


FORM OF ORDER SHEET

Court of _____

Appeal No. 1878 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	10/10/2024	<p>The appeal of presented today by Mr. Tahir Sajid Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 28.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

S.A # 1878 / 2024

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA

Muhammad Arif Khan.....Appellant

Versus

Secretary to Government of Khyber Pakhtunkhwa and
others.....Respondents

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ADVOCATE

①

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA

Service Appeal No. 1878/2024

Muhammad Arif Khan son of Muhammad Arfan PSHT,
(BPS-15) at GPS Khaki, Circle Khaki, Mansohra Date of
Appointment 12.05.1990.....Appellant

Versus

- 1) Secretary to Government of Khyber Pakhtunkhwa
Establishment Department, Civil Secretariat,
Peshawar.
- 2) Secretary to Government of Khyber Pakhtunkhwa
Elementary and Secondary Education
Department, Civil Secretariat, Peshawar.
- 3) Director Elementary and Secondary Education
Department, Civil Secretariat, Near MPA Hostel,
Peshawar.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED NOTIFICATION NO. SO(Policy)E&AD/1-
3/2020 DATED 06.08.2020 COMMUNICATED BY
RESPONDENT NO. 2 VIDE LETTER DATED
06.06.2023 WHEREIN IT WAS STATED THAT SUB
RULES 5 OF RULE 7 KHYBER PAKHTUNKHWA CIVIL
SERVANT (APPOINTMENT, PROMOTION AND
TRANSFER) RULES, 1989 STANDS DELETED.**

P R A Y E R:

**ON ACCEPTANCE OF INSTANT SERVICE APPEAL,
THE IMPUGNED NOTIFICATION NO.
SO(Policy)E&AD/1-3/2020 DATED 06.08.2020
COMMUNICATED BY RESPONDENT NO. 2 VIDE
LETTER DATED 06.06.2023 MAY BE DECLARED AND
ORDERED TO BE STRUCK DOWN BEING VOID AND
ULTRA VIRES TO THE CONSTITUTION OF
PAKISTAN AND FUNDAMENTAL PRINCIPLES OF
NATURAL JUSTICE AND AGAINST THE RIGHTS OF
APPELLANT.**

**ANY OTHER RELIEF WHICH THIS HONORABLE
TRIBUNAL DEEMS FIT AND PROPER IN THE
CIRCUMSTANCES OF THE CASE MAY ALSO BE
GRANTED TO THE APPELLANT.**

Respectfully Sheweth!

- 1) That, the respondents Department appointed the
appellant as Primary School Head Teacher.

(Copy of appointment letter is
annexed as Annexure "A")

2) That, the Khyber Pakhtunkhwa (Appointment/Promotion/Transfer) Rules, 1989 as well as other sister services of the other provinces and Federation as well, availing of promotion by the employee is always optional and the employees as a matter of right may avail or forego their promotion and the next employee in seniority list is to be promoted.

3) That, some employees specifically have foregone their promotion as they could not serve in the areas where there is no facility of accommodation and no houses of their elders are available to look after them in far flung and solitary mountainous hard areas, and as per section 25 of per KP Civil Servant Act, 1973, rules to the extent of terms and conditions is framed by the Chief Minister and such promotion rules are not made applicable with retrospective effect. The rules framed are published in the gazette notification and part and parcel of KP civil Servant Appointment, Transfer, Promotion Rules, 1989.

4) That, Government of KP without following the rules position mentioned in Para 6 above promulgated notification SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 communicated to respondent No. 2 vide letter dated 06.06.2023 wherein, it has been made mandatory to the employee to avail the promotion, otherwise. Disciplinary action shall be taken against the employees. The impugned notification is reproduced as under.

"Furthermore, those officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceeded against under Khyber Pakhtunkhwa Civil Servants (Efficiency Discipline) Rules, 2011, please".

5) That, as per notification No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 the right of foregoing of promotion was withdrawn and the Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) deleted Rule 7(5) in the notification number SO(POLICY)E&AD/1-3/2020 dated 06.08.2020.

(Copy of impugned notification No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 is annexed as Annexure "B")

6) That, the Director of Elementary and Secondary Education KPK, Peshawar asked for guidance regarding deletion of Rule 7(5) in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 in respect of which the respondent No. 1 vide its letter No. SO(POLICY)E&AD/1-3/2020 dated 06.06.2023 directed the respondent no 3 that rule 7(5) in the Khyber Pakhtunkhwa civil servants (Appointment, Promotion and Transfer) Rules, 1989 has been deleted

vide notification dated 06.08. 2020 and, therefore, no provision exists to decline or forgo promotion and it is obligatory upon every civil servant to accept promotion under every condition

(Copy of impugned letter dated June 06th, 2023 is annexed as Annexure "C")

- 7) That thereafter the meeting was also held in the office of Additional Secretary establishment on 06-07-2023 in which it was decided to examine the case properly and submit a self-contained/consolidated case for onward submission to the Establishment Department for further necessary action.

(Copy of minutes of meeting dated 06-07-2023 is attached as Annexure "D")

- 8) That the respondent No.3 i.e. Directorate of Elementary and Secondary Education Khyber Pakhtunkhwa also wrote a letter to the office of Establishment & Administrative Department vide No. SO(PRIMARY-M)E&SED/2-2/Appointment Rules, 2023 dated 23.08.2023 to reconsider the amendment made in KPK Civil Servants, Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers.

