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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT ABBOTTABAD

Service Appeal No. 254/2015

Date of Institution... 06.03.2015

Date of decision... 19.04.2018

Ghulam Raza son of Aziz Ur Rehman, resident of Mohalah Sain Abad,
Ex-Patwari Tehsil and District Manshera.

... (Appellant)

Versus

1. Commissioner Hazara Division, Abbottabad & another. ...
(Respondents)

Mr. Ikramul Qayyum Khan,
Advocate ... For appellant.

Mr. Usman Ghani,
District Attorney ... For respondents.

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. MUHAMMAD HAMID MUSHTAQ, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: Arguments of the
learned counsel for the parties heard and record perused.


FACTS

2. The appellant was removed from service on 22.10.2014 against which
he filed departmental appeal on 13.11.2014 which was rejected on 06.02.2015
and thereafter, he filed the present service appeal on 06.03.2015.

ARGUMENTS

3. The learned counsel for the appellant argued that the proceedings against the appellant were initiated on the basis of an FIR wherein certain tampering was alleged in the mutation. That a criminal case was instituted before the Special Judge Anticorruption (Provincial) and an independent inquiry was also initiated and before the decision of the criminal court, the inquiry culminated into removal of the appellant from service. That during the pendency of the present service appeal this Tribunal adjourned this service appeal sine-die for the reason that let the decision of the criminal court be made and thereafter, the present service appeal would be decided. That the said criminal case has been decided and the appellant has been acquitted. That in accordance with the order of this Tribunal, adjourning the appeal sine-die, the acquittal order of the Anticorruption Court would be taken into consideration for decision of the present appeal. On facts he argued that in the charge sheet there was no allegation of corruption or connivance with the beneficiary of the mutation. That the allegation was of the mere tampering. That the tampering was made in the original Perth of the mutation which never remained in the custody of the appellant right from the time it was sanctioned and attested by the Revenue Officer. That the inquiry officer recommended penalty of minor punishment whereas the authority imposed the penalty of major punishment. That the authority could not impose this penalty and was required to either remand it to the

inquiry officer or to have appointed another inquiry officer. That the judgment of the Special Judge Anticorruption would suggest that the reason for the acquittal of the appellant was that the original mutation never remained in the custody of the appellant. In the said judgment some aspersions were made at the role of the Revenue Officer attesting the mutation. That the inquiry officer held the appellant guilty solely on the basis of statement of the said Revenue Officer who deposed against the appellant. That statement of the Revenue Officer could not be given weightage and it should have been corroborated by some other independent evidence. On the point of disagreement with inquiry officer, the learned counsel for the appellant relied upon judgment reported as 2013 SCMR 817.



4. On the other hand, the learned District Attorney argued that the judgment relied upon by the learned counsel for the appellant was delivered in a proceedings held under Punjab Employee Efficiency, Disciplinary and Accountability Act 2006 which was not applicable to the present appellant. That in the said judgment the role of the civil servant was that of negligence and not of embezzlement. That the present appellant was not entitled for any leniency as he had already been awarded a minor penalty in a similar case pertaining to the same Khasra Number. That acquittal in the criminal case could not be taken to affect departmental proceedings in any way as was the settled law. That in case of embezzlement, no penalty other than dismissal could be granted. That the authority was quite competent to disagree with the finding of the inquiry officer qua the recommendation of the penalty because

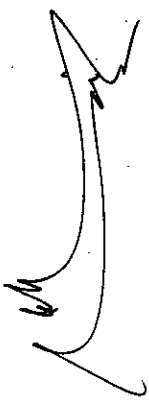
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the inquiry officer was never empowered to recommend the penalty. That it was the sole prerogative of the authority to decide quantum of the penalty. That the statements of the Revenue Officer was relied upon by the inquiry officer for the reason that the appellant did not cross-examine the said witness despite having been giving the opportunity of the same.

CONCLUSION.

5. The issue of acquittal of the appellant in criminal case by the court of Anticorruption is to be decided first. It is well settled law that the criminal proceedings and disciplinary proceedings can run parallel to each other and have got no bearing on each other. Acquittal in a criminal case does not necessarily would mean exoneration of the delinquent in the disciplinary proceedings. But this rule is not absolute rule as under circumstances both proceedings can affect each other if the departmental authority has left the outcome of the departmental proceedings dependent upon the outcome of the criminal proceedings. Secondly in some cases when an accused person is convicted then the departmental authority is bound to impose penalty. In present case the very charge sheet mentions two charges. The first charge is the pendency of criminal proceedings against the appellant. It was perhaps under this reason that this tribunal adjourned the proceedings sine-die on 19.07.2016 by holding the decision of the criminal case would certainly be having bearing ~~on~~ the decision of the instant service appeal.

6. Now this Tribunal would discuss that what bearing the decision of the criminal case can make. One impact could have been in the case of conviction of the appellant, if the charge fell within ambit of the nature of offences mentioned in Rule-8 of the Khyber Pakhtunkhwa Government Servant {Efficiency and Discipline) Rules 2011. The other impact of decision of criminal case in case of acquittal could have been the determination of the level of involvement of the appellant in the offence. This leads us to the result that this Tribunal would see the impact of the judgment of criminal court in the light of the observations mentioned above as to the level of involvement of the appellant.



7. Now coming to the objection of the learned District Attorney regarding charge of embezzlement in which the minimum punishment is dismissal. If we go through the charge sheet there is not charge of embezzlement and the only charge is that of tampering, malafide and cheating. The inquiry officer has also not held the appellant guilty of any embezzlement, malafide or cheating rather he held him responsible for tampering and then he added some words which were not part of the charge sheet. That is dishonesty, fraud and violation of laid down procedure. However, the report of the inquiry officer shall be relevant only to the extent of tampering and not to the rest of the allegations of the charge sheet.

8. Coming to the effect of the judgment reported as 2013 SCMR 817, the objection of the learned District Attorney as to the non applicability of the

judgment is also not convincing because Section-13 of the Punjab Employee Disciplinary and Accountability Act, 2006 is *pari materia* with Rule-14 of the Khyber Pakhtunkhwa Government Servants(E&D) Rules 2011. In this judgment the authority disagreed with the proposed penalty by the inquiry officer and substituted it with major penalty. But on the basis of some findings which were conducted subsequently to the report of the enquiry officer. In the present case there is no subsequent findings other than inquiry officer. However, in the same very judgment some other judgments have also been discussed in which it was held that when the authority does not agree with any part of the report of the inquiry officer including the proposed penalty then the authority should give reasons for not agreeing with the inquiry officer. Because in the reasons the accused has a right of not only defending himself before the authority but can challenge the same being justiciable. In the final show cause notice, the authority has not given any reason of disagreeing with the inquiry officer.


Leaving aside this aspect of the legal issue this Tribunal is to see whether the quantum of penalty imposed upon the appellant commensurate with the quantum of his guilt. For the purpose of ascertaining the quantum of punishment, this tribunal looked into the other circumstances which were not taken into consideration by the inquiry officer or the authority. These circumstances can be gathered from the record available before this Tribunal and can come to the conclusion whether the penalty was proper or not. Without seeing the observations of the learned Judge Anticorruption in the

acquittal proceedings this Tribunal observed that the original mutation never remained in the custody of the appellant and he had no occasion to tamper the mutation. Secondly the mutation was entered by the appellant on the basis of a Mad entered in the daily diary. This daily diary remained in the custody of the Patwari for so many years and he never tried to make tampering in the daily diary in order to make it coincide with the tempering made in the mutation. Thirdly the only evidence against the appellant is the statement of the concerned Revenue officer who attested the mutations. Though the said Revenue Officer was not cross-examined by the appellant but the Revenue Officer himself being an interested party could not have been relied 100% for the imposition of major penalty. Here this Tribunal may seek the assistance from the observations made by the Special Judge Anticorruption in criminal case in which the learned Judge took into consideration these facts and acquitted the appellant on that score. Though it is basic law when some statement is not cross examined, it shall be deemed to be admitted but in administrative proceedings before the domestic Tribunals a civil servant is denied the right of a counsel and how a civil servant knows that what would be the effect of his non-cross-examination. But again ignorance of law is no excuse. And again these issues such as non-availability of legal assistance of counsel can be taken to be mitigated^{MP} circumstance by this Tribunal deciding the quantum of punishment. Now coming to the issue of repeated offence as raised by the learned District Attorney this Tribunal in a number of judgments has held that earlier penalty is no ground for holding

him guilty. In view of the above this tribunal is of the view that a balance should be struck between two extremes and a middle course be adopted. In our view the quantum of punishment proposed by the inquiry officer very much fit in the circumstance of the case. This Tribunal, therefore, by accepting this appeal converts the punishment into stoppage of two increment for a period of two years. However, the conduct of the appellant is also not above board and this Tribunal suggests to the departmental authority to assign office work to the appellant if he is not fit for duty as Patwari due to his antecedents/past performance. The intervening and absence period shall be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.



(Muhammad Hamid Mughal)
Member


(Muhammad Khan)
Chairman
Camp Court, A/Abad

ANNOUNCED

19.04.2018


254/15

19.04.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Attaullah, Assistant Secretary and Bahadar Khan, Asstt. for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED

19.04.2018


09.04.2018

Counsel for the appellant submitted an application for revival of the appeal which was adjourned sine-die on 19.07.2016 till the decision of Anti-Corruption Court in Case FIR No. 1, dated 12.2.2014. Since the Anti-Corruption Court, decided the case vide judgment dated 15.03.2018, as such application is accepted and the appeal is revived on its own number. Notices be issued to the respondents. To come up for further proceedings/arguments on 18.04.2018 before the D.B at camp court, Abbottabad.

18.04.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Part arguments heard. To come up for remaining arguments and explanation by the District Attorney tomorrow on 19.04.2018 before this D.B at camp court, Abbottabad.


Member

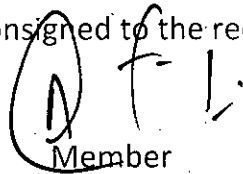

Chairman
Camp court, A/Abad

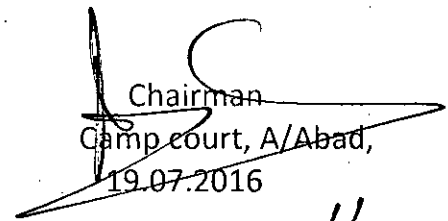
Appeal No. 254/2015
Ghulam Raza vs Govt

19.07.2016

Appellant with counsel and Mr. Muhammad Iqbal, Asstt. alongwith Mr. Muhammad Siddique, Sr.GP for the respondents present.

During the course of arguments it was brought to the notice of this court that case registered in respect of the same occurrence vide FIR No. 1 dated 12.2.2014 under Sections 409/419/420/468/471/477-A PPC/5(2) PC Act at Police Station, Anti-Corruption Establishment has not been finally decided. The decision of the said case would certainly be having bearing on the decision of the instant service appeal. In the circumstances we therefore deem it appropriate to postpone hearing in the present appeal till the decision of the said criminal case. Orders accordingly. Appellant may seek restoration of the instant appeal after the decision of the said criminal case. File be consigned to the record room for safe custody till then.


Member


Chairman
Camp court, A/Abad,
19.07.2016
19.07.16

16.6.2015 Appellant with counsel and Mr. Muhammad Iqbal, Assistant alongwith Mr. Muhammad Tahir Aurangzeb, G.P for respondents present. Requested for adjournment. To come up for written reply/comments on 20.8.2015 before S.B at camp court A/Abad.


Chairman
Camp Court A/Abad

20.8.2015 Appellant in person and Mr. Muhammad Iqbal, Assistant alongwith Mr. Muhammad Tahir Aurangzeb, GP for respondents present. Comments submitted. The appeal is assigned to D.B for rejoinder and final hearing for 19.11.2015 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

19.11.2015 Appellant in person. M/S Muhammad Iqbal, Assistant and Bahadur Khan, Assistant alongwith Mr. Muhammad Siddique, Sr.G.P for respondents present. Rejoinder submitted. Arguments could not be heard due to non-availability of D.B. To come up for final hearing before D.B on 14.3.2016 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

14.03.2016 Appellant in person and Mr. Muhammad Iqbal, Assistant alongwith Muhammad Saddique, Sr.G.P for respondents present. Arguments could not be heard due to non-availability of D.B. Adjourned for final hearing before D.B to 19.7.2016 at Camp Court A/Abad.


Chairman
Camp Court A/Abad

22.4.2015

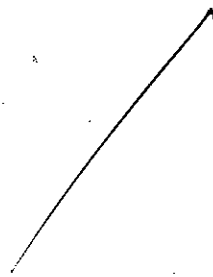
Counsel for the appellant present. Learned counsel for the appellant argued that vide impugned order dated 22.10.2014 appellant was removed from service when serving as Patwari Halqa Mansehra No.2. That the appellant preferred departmental appeal against the impugned order on 13.11.2014 which was rejected vide order of the Commissioner on 6.2.2015 and hence the instant service appeal on 6.3.2015.

That the appellant has neither tampered with the mutation in question nor was charged for such tampering in the FIR registered at S.No.1 on 12.2.2014 under sections 409/419/420/468/471/477-A PPC at P.S Mansehra. That the said FIR has been held in abeyance by the august Peshawar High Court Abbottabad Bench vide order dated 23.7.2014 passed in C.M No.490-A/2014 in W.P No.531-A/2014. That the departmental authority has not signed the impugned order of rejection of departmental appeal and that the appellant was removed from service despite his innocence.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 16.6.2015 before S.B at camp court A/Abad.


