


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

2289/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/11/2024	<p>The appeal of Mr. Altaf Ullah received today by registered post through Mr. Shiekh Iftikharul Haq Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 12.11.2024. Counsel for the appellant has been informed telephonically;</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. 2289/2024

Altaf Ullah **VERSUS** Govt. of KPK and others

SERVICE APPEAL

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Date: 31/10/2024

Yours Humble Appellant



Altaf Ullah

Through Counsel,



Sheikh Iftikhar ul Haq
Advocate Supreme Court

1

/

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No 2289 /2024

Altah Ullah, Veterinary Assistant, D.G Office Peshawar
(Extension), Cell#0345-9223431

..... Appellant

Versus

1. **Govt. of KPK** through Secretary Livestock and Dairy Development (Extension), Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Livestock and Dairy Development (Extension), Khyber Pakhtunkhwa, Peshawar.
3. Accountant General Khyber Pakhtunkhwa, Peshawar.
4. Director Livestock and Dairy Development (Extension), Khyber Pakhtunkhwa, Peshawar.

..... Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE KPK
SERVICES TRIBUNAL ACT, 1974**

Respectfully Sheweth:

1. That the appellant is peaceful and law abiding citizen of Pakistan and enjoying good reputation in the society.
2. That the appellant was appointed on 08/11/1989 as Stock Assistant in the respondents' department and performed his duties with full satisfaction of his superiors and then promoted to the post of Veterinary Assistant and was performing his duties in the DG office Peshawar. Copy of appointment order is annexed as **Annexure-A**.
3. That during the performance of duty, appellant submitted an application on 21/09/2016 to the authority for retirement

from service. Copy of the application is annexed as **Annexure-B**.

4. That on 26/09/2016, the appellant submitted an application for withdrawal of the application of retirement from service on the ground that his father is a cancer patient for which money is required and now the appellant arranged the same from his relative. Copy of application is annexed as **Annexure-C**.
5. That it is also pertinent to mention here that the appellant also submitted another application for withdrawal of retirement before the impugned order dated 29/09/2016. The copy of the same is available in the personal file of the appellant, which was not provided to him.
6. That the respondents/authority was required to accept the application of withdrawal of retirement of appellant as per prevailing service laws and rules, as three months stipulated period is available for withdrawal of retirement in compelling circumstances, but the answering respondents instead of withdrawal of retirement, issued a void order No. 14651-53 dated 29/09/2016, wherein the appellant was retired from service w.e.f 01/10/2016 Forenoon voluntarily grounds. Copy of the impugned order dated 29/09/2016 is annexed as **Annexure-D**.
7. That thereafter, the appellant submitted various applications which were favourably considered by the answering respondent, but was not squarely accepted, as evident from writing through a footnote on the application of appellant. It is also pertinent to mention here that the retirement benefits were not released for so many years and the appellant was kept that his retirement letter will be withdrawn as per prevailing service rules and policy as evident from the favorable consideration available through footnote on the application of the appellant. Copies of the applications & correspondence are annexed as **Annexure-E**.
8. That the appellant having recurring and continuous cause of action on every first date of each month, hence, lastly the

3

appellant submitted departmental appeal on 09/09/2024. Copy of the departmental appeal and postal receipt is annexed as **Annexure-F**.

9. That the appellate authority rejected the departmental appeal of appellant on 08/10/2024. Copy of the impugned order of appellate authority is annexed as **Annexure-G**.
10. That feeling aggrieved by both the impugned orders issued by the respondents, hence, the instant service appeal is being filed, inter alia, the following grounds.

Grounds for Appeal:

- a. That the impugned orders issued by the respondents are against law, facts and circumstances, hence, is liable to be set aside.
- b. That as per Govt. of Khyber Pakhtunkhwa Notification No FD(SOS-11)/4-36/2018 dated 05/09/2018, according to which anyone withdraw his request for retirement/LPR, thus, the respondents have not considered this aspect of the case and thus, the impugned orders have been issued against law, rules and policy and not sustainable in the eyes of law.
- c. That as per pursuance of 9.5 (ii) of pension rules after completion of 25 year qualifying service, such a govt. servant shall at least three months before the date on which he intend to retire be required to submit written intimation to the competent authority, however before formal acceptance of the request he, if so, desired withdraw his application for premature retirement but the respondents authority accepted the premature retirement the application of withdrawal and thus the impugned order has been issued void ab initio and no limitation runs against the void order. Hence, the impugned orders are liable to be set aside on this sole ground.
- d. That the matter in question has been agitated by the appellant thoroughly without any failure and the respondents favourably considered the matter of the appellant, hence,

4

being continuous and recurring cause of action the Impugned orders are liable to be set aside.

e. That the counsel for appellant may kindly be allowed to raise additional grounds at the time of arguments.

Prayers:

It is, therefore, humbly prayed that the impugned original order dated 29/09/2016 and also the order of appellate authority dated 08/10/2024 may kindly be set aside and the appellant be reinstated w.e.f October 2016 with all back benefits.

Date: 31/10/2024

Yours Humble Appellant



Altaf Ullah

Through Counsel,



Sheikh Iftikhar ul Haq
Advocate Supreme Court

5

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. _____/2024

Altaf Ullah

VERSUS

Govt. of KPK and others

SERVICE APPEAL

AFFIDAVIT

I, **Altaf Ullah**, do hereby solemnly affirm and declare on oath that contents of above Service Appeal are true & correct to the best of my knowledge and that nothing has been concealed from this Honourable Court.