(Copy of letter dated 23.08.2023 is annexed as Annexure "E")

- 9) That, the respondents, vide its letter dated 07.09.2023 directed the Directorate of Elementary & Secondary Education KPK that necessary guidance has already been provided to the Department and therefore, no provision exists to decline or forgo promotion and those teachers who do not comply with the promotion order of the competent authority or try to evade promotion through different means shall be proceeded under the KPK Civil Servants (Efficiency & Discipline) Rules, 2011.

(Copy of impugned letter dated 07.09.2023 is annexed as Annexure "F")

- 10) That, the petitioner feeling aggrieved, filed representation to respondents in person and also approached to respondents through APTA President but the grievances of the appellant have not so far been redressed.

(Copy of representation against the said notification is annexed as Annexure "G & H")

- 11) That, feeling aggrieved from the letter dated 06.06.2023 and 07.09.2023 and the deletion of Rule 7(5) in KPK Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the petitioner file this. Hence, the instant service appeal is filed on the following grounds.

Grounds:

- A) That, as per various judgments it is established and settled principle that executive notification cannot be

given retrospective effect of valid notification which confer rights is always applicable with prospective effect, however, if an amendment notification that adversely effects the interests of the employees or causes disadvantages to the employee is not tenable in the eyes of law. The notification/guidance dated 06.08.2020, 06.06.2023 are liable to be set-aside.

B) That, there are no terms and conditions of service mentioned in the appointment order of the appellant wherein availing of promotion is mandatory. It is further submitted that employee in the past, have foregone their promotion along with their posting. It is submitted that when domestic and other personal issues do not permit the employees/appellant to avail the promotion order and in that case, the employees who foregone their promotion were allowed not to avail the promotion for a period of 04 years and on second refusal the employee were permanently debarred from availing the facility of promotion during their entire services. Hence, the employees himself forebear agonies of foregoing their promotions. As a result, junior to the appellant according to the order of seniority cum fitness are granted promotion to next rank.

C) That, as per civil servant laws, promotion is a kind of appointment which is always optional to get promotion or not, hence the impugned notification is void, illegal and against the law and the same to the extent of the appellant is liable to set-aside.

D) That, it is further submitted that on account of grant of promotion some employees who are suffering from several medical ailment or facing acute domestic issues cannot avail promotion with transfer in other areas, therefore no employee can be compelled to accept the promotion compulsorily which is not beneficial to the employee but if an employee does not avail and get benefit of his promotion it must be optional for the employee as to whether to avail or forego to benefit. Any promotion without willingness of employee is illegal and liable to be set-aside.

E) That, non availing of promotion and foregoing thereof does not cause loss to the government exchequer and in consequence of foregoing promotion, pave way to the next employee in seniority aspiring from promotion could be promoted.

F) That, the impugned promotion notification dated 06.08.2020 communicated on 06.06.2023 is perverse, discriminatory, against the law, pungent and is a blunt blow of hammer on the rights of the appellant. It is not out of place to mention here that the appellant are teachers and have to look after their childrens as well as ailing dependant family members and in these circumstances in the presence of impugned notification dated 06.08.2023 communicated on 06.06.2023 would not be able to serve in the Department and which shall amount to the snatching of bread and butter of the poor employees.

(5)

Prayer:

It is, therefore, humbly prayed that on the acceptance of the instant service appeal; the impugned notification bearing No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020 communicated to respondent No. 2 by respondent No. 1 vide letter dated 06.06.2023 may please be declared and ordered to be struck down being void Ultra vires to the Constitution of Pakistan and against the fundamental principles of natural justice.

It is, further, prayed that no penal action as proposed and envisaged in letter dated 06.06.2023 may be declared as unlawful, illegal and without having any legal effect.

Any other relief, which this Honorable Tribunal deems fit and proper in the circumstances of the case, may also be granted to the appellant.

Ah
Appellant

Through:-

Ah

Tahir Sajid Advocate
High Court, District
Courts, Manshra

Affidavit
I (the appellant) solemnly declare that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Tribunal.

Ah

ATTESTED
Ah
08/16/24

6

**BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA**

C.M No: _____ -P of 2024-10-08
in Ref to
Service Appeal No. _____ /2024

Muhammad Arif Khan.....Appellant

Versus

Secretary to Government of Khyber Pakhtunkhwa and
others.....Respondents

**APPLICATION FOR SUSPENSION OF IMPUGNED
NOTIFICATION BEARING NO. SO(POLICY) E&SD/1-
3/2020 DATED 06.08.2020, COMMUNICATED TO
RESPONDENT NO. 2 BY RESPONDENT NO. 1, VIDE
LETTER DATED 06.06.2023 TILL THE FINAL
DISPOSAL OF CASE IN HAND.**

Respectfully submitted: -

- 1) That, the instant application may be treated as part and parcel of service appeal of the appellant.
- 2) That, the appellant has brought a good prima facie case and balance of convenience also lies in favor of the appellants.
- 3) That, there is likelihood success of the appellant in the lis. And if the notification bearing No. SO(POLICY)E&AD/1 3/2020 dated 06.08.2020, communicated to respondent No. 2 by respondent No. 1, vide letter dated 06.06.2023 is not suspended the appellant would suffer irreparable loss.
- 4) That, valuable right of the appellant is involved in this case.

In view of the reason, it is humbly requested that the notification bearing No. SO(POLICY)E&AD/1-3/2020 dated 06.08.2020, communicated to respondent No. 2 by respondent No. 1, vide letter dated 06.06.2020 may kindly be suspended till the final disposal of the main appeal in hand.

