


FORM OF ORDER SHEET

Court of _____

Appeal No. 2188 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/10/2024	<p>The appeal presented today by Mr. Muhammad Muazzam But Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 06.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

A No = 2188 / 2024

Dilawar Khan

v/s

Government of KP & others

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ADVOCATE

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHUWA

In Ref to

Service Appeal No 2188 /2024

Dilawar Khan Son of Lal Khan Resident of Tehsil & District Manshera

Designation: Primary School Head Teacher at MSQ Taj Abad

.....Appellant

V E R S U S

- 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

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020, DATED 06/08/2020, COMMUNICATED TO RESPONDENT NO. 2 VIDE LETTER DATED 06/06/2023, WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

PRAYER:

ON ACCEPTANCE OF INSTANT SERVICE APPEAL, THE IMPUGNED NOTIFICATION BEARING NO: SO (POLICY) E&AD/1-312020, DATED 06/08/2020, COMMUNICATED TO 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 HONOURABLE 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 Monthly Salary account is annexed as Annexure A

2. That as per Khyber Pakhtunkhwa (Appointment/ Promotion/ Transfer) Rules, 1989, as well as in other sister services of the other Provinces and Federation as well, availing of promotion by the employees 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 condition 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 and Promotion Rules 1989.
4. That Government of K.P without following the rules position mentioned in Para 6 above promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Respondent No.2 vide letter dated 06/06/23 wherein it has been made mandatory to the employees 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. SD (Policy) /EDAD/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 Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. Copy of notification No. SD (Policy) EV AD/1- 3/2020 dated 06/08/2020 is attached as **Annexure B**
6. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa 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 Peshawar the June 06th, 2023 directed the respondent No 3 (Directorate of Elementary & Secondary Education) 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 attached 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 & 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 Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber

Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. Copy of Letter dated 23-08-2023 is attached as **Annexure E**

9. That the respondent vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa 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 Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011. Copy of Impugned letter dated 07-09-2023 is attached as **Annexure F**
10. That the petitioner feeling aggrieved, filed Representation to the 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 letters dated 06-06-2023 and 07-09-2023 and the deletion of Rule 7(5) in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989; the petitioners filed this Hence, the instant service appeal is filed on the following grounds:-

GROUND:-

- a. That as per various judgments it is established and settled principle that executive notifications cannot be given retrospective effect. A valid Notification which confers rights is always applicable with prospective effect, however, if an amendment notification that adversely effects the interests of the employees or causes disadvantage 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 employees 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 employees were permanently debarred from availing the facility of promotion during their entire service. Hence the employees himself/herself 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 be set-aside.
- d. That it is further submitted that on account of grant of promotion, some employees who are suffering from severe 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 her promotion it must be optional for the employees as to whether to avail or forego the benefits. Any promotion without willingness of employee is illegal and liable to be setaside.

- 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 for 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 children as well as ailing dependent family members and in these circumstances in the presence of impugned Notification dated 06/08 /2023 communicated on 06/06/23 would not be able to serve in the department and which shall amount to the snatching of bread and butter of the poor employees

It is, therefore, humbly prayed that on the acceptance of the instant Service Appeal; the impugned Notification bearing No. SO (POLICY) E&D/1-3 1-2020 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.


AFFIDAVIT:

I Dilawar Khan Son of Lal Khan Resident of Tehsil & District Manshera 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 Honourable Court



Deponent

Through


Appellant


Muhammad Muazzam Butt
Advocate Supreme Court


Muhammad Adeel Butt
Advocate High Court


Bassam Ahmad Siddiqui
Advocate High Court
LL.M- Human Rights,

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

CM No. _____ of 2024

In Ref to

Service Appeal No. _____ /2024

DILAWAR KHAN

VERSUS

Secretary to Government of Khyber Pakhtunkhwa, & others

APPLICATION FOR SUSPENSION OF IMPUGNED NOTIFICATION BEARING NO. SO (POLICY) E&D-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 appellant.

