



13.01.2023

Lawyers are on strike today, therefore, case is adjourned to 24.04.2023 for arguments before the D.B. Office is directed to on the notice board as well as website of the Tribunal.

SCANNED  
KPST  
Peshawar

  
(FAREEHA PAUL)  
Member (E)

  
(ROZINA REHMAN)  
Member (J)

24<sup>th</sup> April, 2023


24<sup>th</sup> April has been declared as public holiday on account of Eid-Ul-Fitr, therefore, the case is adjourned. To come up for the same on 05.07.2023.


  
Reader

5<sup>th</sup> July, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 30.10.2023 before D.B. P.P given to the parties.

SCANNED  
KPST  
Peshawar

  
(Rashida Bano)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

\*Adnan Shah\*

21.11.2022

Appellant alongwith counsel present. Muhammad Adeel Butt learned Additional Advocate General alongwith Daud Jan Superintendent for respondents present.

Both the parties were ready for arguments but for just decision of case production of the service book of the appellant is very much essential, therefore, representative of the respondents is directed to make sure production of relevant record showing the date of birth of the appellant i.e Service Book, Payroll etc. on or before the date fixed. To up for production of record as well as arguments on 20.12.2022 before S.B.

**SCANNED  
KPST  
Peshawar**

(Fareeha Paul)  
Member (E)

(Rozina Rehman)  
Member (J)

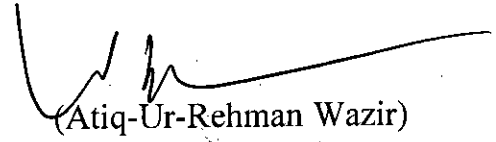
*21-12-22* *case adjourned to 13-12-23* *for the same*  
On the basis of the above, the Bench is directed to  
next day

ROZINA REHMAN  
Member

13.01.2022

Appellant in person present. Mr. Kabirullah Khattak,  
Addl. AG for respondents present.

Reply/comments on behalf respondents are still awaited.  
Learned Additional Advocate General sought time for  
submission of reply/comments. Another last opportunity is  
extended subject to cost of Rs. 5000/- to furnish reply/comments  
on or before next date, failing which their right to submit  
reply/comments shall be deemed as struck off by virtue of this  
order. To come up for arguments before the D.B on 11.05.2022.

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

11-5-22

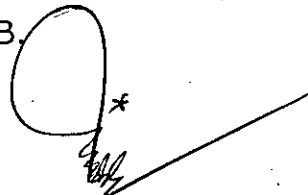
*Proper DB not available the case is  
adjourned on 20-6-22*

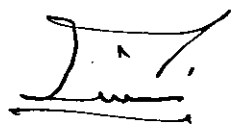
*Rehman*

20.06.2022

Learned counsel for the appellant present. Mr. Muhammad  
Adeel Butt, Additional Advocate General for the respondents  
present.

Reply/comments on behalf of respondents not submitted  
even today, therefore, in light of order sheet dated 13.01.2022,  
the right for submission of reply/comments of respondents is  
struck off. Adjourned. To come up for arguments on 09.09.2022  
before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

9-9-22

*Proper DB not available the case is  
adjourned to 24-11-22*

*Rehman*


06.07.2021

Appellant in person and Mr. Kabirullah Khattak, Addl.AG alongwith Naseeb Khan, S.O for respondents present.

Respondents have not submitted reply/comments. They are required to submit reply/comments within 10 days in office, positively. In case the requisite reply/comments are not submitted within the stipulated time, office shall put up the appeal with a report of non-compliance. To come up for arguments before the D.B on 17.11.2021.

*Stipulated period has passed and reply has not been submitted.*

P.S

  
Chairman

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

  
Chairman

17.11.2021

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply/comments not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Granted but as a last chance. To come up for written reply/comments on 13.01.2022 before S.B.

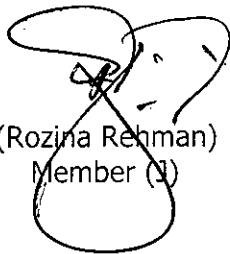
  
(Mian Muhammad)  
Member(E)

10.12.2020

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 08.03.2021 before S.B.

Appellant Deposited  
Security Process Fee >  
11/12/20

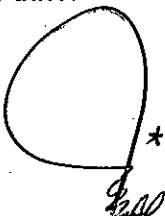
  
(Rozina Rehman)  
Member (J)

08.03.2021

Junior to counsel for the appellant present. Addl: AG alongwith Naseeb Khan, SO for respondents present.

