

S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	21.03.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;"><u>SERVICE APPEAL NO. 64/2016</u></p> <p style="text-align: center;"><u>(Abdul Majeed-vs- Additional Chief Secretary, FATA, FATA Secretariat, Warsak Road, Peshawar and two others).</u></p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u> Counsel for the appellant present.</p> <p>2. The appellant has preferred the instant appeal for seeking up-gradation as Assistant Accountant from BPS-15 to BPS-16 with effect from 10.2.2007.</p> <p>3. Learned counsel for the appellant argued that the appellant was entitled to up-gradation to BPS-16 with retrospective effect i.e from 10.2.2007 but was granted the same with immediate effect vide order dated 13.8.2015.</p> <p>4. Arguments of learned counsel for the appellant heard and record perused.</p> <p>5. The issue of the up-gradation came up before the august Supreme Court of Pakistan in a recent judgment dated 17.2.2016 delivered in Civil Appeals No. 101 &amp; 102-P of 2011 wherein the august Supreme Court of Pakistan has ruled that the Service Tribunals have no jurisdiction to entertain any appeal involving the issue of up-gradation as it does not form part of the terms and conditions of service of the civil servants.</p>

*[Handwritten signature and date]*  
21.03.16

6. In view of the afore-stated judgment of the august Supreme Court of Pakistan, the appeal is not maintainable by this Tribunal for want of jurisdiction. The same is, therefore, dismissed in limine. File be consigned to the record room.

  
(Muhammad Azim Khan Afridi)  
Chairman




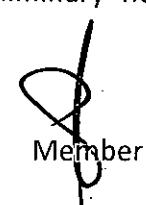
ANNOUNCED  
21.03.2016

21.03.16.

Form- A  
FORM OF ORDER SHEET

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

Case No. 64/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19.01.2016	<p>The appeal of Mr. Abdul Majeed resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	08.02.2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>08-2-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	25.02.2016	<p>Counsel for the appellant present. Requested for adjournment. To come up for preliminary hearing on 25.2.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p>
		<p>Counsel for the appellant present and requested for adjournment. Adjourned to 21.3.2016 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Abdul Majeed son of Muhammad Subhan Assistant Accountant FATA Secretariat received to-day i.e. on 08.01.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Appeal may be page marked according the index.
- 3- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 67 /S.T,

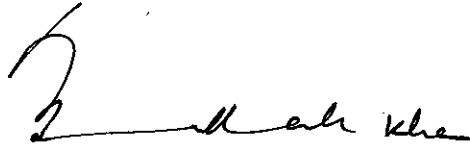
Dt. 11/1 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr:Saadullah Khan Marwat Adv. Peshawar.

Jir

Re-submitted after  
Completion.



19/01/16

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

S.A No. 64 /2016

Abdul Majeed

Versus

Chief Secretary & others

**I N D E X**

S.#	Description of Documents	Annex	Page
1.	Memo of Appeal		1-4
2.	Upgradation of Posts of P.G from 15 to 16, 10.02.2007	"A"	5-6
3.	W.P No. 1608/2012 Jdt:, 03.07.2013	"B"	7-10
4.	Approval to Upgradation of SAFRAN, 16.08.2013	"C"	11
5.	Approval to Upgradation, 06.03.2014	"D"	12
6.	Award of B-16, 13.08.2015	"E"	13
7.	Departmental Appeal, 11.09.2015	"F"	14

Appellant

Through



Dated: 08.01.2016

(Saadullah Khan Marwat)  
Advocate  
21-A Nasir Mension,  
Shoba Bazar, Peshawar.  
Ph: 0300-5872676

**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

S.A No. 64 /2016

Abdul Majeed S/o Muhammad Subhan,  
Assistant Accountant, FATA Secretariat,  
Warsak Road, Peshawar. . . . . Appellant

Versus

**A.W.F. Province  
Service Tribunal**  
Diary No. 26  
dated 08-01-2016

1. Additional Chief Secretary, FATA, FATA Secretariat, Warsak Road, Peshawar.
2. Secretary, Finance Department, FATA Secretariat, Warsak Road, Peshawar.
3. Secretary Administration, Infrastructure and Coordination, FATA Secretariat, Warsak Road, Peshawar. . . . . Respondents

