

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT, D.I.KHAN

Service Appeal No. 650/2019

Date of Institution: 20.05.2019
Date of Decision: 24.02.2021

Zafar Ullah Junior Clerk (BPS-07) Office of the District Officer (Revenue & Estate) Lakki Marwat.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar and three others.

... (Respondents)

Shahid Saleem,
Advocate

... For Appellant

Riaz Khan Paindakheil,
Assistant Advocate General

... For Respondents

ROZINA REHMAN
ATIQU UR REHMAN WAZIR

... MEMBER (J)
... MEMBER (E)

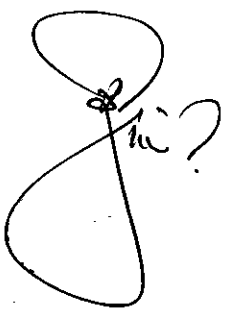
JUDGMENT

ROZINA REHMAN MEMBER (J): Brief facts of the case are that the appellant was appointed as Naib Qasid (BS-01) vide order dated 20.09.2005. He was promoted on the recommendation of Departmental Promotion Committee vide order dated 21.03.2012. Respondent No.4 filed departmental appeal before the Commissioner Bannu being aggrieved from the order of promotion of the appellant and vide order dated 22.10.2013 promotion order of the appellant was declared null & void. Appellant was then reverted to Class-IV employee, he, therefore, challenged the said order before this Tribunal and vide judgment dated

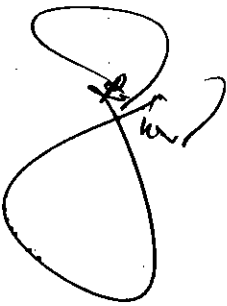
25.03.2019 of this Tribunal, order of Commissioner Bannu was set aside and case was remitted back to the respondent No.2 for re-decision in light of law and rules relevant for promotion of Class-IV employees, but respondent No.2, once again, relied on his previous order and dismissed the appeal vide order dated 09.05.2019, hence, the present service appeal.

02. Learned counsel for appellant argued that the he was not treated according to law and that the case was remitted to Commissioner Bannu Division for decision afresh as his previous order was not a speaking order with no solid grounds and law governing the promotion of Class-IV employees. He contended that appellant being senior, fit and eligible for promotion to the post of Junior Clerk and was rightly promoted while the respondent No.4 was not equipped with the skill of Typing & Computer Literacy but even then, he was considered and that now, he is retired and the appellant is the only employee who is fit and eligible for promotion to the said post.

03. Conversely, learned A.A.G argued that appellant was inducted into service on 20.09.2005 whereas private respondent No.4 joined his service on 09.05.1991, therefore, he was senior to appellant and was rightly held entitled to promotion. He submitted that equal opportunities were given to appellant and private respondent and the matter was decided on merits. He submitted that seniority was fixed in accordance with law and case of the appellant was decided by the appellate authority on merits, he, therefore, requested for dismissal of the instant service appeal.

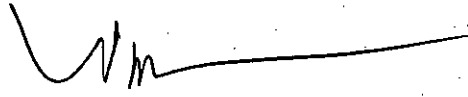
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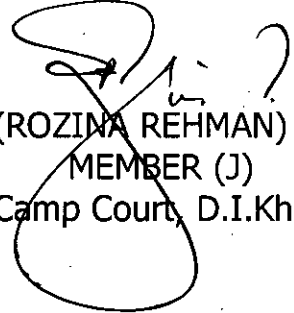
04. Crux of the issue is that the appellant was promoted to the post of Junior Clerk vide order dated 21.03.2012 based on seniority list, which after his promotion was challenged by respondent No.4 before the Commissioner Bannu Division being appellate authority. As a result, such seniority list was set aside by the appellate authority and the appellant was reverted to his earlier post on 02.01.2014. The appellant filed Service Appeal No.1533/2013 against such decision, which was remitted by this Tribunal to the respondents to re-decide the case in the light of law and rules relevant for the purpose. The respondents re-visited the case but maintained its earlier decision. We have observed that seniority list was revised in the light of guidance of Establishment Department as per law and rules.; hence, does not warrant any interference. The contention of the counsel for appellant to the effect that now the appellant is at the top for consideration of his case for promotion, was examined at some length. We have noted that respondents have drawn a revised seniority list dated 26.12.2013, where the appellant stood at Serial No.21 of the seniority list and where other employees at Serial No.1, 9, 10 and 20 were also holding academic qualifications of Matric and above, but it was categorically confirmed by representative of the respondents that employee at Serial No.1 is retired from service, Serial No.9 and 10 already promoted, whereas employee at Serial No.20 was terminated from service, which suggests that the appellant is now at the top for consideration of his promotion to the post of Junior Clerk. It is an admitted fact that the appellant is otherwise eligible for promotion, as he was earlier promoted against the same post and where he served as Junior Clerk for almost three years. The question of availability of post of Junior Clerk was also confirmed by representative of the respondents.



05. In the light of foregoing reasons, the instant appeal is partially accepted with directions to respondents to promote the appellant against the available post of Junior Clerk, on the basis of seniority cum fitness. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
24.02.2021


(ATIQ UR REHMAN WAZIR)
MEMBER (E)
Camp Court, D.I.Khan


(ROZINA REHMAN)
MEMBER (J)
Camp Court, D.I.Khan

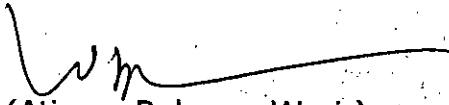
24.02.2021


Appellant with counsel present. .

Riaz Khan Paindakheil learned Assistant Advocate General for respondent present.

Vide detailed judgment of today of this Tribunal placed on file, the instant appeal is partially accepted with directions to respondents to promote the appellant against the available post of Junior Clerk, on the basis of seniority cum fitness. Parties are left to bear their own costs. File be consigned to the record room.

Announced.
24.02.2021

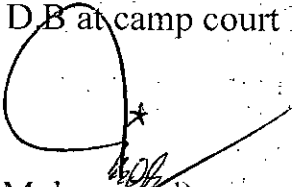

(Atiq-ur-Rehman Wazir)
Member (E)
Camp Court, D.I.Khan.

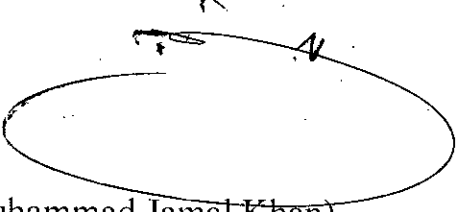

(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan.

27.10.2020

Nemo for appellant present. Mr. Muhammad Jan, Deputy District Attorney for respondents is present.

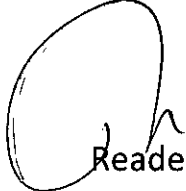
Since the Members of the High Court as well as of the District Bar Association D.I.Khan are observing strike today, therefore, the case is adjourned to 22.12.2020 for arguments before D.B at camp court D.I.Khan.


(Mian Muhammad)
Member(E)


(Muhammad Jamal Khan)
Member(J)
Camp Court D.I Khan

22.12.2020

Due to Pandemic of Covid-19, the case is adjourned to 22.02.2021 for the same.


Reader

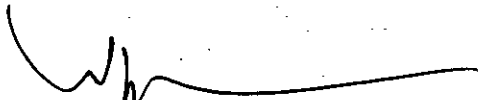
22.02.2021


Appellant present through counsel.

Noor Zaman Khan Khattak learned District Attorney for respondents present.

For the just decision of the case, respondents be put on notice with direction to make sure the presence of an officer not below Grade-17 and to produce seniority list which was considered by the appellate authority while passing the impugned order. Learned District Attorney is directed to make contact with the Department in order to make sure the presence of representative on the next date fixed as 24.02.2021 before D.B at Camp Court, D.I.Khan.


Adjourned accordingly.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I Khan


(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

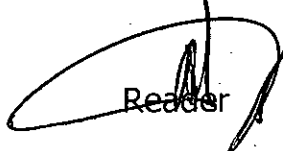
23/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 21/4/2020 at Camp Court, D.I Khan


Reader

/ /2020

Due to COVID-19 the case is adjourned. To come up for the same 22/9 /2020 at Camp Court, D.I Khan



Reader

22.09.2020

Appellant present in person.

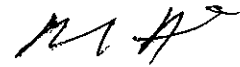
Mr. Usman Ghani, District Attorney alongwith Mukhtiar Ali Assistant Secretary for respondents No.1 to 3 present. Counsel for private respondent No.4 present.

Written reply on behalf of respondents No.1 to 3 has already been submitted. Learned counsel for private respondent No.4 relies on reply of respondents No.1 to 3. To come up for rejoinder, if any, and arguments on 27.10.2020 before D.B at Camp Court D.I Khan.


(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

25.02.2020

Appellant in person present. Mr. Usman Ghani, District Attorney on behalf of official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Written reply on behalf of official respondents No. 1 to 3 has already been submitted while learned counsel for private respondent No. 4 requested for further time to furnish written reply/comments. Last chance is granted. To come up for written reply/comments on behalf of private respondent No. 4 on 25.03.2020 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)

Member
Camp Court D.I.Khan.

Service Appeal No. 650/2019

27.11.2019

None present on behalf of the appellant. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Farmanullah, Superintendent on behalf of official respondents No. 1 to 3 and counsel for private respondent No. 4 present. Representative of official respondents No. 1 to 3 submitted written reply which is placed on record. Learned counsel for private respondent No. 4 requested for further adjournment for filing of written reply. Case to come up for written reply/comments on behalf of private respondent No. 4 on 28.01.2020 before S.B at Camp Court D.I.Khan. Notice be also issued to appellant and his counsel for attendance for the date fixed.

M.A.

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

28.01.2020

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Farmanullah, Superintendent on behalf of respondents No. 1 to 3 present. Written reply on behalf of respondents No. 1 to 3 already submitted. Neither written reply on behalf of respondent No. 4 submitted nor his representative is present therefore, notice be issued to him with the direction to direct the representative to attend the court and submit written reply on the next date positively. Case to come up for written reply/comments on behalf of respondent No. 4 on 25.02.2020 before S.B at Camp Court D.I.Khan.

M.A.
(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.09.2019

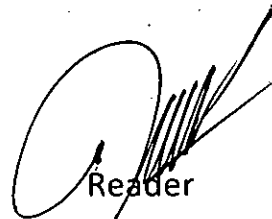
Appellant in person present. Farman Ullah Superintendent representative of official respondents present. Private respondent No.4 in person present. Representative of official respondents as well as private respondent No.4 requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 21.10.2019 before S.B at Camp Court, D.I.Khan.

The respondent department may make promotions to the post of Junior Clerk, however fate of such promotions shall be subject to the final outcome of the present service appeal.



Member
Camp Court, D.I.Khan.

21/10/2019 Since tour to D.I.Khan has been cancelled .To come for the same on 27/11/2019.



Reader

Service Appeal No. 650/2019

27.08.2019

Appellant alongwith his counsel and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Farmanullah, Superintendent on behalf of official respondents No. 1 to 3 present. The case was fixed for attendance of the respondents for arguments on application for interim relief. Private respondent No. 4 stated to have gone to Saudi Arabia for performing of Hajj therefore, notice be issued to him for attendance. Learned counsel for the appellant stated that the private respondent No. 4 has already been retired from service and the post of Junior Clerk of private respondent No. 4 is still vacant and ^{it} is yet to be filled up through promotion/fresh retirement therefore, requested that the respondent-department be restrained from filling up the post of Junior Clerk of private respondent No. 4. Request appears to be genuine. In the meanwhile status-quo be maintained only to the extent to fill up the post of Junior Clerk of private respondent No. 4 who has already been retired till further order. Case to come up for attendance of private respondent No. 4 on 25.09.2019 before S.B at Camp Court D.I.Khan.




(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.06.2019

Counsel for the appellant Zafar Ullah Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant is serving as Naib Qasid in Revenue Department. He was promoted from the post of Naib Qasid to the post of Junior Clerk by the competent authority vide order dated 21.03.2012. The private respondent No. 4 namely Muhammad Khan filed departmental appeal against the promotion order on 03.04.2012 which was accepted on 22.10.2013, and the private respondent No. 4 was promoted from the post of Chowkidar to the post of Junior Clerk and the departmental authority also declared the seniority list illegal and directed department to rectify the seniority list. It was further contended that the appellant filed service appeal which was partially accepted, the impugned order dated 22.10.2013 was set-aside and the case was remitted to departmental authority for decision afresh in the light of law and rules relevant for the purpose. It was further observed that the proceedings by the said authority shall be concluded within sixty days from the receipt of copy of order, whereby the appeal of respondent No. 4 shall be decided through a speaking order. It was also directed that the parties shall be extended fair opportunity to participate in the proceedings. The issue of back benefits arising in favour of any party to instant lis shall follow the decision to be made by the appellate authority vide judgment dated 25.03.2019. Learned counsel for the appellant further contended that the departmental authority has again maintained the order dated 22.10.2013 passed by earlier departmental authority and has not followed the direction contained in the judgment of this Tribunal nor the appellant was associated nor fair opportunity was provided to the appellant therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 27.08.2019 before S.B at Camp Court D.I.Khan. Learned counsel for the appellant has stated that the private respondent No. 4 has been retired from service and the post of Junior Clerk is vacant in the department therefore, it was contended that the appellant has submitted application for status-quo. Notice of the said application be also issued to the respondents for the date fixed.



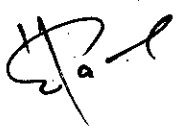

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Appellant's Deposit
Security & Process Fee
25/6/19

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 650/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/05/2019	<p>The appeal of Mr. Zafrullah Khan presented today by Mr. Musawar Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	21/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	23.05.2019	<p>Appellant in person present. Learned counsel for the appellant not present. Appellant stated that the present case pertains to Camp Court, D.I.Khan and his counsel is also a practicing lawyer at D.I.Khan. Appellant seeks adjournment with the request that the next date in the present service appeal may be fixed as 25.06.2019 at Camp Court, D.I.Khan. Adjourn. To come up for preliminary hearing on 25.06.2019 before S.B at Camp Court D.I.Khan.</p> <p style="text-align: right;"> Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 650 /2019

Zafar Ullah Khan, Junior Clerk BPS – 07 Office of the District Officer (Revenue & Estate) Lakki Marwat.

VS

Government of Khyber Pakhtunkhwa and Others

INDEX

S.No.	Description of Documents.	Annexure.	Page.
1	Memo of Service Appeal with affidavit		1-6
2	Application for interim relief with affidavit and Annexures (Order Sheets)		7-10
3	Copies of the appointment order	A	11
4	Copies of the education testimonial	B	12-20
5	Copies of the Recruitment Rules	C	21
6	Copy of seniority list dated: 31.12.2008	D	22
7	Copy of seniority list dated 31.12.2011 and minutes of Departmental Promotion Committee Meeting	E	23-26
8	Copy of promotion order dated 21.03.2012 of appellant	F	27
9	Copy of Departmental Appeal of respondent No. 04	G	28-29
10	Copy of appellate order dated 22.10.2013 of respondent No. 02	H	30
11	Copy of office order dated 02.01.2014	I	31
12	Copy of appeal No. 1533/2013 of appellant and judgment of Service Tribunal Camp Court D. I. Khan dated 25.03.2019	J	32-35
13	Copy of impugned order dated 09.05.2019 of respondent No. 02	K	36
14	Copy of retirement order dated 31.12.2018 of respondent No. 04	L	37
15	Wakalat Nama		38

Dated: 20/05/ 2019

Appellant
Through Counsel,



①

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

Khyber Pakhtunkhwa
Service Tribunal

Appeal No. 650 /2019

Diary No. 782

Zafar Ullah Khan, Junior Clerk BPS – 07 Office of the District Officer (Revenue & Estate) Lakki

Dated 20/5/2019

Marwat.

..... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through ~~Secretary~~ Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
2. Commissioner Bannu Division Bannu.
3. Deputy Commissioner Lakki Marwat.
4. Muhammad Khan S/O Sarfaraz Chowkidar Office of District Officer Revenue and Estate Lakki Marwat. (retired Junior Clerk on dated 31.12.2018)

..... (Respondents)

Service Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the Appellate Order dated 09.05.2019 whereby the respondent No. 02 relied on his previous order dated 22.10.2013 and Promotion Order dated 21.03.2012 of the appellant has been set aside and respondents were directed to revise the Seniority list of Class - IV employees.

Prayer in Appeal:

ON ACCEPTANCE OF THIS SERVICE APPEAL THE APPELLATE ORDER DATED 09.05.2019 OF THE RESPONDENT NO. 02 MAY PLEASE BE SET ASIDE AND THE PROMOTION ORDER DATED 21.03.2012 OF THE APPELLANT MAY PLEASE BE RESTORED WITH ALL BACK BENEFITS.

Respectively Sheweth:

1. That the appellant was initially appointed as Naib Qasid BPS – 01 vide office order 20.09.2005. Copies of the appointment order is attached **Annexure-A**
2. That at the time of the appointment of the appellant he was having the qualification of FA, however, during the course of his service the appellant improved his qualification and is now holding the qualification of M.A in Islamiyat besides computer literacy. Copies of the education testimonial are attached as **Annexure – B**.

Filed to-day
20/5/19
Registrar

3. That in accordance with the notification No. SOE-III (E & AD) I – 8/2008 dated 04.02.2009 a quota of 33% has been reserved for promotion of Class - IV employees to the post of Junior Clerk with the qualification of Secondary School Certificate or equivalent qualification from a recognized board and speed of 30 words per minutes in typing. Besides there is a proviso which has been added to the rules which prescribe that “where a senior official does not possess the requisite experience at the time of filling up of the vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials. Copies of the Recruitment Rules are attached as **Annexure – C**.
4. That on 31.12.2008, the respondent / department prepared seniority list of Class – IV employees vide which petitioner is placed at Serial No. 08 on the seniority list where as respondent No. 04 is placed at Serial No. 12 of the same seniority list. The seniority list dated 31.12.2008 got finality after 01 month and the seniority position of appellant and respondent No. 04 had got finality which has not been challenged by the respondent No. 04. Meaning thereby that respondent No. 04 had no reversion against the seniority list papered on 31.12.2008. Copy of seniority list dated: 31.12.2008 is attached as **Annexure – D**.
5. That on 31.12.2011, the respondent / Department once again prepared seniority list of Class – IV employees in which the appellant is placed at Serial No. 22 whereas respondent No. 04 was placed at Serial No. 26. Once again the seniority list dated 31.12.2011 has become final where upon Departmental Promotion Committee Meeting was conducted on 20.03.2012 in which the name of appellant is recommended for promotion being Senior most employee among Class – IV employees. Copy of seniority list dated 31.12.2011 and minutes of Departmental Promotion Committee Meeting are attached as **Annexure – E**.
6. That accordingly on 21.03.2012, the respondent / Department issued promotion order of the appellant as Junior Clerk on recommendation of the Departmental Promotion Committee decision. Copy of promotion order dated 21.03.2012 of appellant is attached as **Annexure – F**.
7. That respondent No. 04 did not challenge the seniority list dated 31.12.2008 and 31.12.2011 which have been got finality. That on 03.04.2012 respondent No. 04 file Departmental appeal before Commissioner Bannu Division, Bannu whereby the seniority list maintained by the respondent / Department was challenged after lapse of 04 years. It is pertinent to mention here that again seniority list of Class – IV employees was prepared on 31.12.2011 which attained finality after one month i.e. 01.02.2012 but

respondent No. 04 has not challenged the seniority list with in time. Copy of Departmental Appeal of respondent No. 04 is attached as **Annexure – G.**

8. That before the respondent No. 02, both the parties were giving opportunity of hearing where after the respondent No. 02 passed an order dated 22.10.2013 vide which the promotion order of the appellant dated 21.03.2012 was declared null and void and respondent No. 04 was directed to be promoted in place of appellant. Copy of appellate order dated 22.10.2013 of respondent No. 02 is attached as **Annexure – H.**
9. That there after the appellant was reverted back as Class – IV employee on dated 02.01.2014 and vide the same order the respondent No. 04 was promoted as Junior Clerk. Copy of office order dated 02.01.2014 is attached as **Annexure – I.**
10. That as the order dated 22.10.2013 of Commissioner Bannu Division, Bannu was not a speaking order and no solid grounds were provided in the afore-said order for set aside promotion order of the appellant, therefore, the appellant challenged the afore-said order dated 22.10.2013 of Commissioner before this Hon able Tribunal. This Hon able Tribunal vide judgment dated 25.03.2019 set aside the order of Commissioner Bannu Division Bannu dated 22.10.2013 and remitted the case back to the respondent No. 02 for re-decision in light of law and rules relevant for the promotion of Class – IV employees. Copy of appeal No. 1533/2013 of appellant and judgment of Service Tribunal Camp Court D. I. Khan dated 25.03.2019 are attached as **Annexure – J.**
11. That respondent No. 02 once again vide order dated 09.05.2019, relied on his pervious order dated 22.10.2013 and no solid reasons, rules or law relating to promotion of Class – IV employees was quoted by the respondent No. 02 nor the order dated 09.05.2019 is well reasoned nor contained any findings. As such the valuable rights of the appellant have been violated vide impugned order dated 09.05.2019. It is pertinent to mention here that respondent No. 02 did not give opportunity of hearing to the appellant and passed one sided order once again. Copy of impugned order dated 09.05.2019 of respondent No. 02 is attached as **Annexure – K.**
12. That it is pertinent to mentioned that respondent No. 04 got retired from service on 31.12.2018 during pendency of pervious appeal No. 1533/2013 and the vacancy of Junior Clerk is vacant since 31.12.2018. Copy of retirement order dated 31.12.2018 of respondent No. 04 is attached as **Annexure – L.**

13. That feeling aggrieved and having no other effective and speedy remedy available, the appellant seeks the indulgence of this Hon able Service Tribunal in appeal inter alia on the following amongst other grounds.

GROUNDS

- A. That appellant has not been treated according to Law nor been treated equally before the Law.
- B. That this Hon able Tribunal vide judgment dated 25.03.2019 set aside the pervious order dated 22.10.2013 of Commissioner Bannu Division Bannu and remitted the case back to the respondent No. 02 for decision afresh because the order dated 22.10.2013 was not speaking order and which did not contain solid grounds / rules and law governing the promotion of Class - IV employees. The respondent No. 02 once again relied on his pervious order dated 22.10.2013 which has been set aside by this Hon able Tribunal and passed impugned order dated 09.05.2019 which is again not a speaking order and did not contain solid grounds / rules and law. Therefore, the impugned order dated 09.05.2019 may kindly be declared illegal, unlawful and without lawful authority. As such the same be set aside.
- C. That the appellant has not been treated in accordance with law, the respondents have not followed the law and rules governing promotions, hence valuable rights secured and granted to the appellant under the law are badly violated. As such impugned order dated 09.05.2019 of respondent No. 02 may kindly be declared null and void.
- D. That the appellant being senior fit and eligible for promotion to the post of Junior Clerk was rightly promoted while the respondent No. 4 was lacking the experience / skill of typing / computer literacy was rightly ignored, thus vide the impugned order the accrued rights of the appellant has been infringed. As such impugned order dated 09.05.2019 of respondent No. 02 may kindly be set aside.
- E. That according to the recruitment rules, a speed of 30 words per minutes in typing was required to become eligible for promotion to the post of Junior Clerk, similarly a proviso has been added to the rules which prescribe that "where a senior official does not possess the requisite experience at the time of filling up of the vacancy of the official next Junior to him possessing the requisite experience shall be promoted in preference of the Senior Official or Officials". Thus the appellant was rightly promoted on account of eligibilities and fitness. The impugned order dated 09.05.2019 did not contain the law on the subject hence same is liable to be set aside.
- F. That respondent No. 04 has not challenged final seniority list prepared on 31.12.2008 meaning thereby that seniority list has got finality. Once again when

seniority list was prepared on 31.12.2011, the respondent NO. 04 did not challenge the seniority list with in one month and seniority list attained finality. As such the impugned order dated 09.05.2019 is silent about seniority list prepared in the year 2008 and then in the year 2011.

- G. That the appellant being fit and eligible has thus got every right to be considered for promotion and when found fit was rightly promoted; the respondent No. 4 being lacking the necessary experience has rightly been ignored. .
- H. That the respondent No. 2 has not followed the law and has based his order on no material grounds, he acted illegally and with material irregularity while disturbing the promotion of the appellant.
- I. That since similarly placed employees has been given promotion in all the departments of the Provincial Government on the same pattern as is allowed to the appellant, however referring to recruitment rules of Revenue & Estate Department without following the Establishment Department Notification is misplaced and illegal.
- J. **That respondent No. 04 has now been retired from service on 31.12.2018. As such appellant may kindly be promoted in his place because appellant has already served as Junior Clerk for more then 02 years.**
- K. That Fundamental Rights of the petitioner as enshrined in the Constitution of Islamic Republic of Pakistan, 1973 have been violated including the rights reserved in Article-04 and Ariticle-25 of the Constitution.
- L. That Counsel for the appellant may be allowed to raise additional grounds during the course of arguments.

It is therefore, humbly prayed that on acceptance of this Service Appeal the appellate Order dated 09.05.2019, of the respondent No. 2 may please be set aside and the promotion order dated 21.03.2012 of the appellant may please be restored with all back benefits.

Appellant

Through Counsel

Musawer Khan advocate
District Court Peshawar
03335746521

6

AFFIDAVIT.

I Zafar Ullah Khan, Junior Clerk BPS – 07 Office of the district Office (Revenue & Estate) Lakki Marwat, do hereby solemnly affirm and declare on oath that the contents of the above appeal well as application as are true and correct and that nothing has been kept back or concealed from this Hon able Tribunal.

Deponent

Zafar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. _____/2019

Zafar Ullah Khan, Junior Clerk BPS – 07 Office of the District Officer (Revenue & Estate) Lakki Marwat.

VERSUS

Government of Khyber Pakhtunkhwa and others

Application for interim relief to the effect that respondents may kindly be restrained to fill the post of Junior Clerk vacated by the respondent No. 04 due to his retirement on 31.12.2018 till final disposal of instant appeal.

Respectively Sheweth:

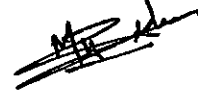
1. That instant appeal is pending adjudication before this Hon able Tribunal which is not fixed yet for hearing.
2. That appellant had been duly promoted as Junior Clerk on 21.03.2012 from Class – IV by the Departmental Promotion Committee and appellant has also served the Department as Junior Clerk for more then 02 Years.
3. That respondent No. 04 had challenged the promotion order of appellant before respondent No. 02 and vide order dated 22.10.2013, the appellant was reverted back as Class – IV.
4. That now respondent No. 04 has got retired from service as Junior Clerk on 31.12.2018. This Hon able Tribunal vide order dated 10.01.2019 in pervious appeal No. 1533/2013 restrained the respondents from filling the vacancy of Junior Clerk vacated by respondent No. 04 due to his retirement. Copy of Order sheet dated 10.01.2019 and order sheet dated 22.01.2019 are attached as **Annexure - A**.
5. That since the vacancy vacated by the respondent No. 04 is a vacancy which is to be filled by promotion; therefore, respondents may kindly be restrained to fill the vacancy.
6. That all the three ingredients i.e. strong prima facie case, irreparable loss and balance of inconvenience lies in favour of appellant.

8

It is therefore, most humbly requested that respondents may kindly be restrained to fill the post of Junior Clerk vacated by the respondent No. 04 due to his retirement on 31.12.2018 till final disposal of instant appeal.

Appellant

Through Counsel



AFFIDAVIT.

I Zafar Ullah Khan, Junior Clerk BPS – 07 Office of the district Office (Revenue & Estate) Lakki Marwat, do hereby solemnly affirm and declare on oath that the contents of the above application are true and correct and that nothing has been kept back or concealed from this Hon able Tribunal.

Deponent



9

20.12.2018

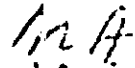
Appellant in person present Mr. Farhat Sikandar D. I. Khan Attorney alongwith Mr. Farmanullah Superintendent for 36000 respondents No. 1 to 3 and private respondent No. 4 in person present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 22.01.2019 before D.I. Khan at Camp Court D.I. Khan.



(Hussain Shah)

Member

Camp Court D.I. Khan



(Muhammad Amin Khan Kundi)

Member

Camp Court D.I. Khan

10.01.2019

Appellant with counsel appeared. Application for restraining the respondents from filling up the vacancy of junior clerk received. Notices of the said application be issued to the respondents for the dated already fixed as 22.01.2019. In the meanwhile till the next date already fixed. fate of fresh appointment of junior clerk by promotion of Class IV shall be the subject to the outcome of the present service appeal.

Supplemental Report

Mr. Shahid Saleem, Advocate for respondent No. 1 and submitted fresh evidence in his favour. Mr. Iqbal Ahmad, District Attorney alongside Mr. Muhammad Asif Sadiq for official respondents and Miss. Nighat Iqbal, Advocate for private respondent No. 4 present.

Learned counsel for private respondent No. 4 requested for adjournment as learned counsel for the said respondent has proceeded to appear before the apex court at Islamabad. Adjourned to 15.01.2019 for arguments before D.B. at camp court D.I. Khan. The interim relief granted on 10.01.2019 shall remain operative until next date of hearing.

[Signature]
Member

[Signature]
Chairman
Camp Court, D.I. Khan

Cr.

[Signature]

[Signature]

[Signature]

[Signature]

Annex-A
Annex-B/A

OFFICE OF THE DISTRICT OFFICER (R&E) / COLLECTOR LAKKI MARWAT.

No. 738 /BC/F-7

Dated Lakki Marwat, the 20 / 9 / 2005

OFFICE ORDER.

