

FORM OF ORDER SHEET

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

Appeal No. 398/2024

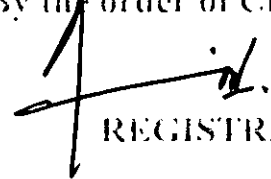
\_\_\_\_\_ other proceedings with signature of judge

3

14/03/2024

The appeal of Mst. Nazia Qazi resubmitted  
copy by Mr. Taimur Ali Khan Advocate. It is fixed for  
preliminary hearing before Single Bench at Peshawar on  
14.03.2024. Pareha Peshi is given to counsel for the  
appellant.

By the order of Chairman


  
REGISTRAR

The appeal of Mr. Nazia Qazi received today i.e. on 27.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondents no. 2 is un-necessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondents.
- 2- Annexure-A of the appeal is illegible which be replaced by legible/better one.
- 3- Check list is not attached with the appeal.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- Appeal has not been flagged/marked with annexures marks.
- 6- Copy removal order mentioned in para-3 of the memo of appeal is not attached with the appeal be placed on it.
- 7- Three copies/sets of the appeal along with annexures i.e. complete for Tribunal and one for each respondent may also be submitted with the appeal.

No. 436 /S.T.

Dt. 28.2 /2024.



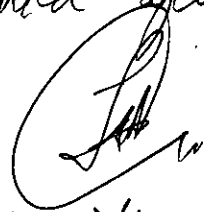
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Tahir Ali Khan Adv.  
High Court Peshawar

Respected Sir,

- 1- Respondant No.2 is necessary party as if the case is allowed in favour of appellant, then its implementation is will not be possible without making party Respondant No.2.
- 2- Removed
- 3- Removed
- 4- Removed
- 5- Removed
- 6- Removed
- 7- Removed

Resubmitted after compliance



12/03/2024

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

SERVICE APPEAL NO. 398 /2024

Nazia Qazi

VS

Education Department

**INDEX**

S.No.	Documents	Annexure	P. No.
1	Memo of Appeal	-----	1-5
2	Affidavit	-----	6
3	Copy of appointment order dated 07.12.2006	A	7
4	Copies of order dated 20.09.2021 and removal order dated 22.10.2015	B&C	8-9
5	Copy of judgment dated 27.08.2019	D	10-13
6	Copy of order dated 16.07.2020	E	14
7	Copy of de-novo inquiry report	F	15
8	Copies of order dated 10.09.2020, order dated 07.06.2021 and departmental appeal	G,H&I	16,17,18, 19-
9	Copy of judgment dated 22.11.2022	J	20-24
10	Vakalat Nama	-----	25

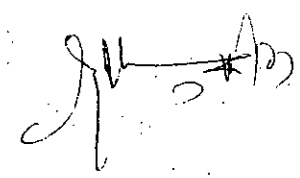
APPELLANT

THROUGH:



TAIMUR ALI KHAN  
(ADVOCATE HIGH COURT)

Shahin Lurah Advocate



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

SERVICE APPEAL NO. 398 /2024

Nazia Qazi, PST (BPS-12),  
GGPS Qamargai Razaar, Swabi.

(APPELLANT)

VERSUS

1. The District Education Officer, (Female) swabi.
2. The District Account Officer, Swabi.

(RESPONDENTS)

-----

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ACTION OF THE RESPONDENTS OF NOT GRANTING BACK BENEFITS IN SHAPE OF SALARY ALONG WITH OTHER EMOLUMENTS FOR THE INTERVENING PERIOD WITH EFFECT FROM 22.10.2015 TILL 03.09.2019 TO THE APPELLANT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD.

**PRAYER:**

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS MAY KINDLY BE DIRECTED TO GRANT BACK BENEFITS IN SHAPE OF SALARY ALONG WITH OTHER EMOLUMENTS FOR THE INTERVENING PERIOD WITH EFFECT FROM 22.10.2015 TILL 03.09.2019 TO THE APPELLANT. ANY OTHER REMEDY, WHICH THIS HONORABLE TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

-----

**RESPECTFULLY SHEWTH:**

**FACTS:**

1. That the appellant is the employee of the respondent department and was appointed as PTC now PST vide order dated 07.12.2006 at District Kohistan after fulfilling all the codal & legal formalities. **(Copy of appointment order dated 07.12.2006 is attached as Annexure-A)**
2. That as the appellant belongs to District Swabi, therefore, through an order dated 20.09.2011, she was posted in District Swabi and started performing duty in Swabi and after performing service for about nine years she was removed from service vide order dated 22.10.2015. **(Copies of order dated 20.09.2011 and removal order dated 22.10.2015 is attached as Annexure-B&C)**
3. That the appellant challenged the removal order dated 22.10.2015 in this Honorable Tribunal in service appeal No.372/2016, which was heard and decided by this Honorable Tribunal on 27.08.2019. The Honorable Tribunal accepted the appeal of the appellant, set aside the impugned order dated 22.10.2015 and respondents were directed to conduct de-novo inquiry strictly in accordance with law and rules. **(Copy of judgment dated 27.08.2019 is attached as Annexure-D)**
4. That in compliance of judgment, dated 27.08.2019 of the Honorable Service Tribunal, the appellant was reinstated into service against the post of PST at GGPS Goshali District Kohistan subject to the outcome finding of the inquiry vide order dated 16.07.2020. **(Copy of order dated 16.07.2020 is attached as Annexure-E)**
5. That de-novo inquiry was conducted against the appellant in which the inquiry committee gave the following recommendations:
  1. The teacher may be restored permanently on her designated post in the light of the judgment of the Honorable Court decision as it is.
  2. The teacher posses the right of back benefits from the issue of court decision i.e from 04.09.2019 and up to the reinstatement order issued on 16.07.2020 by the DEO (F) Kohistan and onward for her duty performance.
  3. The Honorable Court has set aside the removal order from service order of DFO (F) Kohistan which reveals that the office has put obstacles in the path of the performance of the teacher due to same dates of the cancellation inter District transfer order by the Director E&SE and the removal order from service order of the teacher, which makes the teacher rightful for back benefits from the date of

her termination of intervention period but the teacher has enlarged the trail period in the court. Therefore, the DEO will be justified if the back benefits of the intervention of 16 months given to the teacher comparing the average time of the court for such decision  
**(Copy of de-novo inquiry report is attached as Annexure-F)**

