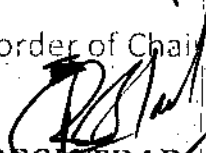


Form- A
FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 775/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	23.07.2024	<p>The implementation petition of Mr. M. Noor Sultan submitted today by Mr. Khaled Mahmood Advocate. It is fixed for implementation report before Single Bench at Peshawar on 25.07.2024. Original file be requisitioned. AAG has noted the next date. Parcha peshi given to counsel for the petitioner.</p> <p>By the order of Chairman  REGISTRAR</p>

**BEFORE THE HONORABLE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA**

Execution Petition No. 775 /2024

In line and with reference to

Service Appeal No. 2586 /2023

Muhammad Noor Sultan

VS.

Government of Khyber Pakhtunkhwa through
Secretary Education, Peshawar and other.

**APPLICATION FOR FIXATION BEFORE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR AT PRINCIPAL SEAT
PESHAWAR.**

RESPECTFULLY SHEWETH,

1. That the above titled Execution Petition is being filed before this Honorable Tribunal.
2. That the case relates to jurisdiction of camp court D.I.Khan but there was no chance for availability of court at DIKhan in near future.
3. That it is urgent matter and if not fixed at Principal seat Peshawar then petitioner will suffer irreparable loss and petition will become infructuous.

It is, therefore, very humbly requested that keeping in view the above facts, above titled Execution Petition maybe fixed before Principal seat at Peshawar.

Dated: 24/07/2024

Appellant



Through Counsel



Khalid Mahmood
Advocate High Court D.I.Khan

Mob # 0336-4330001

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Execution petition No: 775/2024

In Service Appeal No.2586 /2023

Muhammad Noor Sultan, Deputy DEO (Male) (Management Cadre)
District Dera Ismail Khan

.....PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (Teaching Cadre) Education Department D.I.Khan

.....RESPONDENTS

INDEX

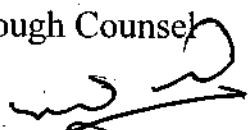
S.No	Description of Documents	Annexures	Page No.
01	Copy of Execution Petition with Affidavit		1-4
02	Copy of CM with Affidavit		5-6
03	Copy of Notifications dated 27.09.2023 & 01.12.2023	A & A1	7-8
04	Copy of Judgement dated 12.02.2024 & Application dated 16/03/2024.	B & B1	9-15
05	Copy of Appointment Notification dated 25.08.2015	C	16-20
06	Copy of Notifications dated 28.06.2024 & 19.07.2024	D & D1	21-22
07	Copy of Representation dated 11.07.2024	E	23
08	Wakalatnama		24

Dated: 20.07.2024

Your Humble Petitioner


Muhammad Noor Sultan

Through Counsel


Khalid Mahmood
Advocate High Court DIKhan
0336-4330001

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Execution petition No: 775/2024

**Khyber Pakhtunkhwa
Service Tribunal**

In Service Appeal No.2586 /2023

Diary No. 14470

Dated 24-07-2024

Muhammad Noor Sultan, Deputy DEO (Male) (Management Cadre)
District Dera Ismail Khan

.....**PETITIONER**

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (Teaching Cadre) Education Department D.I.Khan

.....**RESPONDENTS**

EXECUTIVE/ IMPLEMENTATION PETITION UNDER
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT
1974 (AS AMENDED) FOR IMPLEMENTATION THE
JUDGMENT DATED 12.02.2024, PASSED BY THIS
HONOURABLE TRIBUNAL IN SERVICE APPEAL
NO.2586/2023, TITLED AS DR. ASIM SAEED VS GOVT. OF
KPK ETC".

Respected Sheweth:-

BRIEF FACTS:-

The petitioner respectfully submits as under:-

1. That, present petitioner was respondent No.4 in above titled service appeal.
2. That, the present petitioner is serving as DDEO (Male) in Education Department. previously he was authorized to look-after the charge of post of DDEO (Male) vide notification dated 27.09.2023 and subsequently was posted as DDEO (Male) DIKhan vide Notification dated 01.12.2023 (Copy of Notification dated 27.09.2023 & 01.12.2023 are Annexed as A&A1)
3. That, being dissatisfied with Notification dated 27.09.2023 & 01.12.2023, the present respondent No.2 (Dr. Asim Saeed) filed service appeal No.2586/2023 before this Hon'ble Tribunal against respondent department as well as against present petitioner which

was dismissed with some observations vide Judgement dated 12.02.2024, which is reproduced as under:-

"With observation to post the appellant on the position of Principal for which he was appointed" same was submitted to respondent no.1 vide dated 16/03/2024. (Copy of Judgment dated 12.02.2024 & application dated 16/03/2024 are annexed as B & B1).

4. That, during the proceeding of the above said appeal, this Hon'ble Tribunal observed that present respondent No.2 belong to Teaching cadre whereas the post of DDEO (Male) is administrative post and also into consideration of his appointment order according to which he was appointed as Principal and being school specific post, he could not be transferred to any other position, not even any other post of teaching cadre. While issuing the impugned order dated 27.09.2023, this fact was not kept in view, in our opinion, it would have been in the fitness of mater to post the appellant on the position i.e Principal for which he was appointed. **(Copy of Appointment Notification dated 25.08.2015 is annexed as C)**

5.
6.

That, vide judgment dated 12.02.2024, this Hon'ble Tribunal was pleased to direct the official respondents to post the appellant on the position of Principal for which he was appointed.

That, petitioner were transferred and directed to report to Directorate of E&SE vide Notification dated 28.06.2024 and subsequently very surprisingly Dr. Asim Saeed Teaching cadre **(Appellant in Service Appeal No.2586/2023, which was dismissed vide Judgment dated 12.02.2024)**, again has been appointed/ posted as DDEO (Male) DIKhan vide Notification dated 19.07.2024, in gross violation of the verdict of the judgment dated 12.02.2024 of this Hon'ble Tribunal. The said Dr. Asim Saeed (respondent No.2) is Principal and belongs to **teaching cadre** whereas the petitioner is Management cadre. The act of the respondent department is not only against the mandate of the judgment of this Hon'ble Tribunal but also contemptuous one as this Hon'ble Tribunal clearly directed the respondents to post the respondent No.2 on the position of Principal for which he was appointed. Copy of Notifications dated 28.06.2024 & 19.07.2024 is enclosed as **Annexure "D-D1"**.

