

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

C.M _____/2024

in

S.A No. 1302/2023.

Asif Samad

Versus

The Registrar PHC & others

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Dated: 29/07/2024


Petitioner(s)

Through


Javed Iqbal Gulbela
Asc.

(1)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

C.M. _____/2024
in
S.A No. 1302/2023.

Asif Samad
Versus

The Registrar PHC & others

Khyber Pakhtunkhwa
Service Tribunal
Case No. 14645
Dated 02-08-24

Application for Placing on File hereby annexed Documents

Respectfully Sheweth,

1. That the captioned case is pending adjudication before this August Court and is fixed for 03.09.2024 for hearing.
2. That the Appellant/Applicant's wants to place the hereby annexed documents, whose placement is indispensable.
3. That there exists no legal hedge in allowing the instant application.

It is, therefore, humbly prayed that on acceptance of the instant application, the documents annexed may kindly be placed on file in the best interest of justice.

Dated: 29-07-2024

Appellant/Applicant's
Through
Javed Iqbal Gulbela
ASC
&
Saghir Iqbal Gulbela
Advocate High Court.

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

C.M. _____/2024
in
S.A No. 1302/2023.

Asif Samad
Versus
The Registrar PHC & others

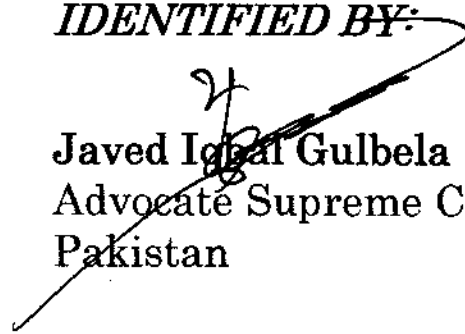
AFFIDAVIT

I, Asif Samad, do hereby solemnly affirm and declare that all the contents of the accompanied application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.


DEPONENT

CNIC#

IDENTIFIED BY:


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan



MINUTES OF THE MEETING OF DEPARTMENTAL SELECTION COMMITTEE DISTRICT JUDICIARY KHYBER DATED 19/12/2019

Consequent upon advertisement dated 29-11-2019, the Subject meeting for recruitment process against the vacant posts of Junior Clerk pertaining to establishment of Sessions Division Khyber held on 14, 17 & 19 Dec. 2019 in Federal Judicial Complex, Phase VII, Hayatabad, Peshawar. It was attended by the following.

1. **Mr. Shahid Khan** Chairman
District & Sessions Judge, Khyber
2. **Mr. Asif Rashid,** Member
Additional District & Sessions Judge, Khyber
(Nominee of District & Sessions Judge, Khyber).
3. **Mr. Zaem Ahmad,** Member
Director HR&W PHC
(Nominee of Peshawar High Court, Peshawar)

Applications received were duly scrutinized keeping in view the eligibility standards, such as, prescribed qualification, domicile, permanent residence, age & experience of the candidates. During the recruitment process the committee took into consideration the age relaxation anomalies in the light of *THE [Khyber Pakhtunkhwa] INITIAL APPOINTMENT TO CIVIL POSTS (RELAXATION OF UPPER AGE LIMIT RULES, 2008)*.

Details of the vacant positions are as under:

S. No	Name of post	Sanctioned strength	No. of vacant positions	Quota			Appointment on the basis of Quota
				Female @ 10%	Disable @ 2%	Minority @ 5%	
01	JC	18	9	1	Nil	Nil	Nil
02	Assistant	5	1		Nil		Nil
03	B&A Assn.	1	1		Nil		Nil
04	Comp Opt.	5	5		Nil		Nil
05	Stenotypist	6	6		Nil		Nil
06	Stenographer	3	1		Nil		Nil

Junior Clerk (BPS-11):

Out of 09 vacant positions, 01 was required to be filled through female quota. It is pertinent to mention that 02 applications against female quota were received. One of them did not appear for the test while the other one could not qualify the eligibility test. With regard to general seats 866 applications were received and after scrutiny were found eligible who underwent screening test. During screening test 213 were remained absent while out of the remaining 39

qualified and were further subjected to skill/typing test being part of eligibility criteria. 08 remained successful and they were subjected to written test. 05 candidates qualified for the next stage and were accordingly interviewed. The committee keeping in view the performance of the following candidates in their written, oral, skill tests and their general suitability for the post, recommended them for appointment against the subject vacancies.