3. That there is likelihood success of the appellant in the I.S. And if the notification bearing No. SO (Policy) E&D/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 rights of the appellant is involved in the case.

In view of the reasons, it is humbly requested that the notification bearing No. So (Policy) E&D/1-3/2020 dated 06/08/2020, communicated to Respondent No.2 by Respondent No.1, Vide Letter Dated 06/06/2023, may kindly be suspended till the final disposal of the main appeal in hand.

Appellant

Through

[Signature]
Muhammad Waqar Butt
Advocate Supreme Court
[Signature]
Muhammad Azeel Butt
Advocate High Court

AFFIDAVIT:
I (the appellant) do hereby solemnly stated on oath 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 the Honorable Court.
[Signature]
Deposent

-6-

Dist. Govt. KP-Provincial
District Accounts Office Manshra
Monthly Salary Statement (June-2023)



Personal Information of Mr DILLAWER KHAN d/w/s of LAL KHAN

Personnel Number: 00223158 CNIC: 1350461969185 NTN:
Date of Birth: 07.06.1971 Entry into Govt. Service: 25.10.1993 Length of Service: 29 Years 08 Months 007 Days

Employment Category: Active Temporary

Designation: PRIMARY SCHOOL HEAD TEACH 80667882-DISTRICT GOVERNMENT KHYBE
DDO Code: MA6339-Oghi District Mansehra
Payroll Section: 001 GPF Section: 001 Cash Center: 04
GPF A/C No: EDUMA010161 GPF Interest applied GPF Balance: 949,593.00 (provisional)
Vendor Number: -

Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 15 Pay Stage: 21

Wage type		Amount	Wage type		Amount
0001	Basic Pay	65,500.00	1001	House Rent Allowance 45%	3,524.00
1210	Convycy Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
1505	Charge Allowance	40.00	2148	15% Adhoc Relief All-2013	915.00
2199	Adhoc Relief Allow @10%	614.00	2316	Teaching Allowance 2021	3,224.00
2341	Dispr. Red All 15% 2022KP	6,408.00	2347	Adhoc Rel Al 15% 22(PS17)	6,408.00

Deductions - General

Wage type		Amount	Wage type		Amount
3015	GPF Subscription	-4,290.00	3501	Benevolent Fund	-1,200.00
3609	Income Tax	-767.00	3990	Emp. Edu. Fund KPK	-135.00
4004	R. Benefits & Death Comp:	-600.00	4200	Professional Tax	-1,200.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 12,049.18 Recovered till JUN-2023: 9,037.00 Exempted: 3012.18 Recoverable: 0.00

Gross Pay (Rs.): 90,989.00 Deductions: (Rs.): -8,192.00 Net Pay: (Rs.): 82,797.00

Payee Name: DILLAWER KHAN
Account Number: PLS 9667-0
Bank Details: MCB BANK LIMITED, 240640 OGH1 OGH1, MANSEHRA

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address: MANSEHRA

City: MANSEHRA Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official

Temp. Address:

City: Email: haqnawazakhtarkhan@gmail.com

OFFICE ORDER NO. 127.
DATED 19/10/1993.

APPOINTMENT.

Consequent upon their selection on merit, the following PTC Trained Candidates are hereby appointed in BPS No. (7) @ Rs. 1095-60-1995 plus usual allowances as admissible under the Rules w.e.f. the date of their taking over charge against the Newly Created/Vacant Posts in the Schools given against their names in the interest of Public Service.

