

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

12025 cpc Petition No 1189/2024

Application / Petition No. _____/2024

Khaista Gul Applicant/Petitioner

Versus

Secretary Agriculture and others Respondents

I N D E X

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Applicant/Petitioner

Through

Dated: 14.10.2024

Abdur Rauf Khan
Advocate High Court.

①

BEFORE THE KHYBER PAKHTONKHTWA SERVICE TRIBUNAL,
PESHAWAR

12(2) CPE Petition No. 1189/2024

Application/Petition No. _____ of year 2024

1. Khaista Gul S/o Wali Gul, Junior Clerk BPS (11) presently posted at Sugar Crop Research Institute, Charsadda Road, Mardan.

.....Applicant / Petitioner

VERSUS

1. Secretary Agriculture Civil Secretariate, KPK, Peshawar.
2. Director General Research, Agriculture University, Peshawar.
3. Director Sugar Crops Research Institute, Charsadda Road, Mardan.
4. Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm, Research Institute, Charsadda Road, Mardan.
5. Shabir Ahmad, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
6. Rahat Khan S/o Kareem Khan, Junior Clerk BPS (11) Presently Posted at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
7. Muhammad Ibrar, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
8. Noor Aziz, Designated as Junior Clerk BPS (11) at Agriculture Research Station, Chitral.
9. Inam Ullah, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.

②

10. Wajid Khan, Designated as Junior Clerk BPS (11) at Cereal Crops Research Institute, Pirsabak, Nowshera.
11. Ajab Khan Designated as Junior Clerk BPS (11) at Agricultural Research Station, Harichand, Charsadda.
12. Muhammad Basir Designated as Junior Clerk BPS (11) at Agricultural Research Institute, Tarnab, Peshawar.
13. Mudassir Aqeel Designated as Junior Clerk BPS (11) at Director General Agricultural Research, Khyber Pakhtoonkhwa, Peshawar

.....Respondents

APPLICATION UNDER SECTION 12(2) OF CIVIL PROCEDURE (ACT V OF 1908) READ WITH SECTION 151 OF C.P.C AGAINST ORDER DATED 25-04-2024 PASSED IN SERVICE APPEAL NO. 1507/2023 INSTITUTED BEFORE THE HON'BLE TRIBUNAL ON 30-10-2023 WHEREBY THE ORDER DATED 31-10-2022 PASSED BY RESPONDENT NO.3 PERTAINING TO PROMOTION OF THE APPLICANTS/ PETITIONERS HAS BEEN SET-ASIDE ON ACCEPTANCE OF CIVIL APPEAL NO. 1507 OF THE YEAR 2023 FILED BY RESPONDENT NO.1 NAMELY MOHAMMAD ISMAIL IT IS HEREBY PRAYED, THAT AS THE VERY ORDER DATED 25-04-2024 IS BASED ON ACTIVE CONCEALMENT OF MATERIAL FACTS BY RESPINDENT NO. 1 FROM THE COURT, BY NOT IMPLEADING THE APPLICANTS AS NECESSARY PARTIES IN HIS ABOVE APPEAL, THEREFORE UNDER PROVISIONS OF SECTION 12(2) C.P.C, THE ABOVE ORDER/ DECREE PASSED BE SETASIDE

Respectfully Sheweth: -

The Petitioner/ Applicant submits as under:

- I. That in the above civil appeal, the applicant has not been impleaded as necessary party wherein, the respondent

Muhammad Ismail has assailed the order **dated 31-10-2022** passed by respondent No.2 pertaining to promotion of the Applicant/ Petitioner (**Copy of the above appeal No. 1507/2023 and order dated 31-10-2022 are annexed as "A" and "B"**)

- II. That in support of the contents of his civil appeal, the Respondent No. 4 has not produced any documentary or oral evidence and the very impugned decree/ order dated 25-04-2024 is not based on any cogent evidence (**Order dated 25-04-2024 is annexed as "C"**)
- III. That the name of respondent No.4 is at S.NO.68 of the seniority list of the class IV employees while the name of Applicant is at Serial No.31 of the seniority list issued by the Respondent No. 2 meaning thereby, that his promotion is at pre-mature stage and in addition to the applicant, other eligible class 4 employees would also suffer from the impugned judgment dated 25-04-2024 (**The requisite seniority list is annexed as "D"**)
- IV. That the very above-mentioned appeal had been filed by the respondent No. 4 beyond the period of limitation as prescribed for filing of suchlike service appeals and respondent No.4 has also not sought any condonation of delay in filing of his appeal at such delayed stage beyond the period of limitation.
- V. That the impugned decree/ order dated 25-04-2024 has not been passed by this Hon'ble Court by considering the material facts and evidence on record and being so, the case of the petitioner/ applicant is required for inquiry and leading of pro and contra evidence in the matter.

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VI. That other grounds in support of this application would be raised at the stage of hearing arguments over this very application with the kind permission of this Hon'ble Court.

PRAYER

In the view of the above circumstances, it is humbly prayed that on acceptance of the instant application under section 12(2) of C.P.C, the impugned order/ decree dated 25-04-2024 in appeal No. 1507/2023 maybe kindly set-aside and the order dated 31-10-2022 issued by respondent No.3 be restituted under section 144 or 151 of the civil procedure code.

Any other remedy as deemed appropriate and not specifically asked for, may also be granted to the Applicants/ Petitioners

Petitioners/ Applicants
Through
Abdur Rauf Khan
Advocate High Court

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BEFORE THE KHYBER PAKHTONKHTWA SERVICE TRIBUNAL,
PESHAWAR

Application/Petition No. _____ of year 2024

Khaista Gul and Others.....

Applicants/ Petitioners

VERSUS

Muhammad Ismail and Others.....

..... Respondents

AFFIDAVIT

It is hereby affirmed on oath that this is the first petition before this Hon'ble Court and contents of this petition, are true and correct as per my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Date: _____


Deponent

Annex = "A" ⑥

BEFORE THE KHYBER PAKHTUNKHWAH SERVICE TRIBUNAL

PESHAWAR

Appeal No. 1507/23

Muhammad Ismael

Versus

Secretary Agriculture and Others.

SERVICE APPEAL

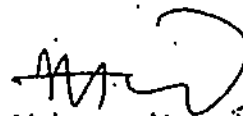
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Dated



Through Counsel
Alamzeb & Sajjad Ali
Advocates
District Courts Mardan


Muhammad Ismael 21-7-23
(Appellant)

ATTESTED

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BEFORE THE KHYBER PAKHTUNKHWAH SERVICE TRIBUNAL

PESHAWAR

Appeal No. 1507/2023

Muhammad Ismael S/O Ajab Khan R/o Sugarcane Farm Research Institute
Charsadda Road, Mardan..... (Appellant)

VS

1. Secretary Agriculture Civil Secretariat Peshawar KPK
2. Director General Research Agriculture University Peshawar
3. Admin Officer, DG Office Research Agriculture University Peshawar
4. Director Sugar Crops Research Institute Charsadda Road Mardan

..... (Respondents)

Appeal Under Section 4 of The Service Tribunal Act-1974 against the order dated 25-10-2022 vide which the appellant service is suffered and the promotion of the appellant is further delayed due to illegal inclusion of "Technical Staff Batch" into the promotion structure of "Clerical staff Batch" which is illegal against the law, rules and regulations of the said department.

Respectfully Sheweth,

The appellant submits as under.

- A. That the appellant was recruited in the year dated 13-01-2007 as "Chawkedar" in the agriculture department at Sugarcane Farm Charsadda Road Mardan (SCRI) and was promoted as Naib Qasid On dated 01-10-2010 and is performing his duty with full devotion. Copies are attached.
- B. That the appellant submitted a departmental appeal on dated 5-12-2022 and resultantly departmental order was issued on dated 06-01-2023 for

ATTACHED

(2)

(8)

necessary action in favour of the appellant but no action was taken by the respondents. Copies are attached.

- C. That after the departmental appeal and order the appellant instituted a civil suit against the respondents in the court of Civil Judge Mardan on the basis of malafide intentions of the respondents. Copy attached
- D. That on dated 12-07-2023 the suit of appellant was returned by the Honourable Court of Civil Judge Mardan due to lack of jurisdiction to the Service Tribunal, that's why the instant service appeal is filed before this tribunal on the following grounds amongst others:- Copy attached.

GROUNDS

1. That according to the rules and regulation of the said department every Staff Batch has its own separate promotional structure and promotions are granted accordingly without disturbing other staff batches, but the order dated ~~20-10~~ 2022 is illegal and against law and rules (Copy of the Promotion structures is attached).
2. That due to the illegality, malafide and mal-practice of the said department they included "Technical Staff Batch" in the promotional structure of "Clerical Staff Batch" although the service structure for both is present and the policy is well defined, the seniority number of the appellant was so much disturbed that the seniority list came back to 1995 from 2014
3. That the Technical staff has its own promotional structure, but the department has illegally hired "Arts Matriculates" in technical staff due to which they are not eligible for the said post and promotions within the promotional structure of Clerical Staff Batch and it is also a fact that the respondents have no policy and moral standing that how the laboratory


ATTESTED:


assistants from technical staff can become clerical staff in light of the policy 2022.

- 4. That the department hired the said staff on their own sweet will and now illegally including them in the promotional structure of clerical staff batch which is a clear cut invasion on the rights of the appellant and the appellant has been deprived of his right of defence.
- 5. That the dependents should be restrained not to violate from the rules and regulations of the said department and to this effect temporary injunctions should also be granted in favour of the appellant.
- 6. That the appellant is a poor person and a sole bread earner of his large family and there is no other source of income.

Therefore it is humbly prayed before your honour that the impugned order dated 26/10/2022 may kindly be set aside and the appellant may kindly be reinstated in the said seniority list with all back and benefits.

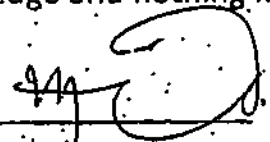
Any other remedy which is deemed appropriate and not specifically asked for may also be granted to the appellant.



 Through Counsel
 Alamzeb & Sajjad Ali
 Advocates
 District Courts Mardan


 Muhammad Ismael
 (Appellant)
 21-7-23

AFFIDAVIT:

It is certified that the content of the appeal are true and correct with best of my knowledge and nothing has been concealed from the court.