Written reply not submitted. Representative of the respondents seeks time to submit the same on the next date.

Adjourned to 18.05.2021 before S.B.

  
(Mian Muhammad)  
Member (E)

18.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 06.07.2021 for the same as before.

  
Reader

01.06.2020 Learned counsel for the appellant present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for preliminary hearing on 03.08.2020 before S.B.

  
(Mian Muhammad)  
Member

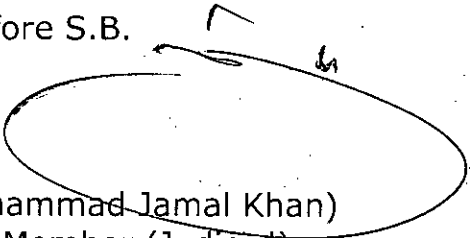
03.08.2020 Mr. Noor Muhammad Khattak, Advocate, for appellant is present and seeking adjournment. Adjourned to 22.10.2020. File to come up for preliminary hearing before S.B.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER

22.10.2020

Appellant is present in person.

Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today, therefore, the case is adjourned to 10.12.2020 on which date to come up for preliminary hearing before S.B.

  
(Muhammad Jamal Khan)  
Member (Judicial)

Form- A

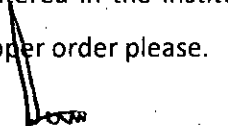
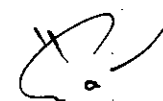
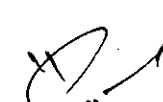
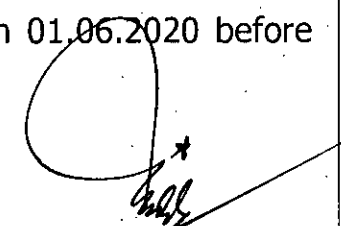
FORM OF ORDER SHEET

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

Case No.-

2057

/2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/03/2020	<p>The appeal of Mr. Muhammad Ali Jan presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06-05-2020</u></p> <p> MEMBER</p>
	06.05.2020	<p>Nemo for the appellant. Adjourn. To come up for preliminary hearing on 13.05.2020 before S.B.</p> <p> Member</p>
	13.05.2020	<p>None for the appellant present. Adjourned. To come up for preliminary hearing on 01.06.2020 before S.B.</p> <p> (Mian Muhammad) Member</p>

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

SERVICE APPEAL NO. 2037/2020

**MUHAMMAD ALI JAN**

**VS**

**SMBR & OTHERS**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1	Memo of appeal	.....	1- 3.
2	Service book	<b>A</b>	4- 12.
3	Retirement order	<b>B</b>	13.
4	Letter dated 24.08.2017	<b>C</b>	14.
5	Pension slip	<b>D</b>	15.
6	Departmental appeal	<b>E</b>	16.
7	Vakalat nama	.....	17.

**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK,**  
**ADVOCATE**

Flat No 4, 2<sup>nd</sup> Floor, Jumma Khan Plaza,  
Near FATA Secretariat, Warsak Road,  
Peshawar.

0345-9383141



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

**APPEAL NO.** 2037 /2020

Mr. Muhammad Ali Jan, Ex- Patwari,  
O/O the Deputy Commissioner, Peshawar.....**APPELLANT**

**VERSUS**

1. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner, Peshawar Division, Peshawar.
3. The Deputy Commissioner, Peshawar.
4. The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
5. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
6. The District Account Officer, Peshawar.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ACTION OF THE RESPONDENT NO.3 BY MODIFYING/~~CHANGING~~ THE DATE OF RETIREMENT OF APPELLANT AS 23.02.2015 AND AGAINST THE IMPUGNED RECOVERY OF RS. 6,45,896/- FROM THE PENSION OF APPELLANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this appeal the retirement order dated 23.02.2015 may very kindly be corrected as 18.09.2016 and the recovered amount of Rs. 6,45,896/- may also return to the appellant with all other benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That appellant was initially inducted in the respondent Department vide dated 01.04.1990 and since from appointment the appellant had served the Department quite efficiently and upto the entire satisfaction of his superiors. Copy of the service book is attached as annexure.....**A.**
- 2- That the appellant had the unblemished service record and no complaint had whatsoever been received to the high ups during the entire service of the appellant.

