Mehboob Alam, Junior Clerk/Muharrir	On his first appointment.	Muharrir, Additional District & Sessions Judge/Izafi Zila Qazi-VI, Swat.
31.	Mr. Shaukat Ali, Junior Clerk/Muharrir	Judicial Magistrate/Ilqa Qazi-II, Swat.	Muharrir, Civil Judge/Ilqa Qazi-II, Swat.

(Shah Jehan Akhundzada)  
District & Sessions Judge/  
Zila Qazi, Swat.

Dated: 27<sup>th</sup> January, 2010

**OFFICE OF THE DISTRICT & SESSIONS JUDGE/ZILA QAZI, SWAT**

Endst: No. 409-459 /E.C. Brh:

Dated 27/01/2010.

Copy forwarded to:-

1. All concerned Judicial Officers, in District Courts, Swat.
2. The District Comptroller of Accounts, Swat.
3. The Nazir, District & Sessions Judge, Swat.
4. The Civil Nazir, Senior Civil Judge/A'ala Ilqa Qazi, Swat.
5. The officials concerned for compliance accordingly.
6. Personal files of the officials concerned.
7. The Incharge, Information Centre, District Courts, Swat.

(Shah Jehan Akhundzada)  
District & Sessions Judge/  
Zila Qazi, Swat.

**ORDER** (9)

Ann-A/II

The undersigned is pleased to order following posting and transfers amongst the ministerial staff of the courts of District Swat in public interest with immediate effect:-

S.#	Name of the official with designation	From	To
1.	Mr. Aziz-ur-Rahman, Reader	Civil Judge/Ilaqa Qazi, Bahrain	Transferred and posted as Reader to the Court of Judicial Magistrate/IQ, Bahrain
2.	Mr. Akhtar Hussain, Computer Operator	Civil Judge/Ilaqa Qazi, Bahrain	Transferred and posted as Computer Operator to the Court of Judicial Magistrate/IQ, Bahrain
3.	Muhammad Masheer Naib Qasid	Civil Judge/Ilaqa Qazi, Bahrain	Transferred and posted as Naib Qasid to the Court of Judicial Magistrate/IQ, Bahrain

Note:-

1. Murad Ali, Junior Clerk/Muharrir and Sheraz Ali, Steno Typist shall continue to work in the Court of CJ/IQ, Bahrain, now designated as CJ-IQ-I Bahrain.

(Shah Jehan Akhunda)  
District & Sessions Judge/  
Zila Qazi, Swat.

Date: 11<sup>th</sup> March, 2010

**OFFICE OF THE DISTRICT & SESSIONS JUDGE/ZILA QAZI, SWAT**

Endst: No. 1431-1439 E.C. Brh: Dated 15/03/2010.

Copy forwarded to:-

1. The Senior Civil Judge/A'ala Ilaqa Qazi, Swat.
2. The Civil Judge/Ilaqa Qazi-I, Bahrain.
3. The Judicial Magistrate, Bahrain.
4. The Civil Nazir, Senior Civil Judge/A'ala Ilaqa Qazi, Swat.
5. The officials concerned for compliance accordingly.
6. Personal files of the officials concerned.
7. The Incharge, Information Centre, District Courts, Swat.

**ATTESTED**

(Shah Jehan Akhunda)  
District & Sessions Judge/  
Zila Qazi, Swat.

(10)

Ann-A/III

ARRIVAL REPORT:

In compliance with the order of Honorable District and Session Judge / Zilla Qazi Swat, Erist: No: 345-57 / E.C. Branch, Dated 21-01-2010.

I Akhtar Hussain, do hereby submit my Arrival report for the post of computer operator BPS-12 in the office of District and Sessions Judge/ Zilla Qazi Swat today on 22 / 01 / 2010 (Fore Noon).

*Akhtar Hussain*

Akhtar Hussain  
Computer Operator  
22-01-2010.

OFFICE OF THE DISTRICT AND SESSION JUDGE / ZILLA QAZI SWAT

No: 367-369 / E.C. Branch.

Dated: 23 / 01 / 2010.

Copy forwarded for information and necessary action to:

1. The District Comptroller of Accounts, Swat.
- ✓ 2. The Nazir of this Court.
3. Incharge Information Center, District, Courts Swat.

*T. Khan*

District and Sessions Judge/  
Zilla Qazi, Swat.

**ATTESTED**



(11)

Ann-A  
/ID  
2

## CHARGE ARRIVAL REPORT

In compliance with the order of District & Sessions Judge / Zila Qazi, Swat Endst: No. 409-459 / E.C. Brh. Dated 27<sup>th</sup> January 2010, hereby assumed charge of the post of computer operator (BPS-12) in the court of Civil Judge / Ilaqa Qazi-Bahrain, Swat on 1<sup>st</sup> February, 2010 (F.N).

