### FORM OF ORDER SHEET

| Court of   |           |
|------------|-----------|
| •          | ,         |
| Appeal No. | 2614/2023 |

| S.No. | Date of order .<br>proceedings | Order or other proceedings with signature of judge  |
|-------|--------------------------------|---|
| <br>  | 2                              | 3   |
| 1     | 22/12/2023                     | The appeal of Mst. Zarmla & others legal heir of  |
|       |                                | Mukamil Khan presented today by Mr. Muhammad Ziaullah Advocate. It is fixed for preliminary hearing before Single |
|       |                                | Bench at Peshawar on  |
|       | · ·                            |   |
|       |                                | By the order of Chairman  REGISTRAR   |

The appeal of Mst. Zarmala and others legal heirs of Mukamil Khan received today i.e on 07.12.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- Appeal has not been flagged/ marked with annexures marks
- 2- Affidavit is not attested by the Oath Commissioner.,
- 3- Annexures of the appeal are unattested.
- Memorandum of appeal be signed by the appellants.

  Official address of the predecessor of the present appellants according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974 be provided.
- Annexure-A of the appeal is incomplete be completed.
- 7- Page nos. 8 & 11 of the appeal are illegible which may be replaced by legible/better one.
- (8) Eight more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal

No. 3808 /S.T.

Dt. 08-12 /2023.

REGISTRAR

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Muhammad Ziaullah Khan Adv. High Court Peshawar.

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> 18/15/23

## BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER PUKHTOON

MST ZARMALA AND OTHERS

### **VERSUS**

### **GOVERNMENT OF KPK**

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Dated:

**APPELLANT** 

M. Zia Ullah Khan

Muhammad Imran Khan Advocates, Supreme Court of

Fhrough

Pakistan

BEFORE THE CHAIRMAN SERVICE
TRIBUNAL KHYBER PUKHTOON
KHAWA PESHAWAR.

A. NO-2614/202

- 1. MST ZARMALA W/O: MUKAMIL KHAN
- 2. MST MASH PARI W/O: MUKAMIL KHAN
- 3. NAVEED ZAFAR (SON)
- 4. ABID UR RAHMAN (SON)
- 5. ATIF KHAN (SON)
- 6. MST RUQIYA (DAUGHTER)
- 7. MST NABEELA KHAN (SON)
- 8. MST SAPNA KHAN (DAGUTHER)
- 9. MST YUSRA (DAUGHTER)
- 10. MST KHADIJA BIBI (DAUGHTER) OF MUKAMIL KHAN LATE
- 11. MST ZARMENOSH W/O: AJAB KHAN AND MOTHER OF MUKAMIL KHAN LATE.

  ALL R/O: BABOZAI BHRAT KHEL DISTRICT MARDAN.

ALL R/O: BABOZAI BHRAT KHEL DISTRICT MARDAN.
Crove primary school teacher primary APPELLANTS
School Bhrat Khail Dist Manday.

### **VERSUS**

- 1. GOVERNMENT OF KPK THROUGH CHIEF SECRAETARY SECRETARIAT PESHAWAR.
- 2. GOVERNMENT OF KHYBER PAKHTUNKHWA, THROUGH SECRETARY ADMINISTRATION, PESHAWAR
- 3. DEPUTY SECRETARY (ADMN) ADMINISTRATION DEPARTMENT PESHAWAR.
- 4. SECTION OFFICER ADMN) ADMINISTRATION DEPARTMENT PESHAWAR.
- 5. DISTRICT EDUCATION OFFICER MALE MARDAN.
- 6. DIRECTOR E&SE EDUCATION KPK PESHAWAR.

RESPONDENTS

APPEAL U/S: 4 OF THE NWFP SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 21.05.2019, WHEREBY THE ORDER OF REMOVAL FROM SERVICE HAS BEEN PASSED AGAINST THE PREDECESSOR OF APPELLANTS NAMELY MUKAMIL KHAN S/O AJAB KHAN.

### PRAYER IN APPEAL:

ON ACCEPTANCE OF THIS APPEAL THE ORDER DATED 21.05.2019 PASSED BY RESPONDENT NO: 5 MAY PLEASE BE SET-ASIDE AND BE REINSTATED AND LEGAL HEIRS / APPELLANTS BE COMPENSATED WITH ALL DUE SALARIES OF DECEASED WITH ALL OTHER BACK BENEFITS / PENSION, BENOVELENT FUND, GROUP INSURANCE / MEDICAL ALLOWANCE / MEDICAL ALLOWANCE / COMPENSATION AND OTHER FUNDS ETC, AS THE APPELLANT HAS ALREADY BEEN DIED.