Appellant

Through: -

Affidavit
I (the appellant) solemnly declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honorable Tribunal.

Tahir Sajid Advocate
High Court, District
Courts, Manshra

(Handwritten signature and date)
08/10/24

5/1
*E

6/15/90
DISTRICT EDUCATION OFFICER (DATE)

M

- 1: P/S to Nonpublic Ministry for Health, W.A.P.C.
- 2: Sub-Regional Director (Date)
- 3: Mentee's Log (Date)
- 4: Candidate concerned

Copy forwarded to the District Office dated 6/15/90.

District Office (Date)

id

- 1. Change report should be submitted to all concerned.
- 2. P/S to Nonpublic Ministry for Health, W.A.P.C. should be submitted to the District Office.
- 3. He should produce his own health certificate from the District Office.
- 4. He should not be handed over unless if his age is below 18 years and above 25 years.
- 5. His existing certificate may be checked before handing over certificate.
- 6. The appointment is purely temporary & liable to be terminated at any time without any reason.

APPOINTMENT

As recommended by Nonpublic Ministry for Health, W.A.P.C. in the appointment of the following persons & conditions -

to the under the name of the District Office in the interest of public service with effect from 15/06/90. (Date)

As recommended by Nonpublic Ministry for Health, W.A.P.C. in the appointment of the following persons & conditions -

Dated: 6/15/90
O.O.No. 66

OFFICE OF THE DISTRICT EDUCATION OFFICER (DATE)

ANN: A! (7)

(7A)
Dist. Govt. KP-Provincial
District Accounts Office Manshra
Monthly Salary Statement (August-2024)

A



Personal Information of Mr MUHAMMAD ARIF d/w/s of MUHAMMAD IRFAN

Personnel Number: 00222633 CNIC: 1350305131239 NTN:
Date of Birth: 20.04.1970 Entry into Govt. Service: 12.05.1990 Length of Service: 34 Years 03 Months 021 Days

Employment Category: Active Permanent

Designation: PRIMARY SCHOOL HEAD TEACH 80003206-DISTRICT GOVERNMENT KHYBE

DDO Code: MA6145-Mansehra

Payroll Section: 001

GPF Section: 001

Cash Center: 4

GPF A/C No: EDUMA008183

GPF Interest applied

GPF Balance:

1,256,565.00 (provisional)

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil

BPS: 15

Pay Stage: 26

Wage type	Amount	Wage type	Amount
0001 Basic Pay	75,400.00	1001 House Rent Allowance 45%	3,524.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
2148 15% Adhoc Relief All-2013	1,010.00	2199 Adhoc Relief Allow @10%	705.00
2316 Teaching Allowance 2021	3,224.00	2341 Dispr. Red All 15% 2022KP	7,206.00
2347 Adhoc Rel Al 15% 22(PS17)	7,206.00	2378 Adhoc Relief All 2023 35%	25,697.00
2393 Adhoc Relief All 2024 25%	18,850.00		0.00

Deductions - General

Wage type	Amount	Wage type	Amount
3015 GPF Subscription	-4,299.00	3501 Benevolent Fund	-1,200.00
3609 Income Tax	-7,183.00	3990 Emp.Edu. Fund KPK	-135.00
4004 R. Benefits & Death Comp:	-600.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 114,920.25 Recovered till AUG-2024: 14,366.00 Exempted: 28729.45 Recoverable: 71,824.80

Gross Pay (Rs.): 147,178.00 Deductions: (Rs.): -13,408.00 Net Pay: (Rs.): 133,770.00

Payee Name: MUHAMMAD ARIF

Account Number: PLS 3362-1

Bank Details: MCB BANK LIMITED, 240761 KHAKI KHAKI, MANSEHRA

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: MANSEHRA

City: MANSEHRA

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: arifpst1970@gmail.com

ANNEXURE

B 8

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)

NOTIFICATION

Dated Peshawar the, 06/18/2020

Subject: E&A D1-12020 In exercise of the powers conferred by section 25 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVII of 1973) the Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the following further amendment shall be made, namely:

AMENDMENT

In rule 7, sub-rule (5) shall be deleted.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

CASE NO & EVEN DATE

Copy is forwarded to:-

1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
 2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
 3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
 4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
 5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
 6. All Divisional Commissioners in Khyber Pakhtunkhwa.
 7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
 8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
 9. All Deputy Commissioners in Khyber Pakhtunkhwa.
 10. The Registrar Peshawar High Court, Peshawar.
 11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
 12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- The Deputy Director (IT), E&A Department.
All Section Officers in Establishment & Administration Department.
The Section Officer (Admn), Administration Department with the request to arrange 20 gazette copies.
The Caretaker, Administration Department.

1252
06/18/2020

Wardah Latif
(WARDAH LATIF)
DEPUTY SECRETARY (POLICY)

Attended

Attended
Qanoon

9

**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

NOTIFICATION

Dated Peshawar the, 06/01/2020

In exercise of the powers conferred by section 26 of the Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII) the chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 1989, the following further amendment shall be made, namely:

AMENDMENT

In rule 7, sub-ruler (5) shall be deleted.

**CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

(ANDS): & EVEN DATE

Copy is forwarded to :-

1. Additional Chief Secretary, Govt of Khyber Pakhtunkhwa. Planning & Development Department)
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt of Khyber Pakhtunkhwa.
4. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Deputy Commissioners in Khyber Pakhtunkhwa.
10. The Registrar, Peshawar High Court, Peshawar.
11. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar
12. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
13. The Deputy Director (IT), E&A Department.
14. All Section Officers in Establishment & Administration, Department.
15. The Section Officer (Admin), Administration Department with the request to arrange 20 gazette copies.
16. The Caretaker, Administration Department.