3- That the appellant had got retired from the Government service on superannuation basis (60 years) w.e.f. 18.09.2016 vide order dated 19.09.2016 according to the entry of date of birth in the service book and CNIC i.e. 19.09.1956. Copy of the retirement order is attached as annexure.....**B.**

4- That after retirement the appellant submitted his documents related to his service before the concerned authority for issuing/granting of his pension and the same has been released/issued to the appellant from the date of his retirement.

5- That on 24.08.2017 a letter was issued to the drawing and disbursing authority from the office of Accountant General, Khyber Pakhtunkhwa whereby recovery of Rs. 3,95,257/- had been recovered from the appellant and the remaining recovery of Rs. 2,50,528/- was ordered from the monthly pension of appellant and the same has been recovered from the appellant by rectifying/changing the retirement order of appellant as 23.02.2015 in the pension slip dated 05.10.2017. Copies of the letter and pension slip attached as annexure.....**C & D.**

6- That appellant feeling aggrieved preferred Departmental appeal before the appellate authority but no reply has been received so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....**E.**

### **GROUND:**

A- That the action of the respondent Department by modifying/changing the retirement date of the appellant from 18.09.2016 to 23.02.2015 is against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.

B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.

C- That the respondents acted in arbitrary and malafide manner while modifying/changing the date of retirement of the appellant which is not tenable and liable to be corrected as 18.09.2016.

D- That according to the date of birth of appellant the retirement order dated 18.09.2016 is correct and in accordance with law and rules, therefore, modification/changing in the retirement date is unlawful.

E- That the respondent Department recovered amount of Rs. 6,45,896/- of the period between 23.02.2015 to 18.09.2016 for which the appellant has served the respondent Department, therefore the same is against the Article-11 of Constitution Islamic Republic of Pakistan, 1973.

F- That the respondent Department ~~modified~~/changed the date of retirement of appellant without any clear justification, hence the same is liable to be corrected as 18.09.2016.

G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 17.03.2020

APPELLANT

  
MUHAMMAD ALI JAN

THROUGH:

  
NOOR MOHAMMAD KHATTAK

&

  
MIR ZAMAN SAFI  
ADVOCATE

(For use in Police Department only).

A-4

Heirs,

- 1.
- 2.
- 3.

Verification Roll No.      dated      received back

\_\_\_\_\_

Left thumb-impresion.

Qualification	Date	Qualifications	Date
English	Passed Pattern J-Exam in 1974	First Arts	Matric
Pashtu		B. L. or B. A.	
Urdu	For District Officer Revenue & Estate Possess.	Pleadership examination	
Plan-drawing		Training School Final examination	
Finger print		Other qualifications	
Drill instructing			
Court duties			
Reserve duties			

N. B.—Line to be drawn under the qualification possessed.

Note:—The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

81

1. Name *Mr. Muhammad Ali Tan.*

2. Race *Muslim*

3. Residence *Haji Abdul Malik  
P. O. & Vill. Hajar Khari Teh. Dist. Perhampis*


4. Father's name and residence *Haji Abdul Malik.*



5. Date of birth by Christian era as nearly as can be ascertained *(19th September Nineteen Fifty Six)  
19. 9. 1956*

6. Exact height by measurement *5-6*

7. Personal marks for identification *A large healed scar on front of left side chest.*

8. Left hand thumb and Finger impression of (non-gazetted) officer

Little Finger.  Ring Finger 

Middle Finger.  Fore-Finger 

Thumb. 

9. Signature of Government servant. *M.A.T.*

*M.A.T.* Assistant Registrar

10. Signature and designation of the Head of the Office, or other Attesting Officer.

Political Agent,  
Bajaur Agency  
Peshawar.

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating: (i) substantive appointment, or (ii) whether service Council for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Government servant
BPS. 700-25-1200.							
Mr. Muhammad Ali Jan							
Patwari Irrigation	Temp.		700/-			14/1990	<i>M.A.J.</i>
—//—	—//—		725/-			12/1990	
B-5 (1035-49-1770)							
Patwari			1182/-			6/1991	<i>M.A.J.</i>
—//—			1231/-	750/-		12/1991	<i>M.A.J.</i>
—//—			1231/-	750/-		29/1992	<i>M.A.J.</i>
<p>Two Cuttings attached</p> <p>Political Agent Bajaur Agency at Khan</p> <p>Patwari Muhammad Ali Jan office of the Political Agent Bajaur is hereby withdrawn and posted in the office of Collector Land Acquisition (PDA) Pesh. vide order No. 461-66/ADG/18-1-92</p> <p>For District Officer Revenue &amp; Estate Peshawar</p>							

