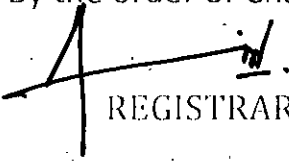


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 905/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2.	3
1	29.11.2023	<p>The implementation petition of Mr. Dilawar submitted today by Mr. Adnan Khan Advocate. It is fixed for implementation report before touring Single Bench at Swat on _____. Original file be requisitioned. AAG has noted the next date.</p> <p>By the order of Chairman  REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Execution Application No. 905 of 2023

In Service Appeal No.48/2023

Dilawar Shah S/o Mian Talab Shah R/o Gul-e-Nargas
Piraan Tehsil Batkhela , District Malakand

Sepoy No. 4598.

.....Applicant

VERSUS

Government of Khyber pakhtunkhwa & others

.....Respondents

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S. No.	Description	Annexure	Pages No.
1.	Memo of Application		1-3
2.	Affidavit		4
3.	Copy of order dated 24-08-2023	A	5-9
4.	Copy of application	B	10
5.	Copy of judgment dated 23-11-2022	C	11-16
6.	Copy of office order dated 20-03-2023	D	17-19
7.	Wakalatnama		20

Applicant

sd -

Dilawar Shah

Sepoy No. 4598

Through Counsel

Adnan Khan
Dr. Adnan Khan, Barrister-at-Law,

Advocate Supreme Court of Pakistan.

&

Umar Sadiq

Advocate High Court

Office: Adnan Law Associates Opp.

Shuhada Park College Colony,

Saidu Sharif, Swat.

Cell: 0346-9415233

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Execution Application No. 905 of 2023

In Service Appeal No.48/2023

Secy. No. 9342
Date: 29-11-2023

Dilawar Shah S/o Mian Talab Shah R/o Gul-e-Nargas
Piraan Tehsil Batkhela, District Malakand *sepy No. 4598*
.....Applicant

VERSUS

1. Govtment of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat at Peshawar
2. Government of Khyber through Secretary Home & Tribal Affairs Department, Civil Secretariat at Peshawar.
3. Commandant Malakand Levies/Deputy Commissioner Malakand at Bathkhela

.....Respondent

**APPLICATION FOR IMPLEMENTATION OF
ORDER DATED 24-08-2023**

Respectfully Sheweth:

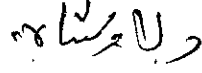
- 1) That the applicant approached this Tribunal by way of filing the captioned appeal which was disposed of vide order dated 24-08-2023 (Copy of order dated 24-08-2023 is attached as Annexure "A").
- 2) That as per the directions made in the order, the applicant was directed to approach the proper forum for implementation of Section 11 of the Act of 2021. The proper forum/competent authority for the applicant is the Deputy Commissioner. Hence, the applicant filed a written

- 3) That despite the lapse of a considerable amount of time, neither the needful has been done nor any response has been received as yet.
- 4) That on the contrary, some colleagues of the applicant had approached the august Peshawar High Court through various petitions, which were allowed vide judgment dated 23-11-2022. The Hon'ble High Court while allowing the petitions had ordered re-instatement of the applicants into the service (Copy of judgment dated 23-11-2022 is attached as Annexure "C").
- 5) That in light of the above mentioned judgment of the Hon'ble High Court, colleagues of the applicant who were similarly placed were re-instated by the concerned authority (Copy of office order dated 20-03-2023 is attached as Annexure "D").
- 6) That keeping aside the directions of this Tribunal, the applicant ought to have been re-instated without any litigation under the rule of consistency and equality before the law. Regrettably, the needful was not done even after the order of this Tribunal.
- 7) That further grounds with leave of this Hon'ble Tribunal will be raised at the time of oral submissions.

It is, therefore, humbly prayed that on acceptance of this application, the titled judgment dated 24-08-2023 be executed/implemented in its letter and spirit with the grant of any other

remedy deemed just and proper in the
circumstances.