(WAIDAH LATIF)
DEPUTY SECRETARY (POLICY)

Attested
[Signature]

Attached
A/2

MP/43-2023 AZIZULHAQ VS GOVT OF PAK

Section Officer (Policy)

Section Officer (Person)

Yours faithfully,

- 1. Copy forwarded to the:
 - 1. PA to Additional Secretary (Legal), Establishment Department.
 - 2. PA to Additional Secretary (Legal), Establishment Department.
 - 3. PA to Deputy Secretary (Policy), Establishment Department.

Model, Of even No & date

2014, please.

proceeded against under Khayr Pakistan Civil Servants (Efficiency & Discipline) Rules, of the competent authority or up to evade promotion through different means shall be

Further, those officers/employees who do not comply with promotion order civil servant to accept promotion in every condition.

to tackle higher responsibilities in case of promotion. Therefore, it is obligatory upon every person those who tend to forge promotion to evade responsibility or show lack of capacity will serve from promotion for which gain by asking to a single lucrative post/promotion or to

The basic rationale behind the bid rule is aimed at preventing a

provided exists to decline or forgo promotion.

rules, 1973 under which this departmental notification dated 06.08.2019. Thus, no (2) of rule-7 of Khayr Pakistan Civil Servants (Appointment, Promotion and Transfer) 2/A/43-2023 dated 18.04.2023 on the subject noted above and to state that Sub-Rule 1 was directed in letter to your letter No. SO/Person-My/43-2023-

Subject: GUARANTEE REGARDING PROMOTION OR RISE IN THE CIVIL SERVICE (PUNJAB) REGULATIONS, 1973.

To: The Government of Punjab, Establishment Department.

GOVERNMENT OF PUNJAB, ESTABLISHMENT DEPARTMENT
 No. SO/Policy/43-2023
 Dated: 18.04.2023



10

ANNEXURE

D

(17)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No. 091-9223507)

No. SO (Primary-MJE&SED/2-6/2023
Dated Peshawar the June 26th 2023

To,

The Director
Elementary & Secondary Education Department
Khyber Pakhtunkhwa, Peshawar.

Aziz Ullah Khan
President
All Primary Teacher's Association, KP

[Handwritten Signature]
26/6/23

Subject: **GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1989.**

I am directed to refer to the subject noted above and to enclose here with
a letter of Establishment Department letter No. SO (Policy)E&AD/1-3/2020 dated
06 June, 2023 and to state that the subject meeting is to be held on 06 July, 2023 at
11:00 AM in this department under the Chairmanship of Additional Secretary (Estab)
E&SE Department in his office.

2. You are, therefore, requested to depute a representative of your
respective Department to attend the meeting on a date, time & venue as mentioned
above, please.

Encl: AA

[Handwritten initials]

[Handwritten Signature]
(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

- 1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

[Handwritten initials]

[Handwritten Signature]
SECTION OFFICER (PRIMARY MALE)
26/6/23

[Handwritten Signature]
Attested

12

No SO (Primary-M)/E&SED/2-6/2023
Dated Peshawar the June 25th 2023

To
The Director
Elementary & Secondary Education Department
Khyber Pakhtunkhwa, Peshawar

Aziz Ullah Khan President
President
All Primary Teacher's Association, KP

Subject: GUIDANCE REGARDING DELETION OF RULE 7(S) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1909.

I am directed to refer to the subject noted above and to enclose here with a letter of
Establishment Department letter No. SO (Policy)E&AD/1-3/2020 dated 06 June, 2023 and to state
that the subject meeting is to be held on 06 July, 2023 at 11:00 AM in this department under the
Chairmanship of Additional Secretary (Estab) E&SE Department in his office.

2. You are, therefore, requested to depute a representative of your respective
Department to attend the meeting on a date, time & venue as mentioned above, please.

Encl: AA

(MUHAMMAD SHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

1. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.

SECTION OFFICER (PRIMARY MALE)

AH
J

13

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR. AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).


A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting.


S#	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association Khyber Pakhtunkhwa
3	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar


2. The meeting started with recitation from the Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.


3. After thorough discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.



(Mr. Fazal Wahid)
Deputy Director-1
E&SE Department


(Mr. Aziz Ullah)
Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa


(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar


(Muhammad Ishaq)
Section Officer (Primary-Male)
E&SE Department

(Abdullah)
Additional Secretary (Establishment)
E&SE Department

Attested


15

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(5) IN THE CIVIL SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES 1989).

A meeting regarding the subject matter was held on 06-07-2023 at 11:00 AM under the Chairmanship of Additional Secretary Establishment in his office. The following attended the meeting

Sl	NAME	DESIGNATION
1	Mr. Fazal Wahid	Deputy Director Establishment of Directorate Elementary & Secondary Education Department
2	Mr. Aziz Ullah	Provincial President All Primary Teachers Association: Khyber Pakhtunkhwa
3	Mr. Razaqat Ullah	General Secretary APTA Peshawar
4	Muhammad Ishaq	Section Officer (Primary) E&SE Department Civil Secretariat Khyber Pakhtunkhwa Peshawar

2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

3. After threadbare discussion it was decided that Directorate of Elementary & Secondary Education Department may examine the case properly and submit a self-contained/consolidated case for onward submission to Establishment Department for further necessary action.

