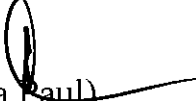



4th August, 2023 1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Syed Alamzeb Shah, ADO (Lit) for the respondents present.

2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 04.12.2023 before the D.B. PP given to the parties.

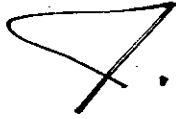

(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)

09th March, 2023.

Junior of learned counsel for the appellant present.
Mr. Muhammad Riaz Khan Painsakhel, Assistant Advocate
General alongwith Mr. Gohar Ali, Assistant for the respondents
present.

Junior of learned counsel for the appellant seeks
adjournment on the ground that learned counsel for the
appellant has proceeded to his native village due to some
domestic engagement. Adjourned. To come up for arguments
on 18.05.2023 before the D.B. Parcha Peshi given to the parties.



(Salah-ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

18.05.2023

Junior of learned counsel for the appellant present. Syed
Alamzeb Shah, ADEO alongwith Mr. Asad Ali Khan, Assistant
Advocate General for the respondents present.

File to come up for alongwith connected Service Appeal No.
930/2020 on 04.08.2023 before D.B. Parcha Peshi given to the
parties.



(Muhammad Akbar Khan)
Member (E)




(Salah-ud-Din)
Member (J)

SCANNED
KPST
Peshawar

3rd Nov. 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 16.12.2022 before the D.B.



(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

16th Dec. 2022

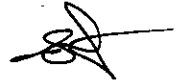
Counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present. Mrs. Rozina Rehman, learned Member (J) is on leave, therefore, D.B is incomplete. The case is adjourned to 09.03.2023 for arguments before the D.B.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member(E)

24.11.2021

Proper D.B is not available, therefore, case is adjourned to ~~3-3~~ .2021 for the same.



READER

3-3-22

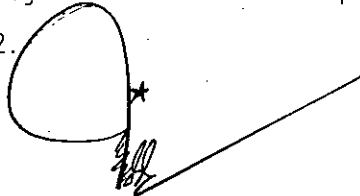
Due to Retirement of the Hon,ble Chairman the case is adjourned on 14-6-22

Yahid Reader

14.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present. Syed Alamzeb Shah, Legal Advisor for respondents No. 4 present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 16.08.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

16.8.22

Due to business vacation the case is adjourned to 3-11-22 for the same.



08.03.2021

Junior to counsel for the appellant present. Addl: AG for respondents present.

Written reply not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of written reply/comments.

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 05.07.2021 for the same as before.

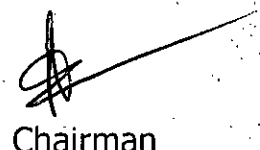


Reader

05.07.2021

Junior to counsel for the appellant present. Mr. Adeel Butt, Additional Advocate General alongwith Mr. Ahmad Hassan, Litigation Officer respondents present.

Respondents have not submitted reply/comments. They are required to submit reply/comments within 10 days in office, positively. In case the respondents have not submitted reply/comments within stipulated time, office shall put up the appeal with a report of non-compliance. To come up for arguments on 24.11.2021 before D.B.



Chairman

22.04.2020

Due to COVID19, the case is adjourned to 23.07.2020 for the same as before.


Reader

23.07.2020

Appellant is absent. The legal fraternity is observing strike today therefore, no proceedings could be conducted. The case is adjourned to 06.10.2020. To come up for previous proceedings before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER

06.10.2020

Junior to counsel for the appellant present.

Learned senior counsel for the appellant is not in attendance today due to general strike on the call of Khyber Pakhtunkhwa Bar Council. The matter is adjourned to 8.12.2020 for hearing before S.B.

