

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat

Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@Yahoo.com

No. 1999 /DS/L.M

Dated 11 /05/2024

To

**The Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.**

Subject: **JOINT PARA-WISE COMMENTS ON BEHALF OF  
RESPONDENTS NO.01 & 02 IN SERVICE APPEAL  
NO.2460/2023**

**“Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11), District Courts,  
Lakki Marwat” (Appellant).**

VS

- 1. District & Sessions Judge, Lakki Marwat.**
- 2. The Registrar, Peshawar High Court, Peshawar. (Respondents).**

Sir,

With reference to your office notice/letter dated 14-02-2024 on the subject noted above and in pursuance to the instructions contained in letter bearing No.3717/Admn, dated 07-05-2024 issued by the Hon'ble Peshawar High Court, Peshawar; I have the honour to submit the joint para-wise comments alongwith enclosures (01+03 sets) in the subject Service Appeal No.2460/2023 after vetting by the Peshawar High Court, Peshawar for submission before the Hon,ble tribunal as ordered please.

Yours Faithfully

  
(KASHIF NADEEM)  
District & Sessions Judge,

  
Lakki Marwat

Endst: No.      DSJ/L.M  
Copy forwarded for information to

Dated Lakki the      -05-2024

1. The Registrar, Peshawar High Court, Peshawar with reference to his letter bearing No.3717/Admn dated 11-05-2024 along with copy of one fair set of the said comments for information as directed, please.
2. The Additional Advocate General, Khyber Pakhtunkhwa Service Tribunal, Peshawar for information.

  
District & Sessions Judge,  
Lakki Marwat.

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat

Phone#0969-538150 Fax# 0969-538152

E-Mail:dsjlakki@Yahoo.com

No. 2002 /DSJ/L.M

Dated 11 /05/2024

**OFFICE ORDER.**

Subject: **SUBMISSION OF COMMENTS/REPLY IN SERVICE**  
**APPEAL NO.2460/23**

In pursuance to instructions contained in notice dated 14-02-2024 issued by the Khyber Pakhtunkhwa Service Tribunal, Peshawar and in compliance with the directions contained in letter No.3717/Admn dated 07-05-2024 issued by the Hon'ble Peshawar High Court, Peshawar regarding submission of comments in the Service Appeal No.2460/2023 titled "Muhammad Suleman Yousaf.....Vs.....D&S.J, Lakki Marwat etc", Mr.Taj Muhammad, Accountant (BPS-16) of this office is hereby deputed to submit the requisite comments in the said Service Appeal before the Khyber Pakhtunkhwa Service Tribunal, Peshawar forthwith.

(Kashif Nadeem)

District & Sessions Judge  
Lakki Marwat.  
Lakki Marwat

Endst No: 2003-04 /DSJ/L.M,

Dated Lakki 11 /05/2024.

Copy forwarded to

1. The Registrar Peshawar High Court Peshawar with reference to his letter as mentioned above for information please.
2. Mr.Taj Muhammad, Accountant (BPS-16) of this office for compliance.

District & Sessions Judge,  
Lakki Marwat.  
District & Sessions Judge  
Lakki Marwat

**BEFORE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

Reference: **SERVICE APPEAL NO.2460/2023.**

**"Muhammad Suleman Yousaf..... VS..... DSJ,Lakki Marwat etc"**


**AFFIDAVIT**

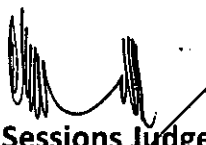
I, **Kashif Nadeem**, District & Sessions Judge, Lakki Marwat do hereby declare and affirm on Oath that the contents of these comments are true and correct to the best of my knowledge and belief, and nothing has intentionally or deliberately been concealed or with-held from this Hon'ble Tribunal.

It is further stated on oath that in this service appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.

Dated: 11/05/2024.

Deponents No. 01

  
**Sardar Ail Advocate**  
(Notary Public)  
Distt Bar, Lakki Marwat

  
**District & Sessions Judge**  
Lakki Marwat  
**District & Session Judge**  
Lakki Marwat

**BEFORE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNA,**  
**PESHAWAR.**

**“Service Appeal No.2460/2023”.**

**“Muhammad Suleman Yousaf Vs D&S.J, Lakki Marwat etc”**

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1	Para-wise Comments of (District & Sessions Judge, Lakki )	----	06	1-6
2	Copy of office order bearing No.148-50/DSJ Lakki dated 11-01-2018 & Copy of office order bearing No.796/DSJ Lakki dated 25-03-2022	“A” & “B”	02	7-8
3	Copy of Unconditional Apology dated 29-06-2020 in inquiry, Copy of order sheet No.06 dated 16-12-2020 & copy of Final Show Cause Notice bearing No.2394/DSJ dated 19-10-2020.	“C”, “C-1” & “C-2”	03	09-11
4	Copy of order sheet No.02 dated 16-12-2020 & copy of order sheet No.08 dated 28-11-2020 in which explanation was called	“D” & “D-1”	02	12-13
5	Copy of order sheet No.02 dated 16-12-2020 & copy of reply to the explanation in which inquiry order by Authority was passed on 20-06-2020 & Copy of Unconditional Apology dated 29-06-2020.	“E”, “E-1” & “E-2”	03	14-16
4	Copy of Office order No.3744-50/DSJ/L.M dated 22-08-2022 and copy of Office order No.3760/DSJ/L.M dated 23-08-2022 regarding compulsory retirement	“F” & “F-1”	02	17-18
5	Copy of order sheet No.04 dated 25-02-2022 & Copy of order sheet No.22 dated 19-07-2022 and copy of report of Superintendent	“G”, “G-1” & “G-2”	03	19-21
6	Copy of OPD Ticket dated 01-12-2020, Copy of OPD Ticket dated 18-01-2021 & Copy of letter bearing No.07/M-1 dated 07-01-2022 pertaining to City Hospital, Lakki Marwat	“H”, “H-1” & “H-2”	03	22-24

  
**District & Sessions Judge**  
**Lakki Marwat**

22.05.24  
S-B  
Pesh

1

**BEFORE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR.**

Subject: **JOINT PARA-WISE COMMENTS ON BEHALF OF  
RESPONDENTS NO.01 AND 02.**

Reference: **SERVICE APPEAL NO.2460/2023**

**"Mr.Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11)"**

**VS**

1. **District & Sessions Judge, Lakki Marwat.**
2. **The Registrar, Peshawar High Court, Peshawar.**

Respectfully Sheweth.