The meeting ended with a vote of thanks from the Chair.

(Mr. Fazal Wahid)
Deputy Director-1
E&SE Department

Provincial President
All Primary Teachers Association
Khyber Pakhtunkhwa

(Mr. Razaqat Ullah)
General Secretary APTA
Peshawar

(Muhammad Ishaq)
Section Officer (Primary-Male)
E&SE Department

(Abdullah)
Additional Secretary (Establishment)

Attested
Aziz

15

ANNEXURE

E



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8221587)

No. SO(Policy-M)E&SE/D-2/Appointment-Rule /2023
Peshawar Dated 23rd August, 2023

The Secretary to Govt. of Khyber Pakhtunkhwa,
Establishment & Administration Department,
Peshawar


**SUBJECT: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE CIVIL
SERVANT (APPOINTMENT, PROMOTION & TRANSFER RULES
1989)**

Dear Sir,

I am directed to refer to your letter No. SO(Policy)/ EB&AD/ 1-3/2020 dated 06th June 2023 and to state that after deletion of rule 7(5) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer Rules 1989) it has been intimated that those officers/ officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

2. In this connection it is submitted that in some cases lady teacher of primary level who avail such promotions have to face serious inconvenience while they have to perform duties in the remotest station with no residential or transport facility. Most of them are married with kids and elder father of mother-in-law who need care. In such cases, there are negative effects on service delivery.

3. In view of the above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.


(MUHAMMAD ISHTIAQ)
SECTION OFFICER (PRIMARY NAEL)

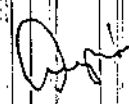
Copy forwarded to the:

1. Director E&SE Khyber Pakhtunkhwa.
2. PS to Secretary, E&SE Department Khyber Pakhtunkhwa.


SECTION OFFICER (PRIMARY NAEL)
20/8/23

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WP4442-2023 A2IZULLAH VS GOVT OF PG43

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Copy forwarded to:
1. Director E & SE Khyber Pakhtunkhwa.
2. PS to Secretary, E & SE Department Khyber Pakhtunkhwa.

Dear Sir,
I am directed to refer to your letter No. S(O) (Primary) (Policy) /E&AD /1-3/2020 dated 6th June 2023 and to state that after deletion of Rule 7(5) (Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer Rules 1989)) it has been intimated that these officers/officials who do not comply with promotion order of the competent authority or try to evade promotion through different means shall be proceed under Khyber Pakhtunkhwa Civil Servant (Efficiency and Discipline) Rule 2011. In this connection it is submitted that in some cases daily teacher of primary level who avail such promotion have to face serious inconvenience while they have to perform duties in the remotest stations with no residential/transport facilities. Most of them are married with kids and older fathers of Mother-in-law who need care. In such cases there are negative effects on service delivery. In view of above, the said amendment may be reconsidered to the extent of lady teacher in primary schools.

SUBJECT: Guidance regarding deletion of Rule 7(5) in the Civil Servant (Appointment, Promotion & Transfer Rules 1989).
Peshawar.

The Secretary to Government of Khyber Pakhtunkhwa,
Establishment and Administration Department,
Peshawar.

No. S(O) (Primary-M) /E&SEAD /8-8/1
Appointment - Rule /2023
Peshawar Dated 23rd August 2023.

- B/c -

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GOVERNMENT OF KHYBER PAKHTUNKHWA
 ESTABLISHMENT DEPARTMENT
 No. SO(Policy)E&AD/1-3/2020
 Dated Peshawar the September 07, 2023

APPROVED
 F
 17
 19/9/2023
 20/9/23

To
 The Secretary to Government of Khyber Pakhtunkhwa,
 Elementary & Secondary Education Department

Subject: - GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE
 KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
 PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,
 I am directed to refer to your letter No. SO(Primary-M/E&SED/2-
 2/Appointment-Rule/2023 dated 23.08.2023 on the subject noted above and to state that
 necessary guidance has already been rendered to your good office vide this department letter of
 even No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

 Section Officer (Policy)

Encl. Of even No & date

Copy forwarded to the:-

1. PS to Special Secretary (Reg), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

www.khyber.gov.pk

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GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2023
Dat@d Peshawar the September 07, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,
Elementary & Secondary Education Department

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE
KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT,
PROMOTION AND TRANSFER) RULES, 1989.

Dear Sir,

I am directed to refer to your letter No. SO(Primary-M)/E&SED/2- 2/Appointment-
Rule/2023 dated 23.08.2023 on the subject noted above and to state that necessary
guidance has already been tendered to your good office vide this department letter of even
No. dated 06.06.2023 (copy enclosed).

Yours faithfully,

Section Officer (Policy)

Encls. Of even No & date

Copy forwarded to the:-

1. PS to Special Secretary (Reg), Establishment Department.
2. PA to Additional Secretary (Reg-II), Establishment Department.
3. PS to Deputy Secretary (Policy), Establishment Department.

Section Officer (Policy)

Attest

Office

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

Section Officer (Primary-Male)

Elementary & Secondary Education Department

KPK, Peshawar

SUBJECT: Minutes of Meeting

I am directed to refer to letter No. (SO Peshawar-M)/E&SED/5-1/G/114/

Minutes of meeting held on 20-7-2023 on subject cited above and to

present brief history, about background of case as under:-

That Government of KP Establishment Department (Regulation Wing)

added rule 7(5) in Civil Servants (Appointment, Promotion, Transfer Rule 1997)

vide notification No. No. SOR-VI (E&AD)-1-3/2020 dated 08-08-2020.