*Akhtar Hussain*

(AKHTAR HUSSAIN)

Computer operator

No 27--31

Dated: 01/02/2010.

### Copy forwarded for information to:-

- 1) The Hon'ble District & Sessions Judge / Zila Qazi, Swat.
- 2) The Senior Civil Judge / A'ala Ilaqa Qazi, Swat.
- 3) The Civil Nazir, Senior Civil Judge, Swat.
- 4) The District Controller of Accounts Swat.
- 5) The Incharge Information Center Session Court Swat.
- 6) Office Copy.

*Tanveer Iqbal*

(TANVEER IQBAL)

Civil Judge / Ilaqa Qazi-Bahrain

Swat.

Civil Judge

Judicial Magistrate of the Grade  
Swat or Bahrain.

**ATTESYED**

(12)

Ann - A / 6

MEDICAL CERTIFICATE

Name of Official ..... AKHTAR HUSSAIN

Caste or race ..... Afghani / Yusufzai

Father's Name ..... Illahi Bakhsh

Residence ..... Chail Shagai Saidu Sharif  
Distt. Swat

Date of birth ..... 15-01-1974

Height by measurement ..... 5' 7"

Personal mark of identification ..... Nil

Signature of the Official ..... *Akhtar Hussain*

Signature of Head of Office

*[Signature]*  
District & Sessions Judge  
Swat at Saidu Sharif  
22/1/10

I do hereby verify that I have examined Mr. AKHTAR HUSSAIN  
at his residence for employment in the office of Distt & Sessions Judge Swat  
and can not discover that he had any disease communicable or other constitutional  
affection or local infirmity except .....

I do not consider this as disqualification for employment in the Office of  
Distt & Sessions Judge Swat His age according to his own  
Statement is (36) years and by appearance about thirty six



**ATTESTED**

Medical Superintendent,  
Saidu Sharif Hospital,  
Saidu Sharif Swat.  
22/1/10

ادھر حسین کی طرف سے  
(13) Ann-B

**OFFICE ORDER**

As per report of Mr. Taveer Iqbal, Civil Judge/Judicial Magistrate, Behrain No. 637 dated 20/04/2010, the performance of Mr. Akhtar Hussain, Computer Operator has not been found satisfactory. Therefore, being on probation his services are hereby terminated with immediate effect.

*(Signature)*  
(Shah Jehan Akhtar) 26.4.2010  
District & Sessions Judge  
Zila Qazi, Swat.

**OFFICE OF THE DISTRICT & SESSIONS JUDGE/ZILA QAZI, SWAT.**

Endst: No. 2977-2982/E.C. Brh Dated: 27/04/2010

Forwarded to:

1. The Senior Civil Judge/ A'ala Ilaga Qazi, Swat.
2. Mr. Tanveer Iqbal, Civil Judge/Judicial Magistrate, Behrain, Swat.
3. The District Comptroller of Accounts, Swat.
- ✓ 4. Mr. Akhtar Hussain, Computer Operator to the court of Civil Judge/Judicial Magistrate, Behrain, Swat.
5. The Civil Nazir to the Court of Senior Civil Judge/ A'ala Ilaga Qazi, Swat.
6. The Incharge Information Center, Sessions Division, Swat.

*(Signature)*  
(Shah Jehan Akhtar) 26.4.2010  
District & Sessions Judge  
Zila Qazi, Swat.

**ATTESTED**

(14)  
Ann - C  
2

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR**

The Registrar,  
Peshawar High Court,  
Peshawar

Through: Proper Channel.

**REPRESENTATION / APPEAL OF AKHTAR HUSSAIN,  
COMPUTER OPERATOR (BPS-12) ATTACHED TO THE  
COURT OF CIVIL JUDGE / JUDICIAL MAGISTRATE,  
BEHRAIN, SWAT**

Respectfully Sheweth,

Akhtar Hussain, the Petitioner, submits most respectfully the following for your kind consideration and favour of acceptance:-

1. In response to the advertisement dated 09-01-2010, of the District and Session Judge / Zila Qazi, Swat, the Petitioner applied for one of the post of Computer Operator (BPS-12).
2. The petitioner being qualified and eligible for the job, was interviewed by the department selection committee and was recommended for appointment as such, computer operator (BPS-12).
3. Accordingly the petitioner was appointed vide the appointment order dated 21-01-2010, he had reported his arrival on 22-01-2010, in the Court of District and Session Judge, Swat. On his first appointment, he was posted as computer operator in the Court of Civil Judge / Zila Qazi, Behrain, Swat vide order dated 27-01-2010.
4. The appellant was re-posted in the same Court, vide another order dated 15-03-2010. However, his continuous appointment in the said Court had started from 27-01-2010, while his service began on 22-01-2010.
5. The petitioner having successfully completed the probationary period, the impugned order of termination of his service dated 27-04-2010, without prior notice, is arbitrary, and without lawful authority, rendering it illegal and without jurisdiction.
6. It may be added here, that the petitioner's performance as a computer operator was perfect and up to the mark and he is prepared to take any test proposed by the authority for verification of this fact.