### RESPECTFULLY SHEWETH:

The appellant most humbly submits as under:

- 1. That the predecessor of appellant namely Mukammil Khan s/o: Ajab Khan was appointed as a PTC trained teacher in the Government primary school Sharmakhan Rustam on 17.03.1992. (Copy of appointment order is attached as annexure-A)
- 2. That the appellant was performing his job to the entire satisfaction of his Superior and during his duty till 16.05.2018, no adverse remark or black spot has been found on the part of appellant. (Copy of attendance sheets are attached as annexure-B)
- 3. That on 15.06.2018 one namely Muhammad Islam falsely involved the the deceased Mukamil Khan in case FIR No: 492, u/s: 302, 324, 34 PPC, due to which the deceased was not in position to continue his job in a peaceful manner and that's why he got absented from his duty as he was having dire consequences of life. (Copy of FIR is attached as annexure-C)
- 4. That due to the absence of Mukamil Khan, respondent No: 5 initiated one sided proceeding against him and finally without giving show-cause notice to deceased and without adopting proper process and procedure and without informing deceased/appellants, passed an ex-parte order of termination of deceased on 21.05.2019. (Copy of termination order is attached as annexure-D)
- 5. That meanwhile, one namely Jawad Hussain killed Mukamil Khan on 21.04.2022 and in this respect an FIR No: 625/22 has been lodged. (Copy of death certificate and FIR are attached as annexure-E and F)
- 6. That thereafter the appellants being legal heirs of deceased, they applied for obtaining succession certificate from the competent Court of law. (Copy of succession certificate is attached as annexure-G)
- 7. That on , the appellant filed departmental appeal but till yet respondents did not take any action on such appeal. (Copy of departmental appeal is attached as annexure-H)
- 8. That thereafter time to time, the appellants moved many applications to respondents for considering the matter on humanitarian grounds and release the salary of deceased during his absentee which was not willful and also requested to release the pension of deceased to appellants but even though they did not dispose of the departmental appeal not take any action upon such applications. (Copies of applications are attached as annexure-I)

- 9. That first of all the delay was due to the reason that the department did not send any notice to the deceased and secondly when the appellants approached the department after the death of deceased, the respondents delayed the matter by one pretext or the other and finally they directed the appellants to obtain succession certificate but even than they delayed the matter.
- 10. That feeling aggrieved, the appellant filed this appeal before this Hon'ble Court on the following grounds inter-alia:

### **GROUNDS**:

- A. That no codal formalities as enumerated in the concerned laws have been adopted nor any procedure as prescribed in the legal manner has been obeyed by the issuing authority.
- B. That not a single word regarding the proceedings, evidence or any show cause notice is available on the record before passing the above said impugned Order of removal against the deceased (predecessor) of appellants.
- C. That such an attitude of hire and fire is not even warranted by any law in the institution where a simple master and servant rule is applicable, whereas the whole procedure of dealing with the Civil Servant in the cases of any misconduct as enumerated in the Service Laws has been bulldozed in such a manner that only after writing 3 lines in the heading of removal letter the services of predecessor of appellants have been removed in illegal manner.
- **D.** That not only the whole process and procedure of E&D Rules, 1973 as well as Removal from Service Ordinance, 2000 has been ignored and defied, but the service of the predecessor of appellants has been terminated in such a manner which cannot be justified even under the law of jungle.
- E. That the predecessor of appellants was regularly attending his office and if there is any absentee on the part of predecessor of appellants that is due to enmity and wrong involvement in the FIR mentioned above.
- **F.** That the predecessor of appellants served the Department for 25/26 years and entitle for all benefits also but such a harsh and severe major punishment on mere allegation is against law, fact and natural justice.
- G. That the predecessor of appellants was the only serving member of huge family and such harsh punishment of dismissal from the service not only put the appellants in so many mental worries, financial crises but also spoiled there family system in a very bad way.
- H. That there is a basic principle of Islam as well as of law that no one should be condemned unheard but such rule has been ruined out by passing one sided Order.

**PRAYED** THAT IS. THEREFORE, ACCEPTANCE OF THIS APPEAL THE ORDER DATED 21.05.2019 PASSED BY RESPONDENT NO: 5 **SET-ASIDE** MAY PLEASE BE . AND REINSTATED AND LEGAL HEIRS / APPELLANTS BE COMPENSATED WITH ALL DUE SALARIES OF DECEASED WITH ALL OTHER BACK BENEFITS/ **BENOVELENT** FUND. **GROUP** PENSION,

INSURANCE/MEDICAL ALLOWANCE/DEATH COMPENSATION AND OTHER FUNDS ETC, AS THE APPELLANT HAS ALREADY BEEN DIED. ANY OTHER RELIEF WHICH THIS HON'BLE COURT DEEMS FIT MAY ALSO BE GRANTED.

**Appellants** 

Through

Dated:

Muhammad Zia Ullah Muhammad Imran Khan Advocates, Supreme Court of Pakistan.

# BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER PUKHTOON KHAWA PESHAWAR.

MST ZARMALA AND OTHERS

### **VERSUS**

GOVERNMENT OF KPK THROUGH CHIEF SECRAETARY

### **AFFIDAVIT**

It is verified upon oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Deponent

M. (

7 MOV 2023

# BEFORE THE CHAIRMAN SERVICE TRIBUNAL KHYBER PUKHTOON KHAWA PESHAWAR.

#### MST ZARMALA AND OTHERS

### **VERSUS**

#### GOVERNMENT OF KPK THROUGH CHIEF SECRAETARY

## APPLICATION U/S: 5 OF THE LIMITATION ACT FOR CONDONATION OF DELAY IF ANY OCCURED IN FILING THE INSTANT APPEAL.

#### RESPECTFULLY SHEWETH:

Dated:

- 1. That the instant application is being filed with the appeal in which no dated of hearing is yet fixed.
- 2. That first of all the delay was due to the reason that the department did not send any notice to the deceased and secondly when the appellant approached the department after the death of deceased, the respondents delayed the matter by one pretext or the other and finally they directed the appellants to abtain succession certificate but even than they delayed the matter.
- 3. That delay in filing the instant appeal is neither intentional nor deliberate but due to the reasons as mentioned above.
- 4. That appellants/applicants are sanguine about the success of instant appeal and the grounds of appeal may kindly be considered as part and parcel of this application.

It is, therefore, prayed that on acceptance of this application the delay if any occurred in filing the appeal may graciously be condoned.

Applicant

Through

Muhammad ZiaUllah Advocate, Supreme Court of Pakistan.

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PAINCIPAL CHS Babuzai Mardan

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6 Mukemil Khan S/O Ajab Khan Against vacant GPS;Sharmakhan 705 AVO Eabuzai Hardan SSC Post. Rustam)/ 27. Muhammad Iqbal S/O Noushad Khan R/O Baizo Kharki SSC. GMPS, Bara Banda(R) -do-701 128. Said Cayum S/O Nawab Shah GPS,Khat Killi Toru-do-R/O Dheri Likpani 1999 D/Com. 129.H ayatullah S/O Khan Bahadur R/O Mir Afzal Khan Mardan FA. 699 GMPS, Abu Bakar Sadeeq -do-Mayar. 130. Ihsan Ullah S/O Muahmmad Sadiq R/O Kandao Baba T. Bhai. SSC **699** GPS, Aman Kot. (R) . 131.Zeri Bahadur S/O Abdul Qadeer R/O Musa Khat Mardan SSC. 699 GMPS Batta Rustam) -do-132. Zar Newab S/O imir Nwab R/O 699 GPS, Ali Rustam. Katti Garhi FA. 133. Tehseenullah Khan S/O sirajud Din R/O Takkar T. Bhai. F.Sc GMPS Kopar 695 T.Bhai. 134 Miraj Muhammad S/O Jam Muhammad 694 GPS, Nakhtar Banda R/C Seeni Lund Khwar FA. 135 Nasrullah Khan S/O Ghulam Paid 693 GMPS, Saeed Abad Palo Dheri R/O Karkani Banda L.Khwar, F.Sc. 136 Ayub Khan S/O Aladad R/O padat daba 692 CMPS, Ghafoor banda -do-, Takht Ehai. FA. Palo Dheri. NOTES:-

S.N.4Mr.Hazrat Sher S/O Faqir Gul R/O Gujarat is directed to produce his complete documents for Age Relaxation case to be obtained from the higher authority as his age exceeds by 11 year # months 4 days. higher authority as his age exceeds
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- They should not be allowed to take over charge if their ages are less than 18 years and above than 25 years; 25 3.
- They are required to produce health and age certificate from Medical Supdt: DHQ Hospital Mardan before handing over charge.
- Charge report should be submitted to all concerned.
- If they fail to take over charge of the post with in 15 days after the issue of this orders their apptt shall stand cancelled.
- Certificate should be checked before handing over charge.

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PRINCIPAL CHS Babuzal Mardan

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| John Joseph Color  |                        | رويش ي                       | ANY. E.                             |  |                             |
| ع دوناهان  | 75                     | <b>1</b> 4                   |                                     |  |                             |

گورنمنٹ پریس پٹاور جاب نمبر 540/19 فارم سٹور۔ تعداد دو ہزار رجٹر ڈ۔مور تھ 23 مارچ2006 رپی فور ( فارم سٹور جابز ) خمنی فارم ( پولیس )

انسكير جزل بوليس صوبه برحد فارم نمبر ٢٦

فارم نمبر۲۴\_۵(۱)

