


FORM OF ORDERSHEET

Court of _____

Case No. 1864/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	14.09.2023	<p>As per direction of the Worthy Chairman the present appeal is fixed for decision on office objections before touring Single Bench at D.I.Khan on</p> <p style="text-align: right;"> REGISTRAR</p>

The appeal of Mr. Neelam Saba d/o Hafiz Amanullah r/o Mubaliah Hafiz Marah Khan City D.I.Khan received today i.e. on 26.04.2023 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Annexures of the appeal are not attested.
- 3- Copy of enquiry report mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 4- Copies of departmental appeal, previous service appeal and court order mentioned in para-5 of the memo of appeal are not attached with the appeal.

No. 1326 /S.T.

Dt. 5/5 /2023.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Mohsin Ali Adv.
High Court D.I.Khan.

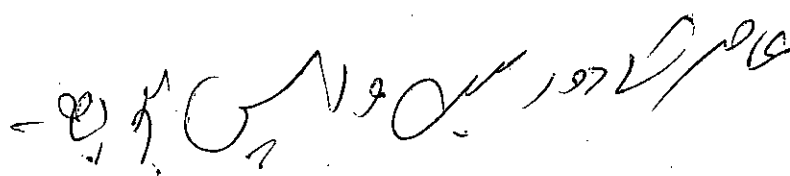
Respected Sir,

Resubmitted after removing the objections no. 1 & 2. However, for disposal of instant appeal the copies of enquiry report and copies of previous departmental appeal, service appeal and court order are not necessary.

It is requested that the instant appeal may kindly be fixed before Honourable Tribunal.


M. Mohsin Ali
ASC,

Disinid Bar, D.I.Khan



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 1864 /2023

Neelam Saba

.....APPELLANT

VERSUS

Govt. of KPK and others

.....RESPONDENTS

INDEX

S #	Description of Documents	Annexure	Page #
1	Grounds of appeal	-----	1-7
2	Copy of Appointment Order along with Advertisement & Educational Certificates	A	8-19
3	Copy of Inquiry etc	B	20-21
4	Copy of List of Illegal Appointees "PET"	C	22-23
5	Copy of W.P No. 702-D/2015 along with Judgment & other documents	D	24-30
6	Copy of Departmental Appeal	E	31-32
7	Vakalatnama	-----	33

Dated:

Humble Appellant

Neelam Saba

Neelam Saba

Through Counsel

Muhammad Mohsin Ali

Muhammad Mohsin Ali
Advocate Supreme Court,
District Courts, D.I.Khan.

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 1864 /2023

Neelam Saba daughter of Hafiz Amanullah resident of MUhallah Hafiz Meran Khan, City Dera Ismail Khan.

.....APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Education Govt. of K.P.K, Peshawar.
2. Secretary Elementary & Secondary Education Govt. of K.P.K, Peshawar.
3. Director Education (Elementary & Secondary), Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female), Dera Ismail Khan.
5. Deputy Commissioner, Dera Ismail Khan.
6. District Account officer, Dera Ismail Khan.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNALS ACT, 1974 TO DECLARE THE TERMINATION ORDER OF APPELLANT FROM SERVICE AS ILLEGAL, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION, VOID AB INITIO AND INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT AND IS LIABLE TO BE SET ASIDE/QUASHED AND MAY KINDLY BE DIRECTED THE RESPONDENTS TO REINSTATE THE APPELLANT AGAINST THE SUBJECT POST.

Respectfully sheweth;

1. That the brief facts of the case are that, in the year 2007, the then EDO (School & Literacy) Dera Ismail Khan invited the applications for recruitment of different categories of the teachers in Dera Ismail Khan through Daily Mashriq.
2. That being qualified candidate, the present appellant also applied for the post "PET", and appeared in the Interview for the said post. That the process of recruitment was completed, and the appellant was appointed against the said vacant post vide appointment order No. 21224-28 dated 01-02-2007. Copy of Appointment Order along with Advertisement & Educational Certificates is enclosed as **Mark-A.**
3. That later-on, on the basis of political victimization the standing committee 26, Provincial Assembly in the year 2009 conducted inquiry against the appointments made in the year 2007 in education department Dera Ismail Khan. The committee also made some recommendation to education department for termination of Illegal appointments. Copy of Inquiry Report is enclosed as **Mark-B.**
4. That the District Education officer Dera Ismail Khan on the instruction of government issued the termination order of

1613 irregular appointees. Therefore, the appellant was also terminated without any notice; moreover, no list of irregular appointees was given by respondents to the appellant. Many persons approached to the service tribunal for redressal of their grievance along with other affectees, but respondents promised that their grievance would be redressed as the appellant was appointed with due process and the name of the appellant was not mentioned in the said list. Copy of list is enclosed as **Mark-C**.

5. That being aggrieved, the present appellant filed the writ petition No. 702-D/2015 before Honourable Peshawar High Court Dera Ismail Khan and vide judgment dated 07-02-2018 the writ petition was dismissed being not maintainable on the ground that the appellant was a civil servant. Therefore, the present appellant filed the Departmental Appeal on 02-04-2018 through registered post along with AD Card to Director Education, KPK, Peshawar but the same was not decided by the authority. After that the appellant filed the service appeal before this Honourable Tribunal and at the time of arguments, the representative of DEO (Female) D.I.Khan produced another list of illegal appointees of PET post, wherein the name of appellant was also included, and in the change circumstances, the appeal of the appellant was become infructuous, thereafter, the appellant filed the Departmental appeal on 21/12/2022 but

the same was not decided by authority; hence the appellant filling the instant appeal on the following grounds; (Copies of W.P. alongwith judgment & documents and Departmental Appeal are enclosed as **Mark-D & E** respectively.);

GROUNDS:

1. That the act of the respondents is illegal, against the natural justice, ulterior motives, based on malafide and ineffective upon the rights of the appellant.
2. That the interviews of candidates of different categories of teachers had been conducted in accordance with the policy and merit list was also prepared and, thereafter, the appellant was appointed with due process. It is also very much clear that the appointment of the appellant was not irregular, as the name of the appellant was not mentioned in the said list but later-on the respondents included the name of the appellant malafidly. But the respondents illegally and without any reason terminated the appellant.
3. That the standing committee conducted the inquiry against the irregular appointments in education department Dera Ismail Khan, and the recommendation was made to terminate those appointees who were appointed irregularly, but the respondents terminated all those appointees who were appointed during that period. Thus the act of the respondents

while terminate the appellant is illegal, as the appointment of the appellant was made through due process.

