



21.12.2022

Junior of learned counsel for the appellant present.
Muhammad Adeel Butt learned Additional Advocate General
for respondents present.

Former made a request for adjournment on the ground
that learned counsel for the appellant is busy in the august
Peshawar High Court, Peshawar. Adjourned. To come up for
arguments on 10.01.2023 before D.B.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

10-1-23


Due to Rush of work
therefore case is adjourned to
17-4-23 for the same



Reader

17th April, 2023 1. Learned counsel for the appellant present. Mr. Fazal
Shah, Addl: AG for the respondents present.

2. Learned counsel for the appellant seeks adjournment
on the ground that he has not prepared the case. Last
opportunity granted to the appellant to argue the case on
the next date positively. This was a transfer case and stay
matter was involved but the Reader has given a very long
date. Explanation of the Reader be called for, the reply of
which should be reached to the undersigned within one
week. To come up for arguments on 03.05.2023 before
D.B. P.P given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman


18th Nov. 2022

Lawyers are on strike today.

Case is adjourned to 07.12.2022 for arguments before the DB. Office is directed to notify the next date on the notice board as well as website of the Tribunal.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member(E)

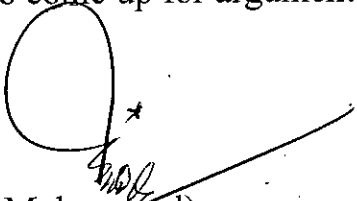

(Rozina Rehman)
Member(J)

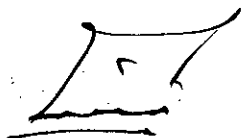
07.12.2022

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

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 21.12.2023 before D.B.

SCANNED
KPST
Peshawar

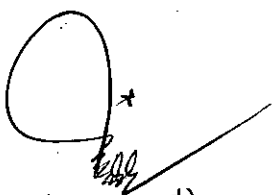

(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

06.07.2022

Appellant alongwith clerk of his counsel present. Ms. Komal Jan, Assistant Director (Litigation) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 12.08.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

12-8-2022

Proper DB not available the case is adjourned to 30-9-2022


Reader

30.09.2022

Appellant present through counsel.

Riaz Khan Painakhel, learned Assistant Advocate General for respondents present.

Former submitted rejoinder with a request for adjournment as he has not made preparation of the case. Adjourned. To come up for arguments on 18.11.2022 before D.B.



(Fareeha Paul)
Member (E)

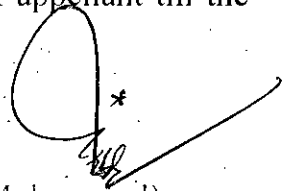


(Rozina Rehman)
Member (J)

27.05.2022

Rs-500/-
Appellant Deposited
Security & Process Fee
30/5/22

Appellant in person present and submitted application to deposit security and process fee. Application is allowed and appellant is directed to deposit security and process fee within 03 working days. Thereafter notices be issued to the respondents for submission of written reply/comments. To come up for written reply/comments on 15.06.2022 before S.B. The impugned notification dated 31.01.2022 ^{shall remain} suspended to the extent of appellant till the date fixed.



(Mian Muhammad)
Member (E)

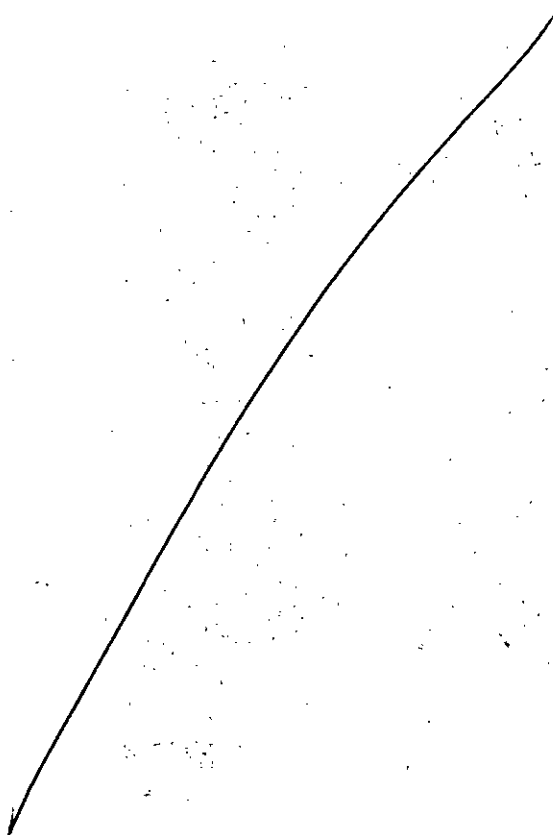
15th June 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG Abdul Hamid ADO for the respondents present.

Respondents have submitted written reply/comments which are placed on file. To come up for arguments on 06.07.2022 before D.B.



(Kalim Arshad Khan)
Chairman



13.05 2022

Learned counsel for the appellant present and heard.

SCANNED
KPST
Peshawar

Learned counsel for the appellant submits that the appellant is aggrieved of the notification No.SO(Pros:)/HD/2-3/Post & Trans/2022 dated 31.01.2022, by way of which he was transferred from the post of District Public Prosecutor Bajaur and was posted as Senior Public Prosecutor Swabi. He further submits that as the Tribunal was non-functional due to retirement of the then Chairman, the appellant filed Writ Petition No. 501-P/2022 before the Hon'ble Peshawar High Court, Peshawar which was disposed off on 11.02.2022, directing the maintenance of status-quo till the first hearing before the Tribunal. Learned counsel further submits that the appellant filed departmental representation on 03.02.2022, which was not responded within statutory period of 90 days compelling the appellant to file this appeal. The appeal is within time and is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee within 10 days, thereafter notices be issued to the respondents for submission of reply/comments. To come up for reply/comments before the S.B on 27.05.2022.

Alongwith the appeal there is an application for suspension of the impugned notification dated 31.01.2022, whereby the appellant was transferred from Bajaur to Swabi within less than one year. The impugned notification dated 31.01.2022 is suspended to the extent of appellant till the date fixed.





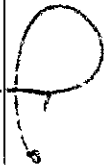
(Kalim Arshad Khan)
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 664/2022

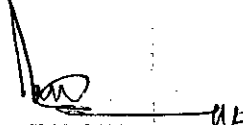
S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	09/05/2022	<p>The appeal of Mr. Shah Zada resubmitted today by Mr. Yasir Salim Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p>	12/5/22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>13/5/22</u>. Notices be issued to appellat and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"></p>

This is an appeal filed by Mr. Shah Zada submitted today on 24/03/2022 against the transfer notification dated 31-01-2022 against which he preferred/made departmental appeal/representation on 03.02.2022 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 766 /ST,

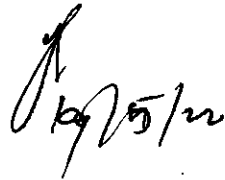
Di. 28-3- /2022.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Yasir Saleem Adv. Pesh.

Resp / Sri,

The instant appeal is now mature
to be filed before this Hon'ble
Tribunal. So it may be
put before the Tribunal for
hearing.


19/3/22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 664 /2022



Shah Zada Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & others
..... Respondents

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Appellant
Through

YASIR SALEEM
&

YOUSAF ORAKZAI
Advocates High Court
Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

Shah Zada District Public Prosecutor (BPS 19) District Bajour Under transfer
to Swabhi, as Senior Public Prosecutor

..... Appellant

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar
2. Secretary to the Government of Khyber Pakhtunkhwa Home and Tribal Affairs, Department, Civil Secretariat Peshawar
3. Director, General Prosecution, Khyber Pakhtunkhwa Peshawar

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE NOTIFICATION DATED 31.01.2022 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF DISTRICT PUBLIC PROSECUTOR BPS-19 BAJAUR TO SWABI AS SENIOR PUBLIC PROSECUTOR BPS-19 AGAINST WHICH HIS DEPARTMENTAL APPEAL / REVIEW DATED 03.02.2022 HAS NOT BEEN RESPONDED TILL DATE.

Prayer in Appeal:

On acceptance of this service appeal the impugned order dated 31.01.2022 may be set aside to the extent of appellant and he may be allowed to continue his duties as District Public Prosecutor at Bajaur.

Or,

Any other remedy deemed proper may also be allowed.

Respectfully Submitted.

1. That the Appellant was initially appointed as Additional Public Prosecutor BPS-17 through Public Service Commission and was posted at Nowshera.

2. That during the course of service the Appellant performed his duties with zeal and devotion and with honesty and upto the entire satisfaction of his superiors and there has been no complaint with regard to his duties.
3. That keeping in view his meritorious service, the Appellant has been given promotions and currently he is holding the post of Senior Public Prosecutor BPS-19 (on regular basis).
4. That ever since appointment the Appellant remained posted at different stations as and when directed posted and on each occasion he obeyed the orders and performed his duties at the stations. It is worth to mention here that out of his total service career, the Appellant posted at hard areas for more than fifteen areas i.e. District Buner, Shangla and Dir Upper which shows his professionalism and dedication towards his duties.
5. That lastly the Appellant was posted as District Public Prosecutor BPS-19 at Bajaur vide Notification dated 6.01.2021. In compliance of the transfer order dated 06.01.2021 the Appellant duly took charge of his new place of posting as District Public Prosecutor on 01.02.2021 and started performing his duties *(Copy of charge assumption report is attached as annexure "A")*
6. That having hardly served for one year, the Appellant has been transferred from his post to Swabi as Senior Public Prosecutor BPS-19 vide Notification dated 31.01.2022. *(Copy of the Notification No. SO (Pros:) /HD/2-3/Post & Trans/2022 dated 31.01.2022 is attached as Annexure A/1).*
7. That feeling aggrieved from the impugned Notification dated 31.01.2022, the Appellant preferred a review petition to the competent authority however the same has not been responded till the date. *(Copy of the review petition dated 03.02.2022 is attached as Annexure B)*
8. That since at that time this Honourable Tribunal was defunct due to the retirement of Chairman, therefore, the appellant having no other adequate remedy was constrained to invoke the doors of Honourable Peshawar High Court, Peshawar in constitutional petition No. 501-P/2022. the matter came up before the Hon'ble High Court on 11.02.2022 wherein the Hon'ble Court granted interim relief in shape of status quo, however, directed the respondent to file service appeal before the appropriate forum. *(Copy of writ petition No. 501-P/2022 and order dated 11.02.2022 are attached as annexure C).*

9. That the impugned order is illegal, unlawful, against this rules, premature and malafide inter alia on the following

GROUNDS OF THE APPEAL:

- A. That That the Appellant has not been treated in accordance with law, and thus his rights secured and guaranteed under the law and Constitution are badly violated.
- B. That the Appellant has hardly served for one year at Bajaur and has not yet completed his normal tenure of posting and thus the transfer order is illegal and unlawful, moreover the same is in violation of posting and transfer policy of the Provincial Government and also against the Judgments of the Superior Courts reported in PLD 1995 SC 530 and 2013 PLD SC 195.
- C. That even otherwise it is also not in the interest of the Department to make rolling stone its employees, on the one hand the working of the department is disturbed, while on the other hand the employee is humiliated and his family life is disturbed.
- D. That in-fact there exist no exigencies of service nor the order of transfer can be termed as in the public interest, rather it was issued just to humiliate and victimize the Appellant.
- E. That actually the appellant has knocked the door of Hon'ble Peshawar High Court, Peshawar by filing application for his impleadment vide CM No 102-P/2021 in writ petition No.1837-P/2018 for the redressal of his grievances therefore in order to victimize and punish him, the impugned Notification has been passed with malafide intention which is not sustainable in the eyes of law.
- F. That it is also pertinent to mention here that as the Appellant has been transferred to Swabi as Senior Public Prosecutor BPS-19 while the Deputy Public Prosecutor there at Swabi namely Khalid Khan is holding the post of District Public Prosecutor on acting charge base, so by way of the transfer order the Appellant is made subordinate to his junior which is the worst example of discrimination and victimization.
- G. That it is not out of place to mention here that the Appellant has also been nominated, along-with three other senior most Prosecution Officers (being at S No 5 of the final seniority of Senior Public Prosecutors as it stood on 31 07 2013 for the Senior Management Course (SMC) for promotion to the post of Regional Director BPS-20. Even recently name of the appellant has yet again been nominated for the SMC course vide letter dated 18.02.2022 to which the appellant responded vide letters dated 03.03.2022 & 11.03.2022, but despite this

fact just to humiliate and frustrate the Appellant, he has been transferred to Swabi as Senior Public Prosecutor BPS 19 and as submitted in above para, by way of the impugned Notification has made the Appellant subordinate to an officer having BPS-18. *(Copies of seniority list as its stood on 15.12.2021, letters dated 03.03.2022 & 11.03.2022 are attached as annexure "D & E")*.

H. That on the pretext of adjustment of the newly promoted officers through the Impugned Notification, the senior officers posted in various districts have been humiliated and affected by putting them to work under the supervision of their junior officers of BPS 18 which is based on discrimination, favoritism and nepotism and to accommodate their blue eyed officers/ cronies in the utter violation of posting transfer policy of the Provincial Government.

I. That the august Supreme Court of Pakistan has in its Judgment in Constitution Petition No. 23/2012 decide on 18.10.2012, decided a point of law and while commenting upon the transfer and posting and other related matters of service held as under

i. Appointments, Removals and Promotions - Appointments, removals and promotions must be made in accordance with the law and the rules made there under, where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest

ii. Tenure, posting and transfer. When the ordinary tenure for a posting has been specified in the law or rules made there under, such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.

iii. Illegal Orders. Civil servants owe their first and foremost allegiance to the law and the Constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted practices and rule, based norms; instead, in such situations, they must record their opinion and, if necessary, dissent

J. That similarly in an identical nature in Writ Petition No 4119-P/2019, this Honorable Court has rendered a judgment, wherein the respondents therein were strictly directed to implement & follow the posting / transfer & placement policy of provincial government in letter and spirit without any discrimination, however, the respondents in the


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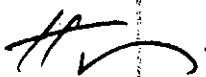
instant case have ignored hence violated the said policy. (Copy of Writ Petition No 4119-P/2019 is attached as annexure "F").

K. That the Appellant seeks the permission of this Honorable Court to rely on additional grounds at the hearing of this petition.

It is therefore respectfully prayed that this appeal may be allowed as prayed for.

Appellant
Through


YASIR SALEEM
&


YOUSAF ORAKZAI
Advocates High Court
Peshawar

AFFIDAVIT

It is solemnly affirm and declare on oath that the contents of the above appeal is true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honorable Tribunal.


Deponent

CERTIFICATE:-

It is certify that no such like Service Appeal has earlier been filed by the Appellant in this Honourable Tribunal.


ADVOCATE.



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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2022

Shah Zada

..... Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & others

..... Respondents

APPLICATION FOR SUSPENSION OF THE IMPUGNED NOTIFICATION DATED 31.01.2022 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF DISTRICT PUBLIC PROSECUTOR BPS-19 BAJAUR TO SWABI AS SENIOR PUBLIC PROSECUTOR BPS-19.

Respectfully Sheweth:

1. That the above titled appeal has been filed today.
2. That the respondents have transferred the appellant from District from the post of Public Prosecutor (BPS-19) Bajaur to Swabi as Senior Public Prosecutor (BPS-19) which is illegal, unlawful and liable to be set aside.
3. That all the three ingredients i.e. prima facie, balance of convenience and irreparable loss has been affected in this service appeal.
4. That valuable rights of the appellant is involved and if the impugned notification is not suspended, he will suffer irreparable loss.

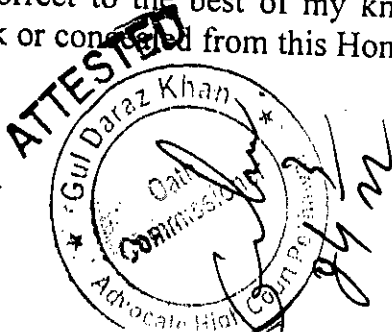
It is therefore most humbly prayed that the impugned notification dated 31.01.2022 may kindly be suspended to the extent of appellant till final decision of the case.

Through Appellant

[Signature]
YASIR SALEEM
&
YOUSAF ORAKZAI
Advocates High Court
Peshawar

AFFIDAVIT

It is solemnly affirm and declare on oath that the contents of the above Application is true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honorable Tribunal.



Deponent *[Signature]*



⑦ Annex A

**OFFICE OF THE DISTRICT PUBLIC PROSECUTOR,
BAJAUR AT CIVIL COLONY KHAR.**

No. 24-30 / DPP / BAJAUR
Dated 01 / 02 / 2021
Email: dppbajaur2020@gmail.com

CHARGE ASSUMPTION REPORT

In compliance with notification of worthy Secretary, Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, Peshawar No.SO (PROS)/HD/1-2/Post&Trans/2020, dated 06 January, 2021.

I, Shah Zada do hereby assume the charge of the post of District Public Prosecutor (BPS-19), in the office of District Public Prosecutor, Bajaur, today on 01/02/2021 (F.N).

(Shah Zada)


District Public Prosecutor
Bajaur

Copy forwarded to:

1. The Worthy Director General, Directorate of Prosecution, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Director Prosecution, Malakand Division, Swat.
3. The Assistant Director Administration/ Finance, Directorate of Prosecution, Khyber Pakhtunkhwa, Peshawar.
4. The Section Officer (Prosecution) Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
5. The District Account Officer Bajaur.
6. Office concern.

District Public Prosecutor
Bajaur


ATTESTED



(P) Annex "A/1"

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

Dated Peshawar the 31st January, 2022

NOTIFICATION

No.SO(Pros:)/HD/2-3/Post & Trans/2022. The Chief Minister Khyber Pakhtunkhwa is pleased to order postings/transfers of the following Prosecution Officers with immediate effect, in the best public interest:

S#	Name With Designation	From	To
1.	Mr. Usman Zaman Senior Public Prosecutor (BPS-19)	Deputy Secretary Administration, Establishment Department on deputation.	Senior Public Prosecutor, Mardan against vacant post
2.	Muhammad Changaz Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Haripur.	District Public Prosecutor, Kolai Palas against vacant post
3.	Mr. Qamar Zeb Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Charsadda.	Senior Public Prosecutor, Peshawar vice Sr No.22
4.	Mr. Waqas Ashraf Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Mansehra	Senior Public Prosecutor, Kolai Palas against vacant post
5.	Mr. Zia ul Qamar Safi Senior Public Prosecutor (BPS-19)	Deputy Director Administration Directorate of Prosecution	Senior Public Prosecutor, Peshawar Anti-Corruption Court vice no 24
6.	Mr. Rafi Ullah Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Swat	District Public Prosecutor, Upper Dir against vacant post
7.	Muhammad Muzafar Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Nowshera	Senior Public Prosecutor, Lower Dir against vacant post
8.	Mr. Bakht Baidar Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor (BPS- 19) (OPS) at ATC Court Swat at camp Court Buner	Senior Public Prosecutor, Swat at Anti-Terrorism camp court Buner against vacant post
9.	Mr. Anwar Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor, Peshawar	Senior Public Prosecutor, ATC Peshawar, vice Sr No. 31
10.	Muhammad Zaib Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Charsadda	Senior Public Prosecutor, Mardan against vacant post
11.	Muhammad Ilyas Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Haripur	Senior Public Prosecutor, Torghar vice Sr No. 104
12.	Syed Asghar Asad Senior Public Prosecutor (BPS-19)	On Deputation as SO Police Home Department	Senior Public Prosecutor, Dir Lower for one day to actualize his promotion and then report to Home Department for further posting.
13.	Muhammad Inam Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Mardan	Senior Public Prosecutor, Dir Lower against vacant post

Page 1 of 7

ATTESTED



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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

