


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 980/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	05.09.2024	<p>The implementation petition of Syed Abdullah Haider submitted today by Mr. Muhammad Aslam KhanTanoli Advocate. It is fixed for implementation report before touring Single Bench at A.Abad on - 24.09.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to counsel for the petitioner.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Execution Petition No.....980.....

Syed Abdullah Haider, Ex-Junior Clerk, District Police Haripur.
.....(Petitioner)

VERSUS

1. District Police Officer, Haripur.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.

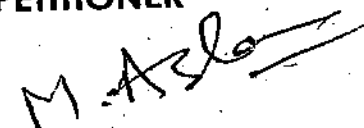
EXECUTION PETITION IN SERVICE APPEAL NO. 1721/2022

INDEX

S/No.	Description of documents.	Annexure	Page No.
1.	Execution Petition		01-04
2.	Decision dated 24-06-2026	"A"	05-11
3.	Duty Report of 05-07-24 & 30-8-24	"B&C"	12-13
4.	Copy of Minutes of Meeting	"D"	14
5.	Wakalatnama		15


PETITIONER

THROUGH


(MUHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
AT PESHAWAR

Dated: 05-08-2024

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Execution Petition No.....

Diary No. 15459

Dated 05.09.24

Syed Abdullah Haider, Ex-Junior Clerk, District Police Haripur, R/O
Village Changi Bandi, Tehsil and District Haripur.

.....(Petitioner)

VERSUS

1. District Police Officer, Haripur.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.

**EXECUTION PETITION IN SERVICE APPEAL NO.280/2023 FOR
IMPLEMENTATION OF JUDGMENT/DECISION DATED 24-06-2024 OF
THIS HONOURABLE SERVICE TRIBUNAL.**

**PRAYER: ON ACCEPTANCE OF INSTANT EXECUTION PETITION THE
RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO IMPLEMENT THE
JUDGMENT/DECISION DATED 24-06-2024 OF THIS HONOURABLE
SERVICE TRIBUNAL PROVISIONALLY/CONDITIONALLY SUBJECT TO
OUTCOME OF CPLA BEING FILED BY THE RESPONDENTS.**

Respectfully Sheweth:

1. That petitioner/appellant filed subject service appeal before this Honorable Service Tribunal against the order dated 20-10-2022 of Respondents whereby petitioner/appellant was awarded the punishment of "dismissal from service" by the DPO Haripur/Respondent No.1, and his departmental appeal was not responded.
2. That this Honorable Tribunal on acceptance of subject service appeal issued judgment/decision dated 24-06-2024 with the order that "In view of the above situation, instant service appeal is accepted. The impugned order dated 20-10-2022 is set aside and appellant is reinstated

into service with all back benefits. Costs shall follow the event. Consign".

(Copy of judgment/decision dated 24-06-2024 is attached as Annexure-"A").

3. That on receipt of attested copy of the judgment/decision dated 24-06-2024 of this Honorable Tribunal, the appellant verbally requested the respondents' time & again and even through written duty report dated 05-07-2024 and registered duty report dated 30-08-2024 for implementation of the judgment/decision but of no avail. **(Copy of duty report dated 05-07-2024 and 30-08-2024 with registry receipt are attached as Annexure- "B & C").**

4. That respondents instead of implementation of the judgment/ decision of this Honorable Tribunal constituted a Scrutiny Committee dated 29-07-2024 wherein it has been decided to file a CPLA against the judgment/decision dated 24-06-2024 of Honorable KPK Service Tribunal before the Supreme Court of Pakistan. **(Copy of the minutes of meeting Scrutiny Committee dated 29-07-2024 is attached as Annexure-"D").**

5. That despite petitioner's incessant approaches and submission of written duty report dated 05-07-2024 to respondents, he has not been granted the decided rights/benefits of his service. Owing to this petitioner/appellant alongwith his family facing financial distresses.

- ③
6. That there is no stay order from the Apex Supreme Court of Pakistan against the judgment/decision dated 24-06-2024 of this Honorable Tribunal and in such a position respondents are legally bound to implement the said judgment/decision in its letter and spirit. Hence this Execution Petition on the following:

GROUND

- A) That as this Honorable Service Tribunal in its judgment/decision it is mentioned that "In view of the above situation, instant service appeal is accepted. The impugned order dated 20-10-2022 is set aside and appellant is reinstated into service with all back benefits. Costs shall follow the event. Consign".
- B) That there is no stay order from the Apex Supreme Court of Pakistan against the Judgment/decision dated 24-06-2024 of this Honorable Tribunal and the same is in field. Respondents are legally bound to comply with the said judgment/decision.
- C) That departmental authorities/respondents are reluctant to pay any heed to the judgment/decision dated 24-06-2024 of this Honorable Tribunal hence instant execution petition.
- D) That petitioner alongwith his family is facing financial distresses because of non-implementation of judgment/ decision of this Honorable Tribunal.