Applicant



Dilawar Shah
Sepoy No.4598

Through Counsel



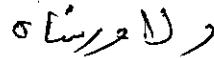
**Dr. Adnan Khan, Barrister-at-Law,
Advocate Supreme Court of Pakistan.**

& 

**Umar Sadiq
Advocate High Court**

CERTIFICATE:

Certified that no such like application has earlier been
filed before this Hon'ble Tribunal on the subject matter.



Applicant

(4)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Execution Application No. _____ of 2023

In Service Appeal No.48/2023

Dilawar Shah S/o Mian Talab Shah R/o Gul-e-Nargas
Piraan Tehsil Batkhela , District Malakand

.....Applicant

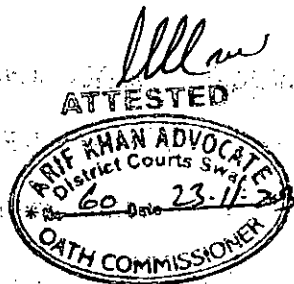
VERSUS

Commandant Malakand Levies/Deputy Commissioner,
District Malakand at Batkhela.

.....Respondent

AFFIDAVIT

I, Dilawar Shah (Applicant), do hereby solemnly affirm
and declare that the contents of the above titled
application are true and correct to the best of my
knowledge and belief.



DEPONENT

Dilawar Shah

Dilawar Shah
S/o Mian Talab Shah
Sepoy No.4598

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Annex
A

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR (CAMP COURT AT SWAT)**

Service Appeal No. 48/ **of 2023**

Dilawar Shah S/o Mian Talab Shah, Gul-e-Nargas Piraan Tehsil
Batkhela, District Malakand [Sepoy No.4598]

.....Appellant

VERSUS

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat at Peshawar.
- 2) Government of Khyber through Secretary Home & Tribal Affairs
Department, Civil Secretariat at Peshawar.
- 3) Commandant Malakand Levies/Deputy Commissioner, District
Malakand at Batkhela.

.....Respondents

**APPEAL UNDER SECTION 4 OF
THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974.**

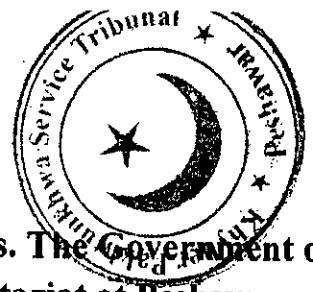
PRAYER:

On acceptance of this Appeal, **Notifications No. SO(Police-II)HD/MKD/Levies/Misc./2020 dated 22-03-2021 & No. SO (Police-II)HD/1-3/Federal Levies 2021 dated 21-10-2021** and subsequent retirement orders issued by respondent No.2 may be declared as illegal and the same be set aside. Consequently, the appellant may be held entitled to complete his service till attaining 60 years age in light of Notification dated 14-07-2020.

Alternatively, the impugned notifications may be declared to be ineffective upon the rights of the appellant and he may be allowed to complete his service till attaining 60 years of age.

C.T.C
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Service Appeal No.1916/2022 titled "Muhammad Salim Vs. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat at Peshawar and others"

ORDER

24th Aug. 2023

Kalim Arshad Khan, Chairman: Through this single order this appeal and all the following connected appeals are being decided as all are against the same impugned Notifications No.SO(Police-II)HD/MKD/Levies/Misc./2020 dated 22.03.2021 and No.SO(Police-II)HD/1-3/FEDERAL LEVIES 2021 dated 20. 10.2021. Appeal Nos:1916/2022, 1917/2022, 1918/2022, 1919/2022, 1920/2022, 1921/2022, 1922/2022, 1923/2022, 1924/2022, 1925/2022, 1926/2022, 1927/2022, 1928/2022, 1929/2022, 1930/2022, 1931/2022, 1932/2022, 1933/2022, 1934/2022, 1935/2022, 1936/2022, 1937/2022, 1938/2022, 1939/2022, 1940/2022, 1941/2022, 1942/2022, 1943/2022, 1944/2022, 1945/2022, 1946/2022, 1947/2022, 1948/2022, 1949/2022, 1950/2022, 1951/2022, 1952/2022, 1953/2022, 1954/2022, 1955/2022, 1956/2022, 1957/2022, 1958/2022, 1959/2022, 1960/2022, 1961/2022, 1962/2022, 1963/2022, 1964/2022, 1965/2022, 1966/2022, 1967/2022, 1968/2022, 1969/2022, 1970/2022, 1971/2022, 1972/2022, 1973/2022, 1974/2022, 1975/2022, 1976/2022, 1977/2022, 1978/2022, 1979/2022, 1980/2022, 1981/2022, 1982/2022, 1983/2022, 1984/2022, 1985/2022, 1986/2022, 1987/2022, 1988/2022, 1989/2022, 1990/2022, 1991/2022, 1992/2022, 1993/2022, 1994/2022, 1995/2022, 1996/2022, 1997/2022, 1998/2022, 1999/2022, 2000/2022, 2001/2022, 2002/2022, 2003/2022, 2006/2022, 34/2023, 35/2023, 36/2023, 37/2023, 38/2023, 39/2023, 40/2023, 41/2023, 42/2023, 43/2023, 44/2023, 45/2023, 46/2023, 47/2023,

