

11.05.2023

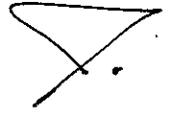
Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Khan, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 09.06.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED!
KPST
Peshawar



(Muhammad Akbar Khan)
Member (E)



(Salah-ud-Din)
Member (J)

Naeem Amin

28th March, 2023

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 30.03.2023 before the D.B. Parcha Peshi given to the parties.

(Salah-ud-Din)
Member (J)

(Kalim Arshad Khan)
Chairman

30th Mar, 2023

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

Learned counsel for the appellant seeks adjournment. To come up for arguments on 11.05.2023 before D.B. P.P given to the parties.

(Salah Ud Din)
Member (Judicial)

(Kalim Arshad Khan)
Chairman

SCANNED
KPST
Peshawar

08.11.2022

Mr. Anwar Shah Advocate for the appellant present.

Naseer Ud Din Shah learned Assistant Advocate General for the respondents present.

On preceding date learned counsel for the appellant had requested for production of Wakalatnama which was submitted today and placed on file. Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Last chance is given. To come up for arguments on 26.12.2022 before D.B.

SCANNED
KPST
Shahwar


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

26-12-2022

Due to winter vacation, the case is adjourned to 28-3-23 Bofob the same.


Reader

30.08.2022

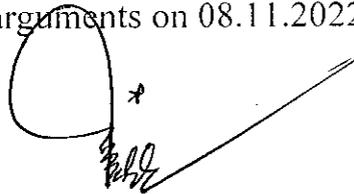
Bench is incomplete, therefore, case is adjourned to 27.10.2022 for the same as before.


Reader

27.10.2022

Mr. Anwar Shah, Advocate, for the appellant present: Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Mr. Anwar Shah, Advocate submitted memo of appearance with the request that he will submit Wakalatnama on behalf of the appellant on the next date. He also sought adjournment on the ground that he has not gone through the brief of the instant appeal. The appeal in hand pertains to the year 2014, therefore, last opportunity is granted. Adjourned. To come up for submission of Wakalatnama as well as arguments on 08.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



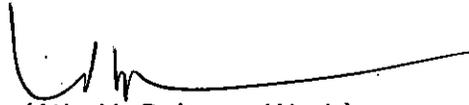
(Salah-Ud-Din)
Member (J)

SCANNED
BY
M. A. KHAN
08/11/2022

14.12.2021

Mr. Taimur Ali Khan, Advocate for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Sultan Shah, Superintendent for 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 before the D.B on 18.02.2022.


(Atiq Ur Rehman Wazir)
Member (E)


(Salah-ud-Din)
Member (J)

18-2-22

*Due to Retirement of the Honble Chairman
The case is adjourned to come up for the
Same as before on 9-6-22*

*Spokes
Reader*

09.06.2022

Clerk of learned counsel for the appellant present. 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 not available today due to strike of lawyers. Adjourned. To come up for arguments on 30.08.2022 before the D.B.

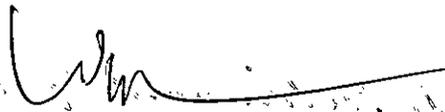

(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

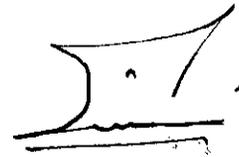
05.07.2021

Mr. Taimur Ali Khan, junior of learned counsel for the appellant present. Mr. Usman Ghani, District Attorney for the respondents present.

Junior of learned counsel for the appellant is again requesting for adjournment on the ground that learned counsel for the appellant is busy before the august Supreme Court of Pakistan. Adjourned. To come up for arguments on 04.08.2021. As this is an old appeal, therefore, learned counsel for the appellant make sure his appearance on the next date.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

04.08.2021

Junior to counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Zar Muhammad Assistant for respondents present.

Former made a request for adjournment as senior counsel is not available today. Request is acceded. To come up for arguments on 14.12.2021 before D.B.



(Atiq-Ur-Rehman Wazir)
Member (E)



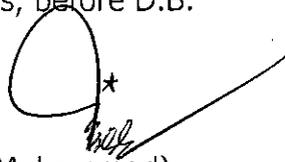
(Rozina Rehman)
Member (J)

26.01.2021

Nemo for appellant.

Muhammad Rasheed learned Deputy District Attorney for respondents present.

Notice be issued to appellant/counsel for 06.04.2021 for arguments, before D.B.



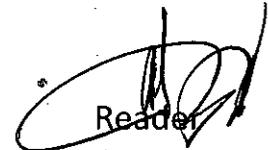
(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

06.04.2021

Due to demise of Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned to 08.06.2021 for the same.



Reader

08.06.2021

Mr. Taimur Ali Khan, Advocate, junior of learned counsel for the appellant present. Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant submitted application for adjournment on the ground that learned counsel for the appellant is busy before the worthy Peshawar High Court, Peshawar and in this respect, an application for adjournment alongwith copy of Cause List also submitted by junior of learned counsel for the appellant. Adjourned. To come up for arguments before the D.B on 05.07.2021. Being an old case, learned counsel for the appellant shall make sure his appearance before the Tribunal on the date fixed.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

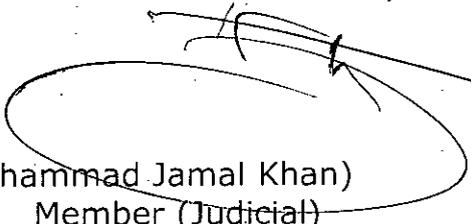


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

11.09.2020

Appellant has not forth come at the moment and call was made at 2:15 P.M. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondent is present. Notice be issued to appellant and his respective counsel for 11.11.2020. File to come up for arguments before D.B.


(Attiq-ur-Rehman)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

11.11.2020

Junior to counsel for appellant present. Mr. Kabirullah Khattak learned Additional Advocate General ~~on with Razi J.C~~ for respondents present.

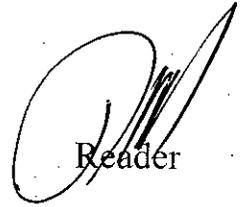
The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.


(Atiq-ur-Rehman Wazir)
Member (E)


Chairman

17.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.07.2020 before D.B.



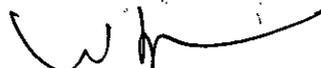
Reader

17.07.2020

Nemo for appellant.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Preceding date was adjourned on the strength of Reader's note, therefore, notice be issued to appellant and his counsel for 29.07.2020 before D.B.



(Attiq ur Rehman)
Member (E)



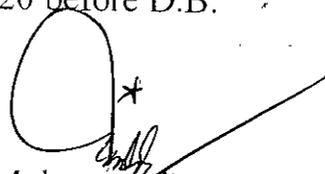
(Rozina Rehman)
Member (J)

29.07.2020

Counsel for appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Learned counsel for appellant requested for adjournment. Adjourned. To come up for arguments on 11.09.2020 before D.B.



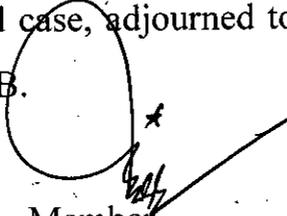
(Mian Muhammad)
Member (E)

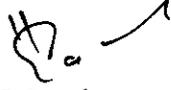


(Rozina Rehman)
Member (J)

14.02.2020

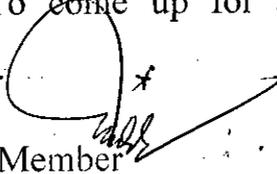
Salim Khan as attorney of the appellant on behalf of appellant present. Junior to counsel for the appellant and Mr. ~~Zia Ullah~~ learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment on the ground that senior learned counsel for the appellant has gone to august Supreme Court of Pakistan. Being an old case, adjourned to 17.02.2020 for arguments before D.B.


Member


Member

17.02.2020

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney present., Learned counsel for the appellant seeks adjournment. Adjourned To come up for arguments on 09.03.2020 before D.B.


Member


Member

09.03.2020

Salim Khan as attorney of the appellant on behalf of appellant present. Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not available. Adjourn. To come up for arguments on 17.04.2020 before D.B.


Member

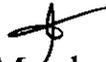

Member

19.09.2019

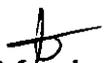
Junior to counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments alongwith another service appeal filed by the appellant, on 30.09.2019 before D.B.

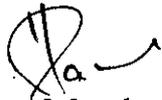
30.09.2019

Due to general strike of the bar, the case is adjourned to 12.12.2019 before D.B.


Member


Member


Member


Member

12.12.2019

Junaid Gul Attorney of the appellant on behalf of appellant present. Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 17.01.2020 before D.B.


Member


Member

17.01.2020

Junaid Gul attorney of the appellant on behalf of appellant present. Lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Learned Member (Executive) is not available. Adjourned for 14.02.2020 before D.B.


Member

17.05.2019

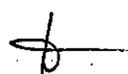
Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Muhammad Arif, Superintendent for the respondents present.

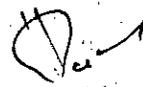
Due to demise of his father, learned Member of the Bench (Mr. Hussain Shah) is on leave. Adjourned to 25.06.2019 for arguments before the D.B.


Chairman

25.06.2019

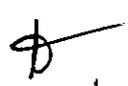
Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 26.08.2019 before D.B.

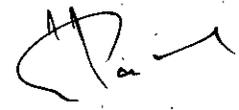

Member


Member

26.08.2019

Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike on the call of Peshawar Bar Association. Adjourn. To come up for arguments on 19.09.2019 before D.B.


Member


Member

15.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 04.01.2019.


READER

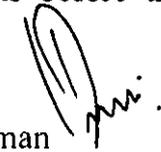
04.1.2019

Mr. Taimur Ali Shah, Advocate for Mr. Muhammad Asif Yousafzai, Advocate and Mr. Ziaullah, Deputy District Attorney alongwith Muhammad Arif, Superintendent for the respondents present.

Learned counsel for the appellant states that learned senior counsel for the appellant is appearing before the Apex Court, Islamabad today, therefore, requests for adjournment.

Adjourned to 13.3.2019 for arguments before the D.B.


Member


Chairman

13.03.2019

Junior to counsel and Addl. AG for the respondents present.

Request for adjournment is made due to engagement of learned senior counsel for the appellant before the Apex Court, Islamabad today.

Adjourned to 17.05.2019 before the D.B.


Member


Chairman

24.05.2018

Clerk of the counsel for appellant and Addl: AG for the respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 17.07.2018 before D.B.



(Muhammad Amin Khan Kundi)
Member

17.07.2018

Learned counsel for the appellant and Mr. Muhammad Jan; Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 06.09.2018 before D.B.



(Ahmad Hassan)
Member



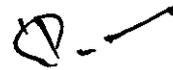
(Muhammad Hamid Mughal)
Member

06.09.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 05.10.2018 before D.B.



(Muhammad Amin Kundi)
Member



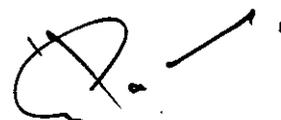
(Muhammad Hamid Mughal)
Member

05.10.2018

Learned counsel for the appellant and Mr. Kabirullah Khattak learned AAG present. Learned counsel for appellant seeks adjournment. Adjourned. To come up for arguments on 15.11.2018 before D.B.



(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member

10.11.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Counsel for the appellant requested for time to file rejoinder. Adjourned. To come up for rejoinder and arguments on 22.03.2017.


(MUHAMMAD AAMIR NAZIR)
MEMBER


(PIR BAKHSH SHAH)
MEMBER

22.03.2017

Counsel for the appellant and Addl. AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 04.07.2017 before D.B.


(AHMAD HASSAN)
MEMBER

17.01.2018

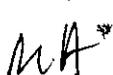
Clerk to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Clerk to counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 22.03.2018 before D.B


(Gul Zeb Khan)
MEMBER


(Muhammad Hamid Mughal)
MEMBER

22.03.2018

Learned counsel for the appellant and Learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 24.05.2018 before D.B


(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

07.01.2016

Counsel for the appellant and Mr. Sultan Shah, Assistant
alongwith Mr. Usman Ghani, Sr.GP for respondents present. Written
reply not submitted despite extension of last opportunity and cost of
Rs. 1000/-. One more opportunity is granted at further cost of Rs.
2000/- which are to be paid by the respondents from their own
pockets. To come up for written reply/comments and cost of Rs.
3000/- on 1.3.2016 before S.B.


Chairman

01.03.2016

Counsel for the appellant and Mr. Sultan Shah, Assistant
alongwith Addl: A.G for respondents present. Para-wise comments on
behalf of respondents submitted. Cost of Rs. 3000/- paid and receipt
thereof obtained. The appeal is assigned to D.B for rejoinder and final
hearing for 22.6.2016.

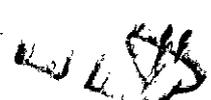

Chairman

22.06.2016

Clerk to counsel for the appellant and Mr. Ziaullah, GP for
respondents present. Clerk to counsel for the appellant requested for
time to file rejoinder. To come up for rejoinder/arguments on
10.11.2016.


Member


Member



14.07.2015

Counsel for the appellant and Mr. Muhammad Ayaz, Senior Clerk, alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 26.8.2015 before S.B.


Chairman

26.08.2015

Agent of counsel for the appellant and Mr. Mukhtiar Ali, Supdt. alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 24.11.2015 before S.B.


Chairman

24.11.2015

Agent of counsel for the appellant, M/S Sultan Shah, Assistant and Mukhtiar Ali, Supdt. alongwith Addl: A.G for respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity is extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 7.1.2016 before S.B.


Chairman

01.04.2015

Counsel for the appellant present. Requested for adjournment. Last opportunity granted. To come up for preliminary hearing on 17.4.2015 before S.B.


Chairman

17.04.2015

Counsel for the appellant present. Learned counsel for the appellant argued that due to certain departmental enquiry appellant was dismissed from service on 26.07.2010 and there-after vide impugned letter dated 29.09.2011 appellant was directed to pay an amount of Rs. 6,50,000/- in respect of a Government Vehicle stolen from one Babar Khan. That since the appellant was dismissed from service as such he instituted Civil Suit which was returned to the appellant under order 7 rule-10 CPC for want of jurisdiction on 01.04.2014 available at page 25-26 where-after appellant preferred departmental appeal on 21.04.2014 which was not responded and hence the instant service appeal on 18.08.2014.

That the appellant was neither subjected to any enquiry nor associated with any such enquiry conducted regarding the vehicle and that he is obliged to pay the amount in respect of the claim of the car having no concerned with the same.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 14.07.2015 before S.B. Notice of stay application be also issued for the date fixed.


Chairman

Appellant Denied
Security & Process Fee



14.10.2014

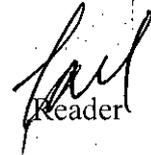
Counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 05.12.2014.


Member

Reader Note:

05.12.2014

Clerk to counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 10.02.2015 for the same.


Reader

10.02.2015

None present for appellant. Due to strike of the Bar, case is adjourned for preliminary hearing before S.B to 26.02.2015.


Chairman

26.02.2015

Counsel for the appellant present. Learned counsel for the appellant seeks adjournment. Adjourned to 01.04.2015 for preliminary hearing before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1106/2014

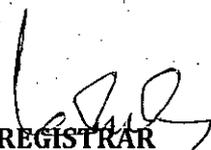
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03/09/2014	<p>The appeal of Mr. Muhammad Rahim Khan resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	4-9-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>14-10-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Rahim Khan son of Muhammad Tariq Khan received today i.e. on 18.08.2014 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be annexed serial wise as mentioned in the memo of appeal.
- 2- Annexures of the appeal may be page marked.
- 3- Annexures of the appeal may be attested. ✓
- 4- The documents shown in the index of the appeal at serial No. 2, 3 & 5 to 09 are not attached with the appeal which may be placed on it.

No. 1223 /S.T,

Dt. 19/8 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M.Asif Yousafzai Adv. Pesh.

Sir.

1. Annexure attached with the appeal are arranged serial wise.
2. Annexures of appeal are properly marked.
3. Annexure are attested now.
4. The index of appeal is corrected according to page no. and annexures.

Re-submitted
Am. Jai

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1106 /2014

Muhammad Rahim Khan

V/S

Chief Secretary & others:

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6.	Reply dated 22.03.2012 of the appellant to the Letter/Order No. SO (EI)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012	D	13-14
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THROUGH:

APPELLANT


M. ASIF YOUSAFZAI


&
TAIMUR ALI KHAN

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. /2014

**Mr. Muhammad Rahim Khan S/O Muhammad Tariq Khan,
Resident of 15-D, Old Jamrud Road,
University Town, Peshawar.**

(APPELLANT)

VERSUS

- (1) Government of KPK through Chief Secretary of the Province.**
- (2) Secretary Government of KPK, Establishment Department.**
- (3) Secretary Govt. of KPK, Administration Department.**
- (4) Senior Member Board of Revenue, Khyber Pakhtunkhwa.**
- (5) Section Officer (Transport), Administration Department.**

(RESPONDENTS)

APPEAL UNDER SECTION-4 OF THE SERVICES TRIBUNAL ACT 1974 AGAINST LETTER/ORDER NO. SO(E-I)E&AD/9-128/2011(VEH: NO. 4156) DATED 29TH SEPTEMBER 2011 and LETTER/ORDER NO. SO(E-I)E&AD/9-128/2011(VEH: NO. 4156) DATED 20TH MARCH 2012, WHEREBY, THE PENALTY TO MAKE PAYMENT OF RS. 6,50,000/- IN RESPECT OF GOVERNMENT VEHICLE WHICH HAD BEEN ALLOTTED AND THEN STOLEN/SNATCHED FROM ONE MR. BABAR KHAN S/O SAREER MUHAMMAD KHAN RESIDENT OF DISTRICT MARDAN, AND AGAINST NOT TAKING ANY ACTION ON THE REPRESENTATION OF APPEALANT WITHIN STATUTORY PERIOD.

R. SHEWETH:

- 1. That the appellant is a graduate and appeared in the Provincial Civil Services Examination and was selected as Section Officer in 1990.**
- 2. That the appellant again appeared in the Provincial Civil Services Examination in 1993 and achieved 1st Position in the entire Province.**
- 3. The appellant was then selected as Extra-Assistant Commissioner/Magistrate on merit.**
- 4. That the appellant has served on various fields and Secretariat postings including Assistant Political Agent, Batkhela Malakand Agency, Assistant Political Agent, Dargai Malakand Agency, Assistant Political Agent, FR Bannu, Administration Officer PUIDB, Budget Officer-IV**

Finance Department, District Officer (Revenue & Estate) Mardan, Secretary Board of Revenue NWFP, Assistant Chief (Social Sector) Planning & Development Department, Assistant Chief (SDU) Planning & Development Department, Deputy Secretary (Admn) Administration Department, Deputy Secretary (PBMC) Administration Department, Director (Protocol) NWFP and Additional Secretary (Admn) Administration Department.

5. The appellant has performed his duties diligently to the entire satisfaction of his superiors and has earned no adverse entries in his ACRs/PERs till date.

6. Letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011, and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 and duly received by the appellant are based on malafide, incorrect information and are totally baseless. (ANNEX-A, B) AC

7. The above captioned letters dated 29.09.2011 and 20.03.2012 have been duly answered by the appellant vide his letters dated 06.10.2011 (through TCS Courier Service No. 4703777346, 4703777347 and 4703777345) and 22.03.2012 respectively addressed to the Section Officer (E-I) Establishment Department with copies to the Chief Minister KP, Chief Secretary KP, Secretary Administration Department KP and Section Officer (Transport) Administration Department (copies are attached as Annexure-C & D).

8. That as the appellant was already removed from service on 26.07.2010; therefore, after receiving the letters of recovery, the appellant filed Civil Suit in the Court of Civil Judge, Peshawar. The respondent Department during the pendency of that Suit filed an application under Order-7, Rule-11 CPC for rejecting plaint because the action of allotment pertained to the period when the appellant was in active service of Government. Thus, that application was allowed by the learned Civil Judge for approaching proper forum. (ANNEX-E, F, G, H) AC

9. That after the order of the learned Civil Judge dated 01.04.2014 and to meet the requirements of Section-4, the appellant made a Departmental Appeal against the letter/order No. SO(E-I)E&AD/9-128/2011(Veh: No. 4156) dated 29th September 2011 on 21.04.2014 which was duly received in the office of the Chief Secretary vide diary no. 3992 dated 21.04.2014 (Annex-I).

* BUT DESPITE THE LAPSE OF STATUTORY PERIOD, NO REPLY HAS BEEN RECEIVED TO THE APPELLANT BY THE DEPARTMENT SO FAR.

6 GROUNDS:

- (A) That the impugned orders of letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 & letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 are against law, facts, material on record and norms of justice. Hence, liable to be set aside.
- (B) That the appellant has not been treated according to law and rules and the Respondents have violated the whole procedure, mentioned in various sections of the Removal from Service Ordinance 2000/E&D Rules, 2011.
- (C) That the Competent Authority has not offered the reasonable opportunity of personal hearing to the appellant.
- (D) Thus, the Respondents have violated the basic principles of law and justice. THAT THE WHOLE ACTION WAS TAKEN ON A FACT FINDING INQUIRY CONDUCTED AT THE BACK OF THE APPELLANT. THUS THE WHOLE PROCEEDINGS AND RECOVERY ORDERS ARE NULLITY IN THE EYES OF LAW.
- (E) That by not affording to the appellant a fair, reasonable chance of hearing and defending himself, the authority has violated the principles of natural justice "AUDI ALTERAM PARTER". All the requirements as per law were not observed by the inquiry committee.
- (F) That the provision of the NWFP Civil Servants Act 1973, read with NWFP (E&D) Rules along with Section-5 of the Ordinance 2000 have been blatantly and vulgarly violated in connection with holding and taking of inquiry proceedings against the appellant.
- (G) The same needed to have been proved by recording the evidence of the witnesses, bringing on record defence of the appellant and the appellant should also have been provided an opportunity of personal hearing with the Competent Authority, but all these requirements of law were not observed.
- (H) The inquiry committee has wrongly placed reliance on the exculpatory statement of the Transport Section because if fair, thorough probe into the matter would have been conducted through fair, honest and God fearing inquiry officer; only then the matter would have been properly thrashed out for getting at the truth. As a matter of fact all the allegations levelled against the appellant are based on surmises, conjectures; finding of guilt cannot be based, merely on the high probabilities; it shall rest surely and firmly on the evidence of guilt. Mere conjectures and probabilities cannot take the place of proof which is totally lacking in the instance case.