(7) (4)

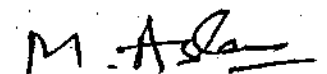
E) That instant Execution Petition is well within time and this Honorable Tribunal has got every jurisdiction to entertain and adjudicate upon the same.

PRAYER:

It is, therefore, humbly prayed that this Honorable Tribunal may graciously be pleased to accept this Execution Petition and issue necessary orders/directions to the respondents to implement the judgment/decision dated 24-06-2024 of this Honorable Tribunal in its true letter and spirit.


PETITIONER

THROUGH


(MUHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
AT ABBOTTABAD

Dated: 05-08-2024

AFFIDAVIT

I, Abdullah Haider petitioner do hereby undertake/solemnly affirm that the contents of foregoing petition are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed from this Honorable Tribunal.

Dated: 05-08-2024


DEPONENT

(5)

Annex - A

Service Appeal No. 280/2023 titled "Syed Abdullah Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others"; decided on 24.06.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Aurangzeb Khattak, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR
AT CAMP COURT, ABBOTTABAD

BEFORE: KALIM ARSHAD KHAN ... CHAIRMAN
AURANGZEB KHATTAK ... MEMBER (Judicial)

Service Appeal No.280/2023

Date of presentation of Appeal.....06.02.2023
Date of Hearing.....24.06.2024
Date of Decision.....24.06.2024

Syed Abdullah Hyder, Junior Clerk, District Police, Haripur, R/o Village & P.O Changi Bandi, Tehsil & District Haripur..(Appellant)

Versus

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Abbottabad.....(Respondents)

Present:

Mr. Muhammad Aslam Tanoli, Advocate.....For the appellant
Mr. Asif Masood Ali Shah, Deputy District AttorneyFor respondents

.....
APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST ORDER DATED 20.10.2022 OF THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN DISMISSED FROM SERVICE IN VIOLATION OF LAW, RULES AND REGULATIONS GOVERNING TERMS AND CONDITIONS OF APPELLANT'S SERVICE.

JUDGMENT

KALIM ARSHAD KHAN, CHAIRMAN: Brief facts of the case, as per averments of the appeal, are that appellant was serving as Junior Clerk in the office of District Police Officer, Haripur; that on the basis of his alleged involvement in a criminal case, he was issued charge

ATTESTED

AURANGZEB KHATTAK
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

03/7/24

6

Service Appeal No. 280/2023 titled "Syed Abdullah Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others", decided on 24.06.2024 by Division Bench comprising of Mr. Kallim Arshad Khan, Chairman, and Mr. Aunangzeb Khattak, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.

sheet on 10.08.2022, which was replied by him by denying the allegations leveled against him; that vide order dated 20.10.2022, he was dismissed from service; that feeling aggrieved, he filed departmental appeal on 02.11.2022, which was not responded, hence, the instant service appeal.

02. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

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

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

05. The appellant was proceeded departmentally on the basis of charge sheet, wherein, it was alleged that:

"It has come into the notice of undersigned after perusing case FIRs No.345 dated 06.08.2022 U/S 188 PPC (LSA) ¼ (PS Sarai Saleh) and 349 dated 09.08.2022 U/S 504, 505, 506, 188, 298,295-A/153A, 147, 149, 7ATA/16 MPO PS Sarai Saleh, that you hold an illegal "Majlis" at your home without obtaining any permission from the competent forum. Similarly, you were also found involved in discovering an illegal, untraditional and un-scheduled procession, being part of a disciplined force, you did not bother to follow the due process of law for organizing the same. Your these acts/commissions are highly objectionable

Page 2

ATTESTED

Member Judicial
Service Tribunal
Peshawar

7

Service Appeal No. 280/2023 titled "Syed Abdullah Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others"; decided on 24.06.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Aurangzeb Khanat, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.

and gross misconduct on your part in terms of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. Hence, charge sheeted"

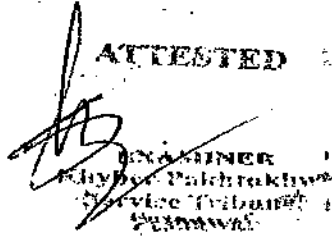
After issuance of charge sheet, the DPO ordered for inquiry, which was accordingly conducted, wherein, the Inquiry Officer had given his findings that on 02.08.2022, the appellant had arranged sound system; the enquiry officer held the appellant guilty. While in the statement of allegations, the District Police Officer, Haripur has held that the appellant had arranged "Majlis" at his home. Besides, nothing has been specified in the statement of allegations as well as in the inquiry report that there was any illegality or objectionable act, committed by the appellant in the said Majlis.

