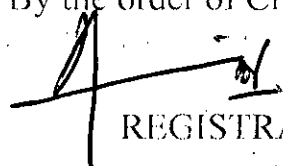


FORM OF ORDER SHEET

Court of _____

Appeal No. 2467/2023

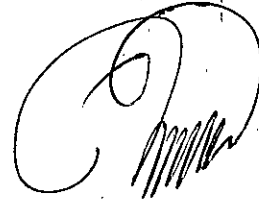
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/11/2023	<p>The appeal of Mst. Jameela resubmitted today by Mr. Muhammad Ayub Khan Shinwari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

The appeal of Mst. Jameela received today i.e on 21.11.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of the appellant is incomplete which may be completed according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Page no. 5, 6 & 7 of the appeal are illegible which may be replaced by legible/better one.
- 3- Copy of covering letter under which the writ petition has been sent to the respondent department by the Peshawar high court is not attached with the appeal, be placed on it.

No. 3650 /S.T,

Dt. 22-11 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Ayub Khan Adv.
High Court Peshawar.

27/11/2023 RESUBMITTED AS
THE OBJECTIONS IN
SPECIFIED FORM i.e. (A)
HAS BEEN RECEIVED
HOWEVER (A) IS ALSO
WITH SUBM 4 (A) TOO
PLZ CORRECT



27/11/2023

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 24/67 /2023

Mst Jameela

.....Appellant

Versus

Government of KPK through Secretary Health & others

.....Respondents

INDEX

S. No	Description of Document	Dated	Annex	Pg No
1.	Service Appeal and Affidavit			1-4
2.	Copy of Appointment order of Appellant		A	5
3.	Copy of regularization order		B	6-7
4.	Copy of service book		C	8-17
5.	Copy of Office Order		D	18
6.	Copy of Writ Petition, Judgment and Order in W.P No 220-P/2023		E	19-23
7.	Copy of Judgment in Service Appeal No 970/19		F	24-28
				29

Dated: / /2023

Appellant,

Through

Muhammad Ayub Khan Shinwari

LL.B; LL.M

ADVOCATE

Supreme Court of Pakistan

CHAMBER

7-A, Haroon Mansion,

Khyber Bazar, Peshawar

Cell: (Clerk) 03219068514

Email: mak_shinwari@yahoo.com

21/11/23

(1)

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 2467 /2023

Mst Jameela (Ex-Lady Health Worker) W/o Yousaf Jan,
R/o Sardheri, Charsadda village shekha (sardheri)Appellant
tehsil & dist. Charsadda.

Versus

1. Secretary to Government of Khyber Pakhtunkhwa, Department of Health, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, Charsadda
5. District Account Officer, CharsaddaRespondents

**Service Appeal Under Section 4 of Khyber
Pakhtunkhwa Service Tribunal Act, 1974**

Respectfully Sheweth,

Brief but relevant facts of the case are as follows:

1. That the appellant was appointed as Lady Health Worker in the respondent Department on fixed pay by the competent authority in the prescribed manner after fulfilling all the codal formalities vide appointment order dated 02-03-1996. (Copy of the appointment order is appended herewith as **Annex-A**)
2. That the said contract was extended from time to time. Meanwhile the Government of Khyber Pakhtunkhwa promulgated Khyber Pakhtunkhwa Regulation of lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 the services of all the contract employees were regularized.
3. That in pursuance of the aforesaid Act the respondents regularized the services of the Appellant and her colleagues vide Office Order dated 24-09-2014. (Copy of Regularization order is appended herewith as **Annex-B**)
4. That now the appellant has retired from service on attaining the age of superannuation with effect from 31-03-2020 vide Office Order dated 28-04-

2020 but the respondents are not preparing her pension papers for her monthly pension and other retiring benefits. (Copy of Service Book and Office Order is appended herewith as **Annex-C & D**)

5. That feeling aggrieved of the aforesaid act of respondents, the appellant filed Writ Petition No 220-P/2023 before the Honorable Peshawar High Court, Peshawar wherein the Honorable Court was pleased to convert the Writ Petition into Departmental Appeal and sent to Director General, Health Services of KP, Peshawar for decision in accordance with law, within a period of two months, from the date of receipt of order, after providing the petitioner an opportunity of hearing vide Judgment and Order dated 11-09-2023. (Copy of Writ Petition, Judgment and Order is filed herewith and annexed as **Annex-E**)
6. That till date the respondents have not been decided the departmental appeal yet and the time for deciding the Departmental Appeal has lapsed.

Hence, the instant Service Appeal on the following amongst other grounds:

Grounds:

- a. That the impugned act of respondent Department is against the law, illegal, unlawful and without lawful authority.
- b. That the controversy involved in the title Service Appeal has been decided by this Honorable Court in Service Appeal No 1970/2019 vide Judgment dated 15-07-2021. (Copy of Judgment is filed herewith and annexed as **Annex-F**)
- c. That the treatment met to the Appellant is against the fundamental rights of the Petitioners enshrined and protected under the Constitution of Islamic Republic of Pakistan, 1973.
- d. That under the rule 2.3 of West Pakistan Civil Services Pension Rules, 1963, the service of the Appellant with effect from dates of appointment till date of regularization shall be counted for pension or gratuity.
- e. That the treatment met to the Appellant is against the dictums of August Supreme Court of Pakistan and this Honorable Tribunal.
- f. That the treatment met to the Appellant is not only based on discrimination but also the same is based on colorful exercise of powers which is not warranted under law.
- g. That the treatment met to the Appellant is not only against the principles of natural justice but also against the settled principles of administrative law.

3

h. That the Appellant crave permission of this Honorable Tribunal to rely on other grounds at the time of arguments and produce any additional document if required in support of his Service Appeal.

It is, therefore, prayed that on acceptance of the title Service Appeal, the impugned Notification may kindly be set aside and the respondents may kindly be directed to prepare and process the pension papers of the appellant for payment of monthly pension and other pension benefits along with arrears and back benefits.