14.	Muhammad Naem Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Hangu	Senior Public Prosecutor, Shangla against vacant post
15.	Mr. Javed Ali Mohmand Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Peshawar	District Public Prosecutor, Charsadda vice Sr No. 20
16.	Mr. Javed Akhtar Wazir Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Lakki Marwat	Senior Public Prosecutor, Orakzai, against vacant post
17.	Mr. Noor Salam Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Kurram	District Public Prosecutor, Kurram, vice Sr No. 21
18.	Mr. Yousaf Jamal Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Karak	Senior Public Prosecutor, Karak, against vacant post
19.	Mr. Latif Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Bannu	Senior Public Prosecutor, North Waziristan against vacant post
20.	Mr. Nasrat Ullah Jan, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Charsadda	Senior Public Prosecutor, Peshawar, vice Sr No. 28
21.	Mr. Atta Ullah Shah, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Kurram	Senior Public Prosecutor, Lakki Marwat against vacant post
22.	Syed Falak Sair, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Peshawar.	District Public Prosecutor, Buner vice Sr No. 23
23.	Muhammad Irshad, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Buner	Senior Public Prosecutor, Mardan vice Sr No. 102
24.	Mr. Azhar Ali, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Anti- corruption court, Peshawar	Senior Public Prosecutor, Buner against vacant post
25.	Mr. Salim Muhammad, Senior Public Prosecutor (BPS-19)	Director Monitoring, Directorate of Prosecution	Senior Public Prosecutor, Peshawar against vacant post
26.	Mr. Mian Aziz Ahmad, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Malakand	Director Monitoring, Directorate of Prosecution vice Sr No. 25
27.	Mr. Shahzada, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Bajaur	Senior Public Prosecutor, Swabi against vacant post
28.	Mr. Manzoor Alam, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Peshawar	District Public Prosecutor, Mohmand vice Sr No. 29
29.	Mr. Zafar Ali, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Mohmand	Senior Public Prosecutor, Malakand vice Sr No. 30
30.	Mr. Sangeen Shah, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Malakand	District Public Prosecutor, Malakand vice Sr No 26
31.	Mr. Alam Zaib, Senior Public Prosecutor (BPS- 19)	Senior Public Prosecutor, ATC, Peshawar	Senior Public Prosecutor, ATC, Mardan against vacant post.
32.	Mr. Zia Ul Haq, Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Bajaur	Senior Public Prosecutor (BPS-19), Bajaur (OPS) against vacant post

ATTESTED



(10)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

33.	Mr. Fawad Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
34.	Mr. Amjad Ali Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Kohat	Deputy Public Prosecutor, Kohat against vacant post
35.	Mr. Zafran Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Kohat	Deputy Public Prosecutor, Karak against vacant post
36.	Mr. Qaidul Islam Deputy Public Prosecutors (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, lower Chitral against vacant post
37.	Muhamamd Arif Masud Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Abbottabad	Senior Public Prosecutor (BPS-19), Anti-Terrorism Court Abbottabad (OPS) against vacant post
38.	Mr. Abdul Qasim Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Bannu	Deputy Public Prosecutor, Karak against vacant post
39.	Mr. Waheed Ullah Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, D.I.Khan	Deputy Public Prosecutor, Office of the Regional Director Prosecution D.I.Khan against vacant post
40.	Mr. Atta ur Rehman Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
41.	Ms Zobia Bibi Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Abbottabad	Deputy Public Prosecutor, Haripur against vacant post
42.	Mr. Gul Nawaz Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Deputation to Anti-corruption Directorate form 26.1.2018	Deputy Public Prosecutor, Mardan for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment.
43.	Syed Mohsin Mustafa Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Mansehra	Deputy Public Prosecutor, Office of the Regional Director Prosecution Abbottabad, against vacant post
44.	Mr. Ahmad Zaib Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Malakand against vacant post
45.	Muhammad Sajjad Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Charsadda	Deputy Public Prosecutor, Charsadda against vacant post
46.	Mr. Imran Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Kohistan Upper	Deputy Public Prosecutor, Swat against vacant post
47.	Muhammad Rashid Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Mardan	Deputy Public Prosecutor, Swabi against vacant post
48.	Ms Sahibzadi Yasmeen Ara Deputy Public Prosecutor (BPS-18)	Deputy Director Legal (OPS) Directorate of Prosecution as	Deputy Director Legal, Directorate of Prosecution against the already occupied post.
49.	Mr. Mukhtiar Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Nowshera	Deputy Public Prosecutor, Nowshera against vacant post

ATTESTED



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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

50.	Muhammad Ayaz Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Malakand	Deputy Public Prosecutor, Charsadda against vacant post
51.	Mr. Zafar Ali Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Tank	Deputy Public Prosecutor, D.I.Khan, against vacant post
52.	Mr. Khalid Khan Wazir Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, North Waziristan	Deputy Public Prosecutor, North Waziristan against vacant post
53.	Ms Amina Bibi Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Haripur	Deputy Public Prosecutor, Haripur against vacant post
54.	Mr. Amjad Khan Deputy Public Prosecutor, (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Swat vice Sr No. 06
55.	Mr. Ibrar Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Kohat	Deputy Public Prosecutor, Karak vice Sr No. 18
56.	Syed Amir Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Orakzai	Deputy Public Prosecutor, Kohat against vacant post
57.	Muhammad Naseem Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Manshera	Deputy Public Prosecutor, Abbottabad against vacant post
58.	Mr. Mazhar Ali Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Mardan	Deputy Public Prosecutor, Buner against vacant post
59.	Mr. Fazli Hadi Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Buner against vacant post
60.	Muhammad Sikandar Khan Deputy Public Prosecutor (BPS-18)	Assistant Director Administration, Directorate of Prosecution	Deputy Director Admin, Directorate of prosecution vice Sr No.05
61.	Mr. Amir Anjum Deputy Public Prosecutor (BPS-18)	On Deputation to Anti-corruption	Deputy Public Prosecutor, Peshawar for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment.
62.	Muhammad Ullah Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Nowshera (OPS)	Deputy Public Prosecutor, Charsadda vice Sr No. 10
63.	Mr. Rashid Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swabi	Deputy Public Prosecutor, Swabi against vacant post
64.	Muhammad Umair Umer Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat.	Deputy Public Prosecutor, Nowshera vice Sr No.07
65.	Mr. Imran Ullah Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Lakki Marwat	Deputy Public Prosecutor Lakki Marwat, against vacant post
66.	Mr. Habib Ullah Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Haripur	Deputy Public Prosecutor, Haripur vice Sr No. 11

UP
ATTESTED

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GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

67.	Mr. Asfandyar Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Mohmand against vacant post
68.	Mr. Naeem Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Directorate of Prosecution as Assistant Director Complaint	Deputy Director Monitoring, Directorate of Prosecution against vacant post
69.	Muhammad Yasir Deputy Public Prosecutor, (BPS-18)	Assistant Public Prosecutor, South Waziristan	Deputy Public Prosecutor, South Waziristan against vacant post
70.	Mr. Irfan Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Dir Lower	Deputy Public Prosecutor, Dir upper against vacant post
71.	Mr. Rahamdil Haq Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Bajaur	Deputy Public Prosecutor, Bajaur against vacant post
72.	Mr. Iftikhar Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Office of the Regional Director Prosecution Malakand against vacant post
73.	Mr. Sheema Ayub Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, On deputation to PEDO	Deputy Public Prosecutor, Abbottabad against vacant post
74.	Mr. Umar Saiful Jallil Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Chitral Lower	Deputy Public Prosecutor, lower Chitral against vacant post
75.	Mr. Mazhar Ali Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
76.	Mr. Zahid Gul Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Malakand against vacant post
77.	Ms Hina Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Office of the Regional Director Prosecution Mardan against vacant post
78.	Mr. Imtiaz Ali Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Mansehra (OPS)	Deputy Public Prosecutor, Mansehra against vacant post on regular base
79.	Ms. Shabina Maqsood Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Nowshera vice Sr No. 62
80.	Mr. Farooq Hayat Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Dir Lower	Deputy Public Prosecutor, Dir Lower against vacant post
81.	Mr. Kifayat Ullah Barki Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, South Waziristan	Deputy Public Prosecutor, D.I.Khan against vacant post
82.	Mr. Ikram Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, On deputation to Anti-corruption	Deputy Public Prosecutor, Charsadda for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment.
83.	Mr. Waheed Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Dir Lower against vacant post
84.	Ms. Uzma Nasir Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Peshawar	Deputy Public Prosecutor, Peshawar against vacant post


ATTESTED



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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

85.	Mr. Zulfiqar Ali Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Mardan (OPS)	Deputy Public Prosecutor, Swabi against vacant post
86.	Mr. Sadeeq Anjum Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor(BS- 17) On deputation to Anti- corruption	Deputy Public Prosecutor, Office of the Regional Director Prosecution Peshawar for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment.
87.	Mr. Kamran Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, On deputation to CM Sectt.	Deputy Public Prosecutor, Charsadda vice Sr No. 90
88.	Mr. Haroon Khan Safi Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Mardan vice Sr No. 85
89.	Mr. Sikandar Zaman Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Nowshera	Deputy Public Prosecutor, Malakand against vacant post
90.	Mr. Shah Saud Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Charsadda (OPS)	Deputy Public Prosecutor, Peshawar vice Sr No. 103
91.	Mr. Zeeshan Taj Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Mansehra	Deputy Public Prosecutor ,Haripur vice Sr No.02
92.	Ms Andaleeb Shabir Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Torghar	Deputy Public Prosecutor, Mansehra vice Sr No. 04
93.	Mr. Attaullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Battagram	Deputy Public Prosecutor, Kohistan Upper, against vacant post
94.	Muhammad Ali Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Malakand	Deputy Public Prosecutor, Mardan vice Sr No. 99
95.	Mr. Umer Mahmood Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swabi	Deputy Public Prosecutor, Swabi against vacant post
96.	Mr. Mukhtiar Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Shangla	Deputy Public Prosecutor, Dir Upper against vacant post
97.	Mr. Zohaib Ahmad Sher Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Hangu	Deputy Public Prosecutor, Office of the Regional Director Prosecution Kohat against vacant post
98.	Mr. Imran Khan Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swabi	Deputy Public Prosecutor, Swabi against vacant post
99.	Mr. Taimur Khan Assistant Public Prosecutor (BPS-17)	Deputy Public Prosecutor, Mardan (OPS)	Assistant Public Prosecutor, Mardan vice Sr No. 58
100.	Mr. Sardar Ali, Assistant Public Prosecutor (BPS-17)	Assistant Public Prosecutor, Charsadda	Assistant Public Prosecutor, Khyber against vacant post
101.	Mr. Amjad Ali, Assistant Public Prosecutor (BPS-17)	Assistant Public Prosecutor, Malakand	Assistant Public Prosecutor, Charsadda vice Sr No. 100

June

ATTESTED



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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

102.	Mr. Tabir Ali, Assistant Public Prosecutor (BPS-17)	Senior Public Prosecutor, Mardan (OPS)	Assistant Public Prosecutor, Mardan against vacant post
103.	Muhammad Imran, Assistant Public Prosecutor (BPS-17)	Deputy Public Prosecutor Peshawar, (OPS)	Assistant Public Prosecutor, Peshawar against vacant post
104.	Ms. Sumaira Bibi, Deputy Public Prosecutor (BPS-18),	Senior Public Prosecutor, Torghar, (OPS)	Deputy Public Prosecutor, Mansehra against vacant post
105.	Muhammad Bilal Qureshi, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Haripur	Senior Public Prosecutor, Abbottabad vice Sr No. 106
106.	Mr. Asim Mehmood, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Abbottabad	Senior Public Prosecutor, Haripur vice Sr.No. 105

**Secretary
Home Department**

Endst: No. and date even:

Copy forwarded to: -

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
4. All Regional Directors Prosecution, Khyber Pakhtunkhwa.
5. All District Public Prosecutors, Khyber Pakhtunkhwa.
6. All District Accounts Officers, Khyber Pakhtunkhwa.
7. Officers Concerned.
8. P.S to Secretary, Home Department, Khyber Pakhtunkhwa.


Deputy Secretary (Judicial)


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Annex "B"

To,

Worthy Chief Minister,
Khyber Pakhtunkhwa,
Peshawar.

Through: Proper Channel

Subject: Review petition against the Notification No. SO (Pros:)/HD/2-3/Post & Trans/2022 dated 31.01.2022, whereby the undersigned has been transferred from the post of District Public Prosecutor BPS-19 Bajaur to Swabi as Senior Public Prosecutor BPS-19 (premature) and one Mr. Zia ul Haq Deputy Public Prosecutor (BPS-18) has been transferred vice the undersigned in Own Pay Scale.

Prayer in Review;

On acceptance of this review the impugned Notification No. SO (Pros:)/HD/2-3/Post & Trans/2022 dated 31.01.2022, may please be set-aside to the extent of my transfer and I may be allowed to continue my duties as District Public Prosecutor at Bajaur.

Respectfully Submitted:

1. That the undersigned was initially appointed as Additional Public Prosecutor BPS-17 through Public Service Commission and was posted at Nowshera.
2. That during the course of employment I performed my duties with zeal and devotion and with honesty and to the entire satisfaction of my superiors.
3. That keeping in view my meritorious services, I have been given promotions and currently I am holding the post of Senior Public Prosecutor BPS-19 (on regular basis).
4. That ever since my appointment I remained posted at different stations as and when directed/posted and on each occasion I obeyed the orders and performed my duties at the stations. It is worth to mention here that out of my total service career, I remained posted at hard areas for more than fifteen areas i.e, Buner, Shangla and Dir Upper which shows my professionalism and dedication towards my duties.


ATTESTED

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5. That lastly I was posted as District Public Prosecutor BPS-19 at Bajaur vide Notification dated 6.01.2021. In compliance of the transfer order dated 06.01.2021 I duly took charge of my new place of posting as District Public Prosecutor on 01.02.2021 and started performing my duties.
 6. That having hardly served for one year, I have been transferred from my post to Swabi as Senior Public Prosecutor BPS-19 vide Notification dated 31.01.2022 and one Mr. Zia ul Haq BPS-18 has been posted vice the undersigned but in his own pay and scale.
 7. That the impugned order is illegal, unlawful, against the rules, premature and malafide inter alia on the following grounds:

GROUND OF REVIEW:

- A. That the undersigned has not been treated in accordance with law, hence my rights secured and guaranteed under the Law are badly violated.
- B. That I have hardly served for one year at Bajaur and have not yet completed my normal tenure of posting and thus the transfer order is illegal and unlawful, moreover the same is in violation of posting and transfer policy of the Provincial Government and also against the Judgments of the Superior Courts reported in PLD 1995 SC 530 and 2013 PLD SC 195.
- C. That even otherwise it is also not in the interest of the Department to make rolling stone its employees, on the one hand, the working of the department is disturbed, while on the other hand the employee is humiliated and his family life is disturbed.
- D. That in-fact, there exist no exigencies of service nor the order of transfer can be termed as in the public interest, rather it was passed in favour of and to accommodate and adjust one Zia ul Haq at the cost of the petitioner. It is pertinent to mention here that the said officer i.e. Zia Ul Haq remained at Bajaur from the last three years and as such has also completed his tenure but he has not been disturbed being the blue eyed from the post and instead the undersigned without allowing him to complete his

ATTESTED

normal tenure has been transferred. It is pertinent to mention here that the post from which the undersigned has been transferred is carrying BPS-19 while Zia-ul-Haq was recently promoted to Deputy Public Prosecutor BPS-18 but he is adjusted vice the undersigned against the post of BPS-19 in OPS which is also illegal and liable to be struck down.

E. That as my case is also pending before the honorable Peshawar High Court, Peshawar for my legal right, therefore in order to victimize me, the impugned order has been passed with malafide intention which is not sustainable in the eyes of law.

F. That it is also pertinent to mention here that as I have been transferred to Swabi as Senior Public Prosecutor BPS-19 while the Deputy Public Prosecutor namely Khalid Khan is holding the post of District Public Prosecutor in his OPS, so by way of the transfer order the undersigned is made to subordinate his junior which is the worst example of discrimination and victimization.

G. That the undersigned has also been nominated, along-with three other senior most Prosecution Officers, (being at S. No. 5 of the final seniority of Senior Public Prosecutors as it stood on 31.07.2021 for the Senior Management Course (SMC) for promotion to the post of Regional Director BPS-20, but despite this fact just to humiliate and frustrate the undersigned, he has been transferred to Swabi as Senior Public Prosecutor BPS-19 and as submitted in above para the impugned Notification has made him subordinate to an officer having BPS-18.

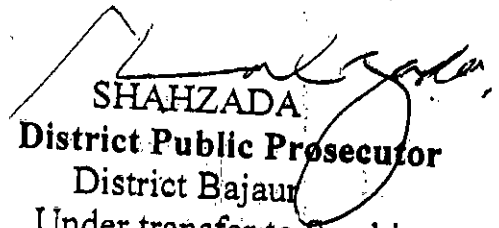
H. That on the pretext of adjustment of the newly promoted officers through the impugned notification, the senior officers posted in various districts were humiliated and affected by the posting/ transferring them under the supervision of their junior officers of BPS-18 which is based on discrimination, favoritism and nepotism and to accommodate their blue eyed officers in the utter violation of posting/ transfer policy of the Provincial Government.

I. That the undersigned also desired to be heard in person.


ATTESTED

It is, therefore, humbly prayed that on acceptance of this review the impugned notification referred to above dated 31.01.2022, may please be set-aside to the extent of the transfer of the undersigned and I may be allowed to continue my duties as DPP at Bajaur.

Sincerely,


SHAHZADA
District Public Prosecutor
District Bajaur
Under transfer to Swabi,
As Senior Public Prosecutor.

Dated: 03.02.202


ATTESTED

IN THE PESHAWAR HIGH COURT PESHAWAR

W. P No. _____/2022

Shah Zada District Public Prosecutor (BPS-19) District Bajour
Under transfer to Swabi, as Senior Public Prosecutor
..... (Petitioner)

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar.
 - 2. Secretary to the Government of Khyber Pakhtunkhwa Home and Tribal Affairs Department, Civil Secretariat Peshawar.
 - 3. Director General Prosecution Khyber Pakhtunkhwa Peshawar.
- (Respondents)

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Prayer in Writ Petition:

On acceptance of this writ petition an appropriate writ may please be issued;

- 1. Declaring the Notification No. SO (Pros:)/HD/2-3/Post & Trans/2022 dated 31.01.2022, whereby the Petitioner has been transferred from the post of District Public Prosecutor BPS-19 Bajaur to Swabi as Senior Public Prosecutor BPS-19 as highly illegal, malafide, unlawful without lawful authority, against the rules, in violation of transfer and posting policy and thus ineffective upon the rights of the petitioner and the same may please be struck down to the extent of the petitioner,
- 2. Directing the Respondents to act in accordance with law and to allow the Petitioner to continue his duties as District Public Prosecutor at District Bajour

or,

Any other remedy deemed proper may also be allowed.

Respectfully Submitted:


ATTESTED

1. That the Petitioner was initially appointed as Additional Public Prosecutor BPS-17 through Public Service Commission and was posted at Nowshera.
2. That during the course of service the Petitioner performed his duties with zeal and devotion and with honesty and upto the entire satisfaction of his superiors and there has been no complaint with regard to his duties.
3. That keeping in view his meritorious service, the Petitioner has been given promotions and currently he is holding the post of Senior Public Prosecutor BPS-19 (on regular basis).
4. That ever since the appointment the Petitioner remained posted at different stations as and when directed/posted and on each occasion he obeyed the orders and performed his duties at the stations. It is worth to mention here that out of his total service career, the Petitioner remained posted at hard areas for more than fifteen areas i.e, District Buner, Shangla and Dir Upper which shows his professionalism and dedication towards his duties.
5. That lastly the Petitioner was posted as District Public Prosecutor BPS-19 at Bajaur vide Notification dated 6.01.2021. In compliance of the transfer order dated 06.01.2021 the Petitioner duly took charge of his new place of posting as District Public Prosecutor on 01.02.2021 and started performing his duties. **(Copy of charge assumption report is attached as annexure "A")**
- A. That having hardly served for one year, the Petitioner has been transferred from his post to Swabi as Senior Public Prosecutor BPS-19 vide Notification dated 31.01.2022. **(Copy of the Notification No. SO (Pros:) /HD/2-3/Post & Trans/2022 dated 31.01.2022 is attached as Annexure A/1)**
- B. That feeling aggrieved from the impugned Notification dated 31.01.2022, the Petitioner preferred a review petition to the competent authority however the same has not been responded till the date. **(Copy of the review petition dated 03.02.2022 is attached as Annexure B)**
6. That since the Honourable Khyber Pakhtunkhwa Services Tribunal defunct as its chairman has been retired on 02/02/2022, therefore, the petitioner having no other adequate remedy is constrained to invoke the doors of this Honourable Court in constitutional jurisdiction.


