


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 217/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/01/2024	<p>The appeal of Mr. Bazid Khan presented today by Mrs. Zafar Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE K.P.K SERVICE TRIBUNAL, PESHAWAR

Appeal No. 217 /2024

Bazid Khan. . . . . Appellant

Versus

Senior Civil Judge (Admn) Bannu. . . . . Respondents

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*Bazid Khan*

Appellant

Through

*Zaffar Ali Khan*

ZAFFAR ALI KHAN  
Advocate,  
High Court, Peshawar

Dated: 28.01.2024

BEFORE THE K.P.K SERVICE TRIBUNAL, PESHAWAR

Appeal No. 217 /2024

Bazid Khan S/O Muhammad Ali Khan, (Ex- Bailiff, Establishment of Senior Civil Judge (Admn) Bannu) R/O Wanda Mochan Khel, Serai Naurang, District Lakki Marwat. . . . . Appellant

Versus:

1. Senior Civil Judge (Admn) Bannu.
  2. District & session Judge, Bannu. (Appellate authority)
- . . . . . Respondents
- ⇔<=>⇔<=>⇔<=>⇔<=>⇔

APPEAL UNDER SACTION 4 OF THE K.P.K SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER # 1004-10/SCJ(Admn), BANNU, dated 04.10.2023, whereby the appellant has been awarded for the major penalty of compulsory retirement from service imposed by Muhammad Asghar, Senior Civil Judge (Admn), Bannu, against which the departmental appeal was also dismissed vide Departmental appeal No. 01 of 2023 instituted on: 24.10.2023, decided on 06.01.2024 by Muzzamil Shah Khattak District & Session Judge, Bannu.

**PRAYER IN APPEAL:**

ON ACCEPTENCE OF THIS APPEAL THE ORDER # 1004-10/SCJ(ADMN), BANNU, DATED 04.10.2023, WHEREBY THE APPELLANT HAS BEEN AWARDED FOR THE MAJOR PENALTY OF COMPULSORY RETIREMENT FROM SERVICE IMPOSED BY MUHAMMAD ASGHAR, SENIOR CIVIL JUDGE (ADMN), BANNU, AGAINST WHICH THE DEPARTMENTAL APPEAL WAS ALSO DISMISSED VIDE DEPARTMENTAL APPEAL NO. 01 OF 2023 INSTITUTED ON: 24.10.2023, DECIDED ON 06.01.2024 BY MUZZAMIL SHAH KHATTAK DISTRICT & SESSION JUDGE, BANNU MAY PLEASE BE DECLARED AS ILLEGAL, VOID AB INITIO, UNLAWFUL, AGAINST LAW BE SET-ASIDE AND THE RESPONDENT MAY GRACIOUSLY BE DIRECTED TO REINSTATE THE APPELLANT ON HIS POST WITH ALL HIS BACK BENEFITS.

Respectfully Sheweth:

A. That the applicant was initially appointed as process server, whereafter he was promoted to the post of Bailiff (BPS-06) in the establishment of Senior Civil Judge (Admn) Bannu.

B. That as per allegation the appellant submitted an application on 13.06.2023 claiming medical bills

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amounting of Rs. 202880/- for medical expenses incurred on treatment of his injured son.

- C. That on 06.07.2023 the bills were corresponded to the office of additional medical director, District head quarter teaching hospital MTI, Bannu through letter No. 611/SCJ(Admn) Dated:06.07.2023 for verification. (Copy of letter No. 611/SCJ(Admn) Dated:06.07.2023 is annexed as annexure "A")
- D. The response was given through letter No. 1195/verification/DHQ/BNU Dated: 12.07.2023 with observation that "the attached bills are bogus/fake, and my signature is also not mine, the case should be sent to the anti-corruption and disciplinary action should be initiated" (Copy of letter No. 1195/ verification / DHQ / BNU Dated: 12.07.2023 is annexed as annexure " B ")
- E. That thereafter Senior Civil Judge (Admn) Bannu initiation of disciplinary proceedings against appellant. And on 17.07.2023 a show cause notice No.665 was served upon the appellant. The appellant also submitted his reply (Copy of show cause notice No. 665 dated: 17.07.2023 &, and reply of the notice No. 665 is annexed as annexure " C & D ")
- F. After submitting the reply, of the final show cause notice No.908 dated: 09.09.2023 and the reply it was found in the opinion of Senior Civil Judge (Admn) Bannu unsatisfactory. And after personal hearing a notice dated: 21.09.2023 was issued to him that why major penalty under rule 4 (b) of Khyber Pakhtunkhwa Governments servants (efficiency & disciplinary) rules 2011 shall not be imposed upon him. Learned Muhammad Asghar Senior Civil Judge (Admn) Bannu competent authority held the appellant guilty of misconduct as such a major penalty of compulsory retirement under rule 4(1) (b) (ii) of the Khyber Pakhtunkhwa Government servants (Efficiency & discipline) rule 2011 was imposed upon the appellant vide Impugned office order No. 1004-10/SCJ (Admn) dated: 04.10.2023. (Copy of Final show cause notice, reply of the notice, Notice for personal appearance, office order No. 1004-10/SCJ (Admn) dated: 04.10.2023 are annexed as annexure "E, F, G & H ")
- G. That appellant submitted departmental appeal/ representation against the order of compulsory retirement to the Hon,ble District & Session Judge, Muzzamil Shah Khattak, Appellate authority Bannu. The departmental appeal of the appellant has been dismissed vide judgment and order dated: 06.01.2024. (Copy of departmental appeal # 01 of 2023, Judgment and order dated: 06.01.2024 is annexed as annexure " I & J ")

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H. That the appellant now approaches this Honourable tribunal against the above said order on the following grounds amongst others.

GROUND: -

- A. That the above said orders of compulsory retirement of the appellant is illegal, unlawful and against the law and facts on record: hence liable to be set aside.
- B. That the respondents as well as the enquiry officer failed to comply with the procedure of enquiry as provided in the efficiency & discipline rules 2011, thereby causing grave miscarriage of justice.
- C. That the appellant has been wrongly penalized for an act for which he is not responsible. The learned Senior Civil Judge (Admn) Bannu totally ignored this fact that the son of appellant was actually sustain injuries and in this respect all the medical documents and FIR was annexed and produced but the same actual record was not considered. And this fact was also ignored that when the son of appellant was treated then why he submitted bogus medical bills. Therefore, the orders of both the learned lower courts are liable to be set-aside.
- D. That this fact was also ignored by the enquiry officer and the appellate authority that on the appellant in his all service tenure never claim any medical bills. The appellant spent a huge amount on the treatment of his son and on the directions of Khalifa Gul Nawaz Hospital authority by saying that bills preparation and other documents preparation is the job of District Head Quarter Hospital Bannu and for the reason as the appellant is illiterate prepared the bill through the unknown official of DHQ, Hospital Bannu. As the son of appellant dependent upon the him was got injured / fractured in enmity and upon his treatment more then 6 lac rupees has been spent in Government and private hospitals at Peshawar and Bannu and he is still under treatment. These all documents were produced to the enquiry officer as well as to the appellate form but in vain.
- E. That prior to the impugned departmental proceedings, no show case notice or departmental enquiry whatsoever, has been issued or initiated against the appellant by competent authority.
- F. That appellant has performed his duty with due care, loyalty and with great zeal.
- G. That appellant never been involved in any illegal act regarding his official duty and even on duty hours he never made any conversation with the person from whom the amount was stated to be taken.

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H. That appellant belongs to a very poor and humble family and he is the only source of income of his family.

I. That the appellant seeks leave of this Hon,ble Tribunal to raise additional grounds at the time of arguments.

It is therefore respectively requested that on acceptance of instant appeal the order # 1004-10/SCJ (Admn), Bannu, dated 04.10.2023, whereby the appellant has been awarded for the major penalty of compulsory retirement from service imposed by Muhammad Asghar, Senior Civil Judge (Admn), Bannu, against which the departmental appeal was also dismissed vide departmental appeal No. 01 of 2023 instituted on: 24.10.2023, decided on 06.01.2024 by Muzzamil Shah Khattak District & Session Judge, Bannu may please be declared as illegal, void ab initio, unlawful, against law be set-aside and the respondent may graciously be directed to reinstate the appellant on his post with all his back benefits.

Any other relief deemed appropriate but not specifically asked for may also be granted.

Through

Appellant

ZAFFAR ALI KHAN  
Advocate,  
High Court Peshawar

Dated: 28.01.2024

CERTIFICATE: -

I, Bazid Khan S/O Muhammad Ali Khan do hereby solemnly verify on oath that earlier no such appeal has been filed before this Hon,ble Court and nothing has been concealed from this honorable court.