Any other relief, deemed fit and appropriate by this Honorable Tribunal, in the circumstances of the service appeal which has not been prayed for, may graciously be granted.

Muhammad Ayub Khan Shinwari
Appellant,

Through

Muhammad Ayub Khan Shinwari
Advocate Supreme Court

4

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No _____/2023

Mst Jameela

.....Appellant

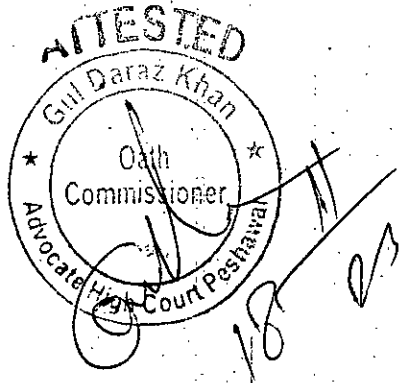
Versus

Government of KPK through Secretary Health & others

.....Respondents

Affidavit

I, Mst Jameela (Ex-Lady Health Worker) W/o Yousaf Jan, R/o Sardheri, Charsadda hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



[Signature]
Deponent

نمبر شدہ 316 مورخہ 7/2/96 ڈی ایچ او آفس حارسا
 سماءہ جیسلم سیم زوج 1 - دختر نرسنگ
 محلہ شیخو دیوان گاؤں 1 شہر سرگودھا
 تحصیل حارسا ضلع حارسا
 بنیادی مرکز صحت 1 وہی مرکز صحت 1 تحصیل ہیڈ کوارٹر ہسپتال 1 ضلعی ہیڈ کوارٹر ہسپتال
 کی سلیکشن کمیٹی کی سفارش پر بطور نیشنل ہیلتھ ورکرز نے ٹریننگ معادلاتی
 بنیاد پر منتخب کر لیا گیا ہے۔

شرائط برائے انتخاب

- 1- آپ کا انتخاب ابتدائی طور پر بندرہ ماہ کیلئے عمل میں لایا گیا ہے۔
- 2- پہلے بارہ ہفتے میں متعلقہ ٹریننگ سنٹر کا عملد آپ کو ٹریننگ دے گا، ٹریننگ ہفتے میں پانچ دن (اتوار، سوموار، منگل، بدھ اور جمعرات) کو ہوگی۔
- 3- ٹریننگ کے بعد اگلے بارہ ماہ آپ کو اپنے متعلقہ علاقہ میں کام کرنا ہوگا۔ ہر ماہ میں ہفتہ کام کرنے کے بعد چوتھے ہفتے میں ٹریننگ سینٹر میں رپورٹ اس ٹریننگ کیلئے آنا ہوگا۔
- 4- آپ کو بارہ ہفتے کی ٹریننگ کے دوران سیکس (50) یا اس سے زائد روزوں کے دن سہ ماہیہ (1200) ملے گا۔
- 5- آپ کا انتخاب آپ کے متعلقہ رہائشی علاقہ کیلئے ہے اور دوران ٹریننگ کام آپ کی کہیں تبدیلی (ٹرانسفر) نہیں ہوگی۔
- 6- دوران ٹریننگ و کام متعلقہ انچارج بنیادی مرکز صحت 1 وہی مرکز صحت 1 تحصیل یا ضلعی ہیڈ کوارٹر ہسپتال، آپ کی کارکردگی کو زیر دیکھ لیا جائے گا، جس کی رپورٹ وہ وقتاً فوقتاً ہینڈل کی جائے گی۔
- 7- انتخاب کے بعد جب بھی پتہ چلا کہ آپ کے انتخاب کے کوآف میچ نہیں ہیں یا پروگرام کے دوران یہ وقت بھی آپ کی کارکردگی غیر تسلی بخش ہوئی تو آپ کو بغیر کسی نوٹس کے فارغ کر دیا جائے گا۔ اس سلسلے میں آپ کی قسم کی قانونی چارہ جوئی کی حقدار نہیں ہوگی۔
- 8- اگر آپ کی کارکردگی تسلی بخش رہی تو آپ کے انتخابی معاہدہ میں توسیع ہوتی رہے گی جو 1998 تک دوہرے ہو سکتا ہے۔
- 9- آپ کو پروگرام کے دوران گاہے بگاہے جاری ہونے والی تمام ہدایات پر عمل کرنا ہوگا۔
- 10- آپ کو ہدایتی کی جاتی ہے کہ آپ مورخہ 19/9/96 کو صبح 8:30 بجے ٹریننگ سنٹر حارسا میں آکر رپورٹ کریں۔ اگر آپ مقررہ دن پر حاضر ہونے سے قاصر رہیں تو آپ کا انتخاب خود بخود ختم سمجھا جائے گا۔

District Health Officer
Charsada.

District Health Officer
CHARSADA.

وزیر اعظم کا پروفگرام برائے خاندانی منصوبہ بندی اور بنیادی صحت
آرڈر برائے انتخاب نیشنل ہیلتھ و دیگر

نمبر شمارہ 316 مورخہ 7/2/96 ڈی ایچ او آفس، چارلس روڈ

سماۃ بیگم

زوجہ / حضرت یوسف خان

علم شہود ارباب

گاون / شہر / سہروردہ

تحویل چارلس روڈ

دہلی مرکز صحت / تحصیل ہیڈ کوارٹرس ہسپتال / خلی بیڈ کوارٹرس ہسپتال

کی سائنس بیٹی کی سفارش پر بطور نیشنل ہیلتھ و دیگر برائے ٹریننگ معاداتی
بنیاد پر منتخب کر لیا گیا ہے۔

