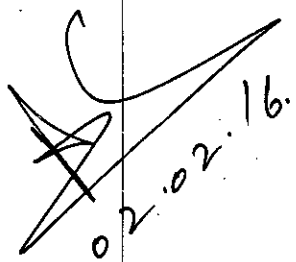


S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	02.02.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u></p> <p style="text-align: center;"><u>APPEAL NO.899/2012</u></p> <p style="text-align: center;"><u>(Muhammad Daud -vs-Executive Engineer Irrigation Division Dir Lower and others.)</u></p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:</u></p> <p>Appellant with counsel and Mr.Muhammad Zubair, Senior Govt. Pleader for respondents present. Respondents No. 1,2 and 4 have failed to submit written statement despite repeated opportunities including last opportunities and as such vide order dated 31.03.2015 no further chance was allowed to them for submission of written statement.</p> <p>2. Arguments of the learned counsel for the appellant and learned Sr. GP heard and record including para-wise comments submitted by respondent No.3 perused.</p> <p>3. Brief facts of the case of the appellant are that the appellant was appointed as Beldar (BPS-1) vide order dated 09.07.2011 on the basis of judgment of the august Peshawar High Court, Peshawar dated 02.11.2010 where after the appellant joined duty but was not paid the salary constraining him to prefer departmental appeal followed by the instant service appeal.</p> <p>4. Learned counsel for the appellant argued that the salary of the appellant is withheld despite the fact that the appellant is performing his duty till date. Learned Sr. GP argued that the services of the appellant have been terminated.</p>

  
02.02.16.

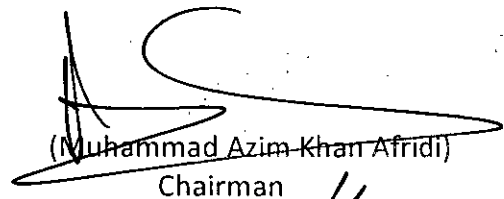
According to the stance taken by respondent No.3 in his para-wise comments no bill whatsoever pertaining to the salary of the appellant was ever submitted to his office.

5. According to material placed on record the appellant was appointed as Beldar (BPS-01) on the strength of the judgment of the august Peshawar High Court, Peshawar dated 02.11.2010 and a proper office order to this effect was issued bearing No. 1901-5/2-E dated 07.09.2011. The contesting respondents No.1,2 and 4 have opted not to avail the opportunity of submitting written statements despite repeated opportunities including last opportunities and we are, therefore, left with no option but to decide the appeal in hand on the basis of material available on the record which includes the appointment letter of the appellant and copy of his service book containing entries including his appointment as Beldar vide appointment order referred to above.

6. In the light of the above, the appeal in hand is accepted. The respondents are directed to release pay and other service benefits of the appellant in the prescribed manners within a period of 30 days from the date of receipt of copy of this judgment. Parties are, however, left to bear their own costs. File be consigned to the record room.



(Abdul Latif)  
Member




(Muhammad Azim Khan Afridi)

Chairman

02.02.16.

ANNOUNCED  
02.02.2016

7.10.2015 Appellant with counsel and Mr. Muhammad Zubair, Sr.GP for respondents present. Arguments could not be heard due to non-availability of D.B. To come up for final hearing on 02.2.2016 before D.B at Camp Court Swat.

  
Chairman  
Camp Court Swat

19 31.03.2015

Appellant in person and Addl: A.G for respondents present. Written reply not submitted by respondents despite numerous opportunities including two "last chances". No further opportunity can be extended to the respondents as such the appeal is assigned to D.B for final hearing for 2.6.2015 at Camp Court Swat as the appeal pertains to territorial limits of Malakand Division.

  
Chairman

20. 2.6.2015

Appellant with counsel and Mr. ~~Abdullah~~ ~~Abdullah~~-Haq, G.P for respondents present. Wakalat Nama submitted. The Court time is over. To come up for final hearing before D.B on 5.8.2015 at camp court Swat.


  
Member

  
Chairman  
Camp Court Swat

21

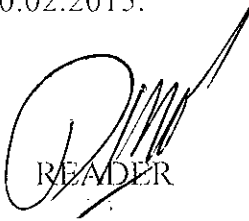
5.8.2015

Appellant with counsel and Mr. Muhammad Zubair, Sr.GP for respondents present. Due to non-availability of D.B, appeal adjourned to 7.10.2015 for final hearing before D.B at Camp Court Swat.

  
Chairman  
Camp Court Swat

19.12.2014

Appellant in person and Mr. Kabeerullah Khattak, Asstt. A.G for the respondents present. The Tribunal is incomplete. To come up for the same on 10.02.2015.

  
READER

17

10.02.2015

Appellant in person and Mr. Habib-ur-Rehman, SDO for respondents alongwith Assistant A.G present. Written reply not submitted.

Requested for adjournment. Last opportunity granted. Adjourned for

written reply before S.B to 6.3.2015.

  
Chairman

18

06.3.2015

Counsel for the appellant and Mr. Kabeerullah Khattak, Asstt. AG for the respondents present. The learned AAG requested for time to contact the respondents and further requested for adjournment to submit written reply. Request is accepted. Another last chance is given to the respondents. To come up for written reply on 31.03.2015 .

  
MEMBER

13-

28.4.2014

Appellant in person and AAG with Habibur Rahman, SDO for the respondents present and requested for further time. To come up for written reply positively on 22.5.2014.

MEMBER

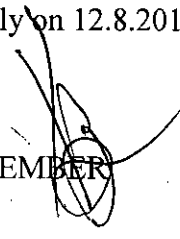


14-

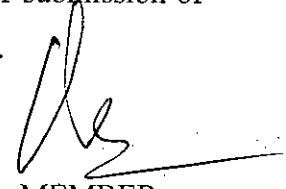
22.5.2014.

Appellant with counsel and Mr. Muhammad Jan, GP present. None is available on behalf of the respondents. Written reply has not been submitted despite of repeated adjournments, therefore, notices be issued to the respondents for submission of written reply on 12.8.2014, by way of last chance.

MEMBER



MEMBER

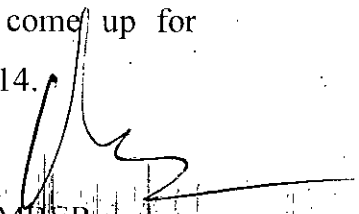


15-

12.08.2014

Appellant in person and AAG with Habibur Rahman, SDO and Muhammad Qasam, AAO for the respondents present and requested for further time. To come up for written reply by way of last chance on 05.11.2014.

MEMBER

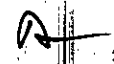


16-

5.11.2014.

Counsel for the appellant and Mr. Ziaullah, GP with Habibur Rahman, SDO and Mr. Muhammad Qasam, AAO for the respondents present. Written reply on behalf of respondent No. 3 received and copy handed over to counsel for the appellant. To come up for written reply of respondents No. 1, and 2 on 19.12.2014.

MEMBER



20.09.2013

Appellant in person and Mr. Usman Ghani, Sr GP present.

No one is present on behalf of the respondents. The learned GP is directed to contact the respondents for submission of written reply.

To come up for written reply on 20.11.2013.

Member

10- 20.11.2013

Appellant with counsel and Mr. Muhammad Adeel Butt, AAG with Sultan Ai, Clerk for the respondents present and requested for time. To come up for written reply by way of last chance on 9.1.2014.

MEMBER

MEMBER

11- 9.1.2014

Appellant present in person and Mr. Muhammad Jan, GP with Sultan Ali, SDA for respondents No. 1 to 3 present and requested for time. To come up for written reply positively on 13.3.2014.

MEMBER

12- 13.3.2014

Appellant with counsel and Mr. Usman Ghani, Sr.GP with Sultan Ali, SDA for all the respondents present and requested for time. To come up for written reply by way of last chance on 28.4.2014.