## ابتدائي اطلاعي ربورث

كا وُ نثر فا ئيل

## ابتدائي اطلاع نسبت جرم قابل دست اندازي بوليس ربورث شده زير دفعه 154 مجموعه ضابطه فوجداري

ضلع:\_مردان

تھانہ: کا ٹلنگ

تاريخ وت وتوعد 18-6-15 وت 8:45 بج

علت نمبر: \_492

| TO 6.7.                                       | The same of the sa |
|---|--|
| تارخُ وقت رپورٹ: ۔18-6-15وقت 20:00 بج         | 1  |
| نام وسكونت اطلاع د مهنده مستغيث               | 2  |
| · · · · · · · · · · · · · · · · · · ·         |  |
| جائے وقوعہ فاصلہ تھانہ سے اور سمت:۔           | 4  |
| نا م وسکونت ملزم                              | 5  |
| کارروائی جوتفتش کے متعلق کی گئی اگر اطلاع درج | 6  |
| کرنے میں تو قف ہوا ہوتو وجہ بیان کرو          |  |
| تھانہ سے روا نگی کی تاریخ وقت                 | 7.   |
|   | تاریخ وقت رپورٹ: ۔ 18- 6- 15 وقت 20:00 بیج<br>نام وسکونت اطلاع دہندہ مستغیث<br>مختصر کیفیت جرم (معدد فعہ) حال اگر پچھایا گیا ہو۔<br>جائے وقوعہ فاصلہ تھانہ سے اور سمت: ۔<br>نام وسکونت ولژم<br>کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج<br>کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج  |

ابتدائی اطلاع ینچدرج کرو۔

د شخط انگریزی ......

## OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

### OFFIC ORDER

WHEREAS; Mr. Mukamit Khan PSHT GPS Bharat Khel Katlang remained willful obsent from duty with effect from 15-08 2018 till date, without approvakal the Competent Authority as per report of the SDEO concerned

AND WHEREAS, a departmental inquiry was conducted vide this office order. No 1090-91 dated 07-02-2019 in the light of absence report submitted by SDEO[M]. Ratlang vide his letter that 1089 dated 27-12-2018 and the Lina dated 24-01-2019 and inquiry officer proved his absence from duries and recommended him for disciplinary action under L&D rules.

AND WHEREAS, a show cause notice regarding his willful absence from duty was already served upon him vide this office Memo No 6507-08 duted 04-09-2018 and No 8042/6 dated 22-10-2018 in the light of absence report of MAU.

AND WHEREAS non response to the show cause notice and bodly failed to resume his duty and to justify his absence from duty

AND WHERAS, his obsence notice was also published in duity newspaper on 26 04-2019 and 27-04-2019 to resume his duties within 15 days but he failed to resume his duty

AND WHEREAS, he is found guity of gross misconduct, absenting himself under the khyberPakhtunkniva Govi servants ESD rules 2011.

Now in exercise of the power conjured under knyberPakhtunkhwa Govt servants E&D rules 2011, the undersigned being Competent Authority is pleased to impose the major penalty of Removal from Service upon Lit. Maxamil Khun PSHT GPS Bharat Khel Katlana, with immediate effect.

Note: Pay and other benefits for the aprence period rewelf 15-08 2018 till the date of issuance of this order will not be claimed at any stage

(Zulfigar al Mulk)
District Education Officer
(Male) Mardan

Endst No. 581/6, /P/F Dated 41 5- /2019

copy forwarded for information and necessary action to the:-

- 1. Director E&SE Education KPK, Peshawar
- 2 SDEO(M) Katlang with the remarks to made entry minis service book.
- 3. Mr. Mukamil Khan PSHT GPS Bharat Khel Katlang (Registry)

District Equation Officer

محومت خير بختونموا پاكتان The Govt Khyber Pakhtunkhwa Pakistan اندرارج و فات سسر میفکید



50074110015686 CRMS No: D500741-22-10651

CNIC No:

Death Registration Certificate

Form No: W13539375 ونتراندراج: بابوزني

Deceased Person's Details OLD/M REG #: MUKAMIL KHAN Name: باكستل Pakistani Nationality: شالحتى كاردُ نمبر: 1-7149767-16101 16101-7149767-1 CNIC No: 21-April-1970 Date of Birth: 21-April-1970 ISLAM Religion: Gender: Sickness Period: 21-April-2022 تاريخ دفات: 21-April-2022 Date of Death: تام کند فین کا فری دسومات: 22-April-2022 Date of Burial/Last rite: 22-April-2022 راوليندي RAWALPINDI فيرطبى د به و نات: Reason of Death: Un-natural Nature of Death: بكريم فين اكترى دسوسات : بابوزل Buried/Last rite at: BABOZAI

Parental Information مالنتان المعلمات دالدكانام : Father's Name: شناختى كارد نمر: CNIC No. زرمينوش ZAR MENOSHA Mother's Name:

والدمكا تام : شاختى كارد نمير: Address

كادُل بابو زئی برت فیل Village BABOZAI BHARAT KHEL, Address : · Cl·K KATLANG Tehsil: MARDAN District :

Applicant's Details عابدالرفمال ABID UR RAHMAN Name: شافتى كارزنمر: 5-3742265-16101 16101-3742265-5 CNIC No: Relation with Deceased: SON

Information of Burial/Last rite by

عابدالرممان ABID UR RAHMAN Name: 16101-3742265-5 شناختىكار دغمير: 16101-3742265-5 CNIC No: Relation with Deceased: SON

Entry Date : 25-April-2022

T25-April-2022 Issue Date : Entry Status:



25-April-2022

25-April-2022

نارمل

يوليس فارم نبر ٢٥٠٠٥ (1)