DEPONENT

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BEFORE THE K.P.K SERVICE TRIBUNAL, PESHAWAR

Appeal No. \_\_\_\_\_/2024

Bazid Khan. .... Appellant

Versus

Senior Civil Judge (Admn) Bannu. .... Respondents

AFFIDAVIT

I, Bazid Khan S/O Muhammad Ali Khan, (Ex- Bailiff, Establishment of Senior Civil Judge (Admn) Bannu) R/O Wanda Mochan Khel, Serai Naurang, District Lakki Marwat, do hereby solemnly affirm and declare on oath that the contents of appeal are true and correct to the best of my knowledge and belief and that nothing has been kept concealed from this Honourable Court and no such appeal is pending or filed before any form.

بازید خان  
DEPONENT

6  
BEFORE THE K.P.K SERVICE TRIBUNAL, PESHAWAR

Appeal No. \_\_\_\_\_/2024

Bazid Khan. . . . . Appellant

Versus

Senior Civil Judge (Admn) Bannu. . . . . Respondents

ADDRESSES OF THE PARTIES

APPELLANT: -

Bazid Khan S/O Muhammad Ali Khan, (Ex- Bailiff, Establishment of Senior Civil Judge (Admn) Bannu) R/O Wanda Mochan Khel, Serai Naurang, District Lakki Marwat.

RESPONDENTS: -

1. Senior Civil Judge (Admn) Bannu.
2. District & session Judge, Bannu. (Appellate authority)

بازید خان  
Appellant

Through

ZAFFAR ALI KHAN  
Advocate,  
High Court Peshawar

Dated: 28.01.2024



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H

DISTRICT JUDICIARY KHYBER PAKHTUNKHWA  
OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), BANNU

OFF: 0925-652018  
FAX: 0925-9270195  
scjbannu@gmail.com

No. 611 / SCJ(ADMN) DATED AT BANNU THE 06 / 10/2023

To,  
The Additional Director (MTI),  
District Headquarter Teaching Hospital,  
Bannu.

Through: PROPER CHANNEL  
Subject: VERIFICATION OF MEDICAL BILL.

Memo,  
Enclosed find herewith the medical bill in respect of Mr. Bazid Khan,  
Bailiff of this establishment, amounting to Rs.202880/- for verification and send  
back to this office after doing the needful.

Enclosures: Discharge Slip, Non-availability certificate and cash memos.

*(Signature)*  
06/10/23  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu

*o/c*

ATTESTED  
07 OCT 2023  
Sajid Anwar  
Deputy Registrar

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**OFFICE OF THE ADDITIONAL MEDICAL DIRECTOR  
DHQ, TEACHING HOSPITAL (MTI) BANNU.**

Ph: 3 Fax No. 0723-770260 Email: dhq@bannu.gov.pk

Dated: 12/10/2023

NO: 1195/Verification//DHQ/BNU

To: ✓ The Honorable Senior Civil Judge (Admin)  
Bannu.

SUBJECT: VERIFICATION OF MEDICAL BILL

R/Sir,

Kindly refer to your office letter No. 611/SCJ(ADMN) Dated 06/07/2023, on the subject

Noted above in R/o Mr. Bazid Khan Bailiff attached to your office/Court for Medical Re-Imbursement amounting to Rs.202880/-

Comments of the concerned consultant <sup>(Gero Anjum)</sup> has been obtained regarding verification of the claim whereas, "the attached bills are bogus/fake and my signature is also not mine, the claim should be sent the Anti-Corruption and disciplinary action should be initiated".

Hence, the claim in original is hereby returned with the above remarks for information & action at your end please.

*[Signature]*  
Additional Medical Director  
DHQTH MTI, Bannu

*Scanned. Open  
file for proceedings  
as per law.*

*[Signature]*  
17/10/23  
Muhammad Asghar  
Senior Civil Judge (Admin)  
Bannu

ATTESTED

07 OCT 2023

Copying Agency  
Bannu

*[Signature]*  
Additional Director  
DHQTH MTI, Bannu

*[Signature]*  
Senior Civil Judge  
Bannu 07/10/23

Additional Director  
DHQTH MTI, Bannu

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DISTRICT JUDICIARY KHYBER PAKHTUNKHA  
OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), B



OFFICE  
FAX: 0928-9  
scjb:annu@gmail.com

DATED AT BANNU THE 17/07/2023

No. 665 / SCJ (ADMN)

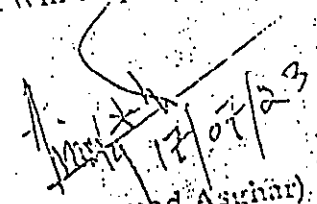
To Mr. Bazid Khan,  
Bailiff of this establishment.

Subject: SHOW CAUSE NOTICE

Memo,

Whereas, you Mr. Bazid Khan serving as Bailiff in the court of undersigned applied for re-imbusement of Medical Charges incurred on the treatment of your son to the tune of Rs. 202,880/- vide application dated 13.06.2023. The receipts of charges were referred to the Additional Director (MTI), DHQ, Bannu for verification vide Letter No. 611/SCJ (Admn), Bannu dated 06.07.2023. In reply to the said verification letter, Additional Director (MTI), DHQ, Bannu vide Letter No. 1195/Verification/DHQ/BNU dated 12.07.2023, has reported that the attached bills are bogus/fake & signatures of Additional Medical Director on the bills are also fake.

Therefore, you are called upon to show cause as to why disciplinary action under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 should not be taken against you. Your reply in this regard should reach this office within seven (07) days failing which it will be presumed that you have nothing in your defense.

  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu  
Senior Civil Judge (Admn)  
Bannu

o/c

ATTESTED

07 OCT 2023

Copying Agency  
Bannu

بازید خان

بعدالت جواب سنیر سول رقم 55/10/19 بنوں

شماره 1- درجہ اولیٰ شہکار ڈوٹس

کوالہ عمر 665 طرفہ 17/07/23

بنا ب عیال

گذشتہ سہ ماہیہ میں بلیف کا بیٹا طرفہ 24/02/2023 کو لوقت 17:00 بجے  
مدرخانہ کی مائٹرزنگ سے زخمی ہوا تھا۔ جسکی ماں عمر 44 اور درجہ اولیٰ  
میں 44 عمر لکھو شہوت لکھ ہے۔

یہ کہ وقوعہ کے دن بیٹا زرعی کر علیہ جعالہ کی خاطر حلیفہ گلنوازہ ہسپتال  
جا کر داخل کیا۔ اور 11 دن تک فوڈ کور ہسپتال میں داخل تھا۔ وہیں  
بابت بقول ڈسٹریکٹ لکھو شہوت لکھ ہے۔ خدیجہ اب رجب ہسپتال سے  
رہا کر ڈیٹنگ کر سکتے ہیں۔

Muhammad Asghar  
Senior Civil Judge (Admin)  
Bahawalpur  
24/07/23

یہ کہ بعد میں میں نے بیٹا بیٹا کیساتھ حیات میں داخل کھلیکھ میں داخل کیا  
اور وہاں پیر علیہ کر دیا۔

یہ کہ میں دو دن فوڈ کور ہسپتال میں رہتا ہے لوگوں سے قریبی  
ہے، اور میرا مستقل حضور ہے۔

یہ کہ بعد میں جب حلیفہ گلنوازہ ہسپتال آیا۔ اور میرا داخل کھلیکھ میں  
تو صرف میرا داخل کھلیکھ کے غزرات میرا حوالہ ہے اور کیا کر آتے ان  
آغزرات کو کیکر DHQ ہسپتال سے بل منوالہ ہیں۔

یہ کہ میں خود DHQ ہسپتال گیا۔ تو وہاں پیر حضور ایک  
رہا کر لکھو کھلیکھ کے غزرات وغیرہ دیکھے۔ جس سے نتیجہ میں لکھلیکھ میں

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ATTESTED  
07 OCT 2023  
Copying Agency  
Lower Courts Bahawalpur

بنوانے کی یقین دہانی کرائی، یہ دیکھی دونوں لہجہ میں پرستشال گیا۔ اور فر کورہ  
ایک گرنے جی میڈیکل بن دئے۔

7- یہ کہ من بلف فر کورہ ایک گرنہ جانتا ہے۔ اور نہ میرا کوئی تعلق  
ہے۔ جس نے بنوایا تھا۔ بن بنوانے کیلئے فر کورہ ایک گرنہ کو بیسے میں  
دئے ہیں۔ یاں الجبتہ اس ایک گرنہ کو صبر سے جانتا ہوں۔

نہایت ہی! من بلف کی (3) سال سرورس گریڈ ہے۔ اس دوران  
میرا ایک ڈیڑھ چیک کر لیں۔ میں اس سرورس کے دوران کوئی میڈیکل  
نہیں بنوایا ہے۔ اور نہ کبھی من بلف کیا ہے۔ اور نہ ہی  
اس دوران جی میڈیکل فر اڈ، زکوٰۃ کی قیمت لگائی ہے۔  
اور نہ ایسا کام کیا ہے۔ کہ جس سے آفسران ہالرنے جی end  
ڈارنٹ دیا ہے۔