On the recommendation of District Selection Board, vide their meeting held on 10.9.2005, Mr Zafar Ullah S/O Rab Nawaz Ex Naib Qasid R/O Mohallah Haqdadabad Lakki is hereby appointed as Naib Qasid (BPS-01) plus usual allowances purely on contract basis subject to the following terms and conditions:-

1. The appointment is purely temporary on contract basis and is liable to termination at any time without giving any reasons or prior notice.
2. The appointee will be governed under such rules and orders as mentioned in the contract policy circulated by the Finance Department NWFP Peshawar vide his letter No. FD (SOSR-III) 12-1/2002 dated 26.10.2002.
3. The appointee will have to submit medical fitness certificate within 15 days.
4. The appointee will have to submit his arrival report within 10 days after receipt of this order failing which this order will be treated as cancelled.

DISTRICT OFFICER
REVENUE & ESTATE COLLECTOR
LAKKI MARWAT.

Dated Lakki Marwat, the 20 / 9 / 2005.

Endst: No. 738 /BC/F-7

Copy forwarded to:-

1. The District Coordination Officer Lakki Marwat for information please.
2. The Medical Superintendent District Headquarter Hospital Lakki Marwat for information and necessary action please.
3. The District Accounts Officer Lakki Marwat.
4. Mr Zafar Ullah S/O Rab Nawaz Ex Naib Qasid R/O Mohallah Haqdadabad Tehsil & District Lakki Marwat with the directions for report to this office immediately.
5. Office Order File.

DISTRICT OFFICER
REVENUE & ESTATE COLLECTOR
LAKKI MARWAT.

27/9/05
Atas tehsil by

(12) ANNEX: B
UTB 3 Departmental special 24

002803



BOARD OF INTERMEDIATE & SECONDARY EDUCATION BANNU

DETAILED MARKS CERTIFICATE

Secondary School Certificate Examination
(GENERAL GROUP)
Session 19 96 (Annual/Supplementary)

Name Muhammad Khan
Father's Name Sarfraz Khan Roll No. 70024

SUBJECT	Total No. of Marks Allotted	*F	MARKS OBTAINED	
			In Figures	In Words
1. English	150		68	/
2. Urdu	150		60	
3. Islamiyat Compulsory	75		66	
4. Pakistan Studies	75		29	
5. General Mathematics	100		45	
6. General Science	100		36	
7. ART	100		50	
8. I.S	100		57	
Total	850		417-D	Four Hundred seventeen

This Certificate is issued errors/omissions accepted.
*F : Failed in the paper(s)

Prepared By [Signature]
Checked By [Signature]
Date [Signature]

[Signature]
[Signature]

[Signature]
Controller of Examinations
Board of Intermediate & Secondary Education
BANNU.

Attested
by
[Signature]

13

Amir B. /

S.No: 10208672

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION, BANNU

DETAILED MARKS CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
Arts Group



Session 2002 (Annual)

Name: Zafar Ullah Khan

Father's Name: Rab Nawaz Khan

Roll No: 8672

Subject	Marks	MARKS OBTAINED			
		Theory	Practical	Total	In Words
1. English	150			50	Fifty Only
2. Urdu	150			87	Eighty-Seven
3. Pakistan Studies	75	38		38	Thirty-Eight
4. Islamiyat (Comp)	75	37		37	Thirty-Seven
5. General Science	100	42		42	Forty-Two
6. Islamic Studies	100	54		54	Fifty-Four
7. A.M. Drawing	100			54	Fifty-Four
8. Rizvi (New)	100	46		46	Forty-Six

Total: 850

408-D Four Hundred Eight Only

Remarks: IS,AMD,

Date: 29-06-2002

Note: Errors / Omissions are accepted

Computer Cell BISE, Bannu

Handwritten signatures and initials

Controller of Examinations
Board of Intermediate & Secondary Education
BANNU
HEAD MASTER
G.H.S. Pather Akel Thal
Distt. Lakki Marwat



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION
BANNU DISTRICT PAKISTAN 23922
INTERMEDIATE EXAMINATION PART-I&II



Roll No : 39005
Group : Humanities
Registration No : 246-B-BCL-1-03
Certificate No : 20539005
Session : 2005 (Annual Part-II)

14

PA

Annex B

This is to certify that Zafr Ullah Khan
Son / Daughter of Rab Nawaz Khan
and a student of District Lakki Marwat
has secured the marks shown against each subject, in the Higher Secondary School
Certificate Examination of the Board of Intermediate & Secondary Education, Bannu.
Held in May, 2005 as Private Candidate

Subject	Marks	MARKS OBTAINED					
		Part-I		Part-II		Total	In Words
		Theory	Practical	Theory	Practical		
1. English	200	41	-	33	-	74	Seventy-Four
2. Urdu	200	63	-	61	-	124	One Hundred Twenty-Four
3. Islamic Education	50	34	-	-	-	34	Thirty-Four
4. Pakistan Studies	50	-	-	18	-	18	Eighteen
5. Islamic Studies	200	64	-	60	-	124	One Hundred Twenty-Four
6. Civics	200	43	-	33	-	76	Seventy-Six
7. Arabic	200	51	-	74	-	125	One Hundred Twenty-Five

Total 1:00

575-C

Five Hundred Seventy-Five Only

Remarks

Date of Declaration of Result : 12-08-2005

Prepared by:

Checked by:

Date of Issue 12-08-2005

Handwritten signatures and stamps:
HEAD MASTER
G.H.S. Pahar Khel Thal
Distt. Lakki Marwat

Controller of Examinations
Board of Intermediate and
Secondary Education, BANNU

S.No. 09633

Roll No. 39005

Board of Intermediate and Secondary Education



BANNU (N-W.F.P.), PAKISTAN

INTERMEDIATE EXAMINATION

SESSION 2005 (ANNUAL)

Humanities Group

This is to Certify that: ZAFR ULLAH KHAN

Son of RAB NAWAZ KHAN

Student of DISTRICT LAKKI MARWAT

Registration No. 246-B-BCL-1-03 has passed the Intermediate Examination of the Board of Intermediate and Secondary Education, Bannu held in May, 2005 as a Private candidate.

He obtained 575 marks out of 1100 and has been placed in Grade C

Representing GOOD

Date of declaration of Result: 12-08-2005

Prepared on: AUGUST 30, 2007

Attested by Head Master GHS Pajhar Ki Distt. Lakki Marwat

Assistant Secretary

SECRETARY

This certificate is issued without allocation or transfer

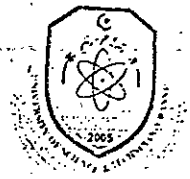
Serial No. 000326

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

BA - Degree

University of Science & Technology Bannu

A.T.F.P.



Pakistan



91

Provisional Certificate

Session 2006-2008

This is to certify that Mr./Miss. Zafr Ullah Khan S/D of Rabnawaz Khan

a Student of Private Candidate

has passed BA (Bachelor of Arts)

held in June, 2008 Examination.

The Examination was taken as a whole / in parts 3rd Division/Grade/GPA securing 207 marks out of 550 as a Whole

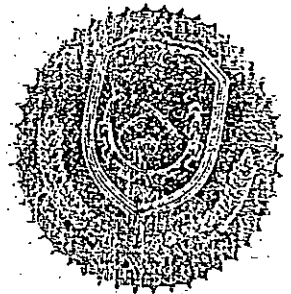
Roll No. 5403

Reg. No. 2006-UB-IP-5195

Issue Date 26-02-2009

Prepared by: [Signature]

Checked by: [Signature]



[Signature]
Controller of Examinations

Attested
[Signature]
HEAD MASTER
G.H.S. P
Distt. Lakkki Mazar
Distt. Lakkki Mazar



17



MA 2-8V
MA 2-8V

University of Science & Technology, Bannu N.W.F.P (Pakistan)

S.No: 45518

Detailed Marks Certificate



MA Islamivat(Annual)(Master in Islamivat (Annual)) Session 2008-2010
Previous Annual Examination October , 2009

Candidate Name: Zafr Ullah Khan Roll No: 6575
Father's Name: Rabnawaz Khan Reg. No: 2006-UB-LP-5195
Institute Name: Private Candidate

(Required Pass Percentage in each subject 33, Aggregate Pass Percentage 56)

Sr. No.	Subjects	Max/Pass Marks	MARKS OBTAINED				
			Theory	Practical	Total	In Words	Remarks
1	Al-Quran	100/33	65	---	65	SIXTY-FIVE	
2	Al-Hadith	100/33	66	---	66	SIXTY-SIX	
3	Islamic Jurisprudence	100/33	48	---	48	FORTY-EIGHT	
4	History of Islam	100/33	35	---	35	THIRTY-FIVE	
5	Arabic Grammar	100/33	70	---	70	SEVENTY ONLY	
Total		500/180		---	284	TWO HUNDRED EIGHTY-FOUR	

Errors & omissions excepted, if any, are subject to subsequent rectification by the competent authority.

Prepared by: Bun

Checked by: _____

Attested
Zafr Ullah Khan
GHS Peshawar University
Date: _____
Controller of Examinations
University of Science & Technology, Bannu

Result Declaration Date	06-01-2010
Certificate Issue Date	06-01-2010



18

S.No: 73335

M.A. Farid
~~Amir~~

University of Science & Technology Bannu

Khyber Pakhtunkhwa, Pakistan

DETAILED MARKS CERTIFICATE

Master in Islamiyat (Annual)

Session: 2008-2010

Final Year Annual Examination Held in July, 2010



Name: Zafr Ullah Khan Roll No: 6575

Father's Name: Rabnawaz Khan Reg No: 2006-UB-LP-5195

Institute Name: Private Candidate

The Candidate has secured the following Marks and is placed in 2nd Division.

No.	Subjects	Max Marks	MARKS OBTAINED				Remarks
			Theory	Practical	Total	In Words	
1	Previous	500		---	284	TWO HUNDRED EIGHTY-FOUR	
2	Al-Fiqh	100	66	---	66	SIXTY-SIX	
3	Taqabul e Adyan	100	61	---	61	SIXTY-ONE	
4	Viva Voce	100	60	---	60	SIXTY	
5	Islam aur Jadeed Maghashee Nazaryat	100	58	---	58	FIFTY-EIGHT	
6	Islami Akhlaq aur unka Tasawar	100	57	---	57	FIFTY-SEVEN	
7	Ilm ul Kalam	100	47	---	47	FORTY-SEVEN	
Total		1100			633	SIX HUNDRED THIRTY-THREE	

Note: Required Pass Percentage in each Subject (Written & Practical Separately) 33. Aggregate Pass Percentage 36

The Examination was taken as a Whole

Prepared by:

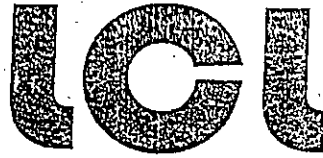
Checked by:

Controller of Examinations
University of Science & Technology, Bannu

Result Declaration Date	21-10-2010
Issue Date	21-10-2010



Ad No: 434
S. No: 2097



Session 2006

Amir

LUCKY COMPUTER LAND

REGISTERED

Institute of Advance Technology
Lakki Marwat (Pakistan)

This is Certify That Mr. / Miss Zafar Ullah
Son/ Daughter of Rab Nawaz
Resident of Vill: Haqdad Abad Distt: Lakki Marwat.

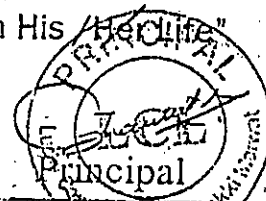
has successfully completed the following courses.

1. MS Windows
2. MS Word (XP)
3. MS Excel (XP)
4. MS Power Point (XP)
5. Internet (Browsing & Mail)
6. Typing Skill
7. MS Access
8. Inpage
9. Adobe Photo Shop
10. XXXX

The Courses Completed in Six (06) Months.
Date of Issue: 01/04/2006.

Attested
HEAD MASTER
C.H.S Panhar Kh.
Distt: Lakki Marwat

"Wishing Him / Her Good Luck & Success in His / Her Life"



IDARA ALFALAH (REGD) TYPE WRITING CENTRE

HAQDAD ABAD
District Lakki Marwat
NWFP (Pakistan)

Registration No. DSW/NWFP/187 of 1985

No. 665/B

Attested
Qulom
HEAD MASTER
G.H.S Panar Khel Thal
Distt. Lakki Marwat

Date: 04-07-2009

Mr. Zafar Ullah Khan S/O. Rab Nawaz Khan

Resident of village. Mohalla Haqdad Abad Lakki Mina Khel

Tehsil: Lakki Marwat District Lakki Marwat

has completed his Type Writing Course
From 02-01-2009 to 30-06-2009 by Touch system satisfactory and has attained the speed of 40 word per minute.

He bears good moral character.

F. R. Khan
President
PRESIDENT
Idara Alfalah Haqdad Abad
Lakki Marwat

S. P. Khan
General Secretary
G. SECRETARY
Idara Al Falah Haqdad Abad
Lakki Marwat.

F. Talib
Training Instructor
Sub. Center
TYPE WRITING CENTER
Haqdad Abad Lakki Marwat

20
11
12

Signature
Tag Ring
certificates



21 20 ANNEX DC
92

GOVERNMENT OF N.-W.F.P.
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(ESTABLISHMENT WING)

NOTIFICATION

Peshawar, dated the 04th February, 2009

NO. SOE-III(E&AD)1-8/2008. - In pursuance of the provisions contained in sub-rule (2) of Rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, the Establishment and Administration Department, in consultation with the Finance Department, hereby directs that in this Department's Notification No. SOR-I(S&GAD)4-2/82, dated 8th June, 1988, the following further amendments shall made, namely:

AMENDMENTS

In the Appendix, for the existing entries in columns No. 3, 4 and 5 against serial No. 7, the following shall be substituted in the respective columns, namely:

	3	4	5
(i)	Secondary School Certificate or equivalent qualification from a recognized Board; and	18 - 30 years	a) <u>Thirty-three per cent by promotion, from amongst Daftaries and Naib Qasids or other equivalent posts with two years service as such, who have passed Secondary School Certificate Examination; and</u>
(ii)	A speed of 30 words per minute in typing.		b) Sixty-seven per cent by initial recruitment.

Note:- For the purpose of promotion, there shall be maintained a common seniority list of Daftaries and Naib Qasids etc with reference to the dates of their acquiring the Secondary School Certificate.

RECEIVED
D.No. 414
Date 2/10/09
Return date 2/10/09
Commissioner Office Bannu

Provided that:

if two or more officials have acquired the Secondary School Certificate in the same session, the official having longer service shall rank senior to other officials; and

where a senior official does not possess the requisite experience at the time of filling up a vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials.

ACR

Attached by
[Signature]

Endst: No. SOE-III(E&AD)1-8/2008

Peshawar, dated the 04th February, 2009

Copy forwarded to:

1. The Additional Chief Secretary, NWFP.
2. The Additional Chief Secretary IATA, Peshawar.
3. The Senior Member, Board of Revenue, N.-W.F.P.
4. All Administrative Secretaries to Government of N.-W.F.P.
5. The Accountant General, NWFP, Peshawar.
6. The Registrar, Peshawar High Court, Peshawar.
7. The Secretary to Governor, N.-W.F.P.
8. The Principal Secretary to Chief Minister, N.-W.F.P.
9. All Divisional Commissioners in NWFP.
10. All District Coordination Officers in N.-W.F.P.
11. All Heads of Attached Departments in N.-W.F.P.
12. The Secretary, NWFP Public Service Commission, Peshawar.
13. The Director, Anti-Corruption Establishment, N.-W.F.P., Peshawar.
14. The Registrar, NWFP Service Tribunal, Peshawar.

