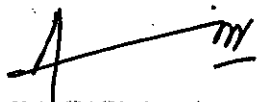


FORM OF ORDER SHEET

Court of _____

Appeal No. 1155/2023

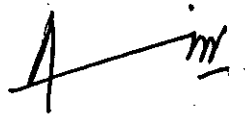
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/05/2023	<p>The appeal of Mr. Latif Ullah resubmitted today by Mr. Hidayat ur Rehman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____</p> <p>By the order of Chairman  For REGISTRAR</p>

The appeal of Mr. Latifullah son of pervaz Khan r/o Muhalla Mandukhel yillage Trarnab District Charsadda received today i.e on 18.05.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is not signed by the appellant.
- 2- Copy of impugned order is not attached with the appeal.
- 3- Copy of departmental appeal is not attached with the appeal.
- 4- Eight more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1444 /S.T,

Dt. 19/5 /2023.

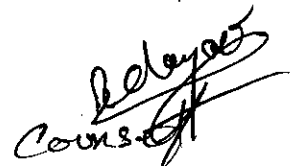

For REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Hidayat Ur Rehman Adv.
High Court Peshawar.

Respected Sir!

All objections are removed.
Regarding objection no. 2, the impugned order is attached as Annexure 'D' page '12' regarding objection no. 3, the legal notice no. 16 Annexure 'F' may kindly be considered as departmental Appeal and regarding objection no. 4 copies of all Annexures is attached with the copies/sets of Appeal.

Re-submitted after removal of objections.


Counsel

12-05-2023.

BEFORE THE HONORABLE KHYBER PAKHTUNHWA SERVICE
TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1155 2020~~3~~

LATIF ULLAH

VS


GOVERNMENT OF KPK AND OTHERS

INDEX

SR. NO	DESCRIPTION	PAGE NO.
1.	MEMO OF SERVICE APPEAL	1-6
2.	COPY OF THE APPOIKNTMENT ORDER & PRMOTJON ORDER IS ATTACHED HEREWITH MARKED "A"	7-8
3.	COPY OF A PAYSIP IS ATTACHED HEREWITH MARKED 'B'	9
4.	COPY OF LETTER LIST DATED 24-08-2021 AND 30-08-2021 IS ATTACHED HEREWITH AMRKED "C"	10-11
5.	COPY OF NOTIFICATION DATED 28-01-2022 IS ATTACHED HEREWITH MARKED AS "D"	12
6.	COPY OF INQUIRY ORDER AND REPY OF APPELLANT IS ATTACHED HEREWITH AS "E"	13-14
7.	COPY OF DEAPRTMENTAL APPEAL IS ATTACHED HEREWITH AS "F"	15-16
8.	WAKALAT NANA	17


APPELLANT

THROUGH


HIDAYAT UR REHMAN
Advocate High Court
Cell: 0345-1953213

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1155 /2023

Latif Ullah S/o Pervaz Khan R/o Muhalla Mandukhel Village
Tarnab Tehsil and District Charsadda.

..... **Appellant**

VERSUS

- 1) Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
- 2) Government Khyber Pakhtunkhwa, through Director General, Industries and Commerce Department, Civil Secretariat, Peshawar.
- 3) Nazim Shah Assistant BPS-16, in Directorate General, Industries and Commerce Department.
- 4) Gulzar Hussain Assistant BPS-16, in Directorate General, Industries and Commerce Department.
- 5) Ahmad Nawaz Assistant BPS-16, in Directorate General, Industries and Commerce Department.
- 6) Irfan Aziz Assistant BPS-16, in Directorate General, Industries and Commerce Department.

..... **Respondents**

***SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER
WHEREBY, THE DEPARTMENTAL APPEAL OF
THE APPELLANT REGARDING THE
PROMOTION DATED 15.02.2023 HAS NOT
YET BEEN DECIDED.***

Respectfully Sheweth:-

- 1) That the appellant belongs to a respectable and religious family of District Charsadda and done his Education from the various prestigious institutions of Pakistan.
- 2) That the present Appellant was initially appointed as a Naib-qasid (BPS-1) and thereafter, promoted to the post of Junior Clerk (BPS-11) and is currently working in Consumer Court Charsadda as a Senior Clerk (BPS-14).