7. That, Dr. Asim Saeed (respondent No.2) is Principal belongs to teacher cadre and prior to the judgment dated 12.02.2024, he has

been appointed as Teacher. Whereas this Hon'ble Tribunal also directed the respondent department to post the appellant on the position of Principal for which he was appointed. The petitioner also made representation to the official respondents regarding the appointment of Respondent No.2 (**teaching cadre**) against administrative post, but of no avail and respondent No.2 being Principal of teaching cadre is again appointed as DDEO (Male) DIKhan vide Notification dated 19.07.2024 which is also clear violation of the judgement of this Hon'ble Tribunal (Copy of representation dated 11.07.2024 of the petitioner is enclosed as **Annexure "E"**).

8. That, the acts of official respondents is clear violation of the judgment dated 12.02.2024, of this Hon'ble Tribunal and contemptuous of the judgment of this Hon'ble Tribunal.

In view of the above noted facts and circumstances this Honourable Tribunal will be pleased to direct the official respondent to implement the judgment dated 12.02.2024, of this Hon'ble Tribunal in letter and spirit and recall the transfer order of the teaching cadre (respondent No.2) from the post of Management cadre and be appointed as Principal and petitioner be restored to his post as DDEO (Male) DIKhan.

Dated: 20/07/2024

Your Humble Petitioner


Muhammad Noor Sultan

Through Counsel


Khalid Mahmood

Advocate High Court DIKhan

0336-4330001

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Execution petition No: /2024
In Service Appeal No.2586 /2023

Muhammad Noor Sultan, Deputy DEO (Male) (**Management Cadre**)
District Dera Ismail Khan

.....**PETITIONER**

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (**Teaching Cadre**) Education Department D.I.Khan

.....**RESPONDENTS**

AFFIDAVIT

I, Muhammad Noor Sultan, Deputy DEO, Petitioner do hereby solemnly affirm and declare on oath that the para-wise contents of the instant Execution Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

Identified by Counsel



Khalid Mahmood
Advocate High Court DIKhan
0336-4330001



11
20/7/24

Deponent



12103-1489991-7

(5)

**BEFORE THE HONORABLE SERVICE TRIBUNAL,
KHYBER PAKHTUNKHWA**

CM Petition No. _____/2024

In Execution Petition No. _____/2024

In line with Service Appeal No.2586 of 2023

Muhammad Noor Sultan, Deputy DEO (Male) (**Management Cadre**)
District Dera Ismail Khan

.....*PETITIONER*

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Dr. Asim Saeed, (BPS 18) (**Teaching Cadre**) Education Department D.I.Khan

.....*RESPONDENTS*

APPLICATION WITH THE REQUEST TO SUSPEND THE OPERATION OF NOTIFICATION No. SO(MC)E&SED/4-16/2024/ PT/DDEO/DIK DATED: 19-07-2024 AS WELL AS NOTIFICATION DATED 28.06.2024 ISSUED BY RESPONDENT NO 1, TILL FINAL DECISION OF EXECUTION PETITION AND IN THE MEANWHILE RESPONDENT MAY ALSO BE ABSATINED FROM TAKING ANY ACTION DETRIMENTAL TO THE SERVICE CAREER OF THE PETITIONER.

Respectfully Sheweth,

1. That, Execution Petition is being filed before this Honorable Tribunal and grounds of same may please be considered as an integral part of the subject petition.
2. That, petitioner transferred from Deputy DEO(M) DIKhan to Directorate and Respondent No. 2 (Teaching Cadre) appointed as Deputy DEO (M) DIKhan against management cadre post vide notification dated 19.07.2024 which is clear cut violation of the judgements of High Court as well as this Honorable Tribunal dated 12.02.2024.
3. That the petitioner has got a good prima facie case on law as well as on facts and there is every likelihood of the success of the Execution Petition. Hence balance of convenience tilts in favor of Petitioner.

8

4. That the Notifications are on the basis of nepotism and favoritism, because the tenure of petitioner has not been completed, therefore in case of non-suspension of notifications, the petitioner will suffer an irreparable loss.

It is, therefore, humbly prayed that on acceptance of the present CM petition, the operation of Notification dated 19.07.2024 as well as notification dated 28.06.2024 may please be suspended and respondents may please be desisted from taking any action detrimental to the service career of petitioner till decision of service appeal.

Yours Humble Applicant


Muhammad Noor Sultan

Through Counsel

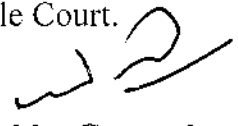
Dated 20/07/2024



Khalid Mahmood,
Advocate High Court
Stationed at D I Khan
0336-4330001

AFFIDAVIT

I, Mr. Muhammad Noor Sultan, DDEO (Male) (Management Cadre) do hereby solemnly affirm and declare on oath that all the Para-wise contents of this CM are true and correct to the best of my knowledge and nothing has been concealed deliberately from this Honorable Court.

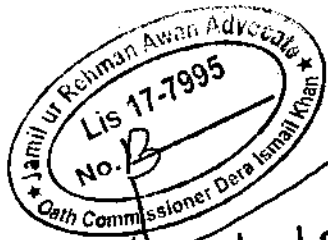


Identified by Counsel:
Khalid Mahmood
Advocate High Court
Stationed at D.I.Khan

Deponent



12103-1489991-7



11/20/7/24



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9210626

Dated: 27th September, 2023

NOTIFICATION

NO.SO(IMC)E&SED/2-3/2022/Promotion/MC/Asim Saeed/DDEO(M): Due to administrative exigencies Mr. Asim Saeed, (TC BS 18), Deputy DEO (Male) D.I.Khan is hereby transferred posted as Subject Specialist (Islamiyat BS-18) GHSS Ramak D.I.Khan against the vacant post, with immediate effect.

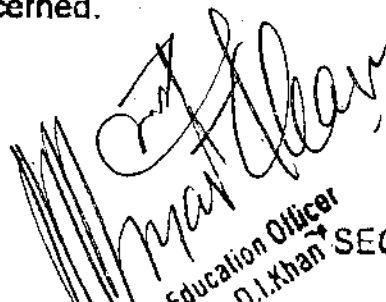
2. Consequent upon the above, Muhammad Noor Sultan SDEO (M) D.I.Khan is hereby authorized to hold the Look After charge for the post of Deputy DEO (Male) D.I.Khan, in addition to his own duties, as stop gap arrangement, purely on temporary basis, till the arrival of regular officer, in the best public interest.