ATTESTED

7. That the impugned order is illegal, unlawful, against the rules, premature and malafide inter alia on the following grounds:

GROUND OF THE PETITION:

- A. That That the Petitioner has not been treated in accordance with law, and thus his rights secured and guaranteed under the law and Constitution are badly violated.
- B. That the Petitioner has hardly served for one year at Bajaur and has not yet completed his normal tenure of posting and thus the transfer order is illegal and unlawful, moreover the same is in violation of posting and transfer policy of the Provincial Government and also against the Judgments of the Superior Courts reported in PLD 1995 SC 530 and 2013 PLD SC 195.
- C. That even otherwise it is also not in the interest of the Department to make rolling stone its employees, on the one hand the working of the department is disturbed, while on the other hand the employee is humiliated and his family life is disturbed.
- D. That in-fact there exist no exigencies of service nor the order of transfer can be termed as in the public interest, rather it was issued just to humiliate and victimize the Petitioner.
- E. That actually the petitioner has knocked the door of this Honorable court by filing application for his impleadment vide CM No. 102-P/2021 in writ petition No.1837-P/2018 for the redressel of his grievances therefore in order to victimize and punish him, the impugned Notification has been passed with malafide intention which is not sustainable in the eyes of law.
- F. That it is also pertinent to mention here that as the Petitioner has been transferred to Swabi as Senior Public Prosecutor BPS-19 while the Deputy Public Prosecutor there at Swabi namely Khalid Khan is holding the post of District Public Prosecutor on acting charge base, so by way of the transfer order the Petitioner is made subordinate to his junior which is the worst example of discrimination and victimization.
- G. That it is not out of place to mention here that the Petitioner has also been nominated, along-with three other senior most

[Signature]
ATTESTED

Prosecution Officers, (being at S. No. 5 of the final seniority of Senior Public Prosecutors as it stood on 31.07.2021) for the **Senior Management Course (SMC)** for promotion to the post of Regional Director BPS-20, but despite this fact just to humiliate and frustrate the Petitioner, he has been transferred to Swabi as Senior Public Prosecutor BPS-19 and as submitted in above para, by way of the impugned Notification has made the Petitioner subordinate to an officer having BPS-18.

- H. That on the pretext of adjustment of the newly promoted officers through the Impugned Notification, the senior officers posted in various districts have been humiliated and affected by putting them to work under the supervision of their junior officers of BPS-18 which is based on discrimination, favoritism and nepotism and to accommodate their blue eyed officers/ cronies in the utter violation of posting/ transfer policy of the Provincial Government.
- I. That the **august Supreme Court of Pakistan** has in its Judgment in Constitution Petition No. 23/2012 decided on 18.10.2012, decided a point of law and while commenting upon the transfer and posting and other related matters of service held as under:-
- i. **Appointments, Removals and Promotions:-** Appointments, removals and promotions must be made in accordance with the law and the rules made there under; where no such law or rule exists and the matter has been left to discretion, such discretion must be exercised in a structured, transparent and reasonable manner and in the public interest.
 - ii. **Tenure, posting and transfer:** When the ordinary tenure for a posting has been specified in the law or rules made there under; such tenure must be respected and cannot be varied, except for compelling reasons, which should be recorded in writing and are judicially reviewable.
 - iii. **Illegal Orders:** Civil servants owe their first and foremost allegiance to the law and the Constitution. They are not bound to obey orders from superiors which are illegal or are not in accordance with accepted


ATTESTED

practices and rule, based norms; instead, in such situations, they must record their opinion and; if necessary, dissent.

- J. That similarly in an identical nature in Writ Petition No 4119-P/2019, this Honourable Court has rendered a judgment, wherein the respondents therein were strictly directed to implement & follow the posting transfer & placement policy of provincial government in letter and spirit without any discrimination, however, the respondents in the instant case has ignored an violated the said policy. *(Copy of Writ Petition No 4119-P/2019 is attached as annexure "C").*
- K. That the Petitioner seeks the permission of this Honourable Court to rely on additional grounds at the hearing of this petition.

Interim Relief:

By way of Interim Relief:

- i. *The impugned Notification No. SO (Pros:) /HD/2-3/Post & Trans/2022_ dated 31.01.2022* may please be suspended to the extent of the Petitioner and he may be allowed to work at Bajaur as District Public Prosecutor and
- ii. The respondents may further be restrained to take any adverse action till the final decision of the above noted Writ Petition.

It is therefore respectfully prayed that this writ Petition may be allowed as prayed for.

Through Petitioner
[Signature]
YASIR SALEEM
 Advocate Peshawar

List of Books:

- 1. Constitution of 1973
- 2. Books according to need.

Certificate

Certified that no writ petition on the same subject and between the same parties has been filed previously or concurrently.

ATTESTED

[Signature]
Petitioner

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P. No.501-P/2022 with IR

Shah Zada

Vs.

Government of Khyber Pakhtunkhwa through
Chief Secretary, Peshawar and others

Date of hearing 11.02.2022
Petitioner(s) by: Mr. Yasir Saleem, Advocate.
Respondent(s) by: Nemo (Motion case).

JUDGMENT

IJAZ ANWAR, J. This writ petition has been filed
under Article 199 of the Constitution of Islamic Republic of
Pakistan, 1973, with the following prayer:-

*"On acceptance of this writ petition, an appropriate writ
may please be issued:-*

- 1. Declaring the Notification No.SO(Pros:)/HD/2-
3/Post & Trans/2022 dated 31.01.2022, whereby,
the petitioner has been transferred from the post
of District Public Prosecutor BPS-19 Bajaur to
Swabi as Senior Public Prosecutor BPS-19 as
highly illegal, mala fide, unlawful, without lawful
authority, against the rules, in violation of
transfer and posting policy and thus ineffective
upon the rights of the petitioner and the same may
please be struck down to the extent of the
petitioner.*
- 2. Directing the respondents to act in accordance
with law and to allow the petitioner to continue
his duties as District Public Prosecutor at District
Bajaur. Or*


ATTESTED

3. *Any other remedy deemed proper may also be allowed".*

2. In essence, petitioner, who is serving as District Public Prosecutor (BPS-19), is aggrieved of the order dated 31.01.2022 issued by the Secretary to Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, whereby, his services were transferred from District Public Prosecutor, Bajaur to Senior Public Prosecutor, Swabi. In this regard, his review petition filed before the competent authority was not considered. It is further averred in the petition that since the Khyber Pakhtunkhwa Service Tribunal is not functional; as such, he has filed the instant petition.

3. Learned counsel for the petitioner stated that petitioner has never been allowed to complete his normal tenure and is prematurely transferred vide the impugned order dated 31.01.2022. He further stated that he was purportedly posted at a Station where he is made junior to a BPS-18 Officer. When questioned about the availability of alternate remedy, learned counsel for the petitioner stated that on the retirement of the incumbent Chairman, the Khyber Pakhtunkhwa Service Tribunal, Peshawar is not functional. In order to confirm the same, we called upon Mohammad Zeb Khan, worthy Member Inspection Team of this Court, who appeared and stated that summary pertaining to the appointment of Chairman, Khyber


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Pakhtunkhwa Service Tribunal is presently pending before Hon'ble the Chief Justice and that shortly the nomination will be made.

4. In view of the above and particularly when the Khyber Pakhtunkhwa Service Tribunal is not functional; besides, on tentative assessment, we find that prima facie case exists in favour of the petitioner, as such, it is directed that status-quo be maintained till the first hearing before the Khyber Pakhtunkhwa Service Tribunal. However, petitioner is directed to submit Service Appeal before the Khyber Pakhtunkhwa Service Tribunal in this regard, if not already filed.

5. This writ petition is disposed of in the above terms.

Announced
Dt:11.02.2022

JUDGE

JUDGE

(DB) Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Muhammad Ijaz Khan

Muhammad Ijaz Khan


ATTESTED

27

Annex "0"



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. SP/LEGAL/49/17067-17112

Dated Peshawar 15 / 12 / 2021

Office Phone # 91-9212559

Fax # 091-9212559

E-mail kpprosecution@yahoo.com

To

All District Public Prosecutors,
in Khyber Pakhtunkhwa.

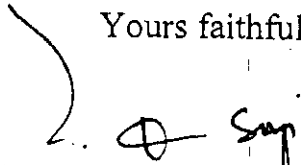
Attention: All Senior Public Prosecutors (BPS-19).

Subject: - **FINAL SENIORITY LIST OF DISTRICT PUBLIC
PROSECUTORS/SENIOR PUBLIC PROSECUTORS (BPS-19).**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of "Final Seniority List" of the District Public Prosecutors/Senior Public Prosecutor (BS-19), Directorate of Prosecution. The same may be handed over to all the Officers concerned working under your kind control for information and further necessary action, please.

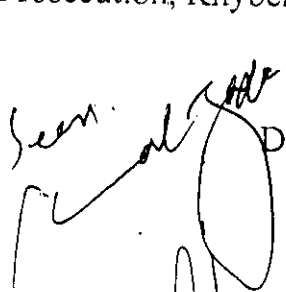
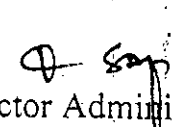
Yours faithfully,

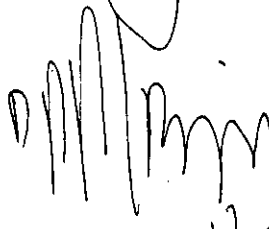

Deputy Director Administration

(Encl: as above)

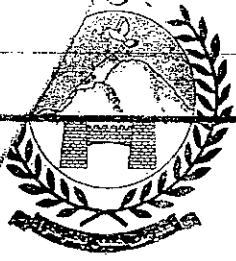
Copy forwarded for information to the:

01. Director Monitoring Cell and Director Legal Prosecution Directorate of Prosecution Khyber Pakhtunkhwa.
02. All Regional Director Prosecution Khyber Pakhtunkhwa.
03. PA to Director General Prosecution, Khyber Pakhtunkhwa.

 
Deputy Director Administration


21/12/2021

ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar, the 13th December, 2021.

12415
13/12/2021

NOTIFICATION

No.SO(PROSECUTION)/1-27/2020/Vol-I: In pursuance of Section-8(1) of Khyber Pakhtunkhwa Civil Servants Act, 1973, read with Rule-17 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the competent authority is pleased to notify/circulate Final Seniority List of District/Senior Public Prosecutor (BS-19) of the Directorate of Prosecution as stood on 31-07-2021.

Sl. No.	Name of officer with academic qualification	Date of Birth & Domicile	Date of first entry into service with BPS	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
1.	Muhammad Sultan Mehmood, B.A,LL.B	06/01/1966 D.I.Khan	17/10/1995 as Add: PP (BPS-17)	12-02-2011	BS-19	By promotion on regular basis.	District Public Prosecutor Peshawar
2.	Mr. Amjid Ali Shah, B.A, LL.B	16/06/1963 Swabi	04/10/1995 as Add: PP (BPS-17)	-do-	-do-	-do-	RD Malakand (OPS)
3.	Muhammad Ibrahim, B.A, LL.B	15/02/1963 Malakand.	04/10/ 1995 as Add: PP (BPS-17)	-do-	-do-	-do-	RD Mardan (OPS)
4.	Mr. Tariq Bakhsh, B.A, LL.B	14/02/1966 Kohat.	25/11/1998 as Add: PP(BPS-17)	-do-	-do-	-do-	RD Kohat (OPS)
5.	Mr. Shahzada, M.A, LL.B	04/10/1964 Bajour Agency	28/11/1998 as Add: PP(BPS-17)	-do-	-do-	-do-	District Public Prosecutor Bajaur

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RESTRICTED

Copy forwarded for information to the

01 Director Monitoring Cell and Director Legal Prosecution Directorate of

S.	Name of officer with academic qualification.	Date of Birth & District	Date of first entry into service with BPS.	Appointment/Promotion to present post.			Present post.
				Date	BPS	Method of appointment.	
6.	Mr. Hafiz Muhammad Haroon B.A,LL.B	01/04/1965 Mansehra	28/11/1998 as Add: PP(BPS-17)	-do-	-do-	-do-	RD Hazara (OPS)
7.	Mr. NusratUllah Jan, B.A, L.L.B	10/10/1965 Peshawar	25/11/1998 as Add: PP(BPS-17)	-do-	-do-	-do-	District Public Prosecutor Charsadda
8.	Mr. Saleem Muhammad, B.A, L.L.B	04/04/1964 Malakand Agency	18/09/1991 as PSI BPS-14 in Police department	-do-	-do-	-do-	Director Monitoring Prosecution
9.	Mr. Abdul Wajid, B.A, L.L.B	10/10/1966 D.I.Khan	27/11/1998 as Add: PP(BPS-17)	-do-	-do-	-do-	RD DI Khan.(OPS)
10.	Mr. Imtiaz-Ud- Din Mansoor, B.A, L.L.B	12/10/1963 D.I.Khan	09/01/2001 as Add: PP (BPS-17)	30/04/2013	-do-	-do-	District Public Prosecutor Bannu
11.	Mr. Gul Waris Khan, B.A, L.L.B	10/07/1968 FR Bannu	09/01/2001 as Add: PP (BPS-17)	11-04-2017	-do-	-do-	RD Bannu (OPS)
12.	Mr. Zulfiqar Ali Khan, B.A, L.L.B	03/03/1968 Swabi	19/04/2002 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
13.	Mr. Saeed Nacem, M.A, L.L.B	10/03/1966 Dir Lower	19/04/2002 as Add: PP (BPS-17)	-do-	-do-	-do-	Director Legal Prosecution
14.	Mr. Kamran Khan Wazir,	04/02/1968 FR Bannu	19/04/2002 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor ATC

Sl. No.	Name of officer with academic qualification	Date of Birth &	Date of first entry into service with BPS	Regular appointment/Promotion to present post			Present posting
						recruitment	
	M.A, L.L.B						Mardan
15.	Muhammad Jehanzeb Sheikh, B.Sc, L.L.B	20/09/1967 D.I.Khan	19/04/2002 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor South Waziristan
16.	Mr. Jehanzeb Khan, B.A, L.L.B	25/12/1967 Peshawar	19/04/2002 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
17.	Mr. Shehzad Iqbal, B.A, L.L.B	08/06/1967 Peshawar	04/04/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Abbottabad
18.	Mr. Fazal Noorani, B.A, L.L.B	01/03/1970 Peshawar	04/04/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor ATC Peshawar
19.	Mr. Arif Bilal, M.A, L.L.B	23/03/1968 Peshawar	04/04/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
20.	Mr. Zahid Amin, B.A, L.L.B	20/04/1972 Mardan	04/04/2003 as Add: PP(BPS-17)	02-02-2017	-do-	-do-	Senior Public Prosecutor ATC Swat
21.	Mr. Attaullah Shah, B.A, L.L.B	25/11/1968 Lakki Marwat	04/04/2003 as Add: PP (BPS-17)	11-04-2017	-do-	By Promotion	District Public Prosecutor DI Khan
22.	Mr. Faheem Khan, B.Sc, L.L.B	03/03/1969 Kohat	04/04/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Kohat
23.	Mr. Jamshed Khan , M.A, L.L.B	15/08/1965 Charsadda	04/04/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar

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(ENC. as above)

Copy forwarded for information to the:

01 Director Monitoring Cell and Director Legal Prosecution Directorate of

S. #	Name of officer with academic qualification	Date of Birth & Province	Date of first entry into service with BPS	Regular appointment/Promotion to present post			Present post
						Method of recruitment	
24.	Mr. Mian Shaid ur Rehman, B.Sc, L.L.B	06/10/1971 Nowshera	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Battagram
25.	Mr. Muhammad Zulfiqar Ali B.A, L.L.B	20/04/1968 Peshawar	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
26.	Mr. Muhammad Ayub, B.A, L.L.B	12/11/1968 D.I.Khan	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Tank
27.	Mr. Saqib Sultan Jadoon, B.A, L.L.B	27/02/1971 Abbottabad	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Mansehra
28.	Mr. Irshadullah Afridi, B.Sc, L.L.B	01/01/1966 FR Kohat	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
29.	Mr. Muhammad Irshad, B.A, L.L.B	05/12/1970 Bajour Agency	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Bunner
30.	Mr. Muhammad Litaf, B.A, L.L.B	13/02/1971 Mohmand Agency	16/09/2003 as Add: PP (BPS-17)	02-02-2017	-do-	-do-	Senior Public Prosecutor Charsada
31.	Mr. Muhammad Khalid, B.A, L.L.B	20/08/1969 Khyber Agency	16/09/2003 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
32.	Mr. Alam Zeb Khan, B.A, L.L.B	12/12/1964 Dir Upper	26/09/1991 as PSI in (BPS-14) and on 14-02-2004 as Add: PP(BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor ATC

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Sl. No.	Name of officer with academic qualification	Date of Birth & Domicile	Date of first entry into service with BPS	Regular appointment/Promotion to present post			Present posting
				Date	BPS	Method of recruitment	
							Peshawar
33.	Mr. Nawab Zareen BA, L.L.B	13/11/1968 FR Bannu	14/02/2004 As Add: PP (BS-17)	-do-	-do-	-do-	Senior Public Prosecutor ATC Bannu
34.	Mr. Raza Khan, B.A, L.L.B	09/01/1970 Mohmand Agency	14/02/2004 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Mardan
35.	Mr. Muhammad Yeunas Khan, M.A, L.L.B	10/01/1966 Abbottabad	30/07/1991 as PSI in (BPS-14) and on 14-02-2004 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Haripur
36.	Mr. Zafar Abbas Mirza , B.A, L.L.B	22/11/1973 Peshawar	14-02-2004 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor Peshawar
37.	Mr. Nisar Alam , B.A, L.L.B	17/03/1964 Shangla	14-02-2004 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Shangla
38.	Mr. Attaur Rehman , B.A, L.L.B	11/01/1970 Peshawar	14-02-2004 as Add: PP (BPS-17)	-do-	-do-	-do-	District Public Prosecutor Lower Kohistan
39.	Mr. Anwar Ali , B.Sc, L.L.B	16/04/1968 Swat	17-06-2004 as Add: PP (BPS-17)	-do-	-do-	-do-	Senior Public Prosecutor ATC Swat

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Secretary Home


Copy forwarded for information to me.

Director Monitoring Cell and Director Legal Directorate of

Endst: of Even No. & Date:

Copy forwarded to:-

1. The Secretary to Establishment and Administration Department, Peshawar.
2. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. All Regional Directors(Prosecutors) in Khyber Pakhtunkhwa.
5. All District Public Prosecutors in Khyber Pakhtunkhwa.
6. Officers Concerned through Directorate Prosecution, Khyber Pakhtunkhwa.
7. P.S to Secretary Home & Tribal Affairs Department & Tribal Affairs Department, Peshawar.
8. PS to Special Secretary-I, Home & Tribal Affairs Department & Tribal Affairs Department, Peshawar.
9. Master File


(Khushi Muhammad Khan)
Section Officer (Prosecution)

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(34)

OFFICE OF THE DISTRICT PUBLIC PROSECUTOR,
BAJAUR AT CIVIL COLONY KHAR.

Annex "E"

No. 125 /DPP/BAJAUR
Dated 03 / 03 / 2022,
Email: dppbajaur2020@gmail.com

To

The Director General Prosecution,
Khyber Pakhtunkhwa,
Peshawar.

Subject: NOMINATION OF (BPS-19) OR EQUIVALENT OFFICERS FOR 31ST SENIOR MANAGEMENT COURSE (SMC) AT NATIONAL MANAGEMENT COLLEGE LAHORE/ NATIONAL INSTITUTE OF MANAGEMENT ISLAMABAD, KARACHI AND PESHAWAR FROM 23/05/2022 TO 09/09/2022.

Dear Sir,

With reference to your office letter No.DP/E&A/1(22)2543-46, dated 18/02/2022, the requisite medical fitness certificate (in original) of the undersigned is hereby sent for further necessary action as desired please.


DISTRICT PUBLIC PROSECUTOR,
BAJAUR.

O/c


ATTESTED



(35)

OFFICE OF THE DISTRICT PUBLIC PROSECUTOR,
BAJAUR AT CIVIL COLONY KHAR.

No. 138 /DPP/BAJAUR
Dated 11 / 03 / 2022
Email: dppbajaur2020@gmail.com

To

The Director General Prosecution,
Khyber Pakhtunkhwa,
Peshawar.

Subject: **NOMINATION OF (BPS-19) OR EQUIVALENT OFFICERS FOR 31ST SENIOR MANAGEMENT COURSE (SMC) AT NATIONAL MANAGEMENT COLLEGE LAHORE/ NATIONAL INSTITUTE OF MANAGEMENT ISLAMABAD, KARACHI AND PESHAWAR FROM 23/05/2022 TO 09/09/2022.**

Dear Sir,

With reference to the above noted subject it is submitted that the undersigned received letter No.DP/E&A\1(22)3475-76, dated 09/03/2022 of your goodself office through DPP, Swabi on my personal Whatsapp number and the requisite medical fitness certificate has already been sent timely by the undersigned through registered post No.1429, dated 04/03/2022 in reply to letter No.DP/E&A/1(22)2543-46, dated 18/02/2022 of your goodself office, received through DPP, Swabi on my personal Whatsapp number (Copy of the medical fitness certificate is attached).