Muhammad Asghar  
Senior Civil Judge Admn  
Benazir  
21/07/23

نہایت ہی! یہ سب میری ماتجربہ کاری کی وجہ سے ہوا۔ کیونکہ  
اس سرورس کے دوران میرے (15) اولاد مختلف ہسپتالوں میں  
بیدا ہوئے ہیں۔ اور اس بابت سرکاری ٹوڈیٹر کوئی بل نہیں  
نہیں بنوائے ہیں۔

کسی اور ستر عادیہ میری ماتجربہ کاری، سابقہ ریٹائرڈ، میری  
قبور یوں، میرے اولاد اور انسانی قصور دی کو منظر نظر رکھتے ہیں  
میرے ساتھ یہ ستر درانہ فریڈ فرمایا جاوے، ساری زندگی دعا کی ہوگا۔

حضرت 22/07/2023  
بازیر میڈن بلف عدالت سنٹر سول جج ایڈمنسٹریٹو  
بازیر میڈن

ATTESTED  
07 OCT 2023  
COPYING AGENCY

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**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA**  
**OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), BANNU**

OFF: 0928-662127

FAX: 0928-9270195

sejbannu@gmail.com

No. 908 /SCJ(Admn)

Dated At Bannu the 09 /09/2023

**FINAL SHOW CAUSE NOTICE**

I, Muhammad Asghar, Senior Civil Judge (Admn), Bannu, Competent authority, within the contemplation of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Bazid Khan, Bailiff with Final Show Cause Notice as follows:-

WHEREAS, Show Cause Notice was served upon you and after submission of reply to Show Cause Notice, you recorded your statement before the undersigned on 24.07.2023, wherein you have admitted the allegations leveled against you and misconduct on your part of presentation of fake medical bills to the tune of Rs.202880/- is clearly proved against you.

AND WHEREAS, you have also leveled allegations of misconduct / preparation of fake medical bills to the tune of Rs.202880/- by Mr. Zahoor Islam, Bailiff, Show Cause Notice was served upon him on 24.07.2023 and in response whereof, Mr. Zahoor Islam, Bailiff has clearly denied the allegations leveled by you against him.

THEREFORE, having sufficient evidence of misconduct committed by you, Final Show Cause Notice is served upon you as why major penalty under rule 4 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 shall not be imposed upon you.

YOU, shall submit your reply to the final show cause notice within ten (10) days failing which it shall be presumed that you have no defense to offer and you will be proceeded as per law.

Copy of Show Cause served upon Mr. Zahoor Islam, Bailiff and reply submitted by him enclosed.

ATTESTED

07 OCT 2023

Dated: 09.09.2023

Copy to Authority  
Khyber Pakhtunkhwa

*(Signature)*  
09/09/23  
**(Muhammad Asghar)**  
**Senior Civil Judge (Admn), Bannu**  
**Competent Authority**

لدالت جناب شریوں جم رائفوں ہوں

مذوں: جناب بلبل شوخار نوٹوں

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جناب عالی! گذاروں مذوں جن بلبل شوخار نوٹوں 24  $\frac{52}{2023}$  کو ذریعہ ان مائرننگ سے رخصتی

میدان اور برائے بلبل شوخار نوٹوں میں داخل کرایا اور دیالکے

بمذوں بلبل شوخار نوٹوں ایسا ایسا درجیات آباد میڈیکل کولیس میں داخل کیا

اور انے برائے سے قرضہ برائے عدم حاجت کرایا اور میرا بیٹا فقور شوخا

اس کے بعد میں بلبل شوخار نوٹوں آ یا اور میڈیکل بل طلب کیا

اور حق میڈیکل بل کے معاوضات وصول ہوئے اور میں بلبل شوخار نوٹوں سے

بل بنوایا اور چند لوگ بعد مذکورہ میڈیکل بل DHQ جسٹال کے ایڈکار نے فقور شوخا

کہ کہ میں بلبل شوخار نوٹوں کو میڈیکل بنوانے سے منع کسی قسم کے روپہ نہیں دینگے

صرف فقور شوخار نوٹوں سے جانتا ہوں۔

کہ کہ میں سائل یہ بھی اسکا تزیان ہے کہ بار دوران 31 سالہ اوٹریٹا میں

نے کذا میڈیکل بل ان ایڈکار نے بنوایا ہے کہ کہ میں بلبل شوخار نوٹوں اولاد

مختلف ہتھیاروں میں پیدا ہوئے ہیں۔

چہ کہ میں بلبل شوخار نوٹوں اس فقور شوخار نوٹوں قرضہ بنوانے سے منع

میں بلبل شوخار نوٹوں سے منع بنوانے سے منع بنوانے سے منع بنوانے سے منع

کو فقور شوخار نوٹوں پر معاف کرایا جائے انہذا قضا کے لئے گا اور سائل کے فقور شوخار نوٹوں

طرح دیگر تجار اور دیگر بنوایا ہیں۔ معاف بنوایا جائے۔

ما زید شوخار نوٹوں  
بازیر شوخار نوٹوں

19/09/23

ATTESTED  
07 OCT 2023  
Coaching Agency  
Muzaffargarh

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DISTRICT JUDICIARY KHYBER PAKHTUNKHWA  
OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), BANNU

OFF: 0928-6634  
FAX: 0928-9270195  
sejbannu@gmail.com

No. 954 / SCJ(ADMN) DATED AT BANNU THE 21 / 09 / 2023

To: Mr. Bazid Khan,  
Bailiff of this establishment.

Subject: NOTICE FOR PERSONAL APPEARANCE

Memo, Consequent upon the reply submitted by you in connection with Show Cause notice issued vide this office letter No. 908, dated 09.09.2023, your reply was found unsatisfactory. The opportunity of personal hearing is given to you as to why major penalty under rule 4 sub clause (b) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 shall not be imposed upon you. You are, therefore, directed to appear in person before the undersigned on 27.09.2023.

*Muhammad Asghar*  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu

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07 OCT 2023  
ADMINISTRATIVE



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**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA**  
**OFFICE OF THE SENIOR CIVIL JUDGE (ADMN), BANNU**

OFF: 0928-662127

FAX: 0928-9270195

scjbannu@gmail.com

No. \_\_\_\_\_ /SCJ(Admn)

Dated At Bannu the \_\_\_\_\_ /10/2023

**OFFICE ORDER:-**

Consequent upon the inquiry proceeded against Mr. Bazid Khan, Bailiff under the Khyber Pakhtunkhwa Govt: Servants (Efficiency and Discipline) Rules 2011 for inefficiency with respect to non-observance of discipline and misconduct with regard to production of fake medical bills to the tune of Rs. 202880/- as medical charges on the treatment of his son.

And whereas, Final Show Cause Notice was issued to Mr. Bazid Khan, Bailiff (P.No.00180690) bearing No. 908/SCJ(Admn) dated 09.09.2023 with proposed penalty, but his reply was also found unsatisfactory. The opportunity of personal hearing was also given to him but he could not defend the suggested penalty. The charges/ allegations with respect to production of fake medical bills to tune of Rs. 202880/- is proved on record and so he is held guilty of misconduct and liable to punishment under the rules *ibid*.

It is, therefore, established that the official/Bailiff is guilty of misconduct within the contemplation of Rule 3(c) & Rule 4(1)(b)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

Now, therefore, I, Muhammad Asghar, Senior Civil Judge(Admin), Bannu, as competent authority impose on the accused / delinquent official the major penalty of compulsory retirement with immediate effect as provided under the rule 4(1)(b)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) rules 2011.

- Sd -  
(Muhammad Asghar)  
Senior Civil Judge(Admn)  
Bannu

Endst: No. 1004-10 /SCJ(Admn)

Dated At Bannu the 04 /10/2023

**Copy forwarded for information to:**

1. The Worthy Registrar, Peshawar High Court, Peshawar.
2. The Hon'ble Member Inspection Team, Peshawar High Court, Peshawar.
3. The Hon'ble District & Sessions Judge, Bannu.
4. The Additional Hospital Director, District Head Quarter Hospital, MTI Bannu with reference to his letter No.1195/verification/DHQ/BNU dated 12.07.2023.
5. The District Comptroller of Accounts, Bannu.
6. The official concerned.
7. Office Copy.

07 OCT 2023

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(Muhammad Asghar)  
Senior Civil Judge(Admn)  
Bannu

IN THE COURT OF MUHAMMAD ASGHAR.  
SENIOR CIVIL JUDGE (ADMN).  
BANNU.