Chairman
Camp Court A/Abad

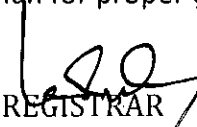

Appellant Deposited
Security & Process Fee



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 254/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	30.03.2015	<p>The appeal of Mr. Ghulam Raza resubmitted today by Mr. Aurang Zeb Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2	31-3-15	<p>This case is entrusted to Touring Bench/A.Abad for preliminary hearing to be put up thereon <u>22-04-2015</u>.</p> <p> CHAIRMAN</p>

The appeal of Mr. Ghulam Raza son of Aziz-ur-Rehman Ex-Patwari Tehsil and Distt. Mansehra received to-day i.e. on 06.03.2015 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellatant.
- 2- Appeal may be page marked according to the index.
- 3- Copy of second enquiry report mentioned in para-3 of the memo of appeal (Annexure-B) is not attached with the appeal which may be placed on it.
- 4- Copies of charge sheet, statement of allegations, show cause notice and replies thereto are not attached with the appeal which may be placed on it.
- 5- Application dated 26.3.2014 is illegible which may be replaced by legible/better one.
- 6- Annexures of the appeal may be attested.
- 7- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

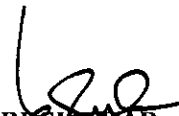
No. 289 /S.T,

Dt. 9/3 /2015



Aurang Zeb Asad Adv.
Supreme Court of Pakistan

Mansehra



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Respected Sir,

All objections mentioned above
are fulfilled

Ghulam Raza (Petitioner)
Through

Aurang Zeb Asad Advocate
Supreme Court of Pakistan



BEFORE THE SERVICE TRIBUNAL K.P.K
PESHAWAR

Appeal no. 254/2015
Ghulam Raza.....Appellant

VERSUS

Commissioner, Hazara Division, Abbottabad
etc.....Respondents

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974.

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Dated 24-02-2015

Ghulam Raza
Ex-Patwari
(Appellant)

Through

AURANGZEB ASAD
Advocate Supreme Court of
Pakistan (Mansehra)

03009117223

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(1)

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Appeal No. 254/2015

Ghulam Raza son of Aziz-Ur-Rehman,
resident of Mohallah Sain Abad, Ex-Patwari
Tehsil and District Mansehra.....Appellant

S.W.F. Province
Service Tribunal
Diary No. 200
Dated 06-3-2015

Versus

- 1) Commissioner, Hazara Division,
Abbottabad.
- 2) Deputy Commissioner, Mansehra
.....Respondents

**APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST ORDER AND DECISION OF
COMMISSIONER, HAZARA DIVISION,
DATED 06.02.2015 WHEREBY ORDER OF
DEPUTY COMMISSIONER, MANSEHRA
DATED 22.10.2014 OF DISMISSAL FROM
SERVICE OF THE APPELLANT WAS
MAINTAINED AND DEPARTMENTAL
APPEAL OF THE APPELLANT WAS
DISMISSED.**

Filed to the
Registrar
6/3/15

PRAYER: -

By acceptance of instant appeal, the
appellant may graciously be re-instated in
service.

Respectfully submitted;

re-submitted to the
Registrar and filed.

Registrar
30/3/15

FACTS:

- 1) That, appellant was charged by Deputy
Commissioner, Mansehra by leveling
certain allegations against him vide

charge sheet Endst. No. 5259-60/AE,
dated 28.05.2014.

- 2) That, Additional Deputy Commissioner, Mansehra was appointed as Inquiry Officer, who conducted the inquiry and submitted his report.

(Attested copy of inquiry report dated 12.09.2014 is annexed as Annexure "A").

- 3) That, above mentioned Inquiry Officer while rendering his recommendations suggested penalty against appellant i.e. stoppage of two increments for two years.

(Attested copy of inquiry report is annexed as Annexure "B").

- 4) That, Deputy Commissioner, Mansehra/respondent No. 2 in the light of those recommendations passed an order dated 22.10.2014, wherein he imposed major penalty upon the appellant and dismissed him from the service.

(Copy of order of Deputy Commissioner is annexed as Annexure "C").

- 5) That, against order of the Deputy Commissioner, Mansehra/respondent No. 2 dated 22.10.2014 appellant preferred an appeal before Commissioner, Hazara Division/respondent No. 1 which also met the same fate and order of dismissal from

service of the appellant was maintained by him vide his order dated 06.02.2015.

(Attested copies of memo of appeal and order are annexed as Annexure "D" & "E").

That, feeling aggrieved, dismayed, displeased and dejected the appellant prefer the instant appeal inter-alia on the following amongst other: -

GROUND: -

- A)** That, orders of both the respondents are based on non-reading, misreading of the record and is based on hypothesis and conjunctures, hence, is liable to be struck down.
- B)** That, appellant was charged for two reasons firstly that a criminal case vide FIR No. 1 dated 12.02.2014 was registered against him in Police Station ACE Mansehra and secondly that he intentionally has tempered mutation No. 5133 attested on 27.10.2003 after its attestation by Revenue Officer.
- C)** That, so far as the registration of FIR against the appellant is concerned, the same has been with malafide and against all norms of judicial practice,

the appellant has been made a lamb to the slaughter, it is irony of the fate that the appellant was not charged by the complainant Mst. Sabeeha Iftikhar in her application submitted to the District Police Officer, Mansehra which was culminated into FIR No. 1249 dated 02.11.2012, similarly an application was also submitted by her son namely Muhteshm Iftikhar also do not contain the name of appellant, however the Anti Corruption Authorities discharged all the nominated persons both in the FIR above number and of the application of Muhteshm Iftikhar and complainant whose name does not figure anywhere was made a sacrificial goat and charged him in the FIR registered by the Anti Corruption Authorities. The appellant challenged the FIR before Peshawar High Court, Circuit Bench Abbottabad in Writ Petition No. 531-A/2014 and in this petition vide C.M. No. 490-A/2014 the High Court was pleased to suspend the operation of the FIR through order dated 23.07.2014, moreover mere registration of criminal case against any one does not render him culprit and registration of FIR is not a conclusive proof against the appellant as well.

(Copy of the FIR registered in P.S. Mansehra, application submitted by Muhtesham Iftikhar, copy of the FIR registered by the Anti Corruption Authorities, copy of the writ petition and order dated 23.07.2014 are annexed as

Annexure "F", "G", H, I, J respectively).

- D)** That, appellant has already challenged that FIR before Peshawar High Court (Circuit Bench Abbottabad) and High Court vide its order dated 16.07.2014 has suspended the operation of above mentioned FIR, hence order of both the authorities is perverse, arbitrary and capricious, hence liable to be dismissed.
- E)** That, the second reason i.e. tempering in mutation No. 5133 dated 27.10.2003 is concerned, such allegation has also no legal sanctity, as tempering with mutation by Patwari halqa is ridiculous itself because after attestation of mutation patwari has no concern with the possession of attested mutation which carries the order of Revenue Officer, as it (Part Sarkar) remains in custody of Office Kanungo (O.K).
- F)** That, bare perusal of order of Revenue Officer reveals that no tempering has been effected in order of Revenue Officer and such allegation is just a blame against appellant.
- G)** That, it is admitted fact that vendor of mutation No. 5133 dated 27.10.2003 had transferred land measuring 02 kanals in the name of vendees which was rightly effected vide such mutation and no excessive land/share of vendor was transferred by such mutation.

H) That, it is quite strange fact that accused is charged for tempering in order of Revenue Officer after attestation of mutation, whereas perusal of mutation reveals that number khasras have been shown in different places of mutation as well, in column No. 6&11 but no objection has been raised against such entries. Moreover, mutation was entered by appellant and was scrutinized by the then Girdawar Circle, whereas Revenue Officer attested the same, but no one except appellant is convicted and charged glare example of discriminatory behaviour of respondents.

I) That, nothing on record established the guilt of petitioner, but evering document proved the innocence the petitioner, especially the application dated 26th March 2011, despite of which petitioner was malafidly charged and made accused, for which he reply and proved his innocence.

(Copy of application dated 26th March, 2011 is annexed as Annexure "J" and charge sheet reply and statement of accusation is annexed as Annexure "K") Mutation No 51533 is Annexure L.

J) That, Deputy Commissioner, Mansehra has misused his power by imposing major penalty against appellant and has miserably failed to mention solid and logical reasons for imposition of

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major penalty despite the recommendation of inquiry/fact finding committee which suggested minor penalty against appellant.

K) That, appellant has served revenue department for 22 years and it is obvious that even a single allegation of corruption has not been leveled against him throughout his entire service. Hence, the allegations if even suppose to be true, service of petitioner can not be thrown out by dismissing him from service.

Hence, it is requested that on acceptance of instant appeal, the appellant may graciously be re-instate in service.

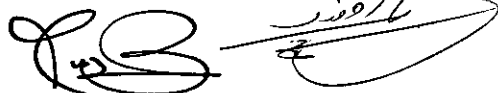
INTERIM RELIEF

It is humbly requested that till the final disposal of the above titled appeal, the appellant may kindly be re-instated in the service.

Dated 24.02.2015

Ghulam Raza
Ex-Patwari
(Appellant)

Through: -



AURANGZEB ASAD
Advocate Supreme Court of
Pakistan (Mansehra)

VERIFICATION

**I, GHULAM RAZA SON OF AZIZ-UR-REHMAN,
RESIDENT OF MOHALLAH SAIN ABAD, TEHSIL
AND DISTRICT MANSEHRA DO HEREBY VERIFY
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
HONOURABLE TRIBUNAL.**


**GHULAM RAZA
(DEPONENT)**

① ⑨

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Ghulam Raza.....**Appellant**

Versus

Commissioner, Hazara Division, Abbottabad
etc.....**Respondents**

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974.

CORRECT ADDRESSES OF THE PARTIES


Respectfully submitted;

Correct addresses of the parties has
been cited in the heading of appeal.

Dated 24.02.2015


Ghulam Raza
Ex-Patwari
(Appellant)

Through: -


AURANGZEB ASAD
Advocate Supreme Court of
Pakistan (Mansehra)

3 10

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Ghulam Raza.....Appellant

Versus

Commissioner, Hazara Division, Abbottabad
etc.....Respondents

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974.

AFFIDAVIT

I, GHULAM RAZA SON OF AZIZ-UR-REHMAN,
RESIDENT OF MOHALLAH SAIN ABAD, TEHSIL
AND DISTRICT MANSEHRA DO HEREBY
SOLEMNLY AFFIRM AND DECLARE ON OATH
THAT NO SUCH SUBJECT MATTER APPEAL HAS
EVER BEEN FILED BEFORE THIS HONOURABLE
TRIBUNAL 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.




GHULAM RAZA
(DEPONENT)

IDENTIFIED BY: -



AURANGZEB ASAD ADVOCATE

ENQUIRY REPORT.

Mr. Ghulam Raza, Ex-Patwari halqa Mansehra No.2 now Patwari halqa Potha was served with charged sheet/statement of allegations on a/c of the following charges:-

- I) That consequent upon registration of an FIR No.1 dated 12.2.2014 U/S 409/419/420/468/471/477-A PPC/5(2) PC ACT against you in Police Station, ACE-Mansehra, the Assistant Commissioner Mansehra was asked for conducting facts finding enquiry. The Assistant Commissioner-Mansehra submitted his report vide No.533/P-2/AC(M) dated 16.5.2014.
- II) That as per enquiry report you while posted as Patwari halqa Mansehra No.2 intentionally tampered mutation No. 55133 attested on 27.10.2003 after its attestation by the Revenue Officer and added khasra No.4347/8-6 in the said mutation. Original mutation attested by the Revenue officer was only of khasra No. 4347/4.

The undersigned was appointed as Enquiry Officer vide Deputy Commissioner Mansehra endstt: No. 5259-50/AE dated 28.5.2014.

The accused official submitted reply to the charge sheet on: 11.7.2014 and placed on file.

Statements of the following have been recorded and placed in file:-

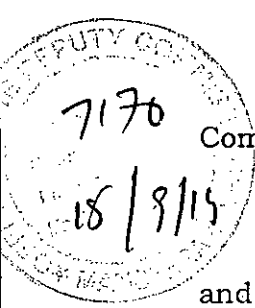
1. Mr. Gul Nawaz Ali, the then Naib Tehsildar/Revenue Officer Circle now Secretary, DPSC-Abbottabad.
2. Mohammad Khalid, Office Kanungo Mansehra.
3. Inayat Khan Ex-Girdawar Circle Mansehra now Office Kanungo Oghi.
4. Khuram Aman Patwari halqa Mansehra No.2.
5. Ghulam Raza Ex-patwari halqa Mansehra No.2 now Patwari halqa Potha (accused official).

Statements recorded and all concerned were heard in person.

According to the record placed in file and statements of all concerned, the accused official in his statement has denied to have tampered mutation No.55133 dated 27.10.2003. In his statement he stated that while posted as Patwari halqa Mansehra No.2 the said mutation was registered by him in Roznamcha Waqiyati vide No.1192 dated 30.8.2003 through Syed Fakhur-ul-Islam Shah one of the vendee from Mst: Subia Kosar D/O Mohammad Nawaz vendor measuring 2-kanals out of khasra No.4347/4 and 4347/2 situated in Revenue Estate Mansehra in lieu of Rs.200000/- in the name of Faisal shah etc. Copy of Roznamcha Waqiyati is enclosed as (annexure-A). He further stated that the additional khasra Nos. 4347/6&8 was inserted before the attestation of mutation. The accused official has also stated that he has lodged a writ petition against the FIR No.1 dated 12.2.2014 which has been suspended by the Honourable High Court Bench Abbottabad.