S. No	Name	Father's Name
1	Asif Samad	Abdul Samad
2	Muhammad Haroon	Adam Khan
3	Shah Saud	Muhammad Younas
4	Hamayun	Iqbal Shah
5	Muhammad Arif	Alif Khan

As far as, the remaining 04 positions are concerned, the competent authority shall re-advertise the same at the earliest.

The committee, under special directions of the chair, handed over entire record of the recruitments to Kashif Khan, Superintendent, Sessions Court, Khyber, for completion, compilation & preservation of the entire record until further orders.

The meeting ended with a vote of thanks


(MR. ASIF RASHID)
 Nominee of the Sessions
 Judge, Khyber Member

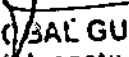

(MR. ZAEEM AHMAD)
 Director HR&W, PHC Member
 (Nominee of the Peshawar High Court)


MR. SHAHID KHAN
 District & Sessions Judge, Khyber
 (Chairman)

Endst: No. 641-644 IDSJ, Khyber Dated Khyber the 23/12/2019
 Copy forwarded for information to:

1. The Registrar, Peshawar High Court, Peshawar
2. The MIT, Peshawar High Court, Peshawar.
3. All the members of the Committee.
4. The Office Copy.


(SHAHID KHAN)
 District & Sessions Judge, Khyber
 (Chairman)


JAVED IQBAL GULBELA
 Advocate
 Supreme Court of Pakistan
 (ASC # 5317)

5

Amended - BB



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA
K H Y B E R

www.districtcourtskhyber.gov.pk

Recommended candidates for the Post of
Junior Clerk

Interviews for the above posts were held by Departmental Selection Committee, District Judiciary Khyber. From amongst the qualified candidates, the following candidates have been tentatively considered to be recommended for appointment subject to verification of their documents / domiciles etc. and fulfillment of the criteria advertised for the posts.

S. No	Name	Father's Name
1	Asif Samad	Abdul Samad
2	Muhammad Haroon	Adam Khan
3	Shah Saud	Muhammad Younas
4	Hamayun	Iqbal Shah
5	Muhammad Arif	Alif Khan

The above-mentioned tentative recommendation does not confer any right of recommendation / appointment as any discrepancy revealed at any stage will lead to the cancellation of the recommendations / appointment of the candidate accordingly.

Dated: 19-12-2019

By Orders of
District & Sessions Judge, Khyber

JAVED IQBAL GULBELA
Associate
Supreme Court of Pakistan
(ASC # 5317)



DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA
K H Y B E R

☎ 091-5615231
✉ dsjkyber@gmail.com

No. 960-967
Dated Khyber 25-03-2020

ORDER

On recommendations of the Departmental Selection Committee dated 19th December, 2019, the Competent Authority is pleased to order the appointment on temporary basis of the following candidates against vacant posts of Junior Clerk (BPS-11), with effect from the date of assumption of charge of the post, subject to medical fitness & antecedents verification & verification of testimonials through quarter concerned and fulfillment of criteria advertised for the posts: -

S. No	Name	Father's Name	CNIC#
1 ✓	Asif Samad	Abdul Samad	17301-1051787-1
2	Muhammad Haroon	Adam Khan	17301-7701478-3

2. Their appointments to the service shall be subject to the following terms and conditions:

- i. They will be governed by the NWFP Civil Servants Act, 1973 and NWFP Government Servants (Appointment, Promotion & Transfer) Rules, 1989.
- ii. They will be allowed the minimum pay of BPS-11 plus other allowances as admissible under the rules.
- iii. They shall be governed by such rules and instructions relating to leave, TA, and Medical Attendance as may be prescribed from time to time.
- iv. They shall be on probation initially for a period of two years.
- v. They will be eligible for continuance and their eventual confirmation in the post on satisfactory completion of their probationary period, subject to availability of permanent post and the completion of prescribed training, if any.
- vi. Their services shall be liable to be dispensed with at any time without any notice and assigning any reason before the expiry of the period of their probation/extended period of probation, if their work or conduct during this period is not found satisfactory or any discrepancy revealed at any stage.

