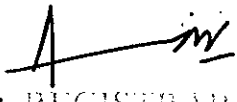


15/05/2023

FORM OF ORDER SHEET

Court of By Syed Noman Ali Bukhari Advocate

Appeal No. 1084/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/05/2023	<p>The appeal of Mr. Shahid Nasim resubmitted today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on-</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: center;"></p> <p style="text-align: center;">For REGISTRAR</p>

The appeal of Mr. Shahid Naseem PTC GPS Yaqoob Khanzadan Ghallanai District Mohmand received today i.e. on 05.05.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Annexures- A, G & H of the appeal are illegible which may be replaced by legible/better one.

No. 1354 /S.T.

DL 8/5 /2023.

REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Syed Noman Ali Bukhari Adv.  
High Court Peshawar.

- ① All objection clear and resubmitted  
② A, G and H of the appeal resubmitted

M.K.

15/5/23

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

APPEAL NO. 1081 /2023

Shahid Naseem

V/S

EDU Deptt.

**INDEX**

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-06
2.	Copy of 1 <sup>st</sup> appointment order	- A -	07
3.	Copy of regularization order	- B -	08-10
4.	Copy of pay slip	- C -	11
5.	Copy of writ petition	- D -	12-17
6.	Copy of judgment	- E -	18-19
7.	Copy of application	- F -	20-21
8.	Copy of rejection	- G -	22
9.	Copy of notification	- H -	23-24
10.	Vakalat Nama	-----	25

*Shahid*  
APPELLANT

THROUGH:

*Syed Noman Ali Bukhari*  
(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT.

(1)

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

Appeal No. 1084 /2023

Shahid Naseem, PTC,  
GPS, Yaqoob Khanzadagan, Ghallanai, District Mohmand.

**APPELLANT**

**VERSUS**

1. The Secretary Education (E&SE) Deptt: KP Civil Secretariat, Peshawar.
2. The Secretary Finance Deptt: KP Civil Secretariat, Peshawar.
3. The District Education Officer, District Mohmand At Ghalanai.

**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST INACTION AND OMISSION OF THE RESPONDENTS TO CONSIDER THE APPELLANT'S CONTRACT PERIOD FOR THE BENEFITS OF PAY PROTECTION AND PENSION W.E.F 2004 TILL REGULARIZATION AND AGAINST REJECTION ORDER DATED 06/04/2023 WHEREIN THE APPEAL OF THE APPELLANT WAS REJECTED WITHOUT SHOWING COGENT REASON.**

**PRAYER**

**ON THE ACCEPTANCE OF THIS APPEAL THE ORDER DATED 06/04/2023 MAY PLEASE BE SET-ASIDE AND RESPONDENT MAY PLEASE BE DIRECTED TO CONSIDER THE CONTRACT PERIOD W.E.FROM 2004 TILL REGULARIZATION OF THE APPELLANT FOR THE BENEFITS OF PAY PROTECTION AND PENSION TILL DATE AND ONWARD. ANY OTHER REMEDY WITH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER MAY ALSO BE AWARDED THE FAVOR OF THE APPELLANT.**

RESPECTFULLY SHEWETH

9  
21

FACTS

1. That the appellant was initially appointed as PST Teacher in the Project Community School Teachers in the year 2004, Since the appointment the appellant is performing their duties upto the entire satisfaction of his superior Officers. **Copy of order is attached as Annexure-A.**
2. That in meantime the worthy Governor Khyber Pakhtunkhwa, in the capacity of the competent authority, notified on 11.05.2012 a policy/guidelines for accommodating the community school teacher against the available regular post. The appellant has been regularized in the year 2013 vide notification dated 30.05.2013. Since the regular appointment the appellant are continuously performing their duties upto the entire satisfaction of their superior's officers. But the salary of the appellant was started from initial pay stage and ignore all the previous service of the appellant. Despite that the initial appointment shown as 2004 in salary slip. **Copy of regularization order and salary slip are attached as Annexure-B & C.**
3. That since the appellant has more than 10 Years temporary services at their credit which was not counted towards their pay and pension protection which cost huge financial loss to the appellant.
4. That the appellant made several request but in vain therefore he filed writ petition No. 4090-P/2020 against the inaction/omission, of the respondents and not counting the previous Service of the appellant towards pay protection may be declared as illegal, unconstitutional, unlawful and violation of fundamental right. The said writ petition was finally heard on 01/10/2020 by the august Court and august Court disposed of the writ petition and treated the same as departmental appeal and transmitted to department for decision with certain directions. **Copy of the writ petition and judgment is attached as Annexure-D & E.**
5. That thereafter obtaining copy of the judgment appellant applied to the respondents for passing appropriate order in light of the judgment of august Court, but no response but after delay more than two years the departmental appeal of the appellant was rejected vide order dated 06/04/2023 without showing any reason. **(Copy of application and rejection order is attached as annexure-F & G).**
6. That the appellant constraint to file this service in August Tribunal on the following grounds amongst others.

(B)

GROUNDS

- A. That the order dated 06/04/2023 and depriving the appellant from the legal right of benefits of pay protection and pensionary benefits as against the law rules norms of justice.
- B. That the depriving the appellant from the benefits of pay protection is the violation of the superior Court judgments and Pension Rules.
- C. That since the appellant has more than 10 Years temporary services at their credit which was not counted towards their pay and pension protection which cost huge financial loss to the appellant.
- D. That the inaction of the respondents and not counting their previous service of more than 10 years toward pay and pension protection is against the principle of justice fair play equity and equality.
- E. That in summary to the worthy Governor it was admitted by the respondents department that the appellant has rendered more than 10 years' service on contract basis and also Senate Standing Committee recommended the regularization of the appellant therefore they should be regularized. On the basis of that summary the worthy Governor KPK has issued notification dated 11.05.2012. therefore the appellant are legally entitled to benefits of previous service towards pay and pension fixation.
- F. That as per pension rules 2.3 the temporary and officiating service followed by confirmation/regularizations will be counted towards pension and pay protection.
- G. That this august Court has already decided writ petition No. 1188-P/2014 and 361-P/2013 wherein the previous service has been ordered to be counted towards pay and pension protection.
- H. That even in and other writ petition No. 3221-P/2013 this august Court as directed the respondents to count the previous service towards pay and pension fixation by allowing the writ petition.
- I. That the august Court has also decided a similar writ petition bearing No. 5585-P/2018 on 04.09,2019. thus the appellant are also entitled for the same relief.
- J. That the appellant are not treated in accordance with law and rules keeping in view the above referred judgments the appellant also deserve same treatment under the principle of equity and equality and consistency.