That the respondents submit as under:-

**PRELIMINARY OBJECTIONS:**

1. That the appellant, namely, Mr.Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) has got no cause of action and locus standi to file the instant service appeal.
2. That the appellant has not come to the Hon'ble Tribunal with clean hands and has been filed with malafide intentions.
3. That the appeal is barred by law and limitation.
4. That the appeal is bad for mis joinder and non-joinder of necessary parties.

**PARA-WISE REPLY ON FACTS: -**

1. The contents of para No.01 of the service appeal is partially correct to the extent that the appellant, namely, Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) was initially appointed as Junior Clerk (BPS-11) on 13-11-2006 and rest of the para is sternly denied as he remained habitually absent from duty without any permission or intimation and so many occasions, warning was issued to him to be careful in future, but he did not mend his ways. It would not be out of place to state here that in multiple inquiries regarding his willfully absence~~y~~ from official duties and his negligent behavior during performance of his official duties, minor and major penalties were imposed upon the appellant (*copies of the orders are annexed as annexure "A" and "B" respectively*). It is further, pertinent to <sup>mention</sup> note that, he has also submitted unconditional apology in written form in some of the inquiries and requested to give him a final chance, and promised to mend his ways/habits of negligence and habitual absence from duty (*Copy of unconditional apology, copy of order sheet No.06 dated 16-12-2020 pertaining to the Final Show Cause Notice issued vide letter bearing No.2394/DSJ dated 19-10-2020, copy of order sheet No.02 dated 16-12-2020 pertaining to the explanation regarding non-issuance of warrant of arrest against the delinquent official besides the directions of the court, copy of order sheet No.02 dated 16-12-2020 pertaining to the inquiry dated 20-06-2020 are annexed as annexure "C, C-1 & C-2", "D & D-1" and "E & E-1" respectively*).

2. The contents of Para No. "02 to 08" of the service appeal pertaining to facts relating to initiating of disciplinary proceedings till its conclusion are against the facts, hence forcefully denied. The allegations against the delinquent official, namely, Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) were established after complying the proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised) which was adopted by the Inquiry Officer as well as Competent Authority. It is relevant to state here that, the Superintendent, District Courts, Lakki Marwat submitted his report on 27/01/2022 regarding willful absence of the appellant/Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) who was posted as Muharrir in the court of learned Additional District & Sessions Judge-II, Lakki Marwat w.e.f 06-01-2022 to 27-01-2022 without any prior permission/leave or intimation. The superintendent, further stated that, although appellant/Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) had submitted his application along with medical prescription regarding grant of 15 days earned leaves on medical grounds (w.e.f 06-01-2022 to 20-01-2022) on 06-01-2022 duly forwarded by learned Additional District & Sessions Judge-II, Lakki Marwat, but on the said application, this office sent a letter bearing No.79/DSJ dated 06-01-2022 to M.S City Hospital, Lakki Marwat for verification of the medical prescription chit of the appellant "Muhammad Suelman Yousaf". In response to the said letter of this office, the M.S City Hospital, Lakki Marwat submitted through letter bearing No.07/M-I dated 07-01-2022 that; ***"The medical prescription bearing No.696 dated 05-01-2022 and bearing long leave of 15 days in respect of Muhammad Suleman Yousaf Junior Clerk is not countersigned and hence leave is not verifiable from this office....."***. After receiving this letter, this office approached M.S DHQ Hospital, Lakki Marwat, vide letter bearing No.85/DSJ/L.K dated 08-01-2022 for medically re-examination of the appellant named Muhammad Suleman Yousaf, Ex-Junior Clerk and for submission of second medical opinion as per revised leave Rules-1981. In response to the said letter, the M.S, DHQ Hospital, Lakki Marwat constituted a medical board vide order letter bearing Endst: No.123-26/M.B dated 12-01-2021 and directions were issued to the delinquent official by the MS DHQ Hospital, Lakki Marwat, as well as by this office through official telephone for appearance before the Medical Board on 17-01-2022 at 10:00 AM for the said purpose, but the appellant did not appear before the constituted board. The Superintendent of this office further submitted that, no information had been received from appellant / Muhammad Suleman Yousaf, Ex-Junior Clerk and also that he had not applied for any other kind of leave.

As per report of Superintendent, his request, which was also not allowed, was only for 15 days, but he remained absent from duty, till the date of report i.e. 27-01-2022 and later on also remained continuously absent without any prior permission/application till the conclusion of inquiry.

In pursuance to the sub-rule-06 pertaining to **Suspension** under the Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules-2011 (Revised), the services of Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) were placed under Suspension for 90 days or till further order vide this office order bearing endorsement No. 303-307/DSJ/L.M dated 27-01-2022 and later on it was extended for further period of ninety days vide this office order No.74/DSJ/L.M dated 20-04-2022 and formal proceedings were initiated.