- 4. That the appellant was eligible candidate for the appointment against the subject post and qualified in the recruitment process, but the respondents clearly ignored the same and terminated the appellant along with all irregular appointees.
- 5. That the appellant is the victim of unlawful and illegal act of the respondents and such a malafide act on the part of respondents is against the law and rules, without jurisdiction and lawful authority, against the natural justice, misuse of official powers and is the outcome of victimization known by the respondents and it has caused an immense mental torture and agony to the appellant.
- 6. That the counsel for the appellant may kindly be allowed to raise the additional grounds at the time of arguments.
- 7. That the appeal is being filed within the statutory period prescribed in section 4 of The KPK Service Tribunals Act, 1974.

It is, therefore, prayed that on acceptance of this appeal this court may be pleased to pass orders as prayed for in the heading of this appeal.

Dated:

Humble Appellant

Neelam Saba



Through Counsel



Muhammad Mohsin Ali
Advocate Supreme Court,
District Courts, D.I.Khan.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2023

Neelam Saba

.....APPELLANT

VERSUS

Govt. of KPK and others

.....RESPONDENTS

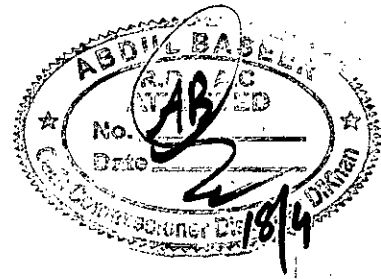
AFFIDAVIT

I, the appellant, do hereby solemnly affirm and declare on oath that all the para-wise contents of the appeal are true and correct to the best of my knowledge and belief; and that nothing has been deliberately concealed or kept secret from this Honourable Court.

Identified by Counsel

Neelamsaba

Deponent



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2023

Neelam SabaAPPELLANT

VERSUS

Govt. of KPK and othersRESPONDENTS

ADDRESSES OF THE PARTIES

Neelam Saba daughter of Hafiz Amanullah resident of MUhallah Hafiz Meran Khan, City Dera Ismail Khan.

.....APPELLANT

-
1. Government of Khyber Pakhtunkhwa through Secretary Education Govt. of K.P.K, Peshawar.
 2. Secretary Elementary & Secondary Education Govt. of K.P.K, Peshawar.
 3. Director Education (Elementary & Secondary), Khyber Pakhtunkhwa, Peshawar.
 4. District Education Officer (Female), Dera Ismail Khan.
 5. Deputy Commissioner, Dera Ismail Khan.
 6. District Account officer, Dera Ismail Khan.

.....RESPONDENTS

Dated:

Humble Appellant

Neelam Saba *Neelam Saba*

Through Counsel

[Signature]

Muhammad Mohsin Ali
Advocate Supreme Court,
District Courts, D.I.Khan.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (SCHOOLS & LIT.)
D.I.KHAN.

APPOINTMENT ORDER:

Consequent upon the approval of Selection Committee, the following Fresh (Female) hereby appointed against vacant post of PET the school noted against their name in BPS 09 plus usual allowances being a qualified, fresh candidate as per existing policy in the interest of public service w.e. from the date of taking over charge on the following terms and conditions.

S.No.	Name of Candidate with Father's Name	School Where Posted
01	Neelam Saba D/O Hafiz Amanullah R/O DIKhan	GGMS Saggi

TERMS & CONDITIONS:

1. Charge report should be submitted to all concerned.
2. No Pensioner benefit will be available.
3. The services of the above named candidate is made purely on temporary basis & liable to terminate at any time without assigning any notice/ reasons.
4. The candidate will produce Health & Age Certificate from the M/S concerned.
5. The original documents may be checked/ verified by concerned Board/ University through DDO concerned before handing over charge.
6. No TADA is allowed.

Sd/-

EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY DIKHAN

Endst.No. 21224-28 / Dated D.I.Khan the 1/2 /2007

Copy to the :-

1. District Schools & Literacy NWFP Peshawar.
2. District Co-ordination Officer, DIKhan.
3. District Accounts Officer DIKhan.
4. Headmistress/ Headmaster concerned.
5. Candidate concerned.

Vla
EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY DIKHAN.

GOMAL UNIVERSITY



DERA ISMAIL KHAN
(N.W.F.P PAKISTAN)

DETAILED MARKS CERTIFICATE
JUNIOR DIPLOMA IN PHYSICAL EDUCATION 2ND TERM

Examination Held in June 2007 / Annual
Session: 2006-2007

Roll No: 2305
Name: Neelam Sabah

The candidate secured the following marks & has been placed in First Division

SUBJECTS	Total Number of Marks Allotted	MARKS OBTAINED	
		In figures	In words
Health Education	100	85	Eighty Five only
Science of Movements	100	76	Seventy Six only
Tracks & Fields	100	60	Sixty only
Athletics	100	70	Seventy only
Gymnastics	100	75	Seventy Five only
Teaching Practice	100	70	Seventy only
Games	100	70	Seventy only
Co-Curriculum Activities/Project	100	70	Seventy only
Aggregate of 1st Term	50	39	Thirty Nine only
	300	166	One Hundred and Sixty Six only
Total Marks	1050	711	Seven Hundred and Eleven

Muhammad Yousof
MUHAMMAD YOUSAF
Assistant Accounts Officer
Pak Military Accounts Dept.

