

Form- A
FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 630/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.09.2023	<p>The implementation petition of Mr. Sardar Irshad Ali & 3 others received today by registered post through Mr. Shahzad Shakoor Advocate. It is fixed for implementation report before touring Single Bench at A.Abad on _____ Original file be requisitioned. AAG has noted the next date.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Execution Petition No: **630** of 2023

Sardar Irshad Ali S/O Ali Afsar, SDEO, Tehsil Lora , District Abbottabad and others.

VERSUS

District Comptroller of Accounts, Abbottabad and others. Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN REM" IN APPEAL NO 1276 OF 2007

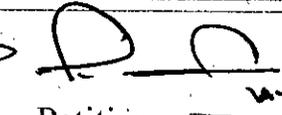
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S.No	DESCREPTION OF DOCUMENTS	ANNEXURES	PAGE NO
1	Memo; of execution petition and affidavit	---	01 to 04
2	Copy of judgment dated 12/05/2009.	A	05-15
3	Copy of Act ("KHYBER PAKHTUNKHWA ACT NO. IX of 2012")	B	16-18
4	Copy of judgment dated 14/06/2023, passed by High Court, at principal Seat Peshawar.	C	19-23
5	Copies of service appeals of petitioners	D	24-39
6	Wakalatnama & Power of attorney	E	40-42

Dated 04/09/2023

Through


(Rashid Iqbal Khan Jadoon)
Advocate IBC Islamabad
Attorney Abbottabad.


Petitioners
(Shahzad Shakoor)
Advocate High Court Abbottabad


(Muhammad Qasim Mir)
Advocate Abbottabad.

Abbott Law Chamber
Office No 6, Ground Floor, Ayub Tanoli lawyer plaza
Abbottabad. 0333-5025002, 0316-9343818

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①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 7433

Execution Petition No: 630 of 2023 Dated 12/09/23

- 1) Sardar Irshad Ali S/O Ali Afsar, SDEO, Tehsil Lora, District Abbottabad.
- 2) Mazhar Khan S/O Jalal Khan PSHT, GPS Gulaga, Abbottabad.
- 3) Muhammad Saeed S/O Muhammad Suleman, SDM, GHSS Nagri Bala, Abbottabad.
- 4) Liaqat Ali S/O Abdur Rashid, ASDEO Circle Nagri Tutial, Tehsil Lora, District Abbottabad

Petitioners

VERSUS

- 1 District Comptroller of Accounts, Abbottabad.
- 2 Accountant General Khyber Pakhtunkhwa Peshawar.
- 3 Government of Khyber Pakhtunkhwa through Secretary Finance Department, Peshawar.
- 4 Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Department Peshawar.
- 5 District Education Officer, Elementary & Secondary Education Department (Male) District Abbottabad.

Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN REM" IN APPEAL NO 1276 OF 2007,

READ WITH

KHYBER PAKHTUNKHWA CESSATION OF PAYMENT OF ARREARS ON ADVANCE INCREMENTS ON HIGHER EDUCATIONAL QUALIFICATION ACT, 2012, ("KHYBER PAKHTUNKHWA ACT NO. IX of 2012").

AND

JUDGMENT DATED 14/06/2023, PASSED IN WRIT PETITION NO 3081-P OF 2012, TITLED ANAYAT ULLAH KHAN AND OTHERS VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH CHIEF SECRETARY, PESHAWAR AND OTHERS.

PRAYER

IT IS RESPECTFULLY PRAYED THAT RESPONDENTS MAY PLEASE BE DIRECTED TO IMPLEMENT OF FINAL JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN REM" IN APPEAL NO 1276 OF 2007, WITH ALL BACK BENEFITS.

ANY OTHER RELIEF FOR WHICH THE PETITIONER IS ENTITLED AND SAME IS NOT ASKED/PRAYED SPECIFICALLY MAY KINDLY BE GRANTED IN THE FAVOUR OF THE PETITIONER TOO.

Respectfully Sheweth,

- 1) That this Honourable Tribunal had been pleased to pass judgment in favour of petitioners, for advance increments on higher educational qualification as a "**Judgment in Rem**" on 12/05/2009, in appeal No 1276 of 2007 along with numerous same nature other appeals, whereupon respondents did not file petition (CPLA) before Apex Court against the judgment dated 12/05/2009 and thus it attained finality. Copy of judgment is annexed as **Annexure "A"**.
- 2) That later respondents had illegally avoided to implement the existing final Judgment in letter and spirit, in the meanwhile Government of Khyber Pakhtunkhwa promulgated/published Khyber Pakhtunkhwa cessation of payment of arrears on advance increments on higher educational qualification Act, 2012, ("KHYBER PAKHTUNKHWA ACT NO. IX of 2012"). Copy of Act is annexed as **Annexure "B"**
- 3) That the matter of litigation of above unconstitutional, illegal and unlawful Act is now ended and Peshawar High Court has decided the issue

of Act in judgment dated 14/06/2023, passed in Writ Petition no 3081-P of 2012, titled "Anayat Ullah Khan and others versus Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others". Copy of judgment dated 14/06/2023 is annexed as Annexure "C"

- 4) That in pursuance of above Judgment of Peshawar High Court, petitioners have not only fulfilled the terms, as they had filed their service appeals for grant of advance increments on higher educational qualification but this Honourable Tribunal had been please to accept Petitioners' appeals along with numerous appeals on 12/05/2009. Copies of service appeals are annexed as Annexure "D"
- 5) That in the above circumstances petitioners are legally entitled to implement the existing final judgment of this Honourable Tribunal dated 12/05/2009 in letter and spirit along with all back benefits, as the instant execution petition is with in time.

It is respectfully prayed that respondents may please be directed to implement the existing final judgment dated 12/05/2009 passed as "judgment in rem" in appeal no 1276 of 2007, with all back benefits.

Any other relief for which the petitioner is entitled and same is not asked/prayed specifically may kindly be granted in the favour of the petitioners too.

Dated 04/09/2023

Petitioners

1) Sardar Irshad Ali

2) Mazhar Khan

3) Muhammad Saeed

4) Liaqat Ali

Through

(Rashid Iqbal Khan Jadoon)
Advocate IBC Islamabad
Attorney Abbottabad.

(Shahzad Shakoor)
Advocate High Court Abbottabad

(Muhammad Qasim Mir)
Advocate Abbottabad.

Abbott Law Chamber

Office No 6, Ground Floor, Ayub Tanoli lawyer plaza
Abbottabad. 0333-5025002, 0316-9343818

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BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Execution Petition No: of 2023

Sardar Irshad Ali S/O Ali Afsar, SDEO, Tehsil Lora , District Abbottabad and others.

VERSUS

District Comptroller of Accounts, Abbottabad and others. Respondents

JOINT AFFIDAVIT

We enlisted below

- 1 Sardar Irshad Ali S/O Ali Afsar, SDEO, Tehsil Lora , District Abbottabad.
- 2 Mazhar Khan S/O Jalal Khan PSHT, GPS Gulaga Abbottabad.
- 3 Muhammad Saeed S/O Muhammad Suleman, SDM, GHSS Nagri Bala, Abbottabad.
- 4 Liaqat Ali S/O Abdur Rashid, ASDEO Circle Nagri Tutial, Tehsil Lora , District Abbottabad,

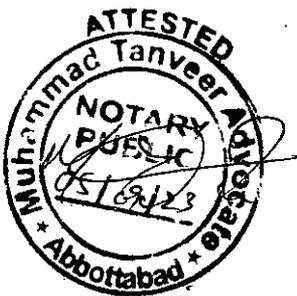
Deponents, do here by affirm on oath that contents of instant execution petition is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and it is also declared on oath that respondents are not implementing the existing final judgment of this Honourable Tribunal dated 12/05/2009.

1) Sardar Irshad Ali
CNIC No 13101- 0824655-3

2) Mazhar Khan
CNIC No 13101- 3307618-7

3) Muhammad Saeed
CNIC No 13101-0837107-1

4) Liaqat Ali
CNIC No 13101-4028002-5



Annexure A

(5)

BEFORE THE NWFP SERVICE TRIBUNAL, CAMP COURT ABBOTTABAD.

Appeal No. 1276/2007 ;

Date of institution - 27.12.2007

Date of decision - 12.05.2009

Muhammad Akram, S/O Sikandar Khan, C.T. Teacher, Government High School,
Kuthwal, Abbottabad.....(Appellant)

VERSUS

1. District Coordination Officer, Abbottabad.
2. Executive District officer (S &L) Abbottabad.
3. District Accounts Officer, Abbottabad.
4. Director (S&L) Department, Peshawar.
5. Secretary to Government of NWFP (S&L) Department Peshawar.
6. Accountant General NWFP Peshawar.
7. Secretary to Government of NWFP Finance Department, Peshawar.

Appellant in person present.

Arshad Alam, A.G.P.....For respondents.

MR. ABDUL JALIL.....MEMBER.
MR. BISMILLAH SHAH.....MEMBER.

JUDGMENT.

ABDUL JALIL, MEMBER : This judgment/order will dispose of this Service Appeal No. 1276 of 2007, by Muhammad Akram and the following Service Appeals. The reason is that the broad facts and the legal issues in all the below mentioned appeals are the same, and need consolidated judgment and joint disposal.

