

02.03.2020

Appellant in person present. Mr. Riaz Paindakhel learned Assistant Advocate General alongwith Mr. Shahid Hussain Subject Matter Specialist for official respondents present. Private respondent No.4 with counsel present and submitted written reply/comments which is placed on file. Being Posting Transfer case the present service appeal is adjourned for a short date. To come up for arguments on 04.03.2020 before D.B at Camp Court Swat.

Member


Member
Camp Court Swat

04.03.2020


Learned counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General for official respondents present. Private respondent No.4 present.

Learned counsel for the appellant seeks withdrawal of the present service appeal on the ground that the respondent department has redressed the grievance of the appellant and as such the appellant is no more interested in the present service appeal.

Learned counsel for private respondent No.4 stated that due to the issuance of subsequent posting transfer order of the appellant, the instant service appeal has become infructuous/not maintainable.

As a sequel to above the present service appeal is hereby dismissed as withdrawn. No order as to costs. File be consigned to the record room.


(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

ANNOUNCED.
04.03.2020

Service Appeal No. 485/2019

07.01.2020

Appellant in person present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith M/S Shahid Hassan, SMS on behalf of official respondents No. 1 & 2 and Nowsherwan, Senior Auditor on behalf of official respondent No. 3 and private respondent No. 4 in person present. Written reply on behalf of official respondent No. 3 already submitted while representative of respondents No. 1 & 2 submitted written reply today. Private respondent No. 4 requested for further time to file written reply. Case to come up for written reply/comments on behalf of private respondent No. 4 on 04.2.2020 before S.B at Camp Court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

04.02.2020

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Shahid Subject Matter Specialist for official respondents present. Private respondent No.4 in person present. Official respondents have already submitted written reply. Private respondent No.4 has not yet submitted written reply. Adjournment requested. Adjourn. Being posting transfer case, the present service appeal is posted for arguments before D.B. The private respondent No.4 may also submitted his written reply on the date fixed as 02.03.2020 before D.B at Camp Court Swat.


Member
Camp Court, Swat.

04.12.2019

Appellant in person, Addl. AG alongwith Nisar Khan, AAO and Ali Khan, Subject Specialist for the official respondents and private respondent No. 4 in person present.

Written reply has been submitted on behalf of respondent No. 3/District Accounts Officer Malakand which is placed on record. On the other hand representative of respondents No. 1 & 2 requests for further time to submit the requisite reply and states that the issue between the appellant and respondent No. 4 is to be looked into on 6th instant.

The respondent No. 4 has submitted an application for transfer of instant matter to the Touring Bench at Swat.

The memorandum of appeal suggests that the appellant as well as respondent No. 4 hail from District Malakand while respondents No. 2 & 3 are also stationed in the said district. The application is, therefore, allowed and the office is directed to post the appeal at camp court, Swat on 07.01.2020 for reply.

Chairman



11.09.2019

Counsel for the appellant and Addl. AG alongwith Ali Khan, SS for the respondents present.

Learned AAG requests for further time. Adjourned to 04.10.2019 on which date the requisite reply/comments shall positively be submitted before S.B.

Chairman



04.10.2019

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith M/S Jalal-ud-Din, Agronomist and Jehangir, Senior Clerk for the respondents present.

Representatives of respondents seek further time to furnish written reply/comments.

Adjourned to 01.11.2019 before S.B.




CHAIRMAN

01.11.2019

Appellant in person present. Addl. AG alongwith Ali Khan, Specialist for respondent No. 2 & Nizar Khan, AAO for the respondent No. 3 and respondent No. 4 in person present. They requested for further time to furnish the requisite reply/comments.

Fresh notices be issued to respondent No. 4. To come up for written reply/comments by way of last chance on 04.12.2019 before S.B.

Chairman



20.05.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Senior Clerk) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the order dated 28.02.2019 through which the posting transfer order dated 08.02.2019 was withdrawn/cancelled and the order dated 16.01.2019 was restored. Prayer of the appellant is that he may be posted as Senior Clerk in the District Director Agril: Office Malakand instead of private respondent No.4.

Points urged need consideration. The appeal is admitted for regular hearing subject to all the legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 18.07.2019 before S.B.


Member

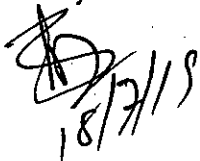
18.07.2019

Counsel for the appellant present.

Learned counsel for the appellant has submitted an application for extension of time to deposit the security and process fee. The reason noted in the application is that inadvertently the requisite deposit could not be made within time.

The application is allowed. The period for depositing the security and process fee is extended for another three days. After deposit by the appellant notices be issued to the respondents for submission of written reply/comments on 11.09.2019 before S.B.

Appellant Deposited
Security & Process Fee

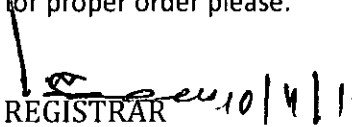
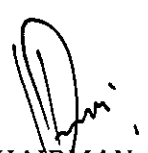

18/7/19


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 485/2019


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/04/2019	<p>The appeal of Mr. Nasrat Uddin resubmitted today by Mr. Muhammad Jameel Warsak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 10/4/19</p>
2-	11/04/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>20/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Nasrat Uddin son of Moeen Uddin R/O P.O Garhi Usman Khel Darbo Shah Banda Dargai District Malakand received today i.e. on 04.04.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

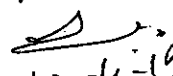
- ① Memorandum of appeal may be got signed by the appellant as well as counsel.
- 2- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ③ Address of respondent no.4 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 4- Annexures of the appeal may be attested.
- 5- Annexures of the appeal may be flagged.
- 6- Annexures of appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 7- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 691 /S.T,

Dt. 5-4- /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M. Javed Adv. Pesh.