Result declaration date: 18/08/2007

[Signature]
Controller of Examinations
Gomal University D.I.Khan

Serial No. GU 00406

گومال یونیورسٹی

GOMAL UNIVERSITY DERA ISMAIL KHAN (N.W.F.P) PAKISTAN



(Session (G.U) 2006-2007)

... and
a student of ... DEPARTMENT OF ...

having passed the prescribed examination in ... JUNE 20 07

is this day admitted by the GOMAL UNIVERSITY to the
JUNIOR DIPLOMA IN PHYSICAL EDUCATION

in the ... Division, is qualified to supervise Physical Education in
Districts and to teach this subject in Schools

The Examination was taken as a whole/in parts

Date of Birth 12-4-1987 (TWELFTH APRIL FOURTY EIGHT SEVEN)

Registered No. 177-EDU-2006 Roll No. 2505

M. H. ABUSAR
Assistant Accounts Officer
Pak Military Accounts Dept.

Result declared on August 13, 2007.

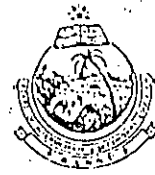
Controller of Examinations

2

12

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION, BANNU

DETAILED MARKS CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION



Session 2003 (Supply)

Name: Neclam Sabah

Father's Name: Hafiz Aman Ullah

Roll No 869

Subject	Marks	MARKS OBTAINED			
		Theory/Paper-A	Pract./Paper-B	Total	In Words
1. English	150	37	26	63	Sixty-Three
2. Urdu	150	35	36	71	Seventy-One
3. Pakistan Studies	75	37		37	Thirty-Seven
4. Islamiyat (Comp)	75	42		42	Forty-Two
5. General Science	100	42		42	Forty-Two
6. Islamic Studies	100	52		52	Fifty-Two
7. Elements Of Home Economic	100	60		60	Sixty Only
8. Rizazi (New)	100	41		41	Forty-One

Prepared by [Signature] Comptrol by [Signature] Total 850

408-D Four Hundred Eight Only

Checked by [Signature] Remarks

S,EHE,

Date: 19-11-2003

Note: Errors / Omissions are excepted

Khazra and BRAINS Software Enterprise (KBSoft)

Compiled by (HMH) Computer CELL BISE, Bannu

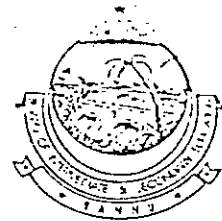
Controller of Examinations
Board of Intermediate & Secondary Education
BANNU

[Signature]
MUHAMMAD YOUSAF
Assistant Accounts Officer
Pak Military Accounts Dept.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Roil No. 869

Board of Intermediate and Secondary Education Bannu N-W.F.P., (Pakistan)



SECONDARY SCHOOL CERTIFICATE EXAMINATION

SESSION 2003 (SUPPLY)

This is to Certify that

Neelam Sabah

Daughter of

Hafiz Aman Ullah

Student of

District Dera Ismail Khan

has passed the Secondary School Certificate Examination of the Board of Intermediate and Secondary Education, Bannu held in October, 2003 as a Private candidate.

She obtained 408 marks out of 850 and has been placed in Grade "D" Representing Fair.

The candidate passed in the following subjects:

1. English	2. Urdu	3. Pakistan Studies	4. Islamiyat (Comp)
5. Fazi (New)	6. Elements Of Home Economics	7. General Science	8. Islamic Studies

Date of birth according to admission form is 12 April, Nineteen Eighty-Seven. (12-04-1987).

Date of declaration of Result: 19-11-2003

Prepared on: February 20, 2006

[Signature]
Assistant Secretary

[Signature]
MUHAMMAD YOUSAF
Assistant Accounts Officer
Pak Military Accounts Deptt

SECRETARY
[Signature]
20/2/06

THIS CERTIFICATE IS ISSUED WITHOUT ALTERATION OF STAMPS

Regis

Certificate

is to cert

number o

ant of

marks s

tion of t

ullar Cante

Part-I

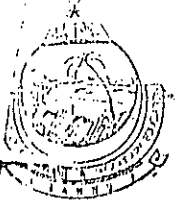
copy of Practic

5

115

One

Six Hundred



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION,
BANNU N.W.F.P. PAKISTAN S.No

Higher Secondary School Certificate Examination

Session: 2006 (Annual Part-II)

14

Roll No: 26565

Group: Humanities

Registration No: 616-B-GCD-1-II-04

Certificate No: 20626565

This is to certify that Neelam Sabah
Son / Daughter of Hafiz Aman Ullah
and a student of Govt. Girls College No. 3, Dikhan

has secured the marks shown against each subject, in the Higher Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in May, 2006 as Regular Candidate

Subject	Marks	MARKS OBTAINED					
		Part-I		Part-II		Total	In Words
		Theory	Practical	Theory	Practical		
1. English	200	47	--	34	--	81	Eighty-One
2. Urdu	200	50	--	57	--	107	One Hundred Seven
3. Islamic Education	50	32	--	--	--	32	Thirty-Two
4. Pakistan Studies	50	--	--	28	--	28	Twenty-Eight
5. Islamic Studies	200	83	--	61	--	144	One Hundred Forty-Four
6. Health & Physical Education	200	36	16	44	19	115	One Hundred Fifteen
7. Arabic	200	59	--	61	--	120	One Hundred Twenty Only

Total 1100

627-C

Six Hundred Twenty-Seven Only

Remarks

Date of declaration of Result: 03-08-2006

Prepared by: [Signature]

Checked by: [Signature]

Date of issue: 05-06-2006

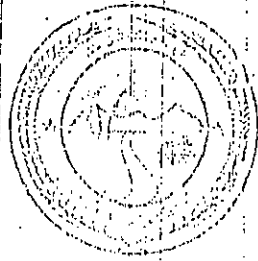
MJH/Accounts/FC/15/06
Headmaster Accounts Group
Bannu Intermediate Board

Controller of Examinations
Board Of Intermediate and
Secondary Education, Bannu.

Note: Error/Omission excepted

(Compiled by Computer C.E.I. BISE, Bannu)

GOVT GIRLS DEGREE COLLEGE No.1 D.I.K.



15

PROVISIONAL CERTIFICATE

SESSION 2004-2006

I Certify that Miss Muslam Sahar

Daughter of Hafiz Anwarullah

Registered No. 616-B-ACO-1-H-04

Who appeared from this college in the F.A. / F.Sc. examination held in May, 2006 has according to the "Gazette notification" supplied to me by the Secretary, Board of Intermediate and secondary Education, N.W.F.P. D.I.Khan / Bannu been declared successful in the said examination.