Deponent: 


 FAZAL GHAFOOR (Advocate)
 Oath Commissioner
 Date: 17/7/23
 District Courts Mardan

ATTESTED 

(10)

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

Respondents

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ATTESTED

(11)

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1507 of 2023

Khyber Pakhtunkhwa
Govt. Secy

8424

19-10-23

Muhammad Ismail

Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary, Agriculture, Department, Peshawar
2. The Director General, Agriculture Research, Peshawar
3. The Administrative Officer: Directorate General Agriculture Research
4. The Director, Sugar Crops Research Institute, Mardan

Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS 1 TO 4

Respectfully Sheweth: -

Preliminary Objections

1. That the instant appeal is baseless and frivolous, based on mala fide intentions and for ulterior motive, hence not tenable at all. Consistency warrants dismissal of this appeal.
2. That the instant appeal is based on illegal demands against the defendants, hence, this appeal is strange, alien and not maintainable in its present form and liable to be dismissed.
3. That the appellant wishes to waste the precious time of this Hon'ble Tribunal by filing the instant appeal.
4. That the appellant has got no prima facie to file such appeal
5. That the appellant has no locus standi and this instant appeal warrants dismissal in limine.
6. That the appellant has deliberately concealed the important facts from this Hon'ble Tribunal.
7. The appeal is barred by law and limitation.
8. That the appeal is bad for mis joinder and non-joinder of necessary parties.

ATTESTED

FACTS: -

- Para: A Pertains to personal information and service history of the appellant. Hence, needs no reply.
- Para: B Not admitted, hence, denied with the remarks that the appellant filed appeal dated 5.01.2023 for adjustment against the post of Naib Qasid, which was duly forwarded by the Director Sugar Crops Research Institute, Mardan vide his letter dated 06.01.2023 (copies of appeal dated 05.01.2023 and letter dated 06.01.2023 are attached as Annex-A&B). The Director General (Agriculture Research) vide his letter dated 10.01.2023 (Annex-C) responded that the Director Sugar Crops Institute Mardan being competent authority for Class-IV employees, may settle such like cases at his own level. Resultantly the appellant was adjusted against a vacant post of Naib Qasid Vide Notification No. 41-44/DSC Dated 30/01/2023 (Annex- D)
- Para: C Pertains to record.
- Para: D Pertains to record.

GROUNDS

- Para: 1 Incorrect: The appellant is levelling false allegations against the respondent department. The Office Order dated 31.10.2022; regarding promotion of the employees of Agriculture Department Research Wing was issued following prevailing laws and rules in vogue
- Para: 2-4 Incorrect as laid: The assertions of the appellant are misconceived. It is submitted for the convenience of this Hon'ble Tribunal that the respondent department appointed Arts Matriculates as Laboratory Attendants (CLASS-IV) prior to the Government of Khyber Pakhtunkhwa, Agric. Livestock and Cooperation Department's Notification dated August 20, 2015 (Annex-E). Now as the proper Service Rules (including method of recruitment, qualification and other conditions) are framed for the Laboratory Technical Posts vide aforementioned notification, wherein the minimum qualification for the post of Laboratory Attendant is mentioned/specified as Matric with Science, which was obviously the main hurdle for the promotion to higher grade for those Laboratory Attendants having Matric with Arts certificate. So, it was against the natural principle of parity and justice by not providing carrier progression/promotions to the Laboratory Attendants being Class-IV employees having Matric with Arts certificate. Therefore, to provide prospects of promotion, the arts matriculate Laboratory Attendants (BS-03) were merged to the General Seniority of CLASS-IV.

ATTESTED

It would also be beneficial to mention the method of recruitment, qualification and other conditions specified in column 3-5 which shall be applicable to the post of Junior Clerk in different departments including the Directorate General Agriculture Research as infra;

Junior Clerk	i) At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board; and ii) A speed of thirty words per minute in typing	18-30 years	a) Thirty percent by promotion, on the basis of seniority-cum-fitness from amongst the Daftaries and <u>Class-IV employees</u> who have at least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board with two years service as such; and b) Sixty seven percent (67%) by initial recruitment. Note: for the purpose of promotion there shall be maintained a common seniority list of daftaries and class-iv employees with reference to the date of their acquiring the secondary school certificate:
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From the bird's eye view of the above tabulated criteria for the post of Junior Clerk, it is visible that for promotion to the post of Junior Clerk there shall be maintained a general/common seniority maintained for all the Class-IV employees in every Government's Department including Agriculture Department (Research Wing) (Annex- F) The Laboratory Attendant (BS-03), appointed with qualification as Metric with Arts (prior to notification dated 20.08.2015), also comes under the definition of Class-IV employees. Hence, they were merged to the general seniority of Class-IV

Para: 5

Incorrect: The respondent department has not committed any violation of Law & Rules. Similarly, details are given in preceding paras 2-4. Moreover, the appellant is levelling false allegations and have nothing to do, in spite dragging and spoiling the precious time of the department.


Para: 6

Pertains to personal history of the appellant.


ATTESTED

It is therefore, most respectfully prayed that on acceptance of the submissions made herein above, the instant appeal may please be dismissed having no legal footings.

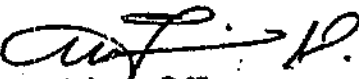
Respondent No. 1


Secretary
Agriculture Department
Khyber Pakhtunkhwa, Peshawar


Respondent No. 2


Director General
Agric. Research: Khyber Pakhtunkhwa,
Peshawar

Respondent No. 3


Admn. Officer
o/o the DG: Agric. Research: Khyber
Pakhtunkhwa, Peshawar

Respondent No. 4


Director:
Sugar Crops Research Institute, Mardan

 ATTESTED

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR
Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

.....Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

.....Respondents

AFFIDAVIT

I Muhammad Arif, Senior Research Officer, Sugar Crops Research Institute, Mardan, do hereby solemnly affirm and declare that the contents of para-wise comments on behalf of respondents are correct and true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

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

Deponent


Muhammad Arif

S/O

Badshah Khan

16101-3096124-5

03469154193

ATTESTED



19-10-2023

ATTESTED

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. 1507/2023

MUHAMMAD ISMAIL

.....Appellant

VERSUS

GOVT. OF KHYBER PAKHTUNKHWA & OTHERS

.....Respondents

AUTHORITY

Mr. Muhammad Arif: Senior Research Officer (BS 18), Sugar Crops Research Institute, Mardan, is hereby authorized to appear on behalf of respondent(s) before the Hon'ble Khyber Pakhtunkhwa Service Tribunal court in the instant case and also pursue the case on each and every date.

He is also authorized to submit all relevant documents in connection with the above case.

On behalf of Respondent No.01

ATTESTED

Respondent No.2:



Director General

Agricultural Research

Department, Peshawar

Respondent No.04



Director

Sugar Crops Research Institute

Mardan

FORM OF ORDER SHEET

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Court of _____

Appeal No. 1507/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
-------	---------------------------	--

1

2

3

1- 21/07/2023

The appeal of Mr. Muhammad Ismaeel presented today by Mr. Alam Zeb Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on

By the order of Chairman


REGISTRAR

ATTESTED



DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎091-9221271 web: www.dgagrires.kp.gov.pk ☎091-9221270
E-mail: dgagriresearch@gmail.com



Annex-18

OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion /Selection Committee of Agriculture Research Department in its meeting held on 20.10.2022, the following Class-IV employees are hereby promoted to the post of Junior Clerks BPS-11 on regular basis with immediate effect. The officials who are promoted will be on probation for one year and extendable to another year.

S.#	NAME & DESIGNATION	INSTITUTE/STATION	PROMOTED TO THE POST
1.	Mr. Rahat Khan, Mali	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
2.	Mr. Wajid Khan, Naib Qasid	Cereal Crops Research Institute, Pirsabak, Nowshera.	Junior Clerk (BS-11)
3.	Mr. Ajab Khan Naib Qasid	Agricultural Research Station, Amnawar, Buner.	Junior Clerk (BS-11)
4.	Mr. Muhammad Basir Field Worker	Agricultural Research Station, Kohat	Junior Clerk (BS-11)
5.	Mr. Shabir Ahmad Field Worker	Directorate (SPN), Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
6.	Mr. Inamullah, Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
7.	Mr. Muhammad Ibrar Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
8.	Mr. Noor Aziz Field Worker	Agricultural Research Station, Chitral.	Junior Clerk (BS-11)
9.	Mr. Khalsta Gul Laboratory Attendant	Sugar Crops Research Institute, Mardan.	Junior Clerk (BS-11)

On their promotion the transfer /posting of the officials are hereby ordered in the best interest of public service.

S.#	NAME & DESIGNATION	FROM	TO	REMARKS
1.	Mr. Rahat Khan, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy
2.	Mr. Wajid Khan, Junior Clerk (BS-11)	Cereal Crops Research Institute, Pirsabak, Nowshera.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
3.	Mr. Ajab Khan Junior Clerk (BS-11)	Agricultural Research Station, Amnawar, Buner.	Agricultural Research Station, Harichand, Charsadda.	Vice at Sl.No. 10
4.	Mr. Muhammad Basir Junior Clerk (BS-11)	Agricultural Research Station, Kohat	Agricultural Research Institute, Tarnab, Peshawar	Against an existing vacancy.
5.	Mr. Shabir Ahmad Junior Clerk (BS-11)	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy.
6.	Mr. Inamullah, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
7.	Mr. Muhammad Ibrar Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
8.	Mr. Noor Aziz Junior Clerk (BS-11)	Agricultural Research Station, Chitral.	Agricultural Research Station, Chitral.	Against an existing vacancy.

ATTESTED

Promotion

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9.	Mr. Khaista Gul Junior Clerk (BS-11)	Sugar Crops Research Institute, Mardan.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
10.	Mr. Mudassir Aqeel Junior Clerk (BS-11)	Agricultural Research Station, Harichand, Charsadda.	Directorate General Agricultural Research, Khyber Pakhtunkhwa, Peshawar.	Against an existing vacancy.

Sd/-
DIRECTOR GENERAL

No. 11130-11156 /Estt/DGAR

Dated Peshawar 31/10/2022

Copy to:-

1. The Accountant General Khyber Pakhtunkhwa, Peshawar.
2. The Senior Director, Agricultural Research Institute, Tamab, Peshawar.
3. The Director, (S&PN), Agriculture Research Institute, Tamab, Peshawar.
4. The Director, Cereal Crops Research Institute, Pirsabak, Nowshera.
5. The Director, Sugar Crops Research Institute, Mardan.
6. The Director, Agricultural Research Station, Buner.
7. The Director, Agricultural Research Station, Chitral.
8. The Director, Barani, Agricultural Research Station, Kohat.
9. The Director, Agricultural Research Station, Harichand, Charsadda.
10. The District Accounts Officers, Nowshera, Mardan, Charsadda, Buner, Chitral and Kohat.
11. The Assistant Accounts Officer, H.Q.
12. The officials concerned.

For information and necessary action.


DIRECTOR GENERAL

ATTESTED

ATTESTED



ATTESTED

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Handwritten text, possibly a date or reference number.

Main body of handwritten text in Urdu script, containing detailed information.

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**SUGAR CROPS RESEARCH INSTITUTE
MARDAN,**

Phono # (0937) 828047-521034
Email: scri@brain.net.pk.

ANMEX "B"

No. 1 /DSC

Dated 6/11 /2023.

To

The Director General
Agriculture Research
Khyber Pakhtunkhwa,
Peshawar.