Dear Sir, The appeal has been done and resubmitted
Please the intant case may file before
Centre
Adv

10-4-19

BEFORE THE HONOURABLE
SERVICES TRIBUNAL, KPK PESHAWAR

Service Appeal No. 485 /2019

Nasrat Uddin

(Appellant)

V E R S U S


Director General, Agriculture (Extension) KPK Peshawar etc.

(Respondents)

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Through Appellant


Muhammad Jamil Warsak
Saeed Muhammad
Advocates, High Court,
Peshawar

Dated: 30.07.2016



BEFORE THE HONOURABLE
SERVICES TRIBUNAL, KPK PESHAWAR

Service Appeal No. 485 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 550

Dated 04/4/2019

Nasrat Uddin S/o Moeen Uddin

R/o P.O. Garhi Usman Khel, Darbo Shah Banda, Tehsil Dargai,
District Malakand

(Appellant)

V E R S U S

- 1) Director General, Agriculture (Extension) KPK Peshawar
- 2) District Director, Agriculture (Extension), Malakand
- 3) District Accounts Officer, Malakand
- 4) Mr. Jehangir Bacha, Senior Clerk, District Director
Agriculture Office Malakand.

(Respondents)

Filed to-day

Registrar

Appeal U/s 4 of the Khyber Pakhtunkhwa
Service Tribunal Act 1974, against the
impugned order dated 28.02.2019 whereby the
office Order No. 15/21/Estt/3248-51/DG
dated 18.02.2019 was withdrawn / cancelled
and the previous order of the respondent No. 1
vide No. 15/21/1513-15/DG dated 16.01.2019
was restored.

Re-submitted to-day
and filed.

Registrar 10/4/19

①

BEFORE THE HONOURABLE
SERVICES TRIBUNAL, KPK PESHAWAR

Service Appeal No. _____/2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 550

Dated 04/4/2019

Nasrat Uddin S/o Moeen Uddin

R/o P.O. Garhi Usman Khel, Darbo Shah Banda, Tehsil Dargai,
District Malakand

(Appellant)

V E R S U S

- 1) Director General, Agriculture (Extension) KPK Peshawar
- 2) District Director, Agriculture (Extension), Malakand
- 3) District Accounts Officer, Malakand

4) Mr. Jehangir Bacha, Senior Clerk, Agriculture Malakand R/o
Village dehri Sulagwan Tehsil Batakheri diste malakand.
(Respondents)

Appeal U/s 4 of the Khyber Pakhtunkhwa

Service Tribunal Act 1974, against the

impugned order dated 28.02.2019 whereby the

office Order No. 15/21/Estt/3248-51/DG

dated 18.02.2019 was withdrawn / cancelled

and the previous order of the respondent No. 1

vide No. 15/21/1513-15/DG dated 16.01.2019

was restored.

Filed to-day
Registrar
4/4/19

Prayer:

2

On acceptance of this appeal, the impugned order dated 28.02.2019 of respondent No. 1 may kindly be set aside and order dated 18.02.2019 may kindly be restored.

Respectfully Sheweth,

Brief facts of the instant appeal are as under:

- 1) That the appellant is educated upto M.A. Islamiyat and was appointed on 25.06.1987 as a Junior Clerk by the Deputy Registrar Cooperative Department at Swat and he served on the said post in the above mentioned department till 2011. The appellant was sent to surplus poll from Cooperative Department and was adjusted in the Agriculture Department in the year 2002, the appellant was promoted to the rank of Senior Clerk on 30.05.2016, he served his duties to entire satisfaction of his superiors with spotless carrier.
- 2) That as compare to the appellant, respondent No. 4 is qualified upto Matric and was appointed as Black Smith on 01.12.1988, he has got no experience as required by the law and rules for the post of Clerk, but even then being a political influential and blue eyes of politicians, his cadre was changed from Black Smith to Junior Clerk in the span of short period, he was promoted as Senior Clerk. It is further submitted before this hon'ble court

3

that respondent No. 4 cannot write a single word on the computer / type writer but even then he was appointed as Junior Clerk thus his appointment as Junior Clerk and his subsequent promotion as to the Senior Clerk is without lawful authority and illegal and the same be declared as such.

- 3) That the order of the respondent dated 04.12.2018, 07.12.2018, 16.01.2019, 18.02.2019 and 28.02.2019 are sufficient to established the influentially of the respondent No. 4.
- 4) That now it is settled by the superior courts that the public servant shall not be made a rolling stone and as such the transfer, adjustment, replacement in a couple of days is highly objectionable and illegal.
- 5) That appellant submitted an appeal against the orders of respondent No. 2 dated 16.01.2019 to respondent No. 1 which is still pending.
- 6) That feeling aggrieved from the illegal acts of the respondents, the appellant has no other alternate, efficacious, speedy remedy, hence to approach this hon'ble tribunal, inter alia, on the following grounds.

GROUNDS

- a) That the impugned order is illegal and void-ab-initio, hence not maintainable in the eyes of law.

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- b) That mandatory provision of law and rules have badly been violated by the respondents and the appellant has not been treated according to law.
- c) That the appellant did nothing that would amount to misconduct.
- d) That the impugned order is not speaking and thus untenable in the eyes of law.
- e) That the appellant has been punished without any commission or omission on his part.
- f) That the appellant's representation may be considered as integral part of this appeal.
- g) That any other ground will be taken at the time of arguments.

It is, therefore, most humbly prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of appeal.

Appellant

Through

Nawaz Ahmad


Muhammad Jamil Warsak
Saeed Muhammad
Advocates, High Court,
Peshawar

Dated: 04.04.2019



(5)

BEFORE THE HONOURABLE
SERVICES TRIBUNAL, KPK PESHAWAR

Service Appeal No. _____/2019

Nasrat Uddin

_____ (Appellant)

V E R S U S

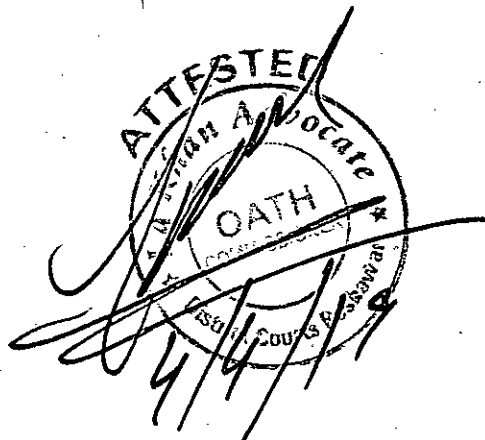
Director General, Agriculture (Extension) KPK Peshawar etc.