First Show Cause Notice was issued vide letter bearing No. 308/D&SJ/Admn dated 27-01-2022, but no reply was submitted within the given time by the appellant/delinquent official, therefore another chance for submission of his reply was given through final show cause notice which was issued in continuation with the first show cause notice, vide this office letter bearing No.387/D&S.J/Admn dated 08-02-2022 to the said accused official and also dispatched through registry of the post office and its service upon him also ensured through his brother Mr. Adnan Yousaf, Bailiff working in the establishment of the Senior Civil Judge (Admn), Lakki Marwat.

Despite of the above, the appellant/delinquent official did not submit his reply deliberately within the stipulated time despite being informed of the proceedings.

On 23-02-2022, he attended the office of Superintendent for the purpose of submission his reply when written reply was checked on the spot, the enclosures mentioned in reply were not found annexed, so his reply was returned on the spot for submission of the same after completion in all respect. He was also directed to regularly attend his official duties, but he left the office deliberately and left without any prior permission/application or intimation.

Similarly, on 24-02-2022, he once again attended the office and submitted his reply and left the office deliberately and left without any prior permission/application.

The written reply of the delinquent official was found not satisfactory and formal disciplinary proceedings were initiated against him and his salary was stopped forthwith; so as to ensure the principle of "No work, No pay".

In this backdrop, he was charge sheeted, as well as statement of allegations was issued to him and proper formal Inquiry was conducted and after adopting proper procedures as given under Khyber Pakhtunkhwa Government

Servants (Efficiency & Discipline) Rules, 2011 (Revised), the inquiry officer recommended major penalty against the delinquent official.

Final Show Cause Notice was issued vide this office letter bearing No.3718-19/DSJ/L.M dated 15-07-2022 along with affording the opportunity of personal hearing, but he did not avail the same, he only submitted his reply through his cousin on 18-07-2022.

In light of the above mentioned facts, the allegations against the delinquent official were proved and he was found guilty of **“Inefficiency”**, **“Misconduct”** and **“Habitually & willfully absenting himself from official duties without prior permission”** as specified in Rule: 03 (a)(b)(c) and thus, while agreeing with the findings of the learned Inquiry Officer, major penalty as enumerated in Rule: 4(1)(b)(ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 was imposed upon the delinquent official Mr.Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) and he was awarded major penalty of compulsory retirement w.e.f. 05-01-2022 as he remained absent without permission/leave or intimation from 06-01-2022 onwards (**copy of compulsory retirement is annexed as annexure “F & F-1”**).

It is also submitted here that proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised) was adopted by the Inquiry Officer, as well as Competent Authority. Despite so many chances given to him, he did not resume his official duty deliberately as he was busy in his private business and activities. For the purpose of examining of his willful absence, even during the course of inquiry, Order sheet No. 04 dated 25-02-2022 and order sheet No. 22 dated 19-07-2022 clearly indicate his willful absence and delinquent attitude towards his office decorum and discipline (**Copies of order sheets and report of Superintendent are annexed as annexure “G”, “G-1” & “G-2”**).

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The punishment in the shape of compulsory retirement from his service, was awarded by the competent Authority on proof of charge, against delinquent ex-official, appellant namely, Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) in accordance with law under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011(Revised). As it is already stated that the appellant was habitually absenting himself from duty without permission or intimation and innumerable chances were afforded to him to mend his ways and to ensure his regular attendance during performance of his duties but, he was always making lame excuses to justify his willful absence and always submitted unauthorized medical certificates for bed rest (**Copies of the letters/replies of M.S City Hospital are annexed as annexure “H & H-1 & H-2” respectively**).



3. The contents of para No. 09 are also strongly denied. It is pertinent to mention here that after laps of almost more than 10 months, the appellant filed departmental appeal on 13-07-2023 against the order dated 22-08-2022 regarding his compulsory retirement from service

**PARA-WISE REPLY ON GROUNDS: -**


- A. The contents of Para No. "A", of the grounds are sternly denied. As the case of appellant / Muhammad Suleman Yousaf was purely treated in accordance with Law, Rules and Policy by the respondent/competent authority and proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised) was adopted by the Inquiry Officer as well as Competent Authority.
- B. The contents of Para No. "B" of the grounds are also strongly denied. Final Show Cause Notice was issued vide this office letter bearing No.3718-19/DSJ/L.M dated 15-07-2022 along with affording him the opportunity of personal hearing, but he did not avail the same, he only submitted his reply through his cousin on 18-07-2022. As the appellant remained willfully absent from duty w.e.f. 06-01-2023, therefore, his case was treated under the principle, of "No work No pay" for the said period. The appellant was compulsorily retired w.e.f. 05-01-2023 after complying with the proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised).
- C. The contents of Para No. "C" of the grounds are also strongly denied. The allegations against the delinquent official, namely, Muhammad Suleman Yousaf, Ex-Junior Clerk (BPS-11) were established after complying the proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised) which was adopted by the Inquiry Officer as well as Competent Authority and he was awarded major penalty of compulsory retirement w.e.f. 05-01-2022 instead of dismissal from service as he remained absent without permission/leave or intimation from 06-01-2022 till the conclusion of entire proceedings.
- D. The contents of Para No. "D" of the grounds are also firmly denied. As so many chances for defense were given to appellant, but he did not come to put his defense, because he remained, indolent, and willfully deliberately absented himself from his duties. It is also worth mentioning here that, from the date of his absence i.e. w.e.f. 06-01-2022 to 19-08-2022 (*for almost more than 07 months*), he did not bother to attend his duties, even for a single day. He was awarded major penalty of compulsory retirement after complying the proper procedure as given under Khyber Pakhtunkhwa Government Servants

(Efficiency & Discipline) Rules, 2011 (Revised) which was adopted by the Inquiry Officer as well as Competent Authority.


