


# FORM OF ORDER SHEET

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

**Appeal No.** \_\_\_\_\_

**1302/2023**

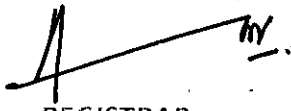
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12/06/2023	<p>The appeal of Mr. Asif Samad resubmitted today by Mr. Javed Iqbal Gulbela Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>14-06-2023</u>.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Asif Samad Junior Clerk District Court Khyber received today i.e on 31.05.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of tentative seniority list mention in the memo of appeal is not attached with the appeal.
- 2- Annexure-C of the appeal is incomplete be completed.
- 3- Annexure-G of the appeal is illegible which be replaced by legible/better one.
- 4- Annexures of the appeal are unattested.
- 5- Paper used in printing of grounds of appeal is low standard which is not acceptable.

No. 1564 /S.T.

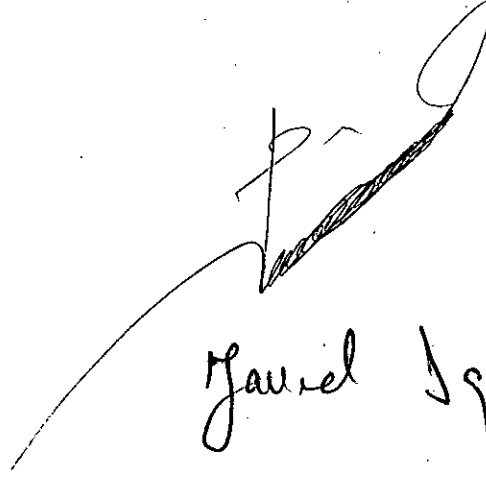
Dt. 01/06 /2023.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Javed Iqbal Gulbela Adv.  
High Court Peshawar.

Respected Sir,

All necessary objections are removed, while there is no need to annex a tentative Seniority list nor the tentative Seniority list are impugned.

  
Javed Iqbal Gulbela.

**BEFORE THE HONBLE SERVICES TRIBUNAL KPK, PESHAWAR.**

S.A No 1302 /2023

Asif samad

Versus

Registrar PHC

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Appellant

Through

Javed Iqbal Gulbela

ASC

Date: 31/05/2023

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**BEFORE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.**

**S.APPEAL No. 1302/2023**

1. Asif Samad (Junior Clerk, BPS-11) at District Courts Khyber.

**Versus**

1. The Registrar, Peshawar High Court, Peshawar.
2. District and session Judge at District Courts Khyber.
3. Hamayun Khan (Junior Clerk, BPS-11) at District Courts, Khyber.
4. Muhammad Arif (Junior Clerk, BPS-11) at District Courts, Khyber.
5. Shah Saud (Junior Clerk, BPS-11) at District Courts, Khyber.

**Appeal U/S 4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974  
Against The Final impugned Seniority List of Junior Clerk (BPS-11) vide  
letter no.337/DSJ 08-04-2023 Maintained by the Learned District and  
Session judge, District Khyber Whereby The Appellant was declared junior  
in the impugned seniority list, and his Departmental Appeal of the  
appellant was regretted in a Classical and a Whimsical Manner.**

**Respectfully Sheweth:-**

1. That the appellant is a law abiding citizen of Islamic republic of Pakistan, hail from a respectable family and now serving as junior clerk (BPS-11) since 05-03-2020
2. That after going through the mandatorily required criteria and after being envisaged with the ordeals and inquisitions of selection process the appellant scored highest in merit list and then the appellant recommended on dated 09-12-2019 and finally appointed as junior clerk (BPS-11) in the prestigious respondent department on dated 05-03-2020.
3. That after being inducted into service & coming onto the strength of respondent department, the appellant has ever remained a hardworking, dutiful & devoted fellow, who never left any stone unturned in performance of his duties and because of the same there is no soot or sootage of any sort on his career.
4. That in respect of promotions to the post of senior clerk the respondent No.02 issued a tentative seniority list of junior clerks(BPS-11), wherein the appellant was placed 05 of the said list.
5. That thereafter the appellant being highly aggrieved from the said list maintained by respondent No.02 moved appeal before competent form

