


FORM OF ORDER SHEET

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

Appeal No. 220/2024

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. Uman received today by registered post through Mr.-Abdul Saboor Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE SERVICE TRIBUNAL**  
**K.P.K PESHAWAR**

Service appeal No 220 of 2024

Uman.....Appellant

**VERSUS**

The Govt. of KPK through Secretary  
Revenue etc.....Respondents

**Service APPEAL**  
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**Dated 26.01.2023**

  
**Uman**

(Appellant)

Through:-

**ABDUL SABOOR KHAN**

**A.S.C**

1

**BEFORE THE SERVICE TRIBUNAL**  
**K.P.K PESHAWAR**

Service appeal No 220 of 2024

Uman son of Muhammad Suleman, resident of Mohallah, New Circuit House, Mansehra, posted as **Bearer (BPS-03)** in the Office of Deputy Commissioner, Mansehra.

.....**Appellant**

**VERSUS**

- 1) The Government of Khyber Pakhtunkhwa through Secretary Revenue and Estate, Department, Peshawar.
- 2) The Commissioner, Hazara Division, Abbottabad.
- 3) The, Deputy Commissioner, Mansehra.

.....**Respondents**

**APPEAL UNDER SECTION 4 OF THE KPK**  
**SERVICE TRIBUNAL ACT, 1974 AGAINST THE**  
**IMPUGNED ORDER BEARING NO. 21-22**  
**DATED 01.01.2024 PASSED BY RESPONDENT**  
**NO. 02 WHEREBY DEPARTMENTAL APPEAL**

**OF THE APPELLANT SEEKING COUNTING OF  
PREVIOUS SERVICE TOWARDS PAY  
PROTECTION AND PENSIONARY BENEFITS  
WAS DISMISSED.**

**Respectfully Sheweth:-**

1. That, initially, appellant was appointed as Sweeper, BPS-01 by settlement officer, Mansehra vide appointment order No. **183-87** dated **11.03.2010** later on upgraded to BPS-03.

**(copy of appointment order dated 11.03.2010 annexed as annexure "A").**

2. That, father of the appellant namely Muhammad Suleman posted as Bearer BPS-03 in the office of respondent No. 03, retired on 30<sup>th</sup> June, 2017 after attaining the age of superannuation.

3. That, appellant being son, applied for his appointment on the quota earmarked for retired employee's son vide application dated **06.07.2017**.

**(copy of application dated 06.07.2017 annexed as annexure "B").**

4. That, on **07.07.2017**, appellant was granted Departmental permission by Settlement Officer Mansehra for applying against the post of Bearer-03 in the office of respondent No. 03, as such, appellant applied after getting Departmental permission and through proper channel for the purpose of counting previous service towards pay protection and pensionary benefits.

**(Copy of Departmental permission order dated 07.07.20217 annexed as annexure "C").**

5. That, the appellant was appointed as Bearer BPS-03 on regular basis by respondent No. 03 on retired employee's son quota vide appointment order bearing No. **12426-29** dated **10.08.2017**.

**(Copy of appointment order dated 10.08.2017 annexed as annexure "D").**

6. That, after having been appointed against the post of Bearer BPS-03, appellant submitted different applications to respondent No. 03 requesting him to count 07 Years 05 Months and 28 days previous service rendered by the appellant in the office of Settlement officer Mansehra

towards the new appointment for the purpose of pay protection and pensionary benefits but all in vain.

7. That, thereafter, appellant filed Departmental appeal dated **05.10.2023** before respondent No. **02** seeking counting of his previous service towards new appointment.

**(copies of Departmental appeal dated 05.10.2023 annexed as annexure "E").**

8. That, respondent No. **02** vide impugned order bearing No. **21-22** dated **01.01.2024**, dismissed the Departmental appeal of the appellant without any lawful justification and on the ground alien to the law on the subject.

**(copy of impugned order dated 01.01.2024 annexed as annexure "F").**

9. That, being aggrieved of the impugned order dated 01.01.2024, appellant having no other remedy is filing the instant service appeal before this Hon'ble Tribunal for interference inter alia on the following amongst other grounds.

## GROUND:

- A. That, appellant is educated up to B.A along with Diploma in Information Technology.
- B. That, admittedly, appellant rendered continuous service of 07 years, 05 Months and 28 Days as Sweeper- BPS-03 in the Office of Settlement officer, Mansehra before having been appointed in the office of respondent No. 03 against the post of bearer BPS-03.
- C. That, appellant applied for the post of Bearer BPS-03 through proper Channel after obtaining NOC for the purpose of counting his previous service towards pay protection and pensionary benefits.
- D. That, on 03.05.2012, as many as 30 persons were appointed on contract/ temporary basis against the post of Patwaries BPS-09 by Director Lands Record, Chief Settlement Officer, Peshawar in District Mansehra.

**(Copies of appointment order dated 03.05.2012 annexed as annexure "G").**

**E.** That, one Irfan Ullah son of Hukam Khan R/O of Sugar Mill Road, Mardan appearing at serial no. 26 of the order dated 03.05.2012 after having rendered contract/temporary service from 03.05.2012 to 30.07.2015 applied through proper channel for his fresh appointment as Revenue Patwari in the Revenue side Mardan on regular basis. He was appointed accordingly.

**F.** That, the above mentioned Irfan Ullah filed appeal in the court of Commissioner Mardan Division Mardan for counting his previous contract/temporary service towards his fresh regular appointment for the purpose of pay protection and pensionary benefits which was allowed vide order dated **11.04.2016** and as such, the contract/temporary service rendered by him in District Mansehra was counted towards his new regular appointment for the purpose of pay protection and pensionary benefits. Besides him, the contract/temporary services of the persons mentioned in the Para no. 09 of the Departmental appeal dated 05.10.2023 have also been counted by the Department in new regular appointment by extending them pay protection and pensionary benefits. The petitioner has been



treated differently which is clear cut violation of protection provided by and under Article 25 of the constitution of Islamic Republic of Pakistan 1973.

**(copy of order dated 11.04.2016 annexed as annexure "H").**

**G.** That, service book of the appellant prepared earlier when the appellant was rendering his contract/temporary service in the office of Settlement officer Mansehra is still maintained after his new appointment in continuation of his earlier contract employment.