That this office sought guidance from your good office in the following

vide letter No. 6983 dated 06-08-2023

(1) Now it is obligatory upon civil servant to accept promotion.

(2) It is prerogative of civil servant to either accept/reject the

offer of promotion.

That your good office forwarded the same to quarters concerned

vide letter No. SO (Peshawar-M)/E&SED/2-2/114/2023 for necessary

guidance.

That the government of KP-ED (Regulation Wing) vide letter No. SO (Peshawar)

E&AD/1-3/2020 dated 6-6-2023 accordingly stated that there exists

no provision to decline for promotion. It is obligatory upon every civil

servant to accept promotion under every condition.

That in light of the minutes of the meeting dated 6-07-2023

held under the Chairmanship of Hon. Additional Secretary Establishment

at his office. This office has been asked for submission of

consolidated case.

In view of the above, this office is of considered opinion

that the deletion of Rules 7(5) have effected negatively a huge

members of female teachers.

The case is submitted for perusal and necessary action

please.

Copy of the above to:

1. PA to Director Local Directorate

Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.

2. Master Copy

WP4447-2023 AZIZULLAH VS GOVT OF PKA3

Al-Hayat
Office

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WP4442-2023 AZIZULAH VS GOVT CF PG43

Assistant Director (Estab-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

- 1. PA to Director, Local Directorate.
- 2. Master Copy.

Copy of the above to be

Assistant Director (Estab A-1)
Elementary & Secondary Education
Khyber Pakhtunkhwa

21/7/2023

The case is inhibited for further and necessary actions please.

Departmental Promotion Committee.

Teachers they submit their written refusal after to conclusion of the meeting of Teachers Union. It may be exempted of implications of the amendment in the rules laid (2) have effected negatively a huge numbers of Female Teachers. Thus it is proposed that in view of the above, this office is of considered opinion that the violation of Rules been cited for inhibition of considered case.

Chairman, Departmental Promotion Committee, Khyber Pakhtunkhwa.

Time, in the light of the minutes of meeting dated 6-07-2023, held under the (Primary-4) E&SED/2-Appointments/2023 dated 13-06-2023.

The same was received by this office from your good office with letter No.50 civil servant to accept promotion under every condition.

That there exist in provision in debar or forgo promotion. It is urged upon every Wing) vide letter No.50 (Policy) E&AD/1-2020 dated 6-06-2023 conjointly read that the Government of Khyber Pakhtunkhwa Establishment Department (Regulation No.50 (Primary-4) E&SED/2-Appointments/2023 for necessary guidance.

That you not office forward the same to the quarter concerned vide letter promotion.

(ii) If it is the prerogative of the civil servant to either accept or turn down the offer of promotion.

(iii) Now it is suggested upon the civil servant to accept promotion in every condition.

No.6987 dated 16-07-2023.

That this office sought guidance from your good office in the following words vide letter vide notification No. SOR-VI (E&AD)/1-2020 dated 06-08-2020.

deleted Rule 7(1) in the Civil Servants (Appointment, Promotion & Transfer Rules 1989) that Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing) No.50 (Primary-4) E&SED/2-Appointments/2023 for necessary guidance.

G. Muz/Wing) of the Meeting/ST/2023 dated 10-07-2023 on the subject cited above and in present brief history which in the background of the case as under:

The Section Officer (Primary-Male),
Elementary & Secondary Education Department,
Khyber Pakhtunkhwa Government.

No. 8145
Khyber Pakhtunkhwa, Peshawar
Phone: 091-9225314
Email: estab1@minthkwa.gov.pk



Handwritten number 20 inside a circle at the bottom left.

بخدمت جناب سیکرٹری تعلیم خیبر پختونخوا

اپیل!

عرض ہے کہ گورنمنٹ آف خیبر پختونخواہ کی جانب سے جو لازمی پرموشن کا حکم نامہ جاری ہوا وہ ایک متنازعہ نوٹیفکیشن ہے جس سے ہمیں درج ذیل تحفظات ہیں۔

(۱) PSHT پہلے سے سکیل 15 میں ذمہ داریاں سرانجام دے رہے ہیں۔ اپیل دہندہ کی عمر 5 سال ہے اگر وہ سٹی پوسٹ لینا چاہے تو سکیل 15 میں ہی آئیں گے اور سینارٹی متاثر ہو کر بارٹم میں چلے جائیں گے جبکہ نقصان یہ ہے کہ وہ SST پوسٹ سے محروم رہ جائیں گے۔


(۲) یہ کہ جبراً CT پوسٹ لینا ہمیں منظور نہیں ہے کیونکہ ایک سال کے اندر اندر زیادہ تر PHST، SST پوسٹ پر پروموٹ ہونے والے ہیں۔

(۳) سابقہ حکومت نے پہلے سے PHST/SPST اور PST کو اپ گریڈ کیا ہے جو کہ 01-07-2023 سے نافذ العمل ہے لیکن مالی کمی کی وجہ سے تاحال تاخیر کا شکار ہیں۔

(۴) یہ کہ سکیل 15 سے سکیل 15 میں جانا کہاں کا پرموشن ہے یہ تو صرف کیڈر تبدیل ہو جاتا ہے اور ہمارا مطالبہ پرموشن اپ گریڈیشن ہے جس میں واضح تبدیلی آجائے گی۔

لہذا ہم استاذہ حکومت خیبر پختونخواہ سے مطالبہ کرتے ہیں کہ مذکورہ نوٹیفکیشن کو منسوخ کریں اور استاذہ کی بے چینی کو ختم کریں۔ ورنہ ہم عدالت جانے میں حق با جانب ہوں گے۔

03/02/24



PSHT
چیمبر عارضی
جناب سیکرٹری

کاپی ٹو!