- E. The contents of Para No. "E", of the grounds are totally denied. As the final show cause notice was issued in continuation of First show cause, in fact a chance for submission of reply was given to the appellant/delinquent official, but he did not submit his reply within the stipulated period, after that, he was charge sheeted as well as statement of allegations was also issued to him, Similarly, proper formal inquiry was conducted and after receipt of inquiry report in the matter, Final Show Cause notice regarding communication of penalties, with respect to his charges as proved and affording of opportunity of personal hearing for his defense, was issued against the appellant/delinquent official, namely, Muhammad Suleman Yousaf, Ex-Junior Clerk, but he did not avail the opportunity of personal hearing, as he being guilty had nothing to say in his defense. In short, it is crystal clear, that the case of the appellant/Muhammad Suleman Yousaf was purely treated in accordance with Law, Rules and Policy by the respondent/competent authority and proper procedure as given under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 (Revised) was adopted by the Inquiry Officer as well as Competent Authority.
- F. The contents of Paras No. "F to H" of the grounds are absolutely denied, they are related to matters of fact, and in that respect detailed reply has already been given in the preceding paras No. "A, B, C, D & E".

In light of the above para wise comments, the Service Appeal filed by appellant/Ex-official, may kindly be dismissed with cost.

Respondent No.01

  
(Kashif Nadeem)  
District & Sessions Judge,  
Lakki Marwat.  
*District & Session Judge,  
Lakki Marwat*

Respondent No.02

  
(Ikhtiar Khan)  
Registrar,  
Peshawar High Court,  
Peshawar.

No. 148-50 /DSJ Lakki

Dated 10-01-2018

"A"

**OFFICE OF THE DISTRICT & SESSIONS JUDGE, LAKKI MARWAT.**

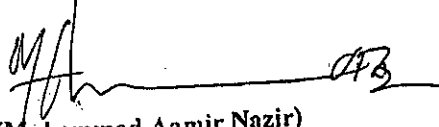
**ORDER**

10-01-2018

Whereas, you Salman Yousaf Junior Clerk, while posted as Moharrir in the court of Additional Sessions Judge-II Lakki Marwat was charged for deliberately not returned judicial record of case titled "Bibi Zuhra VS Ihsan Ullah" vide case No.32/6 of 2014 decided by Additional Sessions Judge-II on 16-06-2015, this act on your part amounts to misconduct, inefficiency and hindrance in delivery of justice.

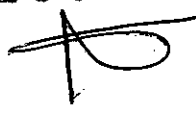
And whereas, an inquiry was conducted against you by the learned Civil Judge-IV Lakki Marwat, wherein you were afforded full opportunity to defend yourself, however in the inquiry report dated 13-12-2017 the Inquiry Officer, held you responsible for deliberately not returned of judicial record which amounts to grave misconduct on your part, the Inquiry Officer proposed major penalty against you under Section 4(1)(b)(iii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

Whereas, a final show cause notice was served upon you by the undersigned and thereafter you were heard in person in the chamber, but since you could not satisfy the undersigned regarding your non involvement in the above referred charge, hence being Competent Authority, I hereby impose upon you Minor Penalty of stoppage of one increment subject to a period for one year under Section 4(1)(a)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

  
(Muhammad Aamir Nazir)  
District & Sessions Judge,  
Lakki Marwat.

CS CamScanner

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat

Phone#0969-538150 Fax# 0969-538152

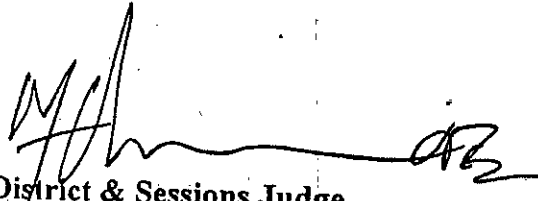
E-Mail:dsjlakkimarwat@gmail.com

Endst: No: 148—50 DSJ/LK/Admn


Dated: 11 / 01 / 2018

Copy forwarded to:

1. The District Account Officer, Lakki Marwat.
2. The Accountant to District & Sessions Judge, Lakki Marwat.
3. The official concerned.

  
District & Sessions Judge  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

B'

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat

Phone#0969-538150, Fax# 0969-538152

E-Mail:dsjlakki@yahoo.com

No 796 /DSJ/L.M

Dated. 25/03/2022

**OFFICE ORDER**

**Subject: LEAVE WITHOUT PAY W.E.F. 22-01-2021 TO 01-02-2021.**

With reference to this office order bearing No.522/DSJ dated 12-02-2021 regarding the preliminary inquiry on account of absence of Muhammad Suleman Yousaf, Junior Clerk (BPS-11) from his official duties and in response to the fact finding report submitted by the Inquiry Officer/ learned Civil Judge/J.M-VII, Lakki Marwat vide order sheet No.18 dated 03-06-2021 and In order to ensure the punctuality, the absence w.e.f 22-01-2021 to 01-02-2021 (11 days) of Mr.Muhammad Suleman Yousaf, Junior Clerk (BPS-11), establishment of the Senior Civil Judge (Admn), Lakki Marwat from his official duties is treated and considered as 11 days leave without pay.

Despite the above, the said official is strictly directed and warned to be careful in future.

*gama*  
(IJAZ RASHID)  
District & Sessions Judge,  
Lakki Marwat.