The whole case was cooked up against the appellant in a doubtful, baseless, false and fake manner from the very outset. Actually the whole material produced and collected against the appellant is bristling with doubtful circumstances leading to the inference that he has been made a scapegoat for no fault on his part. (ANNEX J)

- (I) That right from day one, the interested authorities, with ulterior motives, tried to manufacture false, fake and fictitious record in order to malign and involve the appellant in a false case.
- (J) That not a single independent and disinterested witness was examined in support of the allegations levelled against the appellant nor was any documentary proof collected against him.
- (K) That no inquiry report was provided to the appellant because he was oblivious to the fact that an Inquiry was taking place against him and he had also NOT been given a statement of allegation which effected the right of defence of the appellant because non-supply of Inquiry Report to the appellant in order to reply to the Establishment Department letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011, and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 is against the norms of natural justice and a travesty of law. The appellant's request to provide Inquiry Report by the Establishment Department was also turned down and ignored by the Establishment Department.
- (L) The statements of the persons from the Transport Section were used as a base for penalty is against law; rather it is a travesty of justice due to the absence of the appellant in the inquiry proceedings. The same can be proved that the statements of the other co-accused were neither recorded in the presence of the appellant nor was he given an opportunity by the inquiry committee to cross-examine them. Thus, the appellant was not associated with the inquiry proceedings from the very start and it was conducted in his absence, rather it would be appropriate to state that the inquiry proceedings were conducted behind his back.
- (M) The Competent Authority for the appellant is the Chief Minister of the Province but the same was not communicated by the inquiry committee to the appellant, which is violation of Section-5 (I) (A) of RSO-2000 and the impugned orders have not been signed by the Competent Authority which is violation of the law and Rules of Business.

- (N) That the impugned orders have been passed without giving notice to the appellant to appear before the inquiry committee or an opportunity to plead his case which proves the malafide on the part of the Authorities.
- (O) Most profoundly, it is submitted that I was posted as Additional Secretary Administration Department in 2009, but unfortunately, I was removed from service vide Notification No. SO(E-I)E&AD/9-128/2010 dated 26.07.2010.

Being no longer a civil servant; the Establishment Department passed an order on 29.09.2011 and 20.03.2012 through which the appellant was directed to make the payment of Rs. 6,50,000/- in respect of Government vehicle which had been allotted and then stolen/snatched from one Mr. Babar Khan S/O Muhammad Sareer Khan resident of District Mardan.

- (P) As is evident from the order of the Civil Court dated 01.04.2014 by the learned Civil Judge Peshawar, Paras-9 & 10 have categorically directed the appellant to approach the Khyber Pakhtunkhwa Services Tribunal for the redressal of grievances of the appellant.
- (Q) Thus in compliance with the order of the learned Civil Judge Peshawar and to meet the requirements under Section-4 of the Khyber Pakhtunkhwa Services Tribunal, the appellant submits the following appeal against the recovery vide Order No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012.
- (R) (i) That the appellant never passed any order for the handing over of the said stolen/snatched vehicle from one Mr. Babar Khan S/O Muhammad Sareer Khan resident of District Mardan nor any order or signature of the appellant exists on the handing and taking over proforma. THIS FACT CAN BE ASCERTAINED FROM PARA-B OF THE RECOMMENDATION OF THE INQUIRY REPORT, WHEREIN, THE INQUIRY OFFICER CLEARLY AND CATEGORICALLY STATES THAT "A PROBE IS ALSO REQUIRED TO ASCERTAIN THE GENUINNESS OF THE PROFORMA PRODUCED BY THE EX-SECTION OFFICER

(TRANSPORT) AND THE TRANSPORT SECTION KEEPING IN VIEW THE POSITION EXPLAINED ABOVE".

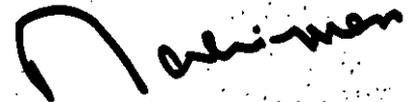
(ii) SIMILARLY, PARA-2 OF THE FINDINGS OF THE INQUIRY PROCEEDINGS STATES CATEGORICALLY "IT MAY BE NOTED THAT THE HANDING TAKING OVER PROFORMA WHICH WAS SIGNED BY THE THEN SECTION OFFICER TRANSPORT MR. AMIR MUHAMMAD DURRANI AND WHICH WAS PRODUCED WITH HIS STATEMENT AND THE SAME PROFORMA PRODUCED BY THE SECTION OFFICER TRANSPORT ARE AT VARIANCE AT THE POINT OF HANDING OVER OF THE VEHICLE THAT THE SAME WAS HANDED OVER TO MR. BABAR KHAN, CHIEF MINISTER'S HOUSE WHILE THE FORMER ALLEGED THAT THE SAME WAS HANDED OVER TO MR. BABAR KHAN, RESIDENT OF CANTT BAZAR MARDAN ON THE DIRECTION OF THE THEN ADDITIONAL SECRETARY (ADMN) ADMINISTRATION DEPARTMENT. THIS FACT NEEDS FURTHER PROBE".

- (S) That the recovery orders vide letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 & letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 comes under the definition of a penalty which has been passed on the fact finding inquiry without conducting any regular inquiry, which is not tenable in the eyes of law because the penalty order cannot be passed on the basis of fact finding inquiry.**
- (T) Astonishingly, the inquiry conducted by the inquiry officer vide letter No. SO(E-I)E&AD/9-128/2010 dated 05.11.2010 and the inquiry proceedings as per report of the inquiry officer were initiated and all the concerned persons in the case were issued letters dated 03.01.2011 and 01.02.2011 to attend the inquiry proceedings on 11.01.2011 and 07.02.2011 has very conveniently ignored to send a Notice to the appellant to join the inquiry proceedings in order to defend himself.**
- (U) THAT THE INQUIRY WAS CONDUCTED, IN THE APPELLANT'S ABSENCE, WHEREAS NEITHER A CHARGE SHEET, NOR A STATEMENT OF ALLEGATIONS WERE ISSUED TO THE APPELLANT NOR THE APPELLANT WAS EVER ASSOCIATED WITH THE INQUIRY PROCEEDINGS THROUGH NOTICE FROM THE INQUIRY OFFICER SO AS TO ENABLE TO DEFEND HIMSELF, TANTAMOUNTS AGAINST THE PRINCIPLES OF NATURAL JUSTICE I.E. "AUDI ALTERAM PARTEM". Astonishingly, the Inquiry Officer on the one hand recommends a regular inquiry against the appellant through some senior officer in Para-A of his recommendations while on the other hand in Para-F of his recommendations, the inquiry officer recommends recovery from**

the appellant and that too without digging out the real facts and actual position through a proper regular inquiry.

APPELLANT SEEKS PERMISSION TO ADVANCE OTHER GROUNDS AND PROOFS AT THE TIME OF HEARING.

It is, therefore, most humbly requested that on acceptance of this appeal; the August Court may be pleased to declare the Establishment Department's letter/order No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011, and letter/order No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 being illegal and without lawful authority and of no legal effect and the same may please be set-aside.



Appellant Through



(M. ASIF YOUSAFZAI)
Advocate,
High Court, Peshawar

Dated: _____/2014.

Appeal No. _____ /2014

**Mr. Muhammad Rahim Khan S/O Muhammad Tariq Khan,
Resident of 15-D, Old Jmarud Road,
University Town, Peshawar.**

(APPELLANT)

VERSUS

- (1) Government of KPK through Chief Secretary of the Province.**
- (2) Secretary Government of KPK, Establishment Department.**
- (3) Secretary Government of KPK, Administration Department.**
- (4) Senior Member Board of Revenue, Khyber Pakhtunkhwa.**
- (5) Section Officer (Transport), Administration Department.**

(RESPONDENTS)

**Subject: - APPLICATION FOR SUPSENDING THE OPERATION OF THE
IMPUGNED RECOVERY ORDER NO. SO(E-I)E&AD /9-128/2011 (VEH:
NO. 4156) DATED 29TH SEPTEMBER 2011 AND ORDER NO.
SO(E-I)E&AD/9-128/2011(VEH: NO. 4156) DATED 20TH MARCH 2012 TILL
THE DISPOSAL OF MAIN APPEAL.**

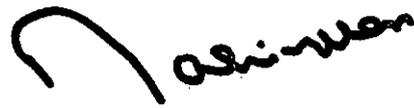
R.SHEWETH:

- 1. That the appellant has filed an appeal along with this application in which no date has been fixed so far.**
- 2. That the appellant has a good prima facie case and all the ingredients are in favor of the appellant.**
- 3. That the ground of main appeal may also be integral part of this application.**
- 4. That if the impugned order has not been suspended, then the appellant would suffer mental torture.**
- 5. That the impugned order has been passed by the respondent, which is illegal and violation of rules.**

6. That the Order No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29th September 2011 and Order No. SO (E-I)E&AD/9-128/2011(Veh: No.4156) dated 20th March 2012 has been passed in violation of natural justice and principles of fair play in which recovery has also been imposed upon the appellant.

It is, therefore, most humbly prayed that the recovery Order No. SO(E-I)E&AD/9-128/2011(Veh: No.4156) dated 29th September 2011 and Order No. SO(E-I)E&AD/9-128/ 2011(Veh: No. 4156) dated 20th March 2012 may be suspended till the disposal of main appeal. Any other remedy which this August Tribunal deems fit may also be awarded in favor of appellant.

APPELLANT



MUHAMMAD RAHIM KHAN

THROUGH



(M.ASIF YOUSAFZAI)

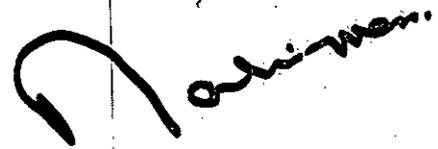
Advocate,

High Court, Peshawar

Dated: _____/2014.

AFFIDAVIT:

It is affirmed and declared that the contents of the above application are true and correct to the best of my knowledge and belief.



DEPONENT

CONFIDENTIAL



~~SECRET~~

A 10

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT

NO. SO (E-1)E&AD/9-128/2011(Veh. No. 4156)
Dated Peshawar the 29th September, 2011.

To

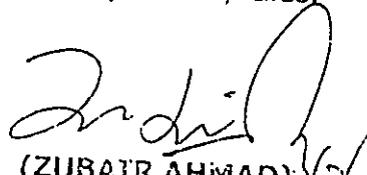
Mr. Muhammad Rahim Khan,
Ex-Additional Secretary (Admn),
Administration Department,
R/O H. No. 15-D, Old Jamrud Road,
University Town, Peshawar.

Handwritten signature and initials

Subject: - RECOVERY OF VALUE OF SNATCHED VEHICLE NO. 4156

I am directed to refer to the subject cited above and to state that during your posting as Additional Secretary (Admn) Administration Department you have handed over the subject vehicle to an unauthorized person namely Mr. Baber Khan. The said vehicle was snatched from the unauthorized allottee in the premises of Police Station Agha Mirjani, Peshawar. Now on submission of the recommendations of inquiry officer, the competent authority has been pleased to order recovery of market value of the vehicle at the time of its theft (i.e. 09.5.2009). The Market value of the said vehicle assessed by M/S Toyota Frontier (Pvt.) Ltd. Peshawar to be Rs. 6,50,000/- (Rupees sixty lac fifty thousands).

2. Your are therefore, directed to deposit Rs. 6,50,000/- (Rupees sixty lac fifty thousands) in the Government Exchequer within fifteen (15) days positively failing which action will be taken against you as per Law/rules.


(ZUBAIR AHMAD)
SECTION OFFICER (ESTT. I)
PH: & FAX NO. 091-9210529

ENDST: NO. & DATE EVEN:

Copy forwarded to the PS to Secretary to Government of Khyber Pakhtunkhwa Administration Department.

SECTION OFFICER (ESTT. I)
PH: & FAX NO. 091-9210529

CONFIDENTIAL

B

11

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT

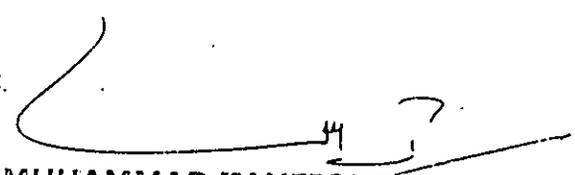
No. SO (E-I) E&AD/9-128/2011 (Veh.No.4156)
Dated Peshawar, the March 20th, 2012

To

Mr. Muhammad Rahim Khan,
Ex-Additional Secretary (Admn),
Administration Department,
R/O H. No. 15-D, Old Jamrud Road,
University Town, Peshawar.

Subject:- RECOVERY OF VALUE OF SNATCHED VEHICLE NO. 4156.

I am directed to refer to this Department's letter of even number dated 29.09.2011 on the subject noted above and to state that you are once against directed to deposit Rs. 6,50,000/- (Rupees Six Lac Fifty Thousands) in the Government Exchequer within fifteen days positively failing which action will be taken against you as per law/rules.


(MUHAMMAD TAUFIQUE)
SECTION OFFICER (E-I)
PH: & FAX # 091/9210529



Mr. Zubair Ahmed,
Section Officer (Establishment-I),
Establishment Department.

Subject: - RECOVERY OF VALUE OF SNATCHED VEHICLE NO. 4156.

Reference your letter No. SO(E-I)E&AD/9-128/2011(Veh. No. 4156) dated 29 September, 2011 on the subject noted above.

In this connection it is submitted as under: -

1. Vehicle No. 4156 was never on my charge, hence, the question of handing the same vehicle over to authorized or unauthorized persons by me does not arise.
2. Kindly peruse letter No. SOT(AD)CT(T)/2009 dated 04.12.2009, wherein, clarification of Handing-Taking Proforma of Allotted/Received Vehicles has been explained comprehensively. The same will be available with the Transport Section, Administration Department.
3. NO PERSON BY THE NAME OF MR. BABAR KHAN IS KNOWN TO ME.
4. I am totally unaware, that an inquiry was held in this case, because neither was I summoned to give a statement in the said inquiry nor I was associated with the inquiry proceedings in any way.
5. There is a definite and well defined procedure for allotment of Government vehicles and entitlement thereto. However, your letter is silent as to who and when the vehicle in question was allotted to Mr. Babar Khan and on the basis of what entitlement viz a viz him.

In the above circumstances, your letter under reference is uncalled for, having no legal/moral backing; hence, the same may kindly be withdrawn under intimation to the undersigned.

(Muhammad Rahim Khan)
15-D, Old Jamrud Road,
University Town, Peshawar.

Copies are forwarded to: -

- (i) PSO to the Honorable Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- (ii) PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- (iii) PS to the Secretary Administration Department, Khyber Pakhtunkhwa, Peshawar.

Through TCS Courier Service

Dated Peshawar the 22nd March, 2012.

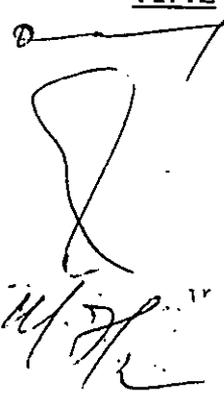
To,

Mr. Muhammad Taufique,
Section Officer (Establishment-I),
Establishment Department.

Subject: - RECOVERY OF VALUE OF SNATCHED VEHICLE NO. 4156.

Reference your letter No. SO(E-I)E&AD/9-128/2011(Veh. No. 4156) dated 20th March, 2012 on the subject noted above and in order to further refresh your memory; my letter dated 06th October, 2011 addressed to Mr. Zubair Ahmed, Section Officer (Establishment-I), Establishment Department is reproduced as given below:-

2. In this connection it is submitted ONCE AGAIN AND FOR THE FINAL TIME as under: -

- 
- (a) Vehicle No. 4156 was never on my charge, hence, the question of handing the same vehicle over to authorized or unauthorized persons by me does not arise.
- (b) Kindly peruse letter No. SOT(AD)CT(T)/2009 dated 04.12.2009, wherein, clarification of Handling-Taking Proforma of Allotted/Received Vehicles has been explained comprehensively. The same will be available with the Transport Section, Administration Department.
- (c) NO PERSON BY THE NAME OF MR. BABAR KHAN IS KNOWN TO ME.
- (d) I am totally unaware, that an inquiry was held in this case, because neither was I summoned to give a statement in the said inquiry nor I was associated with the inquiry proceedings in any way.
- (e) There is a definite and well defined procedure for allotment of Government vehicles and entitlement thereto. However, your letter is silent as to who and when the vehicle in question was allotted

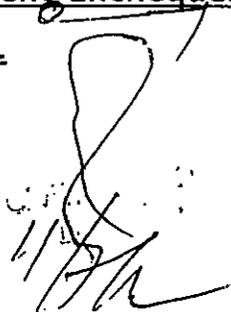
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to Mr. Sabar Khan and on the basis of what entitlement viz a viz him.

3. In the above circumstances, your letter under reference is uncalled for, having no legal/moral backing; hence, the same may kindly be withdrawn under intimation to the undersigned. This is to state further that the undersigned was posted as Deputy Secretary (Admn) Administration Department and I was not holding the charge of Secretary Administration or Section Officer (Transport) who were/are responsible for allotment of Government vehicles.

4. It is for your information and guidance, that as per proforma record, the quarter concerned may be contacted/approached for the recovery of the said vehicle. ALSO, I WOULD BE GRATEFUL IF A COPY OF THE PROFORMA RECORD IS PROVIDED TO ME IN ORDER TO ASCERTAIN THE FACTUAL POSITION.

5. This is also to state further that in case, of further maligning of my reputation or of giving false allegations against me without any solid legal grounds; the undersigned would undoubtedly knock the doors of the Courts of Justice against the concerned. Hence, you are requested for the final time, to provide me solid proof, wherein, the said vehicle has been allotted by me to the person mentioned above before directing me to deposit Rs. 6,50,000/- in the Government Exchequer within 15 days in accordance with prescribed Laws and Rules.


O.K. RM
(Muhammad Rahim Khan)
15-D, Old Jamrud Road,
University Town, Peshawar.

Copies are forwarded to: -

- (i) PSO to the Honorable Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- (ii) Section Officer (Transport), Administration Department.
- (iii) PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- (iv) PS to the Secretary Administration Department, Khyber Pakhtunkhwa, Peshawar.

بسم اللہ تعالیٰ جناب سینیٹر سوات کے محترم صاحب کی خدمت میں

محمد صمیم خان ولد محمد طارق خان مکان نمبر 5-15 ولد محمد عبود ولد محمد
کے پٹا درویش پور سوات ڈاکوٹن..... (درج ذیل)

بنا کر

- 1- پروپنٹیل گورنمنٹ چیئر مین خواتین بزنس سیکلری چیئر مین خواتین
- 2- سینیٹر محمد عبود ولد محمد طارق خان چیئر مین خواتین 01-
- 3- سیکلری محمد طارق خان چیئر مین خواتین 01 اور سینیٹر محمد طارق خان
- 4- سیکلری محمد طارق خان (E-1) گورنمنٹ آف چیئر مین خواتین ایسٹیبلیشمنٹ
- ڈیپارٹمنٹ
- 5- سیکلری محمد طارق خان چیئر مین خواتین 01 اور سینیٹر محمد طارق خان
- ڈیپارٹمنٹ
- 6- ڈسٹرکٹ آفیسر (RSE) ڈسٹرکٹ چارسدا۔

..... (مدعا علیہ)

حذرا دعا ہے کہ بعد از اس وقت سینیٹر سوات کے محترم صاحب کی طرف سے کوئی ایسی بات نہ ہو جس سے اس کی طرف سے کوئی ایسی بات نہ ہو جس سے اس کی طرف سے کوئی ایسی بات نہ ہو

کی جانب سے ارسال شدہ نوٹس فیوچر 2011-9-29

نمبر 4156/2011 VERA NO 128/9-SAD (E-1) E 50

غیر قانونی ہے۔ اور میں یہ بھی کہتا ہوں کہ اس کا اہم ہے جو کہ علما اور

سائنسی طور پر مدعی کو سرکاری کرنے کیلئے ارسال کیا گیا۔ جس کا مدعی

(2)

یہ گنہگار بندہ ذمہ دار نہیں ہے۔ اور ستر قبل میں من مدعی کو بے جا پریشان کرنے اور ہراساں کرنے سے مدعا علیہم کو باز و ممنوع رکھا جاوے۔ اور من مدعی نے گارڈی نمبری A-4156 ماڈل 2005 کسی زبیر نامی شخص کو گارڈی نمبری بالا نیفے دورانے نوٹری الاٹ نہی ہے۔ بلکہ مدعا علیہم نے مدعی کے خلاف ایک سازشی بیان اور بی نام کرنے کے لیے تیار کی ہے۔

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۱۱/۱۲

حزب! حکم امتناعی تاملدی، دواہی جاری کیے جانے میں مدعی نے خلاف مدعا علیہم کو مدعا علیہم من مدعی پر غیر قانونی طوراً الزام لگانے پر نام کرنے، بے جا پریشان کرنے مختلف قسم کے نوٹس جمعوانے اور کسی بھی قسم کی ایگوری غیر قانونی طریقے سے کرنے سے باز و ممنوع تانہ ہلاہ مقدمہ باز و ممنوع

ماعت کے گھبروں کو روک فیڈر واضعاً سماعت خیرہ - 320/2 نو
ماعت کے گھبروں کو روک فیڈر واضعاً سماعت حزب - 254/2 نو

ناتے دعوے سے صد خیرہ تم قبل ہوا انکار مدعا علیہم انڈر ضرورت عدالت حضور ہوا ہوا۔

حزب جمالی - مدعوے حزب ذیل سے طرفہ رسالے سپ

۱۴
 فقیر خندان خواہ کے سہا کے باہر نامی شخص کو غیر قانونی طور پر سے دی ہوگی
 اور اس کی کو عہدہ اس سے بابت آب معلومات وصول ہوگی ہیں۔

8 — یہ کہو مدلی اندر مقیم اور پاکستانی قوانین کا پابند نہیں ہے اور یہ وہاں
 سے روٹ سے کسی قسم کا غیر قانونی کام نہیں کیا ہے۔

9 — یہ کہو حکم دینے والے شخص کی جانب سے سہ ماہی گارڈوں کا اراٹمنٹ صرف
 سہ ماہی آفیسر کو اراٹ کر جانی ہے جو کہ غیر قانونی خواہ حکومت
 کے لیے کام کرتے ہیں اور اس میں سہ ماہی شخص کو گارڈی نہیں جاسکتی

۱۱/۱۲

۱۰ — یہ کہو گارڈی کے ریکورڈ کی رقم سہ ماہی سے درکار ہے لیکن انہوں نے اپنے
 عہدہ کا ناجائز خاتمہ اٹھانے سے پہلے سہ ماہی کو گارڈی غیر قانونی
 طور پر سے دی۔ اور اس قسم کا اراٹمنٹ سہ ماہی کو خود ذریعہ