JAVED Iqbal GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA
K H Y B E R



Case No. 207-207
Dated 10/07/2018

2018-2018-207
District Court

ORDER

On recommendations of the Departmental Selection Committee dated 10/07/2018, the Competent Authority is pleased to order the appointment on temporary basis of the following candidates against vacant posts of Junior Clerk (BPS-11) with effect from the date of assumption of charge of the post subject to medical fitness & antecedents verification & verification of testimonials through quarter concerned and fulfillment of criteria advised for the

posts:-

S. No.	Name	Father's Name	CMIC#
1	Asif Ahmad	Asif Ahmad	17301-1021787-1
2	Abdullah Khan	Abdullah Khan	17301-1701422-2

2. Their appointments to the service shall be subject to the following terms and conditions:

- i. They will be governed by the NTPS Civil Service Act 1973 and NTPS Government Services (Appointment, Promotion & Transfer) Act 1974.
- ii. They will be allowed the minimum pay of 802-11 plus other allowances as admissible under the rules.
- iii. They shall be governed by such rules and regulations relating to leave, TA and Medical Allowance as may be prescribed from time to time.
- iv. They shall be on probation initially for a period of one year.
- v. They will be eligible for continuance and their eventual confirmation in the post on satisfactory completion of their probationary period, subject to availability of permanent post and the completion of prescribed training if any.
- vi. Their services shall be liable to be dispensed with at any time without any notice and assigning any reason before the expiry of the period of their probationary period of probation. If their work or conduct during this period is not found satisfactory or any discrepancy revealed at any stage.

Dated 10/07/2018
District Court

- vii. *In the event of termination from service, fourteen days notice or in lieu, thereof, fourteen days' pay will be paid by the Govt. In case of resignation, they will give one-month notice to competent Authority or in lieu, thereof, one month pay shall be forfeited to the Govt. the resignation shall, however, be subject to the acceptance by the Competent Authority.*
- viii. *They will be governed by the Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 & the NWFP, Government Servants conduct Rules, 1987 and any other instructions which may issue by the Competent Authority from time to time.*

3. If the above terms and conditions of appointment are acceptable to them, they shall report for duty to undersigned immediately. The offer of appointment shall be deemed to have been cancelled if they fail to produce Medical Fitness Certificate/ report for duty to the undersigned within one month from the date of issue of this order or their antecedents and testimonials are not verified.

4. They shall join duty at their own expenses.

(LIAQAT ALI)
District & Sessions Judge, Khyber /
Chairman DSC

Endst: No. 960-967 /DSJ Dated Khyber the 05/03 /2020

Copy forwarded for information and necessary action to: -

1. The Registrar, Peshawar High Court, Peshawar along with copy of Minutes of the meeting of DSC dated 19/12/2019.
2. Mr. Asif Rashid, AD&SJ-I, Khyber. (Nominee of the Sessions Judge, Khyber).
3. Mr. Zaeem Ahmad, Director HR&W, Peshawar High Court, Peshawar (Nominee of the Peshawar High Court, Peshawar).
4. The District Comptroller of Accounts, Khyber.
5. The Superintendent Office, Khyber
6. The appointee(s) by name.

(LIAQAT ALI)
District & Sessions Judge, Khyber /
Chairman DSC

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

In the event of termination from service, for ten days notice or in lieu thereof fourteen days' pay will be paid by the Govt. in case of resignation. They will give one-month notice to competent authority or in lieu thereof one month pay shall be forfeited to the Govt. the resignation shall, however, be subject to the acceptance by the competent authority.

They will be governed by the Government of Hyderabad (Pensions & Discharge) Rules 1911 & the W.P.F. Government Service Control Rules 1987 and any other regulations which may come into force by the Government of Hyderabad.

3. If the above terms and conditions of appointment are acceptable to them, they shall report for duty to be designated immediately. The offer of appointment shall be deemed to have been cancelled if they fail to produce Medical Fitness Certificate report for duty to the undersigned within one month from the date of issue of this order or their antecedents and testimonials are not verified.

