

FORM OF ORDER SHEET

Court of _____

Appeal No. 882/2024


| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 26/06/2024 | <p>The appeal of Mr. Nehmat Ullah re-filed today by registered post through Mr. Nasir Ayub Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 23.07.2024. Counsel for the appellant has been informed telephonically.</p> <p>By the order of Chairman</p> <p>REGISTRAR</p> |

The appeal of Mr. Nehmatullah received today i.e on 12.06.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no.3 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 respondent.
- ✓ Appeal has not been flagged/marked with annexures marks.
- ③ Address of appellant is incomplete be completed according to rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ✓ In the memo of appeal the word petitioner is used but there exists no provision in the Khyber Pakhtunkhwa Service Tribunal Act/rules 1974 for using the word of petitioner in service appeal.
- ✓ Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal in file covers.

No. 172 /Inst;/2024/KPST,

Dt. 13/6 /2024.


OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Nasir Ayub Khan Adv.
High Court A.Abad.

24-06-2024. Refiled today after removing all the five objections.
Nasir Ayub Khan
DS

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWER

Service Appeal No. 882 / 2024

NehmatUllah

Versus

Commissioner & others

APPEAL

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APPELLANT

Through:

(Nasir Ayub Khan).
Advocate High Court

BEFORE THE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWER

A- No. 882/2024

Nehmat Ullah son of Jan Muhammad Khan resident of CharahKot, Torghar.
Ex-sepoy Levies Force TorgharAppellant

Versus

- 1- Commissioner Hazara Division, At Abbottabad.
- 2- Deputy Commissioner Torghar/ Commandant levies Force, At Torghar.

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT 1974, AGAINST IMPUGNED ORDER NO.4712-15/LEVIES/DC/TG DATED 06.03.2024 WHEREOF THE APPELLANT WAS REMOVED FROM SERVICE BY RESPONDENT No.2 AND THEREAFTER THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS DISMISSED BY RESPONDENT NO.1 VIDE NOTIFICATION NO.CHD/ACR/READER/10/2(B)/5347-51 DATED 21.05.2024.

PRAYER ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL IT IS HUMBLY PRAYED THAT THE IMPUGNED ORDER NO.4712-15/LEVIES/DC/TG DATED 06.03.2024 AND NOTIFICATION NO.CHD/ACR/READER/10/2 (B)/5347-51 DATED 21.05.2024. IN DEPARTMENTAL APPEAL MAY GRACIOUSLY BE SET-ASIDE AND THE APPELLANT BE REINSTATED IN SERVICE WITH ALL CONSEQUENTIAL AND BACK BENEFITS THAT ANY OTHER RELIEF/ ORDER WHICH THIS HONORABLE COURT MAY GRACIOUSLY DEEM FIT AND APPROPRIATE IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED.

Respectfully Sheweth:

The facts giving rise to the instant appeal are arrayed as under:

1. That the appellant was appointed spoy in levies Force in the year 2010, since than appellant has performed his duties with full dedication and has left no stone

returned to give his best, who number of time risked his life for his duty, throughout his service not a single complaint of absence or otherwise has been recorded, appellant has unblemished record.