_____ (Respondents)

AFFIDAVIT

I, **Nasrat Uddin** S/o Moeen Uddin R/o P.O. Garhi Usman Khel, Darbo Shah Banda, Tehsil Dargai, District Malakand, do hereby solemnly affirm and declare on Oath that the contents of service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable tribunal.

DEPONENT



(6)

(6)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

The office order issued vide this office No. 15/21/Estt./3248-15/DG dated 08.02.2019 is hereby withdrawn/ cancelled. The previous order vide this office No. 15/21/1513-15/DG dated 16.01.2019 is hereby restored.

Sd/- (MUHAMMAD NASIR)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

No. 15/21/Estt./ 4582-85 /DG.

Dated Peshawar the 28 / 2 / 2019

Copy forwarded to:-

1. The District Director Agriculture, Malakand.
2. The District Accounts Officer, Malakand.
3. The Official Concerned.

For information and necessary action.

4. File No. 18/1/Estt./ for record.

(Signature)
DIRECTOR GENERAL

To

The District Director Agri.
(Extension) Malakand at Battikhela.

Dear Sir,

I have already submitted departmental Appeal to your office and copy forwarded to the Director General Agri. Extension for information.

Kindly Appeal order may be received within a week time accordingly please

Attended
by
(Signature)

(Signature)
Nosrat ud-Din
SIC of DDA office
Malakand.

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

(7)

On the recommendation of Departmental Promotion Committee the competent authority is pleased to promote the following Junior Clerks (BS-11) to the post of Senior Clerk (BS-14) on regular basis with immediate effect. However, they will be on probation for a period of one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rules of Khyber Pakhtunkhwa Civil Servant Appointment, Promotion and Transfer Rules 1989.

#	Name of Official	#	Name of Official
1.	Jamshed Ali	3.	Anwar Saeed
2.	Jawad Ahmad	4.	Basharatullah

On their promotion they are hereby transferred / posted as under:-

#	Name of official	From	To
1.	Mr. Jamshed Ali	Junior Clerk (BS-11) o/o the DDA, Kohat	Senior Clerk (BS-14) o/o the DDA, Hangu
2.	Mr. Jawad Ahmad	Junior Clerk (BS-11) o/o the DDA, Kohat	Senior Clerk (BS-14) posted against the post of Junior Scale Stenographer (ops) in the o/o the DDA, Kohat
3.	Mr. Anwar Saeed	Junior Clerk (BS-11) o/o the DDA, Karak	Senior Clerk (BS-14) o/o the DDA, Karak
4.	Mr. Basharatullah	Junior Clerk (BS-11) o/o the DDA, Lakki Marwat	Senior Clerk (BS-14) o/o the DDA, Tank
5.	Mr. Safiullah	Junior Clerk (BS-11) working against the post of Junior Scale Stenographer (ops) in the o/o the DDA, Kohat	Junior Clerk (BS-11) in the o/o DDA, Kohat vice S.No.1
6.	Mr. Jehangir Bacha	Senior Clerk (BS-14) in the o/o the DDA, Swat	Senior Clerk (BS-14) o/o the DDA, Malakand
7.	Mr. Amanullah	Store Keeper o/o the Dy. Director Agriculture (Information), Peshawar	Junior Clerk (ops) in the o/o Dy. Director Agriculture (Information), Peshawar
8.	Mr. Muhammad Junaid	Junior Clerk (BS-11) o/o the DDA, Hangu	Junior Clerk (BS-11) o/o the DDA, Kohat
9.	Mr. Sikandar Khan	Junior Clerk (BS-11) o/o the DDA, Swat	Junior Clerk (BS-11) o/o the DDA, Dir Upper

Sd/-(MUHAMMAD NASIM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR
Dated Peshawar the/ 4/12 /2018

No.15/21/Estt./ 23119-46 DGA (E)

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The District Directors Agriculture, Kohat, Hangu, Karak, Lakki Marwat, Tank, Dir Upper, Malakand & Swat.
3. The Dy. Director Agriculture (Information), Peshawar.
4. The District Account Officers, Kohat, Hangu, Karak, Lakki Marwat, Tank, Dir Upper, Malakand & Swat.
5. Officials concerned.

For information and necessary action.

6. File No.18/1/Estt./ for record.

DIRECTOR GENERAL

Acted
[Signature]

5
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

8

The office order issued vide No.15/21/Estt/1513-15/DG dated 16.01.2019 is hereby withdrawn / cancelled.

Corrigendum issued vide this office No.15/21/Estt/23319-22/DG dated 07.12.2018 is hereby restored.

Sd/- (MUHAMMAD NASIM)
DIRECTOR GENERAL AGRICULTURE
(EXTENSION) KHYBER PAKHTUNKHWA,
PESHAWAR.

No.15/21/Estt/ 3248-51 /DG

Dated Peshawar: the 18/2 /2019

Copy forwarded to:

1. The District Director Agriculture, Malakand.
2. The District Accounts Officer, Malakand.
3. Officials concerned.

For information and necessary action.

4. File No.18/1/Estt. for record.


DIRECTOR GENERAL

Attended
by
[Signature]

2

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

CORRIGENDUM

9

In partial modification of this office order No.15/21/Estt./ 23119-46/DG dated 04.12.2018 the posting / transfer of the following Senior Clerks may be read noted against each.

