


Form- A  
FORM OF ORDER SHEET

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

Implementation Petition No. 437/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.06.2024	<p>The implementation petition of Mr. Kashif Rehman re-filed today by registered post through Mr. Muhammad Anwar Awan Advocate. It is fixed for implementation report before touring Single Bench at D.I.Khan on 19 .08.2024. Original file be requisitioned. AAG has noted the next date. Counsel for the petitioner has been informed telephonically.</p> <p>By the order of Chairman  REGISTRAR</p>

The execution petition in appeal no. 894/Neem 2014 received today i.e. on 25.04.2024 is returned to the counsel for the petitioner with the following remarks.

- 1- A copy of application moved by the petitioners to competent authority for the implementation of judgment is not attached with the petition. If the application has already been preferred and reasonable period of 30 days has been expired be placed on file, If not, the same process be completed and then after approach to this Tribunal for the implementation of Judgment.
- 2- Two more copies/sets of the petitioner along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 976 /S.T,

Dt. 29-4 /2024.

  
REGISTRAR  
KHYBER PAKHTUNKWA  
SERVICE TRIBUNAL  
PESHAWAR  
26/4/24

M.Anwar Awan Adv.  
High Court D.I.Khan.

Respected Sir,

The copy of application to competent authority for implementation of judgment is attached. Set of copies are attached.

Anwar  
Adv

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Kashif Rehman VS Govt of KPK etc

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?		
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?		
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	✓	
17	Whether list of books has been provided at the end of the appeal?		
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On		no
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On		
26	Whether copies of comments/reply/rejoinder submitted? On		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On		no

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Muhammad Anwar Awan ASE

Signature: [Signature]

Dated: 24/04/2024

**BEFORE THE KHBER PAKHTOON KHAWA SERVICE TRIBUNAL  
PESHAWAR CAMP AT D.I.KHAN.**

Implementation/Execution Petition No. <sup>437</sup>..... of 2024.

Kashif Rehman

**VERSUS**

Govt. of KPK and others

**INDEX**

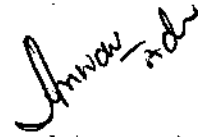
No.	Particulars	Annexure	Pages
1	Implementation /Execution Petition		1-2
2	Judgment dated; 20-12-2024	A	3-9
3	Wakalat Nama & Applications	B	10-12

Your humble Petitioner



Kashif Rehman

Dated: 23/4/2024



Mohammad Anwar Awan  
Advocate Supreme Court.

- 1 -

**BEFORE THE KHBER PAKHTOON KHAWA SERVICE TRIBUNAL  
PESHAWAR CAMP AT D.I.KHAN.**

Implementation/Execution Petition No. 437 of 2024.

In  
Appeal No; 894/Neem of 2014

Kashif Rehman DPE RPDC D.I.Khan.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12388

Dated 25/4/24

**VERSUS**

1. Director Elementary and Secondary Education Deptt: Peshawar.
2. District Education Officer Elementary and Secondary Education  
Deptt: D I Khan
3. District Account Officer Kachery Road Dera Ismail Khan.
4. Government of KPK through secretary Elementary and Secondary  
Education Deptt: Peshawar.

**IMPLEMENTATION PETITION/EXECUTION PETITION  
OF JUDGMENT DATED; 20-12-2023 REGARDING  
PROMOTION OF PETITIONER W.E.F 21-10-2006.**

*Answer*

That the brief facts of the case are as under:

1. That the appellant being eligible and having required qualification was appointed by the Divisional Director Education, Elementary & Secondary Education D.I.Khan after due course/ process of recruitment on 14.04.1994. The appellant is working as PET in (B-15) having qualification of BA/SDPE and his promotion was due in 2006 along with his other colleagues from PET (B-15) to DPE (B-16). That the case of promotion of appellant was put before DPC but was deferred due to non-completion of ACR of 2005 of appellant by the department and other colleagues as well as junior to the appellant were promoted. The appellant contacted several time to the department for completion of his ACR and his promotion and higher authorities always assure that appellants was promoted from 2006 after completion of his record. On 13-11-2007 the Government of Khyber Pakhtunkhwa up graded all the posts of DPE from B-16 to B-17 and all the colleagues and appellant juniors are now working in B-17. The petitioner was promoted as Senior PET, BPS-16, vide notification dated; 29-05-2013. During the period mention above the appellant contacted several time to his high-ups who always recommended his case and lastly appellant was

promoted as DPE B-16 but with immediate effect and he was not granted seniority from 2006.

