

**IN THE COURT OF MUHAMMAD AYAZ KHAN**  
**SENIOR CIVIL JUDGE ORAKZAI AT BABER MELA**

**Order**  
04/07/2019

Petitioner along with counsel present. Arguments heard on the issue of maintainability. Record perused.

Brief facts leading to the present petition are that Sana Ullah, hereinafter called "petitioner", had filed the instant petition before the then Political Administration, wherein he had challenged the legality of recruitment of the post of water carrier and sweeper. He had also requested for restoration of dismissed officials namely, Inam Badshah and Irfan Ullah, for the reasons mentioned therein. After merger of FATA, the instant petition was transferred to this court through august Peshawar High Court Peshawar.



**MUHAMMAD AYAZ**  
**Senior Civil Judge,**  
**Orakzai at Baber Mela**

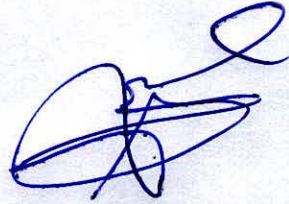
The issue before the court is as to whether this court has got jurisdiction to entertain the petition of services matter. Admittedly, all the services matter is to be decided and adjudicated upon by the Services Tribunal of KPK and Civil court has got no jurisdiction in such like matter. Before merger, the Political Administration had the power to entertain present petition but after merger, all the laws of KPK are to be applied in the manner as provided by the said laws. There is plethora of judgements of august Superior Courts on the subject that if a particular procedure is given by law for a particular matter, it has to be adopted in such manner as provided by law.

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For above, in present circumstances, this court has got no jurisdiction to entertain the present petition. Hence, the instant petition is rejected, being not maintainable.

Case file be consigned to record room.

**Announced**  
04/07/2019



**(Muhammad Ayaz Khan)**  
Senior Civil Judge,  
Orakzai at Baber Mela