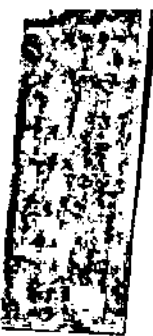
Dated: 31 /10/2024



DEPONENT

6

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**



Service Appeal No. _____/2024

Altaf Ullah

VERSUS

Govt. of KPK and others

SERVICE APPEAL

**APPLICATION UNDER SECTION 5 OF THE LIMITATION
ACT FOR CONDONATION OF DELAY.**

Respectfully Sheweth:-

1. That the above titled service appeal is being filed before this Honourable tribunal.
2. That actually the appeal is within time but if this Honourable Tribunal so feel any delay that may kindly be condoned on following ground.
 - a. That the matter has been agitated by the appellant continuously without any break and delay and the matter is also considered favourably but not accepted squarely meaning thereby being recurring cause of action in short the appellant has accrued the cause of action on each first day of the month of calendar year.
3. That this Honourable tribunal has vast powers to condone the delay.

It is therefore, humbly prayed that on acceptance of the present application the delay in filing of instant petition before the august Tribunal may very graciously be condoned in the interest of Justice.

Date: 31/10/2024

Yours Humble Appellant



Altaf Ullah

Through Counsel,

**Sheikh Iftikhar ul Haq
Advocate Supreme Court**

7

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. _____/2024

Altaf Ullah

VERSUS

Govt. of KPK and others

AFFIDAVIT

I, **Altaf ullah**, the petitioner, do hereby solemnly affirm and declare on Oath that contents of the application are true and correct to the best of our knowledge and belief; and nothing has been deliberately concealed from this Hon'ble Tribunal.

Dated: 31 /10/2024



DEPONENT





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Annex B

The Director General (Ext),
Livestock and Dairy Development,
Khyber Pakhtunkhwa, Peshawar.

8942
23-9-2016
27/9

Handwritten signature/initials

Attention: **DIRECTOR HEADQUARTERS**
Subject: **RETIREMENT FROM SERVICE.**

With great respect, it is submitted that I have completed more than 25-years continuous service as Veterinary Assistant in the Department. Now I intend to retire from service on voluntary grounds due to some domestic affairs.

For that reason prescribed form duly filled in for grant of 365-days encashment of leave in lieu of LPH w.e. from 02.10.2015 to 30.09.2016, is enclosed herewith and it is requested that I may very kindly be allowed to retire from service w.e. 01.10.2016 (AN) and oblige please.

Yours Obediently

21/9/2016

22/9

(ALTAf ULLAH)
Veterinary Assistant
Directorate General (Extension)
Livestock and Dairy Development
Khyber Pakhtunkhwa, Peshawar

Attested to be true copy.
Handwritten signature

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Attacheed to be
true copy

26/09/2016

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"C"
"A"

10 / @ . 2016



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Better Copy

بخدمت جناب ڈائریکٹر جنرل لائیو سٹاک اینڈ ڈیری ڈیولپمنٹ (ایگسٹیشن) کے پی کے پشاور

جناب عالی

موردبانہ گزارش ہے کہ بندہ نے پنشن کیس کے لئے 21-09-2016 کو درخواست دی تھی کہ مجھے
01/10/2016 کو پنشن پر رخصت کیا جائے تاکہ میں اپنے والد کے کیفر کا علاج کرا سکوں۔ لیکن میں اب
پنشن نہیں لینا چاہتا کیونکہ میں نے رقم کا بندوبست کر دیا ہے۔ اسلئے حضور سے میری یہ التجا ہے کہ میری اس پنشن
کیس کو واپس لے لیا جائے۔ تاکہ میں اپنی نوکری کو جاری رکھ سکوں۔
آپ حضور کی یہ بہت بڑی مہربانی ہوگی۔

العارض

الطاف اللہ VA لائیو سٹاک (ایگسٹیشن) کے پی کے پشاور

26/09/2016

12

Ans
" D 130
BS



**DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA, PESHAWAR**


Tel: 091-9210249/9210276, Fax: 091-9210285 Email: dgldext@pko.gov.pk

No. 4651-53 Dated Peshawar the 29th 2018

ORDER.

Under the revised Leave Rules 1981 (S.No.20), sanction to the grant of 365-days encashment of leave (on full pay) in lieu of LPR with effect from 02.10.2015 to 30.09.2016 is hereby accorded in favor of Mr. Altaf Ullah, Veterinary Assistant, (B-09), Directorate General (Ext), Livestock and Dairy Development, Khyber Pakhtunkhwa, Peshawar.


The official will stand retired from service with effect from 01.10.2018 forenoon on voluntarily grounds.

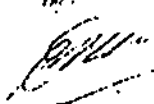

(Dr. SAIF MUHAMMAD)
DIRECTOR GENERAL

Copy of even number and date.

Forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Office Nazir (Local).
3. Mr. Altaf Ullah, Veterinary Assistant, for information with reference to his application dated 21.09.2016.


(Dr. ALAM ZEB)
DIRECTOR HEADQUARTERS

Attested to be true, copy


To

13

The Director General

Investment & Dairy Development

10333
23/11/2016

Sub-Revision of Retirement Order

23/11/16

It is honorably stated that I have

been permitted to retire from service on

my own request with effect from 1-10-2016

For the purpose of retirement, I have been allowed

to draw 365-days encashment of pay, which

has been paid & credited to my account.

It due to some domestic affairs and

problem I have intended to revert my retirement

order & to continue my service please

It is further requested that my

retirement order may kindly be withdrawn and

may be allowed to continue my service.

I will refund to pay for 365-days please.

Attest to be
true copy

[Signature]

23/11/2016

Yours faithfully,
Attest to be true copy

(35)

(3)

Amey E.

Copy

Attached to be true copy

Yours Faithfully,
A. J. ...
1-12-2016

6433

I will request to pay for 365 days please
in installment from my pay I would pray for you
for my wife's life.

order may kindly be withdrawn and I may be
allowed to continue my service.

It is, therefore, requested that my retirement
order and to continue my service please.

problem, I have intended to revert my retirement
order and to some domestic affairs and

Dear Sir,
It is honorably stated that I have
been permitted to retire from service on my
own request with effect from 1-10-2016. For
the purpose of retirement, I have been allowed to
draw 365 days encashment of pay, which has been
passed & credited to my account.

Sub: Appeal for withdrawal of my Pension case

Department R.P.K.