#	Name of the official	From	To
1.	Mr. Nasrat Ud Din	Senior Clerk working against the post of Junior Scale Stenographer (ops) o/o in the DDA, Malakand	Senior Clerk in the o/o DDA, Malakand
2.	Mr. Jehangir Bacha	Senior Clerk in the o/o DDA, Malakand	Senior Clerk posted against the post of Junior Scale Stenographer (ops) in the o/o the DDA, Malakand Vice No.1

Sd/- (MUHAMMAD NASIM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

No.15/21/Estt./ 23319-22 /DG

Dated Peshawar the 7/12 /2018

Copy forwarded to:-

1. The District Director Agriculture, Malakand.
2. The District Account Officer, Malakand.
3. The Officials concerned.

For information and necessary action.

4. File No. 18/1/Estt./ for record.

A. U. Khan
20
Se

DIRECTOR GENERAL

To,

The Director General Agril:(Ext:)
Khyber Pakhtunkhwa Peshawar.

Through: PROPER CHANNEL

Subject: APPEAL AGAINST OFFICE ORDER NO. 1513-15/DG DATED 16/01/2019.

Sir,

Respectfully It is stated that I am working as Senior Clerk in the office of District Director Agril: office Batkhela Malakand. I have been promoted on Seniority basis to this post vide DGA (E)KPK Peshawar office Endt: No. 15/21/Estt:23319-22/DG dated Peshawar the 07/12/2018.

A Junior Clerk Mr. Jehangir Bacha recently has been promoted to the post of Senior Clerk and posted as Senior clerk in the office of District Director Agril: Swat office vide order No.20159-63 /DGA dated 11/10/2018, After serving as senior Clerk in office of District Director Agril: Swat for a period of less than 2 months. The official concerned has been transferred to office of the District Director Agril; Malakand vide order No. 1513-15/DG dated 16/1/2019.

Kindly consider my Seniority and I may be posted as Senior clerk in District Director Agril: office Malakand at Batkhela.

(Encl: NOC of District Director Agril: Malakand is attached).

Dated 21/01/2018.

Your obediently

Mr. Nasratu Din S/C
O/O
District Director Agril:
Malakand at Batkhela

No 120-21/DDA dt 22/1/19. O/C

Copy to:

1. The Secretary Agril: Live stock & Coop: department KPK Peshawar for information & further necessary action please.
2. The Director General Agril: (Ext:) KPK Peshawar for information & further necessary action please.

Authtd
v
e

O/C Mr. Nasrat-u-Din S/C
O/O
District Director Agril:
Malakand at Batkhela.

3

11

DIRECTORATE GENERAL, AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA, PESHAWAR.

OFFICE ORDER

The order issued vide this office No.15/21/Estt/23119-46/DG dated 04.12.2018 in respect of Mr. Jehangir Bacha at S.No.6 is hereby restored as under: -

S.No.	Name of official	From	To
1.	Mr. Jehangir Bacha	Senior Clerk (BS-14) in the office of the DDA, Swat.	Senior Clerk (BS-14) in the office of the DDA, Malakand.

The corrigendum issued vide this office No.15/21/Estt/23319-22/DG dated 07.12.2018 is hereby cancelled / withdrawn.

Sd/- (MUHAMMAD NASIM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

No.15/21/Estt/ 1513-15 /DG

Dated Peshawar: the 16/01 /2019

Copy forwarded to: -

1. The District Director Agriculture, Malakand.
2. The District Accounts Officer, Malakand.
3. Official concerned.

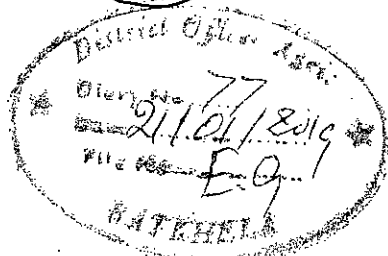
For information and necessary action.

4. File No.18/1/Estt/ for record.

DIRECTOR GENERAL

Handwritten notes:
Sd/- Clerk
File No. 1513-15
21/1/19

Handwritten notes:
Dy. Dir, Malakand
21/1/2019



(14)

(12)

No. 119 /D.D.AGRIL: MKD: AT BATKHELA DATED 22 /01/2018.

To,

The Director General Agril:(Ext:)
Khyber Pakhtunkhwa Peshawar:

Subject:

order
APPEAL AGAINST OFFICE/NO. 1513-15/DG DATED 16/01/2019.

Memo:

Enclosed please find herewith an application of Mr. Nasrat-u-Din Senior Clerk office of the District Director Agril: Malakand at Batkhela for favour of information & further necessary action please.

[Signature]
District Director Agril:
Malakand at Batkhela

Aut-014
[Signature]

دستورالعملی کے لئے

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Handwritten text below the top line.

Handwritten text: 3-2-19

Main body of handwritten text, likely a letter or report.

Form titled 'باعت پر آج' (Today's Sale) with fields for name, address, and other details.

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Complex block containing logos (PBA, QR code), a signature, and numerical data (7132, 50).

Before the Chairman Service Tribunal KPR, Patna

Narain Uddin Vs Government

Application for Extension of Time for Submitting New's And Fees Fee

Respectfully Submitted,

That the above noted case is pending before the Hon'ble Court in which date of hearing is fixed for today dated 18/12.

That the Appellant is residing in Barh and was unaware about the above

That the Appellant didn't advert to notice of fee.

That if the Hon'ble Court didn't extend time for depositing the appellant will face irreparable loss.

His Honor most kindly prayed that on acceptance of instant application the appellant may be allowed to deposit the above noted fee.