**H.** That, as per salary slip, the length of service of appellant still appears from the date when the appellant was earlier appointed on contract basis.

**(copy of pay slip annexed as annexure "I").**

**I.** That, the Departmental appeal of the appellant has only been rejected on the ground that appellant was earlier on contract basis, that is why, the earlier rendered service cannot be counted is not sustainable under the law.

**J.** That, it is well settled law that when a person joins fresh service in another Department, his service already

rendered in the previous Department is to be counted for pay protection and pensionary benefits.

- K.** That, the ground mentioned in the impugned order dated 01.01.2014 is illegal, unlawful, discriminatory, unjustified, perverse, arbitrary and fanciful and as such, the impugned order is liable to be set-aside.

### **PRAYER**

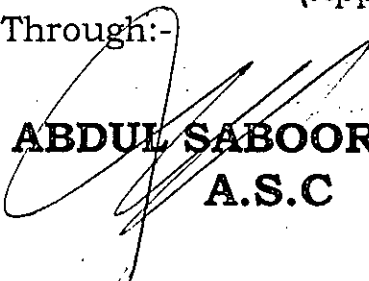
On the acceptance of the instant service appeal, by setting aside the impugned order bearing No. 21-22 dated 01.01.2024 passed by respondent No. 02, the previous 07 Years 05 months and 28 Days service rendered by the appellant in the office of settlement officer Mansehra against the post of Sweeper BPS-03 may kindly be ordered to be counted in the fresh appointment of the appellant as Bearer BPS-03 for the purpose of pay protection and pensionary benefits.

**Dated 26.01.2023**



**Uman**  
(Appellant)

Through:-



**ABDUL SABOOR KHAN**  
**A.S.C**

**VERIFICATION/CERTIFICATE :**

I, Uman son of Muhammad Suleman, resident of Mohallah, New Circuit House, Mansehra, posted as **Bearer (BPS-03)** in the Office of Deputy Commissioner, Mansehra, do hereby solemnly affirm and declare that the contents of fore-going Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.



**Uman**  
**(DEPONENT)**

**BEFORE THE SERVICE TRIBUNAL**  
**K.P.K PESHAWAR**

Service appeal No \_\_\_\_\_ of 2024

Uman.....Appellant

**VERSUS**

The Govt. of KPK through Secretary  
Revenue etc.....Respondents

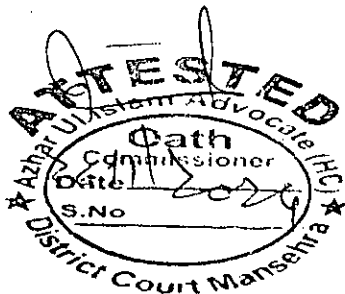
**SERVICE APPEAL**

**AFFIDAVIT**

I, Uman son of Suleman, resident of Mohallah, New Circuit House, Mansehra, posted as **Bearer (BPS-03)** in the Office of Deputy Commissioner, Mansehra, do hereby solemnly affirm and declare on oath that the no such subject matter appeal has ever been filed before this honorable court nor pending nor decided. That the contents of fore-going affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honourable tribunal.

**Dated 26.01.2024**

  
Uman  
**(DEPONENT)**



**BEFORE THE SERVICE TRIBUNAL**  
**K.P.K PESHAWAR**

Service appeal No \_\_\_\_\_ of 2024

Uman.....**Appellant**

**VERSUS**

The Govt. of KPK through Secretary  
Revenue etc.....**Respondents**

**APPEAL**

**CORRECT ADDRESSES OF THE PARTIES**


**APPELLANT:**

Uman son of Muhammad Suleman, resident of Mohallah, New Circuit House, Mansehra, posted as **Bearer (BPS-03)** in the Office of Deputy Commissioner, Mansehra.

**RESPONDENTS:**

- 1) The Government of Khyber Pakhtunkhwa through Secretary Revenue and Estate, Department, Peshawar.
- 2) The Commissioner, Hazara Division, Abbottabad.
- 3) The, Deputy Commissioner, Mansehra.

**Dated 26.01.2023**

  
**Uman**  
(Appellant)

Through:-

  
**ABDUL SABOOR KHAN**  
**A.S.C**

Attested  
4/26/11/24

P. (12)


Amir A

OFFICE OF THE SETTLEMENT OFFICER, MANSEHRA.

ORDER

Pursuant to the approval accorded by the Departmental Selection Committee in its meeting held on 9<sup>th</sup> - 10<sup>th</sup>, March, 2010, Mr. Umar S/O Muhammad Suléman R/O New Circuit House Mansehra, is hereby appointed as Sweeper, BPS-1 against the newly created post for Settlement Operation, Mansehra, with immediate effect subject to the following terms and conditions :-

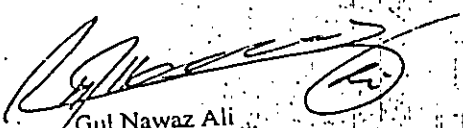
1. Appointment is purely temporary and can be terminated at any stage of the settlement operation. No one can claim regularization through this order.
2. Production of medical fitness certificate from the Medical Superintendent, DHQ - Hospital, Mansehra.

  
Gul Nawaz Ali  
Settlement Officer, Mansehra.

No. 183-87/ISO(M), Mansehra, the 11.13 2010.

Copy to the :-

1. Director Land Records/Chief Settlement Officer, NWFP - Peshawar.
2. District Coordination Officer, Mansehra.
3. District Officer, Revenue & Estate, Mansehra.
4. District Accounts Officer, Mansehra.
5. Candidates concerned for compliance.

  
Gul Nawaz Ali  
Settlement Officer, Mansehra.

Handwritten signature and date: 20/1/24

**BETTER COPY of PAGE NO. 12**

**OFFICE OF THE SETTLEMENT OFFICER, MANSEHRA**

Order,

Pursuant to the approval accorded by the Departmental Selection Committee in its meeting held on 9<sup>th</sup>-10<sup>th</sup> March, 2010 Mr Uman S/O Muhammad Suleman R/O New Circuit House Mansehra, is hereby appointed as Sweeper, BPS-01 against the newly created post for settlement Operation Manserha with immediate effect Subject to the following terms and conditions:-

1. Appointment is purely temporary and can be terminated at any stage of the settlement operation. No. one can claim legalization through this order.
2. Production of medical fitness certificate from the Medical Superintendent, DHQ Hospital Mansehra.