شرائط برائے انتخاب

- 1- آپ کا انتخاب ابتدائی طور پر پندرہ ماہ کیلئے عمل میں لایا گیا ہے۔
- 2- پچھلے بارہ ہفتہ میں متعلقہ ٹریننگ سنٹر کا مہلہ آپ کو ٹریننگ ہفتہ میں پانچ دن (اتوار، سوموار، منگل، بدھ اور جمعرات) کو ہوگی۔
- 3- ٹریننگ کے بعد اگلے بارہ ماہ آپ کو اپنے متعلقہ علاقہ میں کام کرنا ہوگا۔ ہر ماہ تین ہفتہ کام کرنے کے بعد چھوٹے ہفتہ متعلقہ ٹریننگ سنٹر میں رپورٹ / ٹریننگ کیلئے آنا ہوگا۔
- 4- آپ کو بارہ ہفتہ کی ٹریننگ کے دوران پچاس (50) روپے کو میلہ اور اس کے بعد ہر ماہ بارہ سو روپے (1200) روپے کا عواد دیا جائیگا۔
- 5- آپ کا انتخاب آپ کے مستقل رہائشی علاقہ کیلئے ہے۔ اور دوران ٹریننگ و کام آپ کی کنبلیا تبدیل (ٹرانسفر) نہیں ہوگی۔
- 6- دوران ٹریننگ و کام متعلقہ ایجاد بنیادی مرکز صحت / دہلی مرکز صحت / تحصیل یا خلی ہیڈ کوارٹرس ہسپتال، آپ کی کارکردگی کو پروفیسر کے کابینہ کی رپورٹ و قبلاً نوٹا ہونے کے گا۔
- 7- انتخاب کے بعد جب بھی پتہ چلا کہ آپ کے انتخاب کے کوآلٹیا صحیح نہیں ہیں یا پروفگرام کے دوران کسی وقت بھی آپ کی کارکردگی غیر تسلی بخش ہوگی تو آپ کو لبرر کسی نوٹس کے فادخ کر دیا جائیگا۔ اس سلسلہ میں آپ کسی قسم کا کوئی چارہ جوئی کے حقار نہیں ہوگی۔
- 8- اگر آپ کی کارکردگی تسلی بخش رہی تو آپ کے انتخاب کا معاہدہ میں توسیع ہوتی دیکھی جی۔
- 9- آپ کو پروفگرام کے دوران کا ایسے بچے جاری ہونے والی تمام ہدایات پر عمل کرنا ہوگا۔
- 10- آپ کو وراثت کیجاتی ہے۔ یہ آپ کو رقم 2 مارچ 1996 کو پچ 30 بجے ٹریننگ سنٹر BHU شیخو رپورٹ کر لیا۔ اگر آپ فوریہ وقت پر حاضر ہونے سے کامر نہیں تو آپ کا انتخاب خود بخود ختم سمجھا جائیگا۔

ڈ سہروردہ ہیلتھ آفس

دفتر دستورات سیکرٹری سٹیٹ فیئر چارلس

فیئر چارلس اور دیگر ایجنسیوں کی لیڈی سٹاک ڈسٹری بیوٹرز کی پروگرام ایئر لیمٹڈ کے ذریعہ ایئر سٹاک ڈسٹری بیوٹرز کو
 ۳۱ جولائی ۲۰۱۳ء سے متعلق زیادہ پر باتامہ تصور کیا جاتا ہے

نام	شمارگانام	بیڈی کیل	ہمدہ
شانہ	جلال اللہ	7	لیڈی سٹاک ڈسٹری بیوٹرز
تاجدار علی	فیئر	5	لیڈی سٹاک ڈسٹری بیوٹرز
جمیل علی	یوسف جان	5	لیڈی سٹاک ڈسٹری بیوٹرز
مہتاب	5 لہقان	5	لیڈی سٹاک ڈسٹری بیوٹرز
رفیق	مصدق جان	5	لیڈی سٹاک ڈسٹری بیوٹرز
	شیخ	5	لیڈی سٹاک ڈسٹری بیوٹرز
	گور علی	5	لیڈی سٹاک ڈسٹری بیوٹرز
		5	لیڈی سٹاک ڈسٹری بیوٹرز
	محمد شعیب	5	لیڈی سٹاک ڈسٹری بیوٹرز
		5	لیڈی سٹاک ڈسٹری بیوٹرز
	شہریار	5	لیڈی سٹاک ڈسٹری بیوٹرز
	یوسف خان	5	لیڈی سٹاک ڈسٹری بیوٹرز
12	میاں محبوب	5	لیڈی سٹاک ڈسٹری بیوٹرز
13	شاہ	5	لیڈی سٹاک ڈسٹری بیوٹرز
14	امان اللہ خان	5	لیڈی سٹاک ڈسٹری بیوٹرز
15		5	لیڈی سٹاک ڈسٹری بیوٹرز
16		5	لیڈی سٹاک ڈسٹری بیوٹرز
17		5	لیڈی سٹاک ڈسٹری بیوٹرز
18	بابو جان	5	لیڈی سٹاک ڈسٹری بیوٹرز

~~ATTESTED~~ ATTESTED



دفتر ڈسٹرکٹ ہیلتھ آفیسر چارسدہ

بوریٹھ: 24/9/2014

نمبر: 1087-11

خیبر پختونخوا اریگولیشن آف لیڈی ہیلتھ ورکرز پروگرام اینڈ ایسپلائز (ریگولر انٹرنیشن اینڈ شیڈولڈ کاسٹ) ایکٹ ۲۰۱۳ کی سق نمبر (۱) کے تحت معاہدہ کی بنیاد پر کام کرنے والے درج ذیل ملازمین کی ملازمت کو یکم جولائی ۲۰۱۳ سے مستقل بنیاد پر باقاعدہ تصور کیا جاتا ہے انکی ملازمت کی قیود و شرائط مذکورہ بالا ایکٹ اور اسکے تحت بنائے جانے والے قواعد کے مطابق ہوں گی۔