(Syeda Fauzeela Sabahat)
Section Officer (E-III)

Endst: No. SOE-III(E&AD)1-8/2008

Peshawar, dated the 04th February, 2009

Copy forwarded to:

1. The Special Secretary (Regulations), Establishment Department, GoNWFP.
2. The Director, Staff Training Institute, E&A Department, Peshawar.
3. All Additional Secretaries in E&A Department, GoNWFP.
4. The Reforms Coordinator, Establishment Department.
5. All Deputy Secretaries in E&A Department, GoNWFP.
6. All Section Officers in E&A Department, GoNWFP.
7. Private Secretary to Chief Secretary, N.-W.F.P.
8. Private Secretary to Secretary, Establishment Department, GoNWFP.
9. Librarian, E&A Department.

(Syeda Fauzeela Sabahat)
Section Officer (E-III)

Ameed D



TENTATIVE SENIORITY LIST OF CLASS IV EMPLOYEES IN RESPECT DISTRICT OFFICER(R&E) LAKKI MARWAT AS STOOD ON 31.12.2008.

S. N	Name of Official	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post.	Date of Promotion to present post	Remarks
1	Qamar Islam	Driver	05	Matric	1.7.1981	23.1.2001	16.8.2001	-	-
2	Awal Khan	Naib Qasid	02	-	1.7.1951	3.7.1979	16.8.2001	-	-
3	Fazal Rahim	-do-	02	-	30.10.1961	12.7.1989	22.8.2001	-	-
4	Gul Tayaz	-do-	02	-	15.12.1958	31.8.1992	22.8.2001	-	-
5	Farman Ullah	-do-	02	-	07.10.1982	03.5.2001	21.2.2004	-	-
6	Teri Khan	-do-	02	-	1973	02.5.2005	-	-	-
7	Rehmat Ullah	-do-	02	Matric	03.6.1976	09.7.2005	-	-	-
8	Zafar Ullah Khan	-do-	02	EA	02.6.1985	21.9.2005	-	-	-
9	Muhammad Aslam	-do-	02	Middle	06.4.1987	21.9.2005	-	-	-
10	Muhammad Nisar	-do-	02	Middle	05.2.1979	14.6.2006	-	-	-
11	Muhammad Din	Chowkidar	02	-	1.7.1964	1.7.1988	16.8.2001	-	-
12	Mohammad Khan	-do-	02	Matric	1.7.1959	9.5.1991	16.8.2001	-	-
13	Abdullah Khan	-do-	02	-	1.5.1969	30.5.1993	12.7.2004	-	-
14	Muhammad Ayaz Khan	-do-	02	6 th	08.4.1985	25.4.2007	-	-	-
15	Mohammad Ismail	Cook	02	-	1.7.1968	28.5.1990	16.8.2001	-	-
16	Sher Ghulam	Mali	02	-	1.7.1960	31.8.1992	16.8.2001	-	-
17	Sher Nawaz	Sweeper	02	-	15.2.1947	28.7.1993	16.8.2001	-	-

22

Checked by

District Officer(R&E)/
Collector Lakki Marwat

Amex-E

23

①

**SENIORITY LIST OF MINISTERIAL STAFF IN RESPECT OF DISTRICT OFFICER (R&E)/COLLECTOR LAKKI MARWAT AS STOOD ON
31.12.2011.**

No. of Official	Name of Deptt	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post.	Date of Promotion to present post	Remarks
1	R & E	Assistant	14	MA	03.03.1969	14.09.1992	22.08.2001	-	-
2	R & E	Steno Typist	12	M.Sc	11.04.1965	19.11.1992	16.08.2001	-	-
3	R & E	Senior Clerk	09	F.A	07.05.1962	01.09.1980	16.08.2001	-	-
4	R & E	Junior Clerk	07	F.A	07.10.1959	17.10.1981	16.08.2001	-	-
5	R & E	Junior Clerk	07	F.A	10.05.1966	21.04.1988	16.08.2001	-	-
6	R & E	Junior Clerk	07	Matric	11.11.1955	03.09.1973	16.08.2001	-	The appointment of Mr. Zaid Ali Khan S. No. 09 Senior Clerk was converted to the post of J. Clerk on transfer basis w.e.f. 01.1992 vide Ex- DC Lakki order No. 1763/BC/F-15 dt. 24.2.2001
7	R & E	Junior Clerk	07	F.A	08.04.1970	10.10.1992	16.08.2001	-	-
8	R & E	Junior Clerk	07	B.A	27.08.1966	05.11.1992	22.08.2001	-	-
9	R & E	Junior Clerk	07	B.A	10.03.1968	05.11.1992	22.08.2001	-	-
10	R & E	Junior Clerk	07	Matric	11.04.1957	26.07.1994	22.08.2001	-	-
11	R & E	Junior Clerk	07	Matric	12.02.1964	29.07.1993	11.02.2002	-	-
12	R & E	Junior Clerk	07	F.A	10.02.1969	18.09.1993	24.07.2004	-	-
13	R & E	Junior Clerk	07	F.A	12.08.1976	12.02.1996	01.10.2004	-	-
14	R & E	Junior Clerk	07	Matric	20.10.1977	29.01.2009	29.01.2009	-	-
15	R & E	Junior Clerk	07	FSc	18.04.1972	23.11.1993	23.07.2010	-	-
16	R & E	Driver	04	Matric	01.07.1981	23.01.2001	16.08.2001	-	-
17	R & E	Naib Qasid	01	-	30.10.1961	12.07.1989	22.08.2001	-	-
18	R & E	Naib Qasid	01	-	15.12.1958	31.08.1992	22.08.2001	-	-
19	R & E	Naib Qasid	01	-	07.10.1982	03.05.2001	21.02.2004	-	-
20	R & E	Naib Qasid	01	-	01.01.1975	20.05.2005	20.05.2005	-	-
21	R & E	Naib Qasid	01	Matric	03.06.1976	09.07.2005	09.07.2005	-	-

Attested
[Signature]

Promotion Seniorly List
2011

EL AT



22.	Zafar Ullah Khan	R & E	Naib Qasid	01	Matric	02.06.1985	21.09.2005	-	-	-
23.	Muhammad Aslam	R & E	Naib Qasid	01	-	06.04.1987	21.09.2005	-	-	-
24.	Muhammad Nisar	R & E	Naib Qasid	01	-	-	-	-	-	-
25.	Moeenud Din	R & E	Chowkidar	01	-	01.07.1964	01.07.1988	16.08.2001	-	-
26.	Mohammad Khan	R & E	Chowkidar	01	Matric	01.07.1959	09.05.1991	16.08.2001	-	-
27.	Abdullah Khan	R & E	Chowkidar	01	-	01.05.1969	30.05.1993	12.07.2004	-	-
28.	Muhammad Ayaz	R & E	Chowkidar	01	-	08.04.1985	01.07.2008	01.07.2008	-	-
29.	Sher Ghulam	R & E	Mali	01	-	01.07.1960	31.08.1992	16.08.2001	-	-
30.	Sher Nawaz	R & E	Sweeper.	01	Matric	07-10-1975	03-8-2007	03-8-2007	-	-

[Signature]
District Officer (R & E)
Collector Lakki Marwat

22

25

R

**MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION/SELECTION
COMMITTEE MEETING HELD ON 20.03.2012 UNDER THE CHAIRMANSHIP OF
DISTRICT OFFICER (R&E)/COLLECTOR LAKKI MARWAT.**

The meeting regarding appointment of Patwaris against the newly ten (10) posts created vide Revenue & Estate Department Khyber Pakhtunkhwa, Peshawar vide order No. DLR.LR-V.Lakki Marwat 120 dated 12.01.2012 and one vacant post due to retirement of Mether Yousaf, Patwari was held in the personal office of District Officer (R&E)/Collector Lakki Marwat on 20.03.2012. The following attended the meeting:-

- | | | |
|----|--|---------|
| 1. | Mr. Abdul Kabir, Deputy District Officer (Revenue) Lakki Marwat | Member, |
| 2. | Mr. Duran Khan, accountant DCO Office Lakki Marwat | Member. |
| 3. | Mr. Muhammad Zarif Assistant Secretary, (Dist) Board of Revenue Khyber Pakhtunkhwa, Peshawar | Member |

The chairman welcomed the participants and clarified that ten (10) SNE posts of Patwaris have been created by Revenue & Estate Department Khyber Pakhtunkhwa, Peshawar vide order No. DLR.LR-V.Lakki Marwat 120 dated 12.01.2012 during the current financial year 2011-12, which will be filled in accordance with Government rules/policy. Seven (7) Halqas were bifurcated in Lakki Marwat Tehsil, one post vacant due to retirement of Mether Yousaf and three Halqas were bifurcated in Naurang Tehsil. Five (5) posts of settlement operation were also discussed.

1. APPOINTMENT OF PATWARIS BPS-09.

During discussion in the meeting, the Assistant Secretary (Dist) Representative of Board of Revenue pointed out that Peshawar High Court Peshawar in a writ petition passed a judgement / order dated 08.02.2012 in light of Service Tribunal judgement dated 09.08.2007 in appeal No. 663/2002 and 20.04.2009 clearly mentioned therein that in future appointment of patwaris shall be made on Tehsil level as provided under para - 3.12 of the Land Records Manual. In the light of judgement / order of Peshawar High Court Peshawar, Tehsil wise Register of patwar candidates have been prepared and was placed before the committee. The following Patwar candidate mentioned against each from Lakki Marwat Tehsil and Naurang Tehsil were cleared and found fit for appointment to the post of Patwari BPS-09 on regular basis subject to verification of Patwari Training Certificate from District Lands Record Office. However, the cases of Patwar Candidates mentioned at Serial No. 6 to 10 were differed as the participants not reached a consensus opinion regarding their eligibility for appointment as Patwari as they have already been appointed as Settlement Patwaris. During the course of discussion, the Representative of Secretary Board of Revenue raised the point and referred to Para 3.6(1) of Land Records Manual that those Patwaris, who are already working against the post of Patwari in settlement operations can not considered for the post of Patwaris on revenue side. Hence five posts at Serial No. 6 to 10 were left vacant till a clear cut opinion from the competent authority, where after the cases would be processed through fresh DP/SC in accordance with law/rules applicable to the subject of appointment of Patwaris.

S.N	Name with Parentage	Date of Birth	Tehsil	Remarks
1.	Muhammad Haroon S/O Muhammad Aslam Khan	14.05.1980	Naurang	Cleared/considered
2.	Asad Khan S/O Ghulam Hassan	02.04.1980	Lakki	Cleared/considered
3.	Shoukat Ullah Khan S/O Qasim Khan	28.02.1985	Lakki	Cleared/considered
4.	Muhammad Shah S/O Muhammad Rafiq	01.09.1978	Lakki	Cleared/considered
5.	Hidayat Ullah S/O Sakhi Jan	15.02.1983	Naurang	Cleared/considered
6.	Muhammad Ishaq Khan S/O Nadir Khan	19.03.1982	Lakki	Not considered being Settlement Patwari
7.	Mir Hakam Khan S/O Adam Khan	16.03.1982	Lakki	Not considered being Settlement Patwari
8.	Muhammad Israr S/O Abdul Karim	05.02.1983	Lakki	Not considered being Settlement Patwari
9.	Hazrat Ali S/O Feroz Khan	05.03.1982	Lakki	Not considered being Settlement Patwari
10.	Barkat Ullah S/O Niamat Ullah	01.01.1986	Naurang	Not considered being Settlement Patwari
11.	Muhammad Allah Khan S/O Mumtaz Khan	14.03.1985	Lakki	Cleared/Considered

(26)

2. PROMOTION OF SENIOR MOST JUNIOR CLERK TO THE POST OF SENIOR CLERK BPS-09.

As there is one post of Senior Clerk in the office of District Officer (R&E)/Collector Lakki Marwat and is lying vacant due to promotion of Mr. Rehman Gul Senior Clerk to the post of Assistant. Panel of following three senior most Junior Clerks were placed before the DP/SC.

S.No.	Name of Official	Date of Birth	Date of Appointment	Qualification
1.	Muhammad Ayub Khan	07.10.1959	17.10.1961	F.A
2.	Habib Ullah Jan	10.05.1966	21.04.1988	FA
3.	Zard Ali Khan	11.11.1955	03.09.1973	Matric


After thorough examination of service record as well as criteria on the subject, Mr. Muhammad Ayub Khan senior most Junior Clerk was found fit for promotion to the post of Senior Clerk BPS-09 on regular basis.

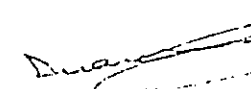
3. PROMOTION OF NAIB QASID (BPS-01) TO THE POST OF JUNIOR CLERK.

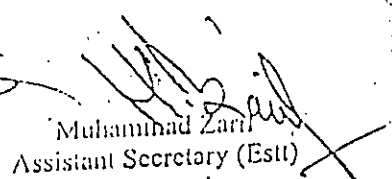
A Post of Junior Clerk (BPS-07) had fallen vacant due to promotion of Mr. Muhammad Ayub Junior Clerk to the post of Senior Clerk. According to District Cadre Ministerial Service Rules, 2010, 20% posts of Junior Clerks shall be filled in from amongst Qasid and other equivalent posts who have possess SSC 2nd Division. The post falls within 20% quota meant for promotion from amongst Qasids of the office of District Officer (R&E)/Collector, Lakki Marwat. Panel of two (2) senior most Naib Qasids were placed before the DS/PC for promotion to the post of Junior Clerk.

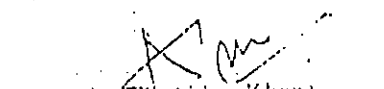
S.No.	Name of Official	Date of Birth	Date of Appointment	Qualification
1.	Rehmat Ullah Khan	03.06.1976	09.07.2005	Matric
2.	Zafar Ullah Khan	02.06.1985	21.09.2005	M.A

After thorough examination of service record as well as criteria on the subject, the official at S.No. 1 has not fulfill the criteria as he possess SSC in 3rd Division, therefore he was dropped and the next official at S.NO. 2 namely Mr. Zafarullah Khan was unanimously found fit for promotion to the post of junior clerk (BPS-07) on regular basis.


Akbar Kabir
Deputy District Officer (Rev)
Lakki Marwat.
(Member)


Durr Khan
Representative DCO
Lakki Marwat
(Member)


Muhammad Zard
Assistant Secretary (Estt)
Representative
Board of Revenue KPK.
(Member)


(Amir Akbar Khan)
District Officer (R&E)/Collector
Lakki Marwat
(Chairman)

OFFICE ORDER.



Annex - F/13

On the recommendation of Departmental Promotion/Selection Committee in its meeting held on 20.03.2012. Zafar Ullah Khan, Naib Qasid BPS-01 of the office of District Officer Revenue & Estate Lakki Marwat is hereby promoted to the post of Junior Clerk BPS-07 on regular basis with immediate effect.

District Officer (R&E)/
Collector Lakki Marwat.


Dated 21 /03/2012.


Endost No. 754-59

/DO (R&E)/LM/BC 27.