Gul Nawaz Ali

Settlement Officer, Mansehra.

**No. 183-87/SO(M) Mansehra, the 11.03.2010.**

Copy to the:-

1. Director Land Records/Chief Settlement Officer, NWFP Peshawar.
2. District Coordination Officer, Mansehra.
3. District Officer, Revenue & Estate, Mansehra.
4. District Account Officer, Mansehra.
5. Candidates concerned for compliance.

Gul Nawaz Ali

Settlement Officer, Mansehra.

*Attested*

بخدمت جناب ڈپٹی کمشنر صاحب انسپرنہ 26/1/2017  
بوساطت: جناب سیکرٹری آفیسر صاحب انسپرنہ

P

13

*Amal*

B

عنوان: درخواست برائے تعیناتی Through proper chanal

جناب عالی!

گزارش ہے کہ سائل عرصہ تقریباً سات آٹھ سال سے محکمہ بندوبست اراضیات انسپرنہ میں جناب کے زیر سایہ عارضی طور پر کلاس فور ملازم (مسلم سوپیر) کی حیثیت سے کام کر رہا ہے اور سائل کے والد صاحب سرنکٹ ہاؤس انسپرنہ میں ڈی۔ سی صاحب کے ماتحت کام کر رہے تھے جو کہ 30 جون 2017ء کو عرصہ ملازمت پوری ہونے کے بعد ریٹائرڈ ہو گئے ہیں چونکہ سائل اپنے والد صاحب کی جگہ بھرتی ہونے کا حق رکھتا ہے۔

لہذا جناب سے گزارش ہے کہ سائل کو اپنے والد کی جگہ پر تعینات کرنے کا حکم صادر فرمائیں۔

الرقوم 06.07.2017

عمان ولد محمد سلیمان ساکنہ محلہ نیو سرنکٹ ہاؤس انسپرنہ

حال تعینات محکمہ بندوبست ضلع انسپرنہ

26/1/2017



5  
A. G. S. /  
26/11/24

P. 14

**OFFICE OF THE SETTLEMENT OFFICER MANSEHRA**

No. 8286 SOLAD  
Dated: 07/07/2017

Annex C

To

The Deputy Commissioner,  
Manshra.

**APPLICATION OF MR. ~~UMAN MUSLIM SWEEPER~~ IN SETTLEMENT  
OPERATION MANSEHRA:**

A self explanatory application submitted by Mr. Uman, working  
Muslim Sweeper BPS-03 since 13-03-2010, in Settlement operation Manshra  
enclosed herewith for favorable necessary action, please.

[Signature]  
Settlement Officer  
Manshra.

3  
Alexand  
26/1/21

BETTER COPY PAGE NO. 14

**OFFICE OF THE SETTLEMENT OFFICER MANSEHRA**

No. 8280/SO (M)

Dated 07.07.2017

To,

The Deputy Commissioner,  
Mansehra.

Subject: APPLICATION OF MR. UMAN MUSLIM SWEEPER IN SETTLEMENT  
OPERATION MANSEHRA.

A Self explanatory application submitted by Mr Uman working as Muslim Sweeper BPS-03 since 13.03.2010 in Settlement Operation Manserha enclosed herewith for favorable necessary action, please.

SETTLEMENT OFFICER

MANSERHA.


**OFFICE OF THE DEPUTY COMMISSIONER,  
MANSEHRA.**

**ORDER**

Based on the recommendation of Departmental Selection Committee in its meeting held on 09.8.2017, ~~Mr. Uman S/O Sulaman~~ r/o Mohallah New Circuit House, Mansehra is hereby appointed as ~~Beater BPS-06~~ viz Rs. 9610-390-21310 ~~against 25% employees son quota~~ as per Services and General Administration Department Government of Khyber Pakhtunkhwa Peshawar circular letter No.SOR-I (S&GAD)4-1/80 (Vol-III), dated 23.5.2000.

His services will be governed in terms of Notification No.PA/Khyber Pakhtunkhwa/Bills/2013/2048, dated 22.01.2013 circulated vide Government of Khyber Pakhtunkhwa, Establishment Department (Regulation Wing) letter No.SO-VI/E&AD/1-13/2009, dated 13.2.2013, on regular basis subject to the following conditions:-

1. He shall for all intents and purposes, be Civil Servant.
2. He shall be on probation as required under Para -15 Part-V of Appointment, Promotion & Transfer Rules 1989.
3. He shall produce Medical Fitness Certificate from the Medical Superintendent, King Abdullah Teaching Hospital, Mansehra.
3. He shall join duty within a week, failing which appointment order stand withdrawn automatically.

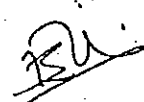
  
(Shah Rukh Ali)  
Deputy Commissioner,  
Mansehra

No. 12426-29 AE.

Dated 10 /08/2017

Copy for information and necessary action to:-

1. The District Accounts Officer, Mansehra.
2. The Settlement Officer, Mansehra with reference to his letter No.8286/SO(M) dated 07.8.2017.
3. District Nazir, Local Office.
4. Mr. Uman, S/O Sulaman r/o Mohallah New Circuit House, Mansehra.

  
Deputy Commissioner,  
Mansehra

*26/1/24*

**BETTER COPY of PAGE NO. 15**

**OFFICE OF THE DEPUTY COMMISSIONER MANSERHA.**

Order,

Based on the recommendation of Departmental Selection Committee in its meeting held on 09.08.2017 Mr. Uman S/O Suleman R/O Mohallah New Circuit House, Mansehra is hereby appointed as Bearer (BPS-03) viz Rs. 9610-390-21310 against 25% employees son quota as per services and General Administration Department Government of Khyber Pakhtyunkhwa Peshawar Circular letter no. SOR-I (S&GAD)4-1/80 (Vol-III) dated 23.05.2000.