- 2. That after communication of the promotion order with immediate effect, feeling aggrieved of the above action in violation of law and principal of natural justice, the appellant filed a departmental appeal dated 20-03-2014. After the lapse of the requisite period, the appellant filed an appeal before The Khyber Pakhtunkhwa Service Tribunal Camp Court D.I.Khan which was dismissed vide judgment dated; 20-12-2023. Copy of the Petition and Service Appeal is Annexure A.
- 3. That after the lapse of more than four months, the Department is hesitating to issue promotion order the according to Judgment of the Hon'ble Service Tribunal dated; 20-12-2023 in Service Appeal No. 894 Neem of 2014 so the petitioner has no other remedy but to file implementation petition.

In view of the above, it is, therefore, most respectfully prayed that on acceptance of this petition, may kindly implement the judgment dated; 20-12-2023 issued in Service Appeal No 894 Neem of 2014. Any other appropriate relief this Hon'ble court may deem fit in the best interest of justice may also be granted to the appellant.

YOUR HUMBLE APLICANT

*[Signature]*  
Kashif Rehman  
Through Counsel

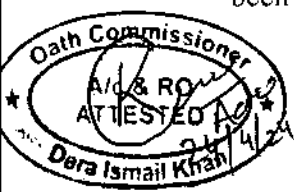
Dated; 23/4/2024

*[Signature]*  
Mohammad Anwar Awan  
Advocate Supreme Court.

AFFIDAVIT

**Kashif Rehman** do hereby solemnly affirm and declare on OATH that the contents of the same are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable court.

*[Signature]*  
Deponent.





**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**AT CAMP COURT, D.I.KHAN**

BEFORE: **KALIM ARSHAD KHAN** ... CHAIRMAN  
**SALAH-UD-DIN** ... MEMBER (Judicial)

*Service Appeal No.894/Neem of 2014*

Date of presentation of Appeal.....30.05.2014  
Date of Hearing.....20.12.2023  
Date of Decision.....20.12.2023

**Kashif Ur Rehman, DPE B-16 GHSS Lar D.I.Khan.....(Appellant)**

Versus

1. **Director, Elementary & Secondary Education Department, Peshawar.**
2. **District Education Officer Elementary & Secondary Education Department, D.I.Khan.**
3. **District Account Officer, Kachery Road Dera Ismail Khan.**
4. **Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Department, Peshawar.....(Respondents)**

Present:

Mr. Muhammad Anwar Awan, Advocate.....For the appellant  
Mr. Muhammad Jan, District Attorney.....For respondents

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

-----  
**JUDGMENT**

**KALIM ARSHAD KHAN CHAIRMAN:** Facts of the case of the appellant, gathered from the memorandum and grounds of appeal are that the appellant was appointed in the year 1994 as Physical Education Teacher (BPS-15). After taking over charge he started performing duty. While working as PET in BPS-15, promotion of the appellant was due in the year 2006, however, he was deferred by the Departmental Promotion Committee for want of his ACRs for the year 2005 and other colleagues of the appellant were promoted. That on 13.11.2007, the post of DPE (BPS-16) was

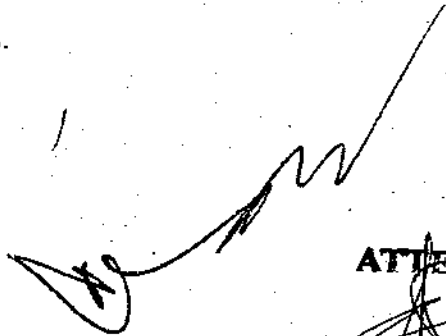
**ATTESTED**  
  
**EXAMINER**  
**Khyber Pakhtunkhwa**  
**Service Tribunal**  
**Peshawar**

upgraded to BPS-17. That vide impugned order dated 07.03.2014, the appellant was promoted to the post of DPE (BPS-16) with immediate effect and not from the year 2006, when his junior colleagues were promoted to the said post. Feeling aggrieved, he filed departmental appeal, which was not responded, hence, he filed appeal before this Tribunal, which was dismissed. The appellant then approached the Supreme Court of Pakistan in Civil Appeal No.502/2023 and the Supreme Court allowed the appeal of the appellant vide order dated 05.05.2023 by remanding back the appeal to this Tribunal in the following manner:

*" In view of the afore-noted contention of the learned counsel for the petitioner, we asked for the response of the learned Addl. Advocate General, KPK, who acknowledges that the merits of the case have not been dealt with by the impugned order dated 25.03.2019 passed by KPK Service Tribunal ("Tribunal"). In the circumstances, we consider that to be fair and appropriate, the matter be remanded back to the learned Tribunal to examine the questions raised by the petitioner. The parties shall be at liberty to file further documents in aid of their respect please.*

*Accordingly by consent, this petition is allowed and converted into appeal and the matter is remanded to the Tribunal."*

02. We have heard learned counsel for the appellant and learned District Attorney for the respondents.



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Peshawar




03. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned District Attorney controverted the same by supporting the impugned order(s).

04. Perusal of record reveals that the appellant was admittedly eligible for promotion, however, he was deferred and admittedly, his juniors were promoted vide Notification issued in 2006. In the said Notification of promotion, the name of the appellant was not included on the ground that his PERs for the year 2005 are missing.

05. Deferment is neither a punishment nor a final order; as and when the reasons for deferment cease to exist, the employee is to be promoted from the date when his juniors were promoted.

06. Explanation-III of Rule-17 of the Khyber Pakhtunkhwa Civil Servants (APT) Rules, 1989, also strengthens the case of the appellant. The said explanation of Rule-17 is reproduced below:

*"If a junior person in a lower post is promoted to a higher post by superseding a senior person and subsequently that senior person is also promoted the person promoted first shall rank senior to the person promoted subsequently; provided that junior person shall not be deemed to have superseded a senior person if the case of the senior person is deferred for the time being for want of certain information or for incompleteness of record or for any other reason not attributing to his fault or demerit."*



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**EXAMINER**  
**Khyber Pakhtunkhwa**  
**Service Tribunal**  
**Peshawar**

07. This Tribunal in Service Appeal No.1397/2019 titled "Muhammad Arshad Khan VS. The Secretary Education & others" decided on 7<sup>th</sup> March, 2023, while dealing with almost similar case, has found as under:

"5. It is undisputed that deferment is not a punishment rather a temporary halt because of some deficiency. The deficiency may be because of the employee and it may be because of the department. In either case when the deficiency is removed the employee had to get his due from the date of entitlement along with the resultant benefits. This is admittedly a case of deferment and the deficiency was said to be non-production of service book, which the appellant claims to have produced but some entries therein were doubted by the DPC and an enquiry was conducted to verify the doubted signatures, which enquiry ended in favour of the appellant as he was declared innocent and was accordingly exonerated. The respondents admit the factum of entitlement of the appellant for promotion from 25.07.2017 when his other colleagues/juniors were promoted but contend that because of non-production of the service book, he could not get promotion on the due date; they further admit that, when the deficiency was removed, the appellant was promoted. The above state of affairs shows and proves that the appellant was not treated in accordance with law and he was made to suffer for none of his fault. In a case titled "Capt. Zahoor Ahmad Khalil versus Government of Pakistan through Secretary

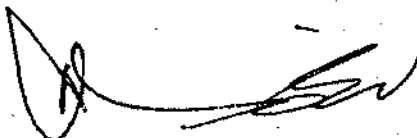
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Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Establishment Division Islamabad and another" reported as 2018 PLC (CS) N 170, the honourable Peshawar High Court was pleased to have found as under:

"13. Thus, the deferment by itself, refers to certain shortcomings, which, in due course of time when fulfilled, the officer is re-considered for promotion and is allowed promotion with effect from the date when he was deferred. To the misfortune of the officer he stood retired from service w.e.f. 14.01.2015 and thus, remained deprived of the promotion to BS-22. The august Supreme Court of Pakistan, in the case of Orya Maabool Abbasi v. Federation of Pakistan through Secretary Establishment and others (2014 SCMR 817), held that "Although promotion was not a right but a civil servant fully qualified for promotion, has a right to claim that his case may be considered for promotion strictly following the eligibility criteria laid down by the authority, and that "though the officer not meeting eligibility criteria for promotion, could be deferred but the deferment could not be arbitrary and not supported by the service record. In this case, the apex Court further held that "Board failed to take into consideration the PER Reports for the reasons not tenable under the law and their such findings were clear violation and departure from the promotion policy because once the officer have fulfilled the criteria, their cases have to be considered to assess the fitness and suitability to share higher responsibility mostly based on subjective criteria instead of denying promotion to them for the subjective consideration".

14. It merit mention that the High Powered Selection Board remained stuck up with some report in the National Management Course (NMC), held from 3rd March, 2008 to 24th March, 2008. Though thereafter, the petitioner was promoted to BPS-21 in the year 2010, and those were considered and ignored, it seems that the High Powered Selection Board has not conducted itself in the manner required under the law. We are thus, fortified in our view by the judgments of the apex Court in Tariq Aziz-ud-Din (2010 SCMR 1301), Muhammad Rahim Khan v. The Chief Secretary, N.-W.F.P. and 4 others (1999 SCMR 1605), Orya Maqbool Abbasi v. Federation of Pakistan through Secretary



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Service Tribunal  
Peshawar

Establishment and others (2014 SCMR 817), 2017 SCMR 969 Federation of Pakistan through Secretary, Establishment Division and others v. Dr. Muhammad Arif and others."

6. In 2020 PLC (CS) 826 titled "Liaquat Ali Khan versus Federation of Pakistan through Secretary Establishment Division Islamabad and two others", the honourable Islamabad High Court has held that:

"6(sic) In both petitions, the petitioners are civil servants and were not promoted due to non-availability of their Performance Evaluation Reports. The contention of the learned Deputy Attorney General was it is the obligation of the employee/civil servant to provide Performance Evaluation Reports or at least he is jointly responsible with the employer, is not tenable. Reliance is placed on Pervaiz Akhtar v. Federal Government [2014 PLC (C.S.) 326] where the Honourable Lahore High Court observed that non-availability of record for promotion including Annual Confidential Report by the concerned department was not the fault of the civil servant for which he could be made to suffer. Similarly, the Honourable Lahore High Court in case reported as Mirza Lutuf Muhammad Khan v. Government of Pakistan [2006 PLC (C.S.) 85] Honourable Lahore High Court though did not interfere in the matter but directed the respondent to complete the PER of civil servants. In Secretary, Revenue Division and others v. Muhammad Saleem (2008 SCMR 948) the Honourable Supreme Court of Pakistan held that law provided that it is the duty of the respondent department to prepare the Performance Evaluation Reports of officer to keep and maintain the same so that it could be used for the prescribed purposes at the time of promotion of the concerned official. It was further observed that as the department has neglected in its duty to complete all the PERs of the civil servants, therefore, he had no alternate remedy except to approach the High Court for relief."

7. In another case reported as 2018 PLC (CS) Note 126 titled "Aurangzeb Khan versus Government of Khyber Pakhtunkhwa through Chief Secretary and two others", the honourable Peshawar High Court found that:

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Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar


"6.....According to the law of the land, deferment is neither a punishment nor a final order, as and when reasons for deferment cease to exist the officer is promoted from the date, when his juniors were promoted and to be considered for promotion is the job of the Service Tribunal under section 4 of the Tribunal Act, 1974...."

5. The upshot of the above discussion is that we allow this appeal directing the respondents to give effect to the promotion of the appellant to the post of SST BPS-16 (General) from 25.07.2017 that is the date of his deferment when his colleagues/juniors were promoted and he was not. We direct that the costs of the appeal shall follow the result. Consign."

08. In the absence of any solid reason and convincing response by the respondents, the claim of the appellant is bonafide and just and he is held entitled for promotion to the post of DPE (BPS-16) w.e.f 21.10.2006 i.e. the date his juniors were promoted. With the observations herein-above, the appeal in hand is accepted as prayed for. Consign.