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
BPS-5 (1035-42-1770)			1220/-			1-12-93	M
Pachawan							M
							M
							M
			1329/-			1-12-93	M
							M
			1329/-			31-5-94	M
BPS-5 (1400-66-2390)			1796/-			1-6-94	M
							M
							M
			1862/-			1-2-94	M

Sanction to the P.A. in rank of J.A. for four years nine months and twenty six days is hereby accorded vide Commissioner Pesh. Division Pesh. order No. 5710/R dated 30-05-1990.

*[Signature]*

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Name and duration of leave taken	Allocation of period of leave on average, pay to, for months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
Annual increment						Service verified from 1st pay Bill and other records w-e-f 28-2-92 to 31-12-92	
Annual increment						Service verified from 1st pay Bill and other records w-e-f 1-1-93 to 31-12-93	
Revision in Basic Pay Scale						Revision in Basic Pay Scale vide Govt PD letter No. PD(PRC) 1-1/94 dt 30-6-94 pay fixed Rs=1796/-PA.	
Annual increment						Service verified from 1st pay Bill and other records w-e-f 1-1-94 to 31-12-94	

Signature  
Sd/-  
[Signature]  
Sd/-  
[Signature]

Sd/-  
[Signature]  
Sd/-  
[Signature]

Sd/-  
[Signature]  
Sd/-  
[Signature]

Sd/-  
[Signature]  
Sd/-  
[Signature]

Sd/-  
[Signature]  
Sd/-  
[Signature]

Sd/-  
[Signature]  
Sd/-  
[Signature]





9	10	11	12	13	14	15	
Signature and designation of the officer or other attending officer in attestation columns 1 to 8.	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay up to four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
Annual Increment					Service verified from the pay Bill and other record 10-C-A 1-1-95 to 31-12-95		
Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.						Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.	
Annual Increment					Service verified from the pay Bill and other record 10-C-A 1-1-96 to 31-12-96		
Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.						Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.	
Annual Increment					Service verified from the pay Bill and other record 10-C-A 1-1-97 to 31-12-97		
Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.						Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.	
Transferred to FSSA Khel Handwritten order No. 305-10/DK dt 26.2.98					Service verified from the pay Bill and other record 10-C-A 1-1-98 to 31-3-98		
Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.						Budget & Accounts Officer Provincial Urban Dev. Board NWFP, Peshawar.	

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature Government
(B-5) Patwari Halga (1400-66-2390)	22g Temporary		2060/-			1/4/98	MS
-----	-----	-----	2126/-	-----	-----	1/12/1998	MS
-----	-----	-----	2192/-	-----	-----	1/12/1999	MS
-----	-----	-----	2258/-	-----	-----	1/12/2000	MS
Patwari (B-5) (2100-100-5100)	-----	-----	2324/-	(E-5)	-----	1/12/2001	MS
-----	-----	-----	3500/-	(E-5)	-----	-----	-----
-----	-----	-----	3600/-	-----	-----	1/12/2002	MS
-----	-----	-----	3700/-	-----	-----	1/12/2003	MS
-----	-----	-----	3800/-	-----	-----	01/12/2004	MS

Signature and position of the officer or other person attending to columns 1 to 5	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Allocation of period of leave on average pay to four months for which the head of the office or other attending officer debatable to another Government	Signature of the head of the office or other attending officer	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2005	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2004	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2003	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2002	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2001	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/2000	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1999	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.
J.D. O'Rourke Paymaster	30/11/1998	Government	J.D. O'Rourke	Government	J.D. O'Rourke	Reference to any recorded punishment or censure, or award or gratuity of the Government Servant.