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT 1974, AGAINST OFFICE ORDER NO. FS/E/100-1(ADJ)VOL-4/10017-24, DATED 13.08.2015 OF R. NO. 1 WHEREBY APPELLANT WAS GIVEN UPGRADATION OF THE POST OF ASSISTANT ACCOUNTANT BPS-15 TO BPS-16 WITH IMMEDIATE EFFECT INSTEAD OF 10.02.2007.**

⇔<=>⇔<=>⇔<=>⇔<=>⇔

**Respectfully Sheweth:**

1. That appellant was appointed as Upper Division Clerk on 16.08.1990 in the defunct FATA Development Corporation. He was promoted as Assistant Accountant BPS-15 on the recommendation of Departmental Promotion Committee on 07.05.1995 and since then he is performing his official duties to

re-submitted to the  
and filed:

**Registrar**  
19/11/16

the best of his ability and to the entire satisfaction of the superiors without any complaint.

2. That on 10.02.2007, the Provincial Govt. upgraded the posts/pay scales of Assistant Accountant from BPS-15 to B-16 through the Finance Department wherein at S. No. 5, the posts of Assistant Accountant BPS-15 was upgraded to BPS-16. (Copy as annex "A")
3. That Provincial Govt. upgraded the posts of Assistant Accountant vide Notification dated 10.02.2007 but being at par, the employees of the FATA Secretariat with Provincial Secretariat were not given upgradation, so appellant along with other filed writ petition before the Peshawar High Court, Peshawar for award of upgradation to B-16 which came up for hearing on 03.07.2013 and directed the respondents to treat all in accordance with law and that too without discrimination. In case other posts in the respondents department or others similarly "place" in other departments of the Federal or Provincial Govt. have been upgraded, then the grievance of the petitioners is well found. Respondents are further directed to remit the case of petitioners to the competent authority for upgradation of the posts. The writ petition was disposed off with the observation made above. (Copies as annex "B")
4. That in pursuance of the judgment of the Peshawar High Court Peshawar dated 03.07.2013, R. No. 1 remitted the case of appellant to the Govt. of Pakistan, States & Frontier Region, Islamabad to convey approval regarding upgradation of the post of Assistant Accountant from B-15 to B-16 in FATA Secretariat. (Copy as annex "C")
5. That on 06.03.2014, R. No. 1 issued Notification whereby appellant was upgraded from BPS-15 to B-16 but personal and was not entitled to any privilege of the higher grade/post, nor he shall claim to be posted against such higher grade/post. (Copy as annex "D")

6. That on 13.08.2015, R. No. 1 issued order wherein the post of appellant was upgraded from BPS-16 personal to BPS-16 regular. (Copy as annex "E")
7. That on 11.09.2015, appellant filed departmental appeal against order dated 13.08.2015 to ante date the upgradation with effect from 10.02.2007 when Provincial Govt. has accorded upgradation of Assistant Accountant B-15 to B-16. (Copy as annex "F")
8. That the representation of the appellant was processed in the department and the Consultant remarked the same as under:-

"The original demand of the petitioners was for the grant of service benefits from 10.02.2007, viz the date from which the corresponding benefits have been allowed to its employees by the Provincial Govt. of Khyber Pakhtunkhwa. Since the plea of petitioners was neither controverted by the respondents, during the court proceedings, nor it was otherwise objected to by the High Court, we feel that the orders for upgradation of the petitioners should legitimately take effect from the said date, viz 10.02.2007. Anyhow, the legal aspect of this proposition will be better known to litigation branch"

Thereafter the case was not finalized.

Hence this appeal, inter alia, on the following grounds:-

**GROUND S:-**

- a. That in orders/Notifications of the Federal as well as of the Provincial Government, posts of similarly placed incumbents were upgraded while the posts of petitioners are still lying unattended.
- b. That there exists no justification to not upgrade the posts of petitioners as in FATA Secretariat too, other posts of different nomenclature were upgraded while the posts of petitioners are still ignored for no legal reason.
- c. That when one class is availing benefits of higher grades regarding upgradation, depriving the other class makes discrimination.



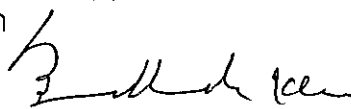
- d. That for the last 17 years, petitioners are serving the said posts in the same scale which also requires some higher benefits in shape of upgradation or promotion.