Note: This certificate is given only with the object of enabling the student to be admitted to a college / Department and is not to be held equivalent to the Certificate to be given to her by the Secretary, Board of Intermediate and Secondary Education, North West Frontier Province D.I.Khan/Bannu.

Marks Obtained 627/1100 Grade C- Roll No. 26565

Subject Passed: 1. English 2. Urdu 3. Is/Edu/Pak Study
4. D. Studies 5. H.P.F. 6. Arabic

1. Conduct :- GOOD

2. Prepared by A. O. C. [Signature]

3. Checked by "

4. Dated D.I.K the 27/5/2006 1200

ASSAF
Assistant Accounts Officer
Pak Military Accounts Dept.

Ashad Bibi
PRINCIPAL

GOVT. GIRLS DEGREE COLLEGE NO.1
DERA ISMAIL KHAN

G.G. College No. 1
D.I. Khan



DETAILED MARKS CERTIFICATE BACHELOR OF ARTS PART II



Held in June-July 2010

Session 2010/Annual

Roll No: 5423

Name: Neelam Saba

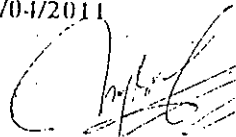
The Candidate secured the following marks & has been placed in 2nd Division


SUBJECT	Total No of Marks Allotted	MARKS OBTAINED	
		In Figure	In Words
English	75	25	Twenty Five
Urdu	75	-	-
Pashto	75	-	-
English Elective	75	-	-
Arabic	75	60	Sixty
Persian	75	-	-
Statistics	75	-	-
Geography	75	-	-
History	75	-	-
Economics	75	-	-
Political Science	75	-	-
Islamic Studies	75	-	-
Law	75	28	Twenty Eight
HPE	75	-	-
Pak Studies	40	19	Nineteen
Sociology	75	-	-
Education	75	-	-
Home Economics	75	-	-
Psychology	75	-	-
Math A	75	-	-
Math Additional	75	-	-
Math B	75	-	-
Aggregate Part-I	285	168	One Hundred and Sixty Eight
Total Marks	550	300	Three Hundred

The Examination was taken as a Whole/In Parts

Result Declaration Date 21/04/2011

Errors & Omissions Accepted


 Controller of Examinations
 Examinations Office
 Gomal University, Dera Ismail Khan


 Additional Controller of Examinations
 City Campus, Gomal University,
 Dera Ismail Khan.

Serial

Registration No. 1177-ECU-C6

Roll No. 5457

Session: 2009

GOMAL UNIVERSITY

DERA ISMAIL KHAN
PAKISTAN



Provisional Certificate

This is to certify that ~~Mr./Miss.~~ ~~Ms.~~ NEELAM SABAH

~~Son/ Daughter/ Wife of~~ HAFIZ AMAN ULLAH

~~of the Department / Institute of~~ PRIVATE CANDIDATE OF DISTT: D.I. KHAN

has passed BA. (P-II) ANNUAL, 2010 Examination held in JUNE, JULY, 2010

in the subject of XXX

~~He / She~~ was placed in SECOND

division, Securing 300 marks out of 550

The examination was taken as a whole/in parts.

Dera Ismail Khan.

Dated 21-04-2011

Muhammad Qasim
MUHAMMAD QASIM
Assistant Accounts Officer
Pak Military Accounts Dept.

[Signature]
ADDITIONAL CONTROLLER OF EXAMINATIONS

DOMICILE CERTIFICATE

18

I, Neelam Sabah Son/Daughter of Hafiz Amanullah hereby declare that I was born of parents who are permanently domiciled in North West Frontier Province having been born/settled* in this Province.

I was born at Village/Mohallah Hafiz Miran Khan Dikhan City

Tehsil D. I. KHAN District Dera Ismail Khan.

Neelam Sabah
Signature/Thumb Impression
of the Applicant

Dated: 28.4.2003

Persuance to the declaration dated 2/5/2003 filled in by

Mr./Miss Neelam Sabah Son/Daughter of Hafiz Amanullah domiciled in North West Frontier Province, it is hereby certified that the said

Mr./Miss Neelam Sabah is born of Parents who are permanently residents of the North West Frontier Province having been born/settled* within it.

I have satisfied myself from personal knowledge/verification by Tehsil Dikhan that the above declaration is true and certify accordingly.

This 2nd Day of May 2003

[Signature]
Deputy District Officer
(Revenue)
Deputy District Officer
and Kadi Irrigation
D. I. Khan

[Signature]
Assistant Accounts Officer
Revenue Accounts Dept

COUNTERSIGNED

DISTRICT OFFICER REVENUE

D. I. KHAN

Seal

ONE COPY OF
PHOTOGRAPH

*Strike out which ever is not applicable

No: 2636/D.O.R. Dated D.I.Khan the 3/5/2003

ISHRAT ART PRESS D.I.KHAN, Ph: 810981

26
District
Administrative

19

VERIFICATION MADE

RURAL AREA

1. Patwari

2. Girdawar

3. Councillor

4. N/Nazim

5. Nazim

Or

6. Police

7. Tehsildar

پتواری کے نام سے تصدیق کی گئی ہے
URBAN AREA
F. U. Council

1. Councillor

3. Nazim

Or

4. Police

5. Tehsildar

Verified
A. Ali
D. Khan
W/cw 3

Verified
S. Khan
Adviser (Member) (I)
AZIM U.C. No. 3 City
Member Teh. Council

[Signature]

2/1/03

ANNEX- B
Page 1- (20)

OFFICE OF THE DISTRICT COORDINATION OFFICER, DERA ISMAIL KHAN.

OFFICE ORDER :-

Where as the Executive District Officer of the then School & Literacy Deptt., now Elementary & Secondary Education Deptt made hundreds of illegal / irregular appointments of different scales & cadres of teacher in the District of DIKhan with in the period of 01.01.2007 to 31.08.2009 without absorbing the requisite code formalities.