Statement of Khuram Aman Patwari halqa Mansehra No.2 was recorded who has produced original "Part Patwar" of mutation No.55133 attested on 27.10.2003 of Revenue Estate Mansehra. He stated that vide mutation under reference land measuring 2-Kanals out of khasra No.4347/4, 6 & 8 measuring 20-Kanals to the extent of 1 Kanal 11 Marlas and khasra No.4347/2 measuring 19 marals to the extent of 09 marlas has been transferred from Mst: Subia Kosar D/O Mohammad Nawaz Khan r/o Mansehra in the name of Faisal Shah, Kala Khan and Syed Fakhur-ul-Islam Shah vendees in lieu of Rs.200000/- has been transferred. Copy of "Part Patwar" of mutation No.55133 attested on 27.10.2003 is enclosed as (annexure-B).

AE
DCM
1719



ATTESTED
Examiner
Date 12.9.04

(12)

Annexure "B"

Statement of Mohammad Khalid Office Kanungo Mansehra was also recorded who produced original mutation No.55133 attested on 27.10.2003 of Revenue Estate Mansehra. Copy of the said mutation is enclosed as (annexure-C). He stated that land bearing khasra No.4347/4, 6 & 8 measuring 20-Kanals out of which 31/400 share to the extent of 1 Kanal 11 marlas and khasra No.4347/2 measuring 19-marlas out of which 9/59 share to the extent of 09-marlas, total 2-kanals share of Mst: Subia Kousar D/O Mohammad Nawaz Khan has been transferred in the name of Faisal Shah, Kala Khan and Syed Fakhar-ul-Islam Shah. He admitted that perusal of mutation No.55133 attested on 27.10.2003 revealed that khasra Nos.4347/6 & 8 have been added after its attestation of mutation by the Revenue Officer Circle.

Statement of Gul Nawaz Ali Khan the then Naib Tehsildar/Revenue Officer Circle-Mansehra now Secretary, DPSC-Abbottabad recorded on 13.8.2014. He stated that original mutation No.55133 attested on 27.10.2003 has been perused vide which the share of Mst: Subia Kousar D/O Mohammad Nawaz Khan out of khasra No.4347/4 & 4347/2 to the extent of 2 kanals in lieu of Rs.200000/- has been transferred in the name of Shah Faisal, Syed Fakhar-ul-Islam and Kala Khan vendees. He further stated that the khasra Nos.4347/6 & 8 as well as khasra No.4347/4 have been included after attestation of mutation by tampering of his order recorded on mutation. He has also stated that Anti-Corruption Department has investigated the matter and his name is not included in the FIR No.1 dated 12.3.2014.

Statement of Inayat Khan Ex-Girdawar Circle Mansehra now Office Kanungo Oghi was recorded on 28.8.2014 and placed on file. In his statement the official concerned stated that original mutation No.55133 dated 27.10.2003 was entered by Ghulam Raza Patwari on 30.8.2003 produced by Office Kanungo Mansehra has been perused which revealed that "Part Sarkar" has not been signed by him while "Part patwar" bears his signature, added that mutation was vetted and signed "Part Patwar" but "Part Sarkar" was not available. He asked the Patwari about it, who did not reply, and thus "Part Sarkar" could not be signed.

FINDINGS.

According to the record available on the file and statements of all concerned the allegation of tampering the order of Revenue Officer has been proved against the accused patwari by adding khasra No. 4347/6&8 though in the Roznamcha Waqiyati the entries are khasra Nos.4347/4 and 4347/2 being the base. The statement of Mr. Gul Nawaz Khan before Assistant Commissioner Mansehra in preliminary enquiry has also held responsible Mr. Ghulam Raza, Patwari and the Revenue Officer owned his previous statement the correct one. These are ample proof to render the accused official for dishonesty, fraud and violation of laid down procedure.

RECOMMENDATIONS.

As per contents of the enquiry report detailed above the charges contained in the charge sheet have been proved against the accused Patwari. He tampered the original order of Revenue Officer recorded on mutation No.55133 dated 27.10.2003 and added khasra No. 4347/6&8, by doing so the accused patwari has rendered himself liable for imposition of penalty (s) as laid down in Rule 4 (a) of the Khyber Pakhtunkhwa Civil Servants E&D Rules-2011. Therefore in the capacity of Inquiry Officer the undersigned recommends minor penalty to the extent of the stoppage of two increments for two years of Mr. Ghulam Raza Ex-Patwari halqa Mansehra No2, now Patwari halqa Potha in line with section 4 (a) of the E&D Rules-2011.

Submitted please.

Deputy Commissioner,
Mansehra.

Additional Deputy Commissioner/
Enquiry Officer.

The accused official should be called for personal hearing after using of show cause 17/9/14

Attested to be true copy
Attesting Officer
Date
Authorised U/S 76
Evidence Act

(13)

OFFICE OF THE DEPUTY COMMISSIONER

MANSEHRA.

ORDER.

*Anexure
"C"*

Whereas, disciplinary proceedings were initiated against Mr. Ghulam Raza, Ex-Patwari halqa Mansehra No.2, now Patwari halqa Potha under the provisions of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, on account of charges contained in the charge Sheet/Statement of allegations served upon him vide this office endorsement No.5259-60/AE dated 28.5.2014.

And whereas the Additional Deputy Commissioner-Mansehra was appointed as Inquiry Officer, who conducted inquiry and submitted report.

And whereas the allegations having been proved, the Inquiry Officer vide his report dated 12.9.2014 has recommended imposition of Minor penalty to the extent of stoppage of two increments for two years upon the Patwari concerned. Perusal of enquiry report revealed that the accused Patwari has tampered the order of Revenue Officer after attestation of mutation No.55135 dated 27.10.2003 and added khasra No.4347/6-8 though in Roznamcha Waqiat the entries were of Khasra No.4347/4 and 4347/2. In the preliminary enquiry too the accused Patwari has been held responsible for tampering the record. The Patwari is custodian of revenue record and he is required to safeguard the rights of people instead he has caused loss to the complainant Mst: Subia Kousar D/O Mohammad Nawaz Khan and an FIR No.1, dated 12.2.2014 u/s 409/419/420/468/471/477A PPC/5(2) PC Act, Police Station ACE-Mansehra has also been registered against the accused Patwari. These is ample proof to render the accused official to be dishonest, fraudulent and violator of laid down procedure. Therefore, recommendations of Enquiry Officer were not agreed and the accused Patwari was served with Show Cause Notice for Major penalty to the extent of Removal from Service. He submitted reply to the Show Cause Notice which was found un-satisfactory. The accused Patwari was heard in person on 17.10.2014, but he also failed to rebut the allegations during personal hearing.

And whereas keeping in view the above mentioned facts the undersigned in capacity of competent authority has decided to impose Major-penalty to the extent of Removal from Service on accused Patwari.

Now therefore, in exercise of the powers conferred upon me under Section-14 of the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules 2011, Mr. Ghulam Raza, Ex-Patwari halqa (Mansehra No.2) now Patwari halqa Potha is hereby Removed from Service with immediate effect.


(Ikramullah Khan)

Deputy Commissioner,
Mansehra.

No. 12233-42 /AE

Dated 22 / 10 / 2014.

Copy forwarded to:-

1. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa-Peshawar.
2. The Commissioner, Hazara Division, Abbottabad.
3. The Assistant Commissioner-Mansehra.
4. The Settlement Officer Mansehra.
5. The District Accounts Officer Mansehra.
6. The Tehsildar Mansehra.
7. The Circle Officer, Anti-Corruption, Mansehra with reference to his No.43/SA
8. dated 13.2.2014.
9. HCR, Local Office.
10. DN - Local Office.
11. Mr. Ghulam Raza, Ex-Patwari halqa (Mansehra No.2) now Patwari halqa Potha.

Attested to be true copy
Attesting Officer
Date
Authorised U/S 16 Pakistan
Evidence Act


Deputy Commissioner,
Mansehra.

BEFORE THE HONOURABLE
COMMISSIONER, HAZARA DIVISION,
ABBOTTABAD

APPEAL FOR RE-INSTATEMENT INTO
SERVICE BY SETTING ASIDE THE
IMPUGNED ORDER OF DEPUTY
COMMISSIONER, MANSEHRA NO.
12244-42/AE DATED 22.10.2014.

Respectfully sheweth!

It is submitted that: -

- 1) That, the appellant was appointed as Patwari Halqa Mansehra in the year 2003. During the said posting the appellant entered mutation No. 55133 on 30.08.2003 as reported by the parties. The mutation was subsequently scrutinized by the then Kanungo Circle and attested by the then Revenue Officer Circle on 27.10.2003 as per law/procedure.

On the other hand, apart from the Honourable High Court order and on the receipt of a copy of FIR from ACE Mansehra the worthy Deputy Commissioner, Mansehra ordered a fact finding enquiry by appointing Assistant Commissioner, Mansehra as Enquiry Officer. The Assistant Commissioner, Mansehra recorded the statements of all the concerned officials/officers and concluded that appellant is responsible for tempering of the revenue record/order of

Revenue Officer in mutation No. 55133 dated 27.10.2003. (Annexure - "C").

3) Subsequently, in the light of the report of Assistant Commissioner, Mansehra, the appellant was served with a charge sheet alleging therein the tempering of revenue record and learned Additional Deputy Commissioner, Mansehra was appointed as Enquiry Officer under E&D rules. The learned Additional Deputy Commissioner, Mansehra also recorded the statements of concerned officials/Revenue Officer and concluded that the appellant is solely responsible for tempering of Revenue Officer's order on mutation No. 55133 dated 27.10.2003. The learned Enquiry Officer recommended a major penalty of stoppage of 2 increments. (Annexure - "D").

4) On receipt of report from Additional Deputy Commissioner, Mansehra the worthy Deputy Commissioner, Mansehra after fulfilling the formalities of E&D rules 2011, served a show cause notice on the appellant and inflicted major penalty of removal from service vide order bearing No. 12233-42/AE dated 22.10.2014. (Annexure - "E").

- (16)
- (246)
- 5) That, the learned Enquiry Officer as well as the Honourable Deputy Commissioner did not take notice of a very important fact that the petitioner has not been charged in the complaint in the FIR nor at a later stage, he has only been made escape goat in order to save the skin of some other influential persons. The writ petition filed by the petitioner speaks the whole story. **(Copy of the writ petition alongwith its all annexures are attached herewith).**

The order bearing No. 12233/AE dated 22.10.2014 issued by the worthy Deputy Commissioner, Mansehra is assailed before your kindly on the following grounds: -

GROUND: -

- i) After attestation of a mutation, the foil or "Pert Sarkar" of the mutation is taken over by the Revenue Officer who himself is responsible for recording of detailed order thereon in accordance with the statement of the parties and contents of mutation containing the "Pert Patwar" the short containing order as "منظور ہے" or "خارج ہوئے" of the Revenue Officer remains in the custody of patwari. Neither the learned Enquiry Officers

nor the worthy Deputy Commissioner, Mansehra dilated on the said factual position regarding custody of the foil "Pert Sarkar" and counter foil "Pert Patwar" after attestation of mutation.

- ii) As per rules and procedure, the original mutation taken over by Revenue Officer after attestation is to be consigned to the Tehsil Record Room and kept in safe custody of concerned officials and is, as such beyond the reach of Patwari. The learned Enquiry Officer and worthy Deputy Commissioner did not consider at all the said legal as well as factual position.
- iii) The learned Enquiry Officers did not examine the statements of the then Revenue Officer-Circle and Kanungo Circle properly and minutely. Accordingly the learned Enquiry officers neither noticed the contradiction in the statements of Revenue Officer and Kanungo Circle nor questioned them about their irresponsible narration nor made an observation as to how an order recorded on a mutation by a Revenue Officer and consigned to Record Room can be tempered with by a Patwari.

- iv) The learned Enquiry Officers also neither summoned the parties to the mutation (vendor and vendee) nor ascertained their viewpoints and solely relied upon the baseless and unjustified statements of the then Revenue Officer and Kanungo circle.
- v) The learned enquiry Officer as well as worthy Deputy Commissioner, Mansehra did not hear the pleadings of the appellant as per demands of justice and fair-play and vide impugned order not only deprived the appellant of justice but also of the only source of livelihood.

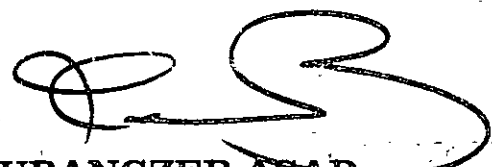
In view of the above submissions, it is humbly prayed that worthy Deputy Commissioner, Mansehra order bearing No. 12233-42/AE, dated 22.10.2014 may kindly be set-aside and appellant may please be re-instated into service with all benefits.