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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48/2023, 49/2023, 50/2023, 51/2023, 52/2023, 53/2023, 54/2023,
55/2023, 56/2023, 57/2023, 58/2023, 59/2023, 60/2023, 61/2023,
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69/2023, 70/2023, 71/2023, 72/2023, 73/2023, 162/2023, 168/2023,
169/2023, 170/2023, 171/2023, 172/2023, 173/2023, 174/2023,
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410/2023, 411/2023, 412/2023, 413/2023, 414/2023, 415/2023,
418/2023, 419/2023, 601/2023, 602/2023, 603/2023, 604/2023,
605/2023, 625/2023, 626/2023, 629/2023, 630/2023, 631/2023,
632/2023, 633/2023, 634/2023, 635/2023, 636/2023, 637/2023,
638/2023, 639/2023, 640/2023, 641/2023, 642/2023, 643/2023,
644/2023, 645/2023, 646/2023, 659/2023, 660/2023, 661/2023,
682/2023, 793/2023, 870/2023, 1175/2023, 1258/2023, 1259/2023,
1288/2023, 1289/2023, 1300/2023, 1372/2023 and Service Appeal No.
1538/2023,

2. In some of the appeals learned counsel for the appellants are present while some appellants are in person present. Mr. Muhammad Jan, District Attorney alongwith M/S Liaqat Ali DSP, Hakim Zada

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Khyber Pakhtunkhwa
Service Tribunal

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Superintendent, Muhammad Asim Khan Assistant, Parvez Khan Assistant and Sharif Ullah Assistant for respondents present.

3. It is noted with serious concern that nobody from the Home Department put appearance. Copy of this order be thus sent to the Worthy Chief Secretary Khyber Pakhtunkhwa and Worthy Secretary, Home and Tribal Affairs Department, Khyber Pakhtunkhwa for information.

4. The matter was heard on more than one dates and could not be decided because of pendency of a CP No.818/2023 before the august Supreme Court of Pakistan. During the course of arguments on some previous dates, Dr. Adnan Khan learned counsel for some of the appellants had informed the Tribunal that the petitioners, who had approached the august Supreme Court of Pakistan, against the judgment of Hon'ble Peshawar High Court, in Writ Petition No.363-M of 2021 dated 29.11.2022, had submitted application for withdrawal of the CP from the august Supreme Court of Pakistan. The august Supreme Court was pleased to dismiss the CP as withdrawn on 07.06.2023. Today, Mr. Taimur Haider, Advocate/counsel for the appellant in Service Appeal No. 162/2023, produced copy of an Act of the Provincial Assembly named "The Provincially Administered Tribal Areas Levies Force (Amendment) Act, 2021" in to which a new section, Section-11 was added, which is reproduced as under:

"11. Reinstatement of the levies personnel. --- All levies personnel, who have been retired from the Force, with effect from 22.03.2021, till the commencement of the Provincially Administered Tribal Areas Levies Force (Amendment) Act, 2021 shall be reinstated in the Force as regular employees, with effect from their respective dates of retirement and they shall be deemed as never retired from the Force."