He services will be governed in terms of Notification No. PA/ Khyuber Pakhtunkhwa/Bills/2013/2048, dated 22.01.2013 circulated vide Government of Khyber Pakhtunkhwa, Establishment Department (Regulation wing) Letter no. SO-VI/E&AD/1-13/2009 dated 13.02.2013, on regular basis subject to the following conditions:-

1. He Shall for all intents and purposes be Civil Servant.
2. He shall be on probation as required under Para-15 Parat-V of Appointment, Promotion & Transfer Rules, 1989.
3. He shall produce Medical Fitness Certificate Form the Medical Superintendent, King Abdullah Teaching Hospital, Mansehra.
4. He Shall join duty within a week, failing which appointment order stand withdrawn automatically.

(Shah Rukh Ali)  
Deputy Commissioner,  
Mansehra.

Dated 10.08.2017

No.12426-29 AE

**Copy for information and necessary action to:-**

1. The District Accounts Officer, Mansehra.
2. The Settlement officer, Mansehra with reference to his letter No. 8286/SO(M) Dated 07.08.,2017.
3. Distrit Nazir Local Office.
4. Mr. Uman S/O Suleman r/o Mohallah New Circuit House Mansehra.

Deputy Commissioner,  
Mansehra.

P (16)

~~Alleged~~  
26/1/24

بخدمت جناب کمشنر صاحب ہزارہ ڈویژن ایبٹ آباد

Annex (E)

عنوان: اپیل بابت شامل کرنے سابقہ سروس

جناب عالی! موجبات اپیل ذیل پیش ہیں۔

(۱)۔ یہ کہ سائل بحوالہ آرڈر نمبری Mansehra 183-87/SO(M) محرمہ 11.03.2010 کو

جناب Settlement officer مانسہرہ کے حکم سے BPS-1 سید پر کی پوسٹ پر تعینات ہوا۔

(نقل تعیناتی آرڈر لف ہے)۔

Secretary

(۲)۔ یہ کہ بعد از تعیناتی سائل اپنے فرائض منصبی بطریق احسن سرانجام دیتا رہا اور دوران حکومتی سرکار

نوٹیفیکیشن کی رو سے جملہ BPS-1 بلازمین BPS-3 میں تبدیل ہو گئے۔

Secretary

(۳)۔ یہ کہ سائل نے عرصہ 7 سال 05 ماہ اور 28 دن یعنی مورخہ 10.08.2017 تک

COMM

Settlement officer کے زیر سایہ اپنے فرائض منصبی سرانجام دیتا رہا۔

6/10/2023

(۴)۔ یہ کہ بحوالہ آرڈر نمبری 12426-29/AE محرمہ 10.08.2017 کے ذریعے سائل کو 25%،

Employee's son quota کے تحت BPS-3 میں بطور Bearer ڈپٹی کمشنر آفس

مانسہرہ تعینات کیا گیا۔ (نقل تعیناتی لیٹر لف ہے)۔

Secretary

(۵)۔ یہ کہ بعد از تعیناتی تاحال سائل اپنے فرائض منصبی بطریق احسن سرانجام دے رہا ہے۔ سائل کی

نوٹیفیکیشن کے دوران ہی حکومت کی جانب سے نوٹیفیکیشن

Mer

نمبری 31-9120/Reg/Mnsra/SO/V-LR محرمہ 18.01.2023 کی رو سے

سیلمنٹ کے جملہ سٹاف کو مستقل کیا گیا۔ اور اس کی سروس بوقت تعیناتی سے Count کی گئی،

میں سائل کے ساتھ کے تعینات جملہ ملازمین بھی مستقل ہوئے۔ (نقل نوٹیفیکیشن)

(۶)۔ یہ کہ سائل نے اس دوران دو عدد درخواستیں محرمہ 2022

ڈپٹی کمشنر مانسہرہ دی، لیکن تاحال سائل کی کوئی شے

(۷)۔ یہ کہ سائل نے عرصہ 7 سال 05 ماہ اور 28

BPS-03 میں فرائض منصبی سرانجام دیئے بعدہ

chaneal سن کوڈ کے تحت اپیل لائی کیا جس کی اجازت

لیٹر نمبری 8280 محرمہ 07.07.2017 کو دی گئی۔ اور بعد از تعیناتی سائل کی سروس تک بھی

سابقہ ہی جاری ہے اور اسی طرح سائل کا پرنسپل نمبر بھی تبدیل نہیں ہوا اور سابقہ GP فنڈ بھی موجودہ

سیلری میں اکاؤنٹ میں ٹرانسفر ہوا، لیکن بد قسمتی سے سائل کی سروس کو Count نہ کیا جس بناء پر سائل

پر دعویٰ سے محروم ہے اور سائل کی ایک بڑی عرصہ جو سائل نے حکمہ میں وقف کیا ضائع ہو رہا ہے۔

(۸) یہ کہ سائل نوجوان العمر اور BA تعلیم یافتہ ہے اور کپیڈوٹرنال بھی رکھتا ہے اور باقاعدہ DIT کر رکھی ہے۔

(فقولات لف ہیں)۔

(۹) یہ کہ سائل کے ساتھ سیٹلمنٹ ماسہرہ میں بطور پیواری ملازمین مختلف اضلاع کے تھے جو کہ اپنے اپنے

اضلاع میں واپس ہو گئے اور ان کی باقاعدہ پچھلی سروس نئی سروس میں متعلقہ کسٹمر آفس کے آرڈر کے

تحت شمار ہوئی ہے۔ جنکے نام یہ ہیں۔ (۱) عرفان اللہ پیواری (۲) سجاد علی پیواری (۳) اجمل شاہ

پیواری ساکنان ضلع مردان (۴) خالد عثمان پیواری ضلع پشاور (۵) اشتیاق پیواری تنولی ضلع صوابی

(۶) اشفاق سردیہ بندوبست حال C&W آفس ماسہرہ (۷) عبدالرحمان پیواری ضلع ہری پور

(۹) فرخت عباس پیواری ضلع ہری پور۔

(۱۰) یہ کہ سائل کی سابقہ سروس سجالی سے سائل کی تجواہ اور دیگر مراعات میں مناسب اضافہ بھی ہو جائیگا اور

سائل کو مستقبل میں بوقت ریٹائرمنٹ بھی مناسب مراعات / فائدہ ہوگا، جبکہ مذکورہ سروس شامل نہ