S. NO.	NAME & FATHER'S NAME	RESIDENCE	PLACE OF POSTING	REMARKS
1	ASHFAQ AHMAD S/O MUHAMMAD NAWAZ KHAN	JABORI	GPS DADAR	A. VAC. POST
2	ARSHAD HUSSAIN S/O SHEIKH ABDUL QAYUM	JABRI KALISH	GPS PATLAND	A. VAC. POST
3	ABDUR RASHID S/O ALI GOHAR KHAN	G. H. ULLAH	GPS DOHAR MANDOR	A. VAC. POST
4	SIRAJULLAH S/O HR. ALAM DAD	KARGHARI	MSQ: CAT KHAWA (BG)	A. VAC. POST
5	HASHAL KHAN S/O ANWAR GUL	KHABAL BALA	GPS CHANIYAL	A. VAC. POST
6	MUHAMMAD HANIF S/O MUHAMMAD YOUSAF	BAFFA KHURD	GPS KOLIKA	A. VAC. POST
7	NIJAZ MUHAMMAD S/O DURANG ZEB	GIARSACHA	GPS JALGALI	A. VAC. POST
8	MUHAMMAD TARIQ S/O GUL ZAMAN	JANGLAN	CPS TENBAR KHOLA	A. VAC. POST
9	SARFARAZ S/O GHULAM SARWAR	JOZE	MSQ: KASS PAZANG (BG)	A. VAC. POST
10	INAYATULLAH S/O HANIF ULLAH	AHLDOQ (B. GRAM)	MSQ: HORI GANGWAL (BG)	A. VAC. POST
11	JAVAD S/O ANWAR GEB	THAKOTE	MSQ: BAR HATAI (BG)	A. VAC. POST
12	MUKARRAM SHAH S/O GHULAM HAIDER SHAH	CHILAR (B. GRAM)	MSQ: JAM BAIK (BG)	A. VAC. POST
13	MUHAMMAD ASIF S/O HAFIZ ULLAH	MARAL (G. H. ULLAH)	GPS BAI	A. VAC. POST
14	MUHAMMAD SHAH S/O SABIR SHAH	GAWANOLA H. KHAIL	GPS BINGAL	A. VAC. POST
15	ALAM ZEB S/O AURANG ZEB	REHAR	GPS GARHALA	A. VAC. POST
16	GHULAM MUSTAFA S/O GHULAM MUHYUD DIN	GHANALA	GPS BARTOON	A. VAC. POST
17	MUHAMMAD HAMAYUN S/O KHALIL UR REHMAN	BAT BALA	GPS SAOU KHAN	A. VAC. POST
18	MUHAMMAD BANARAS S/O MIR ZAMAN	KANSHIAN	GPS SERIAN	A. VAC. POST
19	NASEEBUR REHMAN S/O NOOR REHMAN	ZEERLERGHI (KD)	MSQ: JABRI BATILA (BG)	A. VAC. POST
20	MUHAMMAD SALEEM S/O MUHAMMAD MISKEEN	CHANIYAL	GPS DDUR MERA	A. VAC. POST
21	DALAWAR KHAN S/O LAL KHAN	KHABAL	MSQ: TAJ ABAD	A. VAC. POST
22	MUHAMMAD TODAL S/O MUHAMMAD HAROOF	KALWAL	GPS MERA KHERO	A. VAC. POST
23	SAEED UR REHMAN S/O FAZAL-UR-REHMAN	KHANARI	MSQ: PHOGARA	A. VAC. POST
24	MUHAMMAD RAFIQUE S/O KHALIL UR-REHMAN	BELA (SABIR SHAH)	GPS HALIHA DAD	A. VAC. POST
25	ZULFIQAR KHAN S/O GUL REHMAN	LUNDI/DHODIAL	GPS CHIRA KOTE	A. VAC. POST
26	MUHAMMAD RASHID S/O FADEER MUHAMMAD	LASSAN NAWAB	GPS KALASS	A. VAC. POST
27	SALEEM-KHEEN S/O MUHAMMAD ZAMAN	SOHCH (NARAN)	GPS KUNHAR SHARIF	A. VAC. POST
28	ZAHID KHAN S/O MUHAWAR KHAN	SOHCH (NARAN)	GPS DDUR PAEEN	A. VAC. POST
29	SAIN MAHTAJ S/O KHALIFULLAH	THATHI MERA	GPS FADDER AND	A. VAC. POST
30	MUHAMMAD SAQIB S/O NOORANI	NAKIAN JARED	GPS KALISH	A. VAC. POST
31	UMAR FAROQ S/O AHMAD NAWAZ	PATTA SHESHER	GPS CHONG GILRAY	A. VAC. POST
32	ABDUL RAUF SHAH S/O HARDAN SHAH	MENTAL (DHODIAL)	GPS ZEEZARI	A. VAC. POST
33	TANVEER AHMAD S/O MUHAMMAD YOUSAF	TANGRI/KANSHIAN	MSQ: PRINGAL	A. VAC. POST
34	MUHAMMAD RAFIQUE S/O GUL ZAMAN	JABI HIDER SHAH	GPS SOONDA	A. VAC. POST
35	MUHAMMAD ISLAM S/O MUHAMMAD YOUNIS	KAMAL BAN	GPS REEN DARA (BG)	A. VAC. POST
36	GHAZI KHAN S/O MUNAWAR KHAN	BATTAMORI	GPS DOOLA	A. VAC. POST
37	MUHAMMAD ASIF S/O GHULAM JALANI	HATHI MERA	GPS BILYANI	A. VAC. POST
38	MUHAMMAD FTAZ S/O FAZAL-UR-REHMAN	JABRI	GPS DAREANI	A. VAC. POST
39	M. KHALID S/O GUL ZAMAN	PAIRAN	GPS UARHI (H. KHAIL)	A. VAC. POST
40	IMJAD HUSSAIN S/O FAZAL HUSSAIN	JABA	GPS SULEMANT	A. VAC. POST
41	MUHAMMAD ARSHED S/O SHER ZAMAN	SUNJARA (L/NAWAB)	GPS SACHKA	A. VAC. POST
42	BASHIR AHMAD S/O MUHAMMAD YOUSAF	TOOT NAKA	GPS KARDA	A. VAC. POST
43	ISHTIAQ AHMAD S/O HAKIM KHAN	GULI BAGHI	GPS PAKURAN	A. VAC. POST
44	MUHAMMAD SHARIF S/O MUHAMMAD IRFAN	HASSA	GPS HORI BALA	A. VAC. POST
		BELA TRANCRI		