09. Pronounced in open Court at D.I.Khan and given under our hands and the seal of the Tribunal on this 20<sup>th</sup> day of December, 2023.

  
KALIM ARSHAD KHAN  
Chairman

  
SALAH-UD-DIN  
Member (Judicial)

Certified to be true copy

\*Mutazem Shah\*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 20-12-23  
Number of Words 7 pages  
Copying Fee 35/-  
Urgent 35/-  
Total 35/-  
Name of Copyist .....  
Date of Completion of Copy 09/01/24  
Date of Delivery of Copy 09/01/24

To,

The Principal, RPDC(M)  
Dera Ismail Khan.

- 12 -

Subject: IMPLIMENTATION OF HONOURABLE SERVICE TRIBUNAL  
DECESION DATED 20-12-2023.

Respected Sir,

It is requested that I am serving in Education Department since 1994, and was appointed as PET in BPS-15. I serve in Education department at different station. I was promoted from BPS-15 to BPS-16 w.e.f 07-03-2014, but my colleges were promoted from BPS-15 to BPS-16 w.e.f 2006, but I was deferred due to non-submission of ACR by the then DEO (M), Dera Ismail Khan.

Now the service tribunal on accepting of my appeal No 894/2014 entitled Kashif Rehman v/s E&SED, and entitled for promotion w.e.f 2006, with my other colleges.

Hence it is requested to please forward my case to the DEO (M) DIKhan for the Implementation of Honorable Service Tribunal dated 20-12-2023 please.

Thank you, sir,



KASHIF REHMAN,  
SIPE, (BS-18)  
RPDC (M) DIKhan.



OFFICE OF THE PRINCIPAL R.P.D.C (MALE) D.I.KHAN

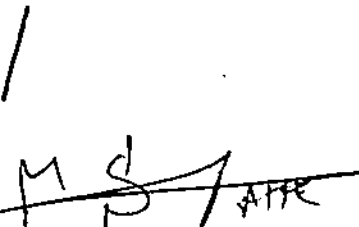
(Phone & Fax 0966-715768, Email; [rltemaledik@gmail.com](mailto:rltemaledik@gmail.com))

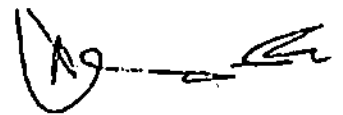
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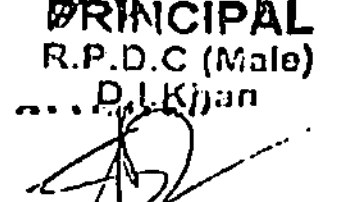
Dated DIKhan the 02/05/2024.