2. The petitioners joined Levies Force governed by the Rules promulgated in 1962. Later on the Rules of 1962 were repealed and Provincially Administrated Tribal Area (PATA). Levies force Services Rules 2012 were promulgated for PATA Levies force vide notification dated 13/09/2012 where as for FATA Levies Force, the Federal Levies Force (Service) Rules 2012 were framed. There after the Government of Khyber Pakhtunkhwa notified Service Rules for PATA i.e Provincially Administrated Tribal area PATA Federal Levies Force Service (Amended) Rules 2013 vide notification dated 04/02/2013, where as the Federal Government promulgated Federal Levies force (Amended) Services Rules 2013 vide notification dated 08/04/2013. There after the 25th amendment in the constitution Federally Administrated Tribal Areas were merged in the Province of Khyber Pakhtunkhwa. Federal Levies Force Regulation 2012 lost its legal status and in consequence the Khyber Pakhtunkhwa Government promulgated Khyber Pakhtunkhwa Levies Force Act 2019 and according to section 9 of the Act members of Levies Force were absorbed in police and till their absorption Levies Force is to be Governed by Federal Levies force (Amended) Service Rules 2013.
3. That the appellant was suspended by respondent No.2 on 27.02.2024 on the charge of remaining absent from duty.
4. That proceeding were initiated by respondent No.2 against the appellant and on 06.03.2024 vide office Order No.4712-15/LEVIES/DC/TG respondent No.2 imposed major penalty of removal from service, on the recommendation of the inquiry officer respondent No.2. Copy of the order NO.4712-15/LEVIES/DC/TG dated 06.03.2024 is annexed as A.
5. That appellant was not served with the showcase or charge sheet, no personal hearing was given, as no charge sheet or show cause was served upon appellant thus question of written reply submitted by the appellant to the inquiry officer is out of question, infect Personal Assistant (PA) to Deputy Commissioner Troghar, while giving the suspension order on 28-02-2024 asked for the reason of absence on which the appellant replied that he was on duty only on 10.02.2024 he attended the funeral of his real paternal uncle, to render apology he asked for the application which appellant wrote there and then and handed over to the PA. No show cause or charge sheet was ever served to appellant who could have been replied accordingly. Copy of the application and death certificate is annexed as B&C respectively
6. That feeling aggrieved of the removal order dated 06.03.2024 appellant preferred departmental appeal on 08.03.2024 to the respondent No1. Respondent No.1 dismissed the appeal vide order No.CHD/ACR/Reader/10/2 (B)/5347-51 dated 15.05.2024. It is worth to mention that the order was not conveyed to the appellant, who on 03.06.2024 moved an application to respondent No.1 for the copy of the order which they received on the same day i.e 03.06.2024. Copy of the appeal & order No.CHD/ACR/Reader/10/2 (B)/5347-51 is annexed as D.

That feeling aggrieved of the order No.4712-15/Levies/DC/TG dated 06.03.2024 whereof the appellant was removed from service by Respondent No.2 and thereafter the Departmental Appeal of the appellant was dismissed by Respondent No.1 vide notification No.CHD/ACR/Reader/10/2(B)/5347-51 dated 21.05.2024, appellant has come to this honorable Court inter alia amongst many other:-

Grounds:

- a. That the impugned order is against the Law, unconstitutional, discriminatory, victimizing, perverse and void abini-tio, hence, it liable to be struck down.
- b. That the penalty imposed upon the appellant is not correct, totally baseless, unjustifiable and is liable to be struck down.
- c. That the appellant has never been absent from duty ,he was very much present in the line at Judba Torghar, where there is process of marking attendance, attendance is only marked when the spoy is deputed to the point of duty.
- d. That no show cause was issued to the appellant as per Law hence the impugned orders issued by respondent No.1 & No2 are liable to be set-aside.
- e. That the proceedings conducted against the appellant are not in accordance with law, E&D rules are tainted with malafide and ill will towards appellant.
- f. That under the Law respondent No.2 was duty bound to give personal hearing to the appellant which he badly failed to do so.
- g. That no charge sheet or statement of allegations has ever been issued by the Competent authority hence the whole proceedings stand vitiated consequently upon the recommendations of Inquiry officer (SPOKAR) (No.2), the impugned order is also against the law and is liable to be set aside.
- h. That the impugned order is itself self explanatory that the period of so called absentee has not been mentioned thus the whole process in nullity in the eye of law.
- i. That according to the settled law no proper rules regarding charge/allegation, facts finding inquiry, charge sheet/show cause and proper inquiry proceedings, chance of cross-examination and final showcase notice has not been observed, which is illegality and no inquiry in the eye of law and the impugned order is baseless and liable to be set-aside.

- j. That the appellant serves the department with complete devotion dedication to the entire satisfaction of her superiors and always abide the service laws and rules.
 - k. That in way entire proceedings carried out are unknown to the principle of natural justice, fundamental rights, jurisprudence and the law on the subject.
 - l. That good governance demands that the law and the rules are to be strictly adhered.
7. That there is no other speedy, efficacious and adequate remedy available to the appellant, except the present appeal.
 8. That the appeal is well within time as the copy of the impugned order was received on an application on 03.06.2024.

In the light of the fact mentioned above it is humbly prayed that on acceptance of the instant service appeal it is humbly prayed that the impugned order No.4712-15/Levies/DC/TG dated 06.03.2024 and notification No.CHD/ACR/Reader/10/2 (B)/5347-51 dated 21.05.2024 in departmental appeal may graciously be set-aside and the appellant be reinstated in service with all consequential and back benefits. That any other relief/ order which this honorable court may graciously deem fit and appropriate in the circumstances of the case may also be granted.