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29.08.2023


C-10

(9)


When confronted with the provisions of the newly added Section-11 of the Act of 2021, whereby, all Levies personnel, who had retired from the Force w.e.f 22.03.2021 till the commencement of the Act i.e. 30.11.2021, were reinstated as regular employees w.e.f respective dates of retirement and were deemed to have never retired from the Force, the learned counsel was very fair to say that there was nothing more to be resolved by this Tribunal in these appeals, so is the agreement of other learned counsel as well as appellants present before the Tribunal, because by promulgation of the above Act especially insertion of new Section-11, whereafter, both the impugned Notifications no more remained effective. They, however, contend that even the provisions of the Act were not be complied with/implemented by the respondents. They say they would approach the proper forum for giving effect to/implementation of the provisions of Section-11 of the Act of 2021 and in case their grievances are not addressed in accordance with the terms of the Act, they would recourse to further legal remedies available to them. Disposed of in the above terms. (Copies of this order be placed in all connected appeals).
Consign.

5. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 24th day of August, 2023.*


(Salah-Ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman

Muzam Shah


EXAMINER

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

CTC
6



JUDGMENT SHEET
PESHAWAR HIGH COURT
MINGORA BENCH
(Judicial Department)

1. W.P. No. 1281-M/2022
- &
2. W.P. No. 1283-M/2022

JUDGMENT

Dates of hearing: 23.11.2022

Petitioners: - (Aziz Gul & others) by Barrister Dr. Adnan Khan, ASC.

Respondents (Govt. of KPK & others) by Mr. Raza-ud-Din Khan, Addl. A.G

MUHAMMAD NAZ KHAN, J.- Through this single judgment, we intend to decide the following two writ petitions, as common questions of law and facts are involved in the same.

(1) W.P. No. 1281-M of 2022
Aziz Gul & others v/s Govt. of KPK & others

(2) W.P. No. 1283-M of 2022
Muhammad Sallim & others v/s Govt. of KPK & others

2. Precisely the grievances of the petitioners are that they were employees of the Levies Force of District Dir lower and were performing their duties as Sepoy, Lance Naik, Naik and Havaldar when they were retired vide four orders of even dated i.e. 25.03.2021. They further pleaded that after their retirement the provincial assembly has passed an Act with the

EXAMINER
Peshawar High Court
Mingora Dar-ul-Qaza, Swat
Sub-Registry, Malakand

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name Provincially Administered Tribal Areas
Levies Force (Amendment) Act, 2021 (herein
after referred as "Act of 2021") whereby all the
employees of the Levies Force who retired from
22.03.2021 till the commencement of Act i.e.
30.11.2021 shall be re-instated in service,
however, the benefit of the aforesaid Act has not
been extended to the petitioners; therefore, they
have approached to this Court through the instant
petitions.

3. Arguments of learned counsel for the
petitioners were heard in considerable detail and
the record perused with their able assistance,
whereas the learned Addl: A.G present in Court
also accepts notices of these connected petitions.

4. The main grievance of the learned
counsel for the petitioners was that since
petitioners have got retired within the bracket
period as provided under The Act of 2021,
therefore, they are entitled for its benefits. He
further submits that in case of the colleagues of
the petitioners an identical relief has already been
granted, therefore, they are also entitled for the
same relief in view of the law laid down by the

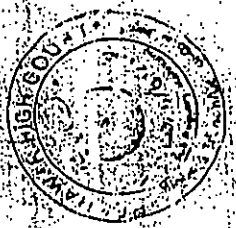
EXAMINER
Peshawar High Court
Mingora Dar-ul-Qaza Swat
Sub-Registry Malakand

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Hon'ble Apex Court in cases reported as 1996 SCMR 1185, 2005 SCMR 499 and 2009 SCMR page 1.



5. There is no dispute amongst the parties that the present petitioners have got retired on 25.03.2021 as by then those petitioners who were *sepy* have attained the age of 42 years and those petitioners who were *Lance Naik, Naik, and Havaldar* have completed three years of service as *Lance Naik, Naik and Havaldar*, therefore, by operation of The Federal Levies Services (Amended) Rules 2013 R/W notification dated 21.10.2021, the aforesaid criteria has been provided for the retirement of different categories of the employees of Levies Force.