[Handwritten Signature]
DISTRICT PUBLIC PROSECUTOR,
BAJAUR.

O/c

[Handwritten Signature]
ATTESTED

(36)

Annex "F"

BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR

In Re: W.P No _____/2019

Atta-ur-Rehman,
District Public Prosecutor,
Hangu.

Petitioner

Versus.

1. The Government of Khyber Pakhtunkhwa,
Thorough Chief Secretary,
Civil Secretariat, Peshawar.
2. The Secretary Establishment Government of Khyber Pakhtunkhwa.
3. The Secretary Home & Tribal Affairs,
Government of Khyber Pakhtunkhwa.
4. The Director General Prosecution,
Government of Khyber Pakhtunkhwa.

Respondents

**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN, 1973 As Ammended**

RESPECTFULLY SHEWETH:

1. That the petitioner was initially appointed as Additional Public Prosecutor (BPS-17) upon the recommendation of the Khyber Pakhtunkhwa Public Service Commission and remained posted at Dir Lower, Charsadda and other stations wherein, he performed his duties with full devotion and zeal. Presently the petitioner is serving as District Public Prosecutor, Hangu (BPS 19) under the administrative control of directorate of Prosecution, which is an attached department of the Home & Tribal Affairs Department, Khyber Pakhtunkhwa.
2. That being a civil servant, the service of petitioner is regulated by the Khyber Pakhtunkhwa Prosecution Act, 2005; wherein, it is regulated under different rules framed there under including the Civil Servant Act, 1974 and other relevant laws on the subject, instructions and policies of the Provincial Government of the Khyber Pakhtunkhwa, contained in Establishment Code (Esa Code) of Khyber Pakhtunkhwa etc; and is also subject to certain Constitutional guarantees i.e. protection from discrimination, equal rights of government services etc.

ATTESTED

3. That the terms and conditions of service of the petitioner are applicable to other civil servants as well and similarly, the Efficiency and Discipline Rules and the Establishment Code of Khyber Pakhtunkhwa also apply upon the petitioner and other civil servants and the Prosecution Officers working within the province of Khyber Pakhtunkhwa.
4. That in order to stream line the Posting/Transfers of the government servants against posts in different areas of the province and to remove any confusion in this regard and to exclude external pressures, influences and to safeguard from victimization and discriminations, the respondents have devised policies contained in the Esta Code for all the civil servants in the province with an aim that it should be implemented across the board on uniform basis/merit that too without any discrimination or inequality.
5. That it is quiet unfortunate that, although clear policies regarding Posting Transfers, tenure, placement etc; have been devised/framed in the Esta Code, the respondents are still not following/implementing the uniform Posting/Transfer Policies as provided, in respect of the Prosecution officers of Khyber Pakhtunkhwa; rather a different approach is adopted for different set of officers, thus directly effecting the performance of most of the prosecution officers in the province of Khyber Pakhtunkhwa who are till date being treated discriminately.
6. That it is pertinent to mention it here that the promotion/transfer policy has been clearly laid out under section-10 of Khyber Pakhtunkhwa Civil Servant Act, 1974 provides as follows:
- "Posting and Transfer: Every civil servant shall be liable to serve anywhere within or outside the province, in any post under the Federal Government, or any Provincial Government or Local Authority, or a Corporation or body set up or established by any such Government:-*
- Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region;*
- Provided further that, we are a civil servant as required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favorable than those to which he would have been entitled if he had not been so required to serve."*
7. That furthermore, the Posting/Transfer policy devised by the Provincial Government /Respondents; taking wisdom from the above Statutory provisions at Para I, II, IV as provided in Esta Code reads as follows:

- I. *All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants.*
 - II. *All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.*
 - IV. *That normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.*
8. That in Para XIII (a & b) of the same Policy reads as follows:

"XIII) while considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- a. *To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in past and general reputation with focus on the integrity of the concerned officers/officials be considered.*
- b. *Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest."*

9. That in the Prosecution Service of Khyber Pakhtunkhwa, the list appended herein reflects that almost in all cases consisting of more than 50 percent of the prosecution officers serving/working in the province regulated by the respondents are not following the policy of the Provincial Government as envisaged in the Establishment Code of Khyber Pakhtunkhwa. these employees are serving/posted either at their home station or posted for several years at a particular place which is clearly against the Policy of the Provincial Government (respondents). whereas, some of the officers are being repeatedly posted from one station to another in regular intervals.

Copy of the list is annexed as "A"

10. That the clear violation of Posting/Transfer Policy is that an officer in (BPS-19) is posted in Directorate of Prosecution for a term of 7 years which is twice the normal tenure of posting of a civil servant as provided in the rules/NWFP Civil Servants Act, 1973. In addition, in March 2018, he/officer was transferred and posted on a higher post as Regional Director Peshawar which is a post of (BPS-20) in his own pay/scale and surprisingly, the same officer was allowed to retain the additional charge of his previous post simultaneously, from where he was transferred and the additional post as well, thus enjoying the perks and privileges of both the posts since the last one year and six months. It is worthy to mention it here that out of 25 years of service he/officer has been serving in his "home town" Peshawar for more than 24 years, against different posts, which is unequivocally

against the Policy of Additional Charge of the Respondents. *Copy of his posting order is annexed as B*"

11. That the Esta Code of Provincial Government provides for the additional charge of a second post which shall not be held by an officer in any case for more than six months. here also the respondents are not following its own policy and the incumbent of the post discussed above is holding the same for more than one year and six months. The operative Para of the Establishment Code of Khyber Pakhtunkhwa reads as follows:
*"Additional charge appointment of an equivalent post:
 An officer can be given the additional charge of a second post but only of a post in an equivalent grade, up to a period of six months by the competent authority"*
12. That the petitioner is domiciled in Peshawar, but still he has been repeatedly posted in "Hard Areas" throughout his service and for that matter he is still serving in District Hangu, and similarly, most of the Prosecution officers are also posted in Hard Areas and serving there for years while on the other hand there are some officers as already discussed above, who have been favored by the respondents against the policy laid down under the NWFP Civil Servants Act, 1973 and are posted for years rather in some cases for almost in a particular station against lucrative posts enjoying TA/DA, a standard life etc.
13. That the Khyber Pakhtunkhwa Prosecution Officers Welfare Association has also requested the Respondent No 3 for the implementation of its Posting/Transfer Policy for the Prosecution Officers, particularly amongst those prosecution officers who are posted in Directorate of Prosecution against lucrative posts for years, but all in vain.
14. That even though the spouse policy as provided in Esta Code is very much clear over the posting/transfer policies but the same has not been followed in most of the cases.
15. That the respondents have also failed to follow the "PLACEMENT POLICY" as provided in Esta Code, which is to utilize the expertise of the officers who have received foreign trainings in various fields which was approved by the Prime Minister of Pakistan and is made a part of "Postings Transfer Policy" Similarly, the respondents have also failed to implement its policy of posting right person at right place.
16. That the Post of the Director Monitoring at Prosecution Directorate Khyber Pakhtunkhwa, is a highly technical post requiring expertise on the subject which should be filled in by an officer having relevant amount of experience that post too

has been filled in completely contrast to the Placement and Posting Transfer Policy, whereby, the Provincial Government posted an individual who didn't have even a single days experience on the subject, rather he remained out of prosecution service for more than 16 years and remained posted on deputation in the Establishment Department as Section officer, Director legal Additional secretary etc for 16 years and landed directed in the Prosecution Headquarters and posted against the highly technical position, furthermore, the officer remained in District Peshawar for almost throughout his services despite of being promoted twice from (BPS-17) to (BPS-18) and (BPS-18) to (BPS-19), this discrimination has created unrest amongst the prosecution circles.

17. That it also goes without saying that the predecessor of the present director monitoring prosecution was also recently transferred after spending 8 long years at directorate of prosecution, his prolonged posting was also against the posting transfer/policy as mentioned in the NWFP Civil Servants Act, 1973.
18. That so much so, despite of the up-gradations/ Promotions, the incumbents of the posts are posted upon new assignments on high scale at the same and station, just to give an impression of a tenure break.
19. That such postings of particular individuals, double triple of the normal tenure, posting of inexperienced officers to certain posts smell high of external/political pressures, favoritism as explained in the Esta Code.
20. That the petitioner being aggrieved of the dual policy adopted by the respondents in terms of the posting/transfer/tenure of officers, while having no other efficacious remedy available has come before this Hon'ble Court in its constitutional jurisdiction inter-alia on the following amongst other:

GROUND:-

1. That the non compliance of the Posting/Transfer and Placement Policy of the Provincial Government as provided in Khyber Pakhtunkhwa Esta Code on uniform basis is against the fundamental rights enshrined under Article 4, 9, 16 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.
2. That other officers posted in the prosecution headquarters and in most of the districts have mostly completed their double rather triple of their normal tenures of postings at a particular place/post which is against the Posting/transfer Policy of the Provincial Government and at the same time there are officers of prosecution service who are repeatedly being posted from one place to another pre-mature of their tenure and against the Posting/Transfer Policy, thus the respondents have

ATTESTED

miserably failed to implement their own policies in its letter and spirit, which clearly shows that the respondents have adopted a dual policy for different set of employee which shows arbitrariness and malafide on part of the respondents.

2. That the repeated transfers of certain prosecution officers including the petitioner away from their district and to hard areas, before their normal tenure of posting at the convenience of the executive organ is an act which amounts to not only the serious victimization/humiliation of those officers, but such actions also deprives them of their basic fundamental rights as enshrined under the Constitution of Pakistan, 1973 and it is also in contradiction to the Esta Code of Khyber Pakhtunkhwa whereby the independence of the officer is taken away from him.
3. That by not following the posting/transfer policy as mentioned in Esta Code, Khyber Pakhtunkhwa, the respondents are only posting and transferring their blue eyed's on basis of favoritism, sifarish or considerations other then merits which is in complete violation of the dictum laid down by the apex court in PLD 2013 SC 195 case titled "*Syed Mehmood Akhtar Nayvi & others Versus Fed of Pakistan & others*" wherein the Hon'ble Supreme Court observed that: (relevant para 13. pg 205)

" 13. Tenure, appointment, promotion and posting/transfer are of utmost importance in the civil service. If these are made on merit in accordance with definite rules, instructions etc., the same will rightly be considered and treated as part of the terms and conditions of service of a civil servant. If, however, rules and instructions are deviated from and as a result merit is discouraged on account of favoritism, sifarish or considerations other then merit, it should be evident the civil service will not remain independent or efficient....."
4. That this action on part of the respondents is not only contrary to the rights of the petitioner but is also against the interest of the public at large since it deprives not only the petitioner but likewise the officers of their basic fundamental rights.
5. That the actions on part of the respondents has badly affected the petitioner since such actions are politically motivated and for an officer to perform his duties with full zeal and commitment it is vital that he shouldn't be influenced by his superior's doctorial misuse of powers or any political figure/executive organ. It is also pertinent to mention it here that the civil service enjoys certain legal protections independent of any political influence which has been laid down in the NWFP Civil Servants Act 1973, so that so the Civil Servants/Officers are able to perform their envisioned role as a law enforcing institution.

6. That the exercise of powers by the respondents in derogation to the clear directions of law amounts to disobeying the command of law and the Constitution of Pakistan, 1973 and compliance of such illegal and arbitrary orders passed therein are neither binding on the subordinate forums nor valid in the eyes of law. Furthermore the illegal transfers/postings which surpasses the normal tenure laid down in the Esta Code either by the political figures or the executive organ as a whole which are capricious and based on considerations are neither in the public interest nor lawful and legally sustainable in the eyes of law but they are rather politically motivated and having the element of some sort of personal grudge, misuse of the superior position or absolute and unfettered discretion.
7. That the postings of non technical/in experienced officers against the highly technical positions without previous experience of the same in the prosecution service are against the Placement Policy of the respondents which otherwise affects the performance of entire Criminal Justice System.
8. That the conduct of the respondents, by treating one set of prosecutors different with that of another is discrimination and this dual policy on part of the respondents is in conflict with Article 4 and 25 of the Constitution of Pakistan, 1973.
9. That the long standing postings (Double/Triple of normal tenure) of particular officers against particular posts and posting against placement policy, have raised serious questions of favoritism, nepotism and external influence as discussed in the Esta Code in the following words:

"All government servants are prohibited to exert political, administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest"
10. That since the prosecution is linchpin in the Criminal Justice System: the discriminatory and non uniform policy of the Provincial Government/Respondents may ultimately affect their performance, consequently, affecting the efficient delivering of Justice by the entire Criminal Justice System.
11. That the discrimination on part of the respondents in adopting a dual policy approach for Posting/Transfer amongst the prosecution officers has not only affected their performance but is also a mockery of the entire Criminal Justice System.

PRAYER:

It is, therefore, most humbly prayed that on acceptance of this writ petition this Hon'ble Court may be pleased to:

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Direct:

- The Respondents to follow/implement the Posting Transfer and Placement Policy of the Provincial Government as provided in Establishment Code of Khyber Pakhtunkhwa (Esta Code) in letter and Spirit and on Uniform Basis in respect of the Prosecution Officers of Khyber Pakhtunkhwa and confirm the existing arrangements in accordance with the policy

Declare:

- The posting of inexperienced officers against the post of Director Monitoring; which is a highly technical post in the prosecution Directorate is against the Posting Transfer Placement Policy of the Provincial Government.
- That Holding of Additional Charge of the post of Director Administration by Regional Director Peshawar, for more than 1 year and 6 months is against the Posting Transfer Policy of the Provincial Government.
- Any other relief if deemed appropriate by this Hon'ble Court may also be allowed at the time of arguments.

INTERIM RELIEF

The respondents may be restrained / refrained from:

1. Ordering further postings and Transfers of the Prosecution Officers till the final disposal of the writ.
2. Taking any action against/adverse to the service rights of the Petitioner

Through

Petitioner

HASSAM RAOON
L.L.M (UK)
Advocate, High Court

List of Books:

1. Constitution of Islamic Republic of Pakistan, 1973.
2. NWFP Civil Servants Act, 1973.
3. Esta Code with Service Rules.

Certificate:

It is certified that no such like writ petition has been filed before this Hon'ble Court and instant writ petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 be fixed.

ATTESTED

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PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1	2
06.08.2019	<p><u>WP No. 4119-P of 2019 with CM No. 1909-P of 2019.</u></p> <p>Present: Mr. Hassam Ragoon, advocate, for the petitioner.</p> <p>Syed Sikandar Hayat Shah, AAG, for the provincial Government.</p> <p>Mr. Naveed Akhtar, advocate, for the applicants in CM No. 1909-P of 2019.</p> <p>*****</p> <p><u>CM No. 1909-P of 2019</u></p> <p><u>QAISER RASHID KHAN, J:-</u> This application for the impleadment of the applicants mentioned therein in the array of the respondents is allowed. The office is directed to make the necessary entry to this effect in the relevant record with red ink.</p> <p><u>WP No. 4119-P of 2019</u></p> <p><u>QAISER RASHID KHAN, J:-</u> Through the present petition, the petitioner has prayed as under;</p> <ol style="list-style-type: none">1. <i>Direct the respondents to follow/implement the Posting Transfer and Placement Policy of the Provincial Government as provided in Establishment Code of Khyber Pakhtunkhwa (ESTA Code) in letter and spirit and on Uniform Basis in respect of the Prosecutor Officers of Khyber Pakhtunkhwa and confirm the existing arrangements in accordance with the policy.</i>2. <i>Declare the posting of inexperience officers against the post of Director Mentoring which is a highly technical post in the prosecution directorate is against the Posting Transfer</i>

"younas"

(DB) Hon'ble Mr. Justice Qaiser Rashid Khan
Hon'ble Mr. Justice Lal Jan Khattak.

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ATTESTED

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Placement Policy of the Provincial Government.

3. *The Holding of Additional Charge of the Post of Director Administration by Regional Director Peshawar for more than 1 year and 6 months is against the by Posting Transfer Policy of the Provincial Government.*

2. The petitioner, who was initially appointed as an additional Public Prosecutor and presently posted as District Public Prosecutor, Hangu, has sought the indulgence of this court to direct the respondents to follow and implement the Posting Transfer and Placement Policy of the Provincial Government as provided in Establishment Code of Khyber Pakhtunkhwa (ESTA Code) in letter and spirit.

3. The learned counsel representing the newly added respondents through CM No. 1909-P of 2019, at the very outset raised a preliminary objection viz the very maintainability of the instant petition as according to him, the petitioner is a civil servant and has called in question the terms and conditions of his service which squarely fall within the domain of the learned Khyber Pakhtunkhwa Services Tribunal. However, keeping in view the request of the learned counsel for the petitioner that the Posting Transfer and Placement Policy be implemented in letter and spirit, the learned counsel for the added respondents does not oppose such request and so does the learned AAG on being put to notice.

4. Accordingly, this petition stands disposed of in

"younas"

(DB) Hon'ble Mr. Justice Qaiser Rashid Khan
Hon'ble Mr. Justice Lal Jan Khattak


ATTESTED

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terms of directions to the respondents to follow and implement the Posting Transfer and Placement Policy of the Provincial Government as provided in the ESTA Code in letter and spirit without any discrimination.

Announced.
06.08.2019

SENIOR PUISNE JUDGE

J U X E

"younas"

(DB) Hon'ble Mr. Justice Qaiser Rashid Khan
Hon'ble Mr. Justice Lal Jan Khattak


ATTESTED

WAKALAT NAMA

IN THE COURT OF

Shah Zada

VERSUS

Govt of KPK

Accused/
Petitioner/
Appellant/
Plaintiff.

Respondent/
Defendant/
Complainant

Yasir Saleem Advocate High Court, Peshawar (herein after called the advocate) to be the Advocate for the Petitioner in the above mentioned case, to do all the following acts, deeds and things or any of them, that is to say ;

- 1) To act and plead in the above mentioned case in this court or any other Court in which the same may be tried or heard in the first instance or in appeal or review or execution or in any other stage of its progress until its final decision.
- 2) To sign, verify and present pleadings, appeals, cross-objections, petitions for execution, review, revision, withdrawal, compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of said case in all its stages.
- 3) To withdraw or compromise in the said case or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said case.
- 4) To receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said case.
- 5) To engage any other Legal practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so.

AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

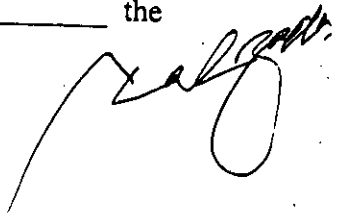
AND I hereby agree not to hold the Advocate or its substitute responsible for the result of the said case and in consequence of his absence from the court when the said case is called up for hearing

AND I hereby that in the event of the whole or any part of the fee agreed by me to be paid to the Advocate remaining unpaid, He shall be entitled to withdraw from the prosecution of the said case until the same is paid.

In witnesses whereof I / we have hereto signed at _____ the _____ day to Max the year 2022

Executant / Executants _____

Accepted subject to the terms regarding fee _____



M. Yousof *Adv*

YASIR SALEEM
Advocate High Court Peshawar

FR-4, 4th Floor, Bilour Plaza, Peshawar Saddar.
Bar Council: 10-6580, Cell No. 0331-8892589
Email: yasirsaleemadvocate@gmail.com

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

APPEAL NO. 664 of 2022

Mr. Shahzada District Public Prosecutor (BPS-19) District Bajaur under transfer to Swabi as Senior Public Prosecutor.

APPELLANT.....

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.**
- 2. The Director General (Prosecution) Khyber Pakhtunkhwa, Peshawar.**
- 3. Secretary to Govt. of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Civil Secretariat Peshawar.**

Respondents.....

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Komal Jan

(Komal Jan)

Assistant Director Legal
Directorate of Prosecution
Khyber Pakhtunkhwa

0322-9676150

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 664/2022

**Shah Zada, District Public Prosecutor (BPS-19) District Bajaur under
Transfer to Swabi, as Senior Public Prosecutor.**

.....APPELLANT

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.**
- 2. Secretary to the Govt. of Khyber Pakhtunkhwa, Home & Tribal Affairs Department, Civil Secretariat Peshawar.**
- 3. Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.**

..... RESPONDENTS

Comments On Behalf Of Respondents No.1, 2 & 3

PRELIMINARY OBJECTIONS:

- 1. That the appellant has got no cause of action to file the instant service appeal.**
- 2. That the instant service appeal is not maintainable in the present form.**
- 3. That the appellant has got no locus standi to file the instant appeal in hand.**
- 4. That the appellant has not come to this Honorable Tribunal with clean hands.**
- 5. That the appellant has concealed material facts from this Honorable Tribunal.**
- 6. That the instant service appeal is bad for mis-joinder and non-joinder of necessary parties.**
- 7. That the appellant is estopped by his own conduct to file the instant appeal.**
- 8. That the instant appeal is embodiment of falsehood and misrepresentation, hence, bad in law and facts both.**

PARAWISE REPLY:-

Respectfully Sheweth.