ہونے کی بناء پر سائل کو نہ صرف موجودہ دور میں نقصان ہے بلکہ آئندہ بوقت ریٹائرمنٹ بھی سائل کو

نقصان عظیم ہوگا۔ اسی طرح سائل کے ساتھ کے تعینات سیٹلمنٹ آفس کے ملازمین اب سائل سے

زیادہ تجواہ / مراعات لے رہے ہیں۔

لہذا جناب سے انتہائی ہمدردانہ التماس کی جاتی ہے کہ سائل کی سابقہ سروس عرصہ 7 سال

05 ماہ اور 28 دن کو موجودہ سروس میں شمار کر کے سابقہ مراعات ادا کیگی کے احکامات صادر فرمائے

جائیں، سائل جناب کی اس کرم نوازی پر تاحیات ذمہ اگورہیگا، عین نوازش ہوگی۔

المرقوم 05.10.2023

محمد ولد محمد سلیمان حال ملازم بطور Bearer ڈپٹی کسٹمر آفس ماسہرہ سائل

موبائل نمبر: 0301-5026150

OFFICE OF THE  
COMMISSIONER HAZARA DIVISION  
ABBOTTABAD

No. CHD/Reader/10/2 (B) 21-22.  
Dated: 2/11/2024

18

*Accepted*  
*2.6/12/24*

**ORDER**  
**22/12/2023**

*Annex (F)*

Whereas, the appellant namely Uman S/O Muhammad Suleman Bearer (BPS-03) Deputy Commissioner Office, Manshra has filed instant appeal with the prayer that his previous service may be counted in current service as he has served for 7-1/2 years on contract basis in Settlement Operations, District, Manshra. Later on, he applied for appointment in Deputy Commissioner Office, Manshra under son's quota through proper channel and was appointed vide Deputy Commissioner Office, Manshra Order No.12426-29 dated 10/08/2017. The appellant has approached the Deputy Commissioner, Manshra vide application dated 04/08/2023 with the request that his previous service may be considered and incorporated in current service.

Whereas, the Deputy Commissioner, Manshra sought advice on the applicant's request from Board of Revenue, Khyber Pakhtunkhwa vide his letter No.3353/AE/DC(M) dated 17/03/2023. Resultantly, the Board of Revenue, Khyber Pakhtunkhwa vide letter No.Estt:II/DPC/Manshra/17916 dated 03/08/2023 advised that Mr. Uman was appointed as Sweeper in Settlement Operation, Manshra on 11-03-2010 and later on, he was appointed as Bearer against 25% Employee's Son quota on 10/08/2023. Since, he was appointed in Settlement Operation on temporary basis, therefore, his previous Service cannot be counted towards regular service.

Whereas, the comments on the instant appeal were requisitioned from Deputy Commissioner, Manshra vide this office letter No.10/2/Reader (M)/11277-79 dated 09/10/2023. The Deputy Commissioner, Manshra offered comments vide his letter No.12639/AE/DC (M) dated 05/12/2023.

And whereas, the appellant appeared in person for personal hearing on 22/12/2023 in the presence of the representative of Deputy Commissioner, Manshra i.e Additional Assistant Commissioner-II Manshra.

After going through the contents of appeal, careful perusal of record, advice of the Board of Revenue, Khyber Pakhtunkhwa and after providing the opportunity of personal hearing to the appellant, the appeal in hand is hereby rejected, as his previous service was purely temporary wherein no pension contribution was made.

**ANNOUNCED**  
**22/12/2023**

*SO*  
Commissioner  
Hazara Division Abbottabad

GOVERNMENT OF KHYBER PAKHTUNKHWA, DIRECTORATE OF LAND RECORDS,  
PESHAWAR.

ORDER.

Pursuant to the recommendations of Departmental Selection Committee adopted during its meeting held on 19-20<sup>th</sup> April, 2012, at Manshera, the following candidates are hereby appointed as Patwaris BPS-09, against the newly created posts in Tehsil Settlement Operation, Manshera, subject to the following terms and conditions:

S.NO.	NAME & ADDRESS OF CANDIDATE
1	Saif Ali S/O Ahmad Saqib r/o Tahkara District Manshera
2	Muhammad Nabeel S/O Sadiq Rehman r/o Lari Adu District Manshera
3	Sheraz Ahmed S/O Ghulam Sarwar r/o Chikka District Manshera
4	Saboor Khan S/O Tahirullah Mulk r/o Saleeda Road Jabra District Manshera
5	Chand Gul S/O Ghulam Rehman r/o Dara No 2 District Manshera
6	Sardar Muhammad Tahir S/O S Muhammad Ayub r/o Rohar UC Bahali District Manshera
7	Malik Shujahat Ali S/O Masoodur Rehman r/o Mundhar PO Attashoosha District Manshera.
8	Muhammad Jamil S/O Muhammad Ayub r/o Khanan Bala PO Laskaan Nawab District Manshera
9	Qasim-ur-Rahman Tahir S/O Muhammad Shahiq r/o Thakra District Manshera
10	Nabeel Ahmed S/O Muhammad Bashir r/o Village Laskaan Nawab Tehsil & District Manshera.
11	Ahmed Abdullah S/O Muhammad Hisham Qureshi r/o Dab No.2 District Manshera.
12	Syed Bilal Islam S/O Syed Shah Islam r/o Trappi Tehsil & District Manshera.
13	Raja Junaid Arshad S/O Muhammad Arshad r/o Manshera
14	Muhammad Ibrar Khan S/O Ilyas Khan r/o Manshera.
15	Faisal Khan S/O Afsar Khan R/O Shinkari - Manshera.
16	Farhat Abbas S/O Muhammad Ishlia r/o Chamba Bala Kot Najeebullah District Haripur
17	Tahir Nawaz S/O Shah Nawaz r/o Raj Pur PO Kot Najeebullah District Haripur
18	Abdul Hanan S/O Afsar Khan r/o Jaloo Tehsil Ghazi District Haripur
19	Shahbaz Ahmed S/O Muhammad Nawaz r/o Qudrat Abad, Tehsil & District Charsadda
20	Irshad Khan S/O Wazirzada r/o Pachgali road Bashir abad Madina Colony No2 District Peshawar
21	Saifullah S/O Shah Hussain r/o Muhallah Haji Abad Surzai Plian Tehsil and District Peshawar.
22	Ishliaq S/O Ghulam Nabi r/o Village Koper Banda Tehsil Takhat Bai District Mardan
23	Sajjad Ali S/O Tor Gul r/o Haji Muhammad Zaman Khali PO Arif Khan Khali Tehsil Takhat Bai District Mardan
24	Fazal-e-Malik S/O Abdul Hameed r/o Village Pili Abad Tehsil Takhat Bai District Mardan
25	Ajmal Shah S/O Asghar Shah r/o Jabbar Banda PO Badar Tehsil & District Mardan.
26	Irfanullah S/O Hukam Khan R/O Sugar Mill Road, Sarfrazabad Mardan.
27	Muhammad Iqbal S/O Zafarullah Khan r/o Lakki Marwal.
28	Magboolur Rehman S/O Darya Khan R/O Lakki Marwal.
29	Khalid Usman S/O Ghulam Haider r/o PO Dagi Tehsil Razar District Swabi.
30	Abdullah S/O Muhammad Parvez Khan R/O Razar - Swabi