Dated 13.11.2014



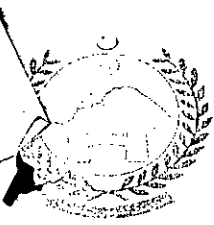
Ghulam Raza
Ex-Patwari
(Appellant)

Through: -



AURANGZEB ASAD
Advocate/counsel for
Appellant

G.P.
(Signature)



Annexure E
19

OFFICE OF THE
COMMISSIONER HAZARA DIVISION
ABBOTTABAD

SERVICE APPEAL/DEPARTMENTAL REPRESENTATION OF
GHULAM RAZA EX-PATWARI

ORDER

1. Whereas, Mr. Ghulam Raza Ex-Patwari Tehsil & District Manshara filed an appeal against the order of Deputy Commissioner Manshara No. 12233-42/AE dated 22.10.2014 whereby the Deputy Commissioner Manshara imposed major penalty of *Removal from Service* upon the appellant.
2. Whereas, personal hearing of the appellant was made on 05.01.2015 and he was allowed to cross examine the evidence against him.
3. Whereas, from the available record, material available on file and personal hearing, charge against the appellant stands proved and un-rebutted.
4. Whereas, from the available record it has not been found that order passed by the Deputy Commissioner suffers from any material defect, procedural irregularity or illegality.
5. Now therefore, keeping in view the relevant record, personal hearing and all rules and procedure, the appeal in hand is dismissed.

By Order of
Commissioner,
Hazara Division, Abbottabad.

No.10/2 (Rev)/ACR/ 541-43

Dated Abbottabad the 06/02/2015


Copy forwarded to the:

1. Deputy Commissioner Manshara for information.
2. PS to Commissioner Hazara Division, Abbottabad.
3. Mr. Ghulam Raza s/o Aziz ur Rehman Ex-Patwari, resident of Mohallah Sainabad, Tehsil & District Manshara.

Assistant to Commissioner (Rev/GA),
Hazara Division, Abbottabad.

جس نے کامیابی حاصل کی ہے اسے کئی طریقوں سے فریڈ کے ذریعے
دریودیل کر کے مستحق کر لیا جائے گا۔ اس کے ذریعے فریڈ کے ذریعے
10² 2014 کے لئے فریڈ کے ذریعے DAC اور ACE کے ذریعے فریڈ کے ذریعے

مہینے کے لئے فریڈ کے ذریعے 1322 فریڈ کے ذریعے فریڈ کے ذریعے
فریڈ کے ذریعے اور فریڈ کے ذریعے فریڈ کے ذریعے
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L. CHAN
CO/ACC. (MAN)
12-2-2014

دستخط

عہدہ

اطلاع کے لیے اطلاع دہندہ کا دستخط ہوگا یا اس کی نمبر یا نشان لکھا جائے گا۔ اور اس پر تحریر کنندہ ابتدائی اطلاع کا دستخط یا پورے تصدیق ہوگا۔ حروف الف یا ب سرخ روشنائی
ب۔ منظم یا مستشرقین، واسطہ یا شہر، تاریخ یا دیگر ایسی چیزیں جو ان کے لئے ضروری ہوں، لکھنا چاہئے۔

BETTER COPY**ابتدائی اطلاعی رپورٹ**

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زبردفعہ 154 مجموعہ ضابطہ فوجداری۔

نسلع مانسہرہ۔

ACE مانسہرہ

تھانہ

تاریخ 27.10.2005

مقدمہ علت نمبر 01

نمبر:

1	تاریخ وقت رپورٹ	14.3.2013 چاکیدگی پرچہ 12.02.2014 وقت 14:30 بجے دفتری اوقات۔
2	نام و سکونت اطلاع دہندہ مشغیت	مسماة صبیحہ افتخار بذریعہ افتخار خان ساکن مانسہرہ روڈ جھنگلی ایبٹ آباد۔
3	مختصر کیفیت جرم مع دفعہ حال اگر کچھ کیا گیا ہو۔	PPC 409/419/420/468/471/477-A 5 (2) PC ACT
4	جائے وقوعہ فاصلہ تھانہ سے اور سمت	دفتر تحصیل بلڈنگ دفتر تحصیل حلقہ پٹواری بقا صلد 2 کلومیٹر از تھانہ جانب شرق
5	نام و سکونت ملزم	غلام رضا ولد عزیز الرحمان ساکن محلہ سائیں آباد مانسہرہ پٹواری حلقہ مانسہرہ۔
6	کارروئی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہو تو وجہ بیان کرو۔	چٹھی نمبر 1322 مورخہ 11.02.2014 پر مقدمہ قائم ہوا۔
7	تھانہ سے رواگئی کی تاریخ و وقت	بہ سبیل ڈاک۔

ابتدائی اطلاع نیچے درج کرو۔ مستغیثہ مندرجہ خانہ نمبر 2 بالانے تحریری درخواست جناب DPO صاحب مانسہرہ کو دی جس پر مقدمہ علت نمبر 1249/7.11.2012 مورخہ جرم PP 447/34 تھانہ سٹی مانسہرہ قائم ہو اور ان تفتیش مقدمہ بالا DPO صاحب مانسہرہ نے بحوالہ لیٹر نمبر 37/CC مورخہ 19.2.2013 جناب DAC/ACE صاحب پشاور بھجوا یا جس پر لیٹر نمبر 1758/ACE/7.3.2013 اوپن انکوائری نمبر 21/013 محکمہ مال کا حکم ہو اور ان انکوائری محکمہ مال سے ریکارڈ حاصل کیا گیا۔ گواہان اور مدعیہ کے بیانات قلمبند ہوئے۔ سابقہ CO صاحب نے مورخہ 20.5.2013 کو انکوائری میں فائل رپورٹ برائے اندراج مقدمہ تحریر کر کے دفتر DAC/ACE صاحب پشاور بھجوائی۔ مورخہ 19.6.2013 کو جناب DAC/ACE صاحب نے انکوائری AD(R) برائے رپورٹ مارک کی اسی دوران مجسٹریٹ صاحب AD(R)/ACE پشاور کو ریونیو شاف اور ہر دور فریقین کی موجودگی میں بحوالہ انتقال

نمبر 55133/27.10.03 مصدقہ موقع کی نشاندہی کر کے فائل رپورٹ دینے کی ہدایت کی جو اس سلسلہ میں مورخہ 4.2.2014 کو رجسٹریٹ صاحب AD(R)/ACE پشاور نے موقع پر آ کر ریونیوسٹاف ماسمبرہ اور پارٹیز کی موجودگی میں انتقال نمبر 55133/27.10.03 مصدقہ کی نسبت موقع کی نشاندہی کی گئی۔ ریونیوسٹاف ماسمبرہ نے نقشہ تہہ و تہہ و دیگر ریکارڈ متعلقہ انکوائری حاصل کیا گیا۔ بعد نشاندہی موقع ریونیوریکارڈ اور گواہان کے بیانات کی روشنی میں جملہ کارروائی نسبت انتقال نمبر 55133/27.10.03 مصدقہ کا ذمہ دار پیٹری حلقہ غلام رضا کو ٹھہرایا گیا۔ جس نے کاغذات مال میں طمع نفسانی کی خاطر دھوکہ و فراڈ کے ذریعے رد و بدل کر کے مستغیث کو نقصان پہنچایا۔ فائل تکمیلی رپورٹ مورخہ 10.2.2014 برائے اندراج مقدمہ DAC/ACE صاحب پشاور بھجوائی گئی جس پر DAC/ACE صاحب نے بحوالہ لیٹر نمبر 1322/11.2.2014 مورخہ برخلاف ملزم غلام رضا پیٹری حلقہ ماسمبرہ مقدمہ رجسٹر کرنے اور گرفتاری کا حکم صادر فرمایا۔ مطابق حکم غلام رضا پیٹری حلقہ کے خلاف دھوکہ و فراڈ کے ذریعے محکمہ مال کے کاغذات میں رد و بدل کر کے مستغیث کو نقصان پہنچانے پر مقدمہ درج رجسٹر کیا جاتا ہے۔ میں مصروف تفتیش ہوں۔ کیفیت نمبر 1 تا 7 ضمنی نمبر 1 کا حصہ تصور ہوگی۔ پرچہ گزارش ہے۔

SD/-

CO/ACE (MA)

12.02.2014

ابتدائی اطلاع رپورٹ

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 153 جسٹس سائبر ہداری

ضلع مانسہرہ

تاریخ

تاریخ وقت وقوعہ 2012 جون 12 وقت نامعلوم

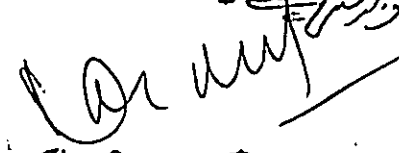
10	وقت	دہشتی اوقات	11	وقت	4:00 بجے
ابتدائی اطلاع دہشتہ مشیت سمیت اہتمام دفعہ 153 ضلع مانسہرہ ایس آر سی 4369 - 4379					
سببت جرم (مذکورہ وقت) حال اگر کبھی گیا ہو۔ ذکر و نام					
دفعہ 153 کے تحت اس وقت 4369 - 4379 کے گھرانے میں اس وقت یہاں پر 4379 کی طرف سے اس وقت					
ہذا اطلاع کے تعلق کی کمی اگر اطلاع درج کرنے میں آؤ تو ہوا تو وہ بیان کر					
تعداد بائٹ و حصول رازہ کے لئے اس وقت اس وقت					
رہنما کے نام					

ابتدائی اطلاع نیچے درج کردہ جمعہ انگریزی سبب کی بنا پر 12/6/12 9 بجے اس وقت
ان بااقتضا صدر دفتر میں سے ہونے والا جو بعض ریاست ارباب صاحبان اس کے لئے
کے نام سے 7 بجے کے بعد اس وقت جمعہ کو اس وقت اس وقت اس وقت اس وقت
ہوئے اور ان کے لئے اس وقت اس وقت اس وقت اس وقت اس وقت اس وقت اس وقت

District Police officer Manshera, KPR. Lodging - 7/11/12
OF FIR AGAINST THE ACCUSED MIR AHMAD S/O SHAFIQUE UR REHMAN R/O KARORI
TEHSIL BALAKOT, MOHAMMAD IRBAL S/O MUHAMMAD YOUSAF R/O GILGAR
ABAD TEHSIL BALAKOT, MUHAMMAD KHALID S/O GILGAR REHMAN R/O BORAJ
GHARI HABIB ULLAH TEHSIL BALAKOT. GILGAR REHMAN S/O GUL ZAMAN
R/O DHANGRA ZAKIR HUSSAIN S/O ABDUL RASHID R/O HATHI. MERRAN AND
(03) OTHERS UNKNOWN ON ACCOUNT OF RAISING ILLEGAL CONSTRUCTION
IN MY LAND KHASRA NO. 4347/1 MEASURING 11K-06M. S/R. (1) I am currently
residing in Canada for the medical treatment of my younger son
elder son called me in June 2012 that Danish S/O Safique
illegally taking possession of my property in Dhangri Manshera. I came
to Pakistan in emergency and took police help to shunt the illegal
trespassers out of my land. I submitted an application to the SHO
city Manshera on 12 June 2012. (2) On 29 September 2012 field revenue
staff along with police force went on the spot for foundation. During the
course of action field revenue staff confirmed that not a single inch of
land from khasra no 4347/1 measuring 11K-06M has been sold as per revenue
record. However there has been illegal construction raised in that specific
P.T.O

piece of land. (Copy of Fard attached)
 ⑤ Forgone in view it is requested that FIR should
 be lodged against Mir Ahmed s/o Shefiqur-Rehman
 R/O Kroyee tehsil Balakot, Muhammad 196al s/o
 Muhammad Yousef R/O Ghayy Abad tehsil Balakot-Muha-
 mmad Khalid s/o Ghayy Rehman R/O Bhoary Ghayy Habib Allah
 Tehsil Balakot - Ghayy Rehman s/o Gul Zamman R/O Okangri-
 8 Zakiy Hussain s/o Abdul Rashid R/O Hathi Meyer, & (03) three
 others unknown, and legal action be taken against them in
 accordance with the law. ④ I will be extremely grateful for
 help and concern in this regard.