نمبر شمار	نام ملازم یا ملازمہ	والد کا نام	شوہر کا نام	بنیادی سکیل	عہدہ	تاریخ تقرری	مرکز صحت کا نام	متعلقہ علاقہ کا نام
1	شبانہ		عباد اللہ	7	لیڈی ہیلتھ سپروائزر	01/04/2002	شیخو	شیخو
2	تاجدار بیگم		بشیر	5	لیڈی ہیلتھ ورکر	07/02/1996	شیخو	شیخو
3	جیلہ بیگم		یوسف خان	5	لیڈی ہیلتھ ورکر	07/02/1996	شیخو	شیخو
4	بلقیس ناز		خالد خان	5	لیڈی ہیلتھ ورکر	07/02/1996	شیخو	شیخو
5	رضیہ بیگم		مقصود جان	5	لیڈی ہیلتھ ورکر	07/02/1996	شیخو	شیخو
6	شیم		شفیق	5	لیڈی ہیلتھ ورکر	13/04/1996	شیخو	شیخو
7	ملکہ فرحت		گوہر علی	5	لیڈی ہیلتھ ورکر	13/07/1996	شیخو	شیخو
8	عشرت جہان	شاد محمد		5	لیڈی ہیلتھ ورکر	25/10/2000	شیخو	شیخو
9	صفیہ بیگم	ہما سم جان	محمد شعیب	5	لیڈی ہیلتھ ورکر	25/10/2000	شیخو	شیخو
10	حمیدہ بیگم	گل رحمان		5	لیڈی ہیلتھ ورکر	25/10/2000	شیخو	شیخو
11	ترنس بانو		شہریار	5	لیڈی ہیلتھ ورکر	25/10/2000	شیخو	شیخو
12	نہیدہ بیگم		یوسف خان	5	لیڈی ہیلتھ ورکر	15/03/2002	شیخو	شیخو
13	گل فہیدہ ناز		میاں محبوب شاہ	5	لیڈی ہیلتھ ورکر	15/03/2002	شیخو	شیخو
14	بشری بیگم		امان اللہ خان	5	لیڈی ہیلتھ ورکر	15/03/2002	شیخو	شیخو
15	آسیہ بیگم	جان محمد		5	لیڈی ہیلتھ ورکر	01/04/2003	شیخو	شیخو
16	جیلہ بیگم	پذیر گل		5	لیڈی ہیلتھ ورکر	01/04/2003	شیخو	شیخو
17	سیرا گل	مہر رحمان		5	لیڈی ہیلتھ ورکر	01/04/2003	شیخو	شیخو
18	گل ناز		بالو جان	5	لیڈی ہیلتھ ورکر	26/06/2004	شیخو	شیخو



شیخو	شیخو	01/08/2005	لیڈی ہیلتھ ورکر	5		تسلیم شاہ	نصیرہ	19
شیخو	شیخو	01/08/2005	لیڈی ہیلتھ ورکر	5		اکبر خان	عظمیٰ	20
شیخو	شیخو	15/06/2006	لیڈی ہیلتھ ورکر	5	زیر شاہ		نازیہ	21
شیخو	شیخو	15/06/2006	لیڈی ہیلتھ ورکر	5		ناصر خان	سعدیہ نسرن	22
شیخو	شیخو	09/04/2007	لیڈی ہیلتھ ورکر	5		غفور رحمان	شہناز بیگم	23
شیخو	شیخو	23/07/2009	لیڈی ہیلتھ ورکر	5	مشتاق خان		سہماگل	24
شیخو	شیخو	02/06/2010	لیڈی ہیلتھ ورکر	5	زیر شاہ		مہناز	25

ڈسٹرکٹ ہیلتھ آفیسر چارسدہ

بقول برائے اطلاع:

- ۱۔ رجسٹرار سپریم کورٹ آف پاکستان، اسلام آباد۔
- ۲۔ ڈائریکٹر جنرل ہیلتھ سروسز خیبر پختونخوا ایشاد۔
- ۳۔ سیکشن ایڈیٹنگ نیشن ہیلتھ ڈیپارٹمنٹ آف ایشاد۔
- ۴۔ PS ڈائریکٹری صحت خیبر پختونخوا ایشاد۔
- ۵۔ ڈسٹرکٹ اکاؤنٹس آفیسر چارسدہ۔
- ۶۔ متعلقہ انچارج میڈیکل آفیسر۔
- ۷۔ متعلقہ ملازم/ملازمت۔

ڈسٹرکٹ ہیلتھ آفیسر چارسدہ

~~Annex C~~

Annex C ⁸ Annex of ANNEXURE

Heirs.

- 1.
- 2.
- 3.

Verification Roll No. _____ dated _____ received back _____

Left Thumb Impression

Qualification	Date	Qualification
English		First Arts
Pushto		B.L. or B.A
Urdu		Pleadership examination
Plan-drawing		Training School Final examination
Finger Print		Other qualifications—
Drill Instructing		
Court Duties		
Reserve Duties		

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[Signature]

Magistrate (General) District
 Tardana
 A.P. District Supreme Court
 of Punjab, No. 50/14

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~~ATTESTED~~

The entries on this page should be renewed or re-attested at least every five years and the Signature to line 9 and 10 should be dated

9/

Name: Jamesda

Race: Afghani

Residence: village, Abad Khan Shekhoplo
Sarkani Distd Tehs Charsadola

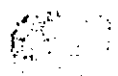
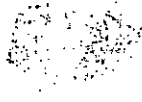
Father's name and residence: Bahadar Khan


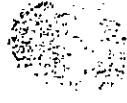
Date of birth by Christian era as nearly as can be ascertained: 01 - 04 - 1960


Exact height by measurement: 5 - 7


Personal marks for identification: (NIL)

Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:  Ring Finger: 

Middle Finger:  Fore Finger: 


Thumb: 

Signature of Government Servant: 

Signature and designation of the Head of the office, or other Attesting Officer: 

Distd Health Officer
Charsadola

Distd Health Officer
Charsadola

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11

3 (Handwritten mark)

9 Name and Designation of the head of the office or other attesting officer in accordance with CC-1 to 6	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer.	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant	
				Nature and dura- tion of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debtible to another Government			
					Period			Government to which debtible
Appointed as LWN against the vacant post on fixed salary vide DHO-0/No.316/DHO dt 7/12/96								
Regularized in the Service of LWN vide Govt of KPK No. 6/165/Eco/PC/H/No.14/2012-13 dt 25-12-12 W.P. 117-12								
Annual Increment Allowed.								
Annual Increment Allowed.								