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- K. That the pay protection was given to the some colleagues of the appellant but the same was denied to the appellant which was also discriminatory attitude of the department towards the appellant.
- L. That the inaction and not counting the previous service of the appellant toward pay and pension fixation protection, is against the principle of Article-2A, 9, 25 and 38 of the Constitution.
- M. That the appellant is entitled for pensionary benefits of the period which was rendered by the appellant on contract basis under the shelter of west Pakistan Pension rules 2.3. and under finance notification dated 06/02/2014. **Copy of notification is attached as annexure-H.**
- N. That the similarly nature service appeal decided by the Federal Service Tribunal in favor of appellant and the Supreme Court Judgment maintained the same. On the principal of consistency appellant also entitle to the same relief.
- O. That the appellant was treated according to the law and rules and was depriving from his legal right in arbitrary manner.
- P. That the appellant seeks permission to advance other ground proof at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

*Said*  
APPELLANT

THROUGH:

*Noman*  
(SYED NOMAN ALI BUKHRI)  
ADVOCATE HIGH COURT.

8

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. \_\_\_\_\_/2023

Shahid Naseem

V/S

EDU Deptt:

**CERTIFICATE:**

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.

*Shahid*  
DEPONENT

**LIT OF BOOKS:**

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need.

*Shahid*  
(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT



(b)

**BEFORE THE KP SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. \_\_\_\_\_ /2023

Shahid Naseem

V/S

EDU Deptt:

**AFFIDAVIT**

I, Shahid Naseem, (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honorable Tribunal.

*Shahid*  
DEPONENT

OFFICE OF THE AGENCY EDUCATION OFFICER, MOHMAND AGENCY AT  
GHALLANAI

APPOINTMENT ORDER

Consequent upon the recommendation of the Political Agency Mohman Agency at Ghallanai vide his office No. 1607/M dated 16/06/2004 and Assistant political Agent Baizai Office No. 308/APA (Bai Zai) dated 28/02/2004, the following Male candidates are hereby appointed against PTC Posts in BPS-07 plus usual allowances as admissible under the rules on contract basis for the project period in the schools noted against their names in the interest of public service with effect from the date of taking over charge.

S	Name with father name	School	Remarks
1.	Sher Akbar S/o Metab Shah	Sher Khan Baizai	Vide Muhd Irshad transfer at Manzari Cheena in place of Ajmal Khan Terminated
2.	Shahid Naseem S/o Mohd Haleem	C.S Aflatoon Koda Khel	In place of Taj Ali Terminated

Terms and conditions

1. The appointments of the candidate are purely made on temporary basis and liable to termination at any time without assigning any reasons. in case of their wish to resign the posts they shall have to give one month prior notice or forfeit one month pay in lieu thereof.
2. Health and age certificate should be produced from the Agency Surgeon Mohmand Agency at Ghalanai.
3. They will not be handed over charge of the posts if they are below 18 years and about 33 years.
4. If they failed to report their arrived with in 15 days their appointment will be considered as cancelled.
5. They will not be paid their salaries until and unless documents are verified from the concerned dept/institutions.
6. Charge report should be submitted in duplicate to all concerned.

(H.Gul Rahman)

Agency Education Officer,  
Mohmand Agency at Ghalanai

Endst No. 12443-49/Apptt/C.S Dated 16/03/2004

Copy of the above is forwarded to the:-

1. Political Agent Mohmand Agency at Ghalanai.
2. Assistant Political Agent Baizai (Mohmand Agency).
3. Agency Accounts Officer, Mohmand Agency at Ghalanai.
4. Agency Surgeon Mohmand Agency at Ghalanai.
5. AAEO (Male) concerned.
6. Accountability/Pay Clerk Local Office.
7. Candidates concerned.

Agency Education Officer,  
Mohmand Agency Ghalanai

A (7)

OFFICE OF THE AGENCY EDUCATION OFFICER, MOHMAND AGENCY AT GHALLANAIAPPOINTMENT ORDER:-

Consequent upon of the approval of the Political Agent Mohmand Agency at Ghallanai, vide his office No. 1667/M Dated, 16/03/2004 and Assistant political Agent Baizai Office No. 308/APA (Bai Zai) Dated, 28/02/2004, the following (Male) candidates are hereby appointed against PTC Posts in BPS, No. 07 plus usual allowances as admissible under the rules on contract basis for the project period in the schools noted against their names in the interest of public service with effect from the date of taking over charge.

S.No	Name with Fathers Name	School	Remarks
1	Taj Ali S/O Mehab Shah	C.S Sher Khan Baizai	Vice Mufti had transfer to S. Manzoor Chems Mohajir in place of Ahmad Khan Terminated
2	Shahid Naseem S/O Muhd Haleem	C.S Allatoon Koda Khel	In place of Taj Ali Terminated

TERMS & CONDITIONS.

- 1- The appointments of the candidates are purely made on temporary basis and liable to termination at any time without assigning any reasons. In case of their wish to resign the posts they shall have to give one month prior notice or forfeit one month pay in lieu thereof.
- 2- Health and age certificate should be produced from the Agency Surgeon Mohmand Agency at Ghallanai.
- 3- They will not be handed over charge of the posts if they are below 18 Years and above 33 Years.
- 4- If they failed to report of their arrival within 15 days their appointments will be considered as cancelled.
- 5- They will not be paid their salaries until and unless their documents are verified from the concerned deptt./institutions.
- 6- Charge report should be submitted in duplicate to all concerned.