MEMBER

3.1.2013

Counsel for the appellant and AAG also present. Process fee and security has not been deposited. Counsel for the appellant submitted and application therein requested for further time to deposit the same. Allowed. Process fee and security be deposited within next two days. Notices be issued to the respondents. To come up for written reply on 28.2.2013.

  
MEMBER

  
MEMBER

28.02.2013.

No one is present on behalf of the appellant. Mr. Amanullah, SDO (Respondent No.4) in person and AAG for the respondents present. The respondents requested for time. To come up written reply on 07.05.2013.

  
MEMBER

  
MEMBER

07.05.2013

Appellant with counsel and Muhammad Jan, GP for official respondents present. Last time Mr. Amanullah, SDO(respondent No.4) was present. Today he is absent nor his written reply received, hence proceeded against ex-parte. The learned GP is directed to contact the official respondents for submission of written reply. To come up for written reply on 03.07.2013.

  
MEMBER

  
MEMBER

3.7.2013

Appellant in and Mr. Muhammad Jan, GP with Muhammad Aslam, Supdt. for official respondents present. The Tribunal is incomplete, therefore, case to come up for the same on 20.9.2013.

  
READER

*Appellant's counsel  
Muhammad Jan  
P.S. Dargah Bazar  
attached with file.*



Appeal No. 899/2012.

3. 5.10.2012

Counsel for the appellant present and submitted an application for impleadment of SDO Dir Irrigation Sub Division Dir Upper as respondent. The application is allowed and he is impleaded as Respondent No. 4. Counsel for the appellant heard. Contended that the appellant has not been treated in accordance with the law/rules. In pursuance to the decision of Hon'ble Peshawar High Court, the appellant was appointed as Beldar in the office of SDO Dir Irrigation Sub Division Dir Upper vide order dated 9.7.2011 and took over the charge of his post. He was medically examined and his Service Book was prepared. He was removed from service vide order dated 3.6.2010. After exhausting departmental remedy the appellant was re-instated in service by this Tribunal vide judgment dated 12.8.2011 with back benefits, with the direction to the department to hold denovo inquiry against the appellant. Counsel for the appellant further contended that no charge sheet/statement of allegations was issued to the appellant. No proper inquiry was conducted and the appellant has been condemned unheard. The appellant has been denied the benefits granted by the Tribunal. The appellant preferred a departmental appeal on 30.4.2012 but with no response. Hence, the instant appeal. Points raised need consideration. The appeal is admitted to regular hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Case adjourned to 31.10.2013 for submission of written reply.

  
Member


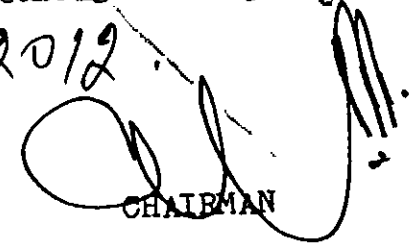
4. 5.10.2012

This case be put before the Final Bench II for further proceedings.

  
Member

Court of.....

Case No. 899/2012 of.....


Serial No. of Order or Proceedings 1	Date of Order or Proceedings 2	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary 3
1-	27/08/2012	The appeal of Mr. Muhammad Daud presented today by Mr. Inayatullah Rehman Adv. may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.  REGISTRAR
2-	3-9-2012	This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>5-10-2012</u> .  CHAIRMAN

The appeal of Mr. Muhammad Daud son of Mian Bakht-Jehan received today i.e. on 07/08/2012 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days:-

- 1- Copy of W.P. mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Appeal may be got signed by the appellant.
- 3- Annexures of the appeal may be attested.
- 4- One copy/set of the appeal alongwith annexures i.e. complete in all respect may also be submitted with the appeal.

NO. 879 /S.T,

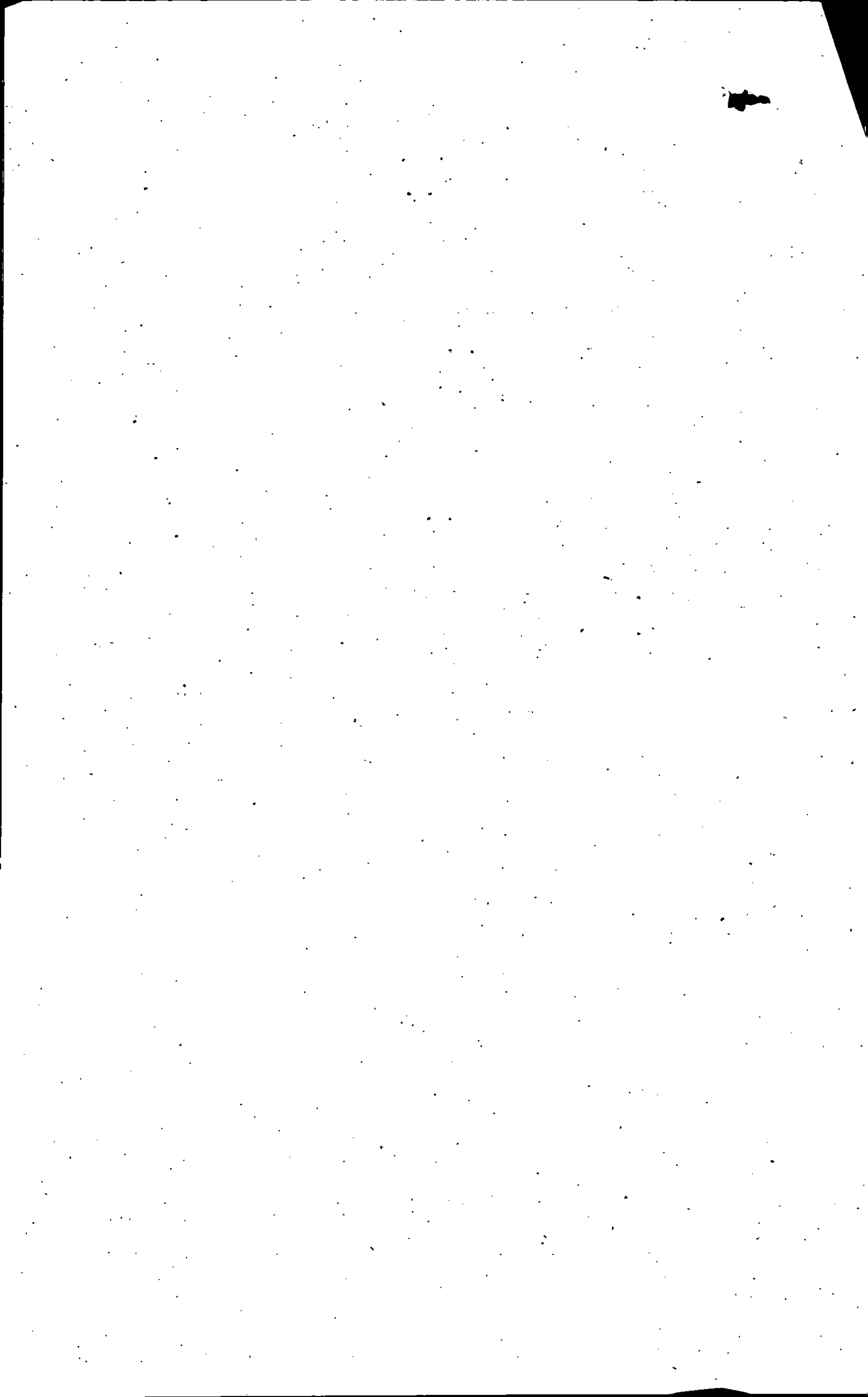
Dt. 07/08 /2012

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

MR. WAQAR AHMAD KHAN ADV. PESH.

Sir  
Copy of WP has already been annexed with the appeal as Page Annexure B the needful was done and the appeal is resubmitted.