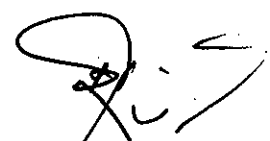

Chairman

08.12.2020

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

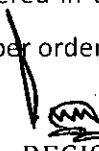



(Rozina Rehman)
Member (J)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 934 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/02/2020	<p>The appeal of Mr. Zakir Ullah resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR -</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>20/03/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>20.03.2020</p> <p>Nemo for the appellant. Lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for preliminary hearing on 22.04.2020 before S.B.</p> <p style="text-align: right;"> Member</p>
2-		


SCANNED
PEK
ST
WAR

The appeal of Mr. Zakir Ullah PST GPS Tikar Kot no.1, District Dir Upper received today i.e. on 09.01.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of Judgment of High Court mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copy of medical certificate mentioned in para-4 of the memo of appeal is not attached with the appeal which may be placed on it.

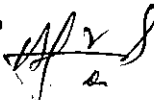
No. 44 /S.T,

Dt. 9-1- /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Sir.

All the objections has been removed. Hence re-submitted today dated. 11-2-2020. 



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 934 /2019

ZAKIR ULLAH

VS

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1- 3.
2	Appointment order	A	4.
3	Judgment	B	5- 6.
4	Appointment order	C	7- 8.
5	Departmental appeal	D	9.
6	Vakalat nama	10.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK,
ADVOCATE

Flat No. 3, Upper Floor,
Islamia Club Building,
Khyber Bazar, Peshawar
0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 934 /2019

Mr. Zakir Ullah, PST (BPS-12),
GPS Tikar Kot No.1, District Dir Upper.....**APPELLANT**

VERSUS

- 1- The Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The District Education Officer, District Dir Upper.

.....**RESPONDENTS**

APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR FIXATION OF PAY IN BPS-12 w.e.f. 23-09-1996 I.E. FROM THE DATE OF INITIAL APPOINTMENT TO THE POST OF PST AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the appellant may kindly be allowed/granted pay fixation w.e.f. 23-09-1996 with all back benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 1- That the appellant was initially appointed in the respondent Department as PTC now PST vide order dated 23-09-1996 as stop gap arrangement.(Copy of the appointment order is attached as annexure..... **A)**
- 2- That it is worth mentioning here, that in 1997 the services of the appellant along with others were dispensed with on the ground that their services were no more required to the Department.
- 3- That it is also worth mentioning, that on promulgation of KP Sacked Employee Act, 2012 appellant submitted an application for his reinstatement being covered under the said law but the same was not considered, hence the appellant filed writ petition no. 700/2017 before Peshawar high court Mingora Bench, which was

allowed vide judgment dated 22/11/2017. Copy of judgment dated 22/11/2017 is attached as annexure **B)**

- 4- That the appellant was appointed as PST w.e.f. taking over charge in light of Peshawar high Court Dar-Ul-Iaza Bench judgment vide order dated 27/03/2018. That in response the appellant submitted charge report and started his duty quite efficiently and up to the entire satisfaction of his superiors. Copy of the appointment order dated and medical certificate are attached as annexure **C & D)**
- 5- That the appellant filed Departmental appeal before respondents for fixation of pay w.e.f. the date of his first appointment i.e. 23/09/1996 but the same has not been responded within stipulated period of ninety days. Copy of departmental appeal is attached as annexure..... **E)**
- 6- That feeling aggrieved and having no other remedy the appellant filed the instant appeal on following grounds inter alia.

GROUND:

- A- That the inaction of respondents by not allowing pay fixation to the appellant w.e.f. 23-09-1996 is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department 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 mala fide manner by not allowing pay fixation to the appellant w.e.f. 23-09-1996 and as such the inaction of the respondents is violative of law and rules.
- D- That the inaction of the respondents is discriminatory and against the norms of natural justice, therefore not tenable in the eye of law.
- E- That under Article 38 (e) of the Constitution of Pakistan, 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan, therefore in light of the above mentioned Article the appellant is fully entitled for the grant of pay fixation w.e.f. the date of initial appointment.
- F- That promulgation of Sacked Employee Act, 2012 established that dismissal of appellant along with others from services was against the law, hence the appellant is entitled to pay fixation from date of his first appointment.