(H. Gul Rahman)  
Agency Education Officer,  
Mohmand Agency at Ghallanai.

Final No. 12443-49/Apptt./C.S Dated, 16/03/2004

Copy of the above is forwarded to the:-

- 1) Political Agent Mohmand Agency at Ghallanai.
- 2) Assistant Political Agents Baizai (Mohmand Agency)
- 3) Agency Accounts Officer, Mohmand Agency at Ghallanai.
- 4) Agency Surgeon Mohmand Agency at Ghallanai.
- 5) AAEO (Male) Concerned
- 6) Accountant/Pay Clerk Local Office.
- 7) Candidates Concerned.

Agency Education Officer,  
Mohmand Agency at Ghallanai

B 8

**OFFICE OF THE AGENCY EDUCATION OFFICER MOHMAND AGENCY AT GHALLANAI**

**REGULARIZATION OF COMMUNITY TEACHERS**

Consequent upon the notification No.SQ(E)/SSD/CSCR 99-108, dated 11.5.2012 and on the basis of honourable High Court decision dated 06.8.2013, re-appointment order of 52 community teachers issued vide this office No.1636-42 dated 17.8.2012 and No.1643-49 dated 17/8.2012 is hereby implemented with-effect from 01.9.2013 in the interest of public service, with partial modification at S.No.19 and 42 in order No.1636-42 and at S.No.3 in order No.16343-49, with the remarks that:-

1. The said appointment was made from Agency wise merit on the verbal directions of Director of Education (FATA) at that time, if Directorate of Education (FATA) declared this order against the present recruitment policy of the Govt. in response to this office letter No.1306 dated 20.8.2013, then regularization of community teacher will be made on tehsil wise merit basis.
2. If any post against which community teacher was regularized was not vacant, then the incumbent will vacate the post for the community teacher on his regularization.
3. Any Community school for which regular posts have not been sanctioned and teachers of this Community Schools got regular posts then this community school will be considered as closed, and class IVs of this school will be considered as terminated w.e.f 1.9.2013 and students of this schools will be advised by the teachers to get admission in near by regular school.
4. Documents, both Professional and academic will be verified by the committee constituted for the purpose. A single person will not carryout the verification process.

Note:- Cases regarding the scales of newly adjusted teachers will be decided individually on the basis of their qualification.

S.No	Name with Father's Name	Name of Community School	Station of regular PST	Tehsil	Remarks
1	Fazle Subhan S/O Abdul Latif	CS Atam Killi	GPS Zoor Killi Aflatoon	Baizai	Against newly created post
2	Muhammad Irshad S/O Abdur Rahman	CS Manzari Cheena	MPS Abdul Jabbar	Halimzai	Against Vacant Post
3	Abdul Samad S/O Muhammad Rafiq	CS Gul Wali	GPS Lakhkar Kili Faiz Ali	Baizai	Against newly created post
4	Salim Saradar S/O Hakim Said	CS Shamir Khan Abad	GPS Babi Khei Kamali	Halimzai	Against Vacant Post
5	Sameer Ahamad S/O Ahmad Gul	CS Kuzi Kas	GPS Manzari Cheena	Khwezai	Against newly created post
6	Adil Shah S/O Gul Shah	CS Atam Killi	GPS Said Rahman Gurbaz	Halimzai	Against Vacant Post
7	Aslam Khan S/O Hazrat Muhammad	CS Muhammad Naik	GPS Bahi Dag	Khwezai	Against newly created post
8	Azizullah S/O Itbar Khan	CS Muhammad Yad	GPS Grang No.1	Halimzai	Against Vacant Post
9	Khanedan S/O Malik wazir Khan	CS Ijazat	GPS Karrer Habibzai	Halimzai	Against Vacant Post
10	Muhammad Sadiq S/O Muhammad Yar	CS Mateena Malik	GPS Zoor Killi Aflatoon	Baizai	Against newly created post
11	Ali Akbar S/O Hazrat Muhammad	CS Muhammad Naik	GPS Ashraf Abad	Khwezai	Against Vacant Post
12	Muhammad Raz Khan S/O Zarghun Shah	CS Toora Khwa	GPS Muhammad Din	Halimzai	Against Vacant Post
13	Muhammad Idrees S/O Taj Muhammad	CS Mateena Malik	GPS Chamarkand No.1	Safi	Against Vacant Post

