


FORM OF ORDER SHEET

Court of _____

Appeal No. 127/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	15/01/2024	<p>The appeal of Mr. Hassan Khan resubmitted today by Mr. Hassan U.K. Afridi -Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ A. Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

The appeal of Mr. Hassan Khan received today i.e on 08.01.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of departmental appeal is not attached with the appeal be placed on it.

No. 70 /S.T.

Dt. 10/1/2024

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Hassan U.K Afridi Adv.
High Court at Kohat.

Resubmitted
The application on page-11219, is in the
shape of departmental representation because only
the policy issue is subjudice,
and the copy of the DEO's job
sent, the reply is still awaited.
Here this service is not

15-01-2025

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 127 /2024

Hassan Khan..... Appellant

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through
Secretary E&SE and others..... Respondents

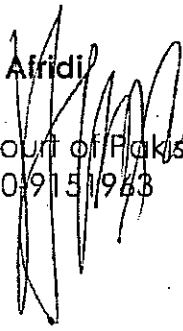
I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal		1-4
2.	Affidavit		5
3.	Application for release of salary with affidavit		6-8
4.	Addresses of parties		9
5.	Appointment order dated 08.04.2022		10-11
6.	Charge report dated 11.04.2022		12-13
7.	Attendance registered		14-16
8.	Letter dated 28.08.2023		17-18
9.	Application dated 15.09.2023		19
10.	Wakalatnama		20

Appellant
Through

Dated 04.04.2024

Hassan U.K Afridi
Advocate
Supreme Court of Pakistan
Cell No.03009151983



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 124 /2024

Hassan Khan S/o Abdullah Jan,
R/o Shooda Sharif, Kohat,
Presently posted as Chowkidar
at GGPS, Banda Dost Muhammad.....Appellant

V E R S U S

1. Government of Khyber Pakhtunkhwa (KPK) through Secretary Elementary & Secondary Education, Peshawar
2. Director, Elementary & Secondary Education, Peshawar
3. District Education Officer (DEO), Female, K.D.A; Kohat.....Respondents

4. *Government girls primary school Banda Dost Muhammad Kohat.*

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974, AGAINST THE DENIAL
OF THE RESPONDENTS TO GRANT/RELEASE
SALARY TO THE APPELLANT FROM THE
DATE OF CHARGE 11.04.2022 TILL NOW
AND FURTHER, WHICH IS AGAINST LAW
AND JUSTICE.**

(Reply)

Prayer in Appeal:-

On acceptance of this service appeal, the respondents may kindly be directed to grant /release salary to the appellant from the date of charge dated 11.04.2022 till now and further.

Any other relief, deemed fit and necessary in the given circumstances of the case may also be awarded in favour of the appellant was against respondents

Respectfully Sheweth:-

1. That the appellant is the permanent residence of Dhooda Sharif, Kohat
2. That the appellant has appointed as Chowkidar (BPS-03) class-iv in the Government Girls Primary School, Banda, Dost Muhammad, Dhooda, Sharif, Kohat, vide order of appointment dated 08.04.2022, after the recommendation of the Departmental Selection Committee.
3. That the appellant after fulfillment of the legal formalities, took a charge on 11.09.2022.

4. That the appellant is regularly performing his duty in the said school, but the salary has not been issued /granted till now on the one and other pretext.
5. That the appellant submitting application/ representation to the office of principal and DEO (Female), Kohat, but still the salary of appellant has not been released/grant, hence this service appeal on the following amongst other grounds:

G R O U N D S:

- A. That the denial of the respondents to release the salary of the appellant, is against law and justice, and highly objectionable.
- B. That the appellant has appointed after completion of all the codal formalities and the appellant also took a charge on 11.04.2022 and regularly attended the school, but inspite of that, the appellant has been deprived of his salary.

- C. That the appellant is still in service and performing his duty and he is legally entitle for releasing his salary.
- D. That the respondents under the law and constitution are bound to release salary to the appellant.
- E. That some other ground may be adduced at the time of arguments with the permission of this Honourable Court.