G- That in light of Rule 2.3 of the West Pakistan, Pension Rules, 1963 the appellant is fully entitle for the grant of pay fixation from the date of initial appointment.

H- 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 the appellant may be accepted as prayed for.

APPELLANT


ZAKIR ULLAH

THROUGH:


NOOR MOHAMMAD KHATTA


SHAHZULLAH YOUSAFZAI


MIR ZAMAN SAFI
ADVOCATES

OFFICE ORDER.

A (4)

Consequent upon the long service against the PTC post or otherwise, the following PTC teacher is hereby allowed to continue their service as PTC untrained teacher on temporary basis till further order.

<u>S.No</u>	<u>Name of teacher.</u>	<u>Name of school.</u>
1.	Zakir Ullah PTC	GPS Dir Khan

Necessary entries to this effect should be made in the service book accordingly.

(FAZLI NAEEM KHAN)
DISTT: EDUCATION OFFICER
(M) PRIMARY DIR AT TIMERGARA.

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) PRIMARY DIR AT TIMERGARA.

Endost: No 5416 / P.No.R-7 Dated Timergara the 23/09 196.

Copy forwarded:-

1. The Sub Divisional Education Officer (M) Dir.
2. The District Accounts Officer Dir at Timergara for information.
3. The candidate concerned.

DISTRICT EDUCATION OFFICER
(M) PRIMARY DIR AT TIMERGARA.

ATTESTED

BEFORE THE PESHAWAR HIGH COURT MINGORA

BENCH /

DAR UL QAZA SWAT

W.P. _____ -M/2017

1. Ibrahim Son of Gul Badshah Resident of Manai (Daskor) Tehsil Wari.
2. Rahat Ullah son of Inayat Ullah Village Samkoot Tehsil Dir
Fazal Ghafoor Son of Muhammad Amin Khan Village
Sondarawal Tehsil Barawal Bandai
3. Haq Nawaz Son of Saeed Khan Resident of Jalar Tehsil Wari
Alam Khan son of Pass Muhammad Resident of Malook
Banda Tehsil Wari
6. Zakir Ullah Son of Ghulam Yousaf Village Tikar Kot Tehsil
Barawal Bandai all Belong to District Dir
Upper.....Petitioners

VERSUS

- 1) Govt. of Khyber Pakhtunkhwa, through Secretary E&SE
Khyber Pakhtunkhwa at Peshawar
- 2) Director Secretary E&SE Khyber Pakhtunkhwa at Peshawar
- 3) District Education Officer (Male) District Dir Upper

..... Respondents

WRIT PETITIONER UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973

Respectfully Sheweth;

The facts of the instant are as under.

FILED TODAY
05 OCT. 2017

IF strat

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-OAZA), SWAT

6

FORM OF ORDER SHEET

Court of

Case No..... of.....

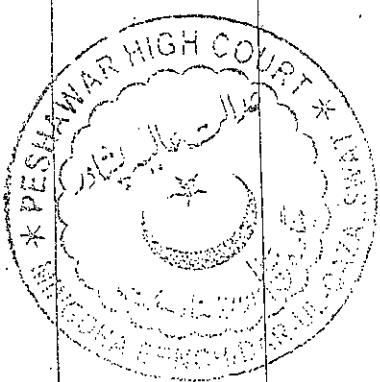
Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2	3

22.11.2017 W.P No. 700-M/2017

Present: Syed Abdul Haq, Advocate for the petitioners.

ISHTIAQ IBRAHIM, J.- Vide our detailed order in the connected W.P No. 696-M/2017, this writ petition is disposed of with the directions to respondents to consider the petitioners for their reinstatement against 30% quota provided they fulfill the criteria laid down in the Khyber Pakhtunkhwa Sacked Employees (Reinstatement) Act, 2012. Respondents are further directed to complete the process within 30 days after receipt of this judgment.