۱۱ — یہ کہو حالت کے ضمن میں کو روٹ سے، اختیار سماعت متعلقہ خواتین
 بالک سے درست طور پر موجود ہے۔ اور اس سے حضور کو
 اختیار سماعت سے مقرر ہوا حاصل ہے

سید استیلا سے کہ فیروزہ نے سہ ماہی کو غیر قانونی طور پر سے
 سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو
 سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو
 سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو

کندھ
 اس وقت کی جان چکر
 حکم دینے سے سہ ماہی کو
 سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو
 سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو

۱۱/۱۲

سید استیلا سے کہ فیروزہ نے سہ ماہی کو غیر قانونی طور پر سے

سہ ماہی کے بیٹے کو سہ ماہی کے بیٹے کو

بجاء الترخيب في سيرة رسول الله صلى الله عليه وآله وسلم

محمد رضا خان
بنام پیر و پیشانی کورفتند و غیره

در احوال غیر ادجاریه که با حکم امتناعی عارضه در او
بجای سبب امدی بر خلاف مراد علیکم السلام من علی پر
تغییراتی الزامات لغات، بدنام کردن، به جای کشتن کمره مختلف
قسمت که نوشته است بمشور اردنی این قسمی از مهوری هم خوانی طریقی
بسیار کردن به باز و ممنوع تا فصلی مقدمه باز و ممنوع است

۱۱/۱۲

ضابطه عالی -! سائل علی حسب ذیل در رساله سال

۱- سائل سالی امدی که مقدره بنام بالا امدت - صفت و سبب از هر وجودی است
چگونه در رساله سال بودی تا در این صفت و سبب است

۲- سائل سالی امدی که مقدره با تو از سبب است سائل که حق من
وجود است

۳- سائل سالی که مقدره است امدی که حق من در رساله سائل که حق من است
وجود است

۱- بہر سبب کے حق میں اگر حکم امتناعی جاری نہ فرمائی گئی تو سب کو ناقابل طرانی
تقصیر سمجھنا جائز ہے۔

۲- بہر سبب کے حق میں حکم امتناعی جاری نہ کیا گیا تو اس کی قانونی اثر ممانعت ہے۔

سید اسد اللہ نے فریاد دیا کہ عدالت کے حکم امتناعی کے حق میں حکم امتناعی
جاری نہ کیا گیا ہے اس لیے اس کا عدالت سے فریاد کیا گیا۔

11/7/11

الکاتب
شیر علی بھٹو
فرمان ایڈووکیٹ
11/7/11

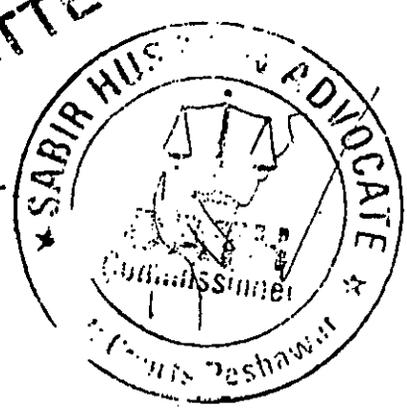
بیان صلح

علف بیان کیا جائے کہ اس کے خلاف فریاد
ہذا امر ہے بلکہ اس کے خلاف فریاد

الکاتب
محمد رفیق خان

M. Nasser

ATTESTED



11/7/11

Before The Court of Civil Judge Keshwar = F (21)

Muhammad Rahim Khan (Plaintiff)

Versus Provincial Govt through Chief Secretary (Defendant)

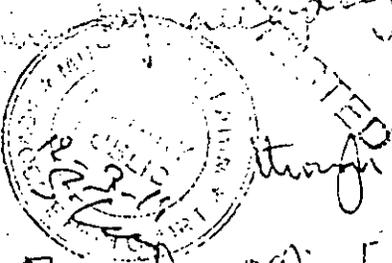
Application for returning the plaint under order Rule 10 & 11

Respectfully sheweth

1. That the above mentioned suit is pending before this Honorable Court in which date is fixed today for legal proceeding.
2. That the plaintiff has been a civil servant and according to section 4 of Service Tribunal Act 1974 and section 2 of civil servant Act 1973, if any civil servant who is aggrieved of any order whether original or appellate, he/she will file appeal against that order in Honorable Service Tribunal.
3. That the impugned notice is issued to plaintiff regarding the period when he was Additional Secretary (Admin).
4. That this Honorable Court lacks jurisdiction to entertain such type of suit.

It is therefore humbly requested to kindly return the plaint to plaintiff with direction to approach the proper forum regarding the application.

Date 12-3-14



Defendant's
Govt Pleader Keshwar

Affiant. The contents of said application are true & correct to the best of my knowledge & belief.
Defendant

BEFORE THE CIVIL JUDGE PESHAWAR.

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Muhammad Rahim Khan.....Plaintiff.

VERSUS

The Chief Secretary KP, etc.....Defendants.

REPLY TO THE APPLICATION UNDER O-7, R-10 CPC.

R.SHEWETH.

PRELIMINARY OBJECTIONS:

- 1- The application is misconceived and not tenable.
- 2- The jurisdiction is a mix question of facts and law which needs evidence.
- 3- That the application is based on malafide intentions to delay the matter as the case has already reached to evidence stage and issues are also being framed.

FACTS:

- 1- No comments.
- 2- Incorrect and misconceived. The plaintiff is no more civil servant since 26.7.2510. And after his removal from service the plaintiff has no links with the Govt: More over the recovery order is not the result of proceeding taken under the law of RSO-2000 and that is why the recovery notices are served on plaintiff through Naib Tehsildar.
- 3- Incorrect and misconceived. Any order passed at the back of plaintiff at a stage when he was no more civil servant, therefore such order is amenable to the Civil Jurisdiction of this august court.

4- Incorrect. The august Court has the jurisdiction to entertain the suit in hand.

It is therefore most humbly prayed that the application in hand may be dismissed with costs through put.

RESPONDENT/PLAINTIFF.

Muhammad Rahim Khan

Through:


M.ASIF YOUSAFZAI
ADVOCATE.

AFFIDAVIT.

It is affirm on Oath that the contents of this reply are true and correct.


DEPONENT.

ATE

H

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Or.....15
01.04.2014.

1. Plaintiff through special attorney present. Respondents through Government Pleader present.
2. My this order meant to the dispose of the application for return of plaint under order 7 rule 10 CPC, filed by the petitioner/ defendants.
3. Learned counsel for petitioner argued that the plaintiff was a Civil Servant and according to Section-IV of the Service Tribunal Act 1974 and Section 16 Civil Servant Act 1973, any Civil Servant aggrieved of any order should file a plea against the said order before the Honorable Service Tribunal. That the notice issued to the plaintiff is regarding the terms and conditions of his service hence the jurisdiction of the court is barred in such matters. That the plaint be returned to the plaintiff to approach the proper forum for the redressal of his grievances if any.
4. Reply to the application submitted by respondents/ plaintiffs.
5. Learned counsel plaintiff argued that plaintiff is no longer a Civil Servant since 26.2.2010. That after removal from service the plaintiff is not bound by the Civil Servants Act as he does not fall within the definition of a Civil Servant. That the notice of recovery was issued to the plaintiff through Naib Tehsildar and was not a result of the proceedings taken under RSO 2000.
6. Arguments heard and record gone through.
7. Perusal of the plaint reveals that the plaintiff seeks declaration and permanent injunction against the defendants to the effect that the notice issued by the defendant No.4 dated 29.9.2012 is illegal and ineffective upon the rights of the plaintiff hence is liable to cancellation and that the plaintiff had never given the car No. A-4150, Peshawar Model 2007 to a person namely Zubair. Copy of the notice annexed with the plaint reveals that the plaintiff was issued notice for recovery of value of vehicle No. 54156 stating

P. J. J. J.

TESTED
S. K. K.
Court Registrar

cont'd 5

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that during his posting as Additional Secretary, Administration Department he had handed over the subject vehicle to an unauthorized person namely Mr. Babar Khan. The letter dated 29.9.2011 states that the competent authority after submission of recommendation the inquiry officer has directed the plaintiff to pay Rs. 650000/- (six lac and fifty thousand) as market value of the said vehicle.

8. The letter issued by the defendant No.4 relates to a service matter and is regarding the time period when the plaintiff was in service. The said letter clearly states that an inquiry had been conducted which found the plaintiff guilty of misconduct.

9. Under Section 40 of the Service Tribunal Act, 1974 any Civil Servant aggrieved of an order passed by the competent authority shall file an appeal against the same before the appellate forum i.e. Service Tribunal.

10. As it is crystal clear from the record available that the present case relates to a matter pertaining to the service of the plaintiff and the letter challenged in the present suit has been issued to the plaintiff after an inquiry hence the plaintiff aggrieved of the order has to approach the Service Tribunal for the redressal of his grievance against the order of the authority. Application under order 7 rules 10 is accepted as this court has got no jurisdiction to entertain the present suit. Plaint is hereby returned to the plaintiff in original along with annexed documents. Moharrir is directed to do the needful.

Handwritten signature in Urdu script.

ATTESTED
By
Chief Court Registrar

✓ Date of Institution: 11.07.2012
✓ Date of return: 01.04.2014
✓ Reason:

**The Chief Minister,
Khyber Pakhtunkhwa,
Chief Minister's Secretariat,
Peshawar.**

**Through Proper Channel
(Chief Secretary, Khyber Pakhtunkhwa)**

PS/O.S Khyber Pakhtunkhwa

Diary No. 3992

Date 21-4-14

*Revised
21-4-14*

**Subject: DEPARTMENTAL APPEAL AGAINST THE ORDER DATED
29.09.2011.**

Dear Sir,

Most profoundly, it is submitted that I was posted as Additional Secretary Administration Department in 2009, but unfortunately, I was removed from service vide Notification No. SO(E-I)E&AD/9-128/2010 dated 26.07.2010.

2. Being no longer a civil servant; the Establishment Department passed an order on 29.09.2011 and 20.03.2012 through which I was directed to make the payment of Rs. 6,50,000/- in respect of Government vehicle which had been allotted and then stolen/snatched from one Mr. Babar Khan resident of District Mardan.

3. Since I was not in service and no more a civil servant, therefore, I filed a Civil Suit No. 170/01 (copy attached for ready reference) but the said Suit was returned to me on 01.04.2014 by the learned Civil Judge, Peshawar to be presented and adjudicated before the Khyber Pakhtunkhwa Services Tribunal.

4. The present inquiry was initiated vide letter No. SO(E-I)E&AD/9-128/10 dated 05.11.2010 ----- when the undersigned was no longer a civil servant because as mentioned in Para-1 above, vide Notification SO(E-I)E&AD/9-128/2010 dated 26.07.2010, I was removed from service and hence I was no longer a civil servant!

5. As is evident from the order of the Civil Court dated 01.04.2014 by the learned Civil Judge Peshawar, Paras-9 & 10 have categorically directed the undersigned to approach the Khyber Pakhtunkhwa Services Tribunal for the redressal of grievances of the undersigned.

6. Thus in compliance with the order of the learned Civil Judge Peshawar and to meet the requirements under Section-4 of the Khyber Pakhtunkhwa Services Tribunal, I submit the following representation against the recovery vide Order No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 on the grounds given as below: -

GROUNDS:

- (A) That the impugned orders of letter No. ^{such notification} SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 & letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 are against law, facts, material on record and norms of justice. Hence, liable to be set aside.
- (B) That the undersigned has not been treated according to law and rules and the Establishment Department has violated the whole procedure, mentioned in various sections of the Removal from Service Ordinance 2000.
- (C) That the Competent Authority has not offered the reasonable opportunity of personal hearing to the undersigned.
- (D) Thus, the Provincial Government has blatantly violated the basic principles of law and justice.
- (E) That by not affording to the undersigned a fair, reasonable chance of hearing and defending himself, the authority has violated the principles of natural justice "AUDI ALTERAM PARTER". All the requirements as per law were not observed by the inquiry committee.

- (F) That the provision of the NWFP Civil Servants Act 1973, read with NWFP (E&D) Rules along with Section-5 of the Ordinance 2000 have been blatantly and vulgarly violated in connection with holding and taking of inquiry proceedings against the undersigned.

- (G) The same needed to have been proved by recording the evidence of the witnesses, bringing on record his defence and the undersigned should also have been provided an opportunity of personal hearing with the Competent Authority, but all these requirements of law were not observed.

- (H) The inquiry committee has wrongly placed reliance on the exculpatory statement of the Transport Section because if fair, thorough probe into the matter would have been conducted through fair, honest and God fearing inquiry officers; only then the matter would have been properly thrashed out for getting at the truth. As a matter of fact all the allegations levelled against the undersigned are based on surmises, conjectures; finding of guilt cannot be based, merely on the high probabilities, it shall rest surely and firmly on the evidence of guilt. Mere conjectures and probabilities cannot take the place of proof which is totally lacking in the instance case. The whole case was cooked up against the undersigned in a doubtful, baseless, false and fake manner from the very outset. Actually the whole material produced and collected against the undersigned is bristling with doubtful circumstances leading to the inference that the undersigned has been made a scapegoat for no fault on his part.

- (I) That right from day one, the interested authorities, with ulterior motives, tried to manufacture false, fake and fictitious record in order to malign and involve the undersigned in a false case.

- (J) That not a single independent and disinterested witness was examined in support of the allegations levelled nor was any documentary proof collected against the undersigned.

- (K) That no inquiry report was provided to the undersigned on his request which effected the right of defence of the undersigned because non-supply of Inquiry Report to the undersigned in order to reply to the Establishment Department letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011, and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 is against the norms of natural justice and a travesty of law.

- (L) The statements of the persons from the Transport Section were used as a base for penalty is against law; rather it is a travesty of law due to the absence of the undersigned in the inquiry proceedings. The same can be proved that the statements of the other co-accused were neither recorded in the presence of the undersigned nor was he given an opportunity by the inquiry committee to cross-examine them. Thus, the undersigned was not associated with the inquiry proceedings from the very start and it was conducted in the absence of undersigned, rather it would be appropriate to state that the inquiry proceedings were conducted behind the back of undersigned.

- (M) The Competent Authority for the undersigned is the Chief Minister of the Province but the same was not communicated by the inquiry committee to the undersigned, which is violation of Section-5(I)(A) of RSO-2000 and the impugned orders have not been signed by the Competent Authority which is violation of the law and Rules of Business.

- (N) That the impugned punishment is very harsh and not commensurate with the guilt, if at all there is one, of the undersigned.

(2) (31)

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(O) That the impugned orders have been passed without giving notice to the petitioner to appear before the inquiry committee or an opportunity to plead his case which proves the malafide on the part of the Authorities.

(P) (i) That the undersigned never passed any order for the handing over of the said stolen/snatched vehicle from one Mr. Babar Khan, resident of District Mardan nor any order or signature of the undersigned exists on the handing and taking over proforma. THIS FACT CAN BE ASCERTAINED FROM PARA-B OF THE RECOMMENDATION OF THE INQUIRY REPORT, WHEREIN, THE INQUIRY OFFICER CLEARLY AND CATEGORICALLY STATES THAT "A PROBE IS ALSO REQUIRED TO ASCERTAIN THE GENUINNESS OF THE PROFORMA PRODUCED BY THE EX-SECTION OFFICER (TRANSPORT) AND THE TRANSPORT SECTION KEEPING IN VIEW THE POSITION EXPLAINED ABOVE".

(ii) SIMILARLY, PARA-2 OF THE FINDINGS OF THE INQUIRY PROCEEDINGS STATES CATEGORICALLY "IT MAY BE NOTED THAT THE HANDING TAKING OVER PROFORMA WHICH WAS SIGNED BY THE THEN SECTION OFFICER TRANSPORT MR. AMIR MUHAMMAD DURRANI AND WHICH WAS PRODUCED WITH HIS STATEMENT AND THE SAME PROFORMA PRODUCED BY THE SECTION OFFICER TRANSPORT ARE AT VARIANCE AT THE POINT OF HANDING OVER OF THE VEHICLE THAT THE SAME WAS HANDED OVER TO MR. BABAR KHAN, CHIEF MINISTER'S HOUSE WHILE THE FORMER ALLEGED THAT THE SAME WAS HANDED OVER TO MR. BABAR KHAN, RESIDENT OF CANTT BAZAR MARDAN ON THE DIRECTION OF THE THEN ADDITIONAL SECRETARY (ADMN) ADMINISTRATION DEPARTMENT. THIS FACT NEEDS FURTHER PROBE".

(Q) That the recovery order vide letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011 & letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 comes under the definition of a penalty which has been passed on the fact finding inquiry without conducting any regular inquiry, which is not tenable

in the eyes of law because the penalty order can not hbe passed on the basis of fact finding inquiry.

(R) Astonishingly, the inquiry conducted by the inquiry officer vide letter No. SO(E-I)E&AD)/9-128/2010 dated 05.11.2010 and the inquiry proceedings as per report of the inquiry officer were initiated and all the concerned persons in the case were issued letters dated 03.01.2011 and 01.02.2011 to attend the inquiry proceedings on 11.01.2011 and 07.02.2011 has very conveniently ignored to send a Notice to the undersigned to join the inquiry proceedings in order to defend myself.

(S) THAT THE INQUIRY WAS CONDUCTED, IN MY ABSENCE, WHEREAS NEITHER A CHARGE SHEET, NOR A STATEMENT OF ALLEGATIONS WERE ISSUED TO THE UNDERSIGNED NOR THE UNDERSIGNED WAS EVER ASSOCIATED WITH THE INQUIRY PROCEEDINGS THROUGH NOTICE FROM THE INQUIRY OFFICER SO AS TO ENABLE TO DEFEND MYSELF TANTAMOUNTS TO THE PRINCIPLES OF NATURAL JUSTICE I.E. "AUDI ALTERAM PARTERM".

(T) Astonishingly, the Inquiry Officer on the one hand recommends a regular inquiry against the undersigned through some senior officer in Para-A of his recommendations while on the other hand in Para-F of his recommendations, the inquiry officer recommends recovery from the undersigned and that too without digging out the real facts and actual position through a proper regular inquiry.

THE UNDERSIGNED SEEKS PERMISSION TO ADVANCE OTHER GROUNDS AND PROOFS AT THE TIME OF PERSONAL HEARING.

It is, therefore, most humbly requested that on acceptance of this appeal; the Competent Authority may be pleased to declare the Establishment Department's letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 29.09.2011, and letter No. SO(E-I)E&AD/9-128/2011 (Veh: No. 4156) dated 20.03.2012 being illegal and without lawful authority and of no legal effect.

PRAYER:

Being the position as above, the inquiry report being without any merit/substance deserves to be dismissed and set aside keeping in view the above submissions and my representation may kindly be accepted.

ok M.
(Muhammad Rahim Khan)
S/O Muhammad Tariq Khan,
15-D, Old Jamrud Road,
University Town, Peshawar.
Dated: 21.04.2014.

A/B

J 34 60

F 29/10/12

INQUIRY REPORT INTO SNATCHED GOVT. VEHICLE NO. A 4156

INTRODUCTION

A government vehicle bearing No. A 4156 was allotted to one Mr. Babar Khan resident of Mardan on the orders of the ex-Additional Secretary (Admn) Administration Department. The said vehicle was driven by his driver Mr. Arshad s/o Mr. Bakhtiar r/o Shah Dhand Mardan who happened to be his private driver. The said vehicle was snatched by unknown persons from his driver while he was on Ring Road Peshawar on his way to Mardan. Subsequently he lodged an FIR No. 568 in Police Station Agha Mir Jani Shah Peshawar (Annex-D). Earlier two enquiries were ordered but the Inquiry Officers could not conclude their enquiries. Establishment Department nominated the undersigned as Inquiry Officer vide letter No. SO(E-1)E&AD/9-128/10 Dated 5th November 2010.

INQUIRY PROCEEDINGS

Inquiry proceedings were initiated and all the concerned persons in the case were issued letters dated 03-01-2011 and 01-02-2011 to attend the inquiry proceedings on 11th January, 2011 and 7th February, 2011 (Annex-II, III). However only Mr. Khalid Pervaiz Jilani ex-Asstt. Caretaker Transport and Ameer Muhammad Durrani ex-SO Transport turned up and recorded their statement (Annex-IV&V) while the driver only sent his written statement (Annex-VI). Mr. Babar Khan neither turned up for the inquiry nor sent his statement. Investigation Officer of Police Station Agha Mir Jani Shah was also summoned alongwith record of his investigation vide letter at Annex-VII. His statement is at Annex-VIII. SO Transport was also summoned to assist in the enquiry.

FINDINGS

1. As per NWFP (Khyber Pakhtunkhwa) Government Staff Vehicles (Use & Maintenance) Rules 1997 (Annex-IX) Head of the department is competent to specify the officers/category of officers who are entitled for the use of government vehicles however in the instant case as per available record, the vehicle bearing registration No.4156 was allotted to Mr. Babar Khan r/of Mardan under the orders of the ex-Additional Secretary (Admn) Adminsitration Department as is evident from the statements of Mr. Khalid Pervaiz Jilani ex- Asstt. Care Taker Transport and ex-SO transport. Copy of handing/taking over provided by Mr. Amir Muhammad Durrani

Handwritten signature and initials.

Handwritten signature and initials.

Civ. J. 35
25/10/14

ex-SO Transport Administration Department is at Annex-X. Whereas SO Transport has produced a copy of handing/taking over proforma of the said vehicle which shows that the vehicle was handed over to Mr. Babar Khan CM House (Annex-XI). Prima facie the orders of handing over the said vehicle to an unauthorized person by ex-Additional Secretary (Admn) are without any legal authority.

2. It may be noted that the handing/taking over proforma which was signed by the then SO Transport Mr. Ameer Muhammad Durrani and which was produced with his statement and the same proforma produced by the SO Transport are at variance at the point of handing over of the vehicle that the same was handed over to Babar Khan CM House while the former alleged that the same was handed over to Babar Khan resident of Cant bazaar Mardan on the direction of the then Additional Secretary (Admn) Administration Department. This fact needs further probe.
3. Ex-SO Transport and ex-Assistant Care Taker have also acted in violation of law and rules by handing over official vehicle to unauthorized person and complied with the illegal orders of ex-Additional Secretary Administration Department. The vehicle was driven by Mr. Arshad Driver and was snatched from him as per the statement given by him and the FIR No. 568 Annex-VI & I. As per story narrated by him (driver) in his statement as well as FIR when he reached Phandoo road a Mazda vehicle was standing in the road and he had to stop his vehicle. At this very point and time four persons came out of a vehicle and confined him in his own car and driven him to Mosazai fields where they tied him with his azarband, left him in the fields and took away the car, his mobile phone and cash of Rs.3800/- .
4. As per the police record and statement of the Investigation Officer at Annex-VIII, the vehicle has been taken/transported to Afghanistan via Parachinar and now its whereabouts are not known.
5. Furthermore, Police Department also informed all the DPOs in the province and Provincial Police Officers of the sister provinces and IGP Islamabad about the snatching of the said vehicle with the request to make efforts for its recovery (Annex-XII&XIII).
6. Police Department also arrested some people on suspicion however the said driver could not identify those suspects and resultantly they were released on bail by the court. (Annex-XIV).