~~ATTESTED~~

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating.	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
6983-540-77185 LHK				pay	Rs 7665/-	12/15	
				"	Rs 8005/-	12/15	
8590-420-21190 LHK				"	pay Rs 9850/-	12/2016	
				"	Rs 10270/-	12/2016	

ATTESTED TO BE TRUE COPY

Muhammad Usman Khan
Turlandi
Advocate Supreme Court
of Pakistan No: 5045

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ATTESTED

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
		Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer		Period	Government to which debitable	Reference to any recorded punishment or censure, or reward or praise of the Government Servant

13

Pay Fixed Provisionally as per
 revised pay scale 2015
 [Signature]
 District Officer

Pay Fixed Provisionally as per
 revised pay scale 2015
 Annual Increment Allowed.
 [Signature] TR 10 348

Pay Fixed Provisionally as per
 revised pay scale 2016
 Annual Increment Allowed
 [Signature] District Officer
 30-11-2016
 2016
 17-12-2016
 30-11-2016
 17-12-2016
 30-11-2016

ATTESTED TO BE TRUE COPY

Mahmood Usman Khari
 District
 Assembly Supreme Court

Scanned with CamScanner

ATTESTED

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
ASST. Secy 10360-500-25260 1.1.14			Pay	P = 10360/1.7		1.7.17	

6985/2/01/10/180
 7665/2/01/10/180
 8590-100-21180
 9850/- (July-2016)
 10060-500-23200
 Pay Fixation Party
 12/26/2017
 Date 01-12-2017

Accounts Officer
 Pay Fixation Party
 Resanwar

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 TRUE COPY

Muhammad Usman Khan
 Turlandi
 Advocate Supreme Court
 C. No. 5045

ATTESTED

15

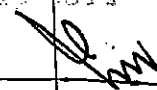
9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 3	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				<p><i>Pay band 2215/02 by Govt revised pay scale from 1-7-17</i></p> <p><i>(Signature)</i> District Health Officer Charsadda.</p>			
				<p><i>Paid Arrear on NCO Pay And Allowances Wef. 1-7-12 to 30-11-2015 Amounting to Rs. 163,865/-</i></p> <p><i>(Signature)</i> Finance Officer LMS Program KTR Peshawar.</p>			
				<p><i>Service Verified upto 31-12-17 AN</i></p> <p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
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				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			
				<p><i>(Signature)</i> District Health Officer Charsadda</p>			

(Signature)
(Signature)
(Signature)

Muhammad Usman Khan
Turlandi
Advocate Supreme Court
of Pakistan, No. 5045

ATTESTED

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post.	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
			P-2. 132601			1/12/18	
			P-2. 13260 -			1/12/19	


 Muhammad Usman Khan
 Turlandi
 Advocate Supreme Court
 of Pakistan. No: 5045

ATTESTED



(17)

17

9	10	11	12	13		14	15
				Period	Government to Which debitable		
Signature and Designation of the head of the office or other attesting officer (attestation of columns 1 to 3)	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
	30/11/18		Annual leave Allowed			Signature	
	30/11/19		Annual leave Allowed			Signature	
			Retired from service His office order no. 3159-64/DHO dt 28/4/2020			Signature	

Muhammad Usman Khan
Tufandi
Advocate Supreme Court
F-7, G-3, H-5, I-5, J-5, K-5, L-5, M-5, N-5, O-5, P-5, Q-5, R-5, S-5, T-5, U-5, V-5, W-5, X-5, Y-5, Z-5

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18

Annex D 18

PHONE: 9220158
FAX: 9220148

GOVERNMENT OF KHYBER PUKHTOONKHWA
OFFICE OF THE
DISTRICT HEALTH OFFICER
CHARSADDA

OFFICE ORDER

Mst. Jameela Lady Health Worker BPS-05 attached to BHU Sheikho Charsadda is hereby retired from service on 31/03/2020 after completion of 07 years 08 months and 30 days, qualified service.

She is allowed 365 days encashment in respect of the above official.

sd/-
District Health Officer,
Charsadda

No 3159-64/DHO Charsadda Dated 28/4/2020.

1. District Accounts Officer Charsadda.
2. MO I/C BHU Sheikho
3. Accounts Section DHO Charsadda.
4. LHS Concerned
5. Official Concerned
For information & N/Action.

6. LHO Charsadda


District Health Officer,
Charsadda

MU
Muhammad Usman Khan
Turkani
Advocate Supreme Court
of Pakistan. No: 5045

ATTESTED




The
PESHAWAR HIGH COURT
Peshawar

Ph: No. 091-9210149-58

No. 79939 (1)/316/2023/WP-MN

Dated. 18-September-2023

From

Deputy Registrar (J),
Peshawar High Court,
Peshawar.

To

The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.

Subject: Writ Petitions W.P 220/2023 Title: Mst Jameela (Ex-Lady Health Worker BPS-5) VS DG Health Services KP Peshawar and others

Memo,

I am directed to send herewith the copy of titled case alongwith all annexures and order of this Honble Court dated 11.09.2023 for compliance.

Deputy Registrar (J)
19/9/23

Encl: As above.

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

In Ref; to WP No. _____ -P/2022.

Mst; Jameela (Ex-Lady Health Worker BPS-5), W/O Yousaf Jan through her real son namely Abdullah S/O Yousaf Jan, the special attorney R/O Village Shekho (Sardheri), Tehsil & District Charsadda.