(Copy of the appointment order & promotion order is attached herewith marked "A")

- 3) That the Appellant has worked since his appointment till date with utmost satisfaction of his superior specially and the department concern generally.

(Copy of a Pay Slip is attached herewith marked "B")

- 4) That the Appellant has received a letter bearing no 8928-41-1/70-DI-Admn dated 24-08-2021 from the Respondent no 2 for promotion of employees in Directorate General Industries and Commerce Department, Khyber Pakhtunkhwa, wherein, among others the name of the present Appellant was placed at serial no 6. In response whereof, the present Appellant has submitted an application for promotion through a consent letter bearing diary no 4023 dated 30/08/2021.

(Copy of Letter/ List dated 24-08-2021 and 30-08-2021 is attached herewith marked "C").

- 5) That after fulfilling the codal formalities the Respondents have issued a notification dated 28-01-2022 wherein, nine employees out of fourteen have been awarded promotion to the post of Assistant (BPS-16), but astonishingly the

name of the Appellant was dropped and junior to the Appellant was promoted illegally because of the reason best known to them.

(Copy of notification dated 28-01-2022 is attached herewith marked as "D")

- 6) That during the process of promotion the present Appellant received an office order dated 21-12-2021 for an inquiry bearing number 13662/K.C/ENQ/DC dated 21-12-2021, upon some baseless and concocted charges which were duly replied by the Appellant denying all charges.

(Copy of inquiry order and reply of Appellant is attached herewith as "E")

- 7) That subsequent thereto, the Appellant came into knowledge by a hearsay rumor, that the annual confidential report (ACR) of the appellant has been drafted adversely for the year of 2020. Therefore, they have not been considered for promotion despite of his consent given for promotion.
- 8) That feeling aggrieved from the above action the present Appellant filed a departmental Appeal and served legal notices to the respondents for reconsideration the name of Appellant for Promotion, but in vain.
- 9) That finally the Appellant approached to the concerned Department through a Departmental representation on 15-02-2023, and the same has been forwarded to Respondent no 2 on 16-02-2023 for perusal and approval, but so far the said representation is pending adjudication before the adjudicating authority/ Respondent no 2.

(Copy of departmental appeal is attached herewith as "F")

- 10) That feeling aggrieved from action and inaction of Respondents the Appellant has no other remedy except to seek indulgence of this Hon'ble Tribunal through the instant Appeal on the following grounds amongst other inter-alia.

GROUND

- A.** That the Respondents have considered for promotion the Junior employees of the Department and deferred the name of the Appellant despite of his seniority cum fitness which is against the Article 4 and 25 of the Constitution of Pakistan, 1973.
- B.** That not deciding the representation of the present appellant and kept pending the said representation for indefinite period is against the law, facts, rules, regulations, without lawful authority and the Appellant has no option except to challenge the arbitrary action of Respondents before this Hon'ble Tribunal.
- C.** That deferring the name of appellant from his due promotion which was based on seniority-cum-fitness is against the policy and law given by the Apex Court of the Country. That it is also worth perusal and required consideration that rules are also supporting the stance of appellant, and not considering the Appellant for promotion is sheer violation of fundamental right, rules and regulation protected under the law and procedure.
- D.** That the respondents are badly failed to follow the law, rules and regulation and astonishingly the promotion policy is further been violated as the appellant is holding the due qualification, but expunging the name of Appellant from promotion list is also violation of the

dictum laid down by the superior Courts, hence invites consideration of this Hon'ble Tribunal.

- E.** That all the allegations leveled against the appellant were based on surmise and conjecture which were duly replied and got the clearance from the respondents. Only the ACR representation is still pending before the respondent no 2, and kept pending the said representation for indefinite period is tantamount to denial the legal right of appellant.
- F.** That the present appeal is well within time and this Hon'ble Tribunal may entertain this appeal under the law.
- G.** That the deferring order of the respondents without adopting proper criteria and codal requirements by the respondents is against the worthy ruling of the Hon'ble Superior Courts of Pakistan and therefore, the same is illegal practice and such practice adversely affects efficiency of incumbents and also reduces their confidence and faith in public, hence order of deferring the appellant from his promotion are liable to be un-held on this score also.
- H.** That any other ground which has not been specifically mentioned will be agitated at the time of arguments with kind permission of this Hon'ble Tribunal.