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but unfortunately the same was regretted because of list is not final yet. (Departmental appeal and regretted order is annexed as annexure "A & B)

6. That after some days finally the respondent No.02 issued a final seniority list of junior clerks (BPS-11) whereby again the appellant was placed at serial No.04, hence the appellant preferred a second departmental appeal but deuce fate of the appellant prevailed and the same was turndown without any cogent reason. (Copy of impugned final Seniority list, Departmental appeal and order of the respondent department is annexed as annexure "C, D & E"
7. That interestingly far away juniors from the appellant was also placed seniors at seniority list which is against the prevailing rules mentioned in judicial Esta code 2021. (Copy of relevant rules are annexed as annexure "F")
8. That now frustrated from every angle the appellant approaches to this Hon'ble tribunal for acknowledgment, recognition and enforcement of his basic rights, upon the following grounds inter alia

GROUND:-

- A. That from every angle the appellant has a right to is entitled to be placed at Serial No – 01 of the final seniority list.
- B. That the appellant has not been dealt with in accordance with law and equity and by doing so the appellant has been deprived of his valuable rights of promotion at his due place.
- C. That the appellant has been serving in respondent department with great zeal and zest and persistent efforts and no adverse remarks whatsoever has been recorded in his all career.
- D. That the respondent department recommended the appellant along with other colleagues on dated 19-12-2019 and were accordingly issued appointment orders. Now the appellant has topped the merit and as per law bin vogue is entitled to be placed at his due place in Seniority List as well, but in order to appease the blue eyed one the appellant has been deprived of his due placement in the Seniority List.
- E. That interestingly the appellant along with other colleagues were recommended on dated 23-12-2019, while the respondent department mistakenly issued different date of appointment of those recommended

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candidate who were initially recommended on same date, meaning thereby the appellant appointed on 05-03-2020 while other colleagues were appointed on 04-03-2020, which is against prevailing law and rules. **(Copy of recommendation is annexed as Annexure "G")**

- F. That it is a cherished principle of law, that where a law requires a thing to be done in a particular manner, then the same is to be done in a particular manner not otherwise.
- G. That any other ground not raised here may very graciously be extended in favor of the appellants.

It is therefore most humbly prayed that on acceptance of the instant service appeal, the appellant may very graciously be placed at his due place in the seniority list at serial No.01 at District judiciary Khyber.

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

**Dated :31-05-2023**

**Through**

**Appellant**

**Javed iqbal gulbela  
ASC  
Hamza Durrani  
Advocate**

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**BEFORE THE HONBLE SERVICES TRIBUNAL, KPK, PESHAWAR.**

S.Appeal No. \_\_\_/2023

**Asif samad**

**Versus**

**The Registrar PHC & others**

**AFFIDAVIT**

I Asif samad *Appellant*, do hereby solemnly affirm and declare that all the contents of the accompanied service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

**DEPONENT**

**CNIC:**

**IDENTIFIED BY:**

**JAVED IQBAL GULBELA**

**Advocate Supreme Court of**

**Pakistan**

4(A)

**BEFORE THE HONBLE SERVICES TRIBUNAL, KPK, PESHAWAR.**

**S.A /2023**

**Asif samad**

**Versus**

**The Registrar PHC & others**

**ADDRESSES OF THE PARTIES**

**APPELLANT:-**

Asif Samad (Junior Clerk, BPS-11) at jamrod bazar, jamrod bazar  
District Courts Khyber.

**RESPONDENTS**

1. The Registrar, Peshawar High Court, Peshawar.
2. District and session Judge at District Courts Khyber.
3. Hamayun khan (Junior Clerk, BPS-11) at District courts, Khyber
4. Muhammad Arif (Junior Clerk, BPS-11) at District Courts, Khyber
5. Shah Saud (Junior Clerk, BPS-11) at District Courts, Khyber



Annex "A"

(5)

TO

Honorable,  
The District & Session Judge,  
Khyber

**SUBJECT: - OBJECTIONS REGARDING SENIORITY LIST**

Respected Sir,

In response to the seniority list circulated vide No.14-76, dated 10.01.2023, I beg to submit my objection on the seniority list ibid for your honour kind perusal and sympathetic consideration; as under, please.