SECRETARY TO THE GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the:


1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. Section Officer (School Male) E&SE Department.
5. District Education Officer (Male) D.I.Khan.
6. District Accounts Officer D.I.Khan.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.


Distt. Education Officer
(Male) D.I.Khan

111 / an
27.9.2023
(IMRAN ZAMAN)

SECTION OFFICER (Management Cadre)

ATTESTED


KHALID
Advocate High Court
Stationed at D.I.Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. (091) 9210676

Annex (A1)
8

Dated: 1st December, 2023

NOTIFICATION

NO.SO (MC) E&SE/D/4-16/2023/PT/(SDEOs) The following posting/transfer of SDEOs are hereby ordered with immediate effect, in the best public interest.

Sr#	Name	From	To	Remarks
1.	Mr. Noor Sultan MC BS-17	SDEO (M) D.I.Khan	Deputy DEO (M) D.I.Khan in OPS	AVP
2.	Muhammad Humayun MC BS-17	SDEO (M) SD Darazanda DIK	SDEO (M) D.I.Khan	V.S.No.1
3.	Muhammad Rashid TC BS-17	Head Master (BS-17) GHS Sikandar Sout DIK	SDEO (M) SD Darazanda DIK	V.S.No.2

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

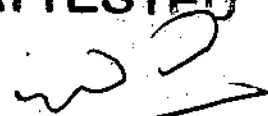
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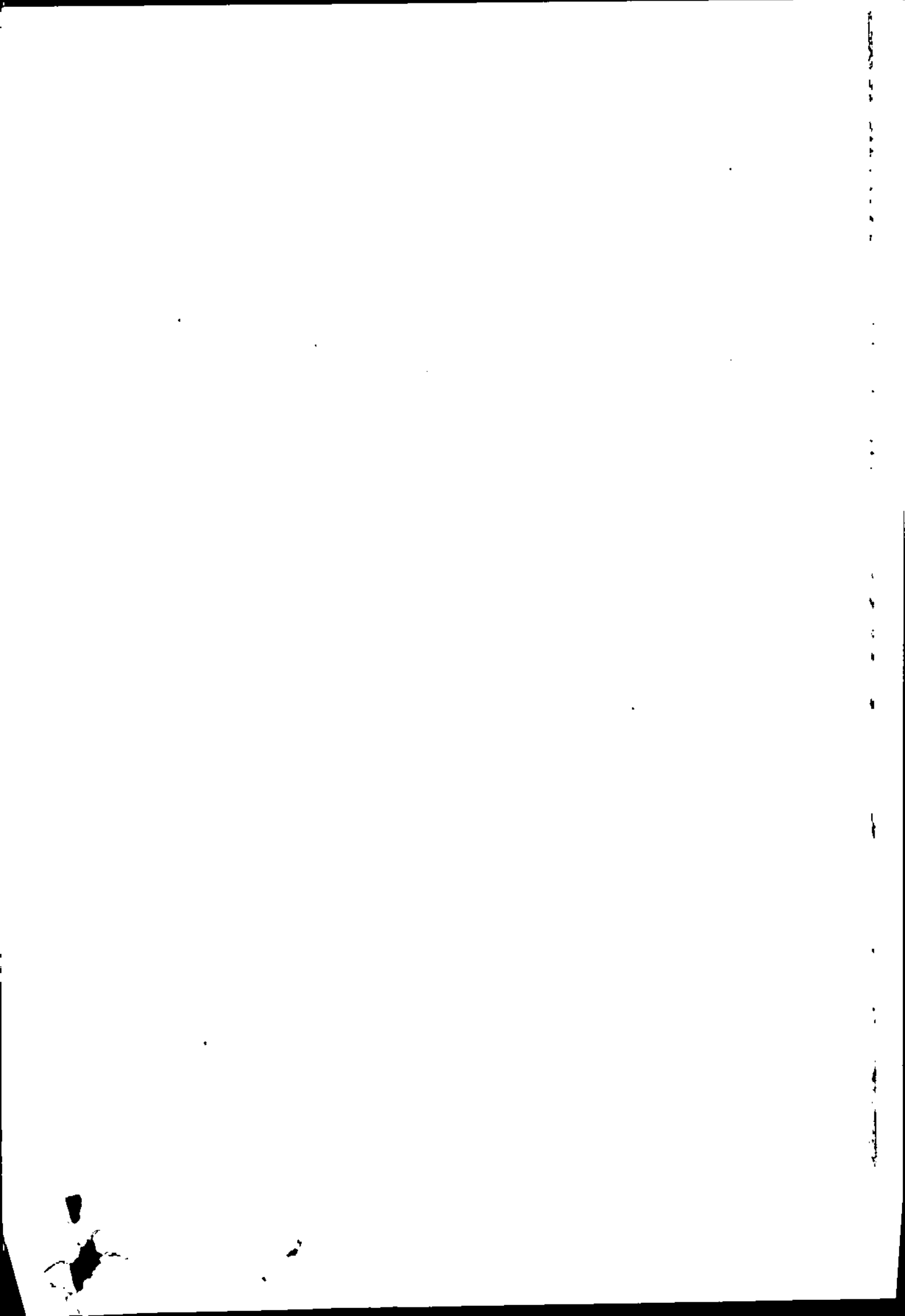
Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officers (Male) D.I.Khan.
5. District Accounts Officer D.I.Khan..
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.