سيريل نمبر: 3-007755 تا RW

## ابتدائی اطلاعی ربورث نسبت جرم کائل وست اعرازی بولیس ربورن، شده زیر دفت ۱۶۹ نجوعد شابله فوجداری

| رِيِّ ووت وقرم: 21-04-2022 04:45 PM  | <u>t</u> ≈8-   | فلع: راوليندى ال قبك تمبر: 4/21/2022-4918  | نمير: 635/22 مقانه: من مروني            |
|--|--|--|---|
| يشابؤ را لين ميارية  | 6 تندے روالی کا بارخ ہوت   |  | 1 تاريخ ووت راپورت                      |
| <u> المسلح مروان: موجوده بيته: مسروث روقه راوليناً ي :</u>   | <u>عامر الران المستمل خان بيت زاد زاد لهرت مخيل محصيل و</u>  | And the second s |   |
| 034417817  | <u> 155 - 16:01-3742265-5: المان فم : 155</u>  |  | 2 - نام وسكونت اطلاح ١٠٤٥ مستنيث        |
| in the second of | مراجيه مسامله المحمد عاوف آناة الأول بالدامور اليروفي واوليقد  |  |   |
|  | ÷ 1.,5   | - 17 5 6 7 1   | 3 مخفر كيفيت جرم ( - ن و ال             |
| :  |  |  |   |
|  | ر 1942 ميلوم<br>الميار ميلوم ( 1942 ميلوم )  | •  | :<br>1                                  |
| •  | · · · · · · · · · · · · · · · · · · ·  | •  | :                                       |
| ر نم 75  | ي تر سريد رول صل قريب الآن المبارز الله ويدوا  |  |   |
|  | ·  |  | الله المائع وقوعه و فاصله آلات ما الا   |
| and the specified of the depth of specification of the contraction of  | بين أنه 51 <b>ريال 90</b>  | •  | ;                                       |
|  | ه به این این این استفاطه سند مد درج رجستر <b>موا.</b>  | ج کرنے میں گر آنٹ ہوا ہو تو اس کی وجہ بیان کی  | کارواکی متعلقه تکتیش استان در           |
| The second secon | و المالية الما   | The state of the s | ا تا الله الله الله الله الله الله الله |
| <u>فلى نون نمبر: 03005181167</u>   | 15 15 A  | بيك نمبر: R/735  | د سخط: امجد پرویز                       |
| •  | ( JEn & 1 m b)   | ( <b>[</b> ])  |   |
| 0344178175 بيان كياكه مين بيد مندرجه بالاكارباكي   | · · · · · · · · · · · · · · · · · · ·  | انه بابر زکی کبرسند تنیل محصیل و هم <b>لع مردان حال مسروت</b><br>بر  |   |
| یام مروث روڈ پر چہل قدمی کردہے تھے کہ ای دوران ا   | ·  | مان ولد عجب خان بعمر قريب 53/54 سال اور اسپيغ مجالک<br>مان ولد عجب خان بعمر قريب   | To charge and my                        |
| نگل روکا اور جواد حسین نے پیش اٹال کر کے بعد ویکر ہے۔<br>مما سی در کتاب اور دیران  |  | ان شدر ول <sup>ال</sup> ال <sup>المستع</sup> م جادياً هما <b>جكر يجيد جاد مستين ولد ه</b>  |   |
| کال کر بائیہ کل سیدھے فائر کرے ہوئے نیرے والد پر   | U Marie Carlo de 12 au grande  | الله الله المسلم كرا المنتف حسول يركك جس س ودار الى  | ,                                       |
| سیان توید ظفر اور بشیر رحمان نے پچشم خوو دیکھا ہم والد کو<br>تھے مصل میں مصر ملوں دور مسلم ما مصر مسلم   |  | کے اور مجر موار سائل پر سوار ہو کر جانب جکری روڈ فرار  |   |
| یمی میتال آیکے ایں۔ طرمان جواد حسین ولد طبیب رسول<br>فد مند سے اللہ میں سند درات میں   | 9.5  | فاری میں واکر DHQ سیتال کے آئے۔ جو سیتال پہنچ پر   | • • •                                   |
| شرید معزوب کر کے قل کر کے سخت زیادتی کی ہے۔ وجہ در معروب کر کے تعلق کر کے سخت زیادتی کی ہے۔ وجہ  | عوان در بردی کے میں الحماد اللہ الدورات کا ادارات کا الحاج کے الے اللہ المحاج کے اللہ کا الحاج کے اللہ کا الح<br>اللہ اللہ اللہ اللہ اللہ اللہ اللہ اللہ | رزگ نبرت نخیل محصل و هلع مردان <b>نیابهم ملاح مشوره</b><br>در کی نبرت نمیل   |   |
| زاعمه عارف S1/HIU كاروائي پوليس اطلاع وقوص پاکر ش<br>احد هارف حمد او اساک ملاکست کرماند کرماند سما او استحالا  | · ·  | ور الله الله الله المنت من منت منت الله في كاروال كل جاسك الله   |   |
| یا جو شده حمریر میں لایا جاکر حر کورہ کو پڑھ کرسٹایا و سمجمایا<br>. جو ظاہری ملاحظہ نعش کرنے پر ضربات برطانق درخواست   |  | ارد 1376 DHQ ← C/ 1376 عيال داوليط   | •                                       |
| . يو فاہری کا طقہ کی مبسط ہو مریات انصابی (دواست<br>رفعت محمود C/6914 نژو CMO صاحب BBH ادسال   |  | . " الرقيهون زير بيان الهيد و مقط كروي جنك مين آ   |   |
|  |  | ار آلهٔ بالی حمی جبر درخواست <b>بوسمارقم و نقشہ صورت</b> الم<br>میں میں جبر درخواست <b>ب</b> وسمارقم و نقشہ صورت الم   |   |
| C/13 ارسال تعانہ ہے۔ غمبر مقدمہ سے آمجاد کیا جائے۔ از<br>مدائہ وصل ورد اور مدالق مقدمہ سے آمری کو کا کا جائے۔ از   | -  | آفات سے مروست مورت جرم 302/34 ت ب بالی جاک   |   |
| ب بوئی اصل استعاللہ معہ لقل FIR بدست آرندہ گنسٹاییل<br>مصر در در ال  |  | اً بيان أن SI (190 عنائه مدر بيروني 22-4-21 الرحماة<br>العالم المنافعة المن  |   |
| ر ربع ورث الرسمان الرسيسية.<br>ا   | <b>声</b> のから、 to the party   | الله الميل والمارة الولي بعد مميل ويكارة لقول  | عقب فرستده SI/HIU                       |