Verified for Dalawar Khan & Co. Contd: - P-2
 dal khan & Co. placed
 at S. No. 21 of the order.

[Signature]
 District Education Officer (Male) Primary Mansergha

4-11-2020

ATTESTED

DEPUTY SECRETARY (POLICY)
(WALIDAH LATIF)

[Signature]



- 1. Additional Chief Secretary, Govt. of Khyber Pakhtunkhwa, Planning & Development Department, Khyber Pakhtunkhwa.
- 2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- 3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 5. The Principal Secretary to Governor, 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 Public Service Commission, 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 with the request to the Section Officer (Admn), Administration Department.
- 15. The Section Officer (Admn), Administration Department.
- 16. arrange 20 gazette copies.
- 17. The Controller, Administration Department.

CHIEF SECRETARY
GOVERNMENT OF THE KHYBER PAKHTUNKHWA

EXISTENCE NO & EVEN DATE

AMENDMENT

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

Amendment

Whereas further amendment shall be made, namely:

(i) the Chief Minister of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the

in exercise of the powers conferred by section 25 of the

Government of Khyber Pakhtunkhwa Act No. XVIII of 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973)

Dated at Peshawar this 06/11/2020

NOTIFICATION

GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGISTRATION-WING)

Annexure - B

9-

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

NOTIFICATION

Dated Peshawar the, 06/08/2020

In exercise of the powers conferred by section 26 of the Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No XVIII of B) 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.

**(WARDAH LATIF)
DEPUTY SECRETARY (POLICY)**

[Handwritten signature]

WPMMS-2013-021211AH VS GOVT OF PGJ3

21.6.13
2013.06.21

[Handwritten signature]
Section Officer (Policy)

[Handwritten signature]
Yours faithfully,
Section Officer (Policy)

1. PG to Special Secretary (Reg), Establishment Department.
2. PG to Additional Secretary (Reg-11), Establishment Department.
3. PG to Deputy Secretary (Policy), Establishment Department.