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36
VI
25/10/11

(22)

RECOMMENDATIONS

In view of above position following recommendations are made:-

- a. The matter may be enquired through some senior officer(s) to probe the conduct of Mr. Muhammad Rahim Khan the then Additional Secretary (Admn) Administration Department so as to ascertain as to under which authority or compelling circumstances he ordered for handing over a government vehicle to an unauthorized person without having any legal authority;
- b. A probe is also required to ascertain the genuineness of the proformae produced by the ex-SO Transport and the Transport section keeping in view the position explained above.
- c. Police Department should be directed to so as to act promptly in such cases in future and also to evolve a mechanism in consultation with political administration of FATA so as to avoid recurrence of such incidents and block the way of transporting vehicles to Afghanistan;
- d. Moreover, in view of ever-increasing number of car lifting cases government should think over installing Tracking system and geo-fencing in the government owned vehicles on the analogy of UN vehicles and other international organizations so as to avert recurrence of such incidents in future;
- e. Government must retrieve all the vehicles allotted to un-authorized persons; and
- f. Administration Department should make recovery of depreciated value of the snatched car from Mr. Muhammad Rahim Khan ex-Additional Secretary (Admn) Administration Department on whose orders, the said government vehicle was handed over to a unauthorized person namely Mr. Babar Khan as its recovery seems impossible in the given situation.

(AKHTAR SAEED TURK)

Deputy Secretary (Admn) P&DD/Inquiry Officer

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21/11/11

service to the community

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to the community

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Appeal No.1106/2014

Rahim Khan-VS-Govt. of KPK.

Subject: **APPLICATION FOR ALLOWING EXTENSION OF TIME IN SUBMITTING SECURITY & PROCESS FEE**

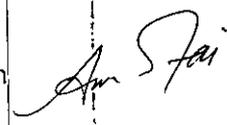
R/Sheweth:-

1. That the above mentioned appeal was admitted for regular on dated 17/4/2014.
2. That appellant was ^{not} contacted due to certain reasons due to which he did not submit his security and process fee well in time.
3. That Now the appellant want to submit security and process fee.

It is, therefore, most humbly prayed that allow extension of time in submitting security and process fee.

Appellant

Through


Mr. Muhammad Asif Yousafzai
Advocate

Handwritten note:
Mr. of
of 06.15

BEFORE THE KHYBER PAKHTUNKWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 1106 /2014

Muhammad Rahim Khan S/O Muhammad Tariq Khan
Resident of 15-D, Old Jamrud Road, Peshawar

Appellant

Versus

- (1) Government of KPK through Chief Secretary of the Province.
- (2) Secretary Government of KPK, Establishment Department.
- (3) Secretary Govt. of KPK, Administration Department.
- (4) Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- (5) Section Officer, (Transport), Administration Department.

Respondents

JOINT PARA WISE COMMENTS FOR/ON BEHALF OF RESPONDENTS NO 1, 2, 3, 4&5

RESPECTFULLY SHEWETH

PRILIMINARY OBJECTIONS:

1. That the Appellant has got no cause of action/locus standi to file the instant appeal against the respondents.
2. That the appeal is not maintainable.
3. That the appellant has presented the facts in manipulated form which disentitles him for any relief whatsoever.
4. That the appeal is barred by law / time.
5. That this Honorable Tribunal lacks jurisdiction in the matter.
6. That the appellant ha suppressed material facts from the Tribunal.
7. That the appellant has not come to the Court with clean hands.
8. That the appellant is estopped to file the instant appeal due to his own conduct.
9. That the appeal is bad for miss/ non-joinder of necessary parties.
10. That the instant appeal is hit by Section 4 (b) (i) of the Khyber Pakhtunkhwa, Services Tribunal Act, 1974.
11. That the appeal is hit by laches.

ON FACTS:-

PARA 1-5:- Pertains to the record of the Appellant, hence need no comments.

PARA- 6:- In Correct. The letters under reference were issued to the appellant after the findings of the enquiry committee and after approval of the competent authority. **(Annex-A, B)** The findings and recommendations of the Enquiry Report at **Annex-A**, clearly indicates that the responsibility of the loss to the Govt. caused due to the theft of the vehicle bearing No. A-4156, Toyota Corolla XLI 2006 Model from un authorized retainer Mr. Babar Khan S/o, resident of Cant Bazar Mardan has been fixed on Mr. Muhammad Raheem Khan, the then Additional Secretary (Admn) on whose verbal directions the vehicle was handed over to Mr. Babar Khan by the then Section Officer (Transport) Administration Department, Mr. Ameer Muhammad Khan Durrani. **(Annex-C)**. It is worth mentioning here that the Enquiry report recommends the recovery of the depreciated value of the stolen vehicle from Mr. Muhammad Raheem Khan and its deposit into Govt. Treasury, however the Chief Secretary Govt. of Khyber Pakhtunkhwa has ordered the recovery of Market value of the vehicle, being handed over to Private Individual.

✓ PARA-7:- Related to the record, hence needs no comments..

PARA-8 &9:- Subject to proof, hence no comments.

GROUND:-

- (A) In Correct. The letters under reference were issued to the Appellant in pursuance to the findings and recommendations of the Enquiry Officer (**Annex-A, B**), The enquiry Report clearly fix the responsibility of loss of Govt. asset on Mr. Muhammad Raheem, the then Deputy Secretary (Admn) Administration Department. Furthermore pursuant to the approval of the competent authority vide Note at Annex-A, the market value of the said vehicle amounting to Rs. 650,000/- has duly been assessed by M/s Toyota Frontier (Pvt.) Ltd. Peshawar, which is the authorized dealer of Toyota Vehicles. (**Annex-D**)
- (B) In correct. The Appellant has been treated in accordance with Law. Summons was issued to all concerned to appear before the enquiry officer and record their statements. (**Annex-E**). However only Mr. Ameer Muhammad Durrani, ex-Section Officer (Transport) Administration Department and Khalid Pervez Jillani turned up to the summons and recorded their statement. (**Annex-F, G**). The statements at **Annex-F and G** reveals that the vehicle bearing Registration No. A-156, Toyota Corolla XLI 2006 Model was handed over to Mr. Babar Khan on the directions of the Appellant.
- (C) True and correct with the addition that as per Para 23 of the General Financial Rules. Vol-I, every Government officer should realize fully and clearly that he will be held personally responsible for any loss sustained by Govt. through fraud or negligence on his part or on the part of his sub-ordinate (**Annex-H**). The vehicle was handed over by Mr. Ameer Muhammad Durrani, Ex-Section Officer (Transport), who was sub-ordinate of the Appellant in his capacity of Deputy Secretary (Admn) at that time. So the Appellant is responsible for this loss to the Govt. assets as has been recommended by the enquiry officer.
- (D) In Correct. All the enquiry proceedings had taken place in strict compliance of the law and rules and the Appellant has been treated as per law and hold responsible for this loss of Govt. asset as per Para 23 of the General Financial Rules.
- (E) In Correct. As explained above.
- (F) In correct. As Para D above
- (G) In Correct. Statement of all the concerned were duly recorded except that of Mr. Babar Khan, who failed to comply with the summon at **Annex-E**, appear before the Enquiry Officer and recorded his statement. Apart from statements of Mr. Ameer Muhammad Durrani, Ex-Section Officer (Transport) and Mr. Khalid Hussain Jillani, Ex-Assistant Care taker Transport Section, material proof (Handing Taking Profarma) is also available, which clearly indicates that the vehicle was handed over to Mr. Babar Khan resident of Cant Bazar Mardan. As per Para 23 of the General Financial Rules. Vol-I, every Government officer should realize fully and clearly that he will be held personally responsible for any loss sustained by Govt. through fraud or negligence on his part or on the part of his sub-ordinate (**Annex-H**).

63

The vehicle was handed over by Mr. Ameer Muhammad Durrani, Ex-Section Officer (Transport), who was sub-ordinate of the Appellant in his capacity of Deputy Secretary (Admn) at that time. So the Appellant is responsible for this loss to the Govt. assets as has been recommended by the enquiry officer.

- (H) In Correct. All the enquiry proceeding has taken place as per law and the Enquiry Report fix the responsibility on Appellant. There is no iota of doubt that the vehicle was handed over by Mr. Ameer Muhammad Durrani, Ex-Section Officer (Transport) Administration Department as is evident from his statement and handing taking Proforma at **Annex-C** when the Appellant was his immediate officer and, as such, responsible for this loss to Govt. assets as has been envisaged in Para 23 of the General Financial Rules.
- (I) In Correct.
- (J) In Correct. The inquiry officer submit his finding / recommendation after thorough investigation and went through available record/ statement of the concerned officer/officials and has fixed the responsibility upon the Appellant.
- (K) In Correct. All the enquiry proceedings have taken place in due compliance of the law/rules.
- (L) In Correct. As Already explained.
- (M) It is was not enquiry under the Efficiency & Discipline Rules, rather it was a fact findings enquiry to fix the responsibility of the losses caused due to the allotment of vehicle bearing Registration No. A-4156, Toyota Corolla XLI 2006 Model to an unauthorized private individual Mr. Babar Khan resident of Cant Bazar Mardan. As such no question of the competent authority to be the Chief Minister in the case arises.
- (N) In Correct. All the proceedings have taken place in strict compliance of the laws and rules.
- (O) Correct with the addition that the letters were issued to the Appellant in pursuance of the recommendations of the Enquiry Officer and assessment of the market value of the stolen vehicle by M/s Toyota Frontier (Pvt.) Ltd. Peshawar which is authorized dealer of Toyota vehicle.
- (P) Pertains to record, needs no comments.
- (Q) Pertains to record, needs no comments.
- (R) In Correct. Already explained. The inquiry officer after thorough investigation into the matter has fixed the responsibility on the Appellant. Furthermore the Appellant, at the time of handing over the vehicle to Mr. Babar Khan, resident of Cant Bazar Mardan, was the immediate officer of Mr. Ameer Muhammad Khan Durrani, ex-Section Officer Transport Administration Department who has acknowledged that he had handed over the vehicle bearing Registration No. A-4156, Toyota Corolla XLI 2006 Model to Mr. Babar Khan on the verbal directions of Mr. Muhammad Raheem Khan, ex-Deputy Secretary (Admn) Administration Department. As such the Appellant is responsible for this loss of Govt. asset as per Para 23 of the General Financial Rules.

(S) The appellant was removed from service on 26-07-2010 under the Khyber Pakhtunkhwa Removal from service (Special Powers) Ordinance 2000, in another enquiry/case. While the instant enquiry proceeding was initiated on 5.11.2010 by Mr. Akhtar Saeed Turk, wherein the enquiry officer has recommended

That Administration Department should make recovery of depreciated value of the snatched car from Mr. Muhammad Rahim, Ex-Additional Secretary (Admn).

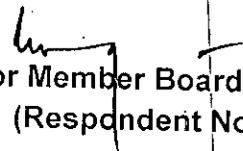
Administration Department on whose orders, the said Government vehicle was handed over to an unauthorized person namely Mr. Muhammad Rahim Khan was not in service at that time, therefore, he could not proceed in the enquiry according to the rules.

(T) The appellant was not a civil servant at the time of instant enquiry therefore according to the rules no notice was issued to appellant to appear before the enquiry officer.

(U) As above.

It is, therefore, most humbly prayed that on acceptance of the written comments, the Appeal being denied of any merits may please be dismissed with cost throughout.


Respondents No (1, 2, &3)


Senior Member Board of Revenue
(Respondent No. 4)


Section Officer Transport
(Respondent No 5)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT
(TRANSPORT SECTION)

NO.SOT(AD)1-84/2014

Dated Peshawar the 5th January 2015

To,

The Section Officer (Litigation),
Establishment Department

SUBJECT: APPEAL 1106/2014 MR. MUHAMMAD RAHIM KHAN VERSUS CHIEF
SECRETARY KHYBER PAKHTUNKHWA.

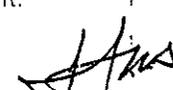
I am directed to refer to your letter No. SO(Lit) E&A/3-2179/2013, dated the 6th January 2015 on the subject noted above and to furnish herewith Draft Para Wise Comments of Establishment & Administration Department for further processing at your end, please.


SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

ENDST: NO & DATE EVEN

Copy forwarded to the

1. PS to Secretary (Admn) Administration Department.
2. PS to Additional Secretary (Admn) Administration Department.
3. PS to Deputy Secretary (Admn) Administration Department.


SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

Annex 1

633-5
26/5/11
21

5. Administration Department being the supervisory unit of affairs of the Transport Section is requested to kindly add its own views on recommendations of the inquiry report. Establishment Department will be in a position to offer its views there-after.

Rashid Ahmad

(Rashid Ahmad)

Secretary Establishment

May 6, 2011

Secretary, Administration
Khyber Pakhtunkhwa.

6.

The Inquiry Officer has recommended that depreciated value of the snatched vehicle, from Mr. Muhammad Rahim Khan ex-Additional Secretary (Admn) Administration Department should be recovered because of the reason that on whose orders, the government vehicle was handed over to an unauthorized person.

7.

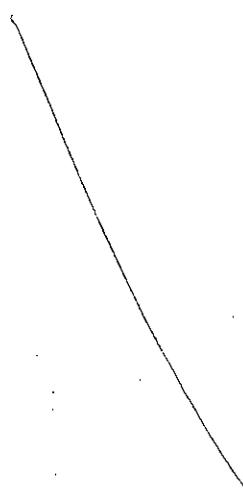
Since the unauthorized allotment of the said vehicle has been proved, therefore, Administration Department proposes that 50% of the original amount of the vehicle may be recovered from Mr. Muhammad Rahim Khan, ex-Additional Secretary (Admn). Original and depreciated value of the vehicle is tabulated at (Flag-F).

Hifz-ur-Rahman
19/5/2011

(HIFZ-UR-RAHMAN)

SECRETARY ADMINISTRATION

SECRETARY ESTABLISHMENT



633-5
21/5/11

8. Chief Secretary may kindly record his order on the two options proposed at para-6 and 7 and mark the file to Law Department to opine whether it would be correct to direct DOR Mardan to effect recovery, and whether it would be advisable to first issue a notice to Mr. Muhammad Rahim Khan for depositing the money by the Establishment Department.

Rashid Ahmad

(Rashid Ahmad)

Secretary Establishment

May 21, 2011

**Chief Secretary,
Khyber Pakhtunkhwa.**

9. Your views on para 8.

SECRETARY LAW

[Signature]
24.5.2011

CHIEF SECRETARY

FILE NO. 3467
DATE 21-5-11

SUBJECT: INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO. 4156

10. In order to affect the recovery of the cost of the vehicle, the Administration Department has to establish before any legal forum that the Government has sustained loss on account of sickness of the officer who illegally handed over the Government vehicle to the person who was not competent to take charge of the vehicle. In the first instance Mr. Muhammad Rahim Khan may be asked by giving a notice to pay the total value of the vehicle within a specified time to the Government of Khyber Pakhtunkhwa and if he comes forward for negotiation and settlement of the issue then he would be allowed to pay the cost of the vehicle at depreciated value as suggested at para-7. However, if he does not come forward for settlement of the issue then a legal course may be adopted for recovery of the amount from him.

(SYED AMIR-UD-DIN SHAH)

Secretary to Govt. of Khyber Pakhtunkhwa
Law, Parliamentary Affairs and
Human Rights Department

CHIEF SECRETARY

PTO

CAO S. Khyber Pakhtunkhwa
No. 2467
Date 10-5-11

11. The gravity of the offence i.e handing over official vehicle to a private party, warrants recovery of market value of the vehicle at the time of its theft. The accused be asked to pay the same.

[Signature]
20.6.2011
CHIEF SECRETARY

SECRETARY ADMN

12

Please process accordingly *[Signature]*
20/6

DSC(A)

13

Submitted for further necessary action
please.

[Signature]
24/6/11

SO(E-D)

Copy of Cyber Petition
No. 2467
Date 20-6-11

Annex - B



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING AND DEVELOPMENT DEPARTMENT
NO.PA/DS(A)P&DD/MISCL/2010
DATED PESHAWAR, 02-04-2011

File No. / Establishment Dept
Diary No. / Dated

The Secretary to Government of Khyber Pakhtunkhwa
Administration Department,
Peshawar.

Subject: - INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO.4156.

Dear Sir,

Reference is invited to Establishment Department's letter No. SO (E-I) E&AD/9-128/10/ dated 5th November, 2010 on the above subject.

Enclosed please find herewith an Inquiry Report (along with its annexures) on the subject for further necessary action, please.

Yours faithfully,

Encl: As above

(AKHTAR SAEED TURK)
Deputy Secretary Admn P&DD/
Inquiry Officer

Endst: Even No. and date

Copy forwarded for information to SO (E-I) Establishment Department, Government of Khyber Pakhtunkhwa.

Deputy Secretary Admn &DD/
Inquiry Officer

DS(A)
[Signature]
4/4/2011

2

INQUIRY REPORT INTO SNATCHED GOVT. VEHICLE NO.A 4156

INTRODUCTION

A government vehicle bearing No. A 4156 was allotted to one Mr. Babar Khan resident of Mardan on the orders of the ex-Additional Secretary (Admn) Administration Department. The said vehicle was driven by his driver Mr. Arshad s/o Mr. Bakhtiar r/o Shah Dhand Mardan who happened to be his private driver. The said vehicle was snatched by unknown persons from his driver while he was on Ring Road Peshawar on his way to Mardan. Subsequently he lodged an FIR No. 568 in Police Station Agha Mir Jani Shah Peshawar (Annex-I). Earlier two enquiries were ordered but the Inquiry Officers could not conclude their enquiries. Establishment Department nominated the undersigned as Inquiry Officer vide letter No. SO(E-I)E&AD/9-128/10 Dated 5th November 2010.

INQUIRY PROCEEDINGS

Inquiry proceedings were initiated and all the concerned persons in the case were issued letters dated 03-01-2011 and 01-02-2011 to attend the inquiry proceedings on 11th January, 2011 and 7th February, 2011 (Annex-II, III). However only Mr. Khalid Pervaiz Jilani ex-Asstt. Caretaker Transport and Ameer Muhammad Durrani ex-SO Transport turned up and recorded their statement (Annex-IV&V) while the driver only sent his written statement (Annex-VI). Mr. Babar Khan neither turned up for the inquiry nor sent his statement. Investigation Officer of Police Station Agha Mir Jani Shah was also summoned alongwith record of his investigation vide letter at Annex-VII. His statement is at Annex-VIII. SO Transport was also summoned to assist in the enquiry.

FINDINGS

As per NWFP (Khyber Pakhtunkhwa) Government Staff Vehicles (Use & Maintenance) Rules 1997 (Annex-IX) Head of the department is competent to specify the officers/category of officers who are entitled for the use of government vehicles however in the instant case as per available record, the vehicle bearing registration No.4156 was allotted to Mr. Babar Khan r/of Mardan under the orders of the ex-Additional Secretary (Admn) Administration Department as is evident from the statements of Mr. Khalid Fervaiz Jilani ex- Asstt. Care Taker Transport and ex-SO transport. Copy of handing/taking over provided by Mr. Amir Muhammad Durrani

پیشکش کر سکتا ہوں۔ دستخطی ادعا۔
سما محمد احمد
محمد عزیز گورہ
سما محمد احمد

ex-SO Transport Administration Department is at **Annex-X**. Whereas SO Transport has produced a copy of handing/taking over proforma of the said vehicle which shows that the vehicle was handed over to Mr. Babar Khan CM House (**Annex-XI**). Prima facie the orders of handing over the said vehicle to an unauthorized person by ex-Additional Secretary (Admn) are without any legal authority.

2. It may be noted that the handing/taking over proforma which was signed by the then SO Transport Mr. Ameer Muhammad Durrani and which was produced with his statement and the same proforma produced by the SO Transport are at variance at the point of handing over of the vehicle that the same was handed over to Babar Khan CM House while the former alleged that the same was handed over to Babar Khan resident of Cant bazaar Mardan on the direction of the then Additional Secretary (Admn) Administration Department. This fact needs further probe.
3. Ex-SO Transport and ex-Assistant Care Taker have also acted in violation of law and rules by handing over official vehicle to unauthorized person and complied with the illegal orders of ex-Additional Secretary Administration Department. The vehicle was driven by Mr. Arshad Driver and was snatched from him as per the statement given by him and the FIR No. 568 **Annex-VI & I**. As per story narrated by him (driver) in his statement as well as FIR when he reached Phandoo road a Mazda vehicle was standing in the road and he had to stop his vehicle. At this very point and time four persons came out of a vehicle and confined him in his own car and driven him to Mosazai fields where they tied him with his azarband, left him in the fields and took away the car, his mobile phone and cash of Rs:3800/-.
4. As per the police record and statement of the Investigation Officer at **Annex-VIII**, the vehicle has been taken/transported to Afghanistan via Parachinar and now its whereabouts are not known.
5. Furthermore, Police Department also informed all the DPOs in the province and Provincial Police Officers of the sister provinces and IGF Islamabad about the snatching of the said vehicle with the request to make efforts for its recovery (**Annex-XII & XIII**).
6. Police Department also arrested some people on suspicion however the said driver could not identify those suspects and resultantly they were released on bail by the court. (**Annex-XIV**).

Handwritten mark

RECOMMENDATIONS

In view of above position following recommendations are made:-

- a. The matter may be enquired through some senior officer(s) to probe the conduct of Mr. Muhammad Rahim Khan the then Additional Secretary (Admn) Administration Department so as to ascertain as to under which authority or compelling circumstances he ordered for handing over a government vehicle to an unauthorized person without having any legal authority;
- b. A probe is also required to ascertain the genuineness of the proforma produced by the ex-SO Transport and the Transport section keeping in view the position explained above.
- c. Police Department should be directed to so as to act promptly in such cases in future and also to evolve a mechanism in consultation with political administration of FATA so as to avoid recurrence of such incidents and block the way of transporting vehicles to Afghanistan;
- d. Moreover, in view of ever-increasing number of car lifting cases government should think over installing Tracking system and geo-fencing in the government owned vehicles on the analogy of UN vehicles and other international organizations so as to avert recurrence of such incidents in future;
- e. Government must retrieve all the vehicles allotted to un-authorized persons; and
- f. Administration Department should make recovery of depreciated value of the snatched car from Mr. Muhammad Rahim Khan ex-Additional Secretary (Admn) Administration Department on whose orders, the said government vehicle was handed over to a unauthorized person namely Mr. Babar Khan as its recovery seems impossible in the given situation.