Copy forwarded to:-

1. The District Coordination Officer Lakki Marwat.
2. The Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officer Lakki Marwat.
4. The Deputy District Officer (Rev)/ (Judicial) Lakki Marwat.
5. Official concerned.


District Officer (R&E)/
Collector Lakki Marwat.

Attested
by


28

Annex - G

BEFORE THE COMMISSIONER BANNU DIVISION BANNU
(Departmental Appellate Authority)

Subject: Departmental Appeal/ Representation against:

- (i) the D. P. C dated: 20-03-2012
- (ii) the promotion order of one Zafar Ullah Dated: 21-03-2012 and
- (iii) the seniority list prepared by DOR Lakki Marwat for the year 2012, being void and incorrect.

Respectfully Sheweth.

1. That, the Petitioner is permanent Resident of District Lakki Marwat.
2. That, Petitioner being Matriculate, was appointed as Chowkidar on Dated: 04-05-1991 in the office of DOR Lakki Marwat and still performing his duties regularly.
3. That on dated: 20-03-2012, a meeting of departmental promotion and selection committee was held in which, one Zafar Ullah (Naib Qasid) was promoted to the post of Junior Clerk vide order No. 753/DOR(R&E)/LM/BC.07 dated: 21-03-2012, which order on the dint of D. P. C is against law and void. Because the said promoted person was still on contractual basis (at the time of promotion) and without prior order of permanent posting, he is promoted ahead. According to policy and rules, a servant can never be promoted until and unless he becomes permanent. But here the matter is totally different and controversial.
4. That, seniority list prepared by DOR/ Authority is incorrect and in random position, because it is prepared against the seniority as per appointment. From the perusal of the said seniority list, it becomes clear and evident that the promoted person's date of appointment and petitioner's date of appointment are at distinction and margin. The petitioner is about 14 years senior than one promoted which culminates and proves melafide on the part of authority.
- That, from the factum of qualification, petitioner is also eligible and most deserved. It is pertinent to mention here that in one's promotion, the date of appointment is kept in view. But the petitioner's seniority is neglected without rhyme and reason. Be noted that promoted person Zafar Ullah is placed at S. No. 22 while Petitioner is at S. No 26. Hence, this order of seniority is a blunder not an error.
6. That Petitioner is qualified from every aspect of appointment and he is being treated against the law and the said treatment on the part of Authorities is the infringement of the fundamental rights of Petitioner. Therefore Petitioner prefers the instant Departmental Appeal/ Representation inter-alia on the following grounds.

Ch. Ullah

R/Reader
1974

Reader/Support.
Note/Pursue
AS

10-04-2012

1971
07-04-12

[Signature]

Attested

by

[Signature]

GROUND.

29

- A. That Petitioner neither have been dealt in accordance with law, nor been treated equally before the law and Authorities have clearly violated the law and criteria prescribed for D. P. C and promotion thereafter in sequence.
- B. That, as per criteria prescribed for the promotion, Petitioner stands most deserved candidate for appointment. In merit list, Petitioner holds top positions than promoted person while Authorities has favored the person which is less in merit in criterion. Petitioner is being neglected by Authorities without any reason which is mala fide, political victimization and is against the justice and fundamental rights of Petitioner.
- C. That according to policy rules and regulations laid down for the purpose promotion and according to seniority list, the Petitioner must be considered and Authorities are bound to promote the Petitioner because Petitioner is standing first than promoted person and he is junior to petitioner.
- D. That, seniority list has no rhythm and order as its name reveals. As seniority list categories and distinguish the priority of servants for promotion on their service's duration and length. And the said list lacks seniority order.

In wake of above submissions, it is humbly prayed that on acceptance of this Departmental Appeal/ Representation, the Authorities may kindly be directed/ ordered for promotion of petitioner to the post of Junior Clerk on his seniority by declaring and holding the said seniority list void and incorrect, along with any other relief which deems fit.

Dated: 03-04-2012

Petitioner



Muhammad Khan Son of Sarfarz
R/O Isak Khel, Presently Chowkidar
Office of DOR (R&E), Lakki Marwat.

Through Counsel



Muhammad Tariq Qureshi
Advocate Lakki Marwat.

Zafar Ullah Khan VS District Officer (R/E), now Deputy Commissioner Lakki Marwat - Service Appeal

NWFP No. 210

GS&PD NWFP-1675-F.S-10,000 PADS-7.3.95-(26)/Disk-9

Date of Order or Proceedings: 27.10.2013

Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.

ORDER

This is a service appeal filed by the appellant against the orders dated 21/03/2012 passed by the respondent and the seniority list maintained for the year 2012 issued by the respondent department.

Brief facts of the case are that the appellant was appointed as Chowkidar (BPS-1) on 09/05/1991 who had passed matriculation examination in 1996 but in the seniority list maintained for the year 2012, prepared by the respondent department for the purpose of promotion, the name of the appellant was placed below the respondent Zafar Ullah Khan who was appointed as Naib Qasid (BPS-1) on 21/09/2005 and had passed matriculation examination in 2002. Despite the above narrated facts the promotion of the appellant to the post of Junior Clerk (BPS-07) was not considered and instead respondent Mr. Zafar Ullah Khan was promoted to the said post.

Notice was issued to the respondent department and comments were sought.

Appellant and respondent are present with their counsels and heard. Learned counsel for the appellant argued that according to the Board of Revenue Khyber Pakhtunkhwa, who is the administrative department of the respondent department, Ministerial Cadre Rules 2006 amended in 2010 the appellant had due right for the promotion to the post of Junior Clerk.

Guidance in the instant case was sought from the Establishment Department Khyber Pakhtunkhwa and offices of the Commissioners in Khyber Pakhtunkhwa were also contacted. Establishment Department vide their letter No. SCR-V (E&AD)/1-18/13, dated 09/09/2013 advised that the instant case be disposed of in the light of Revenue & Estate Department Ministerial Service Rules, 2006.

Since the impugned seniority list prepared by the respondent department is not according to the prescribed rules of the Revenue & Estate Department Peshawar, hence the impugned seniority list and the impugned promotion order dated 21/03/2012 issued by the respondent department in respect of the respondent namely Zafar Ullah Khan is set aside. Respondent department is directed to revise the seniority list according to the prescribed rules of the Board of Revenue, Peshawar. Appellant be given due place in the seniority list cited above and be promoted to the post of Junior Clerk after fulfillment of all codal formalities strictly in accordance with the rules and regulations in vogue.

The appeal is accepted with the above terms.

Announced. 22.10.2013

Attested
Reader to Commissioner
Bannu Division 23.10.2013

COMMISSIONER
BANNU DIVISION.

Attested

by

[Signature]

31

Annex-1

OFFICE OF THE DEPUTY COMMISSIONER LAKKI MARWAT.
No. 51-54/DC/LM/PS/P Dated 02-01-2014

OFFICE ORDER

In compliance of the Hon; Commissioner Bannu Division Order dated 22-10-2013 in the Service Appeal of Mohammad Khan VS District Officer Revenue & Estate (now Deput Commissioner Lakki Marwat), the Office Order Endstt; No.DO(R&E)LM/BC.07 dated 21-03-2012 of District Officer Revenue & Estate Lakki Marwat is hereby cancelled and following reversion, promotion & transfer/adjustment orders are made with immediate effect, in the interest of public.

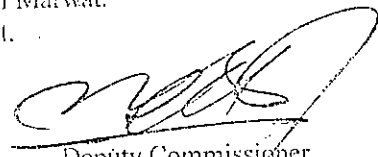
S.No.	Name of official/design;	Reversion, promotion & transfer/adjustment.
1.	Barkatullah Khan Naib Qasid (BPS-01) Dy; Commissioner Office Lakki Marwat.	Transferred/adjusted as Chowkidar (BPS-01) against post occurred vacant vide at S.No.3.
2.	Zaferullah Khan J/Clerk(BPS-07) Dy; Commissioner Office Lakki Marwat.	Revert to the post of N/Qasid (BPS-02) against post occurred vacant vide at S.No.1.
3.	Mohammad Khan Chowkidar (BPS-02) Dy; Commissioner Office Lakki Marwat.	promoted as J/Clerk (BPS-07) against post occurred vacant vide at S. No.2

Deputy Commissioner
Lakki Marwat.


Even No. & date

Copy to

1. The Commissioner Bannu Division w/r to their letter No.3005/READER dated 23-10-2013.
2. The Additional Deputy Commissioner Lakki Marwat.
3. The District Accounts Officer Lakki Marwat.
4. All Officials concerned.


Deputy Commissioner
Lakki Marwat.

Uo

Attested
by


BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR



Appeal No. 533/2013

1551
12-11-13

Zafar Ullah Khan, Junior Clerk BPS-07 Office of the District Officer
(Revenue & Estate) Lakki Marwat.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
 2. Commissioner Bannu Division Bannu.
 - ~~3. District Officer Revenue & Estate Lakki Marwat.~~
 4. Muhammad Khan S/O Sarfaraz Chowkidar Office of District Officer Revenue and Estate Lakki Marwat.
3. Deputy Commissioner, Laki Marwat (Respondents)

vide order
sheet dated
21-01-14

Service Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the appellate Order dated 22.10.2013 whereby the Promotion Order dated 21.03.2012 of the appellant has been set aside and respondents were directed to revise the Seniority list of Class IV employees.

Prayer in Appeal:

On acceptance of this Service Appeal the appellate Order dated ~~22.10.2013~~ ^{21.10.2013} of the Respondent No. 2 may please be set aside and the promotion order dated 21.03.2012 of the appellant may please be restored with all back benefits.

Respectfully submitted:

1. That the appellant was initially appointed as Naib Qasid BPS-01 vide office order 20.09.2005. (Copies of the appointment Order and Corrigendum are attached as Annexure A).
2. That at the time of the appointment of the appellant he was having the qualification of FA, however, during the course of his service the appellant improved his qualification and is now holding the qualification of M.A in Islamiyat besides computer Literacy. (Copies of the Education Testimonial are attached as Annexure B & C)

re-submitted to-
and filed.

[Signature]

21/11/13

Attested
by
[Signature]

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

CAMP COURT, D.I. KHAN.

Service appeal No. 1533/2013

Date of institution ... 12.11.2013
Date of decision ... 25.03.2019



Zafar Ullah Khan Junior Clerk BPS-07 office of the District Officer
(Revenue & Estate) Lakki Marwat. ... (Appellant)

Versus

Government of Khyber Pakhtunkhwa through Senior Member Board
of Revenue, Peshawar and 3 others. ... (Respondents)

Present

Mr. Shahid Saleem,
Advocate

Mr. Farhaj Sikandar,
District Attorney

Mr. Muhammad Anwar Awan,

For appellant, ...
For official respondents, ...
For respondent No. 4, ...

MR. HAMID FAROOQ DURRANI,
MR. AHMAD HASSAN,

CHAIRMAN
MEMBER

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-

1. In essence the respondent No. 4, who has retired upon reaching

superannuation on 29.12.2018, had questioned before the

Commissioner Bannu Division, Bannu the promotion of the appellant

as Junior Clerk effectuated on 21.03.2012. At the relevant time the

appellant was performing duty as Naib Qasid while respondent No. 4

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

ATTESTED

was in service as Chowkidar. The respective dates of their appointment are 20.09.2005 and 04.05.1991.

2. Learned counsel for the appellant mainly contended that while passing the impugned order dated 22.10.2013 by the respondent No. 2, in the capacity of departmental appellate authority, certain rules were referred to and the appeal of respondent No. 4 was accepted without dilating upon the merits of the case of either party to the appeal.

3. Learned counsel for private respondent No. 4 could not controvert the said stance as pressed into service on behalf of the appellant.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

4. The contents of the impugned order suggest that the respondent No. 2, for making a decision on appeal preferred by respondent No. 4, sought guidance from Establishment Department Government of Khyber Pakhtunkhwa and some offices of the Commissioners in the Province. He was advised by the former to dispose of the case in the light of the Revenue & Estate Department Service Rules, 2006. Respondent No. 2, instead of adjudicating upon the merits of the case of respondent No. 4 and the appellant herein in the light of rules ibid, made only a reference to the rules and concluded that the impugned seniority list was not according to the prescribed rules, therefore, the promotion order dated 21.3.2012, passed in favour of the appellant, was set aside. In the said state of affairs, we are constrained to note that

35

the impugned order of departmental appellate authority was neither reasoned nor contained any decision on merits of the case before it, although valuable rights already created in favour of appellant by way of his promotion were disturbed.

We, therefore, set aside the impugned order dated 22.10.2013

and remit the case to the respondent No. 2/departmental appellate authority for re-decision in the light of law and rules relevant for the purpose. The proceedings by the said authority shall be concluded within sixty days from the receipt of copy of instant order, whereby, the appeal of respondent No. 4 shall be decided through a speaking order. Needless to note that the parties shall be extended fair opportunity to participate in the proceedings. The issue of back benefits arising in favour of any party to instant his shall follow the decision to be made by the appellate authority.

Parties are left to bear their respective costs. File be consigned to

the record room.

(Ahmad Hassan)
Member

ANNOUNCED
25.03.2019

Certified to be true copy
Khyber Pakhtunkhwa
Services Tribunal
Peshawar

(Hamid Farooq Durrani)
Chairman
Camp Court, D.I.Khan.

27-3-19
1600
10-00
10-00
2-4-1
2-4-1
2-4-1

Date of Presentation of Application
Number of Words
Copying Fee
Amount
Total
Name of Applicant
Date of Commencement of Duty
Date of Delivery of Copy

Zafrullah Khan VS Govt. of Khyber Pakhtunkhwa.

Date

Proceedings

09-05-2019**ORDER:**

In pursuance of judgment dated 25-03-2019 passed by the Khyber Pakhtunkhwa Service Tribunal Camp Court, D.I.Khan in the Service Appeal No. 1533/2013 case titled "Zafar Ullah Khan Versus Govt. of Khyber Pakhtunkhwa", the case of Mr. Zafar Ullah is re-visited in detail. During the course of proceedings, Mr. Zafar Ullah Khan was heard in person and the relevant case file was thoroughly perused/examined.

Brief facts of the case are that Mr. Zafar Ullah Khan was appointed as Naib Qasid (BPS-1) on 21-09-2005. He had passed matriculation examination in 2002. He was promoted to the post of Junior Clerk (BPS-07) by the then-District Officer, Revenue & Estate, Lakki Marwat (now Deputy Commissioner, Lakki Marwat) on the basis of seniority list maintained for the year 2012 issued by the ibid office. The promotion order of Mr. Zafar Ullah Khan & seniority list of Class-IV for the year 2012 was challenged by Mr. Muhammad Khan, Chowkidar of office of the then District Officer (R/E), Lakki Marwat via Departmental Presentation before the then Commissioner, Bannu Division with the contention that he was placed junior to Mr. Zafar Ullah Khan in the seniority list finalized in 2012 despite the fact that he has been appointed on 09-05-1991 and passed matriculation examination in 1996. After seeking necessary guidance in the case from Establishment Department, Khyber Pakhtunkhwa, Peshawar, the then-Commissioner, Bannu Division vide order dated 22-10-2013 set aside the promotion order of Mr. Zafarullah Khan along with seniority list of Class-IV of 2012 and directed the Deputy Commissioner, Lakki Marwat to revise the seniority list as per Rules of Board of Revenue, Khyber Pakhtunkhwa, Peshawar.