114
12.12.2023
(IMRAN ZAMAN)
SECTION OFFICER (Management Cadre)

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan



Amee (B)
9

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 2586/2023

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)
MISS FAREEHA PAUL ... MEMBER (E)

Dr. Asim Saeed son of Muhammad Saeed, resident of Basti Ustrana Shumali, Principal (BPS-18) presently serving under the domain of DEO (Male), Dera Ismail Khan. (Appellant)

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
2. Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
3. Director, Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar.
4. Noor Sultan, SDEO (Sub Divisional Education Officer) (BS-17), Dera Ismail Khan. Presently posted as Deputy DEO (Male) office, D.I.Khan.....(Respondents)

Mr. Ahsan Bilal Langraw,
Advocate

... For appellant

Mr. Asif Masood Ali Shah,
Deputy District Attorney

... For the respondents

Mr. Khalid Mehmood
Advocate

... For Private respondent No. 4

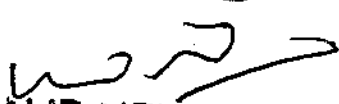
Date of Institution..... 14.12.2023
Date of Hearing..... 12.02.2024
Date of Decision..... 12.02.2024

JUDGEMENT

FAREEHA PAUL, MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 27.09.2023, whereby the appellant was transferred as SSS (Islamiyat) at GHSS Ramak, D.I.Khan, order dated 01.12.2023 and against the order dated 11/12/2023, whereby the departmental appeal of the



ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

10

appellant was rejected by the appellate authority. It has been prayed that on acceptance of the appeal, the impugned orders might be set aside/cancelled/withdrawn in the larger interest of justice.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was serving in the Education Department since 21.04.1999. Later on, he was selected and appointed as Principal (BPS-18) through Khyber Pakhtunkhwa Public Service Commission vide notification dated 25.08.2015. He, while serving as Deputy DEO (Male) D.I.Khan since 10.01.2022, was transferred and posted as Subject Specialist (Islamiyat) (BS-18) GHSS Ramak D.I.Khan and private respondent No. 4 was assigned to hold the look after charge of the post of Deputy DEO (Male) D.I Khan. Feeling aggrieved from the impugned order, the appellant preferred a departmental appeal on 02.10.2023, which was rejected by the appellate authority vide order dated 11.12.2023; hence the instant service appeal.

3. Respondents were put on notice. They submitted written rely/comments on the appeal. We heard the learned counsel for the appellant, learned Deputy District Attorney for the official respondents as well as learned counsel for private respondent No. 4 and perused the case file with connected documents in detail.

4. Learned counsel for the appellant, after presenting the case in detail, argued that the appellant had not exhausted his normal tenure of service as Deputy DEO (Male) D.I.Khan, hence the impugned order was premature and against the service rules and law. He further argued that as per service rules every civil servant was liable to serve anywhere but it did not empower the

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

authority to cut short his normal tenure, particularly without assigning any reasons. He requested that the appeal might be accepted.

5. Learned Deputy District Attorney, while rebutting the arguments of learned counsel for the appellant, argued that the appellant belonged to the Teaching Cadre whereas respondent No. 4 was from the Management Cadre and hence were adjusted accordingly. He further argued that the Hon'ble Peshawar High Court vide its judgment dated 18.11.2009, in Writ Petition No. 2937/2009, had observed that it was not befitting for teachers to hold administrative posts and get benefits from it and the students suffered, therefore they should go to their respective places. He requested that the appeal might be dismissed.

6. Learned counsel for private respondent No. 4 added that the appellant was transferred vide notification dated 27.09.2023 and he was relieved from the post of Deputy DEO (Male) on 28.09.2023 and was at the strength of GHSS Ramak, which the appellant challenged before the Service Tribunal on 14.12.2023. Later on, vide notification dated 01.12.2023, the competent authority had posted/transferred private respondent No. 4 as Deputy DEO (M) D.I.Khan, against which no appeal was preferred before the competent departmental authority, which was a pre-requisite under Rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 and hence the service appeal was not maintainable under section 4(a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. He further argued that the appellant had taken over charge at GHSS Ramak and private respondent No. 4 had also taken over the charge of the post of Deputy District Education Officer (M) D.I.Khan on

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan


12

02.12.2023; hence the appeal had become infructuous. He requested that the appeal might be dismissed.

7. This is a service appeal against notification dated 27th September, 2023, whereby the appellant has been transferred from the post of Deputy District Education Officer (Male) BS-18, D.I.Khan to the post of Subject Specialist (BS-18) GHSS Ramak, D.I.Khan. Record presented before us shows that he was posted as Deputy DEO (M) D.I.Khan vide a Notification dated 10.01.2022. It is pertinent to note here that the appellant is an officer of Teaching Cadre of the Elementary and Secondary Education Department and appointed as Principal (BS-18) through Khyber Pakhtunkhwa Public Service Commission. Terms and conditions of his service at sr. no. 6 mention that his recruitment shall be School Based and shall not be transferable to any other school. In various judgments of different courts, including this Tribunal, it has been held that officers of Teaching Cadre should not be appointed against positions of Management Cadre, but those clear instructions are frequently violated by the Elementary and Secondary Education Department on the grounds that they are short of Management Cadre Officers and that whenever and wherever need arises, officers of Teaching Cadre are posted on Management Cadre positions. It is an undisputed fact that under section 10 of the Civil Servants Act 1973, a civil servant can be posted at any position by his competent authority wherever his services are required and that he has to act according to the directions given to him. No civil servant can claim transfer/posting to any specific position of his own choice, unless his competent authority considers him fit and appropriate for such post. In the case



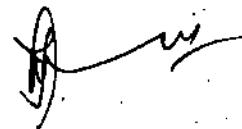

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

(13)

under consideration, we see that the appellant, despite being a teaching cadre officer and specifically appointed as Principal, was posted on a management cadre post, where he completed almost one year and eight months before he was posted and adjusted against a teaching cadre post. The plea taken by the learned counsel for the appellant, that tenure of two years was not complete, does not seem genuine as he was short of only four months to complete his tenure of two years. Moreover one must not forget an important point that he was not posted on the right post, which for him was Principal of a school, being an officer specifically appointed for that position. It has been noted that the respondent department did not take into consideration his appointment order according to which he was appointed as Principal and being school specific post, he could not be transferred to any other position, not even any other post of Teaching cadre. While issuing the impugned order dated 27.09.2023, this fact was not kept in view. In our opinion, it would have been in the fitness of the matter to post the appellant on the position, i.e Principal, for which he was appointed.


8. Learned counsel for the appellant through an amended appeal, impugned a notification dated 01.12.2023, which is again a transfer order of three officers, of which he is not a part. Against that notification, no departmental appeal had been preferred by him. From the diary number and date on the main service appeal, it appears that it was preferred on 14.12.2023 and by that date the notification dated 01.12.2023 had already been in field and under the rules, the appellant had to submit a departmental appeal first, which was not done and hence the same is not maintainable before us.

**ATTESTED**
KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

14

9. From the above discussion, we arrive at a conclusion that the service appeal is groundless and hence dismissed with the observation to post the appellant on the position of Principal for which he was appointed. Cost shall follow the event. Consign.


10. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 12th day of February, 2024.


(Faezcha Paul)
Member (I)

(Rashida Bano)
Member (J)

Fazle Subhan P.S.

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

Aneq (B, 15)

To

Secretary to the Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department Peshawar.

Subject: APPLICATION FOR IMPLEMENTATION OF JUDGMENT DATED 12-02-2024 IN SERVICE APPEAL NO. 2586/ 23 TITLED DR. ASIM SAEED VS GOVT OF KPK & OTHERS IN TRUE LETTER AND SPIRIT

Respected Sir,

With due respect it is stated that I have been posted as Deputy DEO (M) D.I.Khan vide notification dated. 27/09/2023 and subsequently dated 01/12/2023, which were challenged by Dr. Asim Saeed vide service appeal no.2586/23 and dismissed with some observations vide judgement dated 12/02/2024. (Judgement attached).

Therefore, it is requested that above titled judgment may be implemented and obliged.

I shall remain thank you to your good self.

Muhammad Noor Sultan
Muhammad Noor Sultan
DDEO (M) D.I.Khan
03459240885

Dated 16/03/2024

REGISTERED

Handwritten signature
DDEO
Stationed at D.I.Khan

1847 For Insurance Notices see reverse. Rs. Ps. *Handwritten mark*

RGL124035347 1 case of more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Saved a registered* _____ Date Stamp _____
 essed to _____

Name of Receiving Officer _____
 *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.
 Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ (in words) _____
 Weight _____ (in words) _____

Name and address of sender _____

Handwritten signature and circular postmark

Better Copy-9

GOVERNMENT OF KHYBER
PAKHTUNKHWA ELEMENTARY &
SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the August 25, 2015

NOTIFICATION

NO.SO(5)MDE&SYED/3-2/2014/Recruitment of Principal (BS-18) (Male) Consequent recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the competent Authority is pleased to appoint the following fifty five (55) candidates of Teaching Cadre as Principals (BS-18) (Rs. 25940-1950-64940) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions as given below:

Sr.#	Name, Father Name and Address	Domiciles/ Zone
1	Mr. Alam Zeb, S/o Jehan Zeb, Yousaf Zal Medical Store Hospital Road Timergarah Tehsil Timergara Dir Lower	Dir/03
2	Mr. Anas-Ur-Rehman, S/o Toti Rehman, Moh: Ambar Cham District P.O and Tehsil Dir Upper.	Dir/03
3	Mr. Arif Ullah Khan S/o Ghulam Jan, Village and P.O Shahbaz Khel Tehsil & District Lakki Marwat	Lakki Marwat/04
4	Mr. Aurang Zaib S/o Jahan Zen, House no.94 Sector No.4 Mohallah Dar Band Kalabat Town Ship Tehsil & District Haripur	Haripur/05
5	Mr. Faisal Khan S/o Missal Khan, C/O Star Hardware and Paint Store Mian Bazar Havellian Tehsil Havellian Distt: Abbottabad.	Abbottabad/05
6	Mr. Ghulam Raziq S/o Fazil Raziq Village Zakhi Miana P.O Akbar Pura Tehsil & District Nowshera	Nowshera/02
7	Mr. Ghulam Zahir S/o Ghulam Farooq Village & P.O Bisham Tehsil Lal Qilla District Lower Dir.	Dir/03
8	Hafiz Shams-Ur-Rehman S/o Ahmed Ali, C/O Moulvi Ahmad Ali General Store Hospital Road P.O Saral Naurang Lakki Marwat.	Kakki Marwat/04
9	Mr. Hayat Ullah S/o Shams-ul-Qamar, Mohallah Palinda Khel P.O Charsadda Town Teh & District Charsadda	Charsadda/02
10	Mr. Hikmatullah S/o Ali Muhammad C/O Yousaf Medicoe Hospital Road Saral Naurangi P.O Saral Naurang Tehsil Saral Naurang Distt: Lakki Marwat.	Lakki Marwat/04
11	Mr. Imtiaz Ali S/o Allah Dad Regional Institute of Teachers Education (Male) Haripur	Haripur/05
12	Mr. Inayat-Ul-Haq S/o Lutfullah C/O Doctor Ihsan-ul-Haq Al-Noor Medical Complex near Allaha-Akbar Mosque Saldu Sharif Swat.	Shangla/03
13	Mr. Irfanullah S/o Amin Ullah House # 850, Sadiq Abad Gul Dara Chowk P.O Namak Mandi Kakshal Peshawar.	Dir/03
14	Mr. Ishaq Ali Shah S/o Muhib Ali Shah Village & P.O Umar Payan Tehsil & District Peshawar	Peshawar/02
15	Mr. Jamil-Ur-Rehman S/o Said Akbar Khan Village Pabani Tehsil & District Swabi	Swabi/02
16	Mr. Jihad Muhammad S/o Shamsul Muhammad Mohallah Zakarya Khali village & P.O Kaddi Tehsil & Distt: Swabi.	Swabi/02
17	Mr. Kamal-ud-Din S/o Khesrow C/O Qamarudin Chatrali Mohd Dad Near Masjid Babus Salam Dabgarl Peshawar.	Chitral/03
18	Mr. Khanus-Ul-Haq S/o Mian Habib Jan Village Panam Dheri P.O Mathra Tehsil & Distt: Peshawar/02	Peshawar/02
19	Mr. Khan Afsar S/o Mir Afzal, Tanwal Book Depd: Cantt: Bazar Abbottabad.	Abbottabad/05
20	Mr. Khurshid Alam S/o Qamar Zaman, Village & P.O Dheri Allahdand Moh azikhel Tehsil Batkhel District Malakand.	Malakand/03
21	Mr. Khurshid Khan S/o Mian Jan, Govt, Higher Secondary School Takht Bhal District Mardan.	Mardan/03
22	Mr. Majeed Ullah S/o Gul Mula, Village and P.O Hathlan The: Takht Bhal District Mardan C/O Rehmanullah Shopkeeper Hashim.	Dir/03

ATTESTED

KHALID MEHMOOD
Advocate High Court
at D.I. Khan

17



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar, the August 25, 2015

NOTIFICATION

NO.SOUS/DE/SP/D/72014/Recruitment of Principal (BS-18) (Male):- Consequent upon recommendations of Khyber Pakhtunkhwa Public Service Commission Peshawar, the Competent Authority is pleased to appoint the following fifty five (55) candidates of Teaching Cadre of Principals (BS-18) Male (Rs 25940-1950-64940) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government with immediate effect on the terms and conditions as given below:-