  
17/8/2012



**BEFORE THE LEARNED SERVICES TRIBUNAL KPK**

**PESHAWAR**

Appeal No. 899/2012

Muhammad Daud

**VERSUS**

Executive Engineer Irrigation Division Dir Lower etc

**INDEX**

S. #	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE NO.
1.	Appeal	=	1-2
2.	Copies of Wirt Petition No.918/2009 and order dated 02/11/2010 and order of respondent No.1 dated 09/07/2011.	A, B, C	3-10
3.	Copies of Medical and service Book	D, E	11-13
4.	Copy of Departmental Appeal	F	14-15
5.	Wakalat Nama	=	16

**APPELLANT**

Through



Inayat-ur-Rehman

Advocate, Peshawar.

Cell: 0333-9857487

BEFORE THE LEARNED SERVICES TRIBUNAL KPK PESHAWAR.

Appeal No. 899/2012

Muhammad Daud S/O Mian Bakht Jan Village Katan Payen PO Darora District Dir Lower.

.....Appellant/ Petitioner

Versus

1. Executive Engineer Irrigation Division Dir Lower
2. Superintending Engineer (SE) Irrigation Circle Swat.
3. DAO Dir Timergara.
4. SDO Dir sub Division Dir Upper.

*Handwritten notes:*  
A.W.P. Provision  
No. 882  
Date 07-8-12

.....Respondents

APPEAL UNDER SECTION 4 OF THE NWFP CIVIL SERVANTS ACT, 1973 AGAINST NON PAYMENT OF SALARY TO THE APPELLANT.

Respectfully Sheweth;

1. That in pursuance to decision in W.P. No. 918/2009 of the Hon'ble Peshawar High Court, the appellant was appointed as Beldar in BPS-1 in the office of Sub Divisional Officer Dir Irrigation Sub Division Dir Upper by respondent No. 1 vide his order No. 190-5/2-E dated 09-07-2011.

(Copies of W.P. No. 918/2009 and order dated 02-11-2010 in the [redacted] W.P. and order of respondent No. 1 dated 09-07-2011 are Annexed herewith as Annexure A, B and C).

2. That thereafter medical of the appellant was also undertaken and service book prepared.

(Copies of medical and service book are annexed as Annexure D & E).

*Handwritten notes on left margin:*  
No pleadments  
recd dt: 1/04  
order sheet  
No. 3, dt: 5/10/2012.  
Ex parte  
7-5-13  
No further  
opportunity  
31/3/15

*Handwritten notes:*  
7/8/12

*Handwritten notes:*  
co-submitted to  
and filed.  
27/8/12

3. That despite due appointment of the appellant and performance of his duties regularly, respondents are not releasing his salary despite the fact that the appellant is entitled to the same.
4. That feeling aggrieved from the illegal and malafide act of the respondent No. 1 for not releasing the salary of the appellant, he filed a departmental appeal before respondents No. 2 on 25-04-2012 but no order was made on the same till date. (Copy of departmental appeal dated 25-04-2012 is annexed as Annexure F).
5. That the appellant is entitled to payment of salary and other service benefits and denial of the same by the respondents is illegal, irregular, malafide and ineffective upon the rights of the appellant.

**It is therefore, most humbly prayed that on acceptance of this appeal, respondents may kindly be directed to release salary of the appellant alongwith all other service benefits w.e.f. 08-09-2011. He may also be paid all the arrears of salary and other benefits immediately.**

محمد داؤد

**Appellant**

Through

**Wiqar Ahmad Khan**

**&**

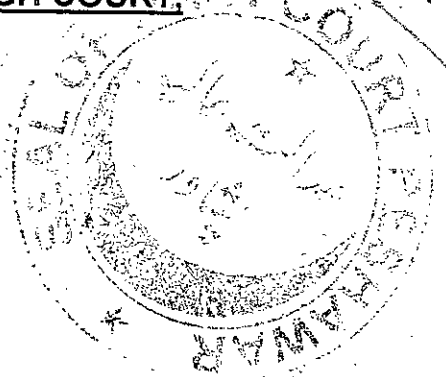
**Inayat ur Rehman**  
Advocates, High Court,  
Peshawar.

Dated. 26-07-2012

1

Am. A

**BEFORE THE HON'ABLE PESHAWAR HIGH COURT,**  
**PESHAWAR**



W.P.No. 918 /2009

1. Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper.
2. Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower.....Petitioners.

**Versus**

1. Executive Engineer Swat irrigation Division Gulkada, Saidu Sharif, Swat.
2. Superintending Engineer, Malakand irrigation Circle Swat.
3. Shah Jehan S/O Muhammad Akbar village Tormong District Dir Lower(Beldar)
4. Abdul Ghaffar S/O Fazal Rehman village Chakdara Mandi, Tehsil Adanzai, District Dir Lower

.....Respondents

**WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973.**

=====

**Respectfully Sheweth:**

**On Facts.**

1. That irrigation Division Saidu Sharif Swat advertised vacancies for Class-IV in the irrigation Division Swat,

FILED

Deputy Registrar 1.  
16 APR 2009

ATTEST  
EXAMINER  
PESHAWAR HIGH COURT



②

13

through a publication in the news paper (Copy of the publication is annexed herewith as annexure "A").

2. That in the said publication criteria for recruitment was also laid down. According to the said criteria the employee's sons and the people residing in proximity were given preference.
3. That the petitioners fulfilling the required criteria applied for the said post, well within time as per the prescribed directions. Petitioner No. 1 applied for the post of "Beldar" while petitioner No.2 for the post of "Chowkidar". (Copies of the applications are annexure B & C).
4. That despite fulfilling all the required qualifications, the petitioners were dropped and respondent No.3 and 4 were taken on the post of "Beldar" and "Chowkidar" respectively by the respondent No.1, vide order dated 06-12-2008. (Order of the appointment of respondent No.4 is annexed herewith as annexure "D" while pay slip of the respondent No.4 is annexed as annexure "E". Appointment order of respondent No.3 could not be procured due to the refusal of respondent No.1 & 2).
5. That these are not the only instances of illegal and irregular appointments but there are numerous other cases where the prescribed criteria for recruitment have completely been side lined and ignored.

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Deputy Registrar  
16 APR 2009  
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ATTESTED  
EXAMINER  
Peshawar High Court

6. That feeling aggrieved from the order of respondent No.1 dated 06-12-2008, the petitioner is filing the instant constitutional petition on the following ground inter alia.