.....**PETITIONER.****VERSUS**

- 1) The Director General, Health Services, Government of Khyber Pakhtunkhwa, Peshawar.
- 2) Provincial Coordinator, LHW's Programme, Khyber Pakhtunkhwa, Peshawar.
- 3) District Health Officer, Charsadda.
- 4) District Accounts Officer Charsadda.....**RESPONDENTS.**

Writ Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973 as amended up-to date.

May it please this Honorable Court:

The petitioner very earnestly seeks redressal of her grievances through the instant Writ Petition as under:-

Facts .**RESPECTFULLY SHEWETH:-**

- 1) That the petitioner is the bonafide citizen of the Islamic republic of Pakistan, being domiciled in the province of Khyber Pakhtunkhwa, resident of Village Shekho (Sardheri), Tehsil & District Charsadda, belongs to a respectable/noble and law abiding family and who is an aggrieved lady within the meaning of Article 199 of the Constitution of the Islamic republic of Pakistan, 1973 and having to enjoy all the constitutional, fundamental rights to be enforced in her favor.
- 2) That on completion of all legal and codal formalities in accordance with law the petitioner was initially offered by the competent authority to join the services as Lady Health Worker (LHW-BPS-5) on contract bases/fixed salary vide office order dated 07-02-1996 whereas the said contract was ceaselessly extended from time to time, Meanwhile Khyber Pakhtunkhwa Regulation of Lady Health Worker Programme and employees (Regularization and Standardization) Act, 2014 was promulgated by the Government of Khyber Pakhtunkhwa and the services of all such contract employees were duly regularized retrospectively w.e.f 01-07-2012 vide office order dated 24-09-2014.

(Copy of relevant pages of the Service Book is annexure "A")

WP220-2023 Mst. JAMEELA VS DHO CHARSADDA CF PGS41 USB.pdf

ATTESTED
EXAMINER
Peshawar High Court

- 3) That thereafter, the petitioner stood retired on attaining the age of superannuation and was relieved from services on 31-03-2020 and accordingly her pension papers were prepared. (Copy of the relevant Pension papers is appended as annexure "B").
- 4) That even having served the mother department for almost 24 years, the respondents were legally duty bound under the rules to finalize all the relevant documents pertaining to her pension case and to grant her due pension at the first-door-step within one month but admittedly 03 years have been elapsed and redressal of the petitioner is still out of sight.
- 5) That feeling aggrieved from the supra mentioned episode, the grievances, that come into existence, having no other efficacious remedy available elsewhere and forum to be addressed at, the petitioner approaches this august court under its constitutional jurisdiction and subsequent thereupon, for recognition, enforcement, and acknowledgement of her due and fundamental rights, inter-alia, upon the following grounds;

GROUND S:

- a) That the petitioner was the permanent employee of the health department, performed her duties with great zeal, zest and enthusiasm, honestly, devotedly, to the best of her ability and to the entire satisfaction of her superiors and no complaint whatsoever has ever been assigned to her from any quarter.
- b) That admittedly the petitioner was inducted in service in the year 1996 on contract bases and in light of Khyber Pakhtunkhwa Regulation of Lady Health Worker Programme and employees (Regularization and Standardization) Act, 2014 her services were regularized w.e.f 01-07-2012 vide office order dated 24-09-2014. Now the question would be as to whether for pensionary benefits, the services of the petitioner would be considered from the date of initial appointment or from the date of regularization of her services? In order to appreciate the controversy in a proper way it would be advantageous to reproduce rules 2.2 and 2.3 of the West Pakistan Civil Services Pension Rules 1963, which are as below:

"2.2 Beginning of Service- Subject to any special rules the service of Government servant begins to qualify for pension when he takes over charge of the post of which he is first appointed.

Rules 2.3 Temporary and officiating service:-

Temporary and officiating service shall count for pension as indicated below:-

- (i) Government servants born on temporary establishment who have rendered more than five years continuous temporary service for the purpose of pension or gratuity, and

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21

- (ii) Temporary and officiating service followed by confirmation shall also count for pension or gratuity".
- c) That as per law pensionary benefits is the vested right of the petitioner for the services rendered by her and she cannot be deprived from the same at any cost
- d) That the petitioner is legally entitled for all kind of pensionary benefits for rendering services on attaining the age of superannuation i.e. 60 years.
- e) That the relief sought, has already been granted by this august court through plethora of judgment in below noted similar natured cases, so, the principal of consistency also available in support of the petitioner.

S.No.	WP No.	Title
1.	3394-P/2016	Amir Zeb vs Govt: of KPK etc.
2.	5551-P/2019	RahmdadVS....DHO Nowshera etc.
3.	Service Appeal No. 1970/2019	Mst:Razia Begum....vs....Govt: of KPK etc.

(Copy of the orders passed in identical writ petition is annexure "C").

- f) That the petitioners being "**similarly placed employees**" are also entitled to the same relief under the principle of consistency and equality before law as per the judgment laid down by the Hon' ble Supreme Court of Pakistan in the case of "**Hameed Akhtar Niazi.....VS.....The Secretary Establishment Division, Government of Pakistan & others**" (1996 SCMR 1185), **Tara Chand and others....Vs.....Karachi Water and Sewerage Board, Karachi & others**" (2005 SCMR 499). Likewise, in case of **Government of Punjab, through Secretary Education, Civil Secretariat, Lahore and others.....Vs.....Sameena Parveen and others**" 2009 SCMR 1), it has been held by the Apex Court that;

"When a Tribunal or Court decides a point of law relating to the terms of services of a civil servant which covered not only the case of civil servant who litigated but also of other civil servants, who might have not taken any legal proceedings, the dictates of justice and rule of

servants, who may not be parties to that litigation instead of compelling them to approach the Tribunal or any other legal forum."