In his defense, Mr. Zafar Ullah Khan relied upon the seniority list of 2012 and additional qualification i.e. M.A. From perusal of record on file, it transpired that the promotion order dated 21-03-2012 and Seniority list of Class-IV of 2012 were rightly set aside by the then Commissioner, Bannu Division vide order dated 22-10-2013 as seniority list of Class-IV for the year of 2012 was not finalized/maintained in accordance with the prevailing rules of Board of Revenue, Khyber Pakhtunkhwa, Peshawar by the then District Officer (R/E), Lakki Marwat. In the said seniority list, the senior officials have been placed below the juniors as in this case Mr. Muhammad Khan, Chowkidar is found to have been placed junior to Mr. Zafar Ullah, 09-05-1991 and 21-09-2005 being their respective dates of appointment.

I hereby come to the conclusion that the order dated 22-10-2013 passed by the then Commissioner, Bannu Division is on merit. The instant service appeal is disposed off accordingly. File be kept on record after necessary completion.

Announced:
09-05-2019

Attested by
by

[Signature]

[Signature] 9/5/19
Commissioner
Bannu Division

37

Annex-2



OFFICE OF THE
DEPUTY COMMISSIONER

LAKKI MARWAT (KHYBER PAKHTUNKHWA) Ph: # 0060-538330-31 Fax: # 0060-538331
Email: dclakki@marwat@hotmail.com facebook: www.facebook.com/dclakki@marwat website: www.lakki@marwat.gov.pk

No. 26 / AG - Estab

Dated: 04 / 01 / 2019

OFFICE ORDER

Consequent upon the completion of qualifying service 27-years 07-Months & 22-days, Mr. Muhammad Khan Junlor Clerk BPS-11 of this office is hereby retired from Government Service w.e.from 31-12-2018 (Afternoon).

In pursuance of Rule-20 of the NWFP Civil Servants, Revises Leave Rules, 1981 read with Finance Department NWFP, and Notification No.FD(SR-IV)5-54/80/Vol-II dated 24-08-1983, amended notification NO.SO(FR)FD5-92/2005/Vol-V, dated 13-12-2012, sanction is hereby accorded to the encashment LPR for maximum period of 365 days in lump sum in favour of Muhammad Khan Junior Clerk of this office.

His date of birth is 1959.

Deputy Commissioner
Lakki Marwat

Even No. & date:

Copy forwarded to:-

1. The Additional Deputy Commissioner, Lakki Marwat.
2. The District Account Officer, Lakki Marwat
3. The Drawing & Disbursing Officer Lakki Marwat
4. The Accountant DC Office Lakki Marwat for necessary action.
5. Officials concerned.

Deputy Commissioner
Lakki Marwat

قیمت
50 روپے

15379



ایڈویکٹ: صہب خان ایڈووکیٹ

بار کونسل/ایسوسی ایشن نمبر: BC-10-4242

رابطہ نمبر: 03335746521

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سروس ٹریبیونل خیبر پختونخواہ

منجانب: <u>ایڈووکیٹ</u>	دعویٰ: <u>سروس ٹریبیونل</u>
	علت نمبر: _____
	مورخہ: _____
	جرم: _____
	تھانہ: _____

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
آن مقام پشاور کیلئے صہب خان ایڈووکیٹ سنیئر سیکرٹری کو وکیل مقرر
کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی نقل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 20-05-2019

العبد گواہ شد العبد مقام
کے لیے منظور ہے
نوٹ: اس وکالت نامہ کی فونو کالی ناقابل قبول ہوگی۔

وکالت نامہ

کورٹ فیس	حیدرآباد سروس ٹریڈنگ کمپنی ایک روپیہ قیمت	
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عدالت

منجانب اسلم علی نام طہر اللہ

APPEAL No. 650/2019

دعویٰ یا جرم

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف دائرہ پوری وجوہات دی برائے پیش یا تفسیر مقدمہ بنام طہر اللہ خان

مقدمہ مندرجہ بالا عنوان میں اپنی طرف دائرہ پوری وجوہات دی برائے پیش یا تفسیر مقدمہ بنام طہر اللہ خان

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ذرا بذریعہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پوری کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ دہاؤں کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذگری نظر ثانی اپیل گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ثانی یا راضی نامہ و فیصلہ برصفت کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مزکور ہمدون از پکھری صدر پوری مقدمہ مزکور نظر ثانی اپیل و گمرانی و برآمدگی مقدمہ یا مشورتی ذگری یک طرفہ یا درخواست حکم اتہائی یا ترقی یا گرفتاری قبل از فیصلہ اجراء ذگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ ضمانت پوری کا اختیار ہو گا اور تمام ساختہ پر داخہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مزکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا ہیر مٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے شیر قانون کو بھی ہر امر میں دی اور دیے اختیارات حاصل ہوں گے پیچھے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پوری نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہو گا

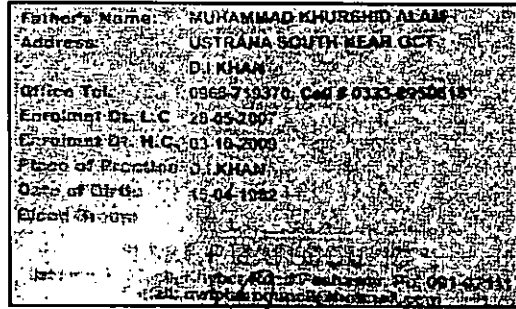
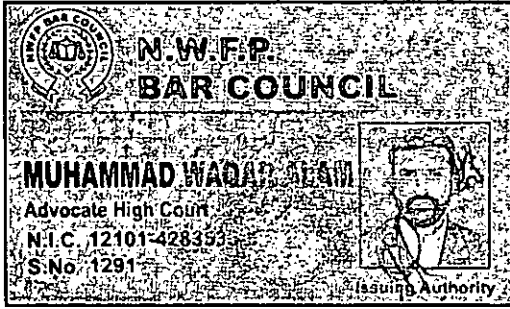
لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 25 ماہ جون

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

SHAHID SALEEM
MINA KHEL ADVOCATE

وکالت نامہ



The Service Tribunal KPK, Kohat جناب بعدالت

Respondent No 4 منجانب

Zafarullah بنام KPK

دعویٰ یا جرم

Service Appeal

تفصیل دعویٰ یا جرم

باعث تحریر آئندہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام Dikhan کیلئے

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

کوحسب ذیل شرائط پروکیل مقرر کی ہے کہ ہر پیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اسکے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا ایمانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پروا خط صاحب موصوف مل کر وہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و گمرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار یہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر عاشر یا راضی نامہ و فیصلہ پر حلف کرنے، اقبال و دعویٰ کا بھی اختیار ہوگا، اور بصورت مقرر ہونے تاریخ پیش مقدمہ مذکورہ بیرون از پکھری صدر پیروی مقدمہ مذکورہ نظر ثانی و اپیل و گمرانی و ڈگری یا مقدمہ یا منسوخی ڈگری یکطرفہ یا درخواست حکم انتہائی یا ترقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ جتانہ پیروی کا اختیار ہوگا اور تمام ساختہ پروا خط صاحب موصوف مل کر وہ ذات خود منظور قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزئی کارروائی یا بصورت درخواست نظر ثانی اپیل یا گمرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا بیرٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں، اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور وہ ان مقدمہ میں جو کچھ ہر جانہ التواء بڑیگا، وہ صاحب موصوف کا حق ہوگا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ کسی مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سند رہے

Accepted: 2018

مورخہ _____ ماہ _____

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Zafarullah
العبد

العبد

العبد

محمد وقار عالم ایڈووکیٹ ہائی کورٹ

محمد خان

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 650/2019

Zafrullah Khan Ex-Junior Clerk BPS-07 office of the District Officer Revenue &
Estate Lakki Marwat

Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
2. Commissioner Bannu Division Bannu
3. Deputy Commissioner Lakki Marwat
4. Muhammad Khan S/O Sarfaraz Chowkidar, office of the District Officer Revenue & Estate, Lakki Marwat (Retired junior clerk on dated 31/12/2018)

RESPECTFULLY SHEWETH

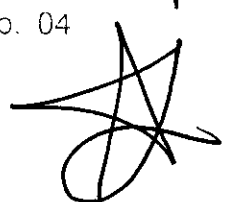
Joint Para wise comments on behalf of Respondent No. 01 to 03 submitted as under.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action to file the instant appeal.
2. That the instant appeal is barred by law.
3. That the appellant has got no locus standi.
4. That the instant appeal is not maintainable.
5. The Appellant has not come with clean hands.

REPLY ON FACTS:

1. Pertains to record hence no comments.
2. Pertains to record hence no comments.
3. Correct to the extent that notification No. SOE-III(E&AD)1-8/2008 dated 04/02/2009 were intact at that time but the said notification was not beneficial to the appellant as there some more senior and eligible officials who were entitled for promotion available.
4. Correct to the extent of seniority list, however, when the appellant was promoted as Junior Clerk vide order dated 21/03/2012 the private respondent NO. 04 filed departmental appeal before respondent No. 02 questioning the seniority list as well as the promotion order and respondent No. 02 vide order dated 22/10/2013 accepted his appeal. As the appellant was inducted into service on 21/09/2005 and private respondent No. 04 was on 09/05/1991, hence respondent No. 04 was senior than the appellant.
5. As per Para-04.
6. As per Para-04.
7. Detail reply has been given in Para-04.
8. Correct to the extent that equal opportunities were given to the appellant/& respondent and case was decided on merits.




9. Correct to the extent that appellant was reverted & respondent was promoted in light of appellant authority decision.
10. Incorrect. The appellat authority i.e Commissioner Bannu decided the case on the basis of rights and the seniority was fixed in accordance with law.
11. Incorrect. The appellat authority decided the case on merits and law.
12. Correct to the extent that respondent has been retired on 31/12/2018.

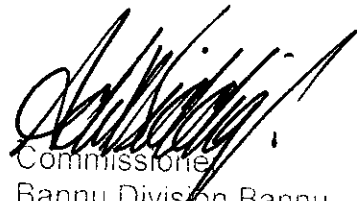
REPLY ON FACTS:

- a. Incorrect. Proper opportunity were given to the appellant and the case of the appellant was decided by appellat authority on merits in accordance with law and rules.
- b. Pertains to record hence no comments. However, the appellat authority decided the appeal in accordance with law and rules.
- c. Incorrect. The appellat authority decided the case of the appellant according to rules.
- d. Incorrect. The appellant was junior most amongst the Class-IV officials but he was promoted and ignored the senior officials.
- e. Incorrect. During the process of promotion of the appellant prevalent rules was not observed and preference was given to the junior most officials i.e appellant.
- f. Pertains to record. However the department has the authority to protect its servants against any illegality.
- g. Incorrect. A legible and fit senior official was ignored and appellant was promoted.
- h. Incorrect. The respondent No. 02 has set aside illegal promotion order of the appellant on the basis of merit.
- i. Subject to proof.
- j. Correct to the extent that respondent No. 04 has now been retired from service on 31/12/2018.
- k. Incorrect. No fundamental rights of the petitioner was violated.
- l. No comments.

Keeping in view the above facts, the appeal has no merit, therefore, it is humbly requested that the instant appeal may kindly be dismissed.


Deputy Commissioner
Lakki Marwat
Respondent No. 03


Senior Member Board of Revenue
Khyber Pakhtunkhwa Peshawar
Respondent No. 01
SMBR


Commissioner
Bannu Division Bannu
Respondent No. 02

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 650/2019:

Zafrullah Khan Ex-Junior Clerk BPS-07 office of District Officer Revenue & Estate) Lakki Marwat
Appellant

Verses

1. Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa, Peshawar.
2. Commissioner Bannu Division Bannu.
3. Deputy Commissioner Lakki Marwat.
4. Muhammad Khan S/O Sarfaraz Chowkidar, office of the District Officer Revenue & Estate, Lakki Marwat (retired Junior Clerk on dated 31.12.2018).

RESPECTFULLY SHEWETH:

HS
Joint Para wise comments on behalf Respondent No. 1 to 3 are submitted as under.

PRELIMINARY OBJECTIONS:

- The instant*
1. That the appellant has got no cause of action to file instant appeal.
 2. That the instant appeal is barred by law.
 3. That the appellant has got no local stand.
 4. That the instant appeal is not maintainable.
 5. The appellant has not come with clear hands.

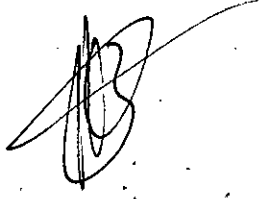
20/9/19
REPLY ON FACTS:

1. Pertain to record hence no comments
2. Pertain to record hence no comments
3. Correct to the extent that notification No. SOE-III(E&AD)1-8/2008 dated: 04.02.2009 were intact at that time, but the said notification *was not beneficial* *was not imposed* during the promotion process of appellant. *as there were some more senior and eligible officials who were entitled for promotion.*
4. Pertain to record hence no comments.
5. Pertain to record hence no comments. *As per para 4*
6. Pertain to record hence no comments. *As per para 4*
7. Pertain to record hence no comments. *Detail Reply has been given in para 4*
8. Correct to the extent that equal opportunities were given to the appellant & Respondent and case was decided on merits. *?*
9. Correct to the extent that appellant was reverted & respondent was promoted in light of appellant authority decision..

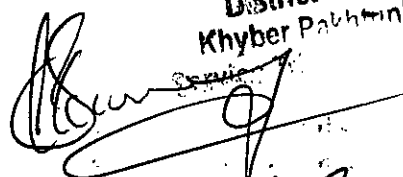
appellat.

E.L. 2006 Rule. Imp: Ord (amendment)
22.10/13

4 correct to the extent of seniority list However when the appellant was promoted as S/C vide order dated 21/3/12. The private Respondent No. 4 filed Departmental appeal before respondent No 2 questioning the seniority list as well as the promotion order and Respondent No 2 vide order dated 29/10/13 accepted his appeal. As the Appellant was inducted into service on 21/9/2005 and private Respondent No 4 was on 9/5/91 hence Respondent No 4 was senior than the appellant.



Approved



District Attorney
Khyber Pakhtunkhwa

20/9/19

appellant

- 10. In correct the ~~appellant~~ authority. I-e Commissioner Bannu decided the case on the basis of rights and ~~rules~~. *the security was fixed in accordance with law.*
- 11. In correct the ~~appellant~~ authority decides the case on merits *and law.*
- 12. Correct to the extent that Respondent has been retired on 31.12.2018.