Copy forwarded to the
Rtd. Of even No & date

[Handwritten initials]
2/6

2011, please

Further, these officers/staffs 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.

Furthermore, those officers/staffs who do not comply with promotion order (civil servants) to accept promotion in every condition.

The basic rationale behind the above rule is aimed at preventing a well earned from completion for being given by seeking a single alternative position or to prevent those who lead to forge promotion to evade post-graduate or above lack of capacity to take higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

The basic rationale behind the above rule is aimed at preventing a well earned from completion for being given by seeking a single alternative position or to prevent those who lead to forge promotion to evade post-graduate or above lack of capacity to take higher responsibilities in case of promotion. Therefore, it is obligatory upon every civil servant to accept promotion in every condition.

1. As directed in letter to your letter No. SO/P/Policy-MY/MS/2013 dated 18.04.2013 in the subject noted above and to state that sub-rule 2/A of Rule-7 of Khyber Pakhtunkhwa Civil Servants (Appointments, Promotions and Transfers) Rules, 1989 stands deleted with effect from 06.08.2013. URGENT.

To
The Government of Khyber Pakhtunkhwa,
Ministry of Secondary Education (Government),
Peshawar.

Subject: PROMOTION AND TRANSFER RULES, 1989.

6.7

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO/Policy/MS/2013
Dated Peshawar the 26th June 2013



Annexure - C

- 11 -

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No. 091-9227587)

P.O. SO (Primary-M)/E&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

Subject: GUIDANCE REGARDING DELETION OF RULE 7(5) IN THE KHYBER
PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1988.

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 ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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


SECTION OFFICER (PRIMARY MALE)
26/6/23

-12-
B/c

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, 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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

SECTION OFFICER (PRIMARY MALE)



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.


Annexure
①


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

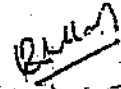
2. The meeting started with recitation from The Holy Quran. The chair welcomed the participants. The Deputy Director (Establishment) of Directorate of Elementary & Secondary Education briefed the forum regarding agenda item in detail.

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-
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



-14-

-B/C-

MINUTES OF THE MEETING REGARDING APPLICATION SUBMITTED BY MR AZIZ ULLAH PROVINCIAL PRESIDENT ALL PRIMARY TEACHERS ASSOCIATION KHYBER PAKHTUNKHWA REGARDING DELETION OF RULE 7(S) 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/N	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)



Assistant Director (Ex-101)
Ministry of Secondary Education
Khyber Pakhtunkhwa

17/01/2023
Assistant Director (Ex-101)
Ministry of Secondary Education
Khyber Pakhtunkhwa

1. PA to Director Local Director.
2. Master Copy.

Copy of the above is to:

The case is submitted for perusal and necessary actions please.

Departmental Promotion Commission.
provided they submit their written refusal prior to conclusion of the meeting of
Teachers Union DPs-16 may be exempted of implications of the amendment in the rules bid
(TS) have affected negatively a huge number of Female Teachers. Thus it is proposed that
in view of the above, this office is of considered opinion that the decision of Rules
been asked for submission of consolidated case.
Chairman of the Additional Secretary Establishment at his office this office has
That in the light of the minutes of meeting dated 6-07-2022 held under the
(Primary-40) E&AD/21/Appointment/2022 dated 12-06-2022.
The same was received by this office from your good office vide letter No.50
civil servant to accept promotion under every condition.
that there shall be no provision in decline or forgo promotion. It is obligatory upon every
Wing) who letter No.50 (Policy) E&AD/1-17020 dated 6-06-2022 categorically stated
That the Government of Khyber Pakhtunkhwa Establishment Department (Regulation
No.50 (Primary-40) E&AD/21/Appointment/2022 for necessary guidance.
That your good office forwarded the same to the quarter concerned vide letter
provision.
(ii) It is the prerogative of the civil servant to either accept or turn down the offer of
No.6987 dated 06-02-2022.
That this office would be guidedance from your good office in the following words vide letter
wide notification No. SDR-VI (E&AD)/1-17020 dated 06-08-2022
dated Rule 7(C) in the Civil Servant (Appointment, promotion & Transfer Rules 1982)
That Government of Khyber Pakhtunkhwa Establishment Department (Regulation Wing)
I am directed to refer to the letter No.50 (Primary-40) E&AD/21-11
Cable/Memo of the Ministry dated 10-07-2022 on the subject cited above and to
present brief history about the background of the case as under