Sr. #	Name, Father Name and Address	Domicile/ Zone
1	Mr. Alam Zeb, S/O Jahan Zeb, Yousaf Zai Medical Store Hospital Road Timergana Tehsil Timergana Dir Lower.	Dir/03
2	Mr. Anis-ur-Rehman, S/O Tari Rehman, Moh: Ambar Cham District P.O and Tehsil Dir Upper.	Dir/03
3	Mr. Arif Ullah Khan S/O Ghulam Jan, Village and P.O Shahbaz Khel Tehsil & District Lakk Marwat.	Lakki Marwat/04
4	Mr. Aurang Zaib S/O Jahan Zen, House No.94 Sector No.4 Mohallah Darband Kalabat Town Ship Tehsil A District Haripur.	Haripur/05
5	Mr. Faisal Khan S/O Missal Khan, C/O Star Hardware and Paint Store, Main Bazar Havelian Tehsil Havelian Dist: Abbottabad.	Abbottabad/05
6	Mr. Ghulam Raziq S/O Fazli Raziq Village Zakhi Miana P.O Akbar Pura Tehsil & District Nowshera.	Nowshera/02
7	Mr. Ghulam Zahir S/O Ghulam Farooq Village & P.O Bishgram Tehsil Lal Qilla District Dir Lower.	Dir/03
8	Haiz Shams-ur-Rehman S/O Ahmed Ali, C/O Maulvi Ahmad Ali General Store Hospital Road P.O Sarai Naurang Lakki Marwat.	Lakki Marwat/04
9	Mr. Hayat Ullah S/O Shams-ul-Qamar, Mohallah Painda Khel P.O Charsadda Town Tehsil District Charsadda.	Charsadda/01
10	Mr. Hikmatullah S/O Ali Muhammad C/O Yousaf Medicase Hospital road Sarai Naurang P.O Sarai Naurang Tehsil Sarai Naurang Dist: Lakki Marwat.	Lakki Marwat/04
11	Mr. Imtiaz Ali S/O Allah Dad Regional Institute of Teachers Education (Male) Haripur.	Haripur/05
12	Mr. Inayat-ul-Haq S/O Lutfullah, C/O Doctor Ihsan-ul-Haq Al-Noor Medical Complex near Allabo-akbar Mosque Saidu Sharif Swat.	Shangla/03
13	Mr. Irfanullah S/O Amin Ullah House # 850, Sadiq Abad Gul Dara, Chowk P.O Namak Mandi Kakaal Peshawar.	Dir/03
14	Mr. Ishaq Ali Shah S/O Muhib Ali Shah Village and P.O Umar Payan Tehsil & District Peshawar.	Peshawar/02
15	Mr. Jafar-ur-Rehman S/O Saif Akbar, Khas Village & P.O Bahaini Tehsil District Swabi.	Swabi/01
16	Mr. Jehad Muhammad S/O Shamail Muhammad Mohallah Zakarya Village & P.O Kakaal Tehsil & District Peshawar.	Dir/03
17	Mr. Kamal-ud-Din S/O Karam-ud-Din, C/O Qasimullah Chami Mohallah Dal Nawab Mohallah Saidu Darwaza District Swat.	Swat/03
18	Mrs. Khadija Begum S/O Mir Habibullah Village Peshawar P.O G.M. Khan Tehsil & District Peshawar.	Dir/03
19	Mr. Khan Amir S/O Mirza Ghulam Ahmad Village Peshawar P.O G.M. Khan Tehsil & District Peshawar.	Dir/03
20	Mr. Khuram Khan S/O Dilip Kumar Village Peshawar P.O G.M. Khan Tehsil & District Peshawar.	Dir/03

ATTESTED

[Signature]