Dated 18/12/19

Appellant
Narain Uddin
Bye
Sreed Mahomed Advocate

بعدالت جناب خیبر پختونخوا سروس ٹریبونل پشاور کمپ کورٹ سوات

اپیل نمبر 485/2019

نصرت الدین بنام ڈائریکٹر جنرل ایگریکلچر خیبر پختونخواہ وغیرہ

جواب اپیل منجانب مسؤل ایہ نمبر 4 جہانگیر ماجا سینئر کلرک ایگریکلچر ڈیپارٹمنٹ مالاکنڈ

جناب عالی! حسب ذیل عرض ہے۔

عذرات تمہیدی :-

- ۱۔ یہ کہ اپیل کنندہ کو کوئی بنائے اپیل حاصل نہیں۔
- ۲۔ یہ کہ اپیل بعنوان بالا قابل سماعت نہ ہونے کی وجہ سے قابل اخراج ہے۔
- ۳۔ یہ کہ اپیلانٹ نے عدالت ہذا سے اہم حقائق چھپائے ہیں۔
- ۴۔ یہ کہ اپیلانٹ عدالت ہذا صاف ہاتھوں سے نہیں آیا ہے۔
- ۵۔ یہ کہ اپیل ہذا از اسید المعاد ہے۔
- ۶۔ یہ کہ عدالت حضور کو اختیار سماعت حاصل نہیں ہے۔

(جاری ہے)

عذرات واقعاتی:-

- ۱- فقرہ نمبر 1 جواب طلب نہ ہے۔
- ۲- فقرہ نمبر 2 غلط ہے اور عدالت حضور کو گمراہ کرنے کی کوشش کی گئی ہے۔ اسلئے انکار ہے۔
- ۳- فقرہ نمبر 3 میں دیئے گئے آرڈر قانونی آرڈرز ہیں، تاہم اس میں موجود دو آرڈرز 18/02/2019 اور 28/02/2019 کے خلاف اپیلانٹ نے سرے سے ڈیپارٹمنٹل اپیل دائر نہیں کیا ہے، بدیں وجہ موجودہ اپیل ہذا قابل سماعت نہیں ہے اور قابل اخراج ہے۔
- ۴- فقرہ نمبر 4 بھی غلط ہے، اپیلانٹ نے اصل حقائق کو چھپایا ہے اسلئے انکار ہے۔
- ۵- فقرہ نمبر 5 سے خود واضح ہے کہ اپیلانٹ نے صرف مورخہ 16/01/2019 کے خلاف محکمانہ اپیل دائر کیا ہے اور اسکے بعد کئے گئے کسی ٹرانسفر آرڈر کے خلاف محکمانہ اپیل موجود نہیں ہے۔
- ۶- فقرہ نمبر 6 جواب طلب نہ ہے۔
- a- فقرہ نمبر a غلط ہے اسلئے انکار ہے۔
- b- فقرہ نمبر b بھی غلط ہے اسلئے انکار ہے۔
- c- فقرہ نمبر c بھی غلط ہے اسلئے انکار ہے۔

(جاری ہے)

(۲)

-d فقرہ نمبر e بھی غلط ہے اسلئے انکار ہے۔

-e فقرہ نمبر e بھی غلط ہے اسلئے انکار ہے۔۔

-f فقرہ نمبر f جواب طلب نہ ہے۔

-g فقرہ نمبر g بھی جواب طلب نہ ہے۔

لہذا استدعا ہے کہ بمظوری جواب اپیل ہذا، اپیل اپیلانٹ بمعہ

بھاری خرچہ و ہرجہ خارج کرنے کا حکم صادر فرمایا جائے۔

المرقوم: 02/03/2020

بیان حلفی

عریضہ

حلفاً بیان کیا جاتا ہے کہ جملہ مراتب

مسئول الیہ نمبر 4 جہانگیر باچا سینئر کلرک ایگریکلچر ڈیپارٹمنٹ مالاکنڈ

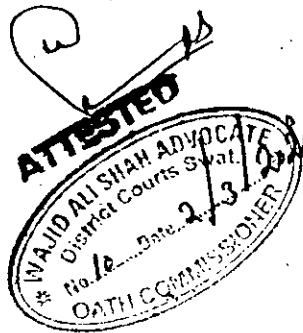
جواب اپیل ہذا تا حد علم و یقین

میرے کے درست اور صحیح ہیں۔

بوکالت سید فیاض محمد قاضی ایڈووکیٹ ہائیکورٹ

العبد

مسئول الیہ نمبر 4 جہانگیر باچا



1

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 485 /2019

Nasrat ud Din (Appellant)

Versus

Director General Agriculture (Extension) KPK, Peshawar and Others (Respondents)

Respectfully Sheweth:-

Written reply / Comments on behalf of respondent No.03 are as under:-

Preliminaries Objections:-

1. That the appellant has got no cause of ~~objection~~ ^{action} against the respondent No.03.
2. That the appellant has not come to this Honourable Court with clean hands.
3. That the appellant is incompetent in its present form.
4. That the appellant is not maintainable due non-joinder and mis-joinder of necessary parties.
5. That the appeal of the Appellant is based on malafide intension, only to indulge the respondent No. 03 in futile and baseless litigation and wastage of precious time of this Honourable Court, therefore, the respondent is entitled for special cost under 35-A CPC according to his status.
6. That the appeal is totally wrong and baseless. The appeal is totally related to his departmental affairs, because transfer, promotion matter are the sole discretion of his parent department, therefore, the respondent No. 03 has no concerned with his departmental affairs.

Facts:

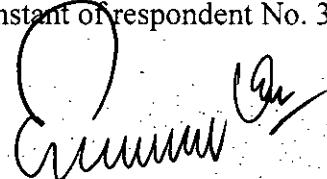
1. No Comments.
2. No Comments.
3. No Comments.
4. No Comments.
5. No Comments.
6. No Comments.


Grounds:

- A. No Comments.
- B. No Comments.
- C. No Comments.

- D. No Comments.
- E. No Comments.
- F. No Comments.
- G. No Comments.

It is therefore requested that on acceptance of this reply the appeal of the appellant may kindly be dismissed with cost to the instant of respondent No. 3



Respondent No.3
District Accounts Officer
Malakand 

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 485/2019

Nasrat Uddin s/o Moeen Uddin
r/o PO Garhi Usman Khel, Darbo Shah Banda,
Tehsil Dargai District Malakand

APPELLANT

VERSUS

- 1- Director General, Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
- 2- District Director Agriculture, (Extension), Malakand.
- 3- District Account Officer, Malakand.
- 4- Mr. Jehangir Bacha, Senior Clerk, Agriculture Malakand.