1. Para-1 pertains to record.
2. Para-2 is incorrect, rather misleading, hence denied. During posting of the petitioner as District Public Prosecutor, Bajaur, several complaints/ allegations were received to this office against him which includes inter alia:
 - a) As per record, the petitioner had shifted one GLI car, registration No. LEE.08-1460 to Peshawar for his personal use, which was returned to its real owner on superdari vide order dated: 29-10-2021, passed by Judicial Magistrate-III, District Bajaur at Khar, however, the petitioner was reluctant to return the same to lawful owner, due to which contempt of court application was also filed before the Competent Court of Jurisdiction. Daily diary alongwith road certificate are enclosed as (Annexure-A & B).
 - b) Complaint was received against the petitioner that while tendering opinion he inserted Section-337-A(i) PPC x instead of 337-F(v) PPC, however, after complaint the petitioner later on inserted valid section of law i.e. 337-F(v) PPC, upon which this office issued Advisory Note to him. (Annexure- C & D)
 - c) A complaint was also received against the petitioner that he is not inserting Section-7 ATA intentionally for the reason that the counsel for the accused was his son namely, Advocate Fawad Ur Rahman, therefore, the petitioner was giving undue favors to accused.
 - d) It also came to the notice of this office that, one Mujahid (Naib-Qasid) and one Umar Khan (Chowkidar) at District

After transfer of petitioner by the Notification dated: 31-01-2022, the said officials were called for duty through office order (Annexure-E).

- e) It was also came into knowledge of this office that, two gunners, namely, Kalam and Khursheed were also given relief of not to come for duty, in consideration of rupees 10,000/- per month.
- f) After assuming charge by the petitioner as District Public Prosecutor Bajaur, his son, namely, Fawad Ur Rahman Advocate also started his private practice at District Bajaur, and numbers of criminal cases were given to him, which shows malpractice of the petitioner Wakalat Namas are enclosed as (Annexure-F).

Beside this, as per performance report of the petitioner while serving as District Public Prosecutor , Bajaur the acquittal ratio of criminal cases was very high and he preferred appeals only in fifteen (15) cases which shows that his performance during the said period was not up to the mark and satisfactory. The performance report is enclosed as (Annexure-G).

- 3. Para 3 is incorrect; the petitioner was given promotion as per seniority and that too on his own turn.
- 4. Para-4 is miss conceived, every civil servant is bound to serve anywhere in the Province as per section 10 of Civil Servant Act, 1973, and likewise, most of the officers have served in the said areas, therefore, stance of the petitioner regarding serving in the said areas is unjustifiable.
- 5. Para-5 Pertains to record.
- 6. Para-6 is incorrect, the Petitioner has completed his one-year tenure in hard area, therefore, the Competent Authority has transferred him from the post of District Public Prosecutor, Bajaur to Senior Public Prosecutor, Swabi against vacant post in terms of Para 4, of Posting/Transfer Policy of the Provincial Government, which states that:

(4)

Hence, the petitioner has been treated in accordance with law/rules and policy in vogue.

7. Para 7 is incorrect, hence denied. Although the appellant had submitted the review petition which was duly processed however, the appellant during pendency of the review petition without waiting for the decision of the Competent Authority had forthwith approached the Hon'ble Peshawar High Court, Peshawar through filing of Writ Petition No. 501-P/2022.
8. Para 8 is Pertains to record.
9. Para-9, is incorrect, hence denied, the notification has been issued by the Competent Authority in accordance with law and rules, hence, the petitioner has got no locus standi to raise any ground.

GROUNDS

- A. Para-A is incorrect, hence denied, the petitioner has always been treated in accordance with law, rules & policy, hence, question of violation of any fundamental or constitutional right does not arise.
- B. Para-B is incorrect, hence, denied. As detailed reply has already given above vide Para 6.
- C. Para-C is incorrect, hence, denied. The petitioner alongwith his family is permanently residing at District Peshawar and after completion of his one year tenure in hard area i.e. District Bajaur, the petitioner has been posted at Swabi which is comparatively near to Peshawar from Bajaur.
- D. Para-D, is miss conceived, hence denied. Mr. Zia Ul Haq, was promoted from the post of Assistant Public Prosecutor (BPS-17) to the post of Deputy Public Prosecutor (BPS-18) and he was adjusted against the vacant post of Senior Public Prosecutor (BS-19), Bajaur in his own Pay scale vide notification dated: 31-01-2022. More so, the petitioner was transferred by the Competent Authority from District Bajaur to District Swabi due to receiving several complaints, as mentioned above. Similarly, the officer namely Zia Ul Haq is not transferred against the

- E. Para-E is incorrect, based on misconception, misstatement and misleading this Hon'ble Court hence, denied. In the Writ Petition No. 1837-P/2018, there are number of Public Prosecutors namely Muhammad Saleem, Khalid Khan, Atta ur Rehman, Nisar Alam, Anwar Ali, Zafar Abbas Mirza and Tariq Bakhsh who filed applications for their impalement in the said writ petition so the allegations of victimizing and punishment is out of question.
- F. Para-F is incorrect, based on gross miss statement and falsehood, hence denied. Mr. Khalid Khan, Senior Public Prosecutor (BS-19) was already posted as District Public Prosecutor Swabi. The post of District Public Prosecutor is purely administrative in nature and the appellant will perform his prosecutorial functions/duty independently. Moreso, the reporting officer of the appellant is not District Public Prosecutor; rather Regional Director Prosecution (BS-20) who is more experienced and senior from appellant. Hence, the petitioner is neither discriminated nor victimized, but, posted against the vacant post of Senior Public Prosecutor (BS-19) at District Swabi who is independent in Prosecutorial work.
- G. Para-G is misconceived, hence denied. Name of the appellant was recommended for the Senior Management Course as covering candidate as per its requirement (Annexure-H) but the appellant is not nominated for the said course by the quarter concerned. Moreover, detail reply has already been furnished in above paras.
- H. Para-H, is incorrect, hence denied, as no illegality has been committed by the Competent Authority and the officers have been promoted and posted as per law, rules & policy of the Provincial Government.
- I. Para-I is legal. Moreover, the respondents always adhere to law, rules and policy of the Provincial Government and comply with the directions of Hon'ble courts in true letter & spirit.
- J. Para-J is incorrect, hence denied. The appellant has been transferred in accordance with law, rules and policy and no violation of law, rules and policy has been committed by the respondents. Moreso, the respondents always implement the posting transfer and placement

K. The appellant has got no cause of action at all; let alone the additional grounds.

PRAYER:

In light of the above facts and circumstances of the case, the Service Appeal is devoid of any merit and legal substance; therefore, the same may kindly be dismissed with special cost, please.

جی
ا/6/2026

**Chief Secretary
Govt. of Khyber Pakhtunkhwa
Respondent No.1**

جی
ا/6/2026

**Secretary to Govt.
Home & Tribal Affairs Department
Khyber Pakhtunkhwa
Respondent No.2
Home Secretary,
Khyber Pakhtunkhwa**



**Director General Prosecution
Khyber Pakhtunkhwa
Respondent No.3**

**DIRECTOR GENERAL
Directorate of Prosecution
Home & Tribal Affairs Department
Khyber Pakhtunkhwa**

فکر کوی ماور

صاحب

استیو ریبری 86
21
کوال اینکواری زیر دعوہ 1566 صفا 10 روز ما 3

کوال اینکواری زیر دعوہ 1566 صفا 10 روز ما 3
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1
کوال اینکواری زیر دعوہ 1566 صفا 10 روز ما 3

Received
14/10/2021

1. The first part of the document is a list of names and their corresponding addresses. The names are written in a cursive script, and the addresses are also written in the same script. The list is organized into columns, with names in the first column and addresses in the second column.

2. The second part of the document is a table with several columns. The columns are headed with names and addresses, and the rows contain numerical data. The data appears to be organized in a grid format, possibly representing a ledger or a record book.

3. The third part of the document is a list of names and addresses, similar to the first part. The names are written in a cursive script, and the addresses are also written in the same script. The list is organized into columns, with names in the first column and addresses in the second column.

4. The fourth part of the document is a table with several columns. The columns are headed with names and addresses, and the rows contain numerical data. The data appears to be organized in a grid format, possibly representing a ledger or a record book.

5. The fifth part of the document is a list of names and addresses, similar to the first part. The names are written in a cursive script, and the addresses are also written in the same script. The list is organized into columns, with names in the first column and addresses in the second column.

ضلع باجوڑ کاٹون کالونی خار

مقدمہ: صحت شہریتہ بیٹھ ۵ بیوی وغیرہ سال:

درخواست برادر خانوانی کاروانی وغیرہ دائر شدہ۔ درج رجسٹر ہو۔
مسئول ایسٹ مورف ۰۲/۱۱/۲۰۲۱ کیلئے طلب ہو۔ نقل درخواست ہمراہ نوٹس ملے

حکم - 01
01/11/21

جاری

MUHAMMAD SHOAIB
Civil Judge-III / JM
Bajour at Khar

سائل ہمراہ وکیل حاضر۔ مسئول ایسٹ حاضر نہیں۔ تفصیل نہیں ہوئی
مسئول ایسٹ مورف ۰۳-۱۱-۲۰۲۱ کیلئے طلب ہو۔

حکم - 02
02/11/21

MUHAMMAD SHOAIB
Civil Judge-III / JM
Bajour at Khar

سائل حاضر۔ مسئول ایسٹ نہ ہو۔ سائل کی طرف سے درخواست برادر خانوانی
درخواست گزار کی۔ درخواست میں سائل نے کہا ہے کہ سائل کو گاڑی مقامی پولیس
نے حوالہ کی ہے، اور وہ مزید درخواستیں چاہتا۔ درخواست سائل پر نظر رکھتے ہوئے،
درخواست سائل برادر خانوانی کاروانی برطرف مسئول ایسٹ مسترداری خارج کیا جاتا ہے۔

حکم - 03
04.11.2021

حکم سنایا گیا۔
04.11.2021
M. SHOAIB
Civil Judge-III / JM
Bajour at Khar

5- کہ کارکنی ملازمت اور درخواست کو سہولت بخشہ کی تھی۔ یہ سب سے پہلے سے پتہ چلا اور سائیکل کو لا کر دیکھنے کے حکم کو ادا کرنا اور ساتھ ہی
یہ سب کے حکم عدولی سہولت بخشہ کے تحت قانون کارروائی اور FIR چاک کرنے میں کوئی تاخیر ہونی چاہئے۔

اس وقت سے کہ درخواست بذاست استنادی سے فرمایا جاوے۔

مہتمم

مہتمم

مہتمم کے لئے کہ یہ درخواست بالاسلام و یقین سے درست

رہے۔

مہتمم
مہتمم کے لئے کہ یہ درخواست بالاسلام و یقین سے درست
رہے۔

مہتمم

(5)

گفتگوت جناب سولج آراء جناب باجوڑ پہلج باجوڑ

خان شیر بناک سرنگ

درخواست برادراپسائمرنے مکدہ ۸ / درخواست
عننون بالبو جویات نزل

0-02
جناب سولج
SOLJ
SARANG KHAR

درخواست برادراپسائمرنے مکدہ ۸ / درخواست
عننون بالبو جویات نزل

درخواست برادراپسائمرنے مکدہ ۸ / درخواست
عننون بالبو جویات نزل

درخواست برادراپسائمرنے مکدہ ۸ / درخواست
عننون بالبو جویات نزل

مورف

خان شیر

15

In the Court of
MUHAMMAD SHOAIB CIVIL JUDGE / JUDICIAL MAGISTRATE-III/MOD
 District Bajaur

Khan Sher Vs State

S.No of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and That of Public or Assistant or Secretary.
------------------------------	------------------------------	--

Order No 29.10.2021 ORDER

(ii)

APP for the State ~~prosecutor~~ Petitioner along with counsel Mr. Riaz Uddin ~~Esq~~ advocate present. Record is before the court.

Through this ~~order~~ application filed by the prosecution branch Bajaur for verification of registration book/copy of the vehicle ~~is question~~ and application filed by the petitioner Namely ~~Khan Sher~~ s/o Paimda Gul for supardari of vehicle type ~~GEL~~, Registration LEE 08-1460 Model 2008 Engine ~~X768306~~ Chassis No. NZE 120-6092547 color Lachy ~~power~~ ~~1279~~ cc in case FIR No 34 dated 29.09.2021 PS ~~Loe~~ ~~Wahmand~~, District Bajaur is intended to dispose of.

Arguments heard. Record perused.

27/10/21
 Perusal of record ~~reveals~~ that the local police vide recovery memo dated 29.09.2021 has taken into possession the vehicle ~~Motor~~ Car in question in case FIR No. 34 dated 29.09.2021 ~~as~~ s 9.A)CNSA. The local police after taking possession of the vehicle submitted an application for inquiry ~~upto~~ 150 (iii), which was allowed by this court and the local ~~police~~ were directed to submit report within seven days. The local police vide application dated 11.10.2021 sought further time for reception and submission of FSL report which was allowed on 11.10.2021 for 08 ~~days~~. After that the local police submitted another application on 20.10.2021 at sought 08 days time for reception and submission of FSL report which was allowed for 08 days. The prosecution branch District Bajaur submitted another application on 28.10.2021 for verification of the registration book/copy of

CHECKED

COPY/ST

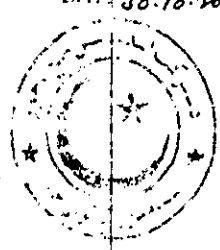
ATTESTED

for
 30.10.2021



In the Court of
MUHAMMAD SHOAIB CIVIL JUDGE / JUDICIAL MAGISTRATE-III/MOD
District Bajaur at Khar

Khan Sher Vs State

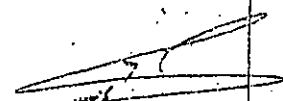
<p>Order No <u>29.10.2021</u></p> <p><u>119</u></p> <p><u>Continue</u></p> <p>29/10/2021</p> <p>CHECKED</p> <p>COPY</p> <p>ATTESTED</p> <p>20.10.2021</p> 	<p>the vehicle in question. The petitioner is in possession of original registration book/copy and bargain receipt of the vehicle in question and produced the same before the court original seen and returned while photo copy was placed on file. The original registration book/copy was examined and found correct. There is no need of verification of the registration book/copy of the vehicle in question as the FSL report regarding the vehicle in question is clear. Similarly, there is no FIR registered against the vehicle in question. In the view of the above the application submitted by the prosecution is devoid of any force therefore, stands dismissed.</p> <p>As discussed above the present petitioner is in possession of original registration book/Copy and bargain receipt of the car in question and produced before the court, original seen and returned, while photocopy of the same was appended with the application. This shows that he is its prima facie owner while there is no rival claimant. Though the motor car in question is taken into possession by the local police in narcotic case, however recovery has not been made from the secret cavity of the motor car rather recovery has been effected from the side pocket of shirt of the accused. Petitioner is not accused in the instant case nor the prosecution has brought on record any incriminating material to show the knowledge of the petitioner in respect of alleged recovered narcotic. The petitioner being in possession valid documents showing his undisputed ownership and is entitled to the custody of the vehicle in question. The case property in question is no more required to the local police for the purpose of investigation and further keeping the same in police custody would expose it to unnecessary damage and deterioration.</p> <p>Therefore, the application is hereby accepted and</p>
---	--

In the Court of
MUHAMMAD SHOAB CIVIL JUDGE / JUDICIAL MAGISTRATE-III/MOD
District Bajaur at Khar

Khan Sher Vs State

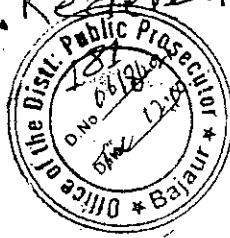
<p>Order No 09 Continue</p>	<p>29.10.2021</p>	<p>the vehicle type GLI, color Leahy, chassis No. NZE-120-6092547 Engine No. X760008 Registration No. LEE.08-1460 be returned to the present petitioner subject to furnishing surety bonds in the sum of Rs: 1,500,000/- (Fifteen Lac) with two sureties each in the like amount, to the satisfaction of SHO concerned.</p> <p>The petitioner is directed to produce the said case property before the local police, this or any other Court whenever and wherever, required.</p> <p>Copy of this order placed on case record as well as sent to the SHO concern for compliance. The requisitioned record be returned back to the quarter concerned.</p> <p>File of this Court be assigned to record room after completion and compilation.</p> <p>ANNOUNCED Dated: 29.10.2021</p>
-------------------------------------	-------------------	--

CHIEF CLERK
CO-CLERK
For
30.10.2021


MUHAMMAD SHOAB
Civil Judge/JM-III/MOD
District Bajaur at Khar

MUHAMMAD SHOAB
Civil Judge-III / JM
Bajaur at Khar

17



**DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA**

No. DA/FA/PCP/complaint
Dated Peshawar 05/18/2021/19943
Office Phone # 091-9212559
Fax # 091-9212559
E-mail kp prosecution@yahoo.com

(Through Fax)

To

District Public Prosecutor,
Bajaur.

Subject: COMPLAINT AGAINST DPP, BAJAUR

R/Sir,

I am directed to refer to the subject noted above and to enclose herewith copies of complaint alongwith relevant documents and to state that the Competent Authority is desirous to seek your views/comments in the subject issue.

I am therefore, directed to ask you to submit your views/comments alongwith relevant record within three days (03) positively, for further process of the case, please.

Yours faithfully,

Bushra Rasool
Assistant Director (Comp)

(Encl: as above)

Copy forwarded to:

- PA to Director General Prosecution.

Bushra Rasool
Assistant Director (Comp)

Prime Minister's Performance Delivery Unit (PMDU)

Pakistan Citizen's Portal (PCP)

Prosecution Department Khyber Pakhtunkhwa

NO: 1002438818255 (A/B)



19

Complaint Details

DATE	01/08/2021	CURRENT STATUS	In Progress (since 1 Days, 0 months, 0 year)
COMPLAINT CATEGORY/LEVEL 1	Corruption / Malpractice	COMPLAINT SUB-CATEGORY/LEVEL 2:	Power Abuse (Favoritism)
LOCATION OF COMPLAINT:	Bajaur (Khyber Pakhtunkhwa, Pakistan)	COMPLAINT ADDRESS:	Bajaur
COMPLAINT ADDRESS:	Engr. Ibrar Khan Sadiq, 001 N-45, Mohalla Meetha Khel, Nowshera, Khyber Pakhtunkhwa, Pakistan	CITIZEN PROFILE	Provided by Citizen
COMPLAINT SUBJECT	Complaint against district public prosecutor bajaur		

Contents

... back my brother was physically assaulted by some rich and powerful people in our village matakotman ... after medicolegal Examination police forwarded all the documents to DPP to analyse the documents and apply the concerned sections according to law but unfortunately to avoid the accused from FIR he declared the grievous injury (fracture of humerus) as simple hurt. ... demand the higher authorities to please analyse these reports again and do justice.thanks

Attachment

This complaint has 5 attachment.