06. As the appellant was proceeded and penalized for his alleged holding Majlis and there is nothing in the inquiry report regarding any illegality of the appellant regarding the above occurrence, therefore, the appellant seems to have been penalized for another incident and not the one he was charged with. The Inquiry Officer failed to collect any evidence regarding the allegations leveled against the appellant. No witness was examined by the Inquiry Officer thereby depriving the appellant of cross-examination and thus unfair treatment was meted out. The whole proceedings, especially, the inquiry proceeding is thus full of dents, hence, not sustainable.

07. The Supreme Court of Pakistan in a case reported as 2023 SCMR 603 titled "Federal of Pakistan through Chairman Federal Board of Revenue FBR House, Islamabad and others" held that:

Page 3



ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Service Appeal No. 280/2023 titled "Syed Abdullahi Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others", decided on 24.06.2024 by Division Bench comprising of Mr. Kallu Arshad Khan, Chairman, and Mr. Awrangzeb Khattak, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar of Camp Court, Abbottabad.

"8. The primary objective of conducting departmental inquiry is to grasp whether a clear-cut case of misconduct is made out against the accused or not. The guilt or innocence is founded on the end result of the inquiry. The learned Service Tribunal may observe whether due process of law or right to fair trial was followed or ignored which is a fundamental right as envisaged under Article 10-A of the Constitution of the Islamic Republic of Pakistan, 1973 ("Constitution"). In a regular inquiry, it is a precondition that an evenhanded and fair opportunity should be provided to the accused and if any witness is examined against him then a fair opportunity C.A.33-K/2018 5 should also be afforded to cross examine the witnesses. In a departmental inquiry on the charges of misconduct, the standard of proof is that of balance of probabilities or preponderance of evidence. Where any authority regulates and performs its affairs under a statute which requires the compliance of the principles of natural justice then it should have been adhered to inflexibly.

12. As a fall back argument, the learned counsel for the appellant insisted that if the learned Tribunal had detected some discrepancy or lacuna in the inquiry proceedings due to non-recording of evidence or not affording the right of cross examination to the respondent, then the right avenue was to remand the matter to the competent authority to conduct de novo inquiry, rather than granting the relief of reinstatement with conversion of major penalty into minor penalty. In our considerate insight, the remand of a case to the lower fora cannot be claimed as a vested right, but it is always the province of the Court or Tribunal to first figure out whether any material error or defect was committed by the Court in the order or judgment which really and adversely affected the corpus of the case and caused serious prejudice or injustice to the party requesting remand on some essential questions of law or fact which was ignored by the courts below while deciding the lis. In our analysis, we have not found any error on the part of the learned Tribunal, rather it is the inquiry officer who had committed grave procedural errors. We are sanguine that the inquiry officer cannot be expected to be trained as a judicial officer, but when the inquiry is conducted under some statute or enabling rules, then it is the onerous duty and responsibility

ATTESTED
[Signature]
Service Tribunal
Peshawar

Service Appeal No. 280/2023 titled "Syed Abdullah Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others", decided on 24.06.2024 by Division Bench comprising of Mr. Kallim Arshid Khan, Chairman, and Mr. Aurangzeb Khanak, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.

of the inquiry officer that he should be conversant with the applicable rules before accepting and performing the task of an inquiry officer and should also observe the principle of natural justice and due process of law. Due to the defective inquiry (deliberately or undeliberately), the ultimate sufferer would be the department which initiated the departmental proceedings on the charges of misconduct. Sometimes by dint of patent faults, blunders and/or procedural lapses, the accused is exonerated with the blessing of benefit of doubt. While conducting the inquiry, the procedure and parameters provided under E&D Rules should have been followed. The purpose of remand is not to provide an opportunity to rectify the lacunas or deliberate omissions or violations in the inquiry despite availability of unequivocal rules enumerating the procedure for guidance of inquiry officer. However, we feel it appropriate to note down that the matter of a departmental inquiry should not be conducted in a cursory or perfunctory manner and in order to improvise the norms and standards of departmental inquiry under the Civil Servants Act, 1973 and E&D Rules or in other enabling Rules, it would be advantageous that a "Handbook" of inquiry procedure be compiled by the appellant with the excerpts of all relevant Rules including the rule of natural justice and due process of law enshrined under Article 10-A of the Constitution for the step-by-step help and assistance of inquiry officers or inquiry committees so that in future, they may be well conversant with the precise procedure before embarking on the task of an inquiry and conduct the inquiry proceedings without ambiguities."