دستخط میر حسین ممتاز دفتر قریب بازار 10 کا یہاں تیار آدھ حضرت
 خان خرم خرم ممتاز سیم مانتی و درویش آیار 10 کا یہاں تیار آدھ حضرت
 صرف یہ صرف دریا یا لاہور مکتون حضرت میر حسین ممتاز سرپرست
 محرم بالانام سیکرٹری درہم حضرت میر حسین ممتاز سرپرست
 پیش منیر عبد الغفار HC صاحب یہاں تالیف جلا و درویش



SP. PS - city - MA
 07 - 11 - 12

تاریخ رپورٹ
 تاریخ روایت چائی
 دفعہ میں فرمان
 شکل جوڑ
 شکل جوڑ
 سوال
 سہ ماہی
 12
 12

BETTER COPY**ابتدائی اطلاعی رپورٹ**

ابتدائی اطلاع نسبت جرم قابل دست اندازی پولیس رپورٹ شدہ زیر دفعہ 154 مجموعہ ضابطہ فوجداری۔

ضلع مانسہرہ۔

سٹی

تھانہ

تاریخ وقت وقوعہ جون 2012 وقت نامعلوم

مقدمہ علت نمبر 1249

نمبر

1	تاریخ و وقت رپورٹ	5.10.2012 وقت دفتری اوقات چاکیدگی پرچہ 07.11.2012 وقت 14:00 بجے۔
2	نام و سکونت اطلاع دہندہ متغیث	مسماة صبیحہ افتخار دختر محمد نواز خان زوجہ قاضی محمد افتخار ساکن 479 جھنگلی مانسہرہ روڈ ایبٹ آباد۔
3	مختصر کیفیت جرم مع دفعہ حال اگر کچھ کیا گیا ہو۔	447/34 PPC
4	جائے وقوعہ فاصلہ تھانہ سے اور سمت	خسرات نمبر 1/4347، 4347 دیہہ ڈھانگری جانب غرب فاصلہ 5/6 کلومیٹر از تھانہ۔
5	نام و سکونت ملزم	
6	کارروئی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہو تو وجہ بیان کرو۔	بعد دریافت و حصول رائے پٹواری حلقہ مقدمہ درج رجسٹر ہوا۔
7	تھانہ سے روانگی کی تاریخ و وقت	روٹین ڈاک

ابتدائی اطلاع نیچے درج کرو۔ بوقت چٹھی انگریزی نمبری C-1246/، 9.10.2012 بوساطت افسران بالا مستغیثہ

مندرجہ خانہ نمبر 2 موصول ہوئی جو بغرض دریافت الطاف حسین انسپکٹر ASHO صاحب کے نام مارک ہوئی جو

ASHO صاحب نے بعد دریافت چٹھی ہیڈا SHO صاحب کو پیش کی جس پر SHO صاحب نے تحریر فرمایا

MHC صاحب تھانہ سٹی مانسہرہ آمدہ رپورٹ پر مقدمہ رجسٹر کر کے نقل پرچہ برائے تفتیش حوالہ بیٹ افسر رکیا جاوے۔ دستخط

انگریزی ذوالفقار خان SH تھانہ سٹی۔ مورخہ 7.1.2012 متن چٹھی درج ذیل ہے۔

DISTRICT POLICE OFFICER - MANSEHRA, KPK, IODGING OF FIR AGAINST THE ACCUSED MIR AHMED S/O SHAFIQ UR

REHMMAN, R/O KARORI TEHSIL BALAKOT, MUHAMMAD IQBAL S/O MUHAMMAD YOUSAF R/O

GHIRABAD, TEHSIL BALAKOT, MUHAMMAD KHALID S/O GOHR REHMAN R/O BHORAJ GARHI

HABIBULLAH TEHSIL BALAKOT. GOHAR REHMAN S/O GUL ZAMAAN R/O DHANGRI, ZAKIR

HUSSAIN S/O ABDUL RASHEED R/O HATHIMERA & (03) OTHERS UNKNOWN ON ACCOUNT OF

RAISING ILLEGAL CONSTRUCTION IN MY LAND KHASRA NO.4347/1, MEASURING 11K-06M, SIR (1)

I AM CURRENTLY RESIDING IN CANADA for the medical treatment of my younger son, elder son called

me in June 2012 that, Danish S/O Sarfaraz is illegally taking possession of my property in Dhangri Mansehra, I came to Pakistan in emergency and took police help shunt the illegal trespassers out of my land. I submitted an application to the SHO City Mansehra on 13 June 2012. (2) on 29.09.2012, field revenue staff alongwith police force went on the spot for pointation during the cours of action field revenue staff confirmed that not a single inch of land from Khasra No:4347/1, measuring 11-06 kanal has been sold as per revenue record, however, there has been illegal construction raised in that specific piece of land . (Copy of fârd attached). (3) Forgone in view it is requested that FIR should be lodged agaaisnt Mir Ahmed S/O Shafiq Ur Rehman, resident of Karori, Tehsil Balakot, Muhammad Iqbal S/O Muhammad Yousaf, R/O Ghairabad, Tehsil Balakot; Muhammad Khalid S/O Gohar Rehman R/O Bhoraj Garhi Habibullah, Tehsil Balakot, Gohar Rehman S/O Gul Zaman, R/O Dhangri & Zakir Hussain S/O Abdul Rasheed R/O Hathimera and (03) three others unknown, and legal action be tken with them in accordance

دستخط انگریزی صبیہ - with the law. (4) I will be extremely grateful for your held and concern, in this regard

افتخار دختر محمد نواز خان زوجه محمد افتخار ساکن جھنگلی مانسہرہ روڈ ایبٹ آباد۔ 5.10.2012 کاروائی تھانہ۔ آمدہ چٹھی انگریزی حرف بحرف درج بالا ہو کر مضمون چٹھی انگریزی سے سریدست صورت جرم بالا کی پائی جا کر مجرم بالا قائم ہو کر نقل پرچہ معہ چٹھی انگریزی معہ حلقہ پٹواری رپورٹ بغرض تفتیش حوالہ بیٹ افسر عبدالغفار IHC صاحب کیا جاتا ہے۔ پرچہ گزارش ہے۔

SD/-

SI. PS CITY MA

07.11.2012

Annexure

(H)

(29)

BEFORE THE PESHAWAR HIGH COURT
BENCH ABBOTTABAD

W.P.No. _____/2014

Ghulam Raza S/O Aziz Ur Rehman, resident of Mohallah
Sainabad, Mansehra, Tehsil and District Mansehra..Petitioner

VERSUS

- (1) The Director Anticorruption , Anticorruption
Establishment, Khyber Pakhtunkhwa Peshawar.
- (2) Circle Officer, Anticorruption Mansehra.
- (3) Mst.Sabiha Iftikhar D/O Muhammad Nawaz Khan
W/O Qazi Iftikhar, resident of Mansehra Road, Jhangi,
Abbottabad.
- (4) The State.....Respondents

CASE FIR NO.1 DATED: 12.02.2014 U/S 409/419/420/468
/471/477-A PPC 5(2) P.C.ACT POLICE STATION ACE
MANSEHRA.

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN-1973 FOR ISSUANCE OF DECLARATION
TO THE EFFECT THAT REGISTRATION OF THE
CASE AGAINST THE PETITIONER IS TOTALLY
ILLEGAL, ARBITRARY, MALAFIDE, FANCIFUL,
DISCRIMINATORY, AGAINST THE FACTS,
WITHOUT LAWFUL AUTHORITY AND IS
CAPRICIOUS OR ANY OTHER DIRECTION WHICH
IS DEEMED APPROPRIATE IN THE
CIRCUMSTANCES OF THE CASE MAY
GRACIOUSLY BE ISSUED.

Respectfully Submitted!

1. That, the petitioner previously filed quashment petition No.QP29-A/2014 which was withdrawn by the order of this Honourable Court.
2. That, respondent No.3 moved an application to the District Police Officer, Mansehra on 05.10.2012 against Mir Ahmed S/O Shafiq Ur Rehman, Muhammad Iqbal S/O Muhammad Yousuf, Muhammad Khalid S/O Gohar Rehman, Gohar Rehman S/O Gul Zaman and Zakir Hussain S/O Abdul Rasheed, a case U/S 447/34 PPC was registered against the above named persons vide FIR No.1249 dated: 07.11.2012 at Police Station, City Mansehra. **(Copy of FIR is annexed as Annexure "A")**.
3. That, during the course of investigation an application was submitted to the District Police Officer, Mansehra by one Mohtashim Iftikhar Khan S/O Mst.Sabiha Iftikhar (respondent ^{Complainant} NO.3) for lodging FIR against Kala Khan S/O Gohar Rehman, Syed Fakhar Ul Islamk S/O Abdul Latif Shah and Muhammad Ilyas S/O Muhammad Ifran in addition to the above named persons. **(Attested copy of the application is annexed as Annexure "B")**.
4. That, investigation was initiated and during the course of investigation the District Police Officer vide his letter No:37/CC dated: 19.02.2013 addressed to the Director Anticorruption/Respondent No.2 sent the case to the Anticorruption Authorities for further proceedings.

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5. That, an open inquiry was ordered by respondent NO.1, and at the conclusion of such inquiry all the persons nominated in the FIR and subsequent applications were mysteriously discharged and petitioner was made a lamb to the slaughter and has been made sole accused in this case vide FIR NO.1 dated: 12.02.2014. **(Copy of the FIR is annexed as Annexure "C")**.

6. That, after the registration of the case against the petitioner the said Mohtashim Iftikhar moved another application to Special Judge Anticorruption, KPK, Peshawar requesting therein to take action against the dropped persons, this application was dismissed by the learned Court. **(Copy of the application is annexed as Annexure "D")**:

Feeling annoyed, aggrieved, extremely shocked, dismayed and displeased the petitioner begs the interference of this Honourable Court on the following amongst other grounds.

GROUNDS

A. That, it is very funny that the persons who were charged by the complainant have been exonerated by the Anticorruption Authority and the petitioner was made a sacrificial goat to save the skin of have as the petitioner is have not.

B. That, the very registration of the case against the petitioner is arbitrary, based on malafide, fanciful, discriminatory, capricious, without any lawful authority and against the golden principle of justice.

C. That, the FIR registered against the petitioner is nullity in the eye of law and has been made by transgressing the parameteria prescribed by law in consequence of which the petitioner has been put in a state of extreme jeopardy.

D. That, by no stretch of imagination any criminal liability is constituted against the petitioner, therefore, the order of respondent No.1 falls out of realm of law.

It is, therefore, prayed that the on acceptance of this writ petition the registration of the case against the petitioner may kindly be declared to be without any lawful authority, malafide and the FIR against the petitioner may kindly be quashed.

INTERIM RELIEF

It is, therefore, humbly prayed that till the disposal of the instant writ petition the circle officer Incharge Anticorruption Establishment, Mansehra may kindly be restrained from arresting the petitioner.

Dated:11.07.2014

Ghulam Raza
.....Petitioner

THROUGH

AURANGZAIB ASAD
ADVOCATE SUPREME COURT
OF PAKISTAN (MANSEHRA)

VERIFICATION

This is to certify that the contents of foregoing writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honourable Court.

Dated:11.07.2014

Ghulam Raza
.....Deponent

Annexure

I

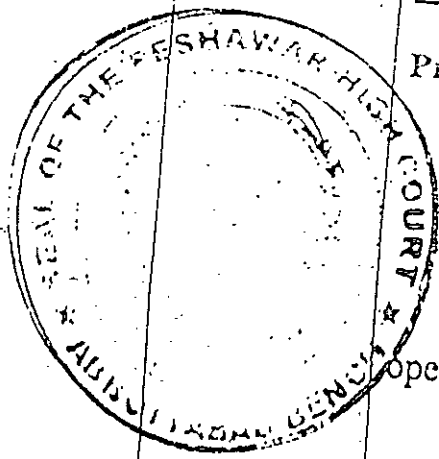


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PESHAWAR HIGH COURT, ABBOTTABAD BENCH

FORM 'A'
FORM OF ORDER SHEET

Date of Order or Proceedings	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES
1	2
23.07.2014	C.M No.490-A/2014 in W.P No.531-A/2014.
<p>Present: Mr. Aurangzeb Asad, Advocate, for applicant.</p> <p style="text-align: center;">***</p> <p>Notice for a short date. In the meanwhile operation of the impugned FIR is suspended.</p> <p style="text-align: right;">JUDGE</p>	



Certified to be True Copy

[Signature]

PESHAWAR HIGH COURT
ABBOTTABAD BENCH

Notarized Under Section 89A of the Ordinance

(29) ~~Amir Khan~~ "J"
BEFORE THE ANTI-CORRUPTION JUDGE PESHAWAR

Mohtashim Iftikhar Khan Qazi son of Qazi Muhammad Iftikhar Khan resident of 479, Jhangi,
Mansehra Road, Abbotabad..... (Plaintiff)

Versus

1. Kala Khan S/O Gohar Rehman R/O Mohallah Dab No. 1 Mansehra 2. Syed Fakhar-ul-
Islam S/O Abdul Latif Shah R/O Chilli Dheri Dakhli Mansehra 3. Muhammad Ilyas
Muhammad Irfan R/O Dhangri Mansehra..... (Respondents)

APPLICATION FOR ACTION AGAINST THE ACCUSED WHO'S NAMES HAVE BEEN
DROPPED BY THE ANTI-CORRUPTION ESTABLISHMENT IN FIR No.1 DATED 12-2-2014
UNDER SECTION P.P.C 402,419,420,468,471,477 A/5(2) PC ACT, P.S ACE MANSEHRA

Respectfully Sheweth:-

1. Reference FIR No.1 dated 12-02-2014, and my complaint lodged with the DPO
Mansehra dated 14-12-2012. (Copy of FIR and plaintiffs complaint attached)
2. The above referred complaint was sent to Anti-Corruption department after the
investigation by the local police and opinion penned down by the District Public Prosecutor,
under the covering letter of the DPO Mansehra. The then Circle Officer Mansehra, sent the
case file to Director Anti-Corruption, for the approval of registration of case on 20-05-2013, after
doing the needful.
3. I personally visited the Anti-Corruption Directorate in mid January, 2014, and there was
no action taken against the nominated accused in my complaint by Mr. Fayaz Ali Shah for
reasons best known to him. However, after such a long delay of more than 07 months, the
case has been finally registered that too after dropping out the names of the main accused that
were already nominated in my complaint who are beneficiaries and involved in
conceiving/planning/executing the massive fraudulent activities. Documented evidence already
placed on case file.
4. Forgone in view, it is requested that registration of FIR against already nominated
accused Kala Khan s/o, Gohar Rehman r/o Mohallah Dab no 1, Syed Fakhar-ul-Islam s/o Abdul
Latif Shah r/o Chilli Dheri Dakhli & Muhammad Ilyas s/o Muhammad Irfan r/o Dhangri Mansehra
be ordered or included in FIR No 1 dated 12-02-2014, and legal action be taken against them in
accordance with the law, to compensate the already inordinate delay so caused.