Announced
22.11.2017



S.No. 6434
 Name of Applicant [Signature]
 Date of Presentation of Applicant 29.11.17
 Date of Completion of Copies 28.11.17
 No of Copies 3
 Urgent Fee.....
 Fee Charged.....
 Date of Delivery of Copies 28.11.17

[Signature]
 JUDGE
[Signature]
 JUDGE

Certified to be true copy **ATTESTED**

[Signature]
EXAMINER

Peshawar High Court, Mingora/Dar-ul-Oaza, Swat

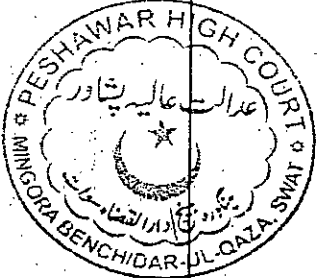

61M

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

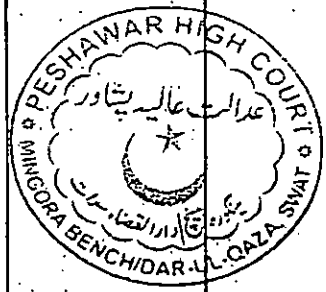
Case No..... of.....

Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary.
1	2	3
  <p style="text-align: center;">ATTESTED</p> <p style="text-align: center;">Examiner Peshawar High Court Bench Mingora Dar-ul-Qaza, Swat</p>	<p style="text-align: center;">22.11.2017</p>	<p style="text-align: center;"><u>W.P No. 696-M/2017</u></p> <p>Present: Syed Abdul Haq, Advocate for the petitioners. ***</p> <p><u>ISHTIAQ IBRAHIM, J.-</u> Through this single order we propose to decide this writ petition as well as the connected W.P No. 700-M/2017, involving common questions of law and facts, wherein the petitioners are seeking the following relief from this Court.</p> <p>“It is, therefore, humbly prayed that on acceptance of this writ petition in the light of aforementioned submissions, this Court may kindly issue appropriate writ to the Respondents No.3 to reinstate the petitioners on their own posts with all back benefits, according to the spirit of the Act. This Hon’ble Court may also issue directions to the concerned respondents to count their seniority from the date of their first appointment mentioned in PARA-2 of this writ petition”.</p> <p>2. In essence, the petitioners were appointed as untrained PTC teachers in the years 1995 and 1996 and thereafter their services were terminated in 1997.</p>

Talwar

DB: Mr. Justice Ishtiaq Ibrahim
Mr. Justice Muhammad Nazir Mahfooz

(W.P No. 696-M of 2017 Muhammad Zahir and others Vs. Govt. of KPK and others)



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ATTESTED

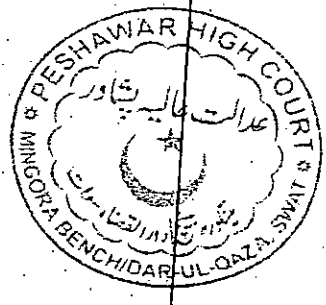
Examiner
Peshawar High Court Bench
Mingora Darul-Qaza, Swat.

Petitioners have asserted that on promulgation of the Khyber Pakhtunkhwa Sacked Employees (Reinstatement) Act, 2012, they filed applications for their reinstatement in accordance with the Act *ibid* but the respondent department is not willing to consider them for their reinstatement despite they went from pillar to post in this regard. Hence, these writ petitions.

3. Arguments heard and record perused.

4. Admittedly, the Provincial Government has promulgated the Khyber Pakhtunkhwa Sacked Employees (Reinstatement) Act, 2012 with the object to redress the grievances of the sacked employees by allocating 30% quota for them in fresh recruitment. Section 2 (g) of the Act *ibid* defines those sacked employees who can get benefit of the Act whereas Section 7 thereof prescribes 30 days period after promulgation of the Act for submission of applications for reinstatement. Learned counsel for the petitioners submitted at the bar that the petitioners fulfill all the conditions laid down in the Act.