Inquiry No. : 03 of 2023  
Date of Institution : 17.07.2023  
Date of Decision : 04.10.2023

Titled: State ... VS ... Bazid Khan (Bailiff)

INQUIRY REPORT

Mr. Bazid Khan hereinafter called as delinquent official submitted application on 13.06.2023 alongwith medical bills claiming an amount of Rs. 2,02,880/- as medical expenses allegedly incurred on the treatment of his son. His application was put up before the undersigned on 05.07.2023 and report was sought from Clerk of the Court (COC). On 05.07.2023, COC reported that the bills to the tune of Rs. 202880/- may kindly be verified from Additional Medical Director DHQ Hospital/MTI, Bannu. Vide letter No. 611/SCJ Admn dated 06.07.2023, the bills submitted by delinquent official were forwarded to the Additional Director (MTI) District Head Quarter Teaching Hospital, Bannu. In response to the said letter, the Additional Medical Director, District Head Quarter Teaching Hospital MTI, Bannu vide letter No. 1195/Verification/DHQ/BNU dated 12.07.2023 reported that;

"the attached bills are bogus/fake and my signature is also not mine, the case should be sent to the Anti-Corruption and disciplinary action should be initiated"

2. The verification letter of Additional Medical Director District Head Quarter Teaching Hospital MTI, Bannu is available

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LAWYER COURT BANNU

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Muhammad Asghar  
Senior Civil Judge (Admn)  
Bannu

on file and thus it was officially confirmed from Additional Medical Director, District Head Quarter Teaching Hospital MTI, Bannu that delinquent official has submitted bogus/fake medical bills to the tune of Rs. 2,02,880/-. In view of the above letter from the office concerned, disciplinary proceedings were initiated against the delinquent official. Show cause notice bearing No.665/SCJ (Admn) Bannu dated 17.07.2023 was served upon him with the directions to submit his reply within seven (07) days. In response he submitted reply on 24.07.2023. On 24.07.2023, while submitting reply to the show cause notice, the delinquent official requested to record his statement. Accordingly on his request statement was recorded on 24.07.2023. In his statement, he has clearly admitted his guilt regarding submission of fake bills; however, he further stated that he has 18 years old enmity in his native village and his son Misbah Ullah sustained fire arm injuries. He remained admitted in KGN, Hospital Bannu for his treatment. He was also referred to Peshawar for treatment. He further clarified that the officials of the KGN, Hospital Bannu refused to issue medical bills of his son and Mr. Zahoor Islam Bailiff of this court presently posted in Office of the District & Sessions Judge, Bannu made commitment for preparation of medical bills from District Head Quarter Hospital Bannu.

3. After leveling allegations against Zahoor Islam Bailiff by the delinquent official, show cause notice was also served upon the said Zahoor Islam Bailiff bearing No. 716/SCJ Admn dated 24.07.2023 who submitted his reply to the same on 31.07.2023. In

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M. A. vs. S. H. 1923  
Ismail vs. S. H. 1923  
For Civil Judge (Admn)  
Bannu

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reply to the show cause notice, Mr. Zahoor Islam Bailiff clearly denied all the allegations leveled against him by the delinquent official in his statement recorded on 24.07.2023. As a result, Mr. Zahoor Islam Bailiff was exonerated in the instant inquiry vide Order dated 09.09.2023 as no material evidence was found against him.

4. Proceedings against the delinquent official were carried on. Keeping in view sufficient documentary evidence against the delinquent official and also keeping in view the statement of the delinquent official recorded on 24.07.2023, the undersigned being competent authority found it appropriate to dispense with the inquiry in the instant case under Rule 5 (1)(a) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and final show cause notice was issued to him as to why major penalty shall not be imposed upon him. He was directed to submit reply within 10 days positively. Final show cause notice bearing No. 908/SCJ Admn dated 09.09.2023 was served upon the delinquent official and reply to the final show cause notice was submitted by him on 19.09.2023. Reply to the final show cause notice available on file was also found unsatisfactory and notice of personal hearing bearing No. 954/SCJ Admn Bannu dated 21.09.2023 was issued to the delinquent official as to why major penalty under Rule 4 (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 shall not be imposed upon him.

Muhammad Ahsan Ullah  
Senior Civil Judge (Admn)  
Bannu

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Abdul Khaliq Bailiff

of instant proceedings, the Administration of KGN, Hospital Bannu son. As per plea taken by the delinquent official during the course

Attested  
07 OCT 2023  
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FIR is available on file. His son was admitted in KGN, Hospital Daddiwala Lakki Marwat was registered against accused. Copy of regard FIR No. 31 dated 24.02.2023 u/s 324-34 PPC Police Station in his native village, his son sustained fire armed injuries and in this establishment of Senior Civil Judge (Admn). Bannu. Due to enmity of Bailiff (BPS-06) and now serving as Bailiff (BPS-06) in the service at his credit. During his service he was promoted to the post appointed as Process Server in the year 1992 and he has 31 year- hearing held on 27.09.2023. As per his service record, he was

Muhammad Aslam  
Senior Civil Judge (Admn)  
Bannu

of submitting fake medical bills. He has requested for lenient view on the humanitarian ground during the course of his personal show cause notice the delinquent official has also admitted his guilt file as well as his statement recorded on 24.07.2023. In reply to the is proved against him from the documentary evidence available on

Without any doubt, the guilt of the delinquent official taken against him. therefore, lenient view on the humanitarian ground may kindly be that he is very poor person and has 31 year-service at his credit; clearly admitted that the same bills are fake; however, he requested charges on the treatment of his son being claimed by him. He confronted with the fake medical bills of Rs. 202880/- as medical 27.09.2023. During the course of personal hearing, he was

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refused to issue him medical bills of his son. His son was also referred to Peshawar and he has paid for the treatment of his son. He has not made any complaint before the undersigned or the District & Sessions Judge, Bannu that the administration of the KGN, Hospital Bannu have refused medical bills for the purpose of re-imburement of the same legally entitled for it. Rather to adopt a legal and justified course, he adopted an illegal course for the imbursement of medical bills and these fake bills are clearly admitted by him and otherwise proved against him after its verification from District Head Quarter Hospital, Bannu.

7. So far as the lenient view is concerned, he has no bad reputation and his service record is also clear. He has 31 year service at his credit with satisfactory performance. He is a poor man and someone has misguided him to adopt illegal means for imbursement of his medical bills but he has not pointed out the actual culprit who has misguided him and has prepared fake bills for him. This very act was liable to criminal proceedings against the person who has misguided him and has prepared fake bills for him but the delinquent official during the course of instant proceedings has intentionally concealed to point out actual culprit for the reason best known to him. Under the law/rules, misconduct on the part of the delinquent official is proved and he is liable for major penalty Under Rule 4 (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and by taking lenient view against the delinquent official a major penalty of compulsory Under Rule 4 (b) (ii) of the Khyber Pakhtunkhwa

Muhammad Akbar  
Senior Civil Judge (Admn)  
Bannu  
10/10/23

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07 OCT 2023

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Government Servants (Efficiency & Discipline) Rules, 2011 is imposed upon him with immediate effect. Office Order in this regard be issued forthwith with intimation to the District Comptroller Office, Bannu for further legal process. Copy of this Order/Report be placed on the personal file of the delinquent official for further entries in the record. Copy of this order be forwarded to the Hon'ble District & Sessions Judge, Bannu for information.

8. File of the instant inquiry be consigned to the record room after its necessary completion/compilation.

Announced Today.  
04.10.2023

*(Signature)*  
(Muhammad Asghar)  
Senior Civil Judge (Admn),  
Senior Bannu Judge (Admn)  
Bannu

CERTIFICATE:

Certified that this inquiry/report consists of six (06) pages duly signed after necessary correction.

*(Signature)*  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu  
Senior Civil Judge (Admn)  
Bannu

- 1. Registration No: 10951
- 2. Date of Presentation of Application: 06-10-23
- 3. Date of Receipt of the file: 7-10-23
- 4. Date of Preparation of copy: 7-10-23
- 5. Date of Delivery of copy: 09-10-23
- 6. No of copies / words: 6
- 7. Ordinary Fee: 12
- 8. Urgent Fee: \_\_\_\_\_
- 9. Total Fee: 12
- 10. Signature of Copyist: \_\_\_\_\_

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07 OCT 2023

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ازد کتا  
مهرابا ظا - منزل جاد صا بستی م کا ۵۰

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دیپار شپلی دسلی  
24/10/23  
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بازند نیام بندرولاج پور

- ۱۵ ازد کتا + آد و سکا دتا ۶ + جنت ادری (۴) + دیپار شپلی دسلی
- ۳۱ ازد کتا + مندر شکر در رویت + مندر ادری پات ۵
- ۳۷ مندر شکر کتا + مندر دسلی دسلی + مندر جاد صا بستی
- ۴۹ مندر شکر دسلی + دسلی

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ATTESTED  
15 JAN 2024  
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Lower Courts Bannu



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ORDER # 04  
02-12-2023

Appellant Bazid Khan, Bailiff, in person present. He is directed to engage counsel and submit Wakalat Nama till 16-12-2023.

Muzzamil Shah Khattak  
District & Sessions Judge  
Bannu

ORDER # 05  
16-12-2023

Appellant Bazid Khan, Bailiff, in person present. Counsel for appellant namely Masood Rehman Wazir Advocate present. Arguments heard.

To come up for further order on 06-01-2024.