- g) That the respondent department has misused its legal authority and via exercise of colorful authority, innovation and monopoly, the petitioner is being deprived from her pensionary benefits for ulterior motive without any reason or any justification.
- h) That the petitioner has not been treated in accordance with law rather discriminated in a service which is against the spirit of the law on the subject, violated of the fundamental rights of the petitioner guaranteed by the Constitution of the Country.
- i) That further submission with the prior permission of this honorable court would be advanced at the time of hearing the petitioner at the bar.

It is, therefore, humbly prayed that on acceptance of the instant writ petition, this honorable court may very graciously be pleased to direct the respondents to prepare/finalize the pensionary papers/documents of the petitioner who has been proceeded on retirement on the age of superannuation dated 31-03-2020 and to submit the same before the concerned quarter and to release the pensionary emoluments forthwith.

Any other remedy which deemed fit and appropriate in the circumstances of the case and not specifically prayed for may also be extended in favor of the petitioner just to meet the ends of justice.

Dated:- ¹⁰06/01/2023

PETITIONER

Through;

Muhammad Usman Khan
Turlandi
Advocate Supreme Court

[Handwritten signature and date 10/01/23]

Note:- No such like application has ever been filed before this august court as per instruction of my client.

List of Books. i) Constitution of Pakistan 1973. ii) Civil Servant Act 1973.

iii) West Pakistan Civil Services Pension Rules 1963, iv) Any other law Books according to need.

Dated:- ¹⁰06/01/2023

ATTESTED
EXAMINER
Peshawar High Court

Muhammad Usman Khan
Turlandi
Advocate Supreme Court

[Handwritten signature]

**PESHAWAR HIGH COURT, PESHAWAR
ORDER SHEET**



DATE OF ORDER OF PROCEEDINGS	ORDER OF OTHER PROCEEDINGS WITH SIGNATURE OF JUDGE
11.09.2023	<p>WP No.220-P/2023 with IR.</p> <p><i>Present:</i></p> <p>Mr. Muhammad Usman Khan Turlandi, Advocate for the petitioner.</p> <p>Mr. Mubashir Manzoor, AAG for the respondents.</p> <p>***</p> <p>SHAKEEL AHMAD, J. - After arguing the case at length, the learned counsel representing the petitioner stated at the bar that he will not press the instant petition provided this petition is converted into appeal and sent to the Competent Authority for decision in accordance with law.</p> <p>02. In view of the above, this writ petition is converted into appeal and sent to respondent No.1 (<i>Director General, Health Services, Government of Khyber Pakhtunkhwa, Peshawar</i>) for decision in accordance with law, within a period of two months, from the date of receipt of this order, after providing the petitioner an opportunity of hearing.</p> <p>03. This writ petition is disposed of accordingly.</p> <p>Announced. 11.09.2023.</p>
Date of Presentation of Application	8339 / 12-09-2023
No of Pages	6-P
Copying fee	24-00
Total	24-00
Date of Preparation of Copy	12-09-2023
Date of Delivery of Copy	12-09-2023
Prepared by	J. B. 23/17

JUDGE

JUDGE

DB
Hon'ble Mr. Justice Shakeel Ahmad
Hon'ble Mr. Justice Wiqar Ahmad
Hlmayat, CS.

CERTIFIED TO BE TRUE COPY

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

12 SEP 2023

(BA) 102

ANNEXURE C/I

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Annex F 24

Service Appeal No 970 /2019.

Bibi Razia Begum,
R/o Rab Nawaz Khan Korouna,
Sardheri, Charsadda

.....Appellant

Versus

1. Secretary to Government of Khyber Pakhtunkhwa, Department of Health, Peshawar.
 2. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.
 3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
 4. District Health Officer, Charsadda
 5. District Account Officer, Charsadda
-Respondents

Service Appeal Under Section 4 of Khyber
Pakhtunkhwa Service Tribunal Act, 1974

Respectfully Sheweth,

Brief but relevant facts of the case are as follows:

1. That the appellant was appointed as Lady Health Worker in the respondent Department on fixed pay by the competent authority in the prescribed manner after fulfilling all the codal formalities vide appointment order dated 07-02-1996. (Copy of the appointment order is appended herewith as Annex-A)
2. That the said contract was extended from time to time. Meanwhile the Government of Khyber Pakhtunkhwa promulgated Khyber Pakhtunkhwa Regulation of lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 the services of all the contract employees were regularized.
3. That in pursuance of the aforesaid Act the respondents regularized the services of the Appellant and her colleagues vide Office Order dated 24-09-2014. (Copy of Regularization order is appended herewith as Annex-B)
4. That now the appellant has retired from service on attaining the age of superannuation with effect from 14-04-2019 but the respondents are not preparing her pension papers for her monthly pension and other retiring benefits. (Copy of Service Book is appended herewith as Annex-C)

(Signature)

(Signature)
Muzammil Ahmad Khan
Tribunal
Advocate Supreme Court

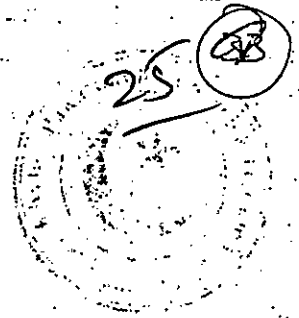
ATTESTED

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.**

Service Appeal No. 970/2019

Date of Institution ... 06.12.2019

Date of Decision ... 15.07.2021



Bibi Razia Begum,
R/o Rab Nawaz Khan Korouna,
Sardheri, Charsadda

... (Appellant)

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, Department of
Health, Peshawar and four others.

... (Respondents)

MR. MUHAMMAD AYUB KHAN SHINWARI,
Advocate

For appellant.

MR. MUHAMMAD ADEEL BUTT,
Additional Advocate General

For respondents.