<u>Sr. No.</u>	<u>Appeal No.</u>	<u>Name of appellant.</u>
1.	1277/2007	Saidur Rahman,
2.	1278/2007	Munibur Rahman,
3.	1279/2007	Muhammad Siddique,
4.	01/2008	Maroof Khan
5.	02/2008	Amjad Hussain Awan

EXAMINER
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PESHAWAR

ATTES/ED

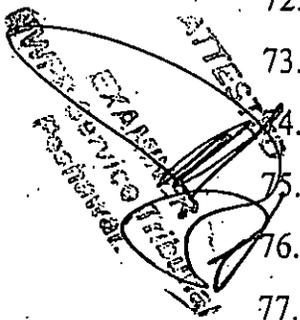
6.	03/2008	Muhammad Sarwar Khan,
7.	04/2008	Syed Arif Hussain Shah,
8.	09/2008	Sultan Khan,
9.	10/2008	Shafqat Hussain,
10.	17/2008	Muhammad Sabir Hussain,
11.	18/2008	Tanveer Hussain Awan,
12.	19/2008	Shafqat Samdani,
13.	20/2008	Arshad Khan,
14.	21/2008	Shahid Iqbal,
15.	22/2008	Muhammad Saleem Raza,
16.	28/2008	Iftikhar Ahmad Shah,
17.	29/2008	Shah Zaman,
18.	30/2008	Muhammad Tahir,
19.	34/2008	Muhammad Younis,
20.	35/2008	Abdul Wadood,
21.	150/2008	Rizwana Kousar,
22.	266/2008	Mamoon-ur-Rasheed,
23.	267/2008	Haroon-ur-Rasheed,
24.	268/2008	Fazal-e-Qadir,
25.	327/2008	Dilawar Khan,
26.	338/2008	Abdul Wahab,
27.	440/2008	Liaqat Ali,
28.	502/2008	Ali Asghar,
29.	541/2008	Liaqat Ali,
30.	542/2008	Abdul Quddus,
31.	570/2008	Shahzad Ahmad,
32.	571/2008	Chan Zeb,
33.	572/2008	Abdul Hakeem,
34.	573/2008	Muhammad Siddique,
35.	574/2008	Sarfaraz
36.	575/2008	Muhammad Ajmal,
37.	576/2008	Gul Faraz,
38.	577/2008,	Muhammad Yousaf,
39.	578/2008	Altaf Hussain,
40.	579/2008	Ahjaz Ahmad,
41.	580/2008	Muhammad Safdar,

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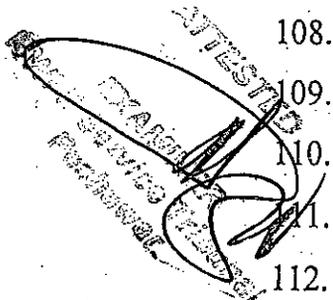
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42. 595/2008 Abdur Razzaq,
 43. 596/2008 Abdur Razzaq,
 44. 597/2008 Shaukat Ali Abbasi,
 45. 598/2008 Abdul Hamid Lodhi,
 46. 599/2008 Umar Khatab,
 47. 680/2008 Abdul Majid
 48. 681/2008 Muhammad Saleem,
 49. 682/2008 Bashir Ahmad,
 50. 714/2008 Mazhar Khan,
 51. 715/2008 Muhammad Saeed,
 52. 716/2008 Manzoor Ahmad,
 53. 717/2008, Zulfiqar,
 54. 718/2008 Sardar Irshad Ali,
 55. 739/2008 Khursheed Ahmad,
 56. 759/2008 Muhammad Daud Qureshi
 57. 760/2008 Muhammad Fayaz Awan
 58. 798/2008 Naheem Akhtar,
 59. 812/2008 Muhammad Siddique,
 60. 813/2008 Sajjad Ahmad,
 61. 814/2008 Abdul Hameed,
 62. 815/2008 Raza Hussain Shah,
 63. 816/2008 Shakeel Ahmad,
 64. 817/2008 Muhammad Majid Mirza,
 65. 819/2008 Rab Nawaz
 66. 820/2008 Aftar,
 67. 821/2008 Niaz Hussain,
 68. 822/2008 Muhammad Iqbal,
 69. 823/2008 Jamshed Khan,
 70. 824/2008 Muhammad Shafi,
 71. 825/2008 Muhammad Qasim,
 72. 826/2008 Sajjad Ahmad,
 73. 827/2008 Gul Siraj,
 74. 828/2008 Muhammad Khursheed,
 75. 829/2008 Mst. Zakia Sultana,
 76. 853/2008 Mst. Shahnaz,
 77. 854/2008 Mushtaq Hussain,



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| 78. | 899/2008 | Muhammad Hanif, |
| 79. | 906/2008 | Noor Elahi, |
| 80. | 907/2008 | Muhammad Irshad, |
| 81. | 950/2008 | Abdul Haleem Lodhi, |
| 82. | 951/2008 | Jahangir Iqbal, |
| 83. | 952/2008 | Gul Hameed, |
| 84. | 953/2008 | Muhammad Imran, |
| 85. | 954/2008 | Muhammad Ishtiaq, |
| 86. | 955/2008 | Muhammad Ashraf, |
| 87. | 956/2008, | Asif Ali, |
| 88. | 957/2008 | Abdul Hamid, |
| 89. | 958/2008 | Muhammad Hanif, |
| 90. | 959/2008 | Muhammad Kabria Khan, |
| 91. | 960/2008 | Rashed Latif, |
| 92. | 961/2008 | Syed Amjad Hussain Shah, |
| 93. | 962/2008 | Muhammad Shoab, |
| 94. | 963/2008 | Muhammad Bashir, |
| 95. | 964/2008 | Niaz Ahmad, |
| 96. | 965/2008 | Syed Iftikhar Hussain Shah, |
| 97. | 967/2008 | Muhammad Siddique, |
| 98. | 981/2008 | Mst. Robina Awan, |
| 99. | 982/2008 | Sadaqat Khan, |
| 100. | 983/2008 | Mst. Tahseen Bibi, |
| 101. | 984/2008 | Tariq Mahmood, |
| 102. | 985/2008 | Mst. Saeeda Bano |
| 103. | 1025/2008 | Miss Tanveer Akhtar, |
| 104. | 1026/2008 | Mst. Imtiaz Kiani, |
| 105. | 1027/2008 | Naveed Ahmad, |
| 106. | 1032/2008 | Mst. Sajida Bibi, |
| 107. | 1049/2008 | Banaras Khan, |
| 108. | 1050/2008 | Javed Iabal, |
| 109. | 1051/2008 | Muhammad Haroon, |
| 110. | 1110/2008 | Raja Waheed Murad (Health) |
| 111. | 1111/2008 | Aurangzeb Khan, |
| 112. | 1112/2008 | Qazi Saeed-ur-Rahman, |
| 113. | 1113/2008 | Muhammad Imtiaz, |



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|------|-----------|----------------------------|
| 114. | 1135/2008 | Muhammad Hamayun, |
| 115. | 1136/2008 | Shahid Farooq |
| 116. | 1137/2008 | Abdul Waheed, |
| 117. | 1206/2008 | Naseem Akhtar, |
| 118. | 1207/2008 | Syed Arshad Hussain Shah, |
| 119. | 1208/2008 | Naveed, |
| 120. | 1209/2008 | Sadaqat Ali, |
| 121. | 1234/2008 | Saeed Akhtar, |
| 122. | 1235/2008 | Anwar-ul-Haq, |
| 123. | 1236/2008 | Syed Husnain Ali Shah, |
| 124. | 1242/2008 | Muhammad Niaz, |
| 125. | 1243/2008 | Muhammad Anwar, |
| 126. | 1268/2008 | Syed Sadaqat Hussain Shah, |
| 127. | 1274/2008 | Shah Jehan, |
| 128. | 1355/2008 | Ahmad Farooq, |
| 129. | 1356/2008 | Muhammad Younas, |
| 130. | 1357/2008 | Muhammad Shafique, |
| 131. | 1379/2008 | Tariq Mehmood, |
| 132. | 1380/2008 | Muhammad Yousaf, |
| 133. | 1381/2008 | Waqar Ahmad, |
| 134. | 1382/2008 | Muhammad Azhar, |
| 135. | 1383/2008 | Muhammad Aftaz Aziz, |
| 136. | 1384/2008 | Muhammad Assad, |
| 137. | 1385/2008 | Rashid Khan, |
| 138. | 1386/2008 | Mirza Yasir Jamil Baig, |
| 139. | 1387/2008 | Javed Ibrahim, |
| 140. | 1388/2008 | Muhammad Nawaz, |
| 141. | 1402/2008 | Fida Muhammad, |
| 142. | 1403/2008 | Shah Faisal Khan, |
| 143. | 1404/2008 | Nasir Bakhtiar Khan, |
| 144. | 1405/2008 | Tahir Mahmood, |
| 145. | 1406/2008 | Ajmal Nazir, |
| 146. | 1407/2008 | Uzair Jadoon, |
| 147. | 1425/2008 | Muhammad Adnan Khan, |
| 148. | 1426/2008 | Zahoor Khan, |
| 149. | 1427/2008 | Wajid Ali Shah, |

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150. 1428/2008 Mahmooob Ali,
 151. 1429/2008 Bibi Rizwana,
 152. 1430/2008 Kousar Shaheen,
 153. 1441/2008 Amanullah,
 154. 1442/2008 Gul Khitab Ahmad Turk,
 155. 1443/2008 Muhammad Saeed,
 156. 1444/2008 Muhammad Aslam,
 157. 1445/2008 Mubashar Hassan,
 158. 1446/2008 Wajid Khan,
 159. 1452/2008 Bibi-Gul-E-Shahwar,
 160. 1453/2008 Abdur Razzaq,
 161. 1454/2008 Mehrban Khan,
 162. 1455/2008 Ajaz Ahmad Khan,
 163. 1456/2008 Shujjah Ali,
 164. 1457/2008 Muhammad Nawaz,
 165. 1458/2008 Gul Khitab,
 166. 1459/2008 Mst. Isma Shaheen,
 167. 1562/2008 Mazhar-UI-Haq,
 168. 1563/2008 Muhammad Rafaqat,
 169. 1599/2008 Qazi Masood-ur-Rahman,
 170. 1600/2008 Shakeel Ahmad,
 171. 1601/2008 Abid Shah,
 172. 1602/2008 Ghulam Farooq,
 173. 1603/2008 Abdur Rashid,
 174. 1641/2008 Haider Zaman,
 175. 1686/2008 Muhammad Rafique,
 176. 1687/2008 Faqir-ud-Din,
 177. 1688/2008 Azhar Ali Khan,
 178. 1689/2008 Fida Muhammad,
 179. 1690/2008 Zafar Iqbal,
 180. 1691/2008 Muhammad Riaz,
 181. 1697/2008, Sher Afzal,
 182. 1998/2008 Shabir Ahmad,
 183. 1699/2008 Ishtiaq Ahmad,
 184. 1700/2008 Mst. Robina Shaheen,
 185. 1701/2008 Mst. Nasim Akhtar,