Appellant

Through:

(Nasir Ayub Khan)
Advocate High Court

VERIFICATION:

I, Nehmat Ullah son of Jan Muhammad Khan resident of CharahKot, Torghar. Verify on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Dated: _____/2024

Appellant

5

BEFORE THE SERVICES TRIBUNAL PESHAWER

S.Appeal No. ___ / 2023

Nihmat Ullah

Versus

Commissioner & others

APPEAL

AFFIDAVIT

I, Nehmat Ullah son of Jan Muhammad Khan resident of CharahKot, Torghar, do hereby solemnly affirm and declare that the averments as contained in the accompanying Appeal are correct and true to the best of my knowledge and belief and nothing has been concealed there from. The contents of accompanying petition may kindly be read as integral part of this affidavit.

Deponent

IDENTIFIED BY:-

Nasir Ayub Khan
Advocate High Court

BEFORE THE SERVICES TRIBUNAL PESHAWER

S. Appeal No. ___/2023

Nihmat Ullah

Versus

Commissioner & others

APPEAL

ADDRESSES OF THE PARTIES

Petitioner

Nehmat Ullah son of Jan Muhammad Khan resident of CharahKot, Torghar.

Respondents

- 1. Commissioner Hazara Division Abbottabad.
- 2. Deputy Commissioner/ Commandant levies Force Torghar.
- 3. Assistant Commissioner/Depth Commandant Levies Force (HQ) Judba, Torgha.

Through: Petitioner

Nasir Ayub Khan
Advocate High Court



**OFFICE OF THE
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR**



(7)
Anex (A)

No. 4712-15 /Levies/DC/TG

Dated Torghar the 06/03 /2024

OFFICE ORDER

WHEREAS, Mr. Niamat Ullah Sepoy Levies Force, Torghar was reported willfully absent from his duty without any prior approval from competent authority w.e.f 15-01-2024 to 27-02-2024.

AND WHEREAS, the accused was proceeded against under the relevant law/rules on that count as well as showing lack of discipline; Mr. Hasrat Khan Assistant Commissioner (HQ) Judba was appointed as an Inquiry Officer. A Charge Sheet was served to Mr. Niamat Ullah vide letter No. 4692-94/Levies/DC/TG dated 27-02-2024; the delinquent official submitted his reply to the charge sheet and the Inquiry Officer in his inquiry report vide letter No. 4698/Levies/DC/TG dated 04-03-2024 submitted that the delinquent official had willfully absented himself from duty w.e.f 15-01-2024 till 27-02-2024; that the Inquiry Officer proved willful absence of the delinquent and recommended strict disciplinary action.

AND WHEREAS, Mr. Niamat Ullah was directed to appear before the undersigned on 04-03-2024; the delinquent official attended the office of the undersigned on 05-03-2024. The written reply available on file was perused wherein, the delinquent official has taken a stance that his blood relative was ill due to which he couldn't attend his duty but he hasn't substantiated his stance with any documentary evidence. Also, he couldn't mention any cogent reason for his absence.

AND WHEREAS, in view of the foregoing facts regarding the absence of the delinquent official, findings and recommendations of the Inquiry Officer/ Deputy Commandant Levies Force Torghar as well as his unsatisfactory written reply and failure to justify his unauthorized absence during the personal hearing, it can be safely concluded that Mr. Niamat Ullah has committed gross misconduct; has been absent from duty without any prior approval in the instant case and has also ceased to be efficient anymore.

NOW THEREFORE, I, Deputy Commissioner/Commandant Levies Force, Torghar impose major penalty of Removal from Service upon Mr. Niamat Ullah, Sepoy Levies Force, Torghar U/S 10 (Schedule-II) (b) of Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013 with effect from 15-01-2024.

(Zia Ur Rehman Marwat)
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR

Enstt: No & Date Even;

Copy forwarded to the:-

1. Commissioner, Hazara Division, Abbottabad.
2. District Account Officer Torghar.
3. Section officer (Police-II), Government of Khyber Pakhtunkhwa Peshawar.
4. Mr. Niamat Ullah C/O Subidar Levies Force, Torghar to serve the order upon the official concerned.