Subject: APPLICATION FOR ADJUSTMENT.
Memo:

Enclosed please find herewith the original application in respect of Mr. Muhammad Ismail, Naib Qasid which is self-explanatory for favour of further necessary action please.

Director
Sugar Crops Research Institute,
Mardan

disputed

09/09/23

10/2

09/01/2023

discontinued

19/01/2023

Attested

ATTESTED

DIRECTOR
Sugar Crops Research Inst
Mardan

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DIRECTORATE GENERAL AGRICULTURE RESEARCH

KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎ 091-9221271 web: www.agrires.kp.gov.pk ☎ 091-9221270
E-mail: dgragriresearch@gmail.com

No 11.5 /Estt/DGAR

Dated the Peshawar 10/0/120


To

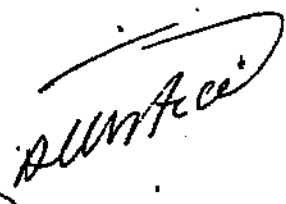
The Director
Sugar Crops Research Institute,
(SCRI), Mardan.

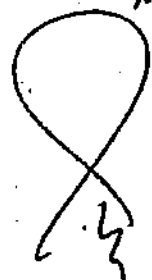
Subject: - APPLICATION FOR ADJUSTMENT.
Memo:-

Please refer to your letter No. 1/DSC; dated 06/01/2023 on the ab-
noted subject.

In this regard, it is stated that being a competent authority for Class
employees such like cases may please be settled at your own level.


DIRECTOR GENERAL
Agriculture Research





DIRECTOR
Sugar Crops Research Institute
Mardan

ATTESTED




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**SUGAR CROPS RESEARCH INSTITUTE
MARDAN,**

Phone # (0937) 929047-521034
Email: directorscri@yahoo.com

OFFICE ORDER

Mr. Muhammad Ismail, Naib Qasid drawing pay against the post of Mali, is hereby adjusted against the existing vacancy of Naib Qasid with effect from 01.02.2023 as per consent of the Director General Agriculture Research office letter No.115/Est/DGAR dated 10.01.2023.

Sd/-
Director,
Sugar Crops Research Institute,
Mardan.

No. 41-44 /DSC;

Dated 30-01 /2023.

Copy to:

1. The Director General, Agriculture Research, Peshawar.
 2. The District Accounts Officer Mardan.
 3. The Establishment Clerk.
 4. The Pay bill Clerk
- for information and further necessary action.

Director,
Sugar Crops Research Institute,
Mardan.


DIRECTOR
Sugar Crops Research Ins
Mardan


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GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK AND COOPERATION
DEPARTMENT

Dated Peshawar, the August 20, 2015

NOTIFICATION

No.SOE(AD)II(2)429/2012.

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 5 of the appendix shall be applicable to the posts in the Agriculture Research Wing of the Agriculture Department specified in column 2 of the said Appendix.

APPENDIX
Single Cadre Posts

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Audio Video Producer (BPS-17)	At least Second Class Master's Degree in Journalism or Mass Communication or B.Sc (4 years) or equivalent qualification from a recognized University with two years experience in the relevant field.	21-32 years	By initial recruitment.
2.	Care Taker (BPS-16)	At least Second Class Bachelor's Degree from a recognized university.	20-32 years	By initial recruitment.
3.	Agriculture Economic Investigator (BPS-16)	At least Second Class Bachelor's Degree in Economic or Statistics from a recognized university.	20-32 years	By initial recruitment
4.	Professional Assistant (BPS-13)	At least Second Class Bachelor's Degree in Physics or Chemistry from a recognized University.	20-32 years	By initial recruitment
5.	Computer Operator (BPS-12)	(i) At least Second Class Bachelor's Degree in Computer Science/Information Technology (BCS/BIT four years), from a recognized university ; or (ii) at least Second Class Bachelor's Degree from a recognized university with one year Diploma in Information Technology from a recognized Board of Technical Education.	20-30 years	By initial recruitment.
6.	Script Writer/ Technical Assistant (BPS-11)	(i) At least Second Class Bachelor's Degree in Journalism from a recognized University; and (ii) one year practical experience of writing press Articles and doing translation work.	20-30 years	By initial recruitment.
7.	Classifier/ Cataloguer (BPS-11)	(i) At least Second Class Bachelor's Degree from a recognized University; and (ii) one year experience of Cataloging.	21-30 years	By initial recruitment
8.	Bee Specialist (BPS-11)	At least Second Class B.Sc. In Zoology from a recognized University.	21-30 years	By initial recruitment
9.	Foreman (BPS-11)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) Having one year certificate of Auto Engineering from a technical training Centre.	21-30 years	By initial recruitment
10.	Religious Instructors (BPS-9)	Sanad of Shahadat-ul-Alla from a recognized religious Board equivalent with Bachelor's Degree.	20-32 years	By initial recruitment.
11.	Tobacco Curer (BPS-09)	(i) At least Second Division in Secondary School Certificate or equivalent from a recognized Board; and (ii) having Certificate in Mechanics from a recognized Technical Training Institute/	18-25 years	By initial Recruitment.

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12.	Photostat Machine Operator (BPS-07)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board.	18-25 years	By Initial Recruitment.
13.	Telephone Operator (BPS-07)	(i) At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board and (ii) Having Professional Certificate or Diploma in Telephone Operation from a recognized Institution.	18-30 years	By Initial Recruitment.
14.	Book Binder (BPS-06)	(i) At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) Having experience in Book Binding.	18-25 years	By initial recruitment.
15.	Senior Observer (BPS-06)	At least Second Division Secondary School Certificate or equivalent qualification from a recognized Board	18-30 years	By initial recruitment
16.	Plumber/ Sui Gas Mechanic/ Fitter/ Boiler man (BPS-5)	(i) At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board; and (ii) having experience in machine operating pump.	18-30 years	By initial recruitment
17.	Plant Observer (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Field Workers having Secondary School Certificate from a recognized Board with 10 years' service as such; Provided that if no suitable persons are available for promotion then by initial recruitment.
18.	Tube Well Operator (BPS-3)	Preferably literate with proficiency in the relevant trade.	18-40 years	By initial recruitment
19.	Carpenter (BPS-3)	Literate with five years' experience as Carpenter	18-40 years	By initial recruitment
20.	Mistri (BPS-4)	Literate with one year experience in the respective field.	18-40 years	By initial recruitment
21.	Watchman/ Chowkidar/ Sepoy (BPS-1)	Having experience in Watch and Ward duty.	18-40 years	By initial recruitment
22.	Cattle Attendant/ Bihshi/ Bearer/ Balloon Maker/ Bullock Attendant/ Foreman/ Grass Cutter/ Khadim for Mosque/ Ploughman/ Storeman/ Telephone Attendant/ Library Attendant (BPS-1)	Preferably literate	18-40 years	By Initial recruitment


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Field Technical Posts

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S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Research Supervisor (BPS-14)	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst the Research Inspectors with ten years service as such.
2.	Research Inspector (BPS-11)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Field Assistants with five years service as such.
3.	Field Assistant (BPS-9)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Diploma of Field Assistant from an Agriculture Training Institute.	21-30 years	By initial recruitment

Laboratory Technical Posts

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Laboratory Supervisor (BPS-11)	--	--	By promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Technician with five years service as such.
2.	Laboratory Technician (BPS-10)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst Senior Laboratory Assistants with five years service as such.
3.	Senior Laboratory Assistant (BPS-9)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst Laboratory Assistant with five years' service as such.
4.	Laboratory Assistant (BPS-6)	(i) At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board; and (ii) having one-year Certificate in Laboratory Techniques from a recognized Institute or Center.	18-32 years	a) Twenty-five percent by promotion, on the basis of seniority cum fitness, from amongst the Laboratory Attendants having Secondary School Certificate in Science from a recognized Board with five years service as such. b) seventy five percent by Initial recruitment and
5.	Laboratory Attendant (BPS-1)	At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board.	18-40 years	By initial recruitment.

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Sugar Crops Research Institute
Muzaffargarh

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Electrical, Electronic Technical Posts

S.No	Nomenclature of the Posts	Minimum qualification for appointment by Initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Sub-Engineer (BPS-16)	At least Second Class Secondary School Certificate in Science or equivalent qualification from recognized Board with Diploma of Associate Engineer in Civil or Electrical or Electronics from a	21-30 years	By promotion, on the basis of joint seniority-cum-fitness list, from amongst the Sub-Engineers, Instrument Technicians, Electricians, Green House Technicians, Tissue


2	Sub-Engineer, Instrument Technician, Electrician, Green House Technician, Tissue Culture Technician, Cold Storage Attendant (BPS-11)	At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board with Diploma in concerned Engineering Trade from a recognized Institute.	21-30 years	By initial recruitment
3.	Electrician (BPS-4)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Certificate in Electrical or Electronics from a recognized Technical Training Institute or Centre	18-32 years	By initial recruitment

Computing Clerical Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Senior Computing Clerk (BPS-6)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Junior Computing Clerks with five years service as such.
2.	Junior Computing Clerk (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with one year diploma in computer or Information Technology from a recognized Institute.	18-32 years	By initial recruitment

Photographer's Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Photographer (BPS-13)	--	--	By promotion, on the basis of seniority-cum-fitness from amongst the Artist-cum-Photographer with five years service as such.
2.	Artist-Cum-Photographer (BPS-11)	--	--	By promotion on the basis of seniority-cum-fitness, from amongst the Artist-cum-Photographers with five years service as such.
3.	Artist-Cum-Photographer (BPS-7)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board with Diploma in Arts and Photography or Diploma in Graphic Designs from recognized Institute.	18-32 years	By initial recruitment


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Field and Nursery Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Budder (BPS-05)	At least Middle passed, having experience in budding.		By promotion, on the basis of seniority-cum-fitness, from amongst the Mallis, Field Workers and Data Collectors having experience in budding, grafting fruit plant nursery

2.	Mali (BPS-1)	At least Middle Passed, having experience in Floriculture and Horticulture.	18-40 years	By initial recruitment
3.	Field Worker (BPS-1)	At least Middle Passed, having experience in the relevant field.	18-40 years	By initial recruitment
4.	Data Collector (BPS-1)	At least Middle passed, having experience on daily paid basis in the respective field of Agricultural Research System.	18-40 years	By initial recruitment

Apiary Management Posts

S.No.	Nomenclature of the Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Bee Assistant (BPS-3)	-	-	By promotion, on the basis of seniority-cum-fitness from amongst the Bee Attendant with five years service as such.
2.	Bee Attendant (BPS-1)	At least Middle passed with one year experience on daily paid basis in the respective field of Agriculture Research System.	18-40 years	By initial recruitment

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Drivers Posts


S.No.	Nomenclature of Posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	2	3	4	5
1.	Heavy Vehicle Driver (BPS-6)	At least Middle passed, having experience in Driving with heavy driving license. <i>[Handwritten Signature]</i> DIRECTOR Sugar Crops Research Inst.	18-32 years	By promotion, on the basis of seniority-cum-fitness, from amongst the Tractor Drivers having Certificate in heavy vehicle driving from a recognized institute and heavy duty driving license with five years experience as such: Provided that if no suitable person is available for promotion then by initial recruitment.
2.	Tractor Driver (BPS-5)	(i) At least Middle passed with five years experience in Tractor Driving; and (ii) having valid Tractor Driving License.	18-32 years	By promotion, on the basis of seniority-cum-fitness from amongst the Vehicle Driver and Drivers with five years service as such: Provided that if no suitable person is available for promotion then by initial recruitment.
3.	Vehicle Driver/ Driver (BPS-4)	At least Middle passed, having experience in Driving with LTV license, from a Government Training Institute.	18-30 years	(a) Fifty percent by promotion, from amongst the Helpers and Cleaners with five years' service as such having prescribed qualification as mentioned for initial recruitment; and (b) fifty percent by initial recruitment.
4.	Helper/ Cleaner (BPS-1)	One year experience as cleaner or Helper	18-30 years	By initial recruitment

ATTACHED

Endst. for even No. & Date.