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186. 1702/2008 Muhammad Ajmal,
 187. 1703/2008 Muhammad Anwar Adil,
 188. 1704/2008 Syed Abbas Ali Shah,
 189. 1746/2008 Tanveer Ahmad,
 190. 1747/2008, Aurangzeb,
 191. 1748/2008 Rasheed Ahmad,
 192. 1749/2008 Muhammad Daud,
 193. 1750/2008 Sajjad Ahmad,
 194. 1751/2008 Ayyaz UR Rehman,
 195. 1752/2008 Syed Zakir Hussain Shah,
 196. 1753/2008 Abdul Rashid,
 197. 1754/2008 Rizwan Khan,
 198. 1755/2008 Hasrat Saeed,
 199. 1784/2004 Muhammad Saif ur Rehman,
 200. 1785/2008 Shah Ali Mardan,
 201. 1786/2008 Abdul Qayum Shah,
 202. 1822/2008 Nisar Ahmad Shakir,
 203. 13/2009 Khalid Khan,
 204. 18/2009 Saeed Alam,
 205. 31/2009 Muhammad Ashfaq,
 206. 32/2009 Sajawal Khan,
 207. 33/2009 Muzaffar Ali,
 208. 34/2008 Muhammad Zia-ul-Haque,
 209. 68/2009 Sagheer Ahmad,
 210. 77/2008 Samina Mir Alam,
 211. 78/2009 Tasleem Bibi,
 212. 79/2009 Farkhanda Sadiq,
 213. 138/2009 Abdus-Salam Khan,
 214. 139/2009 Hafiz Muhammad Iqbal Khan Qureshi,
 215. 140/2009 Hafeez Khan,
 216. 141/2009 Muhammad Abid,
 217. 142/2009 Abdul Ghafoor,
 218. 226/2009 Muhammad Ilyas,
 219. 227/2009 Muhammad Iqbal,
 220. 228/2009 Qadir Ahmad,

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221.	229/2009	Nasir Ali,
222.	230/2009	Ali Nawaz,
223.	231/2009	Wajid Hussain,
224.	232/2009	Waheed Khan,
225.	233/2009	Muhammad Saleem,
226.	234/2009	Mujtaba Ahmad Hashmi,
227.	235/2009	Khalid Muhammad,
228.	246/2009	Abid Saeed Khan,
229.	237/2009	Imran Jalani,
230.	238/2009	Asif Awan,
231.	239/2009	Aurangzeb
232.	240/2009	Khalid Mahmood,
233.	241/2009	Muhammad Naeem,
234.	242/2009	Khurshid Qamar,
235.	243/2009	Nawazish Hussain
236.	244/2009	Syed Zafar Ali Shah,
237.	245/2009	Muihammad Ishaq,
238.	246/2009	Muhammad Pervez,
239.	247/2009	Masroor Hussain
240.	248/2009	Muhammad Sadique
241.	249/2009	Muhammad Younas
242.	250/2009	Muhammad Imtiaz
243.	251/2009	Maqbool Shah
244.	252/2009	Moazzam Khan
245.	414/2009	Tahir Usman
246.	415/2009	Mir Muhammad
247.	416/2009	Naheem Kausar
248.	246/2009	Khalida Bibi
249.	418/2009	Abida Bibi
250.	419/2009	Azim Shah
251.	433/2009	Ghazala Bibi
252.	434/2009	Riaz Khan
253.	500/2009	Mumtaz Khan
254.	501/2009	Lal Afsar
255.	502/2009	Badri Zaman
256.	503/2009	Liaqat

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257.	504/2009	Muhammad Shamraiz
258.	505/2009	Ali Bahadur
259.	506/2009	Muhammad Haroon
260.	523/2009	Naureena Maqsood
261.	524/2009	Yasmeen Akhtar
262.	525/2009	Shabana Nazir
263.	681/2009	Nighat Bibi
264.	682/2009	Waseem Sultan
265.	683/2009	Bibi Hajra
266.	684/2009	Abdul Razaq
267.	685/2009	Fatiha Gul

2. The appellant of Service Appeal No. 1276 of 2007, contended that he was appointed as untrained P.E.T. Teacher in Education Department on 27.6.1990. The appellant being C.T trained, was adjusted against the C.T post on 06.05.1996 on regular basis. He acquired higher qualification of M.A on 25.08.1999. The appellant was entitled to advance increments in the light of the Finance Department notification dated 11.8.1991. The same was not given to him. Some of the teachers came to this Tribunal whose Service Appeals were dismissed in Service Appeal No. 498 of 2006 decided on 24.4.2007. The August Supreme Court of Pakistan, while deciding C.P.L.A No. 525 of 2007 and CPLA No. 526 of 2007 decided that all the teachers were entitled to the advance increments like all other civil servants. On the request of the appellant, the same benefit was not given to him. Hence, he filed the present Service Appeal. As already mentioned, the broad facts and the legal issues in all other appeals are almost on the same lines.

3. The respondents contested the appeal and contended that either the appellants had not submitted applications or their applications were time-barred. And there was no judgment in favour of the appellants.

4. We heard the arguments and perused the record.

The judgment in CPLA Nos. 525 of 2007 and 526 of 2007 is as under:-

"3. Learned Additional Advocate General attempted to argue that in view of the higher scale granted to Elementary School Teachers in

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pursuance of the circular letter dated 07.8.1991, which was personal to them, the petitioners would not be entitled to the incentive of advance increments contemplated by circular letter dated 11.8.1991 but he is unable to cite any principle of law or authority for placing this interpretation. We find that, while circular letter dated 7.8.1991 exclusively deals with the scales of pay of school teachers in different categories, circular letter dated 11.8.1991, provides for the revision of basic pay scales and grant of annual increments and advance increments for all Provincial civil servants in NWFP without any exception. Since the teachers or the employees in Education Department have never been expressly or impliedly excluded from the operation of the circular letter, view taken by the Tribunal being erroneous cannot be sustained at law. In fact, it suffers from clear misconception of law and misconstruction of the circular letter (supra)."

While disposing of the C.R.P No. 216 and 217 of 2007 in C.P Nos. 525 and 526 of 2007, the August Supreme Court of Pakistan held:-

"The learned Addl. Advocate General has contended that this Court while interpreting the circulars in question has taken a view contrary to the correct legal position, according to which private respondents were not entitled to the benefit of advance increments. We are afraid, the learned Addl. A.G instead of pointing out any mistake of law and fact in the judgment made an attempt to re-open the case on merits. The scale of review is very limited and the points already considered in the judgment under review cannot be allowed to be re-agitated in review jurisdiction. These review petitions being without any substance are accordingly dismissed."

While disposing of CrI. O.P. No. 66 & 67 of 2007, it was held by the August Supreme Court of Pakistan:-

"The learned Addl. A.G. has given an undertaking for implementation of the judgment of this Court within a period of two weeks and in view thereof, this criminal original is disposed of with the direction that the

MAJID SERVICES (PVT) LTD
EXAMINER
ATTESTED

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judgment should be implemented in letter and spirit within two weeks under intimation to the Registrar of this Court."

6. In the above circumstances, and in view of the judgment in rhyme by the August Supreme Court of Pakistan, and keeping in view the provisions of Article 189 of the Constitution of Islamic Republic of Pakistan, we have no other alternative but to declare that all the appellants, after ascertainment that they are the persons similarly placed with the appellants who had previously litigated and in whose favour the judgment mentioned above was given by the August Supreme Court of Pakistan, are entitled to the same benefits as have been given to the appellants of the judgments quoted above. The appeals of such similarly placed persons, after such ascertainment, stands accepted without costs. Each party will bear the cost of the litigation.

7. The official respondents in the above mentioned appeals as well as the other concerned officers/officials in the province are directed to follow the above quoted judgments in their true letter and spirit and without compelling the respective right holders to enter into litigation with the respective official respondents, otherwise the costs of their litigation shall be recovered from the pay and pension as well as person and property of the defaulting concerned officer, though after fixation of responsibility on them as a result of proper enquiry.

8. The remaining similarly placed persons may submit applications/representations to their concerned authorities directly, who shall have to decide their cases as above within a reasonable time.

ANNOUNCED.
12.05.2009.

[Signature]
(BISMILLAH SHAH)
MEMBER.

[Signature]
(ABDUL JALIL)
MEMBER.

CAMP COURT ABBOTTABAD.

Number of pages	02/7/09
Number of copies	24-00
Copy fee	24-00
Print	24-00
Total	13/7/09
Date of completion	13/7/09

[Signature]
Registrar

**EXTRAORDINARY
GOVERNMENT**

Annexure B,

REGISTERED NO. PIII

GAZETTE

Annex-A

16



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 15TH MAY, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 15th May, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/20711.—The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 8th May, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 11th May, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA CESSATION OF PAYMENT OF ARREARS ON
ADVANCE INCREMENTS ON HIGHER EDUCATIONAL QUALIFICATION
ACT, 2012.**

(KHYBER PAKHTUNKHWA ACT NO. IX OF 2012)

*(first published after having received the assent of the Governor of the Khyber
Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa
(Extraordinary), dated the 15th May, 2012).*

**AN
ACT**

*to cease the payment of arrears accrued on account of advance increments on
higher educational qualification.*

WHEREAS advance increments have been granted to certain Provincial Government employees on the basis of acquiring or possessing higher educational qualification over and above the prescribe educational qualification from time to time;

Wakil

AND WHEREAS the Provincial Government vide Notification No. (PRC)1-1/2001, dated 27.10.2001, had already discontinued the scheme of advance increments on higher educational qualification;

AND WHEREAS due to financial constraints, it is not possible for Provincial Government to pay the claimed and unclaimed arrears accrued from the said increments;

It is hereby enacted as follows:-

1. Short title, application and commencement.— (1) This Act may be called the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012.