(AKHTAR SAEED TURK)

Deputy Secretary (Admn) P&DD/Inquiry Officer

Account C

GOVERNMENT OF N.W.F.P.
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT
(TRANSPORT WING)
NO.SOT(S&GAD)/C/T/T

Dated Peshawar the 25-4-09

RECEIPT.

Received vehicle bearing Registration No. A4156 Pesh
from Admn Dept to Babar Khan
On 25/4/09 with following accessories/deficiencies/remarks:-

- 1. Engine No. 3960473
- 2. Chassis No. CE120-DC03948
- 3. Make Toyota
- 4. Model 2004
- 5. Registration Book New
- 6. Body OK
- 7. Tyres AV
- 8. Rims N
- 9. Battery N
- 10. Radio N
- 11. Tape N
- 12. Driver Mirror N
- 13. Seats N
- 14. Head Lights N
- 15. Break Light N
- 16. Jack with Rod N
- 17. Spare Wheel N
- 18. Wipers N
- 19. Air Conditioner N
- 20. Complete Tools N
- 21. Dish Board N
- 22. Key N
- 23. Wheel Nut N

TAKEN OVER BY
[Signature]
A.C.

BL
TAKEN OVER BY
TECH. OFFICER/CARETAKER(T).

[Signature]
SECTION OFFICER (TRANSPORT) 25/4/09

COUNTERSIGNED BY DEPUTY SECRETARY (ADMN)

REMARKS:

CARETAKER (TRANSPORT)

CONFIDENTIAL

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT

58 Annex-D

NO. SO (E-I)E&AD/9-128/2011(Veh. No. 4156)
Dated Peshawar the 29th September, 2011.

To

Mr. Muhammad Rahim Khan,
Ex-Additional Secretary (Admn),
Administration Department,
R/O H. No. 15-D, Old Jamrud Road,
University Town, Peshawar.

Subject: - RECOVERY OF VALUE OF SNATCHED VEHICLE NO. 4156

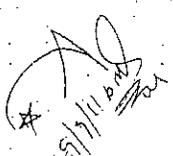
I am directed to refer to the subject cited above and to state that during your posting as Additional Secretary (Admn) Administration Department you have handed over the subject vehicle to an unauthorized person named Mr. Baber Khan. The said vehicle was snatched from the unauthorized person at the premises of Police Station Agha Mirjani, Peshawar. Now on submission of the recommendations of Inquiry Officer, the competent authority has been pleased to order recovery of market value of the vehicle at the time of its theft (i.e. 09.5.2009). The Market value of the said vehicle assessed by M/S Toyota Frontier (Pvt.) Ltd. Peshawar to be Rs. 6,50,000/- (Rupees six lac fifty thousands).

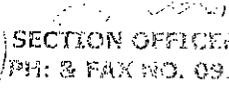
2. You are therefore, directed to deposit Rs. 6,50,000/- (Rupees six lac fifty thousands) in the Government Exchequer within fifteen (15) days positively failing which action will be taken against you as per Law/rules.


(ZUBAIR AHMAD)
SECTION OFFICER (ESTT. I)
PH: & FAX NO. 091-9210529

ENDST: NO. & DATE EVEN:

Copy forwarded to the PS to Secretary to Government of Khyber Pakhtunkhwa Administration Department.


29/9/11


SECTION OFFICER (ESTT. I)
PH: & FAX NO. 091-9210529

Annex - D.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT /
(TRANSPORT SECTION)

NO.SOT(AD)3-16/2010
Dated Peshawar the 12th July, 2011

To

M/S Toyota Frontier (Pvt) Limited,
University Road, Peshawar.

Subject:- MARKET VALUE.

Dear Sir,

I am directed to refer to the subject noted above and to state that in order to finalize an enquiry, market value of vehicle bearing Registration No.A-4156 (Make Toyota Corolla, Model 2002, Chassis No CE120-0003948, Engine No 3960473) is needed.

2. It is requested that market value of Toyota Corolla vehicle (1300 CC) on 9.5.2009 as mentioned above may please be intimated to facilitate the department to proceed further in the matter.

3. An early reply is requested in this regard.

Yours Faithfully,

SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

ENDST NO. & DATE EVEN:

Copy to:-

1. PA. to Deputy Secretary (Admn) Administration Department.

SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

TOYOTA

DAIHATSU

TOYOTA FRONTIER MOTORS (PVT) LTD

Date: 21st July 2011

The Section Officer (Transport)
Administration Department
Government of Khyber Pakhtunkhwa.

Subject: Market Value of Toyota Corolla 2.0D

Dear Sir,

Reference to your letter No. SOT (AD) 3-162010/181-182 dated Peshawar the 12th July, 2011 regarding Market Value of Toyota Corolla 2.0D Model 2002 bearing Chassis # CE 120-0003948 Engine # 3960473.

It is stated that as per opinion of our Expert the Market Value depends on the condition of the vehicle; in good condition the car will be **Rs: 600,000/-** to **650,000/-**.

Thanks & Regards

Rahat Saleem
Sr. Manager Sales & Marketing



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING AND DEVELOPMENT DEPARTMENT

NO. PA/DS(A)/P&DD/MISCL./KC/2010
DATED PESHAWAR, 28-01-2011

15
Annex E

To

1. Mr. Babar Khan,
Pakhtunkhwa House, Mardan.
2. Mr. Arshad s/o Bakhtiar
R/O Shahdhand Baba, Par Hoti, Mardan.

Subject: - INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO. A 4156

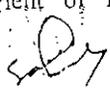
Your attention is invited to this office letter of even number dated 03-01-2011 on the above subject whereby you were asked to appear before the undersigned on 11th January, 2011 in connection with an enquiry regarding the above mentioned vehicle as the undersigned has been appointed as inquiry Officer vide Establishment Department letter No. SO (E-I) E&AD/9-128/10 dated 05th November, 2010 to probe into the snatching of the vehicle mentioned above.

You are therefore required to appear before the undersigned, on 05-02-2011 at 1100 hours, to record your statement and to finalize the matter, please.


(AKHTAR SAEED TURK)
DEPUTY SECRETARY (ADMIN)

ENDST: NO&DATE EVEN

Copy is forwarded to PS to Secretary Administration Government of Khyber Pakhtunkhwa for information.


DEPUTY SECRETARY (ADMIN)

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on.

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GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING AND DEVELOPMENT DEPARTMENT

NO. PA/DS(A) P&DD/MISC/L/2010
DATED PESHAWAR, 03-01-2011

7
Annex - F.G

To

1. Mr. Babar Khan,
Pakhtunkhwa House, Mardan
2. Mr. Khalid Pervaiz,
Ex-A.C.T Transport, c/o SO (Admn)
Administration Department
3. Mr. Arshad s/o Bakhtiar
- R/O Shandhand Baba, Par Hoti Mardan.

Subject: - INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO. A-4156.

The undersigned has been appointed as Enquiry Officer vide Establishment Department's letter No. SO (E-I) E&AD/9-128/10 dated 05th November, 2010 to probe into the snatching of the above mentioned vehicle.

In order to probe the matter and to record your statement you are directed to appear before the undersigned on 11th January, 2010 at 1100 hours so as to complete the task at the earliest.

(AKHTAR SAEED TURK)
Deputy Secretary Admn P&DD

ENDST: NO. & DATE EVEN

Copy is forwarded for information to PS to Secretary Administration Department.

Deputy Secretary Admn P&DD

11/01/2010

حکومت صفا - انٹرنیٹ آفیسر - ۷۷

صفا - عالی

عنوان :- انٹرنیٹ آفیسر A4156

صفا - عالی صوبہ گزٹ میں ہے کہ A4156 سڈل 2004 جو کہ

زعیم خان ڈیپٹی سیکرٹری انٹرنیشنل ریسٹوریشن ای اینڈ آر ڈیپارٹمنٹ کے حکم سے نامہ خانہ

مسٹر مہ خان جو کہ وزیر اعلیٰ مسٹر عبد رضا ہونی صاحب کا سارا ہے کو دیکھ گیا

ذرا کہ گاڑی سٹیشن آفیسر ڈائریکٹوریٹ انچارج مسٹر محمد دورانی کے تحت ہے انچارج کسٹمر سٹریک

کی انچارج ہے جس میں کو پینڈنگ ہے۔ اور یہ خارجہ ہے۔ اسٹیشن آفیسر ڈائریکٹوریٹ

دوران میں کہ دستخط ہی موجود ہیں۔ بعد میں نامہ خان کا ڈائریکٹوریٹ

درج کرانی کہ مذکورہ کاری پوری ہوئی ہے۔

[Handwritten signature]

0300-5859842

فائل نمبر ۱۱-۵۱-۸۵۱

اسٹیشن کسٹمر سٹریک ڈائریکٹوریٹ

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communications, or other works, caused by fire, flood, cyclone, earthquake or any other natural cause, should be reported at once by the Departmental officer to the head of the department and by the latter to Government. When a full enquiry as to the cause and extent of the loss has been made, the detailed report should be sent by the departmental officer concerned to the head of the department, a copy of the report on an abstract thereof being simultaneously forwarded to the Accountant-General.

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RESPONSIBILITY FOR LOSSES, ETC.

23. Every Government officer should realise fully and clearly that he will be held personally responsible for any loss sustained by Government through fraud or negligence on his part and that he will also be held personally responsible for any loss arising from fraud or negligence on the part of any other Government officer to the extent to which it may be shown that he contributed to the loss by his own action or negligence. Detailed instructions for regulating the enforcement of such responsibility are embodied in Appendix 2.

WRITE OFF OF LOSSES, ETC.

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24. The powers delegated to different authorities to write off the irrecoverable value of public money or stores lost through fraud or negligence of individuals or other causes are indicated in Chapter 4.

VI - DEPARTMENTAL REGULATIONS

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25. All Departmental regulations in so far as they embody orders or instructions of a financial character or have important financial bearing should be made by, or with the approval of, the Ministry of Finance.

ngs,

633-5
06/5/11

5. Administration Department being the supervisory unit of affairs of the Transport Section is requested to kindly add its own views on recommendations of the inquiry report. Establishment Department will be in a position to offer its views there-after.

Rashid Ahmad
(Rashid Ahmad)

Secretary Establishment

May 6, 2011

Secretary, Administration
Khyber Pakhtunkhwa.

6. The Inquiry Officer has recommended that depreciated value of the snatched vehicle from Mr. Muhammad Rahim Khan ex-Additional Secretary (Admn) Administration Department should be recovered because of the reason that on whose orders, the government vehicle was handed over to an unauthorized person.

7. Since the unauthorized allotment of the said vehicle has been proved, therefore, Administration Department proposes that 50% of the original amount of the vehicle may be recovered from Mr. Muhammad Rahim Khan, ex-Additional Secretary (Admn). Original and depreciated value of the vehicle is tabulated at (Flag-F).

Hifz-ur-Rahman
19/5/2011
(HIFZ-UR-RAHMAN)

SECRETARY ADMINISTRATION

SECRETARY ESTABLISHMENT

633-5
21/5/11

8. Chief Secretary may kindly record his order on the two options proposed at para-6 and 7 and mark the file to Law Department to opine whether it would be correct to direct DOR Mardan to effect recovery, and whether it would be advisable to first issue a notice to Mr. Muhammad Rahim Khan for depositing the money by the Establishment Department.

Rashid Ahmad
(Rashid Ahmad)
Secretary Establishment
May 21, 2011

Chief Secretary,
Khyber Pakhtunkhwa.

9. Your views on para 8.

[Signature]
24.5.2011
CHIEF SECRETARY

SECRETARY LAW

CACB
No. 2467
Date 21-5-11

PST
No. 181
Date 25-5-11

Registration Department is req

SUBJECT: INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO. 4156

10. In order to affect the recovery of the cost of the vehicle, the Administration Department has to establish before any legal forum that the Government has sustained loss on account of sickness of the officer who illegally handed over the Government vehicle to the person who was not competent to take charge of the vehicle. In the first instance Mr. Muhammad Rahim Khan may be asked by giving a notice to pay the total value of the vehicle within a specified time to the Government of Khyber Pakhtunkhwa and if he comes forward for negotiation and settlement of the issue then he would be allowed to pay the cost of the vehicle at depreciated value as suggested at para-7. However, if he does not come forward for settlement of the issue then a legal course may be adopted for recovery of the amount from him.

(Signature)
(SYED AMIR-UD-DIN SHAH)
Secretary to Govt. of Khyber Pakhtunkhwa
Law, Parliamentary Affairs and
Human Rights Department

CHIEF SECRETARY

PTD

SACS Khyber Pakhtunkhwa
No. 2467
Date 10-6-11

11. The gravity of the offence i.e handing over official vehicle to a private party, warrants recovery of market value of the vehicle at the time of its theft. The accused be asked to pay the same.

J. Prasad
20.6.2011
CHIEF SECRETARY

SECRETARY ADMIN

12. Phase process according to *DS(A)*
23/6

13. DS(A)
Submitted for further necessary action please.

M. K. S.
24/6/11

SOLE-I

Order Number
No. 2467
Date 20-6-11

Action Ex - B

GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING AND DEVELOPMENT DEPARTMENT
NO.PA/DS(A)P&DD/MISCL/2010
DATED PESHAWAR, 02-04-2011



The Secretary to Government of Khyber Pakhtunkhwa
Administration Department,
Peshawar.

Subject: - INQUIRY INTO SNATCHED GOVERNMENT VEHICLE NO.4156.

Dear Sir,

Reference is invited to Establishment Department's letter No. SO (E-I) E&AD/9-128/10/ dated 5th November, 2010 on the above subject.

Enclosed please find herewith an Inquiry Report (along with its annexures) on the subject for further necessary action, please.

Yours faithfully,

Encl: As above

(AKHTAR SAEED TURK)
Deputy Secretary Admn P&DD/
Inquiry Officer

Endst: Even No. and date

Copy forwarded for information to SO (E-I) Establishment Department, Government of Khyber Pakhtunkhwa.

Deputy Secretary Admn &DD/
Inquiry Officer.

DS(A)
2/8
4/4/2011

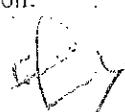
ex-SO Transport Administration Department is at **Annex-X**. Whereas SO Transport has produced a copy of handing/taking over proforma of the said vehicle which shows that the vehicle was handed over to Mr. Babar Khan CM House (**Annex-XI**). Prima facie the orders of handing over the said vehicle to an unauthorized person by ex-Additional Secretary (Admn) are without any legal authority.

2. It may be noted that the handing/taking over proforma which was signed by the then SO Transport Mr. Ameer Muhammad Durrani and which was produced with his statement and the same proforma produced by the SO Transport are at variance at the point of handing over of the vehicle that the same was handed over to Babar Khan CM House while the former alleged that the same was handed over to Babar Khan resident of Cant bazaar Mardan on the direction of the then Additional Secretary (Admn) Administration Department. This fact needs further probe.
3. Ex-SO Transport and ex-Assistant Care Taker have also acted in violation of law and rules by handing over official vehicle to unauthorized person and complied with the illegal orders of ex-Additional Secretary Administration Department. The vehicle was driven by Mr. Arshad Driver and was snatched from him as per the statement given by him and the FIR No. 568 **Annex-VI & I**. As per story narrated by him (driver) in his statement as well as FIR when he reached Phandoo road a Mazda vehicle was standing in the road and he had to stop his vehicle. At this very point and time four persons came out of a vehicle and confined him in his own car and driven him to Mosazai fields where they tied him with his azarband, left him in the fields and took away the car, his mobile phone and cash of Rs.3800/-.
4. As per the police record and statement of the Investigation Officer at **Annex-VIII**, the vehicle has been taken/transported to Afghanistan via Parachinar and now its whereabouts are not known.
5. Furthermore, Police Department also informed all the DPOs in the province and Provincial Police Officers of the sister provinces and IGP Islamabad about the snatching of the said vehicle with the request to make efforts for its recovery (**Annex-XII&XIII**).
6. Police Department also arrested some people on suspicion however the said driver could not identify those suspects and resultantly they were released on bail by the court. (**Annex-XIV**).

RECOMMENDATIONS

In view of above position following recommendations are made:-

- a. The matter may be enquired through some senior officer(s) to probe the conduct of Mr. Muhammad Rahim Khan the then Additional Secretary (Admn) Administration Department so as to ascertain as to under which authority or compelling circumstances he ordered for handing over a government vehicle to an unauthorized person without having any legal authority;
- b. A probe is also required to ascertain the genuineness of the proforma produced by the ex-SO Transport and the Transport section keeping in view the position explained above.
- c. Police Department should be directed to so as to act promptly in such cases in future and also to evolve a mechanism in consultation with political administration of FATA so as to avoid recurrence of such incidents and block the way of transporting vehicles to Afghanistan;
- d. Moreover, in view of ever-increasing number of car lifting cases government should think over installing Tracking system and geo-fencing in the government owned vehicles on the analogy of UN vehicles and other international organizations so as to avert recurrence of such incidents in future;
- e. Government must retrieve all the vehicles allotted to un-authorized persons; and
- f. Administration Department should make recovery of depreciated value of the snatched car from Mr. Muhammad Rahim Khan ex-Additional Secretary (Admn) Administration Department on whose orders, the said government vehicle was handed over to a unauthorized person namely Mr. Babar Khan as its recovery seems impossible in the given situation.


(AKHTAR SAEED TURK)

Deputy Secretary (Admn) P&DD/Inquiry Officer

the communications, or other works, caused by fire, flood, cyclone, earthquake or any other natural cause, should be reported at once by the Departmental officer to the head of the department and by the latter to Government. When a full enquiry as to the cause and extent of the loss has been made, the detailed report should be sent by the departmental officer concerned to the head of the department, a copy of the report on an abstract thereof being simultaneously forwarded to the Accountant-General.

RESPONSIBILITY FOR LOSSES, ETC.

23. Every Government officer should realise fully and clearly that he will be held personally responsible for any loss sustained by Government through fraud or negligence on his part and that he will also be held personally responsible for any loss arising from fraud or negligence on the part of any other Government officer to the extent to which it may be shown that he contributed to the loss by his own action or negligence. Detailed instructions for regulating the enforcement of such responsibility are embodied in Appendix 2.

WRITE OFF OF LOSSES, ETC.

24. The powers delegated to different authorities to write off the irrecoverable value of public money or stores lost through fraud or negligence of individuals or other causes are indicated in Chapter 4.

VI - DEPARTMENTAL REGULATIONS

25. All Departmental regulations in so far as they embody orders or instructions of a financial character or have important financial bearing should be made by, or with the approval of, the Ministry of Finance.

ngs,

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

Service Appeal No. 1106/2014

Muhammad Rahim Khan VS Chief Sctry & others

.....

REJOINDER ON BEHALF OF APPELLANT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-11) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1.5 NO comments endorsed by the respondents which mean that they have admitted para-1-5 of the appeal is correct as record is already in the custody of the department.
6. Incorrect. While para-6 of the appeal is correct as mentioned in the main appeal of the appellant.
7. NO comments endorsed by the respondents which mean that they have admitted para-7 of the appeal is correct as record is already in the custody of the department.
- 8-9 no comments.

GROUND:

- A) Incorrect. While para-A of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the impugned orders are against the law, facts, norms of justice and material on record and principle of fair play.
- B) Incorrect. While para-B of the appeal is correct as mentioned in the main appeal of the appellant.
- C) Incorrect. While para-C of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. While para-D of the appeal is correct as mentioned in the main appeal of the appellant.
- E) Incorrect. While para-E of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Incorrect. While para-F of the appeal is correct as mentioned in the main appeal of the appellant.
- G) Incorrect. While para-G of the appeal is correct as mentioned in the main appeal of the appellant.
- H) Incorrect. While para-H of the appeal is correct as mentioned in the main appeal of the appellant.
- I) Incorrect. While para-I of the appeal is correct as mentioned in the main appeal of the appellant.
- J) Incorrect. While para-J of the appeal is correct as mentioned in the main appeal of the appellant.
- K) Incorrect. While para-K of the appeal is correct as mentioned in the main appeal of

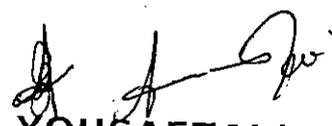
the appellant. Moreover as explained in above paras.

- L) Incorrect. While para-L of the appeal is correct as mentioned in the main appeal of the appellant.
- M) Incorrect. While para-M of the appeal is correct as mentioned in the main appeal of the appellant.
- N) Incorrect. While para-N of the appeal is correct as mentioned in the main appeal of the appellant.
- O) Admitted correct by the respondents while rest of the contention of the respondents is incorrect.
- P) NO comments endorsed by the respondents which mean that they have admitted para-P of the appeal is correct as record is already in the custody of the department.
- Q) NO comments endorsed by the respondents which mean that they have admitted para-Q of the appeal is correct as record is already in the custody of the department.
- R) Incorrect. While para-R of the appeal is correct as mentioned in the main appeal of the appellant.
- S) Incorrect. While para-S of the appeal is correct as mentioned in the main appeal of the appellant.
- T) Incorrect. While para-T of the appeal is correct as mentioned in the main appeal of the appellant.
- U) Incorrect. While para-U of the appeal is correct as mentioned in the main appeal of the appellant.

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

APPELLANT
Rahim Khan

Through:


(M. ASIF YOUSAFZAI)
&
(SYED NOMAN ALI BUKAHRI
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'ble Tribunal.


DEPONENT

~~ATTESTED~~
Oath Commissioner
Zahoor Khan Advocate
Distt: Court Peshawar

22 MAR 2017

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

1106/14
Service Appeal. 1821/2019

Rahim Khan

VS

Govt: of KPK etc.

Subject: - **APPLICATION FOR ADJOURNMENT OF INSTANT
APPEAL.**

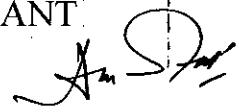
Respected Shewith:-

1. That the instant appeal of the appellant is pending before this Honorable Tribunal and fix for arguments for today i.e 25.06.2019.
2. That the counsel of the appellant has a case in the august Supreme Court of Pakistan on 25.06.2019 due to which he cannot appear before this Honorable Tribunal and requested for adjournment in the instant appeal. (Copy of Supreme Court list is attached)
3. It will be in the interest of justice to adjourn the instant appeal due to the above mention reason.