RESPONDENTS

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 & 2

PRELIMINARY OBJECTIONS

- 1- That the appellant has got no locus standi to file the instant appeal.
- 2- That the appeal is not maintainable in its present forum and liable to be dismissed.
- 3- That the appellant has no cause of action to file the instant appeal.
- 4- That the appellant has deliberately concealed the material fact from this Hon'ble Services Tribunal.
- 5- That the appellant has not come to this Honorable Service Tribunal with clean hand.
- 6- The appellant adjusted as Senior Clerk in the office of District Director Agriculture, Malakand.

ON FACT PARA-WISE COMMENTS

Para-1 Pertain to record, need no comments.

Para-2 Correct to the extent that respondent at S.No.4 was promoted as Senior Clerk in the month of September, 2018 and transferred to the o/o District Director Agriculture, Swat and after two month then transfer himself to the o/o District Director Agriculture, Malakand vide office order No. 15/21/Estt./23119-46/DGA dated 04.12.2018 (Annexure-A).

Para-3 The respondent No. 1 constituted the enquiry committee and nominated Mr. Abdul Qayum, District Director Agriculture, Mardan and Dr. Muhammad Waqas, Dy. Director Seed and Demonstration Farm Takht Bai Mardan as enquiry officer in the appeal filed by the appellant vide office order No. 16/107/Estt./22602-07/DGA dated 11.11.2019 to probe in to the matter as (Annexure-B).

The enquiry committee checked the office record, personal file of the both the Senior Clerk, initial appointment and promotion orders and recommended that Mr. Jehangir Bacha may be transferred from District Director Agriculture, Malakand District. The Respondent No. 1 issued transferred order of Respondent No. 4 from District Director Agriculture, Malakand to the office of District Director Agriculture, Shangla against the vacant post of Senior Clerk and the appellant Mr. Nasrat Uddin, Junior Scale Stenographer (ops) as Senior Clerk in the office of District Director Agriculture, Malakand vide office order No. 16/107/Estt./ 23-28/DGA dated 02.01.2020 (Annexure-C). It is further submitted that the District Director Agriculture, Malakand also directed to verify the Matric certificate in respect of Respondent No. 4 and typing test may also be conducted and taken from Respondent No.4 and result therefore sent to the office of Respondent No.1 for further necessary action vide letter No. 16/107/Estt./ 34/DGA dated 02.01.2020 (Annexure-D).

Para-4 No comments hence denied, detail comments given in para-3 above.

Para-5 Detail comments given in para-3 above.

Para-6 No comments hence denied.

GROUND

Para-a That the appellant transferred from Junior Scale Stenographer (ops) to the post of Senior Clerk in the office of District Director Agriculture, Malakand.

Para-b Incorrect that the departmental appeal of the appellant accepted by the respondent and the appellant has been treated according to the law.

Para-c No comments.

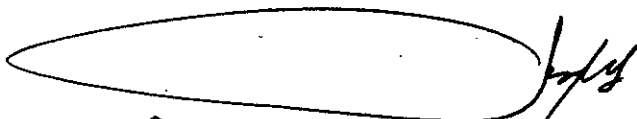
Para-d Detail comments given in para-3 above.

Para-e No comments hence denied.

Para-f No comments hence denied.

Para-g No comments hence denied.

It is hereby humbly prayed that on acceptance on the instant comments, the appeal of the appellant may kindly be dismissed.



for DIRECTOR GENERAL,
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR



DISTRICT DIRECTOR OF
AGRICULTURE, MALAKAND

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR**

Appeal No. 485/2019

Nasrat Uddin s/o Moeen Uddin
r/o PO Garhi Usman Khel, Darbo Shah Banda,
Tehsil Dargai District Malakand

APPELLANT

VERSUS

- 1- Director General, Agriculture (Extension)
Khyber Pakhtunkhwa, Peshawar.
- 2- District Director Agriculture, (Extension), Malakand.

RESPONDENTS

COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the Para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.

for DIRECTOR GENERAL,
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

DISTRICT DIRECTOR OF
AGRICULTURE, MALAKAND

Annex-A

(4)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

On the recommendation of Departmental Promotion Committee the competent authority is pleased to promote the following Junior Clerks (BS-11) to the post of Senior Clerk (BS-14) on regular basis with immediate effect. However, they will be on probation for a period of one year in terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rules of Khyber Pakhtunkhwa Civil Servant Appointment, Promotion and Transfer Rules 1989.

#	Name of Official	#	Name of Official
1.	Jamshed Ali	3.	Anwar Saeed
2.	Jawad Ahmad	4.	Basharatullah

On their promotion they are hereby transferred / posted as under:-

#	Name of official	From	To
1.	Mr. Jamshed Ali	Junior Clerk (BS-11) o/o the DDA, Kohat	Senior Clerk (BS-14) o/o the DDA, Hangu
2.	Mr. Jawad Ahmad	Junior Clerk (BS-11) o/o the DDA, Kohat	Senior Clerk (BS-14) posted against the post of Junior Scale Stenographer (ops) in the o/o the DDA, Kohat
3.	Mr. Anwar Saeed	Junior Clerk (BS-11) o/o the DDA, Karak	Senior Clerk (BS-14) o/o the DDA, Karak
4.	Mr. Basharatullah	Junior Clerk (BS-11) o/o the DDA, Lakki Marwat	Senior Clerk (BS-14) o/o the DDA, Tank
5.	Mr. Safiullah	Junior Clerk (BS-11) working against the post of Junior Scale Stenographer (ops) in the o/o the DDA, Kohat	Junior Clerk (BS-11) in the o/o DDA, Kohat vice S.No.1
6.	Mr. Jehangir Bacha	Senior Clerk (BS-14) in the o/o the DDA, Swat	Senior Clerk (BS-14) o/o the DDA, Malakand
7.	Mr. Amanullah	Store Keeper o/o the Dy. Director Agriculture (Information), Peshawar	Junior Clerk (ops) in the o/o Dy. Director Agriculture (Information), Peshawar
8.	Mr. Muhammad Junsid	Junior Clerk (BS-11) o/o the DDA, Hangu	Junior Clerk (BS-11) o/o the DDA, Kohat
9.	Mr. Sikandar Khan	Junior Clerk (BS-11) o/o the DDA, Swat	Junior Clerk (BS-11) o/o the DDA, Dir Upper