9

10

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signal Cover serv
(B5) Patwari (2415-115-5865)	Substt. Permanent	/	4370/-	-	-	17 2005	MS
" "	" "	/	4485/-	-	-	12 2005	MS
<p>Office of the Deputy Commissioner N. W. F. S. ...</p> <p>Pay fixed in the revised basic pay scale 1994 of Rs: ...</p> <p>at Rs: ... P.M. W.E.F. 1-12-1994 with next increment on 1-12-1994</p>	/	/	/	/	/	/	/
/	/	/	/	/	/	/	/
/	/	/	/	/	/	/	/
/	/	/	/	/	/	/	/
/	/	/	/	/	/	/	/
/	/	/	/	/	/	/	/
Patwari (B5) (2415-115-5865)	/	/	4600/-	/	/	1-12-2006	MS

Transfer order from  
Patwari to Sub-divisional  
may be accepted  
only on 30/9/05  
with next increment on 1-12-1994

① Appointed on 01-04-1990, so no need of F.A Certificate  
② Passed Patwari Training in 1974. More over transfer  
order from Drr: recorded on P-4. 30/9/05



9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
				Period	Government to which debitable	Service description from	
for D.O. R&E Peshawar.	30.11	Promotion		OFFICE OF THE PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	2005	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	
for D.O. R&E Peshawar.	12.01	Promotion	for D.O. R&E Peshawar	PAY FIXER PAY SCALES 2	2004 1-1-2006 to	31-12-2010 from office records & pay bills etc.	

Office of the Accountant General  
N. W. F. Peshawar  
Pay Fixer in the ... pay scale 1996  
of Rs. 2100-1600-5100  
3500  
with effect from 1-12-1996

Office of the Accountant General  
N. W. F. Peshawar  
Pay Fixer in the ... pay scale 1996  
of Rs. 1025-485-1770  
1182  
with effect from 1-12-1996

(1904)  
Office of the Accountant General  
N. W. F. Peshawar  
Pay Fixer in the ... pay scale 1996  
of Rs. 1400-66-2350  
1796  
with effect from 1-12-1996

E. D. O.  
For Distt. Office  
N. W. F. Peshawar.

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under "Pay"	Date of appointment	Signature of Government servant
Patwari (BPS-D) (2780-135-6330)				5345/-		1 <sup>7</sup> / <sub>2007</sub>	Mud
do -				5480/-		1 <sup>12</sup> / <sub>2007</sub>	Mud
Patwari (BPS-05) (3340-160-8140) do -				6540/-		1 <sup>07</sup> / <sub>2008</sub>	Mud
do -				6700/-		1 <sup>12</sup> / <sub>2008</sub>	Mud
do -				6860/-		1 <sup>12</sup> / <sub>2009</sub>	Mud
do -				7020/-		1 <sup>12</sup> / <sub>2010</sub>	Mud
Patwari BPS-05 (P. 5000-260-13200)			5	R. 11880/-		01 <sup>07</sup> / <sub>2011</sub>	Mud
do -			4670/05	R. 11640/-		01 <sup>12</sup> / <sub>2011</sub>	Mud
Patwari (BPS-09) (6200-350-17600)			6540/-	R. 11900/-		1 <sup>12</sup> / <sub>2011</sub>	Mud
do -				R. 12280/-		1 <sup>12</sup> / <sub>2012</sub>	Mud

OFFICE OF THE ACCOUNTANT GENERAL  
HYDERABAD  
PAY FIXED IN THE R.P.S. 2005

OF P.S. 2415  
ET P.S. 4320  
With Next Increment

15-5815  
1-07-2005  
1-12-2005

Accounts Officer  
Fixation Party K Panna (M.P.)  
Bhopal



9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
D. D. O. For Distt. Officer R & E Peshawar							
D. D. O. For Distt. Officer R & E Peshawar						General Peshawar Pay Scales	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	
D. D. O. For Distt. Officer R & E Peshawar				Pay Fixed @ Rs. 5347	Rs. 27000	07-2007	

Accounts Office  
Pay Fixation Peshawar

Service verified from 01-01-2011  
To 30-11-2011 from the office copies  
of pay bills and other record.

District Officer R & E  
Peshawar.

Pay Revised

D. D. O.  
For Distt. Officer  
R & E Peshawar.

Rs. 230871 - Less unpaid dtd. in 19/12

District Officer  
Revenue & Estate Peshawar.

drawn Rs. 100/-  
19/12

g amount 2285/12

20/12

Post up Granted p- (CBP-05) to CBP-09

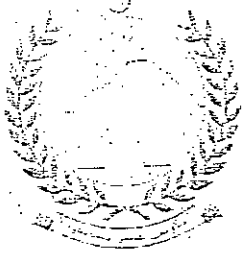
v. BOR & E no, DLR-12-A-R4R/2947

19/12



1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
(Patwari BPS-09) 6200-390-17600			Rs. 12669/-			1 <sup>12</sup> / <sub>2013</sub>	Murti
-do-			Rs. 13040/-			1 <sup>12</sup> / <sub>2014</sub>	Murti
Pay Revised July 2015 (BPS-09)							
(B. 8015-495-23885)			Rs. 16925/-			1 <sup>7</sup> / <sub>2015</sub>	Murti
-do-			Rs. 17420/-			1 <sup>12</sup> / <sub>2015</sub>	Murti
Pay Revised July 2016)							
(9860-610-28160)			Rs. 21450/-			1 <sup>7</sup> / <sub>2016</sub>	Murti
					Assistant Inspector	Shawal M	