3. Complaint Processing History

#	DATED	FROM	TO	STATUS	REMARKS
1	02/08/2021	Prosecution Department	Citizen	In-progress	Respected Citizen! Your Complaint has been sent to concerned section for further process.
2	17/08/2021	Initiated	Prosecution Department	In-progress	Complaint has been assigned to Prosecution Department

Reported on

Prime Minister Complaint

Cell

Mobile App

Summit, Tenn

Apprenticeship

Tree

Site

at base

Abbeyside

at base

at base

at base

at base

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and other materials

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at base

at base

at base

at base

at base

at base

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at base

at base

at base

... Rt shoulder with
... AP + LAT

... DYLEO 7-5mg q.m.
... stat

... would wash
... after

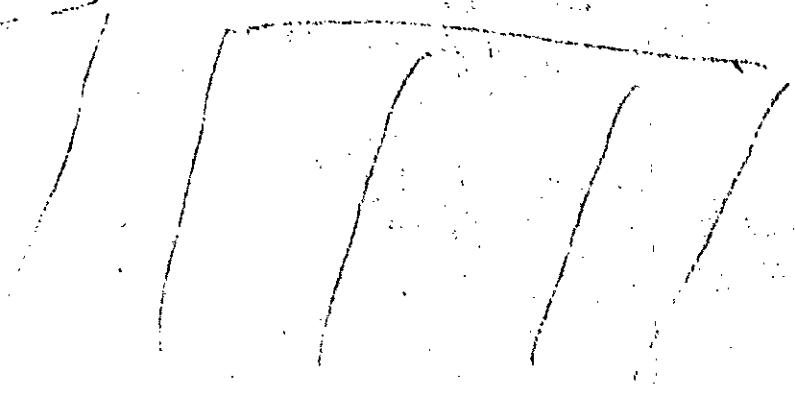
Review after

... Rt humerus

orthopedics opinion
... traction

STAROX 60mg (1 time)

ESCORON-D 10/5
... 10/30



RAM

MEMBER HADACHINCHOSI
WILLIAM WAGGONER INSTITUTE OF MEDICAL STUDIES

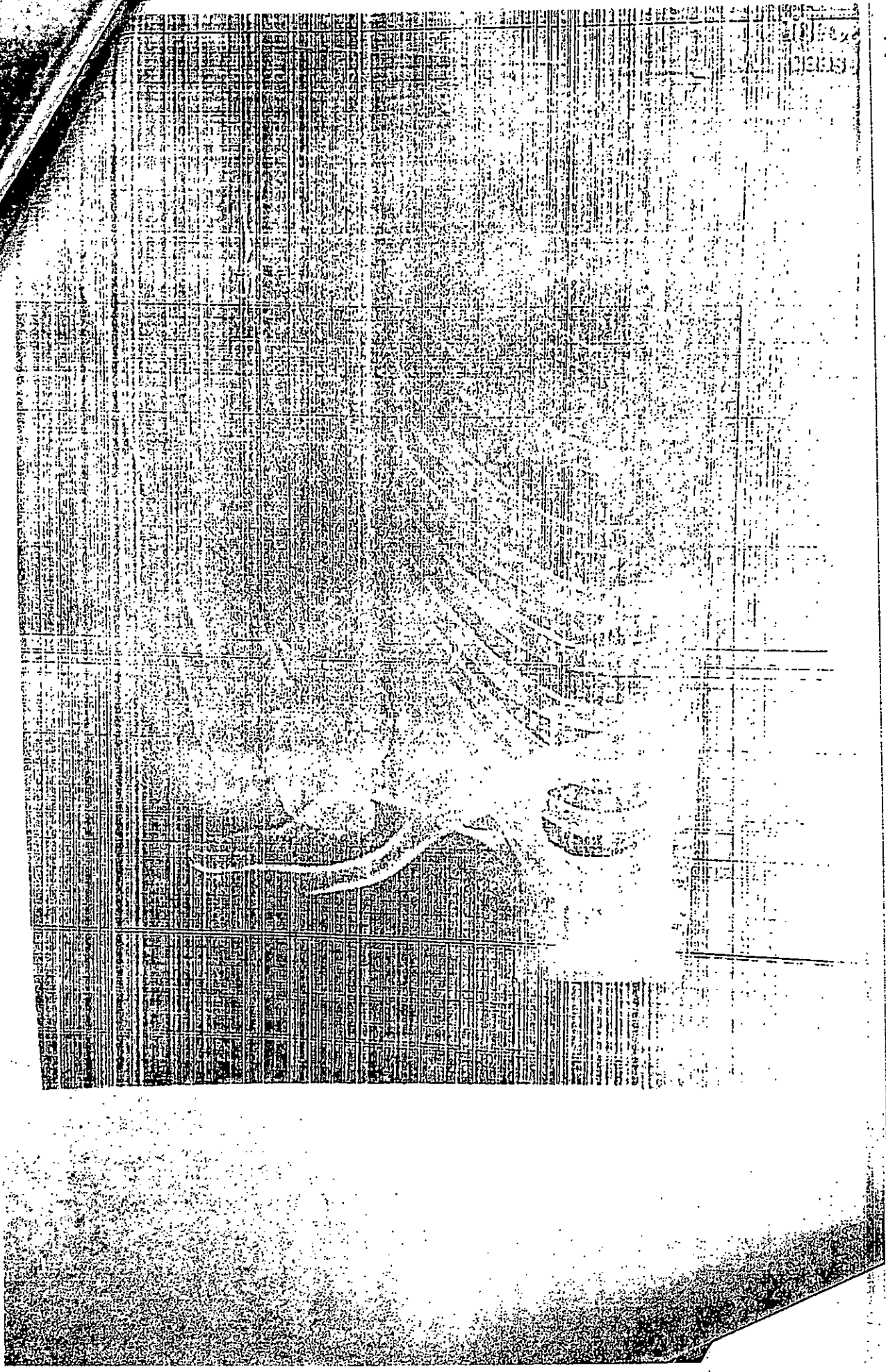
DISCHARGE SLIP UNIT: Med. 7-11-76

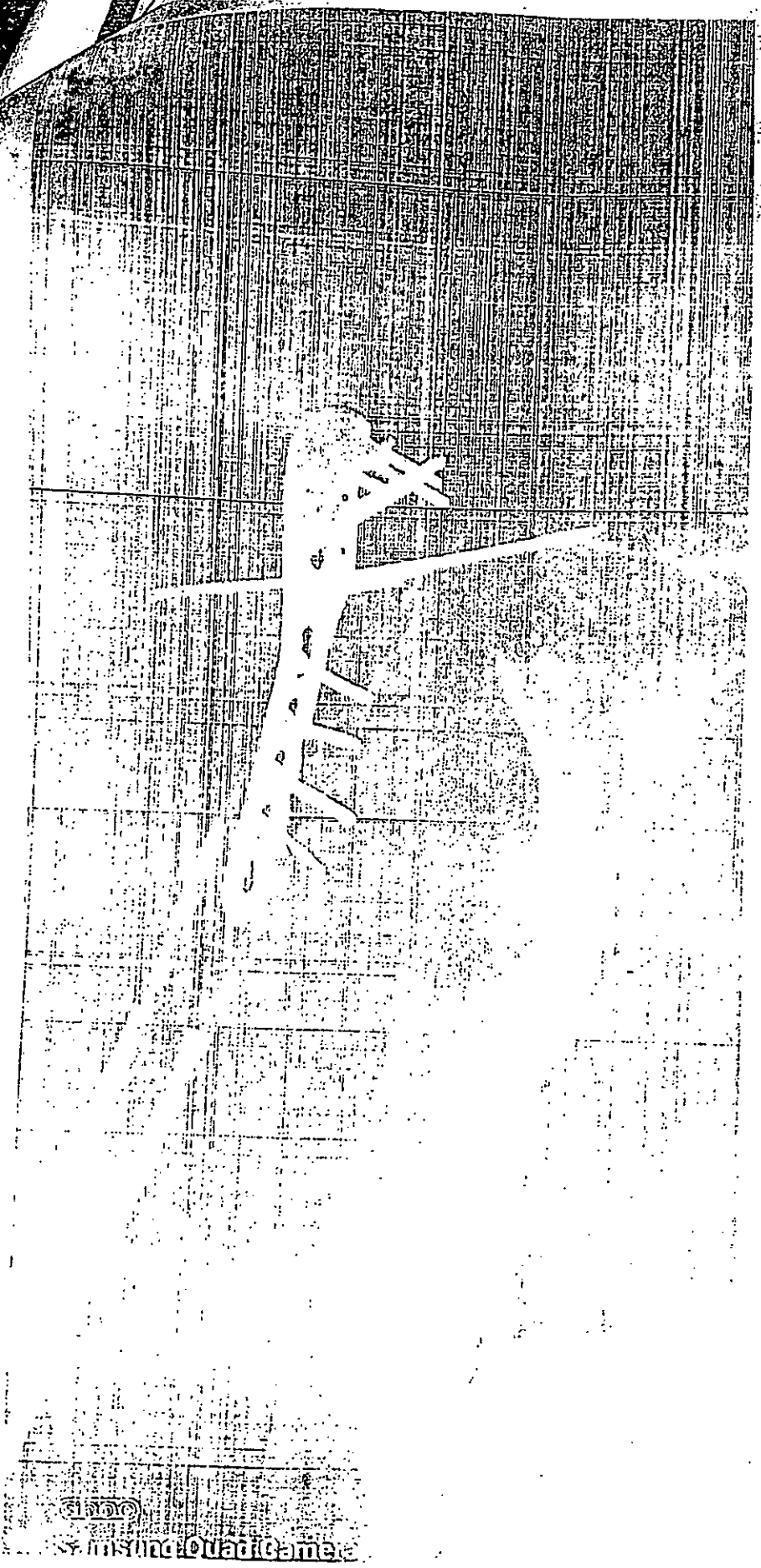
Name of Patient: Narciso Diaz Father/Husband Name: _____
Age: 34 Sex: Male Bed No: 09 MIR No: 37756
Date of Admission: 11-07-76 Date of Discharge: 19-07-76
Diagnosis: (E) proximal humerus fracture

Case Summary:
Presented as a case of physical assault - RT
fracture of proximal humerus & dislocation. He underwent
open reduction & internal fixation. He underwent
physical therapy & being discharged.

Treatment in Hospital:
By: [unclear] Sec. on 11/7/76
By: [unclear] Sec. on 11/11/76
By: [unclear] Sec. on 11/15/76

Discharge Instructions:
He should be kept in sling
and avoid heavy lifting
for 6 weeks.
He should be seen in 6 weeks
for follow-up.
He should be seen in 6 weeks
for follow-up.





© 2010

System Inc. QuadCamera



25

**OFFICE OF THE DISTRICT PUBLIC PROSECUTOR,
BAJAUR**

No. 263 /D.P.P/BAJAUR
Dated 26 / 08 / 2021

To

The Worthy Director General Prosecution,
Khyber Pakhtunkhwa, Peshawar.

Subject: COMPLAINT AGAINST DPP, BAJAUR.

Dear Sir,

Reference to your good self office letter No. DP/E&A/PCP/ Complaint/ 10507, dated 20/08/2021, the undersigned submits as under:-

The instant occurrence took place on 11/07/2021, which was reported in the shape of Mad No.08, dated 11/07/2021 of Police Station Utman Khel. The local police submitted an application on 26/07/2021 for seeking legal opinion which was received to the office of undersigned vide diary No. 273, dated 29/07/2021, and duly marked to Mr. Manzoor Khan, learned APP for tendering legal opinion. who tendered his opinion on 30/07/2021 U/Ss 337-A(i), 337-F(i) / 34 PPC.

Similarly the local police submitted another application on 03/08/2021 for seeking opinion on the basis of additional medical documents i.e discharge slip of Khyber Teaching Hospital (KTH) Peshawar and test result of Rehman Medical Institute (RMI) of the injured Naseeb Daraz. The learned APP returned back the application with the direction to produce original discharge slip of KTH Peshawar and test result of RMI to be signed and stamped from the concerned doctor.

Then again the local police submitted another application on 09/08/2021 for seeking legal opinion, which was duly marked to the above learned APP on 11/08/2021, who tendered his legal opinion U/Ss 337-A(i), 337-F(iii), 337-F(vi)/34 PPC on 13/08/2021, on the basis of submission of additional medical documents .

As upshot of the above discussion, the above mentioned injured person were initially medically examined by the medical officer doctor Sami Ullah of DHQ Hospital, Bajaur and he advised X-Rays to the injured Naseeb Daraz and further referred him to Orthopedic and Radiological expert opinion. As initially the fracture of injured Naseeb Daraz was not confirmed on the initial examination and the injuries were declared to be simple. Hence the learned APP named above tendered opinion U/Ss 337-A(i), 337-F(i) / 34 PPC.

(Copies of Injury Sheets of both the injured namely Naseeb Daraz as Annex-A and Ahmed Khan as Annex-B, applications dated 26/07/2021 as Annex-C, dated 03/08/2021 as Annex-D, dated 09/08/2021 as Annex-D(i) respectively, RMI Test Result as Annex-E, Discharge slip as Annex-F and Mad report No.8, dated 11/07/2021 as Annex-G are attached).

Yours faithfully,

[Signature]
District Public Prosecutor
Bajaur

O/c

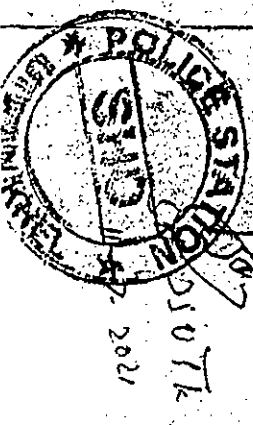
ready

2021

07
11/2021 21/08/2021

2021

<p>11/11/21</p> <p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>	<p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>	<p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>	<p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>	<p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>	<p>Amman</p> <p>De Samm</p> <p>Figur</p> <p>Details on two pages</p> <p>101 sheet hospital</p> <p>treatment carbon copy</p> <p>attached</p>
---	---	---	---	---	---



20/08/21

Abbrasion on lower
of chest at back on left
2.5cm x 0.1cm

Xray skull AP + lat
Xray Rt hand AP + lat

will be reviewed after x-rays.

~~SMK?~~

11/7/21 Review after x-rays.

1800Hr Xray skull + hand
Dr Sam unremarkable.

needs radiological opinion

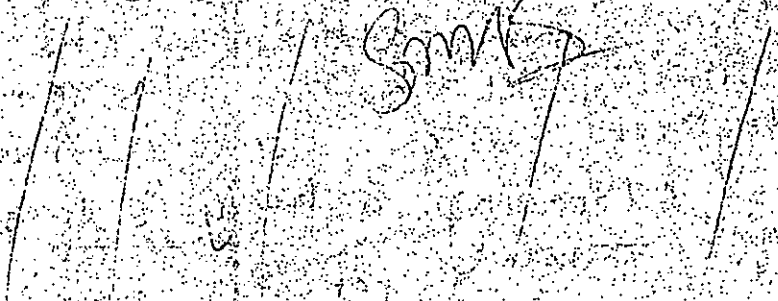
3 + 1 Tag (ALUMINUM)

W.F. (1 + 0 + 1) = 2

2 Tag STAINLESS STEEL

W.F. (1 + 0 + 0)

~~SMK?~~



MEDICINE REQUISITION FROM DISPENSARY

DHS-02-A(1)

29

Monthly OPD Serial No

1870

Annex

11/7/21

Ahmad khin Foy

(Containing to

1716 hrs

S/O Kamil khin

Dr Sami

Fight

hit on body with stones and sticks

Go. Laceration on face below

Rt eye

Laceration on dorsum of

Rt hand

O/E: Small abrasion with skin degloving below Rt eye not bleeding actively with rough edges size 0.5cm x 0.5cm

Another small abrasion on dorsum of Rt hand with skin degloving size 0.5cm x 0.5cm not bleeding actively. Edges rough

Sign:

Date

Date

PRO

AP+lat

BYCLO 75mg

FM stat

wound wash

will be reviewed after xray

Samy

Review after xray

1706HIS xray - Fracture neck

Dr Samy of Rt humerus

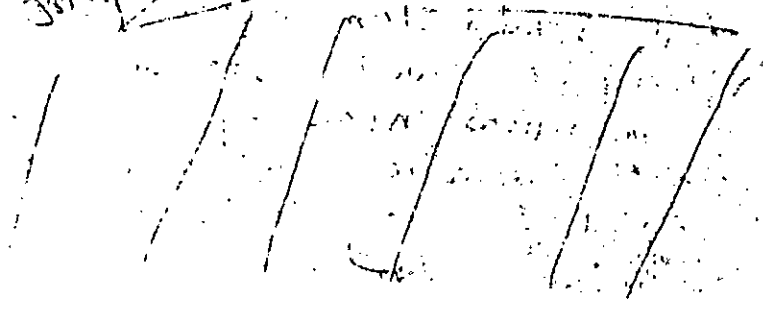
- Needs orthopedic opinion
- Apply plaster + radiological opinion

Tab. STARLOX 60mg 1+0+0

Tab. ASSOBAN 0.5

Tab. 30 1+0+1

Samy



O/COPIES

MEDICINE REQUISITION FROM DISPENSARY

Monthly OPD Serial No

ER NO 1375

11/7/21

Naseeb Daraz

1635 HB

S/O Ahmad Khan

Dr Sami

- Fight

- Hit on right arm

+ forearm with shaves

and stick as alleged

Chief Pain Rt shoulder + Rt arm

On 6/5/21 came in walking

Ambulatory without support

No associated chest abdomen

head or limb injury

- Rt shoulder joint swollen

No bruise on it

- Abrasion with skin debriding

at base of left palm rough edges

Size 5cm x 0.5cm not bleeding

irregular Two 0.5cm diameter

abrasions near by

- Small laceration on anterior

aspect of right leg distal bent

Sign

0.5cm

1 peg

32
Anti
(Containing)

محکمہ انسداد دہشت گردی



Annex - C

کوٹلہ ہاؤس 08 اور سائبر سٹیٹ (07/02) کے خلاف ایف ڈی

صحت علی

معدومین صحت یوں کہ معدومین کے رپورٹ
کوٹلہ ہاؤس اور سائبر سٹیٹ کے معدومین کے لئے
معدومین کے لئے معدومین کے لئے معدومین کے لئے
معدومین کے لئے معدومین کے لئے معدومین کے لئے

معدومین کے لئے معدومین کے لئے معدومین کے لئے
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معدومین کے لئے معدومین کے لئے

MHC P.S. WTK
26.07.02

Application alongwith injury sheet perused. It reveals that

committed non-cognizable offence U/S

337-A.W. 337-F.W. 34 PPC My view's opinion is subject to the approval

of Learned DPP. 30/7/02

Agreed
District Public Prosecutor
Salaur
29/7/02

Annex "DCD"

ملو اجوز



غمانہ ایما علی

سربراہ حوالہ دات خالو

حوالہ نمبر 08/17/2021، 07/11/2021 غمانہ ایما علی خالو

ضمانت

موضوع ضمانت ہون کے حوالے سے درخواست گزار کی درخواست پر بحوالہ نمبر 08/17/2021
 1017 اجراء ہو کر درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق ضمانت
 واپس کر کے لکھی ہے۔ لہذا بحالہ نمبر 08/17/2021 کے مطابق
 درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق درخواست گزار کی
 درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق درخواست گزار کی
 درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق درخواست گزار کی
 درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق درخواست گزار کی

Handwritten signature

H.H.P.S.U.T.K

09/08/2021

Mr. Manzoor Khan

Assistant Public Prosecutor
Bajaur

حالیہ درخواست گزار کی لکھنے اور حوالہ دات خالو کے مطابق
 حوالہ نمبر RMI کے مطابق
 لکھنے اور حوالہ دات خالو کے مطابق
 حوالہ نمبر 337-AG, 337-F(VI)-34
 337-F(III)
 حوالہ نمبر 337-F(VI)-34 کے مطابق
 حوالہ نمبر 337-F(III) کے مطابق
 حوالہ نمبر 337-F(VI)-34 کے مطابق

Handwritten signature

Handwritten signature

11/08/2021

District Public Prosecutor
Bajaur
13/8/2021

Approved
District Public Prosecutor
Bajaur
13/08/2021



5/B-2 Phase - 5 Hayatabad Peshawar Pakistan
Tel: +92-91-58380000 | Fax: +92-91-5838333
Appointments: +92-91-5838666

Annex - 'E' REPORT

THIS FORM CAN ONLY BE USED FOR PATIENT REPORTS

Department of Radiology

CT Joint with 3D, Axial and Coronal Reconstruction (Without Contrast)

Patient: Nasib Draz Khan, 33y. Male
Referred by: Dr. shoaib

PRN: 21-07-103077
Booking Date: 12-07-2021 5:11 PM

Reference No: RAD-21-07-130616
Test Date: 13-07-2021 11:04 AM

Clinical Information:

History of trauma.

Technique:

3mm images reviewed done on 128 slicer CT in different planes. It is a non-contrast study.

Findings:

There is comminuted displaced fracture of humerus involving the greater and lesser tuberosity and neck of right humerus with displaced and anteriorly dislocated humeral head. Articular surface of humeral head is intact. Rest of bones are unremarkable. There is associated surrounding soft tissue edema.

Impression:

Comminuted fracture of right humerus with displaced and anteriorly dislocated humeral head.