Muzzamil Shah Khattak  
District & Sessions Judge  
Bannu

ATTESTED

11 5 JAN 2024

Copying Agency  
Lower Courts Bannu

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COURT OF MUZZAMIL SHAH KHATTAK  
DISTRICT & SESSIONS JUDGE/  
APPELLATE AUTHORITY, BANNU

Departmental Appeal No. 01 of 2023  
Date of Institution: 24.10.2023  
Date of Decision: 06.01.2024

Bazid Khan, Bailiff, Establishment of Senior Civil Judge  
(Admn), Bannu. .... Appellant

Versus

Senior Civil Judge (Admn), Bannu/Competent Authority.  
..... Respondent

Present:

Appellant; Bazid Khan in person;  
\* \* \*

ORDER-06  
06.01.2024

Vide my detailed judgment of today, consisting of  
04 pages, separately placed on file, appeal in hand is  
hereby dismissed. Record be transmitted back. Instant  
file be kept in English Record.

Announced  
06.01.2024

Muzzamil Shah Khattak  
District & Sessions Judge, Bannu/  
Appellate Authority

6.1.24

**ATTESTED**

15 JAN 2024

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Lower Courts Bannu

24-10-2023  
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BEFORE THE DISTRICT AND SESSIONS JUDGE,  
BANNU.

SUBJECT: Departmental Representation/Appeal against the Office Order No.1003/SCJ (Admn), Bannu dated 04.10.2023, vide which major penalty of compulsory retirement was imposed upon the Appellant by Muhamimad Asghar, Senior Civil Judge (Admn), Bannu.

R/Sir;

1. That the Appellant was initially appointed as Process Server; whereafter, he was promoted to the post of Bailiff (BPS-06).
2. That a departmental inquiry was initiated against the Appellant and the Appellant was served with a show cause notice bearing No.665/SCJ (Admn), Bannu dated 17.07.2023.
3. That the Appellant submitted his written reply in respect of the ibid show cause notice and recorded his statement in which the appellant denied all the baseless allegations levelled against him.
4. That after completion of the departmental inquiry, the respected Senior Civil Judge (Admn), Bannu/competent authority imposed major penalty of compulsory retirement from service upon the Appellant vide his Office Order No. 1003/SCJ (Admn), Bannu dated 04.10.2023.

That feeling aggrieved, the Appellant has preferred the instant departmental Appeal, inter alia, on the following grounds;

GROUND

- A. That the appellant was appointed as Process Server in the Year 1992 and was later on promoted to the post of Bailiff and had been performing his duty with great zeal and zest.

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Lower Courts Bannu

B. That I am illiterate and complete unaware about the Rules and Regulations of Hospital and preparation of Medical prescription and other formalities relating to claiming of Medical Bill.

C. That Appellant has never claimed medical bills nor requested for the same throughout his service. Furthermore, it is an admitted fact that the Appellant's son got injured and a huge amount for his treatment was spent.

D. That I have only follow the directions of Khalifa Gul Nawaz Hospital authority by saying that Bill, Prescription and other preparation of documentation is the job of District Headquarter Hospital, Bannu and for this reason the so called Medical claim was prepared through the unknown official of DHQ, Hospital, Bannu.

E. That my son which is dependent upon me was got injured / fractured in enmity and upon his treatment approximately 6 lac rupees has been spent by me in government & Private Hospitals at Peshawar and Bannu and still he is under treatment. For Proof documents of different Hospitals is attached for ready reference.

F. That prior to the impugned departmental proceedings, no show cause notice or departmental inquiry whatsoever, has ever been issued or initiated against the Appellant by competent authority.

G. That the Appellant has no other source of income and having a family, on this score alone the appellant is entitled to be reinstated.

H. That the impugned proceedings of inquiry conducted are against the rules and regulations; therefore, the order of imposing major penalty is liable to be set-aside.

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Sessions Judge  
Lower Courts Bannu  
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I. That the Appellant has never been involved in any professions mis-conduct through out his service for the past 31-years.

For the aforesaid reasons, it is, therefore, most humbly requested to set-aside the impugned Office Order dated 04.10.2023 and pass an Order to reinstate the Appellant on the Post of Bailiff (BPS-06).

Dated: 17/10/2023

Your's Obediently

*Bazid Khan*  
Bazid Khan (Appellant)

ATTESTED  
15 JAN 2024  
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Lower Courts Bannu

Sessions Judge, Lower Courts Bannu  
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COURT OF MUZZAMIL SHAH KHATTAK  
DISTRICT & SESSIONS JUDGE/  
APPELLATE AUTHORITY, BANNU

Departmental Appeal No. 01 of 2023  
Date of Institution: 24.10.2023  
Date of Decision: 06.01.2024

Bazid Khan, Bailiff, Establishment of Senior Civil Judge  
(Admn), Bannu. .... Appellant

Versus

Senior Civil Judge (Admn), Bannu/Competent Authority.  
..... Respondent

JUDGMENT

1. Through this appeal, appellant, Bazid Khan, has impugned Office Order No.1004-10/SCJ(Admn) dated 04.10.2023, passed by learned Senior Civil Judge (Admn), Bannu/Competent Authority, whereby, major penalty of compulsory retirement, as contemplated under Rule 4(1)(b)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, was imposed upon him.

2. Succinct facts giving rise to filing this appeal are such that appellant Bazid Khan was serving as a Bailiff in the establishment of Senior Civil Judge (Admn), Bannu, who on 13.06.2023 submitted an application claiming medical bills amounting Rs.2,02,880/- for medical expenses allegedly incurred on treatment of his injured son. Subsequently, vide letter No.611/SCJ (Admn) dated 06.07.2023 the bills were corresponded to the office of Additional Medical Director, District Head Quarter Teaching Hospital MTL, Bannu, for verification. Response vide letter No.1195/Verification/D.H.Q/BNU dated 12.07.2023 was received with the observation that "the attached bills are bogus/fake and my signature is also not

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15 JAN 2024

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Lower Courts Bannu

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mine, the case should be sent to the Anti-Corruption and disciplinary actions should be initiated".

3. In light of above observations, learned Senior Civil Judge (Admn), Bannu, initiated disciplinary proceedings against the appellant and consequently, he was issued with a show cause notice dated 17.07.2023, to which he replied wherein requested to record his statement. His statement was recorded wherein he admitted his guilt in respect of submission of fake bills. In his statement, he referred the name of Mr. Zahoor Islam, Bailiff, who made commitment for preparation of medical bills from District Head Quarter Hospital, Bannu, as such, he was also issued with a show cause notice dated 24.07.2023, to which he replied and recorded his statement wherein he denied all the allegations leveled by appellant Mr. Bazid Khan, as such, Mr. Zahoor Islam, Bailiff, was exonerated from inquiry proceedings, being no material evidence against him.

4. Appellant Bazid Khan, Bailiff, was served with a final show cause notice dated 09.09.2023, to which he replied, but the same was found unsatisfactory in the opinion of Senior Civil Judge (Admn), Bannu/Competent Authority, as such, notice of personal hearing dated 21.09.2023 was issued to him as to why major penalty under Rule 4(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, shall not be imposed upon him. He was personally heard on 27.09.2023 and was confronted with the medical bills amounting Rs.2,02,880/-, who admitted the same being fake, however, requested for lenient view on humanitarian ground being a very poor person having 31 years' service. In support, he placed on file documentary evidence regarding his enmity and medical treatment of his injured son at different hospitals.

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15 JAN 2024

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5. Learned Senior Civil Judge (Admn), Bannu/Competent Authority, after taking into consideration the facts and circumstances, held the appellant guilty of misconduct, as such, major penalty of compulsory retirement under Rule 4(I)(b)(ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, was imposed upon the appellant vide the impugned Office Order dated 04.10.2023. Hence, instant appeal.

6. On filing instant appeal, appellant has taken the plea that he is performing his duty since 1992 with great zeal & zest, and having 31 years' service record. That he being illiterate person was unaware of rules, regulations and formalities relating to claiming of medical bills. That his son was got injured in enmity for which huge amount i.e. Rs.6,00,000/- on his medical treatment has been incurred at different hospitals. Such plea is duly supported by medical documents annexed with the appeal. That he belongs to a poor family and has no other source of income. Hence, prayed to set-aside the impugned Office Order dated 04.10.2023 and his reinstatement on the post of Bailiff (BPS-06).

7. Appellant was heard in person and record has gone through minutely.

8. After scanning the record, it transpires that appellant has an enmity at his native village due to which his son sustained injuries and a huge amount has been incurred on his medical treatment, but the question here is that whether he can be allowed to claim fake & bogus medical bills in lieu of medical treatment of his injured son, rather it can be possible through a legal and justified course, for the purpose. More so, allegations of fake medical bills proved against him as he himself admitted the same in his statement and after verification from District Head Quarter

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15 JAN 2024  
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Lower Courts Bannu

Signature & Seal  
Bannu



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Hospital, Bannu, as such, *malafide* on the part of appellant has been established from the record. In this regard, reliance is placed on 2020 SCMR 1708 Supreme Court of Pakistan. The relevant portion is reproduced as under:

(c) Civil service---  
---Public servant, duty of---Financial impropriety---Public trust, breach of---Consequences---Public authority was a most sacred trust and a very high onus was cast upon a State functionary to uphold the highest degree of rectitude in financial matters---Financial corruption or misappropriation of public money were wrongs of most repugnant depravity---Once a public servant was found to have the capacity to betray the public trust, it would be most unwise as well as inexpedient to retain him on the job. [p. 1712] C.