4. That after the de-novo inquiry, the appellant re-instated permanently with back benefits of 16 months vide order dated 10.09.2020 and released her pay and arrears bill through an order dated 07.06.2021, but as the appellant was removed from the service due to the fault of the respondents and was restrained to perform her duty due the act of the respondents which was also endorsed by the inquiry committee in their recommendation, therefore, she was entitle for the back benefits from the date of removal order dated 22.10.2015 till 16.07.2020 instead of 16 months i.e 04.09.2019 till 16.07.2020 and due to which the appellant filed departmental appeal on 07.10.2023 for back benefits for the period with effect from 22.10.2015 till 03.09.2019; which was not responded within the statutory period of time. **(Copies of order dated 10.09.2020, order dated 07.06.2021 and departmental appeal is attached as Annexure-G,H&I)**
5. That the appellant has no other remedy except to file the instant appeal in this Honorable Tribunal for redressal of her grievance on the following grounds amongst others.

#### **GROUNDS:**

- A. That not taking on the departmental appeal of the appellant within statutory period and not granting back benefits/arrears to the appellant in shape of salaries along with other emoluments for intervening period with effect from 22.10.2015 till 03.09.2019 are against the law, facts, norms of justice, material on record and superior court judgments, therefore, not tenable and the appellant is entitle to back benefits/arrears in the shape of salaries along with other emoluments for the period with effect from 22.10.2015 to 03.09.2019.
- B. That the appellant did not willfully remained absent from his duty, but the respondent department removed her from service vide order dated 22.10.2015 which was set aside by the Honorable Tribunal in its judgement dated 27.08.2019 with the direction to conduct de-novo inquiry and in compliance of judgment, de-novo inquiry was conducted in which the inquiry committee endorsed in its

recommendation that office has put obstacles in the path of the performance of the teacher due to same dates of the cancellation inter District transfer order by the Director F&SE and the removal order from service order of the teacher, which makes the teacher rightful for back benefits from the date of her termination of intervention period, which means that due to the fault of the respondents the appellant was removed from service on 22.10.2015 and due to which she could not perform her duty in the intervening period and as such the appellant is entitle for back benefits in the shape of salary along with other emoluments for intervening period with effect from 22.10.2015 till 03.09.2019 as she was restrained to perform his duty with effect from 22.10.2015 to 03.09.2019 by the respondents.

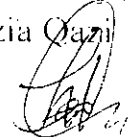
- C. That as per superior court judgment that once an official was reinstated in service after exoneration of charges leveled against him, the period during which he remained either suspended or dismissed/removed could not be attributed as fault on his part. Absence of official during period of dismissal/removal was not voluntary on his part but it was due to the order of the authority which restrained from attending his job/duty. Therefore, his service record could neither be adversely affected nor could he be denied any benefits to which he would have been entitled had he not been removed/dismissed and as such the appellant is entitle for the salary along with other emoluments for the period with effect from 22.10.2015 till 03.09.2019 on the basis of Apex Court judgment.
- D. That one of the teacher namely Musarrat Begum who were removed from the service along with the appellant in same removal order dated 22.10.2015 have filed service appeal No.526/2019 in this Honorable Tribunal for grant of back benefits for the intervening period which was allowed on 22.11.2022 and the appellant being similarly placed is also entitle for the same relief under the rule of consistency. **(Copy of judgment dated 22.11.2022 is attached as Annexure-I)**
- E. That the appellant has remained unpaid employees (not remained gainfully employed) for the period with effect from 22.10.2015 till 03.09.2019 and as per superior courts judgment, the appellant entitles for back benefits in the shape of salaries along with other emoluments for the period with effect from 22.10.2015 till 03.09.2019.
- F. That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

it is, therefore most humbly prayed that on the acceptance of this appeal, the respondents may kindly be directed to grant back benefits in shape of salary along with other emoluments for the intervening period with effect from 22.10.2015 till 03.09.2019 to the appellant. Any other remedy, which this Honorable Tribunal deems fit and appropriate that, may also be awarded in favour of appellant.

**APPELLANT**

Nazia Qazi

THROUGH:



**(TAIMUR ALI KHAN)  
ADVOCATE HIGH COURT**



(6)

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

SERVICE APPEAL NO. \_\_\_\_\_/2024

Nazia Qazi

VS

Education Department

**AFFIDAVIT**

I, Nazia Qazi, PST (BPS-12), GGPS Qamargai Razaar, Swabi, (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.

  
**DEPONENT**

**OFFICE OF THE EXECUTIVE DIRECTOR SCHOOLS AND LITERACY KHUSTAN**

**NOTIFICATION**

Consequent upon the approval of departmental selection committee of Schools and Literacy Department, Kohistan, the candidates mentioned in the following table (enclosed) candidates as P.T.C. Untrained, Trained, Matric Pass in BPS-05-10, 20, 15-20, 15-50, 15-50, plus usual allowances as due and admissible under the Rules on contract basis in the schools noted against their names according to the Merit Policy issued by the Schools & Literacy Department NWFP in the interest of public service with immediate effect.

S. No.	Name/ Father's Name	Residence	School where appointed	Remarks
1	Nazia Qazi D/O Qazi Fair-ul-Haq	Kanila	GGPS Kai	Agst V. Post
2	Nazim Akbar D/O Mullah Muhammad Akbar	Zahura	GGPS Bar Bah	do
3	Fozia Bano D/O Zaman D/O Bahadur Zaman	Guzgali	GGPS Bar Bah	do

**CONDITIONS**

1. No TA/DA is allowed to anyone
2. Charge report should be submitted to all concerned
3. Their appointments are purely on temporary basis and liable to termination at any time without assigning any reason/notice
4. Their certificates if not verified, should be verified by the D/O (F) i.e. Mr. Abdur Rahman D/O Dy. D/O (F) S&L Kohistan before handing over charge to them.
5. They will be governed by such rules & regulation enforced and as prescribed by the Government from time to time for the category of the Government servants to which they belong.
6. In case any of the above candidates failed to assume the charge of their posts within 15 days, their appointments will automatically stand cancelled.
7. They should not be allowed to take over charge of their appointments from 15 years & above to years.