1. That the applicant is working under your kind administrative control in the capacity of Junior clerk / Mohair and presently posted in the court of learned Civil Judge, Khyber at Landikotal .
2. That earlier a seniority list was issued from your good-office vide No. 1301 -1352, dated 17/12.2022 and in its response, the applicant had submitted his objections (copy enclosed), however, till date no order has been passed / communicated to the applicant.
3. That in addition, it is further submitted that the seniority of the officials shall be made in accordance with the appointment order and the candidates shall be placed in the appointment order as per the merit assigned to them at the time of their selection i.e. the person top in the merit list shall be on top of appointment order. However, in the seniority lists; so issued; the applicant has not been placed as per merit assigned to the aspirant at the time of his selection.
4. It is, therefore, humbly requested that on acceptance of this request/ appeal, the applicant may kindly be placed at Sr.1 in the seniority list and obliged.

Dated:12.01.2023

Yours obediently,

Asif Samad S/O Abdul Samad

Junior Clerk / Moharir

Received  
B.01.2022

Asif Samad  
12.01.2023

12.01.2023

Annex "B" (6)

Subject:

OBJECTION REGARDING SECOND TENTATIVE SENIORITY LIST

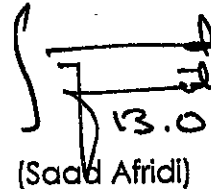
Worthy Sir,

It is humbly submitted that Mr. ASIF SAMAD (Junior Clerk) has objected to his seniority position in the second tentative seniority list. His name appears at serial no. 5 in the said seniority list.

He maintains that he is on top in his cadre, keeping in view the seniority rules and the merit assigned in the appointment order.

Submitted for your kind perusal and orders, please.

Dated: 13.01.2023

  
13.01.2023

(Saad Afridi)  
English Clerk/Assistant,  
Sessions Court, Khyber.

WDSJ  
13.1.2023

Seen + Perused

It is the case of the applicant that in the appointment order, he is at S.No 1 while in the tentative seniority list he is at S.No 5. The S. No in the appointment order is not merit based as no record could be traced that the applicant has scored higher marks amongst his colleagues. So far no common seniority list has been maintained.

The seniority list has been issued as per their date of SSC examination as well as according to date of birth.

The applicant's objection is rejected.

D+SJ  
13.1.2023

Said reply to the official

(7) Annex "C" 4

Sr. No.	Name	Academic Qualification	Date of acquiring SSC	Date of Birth	Date of 1st entry in District Judiciary on regular basis	Date of regular promotion	Post Held	Date of Appointment in Present Position	Remarks
<b>Junior Clerk (BPS-11)</b>									
1	Hamayoun	B.Com	18.06.2005	15.02.1989	04.03.2020		Junior Clerk (BPS-11)	04.03.2020	
2	Muhammad Arif	MBA	28.06.2006	10.01.1989	04.03.2020		Junior Clerk (BPS-11)	04.03.2020	
3	Shah Saud	BA, BBA (Hons)	16.07.2007	20.08.1990	04.03.2020		Junior Clerk (BPS-11)	04.03.2020	
4	Muhammad Haroon	MBA	16.07.2007	06.01.1991	05.03.2020		Junior Clerk (BPS-11)	05.03.2020	
5	Asif Sarnad	MBA	16.07.2007	28.02.1993	05.03.2020		Junior Clerk (BPS-11)	05.03.2020	
6	Shehzad Ali	MSc (CS)	16.07.2007	20.04.1991	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
7	Muhammad Nawaz Khan	B.Com	18.06.2010	10.04.1993	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
8	Nawaz Sharif	BSc	20.06.2015	05.03.1999	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
9	Arifullah	BA	21.06.2016	19.01.1999	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
10	Shah Fahad	FA	21.06.2016	23.06.2000	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
11	Hassan Khan	FSc	06.07.2017	10.05.2001	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
12	Zulfiqar Ali	FSc	06.07.2017	15.01.2002	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
13	Noor-Ul- Haq	FSc	28.06.2018	07.07.2001	31.05.2022		Junior Clerk (BPS-11)	31.05.2022	
<b>Driver (BPS-06)</b>									
1	Kaptan			06.06.1980	16.11.2020		Driver (BPS-06)	16.11.2020	
2	Mutahir Shah			01.01.1983	16.11.2020		Driver (BPS-06)	16.11.2020	
3	Abid Gul			15.02.1987	16.11.2020		Driver (BPS-06)	16.11.2020	
4	Fayaz Khan			1989	16.11.2020		Driver (BPS-06)	16.11.2020	
5	Sher Khan			03.05.1989	16.11.2020		Driver (BPS-06)	16.11.2020	