**ATTESTED**

(15)

In view of the above, it is most humbly requested that the Hon'ble appellate authority may be pleased to set aside the impugned order, allowing him to continue in service as computer operator (BPS-12) of the District Court, Swat.

Any other relief deemed appropriate may also be granted.

*Akhtar Hussain*

**(AKHTAR HUSSAIN)**  
Computer Operator (BPS-12)  
S/o Ellahi Bakhsh  
Mohallah Chail Shagai,  
Saidu Sharif, Distt: Swat.  
Post Code – 19200

Date: 05 May, 2010

**Note:- Copy in advance submitted to the Hon'ble Appellate Authority.**

**ATTESTED**

No. 4170 / E.C.Erh

From: The District & Sessions Judge/  
Zilla Qazi, Swat.

(15) Dated: 26/05/2010.

To: The Registrar,  
Peshawar High Court,  
Peshawar.

SUBJECT: **REPRESENTATION / APPEAL OF AKHTAR HUSSAIN, COMPUTER  
OPERATOR (D P S-12) ATTACHED TO THE COURT OF CIVIL JUDGE/  
JUDICIAL MAGISTRATE, BHRAIN, SWAT.**

Dear Sir,

Kindly refer your letter No. 7930/ Admn dated 11/05/2010 on the subject and find below my para-wise comments:-

1. Admitted
2. Admitted, but did not find him eligible for the job later on.
3. Admitted
4. Admitted
5. Denied. The petitioner had not yet completed the probation period, where he was reported upon by his immediate officer as unfit for the job. Being in probation, he was not required to be served with any notice as per the terms and conditions of his service.
6. Denied. The performance of the petitioner was not found satisfactory as per written report of his immediate officer and hence terminated under the relevant rules so empowering the authority.

In view of the above it is requested that the petition being baseless be dismissed, please

Yours faithfully

(Shah Jehan Akhmalzai)  
District & Sessions Judge/  
Zila Qazi, Swat.

ATTACHED

(17)

Ann-D  
2



The  
**PESHAWAR HIGH COURT**  
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.  
Exch: 921014958  
Off: 9210135  
Fax: 9210170  
www.peshawarhighcourt.gov.pk  
info@peshawarhighcourt.gov.pk  
phcps@gmail.com

No. 7400 / Admn.

Dated Pesh the 25 / 6 / 2015

To  
The District & Sessions Judge/ZQ,  
Swat.

Subject: DEPARTMENTAL APPEAL NO 13/2010  
AKhtar Hussain... Vs... District & Sessions Judge/ZQ, Swat

Dear Sir,

Enclosed find herewith, copy of Judgment dated 15/06/2015, passed by the Hon'ble Senior Puisne Judge of this Court in the subject appeal, for information and compliance. The relevant record is also returned herewith.

Sincerely yours

(ADDITIONAL REGISTRAR (ADMN.)  
FOR REGISTRAR

**Enclosed:**

- Copy of Judgment dated 15/06/2015, passed in the subject Appeal
- Service Book in respect of the official concerned

**ATTESTED**

JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT

(18)

Departmental Appeal No. 13/2010 (M)

JUDGMENT

Date of hearing.....15-06-2015.

Appellant (Akhtar Hussain) in person by Mr. Saadullah  
Marwat, Advocate.

Respondent No.1 (D&SJ/ZQ, Swat) by representative  
in person.

YAHYA AFRIDI, J.- Through the instant  
Departmental Appeal Akhtar Hussain, appellant herein,  
has questioned the legality of the order dated 27-04-2010  
whereby he has been terminated from service on the  
ground of unsatisfactory performance during the  
probationary period.

2. In essence, the grievance of the appellant is  
that the impugned termination order, being without any  
prior notice, may be declared as illegal, arbitrary and  
without lawful authority.

3. The worthy counsel along with appellant and  
the representative of the concerned Court of District and  
Sessions Judge were heard. Case file perused.



4. Perusal of the record would reveal that the appellant was appointed as Computer Operator (BPS-12) with one of the conditions that his services shall be liable to be dispensed with at any time without any notice and assigning any reason before the expiry of the period of his probation vide order dated 21-01-2010. The appellant, while accepting the above condition, reported for his duty with effect from 22-01-2010.