It is, therefore, humbly prayed that, on acceptance of the instant appeal the Hon'ble Tribunal may kindly be declared the action of Respondents illegal and may kindly be directed the Respondent no 2 to promote the Appellant from the date on which they have promoted the other colleagues of the appellant with all back benefit.

Any other relief which is not specifically been asked
may also kindly be granted in favour of the appellant.

Appellant

Through

Hidayat Ur Rehman,

Riffat Batool,

&

Mati Ur Rehman

Advocates High Court

AFFIDAVIT

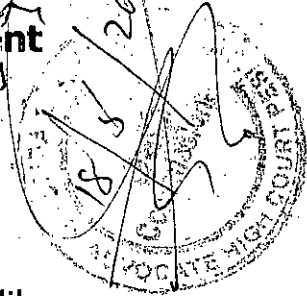
Latif Ullah S/o Pervaz Khan R/o Muhalla Mandu khel Village
Tarnab Tehsil and District Charsadda (Appellant), do hereby
affirm and declare on oath that the contents of accompanying
Appeal are true and correct to the best of my knowledge and
belief and nothing has been concealed from this Hon'ble court.

Latif Ullah
Deponent
Latif Ullah

CERTIFICATE:

As per instruction of my client, it is certified that no such like
Service Appeal has earlier been filed before this Hon'ble
Tribunal on the subject matter.

Hidayat Ur Rehman
Advocate



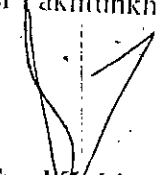
DIRECTORATE OF
INDUSTRIES AND COMMERCE
KHYBER PAKHTUNKHWA, PESHAWAR.

Annexure A

ORDER.

Mr. Latief Ullah S/o Mr. Pervaz Khan, residence of Mohalla Mandokhel, Village Tarnab, Tehsil and District, Charsadda is hereby appointed through Employment Exchange as Naib Qasid BPS-01 (2970-90-5670) against the vacant post of Naib Qasid (BPS-01) in the office of Assistant Industrial Development Officer, Charsadda on the following terms and conditions, his appointment as Naib Qasid and he is posted in the office of Assistant Industrial Development Officer, Charsadda: -

1. He is medically fit and produce medical fitness certificate from Medical Superintendent, Distt: H/Q Hospital Charsadda.
2. He will be given minimum pay of the post in the Basic Pay Scale No.01 (2970-90-5670) per month with any other allowances which may be sanctioned by the Provincial Government from time to time.
3. He will be entitled to receive such amount contributed by him towards the Contributory Provident Fund alongwith the contribution made by the Government to his account in the said Fund, in the prescribed manner, in lieu of pension and gratuity in accordance with Government of NWFP Civil Servants (Amendment) Act, 2005 vide notification dated 23.7.2005.
4. His service will be liable to termination if his work during this period is not found satisfactory in such of event, he will be given two months notice of termination from service or two months pay in lieu thereof. In case he wishes to resign two month notice should be necessary or in lieu thereof two months pay shall be forfeited.
5. He will be liable to serve any where in Khyber Pakhtunkhwa.
6. He will join duty at his own expenses.


(Syed Zahir Ali Shah)
Director Industries and Commerce
Khyber Pakhtunkhwa, Peshawar

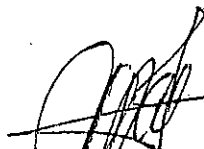
Endst: No. 2401-5 /1/98-DI-Admn:

Dated. 13/5 /2011.

Copy of the above is forwarded to:-

1. The District Accounts Officer, Charsadda.
2. The Assistant Industrial Development Officer, Charsadda.
3. Mr. Latief Ullah S/o Mr. Pervaz Khan, residence of Mohallah Mandokhel Village Tarnab, Tehsil and District, Charsadda.
4. Personal file of the official concerned.
5. File No. 1/98-DI-Admn.