  
Hidayat Ullah Khan  
DISTRICT & SESSIONS JUDGE  
KHYBER



☎ 091-5320748

✉ dsjkhyber@gmail.com

**OFFICE OF THE  
DISTRICT AND SESSIONS JUDGE KHYBER  
KHYBER PAKHTUNKHWA**

No.: 337/DSJ

Dated Khyber the 8<sup>th</sup> of March 2023.

To

The Para Judicial Staff,  
Sessions Courts,  
Khyber.

Subject: **CIRCULATION OF FINAL SENIORITY LIST**

Memo;

Find enclosed herewith the Final Seniority list for your information.

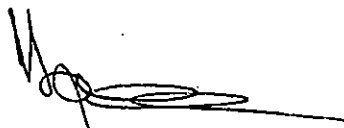
  
(Hidayatullah Khan)  
District and Sessions Judge,  
Khyber.

**JAVED IQBAL GULBELA**  
Advocate  
Supreme Court of Pakistan  
(ASC #5317)

Amc

7B

Sessions' Establishment Tentative Seniority List, District Judiciary, Khyber.									
Sr. No.	Name	Academic Qualificaion	Date of acquiring SSC	Date of Birth	Date of 1st enty in District Judiciary on regular basis	Date of regular promotion	Post Held	Date of Appointment in Present Position	Remarks
<b>Budget and Account Assistant (BPS-16)</b>									
1	Muhammad Juniad Afridi	BBA (Hons), MBA	15.06.2011	19.09.1994	29.02.2020		Budget and Account Assistant (BPS-16)	29.02.2020	
<b>Assistant (BPS-16)</b>									
1	Ateequllah	BBA (Hons)	16.06.2013	16.07.1997	29.02.2020		Assistant (BPS-16)	29.02.2020	
2	Saad Afridi	BBA (Hons), MBA	01.08.2009	15.01.1995	28.05.2022		Assistant (BPS-16)	28.05.2022	
<b>Computer Operator (BPS-16)</b>									
1	Khalid Shah	MSc (CS)	25.06.2003	29.05.1986	29.02.2020		Computer Operator (BPS-16)	29.02.2020	
2	Tanveer Ahmad	MSc (CS)	25.06.2003	12.03.1987	29.02.2020		Computer Operator (BPS-16)	29.02.2020	
3	Irfan Ullah	BSc (Hons)	April, 2007	15.02.1991	29.02.2020		Computer Operator (BPS-16)	29.02.2020	
4	Muhammad Waseem	MSC (CS)	16.06.2010	03.04.1994	28.05.2022		Computer Operator (BPS-16)	28.05.2022	
<b>Senior Scale Stenographer (BPS-16)</b>									
1	Muhammad Zeeshan	BA	21.06.2016	01.09.2000	31.05.2022		Senior Scale Stenographer (BPS-16)	31.05.2022	
<b>Senior Clerk (BPS-14)</b>									
1	Muhammad Sahid Khan	BA	04.12.2009	05.01.1991	02.08.2019	13.11.2021	Senior Clerk (BPS-14)	13.11.2021	Promoted from Junior Clerk
2	Muhammad Danish (MSc)	MSc	15.06.2011	01.03.1996	02.08.2019	13.11.2021	Senior Clerk (BPS-14)	13.11.2021	Promoted from Junior Clerk
<b>Stenotypist (BPS-14)</b>									
1	Arshad Ali	MA	15.07.2008	11.01.1991	04.03.2020		Stenotypist (BPS-14)	04.03.2020	
2	Sajid Khan	BA	21.06.2016	07.03.2000	04.03.2020		Stenotypist (BPS-14)	04.03.2020	
3	Ihsan Ullah	BA	21.06.2016	05.05.2000	04.03.2020		Stenotypist (BPS-14)	04.03.2020	
4	Juniad Jamshaid	FA	20.06.2015	06.01.1999	25.11.2020		Stenotypist (BPS-14)	25.11.2020	
5	Ashfaq Ahmad	MA	March, 2011	05.05.1994	31.05.2022		Stenotypist (BPS-14)	31.05.2022	