Reported By
Dr Nida Gul
Resident FCPS

Dr. Hadia Abid
MBBS, FCPS
Assistant Professor
Consultant Radiologist

KHYBER TEACHING HOSPITAL
MEDICAL TEACHING INSTITUTION PESHAWAR

DISCHARGE SLIP UNIT: Ortho Team C

Name of Patient: Naseeb Durrani Father/Husband Name: Annex - F
Age: 33yr Sex: Male Bed No: 04 MR No: 3273596
Date of Admission: 11-07-21 Date of Discharge: 19-07-21

Diagnosis: (R) proximal humerus # dislocation -> PHLOS

Case Summary:
It presented as a case of physical assault + HOF.
After examination & investigation he was labelled to have
(R) proximal humerus # dislocation. He underwent PHLOS.
It is now stable & being discharged.

Treatment in Hospital:
By: Surgeon Surgeon Surgeon
By: 2 Sur 2 Sur 1 Sur
By: Surgeon Surgeon Surgeon
By: Surgeon Surgeon

Treatment in Home:
- NS Vanco in Soing in Plades 1 NS (500) (500) (500)
- NS 2 Sur 2 Sur 1 NS BD (500) (500) (500)
Tab: Tab Nezket 60mg (1-10-21) - (500)
Tab: Tab Amoxicillin Soing (1-10-21) - (500)

Investigations:
Tab: Tab Normal Plus (1-10-21) - (500)
Tab: Tab Subst 2 in 4 - (500)
Tab: Tab Medical in 4 - (500)
Cap: Cap Link Using in 4 - (500)
Handed over

Medical Rest if indicated: Not to work with the affected limb for 3 weeks

Revisit Notice: Ortho OPD on 20.07.21 for stitches & wire removal
Signature: Hammad Zamir
TMO/205
ORTHOPEDIC, MTI-KTH

No. 01/19/2021/15456
Dated Peshawar 10/19/2021
Office Phone # 091-9212559
Fax # 091-9212559
Email kprosecution@yahoo.com

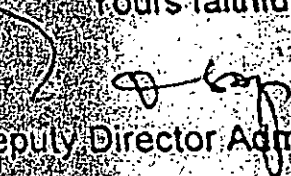
The District Public Prosecutor,
Bajaur, Khyber Pakhtunkhwa

Subject: ADVISORY NOTE

I am directed to refer to your letter No. 263/DPP/Bajaur dated 26/08/2021 and to state that the Competent Authority has examined the record including injury sheets of the ~~injured~~ in line with your reply/opinion and found that as per record, first opinion was tendered without consulting the Medico-Legal report properly due to ~~which~~ wrong section of law was suggested and delay caused in registration of FIR.

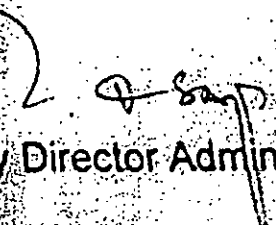
I am therefore, directed to advise you that before tendering opinion on medico-legal report, you are required to examine all the record in the first instance in order to avoid any irregularity in future.

Yours faithfully,


Deputy Director Administration

Copy forwarded for information to:-

- Director Administration, Directorate of Prosecution,
- PA to Director General Prosecution, Khyber Pakhtunkhwa.
- Personal file of the Officer concerned.


Deputy Director Administration


2021 OCT 19 09:52

40

STATE OF PROSECUTION
KIMBER PAKHTUNKHWA

ADIC - RAIPUR
C/O: Peshawar, 21/8/7/2021
Office Phone: +91-9212060
Fax: +91-9212060
mailto:prosecution@villco.com

District Public Prosecutor
Bajaur

Subject: COMPLAINT AGAINST D.P.P. BAJAUR

INVI

I am directed to refer to your office letter No. 228/DPP Bajaur dated 07/08/2021 and to state as per your reply/comments the concerned APP has tendered his legal opinion on the basis of mad report B and injury sheets of the injured however the injury sheets have not been annexed with your reply/comments.

I am therefore directed to ask you that the aforementioned documents shall reach to this office through fax for further process of the case please.

Yours faithfully,

Bekir Raza
Assistant Director (Comp)

nis

(Such as above)
Copy forwarded to:

PA to Director General, Prosecution

20210824 14:05



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar the 31st January, 2022

NOTIFICATION
No.SO(Pros)/HD/2-3/Post & Trans/2022. The Chief Minister Khyber
Pakhtunkhwa is pleased to order postings/transfers of the following Prosecution
Officers with immediate effect, in the best public interest:

S#	Name With Designation	From	To
1.	Mr. Usman Zaman Senior Public Prosecutor (BPS-19)	Deputy Secretary, Establishment Administration, Establishment Department on deputation.	Senior Public Prosecutor, Mardan against vacant post.
2.	Muhammad Changaiz Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Haripur.	District Public Prosecutor, Kohat Palas against vacant post.
3.	Mr. Qamar Zai Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Charsadda.	Senior Public Prosecutor, Peshawar vice Sr No.22
4.	Mr. Waqas Asraf Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Mansehra	Senior Public Prosecutor, Kohat Palas against vacant post.
5.	Mr. Zia ul Qamar Safi Senior Public Prosecutor (BPS-19)	Deputy Director Administration Directorate of Prosecution	Senior Public Prosecutor, Peshawar Anti-Corruption Court vice no.24
6.	Mr. Rafi Ullah Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Swat	District Public Prosecutor, Upper Dir against vacant post.
7.	Muhammad Mazafar Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Nowshera	Senior Public Prosecutor, Lower Dir against vacant post.
8.	Mr. Bakht Baidar Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor (BPS- 19) (OPS) at ATC Court Swat at camp Court Buner	Senior Public Prosecutor, Swat at Anti-Terrorism camp court Buner against vacant post.
9.	Mr. Anwar Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor, Peshawar	Senior Public Prosecutor, ATC Peshawar, vice Sr No. 31
10.	Muhammad Zaib Khan Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Charsadda	Senior Public Prosecutor, Mardan against vacant post
11.	Muhammad Iyas Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Haripur	Senior Public Prosecutor, Torghar vice Sr No. 104
12.	Syed Asghar Asad Senior Public Prosecutor (BPS-19)	On Deputation as SO Police Home Department	Senior Public Prosecutor, Dir Lower for one day to actualize his promotion and then report to Home Department for further posting.
13.	Muhammad Inam Senior Public Prosecutor (BPS-19)	Deputy Public Prosecutor Mardan	Senior Public Prosecutor, Dir Lower against vacant post

Page 1 of 7

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT



Page 3 of 7

33.	Mr. Farwad Ahmad (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
34.	Mr. Amjad Ali (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Kohat	Deputy Public Prosecutor, Kohat against vacant post
35.	Mr. Zafar Ullah (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Kohat	Deputy Public Prosecutor, Karak against vacant post
36.	Mr. Qadri Islam (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, lower Chitral against vacant post
37.	Muhammad Amir Masud (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Abbotabad	Senior Public Prosecutor (BPS-19), Anti-Terrorism Court Abbotabad (OPS) against vacant post
38.	Mr. Abdul Qasim (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Bannu	Deputy Public Prosecutor, Karak against vacant post
39.	Mr. Waheed Ullah Khan (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, D.I. Khan	Deputy Public Prosecutor, Office of the Regional Director Prosecution D.I. Khan against vacant post
40.	Mr. Alta ur Rehman (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
41.	Ms Zobia Bibi (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Abbotabad	Deputy Public Prosecutor, Haripur against vacant post
42.	Mr. Gul Nawaz (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Deputation to Anti-corruption Directorate form 26.1.2018	Deputy Public Prosecutor, Mardan for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment
43.	Syed Mohsin Matlata (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Mansehra	Deputy Public Prosecutor, Office of the Regional Director Prosecution Abbotabad, against vacant post
44.	Mr. Ahmad Zail Shah (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Malakand against vacant post
45.	Muhammad Sajid Khan (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Charsadda	Deputy Public Prosecutor, Charsadda against vacant post
46.	Mr. Imran Khan (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Kohistan Upper	Deputy Public Prosecutor, Swat against vacant post
47.	Muhammad Raza (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Mardan	Deputy Public Prosecutor, Swabi against vacant post
48.	Ms Sahbazul Hasmeen (BPS-18) Deputy Public Prosecutor	Deputy Director Legal (OPS) Directorate of Prosecution	Deputy Director Legal, Directorate of Prosecution against the already occupied post.
49.	Mr. Mukhtar Ahmad (BPS-18) Deputy Public Prosecutor	Assistant Public Prosecutor, Nowshera	Deputy Public Prosecutor, Nowshera against vacant post

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT**

67.	Mr. Asfandiyar Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Mohmand against vacant post
68.	Mr. Naeem Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Directorate of Prosecution as Assistant Director Complaint	Deputy Director Monitoring, Directorate of Prosecution against vacant post
69.	Muhammad Yasir Deputy Public Prosecutor, (BPS-18)	Assistant Public Prosecutor, South Waziristan	Deputy Public Prosecutor, South Waziristan against vacant post
70.	Mr. Irfan Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Dir Lower	Deputy Public Prosecutor, Dir upper against vacant post
71.	Mr. Rahandil Haq Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Bajaur	Deputy Public Prosecutor, Bajaur against vacant post
72.	Mr. Inikhar Ahmad Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Office of the Regional Director Prosecution Malakand against vacant post
73.	Mr. Sheema Ayub Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, On deputation to PEDO	Deputy Public Prosecutor, Abbottabad against vacant post
74.	Mr. Umar Saiful Jallil Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Chitral Lower	Deputy Public Prosecutor, lower Chitral against vacant post
75.	Mr. Mazhar Ali Shah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Swat against vacant post
76.	Mr. Zahid Gul Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Buner	Deputy Public Prosecutor, Malakand against vacant post
77.	Ms Hina Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Office of the Regional Director Prosecution Mardan against vacant post
78.	Mr. Imtiaz Ali Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Mansehra (OPS)	Deputy Public Prosecutor, Mansehra against vacant post on regular base
79.	Ms. Shabina Maqsood Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Khyber	Deputy Public Prosecutor, Nowshera vice Sr No. 62
80.	Mr. Farooq Hayat Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Dir Lower	Deputy Public Prosecutor, Dir Lower against vacant post
81.	Mr. Kifayat Ullah Barid Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, South Waziristan	Deputy Public Prosecutor, D.I.Khan against vacant post
82.	Mr. Ikram Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, On deputation to Anti-corruption	Deputy Public Prosecutor, Charsadda for one day to actualize his promotion and then report to Directorate of Anti-Corruption Establishment
83.	Mr. Waheed Ullah Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Swat	Deputy Public Prosecutor, Dir Lower against vacant post
84.	Ms. Uzma Nasir Deputy Public Prosecutor (BPS-18)	Assistant Public Prosecutor, Peshawar	Deputy Public Prosecutor, Peshawar against vacant post

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GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME AND TRIBAL AFFAIRS DEPARTMENT

102	Mr. Tahir Ali, Assistant Public Prosecutor (BPS-17)	Senior Public Prosecutor, Mardan (OPS)	Assistant Public Prosecutor, Mardan against vacant post
103	Muhammad Imran, Assistant Public Prosecutor (BPS-17)	Deputy Public Prosecutor Peshawar, (OPS)	Assistant Public Prosecutor, Peshawar against vacant post
104	Ms. Sumaira Bibi, Deputy Public Prosecutor (BPS-18),	Senior Public Prosecutor, Torghar, (OPS)	Deputy Public Prosecutor, Mansehra against vacant post
105	Muhammad Bilal Qureshi, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Haripur	Senior Public Prosecutor, Abbottabad vice Sr No. 106
106	Mr. Asim Mehmood, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Abbottabad	Senior Public Prosecutor, Haripur vice Sr No. 105

Secretary
Home Department

Endst: No. and date even:

Copy forwarded to:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
4. All Regional Directors Prosecution, Khyber Pakhtunkhwa.
5. All District Public Prosecutors, Khyber Pakhtunkhwa.
6. All District Accounts Officers, Khyber Pakhtunkhwa.
7. Officers Concerned.
8. P.S to Secretary, Home Department, Khyber Pakhtunkhwa.

(Signature)
Deputy Secretary (Judicial)



ذرائع	
پتہ	
تاریخ	

پانچویں ایڈیشن کی کتاب: **حیرت بخش نواہ**

کتاب کی قیمت: **پانچ روپے**

نام پتہ شہر صوبہ خط لکھنے والے کا نام و پتہ	منجانب پنجاب پبلشرز محکمہ سائنس و ٹیکنالوجی اسلام آباد
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بابت تحریر لکھو

قریباً ہر روز ہونے والا بین ایٹمی طرف سے واقعے بیرونی و جہات دینی کارروائی مختلف
 کے لیے جو چاہیں اس کا **درجہ اولیٰ** حاصل اور اس
 کو کمال بیرونی کے اثر اور کیا جاتا ہے کہ صاحب موصوف کو زندگی کل کارروائی کا کمال اختیار ہوگا نیز وہ کئی کتابت کو
 اس میں لکھ کرے و تقریر ثالث دینے والا بر طرف سے جہات دینی اقبال دینی اور ذرا خواست اور بیرونی کی تقریر
 درجہ اولیٰ کے لیے اختیار ہوگا نیز بصورت عدم بیرونی یا ذکر کی یک طرف یا باہل کی ہر انداز اور بیرونی ہیر
 اور کئی لکھ کرانی و نظر ثانی و بیرونی کرنے کا مختار ہوگا اور بصورت ضرورت ہر مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور کئی اختیار قانونی کو اپنے ہمراہ اپنے بجائے تقریر کا اختیار دے گا اور صاحب ہر روز
 کو دینی ہر لکھ کرانی و اختیار قانونی حاصل ہوں گے اور اس کا ساتھ ہر ذرا اختیار و منظور ہوگا۔
 دوران زندگی میں جو چیزیں ہر جہات دینی کے ہر مذکورہ کے سب سے ہوگا کہ کوئی تاریخ دینی ہر مقام دورہ ہر مذکورہ
 ہر لکھ کرانی صاحب ہر مذکورہ ہوں گے کہ بیرونی مذکورہ کریں، لہذا و کالت لکھ کرانی کو دیکھنا کہ ہر لکھ کرانی
 کے لیے جو چیزیں ہر جہات دینی کے ہر مذکورہ کے سب سے ہوگا کہ کوئی تاریخ دینی ہر مقام دورہ ہر مذکورہ

21153-6321993-7

اس کتاب کی قیمت: **پانچ روپے**

اس کتاب کی قیمت: **پانچ روپے**


کتاب کی قیمت: **پانچ روپے**

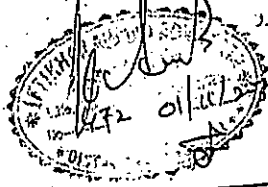
کتاب کی قیمت: **پانچ روپے**

(11)

یہ کہ گاڑی مندرجہ ذیل درخواست کو سولہ لایم کی غیر قانونی استعمال سے برآمد کرنا اور سائیل کو از روئے حکم حوالہ کرنا اور ساتھ ہی
بوجہ مرکب ہونے حکم عدولی سولہ لایم کے خلاف قانونی کارروائی اور FIR چاک کرنے میں کوئی قانونی اسرار نفع نہ ہے۔

پس عرض ہے کہ درخواست لڈ حسب استدعا منظور فرمایا جاوے۔
خان شیر


خان شیر



بیان طئی

حلفاً بیان کرتا ہوں کہ جملہ مراتب بالا تاحکم علم و یقین سے درست

صحیح ہے۔

D1 (3)

① درخواست درجہ صحت عسکری بریں واپس پاس کی
 کہ گاڑی DPP نے اپنے ساتھ لیا اور شفٹ کیا تھا۔ اس
 صحت نقل دیا اور اسید و وٹیر لو کلب موجود ہے۔

② مہربان و مالک نامے DPP کے ٹرانسفر کے بعد دیکھئے اور
 لوگوں کے سول قدمہ میں مداخلت کرتے ہیں۔

③ تقریباً ایک لقمہ سے پہلے جو Complaint میرا اس کیس میں بھی
 DPP لیا گیا وکیل ہے۔ اور DPP مستغیث کی بجائے ملزمان کی
 طرف داری کر رہے ہیں۔ اور قعداً لگا اس کیس میں 7A7A مستغیث
 رکھا کیونکہ اس کیس میں DPP کا بیٹا ملزمان کا وکیل تھا۔

④ سے پہلے میں DPP کی Complaint دیا گیا کیونکہ اس نے قصداً لگا
 337FCV کی جگہ 337ACV لگایا۔ جس پر Advisory Note دیا گیا تھا۔

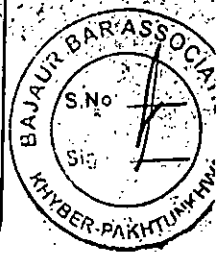
⑤ دو ہینڈو بجایے اور مرکز جن کے اڈر مابہ لفظی کو گھمیر بیٹھا تھا جس
 سے 10 ہینڈرو لے رہے ہیں۔ DPP کی ٹرانسفر کے بعد آفس اڈر
 کے ذریعے ان کو واپس ڈیوٹی پر بلا لیا گیا۔

⑥ DPP آفس میں دو گنر Gunner حکام اور خورشید کو بھی گھمیر
 بیٹھا ہے جس سے 10 ہینڈارنی کس لیتے ہیں۔

⑦ DPP میں ~~بعض~~ کا ڈومیسائلنگ باجوڑ کا ہے۔ لہذا ایالسی کے مطابق وہ اپنے
 ضلع میں ڈیوٹی نہیں کرتے۔

15'

ت 50 روپے	056	
ایڈووکیٹ	نمبر	
بار کونسل ابار ایسوسی ایشن نمبر: BC-16-6888		
رابطہ نمبر: 0341-9059088		باجور بار ایسوسی ایشن، خیبر پختونخواہ



بجورک جناب محمد سعید علی خان صاحب باجور

مخاطب: صلح	Bail application
التماسی نام	عدالت نمبر: 82
مسکد	مورخہ: 20-08-2021
	جرم: 324
	تھانہ: ناوٹی

بابت تحریر آنگہ

مقدمہ میں درخواست گزار نے اپنی طرف سے واسطے بیرونی وجوہات دہی کارروائی متعلقہ
 ان مقامات پر درخواست گزار نے اپنی طرف سے درخواست کی ہے کہ اسے اپنے حق میں فیصلہ دیا جائے اور اسے
 کو کوئی بھی عرصہ نہ لگے اور اسے اپنی کارروائی کا مکمل اختیار ہوگا، نیز درخواست گزار کو
 راضی کرنے کے لئے تقریرات و فیصلہ جرحات سے جرات دہی اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں کر کے اپنے حق میں فیصلہ دیا جائے، نیز بصورت عدم بیرونی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 اور کر کے اپنی نظر ثانی و بیرونی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے لئے اسے کوئی بھی عرصہ نہ لگے اور اسے اپنی کارروائی کا مکمل اختیار ہوگا اور منسوخی، نیز
 اس کے لئے اسے کوئی بھی عرصہ نہ لگے اور اسے اپنی کارروائی کا مکمل اختیار ہوگا۔
 دوران مقدمہ میں جو درخواست گزار نے اپنی طرف سے مقدمہ کے سبب سے ہوگا کوئی تادیبی جرمی مقام دورہ یا حد سے
 باہر نہ لگے اور اسے کوئی بھی عرصہ نہ لگے اور اسے اپنی کارروائی کا مکمل اختیار ہوگا اور منسوخی، نیز
 اس کے لئے اسے کوئی بھی عرصہ نہ لگے اور اسے اپنی کارروائی کا مکمل اختیار ہوگا۔

ATTESTED BY ASSISTANT SUPERINTENDENT SUB JAIL KHAR BAJAUR.

العبد العبد
 شاکر شاکر
 نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

اس معاملہ کے متعلقہ تمام دستاویزات حاصل ہیں

12/8/21

Power of Attorney is attested in favour of Advocate محمد سعید علی خان appeal of

SUB JAIL SUPERINTENDENT SUB JAIL KHAR BAJAUR

قیمت 50 روپے

75

صبا خان اینڈ فواد الرحمن ایڈووکیٹس

BC-16-6615

BC 166882 بار کونسل اہل ایشیائی نمبر:

0341-9059088 رابطہ نمبر:

باجوڑ بار ایسوسی ایشن، خیبر پختونخواہ

BAJAUR BAR ASSOCIATION
S.No: /
Sig: /
KHYBER-PAKHTUNKHWA

بجور ڈسٹرکٹ اینڈ سیشن جج باجوڑ

بعدالت جناب

06.1.22

Usman Bashir Khan,
District and Sessions Judge,
District Bajaur.