14	Muhammad Ishaq S/O Gul Said	CS Shawal	GPS Chamarkand No.2	Halimzai	Against Vacant Post
15	Akbar Khan S/O Sher Jan	CS Kankar Killi	GPS Shewa	Halimzai	Against Vacant Post
16	Ilyas Khan S/O Muhammad Shakir	CS Gulzar Baidnmanai	GPS Sangar Ambar	Ambar	Against Vacant Post
17	Lal Zada S/O Sautar Khan	CS Karkana	GPS Karkana	Ambar	Against Vacant Post
18	Miaz Muhammad S/O Noor Muhammad	CS Masti Kore Gulab	GPS Manzari Cheena	Baizai	Against newly created post
19	Hayat Muhammad S/O Toot Muhammad	CS Lakhkar Killi	GPS Lakhkar Killi Khel Atmar	Baizai	Against newly created post
20	Sultan Muhammad S/O Muhammad Shah	CS Kung	GPS Masti Kore Gulab	Khwezai	Against newly created post
21	Daftar Khan S/O Muhammad Akbar	CS Kung	GPS Abdul Kore	Khwezai	Against Vacant Post
22	Zahir S/O Bashir	CS Khanjar Killi	GPS Chamarkand	Halimzai	Against Vacant Post
23	Jamil Shah S/O Hakim Khan	CS Khang Baig Fazle Manan	GPS Masti Kore Gulab	Khwezai	Against newly created post
24	Hazrat Shah S/O Sahib Jamal	CS Ijazat	GPS Shamsheer	Khwezai	Against Vacant Post
25	Sajjad S/O Khanzad Gul	CS Nazar Kore	GPS Gat Warsak	Khwezai	Against Vacant Post
26	Gul Nabi S/O Lal Said	CS Soor Dagi	GPS Zanawar Cheena Gul Said	Khwezai	Against newly created post
27	Bakht Zada S/O Shahzada	CS Bahlola	GPS Yousaf Baba	Prang Ghar	Vacant
28	Bacha Hassan S/O Ibrahim Shah	CS Faiz Ali	GPS Kharai Dara	Halimzai	Against Vacant Post
29	Sajid Ali S/O Tawas Khan	CS Faiz Ali	GPS Bacha Kandao	Halimzai	Against Vacant Post
30	Iftikhar Khan S/O Bahadar Khan	CS Shawal	GPS Gul Rahman	Baizai	Against Vacant Post
31	Anwar Khan S/O Habib Khan	CS Gul Rahman	GPS Yaqoob Khanzadgan	Khwezai	Against Vacant Post
32	Murad Ali S/O Akhtar Jan	CS Samghakhi	GPS Ghanam Shah	Khwezai	Against Vacant Post
33	Arif Shah S/O Rehil Shah	CS Samghakhi	GPS Amrai Kore	Ekka Ghund	Against Vacant Post
34	Abdullah Shah S/O Hussain Shah	CS Masti Kore Nusaib Khan	GPS Pai Khan	Ekka Ghund	Against Vacant Post
35	Ajmal Khan S/O Pir Ghulam	CS Ghairdand	GPS Uchko Suran	Baizai	Against Vacant Post
36	Abidullah S/O Ghulam Muhammad	CS Rahman Gul	GPS Suran	Khwezai	Against Vacant Post
37	Taj Muhammad S/O Sheikh Muhammad	CS Karkana	GPS Karkana	Prang Ghar	Against newly created post
38	Amin Khan S/O Rawesh Khan	CS Sikandar	GPS Selai Dawa Jan	Khwezai	Against Vacant Post
39	Murad Ali S/O Muhammad Ali	CS Shamir Khan Abad	GPS Taraki Tangi	Halimzai	Against Vacant Post

40	Gulzar S/O Khan Said	CS Soor Dagi	GPS Bahi Dag	Khwezai	Against newly created post
41	Janat Gul S/O Zulfan Khan	CS Ghair Dand	GPS Bakhmal Shah	Halimzai	Against Vacant Post
42	Anwar Shamim S/O Ahmad Gul	CS Kuzo Kas	GPS Lakhkar Killi Faiz Ali	Khwezai	Against Vacant Post
43	Faridullah S/O Zazif Khan	CS Kankar Killi	GPS Olai Ambar	Baizai	Against Vacant Post
44	Muhammad Shafiq S/O Karim Khan	CS Manzari Cheena Malang	GPS Shati Miana	Baizai	Against Vacant Post
45	Azmat Gul S/O Rahat Gul	CS Nazar Kore Aslam	GPS Shamsher Sra Khwa	Halimzai	Against Vacant Post
46	Niqab Khan S/O Khan Sharif	CS Kung Sabzali	GPS Had Kore Ambar	Khwezai	Against Vacant Post
47	Shahid Nasim S/O Muhammad Halim	CS Zoor Killi Aflatoon	GPS Yaqoob Khanzadgan	Hafimzai	Against / Vacant Post
48	Amir Khan S/O Hamid Khan	CS Dag Qilla	GPS Gumbati Ambar	Halimzai	Against Vacant Post
49	Nasira D/O Akhtar Gul	FCS Ucha Joura Rawesh	GGPS Kung Farmanullah	Baizai	Against newly created post
50	Nighat Bano D/O Jehan Zeb	FCS Samghakhi	GGPS Baghi Shah	Safi	Against newly created post
51	Falooda D/O Gul Zada	FCS Kuzo Kas	GGPS Kuzo Kas	Baizai	Against newly created post
52	Aisha Bibi D/O Ahmad Jan	FCS Umar Khel Suliman	GGPS Baghi Shah	Safi	Against newly created post

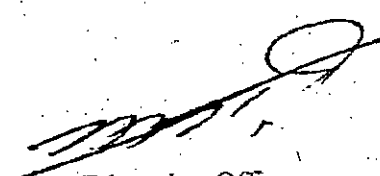
( SAID MUHAMMAD )  
 Agency Education Officer  
 Mohmand Agency at Ghallanai.

Endst No. 114017-52 /Project/ Appointment

Dated 30/5 /2013

Copy of the above is forwarded to the:-

1. PA to Secretary to Governor KPK, Peshawar.
2. Director of Education FATA, K.P.K, Peshawar.
3. Political Agent Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency at Ghallanai.
5. AAEOs concerned.
6. Accountant local office.
7. Teachers concerned.

  
 Agency Education Officer  
 Mohmand Agency at Ghallanai

**Dist. Govt. KP-Provincial**  
**District Accounts Office GHALANAI**  
**Monthly Salary Statement (February-2023)**



**Personal Information of Mr SHAHID NASEEM d/w/s of MOHAMMAD HALIM KHAN.**

Personnel Number: 00354981      CNIC: 2140631046715      NTN:  
 Date of Birth: 04.05.1982      Entry into Govt. Service: 18.03.2004      Length of Service: 18 Years 11 Months 012 Days

**Employment Category: Active Temporary**

Designation: PRIMARY SCHOOL TEACHER      80926290-DISTRICT GOVERNMENT KHYBE

DDO Code: MG6013-Govt Primary Schools Mohmand

Payroll Section: 001      GPF Section: 001

Cash Center: 63

GPF A/C No:      GPF Interest Free

**GPF Balance:**      243,456.00 (provisional)

Vendor Number: -

**Pay and Allowances:**      Pay scale: BPS For- 2022      Pay Scale Type: Civil      BPS: 12      Pay Stage: 9

Wage type		Amount	Wage type		Amount
0001	Basic Pay	32,640.00	1001	House Rent Allowance 45%	2,940.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1528	Unattractive Area Allow	1,500.00	2148	15% Adhoc Relief All-2013	329.00
2199	Adhoc Relief Allow @10%	225.00	2316	Teaching Allowance 2021	2,664.00
2341	Dispr. Red All 15% 2022KP	3,150.00	2347	Adhoc Rel Al 15% 22(PS17)	3,150.00