ATTESTED


(Abdul Rauf Jan)
Assistant Director (Admn)
Hqtrs Office, Peshawar.

(8)

**DIRECTORATE OF
INDUSTRIES AND COMMERCE,
KHYBER PAKHTUNKHWA, PESHAWAR.**

ORDER

On the recommendation of Departmental Promotion Committee of the Directorate of Industries and Commerce, Khyber Pakhtunkhwa, Peshawar, Mr. Latifullah, Junior Clerk (BPS-11), Office of Industrial Development Officer, Charsadda is hereby promoted to the post of Senior Clerk (BPS-14) on acting charge basis and posted against the vacant post of Senior Clerk (BPS-14) in the Consumer Court, Charsadda with immediate effect.


Sd/- Director, IC,
Khyber Pakhtunkhwa.

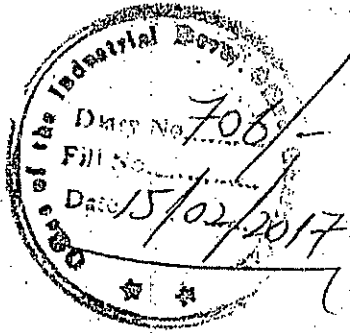
Dated. 13/02/2017.

Endst: No. 10266-70/1/70-DI-Admn:

Copy of the above is forwarded to :-

1. The Judge Consumer Court, Charsadda.
2. The District Accounts Officer, Charsadda.
- ✓ 3. The Industrial Development Officer, Charsadda.
4. The official concerned.
5. Personal file of the official concerned.


(Abdul Rauf Jan)
Deputy Director (Admn),
Khyber Pakhtunkhwa, Peshawar



ATTESTED

(9)

Government of Khyber Pakhtunkhwa
District Accounts Office Swabi
Monthly Salary Statement (February-2023)

Annexure 'B'



Personal Information of Mr LATIF ULLAH d/w/s of PERVIZ KHAN

Personnel Number: 00586320

CNIC: 1710121242649

NTN:

Date of Birth: 19.04.1987

Entry into Govt. Service: 14.05.2011

Length of Service: 11 Years 09 Months 016 Days

Employment Category: Active Permanent

Designation: SENIOR CLERK

80478720-GOVERNMENT OF KHYBER PAKH

DDO Code: SU4327-Consumer Protection Court Swabi

Payroll Section: 002

GPF Section: 001

Cash Center:

GPF A/C No: V.5CPMISC.P.16 GPF Interest: applied

GPF Balance:

191,331.00 (provisional)

Vendor Number: 30469034 - LATIF ULLAH S/O PERVIZ KHAN CHARSAADA

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 14

Pay Stage: 7

Wage type		Amount	Wage type		Amount
0001	Basic Pay	34,710.00	1001	House Rent Allowance 45%	3,321.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	400.00	2199	Adhoc Relief Allow @10%	318.00
2315	Special Allowance 2021	3,500.00	2341	Dispr. Red All 15% 2022KP	3,330.00
2347	Adhoc Rel Al 15% 22(PS17)	3,330.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3014	GPF Subscription	-2,620.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-82.00	4004	R. Benefits & Death Comp:	-600.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	145,000.00	-5,000.00	50,000.00

Deductions - Income Tax

Payable: 961.98

Recovered till FEB-2023: 638.00

Exempted: 0.86-

Recoverable: 324.84

Gross Pay (Rs.): 53,265.00

Deductions: (Rs.): -9,502.00

Net Pay: (Rs.): 43,763.00

Payee Name: LATIF ULLAH

Account Number: 0933809961007281

Bank Details: MCB BANK LIMITED, 240284 CHARSAADA CHARSAADA.