It is, therefore most humbly prayed on acceptance of this service appeal, the respondents may kindly be directed to grant /release salary to the appellant from the date of charge dated 11.04.2022 till now and further

Any other relief, deemed fit and necessary in the given circumstances of the case may also be awarded in favour of the appellant was against respondents

Appellant
Through

Hassan U.K Afridi
Advocate Supreme Court

Dated 04.01.2024



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

Hassan Khan..... **Appellant**

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through
Secretary E&SE and others..... **Respondents**

A F F I D A V I T

I, Hassan Khan S/o Abdullah Jan, R/o Shooda Sharif,
Kohat, Presently posted as Chowkidar at GGPS, Banda
Dost Muhammad, do 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 Hon'ble Court.

D E P O N E N T

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2024

In

Service Appeal No. _____/2024

Hassan Khan..... Appellant

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through
Secretary E&SE and others..... Respondents

APPLICATION FOR RELEASING THE EXISTING
SALARY OF THE APPELLANT

Respectfully Sheweth:

1. That the service appeal has been filed with the instant this application, which has brought chance to succeed.
2. That the appellant has got good prima facie case in his favour and sanguine about its success.
3. That the balance of convenience also lies in favour of appellant.
4. That if the existing salary has not been released then the appellant suffer irreparable loss.

Z

5. That the face and ground of the accompanying service appeal may kindly be read and integral part of this application.

It is therefore humbly prayed that on acceptance of this application, the existing salary may kindly be released

Appellant
Through

Dated 04.01.2024

Hassan U.K Afridi
Advocate
Supreme Court of Pakistan



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2024

In

Service Appeal No. _____/2024

Hassan Khan..... Appellant

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through
Secretary E&SE and others..... Respondents

A F F I D A V I T

I, Hassan Khan S/o Abdullah Jan, R/o Shooda Sharif,
Kohat, Presently posted as Chowkidar at GGPS, Banda
Dost Muhammad, do hereby solemnly affirm and
declare on oath that the contents of the accompanying
Application are true and correct to the best of my
knowledge and belief and nothing has been concealed
from this Hon'ble Court.

D E P O N E N T

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

Hassan Khan..... Appellant

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through
Secretary E&SE and others..... Respondents

ADDRESSES OF PARTIES

APPELLANT:

Hassan Khan S/o Abdullah Jan,
R/o Shooda Sharif, Kohat,
Presently posted as Chowkidar
at GGPS, Banda Dost Muhammad

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa (KPK) through
Secretary Elementary & Secondary Education,
Peshawar
2. Director, Elementary & Secondary Education,
Peshawar
3. District Education Officer (DEO), Female, K.D.A,
Kohat

Appellant
Through

Dated 04.04.2024

Hassan U.K. Afridi
Advocate
Supreme Court of Pakistan

OFFICE OF THE DISTRICT EDUCATION OFFICER (TEAMLE)

KOHAT



10

APPOINTMENT ORDER

Consequent upon the recommendations of the Departmental Selection Committee, the undersigned is pleased to order the appointment of the following candidates against the post of Class-IV in BPS-03 (Rs. 9810-390-21310) plus usual allowances as admissible under the Rules. The competent authority is further pleased to post them against vacant position mentioned below their name on the terms & conditions given below with immediate effect:-

Deceased Son Quota

SR. No	Name	Father/Husband Name	Form/CNIC	Designation/Place of Posting
1	Aqsa Bin Khan	Ambat Jan	KPK/Kohat	Chowkidar at GGPS No.2 Muslim Abad Kohat
2	Zaini Muntaz Bibi Ruqa	Muhammad Salim W/O Majid Ameer	KPK/Kohat	Lab:Attd at GGHS No.1 Kohat
3				Lab:Attd at GGHS Mir Ahmed Khel Kohat
4	Mehnaz Bibi	Musilla Khan	KPK/Kohat	Chowkidar at GGPS Lal Ghar