SD (MUHAMMAD NASIM)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR
Dated Peshawar the 4/12/2018

No. 15/21/Estt./ 23119-46 DGA (E)

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The District Directors Agriculture, Kohat, Hangu, Karak, Lakki Marwat, Tank, Dir Upper, Malakand & Swat.
3. The Dy. Director Agriculture (Information), Peshawar.
4. The District Account Officers, Kohat, Hangu, Karak, Lakki Marwat, Tank, Dir Upper, Malakand & Swat.
5. Officials concerned.
For information and necessary action.
6. File No. 18/1/Estt./ for record.

DIRECTOR GENERAL

Annex-B (S)

WJ

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

In continuation of this office order No. 16/107/Estt./19688-91/DG dated 09-10-2019 wherein 1st enquiry constituted.

The 2nd enquiry committee is hereby constituted to probe into complaint / blames of Mr. Jehangir Bacha leveled against the District Director Agriculture Malakand, Mr. Nusrat Ud Din Senior Clerk as well as members of the enquiry committee which was constituted by the competent authority for fact findings of the illegal posting/ promotion of Mr. Jehangir Bacha, Senior Clerk, office of the District Director Agriculture, Malakand. The 2nd Enquiry Committee is comprised on the following officers.

1. Mr. Abdul Qayyum, District Director Agriculture, Mardan / Chairman.
2. Dr. Muhammad Waqas, Deputy Director Seed & Demonstration Farm Takht Bhai Mardan.

The time, date & venue will be fixed by the Chairman of the Enquiry Committee later on. The members of the Enquiry Committee are hereby advised to furnish the fact findings of the case to this office within 15 days positively.

All the concerned staff are directed to be present during the enquiry.

Sd/- (REHMAT-UD-DIN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

No. 16/107/Estt./ 22602-7 /DG

Dated Peshawar the 11/11 /2019

Copy forwarded to:-

1. Mr. Abdul Qayyum, District Director Agriculture, Mardan for information & necessary action.
2. Dr. Muhammad Waqas, Deputy Director Seed & Demonstration Farm Takht Bhai Mardan for information & necessary action.
3. The District Director Agriculture, Malakand and his staff are directed to provide the relevant documents pertaining to the case to the Enquiry Committee, failing which all the responsibility will rest on the shoulders of the concerned officers/ officials.
4. Mr. Jehangir Bacha, Senior Clerk office of the District Director Agriculture, Malakand.
5. Mr. Nusrat Ud Din, Senior Clerk office of the District Director Agriculture, Malakand.

To be present at the time of enquiry and provide all the relevant documents & cooperate with the Enquiry Officer.

6. File No. 18/1/Estt./ for record.

(S)
DIRECTOR GENERAL
MS MJK
08/11/19

Annex C (6)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

As per recommendations of the Enquiry Committee the following posting/transfer are hereby ordered with immediate effect.

S.No.	Name of Officials	From	To
1.	Mr. Nasrat Ud Din Junior Scale Stenographer (own pay scale)	District Director Agriculture Malakand	As Senior Clerk vice No.2
2.	Jahangir Bacha Senior Clerk	District Director Agriculture Malakand	Posted as Senior Clerk against the vacant post of Senior Clerk in the office of the District Director Agriculture Shangla

**Sd/- (RAHMAT-UD-DIN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

No.16/107/Estt./ 23-28 /DGA(E)

Dated Peshawar the 21 /2020

Copy forwarded to:-

1. The District Director Agriculture Malakand & Shangla.
2. The District Account Officer Malakand & Shangla.
3. Mr. Abdul Qayyum Enquiry Officer / District Director Agriculture Mardan.
4. The Officials concerned.

For information and necessary action.

5. File No. 18/1/Estt./ for record.


DIRECTOR GENERAL

Annex D

(7)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

No.16/107/Estt/34 /DGA (E)

Dated Peshawar, the 21 / 11 /2020

To,

The District Director Agriculture,
Malakand.

Subject: **OFFICE ORDER / ENQUIRY REPORT.**

Memo:

In continuation of District Director Agriculture Mardan letter No. 2089/DDA dated 29-11-2019 on the subject cited above.

As recommended by the enquiry committee you are hereby directed to verify the Matric certificate in respect of Mr. Jahangir Bacha Senior Clerk from BISE Peshawar and after verification the same may be sent to this office.

1. Typing test may also be conducted and taken from the concerned official and result thereof be sent to this office for further necessary action.


DIRECTOR GENERAL

No.16/107/Estt/_____/DGA (E)

Dated Peshawar, the ___ / ___ /2020

Copy forwarded to Mr. Jahangir Bacha Senior Clerk office of the District Director Agriculture Malakand for information. *and info*


DIRECTOR GENERAL

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4815 / 2019

Nusrat ud Din.....Appellant

V E R S U S

Director General Agriculture and others

.....Respondents

INDEX:

S.No.	Description of documents	Annexure	Pages
1	Memo application		
2	Affidavit		
3	Copy of transfer order dated 02.01.2020	A-1	
4	Copy of order for inquiry dated 02.01.2020	A-2	
5	Wakalatnama		

Petitioner

Through

Dated. 13.01.2020



Fayaz Muhammad Qazi

Advocate.