08. Therefore, the instant matter could not be remitted for filling the lacunas, especially when there is no solid ground for penalizing the appellant. The whole process shows that the impugned action of the department was not justified.

09. In view of the above situation, instant service appeal is accepted. The impugned order dated 20.10.2022 is set aside and the

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

16

Service Appeal No. 280/2023 titled "Syed Abdullah Hyder versus Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others", decided on 24.06.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Aurangzeb Khattak, Member Judicial, Khyber Pakhtunkhwa Service Tribunal, Peshawar at Camp Court, Abbottabad.

appellant is reinstated into service with all back benefits. Costs shall follow the event. Consign.

10. Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 24th day of June, 2023.

KALIM ARSHAD KHAN
Chairman
Camp Court, Abbottabad

AURANGZEB KHATTAK
Member (Judicial)
Camp Court, Abbottabad

Mutazam Shah

ATTESTED

ENAB KHAN
Chairman of Division Bench
Khyber Pakhtunkhwa Service Tribunal
Peshawar

03/7/24

Date of Presentation of Application 03/7/24
 Number of Words 67
 Copying Fee 3/-
 Urgent 5/-
 Total _____
 Name of Copyist _____
 Date of Completion 03/7/24
 Date of Delivery of Copy 03/7/24

10

25th Apr. 2024

1. Appellant in person present. Mr. Asif Masood -Ali Shah, Deputy District Attorney for the respondents present.
2. Former made a request for adjournment as his counsel was not available today. Adjourned. To come up for arguments on 24.06.2024 before D.B at Camp Court, Abbottabad. P.P given to the parties.

SC
KPST
Peshawar

Mutazem Shah

(Muhammad Akbar Khan)
Member (E)
Camp Court, A/Abad

(Kalim Arshad Khan)
Chairman
Camp Court, A/Abad

S.A No.280/2023

ORDER

24th June. 2024

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and heard.
2. Vide our detailed judgment of today placed on file, instant service appeal is accepted. The impugned order dated 20.10.2022 is set aside and the appellant is reinstated into service with all back benefits. Costs shall follow the event. Consign.
3. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 24th day of June, 2024.*

Mutazem Shah

(Aurangzeb Khattak)
Member (J)
Camp Court, Abbottabad

(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

1/5
Attached

12/05/2024

(Abdul Wahid Hashari)
Junior Clerk

Yours faithfully


The, Sir, regarding request that I may very kindly be allowed to resume duty from 24-6-24 and oblige

attached.

benefits. (copy given judgment in order dated 24-6-24 151)

And Requested me in secure with all secure back

accepted with judgment and order dated 24-6-24

before in risk score tribunal-fairness with was

was not respond. I had secure attached at 20/10/2022

by the DPO Harpur and department of the applicant

dismissed from service with order dated 20-10-2022

with respect it is noted that I was

Sir,

Subject: Duty Report in news statement in Service
through risk score tribunal-fairness.

to the DPO Harpur


Amman 6 B

To
The DPO Haripur

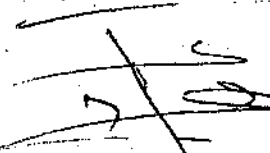
Subject: Duty Report on reinstatement in Service
Through KPK service Tribunal Peshawar.

R/sir,
With respect it is stated that I was dismissed from service vide order dated 20-10-2022 by the DPO Haripur and departmental of the appellant was not responded. I filed Service Appeal No. 280/2022 before the KPK Service Tribunal Peshawar which was accepted with judgment and order dated 24-6-24 and reinstated me in service with all service back benefits. (copy of the judgment & order dated 24-6-24 is attached).

It is therefore requested that I may very kindly be allowed to resumed duty wef 24-6-24 and obliged.

Yours obediently

(Abdullah Haider)
Junior Clerk

Dated 30th 08
2024

Attested


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**DISTRICT POLICE OFFICER
HARIPUR**

Ph: 0995-920100/01, Fax-0995614714, Email:-dpoharipur1@gmail.com

(14) Annex D

**MINUTES OF THE SCRUTINY COMMITTEE MEETING ON JUDGMENT OF HONORABLE
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR CAMP COURT
ABBOTTABAD ON SERVICE APPEAL NO.280/2023.**

In compliance with the AIG, Legal, CPO, Peshawar office letter No.371/Legal dated 25.01.2024.