  
 DISTRICT & SESSIONS JUDGE  
 KHYBER

Annex "D" (8)

**BEFORE THE WORTHY DISTRICT & SESSIONS JUDGE, KHYBER**

Through Proper Channel:

=====  
**DEPARTMENTAL APPEAL AGAINST THE IMPUGNED FINAL SENIORITY LIST  
OF Junior Clerk (BPS-11) EMPLOYEES OF DISTRICT JUDICIARY KHYBER  
CIRCULATED VIDE Letter NO. 337/DSJ DATED 08-04-2023.**  
=====

**PRAYER:**

By allowing this appeal and setting aside the impugned final seniority list of Junior Clerk (BPS-11) Employees of District Judiciary Khyber circulated vide letter No. 337/DSJ dated 08-04-2023 and placing the appellatant at serial No. 01 of the impugned seniority list.

=====  
Asif Samad, Junior Clerk, In the Court of District and Session Judge, Khyber the appellatant submits most respectfully the following for your kind consideration and favor of acceptance.

**RESPECTFULLY SHEWETH**

1. Being qualified and eligible, the appellatant was selected and appointed as Junior Clerk (BPS-11) at District Judiciary Khyber on 05-03-2020. Since his appointment, he has been serving the department honestly and diligently to the utmost satisfaction of his superiors.
2. That the appellatant assumed the charge of his duties on 05-03-2020 and the entries in respect of the same has been duly incorporated in his monthly salary statement accordingly.
3. That a tentative seniority list of Junior Clerk was issued by the office of D&SJ Khyber on 08-04-2023, wherein the appellatant was placed at serial No. 5 of the said list.

The said promotion the appellatant was required to be placed on the top of the seniority list of Junior Clerk employees of BPS-11 at District Courts Khyber.

4. That 04 Officials namely, Hamayun Khan, Muhammad Arif, Shah Saud and Muhammad Haroon who were appointed on 04-03-2020 and 05-03-2020 were placed above the appellatant without plausible explanation and sound reasoning.

It was quite shocking that the worthy authority issued the impugned final seniority list vide letter dated 08-04-2023 wherein the appellatant was further relegated to serial No. 05 and Four (04) employees who are junior to him and were selected and appointed in the subsequent batch were placed above him.

5. It is worth mentioning that Advertisements for the selection of Junior Clerk (bps-11) employees were circulated in the daily newspapers on 29-11-2019 and the appellatant along with other candidates was recommended for the job/post on 19-12-2019 the appointment order was issued on 04-03-2020 and 05-03-2020 respectively, wherein there was a Departmental Mistake in appointment order, as to why not the date of appointment should be corrected, i.e. 04-03-2020 like other candidates recommended on same date.

(9)

6. That the appellant was selected and appointed in view of his application made in pursuance of first advertisement and selection made on 19-12-2019. The appellant was lawfully required to be placed senior to the employees selected in the subsequent batch as per recommendation list displayed on official website and notice board. This principle was however ignored and Officials of subsequent batch were illegally & arbitrarily placed senior to Appellant.

7. That the as per Judicial EstaCode 2021 (KPK Laws Act, 2011) gave a proper guideline for fixation of seniority and promotion of Junior Clerk employees to the next higher scale.

The analogy that employees selected in the batch would rank senior to that of those appointed and selected in the batch was duly adopted by Judicial EstaCode 2021 (KPK Laws Act, 2011) and circulated by the departmental selection committee District Judiciary Khyber. (Copy Enclosed A & B)

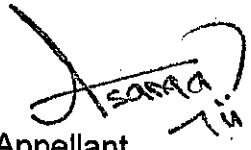
8. It is quite clear from the Judicial EstaCode 2021 (KPK Laws Act, 2011) and rules regulating the matter regarding seniority, that where the Officials in the common seniority list have been appointed in batch, with varying date of acquisition of SSC and Date of Birth, the Officials appointed in the batch would rank senior, irrespective of their date of acquisition of SSC and Date of Birth.