Investment and cooperative

Agriculture and

Secretary

14

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15 37

The Secretary,
Agriculture,
Live Stock & Cooperative Department,
KPK,
Peshawar.

Subject: APPEAL / HUMBLE REQUEST FOR WITHDRAWAL OF
MY PENSION CASE

Respected Sir,

It is honourably stated that I have been permitted to retire from service on my own request with effect from 01-10-2016. For the purpose of retirement, I have been allowed to draw 365 days encashment of pay, which has been passed and credited to my account.

Sir, due to some domestic affairs and problem, I have intended to revert my retirement order and to continue my service please.

It is, therefore, humbly requested that my retirement order may kindly be withdrawn and I may be allowed to continue my service.

I will refund pay for 365 days please on installment from my pay. I would pray for you for my whole life.

Yours faithfully,

Altafullah VA

*Dated: 01/12/2016sb:
Respected Secretary
for further n/a, as the employee
wants to withdraw his previous
application of retirement.*

Altafullah

SARDAR
Ikram Ullah Khan Gandarai
Minister For Agriculture
Khyber Pakhtoon Khwara

Secretary Agriculture

Dinry

No. 6496

Dated 5/12/16

*n.no. 2057
6/12/2016*

*DS/50(LFC)
5/12/16*

Attested to be true copy

⑥ 16 36



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No. SO(LFC)AD-1(1)EXT /2015
Dated Peshawar the 13/12/ 2016.

10201
15/12/2016

To

The Director General (Extension),
Livestock & Dairy Development,
Khyber Pakhtunkhwa, Peshawar.

15/12/16

SUBJECT:- APPEAL /HUMBLE REQUEST FOR WITHDRAW OF PENSION CASE.

I am directed to enclose herewith a copy of appeal in respect of Mr.
Altafullah, Ex-Veterinary Assistant dated 1/12/2016 (which is self explanatory) on
the captioned subject for your views/comments.

Encl: As above.

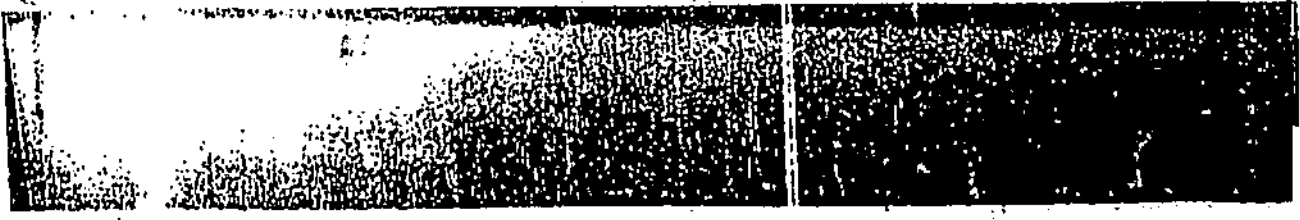
(DR. MIR AHMAD KHAN)
SECTION OFFICER-ESTT:

Cc:-

PS to Secretary, Agriculture, Livestock & Cooperative Department.

SECTION OFFICER (ESTT)

*Here attached to be
true copy*





GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVES
DEPARTMENT

No. SO (LFC) AD-1 (4)/Ext/2016
Dated Peshawar the 18th January, 2017.

To
The Secretary,
Government of Khyber Pakhtunkhwa
Finance Department.

Subject: APPEAL/HUMBLE REQUEST FOR WITHDRAWAL OF PENSION CASE.

Dear Sir,

I am directed to enclose herewith a copy of Appeal/application in respect of Mr. Altaf, Veterinary Assistant, Directorate General (Extension) Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar Dated: 01.12.2016 on the above noted subject and to state that the appellant was retired on his own request w.e.f.01.10.2016 and has received 365 days leave encashment in lieu of LPR. The Official due to his domestic problem intended to revert his retirement order and continue his service. The official further stated that the 365 days leave encashment will be return on installment from his pay.

The appeal of the above mentioned named officer was forwarded to Director General (Extension) livestock & Dairy Development, Khyber Pakhtunkhwa for his views/comments. The Director General(Extension) L&DD in his letter 17419 dated:26.12.2016 has stated that the appellant has applied voluntarily retirement from service with grant of 365 days encashment of leave in lieu of LPR and his case of pension paper is still pending as the appellant has denied and requested for withdrawal of retirement order(copy enclosed)

Therefore, it is requested that advice of the Finance Department may be solicited whether the retirement order may be withdrawn at this stage or otherwise.

Yours faithfully,

(Dr. MIR AHMAD KHAN)
SECTION OFFICER (LFC)

Encls: No. & date even:

Copy to:

1. Director General (Extension) Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar.
2. PS to Secretary Agriculture, Livestock & Cooperatives Deptt.

SECTION OFFICER (LFC)

Attested to be
true copy

⑦ 17

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1747
24/1/17
4015

241

8 18



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NO.FD(SOSR-II)4-36/2017
Dated Peshawar the 02/02/2017

To

The Secretary
Government of Khyber Pakhtunkhwa
Agricultural Livestock and Cooperative Department

Subject: - APPEAL/HUMBLE REQUEST FOR WITHDRAWAL OF PENSION CASE.

Dear Sir,

I am directed to refer to your letter No SO(LFC)AD-1-(4)/Ext/2016 dated 18.01.2017 on the subject noted above and to state that subject matter may be resolved in the light of Finance Department letter No.FD-SOSR-III/4-92/81 dated 01.10.1981 (Copy enclosed)

DS/SO LFC
Se
19/17

Im
(MOAZZAM KHAN)
SECTION OFFICER (SR.II)

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No copy
19/17

Secretary Agric. Deptt.
Diary
No.....1266...
Dated ..08..02..17

Attested to be true copy
[Signature]

GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVES
DEPARTMENT

Mr. SO (LRC) AD-1 (4)/EX/2016
dated Islamabad the 13th February, 2017

The Director General (Extension),
Livestock & Dairy Development,
Khyber Pakhtunkhwa, Peshawar

Subject: **APPEAL/HUMBLE REQUEST FOR WITHDRAWAL OF
PENSION CASE**

I am directed to refer to your letter No. 17419 dated:

26/12/2016 and to enclose herewith a copy of Section Officer (SR-II),

Director Department, Khyber Pakhtunkhwa letter No. PDSOSR-II-4

dated 02.02.2017 on the subject noted above (which is self

explained) and to state that Appeal/application in respect of Mr. Altaf

Ali (Formerly Assistant, Extension General (Extension)) Livestock & Dairy

Department, Khyber Pakhtunkhwa, Peshawar may be decided in light of

the letter No. PDSOSR-II-4 dated 02.02.2017.