(MOHTASHIM IFTIKHAR KHAN QAZI)

Dated: - 26 March, 2014

Plaintiff

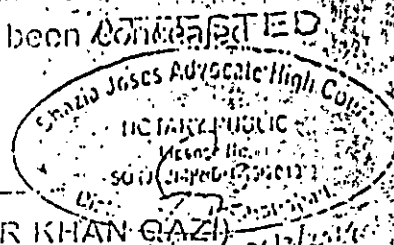
AFFIDAVIT

It is verified on Oath that the contents of the foregoing application are true and
correct to the best of my knowledge and belief. Nothing has been ~~concealed~~
from this Honorable Court.

Dated: - 26 March, 2014

(MOHTASHIM IFTIKHAR KHAN QAZI)

Plaintiff



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BEFORE THE ANTI CORRUPTION JUDGE PESHAWAR

Mohtashim Iftikhar Khan Qazi son of Qazi Muhammad Iftikhar Khan,
resident of 479, Jhangi Mansehra Road Abbottabad.....**Plaintiff**

Versus

(1) Kala Khan S/O Gohar Rehman R/O Mohallah Dab No. 1, Mansehra
(2) Syed Fakhrul Islam S/O Abdul Latif Shah R/O Chitti Dheri, Mansehra
(3) Muhammad Ilyas S/O Muhammad Irfan R/O Dhangri
Mansehra.....**Respondents**

**APPLICATION FOR ACTION AGAINST THE ACCUSED WHO'S NAMES
HAVE BEEN DROPPED BY THE ANTI-CORRUPTION ESTABLISHMENT
IN FIR NO. 1 DATED 12.02.2014 UNDER SECTION P.P.C.
402,419,420,468,471,477 A/5(2) PC ACT, P.S. ACE MANSEHRA.**

Respectfully sheweth: -

1. Reference FIR No. 1 dated 12.02.2014 and my complaint lodged with the DPO Mansehra dated 14.12.2012. (Copy of FIR and plaintiffs complaint attached).
2. The above referred complaint was sent to Anti-Corruption department after the investigation by the local police and opinion penned down by the District Public Prosecutor, under the covering letter of the DPO Mansehra. The then Circle Officer Mansehra, sent the case file to Director Anti Corruption for the approval of registration of case on 20.05.2013, after doing the needful.
3. I personally visited the Anti Corruption directorate in the January 2014 and there was no action taken against the nominated accused in my complaint by Mr. Fayaz Ali Shah for reason best known to him. However, after such a long delay of more than 07 months, the case has been finally registered that too after dropping and the names of the main accused that were already nominated in my complaint who are beneficiaries and involved in consoling planning/excluding the massive fraudulent activities. Documented evidence already placed on case file.
4. Forgone in view, it is requested that registration of FIR against already nominated accused Kala Khan s.o Gohar Rehman r/o Mohallah Dab No. 1, Syed Fakhar-ul-Islam s/o Abdul Latif Shah r/o Chitti Dheri Dakhli & Muhammad Ilyas s/o Muhammad Irfan r/o Dhangri Mansehra be ordered to included in FIR No. 1 dated 12.02.2014 and legal action be taken against them in accordance with the law to compensate the already ordinate delay so caused.

Sd/-
(Mohtashim Iftikhar Qazi)
Plaintiff

Dated 26 March 2011.

AFFIDAVIT

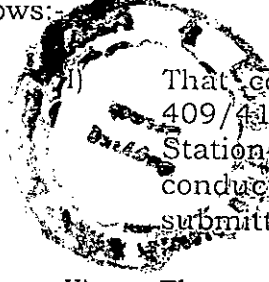
It is verified on Oath that the contents of the foregoing application are true and correct to the best of my knowledge and belief. Nothing has been concealed from this Honourable Court.

Sd/-
(Mohtashim Iftikhar Qazi)
Plaintiff

Dated 26 March 2011.

CHARGE SHEET.

I, Zulfiqar Ali Shah, Deputy Commissioner Mansehra, as competent authority, hereby charge you, Mr. Ghulam Raza, Ex-Patwari Halqa Mansehra No.2 now PH-Potha as follows:-



- I) That consequent upon registration of an FIR No.1 dated 12.2.2014 U/S 409/419/420/468/471/477-A. PPC/5(2) PC ACT against you in Police Station ACE-Mansehra, the Assistant Commissioner Mansehra was asked for conducting facts finding enquiry. The Assistant Commissioner-Mansehra submitted his report vide No.533/P-2/AC(M) dated 16.5.2014.
- II) That as per enquiry report you while posted as Patwari halqa Mansehra No.2 intentionally tampered mutation No. 55133 attested on 27.10.2003 after its attestation by the Revenue Officer and added khasra No.4347/8-6 in the said mutation. Original mutation attested by the Revenue officer was only of khasra No. 4347/4.
- III) That the said act on your part is malafide/cheating and you are therefore liable to be proceeded against under the Khyber Pakhtunkhwa, E&D Rules-2011 on account of the said allegations.

- 2. By reasons of the above, you appear to be guilty of misconduct under Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule 4 of the Rules etc.
- 3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
- 4. Your written defence, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.
- 5. Intimate whether you desire to be heard in person.
- 6. A statement of allegations alongwith preliminary enquiry report is enclosed.

[Signature]

Deputy Commissioner
Mansehra.

No. 5259-60 /AE

Dated 28 /5/2014.

Copy forwarded to:-

- 1. The Additional Deputy Commissioner-Mansehra, alongwith complete photo copies of enquiry file, to conduct inquiry against the accused official and furnish finding within 30-days.
- 2. The Tehsildar Mansehra (in duplicate) with the direction to deliver the same to Mr. Ghulam Raza, Patwari halqa Potha and return one copy of its acknowledgement.

ATTESTED

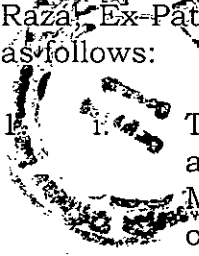
Examiner *[Signature]*

Date 29 / 10 / 14

[Signature]
Deputy Commissioner
Mansehra.

SHOW CAUSE NOTICE.

I, Ikramullah Khan, Deputy Commissioner Mansehra, as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Ghulam Raza, Ex-Patwari Halqa Mansehra No.2 presently Patwari Halqa Potha as follows:



- i. That consequent upon the completion of Inquiry conducted against you by the Additional Deputy Commissioner Mansehra/Inquiry Officer for which you were given opportunity of hearing vide communicator No. 5259-60/AE, dated 28.5.2014; and.
- ii. On going through the findings and recommendations of the Inquiry Officer, the material on record and other connected papers including your defence before the Inquiry Officer.

I am satisfied that you have committed the following acts/omissions specified in rule-3 of the said rules:

- a. Mis-conduct.
- 2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you Major penalty to the extent of Removal of Service under Rule-4 of the said Rules.
- 3. You are, thereof, required to Show Cause as to why the aforesaid penalties should not be imposed upon you and also intimate whether you desire to be heard in person.
- 4. If no reply of this Notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
- 5. A copy of the findings of the Inquiry Officer is enclosed.

[Signature]
o/c Deputy Commissioner
Mansehra.

No. 10132/AE

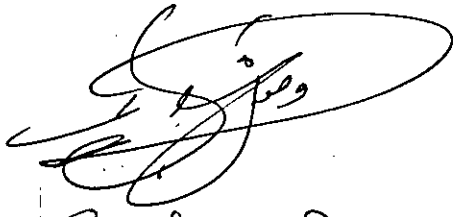
Dated 19/9/2014

Mr. Ghulam Raza, Ex-Patwari halqa Manshra No.2 now Patwari halqa Potha.

ATTESTED
Examiner... *[Signature]*
Date... 29/9/14

[Signature]
o/c Deputy Commissioner
Mansehra.


Received Copy of letter No. 10132/AE,
dated 19.9.2014



Chulam Pagi,
Ex. Patwari Halga Nowshe No. 2
now Patwari Halga Potha

22-9-2014.



ps
ATTESTED
Examiner: 
Date: 29/9/14



(33)

DISCIPLINARY ACTION.

I, Zulfiqar Ali Shah, Deputy Commissioner Mansehra, as competent authority, am of the opinion that Mr. Ghulam Raza, Ex-Patwari Halqa Mansehra No.2 now Patwari halqa Potha has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of Rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS.

- I) That consequent upon registration of an FIR No.1 dated 12.2.2014 U/S 409/419/420/468/471/477-A PPC/5(2) PC ACT against him in Police Station, ACE-Mansehra, the Assistant Commissioner Mansehra was asked for conducting facts finding enquiry. The Assistant Commissioner-Mansehra submitted his report vide No.533/P-2/AC(M) dated 16.5.2014.
- II) That as per enquiry report he while posted as Patwari halqa Mansehra No.2 intentionally tampered mutation No. 55133 attested on 27.10.2003 after its attestation by the Revenue Officer and added khasra No.4347/8-6 in the said mutation. Original mutation attested by the Revenue officer was only of khasra No. 4347/4.
- III) That the said act on his part is malafide/cheating and he is therefore liable to be proceeded against under the Khyber Pakhtunkhwa, E&D Rules-2011 on account of the said allegations.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry Officer, named below, is appointed under Rule 10(1)(a) of the ibid Rules:

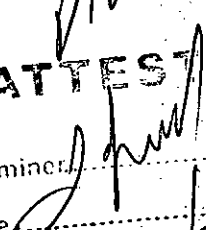
1. Additional Deputy Commissioner, Mansehra.

3. The Inquiry Officer shall, in accordance with the provisions of the ibid Rules, provide reasonable opportunity of hearing to the accused, record his findings and make within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the department shall join the proceedings on the date, time and place fixed by the Inquiry Officer.


Deputy Commissioner
Mansehra.

ATTESTED

Examiner: 

Date: 29/10/14

جواب شوکاژ نوٹس نمبری AE/10132 مورخہ 19.08.2014 آمدہ جناب ڈپٹی

کمشنر صاحب مانسہرہ ذیل عرض ہے:-

جناب عالی!

میں نے انتقال نمبر 3 5513 بیج ملکیت موضع مانسہرہ مورخہ

20.08.2003 بابت اراضی نمبرات خسره 4/6/8/4347 قطعہ تین تعدادی

20-00 کنال سے 31/400 حصہ بقدر 01-11 کنال و اراضی نمبر خسره 2/4347 تعدادی

02-19 کنال سے 9/59 حصہ بقدر 00-09 کنال کل رقبہ منقلہ 02-00 کنال منجانب

مسماة صبیحہ کوثر دختر محمد نواز خان بنام فیصل شاہ وغیرہ مشتریان درج رجسٹر کیا جو میرے فرائض منصبی

میں تھا کیونکہ پٹواری کا کام مطابق ریکارڈ مال انتقال درج کرنا ہے۔ انتقال کے ملاحظہ سے

اندازہ ہو سکتا ہے کہ میں نے اپنی تحریر میں کسی قسم کی کوئی Tempering نہیں کی۔ فوٹو کاپی

انتقال برائے ملاحظہ شامل ہے جس کی پشت پر حکم ریونیو آفیسر میں نمبرات خسره کی تشریح ریونیو

آفیسر کی خود قلمی ہے جو کہ قابل ملاحظہ ہے۔

یہ کہ انتقال مذکورہ بالا مورخہ 27.10.2003 کو بجلسہ عام ریونیو آفیسر نے تصدیق

کیا اور اصل پر تصدیق کے بعد ریونیو آفیسر سرکل اپنے ہمراہ برائے ادخال تحصیل ساتھ لیکر

جاتا ہے۔ انتقال تصدیق ہو جانے کے بعد نہ تو اصل انتقال پٹواری کے پاس ہوتا ہے اور نہ ہی

اصل انتقال پہلے پٹواری کا کوئی تعلق ہوتا ہے۔

یہ کہ تصدیق انتقال کے بعد ریونیو آفیسر انتقال پر حکم اپنی قلم سے مطابق قانون خود تحریر

کرتا ہے اور خود ہی انتقال دفتر قانون گو کے پاس داخل کرتا ہے۔ حکم ریونیو آفیسر کے بعد بغیر

ریونیو آفیسر کے کوئی دوسرا اہلکار پٹواری یا گرواور Tempered نہیں کر سکتا اور نہ ہی

Tempering کرنے کا مجاز ہے۔ تاہم پھر بھی مطابق حکم ریونیو آفیسر بر انتقال مذکورہ بالا یا

مشتری کو کسی قسم کا کوئی نقصان نہیں ہے۔ میں نے کسی قسم کی کوئی Tempering نہیں کی اور

نہ ہی ریونیو آفیسر کے حکم سے میرا کوئی تعلق ہے۔ ریونیو آفیسر سرکل اپنا تحفظ کرنے کیلئے بلا

تصدیق انتقال کے حکم کی Tempering پر میرے خلاف بیان دیا ہے۔

میں نے FIR کے خلاف بعدالت عالیہ ہائی کورٹ ایٹ آباد پٹیج رٹ پٹیشن نمبر

C.M.3531-A/2014 نمبر 490-A/2014 دائر کی ہے جس پر بحوالہ حکم عدالت مورخہ

FIR-23.07.2014 مذکور بھی معطل ہو چکی ہے۔ نقل حکم عدالت برائے ملاحظہ لف ہے۔

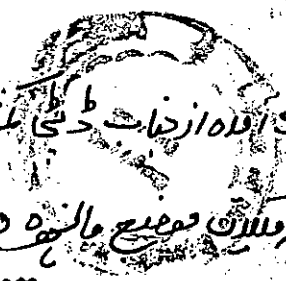
میں بے گناہ ہوں۔ لہذا انکو آئری داخل دفتر فرمائی جائے۔