9. Any design harmful to the appellant's service interest cannot be imposed arbitrarily, in violation of the appellant's vested rights of service. The appellant did deserve to be treated equitably fairly and in a just manner without losing the benefit of his prior selection and seniority based on his more than 03 years of continuous and sincere service.

10. Thus the impugned omission in the impugned seniority list of Junior Clerk Employees of District Khyber as it stood on dated 08-04-2023 is not only arbitrary but also discriminatory against the principles of equity, law, justice, and propriety, calling for interference by the worthy authority.

In view of the above, it is requested that by allowing this appeal the impugned final seniority list of Junior Clerk (BPS-11) Employees of District Judiciary Khyber circulated vide No. 337/DSJ dated 08-04-2023 may kindly be set aside and the appellant may be placed at serial No. 01 of the impugned seniority list as per merit/recommendation list.

Dated. 10<sup>th</sup> April, 2023

  
Appellant  
(Asif Samad)  
Junior Clerk, Court of District &  
Session Judge Khyber.

Mr Asif Samad - Annex "E" (10)

ORDER  
11-5-2023 The departmental appeal of the official is considered and record checked.

Record suggest that the official is junior in age as well as requisition of law & order of SSC. officials at S.No. 1 to 5 same one batch. After considering the record, the official has been correctly placed in the seniority list; therefore this appeal is turned down.

Mudat Ali Khan  
DISTRICT & SESSIONS JUDGE  
KHYBER



Annex "F" (11)

(3) In case no specific order of extension of probation period under sub-rule (2), is issued on the expiry of one year within two months, the probation shall stand automatically terminates

(4) In case of extension of probation period, through specific order for another year, under sub-rule (2), the probation shall stand automatically terminated on the completion of extended period

16. **Confirmation:-** After satisfactory completion of the probationary period, a civil servant shall be confirmed; provided that he holds a substantive post, provided further that a civil servant shall not be deemed to have satisfactorily completed his period of probation, if he has failed to pass an examination, test or course or has failed to complete successfully a training prescribed within the meaning of sub-section(3) of Section 6 of the <sup>1</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973.

## PART-VI SENIORITY

17. **Seniority: -** (1) The seniority inter se of civil servants <sup>2</sup>(appointed to a service, cadre or post) shall be determined:-

- (a) in the case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission (or as the case may be, the Department Selection Committee) provided that persons selected for appointment to a post in an earlier selection shall rank senior to the persons selected in a later selection; and
- (b) in the case of civil servants appointed otherwise, with reference to the date of their continuous regular appointment in the post; provided that civil servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter se seniority as in the lower post.

**Explanation-I: -** If a junior person in a lower post is promoted to a higher post temporarily in the public interest, even though continuing later permanently in the higher post, it would not adversely affect the interest of his seniors in fixation of his seniority in the higher post.

<sup>1</sup> Substituted by The Khyber Pakhtunkhwa Laws (Amendment) Act, 2011

<sup>2</sup> Substituted by Notification No. SOR-I(S&GAD)4-1/80, dated 17.5.1989

<sup>3</sup> Inserted by Notification No. SOR(I(S&GAD)4-1/80(V.II), dated 4.2.1996

(12)  
Annex 4 G<sup>4</sup>

**MINUTES OF THE MEETING OF DEPARTMENTAL SELECTION COMMITTEE DISTRICT JUDICIARY KHYBER DATED 19/12/2019**

Consequent upon advertisement dated 29-11-2019, the Subject meeting for recruitment process against the vacant posts of Junior Clerk pertaining to establishment of Sessions Division Khyber held on 14, 17 & 19 Dec. 2019 in Federal Judicial Complex, Phase VII, Haveliabad, Peshawar. It was attended by the following:

- |  |          |
|--|----------|
| <b>1. Mr. Shahid Khan</b><br><i>District &amp; Sessions Judge Khyber</i>   | Chairman |
| <b>2. Mr. Asif Rashid</b><br><i>Additional District &amp; Sessions Judge, Khyber<br/>(Nominee of District &amp; Sessions Judge Khyber)</i> | Member   |
| <b>3. Mr. Zaheem Ahmad</b><br><i>Director HR&amp;F PHC<br/>(Nominee of Peshawar High Court, Peshawar)</i>                                  | Member   |

Applications received were duly scrutinized keeping in view the eligibility standards, such as prescribed qualification, domicile, permanent residence, age & experience of the candidates. During the recruitment process the committee took into consideration the age relaxation anomalies in the light of **THE [Khyber Pakhtunkhwa] INITIAL APPOINTMENT TO CIVIL POSTS (RELAXATION OF UPPER AGE LIMIT RULES 2008)**.

Details of the vacant positions are as under:

S. No	Name of post	Sanctioned strength	No. of vacant positions	Quota			Appointment on the basis of Quota
				Female	Disable	Minority	
01	Junior Clerk	18	9	Nil	Nil	Nil	
02	Assistant				Nil	Nil	
03	B&A Advt.				Nil	Nil	
04	Court Clerk				Nil	Nil	
05	Stenotypist				Nil	Nil	
06	Stenographer				Nil	Nil	

**JUNIOR CLERK (BRS-11)**

Out of 09 vacant positions, 01 was required to be filled through female quota. It is pertinent to mention that 02 applications against female quota were received. One of them did not appear for the test while the other one could not qualify the eligibility test. With regard to general seats 806 applications were received and after scrutiny were found eligible who underwent screening test.

BETTER COPY NO. (12)

**MINUTES OF THE MEETING OF DEPARTMENTAL SELECTION  
COMMITTEE DISTRICT JUDICIARY KHYBER DATED 19/12/2019**

Consequent upon advertisement dated 29-11-2019, the Subject meeting for recruitment process against the vacant posts of Junior Clerk pertaining to establishment of Sessions Division Khyber held on 14.17 & 19 Dec, 2019 in Federal Judicial Complex, Phase VII. Hayatabad, Peshawar. It was attended by the following

1. **Mr. Shahid Khan** Chairman  
*District & Sessions Judge, Khyber*
2. **Mr. Asif Rashid** Member  
*Additional District & Sessions Judge Khyber  
(Nominee of District & Sessions Judge, Khyber)*
3. **Mr. Zaeem Ahmad.** Member  
*Director HR&W PHC  
(Nominee of Peshawar High Court, Peshawar)*

Applications received were duly scrutinized keeping in view the eligibility standards, such as, prescribed qualification, domicile, permanent residence, age & experience of the candidates. During the recruitment process the committee took into consideration the age relaxation anomalies in the light of THE [Khyber Pukhtunkhwa] INITIAL APPOINTMENT TO CIVIL POSTS (RELAXATION OF UPPER AGE LIMIT RULES, 2008)

Details of the vacant positions are as under;

S.NO	Name of Posts	Sanctioned Strength	No of vacant position	Quota			Appointment on the basis of Quota
				Female @ 10%	Disable @ 2%	Minority @ 5%	
01	IC	18	9	1	Nil	Nil	Nil
02	Assistant	5	1		Nil		Nil
03	B &A, Astd:	1	1		Nil		Nil
04	Comp Opt	5	5		Nil		Nil
05	Steno typist	6	6		Nil		Nil
06	Stenographer	5	1		Nil		Nil

**Junior Clerk (BPS-11):**

Out of 09 vacant positions, 01 was required to be filled through female quota. It is pertinent to mention that 02 applications against female quota were received. One of them did not appear for the test while the other one could not qualify the eligibility test. With regard to general seats 866 applications were received and after scrutiny were found eligible who underwent screening test.