Executive District Officer  
Schools & Literacy, Kohistan

Encl: No. 8836-47 Dated Kohistan the 7/12/2006

Copy of the above is forwarded to the:-

1. PS to Secretary Schools & Literacy Department NWFP, Peshawar
2. PA to Director Schools & Literacy NWFP, Peshawar
3. District Nazim Kohistan
4. District Coordination Officer Kohistan
5. District Accounts Officer Kohistan
6. Deputy District Officer (F) S&L Kohistan
7. Candidates concerned

Executive District Officer  
Schools & Literacy Kohistan

Executive Distt. Officer  
(S&L) Distt. Kohistan

Better Copy

OFFICE OF THE DISTRICT OFFICER SCHOOLS AND LITERACY  
KOSHISTAN

NOTIFICATION

Consequent upon the recommendation of departmental selection commuted of School and Literacy Department Kohistan the competent authority is pleased to appoint the following fresh (female) candidates as PTC Untrained Trained Matric pass in BPS-5 Rs 2415-115-58 plus usual allowances as due and admissible under the rules on contract basis in the schools noted against their names according to the merit Policy issued by the Schools and Literacy Department NWFP in the interest public service with immediate effect.

S	Name/Father's name	Residence	School where appointed	Remarks
1	Nazia Qazi D/c Faiz ul Haq	Kornila	GGPS Kai	Agst the V postl
2	Nazia Akbar D/o Muhammad Akbar	Jahura	GGPS Bar Bak	Do
3	Fozia D/o Badi Uz Zaman	Gushali	GGPS Bar Bak	do

CONDITIONS

1. No TA/DA is allowed to anyone.
2. Charge report should be submitted to all concerned.
3. Their appointment are purely on temporary basis and liable to termination at any time that with out assigning any reason/notice.
4. Their certificates is not verified, should be verified by the DDO (F) i.e Mr. Akbar Rehman I/C Dy DO (F) Kohistan handing over charge to them
5. They will be governed by such rules & regulation enforced and as prescribed by the Government time to time for the category of the Government servants to which they belong.
6. In case any of the above candidates failed assume the charge with in fifteen days their appointments will automatically stand canceled.
7. They should produced the certificate from DEO Female Kohistan.
8. They should not be take over charge to their age 35 years and above 35 years

Executive District Officer  
School & Literacy Kohistan

Endst No 8836-47, Dated Kohistan the 7/12/2006

Copy of the above is forwarded to the

1. PS to Secretary School and Literacy Department NWFP Peshawar.
2. PA to Director School and Literacy Department NWFP Peshawar.
3. District nazim Kohistan.
4. District Coordination Office Kohistan.
5. District Accountant Officer Kohistan.
6. Deputy District Officer female S&E Kohistan.
7. Candidates concerned.

Executive District Officer  
School & Literacy Kohistan

1/20/2011

~~1/20/2011~~ Razi Bahadar Kotay Swabi

B

(3)

DIRECTORATE OF ELEMENTARY & SECY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.

OFFICE ORDER.

Consequent upon the ban relaxation by the competent authority, Mst. Nazia Qazi PST GGPS Bar Komila District Kohistan is hereby transferred/adjusted against the vacant post of PST at GGPS Razi Bahadar Kotay District Swabi in her own pay & BPS in the interest of public service with immediate effect.

- No. \_\_\_\_\_
- i. Charge report should be sent to all concerned.
  - ii. No TA/DA etc are allowed.
  - iii. The EDOs (E&SE) concerned are directed to check her original service documents before making payment of salary.
- Her Seniority will be determined under the rules.

DIRECTOR  
ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA

En. 980-85

FR.No.167/Posting/transfer/V-4 Dated Peshawar the 20/11/2011

Copy of the above is to the:-

1. The Executive District Officers (E&SE) Kohistan & Swabi.
2. The District Accounts Officers Kohistan & Swabi.
3. Principal GGHSS/GGHS concerned.
4. SST concerned.
5. PA to Director E&SE, Khyber Pakhtunkhwa, Peshawar.
6. M.A.S.

for *[Signature]*  
Deputy Directress (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.

*[Signature]*

Better Copy

Better Copy

8

DIRECTORATE OF ELEMENTARY AND SECY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

OFFICE ORDER

Consequent upon the ban relaxation by the competent authority, Mst Nazia Qazi PST GGPS Bar Komila District Kohistan is hereby transferred/adjusted against the vacant post of PST at GGPS Razi Bahadar Kotay District Swabi in her own pay & BPS in the interest of public service with immediate effect.

- i. Charge should be sent to all concerned.
- ii. No TA/DA etc are allowed.
- iii. The EDOs (E&SE) concerned are directed to check her original service documents before making payment of salary. Her seniority will be determined under the rules.

DIRECTOR

ELEMENTARY & SECONDARY EDUCATION

KHYBER PAKHTUNKHWA

Endst No. 4980-85/F.No. 167/posting/transfer/V-II, dated Peshawar the 20.09.2011

Copy of the above to the

1. The Executive District Officers (E&SE) Kohistan & Swabi.
2. The District Account Officers Kohistan & Swabi.
3. Principals GGHSS/GGHS concerned.
4. SS concerned.
5. PA to director E&SE Khyber Pakhtunkhwa, Peshawar.
6. M/File.

Deputy Distress (Estb)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



C 9

## OFFICE OF THE DISTRICT EDUCATION OFFICER, (F) KOHISTAN.

Ph. & Fax No. 0998-107225

### OFFICE ORDER..

In compliance with the Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar letter No.3081 F.No.20 (F) enquiry dated 16/03/2015, Reminder No. 2200/F No.20/(F) enquiry dated 20/04/2015/, No. 3530 F No.20 (F) enquiry dated 22/05/2015, and No.3696/F No.20/(F) enquiry Dated 24/08/2015 and In light of recommendation of enquiry officer, the following PST teachers are hereby removed from service with immediate effect.