Subject: MINUTES OF THE MEETING

The Section Officer (Primary-Side),
Ministry of Secondary Education Department
Khyber Pakhtunkhwa

To

Phone No. 9923344
Email: e.establishment@pkbkl.com

No. 8/45



-B/C-

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KPK

PESHAWAR
(21-7-2023)

To:

Section Officer (Primary Male)
Elementary & Secondary Education Department
KPK, Peshawar.

Subject: Minutes of Meeting

Dear Sir, I am directed to refer to letter No. (SO Primary-M) E&SED/5-1/GWA/2023/ Minutes of meeting/PST/2023 dated 10-7-2023 on subject cited above and to present brief history about background of case as under:

- That Government of KP Establishment department (Regulation Wing) deleted rule 7(S) in Civil Servants (Appointment, promotion, Transfer Rule 1989) vide notification No. No. SDR-VI (E&AD) 1-3/2020 dated 06-08-2020.
- That this office sought guidance from your good office in the following words vide letter No. 6987 dated 06-07-2023
 - (i) Now it is obligatory upon civil servant to accept promotion.
 - (ii) It is prerogative of civil servant to either accept/turndown the offer of promotion.
- That your good office forwarded the same to quites concerned vide letter No. SO (Primary-M) E&SED/2-2/Appointment/2023 for necessary guidance.
- That the government of KP-ED (Regulation Wing) vide letter No. SO (Policy) E&AD/1-2/2020 dated 6-06-2020 categorically stated that there exists no provision to decline/forgo 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(S) have affected negatively a huge members of female teachers.

The case is submitted for perusal and necessary actions please.

Copy of the above to;

1. PA to Director Local Directorate
2. Master Copy

Assistant Director
Elementary & Secondary Education
Khyber Pakhtunkhwa.



ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
CIVIL SECRETARIAT PESHAWAR
(Phone No.091-8223587)

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

Annexure
E

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)/ E&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 ISHAQ)
SECTION OFFICER (PRIMARY MALE)

Copy forwarded to the:

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

(MUHAMMAD ISHAQ)
SECTION OFFICER (PRIMARY MALE)
23/8/23

Scanned with CamScanner

8

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

(Municipal School)
Section Officer (Primary
Male)

Copy forwarded to;

In this connection it is submitted that in some cases lady 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 elder father 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.

9 am directed to refer to your letter No. SO (Primary) (E&AD) /1-3/2023 dated 04/June/2023 and to state that after deletion of Rule 7(S) Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and 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 and Discipline) Rule 2011.

Dear Sir,

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

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

No. 5 (Primary-M) E&SE/D/18-1/
Appointment-Rule/2023
Peshawar Dated 23rd August, 2023.

-B/c-

-18-

Annexure - F



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2020
Dated 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 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.

-20-

-B/c-

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
No. SO(Policy)E&AD/1-3/2020
Dated 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-IC), Establishment Department
3. PS to Deputy Secretary (Policy), Establishment Department

Section Officer (Policy)

To,

Dated: 28-01-2024

- 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

REPRESENTATION AGAINST THE IMPUGNED NOTIFICATION BEARING NO.SO(POLICY)E&AD/1-312020. DATED 06/08/2020. COMMUNICATED TO SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA. ELEMENTARY & SECONDARY EDUCATION DEPARTMENT VIDE LETTER D06/06/2023. WHEREIN IT WAS STATED THAT SUB RULE 5 OF RULE 7 OF KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1989 STANDS DELETED