- The appointment is purely temporary/contract based against the Project posts created for specific period.
- Initial appointment is for one year. Further extension of contract agreement would be based on satisfactory performance / further scope of work.
- They shall not be entitled to pension/gratuity. Their services can be terminated at any stage due to un-satisfactory performance or abolition of posts etc for which they would not be entitled to institute case against the Department in any court of law.
- They shall produce fitness certificate from the MS-King Abdullah Teaching Hospital, Manshera.
- Joining of duty would mean that the appointees have accepted the above terms & conditions and they would execute contract agreement.
- They shall join duty within 30-days, failing which appointment order stand withdrawn automatically.

Director Land Records/  
Chief Settlement Officer,  
Khyber Pakhtunkhwa,



BETTER COPY OF PAGE N. 19

**GOVERNMENT OF KHYBER PAKHTUNKHWA DIRECTORATE OF LAND RECORDS,**

**PESHAWAR**

Order.

Pursuant to the recommendations of Departmental Selection Committee adopted during its meeting held on 19-20<sup>th</sup> April, 2012 at Mansehra, the following candidates are hereby appointed as Patwaris BPS-09, against the newly created posts in Tehsil Settlement Operation, Mansehra subject to the following terms and conditions.

S.NO	Name and Address of Candidate
1	Saif Ali son of Ahmed Sadique R/O Thakra, District Mansehra.
2	Muhammad Nabeel Son of Saidurrehman R/O Lari Adda, District Mansehra.
3	Sheraz Ahmed son of Ghulam Sarwar R/O Chakia, District Mansehra.
4.	Saboor Khan son of Tahir Ullah Malik R/O Sufalda Road Jabbri, District Mansehra.
5.	Chan Gul son of Ghulam Rehman, R/O Dara No. 02, District Mansehra.
6.	Sardar Muhammad Tahir son of Muhammad Ayub R/O Rehar U.C Behall, District Mansehra.
7.	Malik Shoukat Ali son of Masood ur Rehman, R/O Mandihar P/O Atter Shisha, District Mansehra.
8.	Muhammad Jameel son of Muhammad Ayub, R/O Khamian Bala P/O Lissan Nawab, District Mansehra.
9.	Ubaid ur Rehman Tahir son of Muhammad Shafique R/O Thakra, District Mansehra.
10.	Nabeel Ahmed son of Muhammad Bashir, R/o Village lissan Nawab, Tehsil & District Manserha.
11.	Ahmed Abdullah son of Muhammad Hisham Qurashi, R/O Dab No. 02 District Mansehra.
12.	Syed Bilal Islam son of Syed Shah Islam, R/O Trappi, Tehsil & District Mansehra.
13.	Raja Junad Arshad son of Muhammad Arshad, R/O Mansehra.
14.	Muhammad Ibrar Khan son of Ilyas Khan, R/O Mansehra.
15.	Faisal Khan son of Afsar Khan, R/O Shinkiyari Manserha.
16.	Farhat Abbas son of Muhammad Ishaq R/O Chamba Batta Kot Najeeb Ullah, District Hairpur.
17.	Tahir Nawaz son of Shah Nawaz R/O Raj Pur P/O Kot Najeeb Ullah, District Hairpur.
18.	Abdul Hannan son of Afsar Khan, R/O Tehsil Ghazi, District Hairpur.
19.	Shahbaz Ahmed son of Muhammad Nawaz R/O Qudrat Abad, Tehsil & District Charsada.
20.	Irshad Khan son of Wazeer Zada R/O Pachgali Road, Basheer Abad Madina Colony No. 02 District Peshawar.
21.	Saif ullah son of Shah Hussain R/O Mohallah Haji Abad Sunzalplan Tehsil & District Peshawar.
22.	Ishtiaq son of Gulam Nabi, R/O Village Koper Banda Tehsil Takhat Bai, District Mardan.
23.	Sajjad Ali son of Tor Gul, R/O Haji Muhammad Zameen Khail P/o Arif Khan Khail, Tehsil Takhat Bai, District Mardan.
24.	Fazal-e-Malik son of Abdul Hameed R/O Peer Abad, Tehsil Takhat Bai, District Mardan.
25.	Ajmal Shah son of Asghar Shah, R/O Jabbar Banda, P/O Badar, Tehsil & District Mardan.
26.	Irfan Ullah son of Hakam Khan, R/O Sugar Mill Road, Sarfraz Abad Mardan.
27.	Muhammad Iqbal son of Zafar Ullah, R/O laki marwat.
28.	Maqbool ur Rehman son of Darya Khan, R/O laki marwat.
29.	Khalid Usman son of Ghulam Haider R/O P/O Dagi, Tehsil Razar, District Swabi.
30.	Abdullah son of Muhammad Parveez Khan R/o Razar Swabi.

1. That, appointment is purely temporary/contract based against the project posts created for specific period.
2. Initial appointment is for one year. Further extension of contract agreement would be based on satisfactory performance/further scope of work.
3. They shall not be entitled to pension/gratuity. Their services can be terminated at any stage due to unsatisfactory performance or abolition of posts etc for which they would not be entitled to institute case against the Department in any court of law.
4. They shall produce fitness certificate from the MS King Abdullah Teaching Hospital Mansehra.
5. Joining of duty would mean that appointees have accepted the above term and condition and they would execute contract agreement.
6. They shall join duty within 30 days, failing which appointment order stand withdrawn automatically.