4. They shall join duty at their own expenses.

Chairman DSC
District & Sessions Judge, Kyber P. (LADAT ALI)

Encl: No. 110-221 DRI Dated Kyber the 27/03/2022

Copy forwarded for information and necessary action to:-

1. The Registrar, Peshawar High Court, Peshawar along with copy of Minutes of the meeting of DSC dated 19/12/2019.
2. Mr. Ali Rashid AGM-1, Kyber (Member of the Sessions Judge, Kyber)
3. Mr. Saad Ahmad, District HR&W, Peshawar High Court, Peshawar (Member of the Peshawar High Court, Peshawar).
4. The District Controller of Accounts, Kyber.
5. The Superintendent Officer, Kyber.
6. The subject(s) by name.

Chairman DSC
District & Sessions Judge, Kyber (LADAT ALI)

Handwritten notes and signatures at the bottom of the page.



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Annexure DD

**DISTRICT JUDICIARY, KHYBER PAKHTUNKHWA
K H Y B E R**

☎ 091 5019331
✉ dypkhyber@gmail.com

No. 951-959
Dated Khyber, 04-03-2020

ORDER

On recommendations of the Departmental Selection Committee dated 19th December, 2019, the Competent Authority is pleased to order the appointment on temporary basis of the following candidates against vacant posts of Junior Clerk (BPS-11), with effect from the date of assumption of charge of the post, subject to medical fitness & antecedents verification & verification of testimonials through quarter concerned and fulfillment of criteria advertised for the posts: -

S. No	Name	Father's Name	CNIC#
1	Shah Saud	Muhammad Younas	21202-5342572-1
2	Hamayun	Iqbal Shah	21202-6406759-1
3	Muhammad Arif	Alif Khan	21202-4133665-9

2. Their appointments to the service shall be subject to the following terms and conditions:

- I. They will be governed by the NWFP Civil Servants Act, 1973 and NWFP Government Servants (Appointment, Promotion & Transfer) Rules, 1989.
- II. They will be allowed the minimum pay of BPS-11 plus other allowances as admissible under the rules.
- III. They shall be governed by such rules and instructions relating to leave, TA, and Medical Attendance as may be prescribed from time to time.
- IV. They shall be on probation initially for a period of two years.
- V. They will be eligible for continuance and their eventual confirmation in the post on satisfactory completion of their probationary period, subject to availability of permanent post and the completion of prescribed training, if any.
- VI. Their services shall be liable to be dispensed with at any time without any notice and assigning any reason before the expiry of the period of their probation/extended period of probation, if.

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 5317)

their work or conduct during this period to not find satisfactory or any discrepancy revealed at any stage

- vii. In the event of termination from service fourteen days notice or in lieu thereof, fourteen days' pay will be paid by the Govt. In case of resignation, they will give one-month notice to competent Authority or in lieu thereof, one month pay shall be forfeited to the Govt. the resignation shall, however, be subject to the acceptance by the Competent Authority.
- viii. They will be governed by the Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 & the NWFP Government Servants conduct Rules, 1987 and any other instructions which may issue by the Competent Authority from time to time.

3. If the above terms and conditions of appointment are acceptable to them, they shall report for duty to undersigned immediately. The offer of appointment shall be deemed to have been cancelled if they fail to produce Medical Fitness Certificate/ report for duty to the undersigned within one month from the date of issue of this order or their antecedents and testimonials are not verified.

4. They shall join duty at their own expenses.

(LIAQAT ALI)
District & Sessions Judge, Khyber /
Chairman DSC

Endst: No. 951-859/DSJ Dated Khyber the 04/03/2020

Copy forwarded for information and necessary action to:-

1. The Registrar, Peshawar High Court, Peshawar along with copy of Minutes of the meeting of DSC dated 19/12/2019.
2. Mr. Asif Rashid, AD&SJ-I, Khyber. (Nominee of the Sessions Judge, Khyber).
3. Mr. Zaem Ahmad, Director HR&W, Peshawar High Court, Peshawar (Nominee of the Peshawar High Court, Peshawar).
4. The District Comptroller of Accounts, Khyber.
5. The Superintendent Office, Khyber
6. The appointee(s) by name.

(LIAQAT ALI)
District & Sessions Judge, Khyber.
Chairman DSC

JAVED IQBAL GULBELA
Advocate
Supreme Court of Pakistan
(ASC # 3217)