Minority Quota

1	Safina Bibi	Zeenshan Mashi	KOHAT	SWP at GGHS Babri Banda
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Retired Son Quota

1	Aamir Muhammad	Maveez Khan	KPK/Kohat	SWP at GGMS PAF Base
2	Haveed Khan	Abdul Wasia	KPK/Kohat	Chowkidar at GGPS Shah Abad
3	Asad Ullah Khan	Noor Bal Khan	KPK/Kohat	Chowkidar at GGPS Akhtar Abad
4	Shad Ahmed Farooq	Musalin Khan	KPK/Kohat	SWP at GGHS Shakardara
5	Muhammad Sujahat	Fazal Muhammad	KPK/Kohat	Chowkidar at GGPS Ali Kach
6	Kainat	Manzoor Shah	KPK/Kohat	Lab : Attd at GGHS Sheikhan
7	Asad Khan	Sakhi Bad Shah	KPK/Kohat	Chowkidar at GGHS Togh Bala
8	Muhammad Danish	Muhammad Israil	KPK/Kohat	Chowkidar at GGPS Khamatoo
9	Abdur Raul	Qamar Ali Khan	KPK/Kohat	SWP at GGHS Khamatoo
10	Muhammad Usman	Rafab Ali Khan	KPK/Kohat	Chowkidar at GGPS Ghar Behram Khan
11	Zohaib Ullah Noor	Muhammad Noor	KPK/Kohat	Chowkidar at GGPS Marozal No.2

Open Merit

1	Muhammad Aleem	Saeed Khan	KPK/Kohat	Naib Qasid at GGMS Razgir Banda
2	Tazmeen Bibi	Muhammad Naeem	KPK/Kohat	SWP at GGMS Razgir Banda
3	Gul Ahmed	Mehboob Ali Khan	KPK/Kohat	Chowkidar at GGPS Dhoke Muhammad Ali Jabbar
4	Amanullah Khan	Ibrahim Khan	KPK/Kohat	Naib Qasid at GGMS Mandooni
5	Maryam Bibi	Shams ur Rehman	KPK/Kohat	SWP at GGMS Mandooni
6	Hassan Khan	Abdullah Jan	KPK/Kohat	Chowkidar at GGPS Banda Dost Muhammad
7	Fahim Ullah Khan	Hamayun Khan	KPK/Kohat	Chowkidar at GGPS Public Health Colony
8	Kamran	Gul Imran	KPK/Kohat	Chowkidar at GGPS No.2 Gumbal
9	Alla Ullah	Sana Ullah	KPK/Kohat	Chowkidar at GGPS Zera Paraw Shahd pur
10	Muhammad Kaleem Khan	Liaqat Ali Khan	KPK/Kohat	Chowkidar at GGPS Chichana
11	Nasir Mahmood	Musa Ali Khan	KPK/Kohat	Chowkidar at GGPS Poya Bori saghari
12	Saer Shah	Hazrat Ali Shah	KPK/Kohat	Chowkidar at GGMS Sanda Faith Khan
13	Musarrat Shaheen	Iatibar Khan	KPK/Kohat	SWP at GGMS Nandraka S/Dara
14	Imran Ullah	Juma Khan	KPK/Kohat	Naib Qasid GGMS Nandraka S/Dara
15	Akhtar Munir	Muhammad Akbar	KPK/Kohat	Chowkidar at GGPS Shaheeda Road Baqizal Tappi
16	Muhammad Israr	Muneer Khan	KPK/Kohat	Chowkidar at GGPS No.2 Baqizal Tappi
17	Shahbaz Haider	Mehmood Ali	KPK/Kohat	Chowkidar at GGPS Shah Pur
18	Syed Ghulam Murtaza	Syed Ali	KPK/Kohat	Chowkidar at GGPS Kachi Hassan Khel
19	Laiba	Pio Khan	KPK/Kohat	SWP at GGMS Nusrat Khel Kohat
20	Arif Ali	Ayub Khan	KPK/Kohat	Chowkidar at GGPS Sara Mela Khadizal
21	Amir Sohail	Safir Ullah	KPK/Kohat	Chowkidar at GGPS No.2 Jangle Khel
22	Abdul Habib	Muzboot Khan	KPK/Kohat	Chowkidar at GGPS Arab Masjid