5. Vide order dated 27-04-2010 the services of the appellant were terminated because his official performance was found by the competent authority not satisfactory as provided under sub-rules (2) and (3) of Rule 15 of the N.W.F.P. Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 ("**Rules**") , which reads as under:-

*"15. Probation.- (1) A person appointed to a post on regular basis shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period one one year, if appointed otherwise, provided that if his work or conduct during the period of probation has, in the opinion of the appointing authority, not been found satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired.-*

*(a) dispense with his service, if he has been appointed by initial recruitment; or*

~~APPROVED~~

9

(b) revert him to his former post, if he has been appointed otherwise, or if there be no such post, dispense with his service; or

(c) extend the period of probation for a period not exceeding one year in all and may, during or on the expiry of such extended period, pass such orders as it could have passed during or on the expiry of the initial probationary period."

In view of the above legal position, no case has been made out warranting interference by this Court in the impugned order, which is based on proper appreciation of record and the law cited above.

7. Accordingly, for the reasons stated hereinabove, this appeal, being bereft of any merit, is hereby dismissed.

JUDGE

Announced on:  
15th June. 2015

~~ATTESTED~~

(21) "Am-D" / I

# PESHAWAR HIGH COURT, PESHAWAR

## FORM OF ORDER SHEET

Court of.....

Case No.....of.....

Serial No. of Order of Proceedings	Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2	3
	12.05.2012	<p style="text-align: center;"><u>Departmental Appeal No.13/2010</u></p> <p>Present: Appellant in person.</p> <p>Mr. Yousaf Ali, Senior Clerk, on behalf of D&amp;SJ, Swat.</p> <p style="text-align: center;">*****</p> <p>Since one Akhtar Ali, Computer Operator, who has been appointed against the post of the appellant, has not been made party in this appeal, the office is directed to implead him as respondent and issue notice thereto for the date fixed.</p> <p style="text-align: center;"><b>ATTESTED</b></p>

(Fayaz)

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Departmental Appeal No. 13/2010

✓ Akhtar Hussain .....Appellant.

VERSUS

District & Sessions Judge/Zilla Qazi Swat etc ..... Respondents.

**LIST OF COMPUTER OPERATORS APPOINTED AFTER  
DISMISSAL OF MR. AKHTAR HUSSAIN, APPELLANT**

Respectfully Sheweth:

1. That the above titled departmental appeal is pending before this Hon'ble Court in which no next date is intimated yet.
2. That vide order dated 10/03/2014, the respondent No.1 was asked to provide details / particulars of Computer Operators appointed after dismissal of the appellant, which are submitted as under:-

S.No	Name	No & Date of appointment order	Present Posting/Remarks
1.	Hamayun Khan	6003-6015 dated 10/10/2011	Civil Judge/Judge Family Court-II Swat.
2.	Mehboob Alam	6003-6015 dated 10/10/2011	Library, Sessions Division Swat.
3.	Akhtar Ali	6003-6015 dated 10/10/2011	Judicial Magistrate-I Swat
4.	Atiq Ahmad	3256-3268 dated 05/05/2012	Statistics Branch, Sessions Division Swat.
5.	Asad Sultan	3256-3268 dated 05/05/2012	Addl: District & Sessions Judge/Izafi Zilla Qazi-VI Swat.
6.	Samiullah	1408-1418 dated 14/03/2013	Civil Judge/Illaqa Qazi Behrain Swat.
7.	Mst. Sumaira	1408-1418 dated 14/03/2013	Statistics Branch, Sessions Division Swat.
8.	Asghar Ali	3232-3240 dated 19/06/2013	Judicial Magistrate Matta
9.	Jamal Hussain	3232-3240 dated 19/06/2013	Addl: District & Sessions Judge/Izafi Zilla Qazi Behrain Swat.

Respondent No.1  
Through representative

  
YOUSAF ALI

Senior Clerk English Branch,  
Sessions Division, Swat.

03-05-2014.

**ATTESTED**

Ann-<sup>2</sup>E

Dated \_\_\_/04/2010.

No, \_\_\_\_\_

From,

Civil Judge/Judicial Magistrate,  
Illaga Qazi, Bahrain District Swat.

(23)

To,

The District & Sessions Judge,  
Zilla Qazi District Swat.

**Subject: - Progress Report**

Through, Proper Channel

Sir,

This is with reference to subject noted above, it is submitted that performance of KPO, Akhtar Hussain, to the court of undersigned, is below overage. He is not able to cope with the judicial and other connected work, assigned to him.

Submitted please.

Civil Judge/Judicial Magistrate,  
Bahrain District Swat.

~~ATTESTED~~

Ann- "E/I"

(24)

2

**IN THE COURT OF CIVIL JUDGE/ILLAQA QAZI BAHRAIN, SWAT**

6<sup>th</sup> March, 2010

**TO WHOM IT MAY CONCERN**

This is to certify that **Akhtar Hussain S/o Illahi Bakhsh** resident of Saidu Sharif Swat has been working as computer operator (BPS-12) under my supervision in ~~the~~ Tehsil courts Bahrain Swat since 1<sup>st</sup> February 2010 till date. He is a punctual, honest & hardworking to his duty.