غلام رضا پٹواری

21/9/14

Examined
Date
24/9/14





جواب چارج ٹیسٹ نمبر 5259-60/AE اولہ از خات ط کی تشریحاً والیہ ذیل عرض

جناب عالی! میں نے اشغال نمبر 55133 بھوملاک جوہیج والیہ دفتر 20⁰⁸/₂₀₀₃ بابت اراکی

بذرت خرمہ 4347 قطع لعداری 0-20 سے 31^m 400 د لعدر 11-1 اور اراکی بذرت 4347
3 8,6,4

لعداری 19-2 سے 9^m 59 د لعدر 9-0 ط بقدرت 2^m 2 جناب حماة صیجہ لوتر دستہ

فیروز خان باکم نیام فیصل شاہ وزیر مشیران درج رجسٹر یا تھا جم فیروز انص منضی میں تھا
کیونکہ پٹواری کا کام مطابق رکارڈ مال اشغال درج نہ ہوتا ہے۔

اشغال کے ملاحظہ سے اندازہ ہوتا ہے کہ میں نے اپنی تحریر میں حکم کی کوئی تفریحی
میں کی فوٹو کاپی اشغال کے ملاحظہ شامل جواب لف ہے جبکہ اشیت پر حکم روئیو افسر
میں بذرت نے کی تشریح روئیو افسر کی قلمی ہے جو قابل ملاحظہ ہے۔

اشغال فوریہ بالا دفتر 27¹⁰/₂₀₀₃ بوجہ حکم روئیو افسر نے لعدیق کیا اور اصل بابت
2003

لعدیق کے بعد روئیو افسر کے اپنے پراہ کے اذغال تحصیل ساتھ لیکر جاتا ہے۔
اشغال لعدیق ہونے کے بعد نہ تو اصل اشغال پٹواری کے پاس ہوتا ہے اور
نہ ہی اصل اشغال سے پٹواری کا کوئی تعلق ہوتا ہے لعد لعدیق اشغال روئیو افسر

اشغال پر حکم اپنی قلم سے مطابق قانون خود تحریر کرتا ہے اور خود ہی اشکالات
اذغال تحصیل کے لئے حوالہ دفتر قانون کو کرتا ہے۔

حکم روئیو افسر کے بعد بقدر روئیو افسر کے کوئی دوسرے شخص یعنی پٹواری یا لعد اور
تفریحی میں کہتا اور نہ ہی تفریحی کرنے کا مجاز ہے۔

(P-T-0)

ATTESTED
Registered Examiner
Date: 29/14

نوروزنامه

از آنجا که پس از سی سال در این مملکت

انتظار نمی شد که در این مملکت این قدر دگرگونی

پدید آید - همین بود که در این مملکت

پس از سی سال در این مملکت

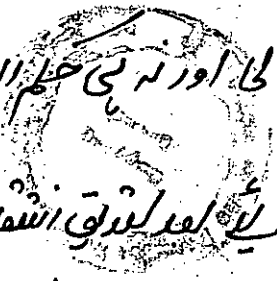
از آنجا که پس از سی سال در این مملکت

انتظار نمی شد که در این مملکت

پس از سی سال در این مملکت

از آنجا که پس از سی سال در این مملکت

انتظار نمی شد که در این مملکت



میں نے سہ ماہی کے قلم زنی میں کی اور نہ ہی حکم الیونیا افریلا میرا کوئی تعلق ہے
 ریونیا افریلا صرف اپنی جان بچانے کے لیے اور لائق انتقال کے حکم کی قلم زنی پر میرا
 نام نہ لایا گیا جس سے میرا کوئی تعلق نہ ہے۔ وغیرہ FIR کے خلاف بعد ازاں
 عالیہ عدالت اور کٹر کٹر بینچ ایسٹ آباد میں نے رٹ پٹیشن دائر کی اور کوئی
 نقل رٹ پٹیشن بلاہ جواب دے کر ملاحظہ فرمائی۔

میں بے گناہ ہوں اور میں نے خلاف قانون کوئی گناہ نہیں کیا لہذا انٹوائٹری
 داخل دفتر فرمایا جا
 غلام رضا پٹواری سابق حلقہ والہ 2012 حال پٹواری حلقہ پوٹھہ

غلام رضا پٹواری
 29/11/12

ATTESTED
 Examiner: [Signature]
 Date: 29/11/12

35



30/1/2013

نام گواہ	نام طرف	تاریخ	مقام	مقام	مقام	مقام	مقام
سید محمد علی	سید محمد علی	20-1-13	پشاور	پشاور	پشاور	پشاور	پشاور
سید محمد علی	سید محمد علی	20-1-13	پشاور	پشاور	پشاور	پشاور	پشاور
سید محمد علی	سید محمد علی	20-1-13	پشاور	پشاور	پشاور	پشاور	پشاور
سید محمد علی	سید محمد علی	20-1-13	پشاور	پشاور	پشاور	پشاور	پشاور
سید محمد علی	سید محمد علی	20-1-13	پشاور	پشاور	پشاور	پشاور	پشاور

Handwritten notes and signatures in the top left corner, including a date '30/08/13' and a signature.

Handwritten notes and signatures in the bottom left corner, including a signature 'M. J. 9' and a date '18/02/15'.

Certified to be true copy
Attesting Office

Date: 18/02/15
Authorised U/S 76 Pakistan
Evidence Act

گورنمنٹ پبلسٹیشن پشاور جاب نمبر 1068 تعداد 6470

DU No. 426
Date 18.02
Court Fee
Urgent Fee
Total Fee
Name of Copyist
Date of Completion
Date of Delivery

Annexure '1'

۱۔ سید محمد قاسم صاحب
 ۲۔ سید محمد قاسم صاحب
 ۳۔ سید محمد قاسم صاحب
 ۴۔ سید محمد قاسم صاحب
 ۵۔ سید محمد قاسم صاحب
 ۶۔ سید محمد قاسم صاحب
 ۷۔ سید محمد قاسم صاحب
 ۸۔ سید محمد قاسم صاحب
 ۹۔ سید محمد قاسم صاحب
 ۱۰۔ سید محمد قاسم صاحب

Certified to be true copy
 Assessing Officer
 Date 25/10/15
 Authorised U/S 76 Pakistan
 Evidence Act

وکالت نامہ



بعدالت جناب

دعویٰ یا جرم

اپیل

غلام رضا

ابیدان

منجانب

باعث تحیر آنکہ

اندریں مقدمہ عنوان میں اپنی طرف سے برائے بیروی و جواب دہی بمقام

اورنگزیب اسد خان ایڈووکیٹ سپریم کورٹ آف پاکستان

کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا اگر کسی پیشی پر مظہر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو وکیل صاحب اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل بیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام کچہری کے علاوہ کسی اور جگہ سماعت ہوایا کچہری کے اوقات کے آگے یا پیچھے سماعت ہونے پر مظہر کو کوئی نقصان پہنچے تو صاحب موصوف ذمہ دار نہ ہوں گے اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست و بیان حلفی و تصدیق کرنے اور اس پر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور پر دہائی و درامی نامہ دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری و اجراء ڈگری بھی وکیل صاحب کو بشرط ادا ہوگی علیحدہ محتاتانہ ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدوران مقدمہ یا اپیل نگرانی کسی دوسرے وکیل یا پیر سز کو بجائے خود دیا یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیروی نہ کریں اور ایسی حالت میں میرا مطالبہ وکیل صاحب موصوف کے برخلاف نہیں ہوگا۔ مجھے کل ساختہ پرداخت وکیل مثل ذات خود منظور و قبول ہوگا۔ لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

مورخہ 201

ATTESTED & ACCEPTED

AURANGZAIB ASAD KHAN

Advocate Supreme Court of Pakistan

(Mansehra)

غلام رضا
ابیدان
منجانب
دعویٰ یا جرم
بعدالت جناب

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

Ghulam Raza.....Appellant

Versus

Commissioner Hazara Division,
Abbottabad etc.....Respondents

SERVICE APPEAL

RE-JOINDER ON BEHALF OF
APPELLANT

Respectfully sheweth!

Re-joinder on behalf of appellant
is as follows: -

REPLY OF BASIC OBJECTION

- i) Incorrect. Appellant has got cause of action.
- ii) Incorrect. There is no estoppel against appellant.
- iii) Incorrect. Appeal is not barred by any law.
- iv) Incorrect. Appeal is maintainable in its present form.

- v) Incorrect. Appellant has come to the Tribunal with clean hands.

REPLY ON FACTS

- i) Para (i) needs no reply.
- ii) Para (ii) needs no reply.
- iii) Para (iii) needs no reply.
- iv) Para (iv) is incorrect. Inquiry report, allegation and show cause notice are not based on facts which were duly replied and flimsy allegation were duly rebutted by appellant, but present respondent did not apply judicial mind, hence, failed to decide the matter in its true prospective, moreover there is no cutting and over writing in order of Revenue Officer in mutation No. 55133 attested on 27.10.2003.
- v) Para (v) needs no reply.

REPLY ON GROUNDS.

- a) Incorrect. Inquiry was not conducted in accordance with the law, allegation of cutting/tempering in order of Revenue Officer is not supported by available record. No opportunity of personal hearing was provided, major penalty of removal from service was imposed capriciously and blindly, departmental appeal was also dismissed in hurry manner without applying judicial mind.

b) Incorrect. Additional Deputy Commissioner, Mansehra recommended minor penalty to the extent of stopping of two increments for two years was imposed but Deputy Commissioner, Mansehra while exercising his power has exceeded by imposing major penalty by removal from service, there is clue of tempering with the order of Revenue Officer, infact when the dispute in between vendor and vendee arised Revenue Officer concerned himself wrote an additional line in his order on mutation No. 55133 attested on 27.10.2003 in order to save his own skin. In this respect mutations are available the perusal of order on these mutation clearly suggests that the such Revenue Officer never wrote any additional line in his order on any mutation here the question arises that why he wrote additional line in the order on the disputed mutation.

(Attested copies of mutation No. 55797 attested on 27.10.2003, 55333 attested on 27.10.2003, 55917 attested on 25.09.2003, 55215 attested on 25.10.2003, 55208 attested on 25.09.2003, 55230 attested on 25.09.2003, 55354 attested on 27.10.2003 seven leaves is annexed as Annexure "A").

c) Incorrect. Mere leveling of lodging in FIR does not render the appellant punishable of any fault appellant has already approached the proper forum for the cancellation of FIR.

d) Incorrect.

- e) Incorrect. Replied properly in fore-going paras.
- f) Incorrect.
- g) Incorrect. There is no question of tempering/over writing in the mutation.
- h) Incorrect. Statement of Gulnawaz Ali, Tehsildar cannot be considered as gospel truth, duty of Patwari Halqa is to enter mutation then Girdawar Circle and Tehsildar are bound to verify the entry according to record, no one except Patwari/appellant is punished.
- i) Incorrect.
- j) Incorrect. Removal order itself is arbitrarily and capricious is liable to be set-aside.
- k) Incorrect. Appellant has served for department for sufficient period consisting upon 22 years cannot be removed from baseless reasons.

It is, humbly prayed by the acceptance of appeal, appellant may graciously be re-instate in service.

Dated 18.11.2015

Ghulam Raza
(Appellant)

Through: -



IKRAM-UL-QAYYUM KHAN
Advocate High Court,
District Courts, Mansehra

AFFIDAVIT

I, GHULAM RAZA (APPELLANT) DO HEREBY SOLEMNLY AFFIRM AND DECLARE ON OATH THAT THE CONTENTS OF FORE-GOING RE-JOINDER ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND NOTHING HAS BEEN CONCEALED OR SUPPRESSED FROM THIS HONOURABLE TRIBUNAL.

GHULAM RAZA
(DEPONENT)

A handwritten signature in black ink, appearing to read 'Ghulam Raza', is written over the typed name and title. The signature is stylized and includes a large flourish that loops back to the right.

2198
 Date 16.11.13
 Court Fee 2/-
 Urgent Fee 2/-
 Total Fee 4/-
 Name of Plaintiff M. Saeed
 Date of Complaint 16.11.13
 Date of Delivery 16.11.13

اندرج جمع بندی گذستہ یا آخری واقعہ انتقال جس کی ترمیم مطلوب ہے

اندرج جدید جواب قائم کیا جاوے گا۔

نام طرف یا جاہ	نام ملک و احوال	نام کاشت کار	تعمیر و نام کھیت و رقبہ	مسائل یا لگان	قسم اسٹیج انتقال سے پہلے اور آج	رہن خانہ یا لگان	تعمیر و نام کھیت و رقبہ	مسائل یا لگان
نام ملک و احوال	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ
نام کاشت کار	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ
تعمیر و نام کھیت و رقبہ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ
مسائل یا لگان	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ
قسم اسٹیج انتقال سے پہلے اور آج	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ	اردن خانہ و لکھنؤ

جناب عالی!
 واقعہ مذکورہ درجہ بالا
 میں اسٹیج انتقال سے پہلے
 اور آج کے درمیان
 کوئی تبدیلی نہیں
 ہوئی ہے۔
 16/11/13

Certified to be the copy
 of the original
 Date 16.11.13
 Authorised by M/S 76 Pakistan
 Avidet, Act

اندرج میں تبدیلی
 نہیں ہے۔
 16/11/13

121-73-85-6439
 ذوالفقار علی
 Zafar Ali

ذوالفقار علی
 ذوالفقار علی
 ذوالفقار علی

۱۵ ۱۴ ۱۳ ۱۲ ۱۱ ۱۰ ۹ ۸ ۷ ۶ ۵ ۴ ۳ ۲ ۱

Handwritten Persian text with numerical calculations. Includes a large signature on the left and a date '۱۶/۱۱/۵۵' at the bottom right of the text block.