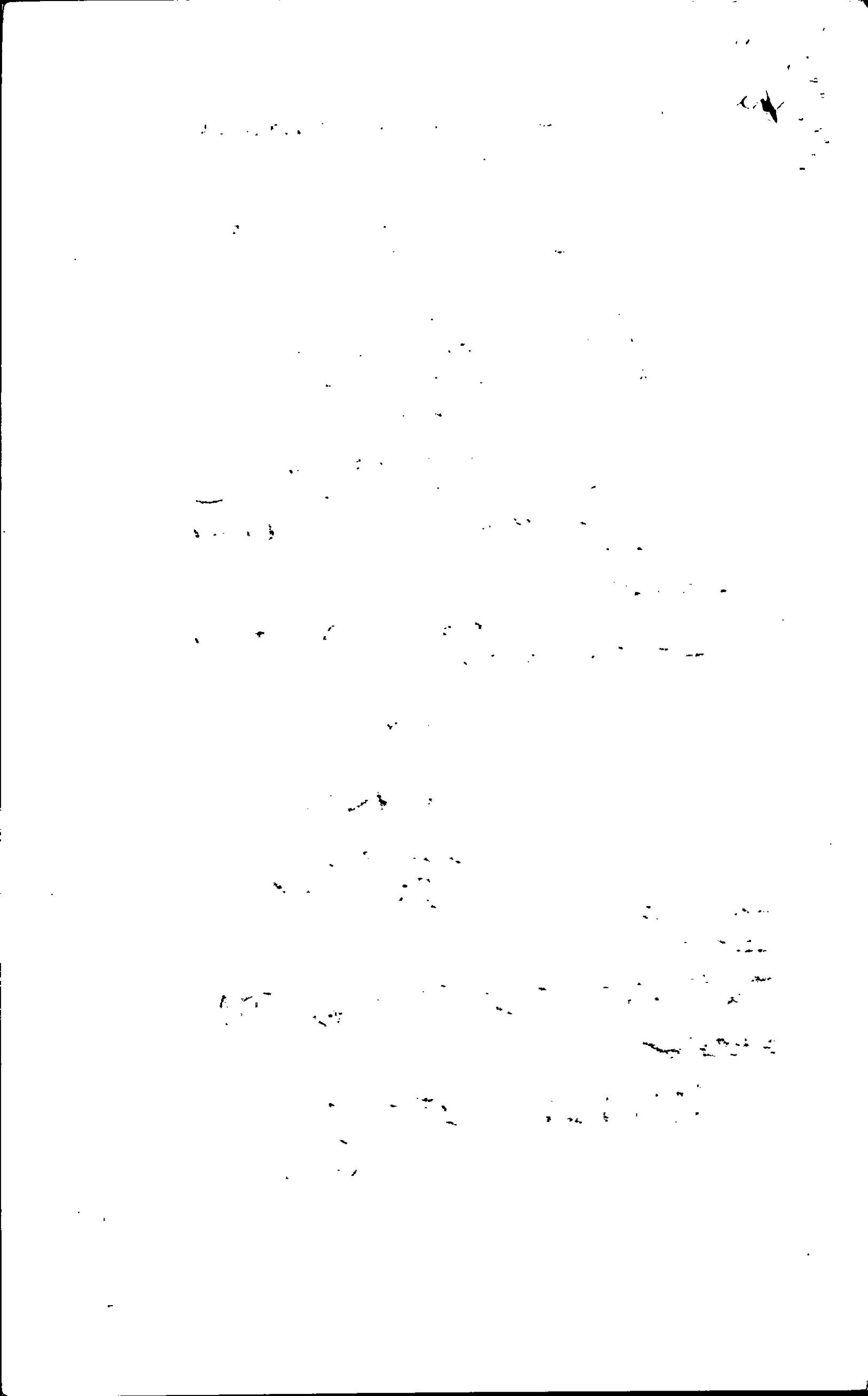
Grounds

1. That the order of the respondent No. 1 is wrong, illegal and without lawful authority, hence liable to be set aside.
2. That the order of the respondent No.1 is against the laid down criteria for the recruitment of the vacancies.
3. That respondent No. 3 was appointed and adjusted on the place of petitioner No. 1 despite the fact that petitioner fulfills the criteria of employee son, as his father Namely Mian Bakht Jehan, is a retired employee of the irrigation department. While respondent No. 3 does not fall in the said criteria. Furthermore, respondent No.3 was appointed on the post of "Beldar" at irrigation Scheme Nehr Gandagar Dir Upper, despite the fact that he is the resident of Dir Lower while petitioner No. 1 is the resident of Dir Upper. In the light of the above facts petitioner No. 1 had preference over the respondent No. 3.
4. That similarly respondent No. 4 was employed as Tube-well "Chowkidar" at Nasafa Talash while ignoring the fact that the said Tube-well is located between the houses of the petitioner No.2 and even the property for installation of the said tube well was given by the petitioner No. 2. In this respect the prescribed criteria of proximity has altogether been ignored and side lined. It is also worth mentioning

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Deputy Registrar  
16 APR 2009

ATTESTED  
EXAMINER  
Peshawar High Court



4

that the grandfather of petitioner No. 2 was also a retired employee of the irrigation department.

5. That the order of the respondent No.1 is also politically motivated and is against the merits.
6. That it is also worth mentioning that due to this irregular recruitments by sidelining the criteria of proximity, the respondent No. 3 and 4 are not performing their duties and are getting their salaries without any duty.

It is therefore, most humbly prayed that on acceptance of this petition, order i.e. 06-12-2008 of respondent No. 1 may kindly be set aside and he be directed to appoint petitioners on the said posts.

**Interim Relief:**

Suspension of order dated 06.12.2008 till the final disposal of instant Writ Petition.

*Waqar Ahmad Khan*

Petitioners

Through

&

*Waqar Ahmad Khan*

*O. B. R.*  
Inayat ur Rehman,  
Advocates, High Court,  
Peshawar.

Dated 16-04-2009.

**Certificate:**

Certified that no such like writ petition has earlier been filed by the petitioners before this Honorable Court as per instructions of my clients.

**List of Books**

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Any other law book as per need.

*O. B. R.*  
Advocate

ATTESTED

EXAMINER  
Peshawar High Court

2009  
16/04/2009  
Registrar  
16/04/2009  
✓

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16

**BEFORE THE HON'ABLE PESHAWAR HIGH COURT,  
PESHAWAR**

Writ Petition No. 918 /2009.

Muhammad Dawood & another..... Petitioners

**Versus**

Executive Engineer Swat irrigation Division Gulkada,  
Saidu Sharif, Swat & others..... Respondents

**AFFIDAVIT**

I, Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper and Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower, do hereby solemnly affirm and declare on oath that the contents of the accompanying Writ Petition are true and correct to best of knowledge and belief and that nothing has been concealed or kept secret from this Hon'ble Court.

*Sekhan 32228*

**DEPONENT**

Identified by:

*NIC 15701-1241573-1*

**Waqar Ahmad Khan,**  
Advocate, Peshawar.

No:..... <i>6295</i> .....
Certified that the above was verified on solemnly affirmation before me in office, this <i>16th</i> day of <i>April</i> ..... 2009 by <i>Muhammad Dawood</i> s/o <i>Mian Bakht Jehan</i> D.I.T. <i>U.P. Dir</i> ..... who was identified by <i>Waqar Ahmad Khan</i> who is personally known to me: <i>Advocate</i>
Oath Commissioner Peshawar High Court, Peshawar

FILED TODAY

Deputy Registrar

16 APR 2009

**ATTESTED**

*[Signature]*



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17

**BEFORE THE HON'ABLE PESHAWAR HIGH COURT, ESHAWAR**

Writ Petition No. 918/2009.

Muhammad Dawood and another..... Petitioners

Versus

Executive Engineer and others..... Respondents

**ADDRESSES OF THE PARTIES**

**PETITIONERS**

1. Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper.
2. Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower

**RESPONDENTS**

1. Executive Engineer Swat irrigation Division Gulkada, Saidu Sharif, Swat.
2. Superintending Engineer, Malakand irrigation Circle Swat.
3. Shah Jehan S/O Muhammad Akbar village Tormong District Dir Lower(Beldar)
4. Abdul Ghaffar S/O Fazal Rehman village Chakdara Mandi, Tehsil Adanzai, District Dir Lower

*Sh. Waqar Ahmad Khan*

Petitioners

Through

*Waqar Ahmad Khan*

&

*Inayat ur Rehman,*  
Advocates, High Court,  
Peshawar.

FILED  
16 APR 2009  
✓

Dated 16-04-2009

ATTESTED

EXAMINER  
Peshawar High Court

Jun - B

PESHAWAR HIGH COURT, PESHAWAR.ORDER SHEET

ST

Date of Order or Proceedings.	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary.
1	2
2.11.2010	<p><b><u>W.P NO-918/2009 with I.R.</u></b></p> <p><b><u>Present:</u></b> Mr. Waqar Ahmad Khan, Advocate, alongwith petitioner Muhammad Daud.</p> <p>Mr. Lal Jan Khattak, AAG, alongwith Syed Muhammad Younas, SDO, Irrigation Department, Swat.</p> <p style="text-align: center;">****</p> <p><b><u>LIAQAT ALI SHAH, J.</u></b> The SDO namely Syed Muhammad Younas states that one of the petitioner namely Taimoor Khan has been appointed whereas the petitioner No.1 namely Muhammad Daud son of Mian Bakht Jehan will be appointed on or before June, 2011, as according to the said officer by then his turn for appointment would have come, as at present he is at serial No.30 whereas appointments till serial No.25 <sup>have</sup> has already been made.</p> <p>In view of the categorical statement given by the said officer the learned counsel for petitioner does not press the instant petition. We would, however, like to make it clear for the said officer that the writ petition is being not pressed in view of his statement given today to the court which is to be honoured.</p> <p>This petition stands disposed of accordingly.</p> <p>sdt- Liaqat Ali Shah - J</p> <p>sdt- syed Sajjal Hassan Shah - J</p> <p style="text-align: center;">CERTIFIED TO BE TRUE COPY</p>

PL Issue  
 Addl Registrar  
 5/11

CERTIFIED TO BE TRUE COPY

Examiner  
 Peshawar High Court Peshawar  
 Authorised Under Section 75 Acts Order

9-12-10



No. 7624  
Date of Presentation of Application 2-12-10  
No of Pages 7 Pages  
Copying Fee \_\_\_\_\_  
Urgent Fee \_\_\_\_\_  
Total 10.50  
Date of Preparation of Copy 9-12-10  
Date of Delivery of Copy 9-12-10  
Received By J. O. [Signature]

*[Faint handwritten notes and scribbles at the bottom of the page]*

*Ann*

No. 1901-5  
To

12-E,

Dated 07/09/2011.