5. The issue of reinstatement of the sacked employees has already been resolved by Superior Courts through various judgments wherein it has been held that the sacked employees are entitled to their reinstatement



provided they fulfill the criteria laid down in the Act. The issue of training of the sacked employees also arose before the august Supreme Court in C.P No. 401-P, 427-P and 431-P which were decided vide judgment dated 24.05.2017 with the following observations.

“We have been apprised by the learned counsel for the respondents that according to the advertisement and appointment letters issued to the respondents, two kinds of candidates could be appointed. (i) those who have the requisite academic qualifications and training, (ii) those who have the requisite academic qualifications but do not possess the necessary training. As regards the second category, such persons would be provided with an opportunity to complete the training within a specific period”.

6. Since, benefits of the Act *ibid* have already been extended to similarly placed persons, therefore, the petitioners are also entitled to the same relief. Resultantly, these writ petitions are disposed of with the directions to respondents to consider the petitioners for their reinstatement against 30% quota provided they fulfill the criteria laid down in the Khyber Pakhtunkhwa Sacked Employees (Reinstatement) Act, 2012. Respondents are further directed to complete the process within 30 days after receipt of this judgment.

Announced
22.11.2017

JUDGE

JUDGE

S.No. 25
Name of Applicant: Asif ur Rehman
Date of Presentation of Applicant: 31-01-2020
Date of Completion of Copies: 01-02-2020
No of Copies: 01-02
Urgent Fee: ---
Fee Charged: ---
Date of Delivery of Copies: 31-01-2020

Certified to be true copy

20-01-2020
EXAMINER
Peshawar High Court, Mingora/Dar-ul-Qaza, Swat
Authorized Under Article 17 of Ordinance Shabadat Order

Atty
28/11

DB: Mr. Justice Ehtisham Ishaq
Mr. Justice Muhammad Nusrat Makhdoom
(W.P No. 696-M of 2017 Muhammad Zahir and others Vs. Govt. of KPK and others)

Office Of The District Education Officer Male District Dir Upper



PH No. 0944-881400-Fax-880411
E-mail deomdirupper@gmail.com

C-7

APPOINTMENT.

In the light of the judgement passed by the Honorable Peshawar High Court Mingora Bench/Dar-ul-Qaza Swat in W-P NO. 685-M/2017 dated 08-11-2017, WP No. 700-M/2017 dated 22-11-2017, and in pursuance of Khyber Pakhtunkhwa sacked employees Act 2012 and out of quota @ 30% of the advertised posts, the following sacked employees are hereby appointed conditionally as Primary School Teacher (PST) in **BPS No. 12 (Rs.13320-960-42120)** Plus usual allowances as admissible under the rules & the existing policy of the Provincial Government in Teaching Cadre on the terms and condition given below with effect from the date of taking over charge.

S. No	Name	Father Name	Place of Posting	CNIC	Remarks
01.	Sehat Zarin	Sultan Zarin	GPS Noor Khail	1570105858715	
02.	Zakir Ullah	Ghulam Yousaf	GPS Tikar Kot No.1	157011240691	
03.	Fazal Ghafoor	Muhammad Amin	GPS Nangral	1570101351553	


TERMS AND CONDITIONS.

01. The appointment of sacked employee shall be made only on regular bases to a civil post during the period from 1st day of November 1993 to the 30th day of November 1996 (both days inclusive) and were dismissed/ removed, or terminated from service during the period of 1st day of November, to 31st day of December, 1998 on various ground.
02. Appointment of sacked employee subject to section 7 may be appointed in their irrespective cadre of his department, concerned in which he occupied civil posts before his dismissal, removal and termination from service.
03. The sacked employee shall be appointed against thirty percent of the available vacancies in the department:
04. As per court decision if the appointee fail to acquire the training PTC and the required qualification (FA/FSc within three years, their appointment will be considered as cancelled after the expiry of the period.
05. The appointee will provide undertaking that they will be completed the requisite training during a period of three years,
06. The appointee will provide Health and age certificate from the concerned Medical Superintendent.
07. The sacked employee shall not be entitled to claim seniority and other back benefits .They shall submit an undertaking on judicial stamp paper for not claiming any back benefits. A sacked employee appointed under section 3 shall not be entitled to make any claim of seniority, promotion or other back benefits and their appointment shall be considered as fresh appointment.
08. All the drawing and disbursing officers are directed to get a stamp paper as mentioned it S.No.07 and verify their academic and professional certificates/degree etc from the quarter concerned before starting their salaries otherwise they will be held responsible for the consequences if occurred in this regard.
09. The appointee will be governed by such rules and regulations/policies as prescribed by the Government from time to time.