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

Permanent Address:

City: S

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: latifullah482@gmail.com

ATTESTED

(10)
DIRECTORATE GENERAL
INDUSTRIES AND COMMERCE
KHYBER PAKHTUNKHWA, PESHAWAR

Registered

Annexure "C"

19/10/21 11-70-DE-Admin

Dated, 24/08 2021

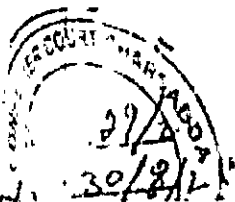
- Mr. Muhammad Latif, Senior Clerk, Consumer Court, Tank.
Mr. Manzoor Ahmad, Senior Clerk, Consumer Court, Chitral.
Mr. Muhammad Rasheed, Senior Clerk, Hqtrs Office, Peshawar.
Mr. Ahmadullah, Senior Clerk, Office of IDO, Abbottabad.
Mr. Waqas Ahmad, Senior Clerk, Hqtrs Office, Peshawar.
Mr. Latifullah, Senior Clerk, Consumer Court, Charaunda.
Mr. Nazim Shah, Senior Clerk, Consumer Court, Kohat.
Mr. Gulzar Hussain, Senior Clerk, Hqtrs Office, Peshawar.
Mr. Ahmad Nawaz, Senior Clerk, Office of IDO, Mardan.
Mr. Irfan Aziz, Senior Clerk, Office of IDO, Chitral.
Mr. Rashidullah, Senior Clerk, Office of IDO, Peshawar.
Mr. Wahid Khan, Senior Clerk, Hqtrs Office, Peshawar.
Mr. Gul Muhammad, Senior Clerk, Consumer Court, Kohat.
Mr. Abid Khan, Senior Clerk, Hqtrs Office, Peshawar.

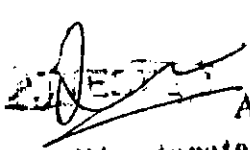
OPTION FOR PROMOTION TO THE POST OF ASSISTANT (BPS-16).

I am directed to refer to the subject cited above and to say that some posts of Assistant (BPS-16) are lying vacant in Directorate General, Khyber Pakhtunkhwa, falling to the promotion quota and require to be filled in by promotion from amongst the Senior Clerks in accordance with the Departmental Service Rules.

I am further directed to ask you to convey your option / willingness for promotion to the post of Assistant (BPS-16) and for posting anywhere in Khyber Pakhtunkhwa within seven days of receipt of this letter, in case your reply is not received within the stipulated period, it will be presumed that you are not willing for promotion to the post of Assistant (BPS-16) and your name will not be included in the panel.

It is mentioning here that once you exercise your option for promotion posting as Assistant (BPS-16) anywhere in Khyber Pakhtunkhwa, three years stay will be necessary and no other stay will be made by you during three (03) years.




Administrative Officer,
Directorate General, Industries & Commerce,
Khyber Pakhtunkhwa, Peshawar

(11)

The Administrative Officer,
Directorate General Industries and Commerce,
Khyber Pakhtunkhwa

OPTION FOR PROMOTION TO THE POST OF ASSISTANT (BPS-16)

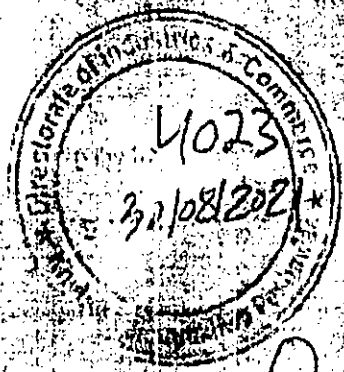
In reference to your letter No. 8928-41/170-DI-Admn dated 24-08-2021 on
subject captioned above and to say that the undersigned is willing to avail the
option for promotion to the post of Assistant (BPS-16), in Directorate General
Industries and Commerce, Khyber Pakhtunkhwa please.