### Better Copy

يوليس فارم نمبر 24-5 (1)

بمر: RW---007755

ا بندا کی اطلاع نسبت جرم قابل وست اندازی پولیس رپورٹ شده زیر د فعہ 154 مجموعہ ضابطہ فوجداری

نْمَر: ـ 635/22 قانه: ـ صدر بيروني صلع: ـ راولپنڈي اي ٿيك نمبر 4918-4/2022 SB-4/24/2022

تاریخ ونت وقومه: \_ 04:45PM 2022-04-21

| 21-04-2022                     | 04.401 1013.2000   | ·                        |                              | <del></del>                |   |
|--------------------------------|--|--------------------------|------------------------------|----------------------------|---|
| بذريعه سيشل ريورت              | تھانہ ہے روا گی کی تار <sup>ہ ک</sup> ووقت                                     | <del> </del> 6-          | بحوالدر پرٹ نجر 5            | تارخُ دودت رپودٺ           | 1 |
|                                | ,  |                          | 21-04-2022 08:25PM           | <u> </u>                   |   |
| وضلع مردان موجود پية مسروث رود | مان ولدمكمل خان بية بابوز كى لبرت خيل تخصيل                                    | عابدالرح                 | ه متغیث                      | نام وسكونت اطلاع و مند     | 2 |
| فون 03441781755                | با مثناختی کارڈ نمبر 5-3742265-16101<br>سازمحد عارف تھا نەصدر بیرونی راو لپنڈی | راولپنڈ کے<br>مرتبہ مرا- | ·                            |                            |   |
| 34تپ                           | 302تپ  | ζ <i>/</i> ;             | <u> </u>                     |                            | 1 |
| وارنمبر75 بيث نمبر 51رنيال 90  | مروث روڈ بفاصلة قريب ہو کرميٹراز تھانہ ديہہ                                    | بحدرقبه                  |                              | جائے وتوعدو فاصله تھاند    |   |
|                                | حسبآمد بيان بشكل استغاثة مقدمه   |                          | راطلاع درج كرنے ميں كھاتو قف |                            |   |
|                                |  |                          | اجادے                        | ہوا ہوتو اس گی وجہ بیان کی |   |

يك نمبر R/735 تبهده SI

المجديرويز

(ابتدائی اطلاع نیجے درج کریں)