It is therefore most humbly prayed that on acceptance of this application, the instant appeal may kindly be adjourned for today i.e 25.06.2019 and fix on some other date.

APPELLANT

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

AFFIDAVIT

It is affirmed and declared that the contents of Application are true and correct to the best of my knowledge and belief


DEPONENT

10	C.P. 1511/2019 (Family / Restitution of Conjugal Rights) (S.J.) (E.H.)	Fida Hussain Shah v. Mst. Nusrat Kazmi & Syed Rifaqat Hussain Shah, AOR others	(Enrl#239) Mr. Javed Akhtar Bhatti, ASC (Enrl#3517) Mr. Tariq Aziz, AOR (Enrl#240) Mr. Mubeen Uddin Qazi, ASC (Enrl#4156)	(Rwp) (Rwp) (Rwp) (Lhr)
11	C.A.1168/2019 (Service / Seniority) (S.J.) (C.O.)	Rafiqur Rehman v. Chief Secretary Govt of KPK Peshawar & others	Chaudhry Akhtar Ali, AOR (Enrl#94) Mr. Mudassar Khalid Abbasi, ASC (Enrl#3415) A.G. KPK R - Notice Mian Saadullah Jandoli, AOR (Enrl#241) Mr. Ahmed Nawaz Chaudhry, AOR (Enrl#243) Mr. M. S. Khattak, AOR (Enrl#178) (Rwp) Mr. Muhammad Asif Yousafzai, ASC (Pesh) (Enrl#4814) Mr. Zulfikar Khalid Maluka, ASC (Enrl#2752)	(Rwp) (Rwp) (Pesh) (Rwp) (Ibd)
and(2)	C.A.1169/2019(Service / Seniority) (S.J.)	Faisal Yunas Khan v. Chief Secretary Govt of KPK Peshawar & others	Chaudhry Akhtar Ali, AOR (Enrl#94) Mr. Mudassar Khalid Abbasi, ASC (Enrl#3415) R - Notice	(Rwp) (Rwp)
and(3)	C.A.1170/2019(Service / Seniority) (S.J.)	Wajid Ali & others v. Qayum Khan & others	Syed Rifaqat Hussain Shah, AOR (Enrl#239) Mr. Abdul Rahim Bhatti, ASC (Enrl#3027) A.G. KPK R - Notice Mian Saadullah Jandoli, AOR (Enrl#241)	(Rwp) (Rwp) (Pesh)
and(4)	C.A.1171/2019(Service / Seniority) (S.J.)	Farmanullah Khan & others v. Faisal Yunas Khan & others	Syed Rifaqat Hussain Shah, AOR (Enrl#239) Mr. Abdul Rahim Bhatti, ASC (Enrl#3027) R - Notice	(Rwp) (Rwp)
and(5)	C.A.1172/2019(Service / Seniority) (S.J.)	Wajid Ali & others v. Abdullah Khan & others	Syed Rifaqat Hussain Shah, AOR (Enrl#239) Mr. Abdul Rahim Bhatti, ASC (Enrl#3027) A.G. KPK R - Notice Mian Saadullah Jandoli, AOR (Enrl#241)	(Rwp) (Rwp) (Pesh)
and(6)	C.A.1173/2019 (Service / Seniority) (S.J.)	Farmanullah Khan & others v. Rafiq-ur-Rehman & others	Syed Rifaqat Hussain Shah, AOR (Enrl#239) Mr. Abdul Rahim Bhatti, ASC (Enrl#3027) A.G. KPK R - Notice Mian Saadullah Jandoli, AOR (Enrl#241)	(Rwp) (Rwp) (Pesh)

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1006/14

Muhammad Rahim

VS

Establishment Deptt.

**SUBJECT: APPLICATION FOR ADJOURNMENT OF INSTANT
APPEAL**

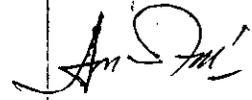
Respectfully Sheweth:

1. That the instant appeal is fixed for today in Arguments before this august Tribunal.
2. That the counsel for the appellant is busy before the honorable Peshawar High Court and is unable to attend the case today. (Copy of cause list is attached).

It is, therefore, most humbly prayed that on acceptance of this application, the instant appeal may kindly be adjourned for today.

APPELLANT

Through:-



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

Dated: 08.06.2021

PESHAWAR HIGH COURT, PESHAWARDAILY LIST FOR TUESDAY, 08 JUNE, 2021

BEFORE:-

MR. JUSTICE LAL JAN KHATTAK &
MR. JUSTICE SYED ARSHAD ALI

Court No: 3

NOTICE CASES

- | | | | |
|------|---|---|---|
| 10. | W.P 3323-P/2020
With IR(Worker
Welfare Board)
(163685) | Kamil Khan
V/s
Chairman/ Sec labour | Sayed Rahmat Ali Shah |
| i | W.P 1566/2013
Challenges transfer on
strength of Supreme
Court Judgement | Khalid Rehman Khan
V/s
Director of Education/Secretary
KPK Worker Welfare Board and
another | Writ Petition Branch AG Office,
Jamil Ahmad Quershi
Mazullah Barkandi
Babar Khan Yousafzai, A.G. |
| ii | W.P 1292/2017 | Bakht Zaman and others
V/s
Chairman Workers Welfare Fund
Govt of Pakistan and others | Zartaj Anwar Khan
Shah Faisal Nasapi, Syed Hazi
Ali Shah, Junaid Zaman, AG KI |
| iii | W.P 3581/2018
(Worker Welfare
Board) | All Pakistan Worker Welfare
Board Employees Union through
its President Mr Aurangzeb
V/s
Secretary Finance, Finance
Division Govt of Pakistan
Islamabad and Others | Muhammad Ayaz Majid
Deputy Attorney General, Bahk
Khattak, Javed Ali, AG KPK |
| iv | W.P 4686/2018 | Mst Shahida Nasreen
V/s
Chair Man Labor KPK | Syed Mudasir Pirzada (Kohat)
Barrister Syed Muhammad Sha
AG KPK |
| v | W.P 2883/2019 | Jamil Ahmad
V/s
Government of KPK | Abid Ali Khan
Jahanzeb Masood, Tajdar Fais
Khan, Qasim Khan, Writ Petitio
Branch AG Office |
| vi | C.Misc 31/2020 in wp.
3659-P/2016 (direction
to respondents to
release salary ,
decided by HCJ , VII) | Shahzada Asad Jan
V/s
Chairman Workers Welfare Boar | Shahzada Irfan Zia
Syed Ghufan Ullah Shah, Writ
Petition Branch AG Office |
| vii | COC 671/2020 in WP
2575-P/2020(Against
order HJ-IV,VII) | Fazle Rabbi
V/s
Muhammad bilal | M. Asif Yousafzai
Qasim Khan, Writ Petition Bran
AG Office |
| viii | W.P 1664/2020
(Worker Welfare
Board) | Nekmat Ullah
V/s
Government of KPK | Saadatullah Khan Tangi
Qasim Khan, Writ Petition Bran
AG Office |

PESHAWAR HIGH COURT, PESHAWAR**DAILY LIST FOR TUESDAY, 08 JUNE, 2021**

BEFORE:-

**MR. JUSTICE ROOH UL AMIN KHAN &
MR. JUSTICE S.M. ATTIQUE SHAH**

Court No: 2

MOTION CASES

- | | | |
|---|---|--|
| 23. W.P 982-P/2021
With IR()
(173113) | Mst. Shano Bibi
V/s
Govt of KP & Others | Ali Azim Afridi

Writ Petition Branch AG Office,
Qalat Khan, Rashid Ali |
| 24. W.P 1123-P/2021()
(173574) | Sheraz Bhatii
V/s
IGP KP & others | Amir Yousaf

Writ Petition Branch AG Office,
Salman Khan 5259 (Focal Pers
IGP) |
| 25. W.P 1408-P/2021()
(174318) | Fazal Hussain & others
V/s
Govt of KP & others | M. Asif Yousafzai

Muhammad Anwar Khan Banvi
Writ Petition Branch AG Office,
Miss Alia |
| 26. CM 1112/2021 In
W.P 1795-P/2021()
(175428) | Muhammad Haris Shah &
another
V/s
Govt of KP | Khaled Rahman

Asad ullah Khan, Muhammad
Anwar Khan Banvi, Writ Petition
Branch AG Office |
| 27. W.P 2037-
P/2021(Harassme
nt case)
(176182) | Mst. Abida Dilnashin
V/s
Govt of KP | Muhammad Ijaz Mohmand

Khush Muhammad Khan,
Hidayatullah (Focal Person),
Muhammad Khalid Matten, Wri
Petition Branch AG Office |

PESHAWAR HIGH COURT, PESHAWAR**DAILY LIST FOR TUESDAY, 08 JUNE, 2021**

BEFORE:-

**MR. JUSTICE ROOH UL AMIN KHAN &
MR. JUSTICE S.M. ATTIQUE SHAH**

Court No: 2

MOTION CASES

- | | | |
|---|--|--|
| 28. W.P 2082-P/2021
with i/r()
(176289) | HBK Steel Mills
V/s
Pakistan & others | Mufariq Shah

Deputy Attorney General, Intia:
Khan AD NEPRA, Attaullah, La
Officer FBR, Safer Hussain, W
Petition Branch AG Office,
Jangraz Khan |
| 29. W.P 2297-P/2021
with IR()
(176977) | Muhammad Amin
V/s
Govt: of KPK etc | M. Asif Yousafzai

Mirzali Khan, Abdul Rauf, Writ
Petition Branch AG Office |

PRE-ADMISSION NOTICE

- | | | |
|--|---|--|
| 30. Cust. Ref 25-
P/2016 With CM
36/2016()
(98667) | M/S Aamir & Co
V/s
Collector of Customs and
others | Aamir Bilal

Muhammad Safdar Khan,
Muhammad Iqbal Khan Mohma
Deputy Attorney General |
|--|---|--|

NOTICE CASES

- | | | |
|--|---|--|
| 1. Cr.A 174-
P/2021(model
court (criminal))
(172764) | Raziq Jan
V/s
Eqbal Khan etc | Shabbir Hussain Gigyani

Cr Appeal Branch AG Office |
| i Cr.A 175/2021 model
court (criminal) | Ghulam Rasool
V/s
Asad Ali & another | Fida Hussain Khalil

Cr Appeal Branch AG Office |
| 2. Cr.A 178-P/2018()
(122374) | Muhammad Anwar
V/s
The State and another | Muhammad Saeed Khan, Shab
Hussain Gigyani, Shahid Naseer
Khan Chamkani

Cr Appeal Branch AG Office |
| i Cr.R 33/2018 | Abdul Basit
V/s
Muhammad Anwar and another | Muhammad Ilyas Orakzai

AG KPK |
| ii Cr.A 262/2018 | Abdul Basit
V/s
Muhammad Nabaz and Others | Muhammad Ilyas Orakzai

AG KPK |

PESHAWAR HIGH COURT, PESHAWAR**DAILY LIST FOR TUESDAY, 08 JUNE, 2021****MR. JUSTICE ROOH UL AMIN KHAN &
MR. JUSTICE S.M. ATTIQUE SHAH**

Court No: 2

BEFORE:-

NOTICE CASES

- | | | | | |
|----|--|--|-----------------|--|
| 3. | Cr.A 928-P/2018()
(132515) | Zahid Ullah
V/s
The State | (Date By Court) | Farhana Naz Marwat

AG KPK |
| 4. | Cr.A 941-P/2018()
(132686) | Javid Gul
V/s
The State | | Shabbir Hussain Gigyani

AG KPK |
| i | Cr.R 141/2018 | Nazir Ahmad
V/s | | Rameez Muhammad

AG KPK |
| ii | Cr.A 938/2018 | Javed Gul
Javid Gul
V/s
The State | | Shabbir Hussain Gigyani

AG KPK |
| 5. | Cr.A 682-P/2020()
(165494) | Muhammad Latif
V/s
State | | Zohra Durrani, Shahid Khan Afi

Cr Appeal Branch AG Office |
| i | Cr.A 683/2020 | Sheroz Ahmad
V/s
State | | Muhammad Saeed Khan

Cr Appeal Branch AG Office |
| 6. | Cr.A 834-P/2020(model court (criminal))
(167428) | Shal Bashah
V/s
Shabir Rehman | | Shabbir Hussain Gigyani,
Muhammad Akbar Khan

Cr Appeal Branch AG Office |
| 7. | COC 355-P/2020(in WP 1434-P/2019(Against order HJ-III,XVI))
(162393) | Faryal Khan
V/s
Kazim Niaz and others | | Jan Muhammad Khan Utman Z
M. Asif Yousafzai

Mirzali Khan, Abdul Rauf, Writ
Petition Branch AG Office |

PESHAWAR HIGH COURT, PESHAWARDAILY LIST FOR TUESDAY, 08 JUNE, 2021MR. JUSTICE ROOH UL AMIN KHAN &
MR. JUSTICE S.M. ATTIQUE SHAH

Court No: 2

BEFORE:-

NOTICE CASES

- | | | | |
|-----|--|---|---|
| 8. | W.P 382-P/2017
(Services)(Seeks
payment of
outstanding
salaries,
reinstatement and
back benefits)
(107301) | Muhammad Riaz and others
V/s
Frontier Constabulary through
its Commandant and others | Barrister Kamran Qaisar
.....
Farman Ullah Khattak, Muhamr
Hayat Khan, Asif Paracha
(Kohat), AG KPK |
| i | Rev in WP 115/2017 in
WP: 4392/2016 | Ali Haider & Others
V/s
Commandant, Frontier
Constabulary KPK, Peshawar | Abdul Haleem Khattak, Barrister
Kamran Qaisar
.....
Farman Ullah Khattak, Muhamr
Hayat Khan, Asif Paracha
(Kohat), Writ Petition Branch AG
Office |
| 9. | W.P 4493-P/2017
With CM 289-p/20
(M)(I)
(117912) | Pervez Khan
V/s
Govt of KPK thr: Chief
Secretary and Others | Muhammad Ijaz Khan Sabi
.....
AG, Aurangzeb Khan, Shakeel
Ahmad Khel, Syed Arshad Awa
M. Asif Yousafzai |
| i | W.P 2160/2021 | Pervez Khan
V/s
Govt of KP | Mirzali Khan, Muhammad Anwar
Khan Banvi, Writ Petition Branch
AG Office |
| 10. | W.P 5633-P/2018
With IR()
(133324) | Mst. Asma Zahir
V/s
Secretary Helath, Government
of KPK | Khanzada Ajmal Zeb Khan,
Muhammad Asif Khan Yousafzai
Noor Muhammad Khattak
.....
Fazal Shah Mohmand, AG KPK |
| 11. | W.P 2751-P/2018
With CMs 1437-
p/20(M) 156-
p/2021(M)(With
IR)
(126460) | Abdul Khaliq
V/s
Govt of KPK | A. Hashim Khan, Arbab Yasir
Hayat
.....
AG KPK |

PESHAWAR HIGH COURT, PESHAWARDAILY LIST FOR TUESDAY, 08 JUNE, 2021MR. JUSTICE ROOH UL AMIN KHAN &
MR. JUSTICE S.M. ATTIQUE SHAH

Court No: 2

BEFORE:-

NOTICE CASES

14.	W.P 3335-P/2019 With IR() (144466)	Mian Ayub Gul V/s Govt	Mian Muhammad Imran ----- Asad ullah Khan, Mr. Farhad Durrani, Musharaf khan Marwat Writ Petition Branch AG Office Aman Ullah Pirzada, Bakhtiar ----- AG KPK
i	W.P 5478/2018	Baz Muhammad V/s The Government of KPK	AG KPK
ii	W.P 2888/2019	Muhammad Shahab V/s Government of KPK	Mian Muhammad Imran ----- Asad ullah Khan, Mr. Farhad Durrani, Musharaf khan Marwat Writ Petition Branch AG Office
iii	W.P 4573/2019	Khalil Muhammad Khan V/s Government of KPK	Abdur Rahim Khan Jadoon, M. Asif Yousafzai ----- Musharaf khan Marwat, Sadaqat Ullah, Muhammad Anwar Khan Banvi, Writ Petition Branch AG Office
iv	W.P 4863/2019	Mst. Farha Huma V/s Government of KPK	Nasir Mehmood ----- Nasrullah Jan, Sadaqat Ullah, Muhammad Anwar Khan Banvi Writ Petition Branch AG Office, Dr. Amer Hamid, Qalat Khan
v	W.P 4907/2019	Khan Gul V/s Government of KPK	Irfan Ali Yousafzai ----- Nasrullah Jan, Sadaqat Ullah, V Petition Branch AG Office, Dr. Amer Hamid, Qalat Khan
vi	W.P 5098/2019 With IR	Shabir Ahmad V/s Government of KPK	Muhammad Maaz Madni ----- Mr. Farhad Durrani, Sadaqat Ullah, Writ Petition Branch AG Office, Dr. Amer Hamid

PESHAWAR HIGH COURT, PESHAWAR**DAILY LIST FOR TUESDAY, 08 JUNE, 2021****MR. JUSTICE LAL JAN KHATTAK &
MR. JUSTICE SYED ARSHAD ALI**

Court No: 3

BEFORE:-

NOTICE CASES

10.	W.P 3323-P/2020 With IR(Worker Welfare Board)) (163685)	Kamil Khan V/s Chairman/ Sec labour	Sayed Rahmat Ali Shah
i	W.P 1566/2013 Challenges transfer on strength of Supreme Court Judgement	Khalid Rehman Khan V/s Director of Education/Secretary KPK Worker Welfare Board and another	Writ Petition Branch AG Office, Jamil Ahmad Quershi Mazullah Barkandi Babar Khan Yousafzai, A.G.
ii	W.P 1292/2017	Bakht Zaman and others V/s Chairman Workers Welfare Fund Govt of Pakistan and others	Zartaj Anwar Khan Shah Faisal Nasapi, Syed Hazi Ali Shah, Junaid Zaman, AG KP
iii	W.P 3581/2018 (Worker Welfare Board)	All Pakistan Worker Welfare Board Employees Union through its President Mr Aurangzeb Secretary Finance, Finance Division Govt of Pakistan Islamabad and Others	Muhammad Ayaz Majid Deputy Attorney General, Bahk Khattak, Javed Ali, AG KPK
iv	W.P 4686/2018	Mst Shahida Nasreen V/s Chair Man Labor KPK	Syed Mudasir Pirzada (Kohat) Barrister Syed Muhammad Sha AG KPK
v	W.P 2883/2019	Jamil Ahmad V/s Government of KPK	Abid Ali Khan Jahanzeb Masood, Tajdar Fais Khan, Qasim Khan, Writ Petitio Branch AG Office
vi	C.Misc 31/2020 in wp 3659-P/2016 (direction to respondents to release salary , decided by HCJ , VII)	Shahzada Asad Jan V/s Chiarman Workers Welfare Boar	Shahzada Irfan Zia Syed Ghufran Ullah Shah, Writ Petition Branch AG Office
vii	COC 671/2020 in WP 2575-P/2020(Against order HJ-IV,VII)	Fazle Rabbi V/s Muhammad bilal	M. Asif Yousafzai Qasim Khan, Writ Petition Bran AG Office
viii	W.P 1664/2020 (Worker Welfare Board)	Nekmat Ullah V/s Government of KPK	Saadatullah Khan Tangi Qasim Khan, Writ Petition Bran AG Office

PESHAWAR HIGH COURT, PESHAWAR**DAILY LIST FOR TUESDAY, 08 JUNE, 2021**

BEFORE:-

**JUSTICE MS. MUSARRAT HILALI &
MR. JUSTICE MUHAMMAD NASIR MAHFOOZ**

Court No: 4

MOTION CASES

- | | | |
|---|---|---|
| 12. W.P 5204-P/2020
(168754) | Dr. Bushra Amin
V/s
Dean, Khyber College | Akhunzada Ahmad Saeed |
| 13. W.P 5456-P/2020
With IR()
(169557) | Engr Sultan Arif Sarwar
V/s
Chief Secty Govt of KP | Muhammad Ayub Shinwari

Engr. Jehan Zeb Khan, Mr. Farhad Durrani, Khalid Khan, Writ Petition Branch AG Office, Qalat Khan |
| 14. W.P 5476-P/2020
(169629) | Muhammad Qasim
V/s
Pakistan Broadcasting corporation | Mubarak Zeb

Deputy Attorney General, Asadullah |
| 15. W.P 5517-P/2020
With IR()
(169739) | Hafiz ul amin
V/s
Govt of KPK | Amanullah Khan Marwat

Hidayatullah (Focal Person), Muhammad Khalid Matten, Writ Petition Branch AG Office |
| 16. W.P 314-P/2021()
(171340) | Maeen Ullah Khan
V/s
Dy Commissioner Orakzai | Muhammad Ilyas Orakzai

Kamran Ullah, Shahzad Anjum, Mr. Farhad Durrani, Mirza Khali Mahmood., Writ Petition Branch AG Office, Qalat Khan |
| 17. CM 1109/2021 In
W.P 469-P/2021()
(171739) | Abbas Ali Khan
V/s
Govt of KP | M. Asif Yousafzai

Writ Petition Branch AG Office, Muhammad Arif Wazir |

Before the Khyber Pakhtunkhwa Service Tribunal
Peshawar
KRaSue Tribunal Appeal No. 1106/2014

Mohammad Rabim Khan

Gout of ^V/₅ KPK, through chief secretary
& 4 others

Memo of Appearance on behalf of
Appellant in the above titled case for today

R/shawath,

That the above Appellant has engaged
me as well as ~~an~~ other counsel namely
Isaac Ali Qazi Advocate^{etc}_{ASC} as a counsels
on 26-10-2022. However proper Wakalatnama
could not be prepared & signed due to
Appellant's out of station,

That on his arrival, proper Wakalatnama
will be signed & submitted before this hon.
Tribunal before next date.

So kindly accept my Memo of Appearance
for today on Appellant's behalf and adjourn
the case for any other date as convenient
for this hon. Tribunal.