I wish him success in his future.

  
(TANVEER IQBAL)

Civil Judge/Illaqa Qazi Bahrain, Swat

**Civil Judge**  
**Judicial Magistrate 1st Class**  
**Swat at Bahrain.**

~~ATTESTED~~

To:

THE HON'BLE SECRETARY, ESTABLISHMENT DIVISION,  
GOVT: OF NWFP PESHAWAR.

(2)

Ann-F  
2

THROUGH: PROPER CHANNEL

SUBJECT: REQUEST FOR AGE RELAXATION

Respected sir,

- 1- I've the honour to submit that I've been appointed as Computer Operator (BPS-12) vide order No. 345-47/E.C.Brh dated 21/01/2010.
- 2- I took over the charge of my post on 22-01-2010 and at present, I'm working in the Court of Civil Judge/Illaqqa Qazi Bahrain, Swat. My monthly pay bill has returned by the Finance Department with the remarks that the pay bill may be accompanied with original health and age certificate and relaxation in upper age limit. My date of birth is 15-01-1974, which means that I'm overage by 3 years and 3-days on the closing date of receipt of application on 18-01-2010. *(Including 3 years automatic age relaxation for residents of Malakand Division.)*
- 3- It is therefore, most humbly prayed that I may kindly be allowed relaxation in upper age limit for the period mentioned above.

Yours obediently

*Akhtar Hussain*

AKHTAR HUSSAIN

Computer Operator to the Court of  
Civil Judge/Illaqqa Qazi, Bahrain, Swat.

OFFICE OF THE CIVIL JUDGE/ILLAQA QAZI-BEHRAIN, SWAT.

Forwarded in original to the Senior Civil Judge/A'ala Illaqqa Qazi, Swat, for favour of further necessary action, please.

No 1016 dated 13-4-10, Sec Swat

Forwarded in original to  
Dist Judge Zila Dargah Swat  
Please.

*[Signature]*

*[Signature]*  
Civil Judge/Illaqqa Qazi,  
Bahrain, Swat.

Civil Judge  
Illaqqa

ATTACHED

2688 E.C.B.P.

(26) 13 04

From: The District & Sessions Judge/  
Zila Qazi, Swat.

3617 we  
14-4-60


To: The Secretary,  
Establishment Department,  
Govt. of NWFP, Peshawar.

SUBJECT: **REQUEST FOR AGE RELAXATION**

Memo:

Enclosed please find herewith application (in original) submitted by Mr. Akhtar Hussain, Computer Operator to the Court of Civil Judge/Illaqa Qazi, Behrain, Swat for further necessary action.

Encl: As above.

  
(Shah Jehan Akhundzada)  
District & Sessions Judge/  
Zila Qazi, Swat.

~~ATTESTED~~





GOVERNMENT OF KHYBER PUKHTOON KHWA  
ESTABLISHMENT & ADMINISTRATION

DEPARTMENT  
(ESTABLISHMENT WING)

No. SOE-III (E&AD)2-5/2010  
Dated Peshawar the 26<sup>th</sup> April, 2010

(27)

To

The District & Sessions Judge/  
Zila Qazi, Swat.

SUBJECT:- REQUEST FOR AGE RELAXATION.

I am directed to refer to you Memo: No. 2688/E.C.Brh, dated 13-04-2010 on the above cited subject and to state that according to Rule-3(iii) read with Rule-5 of NWFP Initial Appointment to Civil Posts (Relaxation of Upper age Limit) Rules, 2008, age relaxation exceeding 2 years upto 5 years shall be granted by the Establishment Department subject to the provision of (a) full justification in support of the proposal and (b) a certificate to the effect that no eligible candidates within the prescribed age limits are/were available, to be provided by the concerned Department.

2. You are, therefore, requested to provide the requisite information/certificate to enable this Department dispose of the case.

*Ehsan Elahi*  
(Ehsan Elahi)  
Section Officer (E-III)

*27-5-2010*

**ATTESTED**



WAJID ALI KHAN,  
MINISTER FOR ENVIRONMENT,  
N.W.F.P.

(28)  
D.O. No. Ps/Env/Envt/1-08/12

Dated 22-04-2010

Dear Ameer Haider Khan

Assalam-o-Alaikum

Hope that you will find this letter of mine in your good health.

Mr. Akhtar Hussain S/o Illahi Bakhsh R/o of Saidu Sharif Swat has been appointed as Computer Operator by District & Session Judge Swat and performing his duty since 22/01/2010. He is over age by 03 Years and 03 days.