بيان ازان غَانِيْظِ الرصان ولد مكمل خان ساكن بايو زئي لبرت خيل مخصيل وضلع مردان حال مسروف روڈ راولپنڈي بعمر - 0 3 سال 4226555 16101 فون نمبر 03441781755 بيان كياك ين بية مندرجه بالاكار بأثثى بيون امروز مين بمراه اسيخ ..... خان ولد عجب خان بمرقريب 53/54 سال اورائيخ بھائي سنٽقر جي رشته دار شيررسان برونت قريب 4:45 بھيشام مسروٹ روڏير چھل قدي کررے تھ کداي دوران موز سائنکل .....طم رہا تھا جبکہ بیچیے جواد حسین ولیہ ..... بالا روڈ کپ روڈ ہے آ گے اور موٹر سائنکل روکا اور جواد حسین نے پسلل نکال کر کے بعد ویگر ہے سید ھے فائر بانیت قل میرے .... کئے جوائے جسم کے مختلف حصوں پر لگے جس ہے دوزخی ہوکر .....اور پست نکال کر بانیت قبل سیدھے فائزنگ کرتے ہوئے میرے والد پر کئے جوان کےجسم کے مختلف حصول پر نئے اور پھر مونر سائنگل پرسوار ہو کر جانب چکری روڈ فرار ہونے کی .....میرے علاوہ سسمان نو پد ظفر اور بشیر رحمان نے بچشم خود دیکھا ہم والد کو بھالت معز ولی ہے ہوشی کی ....کاری میں ڈالگر DHQ مہیتال لیے جو مہیتال پہنینے پر ..... ہے پولیس بھی ہپتال آگئے ہیں ملزمان جواد حسین ولد حبیب رسول اور فرمان غفور ولدلعل غفور .... با بوزئی لبرت خیل مخصیل وضلع مردان نے یا ہم صلاح مشورہ کر کے ..... شدید مضروب کر کے قبل کر کے سخت زیادتی کی ہے وجہ عناد سابقہ دشمنی ہے ..... ملز مان بالا کے خلاف سخت سے سخت قانونی کارروائی کی جائے اور .....قىدىقى دستخطامحمة عارف Si/HIU كارروائي پوليس اطلاع وقويه ياكريين معهنديم شوكت 7769..... دُي اچچ كيوم پيتال روالپنڈي ..... تقريري ديا جو عنبط تحریر میں لایا جا کر ندکورہ کو پڑھ کر سنایا وسمجھایا گیا جس نے حسنہ بیان خوبہ سے درست تشکیم کرتے ہوئے زیر بیان اسپنے وستخط کردیے جنگی میں تقیدیق ..... بڑی سے جوظا ہری ملاحظ نعش کرنے برضر بات برطابق ورخواست وسٹ مارٹم ، خانہ نبسر 10 نقشہ لگائی یائی گئ جس برورخواست یوسٹ مارٹم ونقشہ صورت احوال .....زیر حفاظت رفعت محمود CMO نز و CMO ساحب BBH ارسال ہوئی مضمون بیاان بالا سائل .....واقعات سے سردست صورت جرم 302/34 ت ب يائي جاكربيان ... C/1376 اسال تفانه بي نمبر مقدمه بية ألكاه كيا جائه از DHQ مبيتال بوقت 7:30 يح ... مُحد عارف Si/HIU تقالد صدر بيروني 22-4-21از تقاله مرتب جولي اصل استفاثه معالقل FIR بدست آريده كنشيل عقب فرسنده SI/HIU ارسال ہے۔.... مدایت ہوئی بعد تکمیل ریکارڈ نقول بات سیکٹل ریورٹ ارسال ہے۔



## IN THE COURT OF SENIOR CIVIL JUDGE, MARDAN.

1. Mst. Zarmala, 2. Mst. Mash Pari (widows) 3. Naveed Zafar, 4. Abid Ur Rahman, 5 Sajiid Khan, 6. Atif Khan (sons), 7. Mst. Ruqiya, 8. Mst. Nabeela Khan, 9. Mst. Knan, 10. Mst. Yusra, 11. Mst. Khadija Bibi (daughters), 12. Ajab Khan (Eather) & 13. Mst. Zarmenosh (mother) of the deceased Mukamil Khan, residents of Babozai Bhrat Kheil District, Mardan .. Petitioners.

 $m V_{ersus}$ 

Public At Large,

SUCCESSION CERTIFICATE FOR THE DEBTS AND SECURITY LEFT BY THE DECEASED ····..Respondents. MUKAMIL KHAN WHO DIED ON 21.04.2022.

Whereas you the above named Petitioner (s) has/have applied on dated 05.10.2022 to this Court for the grant of succession certificate under the succession Act, 1925 in respect of the following debts and securities of the deceased.

|  | variates of the deceased. |
|--|---------------------------|
| Name Of Bank/ Debtor District Education Officer (M), | NATURE OF DEBT            |
| Mardan Mardan  | Leave Salary, if any      |
| National Bank of Pakistan,<br>Katlang Branch         | Rs. 3,472/- vide          |
| The application is accepted and Succ                 | account No. 4094715149    |

The application is accepted and Succession Certificate of the deceased named above is hereby granted in respect of aforesaid moveable legacy/assets up to the extent conditioning shares in favour of the petitioners.

NAMES OF THE SHARE HOLDERS TO THE EXTENT OF SHARES

| Mame Name                          | Relation | Share |
|------------------------------------|----------|-------|
| lvist. Mash Pari                   | Widow    | 3/48  |
| Naveed Zafar                       | Widow    | .3/48 |
| · Aled U. Rahman                   | Son      | 4/48  |
| Sajjia Khan                        | Son      | ·4/48 |
| Atif Khan                          | Son      | 4/48  |
| Mst Rugiya                         | Son      | `4/48 |
| Mist. Nabeela Khan                 | Daughter | 2/48  |
| Mst. Sapna Khan                    | Daughter | 2/48  |
| : A 1 USFA                         | Daughter | 2/48  |
| ast Kladija Bibi                   | Daughter | 2/48  |
| Ajab Khan                          | Daughter | 2748  |
| Mst. Zarmenosh                     | Father   | 8/48  |
| The petitioners are allowed to rec | Mother   | 8/48  |

The petitioners are allowed to receive their respective shares from the concerned debtors/banks alongwith profit, if any after due identification and verification accordingly. Sizes of the minors, if any, be transmitted to this Court forthwith and copy of this order sent to the concerned debtors. Moreso, in case of any enhancement/difference in the above-mentioned amounts, the same may be distributed amongst the legal heir as per their respective shares.