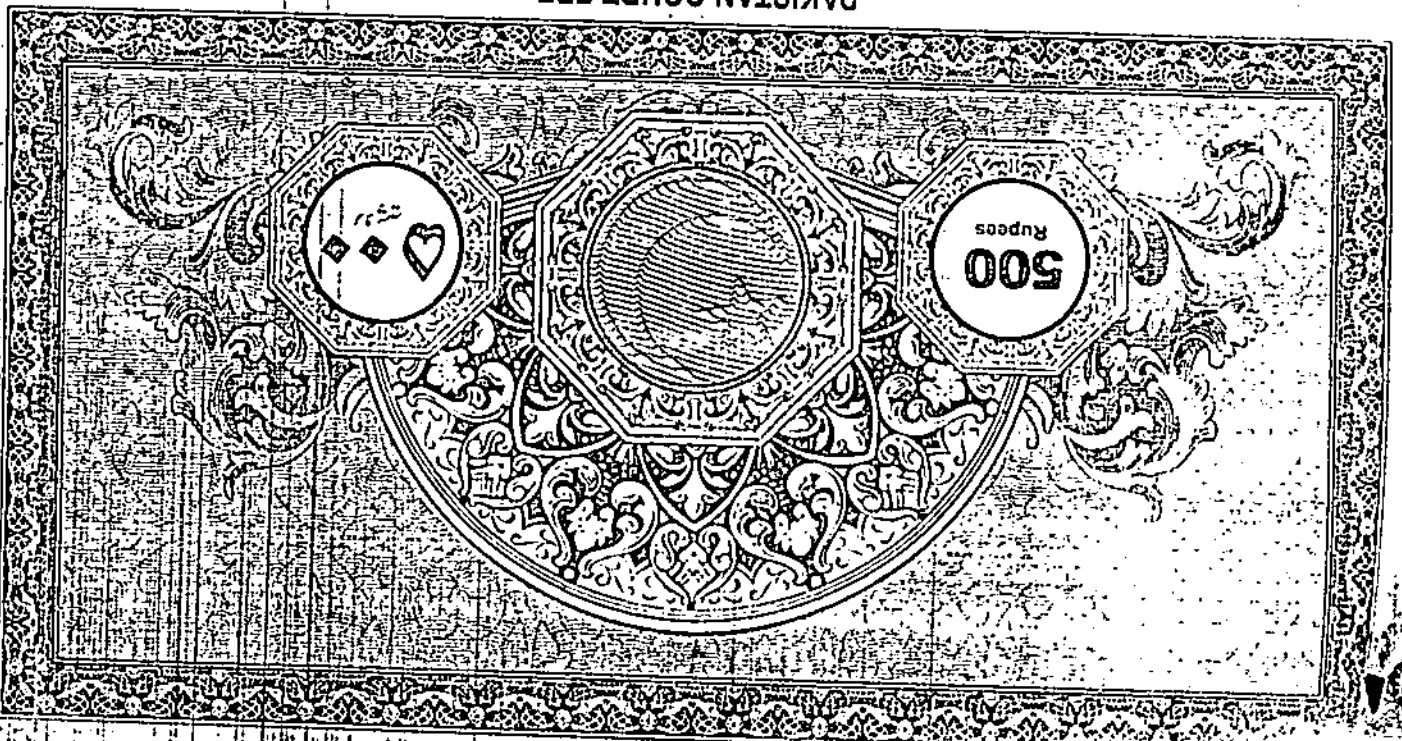
(۱) جناب سیکرٹری تعلیمات KPK

(۲) جناب ڈائریکٹر تعلیمات KPK

N.SL No	O.SL No	Name of Present School	Name	Father's Name	BPS	Acad	Div	Prof	D.O.B	Date of Promotion	Di/Abpt	JO charge
311	1583	GPS BHANGIAN	ABDUR RASHEED MIAN	KHAN MUHAMMAD MIAN	15	BA	2nd	PTC/CT,B.ED	08/06/1969	28-Feb-15	29/05/1994	17/09/1989
312	1585	GPS NAZRAL KHAND	DOLAT KHAN	FEROZ SHAH	15	FA		PTC	15/02/1970	28-Feb-15	29/05/1994	25/09/1985
313	1588	GPS BAGWAI	MUHAMMAD ARIF	FACIR MUHAMMAD	15	FA		PTC	03/03/1970	28-Feb-15	29/05/1994	08/06/1990
314	1588	GPS PANCHER	MUHAMMAD ANWAR	KHALIL UR IPEHLIAN	15	FA		PTC	28/03/1970	28-Feb-15	29/05/1994	02/06/1990
315	1591	GPS DEHRAN	IBADRI ZAMAN	GHULAM ZAN	15	FA		PTC	04/04/1970	28-Feb-15	29/05/1994	24/03/1989
316	1592	GPS KHAKI	MUHAMMAD ARIF	MUHAMMAD IRFAN	15	MA	2nd	PTC/CT,B.ed	20/04/1971	28-Feb-15	29/05/1994	12/05/1990
317	1593	GPS DOOD KOT	DILDAR MUHAMMAD	FACIR MUHAMMAD	15	FA		PTC	01/05/1970	28-Feb-15	29/05/1994	29/05/1990
318	1596	GPS MANCI	GHULAM NABI	MUHAMMAD YAQUB	15	BA	2nd	PTC/CT	08/03/1971	28-Feb-15	29/05/1994	17/09/1989
319	1607	GPS S-TOBANI	MUMTAZ HUSSAIN	MURANGEB	15	MA	2nd	PTC/B.Ed	08/03/1971	28-Feb-15	29/05/1994	11/03/1990
320	1600	GPS D-1MB	MEHMOOD KHAN	HABIB KHAN	15	FA		PTC	08/05/1971	28-Feb-15	29/05/1994	01/06/1990
321	1603	GPS GALLIAN	JALI REHMAN	NOOR AHMED	15	FA		PTC	24/02/1965	28-Feb-15	10/07/1994	26/04/1990
322	1607	GPS SALDAR NO.1	WAJID RAZA	MUHAMMAD RAZA	15	FA		PTC	05/03/1967	28-Feb-15	13/11/1994	13/11/1994
323	1609	GPS KALGAN	ARSHID NASEEM	AINASEEM KHAN	15	BA	2nd	PTC/CT/M.ed	29/06/1973	28-Feb-15	13/11/1994	13/11/1994
324	1610	GPS JASRI BAZARGAY OSMI	MUHAMMAD FAYYAZ KHAN	AFTAR KHAN	15	FA		PTC	01/04/1975	28-Feb-15	13/11/1994	13/11/1994
325	1611	GPS BALA TANDA	HABIB UR REHMAN	KHALIL UR REHMAN	15	FA		PTC	03/04/1975	28-Feb-15	13/11/1994	13/11/1994
325	1612	GPS CHARAN GADA	MAZHAR HUSSAIN	IFTEKHAR HUSSAIN	15	FA	2nd	PTC	01/06/1975	28-Feb-15	13/11/1994	13/11/1994
327	1613	GPS DAKH DANA	GUL FARAZ	SARFARAZ KHAN	15	FA		PTC	01/01/1967	28-Feb-15	14/11/1994	14/11/1994
328	1616	GPS KUNDARA	WAZIR UR REHMAN	MUHAMMAD SHAFI	15	BA	2nd	PTC/CT	24/05/1968	28-Feb-15	14/11/1994	14/11/1994
329	1618	GPS DEYLI	SARDAR BHADAR	MUHAMMAD HAROON KHAN	15	BA	2nd	PTC/B.ED	14/04/1969	28-Feb-15	14/11/1994	14/11/1994