He belongs to my constituency and is very close to me. I shall be grateful if age relaxation for 03 year and 03 days is granted in favor of Mr. Akhtar Hussain.

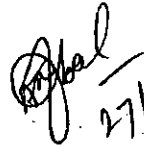
Thanks.

Yours Sincerely,

  
(Wajid Ali Khan)

Minister for Environment  
NWFP

Mr. Ameer Haider Khan Hoti  
Honourable Chief Minister  
Khyber Pakhtoon Khawa

  
27/4/10

**ATTESTED**

29  
CHIEF MINISTER'S SECRETARIAT,  
KHYBER PUKHTOONKHWA..

No. SO (Admn.)CMS/NWFP/2010  
Peshawar the, 27<sup>th</sup> April, 2010. / 8154

To

The Secretary to Govt. of KPK.,  
Establishment Department..

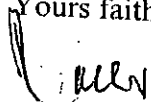
Subject. AGE RELAXATION

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of letter No.PS/Min/Env/1-08/010 dated 22.4.2010 alongwith application of Mr. Akhtar Hussain S/O Illahi Bakhsh R/O Saidu Sharif Swat requesting for age relaxation for 3 years and 3 days . The Hon'able Chief Minister, Khyber Pukhtoonkhwa has been pleased to approve the age relaxation.


2- It is therefore requested that necessary action in the matter may please be taken under intimation to this Secretariat please.

Yours faithfully,

  
Section Officer (Admn.)

Copy to :-

1. PS to Chief Minister, Khyber Pukhtoonkhwa..
2. PS to Minister for Environment, Khyber Pukhtoonkhwa.
3. PS to Principal Secretary to Chief Minister, Khyber Pukhtoonkhwa..
4. PS to Principal Staff Officer to Chief Minister, Khyber Pukhtoonkhwa..

  
Section Officer (Admn.)

**ATTESTED**

130

# Daily Attendance Register of the

Amir G  
P

Seria No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
	SHERAZ ALI	S. T	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	Aziz U. Rahma	S. R	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	AKHTAR HUSSAIN	K. P. O	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	MURAD ALI	J/C K / Muharbi	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	MASHAR KHAN	N. P. O	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	M FARQA	C-d	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	M. M	A. Q.	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
	MUSHARAF M.	Supor.	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>

**ATTESTED**



# Daily Attendance Register of the

(32) *[Handwritten Signature]*

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
	SHERAZ ALI	S. T	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	Aziz ur-Rahma	S. R	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	AKHTAR HUSSAIN (K.P.O)	K. P O	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	MURAD ALI	J/C/K/ Muharrir	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	MASHARAF KHAN	N. Q	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	M FARQA	C-d	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X
	MUSHARAF M.	Supor.	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	X	X	X	X	X	X	X	X	X

*[Handwritten Signature]*  
**APPROVED**  
 CHIEF POLICE OFFICER  
 District Police Office Swat

**ATTESTED**

for the Month of

July 20 10 <sup>(33)</sup>

	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
	Q	X	Q	Q	Q	Q	Q	Q	X	Q	X	Q	Q	Q	Q	X	Q	Q	Q		
	W	X	W	W	W	W	W	W	X	W	X	W	W	W	W	X	W	W	W		
	8	X	8	8	8	8	8	8	X	8	X	8	8	8	8	X	8	8	8		
	Dot	X	Dot	Dot	Dot	Dot	Dot	Dot	X	Dot	X	Dot	Dot	Dot	Dot	X	Dot	Dot	Dot		
	N	X	N	N	N	N	N	N	X	N	X	N	N	N	N	X	N	N	N		
	K	X	K	K	K	K	K	K	X	K	X	K	K	K	K	X	K	K	K		
	M	X	M	M	M	M	M	M	X	M	X	M	M	M	M	X	M	M	M		

ATTESTED

(34)

# Daily Attendance Register of the سولہ روزہ

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
	Shehzad Ali	S. O	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	Aziz ur Rahman	R. S.	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	Murad. Ali	J. K/ Muhallis	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	Akhtar Hussain (K.P.O)	K.P.O	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	M Mashim	N. S.	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	M Farqya Khan	<del>Rank</del>	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓
	<del>Signature</del>		M	M	M				✗	M	M	M	M	M

**ATTESTED**





(7)

# Daily Attendance Register of the سورجیہ ایف جی ایف

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	AKbar Hussain	Reader	A	A	A		X		X		T	R	A	S
2	Fazal Rahman	Steno	P	P	P	P	P	P	P	P	P	P	P	P
3	Sheraz Ali	Steno	B	B	B		X		B	B	B	B	B	B
4	Murad Ali	Muharrir	S	S	S		X		S	S	S	S	S	S
5	محمد شریف	n.o	S	S	S	S	X		S	S	S	S	S	S
6	محمد فاروق		K	K	K	K		X	K	K	K	K	K	K
7	مشرف		A	A	A	A		X	A	A	A	A	A	A
8	AKhtar Hussain (K.P.O)	Computer operator	S	S	S	S		X	S	S	S	S	S	S
9	Aziz-ur-Rahman	Reader	S	S	S		X		S	S	S	S	S	S