S/NO	Name	School
1	Nuzhat PST	GGPS Kas banda
2	Nazia Qazi PST	GGPS Bar komila
3	Alia Ghafoor	GGPS Kas banda
4	Ruqia PST	GGPS Kas banda
5	Sara PST	GGPS Kundal
6	Khushnuma PST	GGPS Dehail
7	Mussarat bibi PST	GGPS Badar shaha

District Education Officer  
(Female) Kohistan

E/No. /Estab: 7/05-10 /DEO (F) NIE dated 22-10-2015.

Copy of the above is forwarded to:

1. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. The District Education Officer (F) District Swabi for necessary action at her end as the above teachers are now posted in District Swabi.
3. The District Accounts Officer, Swabi.
4. The District Accounts Officer, Kohistan.
5. The Sub Divisional Education Officer (F) Kohistan.
6. Office record.

District Education Officer  
(Female) Kohistan

Better copy

9

OFFICE OF THE DISTRICT EDUCATION OFFICER, (F) KOHISTAN

Ph & Fax No. 0998407225

OFFICE ORDER

In compliance with the director elementary and Secondary Education Khyber Pakhtunkhwa Peshawar Letter No. 3081/F enquiry dated 16/03/2015, Reminder No. 2200/F No. 20 (F) enquiry dated 20.04.2015 No. 3530/F No 20 (f) enquiry dated 22.05.2015 and No. 3696/(F) enquiry dated 24.08.2015 and in light of recommendation of enquiry officer]the following PST teacher are hereby removed from service with immediate effect.

S NO	Name	School
1	Nazhat PST	GGPS Kas Banda
2	Nazia Qazi PST	GGPS Bar Banda
3	Ali Ghafoor	GGPS Kas Banda
4	Ruqia PST	GGPS Kas Banda
5	Sara PST	GGPS Kundal
6	Khushnuma PST	GGPS Dubair
7	Musarat Bibi PST	GGPS Badar Shaha

Sd/-

District Education Officer  
(Female) Kohistan

E No. Estb No. 7105-10 DEO Female (F) the dated 22.10.2015

Copy of the above is forward to:

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (F) District Swab for necessary action at her end as the above teachers are now posted in District Swabi.
3. The District Accountants Officer Swabi.
4. The District Accountants Officer Kohistan.
5. Office record.

Sd/-

District Education Officer  
(Female) Kohistan

Before The Hon'ble Service Tribunal of KPK at Peshawar

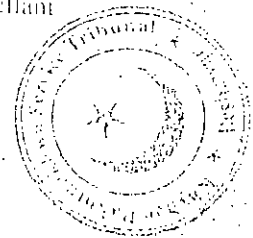
Appeal No. 379 / 2016

Services Tribunal  
Peshawar  
Date: 06-4-2016

Mst. Nazia Qazi daughter of Muhammad Asbar, resident of village  
Yaqubi Tehsil Lahore District Swabi, Ex: PST Teacher GPS Razi  
Bahadar Kotay Yaqoobi Swabi ..... Appellant

VERSUS

1. Director (E & SE) KPK Peshawar.
2. D.E.O (Female) Kohistan
3. D.E.O (Female) Swabi
4. District Account Officer Swabi
5. District Account Officer Kohistan
6. Secretary of Education KPK Peshawar ..... Respondent



Appeal U/S-4 of the Service Tribunal Act 1974, against order of respondent No.1 dated 22/10/2015 & order of respondent No.2 dated 22/10/2015, whereby appellant is removed from service without any reason, which is illegal, against law & facts.

Respectfully Sheweth;

Appellant humbly submits as under

1. That appellant is lady by her very personal status and is parda nasheen lady and employee of respondent department.
2. That respondents have advertized the post of PST for which appellant has properly applied and after completion of all local formalities, appellant was appointed as a PST Teacher in District Kohistan vide order dated 07/12/2006.  
(Copy of appointment order is attached as Annex 'A').

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

6/4/16



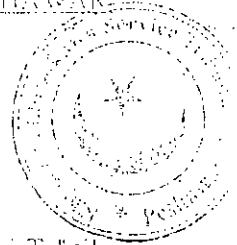
11

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 372/2016

Date of Institution ... 05.04.2016

Date of Decision ... 27.08.2019



Mst. Nazia Qazi daughter of Muhammad Akbar resident of Village Yaqubi Tehsil Lahore District Swabi, Ex-PST Teacher GPS Razi Bahadar Kotay Yaqoobi Swabi. (Appellant)

VERSUS

The Director (E&SE), Khyber Pakhtunkhwa, Peshawar and five others. (Respondents)

Present:

MR. YAQOOB KHAN, Advocate --- For appellant.

MR. KABIRULLAH KHATTAK, Additional Advocate General --- For respondents.

MR. AHMAD HASSAN, --- MEMBER (Executive)  
MR. MUHAMMAD HAMID MUGHAL --- MEMBER (Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER - Arguments of the learned counsel for the parties heard and record perused.

ATTESTED

EXAMINED BY  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

ARGUMENTS

02. Learned counsel for the appellant argued that after observance of all codal formalities, she was appointed as PST in District Kohistan vide order dated 07.12.2008. As she possessed the domicile of District Swabi, therefore, through order dated 20.09.2011, she was posted in District Swabi and started performing duty. After putting in nine years service, she was removed from service vide order dated 22.10.2015 issued by respondent no.3. Feeling aggrieved, she filed departmental appeal on 20.12.2015, which remained unanswered, hence, the present service

12

appeal. Impugned order was not served on the appellant and subsequently, obtained through personal efforts. It was issued without fulfillment of requirement laid down in the relevant rules, thus was arbitrary, illegal and unlawful. The appellant was denied the opportunity of defense. Reliance was placed judgment of this Tribunal dated 22.03.2019, passed in service appeal no. 716/2016; whereby a case of similar nature was referred to the respondents to conduct de-novo enquiry.