Certified to be a true copy
At the Office of
M. Saeedi
Date: 16/11/55
Minister of Education

اندرج مجھندی گذستہ یا آخری واقعہ استعمال میں کی تو یہ مطلوب ہے

اندرج جدید جو اب نام سے کیا جاوے گا

S.D. NO. 2198
 Date 16.11.15
 Court Fee 2/-
 Urgent Fee 2/-
 Total Fee 4/-
 Name of Officer Saeed
 Date of Birth 16.11.15
 Date of Duty 16.11.15
 Date of Salary

نام کھاتا مجھندی سابق	نام طرف یا چاہ	نام ملک و احوال	نام کاشت کار احوال	نمبر زمین و قیمت زمین	مساحت و لگان	نمبر کھاتا مجھندی جدید	نام کاشت کار احوال	نمبر زمین و قیمت زمین	مساحت یا لگان	قسم کھاتا استعمال شدہ زمین	فیس و اخراجات	اپورٹ پیٹری و تصدیق گواہی قازنگی
00449		قراچہ خان و پڑہ مائٹن بیسپور	قراچہ خان و پڑہ مائٹن بیسپور	8011 419	0-2	8011 419	قراچہ خان و پڑہ مائٹن بیسپور	8011 419	0-2	قراچہ خان و پڑہ مائٹن بیسپور	72000/- درجہ	ضابطہ عالمی! واقفہ نواز اور دیگر گواہان کی پیش قدمی 16/10/03
2477 419		قراچہ خان و پڑہ مائٹن بیسپور	قراچہ خان و پڑہ مائٹن بیسپور	8021 412	0-5	8021 412	قراچہ خان و پڑہ مائٹن بیسپور	8021 412	0-5	قراچہ خان و پڑہ مائٹن بیسپور	101/- اندرج	اندرج درست ہے 25/3

میں نے اس زمین پر قبضہ کیا ہے اور اس پر قبضہ کرنے سے پہلے اس زمین پر قبضہ کرنے والے کو اس زمین پر قبضہ کرنے سے روکا گیا ہے۔
 اس زمین پر قبضہ کرنے والے کو اس زمین پر قبضہ کرنے سے روکا گیا ہے۔
 اس زمین پر قبضہ کرنے والے کو اس زمین پر قبضہ کرنے سے روکا گیا ہے۔

Certified to be true copy
 Appointing Officer
 Saeed
 Date 16.11.15
 Authorized U/S 76 Pakistan
 Evidence Act

نقل و انتظام
 موافقت حاصل
 راجہ صاحب

نقل و انتقال و مرخصی نامہ کی صورت میں منظور کیا جائے گا۔

اندراج جمع بندی گذشتہ یا آخری واقعہ انتقال جس کی ترمیم مطلوب ہے۔

اندراج جدید جو اب قائم کیا جاوے گا۔

نام و پتہ	نام مالک و احوال	نام کاشت کار و احوال	موت و قیمت زمین	معاوضہ و لگان	قیمت زمین	معاوضہ یا لگان	قیمت زمین	معاوضہ یا لگان	قیمت زمین	معاوضہ یا لگان
1142/1142	سماة زینبہ بیگم (1250) ح بیوہ محمد شفیق الرحمان آرٹھیم کبیرہ (110) ح پیرا لاسما سیدہ بیگم (050) ح دفتر محمد نظیر محمد سلطان ساکنہ کچھ	بدستور بدستور	249,148 13-18 رو/6/19	معاوضہ و لگان	1348 19082 10482 19082	بدستور بدستور	3900 19584 2-15	بدستور بدستور	1442 4-1 280 6528 0-3	بدستور بدستور
1142/1142	سماة زینبہ بیگم (80) ح محمد شفیق الرحمان آرٹھیم کبیرہ (120) ح سیدہ بیگم (15) ح مدروران	بدستور بدستور	1442 4-1 مرا 6248 408	معاوضہ و لگان	1442 4-1 مرا 6248 408	بدستور بدستور	1442 4-1 مرا 6248 408	بدستور بدستور	1442 4-1 مرا 6248 408	بدستور بدستور

2198
Date 16.11.15
Court Fee 2/-
Urgent Fee 2/-
Total Fee 4/-
Name of Comptroller
Date of Commission
Date of Delivery

Certific to be true copy
Authorising Officer
Date 16.11.15
Authorised U/S 76 Pakistan
Evidence Act

صل التمثال موافقاً مع نظام عدل و انصاف

C.O No. 2198
 Date 16.11.15
 Court Fee 2/-
 Urgent Fee 2/-
 Total Fee 4/-
 Name of Complainant
 Date of Complaint
 Date of Filing 16.11.15

رقم التمثال 29814
 29826
 29824
 برصفا

نام طرف یا چاہ	نام کھاتا جو زمیندار یا سات	نام مالک و احوال	نام کاشت کار احوال	بزرگھار جو زمیندار یا چاہ	نہم مالک و احوال	نام کاشت کار احوال	نمبر و نام کھیت و رقبہ و تقسیم زمین	مساحہ یا لاگان	قسم یا طرح اتھالی زمین یا زمیندار	قیس داخل خارج	دیوٹ پٹواری و تقدیر کی گرفت قانو سگو تے
	50510 21/2 530	محمد رفیق ولد عبداللطیف بدستور قوم پراچہ سالک دہ بدرستور 2024	بدرستور	بزرگھار جو زمیندار یا چاہ	مشتاق احمد راجا زاهد بدستور پسران سائیں قوم پراچہ سالک دہ کوربہ بدرستور 2024	نام کاشت کار احوال	نمبر و نام کھیت و رقبہ و تقسیم زمین 27-12 مذکورہ 552	مساحہ یا لاگان	قسم یا طرح اتھالی زمین یا زمیندار	قیس داخل خارج	دیوٹ پٹواری و تقدیر کی گرفت قانو سگو تے
		محمد رفیق منگور دہ بدستور	بدرستور	بزرگھار جو زمیندار یا چاہ	مشتاق احمد وغیرہ منگور دہ بدستور	نام کاشت کار احوال	نمبر و نام کھیت و رقبہ و تقسیم زمین 4-10 9 290	مساحہ یا لاگان	قسم یا طرح اتھالی زمین یا زمیندار	قیس داخل خارج	دیوٹ پٹواری و تقدیر کی گرفت قانو سگو تے

گورنٹ پریس پشاور جاب نمبر 1068/3 تعداد 6470 ججز

Certified to be true copy
 Authority
 Date 11.15
 04/09/03
 0-14

15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
<p> $\frac{8750}{3901}$ $\frac{8751}{3901}$ $\frac{8752}{3901}$ $\frac{8753}{3901}$ </p> <p> <i>(Handwritten notes and calculations in Urdu script)</i> </p> <p> <i>(Signature)</i> </p>														
<p> <small> Certified to be true copy Author: <i>(Signature)</i> Avidee: <i>(Signature)</i> Pakistan </small> </p>														

محکمہ سولہ عدالت، کراچی

اندراج جمع بندی گذشتہ یا آخری واقعہ اشغال جن کی ترمیم طلب ہے

اندراج صوبہ پنجاب قائم کیا جاوے گا

95	12	12	11	10	9	8	7	6	5	4	3	2	1
پتہ پتہ کراچی	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10	قسط 10
206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-	206500/-
2198	2198	2198	2198	2198	2198	2198	2198	2198	2198	2198	2198	2198	2198
16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13	16.11.13

Court Fee: 2198
 Date: 16.11.13
 Name of Court: 1st
 Name of Plaintiff: 1st
 Name of Defendant: 1st
 Date of Judgment: 16.11.13
 Date of Delay: 16.11.13
 Date of Judgment: 16.11.13

Certified to be true copy
 of the original
 Date: 16.11.13
 Author: 1st
 Avdite: 1st
 Pakistan

گزشتہ پتہ پتہ کراچی 10668/3 قسط 6470 رجب

اندراج جمع بندی گذشتہ یا آخری واقعہ اشغال جس کی ترمیم مطلوب ہے۔

اندراج جدید جو اب قائم کیا جاوے گا۔

نام و گاہ	نام مالک و احوال	نام کاشت کار	تاریخ کھیت و رقم زمین	معاہدہ و لگان	تاریخ کھیت و رقم زمین	نام کاشت کار	احوال	تاریخ کھیت و رقم زمین	معاہدہ یا لگان	قسم اشغال اشغال ترمیم یا نیا	فیس و داخلہ خرچ
۵۰۳۲	مقام میرالند دفتر امیرالہ قوم راجپوت سکنڈیہ بڈستور ۱۸۹	بڈستور	۱۰۳۳ ۱۰۳۳ ۳۳۳ ۳۳۳ قطر ۲۹-۸ نزدک		۲۳۳ ۲۳۳ ۳۳۳ ۳۳۳ قطر ۲۹-۸ نزدک	محمد زید ولد محمد یعقوب قدم قوم سکنڈیہ بڈستور ۱۸۹	احوال	۱۰۳۳ ۱۰۳۳ ۳۳۳ ۳۳۳ قطر ۲۹-۸ نزدک		قسم اشغال اشغال ترمیم یا نیا	فیس و داخلہ خرچ
۲۲۸ ۱۳۰۸	محمد زمان وغیرہ مالکان بڈستور	محمد زمان وغیرہ مالکان بڈستور	۲۳۳ حسن بالکان ۷-۸ مقام میرالند نزدک ۳-۸ مشرو سکنڈیہ ۴-۰ بڈستور ۲۳۳		۲۳۳ حسن بالکان ۷-۸ محمد زید ولد محمد یعقوب نزدک محمد وقتیل سکنڈیہ بڈستور ۲۳۳	محمد زمان وغیرہ مالکان بڈستور	احوال	۲۳۳ حسن بالکان ۷-۸ محمد زید ولد محمد یعقوب نزدک محمد وقتیل سکنڈیہ بڈستور ۲۳۳		قسم اشغال اشغال ترمیم یا نیا	فیس و داخلہ خرچ

S.D No. 2198
 Date 16/11/13
 Court Fee 2/-
 Urgent Fee 2/-
 Total Fee 4/-
 Name of Applicant
 Date of Completion 17/11/13
 Date of Delivery 17/11/13

کوارڈر اشغال ۲۲۶۹
 وراثت سند

محمد زید ولد محمد یعقوب
 محمد وقتیل سکنڈیہ

محمد زید ولد محمد یعقوب
 محمد وقتیل سکنڈیہ

محمد زید ولد محمد یعقوب
 محمد وقتیل سکنڈیہ

۱۳۵۰۳-۰۵۸۲۳۱۸-۰

محمد زید ولد محمد یعقوب

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 Notary Office
 Date 16/11/13
 Authorized U/S 76 Pakistan
 Avidence Act

۰۹
 ۰۳

۱۵	۱۴	۱۳	۱۲	۱۱	۱۰	۹	۸	۷	۶	۵	۴	۳	۲	۱
<p>۹/۵۳ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۰/۳۳۲ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۱/۱۹۵ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۲/۳۳۱ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۳/۳۳۱ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۴/۳۳۱ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p> <p>۱۵/۳۳۱ قلمی کتب و کتب مطبوعه - فهرست کتب مطبوعه و کتب خطی در کتابخانه و مرکز اسناد و کتابخانه ملی - تهران</p>														

[Handwritten signature]

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 Digitized by eGangotri
 Digitized by eGangotri

اندراج جمعیتی گذستہ یا آخری واقعا انتقال جس کی ترمیم ملالت ہے

اندراج جدید جو اب قائم کیا جاوے گا۔

نام ہفت یا چھ	نام گھر جمعیتی ساتی	نام ملک و احوال	نام کاشت کار و احوال	میراث جمعیتی و احوال	میراث زمین و احوال	معاہدہ و لگان	میراث جمعیتی و احوال	میراث زمین و احوال	معاہدہ و لگان	میراث جمعیتی و احوال	میراث زمین و احوال
20000	1229	سید نورالسلام شاہ ولد سید عبداللطیف شاہ قوم سید ساکنہ باریہ۔ شتاق احوال	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	13-38	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	12-46	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	13-38	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	12-46	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	13-38	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	12-46	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	13-38	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	12-46	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
1229	13-38	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور	سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور		سید نورالسلام شاہ بیکہ شتاق احوال ساتہ	بدستور			
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انتقال ۱۸۵۴ ع
 انتقال ۱۸۶۲ ع

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 و تصدیق کروا کر
 (اوروز میں)

16.11.15
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 M. Sooch

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<p>۲۶/۰۳ تاریخ کارهای در این روزهای در این ...</p> <p>۱۳۸۶ ... ۲۵۷ ... ۳۸ ... ۱۳ ... ۳۳۴۹ ...</p> <p>۱۸۶۶ ... ۱۶ ... ۱۹ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ...</p> <p>۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ... ۱۰ ...</p>														

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