(2) It shall apply to all the employees of the Provincial Government, who were entitled to received advance increments on higher educational qualification.

(3) It shall come into force at once and shall be deemed to have taken effect on and from 1st day of December, 2001.

2. Cessation of payment of arrears on advance increments on higher educational qualification.—(1) Notwithstanding anything contained in any decision, judgment and order of any Tribunal or Court including High Court or Supreme Court of Pakistan, for the purpose of any claim for payment of arrears on account of advance increments on higher educational qualification sanctioned in pursuance of any order, letter, office memoranda, notification, instructions and other instruments issued before 1.12.2001, such orders, letters, office memoranda, notifications, instructions and other instruments shall be deemed to be non-existent, ceased or revoked and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any Court or Tribunal including High Court and Supreme Court of Pakistan shall stand abated.

(2) Any order made, instruction issued, decision, judgment or order of any Court or Tribunal including a High Court or the Supreme Court, implemented immediately before the commencement of this Act, shall be deemed to have been validly made, issued and implemented by the date of commencement of this Act, and any amount already paid there-under on account of advance increments or arrears thereof shall be deemed to have been validly paid and shall not be recoverable from the recipient Government employees.



3. Removal of difficulties.— If any difficulty arises, in giving effect to the provisions of this Act, the Provincial Government may make such orders as it may deem just and equitable.

4. Repeal.— The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Ordinance, 2012 (Khyber Pakhtunkhwa Ordinance NO. I of 2012), is hereby repealed.

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa



Annexure 1C,

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

W.P. No.3081-P/2012 with CM No.1672-P/2022

Anayat Ullah Khan and others

Vs.

**Government of Khyber Pakhtunkhwa through Chief
Secretary, Peshawar and others**



Date of hearing 14.06.2023

Petitioner(s) by: M/s. Noor Muhammad Khattak and L. Nawab Ali Noor, Advocates.

Respondent(s) by: Mr. Amir Javed, Advocate General Khyber Pakhtunkhwa and Barrister Muhammad Yaseen Raza Khan, Addl: Advocate General a/w Mr. Fazl-e-Khaliq, Litigation Officer, DEO (M&F), Swabi.

JUDGMENT

IJAZ ANWAR, J. Through this single judgment, we intend to decide the instant writ petition and Writ Petitions, listed below, since in all these cases, similar questions of law and facts are involved. The connected writ petitions are:-

- i. *W.P. No.913-P/2014 titled, Muhammad Iqbal and others Vs. Government of Khyber Pakhtunkhwa through Secretary to Government, Finance Department, Peshawar and others.*
- ii. *W.P. No.1418-P/2014 titled, Molvi Muhammad and others Vs. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Peshawar and others*
- iii. *W.P. No.2053-P/2014 titled, Saeed Ullah and others Vs. Government of Khyber Pakhtunkhwa through Secretary S&GAD, Peshawar and others*
- iv. *W.P. No.1182-P/2018 titled, Muhammad Rehman and others Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and others*
- v. *W.P. No.2326-P/2019 titled, Muhammad Anwar Vs. Government of Khyber*

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ATTESTED
EXAMINER
Peshawar High Court

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*Pakhtunkhwa through Secretary
Education, Peshawar and others
vi. W.P. No.1680-P/2021 titled, Ghandal
Khan Vs. District Education Officer
(Male), Peshawar and others*

2. In the instant writ petition, the petitioners have prayed for the following relief:-

"It is, therefore, humbly prayed that on acceptance of this writ petition, this Hon'ble Court may be pleased to declare the act as against the basic norms of law & rules repugnant to constitution, law and practice/policy as such no legal effect liable to be set-aside".

3. In all these petitions, the petitioners have mainly questioned the vires of the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 (hereinafter to be referred as "the Act").

4. Comments were called from the respondents who furnished the same, wherein, they opposed the issuance of desired writ asked for by the petitioners.

5. Arguments heard and record perused.

6. Perusal of the record transpires that the petitioners have questioned the vires of "the Act" on the ground that promulgation of "the Act" had defeated the judgments of the superior Courts. He further contended that vested rights of the petitioners have accrued in the matter and placed reliance on the judgments reported as "PECTO Belarus Tractor Ltd Vs. Government of Pakistan through Finance Economic Affairs and others (PLD 2005 SC 605), 2013

ATTESTED
EXAMINER
Peshawar High Court

SCMR 1749, 2013 SCMR 1752 (Contempt of Court Proceedings case) and AIR 1975 SC 2199".

7. On the other hand, the learned Advocate General, Khyber Pakhtunkhwa has referred to a recent judgment of the Hon'ble Supreme Court of Pakistan passed in the case titled "The Divisional Superintendent, Pakistan Railways, Rawalpindi and others Vs. Syed Irshad Ali Abid (2021 PLC (C.S.) 277)" and contended that the grant of increments on higher educational qualification has since been discontinued through Notification dated 13.09.2001, as such, it is a past and closed transaction and that necessary time was granted to the employees who have any claim, albeit, when they failed to claim the same for long ten years, as such, "the Act" in question was promulgated. He has also produced a letter dated 29.04.2010 issued by the Additional Secretary (Regulation), Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing), whereby, clarification was given about the advance increments on higher educational qualification and according to which, a period of sixty days was provided for the remaining claims and argued that even then, petitioners have failed to claim the advance increments at the relevant time.

8. During the course of hearing, learned counsel for the petitioners has produced letters/applications which were duly placed on file and contended that the rights of the petitioners to the grant of advance increments were secured

ATTESTED
EXAMINER
Peshawar High Court

and guaranteed by a Government's circular letter dated 11.08.1991 and that the case of the petitioners was matured at the relevant time before the cut-of-date i.e. 13.09.2001 when the grant of such increments was discontinued. He also referred to a judgment of the Hon'ble Supreme Court of Pakistan passed in "CPLAs No.525 and 526/2007 decided on 19.07.2007".

9. At this stage, the learned Advocate General, Khyber Pakhtunkhwa, representing the respondents, contended that the civil servants, who were holding higher educational qualification prior to discontinuation of advance increments in the year, 2001, are entitled for the benefit flowing from circular letter dated 11.08.1991, however, those who have improved their qualification after the notification dated 13.09.2001, under no circumstances, can claim the same benefit and that the bar created through "the Act" would be equally applicable.

10. In view of the above, we, without commenting upon the vires of "the Act" and in view of the statement of the learned Advocate General, Khyber Pakhtunkhwa, dispose of this and the connected writ petitions and direct the respondents to consider the case of the petitioners in the light of circular letter dated 11.08.1991 and in case, they fulfill the condition mentioned therein for the grant of advance increments prior to the cut-of-date, they be allowed such benefit. It is, however, clarified that only the case of the present petitioners shall be

ATTESTED
EXAMINER
Peshawar High Co

considered and that others cannot claim such benefits, having not agitated the matter at the relevant time.

Announced
Dt:14.06.2023

JUDGE

JUDGE

(DB) Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Syed Muhammad Atique Shah

"Muhammadullah"

CERTIFIED TO BE TRUE COPY

EXAMINER
Peshawar High Court, Peshawar
Authorized Under Article 8, 7 of
the Qanoon-e-Shahadat Act 1984

17 JUL 2023

[Handwritten Signature]

Annexure D,
BEFORE NWFP SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 718 of 2008

Sardar Irshad Ali S/O Ali Afsar C.T teacher, (Ex PTC) Government High School Taisval,
Abbottabad, R/O Moh: Doong, Village Nagri Bala, Post Office Kala Bagh, Tehsil District
Abbottabad,

N.W.F.P. PROVINCE
Service Tribunal

Diary No. 824

Dated 13/5/08 Appellant

Versus

- 1 Executive District Officer (Schools & Literacy), Abbottabad.
- 2 District Coordination Officer, Abbottabad
- 3 District Accounts Officer, Abbottabad.
- 4 Director of (schools & Literacy) N.W.F.P Peshawar.
- 5 Secretary to Govt of N.W.F.P (schools & Literacy) department Peshawar.
- 6 Accountant General, N.W.F.P Peshawar
- 7 Secretary to Govt of N.W.F.P, Finance Department, Peshawar

Respondents

Appeal under Section 4 of NWFP Service Tribunal Act 1974,
against the impugned Order dated 10/05/2008, issued under Endst
No 9300-01, by respondent no 01, whereby appellant's
representation dated 05/05/2008 for grant of 06 Six advance
increments of M.A with effect from 07/06/2001 and 04 Four advance
increments of B.A Instead of 03(already given) with effect from
28/12/1998 against P.T.C post , with all back benefits under Para
5(i) (b) of the Notification No FD (PRC) 1-1 /89 dated 11-08-1991
issued by Respondent No 7 and on the basis of Judgments dated
19/07/2007, 29/01/2008 passed by Supreme Court of Pakistan in
CPLA No 525, 526 and 590 of 2007 and CRP No 216,217 of 2007,
was refused.