Endst. No. 797-801 /DSJ/L.M


Dated Lakki, the 25/03/2022

Copy forwarded to:

1. The learned Senior Civil Judge (Admn), Lakki Marwat for information and compliance.
2. Mr.Omer Azmat, learned Civil Judge/J.M-VII, Lakki Marwat/ inquiry officer for information.
3. The District Accounts Officer, Lakki Marwat for information and compliance.
4. The COC to SCJ-Admn, Lakki Marwat with the directions for making necessary entry in the service records of the delinquent official.
5. The official concerned.

*gama*  
District & Sessions Judge,  
Lakki Marwat.

**ATTESTED**

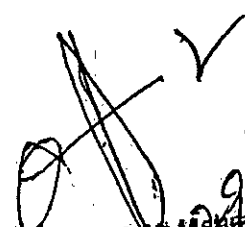
  
Examiner to  
District & Session Judge,  
Lakki Marwat

CS CamScanner

"C"

To The learned Civil Judge / JM-Naurang-I / Inquiry Officer,  
Lakki Marwat.

SUBJECT:- UNCONDITIONAL APOLOGY IN INQUIRY.

  
Arshad Ali Magistrate  
Civil Judge  
Magistrate  
Lakki Marwat  
29/6/20

Respected Sir,

With utmost respect, it is submitted that here that my inquiry is pending before your honour.

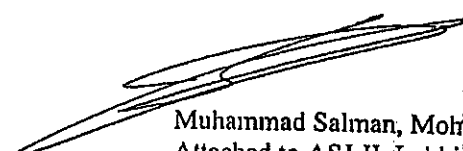
That the allegation leveled against me are fully prescribed in the explanation. I could produce evidence regarding illness of my mother. On that day I left the duty in emergency, though I told the peon to submit my short leave application but he failed to do so. I am also ready to furnish any kind of bond for satisfaction of yours honours.

To this effect without going through the inquiry, I humbly submit unconditional apology that I shall be extremely careful in future and will perform my duties in true spirit.

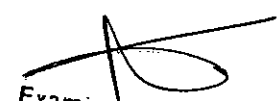
Thanking you

Yours obediently,

Dated 29-06-2020


  
Muhammad Salman, Moharrir  
Attached to ASJ-II, Lakki  
Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge,  
Lakki Marwat

"C-1"


0-5 :- Accused official is on leave.  
10-12-2020  
Notice be given to the accused official  
for personal hearing for 16/12/2020

  
District & Sessions Judge  
Lakki Marwat


Order.....06  
16/12/2020

Accused official Suleman Yousaf Junior Clerk in person present and tendered unconditional apology in written form.

He also requested to give him a final chance. He promised to mend his ways/habits and to be careful in future. Hence, the accused official is strictly warned to be careful in future.

  
(Syed Zamarrud Shah)  
District & Sessions Judge,  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

CS CamScanner

C-2"

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat  
Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@Yahoo.com

No. 2394 /DSJ

Dated 19/10/2020

**FINAL SHOW CAUSE NOTICE.**

I, Syed Zamrud Shah District & Sessions Judge, Lakki Marwat, as competent authority, under the Khyber Pakhtunkhawa Government Servants (Efficiency and Disciplinary) Rules 2011 do hereby serve you Muhammad Suleman Yousaf Junior Clerk/Moharrir of the Court of undersigned in Judicial Complex, Lakki Marwat, as follows.

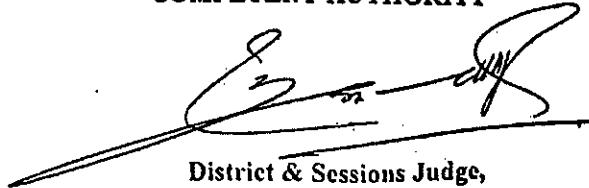
Whereas on 17-10-2020 you are found absent without any prior permission or intimation and today on 19-10-2020 you are again found absent from your duties.

Your act and omission enumerated hereinabove make its evident that you are guilty of misconduct and inefficiency that are valid grounds for disciplinary action as prescribed under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, As a result thereof, I as Competent Authority, have tentatively decided to impose upon you one or more penalties as provided under Rules 4 of the said Rules.

You are, therefore, required to final show cause, as to why the aforesaid penalties should not be imposed upon you, and also intimated whether you desire to be heard in person.

If no reply to this notice is received within three days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

**COMPETENT AUTHORITY**



District & Sessions Judge,  
Lakki Marwat.

19/10/2020

**ATTESTED**

CS CamScanner



Examiner to  
District & Session Judge  
Lakki Marwat



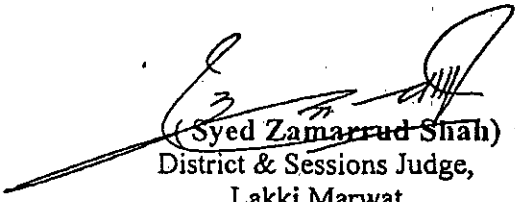
"D"

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat  
Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@yahoo.com

Order.....01  
10/12/2020

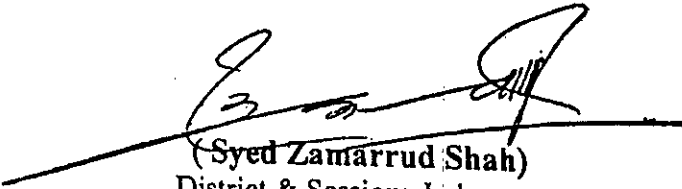
Accused official Suleman Yousaf is on leave. Notice be issued  
to the accused official to submit his explanation for 16/12/2020.

  
(Syed Zamarrud Shah)  
District & Sessions Judge,  
Lakki Marwat.

Order.....02  
16/12/2020

Accused official Suleman Yousaf Junior Clerk in person  
present and tendered unconditional apology in written form.

He also requested to give him a final chance. He promised to  
mend his ways/habits and to be careful in future. Hence, the accused  
official is strictly warned to be careful in future.