ATTACHED

11

No	Name			
20	Munhammad Amir	Muhammad Basheer	KPK/Kohat	Chowkidar at GGPS Star Sam
21	Munhammad Amir	Nuseem Khan	KPK/Kohat	Chowkidar at GGPS Malgan Colony
22	Tarsoom Ali	Muhammad Yasceen	KPK/Kohat	Chowkidar at GGPS Sher Kot
23	Mehsin Ghaffar	Shakeel Ahmed	KPK/Kohat	Naib Qasid at GGSS No.1 Kohat city
24	Bahar Ghani	Iltaf Shah	KPK/Kohat	Chowkidar at GGHS Mir Ahmed Khel
25	Srabana / Mhtr	Shamshad Hussain	KPK/Kohat	Lab:Aid at GGSS Usterzal Payan
26	Syed Moshraf Hussain	Syed Khadim Hussain	KPK/Kohat	Chowkidar at GGPS No.2 Milla Khan
27		Gul Muhammad	KPK/Kohat	SWP at DEO (F) Kohat
28	Muhammad Usman	Muhammad	KPK/Kohat	SWP at DEO (F) Kohat
29	Sana Ullah Khan	Nazirullah Khan	KPK/Kohat	Chowkidar at GGPS Banda Mosam Khan
30	Qurat ul Ain	Manzoor	KPK/Kohat	Lab:Aid at GGSS No.1 Kohat city
31	Ashraf Khan	Umar Khan	KPK/Kohat	Chowkidar at GGPS Dhandooka S/Dara

Note: No TADA etc is allowed.

Terms & Conditions

1. Charge reports should be submitted to all concerned in duplicate.
2. They should not be handed over charge if they exceed the age of 40 Years or below 18 Years.
3. Their services are liable to termination on One month's notice from either side. In case of resignation without notice, their One month Pay/Allowances shall be forfeited to the Government.
4. They should join their post within 15 days of the Issuance of this order, their appointment shall be treated / cancelled automatically and no subsequent appeal etc shall be entertained in this behalf.
5. Health & Age certificate should be produce from the Medical Superintendent concerned before taking over charge.
6. They will be governed by such Rules & Regulation as may be issued from time to time by the Government.
7. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their probation period. In case of misconduct, they shall be proceeded under the Rules framed from time to time.
8. They will be on probation for a period on one year, extendable to another one year.

S. U.
District Education Officer
(Female) Kohat

Endst No. 2923-2581 / Cl-iv: Apptt: AE-IV

Dated 08/04/2022

Copy Forwarded to:

1. Section Officer (Pry.) E&SE Department Khyber Pakhtunkhwa, Peshawar.
2. PA to Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. Deputy Commissioner Kohat.
4. District Accounts Officer Kohat.
5. District Monitoring Officer (MU) Kohat.
6. SDEO (Female) Kohat, Gumbat & Lachi.
7. All Principals/ Headmasters/Head Teachers concerned.
8. Official Concerned.
9. I/Office

S. U.
DISTRICT EDUCATION OFFICER,
(FEMALE) KOHAT

ATTSTED

صافری / جاریہ رپورٹ

12

میں مسی حسن خان صاحبہ عبداللہ خان نے حکم

DEO، رتنانہ (نواب شاہ) سے آرڈر نمبر 2981-2923 مورف

سے مطابق آج مورف 8-4 2022 11-4 کو جاری لیا ہے۔

عوامدار سکول میں القیام تک کوئی عمل تعیناتی نہیں ہوئی ہے۔ لہذا

دفتر ہذا میں اطلاع / رپورٹ دے دی ہے۔

حسن خان

حسن خان ڈیپوٹری

گورنمنٹ ٹیچنگ کالج، سکران، ڈوہڑہ، احمد (دھوڑہ)