And whereas the issue of illegal appointments was noticed by the Provincial Govt. and the following enquiry Officers were appointed to have a probe to the matter of illegal / irregular appointments :-

1. Mr. Falak Naz Khan the then Director Education.
2. Mr. Muhammad Arifeen Khan the then Special Secretary for Education.
3. Mr. Haji Ahmad Khan the then Additional Secretary for Education .
4. Mr. Hidayat Ullah Afghani , Director PITE.

And where as after the enquires, the matter was put before the standing committee No. 26 of the Provincial Assembly on Education , and the Committee after thorough deliberation ordered for termination of all the illegally appointed teachers as communicated in the Govt. of NWFP Elementary & Secondary Education Deptt. letter No. SO (AB) E&SED/10-11/Std.Com. 26/09, dated 26.08.2009.


And where as a writ petition No. 252/2009 dated 11.06.2009 was lodged in the Honorable High Court bench at DIKhan by Ms. Husan Arra etc for the implementation of the recommendation of the standing committee which was accepted by the Honorable court and ordered the implementation of the standing committee decision within 60 days vide its decision dated 11.06.2009.

And whereas the decision of the standing committee No. 26 was submitted to the Chief Minister NWFP for approval and implementation, who has been pleased to direct for implementation of the decision of the Standing Committee No. 26 as communicated vide Govt. of NWFP, Elementary & Secondary Education Deptt. letter No. SO (AB) E&SED/10-11/Std.Com. 26/09, dated 26.08.2009.

AR

(2)


Now, therefore, I Arshad Khan District Coordination Officer, DIKhan Competent Authority, in compliance of the decision of the standing committee No. 26 of the Provincial Assembly of NWFP contained in E & S E Deptt: letter No. SO (AB) E&SED/10-11/Std.Com. 26/09, dated 26.08.2009. Order of the Hon'ble Peshawar High Court contained in its decision dated 11.06.2009 and order of the Honorable Chief Minister NWFP contained in Elementary & secondary Education Deptt: letter No. No. SO (AB) E&SED/10-11/Std.Com. 26/09, dated 26.08.2009. do hereby terminate services of all the illegally / irregularly appointed teacher, the detail of which is given in the annexure "A" with this order duly signed on every page from page 1 to 60 with immediate effect.


District Coordination Officer,
Dera Ismail Khan
the 04/09/2009

No. 8021 / DCO (Edu) dated DIKhan

Copy forwarded to the :-

1. PS to Chief Minister NWFP, Peshawar.
2. PS to Chief Secretary, NWFP, Peshawar.
3. PS to Minister for Education NWFP, Peshawar.
4. Mr. Mukhtiar Ali Khan Advocate MPA, Chairman Standing Committee No. 26, Provincial Assembly NWFP, Peshawar.
5. PS to Secretary for Education NWFP, Peshawar.
6. PS to Director for Education, NWFP Peshawar.
7. All MPAs in DIKhan District.
8. District Accounts Officer, DIKhan.
9. Executive District Officer (Elementary & Secondary Education) DIKhan.
10. All concerned.


District Coordination Officer,
Dera Ismail Khan

PF MALI Annex-L

No	Name with Father Name	Present Posting	Edst No. of Applicant Order & Date	D/O Result declaration of CI
1	Muhammad Rinz Ul Hassan S/O Sher Bahader	GMS Jhok Rind	14982-86 dated 02-08-2007	31-03-2002
2	Ikram Ullah S/O Umer Khan	GMS Kot Kundian	25575-89 dated 01-12-2007	28-11-2001
3	Muhammad Asif Rizwan S/O Muhammad Aslam	GHS Dhap Shomali	20220-24 dated 01-10-2007	15-12-1998
4	Sami ullah S/O Abdul Razzag	GMS Wanda Lohani	20340-44 dated 01-10-2007	12-10-2004
5	Bismillah Jan S/O Abdullah Jan	Not readable	20230-34 dated 01-10-2007	21-05-2003 (SDPF)
6	Imran Ullah S/O Nasrullah	GMS Talgi	20260-64 dated 01-10-2007	25-04-2000
7	Fazal Rahman S/O Abdur Rahman	GMS Musa Khar	20250-54 dated 01-10-2007	29-12-1998
8	Zahir Abbas S/O Fazal Qayyum	GMS Pusha	20315-17 dated 01-10-2007	22-07-1998
9	Salah Uddin S/O Muhammad Ibrahim	GMS Wanda Karim	20220-24 dated 01-10-2007	19-01-2001
10	Muhammad Akram S/O Muhammad Ramzan	GMS Saggu	20491-95 dated 01-10-2007	20-11-2002
11	Kamran Ullah S/O Abdullah Khan	GMS Rang Pur Shomali	20409-10 dated 01-10-2007	29-12-1998
12	Inayat Ullah S/O Aslam Khan	GMS Pahar Pur	20191-95 dated 01-10-2007	19-01-2001
13	Muhammad Akbar Shah S/O Muhammad Asghar Shah	GMS Shiakhi yousaf	20231-35 dated 01-10-2007	12-10-2004
14	Tariq Iqbal S/O Sardar Ali	GMS Wanda Naurak	20290-94 dated 01-10-2007	31-03-2002
15	Najaf Ali Abid S/O Abid-Hussain	GHS Wanda Mozam	26390-471 dated 01-10-2007	18-08-2007
16	Shafiqat Ullah S/O Khuda Bakhsh	GHS Lar	1625-29 dated 01-02-2008	18-08-2007
17	Abdur Rauf S/O Abdul Aleem	GHS Chah Malwana	20225-29 dated 01-10-2007	Session 2006-07
18	Ghafar Khan S/O Bangel Khan	GMS Wanda Dost Ali	12534-38 dated 02-07-2007	14-05-2007
19	Fakhrul Islam S/O Ilnhuddin	GMS Jk. Dabbari	20215-19 dated 01-10-2007	Session 2005-06
20	Muhammad Ajmal S/O Muhammad Afzal	GMS Yari Khel	20320-44 dated 01-10-2007	15-09-2006
21	Fakhr Zaman S/O Muhammad Ramzan	GMS Wanda Peroz	20295-99 dated 01-10-2007	28-01-2006
22	Muhammad Qaiser S/O Ghulam Qadir	GMS Jhok Mozam	20260-64 dated 01-10-2007	15-09-2006
23	Wajeh Uddin S/O Allau din	GMS Malakhi	20590-94 dated 01-10-2007	15-09-2006
24	Shams Ur Rahman S/O Aziz Ur Rahman	GMS Bagi Qamar	20550-54 dated 01-10-2007	11-05-1999