KHALID MEHMOOD
Advocate High Court
Stationed at Peshawar

Better Copy-10

Sr.#	Name, Father Name and Address	Domicile/Zone
23	Mr. Mohabbat Shah S/o Arifullah Jan C/o Tajak Book Depot Main Bazar Timergara Dir Lower.	Dir/03
24	Mr. Muhammad Ibrahim S/o Daud Khan, Mohallah, Walayat Khali via Shahbaz Village P.O.Tordher Tehsil Lahore District Swabi	Swabi/02
25	Mr. Muhammad Ihsan Shah S/O Syed Daulat Shah, C/O Janbad Shah Chemist and Druggist Jamrud Bazar Khyber Agency.	Khyber Agency/01
26	Mr. Muhammad Irfan, S/o Faqir Gul 159 Durani House C/O Charsadda Medicose Street No. 06 Tajabad Town P.O Peshawar University.	Peshawar/02
27	Mr. Muhammad Javid Khan S/o Hukmat Khan, Village & P.O Shabqadar Azim Khan Qilla Tehsil Shabqadar District Chasadda	Charsadda /02
28	Mr. Muhammad Saddiqule S/o Allm Shah, C/O Lub Gas Agency Tehsil road Karak.	Karak/04
29	Mr. Muhammad Siraj S/o Muhammad Ashraf, House # 5261/E Moh: Kandar Kohat Road Bhana Mari Peshawar.	Peshawar/02
30	Mr. Munir Khan S/o Zarif Khan, Rehman General Store Aziz Market Dargai Bazar Malakand.	Malakand /03
31	Mr. Nizar Ali S/o Sardar Ali GHSS Tamab Charsadda.	Charsadda/02
32	Mr. Riz-ud-Din S/o Mohay-ud-Din, Village Gosam Tehsil Monda District Dir Lower.	Bajour Agy/01
33	Mr. Safeer Ullah Khan S/o Ruck-nu-Din Village Lass Garhi Bostli Khel Dara Adam Khel F.R Kohat	FR Kohat /02
34	Mr. Sajid Ealhi S/o Imam Din, C/O Waheed Cloth House, Sohrab Market Balakot, District Mansehra.	Mansehra/02
35	Mr. Sajjad Ahmad S/o Muhammad Ayub Govt Centencal Model School (GHS No.3) Mansehra.	UDA
36	Mr. Sana-ul-Haq S/o Shams-ul-Haq Village & P.O Srikh Marozal Tehsil Shaqadar District Charsadda.	Mansehra/03
37	Mr. Saqib Taneer s/o Sakhi Muhammad Tanver, 10 Civil Lines Jall Road D.I.Khan	Charsadda/02
38	Mr. Sarada Muhammad S/o Mirza Khan Village P.O Azakhel Payan Tehsil & Distt: Nowshera.	D.I.Khan /04
39	Sayed Zulfiqar Ali S/o Sayed Ali Bahadur Shah Village & P.O Nawagal Tehsil Mandam District Bunir	Nowshera/02
40	Mr. Shafqat Hussain S/o Muhammad Ashraf, C/O Irshad Shopkeeper Near Makki Masjid Link Road Abbottabad.	Bunir/03
41	Mr. Shah Zada S/o Halder Khan, Village & P.O Dehri Alladand Mo: Miras Khel Malakand.	Abbottabad/05
42	Mr. Sher Mohammad S/o Shamsoor Rehman Vill: & P.O Chakesar Tehsil Chakesa District Shangla.	Malakand/03
43	Mr. Sher Yazdan S/o Abdul Dayan, Village Kurvi P.O Taru Jaba Tehsil & Distt: Nowshera	Shangla/03
44	Mr. Taj Wali S/o Maq Ball, Village Sufaid Sung Moh: Wand Khle P.O Shagal Bazar Tehsil & District Peshawar.	Nowshera/02
45	Mr. Taqweem-ul-Haq S/o Abdur Raziq House # F-46 Right Bank Colony Torbela Dam Tehsil Toppi District Swabi.	Peshawar/02
46	Mr. Waqar Khan S/o Sifat Ullah, Village and P.O Masho Khel Kandi Fateh Khan Khel Kandi Tehsil and District Peshawar.	Swabi/02
47	Mr. Zahoor Khan s/o Abdul Qayyum Khan Village Garhi Malli Khel P.O Badaber The& District Peshawar.	Peshawar/02
48	Mr. Amir Zeb S/o Mustafa Kamal, Govt High School Rustam P.O Rustam District Mardan.	Peshawar/02
49	Mr. Assim Saeed S/o Muhammad Saeed, Basti Ustana North Near Boys Primary School Dera Ismail Khan.	Mardan/02
50	Mr. Kifayatullah S/o Rafiullah Kahrri village & P.O Mayar Moh: Amukhel Tehsil & District Mardan.	D.I.Khan/04
51	Mr. Muhammad Khan S/o Gul Rehman Village & P.O Gandaf Mohallah Shabi Khel Tehsil Topi District Swabi.	Mardan/02
52	Mr. Saif-ur-Rehman S/o Sultan Khan Hashem GHS Mandew Bannu	UDA Swabi/03
53	Mr. Sarfaraz S/o B-N..... Girls School and College Dabgarl Gardan Peshawar.	Lakki Marwat/04
54	Mr. Shakil Ahmad S/o Mehtab Khan Govt. High School No.2 Becket Gunj Mardan.	Peshawar/02
		Mardan/02

ATTESTED

KHALID MEHMOOD
Advocate High Court
Station Road D.I. Khan

Terms & Conditions of Service in r. o. officers from Sr. No. 1 to 55 above are as under:

1. Their services will be considered regular and they will be eligible for pension/deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servants Act 1973 as amended in 2013.
2. Their services are liable to termination on one month's notice from either side. In case of resignation without notice, their one month's pay/allowances shall be forfeited to the Govt.
3. They would be on probation for period of one year extendable for another one year.
4. They will be governed by such rules and regulations as may be issued from time to time.
5. Their services can be terminated at any time, in case their performance is found unsatisfactory during probationary period. In case of misconduct, they will be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 as amended from time to time.
6. Their recruitment shall be School Based and shall not be transferable to any other School.
7. The appointees should join their posts within 30 days of the issuance of this notification. The Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar would furnish a certificate to the effect that the candidates have joined the posts otherwise, after one month of the issuance of this Notification, failing which their candidature shall expire automatically and no subsequent appeal etc. shall be entertained.
8. Charge report should be submitted to all concerned.
9. Notification can be downloaded from our website: www.knese.gov.pk
10. No TA/DA will be allowed to the appointees for joining their duty.

SECRETARY

Serial of copy No. & Date

Copy forwarded to the

- 1. Accountant General, Khyber Pakhtunkhwa
- 2. Director, Education, Khyber Pakhtunkhwa, Peshawar.
- 3. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 4. Director, Administration, Khyber Pakhtunkhwa Public Service Commission.
- 5. Director, Finance, Khyber Pakhtunkhwa Public Service Commission.
- 6. Director, Legal, Khyber Pakhtunkhwa Public Service Commission.
- 7. Director, Information & Public Relations, Khyber Pakhtunkhwa Public Service Commission.
- 8. Director, Training, Khyber Pakhtunkhwa Public Service Commission.
- 9. Director, Welfare, Khyber Pakhtunkhwa Public Service Commission.
- 10. Director, Health, Khyber Pakhtunkhwa Public Service Commission.
- 11. Director, Labour, Khyber Pakhtunkhwa Public Service Commission.
- 12. Director, Transport, Khyber Pakhtunkhwa Public Service Commission.
- 13. Director, Stores, Khyber Pakhtunkhwa Public Service Commission.
- 14. Director, Accounts, Khyber Pakhtunkhwa Public Service Commission.
- 15. Director, Audit, Khyber Pakhtunkhwa Public Service Commission.
- 16. Director, Legal, Khyber Pakhtunkhwa Public Service Commission.
- 17. Director, Information & Public Relations, Khyber Pakhtunkhwa Public Service Commission.
- 18. Director, Training, Khyber Pakhtunkhwa Public Service Commission.
- 19. Director, Welfare, Khyber Pakhtunkhwa Public Service Commission.
- 20. Director, Health, Khyber Pakhtunkhwa Public Service Commission.
- 21. Director, Labour, Khyber Pakhtunkhwa Public Service Commission.
- 22. Director, Transport, Khyber Pakhtunkhwa Public Service Commission.
- 23. Director, Stores, Khyber Pakhtunkhwa Public Service Commission.
- 24. Director, Accounts, Khyber Pakhtunkhwa Public Service Commission.
- 25. Director, Audit, Khyber Pakhtunkhwa Public Service Commission.