330	1621	GPS FATAULLAH COLLONY	MUHAMMAD SALIM	M MUZAFFAR KHAN	15	FA		PTC	01/04/1970	28-Feb-15	14/11/1994	14/11/1994
331	1622	GPS KALIS NAWAZ ABAD	NASIR MAHMOOD	ABDUL WADOOD KHAN	15	FA		PTC	12/01/1971	28-Feb-15	14/11/1994	14/11/1994
332	1625	GPS BEENSAN PHAGAL	M. FAROOQ	GHULAM RABBANI	15	BA		PTC/B.ED	20/07/1971	28-Feb-15	14/11/1994	14/11/1994
333	1626	GPS KCRAY	NOOR UL ISLAM	SHABBIR AHMED	15	MA	2nd	PTC/CT/B.ed/M.ED	01/06/1972	28-Feb-15	14/11/1994	14/11/1994
334	1627	GPS DANNA JAGIR NO.1	MUHAMMAD SHARIF	MUHAMMAD DAUD	15	FA		PTC/CT	08/06/1972	28-Feb-15	14/11/1994	14/11/1994
335	1630	GPS HARYALA	MUHAMMAD RASHID	GHULAM SARWAR	15	MA	2nd	PTC/CT/B.ed/M.ed	05/03/1973	28-Feb-15	14/11/1994	14/11/1994
336	1631	GPS HASSA	DIL MUHAMMAD	SHARAB KHAN	15	BA	2nd	PTC/B.ed	10/05/1973	28-Feb-15	14/11/1994	14/11/1994

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PAKISTAN COURT FEE



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69313

M. J. ...

10-1-15

M. J. ...

10-1-15

M. J. ...

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53752

S.No

Fee Rs. 200/-



GENERAL SECRETARY
District Bar Association
Mansehra

وکالت نامہ

DBAM No.

338

BC No.

10 - 2457

Name of Advocate

طاہر ساجد

بعدالت:

سروس ٹریڈ سٹور

عنوان:

بنام: سیکرٹری گورنمنٹ آف KPK

منجانب:

نوعیت مقدمہ: سروس ایسوسی ایشن

باعث تحریر آنکہ

دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقام..... ایس ایس آر کے لئے

طاہر ساجد ایڈووکیٹ بالاکورٹ

کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہوا یا کچہری کے اوقات کے آگے پیچھے سماعت ہونے پر منظر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کاروپہ وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپر دہاشی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف کو بشرط ادا ہوگی علیحدہ محتاتاً ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدو راں مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا بیرٹر کو بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پر داختم وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔ لہذا وکالت نامہ لکھ دیا ہے اور دستخط / انگوٹھا ثبت کر دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

قرعہ وارہ و لہذا فیصلہ ہوا

مورخہ 19 اکتوبر 2024ء

ACCEPTED