Copy forwarded for information and necessary action to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
4. The Accountant General, Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The PSO to Chief Minister, Khyber Pakhtunkhwa.
7. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
8. The PS to Additional Chief Secretary, FATA, Warsak Road, Peshawar.
9. The PS to Minister for Agriculture, Khyber Pakhtunkhwa.
10. The Director General, Agricultural (Research), Khyber Pakhtunkhwa, Peshawar
11. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
12. PS to Secretary Agriculture.
13. Master file.


 (DILAWAR KHAN)
 SECTION OFFICER-ESTT:


 DIRECTOR
 Sugar Crops Research Inst
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GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

Dated Peshawar, the April 02, 2019

NOTIFICATION

No. SOE (AD)II(2)429/2018/Min/RW:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous notifications issued in this behalf to the extent of Agriculture Research Wing, the Agriculture, Livestock and Cooperation Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in Column No. 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts mentioned in Column No. 2 of the said Appendix; borne on the Directorate General Agriculture Research of the Agriculture, Livestock and Cooperation Department.

**APPENDIX
(MINISTERIAL STAFF)**

S. No.	Nomenclature of the post.	Minimum qualification for appointment by initial recruitment.	Age limit.	Method of recruitment.
1.	2.	3.	4.	5.
	Assistant Account Officer (BPS-17).			By promotion, on the basis of seniority-cum-fitness, from amongst the Administrative Officers and Superintendents with at least five years service as such.
	Administrative Officer (BPS-17).			By transfer, from amongst the Superintendents.
	Superintendent (BPS-17).			(a) Ninety percent (90%) by promotion, on the basis of seniority-cum-fitness, from amongst the Assistants with at least five years service as such; and (b) ten percent (10%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers with at least five years service as such.
	Assistant (BPS-16).	At least Second Class Bachelor's Degree or its equivalent from a recognized University.	20-32 years.	(i) Seventy five percent (75%) by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least five years service as Junior Clerk and Senior Clerk; and (ii) twenty five percent (25%) by initial recruitment.


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Senior Scale Stenographer (PS-16).			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Scale Stenographers with at least five years service as such.
Junior Scale Stenographer (PS-14).	<p>(i) At least Second Division Intermediate Certificate or its equivalent qualification from a recognized Board;</p> <p>(ii) a speed of fifty words per minute in shorthand in English and thirty five words per minute in typing; and</p> <p>(iii) knowledge of Computer in using MS Word and MS Excel.</p>	18-30 years.	By initial recruitment.
Senior Clerk (PS-14).			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks with at least two years service as such.
Junior Clerk (PS-11).	<p>(i) At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board; and</p> <p>(ii) a speed of thirty words per minute in typing.</p>	18-30 years.	<p>(a) Thirty three percent (33%) by promotion, on the basis of seniority-cum-fitness, from amongst the Dakshins and Class-IV employees who have at least Second Class Secondary School Certificate or its equivalent qualification from a recognized Board with two years service as such; and</p> <p>(b) sixty seven percent (67%) by initial recruitment.</p> <p>Note: For the purpose of promotion, there shall be maintained a common seniority list of the Dakshins and Class-IV employees with reference to the date of their acquiring the Secondary School Certificate.</p> <p>Provided that:</p> <p>a. If two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.</p>

Submitted



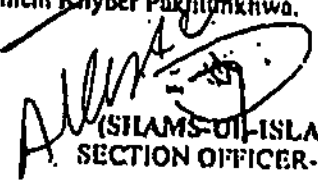
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Sugar Crops Research
Mardar.

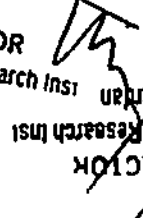
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			b. where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.
8. Dafnari (BPS-04)	At least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board.	18-40 years.	By promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasid and others equivalent posts with five years service as such, who have at least Second Division Secondary School Certificate or its equivalent qualification from a recognized Board. Provided that if no such candidate is available for promotion, then the vacancy shall be filled by initial recruitment.
9. Naib Qasid (BPS-03)	Literate.	18-40 years.	By initial recruitment.
11. Sweeper (BPS-03)	Literate.	18-40 years.	By initial recruitment.

SD/-
**SECRETARY TO
 GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
 AGRICULTURE, LIVESTOCK AND
 COOPERATION DEPARTMENT.**

- forwarded for information and necessary action to:-
- 1. The Secretary to Govt. of Khyber Pakhtunkhwa Establishment Department.
 - 2. The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department.
 - 3. The Secretary to Govt. of Khyber Pakhtunkhwa Law Department.
 - 4. The Accountant General, Khyber Pakhtunkhwa.
 - 5. The Director General, Agriculture Research, Khyber Pakhtunkhwa.
 - 6. The PSO to Chief Secretary, Khyber Pakhtunkhwa.
 - 7. The Manager Govt. Printing Press, Khyber Pakhtunkhwa, Peshawar. He is requested that printed (preferable gazette) copies of the notification as and when published may be furnished to this Department, E&A and Law Department along with details of gazette in which is published.
 - 8. P.S to Secretary Agriculture Department, Khyber Pakhtunkhwa, Peshawar.
 - 9. P.A to Deputy Secretary-Admn: Agriculture Department Khyber Pakhtunkhwa, Peshawar.
 - 10. Master file.


 (SILAMS-UL-ISLAM)
 SECTION OFFICER-ESTD

DIRECTOR
 Sugar Crops Research Inst
 Mardan

 DIRECTOR
 Sugar Crops Research Inst

Annex "C" (33)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1507/2023

BEFORE: MRS. RASHIDA BANO ... MEMBER (J)
MR. MUHAMMAD AKBAR KHAN ... MEMBER (M)

Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm Research Institute
Charsadda Road, Mardan.

.... (Appellant)

VERSUS

1. Secretary Agriculture Civil Secretariat, Peshawar, KPK.
 2. Director General Research Agriculture University, Peshawar.
 3. Admin Officer, DG Office Research Agriculture University, Peshawar.
 4. Director Sugar Crops Research Institute Charsadda Road, Mardan.
- (Respondents)

Mr. Alam Zeb
Advocate

... For appellant

Mr. Asif Masood Ali Shah
Deputy District Attorney

... For Respondents

Date of Institution.....30.10.2023
Date of Hearing.....25.04.2024
Date of Decision.....25.04.2024

JUDGMENT

RASHIDA BANO, MEMBER (J): The instant service appeal has been instituted under section 4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 with the prayer copied as below:

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“That the impugned order dated 31.10.2022 may kindly be set aside and the appellant may kindly be reinstated in the said seniority list with all back and benefits. Any other remedy which is deemed appropriate and not specifically asked for may also be granted to the appellants.”

R.

2. Precise facts leading to the instant appeal are that the appellant was appointed as Chowkidar on 13.01.2007 and was promoted to the post of Naib Qasid on 01.10.2010 in the Agriculture Department at Sugarcane Farm Charsadda Road Mardan. On 31.10.2022 respondents issued promotion order of class-iv employees by including Technical Staff Batch into the promotion structure of Clerical Staff Batch. Feeling aggrieved, appellant filed departmental appeal on 05.12.2022, which was not responded, hence the present service appeal.

3. Respondents were put on notice, who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Deputy District Attorney and perused the case file with connected documents in detail.

4. Learned counsel for the appellant argued that appellant has not been treated in accordance with law and rules. He further argued that as per service rules every staff batch has its own separate promotion structure and promotions shall be granted accordingly without disturbing other staff batches but respondents vide impugned order acted in violation of prevailing law and rules. He further argued that respondents had illegally include technical staff batch in the promotion structure of clerical staff despite the fact both have batches have separate channel of promotion.

ATTESTED

5. Conversely, learned Deputy District Attorney contended that appellant has been treated in accordance with law and rules. He further that respondents appointed Arts Matriculate as Lab Attendants (Class IV) prior to the Government of Khyber Pakhtunkhwa, Agriculture, Livestock and Cooperation Department's Notification dated 20.08.2015. Now as proper service rules are framed for the Laboratory Technical Posts vide aforementioned notification,

wherein the minimum qualification for the post of Laboratory Attendant is mentioned as Matric with Science, which was hurdle for promotion to higher grade for those Lab Attendants, having matric Arts. Therefore, to provide prospect of promotion, the arts Matriculate Lab Attendants were merged to General Seniority.

6. Perusal of record reveals that appellant basically challenged promotion notification dated 31.10.2022 vide which Class-IV employees Technical Staff batch were promoted by including it into Clerical Staff batch to the post of Junior clerk BPS-11.

7. According to the rules both batches have separate promotional structures and post of Junior Clerk will have to be filled 33% by promotion from amongst the Daftaries and other Class-IV of equivalent posts who have at least second division Secondary School Certificate or its equivalent qualification from recognized board with two years of service as such;

"a) Thirty Three percent by promotion, on the basis of seniority cum fitness, from amongst the Daftaries and Class-IV employees who have at least Second Division, Secondary School Certificate or its equivalent qualification from a recognized Board with two years' service as such; and

b) Sixty Seven percent by initial recruitment."