Mr. Muhammad Dawood;  
S/O Mr. Main Bakht Jan Village Katan Payeen,  
P/O Darora District Dir Lower.

Subject: APPOINTMENT AS BELDAR IN GANDIGAR SECTION (BPS-01).

Consequent upon Court decision of Peshawar High Court Peshawar dated 2-11-2010, you are offered a post of Beldar (BPS-01)4800-150-9330/- purely on temporarily basis against the vacant post under the initial recruitment in Dir Irrigation Division Dir Lower.

If you accept the post on the following terms and conditions, you should report for duty to the Sub Divisional Officer Dir Irrigation Sub Division Dir Upper as soon as possible for further posting.

- Your appointment is purely on temporarily basis according to the Govt. of Khyber Pakhtunkhwa, policy/instructions and services can be terminated at 2 months notice at any time without any reasons being assigned, irrespective of the facts that you are holding a post other than one on which you were originally appointed or on payment of 2 months pay in lieu of the notice.
- Your service would be on probation for a period of 6 months and would be strictly monitored by the Engineer in charge.
- You will have to produce a Medical Certificate of fitness, Domicile Certificate, Character Certificate & Blank Service Book while reporting for duty to the stated office.
- You will have to serve any where in the jurisdiction of Dir Irrigation Division Dir Lower.
- In case if any un-warranted/non-solution situation arises, which affect your appointment the Department will not be responsible for any claim.
- You shall join your duty on your own expenses.
- Deductions from the salary on account of benevolent fund @ 5% of the minimum of the pay on account of Contributory provident Fund will be made.
- As per Government rules and being temporarily employee, you will not to contribute G.P. Fund and will not be entitled to pension & gratuity benefits.
- This offer is valid up to 15 days from the date of issue.

*sd*  
Executive Engineer,  
Dir Irrigation Division,  
Dir Lower.

Copy to:-

1. Superintending Engineer, Swat Irrigation Circle Swat with reference to his letter No.2112/36-M, dt: 18/8/2011 for information please.
2. Executive Engineer Swat Irrigation Division Gulkada Saidu Sharif with reference to his letter No. 1123/W/Court Cases/47-M, dt: 07/07/2011 for information please.
3. Sub Divisional Officer, Dir Irrigation Sub Division Dir Upper for information and necessary action. He should strictly monitor the duties of the official during the probation period.
4. District Accounts Officer Dir Timergara, for information and necessary action.
5. Divisional Accounts Officer (Local).
6. District Accounts Officer Swat Saidu Sharif, for information and necessary action.
- 7.

*Attest*  
*W*  
Executive Engineer,  
Dir Irrigation Division,  
Dir Lower.

# MEDICAL CERTIFICATE

*Dr. D*

Name of official Mr. Mohammad Dawood

Caste or race Muslim

Father's name Mr. Kiam Bakht Said

Residence Village Katten P.O. Barora Tehsil Dir District Dir upper.

Date of birth 6/4/1981

Exact height by measurement 5'-6"

Personal mark of identification Small mark on Rt side face

Signature of the official *[Signature]*

Signature of head of office \_\_\_\_\_

**Executive Engineer**  
Dir Irrigation Division  
Timargara

Seal of office \_\_\_\_\_

I do hereby certify that I have examined Mr. Mohammad Dawood a candidate for employment in the Office of the Irrigation Department and cannot discover that he had any disease communicable or other constitutional affection or bodily infirmity except Nil

I do not consider this as disqualification for employment in the office of the Irrigation

His age according to his own statement 30 year and by appearance about Thirty years

*[Signature]*  
MEDICAL SUPERINTENDENT,

CIVIL HOSPITAL Medical Superintendent  
D.H.Q. Hospital Timargara  
Dir (Lower)



LEFT HAND THUMB AND FINGER IMPRESSIONS

Dated 9/9/2011.

*[Signature]*  
Advocate

3. A.M.E.

Note: The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

1. Name: MUHAMMAD DAWOOD

2. Race Muslim

3. Residence Village Caton Ghat Kay Katon  
Payean P/O Daxosa Tehsil Dir

4. Father's name and residence Maim Bakht Said - d

5. Date of birth by Christian era as nearly as can be ascertained 06-04-1981

6. Exact height by measurement 5-6"

7. Personal marks for identification Mole on R.L. Side face

8. Left hand thumb and Finger impression of (Non-Gazetted) Officer.

Little Finger



Ring Finger



Middle Finger



Fore Finger



Thumb



9. Signature of Government Servant [Signature]

10. Signature and Designation of the Head of the Office, or other attesting Officer. [Signature]

A.T.C  
O.P.R  
Adwolet

Executive Engineer  
Dir Irrigation Division  
Timargara

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether Permanent or temporary	If Officiating state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive Post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant

BPS-01(4800-150-9300/-

Beldax

4800/-

9-9-2011

29/12/11

Executive Director  
 Division of...

8 Signature of Government Servant	9 Signature and position of the head of office or other attesting officer in case of classes 1 to 8	10 Date of termination of appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Nature and duration of leave taken	'Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government' Period Government to which debitible		
					<p style="text-align: center;">Appointed as Beldax          vide Executive Engineer Six          Irrigation Division D. Y. Choway          No. 1301-5/2-E, date 07/09/201</p>			

05/12/20

*[Signature]*  
 Executive Engineer  
 Irrigation Division  
 Timergara

*[Signature]*  
 Executive Engineer  
 Irrigation Division  
 Timergara

*[Signature]*  
*[Signature]*  
*[Signature]*

کھو جتا ہے سپرنٹنڈنٹ انچارج سروسز سیکرٹریٹ ڈویژن گل کدہ  
تیسرے ایریکشن ڈویژن حیر بالا کو بائیں

منہا عالی

تدارت حقہ سائیل عدالت عالیہ پشاور کی کورٹ کے  
حکم کے مطابق سینی زرد اہان بیلدار کے خالی اسمی پر ایپلینٹ  
سن کوئٹہ میں دوران 9/7 کو بھرتی ہوا۔ سائیل دوران 7/9  
2011 سے ناہال اینڈ فرالٹن انجام دیا ہے۔ سائیل کو ناہال تنخواہ  
پس دیا گیا جو کہ سائیل کے ساتھ رقم اس پر ظلم ہے

سائیل نے کہا جو لوگ بھرتی ہوئے ہیں انکو بروقت تنخواہیں  
ملنے ہیں۔ لیکن سائیل کے ساتھ اسکا یہ ظلم ہوا ہے کہ  
سائیل نے اپنے حق کے لئے عدالت عالیہ کا دروازہ کھٹکا مانتا۔  
بذریعہ درخواست پنا آد صاحبان سے التجا ہے کہ سائیل کی  
حال کا اہم فرما کر سائیل کو تنخواہ دی دی جائے اور بھانگ نہ کیا جائے  
اور سائیل کو دوبارہ عدالت جانے پر مجبور نہ کیا جائے

Rept  
25/4/12

محمد داؤد  
محمد داؤد بیلدار سپرنٹنڈنٹ ایچ. اے. اے.  
25-4-2012  
Advocate

25

خدمت جناب SDO صاحب ایمریشن سب ڈویژن دیر

حاضری رپورٹ

جناب عالی!  
مردبانہ گزارش بجائے آپ صاحبان

کے صحیح نمبر 7/9/2011 dt: 5/2-4-1901 No.