03. Learned Addl. Advocate General that she was illegally appointed and when the matter came to the notice of respondents the then DEO, Kohistan was directed to conduct enquiry. Enquiry report confirmed that her appointment was not in the prescribed manner laid down in the rules thus the same was illegal. On the basis of the said enquiry major penalty of removal from service was imposed on the appellant and other teachers. All codal formalities were observed before passing the impugned order.

### CONCLUSION

04. The stance of the appellant about her regular appointment vide order dated 07.12.2008 and subsequent transfer to District Swabi through order dated 20.09.2011 was vehemently opposed by the respondents. They leveled allegations of serious irregularities in the appointment process which was confirmed on the basis of enquiry conducted by the then DEO, Kohistan. Enquiry report revealed that her appointment was illegal and made in utter disregard to the laid down criteria. As a sequel to enquiry report major penalty of removal from service was awarded to the appellant vide order dated 22.10.2015 issued by respondent no.3.

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

13

05. We will not dispute that the respondents had every right to probe into the irregularities that surfaced during the appointment of the appellant. However, they made a serious mistake by conducting fact finding enquiry that has no legal sanctity and any penalty awarded on the basis of such enquiry is not sustainable in the eyes of law. In order to award punishment to a civil servant he was required to be proceeded under E&D Rules 2011. Needless to point out that in the enquiry in question, the appellant was not associated with the proceedings thus condemned unheard. The only safer course left with the respondents is to conduct enquiry in accordance with the spirit of E&D Rules 2011 and thereafter may pass any order as deemed appropriate. The principle of consistency also demands that the case of the appellant be dealt with as per judgment of this Tribunal dated 22.01.2019 and 22.07.2019, as similar question of facts and law are involved.

06. As a sequel to the above, the instant appeal is accepted, impugned order dated 22.10.2015 is set aside. The respondents are directed to conduct de-novo enquiry strictly in accordance with law and rules. Parties are left to bear their own costs. File be consigned to the record room.

(AHMAD HASSANI)  
MEMBER

(MUHAMMAD HAMID MUGHAL)  
MEMBER

ANNOUNCED  
27.08.2019

Date of Presentation of Application 04-09-19  
Number of Pages 1000  
Copying Fee 20-00  
Urgent 4-00  
Total 24-00  
Date of Receipt 04-09-19  
Date of Disposal 01-10-19

Certified to be true copy  
Secretary  
Services Tribunal  
Peshawar



E

141

**OFFICE OF THE DISTRICT EDUCATION OFFICER (F) KOHISTAN**

**REINSTATEMENT**

Consequent upon the judgment dated 27-08-2019, passed by the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar rendered in service appeal No.372/2016, in case filed Mst. Nazia Qazi Ex-PT District Peshawar, the appellants is hereby re-instated into Government service against the post of PT(B-12) at GGPS Goshali District Kohistan subject to the outcome of the appeal.

Rule:

- No-TA/DA is allowed
- Charge report should be submitted to all concerned.

*District Education Officer  
DUA (Female) Kohistan*

Enclst: No. 7109-16 /DEO (F) KH/liti. Dated Dassu the 16/7 /2020

Copy of the above is forwarded to:-

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar
2. The Addt. Advocate General Khyber Pakhtunkhwa Service Tribunal Peshawar
3. The Section Officer (Lit: II) E&SE Department Peshawar.
4. Deputy Commissioner Kohistan
5. The Deputy District Education Officer(F)
6. The District Account Officer Kohistan.
7. The Sub-Divisional Education Officer (F) Kohistan
8. Office file

*District Education Officer  
DUA (Female) Kohistan*

Best copy

19

**OFFICE OF THE DISTRICT EDUCATION OFFICER (F) KOHISTAN**

**REINSTATEMENT**

Consequent upon the judgment dated 27.08.2019 passed by the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar rendered in Service appeal No. 372/2016 in case titled Mst Nazia Qazi Ex-ST District Kohistan the appellant is hereby reinstated into government Service against the post of PST (BPS-12) at GGPS Goshali District Kohistan subject to the outcome finding.

**NOTE**

No TA/DA is allowed.

Charge report should be submitted to all concerned.

District Education Officer  
(Female) Kohistan

Endst No. 7109-16/DEO (F) KH/Dated the 16/07/2020

Copy of the above is forwarded to the

1. The Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. The Addl Advocate General Khyber Pakhtunkhwa Service Tribunal Peshawar.
3. The Section Officer (Lit-II) Department Peshawar.
4. Deputy Commissioner Kohistan.
5. The Deputy District Education Officer (F).
6. The District Account Officer (F) Kohistan.
7. The Sub-Divisional Education Officer (F) Kohistan.
8. Office File.

District Education Officer  
(Female) Kohistan



15

15

15

## DE-NOVO ENQUIRY IN RESPECT OF MST: NAZIA QAZI PST

in the reference of the office order no 7117-18 dated 20-07-2020 consequent upon the decision/ directions of the honorable service tribunal Khyber Pakhtunkhwa at Peshawar regarding de-novo enquiry in respect of Mst. Nazia Qazi PST as under.

### **PROCEDURE /METHODOLOGY**

- To go through the service record
- To match the transfer/cancellation of transfer orders and office orders of both the DEOs Swabi & Kohistan
- Performance/school record

### **BACK GROUND:**

The teacher initially appointed on 07-12-2006 vide District Education Officer (M&F) Kohistan No, 8836-42 at GGPS Kai Seo mentioning the teacher as resident of Kohistani while corrigendum office order regarding residency has been issued on 04-12-2010 bearing Endstt: No 8795-98 by the same office. During the service the teacher transferred to GGPS Gayal and than GGPS Bar Komila.

The teacher was transferred to District Swabi by the Director E&SE Vide 4980-85 dated 20-09-2011 and adjusted at GGPS Razi Bahader kotty Swabi. And the inter district transfer order was withdrawn on 22-10-2015 vide Director E&SE 3887-24.