For the Director General (Extension),

As Above.

Encl: As above.

Date: 14/02/2017

Section Officer (SR-II), Finance Department, Khyber Pakhtunkhwa

and to refer to your letter No. 17419 dated 26/12/2016.

Section Officer (LRC)

Section Officer (LRC)

Section Officer (LRC)

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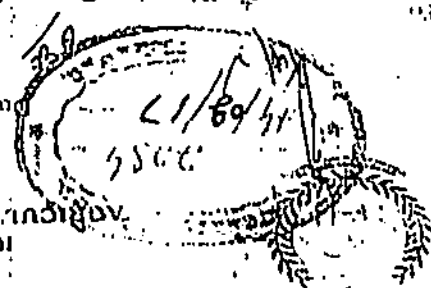
Section Officer (LRC)

Important P.T.O

Attached to be
have copy
pic

19/4

(2)



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1743

27/12/2017

... to ...
... to ...

Town ... village & PO Paniala,

... District D. I. Khan

... & ... is directed to ...

... office is up at the

...

Director (K) Directorate Gen'l (Ext) ...

No. 578

For Insurance Notices see reverse. Stamp affixed except in case of ...

Received a registered addressed to

Insured for Rs (in figures)

Insurance for Rs. ... Pt. ... (in word)

Name and address of the insured

Weight ...

27/12/17

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Attested to be true copy

13.07.2017

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Better Copy

بخدمت جناب سیکریٹری زراعت لائیو سٹاک اینڈ کوآپریٹو ڈیپارٹمنٹ کے پی کے پشاور

جناب عزت مآب:-

انتہائی ادب کے ساتھ گزارش کی جاتی ہے کہ بندہ کے والد کو کینسر تھا اور اس کے علاج کیلئے رقم کی سخت ضرورت تھی۔ تو بندہ نے 21-09-2016 کو پنشن کیلئے درخواست دے دی تاکہ مجھے 01/10/2016 سے پنشن پر رخصت کیا جائے اور میں اس رقم سے اپنے والد کا علاج کر سکوں۔ لیکن اسی اثناء میں پیسوں کے کسی اور طرح سے بندوبست ہو سکا اسلئے میں اب پنشن کیس کو واپس لینا چاہتا ہوں۔ تاکہ میں اپنی نوکری جاری رکھ سکوں۔ میرے چار بچے ہیں اور روزگار کا کوئی دوسرا ذریعہ نہیں ہے۔ اس لئے آپ حضور سے التجا ہے کہ میری اس پنشن کیس کو واپس لے لیا جائے اور مجھے دوبارہ نوکری معمول کے مطابق دی جائے۔ میری تنخواہیں اس وقت سے لے کر اب تک عنایت کی جائے تاکہ میں قرض کے بوجھ سے بھی آزاد ہو جاؤ یا رہے کہ میں نے 26/09/2016 کو پنشن کیس واپس لینے کیلئے درخواست دی تھی۔ میں اس مہربانی پر ساری عمر آپ کا ممنون رہوں گا۔ اور دعاؤ میں یاد رکھوں گا۔

العارض

الطاف اللہ VA لائیو سٹاک (ایمپلیمینٹس) کے پی کے پشاور

13/07/2017

(11)

23



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No.50(LFC)AD-I(4)2014-15/PT/BS-01-06
Dated Peshawar the 17th July, 2012

48

To

The Director General (Extension)
Livestock & Dairy Development
Khyber Pakhtunkhwa.

14493
18/7/12

Subject: APPEAL FOR WITHDRAWAL OF VOLUNTARY RETIREMENT

I am directed to enclose a copy of appeal submitted by Mr. Altaf Ullah, Ex-Veterinary Assistant on the above captioned subject. The Secretary Agriculture, Livestock & Cooperative Department has been pleased to remark on the face of appeal as follows

18/7
18/7/12

"Please forward to DG, L&DD (Ext) for consideration as per policy"

I am therefore directed to request to take further necessary action in light of Rule 9.5 (ii) of Pension Rules and Finance Department letter No. FD-SORR-III/4-5/81, dated 01/12/1981.

(DR. MIR AHMAD KHAN)
SECTION OFFICER (LFC)

Copy of the above is forwarded to the PS to Secretary Agriculture Department.

SECTION OFFICER (LFC)
Ph: 091-3510973

Attested to be
true copy

[Signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department, Chief Secretariat Peshawar | http://www.finance.kpk.gov.pk | facebook.com/GovPKFD | twitter.com/GovPKFD

No.FD(SOSR-II)/4-36/2018

Dated Peshawar the 5/09/2018

To

- All Administrative Secretaries, Government of Khyber Pakhtunkhwa.
- The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
- The Principal Secretary to Governor, Khyber Pakhtunkhwa.
- The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- All Commissioners / Deputy Commissioners of Khyber Pakhtunkhwa.
- Registrar Peshawar High Court.
- Chairman Public Service Commission, Khyber Pakhtunkhwa.
- Chairman Service Tribunal, Khyber Pakhtunkhwa.
- All Head of Attach Departments, Khyber Pakhtunkhwa.

14-15,16

is related to this letter.

Subject: CLARIFICATION OF WITHDRAWAL OF REQUEST OF LPR/RETIRED AFTER SANCTION / NOTIFICATION.