As per department rules Laboratory Attendant have channel of promotion to the post of Laboratory Assistant BPS-6, then to Senior Laboratory Assistant BPS-09, Laboratory Technician BPS-10 and Laboratory Supervisor BPS-11 which are mentioned below in details;

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S.No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
1	Laboratory Supervisor (BPS-11)	-		By promotion, on the basis of seniority-cum-fitness, from amongst Laboratory Technician

				with five years of service as such.
2	Laboratory Technician (BPS-10)			By promotion, on the basis of seniority-cum-fitness from amongst Senior Laboratory Assistants with five years of service as such.
3	Senior Laboratory Assistant (BPS-9)			By promotion, on the basis of seniority-cum-fitness from amongst Laboratory Assistant with five years' service as such
4	Laboratory Assistant (BPS-6)	(i) At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board, and (ii) having one year Certificate in Laboratory Techniques from a recognized Institute or Center.		a) Twenty-five percent by promotion, on the basis of seniority cum fitness, from amongst the laboratory Attendants having Secondary School Certificate in Science from a recognized Board with five years of service as such. b) seventy five percent by initial recruitment and
5	Laboratory Attendant (BPS-1)	At least Second Class Secondary School Certificate in Science or equivalent qualification from a recognized Board.	18-40 years	By initial recruitment

8. Respondents in their reply mentioned that although channel of promotion is given in the rules for laboratory attendant and field workers but as condition of having matric in science, due to which laboratory attendants, field workers having matric in Arts were included in clerical staff category because they are also Class-IV employees. This contention of the respondents have no logic in it, because when specific channel of promotion is provided in the rules for the post of Lab Attendant and Field Workers then to include them in another batch/cadre is against the rules. The channel is as under;

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S.No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age Limit	Method of Recruitment
1	2	3	4	5
17	Plant Observer (BPS-5)	At least Second Class Secondary School Certificate or equivalent qualification from a recognized Board.	18-30 years	By promotion, on the basis of seniority-cum-fitness, from amongst the field workers having Secondary School Certificate from a

			recognized Board with 10 years' service as such; Provided that if no suitable persons are available for promotion then by initial recruitment.
1	Budder (BPS-05)	At least Middle Passed, having experience in budding.	By promotion, on the basis of seniority-cum-fitness, from amongst the Malies, Field Word and data collector having experience in budding, grafting, fruit plan nursery raising and pruning of orchads.

Rules were framed and issued vide notification dated 20.08.2015, while promotees of order dated 20.10.2022 were initially appointed on 01.12.1999, 3.1.2004, 13.4.2004 and 17.4.2024.

9. Respondent/department is under obligation to provide cushion period to those employees who had done their matric with Arts to improve their qualification, or obtain some sort of diploma etc. By not doing so they discriminate them which is also injustice with them, therefore, now they be also adjusted against their own cadre post.

10. For what has been discussed above, we are unison to accept the appeal as prayed for. Costs shall follow the event. Consign.

11. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 25th day of April, 2024.


(FAREEHA PAUL)
Member (M)


(RASHIDA BANO)
Member (J)

*M. Khan

ATTESTED

05.01.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Muhammad Arif, SRO for the respondents present and submitted copies of seniority list, working paper and minutes of DPC meeting held on 20.10.2022 which is placed on file. Preliminary arguments heard.

2. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fees within 10 days. Reply/comments on behalf of respondents have already been submitted through office on 19.10.2023. To come up for arguments on 25.04.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)

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Peshawar

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ORDER

25.04.2024

1. Learned counsel for the appellant present. Mr. Masood Ali Shah learned Deputy District Attorney for the respondents present.

2. Vide our detailed judgment of today placed on file, we are unison to accept the appeal as prayed for. Costs shall follow the event. Consign.

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3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 25th day of April, 2024.

(FARUHA PAUL)
Member (M)

(RASHIDA BANO)
Member (J)

Security fee
not deposited
Mahariv

SA 1507/23

29th Nov.2023

01. Counsel for the appellant present. Mr. Habib Anwar, Addl. AG alongwith Muhammad Arif, SRO for the respondents present.

02. Reply/comments on behalf of the respondents not submitted. Learned AAG requested for further time. Granted. To come up reply/comments as well as preliminary hearing on ²⁵~~08~~.01.2023 before the S.B. Departmental representative is further directed to bring on record the seniority list which was considered in the meeting of DPC held on 20.10.2022 alongwith Working Paper and minutes of that DPC meeting. Parcha Peshi given to the parties.


(Fareeha Paul)
Member(E)

Fazle Subhan, P.S

SCANNED
KPST
Peshawar

ATTESTED

Annex "D" 40



**DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR**

☎091-9221271 web: www.dgares.kp.gov.pk ☎091-9221270
E-mail: dgragrresearch@gmail.com



No 10015-32 /Est./DGAR;
To

Dated Peshawar the 29/07/2021

The Senior Director, Agricultural Research Institute, Tarnab, Peshawar.
The Senior Director Outreach, Agril Res. Khyber Pakhtunkhwa, Peshawar.
All Directors of Institute/Station at Agricultural Research Khyber Pakhtunkhwa.

Subject: **DRAFT TENTATIVE SENIORITY LIST OF CLASS-IV EMPLOYEES (HAVING
MATRIC OR ABOVE QUALIFICATION)**

Memo:-

Enclosed please find herewith the draft tentative seniority list of class-IV employees having Secondary School Certificate or above qualification of Agricultural Research, Khyber Pakhtunkhwa as it stood on 30.06.2021. If any omission/error thereon may please be communicated to this office with documentary proof, so that the needful be done and in case there is no omission/error the employee should put their signature in the signature column, that the seniority list is correct and undisputed. Furthermore, wherein the qualification of the officials have not been mentioned in the relevant column, once again directed that attested copies of SSC and above qualification certificates/degree of the officials concerned may be sent to this office to finalize the seniority. The draft tentative seniority list duly signed by the concerned official should reach to this office through the concerned Senior Director/Director of the Directorate/Institute and Station within seven days positively, otherwise it will be assumed that there is no objection and it will be considered as final. All the Directors will be responsible that the seniority list was circulated amongst the Class-IV matriculate and above qualified employees of their respective Directorate/Institute and Stations

According to Sr. No. 08 of the ministerial (Appointment, Promotion and Transfer) Rules, 2019 of Agricultural Research Khyber Pakhtunkhwa already circulated by the office, the post of Junior Clerk are to be filled as:-

- a) Thirty three percent by promotion on the basis of seniority-cum-fitness from amongst the Daftaries and Class-IV employees who have at least Second Class Secondary School Certificate from a recognized Board with two years' service as such.
- b) Sixty seven percent by initial recruitment

Note:- For the purpose of promotion, there shall be maintained a common seniority list of Daftaries and Class-IV employees with reference to the date of their acquiring the Secondary School Certificate.

Provided that:

- a. If two or more officials have acquired the Secondary School Certificate in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post.
- b. Where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials.

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SPN/AB
Enc: As above.

**DIRECTOR GENERAL
AGRICULTURAL RESEARCH**

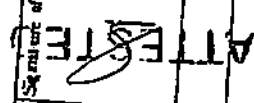
DRAFT TENTATIVE SENIORITY LIST OF MATRICULATE CLASS-IV EMPLOYEES OF AGRIL. DEPARTMENT (RESERVE II) K.P.K. AS IT STOOD ON 30.06.2021.

S.No	Name	Its position	Qualification	Date of acquiring Seniority Status Certificate with Division	Date of acquiring F.A.F.E.S. Certificate with Division	Home District	Date of Birth	Date of Matriculation	Place of present posting.	Date of supersession	Signature of official
1	Mr. Ibrahim	Cashier	M.A	1583 Jd		L.A.	16.10.63	22.11.64	ARS, Rumi	15.10.2023	
2	Mr. Bakir Baid	Exc Assit	F.A	1582 Jd	1943 Jd	Pedarep	10.1.67	15.05.1983	ARI, Tamah	9.3.2025	
3	Mr. Hourhan	Exc Assit	M.A	1370 Jd		Maraha	10.1.67	06.10.1966	ARI, Tamah	9.3.2024	
4	Mr. Raza Khan	Asst	M.A	1993 Jd		Maraha	21.07.1971	01.11.1963	ARI, Tarant	30.06.2024	
5	Mr. Ahdal Wali Shah	Field Worker	M.A	1998 Jd		NVA	19.11.1971	21.12.1954	NVA Agency	08.11.2021	
6	Mr. Muhammad Usman	Field Worker	M.A	1995 Jd		Maraha	12.02.1973	05.03.1952	SCRI, Marahan	11.02.2025	
7	Mr. Wajid Ali	Field Worker	M.A	1995 Jd		Maraha	14.01.1972	27.10.1956	CCRI, Pishabak	10.04.2023	
8	Mr. Muhammad Iqbal	Field Worker	F.A	1993 Jd		NVA	01.01.1968	03.02.1997	ARI, Mingra	22.06.2026	
9	Mr. Wajid Khan	Field Worker	M.A	1993 Jd		Maraha	01.02.1972	04.02.1959	CCRI, Pishabak	12.2023	
10	Mr. Ahdal Wali	Field Worker	M.A	1993 Jd		NVA	01.02.1976	01.08.1997	ARI, Buzat	24.08.2026	
11	Mr. Wajid Khan	Field Worker	M.A	1993 Jd		NVA	06.03.1972	14.01.1972	ARS, A.A.	02.02.2023	
12	Mr. Wajid Khan	Field Worker	M.A	1993 Jd		NVA	12.03.1975	14.02.1999	ARS, Karak	11.07.2023	
13	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	01.02.1974	01.02.1965	Kohat	21.02.2023	
14	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	11.75	01.07.2002	ARI, Mingra	11.12.2024	
15	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	11.75	12.09.2002	ARI, Tarant	16.2021	
16	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	10.03.1982	04.12.2002	ARI, Tarant	09.05.2022	
17	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	12.01.1978	23.12.2003	ARI, Dilijan	11.01.2018	
18	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	14.03.1966	04.01.1983	ARI, Dilijan	07.3.2016	
19	Mr. Muhammad Saif	Field Worker	M.A	1993 Jd		Maraha	09.06.1974	05.11.1994	ARI, Tarant	19.06.2024	