**ATTESTED**

for the Month of

37

2009

	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
	X	A	A	A	A	A	A	X	A	A	A										
	X	FIN	FIN		FIN	FIN	FIN	X	FIN	FIN	FIN										
	X	AS	AS	AS	AS	AS	AS	X	AS	AS											
	X	SIC	SIC	SIC	SIC	SIC	SIC	X	SIC	SIC	SIC										
	X	S	S	S	S	S	S	X	S	S	S										
	X	Lab	Lab	Lab	Lab	Lab	Lab	X	Lab	Lab	Lab										
	X	M	M	M	M	M	M	X													
	X							X													

10  
Days  
by  
lab

ATTESLED

(38)

# Daily Attendance Register of the سولہ بیورو

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
	اکبر حسین خان	ایڈیٹر	A	A	A	A	A		A	A	A	A	A	A
	فضل اعلیٰ خان	ایڈیٹر	F	F	F	F	F		F	F	F	F	F	F
	اقبال خان	K.P.O	A	A	A	A			A	A	A	A	A	A
	سید مصدق علی	فکر	A	A	A	A			A	A	A	A	A	A
	ممتاز علی	ممتاز	A	A	A	A			A	A	A	A	A	A
	فاریق خان	جوینئر	A	A	A	A			A	A	A	A	A	A
	سرفراز	سرفراز	M	M	M	M			M	M	M	M	M	M

**ATTESTED**

for the Month of

(39) 20 09

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
A	A	X	A	A	A	A	A	A	X	A	A	A	A							
F	F	X	F	F	F	F	F	F	X	F	F	F	F							
L	L	X	L	L	L	L	L	L	X	L	L	L	L							
S	S	X	S	S	S	S	S	S	X	S	S	S	S							
H	H	X	H	H	H	H	H	H	X	H	H	H	H							
<del>A</del>	<del>A</del>	<del>X</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>X</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>							

ATTESTED

(40)

# Daily Attendance Register of the

سولج 2013

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
	الکبر حسین خان	ایڈیٹر	X	A	A	A	A	A	A	X		A	A	A
	فضل رحمان	اسٹینو	X	FD	FD	FD	FD	FD	FD	X		FD	FD	FD
	آفتاب خان	کامپیوٹر اڈا	X	AS	AS	AS	AS	AS	AS	X		AS	AS	AS
	سید سعید خان	فرد	X	AS	AS	AS	AS	AS	AS	X		AS	AS	AS
	مشیر احمد	نیوٹن	X	AS	AS	AS	AS	AS	AS	X		AS	AS	AS
	فاروق خان	پوسٹل	X	AS	AS	AS	AS	AS	AS	X		AS	AS	AS
	درفت مسج	سولج	X	AS	AS	AS	AS	AS	AS	X		AS	AS	AS

**ATTESTED**

for the Month of October (4) 2009

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
A	A	A	A	A	X	A	A	A	A	X	A	A	A	A	A	A	A	A		
FM	FM	FM	FM	FM	X	FM	FM	FM	FM	FM	X	FM	FM	FM	FM	FM	FM	FM		
AS	AS	AS	AS	AS	X	AS	AS	AS	AS	AS	X	AS	AS	AS	AS	AS	AS	AS		
Si	Si	Si	Si	Si	X	Si	Si	Si	Si	Si	X	Si	Si	Si	Si	Si	Si	Si		
b	b	b	b	b	X	b	b	b	b	b	X	b	b	b	b	b	b	b		
U	U	U	U	U	X	U	U	U	U	U	X	U	U	U	U	U	U	U		Transport To SCT Survey
M	M	M	M	M	X	M	M	M	M	M	X	M	M	M	M	M	M	M		
					X						X									

**ATTESTED**

(42)

To: The Hon,ble Civil Judge/Ilalqa Qazi  
Bahrain District, Swat

Subject: CASUAL LEAVES 2 DAYS i.e. 09-04-2010 & 10-04-2010

Respected Sir,

I have the honour to state that I have ~~been~~ <sup>got</sup> an urgent piece of work, due to which I can't attend my duty in specified dates.

Kindly grant me leave for two days i.e. 09-04-2010 & 10-04-2010.

With regard.