Dear Sir,

In pursuance of Finance Division Government of Pakistan O.M No.F.1(1)R-4/2007-Vol-II(PI) dated 6.10.2015, the Competent Authority has been please to approve / adopt the Federal Government Policy with regard to the subject issue as envisaged in the O.M cited above which provide that a Government servant can withdraw option of voluntary retirement during the period for which encashment has been applied / granted subject to the following conditions:

- He/She may withdraw his/hor option of voluntary retirement before retirement matures;
- It is binding on a government servant to return any amount of leave pay received by him/hor, in lieu of encashment of LPR for that period;
- Later on, on attaining the age of superannuation, if he / she again opts for 365 days leave encashment in lieu of 365 days LPR, such option of an individual may be treated as a fresh case and he / she will be allowed encashment of LPR in toto.

This superseded Finance Department, letter No.SOSR-II/74-92/81 dated: 01.10.1981 and the cases already decided thereunder should not be reopened/reconsidered.

SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Encl. No. & Date Even

Copy is forwarded for information to:

- The Secretary to Government of Punjab, Sindh and Balochistan, Finance Department.
- The Accountant General, Khyber Pakhtunkhwa, Peshawar.

(ABDUL MALIK)
DEPUTY SECRETARY (REG-II)

Encl. No. & Date Even

Copy is forwarded for information and necessary action to:

- Director Treasuries & Accounts, Khyber Pakhtunkhwa.
- All District Comptroller & Accounts in Khyber Pakhtunkhwa.
- Director Local Finance Audit, Khyber Pakhtunkhwa.
- Director FMLU, Finance Department, Khyber Pakhtunkhwa.
- All District / Agency Accounts Officers in Khyber Pakhtunkhwa.
- All Section Officers / Officers in Finance Department.
- The Private Secretary to Minister Finance, Khyber Pakhtunkhwa.
- The Private Secretary to Secretary / PAs to Special Secretary, Additional Secretaries / Deputy Secretaries Finance Department.
- The Section Officer (Reg-4) Government of Pakistan, Finance Division, (Regulation Wing with reference to his letter referred above).
- HR Finance Department (Assistance for Web)

Secretary's Signature

Diary

No. 5984

Dated 26-09-18

(NAEEM TABASSUM)
SECTION OFFICER (SR.II)

Attested to be true copy

26

(14)

✓
★

To, PD-SOSR, III/4-92/81
Delivered Peshawar, the 1st October, 1967

GOVERNMENT OF NWFP,
FINANCE DEPARTMENT.

From: The Secretary to Government
Finance Department, Peshawar.

- To
1. All Administrative Secretaries to Govt. of NWFP.
 2. All Heads of Attached Departments NWFP.
 3. All Commissioners of Divisions in N.W.F.P.
 4. All Deputy Commissioners/Political Agents in NWFP.
 5. All District and Session Judges in N.W.F.P.
 6. The Registrar, Peshawar High Court, Peshawar.
 7. The Chairman, NWFP Public Service Commission, Peshawar.
 8. The Chairman, NWFP Service Tribunal, Peshawar.

Subject: - WITHDRAWAL OF APPLICATION FOR VOLUNTARY RETIREMENT FROM GOVERNMENT SERVICE AFTER COMPLETING 25 YEARS QUALIFYING SERVICE FOR PENSION.

Sir,

I am directed to refer to the subject noted above and to say that according to paragraph 8 of the former Government of West Pakistan Finance Department letter No. S(SR)-V-257/67, dated 27.4.1967 subject to the provisions of the Essential Service Maintenance Act, all Government Servants shall have the right to retire on a retiring pension after completing 25 years qualifying service; provided that a Government servant, who intends to retire before attaining the age of superannuation shall, at least three months before the date on which he intends to retire, submit a written intimation to the authority which appointed him, indicating the date on which he intends to retire. Such an intimation, once submitted, shall be final and shall not be allowed to be modified or withdrawn.

2. In pursuance of Establishment Division, O.M.No.25/2/R: CV (2) dated 12th April, 1961 as adopted by the Government of N.W.F.P. Services and General Administration Department vide letter No. SOSR.II (SAGAD)5-3/79 (Vol:II), dated 12th August, 1961 it has been decided that the words "Such an intimation once submitted, shall be final and shall not be allowed to be modified or withdrawn" occurring in paragraph 8 of above mentioned letter shall be deleted and substituted by the following words:-

"If a Government servant withdraws his application for premature retirement or modifies the date of retirement, before its acceptance by the competent authority, the application or the date of retirement shall be deemed to have been withdrawn or modified, as the case may be."

Attested to be
true copy
[Signature]

Page...2/-

Your obedient servant,
[Signature]
(MUHAMMAD AMIN),
ADDITIONAL SECRETARY-I
FINANCE DEPARTMENT. 1/1/67

27

M. S. Khan
121

Sdmt:
No. FD-SR.III/4-92/81 Dated Peshawar, the 1st October, 1981.

Copy is forwarded to:-

1. The Martial Law Secretariat Zone 'B', Peshawar.
2. All Autonomous and Semi-Autonomous Bodies in NWFP.

(Signature)

(ABDUL HAMID KHAN),
Deputy Secretary (Regulations),
Finance Department.

Ends: No. FD-SR.III/4-92/81, Dated Peshawar, the 1st October, 1981

Copy is forwarded to:-

1. The Accountant General, N.W.F.P., Peshawar.
2. All District/Agency Accounts Officers in NWFP.
3. The Treasury Officer, Peshawar.
4. The Principal Office, National Bank of Pakistan, Peshawar
Cells: Zonal Office National Bank of Pakistan, Peshawar,
Mardan, Abbottabad and Bannu.

(Signature)
(MUSHTAQ KHAN)
SECTION OFFICER (CR. III),
FINANCE DEPARTMENT.