9	10	11	12	13		14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government Period Government to which debitable		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
					TR # 94-104 dt: 15/8/14			Drawn Rs. 25165/- on a/c of award of patwar. dt. 15/8/14
Assistant Commissioner Peshawar.					Stat: all way 7/1/2014 to 31/7/14			did to medical leave vide order no FD/OSL-5/8-30/2013 dt: 7/1/2014
					15/8/14			
Assistant Commissioner Peshawar.					15/8/14			
					10-6-15			
Assistant Commissioner Peshawar.					10-6-15			
			Retirement order		16/6/15			Mr. Muhammad Ali Jan Patwar Retired for service w.e.f. 18/9/2016 V.D. No. 1770210. dt. 19/9/2016 + Service verified w.e.f. 14/1/1990 to 12/1/2016 for the purpose of pension etc.
Assistant Commissioner Peshawar.								



OFFICE OF THE  
DEPUTY COMMISSIONER  
PESHAWAR

Dated Pesh. the 19/9/2016

OFFICE ORDER:

No. 17902 /DC(P)EA.

On attaining the age of Superannuation, Mr. Muhammad Ali Jan S/O Haji Abdul Malik, Patwari (BPS-09), shall stand retired from service with effect from 18/09/2016 (A.N). His date of birth is 19/09/1956.

Sanction is also accorded to the grant of encashment of 365-days pay in lieu of LPR as admissible vide Finance Department, Govt. of Khyber Pakhtunkhwa Notification No.SO(FR)FD5-92/2005/Vol-V dated 13/12/2012 under Rule 20 sub-rule(1) of the Khyber Pakhtunkhwa, Government Servant, Revised leave Rules 1981(Amended-2012).

Deputy Commissioner  
Peshawar

Encl. No.

17903-08

/DC(P)EA

Copy forwarded to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Additional Deputy Commissioner, Peshawar.
3. Accounts Officer of this office for further necessary action.
4. District Kanungo, Peshawar.
5. Tehsildar Peshawar with the direction to hand over the charge of the post to be vacated on retirement of the above noted official to the adjacent Halqa Patwari.
6. Mr. Muhammad Ali Jan, Patwari (BPS-09) of this office for information w/r to his application dated 02/09/2016.

Deputy Commissioner  
Peshawar

OFFICE OF THE  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
PESHAWAR.

No. PN- SEAL COMMIT AUTH M-31/2015-17

Dated

C-14  
24/8/17

To  
The Drawing & Disbursing Officer,  
ASSISTANT COMMISSIONAR  
PESHAWAR.

*Supervisor*

Sub:- PENSION PAYMENT AUTHORITY IN R/O  
MR. MUHAMMAD ALI JAN EX-PATWARI

Please refer to your letter No. 19009/DC(P)/EA  
Dated 08.11.2016 forwarding there in pension case in respect  
of above named officer / official.

2. You are hereby authorized to submit a bill for Rs. 395257.00  
(Rupees: THREE HUNDRED NINETY-FIVE THOUSAND TWO HUNDRED FIFTY-SEVEN)  
at the counter of this office for issuance of cross cheque in favour  
of Mr. Mrs. Miss. Mst. MR. MUHAMMAD ALI JAN EX-PATWARI  
GG045012 )  
NIC.No 1730115572277 on account of Commutation of pension.

*20/8*

(Per.No :

*EA*  
*Director*  
*Accounts*

4344

Bank Name : UNITED BANK LIMITED  
A/c No : 129010032817

3. The amount involved in charged / other than charged  
and debit to the Federal Govt. under the following head  
of accounts:-

- |                               |                                     |
|-------------------------------|-------------------------------------|
| 01 - General Administration.  | A04 - Transfer payment.             |
| 0112 - Fiscal administration. | A041 - Pensionary benefits.         |
| 011210 - Pension.             | A04102 - Commuted value of pension. |
|                               | A04103 - Gratuity value of pension. |

<u>Withheld amount</u>	
Amount Payable:	395,257.00
Amount With Held:	0.00
Amount Paid:	395,257.00

Recoveries RS. 375257/- OF PAY & ALLOWANCES MAY BE RECOVERED U/S C02103.