23

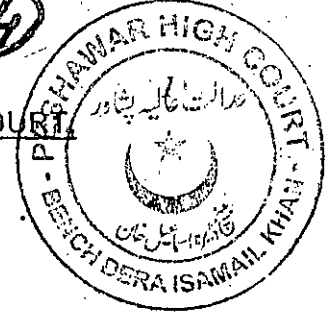
PET FEMALE Annex-M

S.#	Name with Father Name	Present Posting	Edst No. of Applicant Order & Date	D/O Result declaration of CT
1.	Maria Hina D/O Muhammad Bilal	GGMS Nai Abadi ZA Colony	13161-310 dated 00-07-2007	Documents not available
2.	Kashifa Nuzhat D/O Muhammad Umer Mirza	GHSS Ramak	30421-25 dated 01-10-2007	PET certificate not available
3.	Kiran Fatima D/O Muhammad Saleem	GGMS Rahmani Khel	7160-64 dated 31-03-2007	Documents not available
4.	Gohar Jabeen D/O Shaikh Mahmood Abbas	GGHS Ramak	6829-31 dated 6-06-2008	Deceased Quota Documents not available Countersigned by the present EDO, order does not carry the sign of any EDO.
5.	Mehmooda Khanum D/O Saeed Akbar	GGMS Gara Mohabat	13161-210 dated 02-07-2007	Documents not available
6.	Arshia Gul D/O Shaheen Pervez	GGMS Ajmal Abad	20425-29 dated 01-10-2007	Documents not available
7.	Nighat Bukhari D/O Sher Ahmad Shah	GGMS Rahmani Khel	20233-36 dated 01-10-2007	Documents not available
8.	Rashida Bibi D/O Muhammad Sharif	GGMS Zarni Khel	20470-73 dated 01-10-2007	15-11-2003
9.	Tahira Bibi D/O Kalu Khan	GGHSS No.2 D.I Khan	13116-160 dated 02-07-2007	12-10-2004
10.	Sobia Tabassum D/O Inayat Ullah Khan	GGHS Musa Zai	3582-86 dated 15-02-2007	19-01-2001
11.	Fozia Gul D/O Allah Bakhsh	GGMS Wanda Lali	20391-470 dated 01-10-2007	21-11-2001
12.	Asma Gul D/O Hazrat Ullah	GGHS Ratta Kulachi	20290-94 dated 01-10-2007	30-06-2004
13.	Wahida Hayat D/O Umer Hayat	GGMS Kachi Katgarh	20391-470 dated 01-10-2007	21-11-2001
14.	Sughra Tabassum D/O Malik Ghulam Rasool	GGHS Khanu Khel	20225-29 dated 01-10-2007	Session 2006
15.	Matannat Azdi D/O Muhammad Azmat	GGMS Musazia	20401-05 dated 01-10-2007	Session 2005-06
16.	Irum Pervez D/O Muhammad Pervez	GGMS Saidu Wali	12519-23 dated 02-07-2007	JDPE are not attached
17.	Becna Gul D/O Malik Kaleem Ullah	GGMS Zarni Khel	12974-13116 dated 02-07-2007	15-09-2006
18.	Aishan Nlazi D/O Nneem Akhtar	GGMS Giloty	20465-69 dated 01-10-2007	25-08-2007
19.	Naaila Rahmat D/O Rahmat Ullah	GGMS Hissam	24753-56 dated 01-12-2007	18-08-2007
20.	Madeeha Rani D/O	GGMS Wanda Lali	20532-36 dated 01-10-2007	08-03-2007
21.	Qurat ul Ain D/O Hameed ulloh Khan	GGMS Qurai D.I Khan	217913-94 dated 22-10-2007	U.T

(Handwritten signatures and marks)

ANNEX-D
Page 24

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
DERA ISMAIL KHAN BENCH.



Writ Petition No. 702-D of 2015

Neelam Saba daughter of Hafiz Amanullah resident of MUhallah
Hafiz Meran Khan, City Dera Ismail Khan.

Filed today 3168

Petitioner

Add: Registrar.

VERSUS

21/10/2015

1. Government of Khyber Pakhtunkhwa through Secretary Education Govt. of K.P.K, Peshawar.
2. Secretary Elementary & Secondary Education Govt. of K.P.K, Peshawar.
3. Director Education (Elementary & Secondary), Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Male), Dera Ismail Khan.
5. District Education Officer (Female), Dera Ismail Khan.
6. Deputy Commissioner, Dera Ismail Khan.
7. District Account officer, Dera Ismail Khan.

Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Respectfully Sheweth:

- i. That the addresses of the parties as given above are correct and sufficient for the purpose of service.
- ii. That the brief facts of the case are that, in the year 2007, the then EDO (School & Literacy) Dera Ismail Khan invited the applications for recruitment of different categories of the teachers in Dera Ismail Khan through Daily Mashriq. Copy of advertisement is enclosed as Mark-A.

WP 702-D of 2015 (Neelam Saba.Vs.Govt of KPK)(Grounds)

ATTESTED
EXAMINOR
Peshawar High Court
D.I. Khan Bench

- iii. That being qualified candidate, the present petitioner also applied for the post "PET", and appeared in the Interview for the said post copy of certificates are enclosed as **Mark-B**.
- iv. That the process of recruitment was completed, and the petitioner is appointed against the said vacant post vide appointment order dated 21224-28 dated 01-02-2007. Copy of the appointment order is enclosed as **Mark-C**.
- v. That later-on, on the basis of political victimization the standing committee 26, Provincial Assembly in the year 2009 conducted as inquiry against the appointments made in the year 2007 in education department Dera Ismail Khan. The committee also made some recommendation to education department for termination of illegal appointments. Copy of inquiry and minutes of standing committee are enclosed as **Mark-D**.
- vi. That the District Education officer Dera Ismail Khan on the instruction of government issued the termination order of 1613 irregular appointee. Therefore, the petitioner was also terminated without any notice, moreover, no list of irregular appointee was given by respondents to the petitioner. Therefore, the petitioner approached to the service tribunal for redressal of her grievance, alongwith other affectees, but respondents promised that her grievance would be redressed as the petitioner was appointed with due process and the name of the petitioner is not mentioned in the said list. Copy of list is enclosed as **Mark-E**.
- vii. That the petitioner approached the respondents time and again, but till date the grievances of the petitioner is not redressed till date. Copy of departmental appeal is enclosed as **Mark-F**.