The meeting of the Scrutiny Committee was convened at the office of undersigned on 29.07.2024 at 03:00 hours. The following participants attended the meeting:-

- 1) Mr. Muhammad Gulzar, DSP, Legal, Haripur.
- 2) Mr. Shah Jahan, DSP HQrs: Haripur.
- 3) Mr. Yousaf Khan, DSP Investigation Haripur.
- 4) Mr. Ashraf Khan, Office Superintendent DPO Office Haripur.
- 5) Mr. Kashif-ur-Rehman Incharge, Establishment Branch, DPO Office Haripur.

Judgment of honorable Khyber Pakhtunkhwa, Service Tribunal Peshawar, Camp Court, Abbottabad on Service Appeal No.280/2023 titled "Syed Abdullah Hyder, Junior Clerk, District Police, Haripur, r/o Village & P.O Changi Bandi, Tehsil & District Haripur VS Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others" was gone through in detail and relevant record was perused. The appellant namely Syed Abdullah Hyder, while posted at Pay Branch, DPO Office Haripur, involved in cases vide FIR No.345 dated 06.08.2022 u/s 188 PPC/ ¼ LSA PS Sarai Saleh and FIR No. 349 dated 09.08.2022 u/s 504/505/506/188/298/295-A/153-A/147/149/7-ATA/16 MPO PS Sarai Saleh, that he held illegal "Majlis" at his home without obtaining any information from the competent authority. The appellant was discharged from the case vide FIR No.345 dated 06.08.2022 u/s 188 PPC/ ¼ LSA on technical/legal points on the application of Special Public Prosecutor, Haripur. However, in the discharged order, it was not mentioned that the appellant had been acquitted humbly from the case. It is also worth mentioning that the case vide FIR No.349 dated 09.08.2022 u/s 504/505/506/188/298/295-A/153-A/147/149/7-ATA/16 MPO PS Sarai Saleh is under trial in the competent court.

The case was contested and the honorable Service Tribunal, Camp Court, Abbottabad vide its judgment dated 24.06.2024 accepted the service appeal by set aside the departmental punishment and appellant is reinstated in service with all back benefits.

Since, the matter is of important nature, therefore, the scrutiny committee unanimously decided that the case is fit for filing of CPLA in the Apex Court and recommends for doing the needful in the matter.

District Police Officer
Haripur
(Chairman)

DSP Legal, Haripur
(Member)

DSP Investigation, Haripur
(Member)

DSP HQrs: Haripur
(Member)

Office Superintendent
DPO Office Haripur
(Member)

Incharge Establishment Branch,
DPO Office Haripur
(Member)

وکالت نامہ

بعدالت جناب ہیڈ کوارٹرز سروس ٹریڈ یونین سید

مخواب Petitioner

NPK etc

محمد عبدالرشید

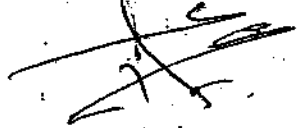
دعویٰ یا جرم Execution Petition باعث تحریر آنکہ

مندرجہ بالا عنوان میں اپنی طرف سے بیرونی وجودی مقام اسٹیل آباد کے نام سے
 گورنمنٹ سٹیٹ بینک آف انڈیا کو وکیل بدیں شرط وکیل مقرر کیا۔ کہ میں ہر پیشگی پر خود یا بذریعہ مختار خاص
 رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی
 پیشگی پر مظہر حاضر نہ ہوں۔ اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ
 ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام چکھری کے علاوہ کسی اور جگہ یا چکھری کے مقررہ اوقات سے پہلے یا بروز
 تعطیل بیرونی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام چکھری کے کسی اور جگہ سماعت ہونے یا بروز چکھری کے اوقات
 کے آگیا یا چھپے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے
 بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پرواختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا اور صاحب
 موصوف کو عرضی دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق
 کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجرا کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے
 کا ہر قسم کا بیان دینے اور پیر و عائشہ و راضی نامہ و فیصلہ بر خلاف کرنے اقبال و دعویٰ کا اختیار ہوگا۔ اور بصورت اپیل و
 برآمدگی مقدمہ یا منسوخی ڈگری یا بطرف درخواست حکم امتناعی یا ڈگری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو
 بشرط ادا کی علیحدہ بیرونی مختار نامہ کرینا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر
 کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب
 موصوف کو۔ پوری فیس تاریخ پیشگی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیرونی نہ
 کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند ہے مضمون
 مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

Accepted by

M. A. S. 24-8-05 مورخہ

محمد عبدالرشید


Petitioner