The teacher was removed from service vide DEO (F) Kohistan No 7105-10 dated 22-10-2015 in the light of recommendation of the inquiry report submitted on 24-08-2015.

The teacher filed the appeal before the honorable service tribunal of KPK at Peshawar appeal no 372/2016 and the court set-aside the impugned order No No 7105-10 dated 22-10-2015 on 04-09-2019 with the direction of de-novo inquiry and the teacher reinstated by the DEO(F) Kohistan on 16/7/2020 bearing Endstt; No 7109-16.

### **FINDINGS:**

The teacher was initially appointed on 07-12-2006 by the DEO (M&F) Kohistan representing as local but the corrigendum order was issued by the same office on 04-12-2010 that shows an awkward official approach of the DEO (M&F) Kohistan.

The performance record of the teacher of her school period in District Kohistan was thoroughly checked while the signed marked attendance register reflects her duty that she performed at different stations of the above mentioned schools. Copy of attendance register produced during the inquiry.

The teacher was transferred to the District Swabi on 20-09-2011 by the Director E&SE bearing Endstt; No 4980-85 on 20-09-2011 and she was adjusted at GGPS Razi Bahader kotty swabi where she performed services till the cancelation/withdrawal of the inter district transferred order no 4980-85 on 22-10-2015. The teacher made efforts to report back to DEO(F) Kohistan. Whereas the DEO (F) Kohistan issued the removal from services office order of the said teacher on 22-10-2015 bearing Endstt: No 7105-10 in the light of the recommendation of inquiry report submitted on 24-08-2015 with one strike of pen without any charge sheet or a show cause notice.


The salary of the teacher was not stopped in District Kohistan as well as District Swabi to the removal from services (22-10-2015). Which shows the dissatisfaction of the DEO Offices.

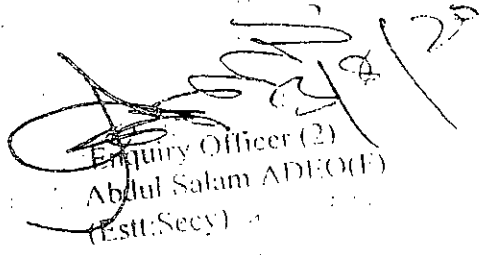
13

The DEO (F) Kohistan issued a group office order of removal from service of seven teachers on 22-10-2015 among MST: Nazia Qazi PST GGPS Bar Komila placed at sr no 2 on the bases of inquiry report submitted on 24-08-2015 with the reference of the Director E&SE. The date of inter district transfer cancellation order and the removal from service order stands at the same date. It is clear that the said teacher was under the competency of the DEO (F) Swabi during the enquiry conducted on 24/08/2015 and the action of the DEO (F) Kohistan can be considered the err on his end.

**RECOMMENDATIONS:**

1. The teacher may be re stored permanently on her designated post in the light of the honorable court decision as it is.
2. The teacher posses the right of back benefits from the issue of court decision i.e. from 04-09-2019 and up to the re instatement order issued on 16-07-2020 by the DEO (F) Kohistan and onward for her duty performance.
3. The Honorable court has set-aside the removal from service order of DEO(F) Kohistan which reveals that the office has put obstacles in the path of the performance of the teacher due to the same dates of the cancellation inter District transfer order by the Director E&SE and the removal from service order of the teacher. which makes the teacher. rightful for back benefits from the date of her termination of intervention period but the teacher has enlarged the trail period in the court. Therefore the DEO will be justified if the back benefits of the interventional period of 16 months given to the teacher comparing the average time of the court for such decision.

  
Enquiry Officer (1)  
Mst. Fozia SDEO (F) Dassu

  
Enquiry Officer (2)  
Abdul Salam ADEO(F)  
(Estt. Secy)

OFFICE OF THE DISTRICT EDUCATION OFFICER

(FEMALE) KOHISTAN

OFFICE ORDER

WHEREAS Mst. Nazia Qazi PST was appointed as PST teacher at GGPS Kai Seo on 07-08-2006 and was transferred to District Swabi by the Director E&SE vide 4980-85 on 20-08-2011 and the inter district transfer order withdrawn on 22-10-2015 bearing Endstt. No 3587-15.

WHEREAS Mst. Nazia Qazi PST was proceeded under the Khyber Pakhtunkhwa Government t. servant (Efficiency & Discipline) rule 2011 on account of fact finding inquiry report submitted to the DEO (F) Kohistan on 24-08-2015 and the DEO (Female) Kohistan issued her removal from service office order on 22-10-2015 bearing Endstt. No 7105-10 while the teacher was on the jurisdiction of DEO (F) Swabi.

WHEREAS The teacher filed the writ petition in the honorable service tribunal on 06-01-2016 and the honorable court set-aside the office order of removal from service bearing Endstt. No 7105-10 Dated 22-10-2020 with the direction of de-novo enquiry.

WHEREAS The DEO (F) Kohistan issued re-instatement office order of the teacher for the purpose of de-novo enquiry on 16-07-2020 bearing Endstt 7109-16 and the couple of officers appointed for the said enquiry.

WHEREAS The enquiry officers conducted the enquiry of the said teacher and submitted the report with the clear cut recommendations of permanent re-instatement and the back benefits w.e.f 04-09-2019 up to the current month and 30 (thirty) months of intervention period.

THEREFORE In the light of the court decision and the recommendation of de-novo enquiry report the teacher **re-instated** permanently with the recommended back-benefits in Para no. 1 of this office order and retained the office order no 7109-16.

TERMS: CONDITIONS:

1. No TA/DA is allowed
2. Charge report should be submitted to concerned
3. The seniority of the intervention period will be annexed with the previous service of this post

(Rehana Yasmeen)  
District Education Officer,  
(Female) Kohistan

L/No. Estt/ Sec/ 7307-14 DEO (F) Dated 10.1.2020  
Copy of the above is forwarded to:

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The Deputy Commissioner District Kohistan
3. The District Monitoring Officer Kohistan
4. The Registrar service tribunal Khyber Pakhtunkhwa Peshawar
5. The Addl. Advocate service tribunal Khyber Pakhtunkhwa Peshawar
6. The Sub-Divisional Education Officer (F) Dasso
7. The Teacher concerned
8. PA to DEO(F) Local Office

*[Handwritten signature]*



Better Copy



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) KOHISTAN

OFFICE ORDER

WHEREAS Mst Nazia Qazi PST was appointed as PST teacher at GGPS Kai Seo on 07.12.2006 and was transferred to District Swabi by the Director E&SE vide 4980-85 on 20.09.2011 and the inter District transfer order withdrawn on 22.10.2015 bearing Endst No. 3887-24.