It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 13.08.2015 of R. No. 1 be modified and the same be antedated with effect from 10.02.2007 with all back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

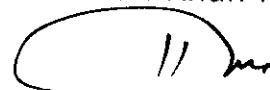


Appellant

Through



Saadullah Khan Marwat



Arbab Saif-ul-Kamal

&



Miss Robina Naz,  
Advocates,

Dated: 08.01.2016

5  
10-2-07

GOVERNMENT OF N.W.F.P.  
FINANCE DEPARTMENT

Dated Peshawar, the 10<sup>th</sup> February, 2007.

NOTIFICATION.

NO:SO(EST)FD/5-41/06. The competent authority is pleased to upgrade the under stated posts/Pay Scales in the Treasury Establishment with immediate effect, in the public interest.

Sl. No.	Name of Post / Designation	Existing BPS	Upgraded BPS	Remarks
1.	Senior District Accounts Officers Peshawar, Mardan, Swat, Abbottabad, Bannu, Kohat and D.I.Khan.	18	19	On upgradation, redesignated as District Comptroller of Accounts.
2.	District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Manshra & Dir Lower.	17	18	On upgradation, redesignated as Senior District Accounts Officer.
3.	Sub-Treasury Officers Takhat Bhai, Lahore, Tangi, Balakot, Ghazi, B.D.Shah & Kulachi.	16	17	
4.	Assistant Treasury Officers in the Offices of:- i) District Comptroller of Accounts Peshawar, Mardan, Kohat, Abbottabad, Swat, Bannu & D.I.Khan. ii) Senior District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Manshra & Dir Lower.	16	17	
5.	Assistant Accountant.	15	16	
6.	Sub-Accountant.	11	14	

SECRETARY TO GOVT OF NWFP  
FINANCE DEPARTMENT


No.SO(EST)FD/5-41/06

Dated Pesh: the 10<sup>th</sup> February, 2007.

Copy forwarded for information and n/a to:-

1. All the Administrative Secretaries, Govt. of NWFP, Peshawar.
2. The Senior Member Board of Revenue, NWFP, Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Accountant General, NWFP, Peshawar.
5. The Principal Secretary to Chief Minister NWFP, Peshawar.

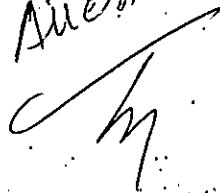
*Attested*  


*Attested*  


6. The Secretary Finance Department, Government of the Punjab, Sindh and Baluchistan.
7. All Zila Nazims/District Coordination Officers/Political Agents/District & Session Judges/Executive District Officers in NWFP/FATA.
8. The Secretary, NWFP Public Service Commission, Peshawar.
9. The Registrar, Services Tribunal NWFP, Peshawar.
10. The Secretary Board of Revenue, NWFP Peshawar.
11. All Senior/District /Agency Accounts Officers in NWFP/FATA.
12. The Director Local Fund Audit, NWFP, Peshawar.
13. All Sections/Budget Officers in Finance Department.
14. The Treasury Officer, Peshawar.
15. P.S. to Minister for Finance NWFP, Peshawar.
16. P.S. to Chief Secretary, NWFP, Peshawar.
17. P.S. to Additional Chief Secretary, NWFP Peshawar.
18. P.S. to Secretary to Government of NWFP, Finance Deptt. Peshawar.
19. P.A. Spl:Secretary Finance Department, Peshawar.
20. P.As to All Addl: Secretaries /Dy: Secretaries, Finance Department.

*Na*  
 (NASRULLAH KHAN)  
 SECTION OFFICER (ESTT)

E.No. Order (P-1)

*Attested*  


B

Z

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR**



Writ Petition No. 16089

1. Fazal-ur-Rahman S/o Sardar Ismail Khan.
  2. Abdul Majeed S/o Muhammad Subhan.
- Both Assistant Accountant, FATA Secretariat,  
Warsak Road, Peshawar. . . . . Petitioners

Versus

1. Secretary Administration, Infrastructure  
& Coordination, FATA Secretariat,  
Warsak Road, Peshawar.
2. Additional Chief Secretary, FATA, FATA  
Secretariat, Warsak Road, Peshawar. . . . . Respondents

◁<=>◁<=>◁<=>◁<=>◁

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

◁<=>◁<=>◁<=>◁<=>◁

**Respectfully Sheweth:**

1. That petitioner No.1 was initially appointed as Assistant on 29.07.1981 while petitioner No.2 as Upper Division Clerk on 16.08.1990 in the defunct FATA Development Corporation. Thereafter, they were promoted, on the recommendation of Selection/Promotion Committee, as Assistant Accountant BPS-15 by Deputy Director (Personal) FATA Development Corporation, Peshawar on