کے مطابق میں ڈیوٹی کیلئے حاضری خدمت ہوں

آداب  
محمد داؤد  
Date 08/09/2011

الحاضر: محمد داؤد بیلدار، سندھیا، سلیم دیر بان

SDO Director  
For action

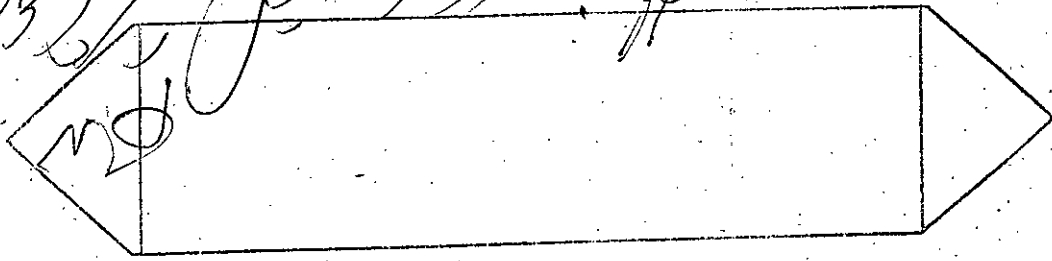
S.D.O

C.P.R  
Advocate

8/9/11



بعد ازاں جو اس پروگرام کی سرکاری کاپی



2 منتخب

مورخہ  
مقدمہ  
دعویٰ  
جرم

سرور کا رد

یہ تمام  
رہنما کے لئے ہے

### بحث خیر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے بیروی و جواب دہی کل کارروائی متعلقہ  
 آن مقام کے لئے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور اصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
 نیز دائر کرنے اپیل نگرانی و نظرتابی و بیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
 کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مشاور قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
 ہوگا۔ اور صاحب مقرر شدہ کو کسی بھی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ  
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جہاں التوا ہو مقدمہ کے ایک سے وہ ہوگا۔  
 کوئی تاریخ پیشی مقام دور پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ وہ بیروی  
 مذکور کریں۔ لہذا اوقات نامہ گھنٹہ یا کہ سندرجہ

الرقوم 2 ماہ اکتوبر 2012

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Before the learned Service Tribunal KPK  
Peshawar.

Muhammad Daul vs Executive Engineer  
Irrigation.

Application for Impleadment  
of SDO Dir Irrigation Sub  
Division Dir upper on the Panel  
of Respondents.

Respectfully sheweth,

- 1- That the above captioned appeal is pending adjudication before this Hon'ble Tribunal and is fixed for today, i.e. 05-10-2012.
- 2- That SDO Dir Irrigation Sub Division Dir upper is a necessary party to the instant appeal as the appellant had submitted his charge report in his office.

Appellant:-

Stated on oath that the contents of this application are true and correct.

Appellant.



It is therefore humbly prayed that on acceptance of this application, SDO Irrigation, Sub Division Dir upper may kindly be impleaded on the Panel of Respondents.

Through Appellant

Wiqar Ahmad Khan  
Advocate.

Dated 05-10-2012

BEFORE THE LEARNED SERVICES TRIBUNAL KPK

PESHAWAR

*For respondent  
No. 4.*

Muhammad Daud

**VERSUS**

Executive Engineer Irrigation Division Dir Lower etc

INDEX

S. #	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE NO.
1.	Appeal	=	1-2
2.	Copies of Wirt Petition No.918/2009 and order dated 02/11/2010 and order of respondent No.1 dated 09/07/2011.	A, B, C	3-10
3.	Copies of Medical and service Book	D, E	11-13
4.	Copy of Departmental Appeal	F	14-15
5.	Wakalat Nama	=	16

**APPELLANT**

*Through*

Inayat-ur-Rehman

Advocate, Peshawar.

Cell: 0333-9857487

BEFORE THE LEARNED SERVICES TRIBUNAL KPK PESHAWAR.

Muhammad Daud S/O Mian Bakht Jan Village Katan Payen PO Darora District Dir Lower.

.....Appellant/ Petitioner

Versus

1. Executive Engineer Irrigation Division Dir Lower
2. Superintending Engineer (SE) Irrigation Circle Swat.
3. DAO Dir Timergara.

4. SDO, Dir sub-Division Dir Upper. .... Respondents

APPEAL UNDER SECTION 4 OF THE NWFP CIVIL SERVANTS ACT,

1973 AGAINST NON PAYMENT OF SALARY TO THE APPELLANT.

Respectfully Sheweth;

1. That in pursuance to decision in W.P. No. 918/2009 of the Hon'ble Peshawar High Court, the appellant was appointed as Beldar in BPS-1 in the office of Sub Divisional Officer Dir Irrigation Sub Division Dir Upper by respondent No. 1 vide his order No. 190-5/2-E dated 09-07-2011.

(Copies of W.P. No. 918/2009 and order dated 02-11-2010 in the W.P. and order of respondent No. 1 dated 09-07-2011 are Annexed herewith as Annexure A, B and C).

2. That thereafter medical of the appellant was also undertaken and service book prepared.

(Copies of medical and service book are annexed as Annexure D & E).

*Amplified  
interest  
respects  
No. 4.  
order  
sheet  
No. 3 dated 5/10/2012.*

3. That despite due appointment of the appellant and performance of his duties regularly, respondents are not releasing his salary despite the fact that the appellant is entitled to the same.
4. That feeling aggrieved from the illegal and malafide act of the respondent No. 1 for not releasing the salary of the appellant, he filed a departmental appeal before respondents No. 2 on 25-04-2012 but no order was made on the same till date. (Copy of departmental appeal dated 25-04-2012 is annexed as Annexure F).
5. That the appellant is entitled to payment of salary and other service benefits and denial of the same by the respondents is illegal, irregular, malafide and ineffective upon the rights of the appellant.

It is therefore, most humbly prayed that on acceptance of this appeal, respondents may kindly be directed to release salary of the appellant alongwith all other service benefits w.e.f. 08-09-2011. He may also be paid all the arrears of salary and other benefits immediately.

Appellant

Through

Wiqar Ahmad Khan

&

Inayat ur Rehman  
Advocates, High Court,  
Peshawar.

Dated. 26-07-2012

New

BEFORE THE HON'ABLE PESHAWAR HIGH COURT.  
PESHAWAR

W.P.No. 918 /2009

1. Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper.
2. Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower.....Petitioners

Versus

1. Executive Engineer Swat irrigation Division Gulkada, Saidu Sharif, Swat.
2. Superintending Engineer, Malakand irrigation Circle Swat.
3. Shah Jehan S/O Muhammad Akbar, village Tormong District Dir Lower(Beldar)
4. Abdul Ghaffar S/O Faza! Rehman village Chakdara Mandi, Tehsil Adanzai, District Dir Lower

..... Respondents

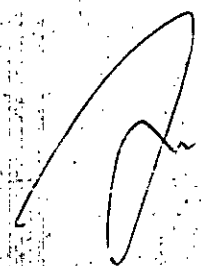
WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973.

=====

Respectfully Sheweth:

On Facts.

1. That irrigation Division Saidu Sharif Swat advertised vacancies for Class-IV in the irrigation Division Swat,



FILED

District Registrar  
16 APR 2009

through a publication in the news paper (Copy of the publication is annexed herewith as annexure "A").