Given under my hand and the seal of this Court on this 25.1

(SHAURAT ALI) HEN (WI MUN (I) CLANER I

ا بسل مرائع . محال و بسنش و د مامر مواعات مرفوا ململ خان ولونجب خان ۱۶۴۰ مرموا

بنا س، ١١٧٠

سسانل سب زمل عرفس دسان ہے.

یے کہ سائل کے والر سلمل خان ولد عجب خان 17/3/19 میں "روندسٹ پرائمری

سلول متيم مع خان مين بطور بي لُ سي ميم عبر تعبرل مبوا.

يه كم 18/2/18 تك مسائل ، والد معاجب احسن طريق سے اين ذيرني مرانجام بادمانقا . كمين

لوف الله علط اور من كون ت يرج 17 سائل كواله كو عام 900 متورس مورز 118 618 الما 18 كو فامز دكياكمي حبين ك وبرسه مسائل كه والد محبورا دويوش مون.

عدد المرك دولير شي كروير سي كله بذا نے سائل كرواليرك فلان كاروولى كرك سائل كروالير

يوكر مورفر 21-2/4/12 كر مسائل ك والوكر جوار صين ع كنشاه قتل ديا. حرب ك فلاف الم ١٩١٤

یم رسائل کے والد جاگنا، تھے اور بوج دشنی علاقہ دور سوئے تھے. اور جمیں والد ک لو ) ما سے برفاست

لحفظ المسترعا بي رعنظور لبيل عنوا سأمل أوالدك كالى ويسين و رئار مراعات سائل دروس در زاكو ريئ جائي.

عا م*رالرفسن دلرسلم*ل فان مسكر بالوزگی مردرن ۱|۱۶|۲۰۰۵

محصنور نبی ب فرسن ایجومیش انتیر سردان

در فورست مردنه محال دمیشن و دنگرمزیات مرمول مکمل طان دلر عجیب فان پل لُس مُعجِر

وني ب عالي

لحفذا استرعا بيئر سائل كه والبرك عالى وبيشن و دئير مزعات سائل دور دسك وانتاكو دين مائد.

عامر الرمن دار ممل فان سند بالوول ردن

23/11/22/1/23/11/23

## خصور منا \_ خسر من الميس مردال محصور منا \_ خسر من الميس مردال

درنواس برائے کالی وینش وریگر مراعات مردوم مکل مان ولا بجب خان پی ٹی سی ٹیچر

خاب عالى:

ا بل نے والد 1992 میں PTC نیجد گورنمنٹ پرائم ی کول ترسافان رستم میں طرق ہوئے اور 18 اور 20 این دیوی سرنا دین رہے۔ لع جم غلط FIR ما أن كا والرجبوراً رويوش بهوا اورس کی وجہ سے سائل کے والرکو بؤکری سے نکال دیا گیا۔ لعدمیں سائل کے والد کو جواد صین نا فی سخفی نے فتل کر دیا۔ جس کی باقدہ طور پر FIR ۱۱۰۲ موئی- بعیص لمزاب صاصان سے کئی مرتبہ روابط کی کیا ، اور ایسل و تعبیا کی . سین آئے کوئی تسلی کنش جواب زریا۔ سي استرعاج كرسائل كروالمرى كاك وسنتن ودیگرمراعات سائر اوراس کے وارث کورین 6ا۔ اتی عاید انبرای ویو مکم خان کانه بالوزی مران  $27\frac{10}{2023}$ 

## MUHAMMAD ZIAULLAH

### Advocate Supreme Court Of Pakistan

Legal Consultant & Practitioner, Cell # 0314-9806895

BC 10/8033

## WAKALAT NAMA

(POWER OF ATTORNEY)

IN THE COURT OF SCYVICE Tribunal KPK Yolawar



Mit Zarmala & others

Appellants 1

### VERSUS

Respondent

Myt Zarmala & others ( appellants

) in the

above noted for wie Apred, do hereby appoint and constitute MUHAMMAD

ZIAULLAH, ADVOCATE SUPREME COURT, OF PAKISTAN to

appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our counsel in the above noted matter, without any liability for their default and with the authority to engage/appoint any other Advocate/Counsel at my/our matter.

Dated:

*''*  $\mathcal{F}$ 

Attested & Accepted.

**MUHAMMAD ZIAULLAH** 

En No# 5840

Advocate Supreme Court, of Pakistan. Chamber: J. Waqar Ahmad Seth Block, 2<sup>nd</sup> floor, District Courts, Peshawar.

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