ATTESTED

KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar

Phone No. 091-9210626

Dated, the Peshawar 28th June, 2024

NOTIFICATION

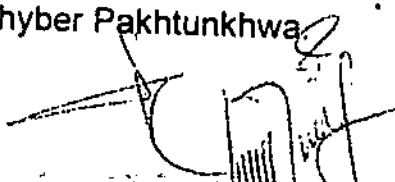
NO.SO(MC)E&SED/4-16/2024/PT/DDEO(M)/DIK: / 524 Muhammad Noor Sultan (MC BS-17),
DDEO (Male) in OPS, D.I.Khan, is hereby transferred and directed to report to Directorate
of E&SE immediately, till further orders.

SECRETARY TO THE GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT


Endst: of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Male) D.I.Khan.
4. District Account Officer D.I.Khan.
5. Director EMIS, E&SE Department with the request to upload the same on
the official website of the department.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Master file.


(JANBAZ AHMED)
SECTION OFFICER (Management Cadre)

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

Asif

(D)

22

BATTER COPY

Government of Khyber Pakhtunkhwa
Elementary and Secondary Education Department
Block "A" Opposite MPA Hostel, Civil Secretariat
Peshawar
Phone No. 091-9210626

Dated the Peshawar 19-July-2024

NOTIFICATION

No. SO(MC)E&SED/4-16/2024/PT/DDEO(M)/DIK Mr. asim saeed (TC BS-18), senior SS islamiat GHSS Ramak DI khan is here by transfered and posted as DDEO (Male) D.I khan against the vacant post with immediate effect, in the best public interest.

Secretary to the government of Khyber Pakhtunkhwa

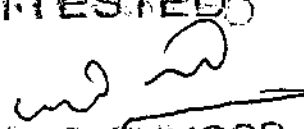
E&SE Department

Endst: of even No. & date:

Copy forwarded for information to the:

1. Accountant general Khyber Pakhtunkhwa Peshawar.
2. Director E&SE Khyber Pakhtunkhwa Peshawar.
3. Director EMIS E&SE department with the request to upload the same on the official website of the department.
4. District education officers (Male) D.I khan.
5. District account officer D.I khan.
6. PS to secretary E&SE department, Khyber Pakhtunkhwa.

ATTESTED


KHALID MISHMOOR
Advocate High Court
Stationed at D.I Khan

(JANBAZ AHMED)
Section Officer (Management Cadre)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9210626



Dated, the Peshawar 19th July, 2024

NOTIFICATION


NO.SO(MC)E&SED/4-16/2024/PT/DDEO/DIK: Mr. Ashm Saeed (TC BS-18), Senior SS Islamiat, GHSS Kamak D.I.Khan is hereby transferred and posted as DDEO (Male) D.I.Khan, against the vacant post, with immediate effect, in the best public interest.

SECRETARY TO THE GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT


Endst: of even No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officer (Male) D.I.Khan.
5. District Accounts Officer D.I.Khan.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.


(JANBAZ AHMED)
SECTION OFFICER (Management Cadre)

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan

APR 23

D.No 3759
11/7/2024

To

Secretary to the Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department Peshawar.

Subject: **APPEAL AGAINST NOTIFICATION DATED 28-06-2024**

Respected Sir,


With profound regards it is submitted that I belong to Management Cadre and posted as Deputy District Education Officer (Male) DIKhan on OPS vide Notification No. SO(MC)E&SED/4-16/2023/PT/SDEOs/DIK Dated 01-12-2023 and the said orders were challenged in KP Service Tribunal by Assim Saeed (Teaching Cadre) vide service appeal No. 2586/2023 and decided on 12-02-2024. The said appeal was dismissed by the honourable KP Service Tribunal. Recently I have been ordered to report to the Directorate of ESED Peshawar vide Notification NO. SO(MC)E&SED/4-16/2024/PT/DDEO(M)/DIK Dated 28-06-2024.

It pertinent to mention here that my tenure as DDEO has not been completed on this station. It is further stated that no complaint is lodged/pending against me.


Therefore, your good honor is requested to please withdraw the said notification issued on dated 28-06-2024 and oblige.

For this oblige I shall remain thankful to your good self.

Dated: 29.06.2024


Muhammad Noor Sultan
DDEO(M)DIKhan
0345-924-0885

ATTESTED


KHALID MEHMOOD
Advocate High Court
Stationed at D.I.Khan



KHALID MEHMOOD

Advocate
bc-15-5415
Date of issue: October 2020
Valid upto: October 2023



Secretary
KP Bar Council

24

وکالت نامہ

ایک روپیہ
کورٹ فیس

بعدالت جناب جسٹس کونوٹو جی ایچ ایس آر ایچ
منجانب پیپلز جسٹس
مخدور سلطان نام گوہر صاحب
دعویٰ یا جرم
تفصیل دعویٰ یا جرم اپر 2586/2024
باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشگی یا تفسیح مقدمہ مقام
حالیہ صورت و احوال
کو جب ذیل شرائط پر دیکل مقرر کیا ہے، کہ میں ہر پیشگی پر خود بذریعہ تفتیہ خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب
موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشگی پر منظر حاضر نہ ہوں۔ اور مقدمہ میری غیر حاضری 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 صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل ہیروئی کرنے کے
ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل ہیروئی کرنے کے ذمہ دار نہ
ہوں گے۔ اور مقدمہ صدر پکھری کے علاوہ اور جگہ ناعت ہونے یا بروز تعطیل یا پکھری 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 عتقاندہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پروا خط صاحب موصوف مل کر وہ
ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اپیل مگرانی و ہر قسم درخواست پر دتھ و تصدیق کرنے کا
بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرانے اور ہر قسم کارروپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثانی یا راضی نامہ و فیصلہ نہ
حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیش مقدمہ مذکورہ ہیروئی از پکھری صدر ہیروئی مقدمہ مذکورہ نظر ثانی و اپیل مگرانی و درآمدگی
مقدمہ یا مستوفی ڈگری کی طرف یا درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ عتقاندہ ہیروئی کا اختیار ہوگا
اور تمام ساختہ پروا خط صاحب موصوف مل کر وہ ذات خود منظور 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 اپیل یا مگرانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا ہیر مشرک اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو
بھی ہر امر میں وہی اور دینیے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جانہ التوام پڑیگا، وہ صاحب
موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشگی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی ہیروئی 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 رہے
مورخہ 20 مئی 2024

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

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Accepted
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