*Attested*

**ATTESTED**  
EXAMINER  
Peshawar High Court

8

Judgment Sheet

IN THE PESHAWAR HIGH COURT, PESHAWAR.  
JUDICIAL DEPARTMENT

H.P. No. 1608 of 2002

JUDGMENT

Date of hearing 3/7/2013  
Appellant/Petitioner (s) (Fazal-ur-Rehman) by Sadullah Khan  
Machhat, Advocate.  
Respondent (s) Mr. Ibadur Rehman, Advocate for respondents

**YAHYA AFRIDI, J.-** Fazlur Rehman,

petitioner, seeks the constitutional jurisdiction of this Court praying for that:

*"the order dated 11.5.2012 of the respondents be declared illegal, improper and without lawful authority and the respondents be further directed to upgrade the posts of the petitioners from BPS-15 to BPS-16 with all service benefits since 10.2.2007.*

2. The brief and essential facts leading to the institution of the present petition are that petitioner No.1 was initially appointed as Assistant on 29.7.1981, while petitioner No.2 was appointed as upper division clerk on 16.8.1990 in the defunct FATA Development Corporation; that thereafter they were promoted as Assistant Accountant BPS-15 by

9

ATTESTED  
EXAMINER  
Peshawar High Court

9

the Deputy Director (Personal) FATA Development Corporation, Peshawar on 7.5.1995; that on 10.2.2007, Secretary to Government of KPK, Finance Department issued a Notification for up-gradation of the posts/pay scales in the Treasury Establishment with immediate effect; that the Federal Government also upgraded all posts from BPS-1 to 18 but the posts of the Assistant Accountant BPS-15 of have not been upgraded in FATA Secretariat, though other similarly placed in the organization have been upgraded while the said relief has not been granted to the petitioner; and that the subsequent representation of the petitioners for up-gradation was rejected on 11.5.2012. Hence, this writ petition.

3. This Court would not like to pass any findings on the merit of the case, lest the same would prejudice the case of the petitioners on merit. Suffice, it to state that the respondents are to treat all in accordance with law and that too without discrimination. In case other posts

9

TESTED  
EXAMINED  
Peshawar High Court

10

in the respondents' department or others "similarly placed" in other departments of the Federal or Provincial Government have been upgraded, then the grievance of the petitioners is well found.

4. Accordingly, it would be appropriate to direct the respondents to send the case of the petitioners to the competent authority for up-gradation of the posts. The needful be done in a expeditious manner.

5. In case the grievance of the petitioners is not positively redressed, then the respondents are required to furnish reasons in writing for their decision. A copy thereof be sent to the Additional Registrar (Judicial) of this Court.

6. This writ petition is accordingly disposed of with the observation made above.

Announced on:  
3<sup>rd</sup> July, 2013

JUDGE

Sd/- Yahya Abzidi  
Sd/- Ahsan Hussain Khan

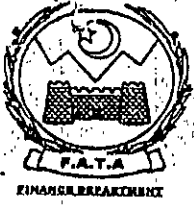
JUDGE

Attested  
M

2/7/13

EXAMINED TO BE TRUE COPY  
High Court  
Under Part  
Shahadat Order

17-7-13



To

C 11 16-8-13

**FATA SECRETARIAT  
FINANCE DEPARTMENT  
WARSAK ROAD PESHAWAR**  
No.SO(B&A)/FD/FS/4-1/2013  
Dated 16.08.2013

The Section Officer (R-I),  
Establishment Division,  
Cabinet Secretariat,  
Islamabad.


Subject: - UP-GRADATION OF POST ASSISTANT ACCOUNTANT FROM BPS-15 TO BPS-16.

The Provincial Government of Khyber Pakhtunkhwa vide its notification No.SO(Estt)FD/5-41/06 dated 10.02.2007 (copy enclosed) has upgraded the posts of Assistant Accountant from BPS-15 to BPS-16. The said orders are equally applicable on FATA side, because according to Presidential Order No.13 of 1972, all the employees working in FATA are treated as Provincial Government employees, and they are entitled to all those benefits, which are admissible to their counterpart in Provincial Government of Khyber Pakhtunkhwa.