→ Pending recovery of Rs. 25000/- will be made from his monthly Pension fund.

Note:- This authority letter may please be attached with the bill in original  
along with the Office order/notification of retirement. Vendor No, Name of Bank  
and A/c No of payee may also be recorded on the bill.

Remarks:-

ACCOUNTS OFFICER (PENSION)

Copy for information to :-  
Mr. Mrs. Mst. Miss. MR. MUHAMMAD ALI JAN EX-PATWARI  
DISTRICT PESHAWAR.

*Signature*  
*24/8/17*

ACCOUNTS OFFICER (PENSION)

Office of the District Commissioner,  
PESHAWAR.

Date: 25/8/17  
25/8/17

14

D (15)

Date of Issue : 05.10.2017  
 PPO Type : FRESH  
 PPO No. : 00045012-01  
 Pension ID : 00045012  
 Pension Register No:  
 Pensioner's Name : MUHAMMAD ALI JAN  
 Father / Husband name : HAJI ABDUL MALIK  
 Designation : PATWARI  
 NIC No. : 1375621474550  
 Grade / Scale : 09  
 Department/Min: DEPUTY COMMISSIONER PESHAWAR  
 Pensioner's Type: SELF  
 Pension Type: SUPERANNUATION  
 Date of Birth : 25.02.1955  
 Date of appointment: 01.04.1990  
 Date of retirement: 23.02.2015  
 Date of Death:  
 Date of commencement : 23.02.2015  
 Date of Restoration :  
 Accounts office ID : PW  
 Accounts office Name : AG KP Peshawar  
 Federal / Province : Khyber-Pakhtunkhwa  
 Length of Qualifying Service : 24 years, 10 months, 22 days  
 Old PPO Number :  
 No. and Date of sanction of pension / Letter No. :  
 and the date of the other Audit and Accounts officer authorising  
 the Pension/Gratuity/Commutation  
 Permanent Address:

Note: RS. 625785/- OF PAY & ALLOWANCES MAY BE RECOVERED U/H C02103.  
 Age : 60 years  
 Last Drawn pay/Emoluments(Rs.): 12660.00  
 Gross Pension(Rs.) : 7606.67  
 1/4th Surrendered Portion (Rs.) :  
 Commuted Portion (Rs.) : 2662.33  
 Net Pension (Rs.) : 4944.34  
 Net Family Pension (Rs.) : 0.00  
 Amount of Commutation(Rs.) : 395257.00  
 With Held Amount (Rs.) : 0.00  
 Life Time Arrears (Rs.) : 0.00  
 Arrears Of Pension (Rs.) : 0.00  
 Special Additional Pension (Rs.) : 0.00  
 Commutation Percentage : 35.00  
 Commutation Table value : 12.37  
 Recovery on A/C of  
 Debitable to Govt : Khyber Pakhtunkhwa  
 Total Net Share  
 Federal : 0.00 Punjab : 0.00  
 Sindh : 0.00 NWFP : 0.00  
 Balochistan : 0.00 Military : 0.00  
 A.J.K : 0.00 Autonomous : 0.00

He/She is also entitled to the following increases

Sr. No.	Period	Increase % or amount	Increase Amount	W.E.F.
1	JUL.2010	15.00%	741.85	23.02.2015
2	JUL.2011	15.00%	852.90	23.02.2015
3	JUL.2012	20.00%	1307.78	23.02.2015
4	JUL.2013	15.00%	1177.00	23.02.2015
5	JUL.2014	10.00%	902.37	23.02.2015
6	JUL.2015	10.00%	992.60	23.02.2015
7	JUL.2016	10.00%	1091.86	01.07.2016
8	JUL.2017	10.00%	1201.05	01.07.2017
9	0.	Rs. 0.00	0.00	
10				
11				
12				
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14				
15				
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17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				

PENSION SLIP

Month: September  
 Year: 2017

Pension roll details

Wage Type	Wage Type-Text	Amount
7539	Payment	159827.00
0100	Monthly Pension - Self	4944.00
0101	Pension Increases - Self	8267.00
1599	Medical Allow - Pensioner	1421.00
1600	Med. All. 2015 Pensioner	355.00
3950	Recovery: Pension Self	250328.00-
5901	Arrears of Pension	395368.00

Bank Details

Bank Account Number : 100-3281-7  
 Bank Branch : BAZAR KALAN  
 BAZAR KALAN  
 Payment Mode : UNITED BANK LIMITED

**SUPERINTENDENT**  
 Deputy Commissioner Office  
 Peshawar.

No. 1119

For insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgement is due

Rs. Ps.