**Deductions - General**

Wage type		Amount	Wage type		Amount
3012	GPF Subscription	-2,220.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-12.00	3990	Emp.Edu. Fund KPK	-125.00
4004	R. Benefits & Death Comp:	-600.00			0.00

**Deductions - Loans and Advances**

Loan	Description	Principal amount	Deduction	Balance

**Deductions - Income Tax**

Payable: 107.43      Recovered till FEB-2023: 36.00      Exempted: 26.23      Recoverable: 45.20

**Gross Pay (Rs.): 50,954.00      Deductions (Rs.): -4,157.00      Net Pay (Rs.): 46,797.00**

Payee Name: SHAHID NASEEM

Account Number: 4321031262

Bank Details: NATIONAL BANK OF PAKISTAN, 232263 Mohmand Ghallanai Mohmand Ghallanai, Mohmand Ghallanai

Leaves:      Opening Balance:      Availed:      Earned:      Balance:

Permanent Address:

City: MOHMAND AGENCY

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: shahidnaseempst1@gmail.com

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.

Writ Feticion No. 4340P /2020

1. Mustafa Khan, PTC,  
Government Primary School Anno Khel Ghallani District Mohmand.
2. Ghazala, PTC,  
Government Primary School Bahi Dag, Ghallanai, District Mohmand.

3. Sabiha, PST,  
Government Girls Primary School Soor Braj Ghallanai, District  
Mohmand

4. Farzana Yousaf, PTC,  
Government Girls Primary School Kung Farmanuliah Ghallanai,  
District Mohmand.

5. Nigat Bano, PST,  
Government Girls Primary School Baghi Shah Ghallanai,  
District Mohmand

6. Shaista, PST,  
Government Girls Primary School Joura Rawesh Ghallanai,  
District Mohmand

7. Janat Gul Khan, FST,  
Government Primary School Ghair Dand Ghallanai,  
District Mohmand

8. Sartaj, PTC,  
Government Primary School Qamardin, Ghallanai.  
District Mohmand

9. Adil Shah, PTC,  
Government Primary School Said Rahman Gurbaz, Ghallanai,  
District Mohmand

10. Muhammad Irshad, PTC,  
MPS Abdul Jabbar, Ghallanai, District Mohmand.

11. Nasir Khan, PTC,  
Government Primary School Shamshah Guno Ghallanai,

-FILED TODAY  
Deputy Registrar  
25 SEP 2020



(6)

(13)

District Mohmand

12. Sajid Ali, PTC  
Government Primary School Bacha Kandao Ghallanai,  
District Mohmand
13. M. Naseer, PST,  
Government Primary School Toor Khel, Ghallanai,  
District Mohmand
14. Irfan Ullah, PTC,  
Government Primary School Toor Khel Ghallanai,  
District Mohmand.
15. Amir Khan, PTC,  
Government Primary School Gumbati Ambar Ghallani,  
District Mohmand.
16. Shahid Nasim, PTC,  
Government Primary School Yaqoob Khanzadagan Ghallanai,  
District Mohmand
17. Ameen Khan, PTC,  
Government Primary School Selai Dawad Jan Ghallanai,  
District Mohmand
18. Gul Nabi, PTC,  
Government Primary School Zanawar Cheena Gul Said GHallanai,  
District Mohmand.
19. Zahir, PTC,  
Government Primary School Zanawar Cheena Gul Said GHallanai,  
District Mohmand.
20. Issa Dad, PTC,  
Government Primary School Spink Tangi Ghallanai,  
District Mohmand.

FILED TODAY  
Deputy Registrar  
25 SEP 2020

Mud. S.  
PETITIONERS

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Secretary Education Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. The Secretary Finance Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. The Additional Chief Secretary (FATA),
5. The Director Education (FATA), FATA Secretariat, Warsak FATA Secretariat, Warsak Road, Peshawar Road, Peshawar.
6. The District Education Officer District Mohmand at Ghallanai.

-FILED TODAY

Deputy Registrar

25 SEP 2020

RESPONDENTS

.....

WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN  
AS AMENDED UPTO DATE.

RESPECTFULLY SHEWETH:

1. That the petitioners were initially appointed as PST Teacher in the Project Community School Teachers in the year 2000, 2001, 2003, 2004, 2006, & 2007. Since the appointment the petitioners are performing their duties upto the entire satisfaction of their superior Officers. Copy of orders are attached as Annexure-A.
2. That due to some complaint by the local people of the area in some of the agencies the communities' schools were closed in the year 2010 but reopened by the Fata Secretariat soon. Copies of orders of closure and reopening of the school are attached as Annexure-B.
3. That in meantime the worthy Governor Khyber Pakhtunkhwa, in the capacity of the competent authority, notified on 11.05.2012 a policy/guidelines for accommodating the community school teacher against the available regular post. It is also worth to mention here that after the opening Communities schools the petitioners were readjusted / reappointed against their original post

in the year 2011. Copies of notification and readjustment order are attached as Annexure-C & D.

4. That the petitioners have been regularized in the year 2013 and onwards vide notification dated 30.08.2013 to the petitioners have been regularized w.e.from 01.09.2013. Since the regular appointment the petitioners are continuously performing their duties upto the entire satisfaction of their superiors officers. Copy of regularization order are attached as Annexure-E.
5. That since the petitioners have more than 10 Years temporary services at their credit which was not counted towards their pay and pension protection which cost huge financial loss to the petitioners.
6. That having no other remedy the petitioners are constrained to file the instant main writ petition on the following grounds amongst the others.

GROUNDS:

- A) That the inaction of the respondents and not counting their previous service of more than 10 years toward pay and pension protection is against the principle of justice fair play equity and equality.

B) That in summary to the worthy Governor it was admitted by the respondents department that the petitioners have rendered more than 10 years service on contract basis and also Senate Standing Committee recommended the regularization of the petitioners therefore they should be regularized. On the basis of that summary the worthy Governor KPK has issued notification dated 11.05.2012 (Annexure-C), therefore the petitioners are legally entitled to be benefits of previous service towards pay and pension fixation. Copy of Summary is attached as Annexure-F

- C) That as per pension rules the temporary and officiating followed by confirmation/regularizations will be counted towards pension and pay protection. Copy of the relevant rules is attached as Annexure-G.