Wakil
Adv

Filed to day 3168

Add: Registrar.

21/10/2015

That being aggrieved, the petitioner approaches this Honourable Court to direct the respondents to re-instate the petitioner on the said post, having no other alternative remedy but to invoke the constitutional jurisdiction of this Honourable court, inter alia, on the following grounds:

WP.702-D of 2015 (Neelam Saba.Vs.Govt of KPK)(Grounds)

ATTESTED
21-06-15
EXAMINER
Deputy Registrar
D.I.Khsh B...
[Signature]

7
GROUND:

1. That the act of the respondents is illegal, against the natural justice, ulterior motives, based on malafide and ineffective upon the rights of the petitioner.
2. That the interviews of candidates of different categories of teachers had been conducted in accordance with the policy and merit list is also prepared and, thereafter, the petitioner was appointed with due process. It is also very much clear that the appointment of the petitioner was not irregular, as the name of the petitioner is not mentioned in the said list. But the respondents illegally and without any reason terminated the petitioner.
3. That the standing committee conducted the inquiry against the irregular appointments in education department Dera Ismail Khan, and the recommendation was made to terminate those appointees who were appointed irregularly, but the respondents terminated all those appointees who were appointed during that period. Thus the act of the respondents while terminate the petitioner is illegal, as the appointment of the petitioner was made through due process.
4. That the Constitution of Islamic Republic of Pakistan, 1973 protected the rights of every citizen and provides the equality amongst the citizen, but the respondents clearly violated the fundamental right of the petitioner protected by the Constitution of Islamic Republic of Pakistan.
5. That the petitioner was eligible candidate for the appointment against the subject post and qualified in the recruitment process, but the respondents clearly ignored the same and terminated the petitioner alongwith all irregular appointees.
6. That the petitioner is the victim of unlawful and illegal act of the respondents and such a malafide act on the part of respondents is against the law and rules, without jurisdiction WP.702-D of 2015 (Neelam Saba.Vs.Govt of KPK)(Grounds)

Filed today 3168

Addr: Registrar.

21/10/2015

*Rafiq
Adv*

ATTESTED
21/10/2015
EXAMINER
Peshawar High Court
D.I.Khan Bench

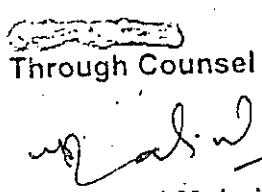
and lawful authority, against the natural justice, misuse of official powers and is the outcome of victimization known by the respondents and it has caused an immense mental torture and agony to the petitioners.

- 7. That the counsel for the petitioner may kindly be allowed to raise the additional grounds at the time of arguments.

It is therefore, humbly prayed by accepting the instant writ petition, the respondents may please be directed to re-instate the petitioner on the subject post alongwith all back benefits up till now or any other relief may being deem fit by this Honourable court in the interest of the petitioner.

Your Humble Petitioner

Filed today 3168
Addl: Registrar.
21/10/2015


Through Counsel

Dated: ___/10/2015

Muhammad Mohsin Ali
Advocate High Court, D.I.Khan.

ATTEST
31
21-10-15
EXAMINER
D.I.Khan Bench

JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH
(Judicial Department)

28

W.P.No.702-D/2015

Mst. Neelum Saba

Versus

Govt. of Khyber Pakhtunkhwa through
Secretary Education and six others



JUDGMENT

Date of hearing 07.02.2018

Appellant-petitioner (s) by Mr. Muhammad Maham Ali Advocate

Respondent(s) by Mr. Kamran Hayat Mian Khal A-AG

IJAZ ANWAR, J.- Through the instant petition under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner Mst. Abida Sultana seeks the following relief:-

"It is, therefore, humbly prayed that by accepting the instant writ petition, the respondents may please be directed to reinstate the petitioner on the subject post alongwith all back benefits up till now."

2. As per averments of the petition, in the year 2007, certain posts of teachers in different categories were advertised by the respondents. The petitioner applied for the post of PET and also appeared in the interview and was appointed vide order dated 01.02.2007; that on the

REGISTERED
21-06-18
EXAMINOR
Peshawar High Court
D.I.Khan Bench

instructions of government, the District Education Officer, D.I.Khan issued termination order of 1613 irregular appointees and the petitioner was also terminated; that the petitioner approached the Service Tribunal for redressal of her grievance, but the respondents promised that her grievance would be redressed; that the petitioner time and again approached the respondents, but her grievance could not be redressed, hence the instant petition.

3. Arguments heard and record perused.

4. Perusal of the record reveals that vide order dated 04.9.2009, the services of the petitioner alongwith many other employees were terminated, against which the petitioner approached the Provincial Service Tribunal. The Service Tribunal directed the department to conduct a discrete inquiry regarding the genuineness of the appointments and to see whether the procedure prescribed for the post held by the petitioner or other employees was adopted properly or otherwise. Again, the services of about 1613 teachers were terminated vide order dated ~~04.9.2009~~ 08.02.2012. The petitioner filed departmental appeal but thereafter she has not approached any forum till such time she filed this petition. The order of appointment of the petitioner dated 01.02.2007 was issued against regular post, as such, her status was that of a regular civil servant.