(Zia Ur Rehman Marwat)
DEPUTY COMMISSIONER/
Commandant Levies Force
TORGHAR

دو روز بعد
بیمار بستر خود
پروردگار

جواب علی جارحیست

گزارش جدید بین دستور سی بی میسر ہیں این ڈیویژن
سراجیہ ریاضیوں میں چاہو شدہ بیمار رفق اور قریب
ڈیویژن میں ہسپتال میں داخل تھے اور بعد از وفات میسر
جس کی وجہ سے میں ڈیویژن پر اس آسقا

جواب میں
میں نے
آسقا

بیمار
بستر

حضرت جناب اسٹینٹ کلرک ڈپٹی مگنڈا
کیونر قذافی ٹولنگر

جواب ملی چاز 2 شبہ

گزارش ہے کہ میں لکھنؤ سے ہی لکھنؤ
میں رہتی ڈیوٹی سر انجام دے رہی ہوں
میرے چاہئے شدد بیمار ہے اور توبہ
ڈیوٹی میں ہسپتال میں داخل تھے اور
بعد از صحت ہو گئے۔

کسی دن میں ڈیوٹی پر نہیں آسکا

آپ جناب سے درخواست ہے کہ مجھے اس
رفع معاف کیا جائے آئندہ آئیڈیو
صحت کا موقع نہیں دوسرا
شکر

آئیڈیو خانہ دار

نعت الہی

28-02-2024



حکومت خیبر پختونخوا پاکستان

Govt of Khyber Pakhtunkhwa Pakistan



اندراج وفات سرٹیفکیٹ

Anex

C

Tracking Id: 91100043990399

CRMS No. D862721342

Death Registration Certificate

دفتر اندراج : DADAM MODA KHEL_HASSANZAI

OLD/M REG #:

Deceased Person's Details

متوفی کے کوائف

Old CRMS No.:

| | | | |
|----------------------------|----------------------------|---------------------------|---------------------|
| Name : | Khursheed | نام : | خورشید |
| Nationality : | Pakistani | قومیت : | پاکستانی |
| CNIC No : | 42201-0158239-3 | شناختی کارڈ : | 42201-0158239-3 |
| Date of Birth : | 01-Jan-1949 | تاریخ پیدائش : | 01-Jan-1949 |
| Gender : | Male | جنس : | مرد |
| Religion : | Islam | مذہب : | اسلام |
| Sickness Period : | 00 Days 00 Months 00 Years | مدت علالت : | 00 دن 00 ماہ 00 سال |
| Date of Death : | 10-Feb-2024 | تاریخ وفات : | 10-Feb-2024 |
| Date of Burial/Last rite : | 10-Feb-2024 | تاریخ تدفین/آخری رسومات : | 10-Feb-2024 |
| Place of Death : | Home | جائے وفات : | گھر |
| Reason of Death : | Natural | وجہ وفات : | قدرتی |
| Nature of Death : | Normal | کیفیت وفات : | عام |
| Buried/Last rite at : | Cahrakot | جگہ تدفین/آخری رسومات : | چڑاکوٹ |

Parental Information

والدین کے کوائف

| | | | |
|-----------------|------------|----------------|----------|
| Father's Name : | Hazrat Jan | والد کا نام : | حضرت جان |
| CNIC No : | | شناختی کارڈ : | |
| Mother's Name : | Basmar Jan | والدہ کا نام : | بسمر جان |
| CNIC No : | | شناختی کارڈ : | |

Address

پتہ

| | | | |
|------------|----------------------------------|---------|------------------------|
| Address : | Charakot Madakhail Village Dadam | پتہ : | چڑاکوٹ مداخیل گاؤں ڈڈم |
| Tehsil : | Tor Ghar (F.R Kala Dhaka) | تحصیل : | تورغر |
| District : | Tor Ghar | ضلع : | تورغر |

Applicant's Details

درخواست دہندہ کے کوائف

| | | | |
|--------------------------|-----------------|-----------------|-----------------|
| Name : | Zulai Shah | نام : | زولے شاہ |
| CNIC No : | 13601-0490171-6 | شناختی کارڈ : | 13601-0490171-6 |
| Relation with Deceased : | Wife | متوفی سے رشتہ : | بیوی |

Information of Burial/Last rite by

تدفین/آخری رسومات کنندہ کے کوائف

| | | | |
|--------------------------|-----------------|-----------------|-----------------|
| Name : | Haq Nawaz | نام : | حق نواز |
| CNIC No : | 13601-0510697-5 | شناختی کارڈ : | 13601-0510697-5 |
| Relation with Deceased : | Son | متوفی سے رشتہ : | بیٹا |

| | | | |
|--------------------------|-------------|-----------------|-------------|
| Entry Date : | 03-May-2024 | تاریخ اندراج : | 03-May-2024 |
| Issue Date : | 03-May-2024 | تاریخ اجراء : | 03-May-2024 |
| Entry Status : | Normal | اندراج اسٹیٹس : | نارمل |
| Additional Information : | | اضافی معلومات : | |

دستخط سیکرٹری

ویلج کونسل ڈڈم

حسن زئی ضلع تورغر

SECRETARY
Village Council Dadam H.K.P.