TAN/

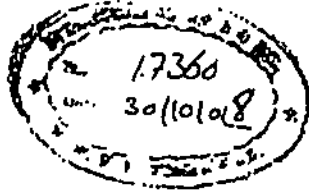
Finance Department (copy)

V. Q. M. P.

15

28

49



The Director General (Extension)
Livestock and Dairy Development, Khyber Pakhtunkhwa Peshawar.

Subject: Application for withdrawal of Retirement order

Sir,

It is please submitted that I had applied for 365 days encashment in lieu of LPR w.e.f. 1/10/2015 to 30/09/2016 and as such I was retired from service w.e.f. 1/10/2016 on voluntarily grounds, but my pension case has not yet materialized.

Your kind attention is invited to Government of Khyber Pakhtunkhwa Notification

No. FD(SOSR-11)/4-36/2018 dated 5/9/2018 copy attached according to which I

intend to withdraw my request for LPR/Retirement.

It is therefore request that my retirement order No. 14651-53 dated 29/9/2016 may be withdrawn and I may please be reinstated in service w.e.f. 1/10/2016. I will refund the leave salary so received by me in lump sum to the Government. The interruption period w.e.f. 1/10/2016 till date may be treated as leave on full pay/half pay according to entitlement as sufficient leave is available at my credit as per leave account pro forma.

It is hoped that your good self will consider my appeal sympathetically in light of above notification of Finance Department.

Thanks

Attested to be true copy

Yours obediently,
Aitaf Ujjah

Veterinary Assistant
Director General (Extension)
Livestock and Dairy Development

(16) - 29 -

NOTE SHEET

File No. _____



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA

No. 1. 120 days leave on full pay
and 630⁷ leave on half average
pay may be granted to the
official because as per leave
account pro forma 730 days
leave on full pay is available
at his credit.

No. 2. He will refund the amount of
encashment so drawn by the
official concerned in favour of the
Government.

Submitted for perusal and passing
appropriate order please.

30/10/2018

59-

D/H Q

Attested to be ~~submitted~~ ^{approved} by
true copy order

64

71

D/H Q/AO

30/10



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA

- (i) He/she may withdraw his/her option of voluntary retirement before retirement.
- (ii) It is binding on a government servant to return any amount of leave pay received by him/her, in lieu of encashment of LPR for that period.
- (iii) Later on, on attaining the age of superannuation, if he/she again opts for 365 days leave encashment in lieu of 365 day LPR, such option of an individual may be treated as a fresh case and he/she will be allowed encashment of LPR in toto.

The account section suggests that the official may be re-instated in service w.e.f 1/10/2016 with immediate effect and the interruption period w.e.f 1/10/2016 to till date may be treated as earned leave as follow.

v. July

(17)

31

NOTE SHEET

File No.



DIRECTORATE GENERAL (EXTENSION)

LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA.

S/S

63 The matter was discussed with Finance Deptt
SOCSR-ID & Advise that the said settlement
Case not incomes under the notification
issued by the Finance Deptt dated 5/7/2018.

AS (the period of LPR) is mature.

64 AG of agreed his Revision Papers will be
forwarded to A-Cr office Peshawar, Plea
154 Accy Deptt draft related for approval/signed,

VO (A)

Submitted for approval & signed. 11/12/18

66

DHD

attested to be true copy.

Submitted for approval & signed

11/12/18

Jmc.
11/12
11/12

67

DHD

Submitted for approval & signed

11/12

32



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA.

PUC

PUC is an application of Mr. Altaf Ullah
EX. VA of this Directorate, wherein he requested
for one GEP upgradation from BS-9 to
BPS-10 in light of Finance Deptt notification
dated 30/6/2015, for which the service book
to the official is needed for pay fixation.
If agreed his service book will
be released from A-G office, please.
Accordingly draft added, please.

71 VO(B)

01/01/2020

72 DHO

[Handwritten signature]

11/01/2020

Plan Mer
along with
A7D

11/1/2020

73

[Handwritten signature]

74

Discuss & Submitted for
Needs

[Handwritten signature]



Dr. Sher (18) 33

39

DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT,
 KHYBER PAKHTUNKHWA, PESHAWAR
 Tel: 091-9210249/9210276, Fax: 091-9210286 Email: dgdtext@pshao.gov.pk

No. 17418 / Dated Peshawar the 26/12/2010

To

The Secretary,
 Government of Khyber Pakhtunkhwa,
 Agriculture, Livestock, Fisheries and Coop.
 Department, Peshawar.

Attention: Section Officer (LFC)

Subject: APPEAL / HUMBLE REQUEST FOR WITHDRAW OF PENSION CASE.

Memorandum:

Reference your office letter No. SO (LFC)AD-1(4)EXT/2015 dated 13.12.2015 on the subject cited above and to state that the appellant has applied for voluntarily retirement from service w.e.f. 01.10.2016 with grant of 365-days encashment of leave in lieu of LPR vide his application No. NI dated 21.09.2016. (Annex-I). Consequently, the official has been allowed to retire from service w.e.f. 01.10.2016 vide this office order No. 14651-53 dated 28.09.2016 (Annex-II). Accordingly the official has received 365-days encashment of leave in lieu of LPR and the pension case is still pending as he has denied and requested for withdrawal of retirement order.

In this regard, it is submitted that in pursuance of S.5 (II) of Pension Rules (Including Pension), clearly mentioned that:

After completion of 25-years qualifying service, such a Government servant shall at least 03-months before the date on which he intends to retire, be required to submit written intimation to the authority competent to fill the appointment by him at the time of submitting that intimation indicating the date on which he intends to retire. Such intimation, once submitted shall be final and shall not be allowed to be modified or withdrawn. However, before formal acceptance of the intimation he, if so, desired withdraw his application for premature retirement" (Annex-III).

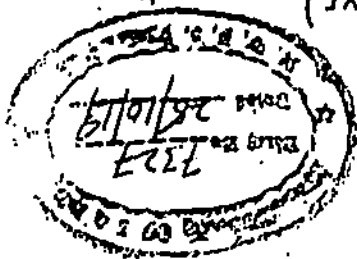
Submitted for information and further necessary action, as desired please.