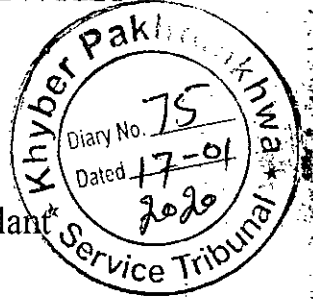
Office. D-20-21 3rd Floor Continental Plaza

Makanbagh Mingora Swat.

Cell. 0300-8546767

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4815 / 2019



Nusrat ud Din.....Appellant

Put up to the court with relevant appeal.
VERSUS

12/1/2020
Director General Agriculture and others

To come up a/w Appeal No. 485/2019 on 4/2/2020 at Peshawar.
.....Respondents

APPLICATION FOR THE SUSPENSION OF TRANSFER ORDER OF APPLICANT/ RESPONDENT NO.4 DATED 02.01.2020 AND THE ORDER FOR INQUIRY DATED 02.01.2020.

Respectfully Submitted:

1. That the service appeal titled above is pending before the Honorable Tribunal at Mingora Bench of the Learned Service Tribunal and is fixed for 04.02.2020.
2. That case is pending before the Learned Tribunal and without any order from the Learned Tribunal, the respondent no.1 issued letter on 02.01.2020 and transferred the Applicant/ respondent no.4 from Batkhela District Maland to Shangla and also issued order for inquiry against the petitioner vide letter dated 02.01.2020. Copy impugned letters are annexure A-1 and A-2.
3. That the Applicant/ respondent no.4 has been promoted and posted according to law and the respondent no.1 has without any legal ground and without any order from the Learned Tribunal, has issued the impugned orders.
4. That the Applicant/ respondent no.4 has a prima facie case and if the impugned orders are not suspended till the disposal of the instant appeal, the Applicant/ respondent no.4 would be punished without any lawful order or any lawful ground and would get irreparable loss.
5. That other grounds would be advanced at the time of arguments with the permission of this Honorable Court.

It is therefore most humbly prayed that acceptance of this application, the impugned transfer order dated 02.01.2020 and inquiry

order dated 02.01.2020 may graciously be suspended till the final disposal of the appeal cited above.

Applicant/ respondent no.4

Through

Dated. 13.01.2020



Fayaz Muhammad Qazi

Advocate.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Servicer Appeal No. 485 / 2019

Nusrat ud Din.....Appellant

VERSUS

Director General Agriculture and others

.....Respondents

AFFIDAVIT:

I, Jehangir Bacha son of Jehanzeb Bacha resident of Deri Jolagram District Malakand, do hereby 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 that nothing has been concealed from this Honorable Court.



DEONENT

CNMC NO = 15402-2432161-3



Annex D (7)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

No.16/107/Estt/34 /DGA (E)

Dated Peshawar, the 2/1/2020

To,

The District Director Agriculture,
Malakand.

Subject: OFFICE ORDER / ENQUIRY REPORT.

Memo:

In continuation of District Director Agriculture Mardan letter No. 2089/DDA dated 29-11-2019 on the subject cited above.

As recommended by the enquiry committee you are hereby directed to verify the Matric certificate in respect of Mr. Jahangir Bacha Senior Clerk from BISE Peshawar and after verification the same may be sent to this office.

1. Typing test may also be conducted and taken from the concerned official and result thereof be sent to this office for further necessary action.


DIRECTOR GENERAL

No.16/107/Estt/_____/DGA (E)

Dated Peshawar, the ___/___/2020

Copy forwarded to Mr. Jahangir Bacha Senior Clerk office of the District Director Agriculture Malakand for information. *اندر احوال*

//
DIRECTOR GENERAL

Annex C (6)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER
PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

As per recommendations of the Enquiry Committee the following posting/transfer are hereby ordered with immediate effect.

S.No.	Name of Officials	From	To
1.	Mr. Nasrat Ud Din Junior Scale Stenographer (own pay scale)	District Director Agriculture Malakand	As Senior Clerk vice No.2
2.	Jahangir Bacha Senior Clerk	District Director Agriculture Malakand	Posted as Senior Clerk against the vacant post of Senior Clerk in the office of the District Director Agriculture Shangla

**Sd/- (RAHMAT-UD-DIN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

No.16/107/Estt./ 23-28 /DGA(E)

Dated Peshawar the 21 /11/2020


Copy forwarded to:-

1. The District Director Agriculture Malakand & Shangla.
2. The District Account Officer Malakand & Shangla.
3. Mr. Abdul Qayyum Enquiry Officer / District Director Agriculture Mardan.
4. The Officials concerned.

For information and necessary action.

5. File No. 18/1/Estt./ for record.

For cancellation


DIRECTOR GENERAL



ایڈوکیٹ بار کونسل نمبر:

BC-_____

1836

بعدالت جناب ہیردکتو کنوان سروس ٹریڈنگ کمپنی
 نام ڈاکٹر ہنس ایگ لکچر وغہ
 دعویٰ / اپیل / نگرانی / آرٹ / درخواست: منجانب: ریسیانڈنٹس عمر ہا ہا ہا ہا ہا
 مقدمہ علت نمبر: _____ مورخہ: _____ جرم: _____ تھانہ: _____

باعث تحریر انکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام عدالت کیلئے ضیاء الحق محمد جمالی ریٹورڈ کنڈیکس کو وکیل ادکلاء 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 کرنے و تقریر ثالث و فیصلہ، برحلف دینے، جواب دعویٰ، اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و آرٹ و پیروی مقدمہ کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور قبول ہوگا دوران مقدمہ جو خرچ ہر جانہ التوائے مقدمہ کے حساب سے ہوگا وہ وکیل موصوف وصول کرنے کا حقدار ہوگا کوئی تاریخ پیشی مقام دور یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں لہذا کالت نامہ لکھ دینا تاکہ سند رہے

المترقوم: _____
 Allsted & accepted

العبد العبد العبد العبد

مقام: _____ کیلئے منظور ہے

ایڈوکیٹ / دستخط: _____

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نوٹ: فوٹوکاپی ناقابل قبول ہوگی