REPLY ON FACTS:

- a. In correct proper opportunities were given to the appellant & ~~in~~ the case of the appellant was decided by ~~appellant~~ authority on merits. *in accordance with law and Rules*
- ~~b. Pertain to record hence no comments.~~ *However the appellant Authority decided the*
- c. In correct, the ~~appellant~~ authority decides the case of the appellant ~~and~~ according to rules. *appeal in accordance with laws Rules*
- d. In correct, the appellant was junior most amongst the Class-IV officials, but he was promoted and ignored the senior officials.
- e. In correct, during the process of promotion of the appellant ~~required~~ *prevailant* rules was not observed & preference was given to the junior most official's i-e: appellant.
- f. Pertain to record: *However the department has the Authority to protect its security*
- g. In correct a legible & fit senior official was ignored & appellant was promoted. *sumary against any illegality*
- h. In correct, the respondent No.2 has set a ~~side~~ illegal promotion order of the appellant on the basis of merit.
- i. ~~Pertains to record.~~ *subject to proof*
- j. Correct to the extent that Respondent No. 4 has now been retired from Service on 31.12.2018.
- k. In correct, no fundamental right of the petitioner was violated.
- l. No comments.

Keeping in view the above facts, the appeal has no merit, therefore it is humbly requested that the instant appeal may kindly be dismissed.

[Signature]
 Deputy Commissioner, Lakki Marwat
 Respondent No. 3

*Please net
DA*

[Signature]
20/9/19

*DDA II
PL-net
[Signature]*

*settled subject to correction
Annexure Affidavits and AAG/DA
Approved.*

[Signature]
20/9/19

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 650/2010

Zafrullah Khan Ex-Junior Clerk BPS-07 office of the District Officer Revenue & Estate Lakki Marwat
Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Senior Member Board of Revenue Khyber Pakhtunkhwa Peshawar.
2. Commissioner Bannu Division Bannu
3. Deputy Commissioner Lakki Marwat
4. Muhammad Khan S/O Sarfaraz Chowkidar, office of the District Officer Revenue & Estate, Lakki Marwat (Retired junior clerk on dated 31/12/2013)

RESPECTFULLY SHEWETH

Joint Para wise comments on behalf of Respondent No. 01 to 03 submitted as under.

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action to file the instant appeal.
2. That the instant appeal is barred by law.
3. That the appellant has got no locus standi.
4. That the instant appeal is not maintainable.
5. The Appellant has not come with clean hands.

REPLY ON FACTS:

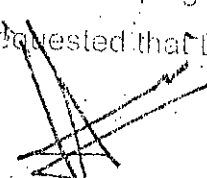
1. Pertains to record hence no comments.
2. Pertains to record hence no comments.
3. Correct to the extent that notification No. SOE-III(E&AD)1-8/2008 dated 04/02/2009 were intact at that time but the said notification was not beneficial to the appellant as there some more senior and eligible officials who were entitled for promotion available.
4. Correct to the extent of seniority list, however, when the appellant was promoted as Junior Clerk vide order dated 21/03/2012 the private respondent NO. 04 filed departmental appeal before respondent No. 02 questioning the seniority list as well as the promotion order and respondent No. 02 vide order dated 22/10/2013 accepted his appeal. As the appellant was inducted into service on 21/09/2005 and private respondent No. 04 was on 09/05/1991, hence respondent No. 04 was senior than the appellant.
5. As per Para-04.
6. As per Para-04.
7. Detail reply has been given in Para-04.
8. Correct to the extent that equal opportunities were given to the appellant & respondent and case was decided on merits.

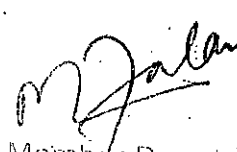
9. Correct to the extent that appellant was reverted & respondent was promoted in light of appellant authority decision.
10. Incorrect. The appellat authority i.e Commissioner Bannu decided the case on the basis of rights and the seniority was fixed in accordance with law.
11. Incorrect. The appellat authority decided the case on merits and law.
12. Correct to the extent that respondent has been retired on 31/12/2018.


REPLY ON FACTS:

- a. Incorrect. Proper opportunity were given to the appellant and the case of the appellant was decided by appellat authority on merits in accordance with law and rules.
- b. Pertains to record hence no comments. However, the appellat authority decided the appeal in accordance with law and rules.
- c. Incorrect. The appellat authority decided the case of the appellant according to rules.
- d. Incorrect. The appellant was junior most amongst the Class-IV officials but he was promoted and ignored the senior officials.
- e. Incorrect. During the process of promotion of the appellant prevalent rules was not observed and preference was given to the junior most officials i.e appellant.
- f. Pertains to record. However the department has the authority to protect its servants against any illegality.
- g. Incorrect. A legible and fit senior official was ignored and appellant was promoted.
- h. Incorrect. The respondent No. 02 has set aside illegal promotion order of the appellant on the basis of merit.
- i. Subject to proof.
- j. Correct to the extent that respondent No. 04 has now been retired from service on 31/12/2018.
- k. Incorrect. No fundamental rights of the petitioner was violated.
- l. No comments.

Keeping in view the above facts, the appeal has no merit, therefore, it is humbly requested that the instant appeal may kindly be dismissed.


Deputy Commissioner
Lakki Marwal
Respondent No. 03.


Senior Member Board of Revenue
Khyber Pakhtunkhwa Peshawar
Respondent No. 01
in SMBR


Commissioner
Bannu Division Bannu
Respondent No. 02

Ames F D

5

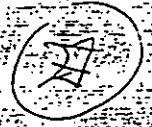


TENTATIVE SENIORITY LIST OF CLASS IV EMPLOYEES IN RESPECT DISTRICT OFFICER(R&E) LAKKI MARWAT AS STOOD ON 31.12.2008

S. N	Name of Official	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post.	Date of Promotion to present post.	Remarks
1	Qamar Islam	Driver	05	Matric	1.7.1981	23.1.2001	16.8.2001		
2	Awal Khan	Naib Qasid	02		1.7.1951	3.7.1979	16.8.2001		
3	Fazal Rahim	-do-	02		30.10.1961	12.7.1989	22.8.2001		
4	Gul Tayaz	-do-	02		15.12.1958	31.8.1992	22.8.2001		
5	Farman Ullah	-do-	02		07.10.1982	05.5.2001	21.2.2004		
6	Teri Khan	-do-	02		1973	02.5.2005			
7	Rehmat Ullah	-do-	02	Matric	03.6.1976	09.7.2005			
8	Zafar Ullah Khan	-do-	02	FA	02.6.1985	21.9.2005			
9	Muhammad Aslam	-do-	02	Middle	06.4.1987	21.9.2005			
10	Muhammad Niser	-do-	02	Middle	05.2.1979	14.6.2006			
11	Muhammad Niser	Chowkidar	02		1.7.1964	1.7.1988	16.8.2001		
12	Muhammad Khan	-do-	02	Matric	1.7.1959	9.5.1991	16.8.2001		
13	Abdullah Khan	-do-	02		1.5.1969	30.5.1993	12.7.2004		
14	Muhammad Ayaz Khan	-do-	02	6 th	08.4.1985	25.4.2007			
15	Mohammad Ismail	Cook	02		1.7.1968	28.5.1990	16.8.2001		
16	Sher Ghulam	Mali	02		1.7.1960	31.8.1992	16.8.2001		
17	Sher Nawaz	Sweeper	02		15.2.1947	28.7.1993	16.8.2001		

District Officer(R&E)/
Collector Lakki Marwat

Ames F D



TENTATIVE SENIORITY LIST OF CLASS IV EMPLOYEES IN RESPECT DISTRICT OFFICER(R&E) LAKKI MARWAT AS STOOD ON 31.12.2008

S. N	Name of Official	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post	Date of Promotions present post	Remarks
1	Qamar Islam	Driver	05	Matric	1.7.1981	23.1.2001	16.8.2001		
2	Awal Khan	Naib Qasid	02		1.7.1951	3.7.1979	16.8.2001		
3	Fazal Rahim	-do-	02		30.10.1961	12.7.1989	22.8.2001		
4	Gul-Tayaz	-do-	02		15.12.1958	31.8.1992	22.8.2001		
5	Farman Ullah	-do-	02		07.10.1982	05.5.2001	21.2.2004		
6	Teri Khan	-do-	02		1973	02.5.2005			
7	Rehmat Ullah	-do-	02	Matric	03.6.1976	09.7.2005			
8	Zafar Ullah Khan	-do-	02	FA	02.6.1985	21.9.2005			
9	Muhammad Aslam	-do-	02	Middle	06.4.1987	21.9.2005			
10	Muhammad Nisar	-do-	02	Middle	05.2.1979	14.6.2006			
11	Muhammad Nisar	Chowkidar	02		1.7.1964	1.7.1988	16.8.2001		
12	Mohammad Khan	-do-	02	Matric	1.7.1959	9.5.1991	16.8.2001		
13	Abdullah Khan	-do-	02	6 th	1.5.1969	30.5.1993	12.7.2004		
14	Muhammad Ayaz Khan	-do-	02		08.4.1985	25.4.2007			
15	Mohammad Ismail	Cook	02		1.7.1968	28.5.1990	16.8.2001		
16	Sher Ghulam	Mali	02		1.7.1960	31.8.1992	16.8.2001		
17	Sher Nawaz	Sweeper	02		15.2.1947	28.7.1993	16.8.2001		

District Officer(R&E)/
Collector Lakki Marwat



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

Dated Peshawar, the 18th July, 2019

NOTIFICATION

No.SOE.IV(E&AD)/1-35/2014:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Establishment and Administration Department, in consultation with the Finance Department, is hereby directs that in this Department's Notification No.SOE.IV (E&AD)/1-35/2012 dated 6th December, 2012, the following amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, for Serial No.4, the following shall be substituted, namely:

1.	2.	3.	4.	5.
4.	Junior Clerk.	(i) FA/ F.Sc with second division or equivalent qualification from a recognized Board; and (ii) a speed of thirty (30) words per minute in typing.	18 to 30 years.	(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed FA/F.Sc Examination or its equivalent qualification from a recognized Board; and (b) sixty per cent by initial recruitment. Note: For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc. with reference to the dates of their acquiring the FA/ F.Sc qualification:

1.	2.	3.	4.	5.
				<p>Provided that-</p> <p>(i) if two or more officials have acquired the FA/F.Sc qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;</p> <p>(ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials:</p> <p>Provided further that The condition of FA/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11)."</p>

W

**CHIEF SECRETARY
KHYBER PAKHTUNKHWA**

Endst: No. SOE-IV(E&AD)/1-35/2014, dated 18th July, 2019

Copy forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.
2. The Senior Member of Board of Revenue.
3. The Principal Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
7. Deputy Director (IT), Establishment & Administration Department with the request to upload on the official website.
8. PS to Chief Secretary Khyber Pakhtunkhwa.
9. PS to Secretary Establishment Department,
10. PS to Special Secretary (Estt), Establishment Department.
11. PS to Special Secretary (Reg), Establishment Department.
12. PA to Addl: Secretary (Est/ Reg), Establishment Department.
13. PA to Addl: Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar.
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette with the request to provide 50 copies of Gazette.


(HAZRAT JAMAL)
SECTION OFFICER (E-IV)

Amex-E

1

PRIORITY LIST OF MINISTERIAL STAFF IN RESPECT OF DISTRICT OFFICE (R&E)/COLLECTOR LAKKI MARWAT, STOOD ON 31.12.2011. /

No. of Official	Name of Deptt	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post.	Date of Promotion to present post	Remarks
1	R & E	Assistant	14	MA	03.03.1969	14.09.1992	22.08.2001	-	-
2	R & E	Steno Typist	12	M.Sc	11.04.1965	19.11.1992	16.08.2001	-	-
3	R & E	Senior Clerk	09	F.A	07.05.1962	01.09.1980	16.08.2001	-	-
4	R & E	Junior Clerk	07	F.A	07.10.1959	17.10.1981	16.08.2001	-	-
5	R & E	Junior Clerk	07	F.A	10.05.1966	21.04.1988	16.08.2001	-	-
6	R & E	Junior Clerk	07	Matric	11.11.1955	03.09.1973	16.08.2001	-	The appointment of Mr. Zaid Ali Khan S. No. 89 Senior Clerk was converted into post of J Clerk on transfer basis of 9.9.1992 vide Ex- DC Laki order No. 1763/BC/MS. dt 29.3.2001
7	R & E	Junior Clerk	07	F.A	08.04.1970	10.10.1992	16.08.2001	-	-
8	R & E	Junior Clerk	07	B.A	27.08.1966	05.11.1992	22.08.2001	-	-
9	R & E	Junior Clerk	07	B.A	10.03.1968	05.11.1992	22.08.2001	-	-
10	R & E	Junior Clerk	07	Matric	11.04.1957	26.07.1994	22.08.2001	-	-
11	R & E	Junior Clerk	07	Matric	12.02.1964	29.07.1993	11.02.2002	-	-
12	R & E	Junior Clerk	07	F.A	10.02.1969	18.08.1993	24.07.2004	-	-
13	R & E	Junior Clerk	07	F.A	12.08.1976	12.11.1996	01.10.2004	-	-
14	R & E	Junior Clerk	07	Matric	20.10.1977	29.11.2009	29.01.2009	-	-
15	R & E	Junior Clerk	07	FSc	18.04.1972	23.11.1993	23.07.2010	-	-
16	R & E	Driver	04	Matric	01.07.1981	23.11.2001	16.08.2001	-	-
17	R & E	Naib Qasid	01	-	30.10.1961	12.11.1983	22.08.2001	-	-
18	R & E	Naib Qasid	01	-	15.12.1958	31.10.1992	22.08.2001	-	-
19	R & E	Naib Qasid	01	-	07.10.1982	03.05.2001	21.02.2004	-	-
20	R & E	Naib Qasid	01	-	01.01.1973	20.05.2005	20.05.2005	-	-
21	R & E	Naib Qasid	01	Matric	03.06.1976	09.07.2005	09.07.2005	-	-

23

promotion Seniorly list
2011

(2)

22.	Zafar Ullah Khan	R & E	Naib Qasid	01	Matric	02.06.1985	21.09.2005	-
23.	Muhammad Aslam	R & E	Naib Qasid	01	-	06.04.1987	21.09.2005	-
24.	Muhammad Niser	R & E	Naib Qasid	01	-	-	-	-
25.	Moeenuddin	R & E	Chowkidar	01	-	01.07.1964	01.07.1988	16.08.2001
26.	Mohammad Khan	R & E	Chowkidar	01	Matric	01.07.1939	09.05.1991	16.08.2001
27.	Abdullah Khan	R & E	Chowkidar	01	-	01.05.1969	30.05.1993	12.07.2004
28.	Muhammad Ayaz	R & E	Chowkidar	01	-	08.04.1985	01.07.2008	01.07.2008
29.	Sher Ghulam	R & E	Mali	01	-	01.07.1980	31.08.1992	16.08.2001
30.	Sher Nawaz	R & E	Sweeper.	01	Matric	27.10.1975	03-8-2007	03-8-2007

(2)

Director Officer (R & E)
Collector Lekki Marwal

Annex - F

(17)

OFFICE OF THE DEPUTY COMMISSIONER LAKKI MARWAT.

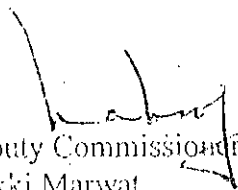
No. 410002/DC/LM/PS/Seniority Dated 28-12-2013

To

1. The Additional Deputy Commissioner
Lakki Marwat.
2. The District Officer
Finance & Planning, Lakki Marwat.
3. The Budget Clerk
Deputy Commissioner Officer, Lakki Marwat.