Encl. as stated above.

Attested to be true copy
[Signature]

[Signature]
 (Dr. SHER MUHAMMAD)
 DIRECTOR GENERAL

19-34-19



The Director General,
Livestock and Dairy Development (EXT)
Khyber Pakhtunkhwa, Peshawar.

Subject: Grant of One-scale Upgradation

28/10/19
Parade

Sir,

It is please stated that I was retired from service w.e.f. 01/10/2016 in GPs-09, while I was due for BPS-10 w.e.f. 01/07/2015 in light of Finance Department notification dated 30/05/2015. It is therefore, requested that I may please be allowed one-scale up-gradation from BPS-09 to BPS-10 along with award of pay w.e.f. 01/07/2015 and award of pension and gratuity w.e.f. 01/10/2016 till date as allowed to my other colleagues and obliged.

Date: 25/10/2019

Attested to be true
Copy

Atiq Ullah
Vocational Assistant
District Council
Peshawar

Yours Obediently

Attested to be true

12/10/2022

Copy

انسان اللہ کی اولاد ہے اور اس کے لئے

جو کچھ وہ کرے وہ سب صحیح ہے۔ اللہ تعالیٰ

اس کے ساتھ ہے اور اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

2012ء میں اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

2018ء میں اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

اس کے لئے جو کچھ وہ کرے وہ سب صحیح ہے۔

Attended to be true copy

1273

* one application for anti-seize upgrade submitted on 19-03-2024, diary no

1272

* one application for maintenance submitted on 19-03-2024, diary no

(22)

(23) (38)

The Director General,
Livestock & Dairy Development (Ent)
K.P.K. Peshawar.

Sub: Request for my reinstatement.

Sr,

It is stated that I have made a lot of

requests for the reinstatement of my service

since September, 2016 till date but no D.O

has given me any heed & consideration to my

plea, though, I was entitled for reinstatement

in my service. I have ~~been~~ given applications in

2016, 2017, 2018, 2019, 2021, 2022, 2023, and 2024 but no

proper attention has been given to my requests.

I, therefore, request your authority to

make a probe into my case and get me

reinstated w-e-f October, 2024 and oblige.

Pragise thanks.

Yours obediently,

Atiqullah V. A.

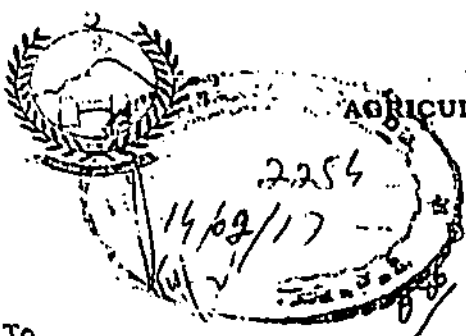
Atiqullah V. A.
22/08/2024

attested to be
true copy
Atiqullah V. A.

Note: Your authority can see dozens of applications in
my personal file in this regard, submitted
previously.

(39)

41



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVES
DEPARTMENT

No. SO (LFC) AD-1 (4)/Ext/2016
Dated Peshawar the 13th February, 2017.

To
The Director General (Extension),
Livestock & Dairy Development,
Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL/HUMBLE REQUEST FOR WITHDRAWAL OF PENSION CASE.

I am directed to refer to your Letter No. 17419 dated: 26.12.2016 and to enclose herewith a copy of Section Officer (SR-II), Finance Department, Khyber Pakhtunkhwa letter No. FD(SOSR-II)4-36/2017 dated:02.02.2017 on the subject noted above (which is self-explanatory) and to state that Appeal/application in respect of Mr. Altaf, Veterinary Assistant, Directorate General (Extension)) Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar may be decided in light of Finance Department letter No:FD-SOSR-III/492/81 dated:01.10.1981(copy enclosed).
Encl: As Above.

(Dr. MIR AHMAD KHAN)
SECTION OFFICER (LFC)

Encls: No. & date even:
Copy to:

Section Officer (SR-II), Finance Department, Khyber Pakhtunkhwa
w/r to his letter No. quoted above.

PS to Secretary Agriculture, Livestock & Cooperatives Deptt.

AA Attested to be true copy

SECTION OFFICER (LFC)

PTD

To

The Secretary,
Livestock and Dally Development (Extension),
Khyber Pakhtunkhwa, Peshawar.

(40)

Amul
"F"

Subject: **DEPARTMENTAL APPEAL/REPRESENTATION FOR SETTING ASIDE THE ORDER NO. 14651-53 DATED 29/09/2016 AND REINSTATEMENT OF SERVICE OF APPELLANT WITH ALL BACK BENEFITS W.E.F OCTOBER 2016.**

Respected Sir,

Appellant humbly submits as under,

1. That the appellant is peaceful and law abiding citizen of Pakistan and enjoying good reputation in the society.
2. That the appellant was appointed on 08/11/1989 as Stock Assistant under your kind control and performed his duties with full satisfaction of his superiors and then promoted to the post of Veterinary Assistant and was performing his duties in the DG office Peshawar.
3. That appellant was performing his duties with zeal & zest but during the performance of duties, the father of appellant suffered with severe disease of Cancer and appellant remained busy in look after of his father and thus due to aforementioned emergency submitted an application on 21/09/2016 for LPR because for the treatment of his father shortage of money occurred but later on the money was arranged through relatives, thus, the appellant submitted an application at once on 26/09/2016 for withdrawal of LPR application. Thus the department was required to accept the application of withdrawal of LPR but the concern authorities, inadvertently or due to act of omission of unknowing or due to mala-fide accepted the application of LPR vide order No. 14651-53 dated 29/09/2016 and ignored the second application of appellant for withdrawal of LPR. Although under the service law and rules when an application for withdrawal

1411

had been submitted within 30 days, then the authority was required to accept the application for withdrawal of the LPR.