6. It may be noted that after the retirement of the petitioners, the Provincial Assembly has passed The Act of 2021 which has been made applicable with effect from 22.03.2021 and till the commencement of the Act. Since the said Act has been published in the official gazette on 30.11.2021, therefore, the two crucial dates would be 22.03.2021 i.e. the date of applicability of the Act till 30.11.2021 i.e. the

Sub-Registry Malakand
Mingora District
Peshawar High Court
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date of commencement of the Act, where new section i.e. section 11 has been inserted after section 10 in The Provincially Administered Tribal Areas Levies Force Regulation, 2012, the same being relevant for the present controversy is reproduced below:-



1. Short title and commencement... (1) This Act may be called the Provincially Administered Tribal Areas Levies Force (Amendment) Act, 2021

(2) It shall come into force with effect from 22.03.2021

2. Insertion of new section to the Khyber Pakhtunkhwa regulation No. 1 of 2012. — In the Provincially Administered Tribal Areas Levies Force Regulation, 2012 (Khyber Pakhtunkhwa Regulation No. 1 of 2012), after section 10 the following new section shall be added, namely:

"11. Re-Instatement of the levies personnel.— All levies personnel, who have been retired from the Force, with effect from 22.03.2021, till the commencement of the Provincially Administered Tribal Areas Levies Force (Amendment) Act, 2021, shall be reinstated in the Force, as regular employees, with effect from their respective dates of retirement and they shall be deemed as never retired from the Force."

The language of the above Act of 2021 is clear in its meaning qua its applicability as well as the class of employees to whom the benefit of the aforesaid Act could be extended. As stated hereinabove that as per section 1 (2) of the aforesaid Act the same was made applicable from 22.03.2021 and up to the

EXAMINER
Peshawar High Court
Mingora, District Qaza Swat
Sub-Registry Malakand

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commencement of the Act which is 30.11.2021. It further stipulates that all levies personnel who have been retired from the Force with effect from 22.03.2021 till the commencement of The Act 2021 i.e. 30.11.2021 shall be re-instated in the Force as regular employees with effect from their respective dates of retirement and they shall be deemed as never retired from the Force. The language of the aforesaid Act of 2021 fully attracts and benefits to the case of present petitioners who got retired on 25.03.2021, therefore, the respondents were legally bound to extend the benefit of the aforesaid Act of 2021 to the petitioners.



Peshawar High Court
Mingora Dar-ul-Qaza Swat
Sub-Registry Malakand

ATTESTED
EXAMINER

7. Accordingly, both these connected writ petitions bearing No. 1281-M of 2022 and 1283-M of 2022 are allowed and the petitioners are re-instated in service of the Levies Force with effect from the date of their retirement and it shall be deemed that they have never been retired and consequently the respondents are directed to issue formal orders of their

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(16)

re-instatement in service in light of section 11 of
The Act of 2021. Order accordingly.



ANNOUNCED
Dr. 23.11.2022

[Signature]
JUDGE

[Signature]
JUDGE

S.No. 471
Name of Applicant Muhammad Zahid
Date of Presentation of Application 30-11-2022
Date of completion of process 30-11-2022
No. of pages (6) pages
Urgent -
Fees -
Date of Delivery of copies 30-11-2022

CERTIFIED TO BE TRUE COPY

[Signature]
Examiner
Peshawar High Court, Mingora/Dar-ul-Qaza Swat
Authorized under Article 61 of Concom Shikayat order 1961
Sub-Registry, Malakand