PRAYER

It is respectfully prayed before this Honourable Tribunal that the
instant appeal may gracious be accepted, impugned order dated 10/05/2008,
issued under Endst No 9300-01 by respondent No 01 may be set aside and the
dappellant may be granted 06 advance increments of MA w.e.f. 07/06/2001
and 04 advance increments of B.A Instead of 03(already given) with effect
from 28/12/1998 against P.T.C post with all back benefits

ATTESTED
NWFP SERVICE TRIBUNAL
PESHAWAR

Respectfully Sheweth,

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FACTS

- 1) That appellant appointed as a trained PTC Teacher in Education Department on 06/05/1996 in BPS No 09 and thereafter being C.T trained he was also promoted against C.T Post on 15/06/2002, he was a regular teacher against PTC & C.T posts and his regular service was/is also started against both the posts from his appointment/promotion. A Certificate in this respect issued by Concerned authority is Annexed as **Annexure A.**
- 2) That appellant being F.A 2nd division was placed in BPS No 09 against PTC post w.e.f. 06/05/1996, and being CT trained with BA 2nd division was also placed in BPS No 14 against CT post w.e.f. 15/06/2002(date of promotion), on the basis of Notification No FD(PRC)1-1/89 dated 07/08/1991 issued by respondent no 7, and now he is also working in BPS # 14 against C.T post. Copy of said Notification dated 07/08/1991 is Annexed as **Annexure B.**
- 3). That appellant during his service as PTC teacher passed his BA Examination on 28/12/1998 and was entitled for 04 advance increments but was granted only 03, similarly he was also passed his M.A examination on 07/06/2001 and he was entitled for six 06 advance increments on the basis of Para 5 (1) (b) of the Notification No FD(PRC)1-1/89 dated 11/08/1991 but the same was not given by the respondents in their office routine matters until now. Copy of said Notification is **Annexure C.**
- 4) That appellant being teacher in Education Department was/is a member of Civil Employees (BPS-1-15) of the Provincial Government of N.W.F.P and Para 3 of the same Notification dated 11/08/1991 above was applied in Pay(house rent) and Allowances matters from 06/05/2001(date of appointment),Whose Para # 5 ,Clause (b) caters for the grant of Six Advance Increments on attaining M.A and 04 advance increments of BA(instead of 03) against PTC post and Prescribed Qualification of PTC Post was/is also SSC with PTC Course , So appellant was/is entitled the same and Respondents did not give his Constitutional rights
- 5) That In the Meanwhile, Honourable Supreme Court Of Pakistan has decided the same matters in CPLA No 525,526 and 590 of 2007 on 19/07/2007,and ultimately declared that teachers in Education Department (appellant) are also Entitled for their Advanced Increments given in Notification No FD(PRC)1-1/89 Dated

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MEMBER SERVICE TRIBUNAL
EXAMINER
ATTESTED
Rashid Shaukat

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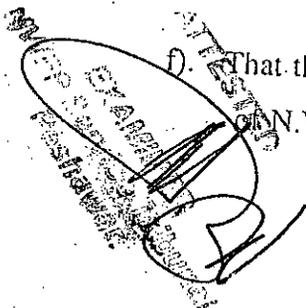
11/08/1991 without any exception. Copy of Supreme Court orders are

Annexure D

- 6) That appellant in the light of above Judgments of the Supreme Court dated 19/07/2007, submitted his departmental representation to respondent no 1 on 05/05/2008 which was refused by the respondent no 01 after only 05 days on 10/05/2008 and final order was issued under Endst No 9300-01 by the respondent no 01. Copy of representation is Annexure E, and Impugned order is Annexure F, Hence this appeal inters - alia on the following ground, and appellant's appeal is within 30 days from the refusal/dismissal of his departmental representation dated 05/05/2008 on 10/05/2008

Grounds

- a) That the impugned order dated 10/05/2008, passed by respondent no 01 on appellant's representation dated 05/05/2008 is arbitrary, unjust, and against all the norms of justice and equity. Hence liable to set aside.
- b) That the impugned order dated 10/05/2008, is against law, facts of the case, also against letter and spirit of the Judgment of Honourable Supreme Court of Pakistan dated 19/07/2007 passed in CPLA No 525 & 526 of 2007 and also dated 29/01/2008 in CRP No 216 & 217 of 2007.
- c) That the Policy contained in Notification/Circular dated 11/08/1991 was/is passed by N.W.F.P Provincial Assembly in their Budget Session 1991-92 and then Hon, le Governor approved the same and respondent No7 issued the said Circular after completing the legal requirements
- d) That all the Respondents along with respondent No 7 neither have power nor any jurisdiction to change, apply or withheld/deny the Government Policy contained in Circular/Notification dated 11/08/1991 and cannot apply according to their own wishes and whims against the said policy.
- e) That the action of respondents in refusing/delaying the grant of advance increments to the appellant on the basis of Circular dard 11/08/1991, violated the Article 25, 189 190 of the Constitution.
- f) That the said Circular (Annexure C) was/is issued for Civil Provincial Employees of N.W.F.P (BPS-1-15) and appellant being teacher (Education Department) falls



under the same and fully entitled for the relief of Advanced Increments of M.A & B.A along with back benefits as claimed by him.

- g). That the case of appellant is the same nature in facts and Laws, which was decided by Supreme Court of Pakistan on 19/07/2007 passed in CPLA Nos 525,526 and 590 of 2007 (Annexure D).
- h). That under the law appellant's case is quite Clear after the Judgment passed in CPLA No 525 and 526 of 2007 by Supreme Court, and refusal/dismissal of appellant's representation dated 05/05/2008 on 10/05/2008 is illegal, without jurisdiction and unconstitutional.
- i). That there is now no dispute available in the case of appellant as Honorable Supreme Court of Pakistan has decided all the disputed matters involved in the instant appeal on 19/07/2007.
- j). That appellant's service appeal is maintainable and appellant's post was P.T.C and prescribed qualification of the said post was Matric with P.T.C Course and appellant is now working in BPS # 14 against C.T post and Instant Case falls under Para 5(1) (b) of the Circular dated 11/08/1991(Annexure C)

It is there fore respectfully prayed that while setting aside impugned order dated 10/05/2008 issued under Endst No 9300-01 by respondent no 01, appellant's appeal may kindly be accepted and 4 advance increments of BA instead of 03 w.e.f. 28/12/1998 and 06 advance increments of M.A w.e.f. 07/06/2001 against PTC post, along with all back benefits may graciously be granted to the appellant in the interest of justice.

Unaltered

17.6.09

Dated 11/05/2008

Number of pages: 160

Pages for: 10

Pages: 10

Name of appellant: [Redacted]

Date of completion of appeal: 18.6.09

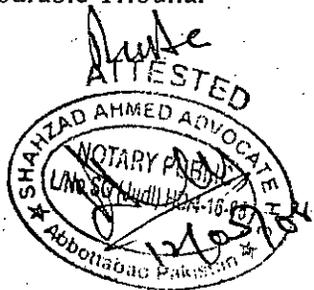
Date of filing of appeal: 18.6.09

[Signature]
 (Sardar Irshad Ali)
 Appellant in person

Affidavit

I do here by affirm on oath that contents of instant appeal is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and this instant appeal is first appeal & same nature of any other appeal is not pending before Honourable Tribunal

[Signature]



[Signature]
 (Sardar Irshad Ali)
 DEPONENT

BEFORE NWFP SERVICE TRIBUNAL PESHAWAR

28 ✓

Service Appeal No. 714/2008

Mazhar Khan S/O Jalal Khan, PTC, teacher Government Primary School, Kari Raiki, Abbottabad, R/O Village Nagri Bala, Post Office Kala Bagh, Tehsil & District Abbottabad, Peshawar.

N.W.F. Province
Service Tribunal
Appellant

Case No. 820
Dated 13/5/08

Versus

- 1 Executive District Officer (Schools & Literacy), Abbottabad.
- 2 District Coordination Officer, Abbottabad
- 3 District Accounts Officer, Abbottabad.
- 4 Director of (schools & Literacy) N.W.F.P Peshawar.
- 5 Secretary to Govt of N.W.F.P (schools & Literacy) department Peshawar.
- 6 Accountant General, N.W.F.P Peshawar
- 7 Secretary to Govt of N.W.F.P, Finance Department, Peshawar

Respondents

Appeal under Section 4 of NWFP Service Tribunal Act 1974, against the impugned Order dated 08/05/2008, issued under Endst No 9022, by respondent no 01, whereby appellant's representation dated 05/05/2008 for grant of 06 Six advance increments of M.A with effect from 27/05/2000 and 04 Four advance increments of B.A Instead of 03 (already granted) with effect from 11/08/1997, with all back benefits under Para 5(i) (b) of the Notification No FD (PRC) 1-1/89 dated 11-08-1991 issued by Respondent No 7 and on the basis of Judgments dated 19/07/2007, 29/01/2008 passed by Supreme Court of Pakistan in CPLA No 525, 526, of 2007 and CRP No 216,217 of 2007, was refused.

PRAYER

It is respectfully prayed before this Honourable Tribunal that the instant appeal may gracious be accepted, impugned order dated 08/05/2008, issued under Endst No 9022 by respondent No 01 may be set aside and the appellant may be granted 06 advance increments of MA w.e.f. 27/05/2000 and 04 Four advance increments of B.A Instead of 03 (already granted) with effect from 11/08/1997, with all back benefits

ATTESIES

M. A. R.
13/5/08
EXAMINER
NWFP Service Tribunal
Peshawar

the rights of the appellánt. Copy of Supreme Court order passed in CRP No 216 & 217/2007 is Annexure E.

- 6) That appellant in the light of above Judgments of the Supreme Court dated 19/07/2007, appellant submitted his departmental representation to respondent no 1 on 05/05/2008 which was refused by the respondent no 01 after only 03 days on 08/05/2008 and final order was issued under Endst No 9022 by the respondent no 01 Copy of representation is Annexure F, and Impugned order is Annexure G, Hence this appeal inters – alia on the following ground, and appellant’s appeal is within 30 days from the refusal/dismissal of his departmental representation dated 05/05/2008 on 08/05/2008.