Mohammad Rabim Khan
through
Anwar Shah 27/10/2022
Advocate HC
with Isaac Ali Qazi
Advocate
SC

Power of Attorney
BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

In Re: Service Appeal No. 1106/2014

Muhammad Rahim Khan

..... *Appellant*

Versus

Government of Khyber Pakhtunkhwa through Chief Secretary & 4 Others

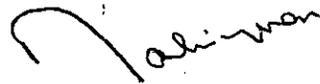
..... *Respondents*

By this, power-of-attorney I/we, the said **Muhammad Rahim Khan, Appellant**, undersigned, do hereby nominate and appoint **Mr. Isaac Ali Qazi, ASC, Mr. Anwar Shah, AHC, Mr. Maqsood Ali, AHC, Mr. Hakeem Khan, AHC, Mr. Saad Ali Qazi, AHC and Mr. M. Saqib Khan, Advocate** to be counsel/s in the above matter for me/us and on my/our behalf as agree to appear plead act and answer in the above Court/Authority/Tribunal or any appellate court or any other court to which the business in transferred in the above matter as and is agreed to sign the file Petitions, Appeals, Statement, Accounts, Exhibits, Compromises or other documents whatsoever, in connection with the said matter or any matter arising therefore and also to apply for receive all documents or copies of documents, depositions etc. and to apply for and issue summons and other writes or sub poena and to apply for and get issued any arrest attachments or other execution, warrants or order and to conduct any proceedings that may arise there out; and reply for and receive payment of any or all sums or submit for the above matter arbitration, and to employ and other legal practitioner, authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so, any other lawyer may be appointed by may said counsel to conduct the case who shall have the same persons.

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

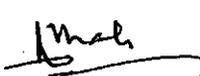
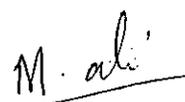
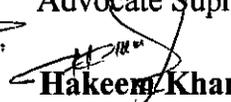
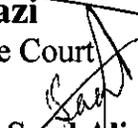
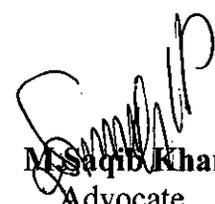
And I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of these powers or as is the usual practice in such matters.

Provide always, that I/we under that at the time of calling case by the 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 IN WITNESS WHEREOF I/WE has hereto signed at Peshawar 08 day of **October** in the year 2022.



Signature
(Executant / Executants)

Accepted subject to the terms regarding fee.

     
Anwar Shah Maqsood Ali Isaac Ali Qazi Hakeem Khan Saad Ali Qazi M. Saqib Khan
Advocate High Court Advocates High Court Advocate Supreme Court Advocate Advocate

Isaac Law Associates
Advocates & Consultants

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 1106/2014

Diary No. 919

Dated 29-8-16

Mohammad Rahim Khan

Vs

Govt: of KPK etc.

APPLICATION FOR PLACING ON FILE THE ATTACHED DOCUMENTS.

R. SHEWETH.

- 1- That the above noted appeal is pending before the august Tribunal wherein the Govt: claim regarding vehicles and recovery thereof is under dispute.
- 2- That the appeal is now fixed for 10.11.2016 for rejoinder and arguments.
- 3- That some necessary documents essential for just and fair decision of the appeal are left inadvertently, therefore, the appellant is requesting the attached documents may be placed on Tribunal's file for considerations (total 18 pages)

Therefore it is humbly prayed that the attached documents with this application may be placed on Court's file for consideration.

APPLICANT/APELLANT

Muhammad 26/8/16
MUHAMMAD RAHIM KHAN

THROUGH:

M. Asif
M.ASIF YOUSAFZAI

ADVOCATE.

AFFIDAVIT.

It is affirmed that the contents of this application are true an correct.



DEPONENT

Muhammad 26/8/16
MUHAMMAD RAHIM KHAN.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT
(TRANSPORT SECTION)

ANNEX-A

NO.SOT(AD)CT/Un-authorized/2014
Dated Peshawar the 15th May 2015

To

Mr. Rahim Khan
Ex-Additional Secretary (Admn)
Administration Department.

Subject: - UNAUTHORIZED RETENTION OF VEHICLE.

I am directed to refer to the subject and to state that as per record of this office vehicle bearing Registration No. A-1299 (Toyota Corolla Model 2006) and A-1699 (Toyota Corolla Model 2006) are in your possession, which is not covered under the rules.

2. In order to avoid complications I am directed to say that the vehicles mentioned above may immediately be returned to the Transport Section of Administration Department.

Ans
SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

ENDST: NO & DATE EVEN

Copy forwarded to:-

1. FS to Chief Secretary Khyber Pakhtunkhwa.
2. PS to Secretary Administration Department.
3. PA to Deputy Secretary (Admn), Administration Department.

Ans
SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

TOP PRIORITY:
MOST IMMEDIATE:
ASSEMBLY/BUSINESS NOTICE:

Dated Peshawar the 19th September, 2011.

To,

The Section Officer (Transport),
Administration Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: - RETENTION OF UNAUTHORIZED OFFICIAL VEHICLES.

Reference your letter No. SOT(AD)/CT(Unauthorized)/2009 dated 14.09.2011 on the subject noted above.

2. In this connection it is brought to your notice that vehicles bearing Registration No. A-1299 PR Toyota Corolla and A-1619 PR (1234) Toyota Corolla are NOT in my charge or in my possession.

3. It is further added that I had in my possession my official/designated vehicle bearing No. A-1948, which I had returned to the Section Officer (Transport) on 27.03.2010 and obtained receipt. Copy of the receipt is attached.

Thanking you,

With Regards,

2nd o/c DM

(Muhammad Rahim Khan)
15-D, Old Jamrud Road,
University Town, Peshawar.

P-3

①

ANNEX-C

To,

The Chief Minister,
Khyber Pakhtunkhwa,
Chief Minister's Secretariat,
Peshawar.

Through Proper Channel
(Chief Secretary, Khyber Pakhtunkhwa)

PS/O.S. Khyber Pakhtunkhwa
Slary No. 8851
Date. 11-9-2015

**Subject: DEPARTMENTAL APPEAL AGAINST ORDER DATED 15.05 2015
AND OTHERS.**

Dear Sir,

Most profoundly, it is submitted that I was posted as Additional Secretary Administration Department in 2009, but unfortunately, I was removed from service vide Notification No IC(E-I)E&AD/9-128/2010 dated 26.07.2010.

2. Being no longer a civil servant; the Establishment Department passed various orders dated 14.09.2011, 30.09.2011, 29.02.2012, 07.05.2012 and presently 15.05.2015

3. Since I am not in service and no more a civil servant, therefore, as per the concerned rules, the undersigned in order to meet the requirements under Section-4 of the Khyber Pakhtunkhwa Services Tribunal submits the following representation against the orders dated 14.09.2011, 30.09.2011, 29.02.2012, 07.05.2012 and presently 15.05.2015 on the grounds given as below: -

356-511
18/6/15

ANNEX-1

GOVERNMENT OF KHYBER PAKHTUNKHWA
ADMINISTRATION DEPARTMENT
(TRANSPORT SECTION)

NO.SOT(AD)CT/Un-authorized/2014.
Dated Peshawar the 16th June 2015

To

Station House Officer (SHO),
University Town Police Station,
Peshawar.

Subject: - UNAUTHORIZED RETENTION OF VEHICLES.

I am directed to refer to the subject noted above and to state that as per record of this office, vehicles bearing Registration No. A-1299 (Toyota Corolla XLI Model 2006) and A-1699 (Toyota Corolla XLI Model 2006) are being retained by Mr. Rahim Khan Ex-Additional Secretary (Admn) Administration Department unauthorized. He has been issued many notices, but unwilling to return the vehicles.

2. It is therefore I am directed to request you to retain the said vehicles from Mr. Rahim Khan Resident of Old Jamrud Road University Town Peshawar and handover to Transport Section Administration Department as soon as possible.

Hchs
SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

ENDST: NO & DATE EVEN

Copy forwarded to:-

1. PSO to Chief Secretary Khyber Pakhtunkhwa.
2. PS to Secretary Administration Department.
3. PA to Deputy Secretary (Admn), Administration Department.

Hchs
SECTION OFFICER (TRANSPORT)
ADMINISTRATION DEPARTMENT

Asst. Secy
U. G. P. S.
SHO P.S.
29/6/15

P-5

ANNEX-E

STATEMENT OF MUHAMMAD RAHIM KHAN S/O MUHAMMAD TARIQ KHAN
R/o 15-D Old Jamrud Road University Town, Peshawar Khyber Pakhtunkhwa.

Subject: RETENTION OF UNAUTHORIZED VEHICLES.

1. This is to state and to bring to your notice that vehicles bearing Reg. No. A-1299, Toyota Corolla and A-1699 PR (1234) Toyota Corolla are NOT in my charge or possession. (1699)
2. Kindly find attached (102) One Hundred & Two pages only of correspondences made with the Administration Department Khyber Pakhtunkhwa in this matter, which will amply prove the factual position and also ascertain the truth that the above mentioned vehicles are not in my possession.
3. For your information and further necessary action, due to the constant harassment and malafide action and attitude towards the undersigned, and as a matter of abundant precaution, the undersigned has admitted a legal case in the subject mentioned above against the Administration Department KPK in the court of law before the Eid-ul-Fitar Holidays 2015.

Resred
ASi Ps Tom
27.07.2015

Your's faithfully

dc pm

Muhammad Rahim Khan

نفاذ قانون

ضلع ٹسسان

خدا علی، حوالہ مشورہ جمعیتی انگریزی جھولہ دستہ خبا۔ لیٹر

آفیسر انسپورٹ ایڈمنسٹریٹیشن ڈیپارٹمنٹ بڈرہ ڈاک

حوالہ من آسی بولر اسکے بارے محمد رحیم خان ولد محمد

خان بکنڈہ 15-05 اولڈ چہرور اور یونیورسٹی ٹاؤن لیٹل

گسٹ تو ملاقات سرکاری بیان کیا۔ کہ میرے ذمے کوئی سگنل

گاری بنا نہیں ہے۔ اور جو بھی گاری میرے ساتھ ہے

اسکو میں نے حقیقتہ حکام کو حوالہ کیا ہے۔ جبکہ سٹیٹ

مذکورہ نے ایک تحریری بیان بابت گاری نمبر 1299

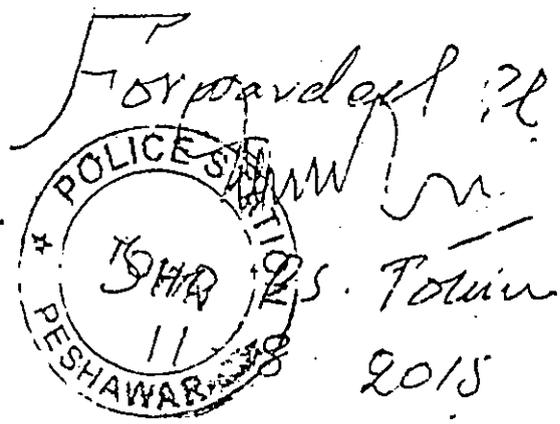
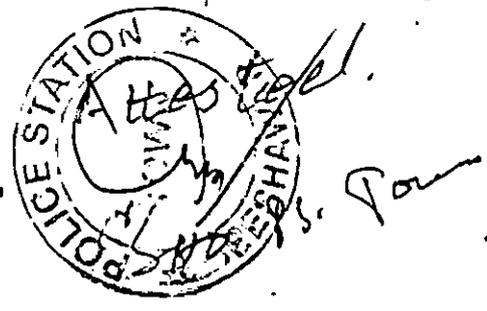
1699 (2) اور ساتھ ہی دیگر کاخدا بابت رلیٹو

(102) صفحات پر مشتمل حوالہ کرتے جو کہ لف جمعیتی تھا

ہے۔ رپورٹ عرض ہے

Asi - Ps. U Tolun

11.8.2015



V-7

1171

27/3/2010

ANNEX-G

Subject: - RETURN OF OFFICIAL DESIGNATED VEHICLE NO. A-1948
WITH THE ADDITIONAL SECRETARY (ADMIN)
ADMINISTRATION DEPARTMENT.

The official designated vehicle No. A-1948 with the Additional
Secretary (Admin) Administration Department is hereby returned.

(Muhammad Rabi Khan)
Additional Secretary (Admin)
Administration Department
Dated: 27.3.2010

Secretary (Admin) Administration Department

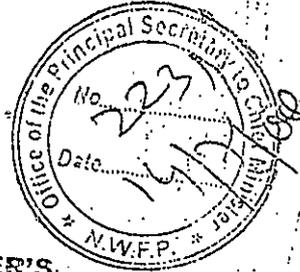
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27/3/2010

MOST IMMEDIATE PRIORITY

GOVERNMENT OF N.W.F.P. ADMINISTRATION DEPARTMENT

NO.SOT(AD)5-2/2008 Dated Peshawar the 12/7/2008

Handwritten signature and date 14/7



The Principal Secretary to Chief Minister NWFP, Chief Minister's Secretariat NWFP, Peshawar.

SUBJECT: PROVISION OF VEHICLES TO CHIEF MINISTER'S HOUSE/SECRETARIAT NWFP.

Dear Sir,

I am directed to refer to the subject noted above and to state that this department has provided the following vehicles to Chief Minister's House/Secretariat NWFP for official duties out of Transport Pool, Administration Department:-

Table with 4 columns: S.No., Registration No., Make, Date of Delivery. Contains 20 rows of vehicle details including registration numbers like A-1175-Pesh and makes like Mercedes Benz, Toyota Landcruiser, and Toyota Corolla.

2. Besides, out of four Mercedes Benz Cars meant for VVIP protocol duties, two cars have been provided to Senior Ministers for P&D/G&RD out of Transport Pool, Administration Department.

Furthermore, vehicle bearing Registration No.A-1114-Pesh Toyota Land Cruiser has been placed at the disposal of Mr. Bashir Ahmed Bilour, Senior Minister for LG&RD in addition to one Mercedes Benz Car. Thus this department is facing great hardship in deployment of vehicles for VVIP protocol duties due to acute shortage of vehicles in the Transport Pool.

3. It may not be out of place to mention here that the vehicles mentioned at Annex-I were at the disposal of C.M House/ Secretariat during the tenure of Ex-Chief Minister (Mr. Akram Khan Durrani), the Vehicles mentioned at Annex-II were placed at the disposal of C.M. House /Secretariat during the tenure of Caretaker Chief Minister NWFP (Mr. Sham-ul-Mulk) whereas the vehicles mentioned at Annex-III are placed at the disposal of C.M. House/Secretariat of the sitting Chief Minister NWFP.

4. In light of the above-mentioned position, it is therefore requested that requirement of CM's House/Secretariat may please be met out from the vehicles as mentioned above.

Yours faithfully,

DEPUTY SECRETARY (ADMIN)

Encls: of Even No. & Date.

Copy is forwarded to:-

1. The Chief Security Officer/ P.S.O-II to Chief Minister NWFP, Peshawar.
2. P.S.O.I Chief Minister NWFP, Peshawar.
3. P.S. to Chief Minister NWFP.
4. The Deputy Secretary (Admn), Chief Minister's Secretariat NWFP, Peshawar.
5. The Transport Officer, Chief Minister's Secretariat NWFP, Peshawar as per his verbal request for the above mentioned information.
6. PS to Secretary to Govt. of NWFP, Administration Deptt.
7. Section Officer (Transport), Administration Deptt.

DEPUTY SECRETARY (ADMIN)

Principal Secretary to
Chief Minister, NWFP

14 JUL 2003

LIST OF UNAUTHORIZED VEHICLES ALLOTTED

S. No	Registration No	Make & Model	Name of User
1.	A-9294	Toyota Camry	Chief Secretary
2.	A-1292	Toyota Corolla 2006-07 NLI	Secretary Administration (Returned from CM Sectt. in exchange for vehicle reserved for Judge Anti-Corruption NWFP)
3.	A-1291	Toyota Prado Silver	Secy: Admn. (For Protocol Duty given by CM House for Protocol Duty)
4.	A-1891	Suzuki Margala	PS to Sectary Administration
5.	BM-219	Suzuki Potohar Jeep	Assistant O/o Secy: Admn
6.	NR-1029	Intercolor	Sectary Establishment
7.	0128	Suzuki Khyber	PS to Sectary Establishment
8.	A-1152	Toyota Corolla	Mr. Hamayoon Ex. Spl. Sectary Establishment
9.	A1010	Suzuki Khyber	Mr. Shah Jehan Driver CM
10.	A-1002	Toyota Corolla 2004	Ex CS Mr. Sahibzada Riaz Noor
11.	A-10.0	Suzuki Khyber 1992	Mr. Shah Jehan Driver CM
12.	A-1005	Toyota Corolla 1988	Mr. Shereen Driver CM Sectarait
13.	A-1160	Suzuki Khyber	Mr. Afsar Ali Inspector CM Sectarait
14.	A-5133	Toyota Corolla 2005	PSO II to CM Mr. Niazi
15.	A-1198	RENT VEHICLE	PSO II to CM Mr. Niazi
16.	A-555	Suzuki Khyber	PS to Political Sectary
17.	A-1069	Toyota Land Cruiser	PS to Political Sectary to CM
18.	A-5138	Toyota Corolla	PSO-I to CM Sectarait
19.	A-4154	Toyota Corolla 2004	Mr. Masoom Shah and under the use of MPA
20.	A-3796	Suzuki Margala	Ex. Press Sectary to CM Mr. Bahramand.
21.	009	-do-	CM Sectt.
22.	A-1114	Defender	-do-
23.	A-1617	Toyota Corolla 2004	Security Squad To CM
24.	A-1026	Toyota D Cab	Inspector CM Mr. Riaz Khan
25.	A-3255	Toyota Land Cruiser	Minister for Sports Mr. Aqil Shah
26.	1073 PR	Toyota Atlas 2008	S. Minister for Local Government Mr. Bashir Bilour
27.	1709 ER	Toyota Corolla	Mr. Shah Nawaz ANP Mardan
28.	A-4227	Toyota Land Cruiser	Mr. Abass Khan ANP Mardan
29.	A-1323	Toyota D Cab	Mr. Majced ANP PSF
30.	0439 PR	Toyota Corolla 2007	Miss Shaqufta Malik MPA
31.	A-1450	Toyota Corolla 1994	Mr. Sarfaraz Jadoon MPA
32.	A-1083	Toyota S Cab	Mr. Bacha Saleh MPA
33.	A-3986	Toyota D Cab	MPA Malik Hayat
34.	0314	Toyota D Cab	Dr Zafar Member ANP Mardan.
35.	3M-119	-do-	MPA Mr. Zameen Khan
36.	A-1114	Toyota Land Cruiser	Mr. Taj u Din ANP
37.	A-1200	Toyota Corolla 1996	Mr. Main Tahir G. Sectary ANP
38.	A-1282	Toyota S Cab	Bacha Khan Markaz Handed over to Mr. Mian Tahir
39.	A-0335	Toyota D Cab	Bacha Khan Markaz Handed over to Mr. Mian Tahir
40.	A-1093	Toyota D Cab	Bacha Khan Markaz Handed over to Mr. Mian Tahir
41.	A-3990	Toyota D Cab	-do-

42.	A-0333	Toyota D Cab	Bacha Khan Markaz Handed over to Mr. Mian Tahir
43.		Suzuki Cury Alto	Bacha Khan Markaz Handed over to Mr. Mian Tahir
44.	A-5142	Toyota Corolla 2005	Bacha Khan Markaz Handed over to Mr. Mian Tahir
45.	A-1189	Toyota Land Cruiser	Bacha Khan Markaz Handed over to Mr. Mian Tahir
46.	A-1003 D.I.K.	Suzuki Khyber	Bacha Khan Markaz Handed over to Mr. Mian Tahir
47.	A-1275	Toyota D Cab	Bacha Khan Markaz Handed over to Mr. Mian Tahir
48.	A-3287	Toyota Corolla 1994	Mr. Bashir Sharpaoo ANP PSF
49.	A-3145 Pesh	Toyota Corolla 1988	Protocol Officer Mr. Zaher
50.	A-4053	Toyota Corolla 1994	Caretaker PBMC Mr. Jamoor Shah
51.	A-1011	Toyota Corolla 1988	Caretaker Mr. Jamshad Khan
52.	A-1253	Nissan Car	CT Mardan Frontier House
53.	A-3048	Toyota Corolla 1994	Mr. Shah Zeb Caretaker Administration
54.	A-4144	Toyota Corolla 2004	Mr. Naseem ud Din AD PBMC
55.	A-3049	-do- 1996	Mr. Hafeez Accl. Director PBMC
56.	A-3213	-do-	Mr. Nigar Sub Engineer PBMC
57.	A-1328	-do- 1995	Mr. Bahramand Protocol Officer
58.	A-3047	-do- 1996	Incharge Officer Mess Mr. Shah Jehan
59.	A-1029	Toyota D Cab	Incharge Officer Mess Mr. Shah Jehan
60.	A-3280	Suzuki Margalla	Mr. Arif Librarian
61.	A-1148	Toyota Corolla 1996	Mr. Majid Programmer Computer cell
62.	MAA-424	Toyota Corolla 1988	Mr. Wasim AEO
63.	A-1212	Suzuki Khyber	Mr. Wasim AEO
64.	A-3051	Toyota Corolla 1994	Mr. Zafar Ali Shah Protocol Officer
65.	A-1186	Honda 1994	DSP Security Mr. Hidayat Khan
66.	A-1103	Suzuki Potohar Jeep	SO Account Mr. Ghazi Khan
67.	A-4148	Toyota Corolla 2004	Frontier House Islamabad
68.	A-1102	Toyota Corolla 1988	-do-
69.	A-1086	Toyota S Cab	-do-
70.	A-3038	Toyota Corolla	-do-
71.	A-1165	Suzuki Bolan	SO Budget Mr. Shams ur Rehman
72.	NR-291	Suzuki Khyber	SO Litigation Mr.
73.	0276 PR	Toyota Atlas	Sectary Home & Tribal Mr. Fiaz Khan Turo
74.	A-2388	Toyota Land Cruiser	Frontier House Mardan
75.	0507 PR	Toyota Corolla	-do-
76.	1160 PR	Toyota D Cab	-do-
77.	ADC-370	Suzuki Jeep	Mr. Javeed Khalil Class IV Association
78.	A-1222	Toyota Corolla	Ex. DS E I Mr. Abdul Jalil
79.	A-1087	Suzuki jeep	Mr. Imtiyaz Assistant Addl Sect Establishment
80.	A-1427	Suzuki Khyber	Accountant General
81.	LRQ-2967	Suzuki Alto	Supertandent AG Office
82.	A-1168	Toyota Corolla 1988	DAG AG Office
83.	A-1124	Toyota Corolla 1994	Addl AG
84.	A-1487	Suzuki Margale	Mr. Riaz SDO PBMC