منجانب: گلزمان	Bail Before Arrest
خواجہ عالم وسیرہ	دعوتی نمبر: 102
بنام	مورخہ: 23-12-2021
سرکار وسیرہ	337-F(ii) PPC
	تھانہ: خار باجوڑ

باعث تحریر آگے

مقدمہ مندرجہ ذیل جوان بالائیں اپنی طرف سے واسطے بیرونی وجوہات دی کارروائی متعلقہ آن مقام ایڈووکیٹس کے لیے صبا خان، اینڈ فواد الرحمن ایڈووکیٹس کو وکیل کے طور پر مقرر کیا گیا ہے کہ صاحب موصوفت اور مقدمہ کی کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی کرنے کے وقت رٹائل و فیصلہ برحسب دئے جرات دعوتی اقبال دعوتی اور درخواست از ہر قسم کی تہدیق زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم بیرونی یا مذکورہ کی تکلیف یا ایبل کی برآمدگی اور سستی، نیز دائر کرنے کے لیے اپنی گرانٹی و نظر ثانی و بیرونی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے دائر کرنے کا حق قانونی کو اپنے ہمراہ لے جائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ براداشتہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو فریڈ جمان لائے مقدمہ کے سبب سے ہوگا کوئی تہدیق جیسی مقام دورہ یا حد سے باہر نہ دیکھیں صاحب پابند نہ ہوں گے کہ بیرونی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سزا رہے۔

6/1/2022

العبد العبد

مقام باجوڑ کے لئے منظور ہے

نوٹ: اس وکالت نامہ کی نوٹ نوکالی ناقابل قبول ہوگی۔

Accepted by

Usman Bashir Khan

6/01/2022

قاری محمد امجد علی صاحب کورٹ باجوڑ

محمد رفیق صاحب کورٹ باجوڑ

50	969	
ایڈووکیٹ: <i>Abdul Ghaffar</i>		
پروفیشنل بار ایسوسی ایشن نمبر: <i>Be-16-6882</i>		
رابطہ نمبر: <i>0341-4059028</i>	باجوڑ بازار ایسوسی ایشن، خیبر پختونخواہ	



Or - 11

8/9/2021

ابدات جناب *سید عجم صاحب باجوڑ*

دعویٰ: <i>Termination</i>	مخاب: <i>طبر</i>
علت نمبر: <i>7</i>	مسٹر <i>محمد</i>
مورخہ: <i>4/2/2020</i>	بنام
جرم: <i>307</i>	<i>احسان اللہ</i>
تھانہ: <i>نام لکھی</i>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی کارروائی متعلقہ
 آن مقام *محمد عجم صاحب* کے ایڈووکیٹ کے طور پر *احسان اللہ* کے لئے *پاور آف اٹارنی* کی کارروائی کا کمال اختیار ہوگا نیز وہ کمال صاحب کو
 کوہکن ٹریڈنگ کے ایڈووکیٹ کے طور پر *احسان اللہ* کے لئے *پاور آف اٹارنی* کی کارروائی کا کمال اختیار ہوگا نیز وہ کمال صاحب کو
 راضی ہو کر کرتے و تقررات ثالث فیصلہ برعلت سے ہے جو اس وقت دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تبدیلی
 زیریں رٹ ختم کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور دعویٰ نیز
 دائر کرنے یا اپیل گزارانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کمال باجوڑی
 کارروائی کے واسطے اور وہ کمال باجوڑی کا اختیار قانونی کو اپنے ہمراہ لے جائے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ
 کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ بر ذراختہ منظور و قبول ہوگا۔
 دور ان مقدمہ میں جو خرچہ ہر جانب لڑنے کے مقدمہ کے ساتھ ہے ہوگا قانونی تاریخ میں مقام دورہ یا حد سے
 باہر ہوگا وکیل صاحب پابندی ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے
 الحق

اصحان اللہ ولی عثمان
 ایڈووکیٹ
 لٹی-آٹیسٹڈ
 SUPERINTENDENT
 JUDICIAL OFFICE
 AJAJOUR
 پاور آف اٹارنی
 مقرر شدہ
 مقرر شدہ

العبد *احسان اللہ* العبد *احسان اللہ*
 شاک *احسان اللہ* شاک *احسان اللہ*
 کے لئے منظور ہے

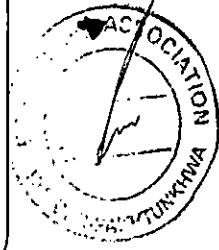
نوٹ: اس وکالت نامہ کی ذمہ داری کا قائل قبول ہوگی۔

احسان اللہ
 26/8/2021

Power of Attorney is attested in favour of
 Advocate *احسان اللہ*
 appeal etc.

SUP...
 SUR...

تاریخ 50 روپے	(14)	228	
ایڈریس:		باجوڑ بار ایسوسی ایشن، خیبر پختونخواہ	
ایڈریس (پوسٹل):		باجوڑ بار ایسوسی ایشن، خیبر پختونخواہ	
0341-9059088		0341-9059088	



بہدات جناب _____ سید صاحب باجوڑ

دعویٰ:	منجانب: حنیف
علت نمبر:	بادام گل
مورخہ:	بنام
جرم نمبر:	337 P.iii 34 P.12
تھانہ:	لائی سیم

باعت تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیرونی وجوہ دی کاروائی متعلقہ
 آن مقام باجوڑ کیلئے خواجہ عبدالرحمن صاحب، مخدان اللہ
 کو وکیل مقرر کر کے آرا کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کس کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقررات ثالث و فیصلہ برحلاف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم بیرونی یا ڈگری کی کٹھنہ یا ایجیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے ایجیل نگرانی و نظر ثانی و بیرونی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کس یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ
 کو کوئی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور قبول ہوگا۔
 دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ بیرونی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے
 المرقوم: 15-9-021
 خواجہ عبدالرحمن

بادام گل صلہ العلم خانی لکھنؤ زونبیر باجوڑ

خواجہ عبدالرحمن - مخدان اللہ

(13)

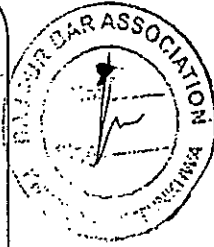
50

نمبر: 229

ایڈریس: باجوڑ بار ایسوسی ایشن، خیبر پختونخواہ

پتو: 0341-9059088

پتو: 16-6882



بعد ازاں جناب ایسٹ پیسٹریٹ جج صاحب کے حضور

دعویٰ: عہدہ اور حوصالت	منجانب: حاضرت
علت نمبر: 30	اصلاح منام
مورخہ: 24/7/2021	پتو: 16-6882
جرم: 324/34 PPC	لوہی س
تھانہ: لوہی س	

باعت تحریر ایک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کا ردیائی معلقہ آن مقام بنا جو کہ کلے جو ادا ہے جسے عفو الیہ کو کیل نظر کر کے ادا کرنا چاہتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وہ کیل صاحب کو راضی بنا کر کھینچنے اور ترمیمات و ترمیمات کے واسطے دعویٰ اقبال کی اور ذور خواست از ہر قسم کی تصدیق و ترمیمات کے واسطے کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ذکر کی کسی طرف یا کیل کی برآمدگی اور منسوخی، نیز دائرہ کے ایمل گرامی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور کیل یا اختیار قانونی کو اپنے ہمراہ اپنے بجائے ترمیم کا اختیار ہوگا اور صاحب ترمیم شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ برداشت منظور و قبول ہوگا۔ دوران مقدمہ میں جو ترمیمات و ترمیمات کے واسطے سے ہوگا، کوئی ترمیم یا جرمی مقام ذور و یا حد سے باہر ہوگا، کیل صاحب یا مقدمہ ہونے کے لیے پیروی مذکورہ کریں، لہذا ادا کالت تمام لکھ دیا تاکہ مقدمہ ہے

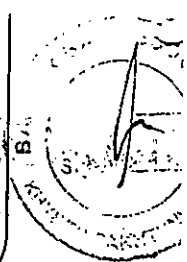
ایم کویم: 17/09/2021

اختیار مندرجہ اعطایں کیلے ذور باجوڑ

عہدہ بعد
عہدہ بعد
مقام: باجوڑ

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

(Signatures)



14

ایڈریس: 0341-9559588

پرنٹنگ/پبلشر: Bc-16-4882

باجوڑ بار ایسوسی ایشن، خیبر پختونخواہ

07
07
02-12-2021

بعدالت جناب ایڈیشنل سیشن جج صاحب، باجوڑ

دعویٰ: <u>Tamil</u>	مخاتب: <u>Complaint</u>
علت نمبر: <u>24</u>	سرکار
موزخہ: <u>22-6-2021</u>	نام: <u>خداام</u>
جرم: <u>302-34 PP</u>	
تھانہ: <u>سلائیچی</u>	

بابت تحریر آگے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام باجوڑ کیلئے محورہ درجہ پابندہ محورہ نے محورہ اور محورہ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقررات و فیصلے رٹلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زرین پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا ایبل کی برآمدگی اور سبھی، نیز دائر کرنے ایبل گمراہی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل تا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ بر ذراختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو ترجمہ ہر جائزہ اتوائے مقدمہ کے سب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابندہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المترقوم 2-12-2021

القاب باجوڑ العباد باجوڑ

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

حضوریت: فصل ویاب و لم سیر جیم سکینہ سینت - سلائیچی و باجوڑ

(Handwritten signatures and marks)

PROVISION OF INFORMATION FOR THE YEAR - 2021 (July to December)
SESSIONS COURTS OF BAJAUR DISTRICT

S.NO	MONTHS	Total number Trial Concluded	Convicted	Acquitted	Compounded	Consigned to record room U/S 512 & 249 Cr:P.C	Present Pendency in the Courts of Sessions	Appeal Preferred
1	July	5	1	4	0	0	68	0
2	August	2	0	2	0	0	56	2
3	September	4	1	3	0	0	84	3
4	October	6	2	2	1	1	101	1
5	November	6	0	5	1	0	118	2
6	December	7	1	6	0	0	130	5
	TOTAL	30	5	22	2	1	557	13

PROVISION OF INFORMATION FOR THE YEAR - 2021 (July to December)
JUDICIAL MEGISTRATES COURTS OF BAJAUR DISTRICT

s	MONTHS	Total number Trial Concluded	Convicted	Acquitted	Compounded	Consigned to record room U/S 512 & 249 Cr:P.C	Present Pendency in the Courts of Magistrate	Appeal Preferred
1	July	10	3	3	4	0	198	0
2	August	1	1	0	0	0	233	0
3	September	35	13	14	7	1	234	2
4	October	43	18	8	17	0	204	0
5	November	17	4	4	9	0	215	0
6	December	16	6	7	3	0	213	0
	TOTAL	122	45	36	40	1	1297	2


Assistant Director Monitoring

For

59

248



DIRECTORATE OF PROSECUTION
KHYBER PAKHTUNKHWA

No. 115-211 (22) 5929-32
Dated Peshawar 15/03/2022
Office Phone # 091-9212559
Fax # 091-9212559
E-mail kp prosecution@yahoo.com

The Section Officer (General),
Home & Tribal Affairs Department
Khyber Pakhtunkhwa, Peshawar

NOMINATION OF (BS-19) OR EQUIVALENT OFFICERS FOR 31st SENIOR
MANAGEMENT COURSE (SMC) AT NATIONAL MANAGEMENT COLLEGE
LAHORE/NATIONAL INSTITUTE OF MANAGEMENT ISLAMABAD, KARACHI
AND PESHAWAR FROM 23-05-2022 TO 09-09-2022.

I am directed to refer to your letter No. F&A (HD) 7-156/2021 Dated: 10-02-2022 on the subject noted above and to state that following Officers in (BS-19) are nominated for the subject cited training being pre-requisite for Promotion to the post of Regional Director Prosecution (BS-20) More so, last date for submission of information is 18-03-2022.

S#	Name	Designation
1	Mr. Tariq Bakhsli	Regional Director, Kohat (BS-20) on his own pay scale.
2	Mr. Shahzada	Senior Public Prosecutor, Swabi.
3	Hafiz Muhammad Haroon	Regional Director, Hazara Division Abbottabad (BS-20) on his own pay scale.

I am further directed to state that the following requisite documents are enclosed for further necessary action as desired, please

- Panel Proformas duly filled in (Annexure-I-III)
- Detail Bio Data. (Annexure-VI)
- Seniority List of Officers (BS-19) of the Directorate of Prosecution. (Annexure-V)
- Latest Annual Medical Examination Report in respect of said nominees. (Annexure-VI - VIII).
- Certificate to the effect that no disciplinary proceeding pending against the said nominees (Annexure-XI).
- Certificate to the effect that Junior Officer has been nominated for the said course. (Annexure-X).
- Certificate to the effect that this office has requested for release of 01 million for course fee for the nominees. (Annexure-IX).

Yours sincerely,

Deputy Director Administration

Deputy Director Administration

(As above)

For information to the:

- Officers concerned.
- As Director General Prosecution, Khyber Pakhtunkhwa.

IMMEDIATE**By Special Messenger/UMS/Fax**

**GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION**

F. No. 5/52/2022-T-II/31st SMCIslamabad the, 15th April, 2022

The Rector,
National School of Public Policy,
Lahore:

Subject: **NOMINATIONS OF BS-19 OR EQUIVALENT OFFICERS FOR 31st SENIOR MANAGEMENT COURSE (SMC) AT NATIONAL INSTITUTE OF MANAGEMENT ISLAMAMBAD, LAHORE, KARACHI AND PESHAWAR FROM 23-05-2022 TO 09-09-2022.**

Dear Sir,

I am directed to refer to this Division's O.M. of even number dated 31st January, 2021 on the subject noted above and to state that the Competent Authority i.e. the Secretary, Establishment Division has been pleased to approve the following nominations of various Groups / Services / Departments of BS-19 or equivalent officers for the forthcoming 31st Senior Management Course commencing from 23-05-2022 to 09-09-2022:

Sr. No.	Name of Officer/Place of Posting	Name of Institute (NIMs)
PAKISTAN ADMINISTRATIVE SERVICE (PAS)		
1.	Mr. Saifullah Dogar, Joint Secretary, Finance Division, Islamabad.	Lahore
2.	Ms. Asia Gul, OSD, S&GAD, Government of Punjab	Lahore
3.	Mr. Socrat Aman Rana, Secretary (Coordination) to Chief Minister Government of the Punjab.	Lahore
4.	Syeda Kalsume Hai, Deputy Secretary, Finance Division	Islamabad
5.	Mr. Tahir Hussain, At the disposal of Social Protection Unit, Chief Minister's Secretariat, Government of Sindh	Karachi
6.	Ms. Ayesha Hameed, Director General, Directorate of Population Welfare, Lahore, Govt. of Punjab	Lahore
7.	Mr. Muddassir Riaz Malik, Director General, Directorate of Social Welfare & Bait-ul-Maal, Lahore, Government of Punjab	Lahore
8.	Mr. Salman Ghani, Special Secretary (Budget & Resources), Finance Department, Government of Punjab.	Lahore
9.	Mr. Zahoor Hussain, Special Secretary, Home Department, Government of Punjab.	Lahore

Adeel

PRIME MINISTER'S OFFICE		
BOARD OF INVESTMENT		
134.	Mr. Aftab Ahmed, Director BOI Karachi.	Karachi
AVIATION DIVISION		
(AIRPORT SECURITY FORCE)		
135.	Mr. Abdul Waheed Khan, Additional Director Sukkur Airport.	Karachi
136.	Mr. Munsaf Gul, Additional Director Quetta Airport.	Karachi
137.	Mr. Suhail Ahmed, Additional Director Sialkot Airport.	Karachi
138.	Mr. Shahbab Hussain, Additional Director HQ ASF, Karachi.	Peshawar
139.	Mr. Shafiq-ur-Rehman, Additional Director Peshawar Airport.	Peshawar
140.	Mr. Asad Ullah, Additional Director Peshawar Airport.	Karachi
GOVERNMENT OF PUNJAB		
EX-PCS BS-19		
141.	Mr. Naeem Iqbal Syed, Secretary, Provincial Transport Authority (PTA), Lahore.	Lahore
142.	Malik Abdul Waheed, Secretary (S & R), Board of Revenue, Punjab.	Lahore
143.	Muhammad Azhar Hayat, OSD, S & GAD,	Lahore
144.	Syed Sajid Tirmizi, Deputy Managing Director, Punjab Education Foundation.	Lahore
145.	Mr. Ishfaq Ahmad Choudry, Secretary (Revenue), Board of Revenue, Punjab.	Lahore
146.	Mr. Muhammad Khalid Manzoor, Additional Commissioner (Coordination) DG, Khan.	Lahore
147.	Muhammad Athar Masood, OSD, S&GAD.	Lahore
EX-PSS BS-19		
148.	Mr. Tariq Mahmood, Additional commissioner (Coordination), Faisalabad.	Lahore
149.	Ms. Fariha Tajammal, Deputy Managing Director, Punjab Health Foundation (PHF).	Lahore
150.	Mr. Ubaid Ullah, Executive Director (A&F), PGSHE, S&GAD.	Lahore
151.	Mr. Tayyab Farid, Additional Secretary (Admn), Energy Department.	Lahore
152.	Mr. Ghulam Saghir Shahid, Additional Secretary, Higher Education Department.	Lahore
GOVERNMENT OF KHYBER PAKHTUNKHWA		
PMS GROUP		
153.	Mr. Inayatullah Wasim, Spl. Secretary LG&RD	Peshawar

Ahad

154.	Mr. Abdul Basit, AS Health Polio Eradication.	Peshawar
155.	Mr. Zarif-ul-Maani, MD Elementary Education Foundation.	Peshawar
156.	Syeda Tanzeela Sabahat, Director/Chief Instructor, PSA, KP, Peshawar.	Peshawar
157.	Mr. Perwaiz, Special Secretary, Industries, Commerce.	Peshawar
158.	Mr. Khalid Ilyas, Deputy Secretary PM Secretariat.	Peshawar
(PROVINCIAL PLANNING SERVICE)		
159.	Engr. Sher Azam Khan, Chief Planning Officer. Elementary & Secondary Education, Department.	Peshawar
COMMUNICATION AND WORKS DEPARTMENT		
160.	Engr. Ejaz Ahmad, Superintending Engineer.	Peshawar
161.	Engr. Syed Razaqat Shah, Superintending Engineer.	Peshawar
PUBLIC HEALTH ENGINEERING DEPARTMENT		
162.	Engr. Sohail Ahmad Khan Alizai, SE. PHE Circle Malakand at Timergara	Peshawar
163.	Engr. Walayat Ullah, Supt. Engineer PHE Circle Bannu	Peshawar
164.	Engr. Muhammad Amjad Shamsher, Supt. Engineer PHR Circle Mansehra	Peshawar
GOVERNMENT OF BALUCHISTAN		
BCS		
165.	Muhammad Gul, DG Population Welfare Department	Karachi
166.	Mr. Jameel Ahmed Lehri, Addl. Secretary, Transport Department.	Karachi
167.	Sardar Khan Bugti, Addl. Secretary, Human Welfare Department	Karachi
168.	Mr. Lal Jan Jaffer, Special Secretary to Chief Minister Balochistan	Karachi
BSS		
169.	Mr. Niaz Ahmad, Director General, QDA	Karachi
170.	Muhammad Dawood Bazai, CEO, Balochistan Special Economic Zones & Industrial Estate Development and Management Company.	Karachi
(HEALTH DEPARTMENT/HMC)		
171.	Dr Farooq Sarwar, Anesthetist/RMO	Karachi
172.	Dr Tahira Kamal, Director Health Services/Public Health	Karachi
173.	Dr Arbab Kamran Akhtar, District Health Officer, Pishin	Karachi
(FOREST & WILDLIFE DEPARTMENT)		
174.	Mr Sharif-ud-Din Baloch, Acting Chief Conservator of Wildlife Balochistan.	Karachi

Aded

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

APPEAL NO. 664 of 2022

**Mr. Shahzada District Public Prosecutor (BPS-19) District Bajaur Under
transfer to Swabi as Senior Public Prosecutor.**

APPELLANT.....

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. The Director General (Prosecution) Khyber Pakhtunkhwa, Peshawar.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Civil Secretariat Peshawar.

Respondents.....

AFFIDAVIT

I, Komal Jan, Assistant Director Legal, Directorate of Prosecution do hereby solemnly affirm and declare on oath that the contents of the application in the Appeal NO. 7846 of 2021, are true and correct to the extent of office record and nothing has been concealed from this Hon'able Service Tribunal.

Trusted
M/S
15/6/2022
MIAN SIRGHAT ULLAH SHAN
Sr. Advocate
Oath Commissioner / Notary Public
High Court Peshawar

Komal Jan

Deponent

CNIC No: 37405-2877108-8

Cell No: 0322-9616150