4. That thereafter the appellant submitted various applications from 2016 and onward, although the authority had been written a footnote on the application of appellant stating that "please forwarded to DG/you honour for consideration as per polity" but the applications were not entertained. It is also pertinent to mention here that the appellant submitted multiple applications which were footnoted with favourable consideration and lastly request for reinstatement were made on 22/08/2024. In short the appellant has been submitting applications, time and again, with no delay but due to lethargic conduct of concerned authorities, the applications were not honoured.

5. That the appellant never remained in hibernation period but pointed out his prayer before the authorities every time and thus no delay had been made by the appellant and if any delay is occurred then the same may kindly be condoned.

It is therefore respectfully prayed that on acceptance of this departmental appeal the order No. 14651-53 dated 29/09/2016 may kindly be set aside and the appellant may graciously be reinstated into service w.e.f 2016 with all back benefits.

September 09, 2024

Yours' humble Applicant



Altaf Ullah
Veterinary Assistant
D.G Office Peshawar (Extension)
Cell#0345-9223431

1421

No. 863

For In. RAD00538864

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

60 Ps.

39

11.0

Received a registered* addressed to Sardar Date-Stamp

Initials of Receiving Office ... Write here "letter", "postcard", "packet" or "parcel" in the space before it when necessary.

Insured for Rs. (in figures) ... (in words)

Insurance fee Rs. ... Ps. (in words) Grams

Name and address of sender ...

If insured

(43)

To

The Director General,
Livestock and Dally Development (Extension),
Khyber Pakhtunkhwa, Peshawar.

Subject: **DEPARTMENTAL APPEAL/REPRESENTATION FOR
SETTING ASIDE THE ORDER NO. 14651-53 DATED
29/09/2016 AND REINSTATEMENT OF SERVICE
OF APPELLANT WITH ALL BACK BENEFITS W.E.F
OCTOBER 2016.**

Respected Sir,

Appellant humbly submits as under,

1. That the appellant is peaceful and law abiding citizen of Pakistan and enjoying good reputation in the society.
2. That the appellant was appointed on 08/11/1989 as Stock Assistant under your kind control and performed his duties with full satisfaction of his superiors and then promoted to the post of Veterinary Assistant and was performing his duties in the DG office Peshawar.
3. That appellant was performing his duties with zeal & zest but during the performance of duties, the father of appellant suffered with severe diseased of Cancer and appellant remained busy in look after of his father and thus due to aforementioned emergency submitted an application on 21/09/2016 for LPR because for the treatment of his father shortage of money occurred but later on the money was arranged through relatives, thus, the appellant submitted an application at once on 26/09/2026 for withdrawal of LPR application. Thus the department was required to accept the application of withdrawal of LPR but the concern authorities, inadvertently or due to act of omission of unknowing or due to mala-fide accepted the application of LPR vide order No. 14651-53 dated 29/09/2016 and Ignored the second application of appellant for withdrawal of LPR. Although under the service law and rules when an application for withdrawal

144)
had been submitted within 30 days, then the authority was
required to accept the application for withdrawal of the LPR.

4. That thereafter the appellant submitted various applications from 2016 and onward, although the authority had been written a footnote on the application of appellant stating that "please forwarded to DG/you honour for consideration as per polity" but the applications were not entertained. It is also pertinent to mention here that the appellant submitted multiple applications which were footnoted with favourable consideration and lastly request for reinstatement were made on 22/08/2024. In short the appellant has been submitting applications, time and again, with no delay but due to lethargic conduct of concerned authorities, the applications were not honoured.
5. That the appellant never remained in hibernation period but pointed out his prayer before the authorities every time and thus no delay had been made by the appellant and if any delay is occurred then the same may kindly be condoned.

It is therefore respectfully prayed that on acceptance of this departmental appeal the order No. 14651-53 dated 29/09/2016 may kindly be set aside and the appellant may graciously be reinstated into service w.e.f 2016 with all back benefits.

September 09, 2024

Yours' humble Applicant



Altaf Ullah
Veterinary Assistant
D.G Office Peshawar (Extension)
Cell#0345-9223431

(45)

No. 864

RAD00538865

R 60 Ps.

Not to be attached except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgment is due.

Received a registered addressed to

Director

Date-Stamp

Initials of Receiving Office

When here "letter", "postcard", "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures)

(in words)

Insurance fee Rs.

Ps. (in words)

Name and address of sender

Director
Development Dept.
Weight *Kilo*
Grams
99/24

(46)

Ann!
"G"

**DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA
PESHAWAR**

Tel: 091-9210249/9210276, Fax: 091-9210265, E-mail: dglddext@yahoo.com

Web: www.livestockextkp.gov.pk

No. 13826-27

Dated Peshawar, the

08/10/2024

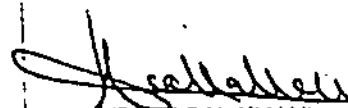
To

✓ Mr. Altaf Ullah,
Ex. Veterinary Assistant,
Village Paniyala Mohalla Dhedi,
Paharpur P/O Paniyala,
Tehsil Paharpur District D.I. Khan.
Cell No. 0345-9223431.


Subject: DEPARTMENTAL APPEAL / REPRESENTATION OF SETTING ASIDE THE
ORDER NO. 14651 DATED 29/09/2019 AND REINSTATEMENT OF SERVICE
OF APPELLANT WITH ALL BACK BENEFITS W.E.F. OCTOBER 2016.

With reference to your appeal No. 5131 dated 10/09/2024, on the subject noted above, it is stated that previously you were replied through this office letter No. 13389 dated 30/09/2024, wherein a reference of this office letter No. SO(EFC)AD-I(4)EXT/2015 dated 13/12/2016 was given but it may be read as SO(I.FC)AD-I(4)/Ex/2016 dated 13/02/2017.

Encl: As above


(DR. ASAL KHAN)
DIRECTOR GENERAL

Copy of the above is forwarded to the Establishment Section of this office for information, please.


DIRECTOR GENERAL

Attested to be
true copy!