2. That in the said publication criteria for recruitment was also laid down. According to the said criteria the employee's sons and the people residing in proximity were given preference.
3. That the declarants fulfilling the required criteria applied for the said post, well within time as per the prescribed directions. Petitioner No. 1 applied for the post of "Beldar" while petitioner No.2 for the post of "Chowkidar". (Copies of the applications are annexure B & C).
4. That despite fulfilling all the required qualifications, the petitioners were dropped and respondent No.3 and 4 were taken on the post of "Beldar" and "Chowkidar" respectively by the respondent No.1, vide order dated 06-12-2008. (Order of the appointment of respondent No.4 is annexed herewith as annexure "D" while pay slip of the respondent No.4 is annexed as annexure "E". Appointment order of respondent No.3 could not be procured due to the refusal of respondent No.1 & 2).
5. That these are not the only instances of illegal and irregular appointments but there are numerous other cases where the prescribed criteria for recruitment have completely been sidelined and ignored.

ATTESTED  
EXAMINER  
Peshawar High Court

6. That feeling aggrieved from the order of respondent No.1 dated 06-12-2008, the petitioner is filing the instant constitutional petition on the following ground inter alia.

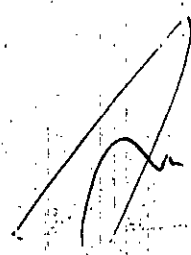
Grounds

1. That the order of the respondent No. 1 is wrong, illegal and without lawful authority, hence liable to be set aside.
2. That the order of the respondent No.1 is against the laid down criteria for the recruitment of the vacancies.
3. That respondent No. 3 was appointed and adjusted on the place of petitioner No. 1 despite the fact that petitioner fulfills the criteria of employee son, as his father Namely Mian Bakht Jehan, is a retired employee of the irrigation department. While respondent No. 3 does not fall in the said criteria. Furthermore, respondent No.3 was appointed on the post of "Beldar" at irrigation Scheme Nehr Gandagar Dir Upper, despite the fact that he is the resident of Dir Lower while petitioner No. 1 is the resident of Dir Upper. In the light of the above facts petitioner No. 1 had preference over the respondent No. 3.
4. That similarly respondent No. 4 was employed as Tube-well "Chowkidar" at Nasafa Talash while ignoring the fact that the said Tube-well is located between the houses of the petitioner No.2 and even the property for installation of the said tube well was given by the petitioner No. 2. In this respect the prescribed criteria of proximity has altogether been ignored and side lined. It is also worth mentioning

FILED BY

Deputy Registrar

16 APR 2009





that the grandfather of petitioner No. 2 was also a retired employee of the irrigation department.

5. That the order of the respondent No.1 is also politically motivated and is against the merits.
6. That it is also worth mentioning that due to this irregular recruitments by sidelining the criteria of proximity, the respondent No. 3 and 4 are not performing their duties and are getting their salaries without any duty.

It is therefore, most humbly prayed that on acceptance of this petition, order i.e. 06-12-2008 of respondent No. 1 may kindly be set aside and he be directed to appoint petitioners on the said posts.

**Interim Relief:**

Suspension of order dated 06.12.2008 till the final disposal of instant Writ Petition

Petitioners

Through

&

Waqar Ahmad Khan

Inayat ur Rehman,  
Advocates, High Court,  
Peshawar.

Dated 16-04-2009

**Certificate:**

Certified that no such like writ petition has earlier been filed by the petitioners before this Honorable Court as per instructions of my clients.

**List of Books**

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Any other law book as per need.

Advocate

ATTESTED  
EXAMINER  
Peshawar High Court

BEFORE THE HON'ABLE PESHAWAR HIGH COURT.  
PESHAWAR

Writ Petition No. 918 /2009.

Muhammad Dawood & another ..... Petitioners

Versus

Executive Engineer Swat irrigation Division Gulkada,  
Saidu Sharif, Swat & others ..... Respondents

AFFIDAVIT

I, Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper and. Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower, do hereby solemnly affirm and declare on oath that the contents of the accompanying Writ Petition are true and correct to best of knowledge and belief and that nothing has been concealed or kept secret from this Hon'ble Court.

DEPONENT

Identified by:

Waqar Ahmad Khan,  
Advocate, Peshawar.

*NC 15/01-12915/09-1*

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FILED  
16 APR 2009

BEFORE THE HON'ABLE PESHAWAR HIGH COURT, ESHAWAR

Writ Petition No. 918/2009.

Muhammad Dawood and another..... Petitioners

Versus

Executive Engineer and others..... Respondents

ADDRESSES OF THE PARTIES

PETITIONERS

1. Muhammad Dawood S/O Mian Bakht Jehan R/O Cotton Payan Tehsil and District Dir, Upper.
2. Taimur Khan S/O Qamar Zaman R/O Nasafa Talash Tehsil Timergara District Dir Lower

RESPONDENTS

1. Executive Engineer Swat irrigation Division Gulkada, Saidu Sharif, Swat.
2. Superintending Engineer, Malakand irrigation Circle Swat.
3. Shah -Jehan S/O Muhammad Akbar village Tormong District Dir Lower(Beldar)
4. Abdul Ghaffar S/O Fazal Rehman village Chakdara Mandi, Tehsil Adanzai, District Dir Lower

Petitioners

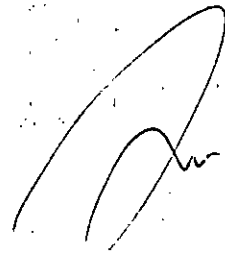
Through

Waqar Ahmad Khan

&

Inayat ur Rehman,  
Advocates, High Court,  
Peshawar.

Dated 16-04-2009



Jun 25

PESHAWAR HIGH COURT, PESHAWAR.ORDER SHEET

Date of Order or Proceedings.	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary.
2.11.2010	<p><u>W.P NO-918/2009 with I.R.</u></p> <p><u>Present:</u> Mr. Waqar Ahmad Khan, Advocate, alongwith petitioner Muhammad Daud.</p> <p>Mr. Lal Jan Khattak, AAG, alongwith Syed Muhammad Younas, SDO, Irrigation Department, Swat.</p> <p style="text-align: center;">****</p> <p><u>LIAQAT ALI SHAH, J.</u> The SDO namely Syed Muhammad Younas states that one of the petitioner namely Taimoor Khan has been appointed whereas the petitioner No.1 namely Muhammad Daud son of Mian Bakht Jehan will be appointed on or before June, 2011, as according to the said officer by then his turn for appointment would have come, as at present he is at serial No.30 whereas appointments till serial No.25 <sup>have</sup> has already been made.</p> <p>In view of the categorical statement given by the said officer the learned counsel for petitioner does not press the instant petition. We would, however, like to make it clear for the said officer that the writ petition is being not pressed in view of his statement given today to the court which is to be honoured.</p> <p>This petition stands disposed of accordingly.</p> <p>sdt- Liaqat Ali Shah J sdt- syed syed Muhammad Shah J</p> <p style="text-align: center;">CERTIFIED TO BE TRUE COPY</p>

PC

Adil C. Khan  
6/11

Before the Honourable Service Tribunal *replied* *Public*

Muhammad dard vs Executive Engineer and  
others.