  
(Syed Zamarrud Shah)  
District & Sessions Judge,  
Lakki Marwat.

**ATTESTED**

**CS** CamScanner

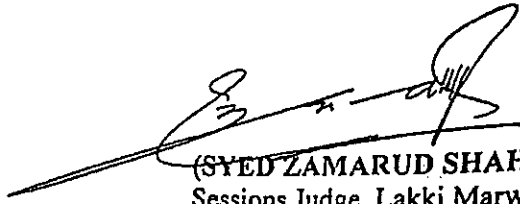
  
Examiner to  
District & Session Judge  
Lakki Marwat

Or.....07  
09/11/2020

Mr. Asad Anwar APP for the State present. Accused Zakir Ullah and his sureties are absent. Moharrir has not issued warrants as per direction of the Court. He is strictly warned to be careful in future.

NBWA be issued against the accused as well as his sureties for

28/11/2020



(SYED ZAMARUD SHAH)  
Sessions Judge, Lakki Marwat.

Or.....08  
28/11/2020

Handwritten notes on the left margin, including "SHD" and other illegible scribbles.

Mr. Asad Anwar APP for the State present. Accused Zakir

Ullah and his sureties are absent.

The Moharrir Suelman Yousaf has not issued warrant of arrest against the accused and his sureties as per directions of the Court.

Vide Order Sheet No.04 dated 29/07/2020 he was directed to be careful in future in this regard.

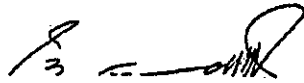
It has come to the notice of this Court in so many cases and instances that Moharrir Suleman Yousaf is not performing his duties efficiently.

The Reader of this Court is directed to hand over the copy of this Order Sheet to Moharrir Suleman Yousaf with direction to submit his explanation within seven days positively.

Superintendent is directed to prepare separate file for legal proceedings against the Moharrir Suleman Yousaf.

NBWA be issued against the accused as well as his sureties for

10-12-2020



ATTESTED



Examiner to  
District & Session Judge,  
Lakki Marwat

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"E"

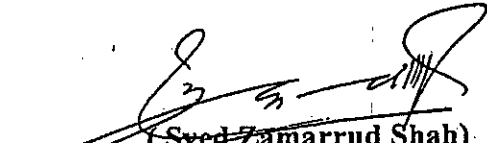
**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat  
Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@Yahoo.com

Order.....01  
10/12/2020

Report of the Inquiry Officer is received.

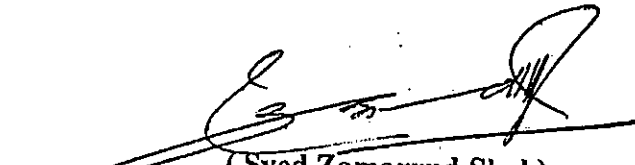
Accused official is on leave. Notice be issued accused official for  
16/12/2020.

  
(Syed Zamarrud Shah)  
District & Sessions Judge,  
Lakki Marwat.


Order.....02  
16/12/2020

Accused official Suleman Yousaf Junior Clerk in person  
present and tendered unconditional apology in written form.

He also requested to give him a final chance. He promised to  
mend his ways/habits and to be careful in future. Hence, the accused  
official is strictly warned to be careful in future.

  
(Syed Zamarrud Shah)  
District & Sessions Judge,  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge,  
Lakki Marwat

CS CamScanner

"E1"

(E-1)

To  
The Hon'ble District & Sessions Judge,  
Lakki Marwat.

SUBJECT: REPLY TO EXPLANATION.

Respected Sir,

With humble submission, it is stated that during your good self surprise visit of Moharrirs room of the court of learned ASJ-II Lakki Marwat at 02:00 P.M on 13-06-2020, I was found absent my duties and I was called upon an explanation regarding my absence without any prior permission / application.

Sir, reference explanation under Endst: No. 1278-82 dated: 13-06-2020, I have humbly submitted that:

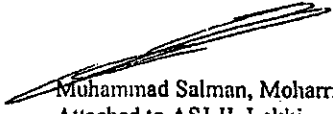
That on 13-06-2020 at 02:00 P.M, I received a telephonic message from my house regarding an emergency in the home, thus in the emergency situation I left my office, however I have told this facts to my colleagues but inadvertently left no application regarding my short leave.

Sir, I am punctual in my official duty and always come and leave the office in time, however my this reason mentioned above is genuine and not left the office intentionally, therefore, sir kindly exonerate me this time. I will be careful in future and will never give an opportunity for the complaint against me.

Thanking you

Yours obediently,

Dated 13-06-2020

  
Muhammad Salman, Moharrir  
Attached to ASJ-II, Lakki  
Marwat.

*The explanation of the concerned official is not satisfactory. Further that he is a habitual absentee from duty, hence,*

*Mr. Muhammad Arshad Khan Mohmand CJE Naranj, Lakki Marwat is directed to conduct facts finding inquiry in the matter and submit his report within shortest possible time.*

  
20/06/2020

CS CamScanner

**ATTESTED**



Examiner to  
District & Session Judge  
Lakki Marwat

To The learned Civil Judge / JM-Naurang-I / Inquiry Officer,  
Lakki Marwat.

SUBJECT:- UNCONDITIONAL APOLOGY IN INQUIRY.

*Arshad / 11/6/2020*  
Arshad / 11/6/2020  
Civil Judge / Judicial  
Magistrate / Naurang-I / Lakki Marwat

Respected Sir,

With utmost respect, it is submitted that here that my inquiry is pending before your honour.