Grounds

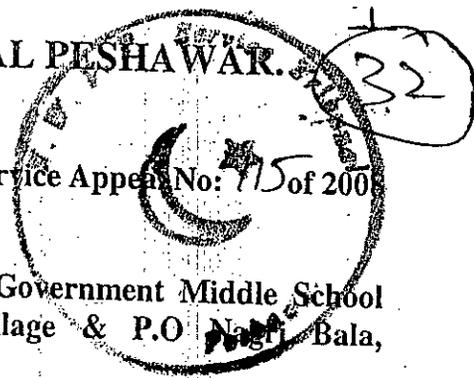
- a) That the impugned order dated 08/05/2008, passed by respondent no 01 on appellant’s representation dated 05/05/2008 is arbitrary, unjust, and against all the norms of justice and equity. Hence liable to set aside.
- b) That the impugned order dated 08/05/2008, is against law, facts of the case, also against letter and spirit of the Judgment of Honourable Supreme Court of Pakistan dated 19/07/2007 passed in CPLA No 525 & 526 of 2007 and also dated 29/01/2008 in CRP No 216 & 217 of 2007.
- c) That the Policy contained in Notification/Circular dated 11/08/1991 was/is passed by N.W.F.P Provincial Assembly in their Budget Session 1991-92 and then Hon, le Governor approved the same and respondent No7 issued the said Circular after completing the legal requirements.
- d) That all the Respondents along with respondent No 7 neither have power nor any jurisdiction to change, apply or withheld/deny the Government Policy contained in Circular/Notification dated 11/08/1991 and cannot apply according to their own wishes and whims against the said policy.
- e) That the action of respondents in refusing/delaying the grant of advance increments to the appellant on the basis of Circular dard 11/08/1991, violated the Article 25,189 190 of the Constitution.
- f) That the said Circular (Annexure B) was/is issued for Civil Provincial Employees of N.W.F.P (BPS-1-15) and appellant being teacher (Education Department) falls under the same and fully entitled for the relief of Advanced Increments of M.A & B.A along with back benefits as claimed by him.

Small

ATTES-TEB
 EXAMINER
 NWFP Service Tribunal
 Peshawar

BEFORE NWFP SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 715 of 2008



Muhammad Saeed S/O Muhammad Suleman, D.M, Government Middle School Badhair, Abbottabad, R/O: Muhallah, Nallian, village & P.O Nagri Bala, Abbottabad,

Appellant

Versus

N.W.F. Province
Service Tribunal
Case No. 826
Dated 13/5/08

- 1 Executive District Officer (Schools & Literacy), Abbottabad.
- 2 District Coordination Officer, Abbottabad.
- 3 District Accounts Officer, Abbottabad.
- 4 Director of (Schools & Literacy) N.W.F.P Peshawar.
- 5 Secretary to Govt of N.W.F.P (Schools & Literacy) department Peshawar.
- 6 Accountant General, N.W.F.P Peshawar
- 7 Secretary to Govt of N.W.F.P, Finance Department, Peshawar

Respondents

Appeal under Section 4 of NWFP Service Tribunal Act 1974, against the impugned Order dated 08/05/2008, issued under Endst No 9022, by respondent no 01, whereby appellant's representation dated 05/05/2008 for grant of 04 Four advance increments of MA with effect from 17/06/2001, with all back benefits under Para 5(i) (c) of the Notification No FD (PRC) 1-1 /89 dated 11-08-1991 issued by Respondent No 7 and on the basis of Judgments dated 19/07/2007, 29/01/2008 passed by Supreme Court of Pakistan in CPLA No 525, 526, of 2007 and CRP No 216,217 of 2007, was refused.

12.5.2009

18/6/09

27/6/09

27/6/09

27/6/09

Appellant in person. Arshad Alam, A.G.P. along with representative of the respondents present. Vide our detailed judgment of to-day in appeal No. 1276/2007, this appeal is also accepted. The parties are, however, left to bear their own costs.

ANNOUNCED
12.05.2009

Sd/- Member

Sd/- Member.
Camp court, Abbottabad.

Service Appeal No: 715 of 2008

Muhammad Saeed S/O Muhammad Suleman, D.M, Government Middle School
Badhair, Abbottabad, R/O: Muhallah, Nallian, village & P.O Nagri Bala,
Abbottabad,

Appellant

Versus

N.W.F. Province
Service Tribunal
Diary No. 826
Dated 13/5/08

- 1 Executive District Officer (Schools & Literacy), Abbottabad.
- 2 District Coordination Officer, Abbottabad.
- 3 District Accounts Officer, Abbottabad.
- 4 Director of (Schools & Literacy) N.W.F.P Peshawar.
- 5 Secretary to Govt of N.W.F.P (Schools & Literacy) department Peshawar.
- 6 Accountant General, N.W.F.P Peshawar
- 7 Secretary to Govt of N.W.F.P, Finance Department, Peshawar

Respondents

Appeal under Section 4 of NWFP Service Tribunal Act 1974, against the impugned Order dated 08/05/2008, issued under Endst No 9022, by respondent no 01, whereby appellant's representation dated 05/05/2008 for grant of 04 Four advance increments of MA with effect from 17/06/2001, with all back benefits under Para 5(i) (c) of the Notification No FD (PEC) 1-1 /89 dated 11-08-1991 issued by Respondent No 7 and on the basis of Judgments dated 19/07/2007, 29/01/2008 passed by Supreme Court of Pakistan in CPLA No 525, 526, of 2007 and CRP No 216,217 of 2007, was refused.

PRAYER

It is respectfully prayed before this Honourable Tribunal that the instant appeal may gracious be accepted, impugned order dated 08/05/2008, issued under Endst No 9022 by respondent No 01 may be set aside and the appellant may be granted 04 advance increments of MA w.e.f. 17/06/2001 with all back benefits

Respectfully Sheweth,

Filed to-day

M. A. Saeed
13/5/08

NWFP Service Tribunal
Peshawar
EXAMINER

ATTESTED

FACTS

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- 1) That appellant was appointed as Untrained D.M teacher in Education Department on 03/10/1995, and his regular service was started against D.M post from the date of his passing D.M professional Course in 1996 against D.M post. Certificate in this respect issued by concerned authority is annexed as Annexure A.
- 2) That appellant being B.A 2nd division placed in BPS No 14 on 28/12/1998(date of passing B.A) on the basis of Notification No FD(PRC)1-1/89 dated 07/08/1991 issued by respondent no 7. Copy of said Notification dated 07/08/1991 is Annexed as Annexure B.
- 3). That appellant during his service as D.M teacher also passed his M.A examination on 17/06/2001 and he was entitled for four advance increments on the basis of Para 5 (1) (C) of the Notification No FD(PRC)1-1/89 dated 11/08/1991 but the same was not given by the respondents in their office routine matters until now. Copy of said Notification is Annexure C.
- 4) That appellant being teacher in Education Department was/is a member of Civil Employees (BPS-1-15) of the Provincial Government of N.W.F.P and Para 3 of the same Notification dated 11/08/1991 above was applied in Pay and Allowances matters of appellant from 01/06/1991, Whose Para # 5 ,Clause (C) caters for the grant of Four Advance Increments on attaining M.A against D.M post and Prescribed Qualification of D.M Post is also F.A/FSc, So appellant was/is entitled the same and Respondents did not give his Constitutional rights
- 5) That In the Meanwhile, Honourable Supreme Court Of Pakistan has decided the same matters in CPLA No 525 and 526 of 2007 on 19/07/2007, and ultimately declared that teachers in Education Department (appellant) are also entitled for their Advanced Increments given in Notification No FD(PRC)1-1/89 Dated 11/08/1991 without any exception. Copy of said order is Annexure D.
- 6) That Supreme Court of Pakistan has been pleased to dismiss the Civil Review Petitions No 216 & 217 of 2007, filed by Respondent No 7(Finance Department) on 29/01/2008, which were filed against the Judgment dated 19/07/2007 passed in CPLA No 525 & 526 of 2007, and now the matter of Advance Increments attained its finality and there is no way before the respondents to withhold/deny the rights of the appellant. Copy of Supreme Court order passed in CRP No 216 & 217/2007 is Annexure E.

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ATTESTER
EXAMINER
NWFP Service Tribunal
Feshawar

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7) That appellant in the light of above Judgments of the Supreme Court dated 19/07/2007, appellant submitted his departmental representation to respondent no 1 on 05/05/2008 which was refused by the respondent no 01 after only 03 days on 08/05/2008 and final order was issued under Endst No 9022 by the respondent no 01 Copy of representation is Annexure F, and Impugned order is Annexure G, Hence this appeal inters - alia on the following ground, and appellant's appeal is within 30 days from the refusal/dismissal of his departmental representation dated 05/05/2008 on 08/5/2008.

Grounds

- a) That the impugned order dated 08/05/2008, passed by respondent no 01 on appellant's representation dated 05/05/2008 is arbitrary, unjust, and against all the norms of justice and equity. Hence liable to set aside.
- b) That the impugned order dated 08/05/2008, is against law, facts of the case, also against letter and spirit of the Judgment of Honourable Supreme Court of Pakistan dated 19/07/2007 passed in CPLA No 525 & 526 of 2007 and also dated 29/01/2008 in CRP No 216 & 217 of 2007.
- c) That the Policy contained in Notification/Circular dated 11/08/1991 was/is passed by N.W.F.P Provincial Assembly in their Budget Session 1991-92 and then Hon, le Governor approved the same and respondent No7 issued the said Circular after completing the legal requirements.
- d) That all the Respondents along with respondent No 7 neither have power nor any jurisdiction to change, apply or withheld/deny the Government Policy contained in Circular/Notification dated 11/08/1991 and cannot apply according to their own wishes and whims against the said policy.
- e) That the action of respondents in refusing the grant of advance increments to the appellant on the basis of Circular dard 11/08/1991, violated the Article 25,189 and 190 of the Constitution.
- f) That the said Circular (Annexure C) was/is issued for Civil Provincial Employees of N.W.F.P (BPS-1-15) and appellant being teacher (Education Department) falls under the same and fully entitled for the relief of Advanced Increments of M.A along with back benefits as claimed by him.
- g) That the case of appellant is the same nature in facts and Laws, which was decided by Supreme Court of Pakistan on 19/07/2007 passed in CPLA No 525,526 of 2007.
- h) That under the law appellant's case is quite Clear after the Judgment passed in CPLA No 525 and 526 of 2007 by Supreme Court, and refusal/dismissal of appellant's representation dated 05/05/2008 on 08/05/2008 is illegal, without jurisdiction and unconstitutional.

