

## **TERMS OF REFERENCE (LEGAL CONSULTANT)**

- i. He shall be contesting civil, criminal and all other court cases to defend Khyber Medical University Peshawar at Civil Courts, Session Courts, Service Tribunals, High Courts and all other courts in District Peshawar (as well as in other Districts of Khyber Pakhtunkhwa, subject to prior approval of the competent authority).
- ii. He shall attend the courts on all dates of hearing to defend KMU when the case is called on the date fixed, and shall not unnecessarily request for adjournment or give his consent for adjournment of case, if so requested by the other party.
- iii. He shall prepare and submit response to the legal notices received to KMU.
- iv. He shall promptly maintain, update the data, record of cases and will ensure that case progress on each date of hearing is properly recorded with the date of next hearing.
- v. He shall report to the Registrar regarding any action required by KMU in any case under litigation, in due course of time.
- vi. He shall provide attested copies of the court decisions and other documents related to the cases to KMU. Litigation expenses such as court fee, local commission fee, process fee, notary public/Oath Commissioner fee etc. will be borne by KMU which will be subject to demand and justification.
- vii. He shall compile briefs/summaries and other litigation documents, vetting, scrutinizing of comments, replies, replications, rejoinders, legal drafts, proposals, agreements etc. (including photocopying, indexing and conveying proposals).
- viii. He shall arrange from concerned department / authorities veracity of the official documents.
- ix. He shall ensure that all cases are progressing in a timely manner in accordance with standing instructions.
- x. He shall examine complete record files available in KMU and selecting the record / correspondence and identifying weaknesses in cases prepared by other legal advisors of KMU (if any) to be ratified before filing the case.
- xi. He shall coordinate between KMU authorities and the KMU legal advisors (external lawyer) and providing litigation support to them if directed by the Competent Authority.
- xii. He shall participate in the Legal Audit and reviewing the cases assigned either exclusively or with External Lawyers on the directives of Competent Authority and to submit timely report to the Registrar, KMU.
- xiii. He shall present brief summaries and time to time progress of decided/pending/newly filed court cases to the Registrar, KMU.
- xiv. He shall attend KMU office to discuss/brief and carry out the routine office work related to litigation as and when required by the authority.
- xv. TA/DA will be admissible (for only outstation visits) at the rates prescribed for BPS-17 officers of KMU subject to prior approval of Competent Authority. However, no TA/DA will be admissible for courts attendance/visits in District Peshawar.

### **Financial Terms:**

- i. Consultancy Charges: Negotiable

### **Disputes:**

Any dispute arising from this agreement shall be resolved in accordance with the provisions of KMU ACT and its Financial Rules. Final decision will be that of the Vice Chancellor KMU and it shall not be challengeable in the court of Law.