Sir/ Madam:-

Your Honorable authority promulgated Notification No. SO (Policy) E&AD/1 3/2020, dated 06/08/2020, communicated to Elementary & Secondary Education vide letter dated 06/06/23 wherein it has been made mandatory to the employees to avail the promotion, otherwise, disciplinary action shall be taken against the employees. That, as per notification No. SD (Policy) /EDAD/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 Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 vide notification no SOR-VI (E & AD)/1-2/2020 dated 06-08-2020. That the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa 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 Establishment Department vide its letter No. SO.(Policy) E&AD/1- 3/2020 dated Peshawar the June 06th, 2023 directed the Directorate of Elementary & Secondary Education 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. That Directorate of Elementary & 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 Rule/2023 dated 23-08-2023 to reconsider the amendment made in Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 as it had negatively affected a large number of teachers and especially female teachers. In the meanwhile, the department vide its letter dated 07th of September 2023 directed the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa 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 Khyber Pakhtunkhwa Civil Servant (Efficiency & Discipline) Rules, 2011.

It is, therefore, humbly prayed that on the acceptance of the instant representation; the Notification bearing No. SO (POLICY) E&D/1-3 1-2020 DATED 06/08/2020, communicated to 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.

Best Regards



Dilawar Khan Son of Lal Khan
Resident of Tehsil & District
Manshera

Handwritten signature

WP4442-2023 AZIZULLAH VS GOVT OF PUNJ

Handwritten text in Urdu:
میں نے اس پر دستخط کیا ہے
میں نے اس پر دستخط کیا ہے

Handwritten signature and date:
08/11/23

Main body of handwritten text in Urdu, appearing to be a legal statement or affidavit. The text is dense and covers most of the page's width.

Handwritten signature and text at the bottom of the main body.

Annexure - H

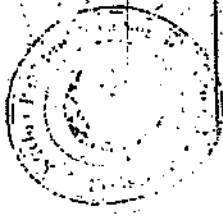
APTA House, Govt. Primary School No. 1, Gujranwala City.



Gujranwala Panchayat

President, APTA, Gujranwala City, Punjab, Pakistan.
0333-5117518
0333-5117573
0333-5117574

07.05.2024



1. Learned counsel for the appellant present.
2. Let a pre-admission notice be issued to the respondents through TCS for submission of reply/comments. Appellant is directed to deposit TCS expenses within three days. To come up for reply/comments as well as preliminary hearing on 10.06.2024 before S.B. P.P given to learned counsel for the appellant.
03. Alongwith the service appeal there is an application for suspension of Notification dated 06.06.2023 and letter dated 23.08.2023 till the final disposal of main service appeal. In the meanwhile, no adverse action shall be taken against the appellant till next date of hearing.

Certified to be true copy (Muhammad Akbar Khan)
Member (S)

[Handwritten signature]
13/5/24

Date of Presentation of Application 13-5-24
 Number of 1
 Copies 1
 Uperat 1
 Total 1
 Name of 13-6-24
 Date of 17-6-24
 Date of Release of Copy 17-6-24

[Large handwritten signature]

24

VAKALAT NAMA

BEFORE THE SERVICE TRIBUNAL PESHAWAR

DILAWAR KHAN

Appellant

Versus

Government of KP & others

Respondents

I (the Appellant)

do hereby appoint and retain

MUHAMMAD MUAZZAM BUTT ASC. MUHAMMAD ADEEL BUTT AHC

BASSAM AHMAD SIDDIQUI AHC

&

ASSOCIATES OF MUAZZAM LAW FIRM

to act and appear for me in the above Suit and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any petition connected with the same or any decree or order passed therein and Applications for review to file and obtain return of documents, and to represent me/us and to take all necessary steps on my/our behalf in the above matter.

I agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.



APPELLANT

ACCEPTED

MUHAMMAD MUAZZAM BUTT
Advocate Supreme Court

MUHAMMAD ADEEL BUTT
Advocate High Court

BASSAM AHMAD SIDDIQUI
Advocate High Court