- D) That this august Cour. has already decided writ petition No. 1188-P/2014 and 361-P/2013 wherein the previous service has been ordered to be counted towards pay and pension protection. Copy of Judgment is attached as Annexure-H & I

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Deputy Registrar  
25 SEP 2020

- (16)
- E) That even in and other writ petition No. 3221-P/2013 this august Court as directed the respondents to count the previous service towards pay and pension fixation by allowing the writ petition. Copy of Judgment is attached as Annexure-J.
- F) That the august Court has also decided a similar writ petition bearing No. 5585-P/2018 on 04.09.2019. thus the petitioners are also entitled for the same relief. Copy of the Judgment is attached as Annexure-K.
- G) That the petitioners are not treated in accordance with law and rules keeping in view the above referred judgments the petitioners also deserve same treatment under the principle of equity and equality and consistency.
- H) That the inaction and not counting the previous service of the petitioners toward pay and pension fixation protection, is against the principle of Article-2A, 9, 25 and 38 of the Constitution.
- I) That the petitioner seeks permission to advance other grounds and proofs at the time hearing.

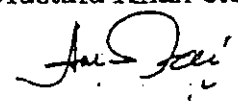
It is, therefore, most humbly prayed that on acceptance of this writ petition the inaction on the part of respondent and not counting the previous service of the petitioner towards pay protection and pensionary benefit may be declared as illegal unconstitutional arbitrary and exploitation of the past good service of the petitioners. The respondent may further please be directed to allow full pay protection and pensionary benefit of the past service to the petitioners to meet the ends of justice, principles of equity and by treating them at par with the petitioner of the above referred writ petition. Any other remedy which this august court deems appropriate may also be awarded in favour of petitioners.

FILED TODAY  
Deputy Registrar  
25 SEP 2020

  
PETITIONER

Mustafa Khan etc.

THROUGH:

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT,  
OF PAKISTAN.

VERIFICATION:

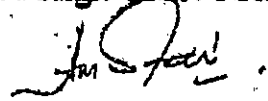
It is verified that no other Writ Petition earlier has been filed between the present parties, except the present one.

  
DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. Any other case law as per need.

NOTE: Prior Notices along with the copies of the Writ Petition has already been given to the respondents as per amended High Court's Rules dated. 23.02.2016

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT,  
OF PAKISTAN.

-FILED TODAY  
Deputy Registrar  
25 SEP 2020

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②      ③      ④

**IN THE PESHAWAR HIGH COURT,**  
**PESHAWAR,**  
**[Judicial Department].**

Writ Petition No.2802-P/2020

Murad Ali, PTC,  
GPS Taraki Tangi Ghallanai,  
District Mohmand and others.



Petitioner (s)

**VERSUS**

The Government of Khyber Pakhtunkhwa,  
through Chief Secretary and others.

Respondent (s)

For Petitioner (s) :- Mr. Muhammad Asif Yousafzai, Advocate,  
For Respondents :- Mr. Bab Nawaz Khan, AAG,  
Date of hearing: 01.10.2020.

**JUDGMENT**

ROOH-UL-AMIN KHAN, J.:- Through this common judgment, we propose to decide the instant writ petition and connected Writ Petition No.2803-P/2020, titled, "Muhammad Ishaq etc vs Government of Khyber Pakhtunkhwa through Chief Secretary and others" as identical question of law and fact is involved therein.

2. As per averments in the writ petitions, the petitioners were initially appointed as PSTs in the Project Community School Teachers in the year 2000 to 2007. The said schools were closed in the year 2010. In the meanwhile, the Governor Khyber Pakhtunkhwa vide notification dated 11.05.2012, accommodated the petitioners by re-adjusting/appointing them against the substantive posts. The services of the petitioners were regularized w.e.f. 01.09.2013. Grievance of the petitioners is that the respondents have refused to count temporary service

**ATTESTED**

**EXAMINER**  
Peshawar High Court  
Peshawar High Court

19

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towards their regular service for the purpose of pension, hence these writ petitions.



3. At the very outset learned counsel for the petitioners fairly and frankly conceded that petitioners are civil servants and jurisdiction of this Court in the matter is barred under Article 212 of the Constitution, however, requested that it would be in the interest of justice if the petitions of the petitioners are treated as departmental appeals and sent to the respondents for decision in light of the guidelines laid down by a Larger Bench of this court in its judgment dated 22.06.2017, rendered in Writ Petition No.3394-P/2016, titled, "Amir Zeb etc vs the District Account Officer Nowshera and others".

4. In view of the above, we instead of dismissing the writ petition treat them as departmental appeals on behalf of the petitioners and transmit the same to the respondents for consideration and decision strictly in accordance with the Civil Servants Pension Rules 1963 as well as the guidelines laid down by the Larger Bench of this court in its judgment dated 22.06.2017, rendered in Writ Petition No.3394-P/2016, titled, "Amir Zeb etc vs the District Account Officer Nowshera and others".

Announced:  
01.10.2020

ALSO ANNOUNCED

*[Signature]*  
CERTIFIED TO BE TRUE COPY  
EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 217 of  
the Constitution of Pakistan  
13 OCT 2020

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

DB of Hon'ble Mr. Justice Roshid Amin Khan; and  
Hon'ble Mr. Justice Ikram Ullah Khan.

EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 217 of  
the Constitution of Pakistan  
13 OCT 2020

13 OCT 2020

The District Education Officer,  
District Mohnand.

Through proper channel

**SUBJECT: REMINDER/APPLICATION FOR DECIDING THE  
DEPARTMENTAL APPEAL OF THE APPELLANT WHICH  
WAS TRANSMIT BY THE PESHAWAR HIGH COURT  
PESHAWAR VIDE ORDER DATED 04/09/2019.**

Respected Sir,

Most humbly it is submitted that I am civil servant and presently working as  
PST.