9. Keeping in view the above mentioned facts and circumstances of case, this Court/Appellate Authority is convinced that the learned Senior Civil Judge (Admn)/Competent Authority has rightly & legally held the appellant guilty of misconduct and major penalty of compulsory retirement under Rule 4(I)(b)(ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, imposed upon him vide impugned Office Order dated 04.10.2023. No interference is warranted as the competent authority has already shown leniency in favour of the appellant. Appeal in hand is meritless, hence, dismissed. Record be transmitted back. Instant file be kept in English Record.

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11 5 JAN 2024  
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Lower Court Bannu

Announced  
06.01.2024

Muzzamil Shah Khattak  
District & Sessions Judge, Bannu  
Appellate Authority

11/01/24  
District & Sessions Judge,  
Bannu

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Date of Delivery  
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Total Fee  
Signature of Copyist

تاریخ کی اپنی مقدمہ پر

دعوات جواب شدہ صاحب سید زبور فتح (ایڈووکیٹ) صاحب ضلع بیٹوں

نمبر درجہ	تاریخ	تاریخ	تاریخ
102	17.7.23	17.7.23	17.7.23

Bazid Khan Bailiff

State

نمبر	تاریخ	تاریخ	تاریخ
16	06	06	
17	13	07	
18	14	01	
19	15	01	
20	66	51	
21	68	02	
22	96	28	
23	98	02	
24	99	01	
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 2023

ATTESTED  
 07 OCT 2023  
 Muhammad Asghar  
 Senior Civil Judge, Adiala  
 Bahawalpur

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IN THE COURT OF MUHAMMAD ASGHAR  
SENIOR CIVIL JUDGE (ADMN).  
BANNU.

Inquiry No. : 03 of 2023  
Titled: State ... VS ... Bazid Khan (Bailiff)

Order---08  
04.10.2023

Delinquent official Mr. Bazid Khan Bailiff in person

present.

8.2 Vide detail order/report of this court consisting of six (06) pages separately placed on file, the guilt of delinquent official Mr. Bazid Khan Bailiff (BPS-06) posted in the establishment of Senior Civil Judge (Admn), Bannu is proved against him. Resultantly, major penalty of compulsory retirement under Rule 4 (b) (i) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 is imposed upon him with immediate effect. Office Order in this regard be issued forthwith with intimation to the District Comptroller Office, Bannu for further legal process. Copy of this Order/Report be placed on the personal file of the delinquent official for further entries in the record. Copy of this order be forwarded to the Hon'ble District & Sessions Judge, Bannu for information.

8.3 File of the instant inquiry be consigned to the record room after its necessary completion/compilation.

Order Announced Today.  
04.10.2023

ATTESTED

07 OCT 2023

Copying Agency  
Law Court Bannu

(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu.

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Order...07  
27.09.2023

Mr. Bazid Khan, Bailiff /delinquent official in person

present. Opportunity of personal hearing given to him.

7.2 Delinquent official confronted with medical bills of

Rs.202880/- submitted by him as medical charges on the treatment of his

son and personally heard in detail. He clearly admitted that medical bills

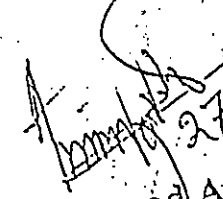
submitted by him to the tune of Rs.202880/- as medical expenses claimed

is very poor person and has 31 years service at his credit. He requested

for lenient view on humanitarian ground!

7.3 File to come up for final order on 04.10.2023.

Order Announced Today.  
27.09.2023

  
(Muhammad Asghar)  
Senior Civil Judge(A.dmc)  
Bannu

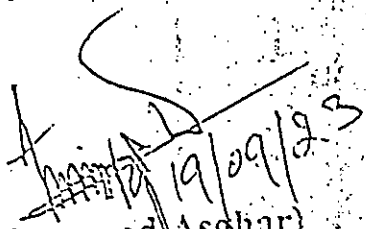
ATTESTED  
07 OCT 2023  
Copying Agency  
Lower Courts, Bannu

4  
35  
20  
Order...06  
19.09.2023

Mr. Bazid Khan, Bailiff /delinquent official in person present. Reply to the Final Show Cause notice submitted. Reply to the final Show Cause Notice is found unsatisfactory.

6.2 Let the opportunity of personal hearing be given to him as to why major penalty under rule 4 sub clause (b) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 shall not be imposed upon him. He is directed to appear in person on 27.09.2023.

Order Announced Today.  
19.09.2023

  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu

ATTESTED

07 OCT 2023

Shahid Ahmad  
Senior Civil Judge (Admn)

36

Order---05  
09.09.2023

Delinquent officials Mr. Bazid Khan & Zahoor Islam

Bailiffs in person present. Show cause notice was issued to Zahoor Islam and he has submitted reply to the show cause on 31.07.2023.

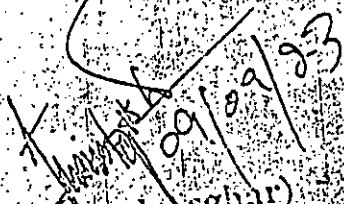
In reply to the show cause, he has totally denied the allegations leveled against him by Mr. Bazid Khan Bailiff in his statement recorded on 24.07.2023. No material evidence is found against him except oral allegations of Mr. Bazid Khan Bailiff who has presented

fake medical bills to the tune of Rs. 202280/-. Mr. Zahoor Islam Bailiff of this court against whom no convincing evidence is found, is exonerated in the instant inquiry.

5.2 Keeping in view the sufficient documentary evidence and statement of Mr. Bazid Khan Bailiff/delinquent official recorded before the court on 24.07.2023, inquiry in the instant case is dispense with under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and final show cause is served upon him as to why major penalty shall not be imposed upon him with the direction to submit reply within 10 days positively.

5.3 File to come up for submission of reply to the final show cause by Mr. Bazid Khan Bailiff of this court on 19.09.2023

Order Announced Today.  
09.09.2023

  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu.


**ATTESTED**  
07 OCT 2023

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delinquent official Mr. Bazid Khan, Bailiff be provided to the delinquent official to Mr. Zahoor Islam, Bailiff alongwith show cause notice.

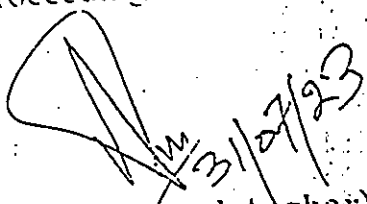
2.3 File be put on 31.07.2023.

  
(Muhammad Asghar)  
Senior Civil Judge (Admn)  
Bannu

Order---03  
31.07.2023

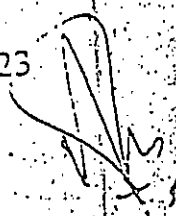
Mr. Zahoor Khan Bailiff in person present and submitted written reply to the show cause notice.

3.2 File to come up for further proceedings on 06.09.2023.

  
(Muhammad Asghar)  
Senior Civil Judge (Admn),  
Bannu.

Order---04  
06.09.2023

Delinquent officials not in attendance. Notices be issued to Bazid Khan and Zahoor Khan bailiffs for 09.09.2023.

  
Muhammad Asghar  
Senior Civil Judge (Admn)  
Bannu.

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07 OCT 2023

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LAW OFFICES, BANNU

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Rules, 2011. Proper file is hereby opened and it be registered in the relevant file. Show Cause Notice be served upon the delinquent official with the direction to submit reply within seven (07) days positively.

1.3 File to come up on 24.07.2023.

Order Announced Today.  
17.07.2023

(Muhammad Asghar)  
Senior Civil Judge (Admn),  
Bannu. Senior Civil Judge (Admn)  
Bannu.

17/07/23

Order....02  
24.07.2023

Mr. Bazid Khan, Bailiff /delinquent official in person present and submitted reply to the Show Cause notice. He is examined and showed his willingness to record his statement. His statement is recorded wherein he has clearly stated that Mr. Zahoor Islam, Bailiff of this court who is presently posted as Bailiff in the court of Hon'ble District & Sessions Judge, Bannu has prepared medical bills on the basis of which he has submitted application for reimbursement of medical expenses to the tune of Rs.202880/- claimed to be incurred on the treatment of his son.

2.2 Since the medical bill submitted by the delinquent official to the tune of Rs.202880/- is found fake; therefore, keeping in view the statement of delinquent official Mr. Bazid Khan, Bailiff of this court, Show Cause notice be issued to Mr. Zahoor Islam, Bailiff with the direction to submit reply to the Show Cause notice within seven (07) days positively. Copy of this order sheet alongwith statement of

ATTESTED  
07 OCT 2023



IN THE COURT OF MUHAMMAD ASGHAR,  
SENIOR CIVIL JUDGE (ADMN),  
BANNU.