That the allegation leveled against me are fully prescribed in the explanation. I could produce evidence regarding illness of my mother. On that day I left the duty in emergency, though I told the peon to submit my short leave application but he failed to do so. I am also ready to furnish any kind of bond for satisfaction of yours honours.

To this effect without going through the inquiry, I humbly submit unconditional apology that I shall be extremely careful in future and will perform my duties in true spirit.

Thanking you

Yours obediently,

Dated 29-06-2020

*Muhammad Salman*  
Muhammad Salman, Moharrir  
Attached to ASJ-II, Lakki  
Marwat.

**ATTESTED**

*[Signature]*  
Examiner to  
District & Session Judge  
Lakki Marwat

"F"

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**

Office of the District & Sessions Judge, Lakki Marwat  
Phone#0969-538150 Fax# 0969-538152 E-Mail:dsjlakki@yahoo.com

No. 3744<sup>59</sup>/DSJ/L.M

Dated 22/08/2022

**OFFICE ORDER.**

WHEREAS disciplinary proceedings were conducted against Mr. Muhammad Suleman Yousaf, Junior Clerk (BPS-11) (under suspension) within meaning of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules,2011.

AND WHEREAS Show Cause Notices vide this office letter bearing No.308/D&S.J/Admn dated 27-01-2022 and subsequent letter No.387/D&S.J/Admn dated 08-02-2022 was called upon his willful absentee from his official duties w.e.f 06-01-2022 without prior permission.

AND WHEREAS his reply was found not satisfactory so the accused official was served with charge sheet, statement of allegations and Inquiry Officer was nominated for conducting proper inquiry in the matter under the Rules ibid.

AND WHEREAS the Inquiry Officer conducted the inquiry as per rules and accordingly submitted inquiry report. Consequently the accused official was served with Final Show Cause Notice bearing No. 3718-19/DSJ/LM dated 15-07-2022 and he was afforded the opportunity of personal hearing but he did not avail.

AND WHEREAS after going through the findings and recommendations of the inquiry officer, material on record and reply to the final show cause notice, charge against the accused official as mentioned in the charge sheet & statement of allegations stands proved.

NOW, THEREFORE, it is notified that the accused official, namely Mr. Muhammad Suleman Yousaf, Junior Clerk (BPS-11) awarded with major penalty of compulsory retirement under rule 4(1)(b)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules,2011 w.e.f. 05-01-2022.

*ganaat*  
(JAZ) RASHID  
District & Sessions Judge,  
(Competent Authority)  
Lakki Marwat.

Endst. No. & dated even:  
Copy forwarded to:

1. The Registrar, Hon'ble Peshawar High Court, Peshawar for information, please.
2. The Senior Civil Judge (Admn), Lakki Marwat for information and further necessary action.
3. The District Accounts Officer, Lakki Marwat for information and further necessary action.
4. The Superintendent, District Courts, Lakki Marwat for information.
5. Mr. Ifkhar Alam, Computer Operator/Departmental Representative in the said inquiry for information.
6. The official concerned by name.

*ganaat*  
District & Sessions Judge,  
(Competent Authority)  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

CS CamScanner

**DISTRICT JUDICIARY KHYBER PAKHTUNKHWA,**Office of the District & Sessions Judge, Lakki Marwat  
Phone# 0969-538150 Fax# 0969-538152 E-Mail: dsjlakki@yahoo.com

No.3760 /DSJ/L.M

Dated. 23/08/2022

**COMPULSORY RETIREMENT ORDER.**

In pursuance to this office order bearing no.3744-50/DSJ/LM dated 22-08-2022 issued in the departmental Inquiry, Mr. Muhammad Suleman Yousaf, Junior Clerk (BPS-11) is hereby compulsory retired from his service w.e.f 05-01-2022.

The sanction of all Pensionary Benefits in favor of the above named official is hereby granted from the given date subject to entitlement as per Rules.

*Qasim*  
(IJAZ RASHID)  
District & Sessions Judge,  
Lakki Marwat.

Endst: No. & dated even:  
Copy forwarded to:

1. The Registrar, Hon'ble Peshawar High Court, Peshawar for information, please.
2. The Senior Civil Judge (Admn), Lakki Marwat for information and further necessary action.
3. The District Accounts Officer, Lakki Marwat for information and further necessary action.
4. The Superintendent/Accountant, District Courts, Lakki Marwat for information.
5. The official concerned by name.

*Qasim*  
District & Sessions Judge,  
Lakki Marwat.

**ATTESTED**

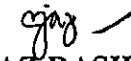
*[Signature]*  
Examiner to  
District & Session Judge  
Lakki Marwat

G''

Or-----3

17/02/2022:- Reply of the concerned accused official, namely, Muhammad Suleman Yousaf, (BPS-11) has not submitted reply to Final Show Cause Notice within the stipulated time. The Final Show Cause notice was issued on 08-02-2022 and the maximum time for submission of his reply was 07 days i.e. till 15-02-2022.

File to come up for further proceedings on 25-02-2022.

  
(IJAZ RASHID)  
District & Sessions Judge/  
Competent Authority  
Lakki Marwat.


Or-----4

25/02/2022:- Superintendent of this court appeared and stated at the bar that the accused official, namely, Muhammad Suleman Yousaf, (BPS-11) attended him on 23-02-2022 at 10:00 AM for the purpose of submission his reply. When his written reply was checked on the spot, the enclosures mentioned in the reply were not annexed. The written reply was returned to him on the same day i.e 23-02-2022 for submission of the same after completion in all respect. He was directed to regularly attend his official duties, but he left the office and went out.

Accountant of this office also appeared and stated at the bar that the accused official again submitted his reply on 24-02-2022 at 10:30 AM and after submission, he left the office and went out. His reply was placed on file for further proceeding into the matter.