Director Land Records/  
Chief Settlement Officer,  
Khyber Pakhtunkhwa,


Attested  
26/1/24

P. 20

No. 1087-1115 LA-V dated 23/9/2012.

Copy forwarded to:-

1. Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Settlement Officer, Mansehra.
3. District Officer, R&E, Mansehra.
4. District Accounts Officer, Mansehra.
5. P.S. to Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
6. Candidate concerned for compliance.
8. Office order file - Directorate Land Records.

  
Director Land Records,  
Chief Settlement Officer  
Khyber Pakhtunkhwa,  
Peshawar.

IN THE COURT OF COMMISSIONER MARDAN DIVISION, MARDAN.

Irfan Ullah Patwari

Appellant

Versus

Deputy Commissioner/District Collector Mardan

Respondent

Case No.....

Dated of institution:

25/01/2016

Dated of Decision:

11/04/2016

**APPEAL/REPRESENTATION FOR REFIXATION OF PAY AND PENSIONARY BENEFITS OF APPELLANT FOR THE SERVICE ALREADY RENDERED IN SETTLEMENT OPERATION MANSEHRA W.E.F 03/05/2012 TO 30/07/2015.**

**ORDER:-**

Through this appeal the appellant has prayed for fixation of pay and counting of previous service of appellant already rendered in Settlement Operation Mansehra w.e.f. 03/05/2012 to 30/07/2015.

Brief facts of the case are that the appellant was appointed as Settlement Patwari in Settlement Operation Mansehra vide order dated 03/05/2012. Due to patwari candidate of District Mardan, the appellant properly applied for appointment as revenue patwari in the revenue side Mardan through proper channel, which was allowed and the appellant was appointed as revenue patwari in revenue side Mardan vide order dated 30/07/2015 on regular basis. The appellant filed the instant appeal/representation before this court for re-fixation of pay and that his previous service already rendered in Settlement Operation Mansehra w.e.f. 03/05/2012 to 30/07/2015 be counted towards pension benefits/pay protection.

Appellant alongwith his counsel present. Representative of Deputy Commissioner/District Collector Mardan also present and submitted parawise comments which is placed on file. Arguments of the learned counsel for the appellant heard and case file as well as parawise comments of the Deputy Commissioner /District Collector, Mardan thoroughly perused.

During the course of arguments, the learned counsel for the appellant argued that as per reported judgment of Hon'ble Federal Service Tribunal Islamabad( 2008 PLC(CS) 482, it has been held that when a civil servant has resigned his previous service and joint fresh service in another department, so, the service of civil servant already rendered in the previous department shall be counted for pay protection and pensionary benefits.

Counsel for the appellant further argued that on the basis of said reported judgment, this Hon'ble court has accepted similar nature appeals titled as Nigar Ahmad patwari versus Deputy Commissioner Mardan, Sabz Ali patwari versus Deputy Commissioner Mardan Hilal Said patwari vs Deputy Commissioner Mardan decided on

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See Page  
No. 2  
J

*Attested*  
*26/11/14*

*P*  
*22*

29/08/2009, Said Akbar patwari vs Deputy Commissioner Mardan decided on 25/05/2015, Darvesh Khan patwari vs Deputy Commissioner Mardan decided on 13/04/2015, Shad Ali patwari vs Deputy Commissioner Mardan decided on 23/11/2015 and Zahir Ali Shah patwari vs Deputy Commissioner Mardan decided on 13/04/2014 respectively. The learned counsel for the appellant produced copies of the said orders which are placed on file.

The learned counsel for the appellant further stated that as per judgment of Service Tribunal Khyber Pakhtunkhwa Peshawar dated 30/08/2007 in the case title Abid Khan Vs Commissioner Mardan Division Mardan etc, service of the appellant had been ordered to be counted for pension and pay protection. Further contended that the Hon'ble Service Tribunal Khyber Pakhtunkhwa has accepted appeal in case titled Momin Khan vs Chief Secretary Khyber Pakhtunkhwa etc whereby it was directed that the appellant is entitled for protection of pay and pensionary benefits for the services already rendered in other departments. He added that another same nature order dated 28/02/2013 passed by the Worthy SMBR, KPK, Peshawar in case titled Farman Ali Naib Tehsildar Versus Board of Revenue KPK, Peshawar has been implemented vide letter dated 06/07/2013 by the respondent therein as well as by the pay fixation party. He further stated that as per Notification of Govt of Khyber Pakhtunkhwa Finance Department dated 04/05/2011 that fixation/protection of pay on appointment of civil servant from one post to another post even in the Govt project can be granted similarly fixation/pay protection. He added that as per reported judgment of Supreme Court of Pakistan (1996 SCMR 1185) citation (C) if the Service Tribunal or Supreme Court decides a point of law relating to the terms of service of a civil servant which covers not only the case of civil servant who litigated, but also of other civil servants, who may have not taken any legal proceedings, in such a case, the dictates and rule of good governance demand that the benefits of such judgment by Service Tribunal/ Supreme court be extended to other civil servant, who may not be parties to the litigation instead of compelling them to approach the Service Tribunal or any other forum, so as per the said judgment, appellant is also entitled for the benefits already given to the other civil servants.

Counsel for the appellant exhaustively argued the point of limitation and stated that the appellant has got recurring cause of action which he explained that as per section 23 of limitation Act, "continuing breach and wrongs. "In the case of continuing breach of contract and in the case of continuing wrong independent of contract, afresh period of limitation begins to run at every moment of the time during which the breach of the wrong, as the case may be continues.