Subject:- FINAL SENIORITY LIST OF CLASS-IV OFFICE OF THE DEPUTY
COMMISSIONER LAKKI MARWAT AS STOOD ON 30-12-2013.

Enclosed find herewith the subject seniority list for circulation and
information of all concerned.


Deputy Commissioner
Lakki Marwat.

(18)

FINAL JOINT SENIORITY LIST OF CLASS-IV OFFICE OF THE DEPUTY COMMISSIONER, PAKIMARWAT AS STOOD ON 30-11-2013.

S.No.	Name of official	Deisg	BS	Establishment to which belong	Date of birth	Qualification	Date of entry into Govt. Service	Date of Adjustment to the present post.	Remarks
1.	Muhammad Khan	Chowk	02	DC Office	01.7.1959	Metric	09.5.1991	16.08.2001	Retired
2.	Sher Ghulam	Mali	02	DC Office	01-07-1960	-	31-08-1992	16-08-2001	
3.	Ismail Khan	Cook	02	DC Office	01-07-1968	-	31-08-1992	16-8-2001	
4.	Fazal Rahim	N/Q	02	DC Office	30.10.1961	-	12.7.1989	22.8.2001	
5.	Shah Akam	N/Q	02	DC Office	15.4.1958	-	31.8.1992	22.8.2001	
6.	Gul Tayaz	N/Q	02	DC Office	15.12.1958	-	31.8.1992	22.8.2001	
7.	Juma Khan	N/Q	02	DC Office	30.8.1962	-	31.8.1992	22.8.2001	
8.	Abdul Hameed	N/Q	02	DC Office	01.07.1968	-	31.8.1992	22.8.2001	
9.	Abdul Haleem	N/Q	02	DC Office	13.4.1974	BA	08.01.1995	01.9.2001	Promoted
10.	Anwar Khan	N/Q	02	-DO-	28-02-1972	Metric	16-01-1995	01-9-2001	Promoted
11.	Sher Ahmad	N/Q	02	-do-	16-12-1972	-	02-12-1991	07-02-2002	
12.	Nasser Khan	N/Q	02	-do-	17-10-1972	-	03-02-1999	07-02-2002	
13.	Farmanullah Jan	N/Q	02	-do-	07-10-1982	-	03-05-2001	21-02-2004	
14.	Zaforullah Khan	Chowk	02	-do-	05-10-1978	-	20-03-2004	20-03-2004	
15.	Gul Nawaz	Sweeper	02	-do-	01-07-1975	-	20-03-2004	20-03-2004	
16.	Sarif-u-Jin	N/Q	02	-do-	01-07-1987	-	18-05-1992	10-07-2004	

17.	Zaheer Iqbal	N/O	02	-do-	01-07-1978		19-03-1997	10-07-2004	
18.	Abdullah Khan	Chowk	02	-do-	01-05-1969		30-05-1993	12-07-2004	
19.	Teri Khan	N/O	02	-do-	01-07-1973		30-05-2005	20-05-2005	
20.	Rehmanullah Khan	N/O	02	-do-	03-06-1976	Metric	09-07-2005	09-07-2005	
21.	Zafarullah Khan	N/O	02	-do-	02-08-1985	M.A.	21-09-2005	21-09-2005	P
22.	Muhammad Aslam	N/O	02	-do-	06-04-1987		21-09-2005	21-09-2005	P
23.	Muhammad Nisar	N/O	02	-do-	05-02-1979		14-06-2006	14-06-2006	
24.	Javed Iqbal	Chowk	01	-do-	13-04-1976	Metric	28-06-2006	28-06-2006	
25.	Khan Badshah	N/O	02	-do-	15-04-1967	Metric	16-06-1990	19-12-2006	
26.	Muhammad Ayyaz	Chowk	02	-do-	08-04-1985		25-04-2007	25-04-2007	
27.	Sher Nawaz	Swager	01	-do-	07-10-1975	F.A.	03-08-2007	03-08-2007	
28.	Irfanullah	N/O	01	-do-	05-09-1982		28-05-2010	28-05-2010	
29.	Muhammad Tariq	N/O	01	-do-	01-04-1991		27-12-2011	27-12-2011	
30.	Muhammad Naeem	N/O	01	-do-	01-01-1981		07-04-2012	07-04-2012	
31.	Barkatullah	N/O	01	-do-	13-01-1990	Metric	07-04-2012	07-04-2012	

Revised

1

Amex - E

23

PRIORITY LIST OF MINISTERIAL STAFF IN RESPECT OF DISTRICT OFFICE/R&E/COLLECTOR LAKKI MARWAT AS STOOD ON 31.12.2011

No. of Official	Name of Deptt	Designation	BPS	Qualification	Date of Birth	Date of Appointment	Date of Adjustment to the present post.	Date of Promotion to present post	Remarks
1	R & E	Assistant	14	MA	03.03.1969	14.09.1992	22.08.2001	-	
2	R & E	Steno Typist	12	M.Sc	11.04.1965	19.11.1992	16.08.2001	-	
3	R & E	Senior Clerk	09	F.A	07.05.1962	01.09.1980	16.08.2001	-	
4	R & E	Junior Clerk	07	F.A	07.10.1959	17.10.1981	16.08.2001	-	
5	R & E	Junior Clerk	07	F.A	10.05.1966	21.04.1988	16.08.2001	-	
6	R & E	Junior Clerk	07	Matric	11.11.1955	03.09.1975	16.08.2001	-	The appointment of Mr. Zard Ali Khan S. Naib Senior Clerk was converted into post of J Clerk on transfer basis of 9.8.1992 vide Ex- DC Laki order No. 1763/BC/RS, dt. 24.12.2011
7	R & E	Junior Clerk	07	F.A	08.04.1970	10.10.1992	16.08.2001	-	
8	R & E	Junior Clerk	07	B.A	27.08.1966	05.12.1992	22.08.2001	-	
9	R & E	Junior Clerk	07	B.A	10.03.1968	05.11.1992	22.08.2001	-	
10	R & E	Junior Clerk	07	Matric	11.04.1957	26.07.1994	22.08.2001	-	
11	R & E	Junior Clerk	07	Matric	12.02.1964	29.07.1993	11.02.2002	-	
12	R & E	Junior Clerk	07	F.A	10.02.1969	18.08.1993	24.07.2004	-	
13	R & E	Junior Clerk	07	F.A	12.08.1976	12.07.1996	01.10.2004	-	
14	R & E	Junior Clerk	07	Matric	20.10.1977	29.11.2009	29.01.2009	-	
15	R & E	Junior Clerk	07	FSc	18.04.1972	23.11.1993	23.07.2010	-	
16	R & E	Driver	04	Matric	01.07.1981	23.11.2001	16.08.2001	-	
17	R & E	Naib Qasid	01	-	30.10.1961	12.11.1985	22.08.2001	-	
18	R & E	Naib Qasid	01	-	15.12.1958	31.03.1992	22.08.2001	-	
19	R & E	Naib Qasid	01	-	07.10.1982	03.05.2001	21.02.2004	-	
20	R & E	Naib Qasid	01	-	01.01.1975	20.05.2005	20.05.2005	-	
21	R & E	Naib Qasid	01	Matric	03.06.1976	09.07.2005	09.07.2005	-	

Promotion Seniority List
2011

(2)

22.	Zafar Ullah Khan	R & E	Naib Qasid	01	Matric	02.06.1985	21.09.2005	-	-	-
23.	Muhammad Aslam	R & E	Naib Qasid	01	-	06.04.1987	21.09.2005	-	-	-
24.	Muhammad Nisar	R & E	Naib Qasid	01	-	-	-	-	-	-
25.	Mocenud Din	R & E	Chowkidar	01	-	01.07.1964	01.07.1988	16.08.2001	-	-
26.	Mohammad Khan	R & E	Chowkidar	01	Matric	01.07.1959	09.05.1991	16.08.2001	-	-
27.	Abdullah Khan	R & E	Chowkidar	01	-	01.05.1969	30.05.1993	12.07.2004	-	-
28.	Muhammad Ayaz	R & E	Chowkidar	01	-	08.04.1985	01.07.2008	01.07.2008	-	-
29.	Sher Ghulam	R & E	Mali	01	-	01.07.1960	31.08.1992	16.08.2001	-	-
30.	Sher Nawaz	R & E	Sweeper	01	Matric	27-10-1975	03-8-2007	03-8-2007	-	-

(2)

[Signature]
District Officer (R & E)
Collector Lekki Marwat

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 527-28 /ST

Dated 12 / 03 / 2021

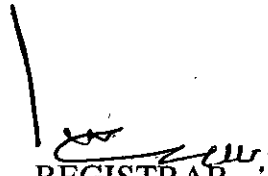
To

1. The Commissioner, Bannu Division,
Government of Khyber Pakhtunkhwa,
Bannu.
2. District Officer, Revenue & Estate,
Government of Khyber Pakhtunkhwa,
Lakki Marwat.

Subject: - JUDGMENT IN APPEAL NO. 650/2019, MR. ZAFAR ULLAH KHAN.

I am directed to forward herewith a certified copy of Judgement dated 24.02.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

11. Contents of Para 11 need no comments.

12. Contents of Para 12 of the appeal are correct, the reply submitted to the Para is incorrect, false and misleading.

ON GROUNDS

The Grounds (A to J) taken in the memo of appeal are legal and will be substantiated at the time of arguments.

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

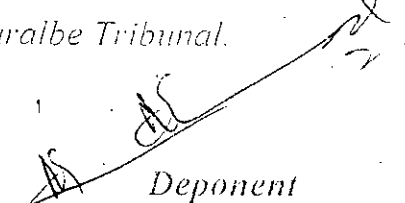
Appellant

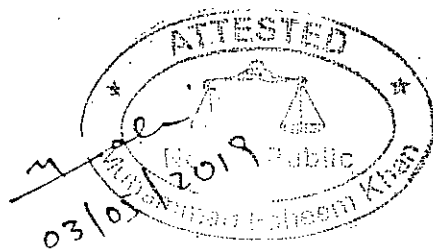
Through


YASIR SALEEM
Advocate, Peshawar.

AFFIDAVIT

I do, hereby solemnly affirm and declare on oath that the contents of the above rejoinder as well as titled appeal are true and correct and nothing has been kept back or concealed from this Honourable Tribunal.


Deponent



Annex - F

(17)

OFFICE OF THE DEPUTY COMMISSIONER LAKKI MARWAT.

No. 410002/DC/LM/PS/Seniority

Dated 28-12-2013

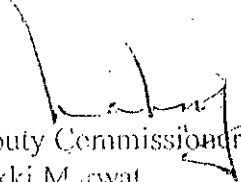
To

1. The Additional Deputy Commissioner
Lakki Marwat.
2. The District Officer
Finance & Planning, Lakki Marwat.
3. The Budget Clerk
Deputy Commissioner Officer, Lakki Marwat.

Subject:-

FINAL SENIORITY LIST OF CLASS-IV OFFICE OF THE DEPUTY
COMMISSIONER LAKKI MARWAT AS STOOD ON 30-12-2013.

Enclosed find herewith the subject seniority list for circulation and
information of all concerned.


Deputy Commissioner
Lakki Marwat.

(18)

FINAL JOINT SENIORITY LIST OF CLASS-IV OFFICERS OF THE DEPUTY COMMISSIONERIAL OFFICE, KARWAR, AS STOOD ON 30-11-2013.

S.No	Name of official	Deisg	BS	Establishment to which belong	Date of birth	Qualification	Date of entry into Govt. Service	Date of Adjustment to the present post.	Rema
1	Muhammad Khan	Chowk	02	DC Office	01-7-1959	Metric	09-5-1991	16-08-2001	-
2	Sher Ghulam	Mali	02	DC Office	01-07-1960	-	31-08-1992	16-08-2001	-
3	Ismail Khan	Cook	02	DC Office	01-07-1968	-	31-08-1992	16-8-2001	-
4	Fazal Rahim	N/Q	02	DC Office	30-10-1961	-	12-7-1989	22-8-2001	-
5	Shah Alam	N/Q	02	DC Office	15-4-1958	-	31-8-1992	22-8-2001	-
6	Gul Tayaz	N/Q	02	DC Office	15-12-1958	-	31-8-1992	22-8-2001	-
7	Juma Khan	N/Q	02	DC Office	30-8-1962	-	31-8-1992	22-8-2001	-
8	Abdul Hameed	N/Q	02	DC Office	01-07-1968	-	31-8-1992	22-8-2001	-
9	Abdul Haleem	N/Q	02	DC Office	13-4-1974	BA	08-01-1995	01-9-2001	-
10	Anwar Khan	N/Q	02	-do-	28-02-1972	Metric	10-01-1995	01-9-2001	-
11	Sher Ahmad	N/Q	02	-do-	10-12-1972	-	03-12-1991	07-02-2002	-
12	Nasser Khan	N/Q	02	-do-	17-10-1972	-	03-02-1999	07-02-2002	-
13	Farranullah Jan	N/Q	02	-do-	07-10-1982	-	03-05-2001	21-02-2004	-
14	Zaferullah Khan	Chowk	02	-do-	05-10-1978	-	20-03-2004	20-03-2004	-
15	Gul Nawaz	Sweeper	02	-do-	01-07-1975	-	20-03-2004	20-03-2004	-
16	Sharifuddin	N/Q	02	-do-	01-07-1967	-	18-05-1992	10-07-2004	-

19

17.	Zaier Iqbal	N/Q	02	-do-	01-07-1978	19-05-1997	10-07-2004
18.	Abdullah Khan	Chowk:	02	-do-	01-05-1969	30-05-1993	12-07-2004
19.	Terfi Khan	N/Q	02	-do-	01-07-1973	30-03-2003	20-05-2005
20.	Rehamatullah Khan	N/Q	02	-do-	03-06-1976	09-07-2005	09-07-2005
21.	Zafarullah Khan	N/Q	02	-do-	02-08-1985	21-09-2005	21-09-2005
22.	Muhammad Aslam	N/Q	02	-do-	06-04-1987	21-09-2005	21-09-2005
23.	Muhammad Nisar	N/Q	02	-do-	05-02-1979	14-06-2006	14-06-2006
24.	Javad Iqbal	Chowk:	01	-do-	13-04-1976	28-06-2006	28-06-2006
25.	Khan Badshah	N/Q	02	-do-	15-04-1967	16-06-1990	19-12-2006
26.	Muhammad Ayaz	Chowk:	02	-do-	08-04-1985	25-04-2007	25-04-2007
27.	Sher Nawaz	Sweeper	01	-do-	07-10-1973	03-08-2007	03-08-2007
28.	Irfanullah	N/Q	01	-do-	05-09-1982	28-05-2010	28-05-2010
29.	Muhammad Farid	N/Q	01	-do-	01-01-1994	27-12-2011	27-12-2011
30.	Muhammad Naeem	N/Q	01	-do-	01-01-1981	07-04-2012	07-04-2012
31.	Barkatullah	N/Q	01	-do-	13-01-1990	07-04-2012	07-04-2012

Deputy Commis
Lahori Marwat.