2022

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OFFICE OF THE DC MALAKAND/
COMMANDANT MALAKAND LEVIES

NO. 2586 /LC
DATED MALAKAND THE 20/3/2023
Phone: 0932-452080 Fax: 0932-450557

✓

Amir
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OFFICE ORDER

In Pursuance of the Honorable Peshawar High Court, Mingora Bench, Dar-ul-Qaza, Swat Judgment dated 23-11-2022 passed in C.O.C No. 102-M/2022 in W.P No. 1283/2022 in respect of Mr. Muhammad Salm & Others, the competent authority is pleased to conditionally re-instate the followings Havildars, Naiks, Lance Naik and Sepoys of Malakand Levies subject to the final outcome of the pending CPLA No. 46-P/2023 in the august Supreme Court of Pakistan as well as legal guidance of Provincial Government with immediate effect:-

S.No	Regt. No	Name	Designation
1.	4222	Muhammad Zeb	Havildar BPS-09
2.	4237	Nawab Sher	Havildar BPS-09
3.	4239	Muhammad Sadiq	Havildar BPS-09
4.	4251	Shah Muhammad	Havildar BPS-09
5.	4282	Umar Rehman	Havildar BPS-09
6.	4263	Hassan Diya	Havildar BPS-09
7.	4293	Zahir Shah	Havildar BPS-09
8.	4300	Rahmat Ullah	Havildar BPS-09
9.	4302	Ihsan-ul-Haq	Havildar BPS-09
10.	4304	Noor Raziq	Havildar BPS-09
11.	4314	Sher Dad	Havildar BPS-09
12.	4319	Shah Nasim	Havildar BPS-09
13.	4320	Muhammad Razaq	Havildar BPS-09
14.	4324	Noor Hadi	Havildar BPS-09
15.	4325	Sabz Ali	Naik BPS-08
16.	4331	Gul Rehman	Naik BPS-08
17.	4338	Amir Nawaz Khan	Naik BPS-08
18.	4342	Umar Jan	Naik BPS-08
19.	4343	Said Ahmad	Naik BPS-08
20.	4353	Sobat Khan	Naik BPS-08
21.	4370	Aziz Gul	Naik BPS-08
22.	4374	Sardar Ali	Naik BPS-08

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23.	4377	Muhammad Salim	Naik BPS-06
24.	4378	Rahim Gul	Naik BPS-08
25.	4382	Sami Ullah	Naik BPS-08
26.	4391	Murad Khan	Naik BPS-08
27.	4394	Muhammad Roze	Naik BPS-08
28.	4400	Wasi Ullah	Naik BPS-08
29.	4406	Maez Ullah Khan	Lance Naik BPS-08
30.	4423	Ibrar Hussain	Lance Naik BPS-08
31.	4390	Syed Jamal	Lance Naik BPS-08
32.	4407	Rahman Zamin	Lance Naik BPS-08
33.	4413	Sarwar Shah	Lance Naik BPS-08
34.	4414	Fazal Mehmood	Lance Naik BPS-08
35.	4420	Bakht Zamin	Lance Naik BPS-08
36.	4423	Ibrar Hussain	Lance Naik BPS-08
37.	4427	Umar Ghani	Lance Naik BPS-08
38.	4448	Habib-ur-Rehman	Lance Naik BPS-08
39.	4452	Aziz-ur-Rehman	Lance Naik BPS-08
40.	4457	Noor Zeb	Lance Naik BPS-08
41.	4471	Iqbal Hussain	Lance Naik BPS-08
42.	4477	Muhammad Ismail	Lance Naik BPS-08
43.	4485	Ghulam Rabi	Lance Naik BPS-08
44.	4492	Khalid Usman	Lance Naik BPS-08
45.	4493	Bashir Ahmad	Lance Naik BPS-08
46.	4495	Muhammad Nabi	Lance Naik BPS-08
47.	4496	Aasal Khan	Lance Naik BPS-08
48.	4498	Umar Gul	Lance Naik BPS-08
49.	4499	Muhammad Sadiq	Lance Naik BPS-08
50.	4503	Fazal Haleem Khan	Lance Naik BPS-08
51.	4510	Muhammad Zahir	Lance Naik BPS-08
52.	4517	Said Alam	Sepoy BPS-07
53.	4518	Sardar Ali	Sepoy BPS-07
54.	4529	Haji Rehman	Sepoy BPS-07
55.	4531	Wahid Shah	Sepoy BPS-07
56.	4532	Sardar Ghani	Sepoy BPS-07
57.	4533	Amjad Ali	Sepoy BPS-07
58.	4559	Latif Khan	Sepoy BPS-07
59.	4584	Muhammad Imran	Sepoy BPS-07