85	A-3174	Suzuki Potohar Jeep	AG Office Mr. Riaz Khan
86	A-1195	Toyota Corolla 1988	SO E II
87	A-3286	Toyota Corolla 1990	Mr. Arshad Protocol Officer
88	A-149	Toyota Corolla 1990	Mrs. Hasmat Iqbal
89	A-092	Suzuki Potohar Jeep	Mr. Yahya Shah Audit Officer AG Office
90	A-1001 Dir	Suzuki Mehran	Incharg Special Branch Mr. Shabir Khan
91	A-3292	Toyota D Cab	Mr. Changaz Khan P&D
92	A-0314	Toyota D Cab	Dr. Zafar Khan
93	A-1413	Suzuki Khyber	Abdul Salam AG Office
94	A-4053	Honda Car	Mr. Hameed Hussain Audit Officer AG Office
95	A-4152	Toyota Corolla 2004	Mr. Khalid Khan Umarzai
96	A-5150	Toyota Corolla 2005	Mr. Khalid Khan Umarzai
97	A-1185	Toyota Corolla 1994	Dr. Zubair Principal KMC
98	A-1158	Toyota Corolla 1990	Mr. Alamzeb DDO Peshawar
99	A-3044	Toyota Corolla 1994	Ex. Sectary Administration
100	A-3284	-do-	-do-
101	A-2664	Toyota D Cab	-do-
102	RR-1293	Toyota Land Cruiser	Director Audit Dr. Fawad Khan
103	A-3070	Toyota Corolla 1996	Director General Audit NWFP
104	A-3282	-do- 1998	-do-
105	A-1079	Toyota D Cab	DAG AG Office Mr. Hamayoon
106	A-1030	Suzuki Khyber	Mr. Unab Gul AG Office
107	A-1013 Bunner	Toyota Corolla 1996	Mr. Amjad Nazcer
108	AD-57-186	-do-	AG Office
109	A-1249	Toyota Corolla	Mr. Irshad DSP CM House
110	A-1015	Toyota Land Cruiser	SO (A) P&D
111	A-1118	Alto	Mr. Saqib DS Environment
112	A-2712	Alto	Mr. Sher Akber SP
113	A-3045	Toyota Corolla 1994	Mr. Alamgir Shah
114	PRH 6411	Toyota Corolla 1988	Town I
115	A-1123	Toyota Corolla	Mr. Asif Yousafzai Advocate High Court
116	A-2131	S Khyber	Mr. Tauseef PA to AS P&D
117	A-1240	TLC	Mr. Sher Zaman Dy. Director PDA
118	A-2417	Toyota Land Cruiser	Addl. Sectary Benevolent Fund
119	A-1062	S Margala	Mr. Nigar Sub Enginer PBMC
120	PRG-4487	Toyota Jeep 1980	DG Galyat Mr. Khushal Khan
121	A1001	Toyota Corolla	Fiance Department
122	A-1116	Land Cruiser	Town III
123	A-2896	-do-	Town III
124	A-1799	-do-	PDA
125	A-1110	Honda	PDA
126	A-1145	S Khyber	PDA
127	FDS 5893	S Khyber	PDA
128		Suzuki Baleno	Mr. Dr. Adnan
129	A-1226	Toyota Land Cruiser	
130	A-1029	Land Cruiser 3 door	
131	A-1007 NR	Suzuki Khyber	SO E I
132	A1009 BU	Toyota Land Cruiser	
133	A-5151-Pesh	Toyota Corolla	AG NWFP
134	A-3293	Suzuki Margalla	Mr. Wajid Khan, A. Audit Officer
135	A-3053	Toyota Corolla	Audit Officer Mr. Wajid
136	A-2945-Pesh	Toyota S/Cab	
137	A-1281 -Chitral	Toyota D Cab	With Mr. Shakeel Overseer for inspection of Nathiagali, Abbottabad and Islamabad Frontier Houses.
138	A-1228	Suzuki Khyber	Caretaker

Subject: RETURN OF UNAUTHORIZED VEHICLES.

You were given directions by the undersigned time and again verbally as well as in writing to withdraw all the vehicles held un-authorized by many officers, public representatives and individuals immediately as per Serial No. 1 to Serial No. 138 of the list of un-authorized held vehicles (copy attached) but so far no action seems to be in progress. You are once again directed to withdraw all the vehicles as mentioned above.

de M

ADDITIONAL SECRETARY (ADMN)

25/1/68
2-5/1/68
SECTION OFFICER (TRANSPORT)

CARETAKER (TRANSPORT)

25/1/68
9698

**TOTAL VEHICLES PLACED AT THE DISPOSAL OF
CHIEF MINISTER'S HOUSE NWFP PESHAWAR**

S.No.	Vehicle No.	Make	Attached	Name Of Driver
1	IDF-6828	Mercedes Benz	CM House	Muhammad Hassan
2	A-1110	Honda Accord	CM House	M. Iftikhar
3	A-2095	Toyota Corona	CM House	Mir Afzal
4	A-1114	Land Cruiser	CM House	Zarin Gul
5	A-4140	Toyota Corolla	Temporary	Momin Khan
6	A-4156	Toyota Corollala	CM House	Fayaz Ali Sha
7	A-3255	Land Cruiser	CM House	Kitchen Duty
8	A-2269	Mazda Pick Up	CM House	Shakeel Ahmad
9	A-1104	Mercedes Benz	F House Islamabad	Nil
10	A-2524	Toyota Pick Up Double Cabin	F House Bannu	Temporary
11	PR-0043	Land Cruiser	CM House Peshawar	
12	A-3062	Margala	PA o CM Syed Amir Hussain	

Ex - CM

**TOTAL VEHICLES PLACED AT THE DISPOSAL OF CHIEF MINISTER'S SECRETARIAT
NWFP PESHAWAR**

S.No.	Vehicle No.	Make	Attached	Name Of Driver
1.	A-3039	Toyota Corolla	SCM	Nisar
2.	A-3344	Toyota Corolla	PSO	Haq nawaz, NQ
3.	A-1133	Toyota Corolla	DS(Admn)	Abdul Waheed
4.	A-1323	Toyota Corolla	DS-II	Syed Nasir Shah
5.	A-3145	Toyota Corolla	DS-III	Munsif Khan
6.	A-3287	Toyota Corolla	DS-IV	Aslam Khan
7.	A-3055	Toyota Corolla	Comptroller	Mian Khan
8.	A-3142	Toyota Corolla	Protocol Officer	Jan Muhammad NQ
9.	A-1148	Toyota Corolla	PRO	Nizakat Hussain NQ
10.	A-1720	Land Cruiser	PRO/ CM Visit	Shiraz Driver (private)
11.	LOY-87	Toyota Corolla	OSD(SP/S)	Syed Ali Shah (Police Deptt)
12.	A-3149	Toyota Corolla	PS to CM	
13.	A-1637	Nissan	SO(Admn)	

9-15

14	A-1380	Suzuki Jeep	Pool	
15	A-1103	Hiace	Pool	Hashim Khan
16	A-1024	Land Cruiser	Pool	
17	A-2570	Toyota Pick Up	Kitchen Duty	Azeem Khan
18	A-1648	Suzuki Jeep	Maintenance Cell	
19	A-6354	M/Cycle	Dak/General Duty	
20	A-6012	M/Cycle	General Branch MRJE	
21	PRO-6711	M/Cycle	Account Branch	

P-17

CM

TOTAL NUMBER OF VEHICLES PLACED AT THE DISPOSAL OF
CHIEF MINISTER'S HOUSE, NWFP PESHAWAR

SNO.	VEHICLE NO	MAKE & MODEL	ATTACHED	NAME OF DRIVER
	IDF-5828	M/Benz - 1993	CM's House	Mohammad Hassan
	PR-098	M/Benz - 2007	CM's House	Shahjee Gul
	A-5138	T/Corolla - 2005	CM's House	Munsif Khan
	PH-0679	L/Cruiser - 2007	CM's House	Zarin Gul
	A-1292	L/Cruiser Parado - 2006	CM's House	M. Iflikhar
	A-3255	L/Cruiser - 1993	CM's House	Mir Afzal Khan
	A-2269	M/Pick up - 1996	CM's House	Ruqiaz

TOTAL NUMBER OF VEHICLES PLACED AT THE DISPOSAL OF
CHIEF MINISTER'S SECRETARIAT, NWFP, PESHAWAR

SNO.	VEHICLE NO	MAKE & MODEL	ATTACHED	NAME OF DRIVER
1.	A-5863	T/Corolla - 2006	Principal Secretary to CM	Nisar Mohammad
2.	A-5880	T/Corolla - 2006	Spl. Secretary to CM	Meboob Khan
3.	A-5155	T/Corolla - 2005	Add. Secretary	Abdul Wahheed
4.	A-4156	T/Corolla - 2002	PSO to CM	Rahmat Sher
5.	A-1323	T/Corolla-1994	Dy: Secretary (Admn)	M. Azeem
6.	A-1450	T/Corolla- 1994	Dy: Secretary-II	Muhammad Saeed
7.	A-3232	T/Corolla - 1994	Dy: Secretary-III	Fayaz Ali Shah
8.	A-1255	T/Corolla - 1993-94	Dy: Secretary-IV	Jan Muhammad
9.	LCY-87	T/Corolla - 1996	CSO to CM	Syed Ali Shah
10.	A-1118	T/Corolla - 1994	Press Secretary to CM	
11.	A-1133	T/Corolla - 1988	SO (Transport/Pool duty)	M. Anwar
12.	A-3070	T/Corolla - 1988	Comptroller	Mian Khan
13.	A-3112	T/Corolla - 1988	PS to CM	
14.	A-1637	Nissan - 1990	SO(Admn)	
15.	BM-458	Khyber	PS to Principal Sey: to CM	
16.	A-1013	Swift - 1992	PA to CM (Niqeebullah)	
17.	A-1648	S/Jeep	Pool duty	
18.	A-1173	Hiance - 1993	Pool duty	M. Aslam Hashim
19.	A-1030	T/D. Cab - 1992	Pool duty	
20.	A-1380	S/Jeep - 1996	Kitchen duty	

MOTOR CYCLES

1.	A-6012	M/Cycle	I/C M & E	S. Mazhar
2.	A-6354	M/Cycle	General Branch	Ghulam Haider
3.	PRQ-6711	M/Cycle	Account Section	M.Ali

TOTAL NUMBER OF VEHICLES PLACED AT THE DISPOSAL OF
 CHIEF MINISTER'S HOUSE NWFP PESHAWAR

VEHICLE NO.	MAKE & MODEL	ATTACHED	NAME OF DRIVER
IDF-6828	M/Benz-1993	CM House	Shah Jehan
PR-098	M. Benz 2007	CM House	Shah Jehan
A-1175	M. Benz 1988	CM House	Ayaz AD
A-1104	M/Benz 1996	F/H, Islamabad	Shah Jehan
GI-057	M/Benz/Jeep-2005 B/P	CM House	Zarin Gul
PR-0679	I. Cruiser 2007	CM House	Shahjee Gul
A-1292	I. Cruiser Parado 2006	CM House	Mir Afzal Khan
A-3255	I. Cruiser 1993	CM House	Muhammad Hanif
A-1237	T/Corolla 2007	CM House	Munsif Khan
A-1237	T/Corolla 2007	CM House	
A-1238	T/Corolla 2007	CM House	
A-1236	T/Corolla 2007	CM House	
A-1235	T/Corolla 1993	CM House/ Political Secy	
A-3048	Land Cruiser 3 Door	CM House(Kitchen Duty)	
A-1924	S/Jeep	CM House(Kitchen)	Shahidullah
A-1648			

TOTAL NUMBER OF VEHICLES PLACED AT THE DISPOSAL OF
 CHIEF MINISTER'S SECRETARIAT NWFP PESHAWAR

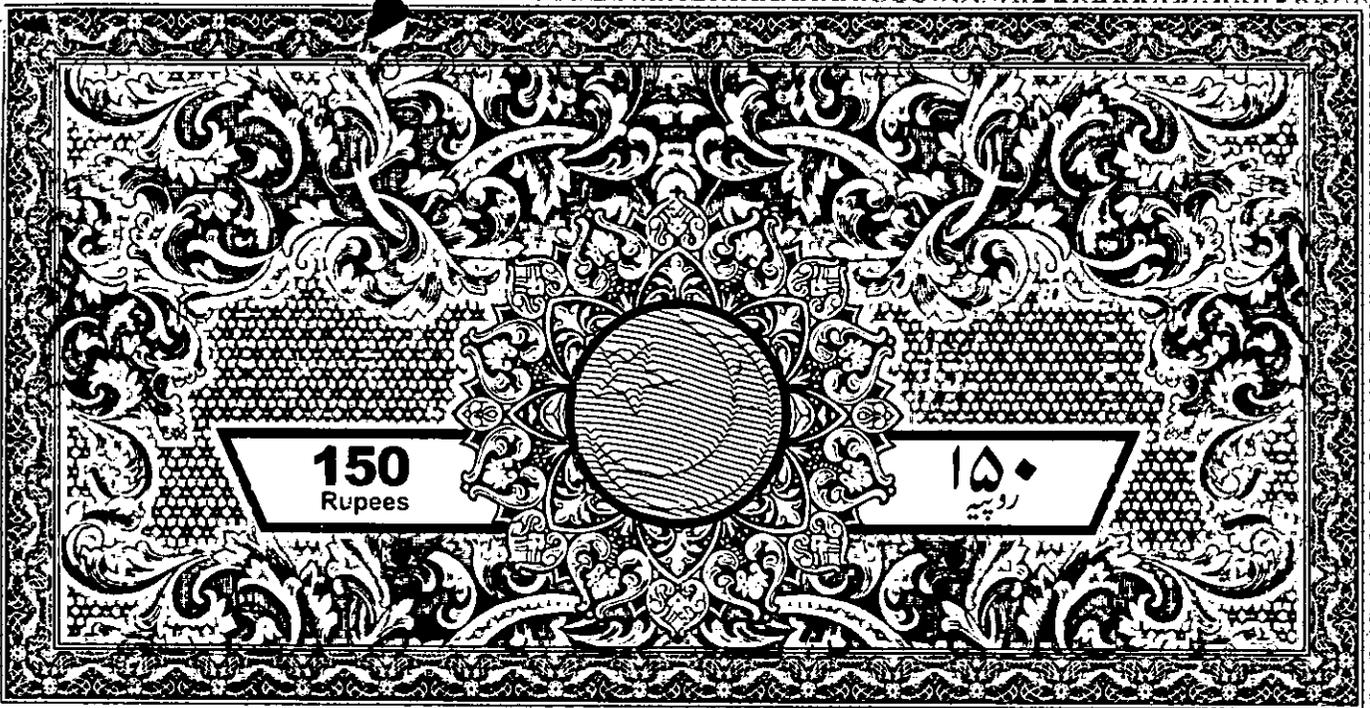
1	A-3777	T/Corolla 2007	Principal Secy	M. Aslam
2	A-5888	T/Corolla 2006	Spl. Secy.	Mehboob Khan
3	A-5155	T/Corolla 2005	Add. Secy	Abdul Wahid
4	A-5883	T/Corolla 2006	PSO to CM	Fayyaz Ali Shah
5	A-1323	T/Corolla 1994	DS (Admn)	M. Miskoon
6	A-1450	T/Corolla 1994	DS-II	M. Saeed
7	A-3282	T/Corolla 1994	DS-III	Rahmat Sheer
8	A-3287	T/Corolla 1993-94	DS-IV	Jan Muhammad N/Q
9	A-3055	T/Corolla 2008	CSO to CM	Adnan
10	A-1286	T/Corolla 1999	Press Secy.	
11	A-1286	T/Corolla 1994	T. Officer/Pool duty	Mian Khan
12	A-3055	T/Corolla 1999	Comptroller	
13	A-1005	T/Corolla 1994	PS-I to CM	
14	LOY-87	T/Corolla 1996	PS-II to CM	
15	A-1637	Nissan 1990	SO (Admn)	
16	A-1664	Nissan 1992	Protocol Officer	
17	BM-456	Swift 1992	PS to SCM	
18	A-3344	T/Corolla 1994	Khadim Hussain PA to CM	
19	A-1013	Suzuki Khyber	Mr. Khalil, PA to Political Secy	
20	A-1133	T/Corolla 1994	Pool	M. Aslam
21	A-1030	Twin Cab. 1992	Pool	Hashim Khan
22	A-1638	Pajero	Pool (SCM)	I. Amayun
23	A-1956	T/Corolla 1996	Abdul Wahid, C.T	Sultanzeb
24	A-1380	Suzuki Jeep 1996	Kichen duty	Khial Gul

Motor Cycle

1	A-6012	M. Cycle	Incharge M&E	S. Mazhar Hussain
2	A-6354	M. Cycle	Gen. Branch	Ghulam Haider
3	PRO-6711	M. Cycle	Accounts Branch	

25. A-2896 INTERCOOLER
 26. A-3069 Three doors L.C.
 27. A-0039 INTERCOOLER

Principal Secy to CM
 P.S. to Political Secy.
 CM House -

150
Rupees۱۵۰
روپیہ

مختیار نامہ خاص

میتہ محمد رحیم خان ولد طارق خان سکنہ D-15 اولڈ جمرو روڈ یونیورسٹی ٹاؤن پشاور بذریعہ تحریر ہذا بقا کی ہوش و حواس نمسہ بلا جبر و اکراہ غیرے اقرار کر کے لکھ دیتا ہوں کہ من مقرر کا ایک مقدمہ بعنوان محمد رحیم خان بنام ٹرانسپورٹ بعدالت سروس ٹریبیونل کورٹ پشاور زیر سماعت ہے من مقرر بوجہ دیگر مصروفیات مقدمہ مذکورہ کی اصالتاً پیروی کرنے سے قاصر ہوں اس لئے من مقرر اپنی جانب سے مسی سلیم خان ولد اسلم خاں سکنہ تہ کال بالا محلہ حسن زئی پشاور کو مختیار خاص مقرر اور نامزد کر کے اختیارات دیتا ہوں کہ مختار خاص موصوف من مقرر کی جانب سے میری جانب سے تصدیق کر لے، کاغذات پیش کرے، مقدمہ بند کی پیروی کرتے ہوئے میری جانب سے وکالت نامے پر دستخط کرے، وکیل، وکلاء، بیرسٹر مقرر کرے، بیان زبانی و بیان تحریری دیوے، جواب دعویٰ، اقبال دعویٰ، جواب الجواب، اپیل نگرانی کرے، نظر ثانی کرے، جملہ دستاویزات پیش کرے، راضی نامہ کرے، ثبوت پیش کرے، گواہان پیش کرے، گواہی دے میری جانب سے پیش ہو کر مقدمہ ہذا کی پیروی کرے، اپیل دائر کریں درخواست دائر کریں بیان حلفی دیوے، میری جانب سے دستخط کرے، اضافی شہادت پیش کریں خود بیان دیوے، اپیل و درخواست ہا و جواب درخواست ہا گزارے زسیدات پر دستخط کریں عدالت عالیہ سیریم کورٹ آف پاکستان میں پیش ہو، کاروائی اجراء میں حصہ لے، عذر داری گزارے، غرضیکہ مختار خاص ہذا از عدالت ہذا تا عدالت سیریم کورٹ آف پاکستان مقدمہ کی کاروائی میں من مقرر کی جانب سے پیش ہو۔ لہذا مختار نامہ خاص بابت پیروی مقدمہ تحریر کر کے دستخط کر دیئے تاکہ سند

المرقوم: 25-01-2020

العبد

سلیم خان

شخصی کارڈ نمبر: 17301-7014917-9

گواہ

17301-9251546-1

Notary Seal

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25 JAN 2020

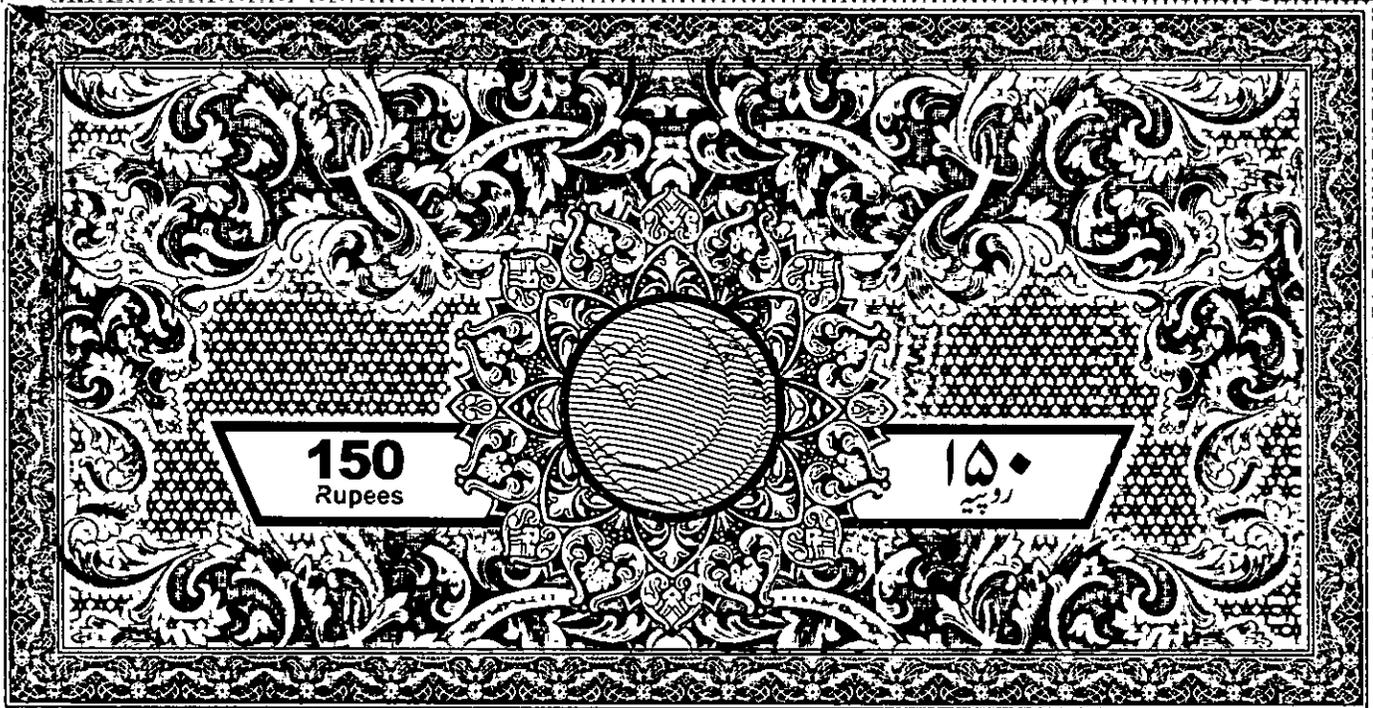
العبد

محمد رحیم خان

شخصی کارڈ نمبر: 17301-1401354-9

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روپیہ

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