Yours sincerely

Latif Ullah
Senior Clerk
Consumer Court Charsadda

24/08/2021

O/C



ATTESTED

(12)

Annexure "D"



**DIRECTORATE GENERAL,
INDUSTRIES AND COMMERCE
KHYBER PAKHTUNKHWA, PESHAWAR**

NOTIFICATION

On the recommendation of Departmental Promotion Committee of the Directorate General Industries and Commerce, Khyber Pakhtunkhwa, Peshawar, the following Senior Clerks (BPS-14) are hereby promoted to the post of Assistants (BPS-16) on regular basis with immediate effect:-

1	Mohammad Tahir
2	Munzoor Ahmad
3	Muhammad Rashid
4	Ahmadullah
5	Waqas Ahmad
6	Nuzim Shah
7	Gul Zar Hussain
8	Ahmad Nawaz
9	Irfan Aziz

The officials will remain on probation after promotion for a period of one year extendable for another year with the specific order of appointing authority within two months of the expiry of first year of probation period vide Establishment Department notification No.SO (Policies)E&AD-1-3/2017 dated 07.12.2017 in terms of Section-6(2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rules-15(1) of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules, 1980.

Sd/- Director General, IC,
Khyber Pakhtunkhwa.

Endst:No.622-48/1/70-DI-Admn:

Dated:28/01/2022.

Copy of the above is forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Honourable Judges, Consumer Protection Court, Tank, Chitral, Kohat.
3. The District Account Officer, Tank, Chitral, Abbottabad, Kohat & Mardan
4. The Assistant Director, CPC, Abbottabad, Mardan & Chitral.
5. The Accounts Officer Hqrs Office, Peshawar.
6. The Industrial Development Officer, Abbottabad, Mardan & Chitral.
7. The officials concerned.
8. Personal file of the officials concerned.
9. File No.1/33-DI-Admn.

M.A. please see for signature

2/2/22

Sec.

Signature

ATTESTED

Administrative Officer,
Directorate General, Industries & Commerce,
Khyber Pakhtunkhwa, Peshawar

235
Armed

**DIRECTORATE GENERAL INDUSTRIES AND COMMERCE
KHYBER PAKHTUNKHWA**

No. 13662 /KC/ENQ/DG

Dated: 21 /12/2021

To,

Mr. Latif Ullah Senior Clerk,
Consumer Court, District Charsadda.

Subject:

ORDER.

Whereas it has been alleged that that you have submitted fake A.C.R 2020 to the administration section of Directorate General Industries and Commerce (ACR copy enclosed) and whereas the undersigned has been nominated as Inquiry Officer vide Endst No. 12518-23/3/423-DI-Admn dated 25-11-2021 to conduct fact finding inquiry in the matter (copy enclosed).

You are directed to furnish your defense reply in the matter within three (03) days of receipt this memo, in case of no reply it will be considered that you have nothing in your defense.

Encl: (AA)

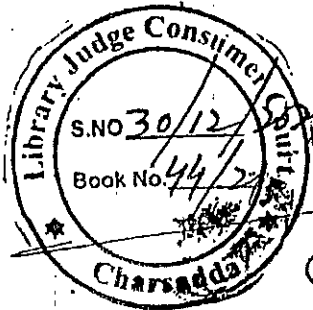
Deputy Director CPC
H/Qrts Office Peshawar

Endst. No. _____ /KC/ENQ/DG

Dated: _____ /12/2021

Copy is forwarded for information to:

Administrative Officer, Directorate of Industries and Commerce, Khyber Pakhtunkhwa w/r to his letter No. 13611/4/423-DI-Admn: dated 20-12-2021 above please.



Deputy Director CPC
H/Qrts Office Peshawar

(14)

To
The Deputy Director (CPC) / Inquiry Officer
Hqtr's Office, Peshawar.

Subject: REPLY TO THE INQUIRY OFFICER.

Respected Sir, Reference your good office order No. 13662/K.C/ENQ/DG dated 21.12.2021, my reply in the matter is as under:-

It is stated that my Annual Confidential Report for the year 2020 have never been received by me and not submitted by me further I have no concern with the subject matter as it is a confidential report and pertains to Administration Section.

It is also stated that I have any mode to tempered the ACR report then I expunged the real ACR, while both ACRs found in the instant file.
That the subject matter might have been used by my opponent to harm my career and to defame me.

That I have never been involved in submitting of any sort of tempered or forged documents (ACR) for (2020) nor have any knowledge regarding the subjected matter. I am serving in Consumer Court Charsadda as a Senior Clerk since 2016 and do not have any approach to any sort of confidential documents confined in Hqtr's Office premises.