W.F.P
EXAMINER
N.W.F.P
SERVICES
DEPARTMENT
PESHAWAR

ATTESTED
[Signature]

- i). That there is now no dispute available in the case of appellant as Honorable Supreme Court of Pakistan has decided all the disputed matters involved in the instant appeal on 19/07/2007.
- j). That appellant's service appeal is maintainable and appellant's post is D.M and prescribed qualification of the said post is F.A with D.M Course and appellant is now working in BPS #1-15 and Instant Case falls under Para 5(1) (C) of the Circular dated 11/08/1991(Annexure C)
- k). That respondent no 7 has filed Civil Review Petition No 216 & 217 of 2007 against the Judgment dated 19/07/2007, passed in CPLA No 525 & 526 of 2007, was also dismissed on 29/01/2008 by the Supreme Court of Pakistan, and now the Judgment dated 19/07/2007 has attained its finality.
- j). That now on 29/03/2008, Bench No 4 of this Honourable Service Tribunal N.W.F.P has been pleased to admit to full hearing the same nature numerous Cases/service appeals no 01- 04,09-10,17-22 etc of 2008, and Bench No 01 of this Honourable Tribunal has been pleased to admit to full hearing the same nature numerous Cases/service appeals no 570, 572-580, 595,599 etc of 2008, too.

It is there fore respectfully prayed that while setting aside impugned order dated 08/05/2008 issued under Endst No 9022 by respondent no 01, appellant's appeal may kindly be accepted and 4 advance increments of M.A w.e.f. 17/06/2001 against D.M post, along with all back benefits may graciously be granted to the appellant in the interest of justice.

(Signature)
 (Muhammad Saeed)
 Appellant in person

Affidavit

I do here by affirm on oath that contents of instant appeal is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and this instant appeal is first appeal & same nature of any other appeal is not pending before Honourable Tribunal

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(Signature)
 (Muhammad Saeed)
 DEPONENT

BEFORE NWFP SERVICE TRIBUNAL PESHAWAR

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37

Service Appeal No. 54 of 2008

Liaqat Ali S/O Abdur Rasheed PTC Teacher Government Primary School Chirbat
R/O (at Present) Village Chirbat, Post Office Ghambir, Via Rawalpindi (Tehsil Havelian
District Abbottabad), Post Code No.22370.

Appellant

Versus

1. District Coordination Officer, Abbottabad
2. Executive District Office (School & Literacy), Abbottabad
3. District Accounts Officer, Abbottabad.
4. Director (Schools & Literacy), NWFP, Peshawar.
5. Secretary to Government of NWFP (Schools & Literacy Department), Peshawar.
6. Accountant General, NWFP, Peshawar.
7. Secretary to Government of NWFP, Finance Department, Peshawar.

Respondents

Appeal under Section 4 of NWFP Service Tribunal Act 1974 for grant of Six Advance Increments of MA against PTC Post w.e.f 10-07-2000 besides another Four Advance Increments of BA against PTC Post instead of three advance increments w.e.f 08-02-1996 along with all back benefits under Para 5(i) (C) & (B) of the Notification No FD (PRC) 1-1-89 dated 11.08.1991 issued by Respondent No. 7 and On the basis of Judgment dated 19-07-2007 passed by Supreme Court of Pakistan in CPLA No 525,526 & 590 of 2007.

Respectfully Showed,

FACTS

- 1) That the Appellant was appointed as a Trained PTC Teacher in Education Department on 05-01-1995, and being FA 2nd Division, was placed in BPS No 9 on the basis of Notification No FD(PRC 1-1-89 dated 07-08-1991, issued by Respondent No. 7, and now he is working in BPS No 9 against PTC Post. Copy of said Notification is Annexure A

date. To come up for preliminary hearing.



- 2) That the Appellant passed his BA Examination during his service on 08-02-1996 and got only three advance increments whereas he was entitled for Four Advance Increments on the basis of Circular dated 11-08-1991. A certificate in this respect, issued by concerned authority annexed as Annexure B.
- 3) That the Appellant during his service passed his BA on 08-02-1996 and he was entitled for Four Advance increments against PTC post w.e.f 08-02-1996, instead of three advance increments. That the appellant during his service also passed his MA examination on 10-07-2000 and he was entitled for six advance increments Notification No FD (PRC) 1-1/89 dated 11-08-1991 but the same was not given by respondents in their routine matters until now. Copy of said Notification is Annexure C.
- 4) That the Appellant being Teacher in Education Department was/is a member of Civil Employees (BPS 1-15) of the Provincial Government of NWFP and Para 3 of the same Notification dated 11-08-1991 above applies in Pay and Allowances matters from 01-06-1991, whose Para No 5, Clauses (B) & (C) caters for the grant of Four Advance increments of BA against PTC Post instead of three and six advance increments of MA against PTC post. Prescribed qualification of PTC Post is Matric with PTC Course. So the Appellant was/is entitled for the same and Respondents did not give him his Constitutional rights.
- 5) That the Meanwhile, Honourable Supreme Court of Pakistan has decided the same matters in CPLA No 525, 526 and 590 of 2007 on 19-07-2007, and ultimately declared that teachers in Education Department (Appellant) are also Entitled for their advance increments given in Notification No FD(PRC)1-1/89 Dated 11-08-1991 without any exception. Copies of Supreme Court order are Annexure D& D1.
- 6) That when the above Judgement of the Supreme Court dated 19-07-2007 came into notice of the Appellant, he submitted his departmental representation to Respondent No 1 through Respondent No 2 on 10-12-2007 and it is undecided within the statutory period of 90 days. Copy of representation is Annexure E. Hence this appeal inter alia on the following ground, and Appellant's appeal is within 120 days from the submission of his department representation dated 10-12-2007.

Grounds

- a) That policy contained in Notification/Circular dated 11-08-1991 was/is passed by NWFP Provincial Assembly in their Budget Session 1991-92 and then Honourable Governor approved the same and Respondent No 7 issued the said Circular after completing the legal requirement.
- b) That all the Respondents along with Respondent No 7 neither have power nor any jurisdiction to change, apply or withhold/deny the Government Policy contained in Circular/Notification dated 11-08-1991 and cannot apply according to their own wishes and whims against the said policy.

date. To come up for preliminary hearing.

That the action of Respondents in refusing/delaying the grant of 4 advance increments of BA & 6 advance increments of MA to the appellant on the basis of Circular dated 11-08-1991, violated the Article 25, 189, 190 of the Constitution.

- d) That the said Circular (Annexure C) was/is issued for Civil Provincial Employees of NWFP (BPS 1-15) and Appellant being PTC Teacher (Education Department) falls under the same and fully entitled for the relief of four advance increments of BA instead of three against PTC Post and six advance increments of MA against PTC Post, along with all back benefits as claimed by him.
- e) That the case of Appellant is the same nature in facts and laws, which was decided by Supreme Court of Pakistan on 19-07-2007 passed in CPLA No 525, 526 and 590 of 2007 (Annexure B).
- f) That under the law Appellant's case is quite clear after the judgement passed in CPLA No 525, 526 and 590 of 2007 by Supreme Court and Respondents behaviour with Appellant's representation dated 10-12-2007 is illegal, without jurisdiction and unconstitutional.
- g) That there is now no dispute available in the case of Appellant as Honourable Supreme Court of Pakistan has decided all the disputed matters involved in the instant appeal on 19-07-2007.
- h) That the Appellant's service appeal is maintainable and Appellant's post as PTC for which prescribed qualification of the said post is Matric with PTC Course. The Appellant is working in BPS No 9 and Instant Case falls under Para 5(1) (B) & (C) of the Circular dated 11-08-1991 (Annexure C).

It is, therefore, respectfully prayed that Appellant's appeal may kindly be accepted and Four Advance Increments of BA instead of Three advance increments against PTC Post w.e.f 08-02-1996 and Six advance increments of MA against PTC Post w.e.f 10-07-2000 with all back benefits may graciously be granted to the Appellant in the interest of justice.

Dated

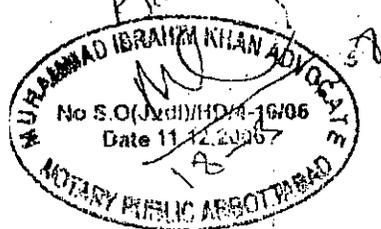
Liaqat Ali 
Appellant in Person.

Affidavit

I do hereby affirm on oath that contents of instant appeal is correct and true according to my best knowledge and belief and nothing has been suppressed from this Honourable Tribunal and this instant appeal is first appeal & same nature of any other appeal is not pending before Honourable Tribunal.