Received a registered\*  
addressed to

Date Stamp

Write here "letter", "postcard", "packet" or "parcel"

Initials of Receiving Officer

with the word "insured" before it when necessary.

If insured.

Insured for Rs. (in figures)

(in words)

Insurance fee Rs.

Ps.

(in words)

Weight

Kilo

Grams

Name and  
address  
of sender

To

E-16

The Worthy Commissioner,  
Peshawar Division, Peshawar.

Subject: **DEPARTMENTAL APPEAL AGAINST THE ACTION OF THE DEPUTY COMMISSIONER, PESHAWAR BY MODIFYING/CHANGING THE DATE OF RETIREMENT OF THE APPELLANT AS 23.02.2015 AND AGAINST THE IMPUGNED RECOVERY OF RS. 6,45,896/- FROM PENSION OF THE APPELLANT.**

Respected Sir,

- 1- That appellant was employee of the Revenue Department and was serving as Patwari (BPS-9). That appellant has served the Revenue Department for more than 25 years quite efficiently and up to the entire satisfaction of his superiors.
- 2- That the appellant has got retired from the Government service on superannuation basis (60 years) w.e.f 18.09.2016 vide order dated 19.09.2016 according to the entry of date of birth in the service book and CNIC i.e. 19.09.1956.
- 3- That after retirement the appellant submitted his documents related to his service and other related documents before the concerned authority for issuing/granting of his pension and the same has been released/issued to the appellant.
- 4- That on 05.10.2017 the concerned authority has issued pension slip that date of birth of the appellant has been mentioned as 23.02.1955 and on that ground the date of retirement from service mentioned as 23.02.2015 while in the service book the correct date of retirement has been entered by the authorities as 18.09.2016.
- 5- That the concerned authority also recovered Rupees 3,75,257/- and 2,50,528/- total amount of Rs. 6,45,896/- from the pension of appellant on the reason the above mentioned reason which is against the law and rules.
- 6- That it is pertinent to mention that the appellant has performed his duty till 18.09.2016 and for the such period the appellant was received his salaries during the aforementioned period but later on the concerned authority recovered the said salaries from the appellant.
- 7- That the appellant has served the Revenue Department from 01.04.1990 with all zeal and zest and as such the appellant has got retired according to his date of birth is mentioned in service book as 19.09.1956 and the same also mentioned in the CNIC of appellant. That the appellant feeling aggrieved from the action of concerned authority by modifying the date of retirement

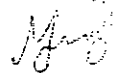
16/A

as 23.02.2015 and recovery of rupees 6,45,896/- preferred this departmental appeal before your good self

Therefore, on acceptance of this departmental appeal the action of the Deputy Commissioner, Peshawar by mentioning the retirement date of the appellant as 23.02.2015 instead of 18.09.2016 and against the impugned recovery of Rs. 6,45,896/- from Pension of the appellant may be set aside and refund the said amount which has been recovered from the pension of appellant i.e. 6,45,896/. Any other remedy which your good self deems fit may also be awarded in my favor.

Date: 19.11.2019.

Your's Sincerely



MUHAMMAD ALI JAN  
Ex- Patwari, (BPS-9),  
D.C Office, Peshawar



**VAKALATNAMA**

Before the KP Service Tribunal, Peshawar

\_\_\_\_\_ OF 2020

Muhammad Ali Jan

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

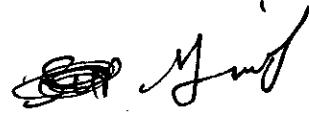
SMBR & Others

(RESPONDENT)  
(DEFENDANT)

I/We Muhammad Ali Jan

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2020



**CLIENT**

  
**ACCEPTED**

**NOOR MOHAMMAD KHATTAK**

**SHAHZULLAH YOUSAFZAI**

  
**MIR ZAMAN SAFI**

**&  
AFRASIYAB KHAN  
ADVOCATES**

**OFFICE:**

Flat No.3, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.

Phone: 091-2211391

Mobile No. **0345-9383141**