*Allowed*  
*9-4-2010*  
**ATTESTED**

Yours obediently,

*Akhtar Hussain*

Akhtar Hussain  
Computer Operator Bahrain,  
Swat



(43) Ann. 17

**MINUTES OF THE DEPARTMENTAL SELECTION COMMITTEE IN  
DISTRICT JUDICIARY SWAT**

A meeting of the Departmental Selection Committee was held on 21st February 2014, at the chamber of District & Sessions Judge, District Swat.

The following were attended:-

1	MR. SHAH JEHAN AKHUNDZADA District & Sessions Judge, Zilla Qazi Swat	Chairman
2	MR. MUHAMMAD TARIQ Additional District & Sessions Judge (I) Zilla Qazi, Swat	Member
3	SYED ANISBAD SHAHBUKHARI Regional Member, Inspection Team-III Peshawar High Court, Peshawar	Nominee of Sessions Judge Court

The committee conducted screening, written test and interview of the candidates who applied for the following vacant positions in the establishment of District & Sessions Judge, Zilla Qazi, Swat.

1	Assistant / Reader (BPS-14)	Two
2	Steno-Typist (BPS-12)	Three
3	Computer Operator (BPS-12)	One
3	Junior Clerk (BPS-07)	One

**1. ASSISTANT / READER**

After conducting screening, written test and interview, the committee selected and recommended the following candidates for appointment to the post of Assistant / Reader:-

1. Mr. Kashif Islam s/o Shamsul Islam, r/o Mingora, District Swat
2. Mr. Shahid Sangam s/o Ghulam Sarwar, r/o Gulleada, Saithi Shari Swat

**2. STENO-TYPIST**

After conducting screening, written test and interview, the committee selected and recommended the following candidates for appointment to the post of Steno-Typist:-

1. Mr. Sheraz Ali s/o Zafar Ali, r/o Amankot, District Swat
2. Mr. Muhammad Nawab s/o Amir Sattar, College Colony, Saithi Shari, Swat
3. Mr. Muhammad Anwar s/o Momin Khan, Village Thana, District Malakand

(44)

3. COMPUTER OPERATOR

After putting all the present candidates to screening, written test, practical test on computer and interview, the committee unanimously selected and recommended the following candidate for appointment to the post of Computer Operator, who secured the highest total marks and was found fit in all respect amongst the contesting candidates.

- 1. ✓ Mr. Akhtar Hussain s/o Illahi Bakhsh i/o Chail Shagan, Saidu Sharif, Swat.

4. JUNIOR CLERK

Screening / written test, typing test and interview of the candidates present were conducted. The following candidate secured the highest marks and hence recommended for appointment:-

- 1. ✓ Mehboob Alam s/o Luqman Sherin i/o Shahdara Mingora, District Swat.

(SHAH JEHAN AKHUNDZADA)  
District & Sessions Judge/  
Zila Qazi, Swat / Chairman

(SYED ANISBAD SHAHBUKHARI)  
Additional Member Inspection Team-III  
Peshawar High Court, Peshawar

(MUHAMMAD TARIQ)  
Additional District & Sessions Judge/Kzafi  
Zila Qazi-VI, Swat / Member / Nomine of the  
Chairman

*(Handwritten signature)*  
ATTACHED

# وکالت نامہ

(41)

بعدالت: \_\_\_\_\_  
 نام: \_\_\_\_\_  
 منجانب: \_\_\_\_\_ دعویٰ: \_\_\_\_\_  
 تاریخ: \_\_\_\_\_

باعث تحریر آنکہ مقدمہ مندرجہ بالا بعنوان اپنی طرف سے واسطے پیروی و جوابدہی  
 کے لیے جاوید اقبال گل بیلہ ایڈووکیٹ ہائی کورٹ کو بریں شرط وکیل  
 مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزر لیچ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل  
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کرونگا، اگر پیشی پر من مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے  
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر  
 مقام پکھری کی کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر  
 مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر  
 من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی  
 صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پر داخۃ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور  
 صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و  
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل  
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور  
 بصورت اپیل و درآمدگی مقدمہ یا منسوخی ڈگری بیکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف  
 کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا  
 اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ  
 مقرر کریں اور ایسے مشیر قانون کے ہر امر دہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل  
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو  
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور کسی کی پیروی  
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سندر ہے  
 مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

**NWFP Bar Council**

ADVOCATE

JAVED IQBAL



Secretary's

Father's Name: JAN MUHAMMAD  
 Address: VILL & P.O GULBELA TEHSIL & DISTT PESHAWAR  
 Office Tel: 214180 Res: 239318  
 Enrolment Date L.C: 18/06/2005  
 Place of Practice: PESHAWAR  
 Date of Birth: 11/02/1980  
 Blood Group: A+VE  
 N.I.C. No.: 137-80-661070



712110  
11/11/11  
11/11/11  
11/11/11