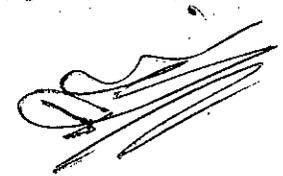
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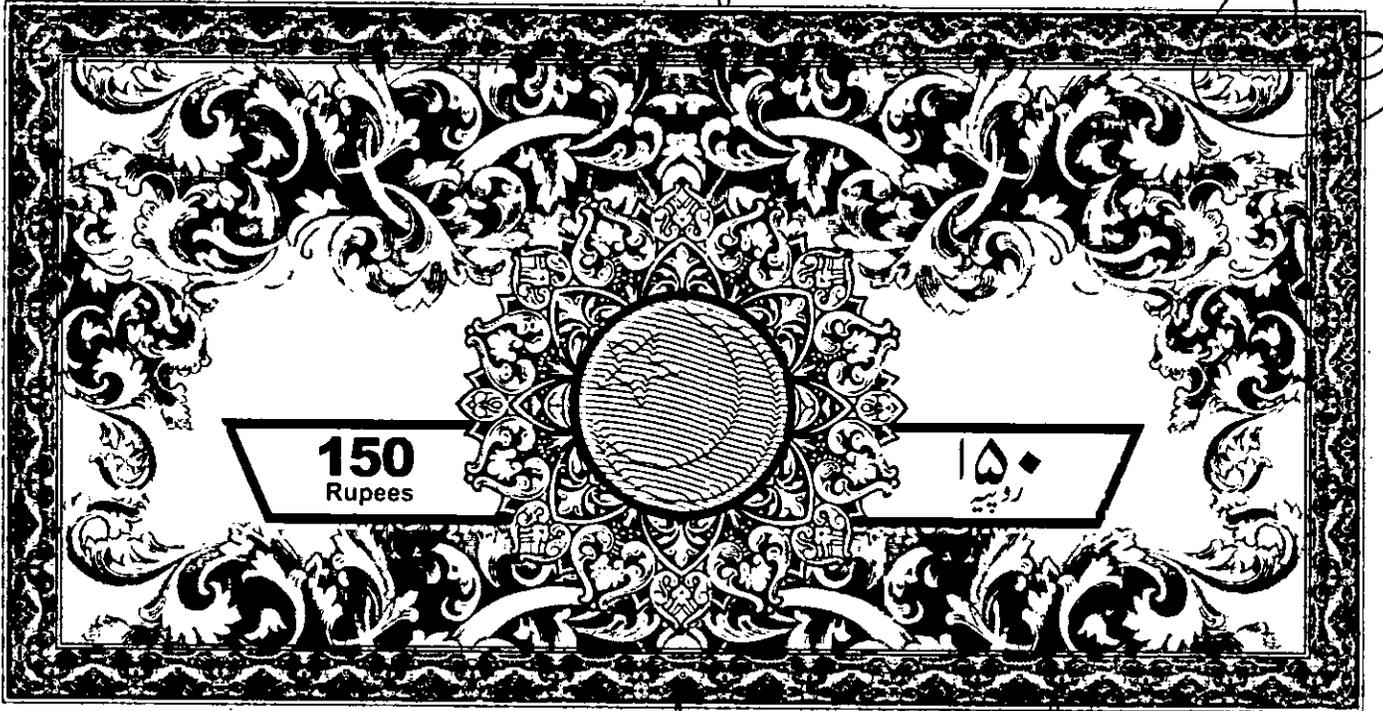
Affidavit



Liaqat Ali 
DEPONENT

date. To come up for preliminary hearing on





Annexure (E)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Execution Petition No: of 2023

Sardar Irshad Ali S/O Ali Afsar, SDEO, Tehsil Lora, District Abbottabad and others.

VERSUS

District Comptroller of Accounts, Abbottabad and others. Respondents

EXECUTION PETITION FOR IMPLEMENTATION OF FINAL JUDGMENT DATED 12/05/2009 PASSED AS "JUDGMENT IN REM" IN APPEAL NO 1276 CF 2007



POWER OF ATTORNEY

NAME & OTHER PARTICULARS OF ATTORNEY

Mr Rashid Iqbal Khan Jadoon Advocate IBC Islamabad. Abbott Law Chamber, Office No 06 Ground Floor, Ayub Tanoli lawyer plaza Abbottabad.

We

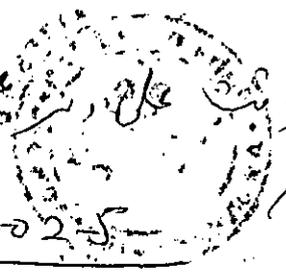
- 1). Sardar Irshad Ali S/O Ali Afsar, SDEC, Tehsil Lora, District Abbottabad.
- 2). Mazhar Khan S/O Jalal Khan PSHT, GFS Gulaga Abbottabad.
- 3). Muhammad Saced S/O Muhammad Suleman, SDM, GHSS Nagri Bala, Abbottabad.

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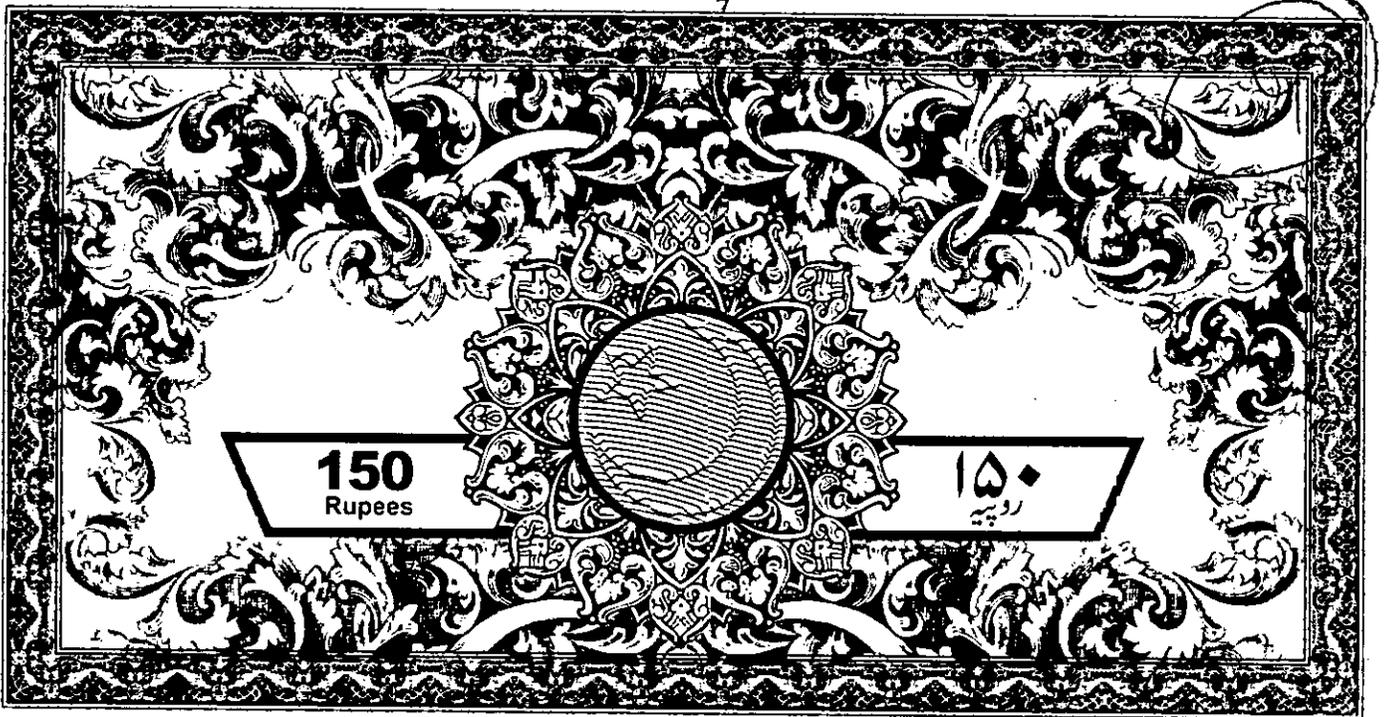


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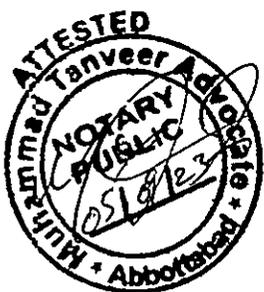
M. [Signature]
M. [Signature]
Stamp Vendor Licence No [Number]
Katichery Abbottabad



- 4). Liaqat Ali S/O Abdur Rashid, ASDEO Circle Nagri Tutial, Tehsil
Losa, District Abbottabad,

We, deponents, do hereby solemnly affirm and declare on oath that we appoint above named (Mr Rashid Iqbal Khan Jadoon Advocate) as attorney, to act on our behalf, to appear, plead for us in the titled case in which the same may be tried or heard and any other proceedings arising out of or connected herewith and he would be competent to exercise all the powers which we our self hold as petitioners, he is authorized all powers, to institute case, to submit any kind of application or reply, argue the case, in short, all powers or authority which we are entitled being petitioners, would be transferred to above named attorney through instant power of attorney.

Sworn at Abbottabad on this 04th day of September, 2023.



1) Sardar Irshad Ali
CNIC No 13101- 0824655-3

2) Mazhar Khan
CNIC No 13101- 3307618-7

3) Muhammad Saeed
CNIC No 13101-0837107-1

4) Liaqat Ali
CNIC No 13101-4028002-5

S.No. 203355

Name of Advocate

DBA NO.

TBA NO.

BC No.

R.s.200/=



وکالت نامہ

42

Ch Muhammad Naseem,
Finance Secretary
District Bar Association
Abbotabad

KP سروس ٹریڈ ہونٹل ایشیا اور

عنوان: سرحدہ ارشاد علی صاحبہ نام KP حکومت

منجانب: PenHolders نوعیت مقدمہ E.P

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوہد ہی برائے پیشی یا تفسیر مقدمہ، بمقام ایسٹ ایشیا اور ٹریڈ ہونٹل کے لیے

نیز ادھر کے ایڈووکیٹ جنرل محمد حاسم صاحب ایڈووکیٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا جائے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بروقت پلٹے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر منظر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی نظیر پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پچھلے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے کسی چھپتے پیشی ہوتے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا جحمت کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی اپیل گمرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ناشی و رائے کا تہہ و فیصلہ بر حلف کرنے اور آفتاب دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از کچہری صدر اپیل و برآمدگی مقدمہ یا سنوئی ڈگری یکطرفہ درخواست جحمت انتہائی باقرنی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب موصوف کو بشرط ادا سگی علیحدہ جتانہ پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کارروائی کے یا بصورت اپیل کسی دوسرے ویل کو واسطے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 2023/9/04

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

نوٹ: وکالت نامہ کی فوٹو کاپی قابل قبول نہ ہوگی

Accepted

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