MR. SALAH-UD-DIN

MEMBER (JUDICIAL)

MR. ATIQ-UR-REHMAN WAZIR

MEMBER (EXECUTIVE)

JUDGMENT

SALAH-UD-DIN, MEMBER:-

Precis: facts forming the background of the instant service appeal are that the appellant was appointed as Lady Health Worker on fixed pay vide Notification dated 07.02.1996 and the contract of service was extended from time to time. On promulgation of Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and employees (Regularization and Standardization) Act 2014, the services of the appellant were regularized with effect from 1st July 2012, however on attaining the age of superannuation on 14.04.2019, the appellant was ret red vide office order bearing No. 4064-68 DHO Charsadda dated 20.05.2019 without

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pensionary benefits. The appellant filed departmental appeal, however the same was not responded within the statutory period of ninety days, therefore, she filed the instant service appeal for redressal of her grievance. 26

2. Learned counsel for the appellant has argued that the appellant was though initially appointed as Lady Health Worker on fixed pay vide Notification dated 07.02.1996, however her services were regularized with effect from 1st July 2012 through promulgation of Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and employees. (Regularization and Standardization) Act 2014, and in view of rules 2.2 and 2.3 of the West Pakistan Civil Services Pension Rules, 1963, the appellant was entitled to grant of pensionary benefits; that for the purpose of pensionary benefits the period of service of the appellant shall be considered from the date of her first appointment and not from the date of regularization of her services. In the last he requested that as the appellant is having more than ten years service as required for accruing of pensionary benefits, therefore, the appeal in hand may be allowed and the appellant may be granted pensionary benefits. Reliance was placed on 2019 PLC (C.S) 1065 as well as unreported judgments of worthy Peshawar High Court, Peshawar in Writ Petition No. 521-D of 2018 titled "Dr. Bashir Ahmad Versus Govt: of Khyber Pakhtunkhwa through Secretary Finance, Peshawar and others" and Writ Petition No. 1188-P of 2014 titled "Baghi Shah Versus Government of Khyber Pakhtunkhwa through Secretary Finance, Civil Secretariat, Peshawar KPK and others".

3. On the other hand, learned Additional Advocate General for the respondents, while opposing the arguments advanced by the learned counsel for the appellant, has contended that the appellant was initially appointed on fixed pay and her services were regularized with effect from 1st July 2012; that the appellant stood retired on 14.04.2019 and as such, she has performed duties as regular Lady Health Worker only for a period of about 06 years and 09 months, while pensionary benefits could be granted to a civil servant, in case of completion of ten years or more regular service; that the appellant was having less than ten years

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regular service, therefore, she is not entitled to grant of pensionary benefits.

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4. Arguments heard and record perused.

5. A perusal of the record would show that the appellant was initially appointed as Lady Health Worker on fixed pay vide appointment order dated 07.02.1996, however after promulgation of Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and employees (Regularization and Standardization) Act 2014, the services of the appellant were regularized with effect from 1st July 2012. The appellant stood retired on 14.04.2019. however she has not been granted pensionary benefits. Now the question, which requires determination is as to whether for pensionary benefits, the services of the appellant shall be considered from the date of her initial appointment or from the date of regularization of her services? In order to appreciate the controversy in a proper way, it would be advantageous to reproduce rules 2.2 and 2.3 of the West Pakistan Civil Services Pension Rules, 1963, which are as below:-

1.1

" 2.2 Beginning of Service- Subject to any special rules the service of Government servant begins to qualify for pension when he takes over charge of the post of which he is first appointed.

Rule 2.3 Temporary and officiating service —
Temporary and officiating service shall count for pension as indicated below:-

- (i) Government servants borne on temporary establishment who have rendered more than five years continuous temporary service for the purpose of pension or gratuity; and
- (ii) Temporary and officiating service followed by confirmation shall also count for pension or gratuity".

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6. A bare perusal of the above mentioned rules would make it clear that when a government servant is regularized, his total

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length of service is to be computed from the date he joined the service, whether temporary or otherwise. In this view of the matter, the length of service of the appellant shall be counted from the date of her initial appointment i.e 07.02.1996 for the purpose of pension and gratuity. August Supreme Court of Pakistan In its judgment reported as 2015 PLC (C.S) 296 titled "Secretary to Government of Punjab, Finance Department Versus M. Ismail Tayer and 269 others, has graciously held that the pensionary benefits is not a bounty or ex-gratia payment but a right acquired in consideration of past service. Such right to pension is conferred by law and cannot be arbitrarily abridged or reduced except in accordance with such law as it is the vested right and legitimate expectation of retired civil servant.

7. In light of the above discussion, the appeal in hand is accepted and the respondents are directed to grant pensionary benefits to the appellant by processing and finalizing her pension case within a period of three months. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
15.07.2021

(SALAF-UD-DIN)
MEMBER (JUDICIAL)

(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

25/11/21

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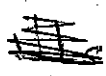
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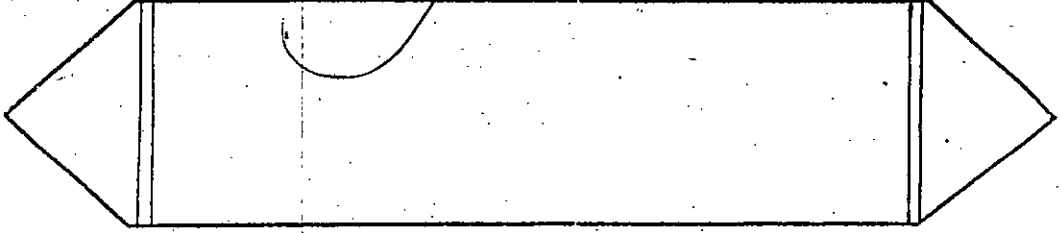
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25/11/21

Muhammad Usman Khan
Turlandi
Advocate Supreme Court
of Pakistan No. 5045

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بعدالت  مجلس اٹریبیوٹل KPK لیٹاؤر



2 منجانب

سماہ جلیلہ بنام گوانٹ

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام لٹاؤر کیلئے محمد ایوب خان لٹاؤر

ASC

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپہ ار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائے التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 18 ماہ 11 2023

بمقام

Accept

کے لئے منظور ہے۔