Whereas Mst Nazia Qazi PST was proceeded under the Khyber Pakhtunkhwa Government servant (Efficiency & Discipline) rule 2011 on account of fact finding inquiry report submitted to the DEO (F) Kohistan on 24.08.2015 and the DEO (Female) Kohistan her removal from service office order on 22.10.2015 bearing Endst No. 7105-10 while the teacher was on the jurisdiction of DEO (F) Swabi.

WHEREAS the teacher the writ petition in the honorable service Tribunal on 06.04.2016 and the Honorable Court set aside and the office order of removal from service bearing Endst No. 2105-10 dated 22.10.2022 with the direction of denovo enquiry.

WHEREAS the DEO (F) Kohistan issued re-instatement office order of the teacher for the offices appointed for the said inquiry.

WHEREAS the enquiry officers conducted the enquiry of the said teacher and report with the report with the clear recommendations of permanently and the back benefits w.e.f 04.9.2019 up to the current month and 16 months of intervention period.

WHEREAS in the Light of court decision and the recommendation of denovo inquiry report the teacher reinstated permanently with the recommendation back benefits in para No of this office order and reinstated the office order No 7109-16.

TERMS AND CONDITIONS

1. No TA/DA was allowed.
2. Charge report should be submitted to concerned.
3. The seniority of the intervention period will be annexed with the pervious service of the post.

(Rehana Yasmeen)  
District Education Officer  
(Female) Kohistan

Endst No Estt Sec 7307-14, DEO (F) 10/09/2020

Copy forwarded to

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The Deputy Commissioner District Kohistan.
3. The District Monitoring Officer Kohistan.
4. The Registrar Service Tribunal Khyber Pakhtunkhwa Peshawar.
5. The Add Advocate Service Tribunal Khyber Pakhtunkhwa Peshawar.
6. The Sub Divisional Education Officer (F) Dassu.
7. The teacher concerned.
8. PA to DEO (F) Local office.

District Education Officer

H

(17) (8)

**OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE KOHISTAN**

**OFFICE ORDER**

**Subject:- PAY RELEASE AND ARREAR BILL R/O MST: NAZIA QAZI PST GGPS GOSHA**

**Memo:-**

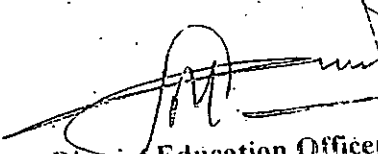
In the light of the recommendation of inquiry committee report of MST: Nazia Qazi PST Goshali is hereby released of pay and the due arrear bill as per recommendation of inquiry off granted.

District Education Officer  
(Female) Kohistan

Endst: No. 1366-71 /DEO (F) KH Dated 07.06.2021

Copy forwarded to :-

1. District Account officer Kohistan
2. SDEO (F) with the direction for implementation
3. ASDEO Circle Dassu
4. PA to-DEO (F) Kohistan
5. Official concerned
6. Office copy.

  
District Education Officer  
(Female) Kohistan

with original S/Bank of MST  
Nazia Qazi PST Goshali

No  
7/6/2021

18

I

To,

The Worthy Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Subject: Appeal for granting back benefits from the date of dismissal till re-instatement into my service.

Respected Sir/Madam,

It is beg to state that I was appointed as PST vide order dated 07.12.2008. I was later on posted in GGPS District Swabi. After nine years of service, I was removed from service on 22.10.2015 by order issued by DEO(F) Swabi. Other PST Teachers were also removed from service through the same consolidated order dated 22.10.2015. All the PST Teachers challenged the order of removal from service in KP Service Tribunal by filing service appeal which was accepted by the Tribunal through order dated 27.08.2019. After denovo enquiry, I was reinstated into service against the post of PST by the worthy DEO (F) Kohistan vide order no. 7109-16 dated Dassu 16.07.2020.

Other PST teachers who were also removed from service through one and same order dated 22.10.2015 have been granted all the back benefits from the date of dismissal till the date of re-instatement. Constitution of Pakistan also prohibits the discrimination and every citizen is to be treated equally. Hence, I may also entitled to be treated at par with the same teachers and also grant me the same back benefits as granted to PST Anila Iqbal and Musarrat Begum to avoid violation of fundamental right against the discrimination.

**I shall be very grateful for this act of kindness.**

Appellant



Nazia Qazi

PST, GGPS Qamargai  
Razaar, Swabi

Dated: 18<sup>th</sup> September, 2023

address of sender

NO 592

For Insurance Notice see reverse. Stamps affixed except in case of uninsured letters of no more than the initial weight prescribed in the Post Office Guide of 1907 which no acknowledgement is due.

Rs. Ps.

70

received & registered?

addressed to

Date Stamp

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) (in words)

Insurance fee Rs. Ps. (in words)

Weight Kilo Grams

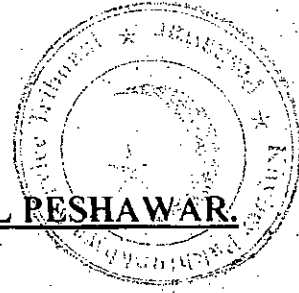
Name and address of sender

RGL 117431817

Handwritten signature and date: 10/8/07

20

J



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.**

Service Appeal No. 526/2019

Date of Institution ... 03.01.2020

Date of Decision ... 22.11.2022

SCANNED  
KPST  
Peshawar

Mst. Musarrat Begum, PST, Government Girls Primary School, Kaddi, Dagai,  
Tehsil Razzar, Swabi.

... (Appellant)

**VERSUS**

Secretary Education, Khyber Pakhtunkhwa, Peshawar and 03 others.