بخدمت جناب کمشنر صاحب ہزارہ ریجن ایبٹ آباد

11

Anex
عنوان: (D)

Departmental Appeal / درخواست برائے بحال کرنے ساکنان مزد نوکری۔

=====

جناب عالی! درخواست ذیل عرض ہے۔

1- یہ کہ ساکنان Commandant Levies Force تو رغر کا ملازمین ہیں۔

2- یہ کہ ساکنان عرصہ 15/20 سال سے اپنی ڈیوٹی احسن طریقہ سے سرانجام دیتے آرہے ہیں اور کبھی بھی اپنے فرائض کی انجام دہی میں کوئی کوتاہی نہیں برتی۔

3- یہ کہ مورخہ 27/02/2024 کو جناب ڈپٹی کمشنر صاحب تو رغر نے ساکنان کو بغیر کسی شکاژ نوٹس کے نوکری سے معطل کیا۔ اور جب یہ بتائی کہ ساکنان غیر حاضر تھے حالانکہ ساکنان نوکری پر موجود تھے اور ڈپٹی کمشنر تو رغر نے صوبیدار تو رغر کے کہنے پر غیر قانونی طور پر ساکنان کو نوکری سے معطل کیا اور بعد ازاں مورخہ 05/03/2024 کو ساکنان کو مکمل طور پر نوکری سے Dismiss کر دیا۔

4- یہ کہ ساکنان کو نوکری سے Dismiss کرنے کے پیچھے صوبیدار تو رغر اور DC تو رغر کا PA فیصل بھی ملوث ہیں۔ جنہوں نے سیاسی دباؤ میں آکر ساکنان کو نوکری سے Dismiss کروایا جس بابت صوبیدار تو رغر کا Voice Note بھی ساکنان کے پاس موجود ہے۔

5- یہ کہ ساکنان نے ہمیشہ احسن طریقہ سے اپنی ڈیوٹی سرانجام دی اور کبھی کسی قسم کی کوئی کوتاہی نہ برتی ہے۔ ساکنان اپنے اپنے گھر کے واحد کفیل ہے اور کوئی ذریعہ معاش بھی نہ ہے اور ساکنان کے چھوٹے چھوٹے بچے ہیں اور اس مہنگائی کے دور میں گزارا انتہائی مشکل ہے۔

Secretary

Please
examine
and process

Commr.
8/3
2024.

لہذا استدعا ہے کہ منظور درخواست ہذا ساکنان کو نوکری پر بحال کرنے احکامات صادر فرمائے جائے۔