Copy of the above is forwarded to :-

1. The Director, DPD, Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (M) DIKhan.

  
M. Sajid  
Advocate High Court  
Distt. Bar D.I.Khan



  
PRINCIPAL  
R.P.D.C (Male)  
D.I.Khan  
  
Khyber Pakhtunkhwa



OFFICE OF DISTRICT EDUCATION OFFICER (MALE) D.I.KHAN

No: 5371


Date 02/05/2024


To  
**The Director,  
E&Se, KPK Peshawar**

**Subject: Implementation of order of Honorable service Tribunal date 20/12/2023**

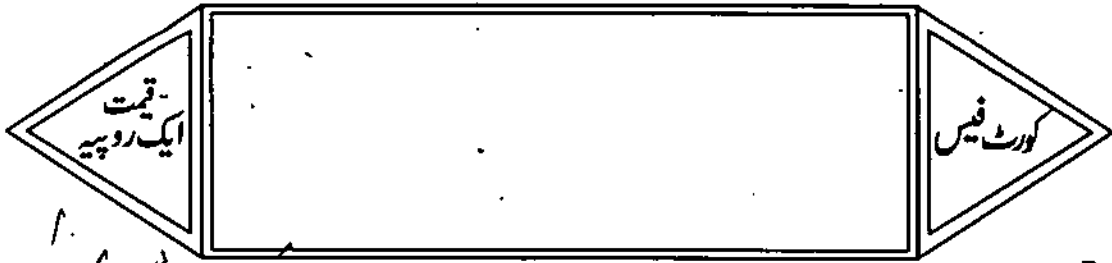
Memo: It is stated that Mr. Kashif Rehman is serving in Education Department as SIPE Bs – 18 in RPDC D.I.Khan He was Appointed in the year 1994 as PET (BPs - 15), his promotion from BPs – 15 to BPs – 16 was due in the year 2006. He was deffered by Departmental promotion committee in 2006, but his colleague were Promoted in 2006, from BPs -15 to BPs – 16. He was deffered due to want of ACR and the post of DPE is upgraded from BPs – 16 to BPs – 17. Later on the Kashif Rehman was promoted from BPs -15 to BPs – 16 as DPE dated 07/03/2014. With Immediate effect not from 2006 Actually he was entitled for the promotion w.e.f 2006 Now the Honorable Service Tribunal on accepting his appeal to promote the applicant w.e.f 2006 for the post of DPE BPs – 16 w.e.f 21/10/2006 i.e is the date of his Junior were promoted.

Hence the case of Mr. Kashif Rehman SIPE BPs – 18 may please be take up in the light of decision honorable Tribunal vide appeal no 894/ Neem of 2014 dated 20/12/2023.

  
District Education Officer (M)  
D.I.Khan  
~~District Education Officer~~  
(M) D.I.Khan

  
M. Sajid Baloch  
Advocate High Court  
District D.I.Khan

# وکالت نامہ



بعدالت جناب KPIK سروسز نیشنل مشاہدہ ریسرچ ڈیولپمنٹ اینڈ

منجانب \_\_\_\_\_

کاشف رحمان بنام حکومت KPIK و عین

دعویٰ یا جرم \_\_\_\_\_

تفصیل دعویٰ یا جرم \_\_\_\_\_

## باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات یعنی برائے پیشی یا تصفیہ مقدمہ بمقام ڈسٹرکٹ جج کیلئے  
 محمد انور الموانی A.S.C - محمد مسالک بلوچ اور محمد جوگندہ  
 کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ اختیار خاص رو برو عداالت حاضر ہونا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب  
 موصوف کو اطلاع دیکر حاضر عداالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر ماضی کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف  
 اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف مقدمہ مقررہ کی بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بعد از تعطیل بیرونی کرنے کے  
 ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف مقدمہ مقررہ کی بکھری کے علاوہ کسی جگہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بعد از تعطیل بیرونی کرنے کے ذمہ دار نہ  
 ہوں گے۔ اور مقدمہ مقررہ کی بکھری کے علاوہ اور جگہ سماعت ہونے یا بعد از تعطیل یا بکھری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ  
 دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عائدہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخل صاحب موصوف میں کرو  
 ذات خود حضور و قبول ہوگا۔ اور صاحب موصوف کو مرضی دعویٰ، یا جواب دعویٰ یا درخواست اجراء سے ڈگری و نظر ثانی اہل انگریزی اور درخواست پر دخل و تصدیق کرنے کا  
 بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور ہر حکم کا روپیہ وصول کرنے اور سیدوینے اور داخل کرنے اور ہر حکم کے بیان دینے اور اس پر پٹائی یا مرضی نامہ و فیصلہ پر  
 طبع کرنے اور اہل دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقررہ ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از بکھری موصوف کی مقدمہ مذکورہ نظر ثانی و اہل انگریزی و اہل امریکی  
 مقدمہ یا منسوقی ڈگری بیکھر یا درخواست حکم انتہائی یا قرتی یا کرٹاری عمل از فیصلہ اجراء سے ڈگری بھی صاحب موصوف کو بشرط ادا علی طبعہ معائنہ بیرونی کا اختیار ہوگا  
 اور تمام ساختہ پر داخل صاحب موصوف میں کردہ ذات خود حضور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو  
 کی کارروائی یا بصورت درخواست نظر ثانی اہل انگریزی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا ہر شخص کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے شیر قانون کو  
 بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جانہ التزام پڑے گا، وہ صاحب  
 موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری نہیں 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۔

لہذا وکالت نامہ لکھ دیا ہے۔ تاکہ سند ہے

روز 24، اپریل 2014

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

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