Titled: State ... VS ... Bazid Khan (Bailiff)

Order---01  
17.07.2023

Mr. Bazid Khan serving as Bailiff (BPS-06) in the establishment of Senior Civil Judge (Admn), Bannu vide application dated 13.06.2023 applied for re-imbusement of Medical Charges claimed on the treatment of his son to the tune of Rs. 202,880/- His application alongwith medical bills was put up before the undersigned on 05.07.2023. COC was directed to do the needful who vide endorsement dated 05.07.2023 requested for verification of the medical bills submitted by Mr. Bazid Khan Bailiff. Accordingly, bills were referred to the Additional Director (MTI) District Head Quarter Hospital/MTI, Bannu for verification vide letter No. 611/SCJ (Admn), Bannu dated 06.07.2023. In reply to the said letter, Additional Medical Director DHQTH MTI, Bannu vide letter No.1195/Verification/DHQ/BNU dated 12.07.2023 replied that "The attached bills are bogus/fake and my signature is also not mine, the case should be send to Anti-Corruption and disciplinary action should be initiated."

Muhammad Asghar  
Senior Civil Judge (Admn)  
Bannu  
17/7/23

1.2 As per report of Additional medical Director DHQ Hospital MTI, Bannu Mr. Bazid Khan Bailiff of this court has submitted fake bills and has obtained fake signatures of the Additional Medical Director DHQ Bannu and concerned consultant; hence, It is a case of Departmental Proceedings under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline)

ATTESTED  
07 OCT 2023

Copy to Agency

40

The Senior Civil Judge(Admn).  
Bannu.

REIMBURSEMENT OF MEDICAL CHARGES

Subject:  
Respected Sir,

I have the honour to submit that I have spent an amount of Rs.202880/ on the treatment of my injured son.

It is, therefore, humbly requested that the same may please be paid to me from the medical fund. Original medical documents are annexed herewith.

Enclosures: Discharge Slip, Non-availability certificate and cash memos.

Yours Faithfully

*Bazid Khan*

Bazid Khan  
Bailiff  
Senior Civil Judge(Admn)  
Bannu

Dated 13.06.2023

*COC to do the  
needful.*

*05/07/23*

*Sir,  
The bill to the tune of Rs.202880/- may  
kindly be verified from Adml. Medical Director  
D.HQ/MTI Bannu.*

*H. [Signature]  
05/07/2023  
COC*

ATTESTED

07 OCT 2023

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Bannu

41

To

The Learned Senior Civil Judge (ADMN),  
Bannu.

Subject:

WRITTEN REPLY TO SHOW CAUSE NOTICE NO. 7/6/SCJ (ADMN)  
DATED 24-07-2023.

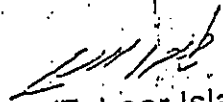
Respected Sir,

In response of show cause notice No. 7/6/SCJ (ADMN) dated: 24-07-2023, it is very humbly submitted as under.

1. That I was appointed as Bailiff of this establishment on dated 10-12-1986 and since then I am performing my duty with great zeal zest!
2. That I have never been involved in any kind of professional misconduct throughout my service career.
3. That I never remained connected with any malfeasance, misfeasance or nonfeasance pertaining to my duty during my whole career.
4. That I have not been involved at all in preparing the alleged medical bill mentioned in the show cause notice and the allegations leveled against me are false and baseless.
5. That I have never claimed any medical reimbursement for myself nor for my family from my department throughout my career, then why would I prepare fake and bogus medical bills for someone else.
6. That the one who has leveled false and baseless allegations against me is just trying to save himself from the consequences by enrobing me dishonestly in this matter.
7. I have no experience of such like activities nor any connection with the concerned officials of hospitals.
8. That I am innocent, having no connection with the matter and baseless allegations have been leveled against me, therefore, the same has no concern with me.

Foregoing in view, it is, therefore, humbly requested to exonerate me from the allegations, please.

Regards,

  
(Zahoor Islam)  
Bailiff  
District Judiciary, Bannu

Dated: 31-7-2023

ATTESTED

07 OCT 2023

Cooping Agency  
Bannu

Dr. Zia Ullah Wasir

MBBS, MCPS, FCPS (Ortho)  
KTH Peshawar  
Assistant Professor Orthopedic (BMC)  
KGN Teaching Hospital Bannu.

PL Name:

Misbah

Age

22yr M

Sex

Date

15/5/23

Not Valid For Court

Clinical Record

Left proximal fibula fracture  
non-union

3 سے 4 سینٹی میٹر کے ساتھ

14/2/2023 18/05/2023  
can bear wt  
on to left leg

25 Dec 2023  
D. Firas  
الحسنہ

not painful

FAS; CBMA (P)

Left leg  
3-4 سینٹی میٹر

Dr. Zia Ullah Wasir  
ڈاکٹر ضیاء اللہ زویہ  
ایم بی بی ایس ایم سی بی ایس ایف سی بی ایس (آرٹھو)  
کلیکل ٹیچر  
اسسٹنٹ پروفیسر آف آرٹھوڈیگ (بی ایم سی)  
کے سی این جی ٹیچنگ ہسپتال بٹنوں

کلینک: فہیم میڈیکل سٹور میں خلیفہ گل نواز بنوں ٹاؤن شپ (بٹنوں)

0333-9764766  
0332-5609494

ATTESTED  
15 JAN 2024  
Copying Agency  
Lahore, Gujrat, Bannu

Assistant Professor

Dr. Zahid Niaz

Orthopaedic Surgeon

BS, FCPS

DC No.: 13273-N



43

Name: محمد علی خان Age: 31 Gender: ♂ Date: 29/5/23

Clinical Record

Rx

Illness

- ① Daily Pin-site Care
- ② Incls of knee physio
- ③ Start FWB -

کمر کے لئے مساجد

- ONITA Sachet ① - 30
- Tes K. 1000 ① - 30
- Cap. Vibra ① - 30

اسٹنٹ پروفیسر  
ڈاکٹر زاہد نیاز  
ایم بی بی ایس، ایف سی بی ایس  
آرٹھو پیڈک سرجن (ہاڈ امرٹس ہڈی، ہنڈ، جرنل، کرور)

(چشمی بروز ہفتہ و اتوار)  
اوقات کار: سہ پہر 3 سے رات 7

Not Valid for Court

عرفان جنرل ہسپتال، چارسدہ روڈ، بالٹھال، عید گاہ و نزدیکی مشقی محمود خان ایڈور، پشاور

0333 853 6065

ATTESTED

15 JAN 2024

Copy/ing Agency  
Lahore/Chitral



# Irfan General Hospital

Charsadda Road Opp. Eidgah Near  
Mufti Mehmood Flyover Peshawar  
(91) 52 43 286 - 52 44 443

Discharge Patient Summary

44

Patient Name: Mushtaq Ullah Age: 31y Sex: M Consultant: Dr. Zahid Niaz  
Admitted TO: ICU DOA: 13/5/23 DOD: 19/5/23 Address: Laki Mar...

Diagnosis: Failed (L) tibia fixation & defix

Patient History: Hex @ RTA  
Distraction Applied in Bone  
Non-union

Procedure: (1) Removal of External fixation Pins

OT. Notes: (2) Mizarone

Hospital Medication(s):

Home Medication(s):

ادس لم قبا

- Tas Cilamide 1tbl Q 6
- Cap Vibraxin 1tbl Q 6
- Tas Vitamin SR Q 6

Medical Officer Name:

Dr. Zahid Niaz  
Assistant Professor  
Orthopaedic Surgeon

Copyright © Irfan General Hospital  
Email: irfan.general.hospital@gmail.com

**ATTESTED**  
**15 JAN 2024**  
Copying Agency  
Lower Courts, Peshawar

Assistant Professor

Dr. Zahid Niaz

Orthopaedic Surgeon

MBBS, FCPS

PMDC No.: 13273-N



45

Pt's Name:

Ali 7 Lar

Age: 18 Gender: Male

Date: 16/5/23

Clinical Record

Rx

Acc of RTA

External fixator applied in Banna

Now in Non-Union

- ① Removal of External fixator (Two procedures)
- ② Application of Ilizarov on SSD

Dr. Zahid

Adm

- FBC  
- Virology

Adm to IGH on 18/05/23

Assistant Professor  
Dr. Zahid Niaz  
Orthopaedic Surgeon  
MBBS, FCPS

اسسٹنٹ پروفیسر  
ڈاکٹر زاہد نیاز

(چشمی پروزیسٹو ڈاکٹر)  
اوقات کار: سہ پہر 3 سے رات 7 بجے

Not Valid for Court

ایف جی ایچ ہسپتال، چارسدہ روڈ، بالقابل، خیبر پختونخوا، پاکستان

رابطہ نمبر: 0333 853 6065

ATTESTED

15 JAN 2024

Copying Agency  
Agwan Court

46



Name: misbah ullah  
Gender Age: Male / 15  
Specimen:  
Referred by: DR.ZAHID NIAZ