It is noted that the said accused official is not attending his officially assigned duties willfully. Written Reply of the accused official, namely, Muhammad Suleman Yousaf, (BPS-11) was placed on file. Due to engagement of undersigned in a local issue, the matter was adjourned.

File to come up for further proceedings on 03-03-2022.

  
(IJAZ RASHID)  
District & Sessions Judge/  
Competent Authority  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

CS CamScanner




Or-----22

19/07/2022:-

Superintendent of this office present and stated at the bar that the accused official namely, Muhammad Sueleman Yousaf, Junior Clerk was contacted on his personal No.0333-9765625 on 18-07-2022 for verification of his submitted reply through Mr.Tariq Saleem and he submitted written statement/report that the accused official, namely, Muhammad Suleman Yousaf, Junior Clerk solemnly admitted that he has submitted his written reply through Mr.Tariq Saleem in the office of the District & Sessions Judge, Lakki Marwat and he requested for consideration his reply. His reply was placed on file for further proceeding into the matter.

It was noted that the said accused official is not attending his officially assigned duties willfully as he stated himself in his Written Reply and he was not willing to avail the opportunity of personal hearing. Due to availing of summer vacation w.e.f 20-07-2022 to 09-08-2022, the matter is adjourned.

File to come up for order on 19-08-2022.

  
(IJAZ RASHID)  
District & Sessions Judge/  
Competent Authority  
Lakki Marwat.

**ATTESTED**

  
Examiner to  
District & Session Judge  
Lakki Marwat

ضابطہ عالی - آ 2 فورم 18.07.2022

کوآرڈینیٹنگ افسار سے بذریعہ سٹریٹ کاروں کی فون پر بیان پوسٹ  
جوئیٹر ڈسٹرکٹ سے بیٹھوں کو بائیکل 0333-9765625


بذریعہ ڈاکس کمال جو افسار سے بغیر سے بددیانتی بات


کی اطلاع لے لی جہاں یوسف بیان ہوا کہ جو اب فونس  
سائل نے بذریعہ کارف سلیم بیجواری ہے۔

الورٹ طرفینہ  
18/07/2022  
محکمہ انسداد  
سپر تنہا

See / PDF

ATTESTED

  
Examiner to  
District & Session Judge  
Lakki Marwat

  
District & Session Judge  
Lakki Marwat

H

Sent To: \_\_\_\_\_

# OUT DOOR PATIENT TICKET DHIS-02 (F)

District 8

CRP No: 54

Facility Name \_\_\_\_\_ Date: 01-12-2020

Name Ullas Age: 39 Sex: M

Father's/Husband's Name \_\_\_\_\_

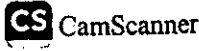
Monthly OPD Serial No 578

Provisional Diagnosis: \_\_\_\_\_

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
<p>Adv - MP - typhoid - +ve</p>	<p><u>DUO</u> 1. Flu. High grade 2. Pain Abdomen 3. GBA  iv C in Z: Bestix Egm WDM — 0.25 Epp: Brufen — 0.25 2-2-2 Epp: ysovi! — 0.25 Cap: Cefixim Gone</p>



Advised bed rest for 10 days  
 Senior Medical Officer  
 City Hospital, Lakki Marwat



**ATTESTED**

*[Signature]*

Examiner to  
District & Session Judge  
Lakki Marwat

"H-1"

24

DHIS-02 (F)

Sent To:

# OUT DOOR PATIENT TICKET

District S

CRP No: 1494

Facility Name M/O

Name (U) 12-3

Age: 18

Sex: 2024

Father's/Husband's Name \_\_\_\_\_

Monthly OPD Serial No. S Mark B

Provisional Diagnosis: \_\_\_\_\_

Date

Clinical Findings / Investigations / Treatment / Referred / Test Findings

### Comments

After proper verification from the concerned doctor, this is the mother of Solomon who has been referred and this is of Solomon himself.

DM -  
Neuropathy.  
Neuropathy

Jan 11 03  
Be sent to MS. City Hospital for verification and report within 03 days.

District & Sessions Judge  
Lakki Marwat  
19/01/2024

Senior Medical Officer  
City Hospital Lakki Marwat

*[Signature]*  
20/11/2024

*[Large handwritten signature]*

Senior Medical Officer

City Hospital Lakki Marwat



CS CamScanner

ATTESTED

*[Signature]*

Examiner to  
District & Session Judge  
Lakki Marwat

H-2"

OFFICE OF THE MEDICAL SUPERINTENDENT CITY HOSPITAL LAKKI MARWAT



Email: cityhosplakki@gmail.com  
Ph#: 0969-512349  
Fax#: 0969-512349

No. 07 /M-I

Dated: 07/01/2022

To,

The District & Sessions Judge,  
Lakki Marwat.

**SUBJECT: - VERIFICATION OF MEDICAL PRESCRIPTION OF THE DOCTOR IN RESPECT OF MR. MUHAMMAD SULEMAN YOUSAF JUNIOR CLERK (BPS-11).**

Memo:-

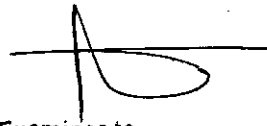
Reference Your Office Letter No. 79/DSJ Dated 06-01-2022.

The medical prescription bearing No.696 dated 05-01-2022 and bearing long leave of 15 days in respect of Mr. Muhammad Suleman yousaf Junior Clerk (BPS-11) is not countersigned, and hence leave is not verifiable from this office.

However, the OPD ticket No.696 Dated 05-01-2022 is correct.

  
Medical Superintendent,  
City Hospital Lakki Marwat.

**ATTESTED**



Examiner to  
District & Session Judge  
Lakki Marwat