That the same benefit was not awarded to the appellant and the pay of the  
appellant was fixed as fresh pay without considering the previous pay and service  
of the appellant which is against the law and rules.

The appellant filed writ petition no 4340-p/2020 for his claim. The said Writ  
Petition was heard on 20/11/2020 and the Hon'ble Court was kind enough  
to convert the Writ Petition as departmental appeal and transmit it to your good  
self for treating the Writ Petition as departmental appeal and to decide the same  
in accordance with law. **Copy attached.**

The deptt. so many times makes promise to decide the departmental appeal  
of the appellant but no fruitful result achieved now after passing two years the  
departmental appeal of the appellant is still pending. Which is also violation of  
Peshawar High Court Peshawar Judgment.



That according to government policy, the appellant had right to benefit of the pay protection will be admissible to the employees under WEST Pakistan 1963 pension rules and judgment of Larger bench of Peshawar High Court Peshawar.

It is therefore, most humbly requested, on acceptance of this application/reminder, the departmental appeal of the appellant shall be decided and the pay of appellant may kindly be protected and the service rendered on contract basis may be accounted toward the length of service and pensionary benefits in order to the save the appellant from financial loss.

Shahid Naseem S/o Muhammad Alim

Applicant

2406-3104671-5

Date: 01/12/2022

CC to: The Secretary to Govt: (E&SE) Deptt: KP Peshawar.

CC to: The Director (E&SE) Merged Area, KP, Peshawar.

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block A Opposite MPA.s Hostel, Civil Secretariat Peshawar  
Phono No. 091-9223587

ORDER

No. SO (Lit-IV) E&SED/COC#69-P/2023/WP 4340-P/2020/Mustafa Khan & others

WHEREAS Mustafa Khan and 19 others appellant (Petitioners) were initially appointed as PST Teacher in the Project Community School Teachers for a project period at various community schools at District Mohmand in the year 2000 to 2007:

2. AND WHEREAS, the Community School Teachers project was closed down on 31.12.2010.
3. AND WHEREAS, the Community School Teachers was re-appointed consequent upon the direction of competent authority vide order No. 6048-61 dated 09.12.2011.
4. AND WHEREAS, in pursuance of the notification No. SO (E)/SSD/SCTR/99-10, dated 11-05-2012 duly approved by the then Government Khyber Pakhtunkhwa the services of the appellant were regularized w.e.f 01/0/2013.
5. AND WHEREAS, Mustafa Khan and 19 others filed Writ Petition No. 4330-P/2020 before the Hon' able Peshawar High Court with the prayer of couting their previous services towards pay protection and back benefits..
6. AND WHEREAS, the Hon' able Peshawar High Court Peshawar vide its Judgment dated 12-12-2020 treated the Writ Petition as Departmental Appeal and transmitted the same to the respondent Department for consideration and decision in light of the Judgment in Writ Petition No. 2802-P/2020 as well as decision strictly in accordance with Civil Servant Pension Rules, 1963 and the guidelines laid down by the larger bench in Writ Petition No. 3394-P/2016 title Amir Zeb etc Vs Account officers, Nowshera & other.
7. AND WHEREAS, the respondent Department in the light of Judgment of Peshawar High Court in Writ Petition No 4340-P/2020 conducted a Departmental Consideration Committee meeting on 21/03/2023.
8. AND WHEREAS, the respondent Department in the light of Judgment of Peshawar High Court conducted a Departmental appellate committee meeting and provided opportunity of hearing to the Petitioners.
9. NOW THEREFORE, in pursuance of order Dated 10-12-2020 the Hon' able Peshawar High Court Peshawar, with relevant law, rules, policy and recommendations of the committee meeting, discussed hereinabove, the undersigned, in the capacity of the considered view that the Petitioners namely Mustafa Khan and 19 others are entitled to back benefits and pay protection for the period served in service, the claim of the Petitioners hereby stands rejected in

SECRETARY  
E&SE DEPARTMENT

warded to the:-

(Judicial), Peshawar High Court, Peshawar.  
General Peshawar High Court, Peshawar.  
Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.  
Officer (Male), Mohmand.  
Lit:III, Elementary & Secondary Education Department.  
ned.

GOVERNMENT OF KHYBER PAKHTUNKHWA  
TERTIARY SECONDARY EDUCATION DEPARTMENT  
Peshawar, H-10010

01-03-2022

SECRETARY, TERTIARY SECONDARY EDUCATION DEPARTMENT, PESHAWAR

TO:

ACCOUNT OFFICER, TERTIARY SECONDARY EDUCATION DEPARTMENT, PESHAWAR

RE:

ACCOUNT OFFICER'S ORDER DATED 01-03-2022

SUBJECT:

REVISION OF PAYMENT OF 40-P/2020 BEFORE THE ACCOUNT OFFICER'S SERVICES TOWARDS PAY

REFERENCE:

GOVERNMENT OF PESHAWAR HIGH COURT  
PUBLIC SERVICE COMMISSION

NOTICE:

JUDGMENT DATED 01-03-2022  
OPPORTUNITY OF HEARING TO THE

NOTICE: THE HONORABLE PESHAWAR HIGH COURT IN ITS JUDGMENT DATED 01-03-2022 HAS RECOMMENDED THAT THE RECOMMENDATIONS OF THE APPELLATE AUTHORITY IN THE MATTER OF MUSTAFA KHAN AND 19 OTHERS ARE NOT ENTITLED TO BE CONSIDERED IN THE MATTER OF COMMUNITY SCHOOLS PROJECT, HENCE, THE CLAIM OF THE APPELLANTS IS REJECTED.