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60.	4590	Lal Faraz	Sepoy BPS-07
61.	4598	Bashir Muhammad	Sepoy BPS-07
62.	4602	Sajid Hussain	Sepoy BPS-07
63.	4610	Mukhllyar Ahmad	Sepoy BPS-07
64.	4613	Imdad Ullah	Sepoy BPS-07
65.	4988	Khyal Badshah	Sepoy BPS-07
66.	4998	Muhammad Ilikhar	Sepoy BPS-07
67.	5057	Bakht Naeem	Sepoy BPS-07
68.	6258	Saad Ullah	Sepoy BPS-07
69.	5396	Sawar Khan	Sepoy BPS-07
70.	5434	Imtiaz Alam	Sepoy BPS-07
71.	5897	Fazal Mehmood	Sepoy BPS-07
72.	5926	Muhammad Farooq	Sepoy BPS-07
73.	6302	Muhammad Zeb Khan	Sepoy BPS-07

The conditional re-instatement of the appellants will be subject to producing of bonds with 02-guarantors in respect of each appellant through stamp paper that outcome of the CPLA in the apex Supreme Court if not upheld the Peshawar High Court, Mingora Bench, Dar-ul-Qaza, Swat Judgment, all availed benefits thereof will have to be re-funded in lump sum.

Furthermore, the intervening period from their retirement till the Peshawar High Court, Mingora Bench, Dar-ul-Qaza Swat decision/Judgment in their appeals will be considered as leave of its kind.

(Signature)

DC MALAKAND/COMMANDANT
MALAKAND LEVIES MALAKAND

NO. 2589-93/LC

Copy forwarded to the:-

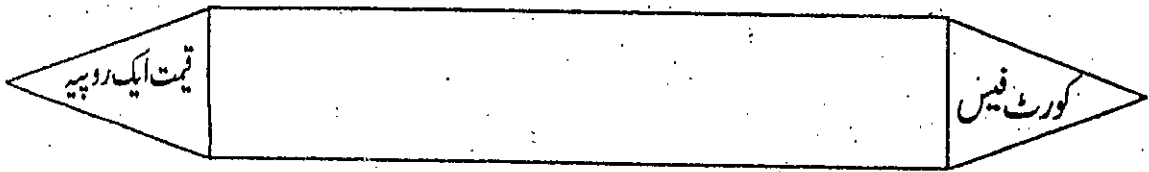
1. Secretary, Home & TA's Department, Khyber Pakhtunkhwa, Peshawar.
 2. Commissioner, Malakand Division at Saidu Sharif, Swat.
 3. Registrar, Peshawar High Court, Mingora Bench, Dar-ul-Qaza, Swat.
 4. Additional Advocate General, Peshawar High Court, Mingora Bench, Dar-ul-Qaza, Swat.
 5. District Accounts Officer, Malakand.
 6. Subedar Major, Malakand Levies.
 7. Official concerned.
- For information & necessary action.

(Signature)

DC MALAKAND/COMMANDANT
MALAKAND LEVIES MALAKAND

(Handwritten marks and stamps)

بعدالت خیر پختونخوا سروس ٹریبونل پشاور / سوات کیمپ کورٹ



مورخہ 6 نومبر
مقدمہ دلارستان
دعویٰ Execution
جرم

۲۰۲۳ منجانب بشیر
بنام جسٹس گلشن گلگند

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام پشاور ٹریبونل کیمپ کورٹ سوات کیلئے بیرٹز عدنان خان ASC عمر صادق ایڈووکیٹ مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے کے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برداشتہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند ہے

دلا رشاہ و امالی صاحب ستاہ

المرقوم 6 ماہ نومبر ۲۰۲۳

العبد گواہ شہادہ العبد

Umar Sadiq Adv

Adnan Khan

بمقام کیمپ کورٹ سوات

کے لئے منظور ہے