S.D.O. (F)
Kohat

AT/STED

13

Name of Official Hassan Khan
 Caste or race _____
 Father's Name Abdullah Jan
 Residence W. Dhoda Sharif Kohat
 Date of Birth 02-05-1979 (14301-1768544-7)
 Exact height by measurement 5'7"
 Personal mark of identification _____
 Signature of the official _____
 Signature of head of office _____

Seal of Office _____

I do hereby certify that I have examined Mr. Hassan Khan a candidate for employment in the Office of the DEO (CF) Kohat CAS class-IV and cannot discover that he had any disease communicable or other constitutional affection of bodily infirmity except nil

I do not consider this disqualification for employment in the office of the DEO (CF) Kohat His age according to his own statement (43) yrs year and by appearance about year (43) yrs



LEFT HAND THUMB AND FINGER IMPRESSIONS

Medical Superintendent
 DHA Teaching Hospital
 Kohat
11/6/2022

ATTESTED

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ATTSTED



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT



Dated Kohat the 28/9 /2023

No: 6390

17

To

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

Subject: AGE RELAXATION.
Memo:

Reference your good office letter No.6482/F.No./A-20/C-IV/Kohat/Age Relaxation Vol-I dated 19/09/2023 on the subject cited above.

It is stated for your kind information that the said person is illiterate and he did not submitted the required documents in timely, as & when he submitted the documents to SDEO (F) Kohat, then submitted the case to high-up's.

It is further requested that the age relaxation may be granted on humanity ground if possible.

Handwritten signature
Handwritten signature
MSHAB KHAN
ASSISTANT BPS-10
D.E.O (FEMALE) KOHAT

DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT

~~ATTACHED~~

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT



Dated Kohat the 28/9/2023

6390

18

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

AGE RELAXATION

Ref: 6390

Reference your good office letter No.6482/F.No./A-20/C-IV Kohat/Age Relaxation dated 19/09/2023 on the subject cited above.

It is stated for your kind information that the said person is illiterate and he did not submit the required documents in timely, as & when he submitted the documents, he was in Kohat, then submitted the case to high-ups.

It is further requested that the age relaxation may be granted on humanity grounds.

9

DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT

ATTSTED

شفور جناب پیر لیل علیا عرب کورنٹ لکھنؤ پرائمری اسکول مالوہ

19

جناب عالی

سائل شفور 22-4-11 سے تا آخر ماہری دے
وہاں پیر لیل علیا عرب کورنٹ لکھنؤ پرائمری اسکول مالوہ
میں۔ لکھنؤ پرائمری اسکول مالوہ کو شفور دی
جانے۔

حسن خان
حسن خان جرنیل

سڈن 23-9-15

ATTSTED

سٹی۔ ڈسٹرکٹ ریگولیشن ایمر گورنٹ

ATTSTED

بعدالت جناب / جسٹریٹریٹو جج / عدالت عالیہ / لاہور

20

کورٹ فیس

مقدمہ

طلت نمبر

جرم زبردفعہ

مورخہ

تھانہ

۲۰ جناب
حسن خان
Service Mel / 2021

باعث تخریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی کل کارروائی متعلقہ آس مقام کے لیے حسن۔ کیوں۔ اسٹریٹریٹو جج اور اس کے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجرا اور وصولی چیک در روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی و نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزو کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہوگا اس کے مستحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو وکیل صاحب پابند نہ ہو گے کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

الرقوم

مقام کوہاٹ کے لیے منظور ہے

trigun Khan

HASSAN-U.K- AFRIDI
ADVOCATE OF SUPREME COURT
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