2. The two officials lodged a Writ Petition in Peshawar High Court Peshawar for seeking the remedy of up-gradation. The case came up for hearing and the text of the judgment of the Court dated 07.07.2013 as per Additional Registrar letter No.10806/Judl: dated 10.07.2013 is reproduced as under:- (copy enclosed)

*"Accordingly, it would be appropriate to direct the respondents to send the case of the petitioners to the competent authority for up-gradation of the posts. The needful be done in an expeditious manners"*

3. Foregoing in view, and in pursuance of para 3 of up-gradation policy sanction of Establishment Division as well as Finance Division for up-gradation of the two posts of Assistant Accountants from BPS-15 to BPS-16 is solicited, please.

  
Sanauallah  
Section Officer (B&A)

Copy forwarded to

1. PS to Secretary Finance FATA.
2. Section Officer (Estab), AI&C Department FATA.
3. Section Officer (Lit), AI&C Department FATA.

  
Section Officer (B&A)

*Alister*  






Establishment Section

**FATA SECRETARIAT**  
(ADMINISTRATION, INFRASTRUCTURE & COORDINATION DEPARTMENT)  
**WARSAK ROAD PESHAWAR**

**NOTIFICATION :-**

No.FS/E/100-56 (Vol-2/ 3521-31)

In pursuance of Judgement of Supreme Court of Pakistan in Civil Appeal No.116-P/2010 dated 22-06-2010 and approval of Governor Khyber Pakhtunkhwa, the competent authority, on the recommendation of Departmental Committee for up-gradation, has been pleased to approve the up-gradation of the following employees of defunct FATA DC to the next grades as noted against each with immediate effect:-

S.No	Name & Designation	Present place of posting	Existing BPS	Upgraded to BPS (Personal)
1.	Fazal-ur-Rahman Assistant Accountant	Admn, Infra: & Coord Department FATA Secretariat.	BS-15	16
2.	Abdul Majeed Assistant Accountant	Admn, Infra: & Coord Department FATA Secretariat.	BS-15	16

2-

The up-gradation is:-

- (i) Purely personal on existing posts of the employees without change in their designation. The employees availing the benefit of personal up-gradation shall not be entitled to any privilege of the higher grade post nor shall they claim to be posted against such higher grade/post.
- (ii) The posts against which the personal up-gradation has been made shall be downgraded to original Basic Pay Scale on the retirement of incumbents on attaining the age of superannuation or any other valid reason.

**ADDITIONAL CHIEF SECRETARY (FATA)**

Dated. 06/03/2014

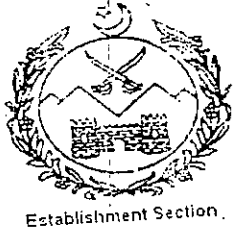
Copy to:-

1. Secretary States & Frontier Region's Division Islamabad
2. Secretary Finance Department FATA Secretariat
3. Additional Accountant General (PR) Sub Office Peshawar
4. Deputy Secretary (Admn) FATA Secretariat
5. Section Officer (Budget & Accounts) Admn, FATA Secretariat
6. Section Officer (Audit) FATA Secretariat
7. Estate Officer/DDO, FATA Secretariat
8. Public Relations Officer FATA Secretariat
9. PS to Secretary A,I&C Department FATA Secretariat
10. Officials concerned
11. Personal Files

*Attested*  
*[Signature]*

*Attested*  
*[Signature]*

*[Signature]*  
**(JIBREEL RAZA)**  
Section Officer (Estab)



Establishment Section

## ORDER :-

13  
13-8-15

**A SECRETARIAT**  
(ON INFRASTRUCTURE & COORDINATION DEPARTMENT)  
**WARSAK ROAD PESHAWAR**

In pursuance of approval conveyed vide Finance Division (Regulation Wing) Government of Pakistan, Islamabad, Office Memorandum No.1(4)R-I/2014-214/2015 dated 28-04-2015 and this department subsequent Order bearing No.FS/E/100-1 (Adj) Vol-4/8035-45 dated 11-06-2015 regarding upgradation of two posts of Assistant Accountant from BS-15 to BS-16 under the sanctioned strength of Administration, Infrastructure & Coordination Department FATA Secretariat, the following Assistant Accountants, the incumbents of the posts, also stand upgraded and are placed in BS-16 against these posts with immediate effect:-