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S.No	Name	Designation	Qualification	Date of acqiring Secondary School Certificate with Division	Date of acqiring F.A/FSK Certificate with Division	Place of Birth	Date of Birth	Date of Issuance of appointment	Place of present posting	Date of appointment	Not eligible for promotion	Signature of official	
20	Mr. Infaudih	Field Worker	Matric	1983 Jrd		Pahawa	2.10.1948	01.01.2004	ARI, Ternab	1.10.2000	Not eligible for promotion		
21	Mr. Shahr Ahmad	Field Worker	Matric	2000 Jrd		Pellawa	15.12	03.01.2004	SPN-ARI, Ternab	14.4.2002	Not eligible for promotion		
22	Mr. Farid Khan	Field Worker	Matric	1986 Jrd		ARI, Muegra	1.1.1978	05.01.2004	ARI, Ternab	31.12.2007	Not eligible for promotion		
23	Mr. Muhammad Farzan	Field Worker	Matric			Pellawa	1.7.1982	05.01.2004	ARI, Ternab	30.06.2002	Not eligible for promotion		
24	Mr. Fazl Rahin	Chowkidar	Matric	2004 Jrd		Pellawa	8.4.1983	05.01.2004	ARI, Ternab	7.4.2004	Not eligible for promotion		
25	Mr. Muhammad Isam	Field Worker	Matric			Pellawa	04.03.1985	03.01.2004	ARI, Ternab	01.01.2004	Not eligible for promotion		
26	Mr. Ghulam Ali	Chowkidar	Matric			Navahca	1.1.1963	1.10.12.004	Navahca	30.6.2003	Not eligible for promotion		
27	Mr. Najam Khan	Field Worker	F.A	1988 Jrd.	2016 Ist	Navahca	0.10.11.1971	16.01.2004 Chaw.	ARI, Ternab	03.01.2001	Not eligible for promotion		
28	Mr. Inuwalih	Chowkidar	Matric	1989 Jrd		Navahca	0.10.11.1971	01.04.2009 FAW	ARI, Ternab	14.3.2000	Not eligible for promotion		
29	Mr. Mubammad Isam	Chowkidar	Matric	1989 Jrd		Pellawa	1.3.1973	03.01.2004	ARI, Ternab	3.1.2001	Not eligible for promotion		
30	Mr. Noor Aziz	Field Worker	B.A	1997 Jrd	2003 Jrd	Pellawa	4.1.1981	03.01.2004	ARI, Ternab	19.03.2002	Not eligible for promotion		
31	Mr. Khadim Uel	Lib	B.A	2000 Jrd	2018 Ist	Chitral	20.02.1982	1.04.2004	ARI, Chitral		Not eligible for promotion		
32	Mr. Sanaukhal	Naib Qasid	Matric	1998 2nd	2002 Jrd	Mardun	06.02.1981	1.04.2004	Mardun	05.02.2001	Not eligible for promotion		
33	Mr. Abdul Hamid	Chowkidar	Matric	1983 Jrd		DIK, Irian	1.00.1.1966	30.06.2004	ARI, DIK, Irian	09.01.2006	Not eligible for promotion		
34	Mr. Jamil Ahmad	Field Worker	Matric			DIK, Irian	1.30.8.1985	1.12.2004	ARI, DIK, Irian	12.08.2003	Not eligible for promotion		
35	Mr. Muhammad Laili	Field Worker	B.A	1991 Ist	1994 Jrd	DIK, Irian	04.02.1989	01.07.2004	ARI, DIK, Irian	03.02.2009	Not eligible for promotion		
36	Mr. Kazim Hussain	Lib	Matric	1988 2nd		DIK, Irian	1.5.0.1.1975	01.07.2004	ARI, DIK, Irian	14.01.2003	Not eligible for promotion		
37	Mr. Muhammad Irfan	Field Worker	Matric			DIK, Irian	8.10.1978	1.12.004 FAW	ARI, DIK, Irian	05.10.2008	Not eligible for promotion		
38	Mr. Hafizur Rahman	Naib Qasid	Matric			DIK, Irian	0.10.1.1980	22.03.2013 U.Aad	ARI, DIK, Irian	31.12.2009	Not eligible for promotion		
39	Mr. Shafiqulh	Field Worker	Matric			Abu-waid	18.1.80	01.07.2004	ARI, DIK, Irian	17.8.2010	Not eligible for promotion		
40	Mr. Salimulh	Chowkidar	Matric			DIK, Irian	03.01.1981	01.07.2004	ARI, DIK, Irian	02.01.2001	Not eligible for promotion		
41	Mr. Lutfulh	Naib Qasid	B.A	2000 Jrd	2006 Jrd	DIK, Irian	13.03.1983	01.07.2004	ARI, DIK, Irian	12.03.2003	Not eligible for promotion		
42	Mr. Naam Khan	Chowkidar	Matric	1993 Jrd		DIK, Irian	10.04.1984	01.07.2004	ARI, DIK, Irian	09.05.2004	Not eligible for promotion		
						DIK, Irian	17.05.1976	1.12.004	ARI, DIK, Irian	16.03.2006	Not eligible for promotion		

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S.No	Name	Designation	Qualification	Date of acquiring Secondary Certificate with Division	Date of acquiring F.A.F. Si Certificate with Division	Home District	Date of Birth	Date of last appointment	Place of present posting.	Date of superannuation	Signature of official
43	Mr Kazam Hussain	Lab. Akademi	B.A	1974 2nd		DKkan	6.10.1978	1.12.2004 FAV 22.01.2013 I/Att'd	ARI, DKkan	05.10.2031	
44	Mr. Subhadra	Field Worker	B.A	1993 1st	1995 2nd	DKkan	24.04.1978	1.7.2004	ARI, DKkan	25.04.2034	
45	Mr. Ganesha Rao	Field Worker	B.A	1973 1st		Narain	06.03.1974	1.07.2004	SCRI, Madam	05.03.2034	
46	Mr. Nuharwan Nawar Khan	Programmer	B.A	1973 1st		Narain	06.01.1976	1.07.2004	SCRI, Madam	05.01.2034	
47	Mr. Pramila	Block. att	F.A	2002 1st	2.07.2nd	Banne	17.03.1975	1.03.2004	Serai Naurang	16.3.2044	
48	Ms. Sujanika	Field Worker	B.A	1973 1st		Lakli	1.03.1969	16.10.2004	Serai Naurang	14.03.2034	
49	Mr. Subullah	Field Worker	B.A	1971 1st	2.06.2nd	Banne	14.08.75	01.12.2004	Serai Naurang	13.08.2035	
50	Mr. Zaher ud Din	Field Worker	B.A	1971 1st		Narain	31.10.1970	07.02.2005	CCRI, Pustak	31.12.2029	
51	Mr. Abd Rehman	Block	B.A			Kurd	14.12.1975	01.03.2005	ARS, Kara	13.12.2033	
52	Mr. Syed Ahmad	Field Worker	B.A	1992 1st		Narain	6.6.82	10.03.2005	ARI, Lamb	5.6.2042	
53	Mr. Inayat Khan	Nab Qaid	F.A	2002 1st	2.09.2nd	Pattana	1.3.77	01.04.2005	Pattana	14.7.2027	
54	Mr. Nuharwan Nawar Khan	Nab Qaid	B.A	1985 1st	1990 1st	Mansafra	06.12.1966	17.04.2005	AAS, Baffa, Mansafra	06.11.2035	
55	Mr. Inayat Khan	Lab Attendant	B.A	1999 2nd		Narain	14.3.81	30.04.2004	Narain	14.3.2041	
56	Mr. Inayat Khan	Field Worker	F.A	2002 1st	2013 2nd	Narain	05.12.1984	07.07.2005	CCRI, Pustak		
57	Mr. Hidayatullah Sidiq	Nab Qaid	B.A	1988 1st		Narain	01.04.1978	08.07.2005	CCRI, Pustak	11.3.2019	
58	Mr. Ahmad Salam	Field Worker	F.A	1996 1st	2012 2nd	Narain	06.03.1993	08.03.2005	CCRI, Pustak	05.07.2049	
59	Mr. Ashiq Ali Mughal	Field Worker	B.A	1992 1st		Narain	14.06.1976	19.07.2005	CCRI, Pustak	13.06.2036	
60	Mr. Nisarul Haq	Nab Qaid	B.A	2003 2nd	2006 2nd	Bann	03.03.1987	16.01.2006	ARI, Mangra	07.03.2047	
61	Mr. Waqar Ali	Chemist	F.A	1991 2nd	2002 3rd	Chasht	02.03.1973	03.02.2006	ARI, Tanab	01.03.2035	
62	Mr. Ishaqullah	Chemist	DCC	1997 2nd	1997 3rd	Peshawar	01.01.1970	16.01.2006	ARI, Tanab	31.12.2034	
63	Mr. Muhammad Ibrahim	Lab	B.A	2001 2nd		Lakli	27.01.1984	17.04.2006	Serai Naurang	26.03.2044	
64	Mr. Hameed	Field Worker	F.A	2002 2nd	2003 2nd	Peshawar	29.08.1983	11.03.2006 Chow 01.12.2006 FAV	ARI, Tanab	19.08.2043	

ATTENDED

Approved for on 10/10/2013
Signature

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S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A/F.Sc Certificate with Division	Home District	Date of Birth	Date of last appointment	Place of present posting	Date of superannuation	As per rules 3rd divisioner not eligible for promotion	Signature of official
65	Mr. Muhammad Hussain	Field Worker	Matric	2002 2nd		Kurram Agency	15.03.1985	27.11.2006	Orakza Agency FATA, ARI, Tamab			INITIALED
66	Mr. Sajid Hussain	Nab Qasid	F.A	2006 2nd	2010 2nd	Peshawar	06.02.1989	06.01.2007	SPN, ARI, Tamab			
67	Mr. Ajmal Shah	Nab Qasid	Matric	1997 3rd		Peshawar	04.02.1978	10.01.2007	SPN, ARI, Tamab	05.02.2049		
68	Mr. Muhammad Ismail	Nab Qasid	F.A	1997 2nd	2003 rd	Mardan	15.12.1979	13.01.2007	SPN, ARI, Tamab	01.02.2038	Not eligible as 3rd divisioner	
69	Miss Foza Bibi	Nab Qasid	B.A	2004 2nd	2007 3rd	Peshawar	01.01.1987	05.03.2007	SCRI, Mardan	14.11.2039		
70	Mr. Muhammad Zashad	Field Worker	Matric	1995 1st		Nowshera	09.01.1977	01.05.2007	SPN, ARI, Tamab	01.03.2047		
71	Mr. Shujaullah Shah	Field Worker	Matric	1995 2nd		Nowshera	06.01.1975	01.01.2007	CCRI, Pirsabak	08.01.2037		
72	Mr. Anshad Ali	Field Worker	Matric	1997 3rd		Nowshera	24.02.1979	01.01.2007	CCRI, Pirsabak	05.04.2035		
73	Mr. Zahid Ali	Field Worker	Matric	1995 2nd		Nowshera	22.09.1978	04.03.2007	CCRI, Pirsabak		Not eligible as 3rd divisioner	
74	Mr. Alam Zeb	Field Worker	Matric	2005 2nd		Bannu	21.10.1986	19.06.2007	Seto Naurang	22.10.2046		
75	Mr. Faheem Dal	Nab Qasid	Matric	1990 1st		Nowshera	28.02.1974	03.07.2007	CCRI, Pirsabak	27.02.2034		
76	Mr. Bashir Zada	Field Worker	Matric	1994 3rd		Nowshera	15.03.1976	03.07.2007	CCRI, Pirsabak	14.03.2036	Not eligible as 3rd divisioner	
77	Mr. Zahoor Ahmad	Matric	Matric			Nowshera	17.05.1977	03.07.2007	CCRI, Pirsabak	16.03.2037		
78	Mr. Zahid Khan	T/Helper	Matric			Nowshera	05.02.1978	03.07.2007	CCRI, Pirsabak	04.02.2038		
79	Mr. Khairul Iqbal	Field Worker	Matric	1994 2nd		Nowshera	03.03.1980	03.07.2007	CCRI, Pirsabak	02.03.2040		
80	Mr. Zahir Ahmad	Chowkidar	Matric	1997 3rd		Nowshera	07.09.1980	03.07.2007	CCRI, Pirsabak	06.09.2040	Not eligible as 3rd divisioner	
81	Mr. Shabir Ahmad	Field Worker	Matric	1998 2nd		Nowshera	19.03.1981	03.07.2007	CCRI, Pirsabak			
82	Mr. Jawad Ahmad	T/Helper	Matric			Nowshera	03.04.1981	03.07.2007	CCRI, Pirsabak	02.04.2041		
83	Mr. Asif Khan	Ploughman	Matric			Nowshera	15.01.1983	03.07.2007	CCRI, Pirsabak	14.01.2043		
84	Mr. Muhammad Tahir	Nab Qasid	M.A	2002 2nd	2004 2nd	SWA	12.12.1984	07.02.2008	FATA, ARI, Tamab	11.12.2044		
85	S. Sajid Hussain Shah	Nab Qasid	Matric			ARI, Dikhan	15.06.1985	01.03.2008	ARI, Dikhan	14.06.2045		
86	Mr. Jamshaid Arif	Lab Attendant	Matric	1989 2nd		Dikhan	15.11.1972	24.03.2008	ARI, Dikhan	14.11.2032		
87	Mr. Gohar Ali	Field Worker	Matric			Swat	15.08.1982	07.07.2008	ARI, Mingora	14.08.2042		