... (Respondents)

MR. ASAD MAHMOOD,  
Advocate

For appellant.

MR. MUHAMMAD RIAZ KHAN PAINDAKHEL,  
Assistant Advocate General

For respondents.

SALAH-UD-DIN  
MIAN MUHAMMAD

MEMBER (JUDICIAL)  
MEMBER (EXECUTIVE)

**JUDGMENT:**

SALAH-UD-DIN, MEMBER:- Brief averments as raised by the appellant in her appeal are that she was appointed as PTC Teacher vide appointment order dated 01.02.1996 and assumed the charge of her post in Government Girls Primary School Bahadur Sahib District Kohistan. The appellant was then transferred from District Kohistan to District Swabi vide order dated 27.09.2008 and she started performing her duty in District Swabi, however it is

**ATTESTED**  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

21

2

astonishing that her transfer order was withdrawn vide order dated 22.10.2015 after a lapse of about 07 years. On the same date i.e 22.10.2015, the appellant was removed from service on the ground that her appointment was fake, constraining the appellant to file Service Appeal No. 117/2016 before this Tribunal, which was allowed vide judgment dated 22.03.2019 with directions to the respondents to conduct de-novo inquiry within a period of 90 days. During the de-novo inquiry, the appointment order of the appellant was found genuine and the inquiry committee recommended that the appellant may be reinstated in service with all back benefits. The appellant was, however reinstated in service with immediate effect by treating the intervening period as extra ordinary leave without pay, constraining the appellant to file departmental appeal, whereby the impugned order dated 02.09.2019 to the extent of reinstatement with immediate effect and treatment of the intervening period as extra ordinary leave without pay, was challenged. The departmental appeal of the appellant remained un-responded, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions made by the appellant in her appeal.

3. Learned counsel for the appellant has contended that during the de-novo inquiry, the appointment order of the appellant was found genuine and the inquiry committee had recommended that the appellant may be reinstated in service with all back

ATTENDED

EXAMINED  
Hydrabad  
Service Tribunal  
Pattana

(22)

3

benefits, therefore, the impugned order dated 02.09.2019 requires to be modified by reinstating the appellant with effect from 22.10.2015 with all back benefits. He further argued that the order of removal of the appellant from service has already been set-aside by this Tribunal vide judgment dated 22.03.2019, therefore, competent Authority was not justified in treating the intervening period as extra ordinary leave without pay. He also argued that as the appellant had not remained gainfully employed in any service during the intervening period, therefore, she was entitled to all back benefits. Reliance was placed on 2021 SCMR 962, 2015 SCMR 77 and 2007 SCMR 855.

4. Conversely, learned Assistant Advocate General for the respondents has argued that the very order of appointment of the appellant was fake and as she has been reinstated on technical ground, therefore, she is not entitled to any back benefits. He next contended that the appellant did not perform any duty during the intervening period, therefore, competent Authority has rightly treated the same as extra ordinary leave without pay. Reliance was placed on 2017 PLC (C.S) 177, judgment dated 18.02.2020 passed by this Tribunal in Service Appeal No. 803/2018 and judgment dated 18.01.2021 passed by this Tribunal in Service Appeal No. 603/2018.

5. We have heard the arguments of learned counsel for the parties and have perused the record.

6. A perusal of the record would show that the appellant was removed from service vide order dated 22.10.2015 on the ground

**ATTESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

23

that her appointment order was illegal/fake. The aforementioned order dated 22.10.2015 was challenged by the appellant through filing of Service Appeal No. 117/2016 before this Tribunal, which was allowed vide judgment dated 22.03.2019 and the respondents were directed to conduct de-novo inquiry within a period of 90 days of receipt of the judgment. In para-5 of her appeal, the appellant has mentioned that de-novo inquiry was conducted in the matter and the inquiry committee recommended the reinstatement of the appellant with all back benefits. In reply to the said para, the respondents have not contradicted the stance of the appellant regarding recommendation of the inquiry committee for her reinstatement in service with all back benefits but have taken the stance that the said inquiry was not a regular inquiry. The order of removal of the appellant dated 22.10.2015 was set-aside by this Tribunal on the ground that the same was the outcome of fact finding inquiry and the matter was remitted to respondent-department for de-novo inquiry against the appellant. It is astonishing that the respondents have alleged that even the de-novo inquiry was not a regular inquiry. In consequence of their own mistake of not conducting of the de-novo inquiry in accordance with Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, the respondent-department while passing the impugned order dated 02.09.2019, has reinstated the appellant with immediate effect by treating the intervening period as extra ordinary leave without pay. The appellant

**ATTESTED**  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



24

has thus been held liable to bear the brunt for the mistake of the respondents, which is unfair.

7. The order of removal of the appellant dated 22.10.2015 has already been set-aside by this Tribunal vide judgment dated 22.03.2019. The appellant was thus entitled to her reinstatement with effect from 22.10.2015 and she was entitled to all back benefits as nothing is available on the record, which could show that the appellant had remained gainfully employed in any service during the intervening period.

8. In view of the above discussion, the appeal in hand is allowed. The impugned order dated 02.09.2019 is modified and the appellant stands reinstated in service with effect from 22.10.2015 with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
22.11.2022

(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

Certified to be true copy

Date of Presentation of Application 12/3/24  
Number of Pages 57  
Copy fee 200/-  
Upfront 500/-  
Total 300/-  
Name \_\_\_\_\_  
Date of \_\_\_\_\_  
Date of \_\_\_\_\_ 12/3/24  
12/3/24

25

15

**VAKALAT NAMA**

NO. \_\_\_\_\_/2024

IN THE COURT OF KP Service Tribunal, Peshawar

Nazia Aazi

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Education Department

(Respondent)  
(Defendant)

I/We, \_\_\_\_\_

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/2024

Ha

(CLIENT)

ACCEPTED

Taimur Ali Khan

**TAIMUR ALI KHAN**  
*Advocate High Court*

**BC-10-4240**  
**CNIC: 17101-7395544-5**  
**Cell No. 03339390916**