"H.C Mitra on the Indian Limitation Act (13<sup>th</sup> Edition) at page 265 observes. "In considering whether the particular act complained off constitutes a continuing wrong within the meaning of this section (section 23) for which the cause of action arise de die in deim., it is necessary to keep in mind the distinction between a 'injury' and in effect of that injury' where the injury complained of is complete on a certain date there is no "continuing wrong" although the damage caused by the injury may continue such a case the cause of action to the persons injured arises once and for all, at the time when the injury is inflicted and the fact that the effects of the injury are felt by the any aggrieved party occasionally intermittently or even continuously does not make the injury "continuing wrong" so as to give him a fresh cause of action on each such occasion, however, the act is such that the injury itself is continuous, then there is a

contd....P/3

ATTESTED

*[Signature]*  
Examiner/Reader to  
Commissioner Court  
Mardan Division Mardan

*See Page 06*

*23*

*27/11/2014*

Attested  
26/1/24

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"continuing wrong" and the case is governed by this section. To give rise to a continuing wrong there must not be a single wrongful act from which injurious consequences follow but there must be state of affairs every moment's continuance of which is a new tort."

"Section 23 of the limitation Act which inters alia provides that in case of continuing wrong, a fresh period of limitation begins to run at every moment of the time during which the wrong continues."

Counsel for the appellant further argued that the matter of pay and pension is continues cause of action and is covered under section 23 of limitation Act and referred the following reported judgments.

(PLD, 1984 Lahore 491) (PLD 1983 Lahore 246) (PLC 1984 (CS) 261).


The learned counsel for the appellant submitted that in the instant case, the appellant has filed the instant appeal for counting of his previous service for pay protection, so the appeal of the appellant is regarding pay and pensionary benefits and come ambit of cause of action above, which is continue wrong and even at the time of pension of appellant i.e. supnation of 60 years age, appellant has got fresh cause of action, therefore, the appeal of the appellant is well within time.

In view of the above, the instant appeal is taken as not hit by limitation and is hereby accepted to the extent that the qualifying service already rendered by the appellant in Settlement Operation Manshara w.c.f. 03/05/2012 to 30/07/2015 be counted for pensionary benefits and grant pay protection to the appellant. No order as to costs.

File be consigned to record room after necessary completion.

Announced.  
11/04/2016

(3 pages)

*[Signature]*  
Commissioner  
Mardan  


No. 398  
Date of Application 06/11/17  
Name of Applicant  
Wards 1200 Fee 120  
Urgent Fee 20  
Sign of Copyist  
Date of Preparation 07/11/2017

ATTESTED  
*[Signature]*  
Examiner/Recorder to  
Commissioner Court  
Mardan Division Mardan  
07/11/2017

Dist. Govt. KP-Provincial  
District Accounts Office Manshra  
Monthly Salary Statement (December-2023)



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Personal Information of Mr OMAN d/w/s of MUHAMMAD SULEMAN

Personnel Number: 00532005

CNIC: 1350394538265

NTN:

Date of Birth: 14.01.1989

Entry into Govt. Service: 15.03.2010

Length of Service: 13 Years 09 Months 018 Days

Employment Category: Active Temporary

Designation: BEARER

80003169-DISTRICT GOVERNMENT KHYBE

DDO Code: MA6303-Deputy Commissioner Mansehra

Payroll Section: 001

GPF Section: 001

Cash Center:

GPF A/C No: 532005

GPF Interest applied

GPF Balance:

66,966.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 03

Pay Stage: 6

Wage type	Amount	Wage type	Amount
0001 Basic Pay	17,740.00	1001 House Rent Allowance 45%	2,120.00
1210 Convey Allowance 2005	1,785.00	1300 Medical Allowance	1,500.00
2311 Dress Allowance - 2021	1,000.00	2312 Washing Allowance 2021	1,000.00
2313 Integrated Allowance 2021	600.00	2341 Dispr. Red All 15% 2022KP	1,675.00
2347 Adhoc Rel Al 15% 22(PS17)	1,676.00	2378 Adhoc Relief All 2023 35%	6,006.00

Deductions - General

Wage type	Amount	Wage type	Amount
3003 GPF Subscription	-1,150.00	3501 Benevolent Fund	-600.00
4004 R. Benefits & Death Comp:	-300.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	84,000.00	-2,625.00	78,750.00

Deductions - Income Tax

Payable: 0.00 Recovered till DEC-2023: 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 35,102.00 Deductions: (Rs.): -4,675.00 Net Pay: (Rs.): 30,427.00

Payee Name: OMAN

Account Number: 4257-9

Bank Details: NATIONAL BANK OF PAKISTAN, 231907 NOGAZI BRANCH KASHMIR ROAD MANSEHRA NOGAZI BRANCH KASHMIR RD MANSE, MANSEHRA

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: MANSEHRA

Domicile: -

Housing Status: No Official

Temp. Address:

City:

Email: uman6175@gmail.com

System generated document in accordance with APPM 4.6.12.9(50399005/22.12.2023/3.0)

\* All amounts are in Pak Rupees

\* Errors & omissions excepted (SERVICES/31.12.2023/19:42:07)

# وکالت نامہ

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بعدالت جناب KPK سروس ٹریبونل پشاور کمپ کورٹ ایبٹ آباد

سیکرٹری ریونیو اینڈ اسٹیٹ ڈیپارٹمنٹ پشاور وغیرہ

بنام

عمان

سروس اپیل

اپیلانٹ

باعث تحریر آنکھ!

منجانب:

## عبدالصبور خان ایڈووکیٹ سپریم کورٹ آف پاکستان

اندریں مقدمہ عنوان بالا اپنی طرف سے برائے بیرونی وجوہ دی بمقام پشاور ہائی کورٹ

کو بدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رڈ و عدالت حاضر ہوتا ہوں گا اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پشاور کے علاوہ کسی اور جگہ پشوری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیرونی کرنے کے مجاز نہ ہونگے اگر مقدمہ مقام پشاور کے آگے یا پیچھے سماعت ہونے پر منظر کو کوئی نقصان پہنچے تو صاحب موصوف ذمہ دار نہ ہوں گے اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی، اپیل گمرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے کا، ہر قسم کا بیان دینے اور سپرد اثاثی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم اتقائی یا فیصلہ ڈگری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا بیگی علیحدہ فیس کرنے کا مجاز ہوگا۔ بصورت ضرورت بدوران مقدمہ یا اپیل و گمرانی کسی دوسرے وکیل یا ایڈووکیٹ کو بجائے خود یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو، پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی بیرونی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ مجھے کل ساختہ پر داختمثل ذات خود منظور و قبول ہوگا۔ لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

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Attested & Accepted

Abdul Saboor Khan

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