Attested
ACCEPTED
M. N. M.

AK

10. If the appointee fail to take over charge with in fifteen days after issuance of this order, their appointment will be deemed as automatically cancelled.
11. Charge report should be submitted to all concerned.
12. The errors and omissions etc if found at any stage shall be rectified. In case of termination of said candidate, they will have no right to claim the order already issued in any court.
13. The period during which a sacked employee remain dismiss removed or terminated from service, till the date of their appointment shall be deemed his age to has been automatically relaxed and his no further relaxation under any rules for the time being in force.
14. Their appointment order is subject to the final outcome of the Supreme Court of Pakistan judgment.
15. No TA/DA is allowed.


**District Education Officer,
Male Dir Upper**

Endst: No. 1722-27/ File No.123/ Apptt:/ DEO (M)/ADO (P) Dated Dir (U) the 27 /03/2018:

Copy forwarded for information and necessary action to the: -

1. Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Dir Upper
3. Dy: District Education Officer Male Dir Upper.
4. Sub: Divisional Education Officer Male Barawal.
5. Official Concerned.
6. M/File

Arrested
ARRESTED


**DISTRICT EDUCATION OFFICER,
MALE DIR UPPER**

To

The Director, E&SE Department,
Khyber Pakhtunkhwa, Peshawar.

D-9

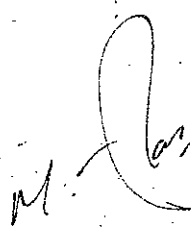
DEPARTMENTAL APPEAL FOR FIXATION OF PAY IN BPS-12 w.e.f.
23-09-1996 i.e. FROM THE DATE OF INITIAL APPOINTMENT

Respected Sir,

It is most humbly stated that I was appointed before your good self Department as PTC vide order dated 23-09-1996 as stop gap arrangement. That in year 1997 the services were dispensed with on the ground that his services was no more required to the Department. That on promulgation of KP Sacked Employee Act, 2012 I was submitted an application for reinstatement being covered under the said law but the same was not considered. Feeling aggrieved I was filed writ petition before the Peshawar High Court Mingora Bench, which was allowed. Dear Sir, I was appointed as PST w.e.f. taking over charge in light of Peshawar High Court Darul Qaza Bench judgment. That in response I have submitted my charge report and started duty quite efficiently and up to the entire satisfaction of my superiors. That I am entitle for fixation of pay from the date of my initial appointment i.e. 23-09-1996 but the concerned authority has been appointed me with immediate effect i.e. from the date of taking over charge. Sir, I am feeling aggrieved preferred this Departmental appeal before your good self.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal I may kindly be allowed for pay fixation w.e.f. 23-09-1996 with all consequential benefits. Any other remedy which your good self deems fit that may also be awarded in my favor

Dated: 18.09.2019



Your's Sincerely

ZAKIR ULLAH, PST

GPS Tikar Kot No.1, Dir Upper

VAKALATNAMA

Before the Appellate Tribunal Peshawar

OF 2019

Zakir Ullah

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Solamati Dept

(RESPONDENT)
(DEFENDANT)

I/We Zakir Ullah

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. ___/___/2019


CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

KAMRAN KHAN

&


MIR ZAMAN SAFI
ADVOCATES

OFFICE:

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

Mobile No.0345-9383141