It is therefore humbly requested to kindly exonerate me from all such charges, if any leveled against me.



Latif Ullah
Senior Clerk
Consumer Court Charsadda

ATTESTED

Subject: Appeal for Announcing Decision/Legal Notice.

72 Mr. Latif Ullah, Senior Clerk, Consumer Court, Swabi has not considered for promotion to the post of Assistant (BPS-16) with the reason that the ACR for the year 2020 of the official is adverse. In this regard, the official submitted several appeals and also served legal notice through lawyer.

73 It is stated that the ACR for the year 2020 of the official is adverse which were communicated to this office late and that time the department was Directorate Headed by Director. Now the Directorate become Directorate General headed by Director General. The Director General is head of the department and being appointing / final authority for submission of appeals / representation in such like cases.

74 Furthermore, as per Instructions on Performance Evaluation Report manual, section 0.5, subsection (iii) states that:-

"The countersigning officer should underline, in red ink, remarks which in his opinion are adverse and should be communicated to the officer reported upon."

75 It is therefore requested that the appeal / representation of the official for expunction of adverse remarks may be considered.

76 Para. 75/N is submitted for perusal and approval please.

77 Admn: Officer:-

Submitted for approval, pls

P 15/2/23
D.A (Admn)

78 DD (Admn)

79 Director Admn

Jaw
16/2

ATTESTED

(16)

AHMAD ZEB ADVOCATE HIGH COURT

District Courts Charsadda

Cell#03339349490

LEGAL NOTICE

To,

DG I, D & Commerce

Peshawar Khyber Pkhtunkhwa.

I have been appointed by my client named above to give you the following legal notice:-

1. That the appellant is presently working in Consumer Court Swabi as Senior Clerk.
2. That the appellant has worked since his appointment till date with the utmost satisfaction of his superior specially and department generally.
3. That till date the appellant has not received any sort of any letter in shape of notice, inquiry, and explanation etc from any wing of the department.
4. That the applicant has received a letter Endorsement No 8928-41/1/70-D-1-Admin dated 24/08/2021 from your Administrative wing for promotion in which the appellant was S. No 6.
5. That the appellant has given option/consent, being the permanent and senior in BPS.14 in consumer Court Charsadda (at that time), to the above mentioned letter on 28/08/2021 which was duly received on Dic Diary No 4023 on dated 30/08/2021.
6. That the appellant has now received a hearsay rumor that the ACR of the applicant has been drafted against him.
7. That it was the responsibility of the Administrative officer/concerned authority to communicate the adversary remarks in ACR to the appellant within two months otherwise it will automatically lost its creditability as per law, regulations and SOP.
8. That till date the appellant has not received any sort of letter/information officially in this regard.
9. That as per law you are bound to give promotion to my client right from the date of his entitlement, which you are denying on one and other pretext.
10. That a copy of this notice has been kept in office for further necessary legal action.

That you are hence informed and requested that my client Mr. latif-Ullah be given promotion from his due date and all the oral allegation, as stated above, be set aside, after receiving of this Notice within Fourteen days otherwise my client will knock the door of competent court of law and you will be bound & responsible to pay to my client all the incurs etc spent on legal process coupled with damages and other remedies provided by law.

latif Ullah Senior Clerk Consumer Court Swabi

Through

AHMAD ZEB ADVOCATE HIGH COURT

District Courts Charsadda

Note:- Copy of this notice is lying in my office for further legal action.



مورخہ

مقدمہ

دعویٰ سروس اپیل

جرم

سہ 2ء متجانب
لطیف شاہ بنام گورنمنٹ

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام سیٹاور

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے کی تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال ڈوٹی اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر چاہے التوائے مقدمہ ہوں گے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

لطیف شاہ

المرقوم 18 ماہ 05 2023ء

العبد د گ واہ العبد

کے لئے منظور ہے۔

مقام سیٹاور

Handwritten signatures and stamps, including a date stamp: 6345-1983 213