Application for extension of time  
for deposit of security amount

Respectfully sheweth;

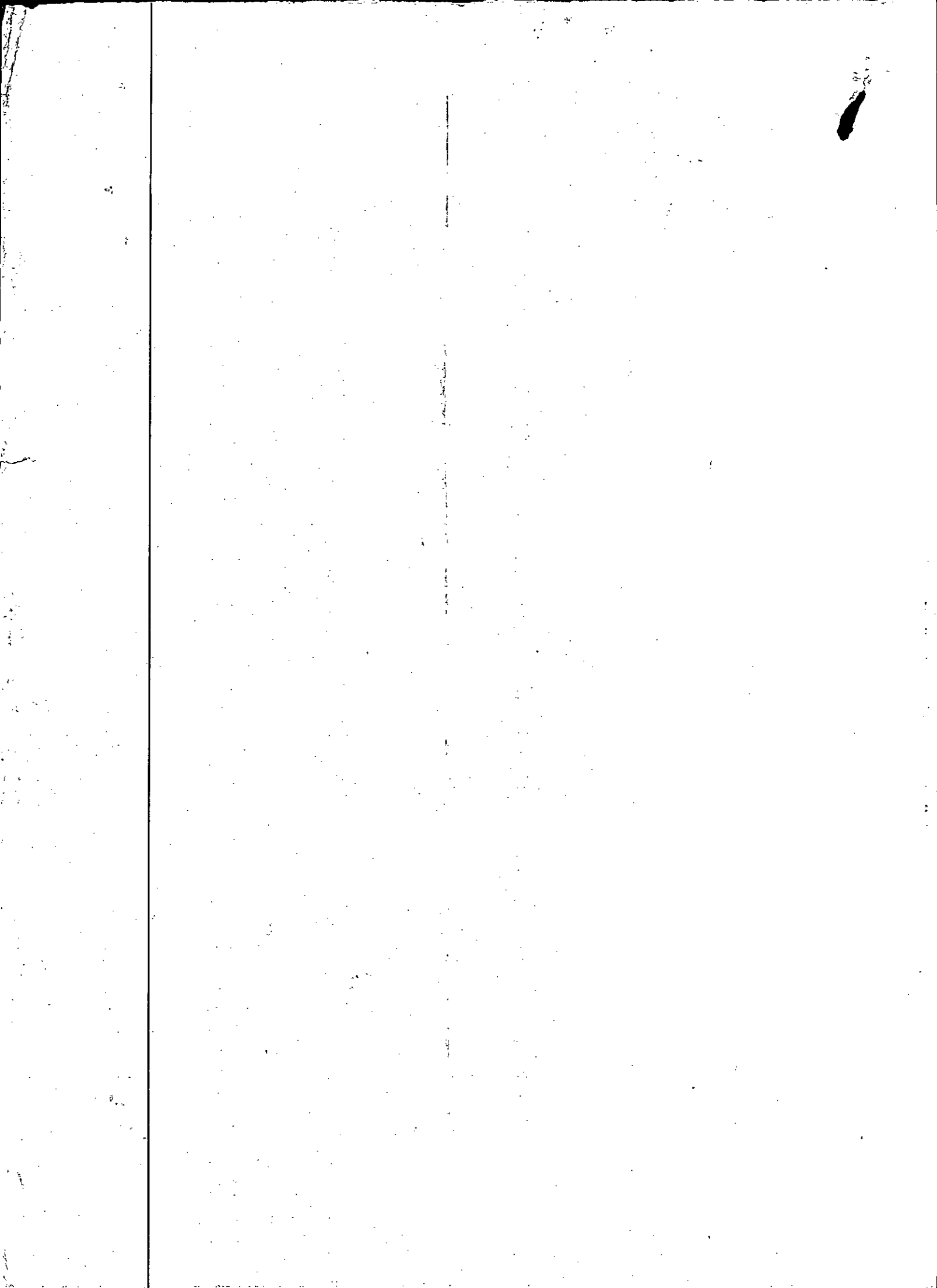
- ① That the above captioned case is pending adjudication before this Honourable Tribunal and is fixed for today i.e. 3.1.2013.
- ② That the appellant belongs to a for off area of Dis and the instant case is one relating to release of his salary;
- ③ That the appellant could not deposit the amount of security under the prescribed time which was not intentional but due to inadvertence;

It is therefore humbly prayed that the appellant/petitioner may kindly be allowed an extension of further time for deposit of the security amount.

Allowed  
within 15 days  
Security be  
deposited.

3-1-2013

through *22/12/13* Appellant  
Counsel



Before the learned services Tribunal Khyber Pakhtunkhwa Peshawar,  
Appeal No. 899/12

Muhammad Daoud S/O Mian Bakht Jan Village Katan Payeen P/O Darora District Dir  
Lower.

Appellant / Petitioner.

**Versus**

1. Executive Engineer Irrigation Division Dir Lower.
2. Superintending Engineer (SE) Irrigation Circle Swat.
3. District Account Officer Timergara.

**APPEAL UNDER SECTION 4 OF THE NWFP CIVIL SERVANT ACT 1973 AGAINST  
NON PAYMENT OF SALARY TO THE APPELLANT.**

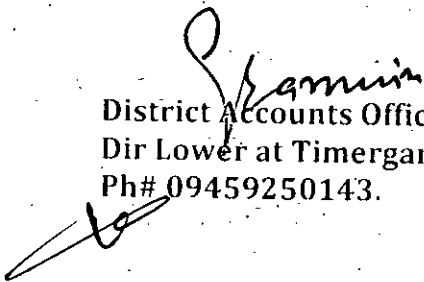
Respectfully Sheweth;

Para wise reply of respondent No. 3 (District Account Officer Dir Lower at  
Timergara is given below:

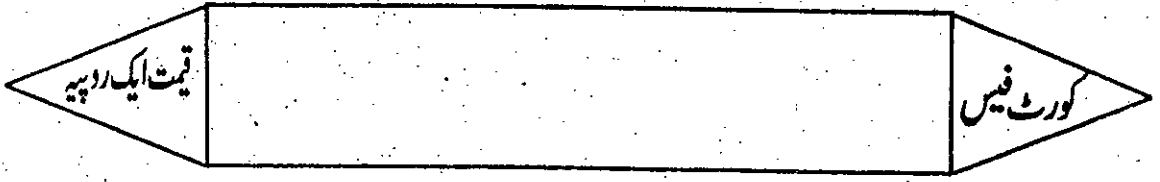
1. No comments.
2. No comments.
3. No comments, Relates to department of the Petitioner.
4. No comments, Relates to department as this Office has not yet received  
his salary bill/ Claims.
5. Relates to department of the Petitioner, being management issue,  
however the salary bill when presented by the Department of the  
petitioner duly completed in all respect in light of all Financial Rules &  
regulation for appointment, the salary claim will be processed.

Therefore, It is prayed that the Petition of the Applicant/ Petitioner against  
respondent No. 3 (District Account Officer Dir Lower at Timergara may kindly be  
dismissed please).

Dated: 30<sup>th</sup> Oct 2014.

  
District Accounts Officer,  
Dir Lower at Timergara.  
Ph# 09459250143.

بعدالت جناب سپریمین سروس ٹریبونل بنام سہیات



مورخہ ۲۰۱۵ مخانب سائیل  
مقدمہ محمد لورخان بنام ایری گیس وغیرہ

دعویٰ No:- 899/2012

جرم باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام سروس ٹریبونل سبیلے منسیر احمد ایڈووکیٹ مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل احتیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوا ایے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا اوکالت نامہ لکھ دیا کہ سند رہے

المرقوم 3 ماہ جون 15

العبد گواہ شہادہ العبد

Alte f...  
Ac...  
[Signature]

بمقام سروس ٹریبونل سوات کے لئے منظور ہے

0315 9945585  
منسیر احمد ایڈووکیٹ  
آفس: موہن دوز قریب سبزی منڈی سلام بازار  
دوم کھنڈیا سینکڑہ سوات

لورخان سائیل بیٹو



تاریخ ثبت و انچه در این سند درج شده است

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کتاب

نسخه خطی

سینه زنی

کتابخانه ملی - ۸۹۹۶/۵۵

تاریخ ثبت و انچه در این سند درج شده است

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کتابخانه ملی

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نسخه

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تاریخ ثبت و انچه در این سند درج شده است

تاریخ ثبت و انچه در این سند درج شده است

کتابخانه ملی - ۸۹۹۶/۵۵

تاریخ ثبت و انچه در این سند درج شده است

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No. 250 ST

Dated 16 / 2 / 2016

To

The Executive Engineer,  
Irrigation Division Dir Lower.

Subject: - Judgement.

I am directed to forward herewith certified copy of Judgement dated 2.2.2016 passed by this Tribunal on subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.