EXAMINER
21-06-18
D.I.Khan
D.I.Khan

30

Similarly, she, in the first instance, approached the Service Tribunal against the order of termination dated 04.9.2009, therefore, she cannot be allowed to switch over by filing the present writ petition. Besides, Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 places a bar on the jurisdiction of this Court to entertain any matter pertaining to the terms and conditions of service of the civil servant. Termination is the foremost term and condition of service and can validly be impugned before the Provincial Service Tribunal. Reference can be made to the cases of Ali Azhar Khan Baloch. Vs. Province of Sindh etc (2015 SCMR 456) and Contempt of Court proceedings against Chief Secretary, Sindh etc (2013 SCMR 1752).

5. For the reasons mentioned above, the instant petition being not maintainable is hereby dismissed.

Announced.
Dt: 07.02.2018.
Habib*

JUDGE

JUDGE

(DB)
 Hon'ble Mr. Justice Ijaz Anwar
 Hon'ble Mr. Justice Shakeel Ahmad

G.R.No. 1936
 Applicant Received on 20-06-18
 Copying Fee Deposited Rs ---
 No of Papers 07 Papers
 Copying Fee 100
 Urgent Fee ---
 Total Fee 281
 Copy ready for 21-06-18
 Copy delivered on 21-06-18
 Signature of Examiner [Signature]

Certified to be true Copy
21-06-18
 EXAMINER
 Peshawar High Court Bench D.I.Khan
 Authorized Under Section 87 of
 Qadiriya Shahadat Act

To

The Director
Education, Khyber Pakhtunkhawa,
Peshawar.

Subject: Departmental Appeal

Respected Sir:

- i. That the brief facts of the case are that, in the year 2007, the then EDO (School & Literacy) Dera Ismail Khan invited the applications for recruitment of different categories of the teachers in Dera Ismail Khan through Daily Mashriq.
- ii. That being qualified candidate, the present petitioner also applied for the post "PET", and appeared in the Interview for the said post. The process of recruitment was completed, and the petitioner was appointed against the said vacant post vide appointment order dated 21224-28 dated 01-02-2007. Copy of the appointment order is enclosed herewith.
- iii. That later-on, on the basis of political victimization the standing committee 26, Provincial Assembly in the year 2009 conducted an inquiry against the appointments made in the year 2007 in education department Dera Ismail Khan. The committee also made some recommendation to education department for termination of illegal appointments. Copy of inquiry and minutes of standing committee are enclosed herewith.
- iv. That the District Education officer Dera Ismail Khan on the instruction of government issued the termination order of 1613 irregular appointees. Therefore, the petitioner was also terminated without any notice, moreover, no list of irregular appointees was given by respondents to the petitioner. Therefore, the petitioner approached the service tribunal for redressal of her grievance along with other affectees, but respondents promised that her grievance would be redressed as the petitioner was appointed with due process and the name of the petitioner is not mentioned in the said list. Copy of list is enclosed herewith.
- i. That being aggrieved, the present petitioner filed the writ petition No. 702-D/2015 before Honourable Peshawar High Court Dera Ismail Khan and vide judgment dated 07-02-2018 the writ petition was dismissed being not maintainable on the ground that the petitioner was a civil servant.

Therefore, the present appellant filed the Departmental Appeal on 02-04-2018 through registered post along with AD Card to Director Education, KPK, Peshawar but the same was not decided. After that the appellant filed the service appeal before Honourable Tribunal and at the time of arguments, the representative of DEO (Female) D.I.Khan produced another list of illegal appointees of PET post, wherein the name of appellant was also included, and in the change circumstances, the appeal of the appellant was become infructuous, thereafter, the appellant is filling the instant appeal on the following grounds;

GROUND:

1. That the interviews of candidates of different categories of teachers had been conducted in accordance with the policy and merit list was also prepared and, thereafter, the petitioner was appointed with due process. It is also very much clear that the appointment of the petitioner was not irregular, as the name of the petitioner was not mentioned in the said list but later-on during pendency of service appeal, the representative of DEO(Female) produced another list wherein the name of the appellant was included, which was based on malafide and ulterior motives.
2. That the standing committee conducted the inquiry against the irregular appointments in education department Dera Ismail Khan, and the recommendation was made to terminate those appointees who were appointed irregularly, but the respondents terminated all those appointees who were appointed during that period. Thus the act of the respondents while terminate the petitioner is illegal, as the appointment of the petitioner was made through due process.
3. That the petitioner was eligible candidate for the appointment against the subject post and qualified in the recruitment process, but the respondents clearly ignored the same and terminated the petitioner alongwith all irregular appointees.

Dated: 21/12/2022

Your's Sincerely,

Neelam Saba


Neelam Saba D/o

Hafiz Amanullah R/o Muhallah Hafiz
Miran Khan, City Dera Ismail Khan.

33

PAKISTAN BAR COUNCIL

MR. MUHAMMAD MOHSIN ALI
 Advocate Supreme Court of Pakistan (ASC)



Mr. Muhammad Mohsin Ali
 Chairman, Pakistan Council

Not a Transferable Title
 No. MR. MUHAMMAD MOHSIN ALI
 Father's Name: ABUL KALAM KHAN
 Date of Birth: 17-04-1943 CNIC: 112110110191601011
 Date of Enrolment as Advocate of Supreme Court: 04-12-20
 Enrolment No.: 4477 Ref No.: 173/PBC/KP/11/D
 Address: MODEL TOWN, ST. NO. 6, NEAR WENSAM COLLEGE, DELI KHAN
 Tel. No. 0092-308-7360011 Fax: 0092-344-9862303 Cell: 0336-7969083
 If Court please return to:
 Advocate Supreme Court Building, Constitution Avenue, Islamabad
 Tel. No. 0092-51-0200009 Fax No. 0092-51-0200022

VAKALATNAMA

BEFORE THE COURT OF Service TRIBUNAL DIK

[Signature] Plaintiff / Appellant / Petitioner / Complainant / Accused

[Signature] Vs Defendant / Respondent / Complainant / Accused

KNOW ALL to whom these present shall come that I/We do hereby appoint **Muhammad Mohsin Ali Advocate Supreme Court** (herein after called the advocate/s) to be my/our Advocate in the above noted case authorize him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorized agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this.....day of20

Accepted
[Signature]
 Muhammad Mohsin Ali
 Advocate Supreme Court

[Signature]
 Deelamsaba