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S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A./Sc Certificate with Division	Home District	Date of Birth	Date of last appointment	Place of present posting	Date of superannuation	Remarks	Signature of official
88	Mr. Shair Muhammad	Naib Qasid	B.A. (21)	1995 2nd	1997 3rd	Peshawar	24.08.1979	01.01.2009	ARI, Tarnab	23.08.2039		
89	Mr. Sharif Khan	Field Worker	Mainc	1997 2nd		DIKhan	03.03.1980	24.07.2009	ARI, DIKhan	02.03.2040		
90	Mr. Tanveer Ahmad	Field Worker	Matric	1997 2nd		ARS, Baffa	20.11.1978	25.07.2009	ARS, Baffa	19.01.2038		
91	Mr. M. H. Fayyaz	Naib Qasid	Matric	2000 2nd		DIKhan	15.04.1984	27.07.2009	ARI, DIKhan	14.04.2044		
92	Mr. Naeem Ullah	Naib Qasid	F.A. (25)	2002 2nd	2011 2nd	Swat	13.07.1984	13.04.2010	ARI, Mingora	22.07.2044		
93	Mr. Zahid Hussain	Field Worker	Matric	1999 2nd		A. Abad	22.01.1982	31.05.2010	HARS, A. Abad	21.01.2042		
94	Mr. Ahmad Zaman	Naib Qasid	B.A. (26)	2007 2nd	2010 2nd	Peshawar	15.04.1991	03.06.2010	Directorate General	14.04.2051		
95	Mr. Muhammad Ibrar	Lab. Attendant	Matric	2004 2nd		Peshawar	21.05.1987	01.06.2010 Matric 30.05.2013 L/Actd	SPN, ARI, Tarnab	22.03.2047		
96	Mr. Umar Jamal	Lab. Attendant	F.A. (27)	1999 2nd		Peshawar	25.10.1982	04.06.2010	SPN, ARI, Tamah	24.10.2042		
97	S. Bial Hussain Shah	Chowkidar	Matric	2004 2nd		Baffa	03.03.1987	07.01.2010	ARS, Baffa, Manselha	02.05.2047		
98	Mr. Muhammad Anwar	Field Worker	Mainc	1990 2nd		Manselha	01.02.1973	06.10.2010	HARS, A. Abad	31.01.2033		
99	Mr. Muhammad Ismail	Lab. Attendant	Mainc	2003 3rd		A. Abad	05.10.1984	11.11.2010	HARS, A. Abad	02.10.2044	Not eligible for 3rd division	
100	Mr. Waqar Khan	Field Worker	Matric	2000 3rd		Manselha	02.05.1980	15.12.2010	ARS, Baffa, Manselha	01.05.2040	Not eligible for 3rd division	
101	Mr. Taza Gul	Field Worker	Matric	1998 2nd		Nowshera	15.01.1982	20.01.2011	Orakzai Agency FATA, ARI, Tarnab	14.01.2042		
102	Mr. Naimat Ullah Khan	Chowkidar	B.A. (28)	2008 2nd	2010 2nd	Karak	01.04.1991	15.02.2011	ARS, Karak	31.05.2051		
103	Mr. Inamullah	Lab. Attendant	F.A. (29)	2008 2nd	2010 3rd	Charsadda	13.01.1990	20.05.2011	SPN, ARI, Tarnab	12.01.2050		
104	Mr. Akhtar Ali	Field Worker	Matric	1999 3rd		Peshawar	26.07.1981	08.07.2011	CCRI, Pirsabak	24.07.2041	Not eligible for 3rd division	
105	Mr. Muhammad Ishraq	Field Worker	Matric	2011 2nd		Peshawar	5.3.83	03.01.2004	ARI, Tarnab	4.1.2041		
106	Mr. Jehanzeb	Lab. Attendant	Matric	1998 1st		Peshawar	28.04.1981	08.02.2012	Peshawar	27.04.2041		
107	Mr. Anwar Kamal	Field Worker	F.A. (30)	1991 2nd	1995 3rd	Nowshera	01.09.1975	09.02.2012	CCRI, Pirsabak	31.08.2005		
108	Mr. Amir Khan	Field Worker	B.A. (31)	2006 3rd	2009 2nd	Nowshera	01.02.1988	13.02.2012	CCRI, Pirsabak	31.01.2048	Not eligible for 3rd division	
109	Mr. Liaqat Ali ✓	Chowkidar	F.A. (32)	2006 3rd	2015 2nd	Mardan	18.02.1989	13.02.2012	SCRI, Mardan	17.02.2049	Not eligible for 3rd division	

ATTESTED
 Signature of official

Signature of official

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Sr.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A. or Sr Certificate with Division	Home District	Date of Birth	Date of last appointment	Place of present posting	Date of superannuation
113	Mr. Zamin Khan	Field Worker	F.A	1992nd		Nowshera	02.01.1976	01.01.2014	A.R.I, Tarnab	01.01.2036
114	Mr. Naveed Ahmad Khan	Naib Qasid	F.A	1993nd	2003rd	Peshawar	4.6.1974	11.2011	A.R.I, Tarnab	30.03.18
115	Mr. Saadullah	Naib Qasid	B.A	2000nd	2002nd	Peshawar	01.04.1983	01.01.2014	Directorate General	02.04.2043
116	Syed Usman Ali Shah	T.W Operator	F.A	2011nd	2015nd	Peshawar	05.10.1994	11.2014	A.R.I, Tarnab	4.10.2014
117	Mr. Anjid Ali	Naib Qasid	B.A	1995nd	1999nd	Peshawar	13.03.1979	14.02.2014	A.R.I, Tarnab	31.01.2039
118	Mr. Raziq Ali	Field Worker	Matric	1993rd		Swat	05.09.1976	06.02.2014	A.R.I, Mingora	04.09.2016
119	Mr. Abdul Wahab	Naib Qasid	Matric	1991rd		Bannu	10.10.1974	28.02.2014	A.R.S, S.M, Bannu	09.10.2034
120	Mr. Muhammad Subhan	Chowkidar	Matric			Lakki		28.02.2011	A.R.S, S.M, Bannu	
121	Mr. Mahmood Khan	Lab Attendant	Matric	1997nd		Bannu	08.11.1979	13.03.2014	Bannu	17.11.2039
122	Mr. Muhammad Ali Shah	Naib Qasid	B.A	1998nd	2002nd	Bannu	09.02.1981	13.03.2014	Bannu	03.02.2011
123	Mr. Iqbal Hussain	Chowkidar	F.A	2000nd	2002nd	Swat	03.01.1981	13.03.2014	A.R.I, Mangura	02.03.2041
124	Mr. Kalamullah	Field Worker	Matric	1999rd		Bannu	12.10.1983	13.03.2014	Bannu	11.10.2043
125	Mr. Khalid Muhammad Khan	Naib Qasid	F.A		2004nd	Bannu	01.02.1986	15.01.2014	Bannu	31.01.2044
126	Mr. Faridullah Khan	Sweeper	Matric	2001nd		Bannu	09.05.1987	11.01.2014	Bannu	08.08.2047
127	Mr. Abdul Hamid Khan	Field Worker	B.A	2006nd	2012nd	Bannu	08.04.1990	11.01.2014	Bannu	01.04.2050
128	Mr. Siraj Khan	Watchman	Matric	2001nd		Bannu	10.01.1992	13.03.2014	Bannu	09.02.2052
129	Mr. Mr. Abdul Kausar	Naib Qasid	Matric	2002nd		Swabi	01.10.1975	07.04.2014	A.R.S, Swabi	31.12.2034
130	Mr. Sajjad	Field Worker	M.A			Swabi	01.10.1985	07.04.2014	A.R.S, Swabi	31.12.2044
131	Mr. Nizhab	Field Worker	F.A	2015nd		Swabi	01.10.1991	07.04.2014	A.R.S, Swabi	31.12.2050
132	Mr. Athar Naveed	Naib Qasid	Matric			Swabi	08.04.1977	08.04.2014	A.R.S, Swabi	07.04.2017
133	Mr. Naeemullah	Sweeper	Matric	1998nd		Swabi	13.04.1982	08.04.2014	A.R.S, Swabi	02.04.2042
134	Mr. Hamid Ayaz	Naib Qasid	Matric	2008nd		Swabi	16.02.1983	08.04.2014	A.R.S, Swabi	15.02.2042