SECRETARY  
E&SE DEPARTMENT

FOR THE SECRETARY

ACCOUNT OFFICER'S SERVICES TOWARDS PAY

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

NO. FD (SOSR-1) 12-7/2014

Dated Peshawar the 6th February, 2014

1. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
2. Senior Member Board of Revenue Khyber Pakhtunkhwa.
3. Secretary to Government of Khyber Pakhtunkhwa.
4. The Principal Secretary Chief Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary Finance FATA, FATA Secretariat, Peshawar.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Divisional Commissioner's in Khyber Pakhtunkhwa.
9. All Political Agents/District & Session Judges in Khyber Pakhtunkhwa.
10. The Registrar Peshawar High Court Peshawar.
11. The Chairman Public Service Commission Khyber Pakhtunkhwa.
12. The Chairman Service Tribunal, Khyber Pakhtunkhwa.
13. The Accountant General, Khyber Pakhtunkhwa.

Subject:- PROTECTION OF PAY OF CONTRACT EMPLOYEES ON  
REGULARIZATION/APPOINTMENT ON REGULAR BASIS.

Dear Sir:-

In pursuance to the finance Division's Office Memorandum No. R.1/2012 dated 31st May 2013, the competent authority is pleased to allow the pay protection to non gazetted contract employees on their regularization/appointment on regular basis with immediate effect subject to the following conditions:-

- i) That the contract appointment has been made on standard terms and conditions circulated by this Provincial Government are amended from time to time.
- ii) That the contract employ has applied through proper channel and has been properly by the appointed authority. This condition shall not apply in case of regularization on the same post.
- iii) That regularization/regular appointment has been made with the approval of competent authority.
- iv) That there is no break/interruption between contract service and regular service.
- v) That the service rendered on contract basis shall not qualify for pension/gratuity.
- vi) That in case of regular appointment in lower pay shall not be protected./

Your Faithfully  
RAZAULLAH KHAN  
Addl Secretary (Regulation)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

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NO. FD (SOSR-1) 12-7/2014  
Dated Peshawar the 6<sup>th</sup> February, 2014

To:

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Government, Khyber Pakhtunkhwa
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa
6. The Secretary Finance FATA, FATA Secretariat, Peshawar
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Divisional Commissioners in Khyber Pakhtunkhwa.
9. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. The Chairman, Public Service Commission, Khyber Pakhtunkhwa
12. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
13. The Accountant General, Khyber Pakhtunkhwa, Peshawar.

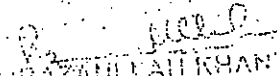
Subject: PROTECTION OF PAY OF CONTRACT EMPLOYEES ON  
REGULARIZATION / APPOINTMENT ON REGULAR BASIS.

Dear Sir,

In pursuance to the Finance Division's Office Memorandum No. 7(9)R-1/2012 dated 31<sup>st</sup> May, 2013, the competent authority is pleased to allow the pay protection to non-Gazetted contract employees on their regularization / appointment on regular basis with immediate effect subject to the following conditions:-

- i) That the contract appointment has been made on standard terms and conditions, circulated by this Provincial Government as amended from time to time.
- ii) That the contract employee has applied through proper channel and has been properly allowed by the appointing authority. This condition shall not apply in case of regularization on the same post.
- iii) That regularization / regular appointment has been made with the approval of competent authority.
- iv) That there is no break / interruption between contract service and regular service.
- v) That the service rendered on contract basis shall not qualify for pension / gratuity.
- vi) That in case of regular appointment in lower grade, pay shall not be protected.

Yours faithfully,

  
(RAZAULLAH KHAN)  
Addl. Secretary (Regulation)

P.T.O

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Endst o FD, (SOSR-1)

12-7/2014

Dated 6h Feb, 2014

Copy for information and necessary action to the:-

1. The Director, Treasures & Accounts, Khyber Pakhtunkhwa.
2. All the District comptroller of Accountrs in Khyber Pakhtunkhwa.
3. The Director Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. The Director, PMIU, Finance Department.
5. The Treasury Officer, Peshawar.
6. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
7. All the District & Agency Accounts Officers, in Khyber Pakhtunkhwa/ FATA.

(MASOOD KHAN)  
Deputy Secretary (Reg-II)

Endst No. & date Even

Copy for information is forwarded to the:-

1. All the Section Officers/Budged Officers in Finance Department, Khyber Pakhtunkhwa, Peshawar.
2. The Private Secretary to Senior Minister for Financed, Khyber Pakhtunkhwa.
3. The Private Secretary to Secretary/P.As to Special Secretary/Additional Secretaries/Deputy Secretariat in Finance Deptt:-

(Wazir Muhammad Afgar)  
Section Officer (SR-1)

Endst: No. FD (SOSR-1) 12-7 /2014

Dated: 6<sup>th</sup> Feb, 2014

Copy for information & necessary action to the:-

1. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
2. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
3. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. The Director, PMIU, Finance Department.
5. The Treasury Officer, Peshawar.
6. The Secretary, Board of Revenue, Khyber Pakhtunkhwa.
7. All the District & Agency Accounts Officers in Khyber Pakhtunkhwa / FATA

(MASOOD KHAN)  
Deputy Secretary (Reg-II)

Endst: No. & Date Even

Copy for information is forwarded to:-

1. All the Section Officers / Budget Officers in Finance Department, Khyber Pakhtunkhwa, Peshawar
2. The Private Secretary to Senior Minister for Finance, Khyber Pakhtunkhwa
3. The Private Secretary to Secretary / P.As to Special Secretary / Additional Secretaries / Deputy Secretaries in Finance Deptt.

(Wazir Muhammad Afgar)  
Section Officer (SR-1)

VAKALAT NAMA

25

NO. \_\_\_\_\_/2023

IN THE COURT OF

MP Service Tribunal, Peshawar

Shahid Naseem

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Edo Dept.

(Respondent)  
(Defendant)

Shahid Naseem

I/We hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court of Pakistan & Syed Noman Ali Bukhari, Advocate High Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

**AND** to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

**AND** I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

**PROVIDED** always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

Dated \_\_\_\_\_/2023

Shahid Naseem

(CLIENT)

ACCEPTED

(**M. ASIF YOUSAFZAI**)  
ADVOCATE SUPREME COURT,  
OF PAKISTAN.

&  
(**S. NOMAN ALI BUKHARI**)  
ADVOCATE HIGH COURT,

OFFICE:

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar  
Cell No. 0302-5548451  
0333-9103240  
0306-5109438