S.No	Name & Designation	Exiting BPS of the incumbent	New/Upgraded BPS of the incumbent
1.	Mr. Fazal-ur-Rahman Assistant Accountant	BS-16 Personal	BS-16
2.	Mr. Abdul Majeed Assistant Accountant	BS-16 Personal	BS-16

**SECRETARY (ADMN, INFRA: & COORD)**

No.FS/E/100-1 (Adj) Vol-4/10017-24  
Dated 13/8/2015  
Copy to:-

1. Secretary Finance Department FATA Secretariat
2. Additional Accountant General (PR) Sub Office Peshawar
3. Section Officer (Budget & Accounts) Admn, FATA Secretariat
4. Section Officer (Budget & Accounts) FATA Secretariat
5. Estate Officer/DDO FATA Secretariat
6. PS to Secretary A,I&C Department FATA Secretariat
7. Assistant, Accounts Section A,I&C Department FATA Secretariat
8. Officials concerned

*[Signature]*  
Section Officer (Estab)

*[Signature]*  
E

*[Signature]*  
M

F

16

11-9-15

To,

The Additional Chief Secretary,  
FATA Secretariat, Peshawar.

Subject:

APPEAL REGARDING UPGRADATION OF THE POST  
OF ASSISTANT ACCOUNTANT FROM BPS 15 TO 16

Sir,

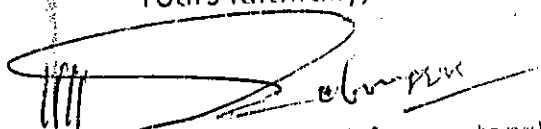
With immense regards, it is submitted that we had lodged a Writ Petition before Peshawar High Court, for up-gradation of our post with effect from 10.02.2007, in line with the position, prevailing in Provincial Government (Annexure-A). The honorable High Court was kind enough to accept the petition in toto (Annexure-C). Now, whereas the post of Assistant Accountant in Provincial Government stands up-graded from 10-02-2007, our up-gradation has been allowed by FATA Secretariat with immediate effect, i.e. from 13.08.2015 (Annexure-D).


2- The contents of our petition as admitted by the honorable High Court (Annexure-B), clearly show that our demand was for up-gradation of the post with retrospective effect as in the case of Provincial Government. Our plea was neither controverted by the respondents nor otherwise objected to by the High Court; rather the court had directed that the case should be sent to competent authority for up-gradation of the post. The competent authorities, viz Establishment, SAFRON and Finance Divisions, Islamabad had also given acceptance of the court's judgment (Annexure-E, F & G). In this situation, it is only fair that we may be given up-gradation from the same date i.e. 10-02-2007.

3- Keeping in view the foregoing lines, It is requested that our case may kindly be reconsidered judiciously on realistic grounds, and the order of up-gradation be revised, to ensure conformity with the spirit of the Court's judgment.

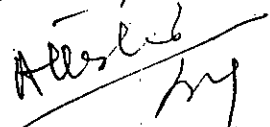
See Pm  
See. Pm  
Pr. examine of  
Rdls & put up  
11/9/15

Yours faithfully,

  
Fazal Ur Rehman (Assistant Accountant)

  
Abdul Majeed (Assistant Accountant)

8446  
11-9-15



بعد الت جناب سرسٹریٹس ٹریبونل صوبہ سرحد پشاور

متجانب اہلانٹ

عبدالمجید بنام محکمہ فائنانس ٹریبونل وغیرہ

دعویٰ اپیل

باعث شکریہ ایٹمک

مقررہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور کیسٹے سعد اہلس خان سے وکٹ ایڈوکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موضوع کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل صاحب کو کرنے رضی نامہ و تقرر ثالث و فیصلہ بحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور رضی دعویٰ اور درخواست ہر قسم کی تقذیق اور اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور تنسیخ یا نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مشاور قانونی کو اپنے ہمراہ یا اپنی بجائے تفویض کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا و دوران مقدمہ میں جو خرچہ و ہرجانہ التوا مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موضوع ہوں گے نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام درجہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ رکھ دیا کہ سند ہے۔

07-01-2016. المرقوم

العبد

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 ارباب سید اسماعیل  
 ایڈوکیٹ  
 سعد اللہ خان مروت  
 ایڈوکیٹ  
 Puhina  
 من روپیہ تاز  
 ایڈوکیٹ

عبدالمجید