(131)

~~131~~

qualified and were further subjected to skill typing test being part of eligibility criteria. OS remained successful and they were subjected to written test. OS candidates qualified for the next stage and were accordingly interviewed. The committee keeping in view the performance of the following candidates in their written, oral, skill tests and their general suitability for the post, recommended them for appointment against the subject vacancies:

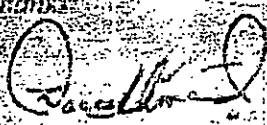
S. No	Name	Father's Name
1	Asif Saad	Alvaid Samit
2	Muhammad Haroon	Azmat Khan
3	Shah Saad	Muhammad Younas
4	Humayun	Iqbal Shah
5	Muhammad Arif	Ali Khan

As far as the remaining 03 positions are concerned, the competent authority shall re-advertise the same at the earliest.

The committee, under special directions of the chair, handed over entire record of the recruitments to Kashif Khan, Superintendent, Sessions Court, Khyber, for completion, compilation & preservation of the entire record until further orders.

The meeting ended with a vote of thanks.

  
**(MR. ASIF RASHID)**  
Nominee of the Sessions Judge, Khyber District

  
**(MR. ZAEEM AHMAD)**  
Director HR & PHE/Member  
Nominee of the Peshawar High Court

**MR. SHAHID KHAN**  
District & Sessions Judge, Khyber  
(Chairman)

Endst. No. 641-644 DSJ, Khyber Dated Khyber, the 23/12/2019  
Copy forwarded for information to:

- 1. The Registrar, Peshawar High Court Peshawar
- 2. The MCT, Peshawar High Court Peshawar
- 3. All the members of the Committee
- 4. The Office Copy

**(SHAHID KHAN)**  
District & Sessions Judge, Khyber

**BETTER COPY NO. (13)**

qualified and were further subjected to skill/typing test being part of eligibility criteria. 08 remained successful and they were subjected to written test. 05 candidates qualified for the next stage and were accordingly interviewed. The committee keeping in view the performance of the following candidates in their written, oral, skill tests and their general suitability for the post, recommended them for appointment against the subject vacancies

<b>S.No</b>	<b>Name</b>	<b>Father's name</b>
1	Asif Samad	Abdul Samad
2	Muhammad Haroon	Adam Khum
3	Shah Saud	Muhammad Younas
4	Hamayun	Iqbal Shah
5	Muhammad Arif	Alif Khan

As far as, the remaining 4 positions are concerned, the competent authority shall re-advertise the same at the earliest.

The committee, under special directions of the chair, handed over entire record of the recruitments to Kashif Khan, Superintendent, Sessions Court, Khyber, for completion, compilation & preservation of the entire record until further orders.

The meeting ended with a vote of thanks

**(MR. ASIF RASHID)**

*Nominee of the Sessions  
Judge, Khyber/Member*

**(MR. ZAEEM AHMAD)**

*Director HR& W PHC/Member  
(Nominee of the Peshawar High Court)*

**MR. SHAHID KHAN**

*District & Sessions Judge, Khyber  
(Chairman)*

**Endst: No. 641-644 /DSJ, Khyber Dated Khyber the 23/12/2019.**

***Copy forwarded for information to:***

1. The Registrar, Peshawar High Court, Peshawar.
2. The MIT, Peshawar High Court, Peshawar.
3. All the members of the Committee.
4. The Office Copy

**(SHAHID KHAN)**

*District & Session's Judge. Khyber*

## وکالت نامہ

عدالت: Hon'ble Service Tribunal 1e Plc

آصف سید نام حکومت و غیرہ

منجانب ایبلانٹ دعویٰ سروس اول

تاریخ 31-05-2023

باعتبار حریز آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطہ پیروی و جوابدہی

بمقام ایبلانٹ کے لیے جاوید اقبال گل بیلہ ایڈووکیٹ سپریم کورٹ آف پاکستان

کو بدیں شرط وکیل مقرر کیا ہے۔ کہ میں ہر پیشی کا کوڈ یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر دالت کرونگا، اگر پیشی پر من مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کی کسی اور جگہ یا کچہری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر مقدمہ علاوہ صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل پرداختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب کو عرضی دعویٰ و جواب دعویٰ اور درخواست جرائے ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپروائشی و راضی نامہ فیصلہ پر خلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کطرفہ درخواست حکم امتناعی یا قرتی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزوی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سندر ہے۔

مورخہ 31-05-2023 مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

All the best

Accepted by

*(Signature)*

محمد صہارون ایبلانٹ