ساکنان آپ کیلئے ہمیشہ دعا گو رہیں گے۔

المرقوم: 08/03/2024

محمد زبیر خان

نعت اللہ ولد جان محمد خان سکنہ چیرا کوٹ، تو رغر

13504-8889483-7

محمد زبیر خان

عبدالرؤف گل ولد روز بیت گل سکنہ کاروڑ مد اخیل، تو رغر

13504-5896694-7

علی شہر

محمد زبیر خان سکنہ چیرا کوٹ، تو رغر

13504-9432089-7

محمد زبیر خان

گلاب زر ولد زبیر خان سکنہ در بندھینا یاں، تو رغر

13504-6182504-1

ACR
M. P. P. P.
8/3/24

PI PU
File

AE

8/3/2024



COMMISSIONER HAZARA DIVISION
ABBOTTABAD

No. CHD/ACR/Reader/10/2 (B) 5347-51

Dated Tuesday, May 21, 2024

Phone No: 0992-9310111-461

Fax No: 0992-9310500

17

ORDER
15/05/2024

Whereas, the appellants Mr Gul Muhammad S/o Hazrat Umar Ex-Sepoy Levies Force Torghar, Mr Niamatullah S/o Jan Muhammad Khan Ex-Sepoy Levies Force Torghar, Mr Gulab Zar S/o Zubair Khan Umar Ex-Sepoy Levies Force Torghar, and Mr Abdur Rauf Gul S/o Rozimat Gul Ex-Sepoy Levies Force Torghar, have filed a joint appeal dated; 08/03/2024 against the impugned orders No 4716-20, 4708-11, 4704-7, 4712-15 issued by the Deputy Commissioner/DC IG, dated 06/03/2024 passed by the Deputy Commissioner/Commandant Levies Force Torghar whereby major Penalty of removal from service had been imposed upon the appellants under the provisions of Section- 10(Schedule-II) (b) of Provincially Administered Tribal Areas (PATA) Federal Levies Force Service (Amended) Rules, 2013 and Section- 10(Schedule II) (b) of Provincially Administered Tribal Areas (PATA) Federal Levies Force Service Rules, 2015.

The brief history of the case in hand is that the above mentioned appellants were serving as Sepoy Levies Force Torghar. They were reported regularly absent from their duties without any prior approval of the Competent Authority with effect from 01/01/2024 to 26/02/2024.

A fact finding inquiry was conducted by the Assistant Commissioner/Deputy Commandant Levies Force District Torghar against the accused. The inquiry proceedings transpired that the accused have failed to justify their regular absence and also committed gross negligence and defiance. The Deputy Commissioner/Commandant Levies Force after completion of all legal formalities and in light of the recommendations made by the Inquiry Officer had imposed major penalty of removal from service upon the accused.

6115-
03/05/24

Whereas, the comments on the instant appeals were requisitioned from Deputy Commissioner/Commandant Levies Force vide his letter No.4774/Levies/DC (IG) dated 30/04/2024.

And whereas, the appellants appeared in person for personal hearing on 15/05/2024 in the presence of Mr. Hasrat Khan, Assistant Commissioner/Deputy Commandant Levies Force Torghar, representative of the Deputy Commissioner/Commandant Levies Force Torghar and it was also revealed that appellants have failed to report for duty despite various telephonic calls made by their immediate supervisor to the same effect.

Now therefore, after going through the contents of the appeal, careful perusal of available record, comments offered by the Deputy Commissioner/Commandant Levies Force Torghar, the written reply of the accused and their stance during the personal hearing they were found guilty of the charges.

Therefore, I see no valid grounds to set aside the order of the Deputy Commissioner /Commandant levies force Torghar which is upheld. The instant appeals are hereby rejected.

ANNOUNCED
15/05/2024



[Signature]
Commissioner
Hazara Division Abbottabad

S.No. 226488 Mob: _____

Name of Advocate NASIR AYOUB

DBA NO. 181 TBA NO. _____

BC No. 10-1248



R.s.200/=

وکالت نامہ

(14)

SAIRA JAVED
Finance Secretary
District Bar Association,
Abbottabad

بعدالت سرویز ٹریبیونل سپر کنٹریواہ، پشاور اور
عنوان: نعمت اللہ
مجاناب: ایڈووکیٹ
نام: کلینر و ظہیر
نوعیت مقدمہ: اسٹیل
باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے بیرونی وجود یعنی برائے پیشی یا تصفیہ مقدمہ بمقام
نامہ الوہ خان و شہان الدین خان ایڈووکیٹ ہائی کورٹ
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ
سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پشہری کے
علاوہ کسی جگہ یا پشہری کے اوقات سے پہلے یا چھپے یا روز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پشہری کے علاوہ کسی اور جگہ
ساعت ہونے پر یا بروز تعطیل یا پشہری کے اوقات کے آگے چھپے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے
کسی معاوضہ کے ادا کرنے یا محتاج کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف
مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم
درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار وصولی کرنے اور رسید دینے اور داخل کرنے
اور ہر قسم کے بیان دینے اور اس پر ناشی وراثتی نامہ و فیصلہ برحلیف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات
از پشہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم انتہائی باقربانی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب
موصوف کو بشرط ادائیگی علیحدہ مختانہ بیرونی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے
کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وسیلے کو واسطے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں
وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف
کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ
کی بیرونی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 2014/06/08
مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ دن ماہ سال

نوٹ: وکالت نامہ کی فوٹو کاپی قابل قبول نہ ہوگی

Attested
۹۲۱
۱۱/۱۱/۱۱