ATTACHED

Signature of official

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S.No	Name	Designation	Qualification	Date of acquiring Secondary School Certificate with Division	Date of acquiring F.A/F.S.C Certificate with Division	Home District	Date of Birth	Date of last appointment	Rate of present posting	Date of superannuation
153	Mr. Abdur Rehman	Field Worker	Matric							
156	Mr. Muhammad Zakaria	Field Worker	Matric	2005 3rd		Swabi	01.12.1916	08.04.2014	AR S, Swabi	31.11.2046
151	Mr. Laif Bahadar	Chowkidar	Matric	2006 2nd		Swabi	03.04.1919	08.04.2014	AR S, Swabi	02.04.2049
158	Mr. Arzad Ali Khan	Chowkidar	BA	2003 2nd		Swabi	14.01.1950	09.04.2014	AR S, Swabi	13.12.2050
159	Mr. Manzoor Khan	Lib Assistant	FA	2007 2nd	2016 2nd	Swabi	06.04.1991	10.04.2014	AR S, Swabi	05.04.2052
160	Mr. Fayz	Sweeper	Matric	2012 2nd		Swabi	13.04.1959	03.04.2014	AR S, Swabi	12.02.2050
161	Mr. Muhammad Saeed	Nab Qasid	MSc (Hons)	2001 2nd	2001 2nd	Buner	25.01.1955	16.05.2014	AR S, Buner	24.03.2055
162	Mr. Rahmatullah	Field Worker	MA	2001 2nd	2009 3rd	Dikka	20.05.1984	20.06.2014	AR, Dikka	19.05.2045
163	Mr. Hashmat Ali	Field Worker	Matric	2001 2nd		Dikka	01.01.1981	20.06.2014	AR, Dikka	31.12.2047
164	Mr. Ashiq Nawaz	Chowkidar	F.A			Orakz Agency	05.02.1981	01.07.2014	Orakz Agency	04.02.2048
165	Mr. Naved Ali	Ploughman	Matric	2009 2nd		Kotli	1984	09.01.2014	Kotli	2044
166	Mr. Latifullah	Cross Cutter	Matric	2000 3rd		Swat	01.01.1992	14.01.2014		
167	Mr. Nushra Tariq	Sweeper	Matric	2006 2nd		Mingora	13.01.1983	15.09.2014	AR, Mingora	02.01.2051
168	Mr. Waqar Niaz	Nab Qasid	F.A			Peshawar	11.01.1983	23.09.2014	(CRI, Peshawar)	11.01.2043
169	Mr. Muhammad Shabbir	Field Worker	F.A	2001 2nd	2011 2nd	Peshawar	29.01.1991	04.10.2014	AR, Tanab	11.01.2043
170	Mr. Abdul Nadeem	Ploughman	F.A	2011 2nd	2013 2nd	Mardan	02.12.1991	12.11.2014	SCRI, Mardan	01.12.2051
171	Mr. Anif Mehtab	Nab Qasid	Matric	2004 3rd	2007 2nd	Mardan	10.04.1993	12.11.2014	SCRI, Mardan	
172	Mr. Fazal Atud	Nab Qasid	F.A	2015 1st	2017 1st	Peshawar	01.01.1988	31.12.2014	AR, Tanab	31.12.2047
173	Mr. Zafer Ali	Lib Assistant	Matric	2015 3rd		Swat	01.02.1982	02.11.2009	AR, Tanab	01.01.2042
174	Mr. Najmas Saqib Haider	Field Worker	BA	2006 2nd	DBA 2009 2nd	Peshawar	05.02.1980	03.06.2014	AR, Mingora	04.02.2040
175	Mr. Khalid Khan	Field Worker	BA			Swat	10.03.1990	10.02.2015	AR, Tanab	09.03.2050
176	Mr. Anwar Shah	Field Worker	Matric	2003 3rd		Buner	01.07.1977	14.02.2015	AR, Mingora	30.06.2017
177	Mr. Asad Khan	Nab Qasid	BA	2010 1st	2012 1st	Swat	03.02.1984	16.05.2015	AR S, Buner	02.02.2046
							01.01.1994	09.06.2015	AR, Mingora	31.12.2054

Signature of official

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Sl. No.	Qualification	Date of Acquiring Secondary School Certificate with Division	Date of Acquiring F.A.F.Sc Certificate with Division	Home District	Date of Birth	Date of 1st appointment	Place of present posting	Date of last promotion	Signature of official
1	Muzic			Karak	01.06.1996	01.07.2015	Karak	31.07.2016	
2	B.A	2011 2nd	2015 2nd	Chagazade	05.03.1996	09.07.2015	SCRI, Mardan	02.07.2016	
3	F.A	2001 2nd	2004 3rd	Peshawar	28.02.1985	07.09.2015	ARI, Tarnab	19.02.2015	
4	Muzic	2008 3rd		Dikhan	02.02.1991	14.01.2015	ARI, Dikhan	01.02.2016	
5	F.A	2012 1st	2016 2nd	Dikhan	14.04.1990	07.03.2016	ARI, Dikhan	13.04.2016	
6	F.A	2010 2nd	2013 3rd	Chitral	6.11.1984	29.3.2016	ARS, Chitral	5.12.2014	
7	N.A	2005 1st	2008 2nd	Buner	15.03.1985	16.05.2016	ARS, Buner	14.03.2016	
8	B.A	2007 2nd	2012 2nd	Nowshera	19.10.1991	01.07.2016	ARI, Tarnab	09.10.2016	
9	Muzic	2010 2nd		Swat	18.07.1992	01.07.2016	ARI, Swat	17.3.2016	
10	B.S	2012 1st	2014 1st	Swat	01.03.1997	19.08.2016	ARI, Mingora	02.03.2017	
11	Muzic	1999 2nd		Nowshera	10.05.1971	21.09.2016	ARS, Swat	09.06.2016	
12	Muzic	1999 2nd		Nowshera	08.01.1982	26.10.2016	ARI, Pirsabal	07.01.2016	
13	A		2015 2nd	Swat	08.01.1982	26.10.2016	SCRI, Mardan	05.01.2016	
14	A	2007 3rd	2009 3rd	Dikhan	15.10.1996	08.11.2016	ARI, Dikhan	14.10.2016	
15	A	2008 2nd	2010 2nd	Peshawar	15.04.1991	7.12.2016	Directorate General	14.04.2016	
16	A	1998 3rd	2003 3rd	Nowshera	05.04.1991	11.12.2016	ARI, Tarnab	04.04.2016	
17	Muzic	2017 1st		Bannu	25.11.1981	20.12.2016	ARS, SN, Bannu	21.11.2016	
18	Muzic	2017 2nd		Peshawar	17.07	05.01.2004	ARI, Tarnab	30.6.2017	
19	Muzic			Manselva	11.12	10.1.2005	ARS, A. Abdul	31.12.2011	
20				Manselva	02.03.1984	06.02.2017	ARS, A. Abdul	31.12.2011	
21		2004 3rd		Shakkar Agency	25.03.1991	10.04.2017	ARS, Baffa	01.05.2014	
22		2014 2nd	2017 2nd	Mardan	03.12.1991	10.04.2017	Qualif Agency	27.03.2016	
23		2016 2nd	2014 3rd	Nowshera	05.12.1991	12.02.2017	SCRI, Mardan	02.12.2017	
24				Nowshera	20.11.1994	11.01.2017	DCAR office	19.11.2014	

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SUGAR CROPS RESEARCH INSTITUTE
MARDAN,

Phone # (0937) 929047-929013
Email: scri@brain.net.pk.

No. 1570 /DSC

Dated 27-9-2021.

The Director General,
Agriculture Research System,
KPK, Peshawar.

Subject:- DRAFT TENTATIVE SENIORITY LISTS OF CLASS-IV
EMPLOYEES (HAVING MATRIC OR ABOVE QUALIFICATION).

Memo:

Kindly reference your letter No. 11242-52/Estt/DGAR dated 10.09.2021 on
the above cited subject.

The attached draft tentative seniority list of class-iv employees dully
signed by the officials concerned working at Sugar Crops Research Institute Mardan is
sent herewith for favour of further necessary action as desired please.

a/
e
Director
Sugar Crops Research Instt.
Mardan.

ATTESTED

Anmen = "E" (51)

BEFORE THE KHYBER PAKHTONKHTWA SERVICE
TRIBUNAL, PESHAWAR

Application/Petition No. _____ of year 2024

1. Khaista Gul S/o Wali Gul, Junior Clerk BPS (11) presently posted at Sugar Crop Research Institute, Charsadda Road, Mardan.

.....Applicant/ Petitioner

VERSUS

1. Secretary Agriculture Civil Secretariate, KPK, Peshawar.
2. Director General Research, Agriculture University, Peshawar.
3. Director Sugar Crops Research Institute, Charsadda Road, Mardan.
4. Muhammad Ismail S/o Ajab Khan R/o Sugarcane Farm, Research Institute, Charsadda Road, Mardan.
5. Shabir Ahmad, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
6. Rahat Khan S/o kareem khan R/o Wazir Ghari, Post Office Pabbi (RS), Tehsil and District Nowshera.
7. Muhammad Ibrar, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
8. Noor Aziz, Designated as Junior Clerk BPS (11) at Agriculture Research Station, Chitral.

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9. Inam Ullah, Designated as Junior Clerk BPS (11) at Agriculture Research Institute (ARI), Tarnab Farm, Peshawar.
10. Wajid Khan, Designated as Junior Clerk BPS (11) at Cereal Crops Research Institute, Pirsabak, Nowshera.
11. Ajab Khan Designated as Junior Clerk BPS (11) at Agricultural Research Station, Harichand, Charsadda.
12. Muhammad Basir Designated as Junior Clerk BPS (11) at Agricultural Research Institute, Tarnab, Peshawar.
13. Mudassir Aqeel Designated as Junior Clerk BPS (11) at Director General Agricultural Research, Khyber Pakhtoonkhwa, Peshawar

.....Respondents

**APPLICATION FOR GRANT OF TEMPORARY
INJUNCTION TO THE EFFECT THAT OPERATION OF
THE IMPUGNED JUDGEMENT/ ORDER DATED. 25-04-
2024 MAY KINDLY BE SUSPENDED TILL FINAL
DECISION OF THE INSTANT APPLICATION UNDER
SECTION 12(2) READ WITH SECTION 151 OF CIVIL
PROCEDURE CODE**

Respectfully Sheweth: -

- I. That the aforementioned application is to be filed today before this Hon'ble Court.


- II. That the contents of the above application be considered as part and parcel of this instant petition for interim relief.
- III. That the prima facie case is in favour of the applicant.
- IV. That the balance of convenience is also in favour of the applicants and irreparable loss is likely to be caused to them, if the interim relief is refused to them.

PRAYER

In view of the above, it is hereby humbly requested that the impugned order/ judgement dated 25-04-2024 may kindly be suspended till the final decision of the application filed under section 12(2) of the Civil Procedure Code.

Applicant

Through


Abdur Rauf Khan

Advocate High Court

(54)

BEFORE THE KHYBER PAKHTONKHWA SERVICE
TRIBUNAL, PESHAWAR

Application/Petition No. _____ of year 2024

Khaista Gul and Others.....

Applicants/ Petitioners

VERSUS

Muhammad Ismail and Others.....




..... Respondents

AFFIDAVIT

It is certified that all the contents of this application are true and correct with the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Date: 14/x/24

Deponent 

وقت 50	59595	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈوکیٹ: <u>Ahmed Akif</u>	بار کونسل ایسوسی ایشن نمبر: <u>bc. 224727</u>	  
رابطہ نمبر: <u>0312-537178</u>		

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بعدالت جناب: حتمی منین سرور سول سروسز، مہربانہ، خیبر پختونخواہ (ک)

مخاطب: <u>مسائل</u>	دعویٰ: <u>درخواست زیر حلف</u>
<u>حکومت گل بنام حکومت خیبر پختونخواہ</u>	علت نمبر: <u>12 (2) ضابطہ درجہ اولیٰ</u>
	موضوع:
	جرم:
	تھانہ:

بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام محکمہ ادر کیلے عبدالرحمن و وفیق کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 12/10/2024
Approve

_____ مقام
 کے لیے منظور ہے۔

16/10/2024
 0313-9874167