MRN: 20230505698  
Lab Ref: 91195  
Received: 15-05-2023 12:37 pm  
Printed On: 15-05-2023 01:39 pm

### IRFAN GENERAL HOSPITAL LABORATORY 2-4/7

Charasda Road, Opp. Eid Gan,  
Near Faisalabad Police Station, Faisalabad.  
Ph: 091 524443/5243286  
Email: irfangeneralthospital@gmail.com  
Web: irfangeneralthospital.pk

#### Complete Blood Count (CBC)

Parameter(s)	Result	Unit	Reference Range
Haemoglobin	15.8	g/dl	Male 13 - 18 Female 12 - 16 Child 11.2 - 16.5 New Born 16 - 19.5
T.L.C	7,200	cmm	4000 - 11000
Differential Count			
Neutrophils	75	%	40 - 75
Lymphocytes	17	%	20 - 40
Eosinophils	03	%	00 - 06
Monocytes	02	%	06 - 10
Platelet Count	227,000	cmm	150,000 - 450,000

This is electronically verified does NOT require sign/stamp

Prof. Dr. Shafi Ullah  
Consultant Pathologist  
MBBS, M.Phil. (Histopathology)



Name: misbah ullah  
Gender Age: Male / 18  
Specimen:  
Referred by: DR.ZAHID NIAZ

MRN: 20230505698  
Lab Ref: 91195  
Received: 15-05-2023 12:37 pm  
Printed On: 15-05-2023 01:39 pm

### IRFAN GENERAL HOSPITAL LABORATORY 2-4/7

Charasda Road, Opp. Eid Gan,  
Near Faisalabad Police Station, Faisalabad.  
Ph: 091 524443/5243286  
Email: irfangeneralthospital@gmail.com  
Web: irfangeneralthospital.pk

#### HBSAg (ICT)

Parameter(s)	Result
HBS (Antigen)	Negative
Anti - HCV (Antibodies)	Negative

Method : ICT

**ATTESTED**  
15 JAN 2024  
Copying Agency  
Lower Courts Bahru

This is electronically verified does NOT require sign/stamp

Prof. Dr. Shafi Ullah  
Consultant Pathologist  
MBBS, M.Phil. (Histopathology)



47



Irfan Genral Hospital  
Charsadda Road Opp. Eidgah Near  
Multi Mehmood Flyover Peshawar  
(93) 52 43 286 - 52 44 443

Discharge Patient Summary-Reg

Patient Name: E. Misbah ul Haq Age: 91 Sex: M Consultant: Dr. Faisal Nigro  
Admitted TO: 3/10/2023 DOA: 3/10/2023 DOD: 4/10/23 Address:

Diagnosis: (L) Tibia fracture

Patient History:

Proceduro:

Removal of fracture

OT. Notes:

Hospital Medication(s):

Home Medication(s):

Tas. Viohal 800  
Q - Cx 10

- Cp. Viohal 1000  
1+1 - Cx 10

Medical Officer Name:

[Signature]  
Catheterist: [Signature]  
DOP: [Signature]

3rd Multi-Irfan General Hospital Charsadda

15 JAN 2024

Copying Agency  
Peshawar

Assistant Professor

Dr. Zahid Niaz

Orthopaedic Surgeon

MBS, FCPS

DC No.: 13273-N

48



Clinical Record

Rx

Post. Illi resection  
ⓐ tibia

Age: 21

Gender: ♂

Date: 3/10/23

Adv.

Removal of Illi resection  
SSP as dg case  
Dr. Zahid

Adv. + 164 m  
3/10/23

Adv.

Virology only

Assistant Professor of  
Dr. Zahid Niaz  
Orthopaedic Surgeon  
MBS, FCPS

اسسٹنٹ پروفیسر  
ڈاکٹر زاہد نیاز  
ایم بی بی ایس، ایف سی بی ایس  
آرٹھو پیڈک سرجن (ماہر امراض ہڈی، ہڈ، جوز، گروڈ)

(چشمی بروز ہفتہ و اتوار)  
اوقات کار: سہ پہر 3 سے رات 7 بجے  
رابطہ نمبر: 0333 853 6065

Not Valid for Court

عرفان جنرل ہسپتال، چار سڈہ روڈ، بالٹا بل ٹیڈ گاہ نزد مفتی محمود نمائشی اوور، پشاور

ATTESTED

15 JAN 2024

Copying Agency  
Government of Punjab

49

**IRFAN GENERAL HOSPITAL  
LABORATORY 24/7**

Chowkda Road, Opp. Eid Gah,  
Near Faisalabad Police Station, Peshawar  
Ph: 091 522222, 743785  
Email: irfangelhospital@gmail.com  
Web: irfangelhospital.pk

Dr. Shafiq Ullah  
Male / 20  
DR SHAHID NAZ  
Lab Ref: 10086  
146774  
Receiving: 03-10-2023 04:07 pm  
Printed On: 03-10-2023 01:42 pm

Parameter(s)	HBSAg (ICT)	Result
HBS	(Antigen)	Negative
Anti - HCV	(Antibodies)	Negative
Method : ICT		

*This is electronically verified does NOT require sign/stamp*

Prof. Dr. Shafi Ullah  
Consultant Pathologist  
MBBS, M.Phil. (Histopathology)

**ATTESTED**  
15 JAN 2024  
Copying Agency  
Lower Courts Bannu

ابتدائی اطلاعی رپورٹ

(تاکمل) ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ پر دفعہ 152 مجموعہ ضابطہ نو جداری

ذاتی جواب  
 31

34

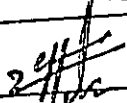



1	تاریخ آواز رپورٹ	24/02/23 وقت 26-29 بجے	حاکمیت
2	نام و کثرت اطلاع دہندہ	مصباح ایش و ولد بازار	تاریخ 24/02/23 وقت 20-21 بجے
3	مقرر کیفیت جرم (مواضع) مال اگر کچھ لیا گیا اور	بازار گنہگار گنہ گارہ قریب حیل ایشیہ 17 مارچ	
4	جائے وقوعہ یا ملحقہ تھانہ سے درست کچھ رائے نزد خانہ و گلاب	324-34	
5	نام و کثرت لڑم	مصباح ایش و ولد نور شہیر	
6	کارروائی تھانہ میں کی گئی اگر اطلاع دہندہ کے میں آفت اذکار و جوابان کرد		
7	تھانہ سے روانگی کی تاریخ و وقت		

پیشل عدالتی 7/2/23  
 NIC: NIL  
 Mob: 0331-9566477  
 24/02/23 وقت 26-29 بجے  
 بازار گنہگار گنہ گارہ قریب حیل ایشیہ 17 مارچ

موضوع بتعام ایشیہ نوم K4N1 حیلان ٹاؤن شہیر بنوں رپورٹ کرنا جسکی صورت میں ہم جا زیادہ آج  
 مثل آواز و ولد مصباح شاہ سنہ 1982 بمقام کمرائتہ نزد خانہ و گلاب حیدر دہیرا ام موجود ہے کہ میں آسا  
 میں ایک سفید موٹر کار ہماری طرف اگر ہم سے کسی نہ کسی مصلحت پر دور کھڑی ہو کر حیلان شہیران  
 ولد نور شہیر نے کہا مصباح ایش و ولد نور شہیر نے کہا سوار و ولد مثل شہیر میں فصل بہ رہتا ہے اور پورے  
 واڈھ میں حیلان شہیر اور ہم کو دیکھتے ہیں ہمیں 17-05 بجے ہر شہیر میں شہیر ہر باہت  
 مثل فائرنگ شروع میں حیلان شہیر میں سے میں آسا اگر وہ ایسا جیسا کہ بازار و حیلان شہیر  
 حیلان شہیر میں سے ہم گیا ہم کو خالی ہاتھ دیکھتے کہ سیکے حیلان شہیر و حیلان شہیر میں سے ہم گیا  
 حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا  
 حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا  
 حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا  
 حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا  
 حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا حیلان شہیر میں سے ہم گیا

P76

Attest  
 (Signature)  
 10/11/2023

24391	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈویکٹ: 	  
بار کونسل ایسوسی ایشن نمبر: 108838	
رابطہ نمبر: 03005929030	

بعد ازاں جناب: صیبر اختر شاہ کورس ٹریبونل پشاور

منجانب: <u>سائل اسٹوڈنٹ</u>	دعویٰ:
بازو پٹھان سائل اسٹوڈنٹ	علت نمبر:
بنام	مورخہ: <u>28-01-2024</u>
سینئر سکول بگ ایئر سن وینسٹری	جرم:
	تھانہ:

**بابت تحریر آگ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام کیلے ٹھوس فیصلہ کو دیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کال اختیار ہوگا، نیز دیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ بر حلف 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 پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور دیل یا مختار قانونی کوائفے ہمراہ یا اتنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جیلہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ بر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو دیل صاحب ہابند نہ ہوں گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 28/01/2024

مقام: بازو پٹھان (سائل اسٹوڈنٹ)  
 مارید صالح کے لیے منظور ہے۔

