

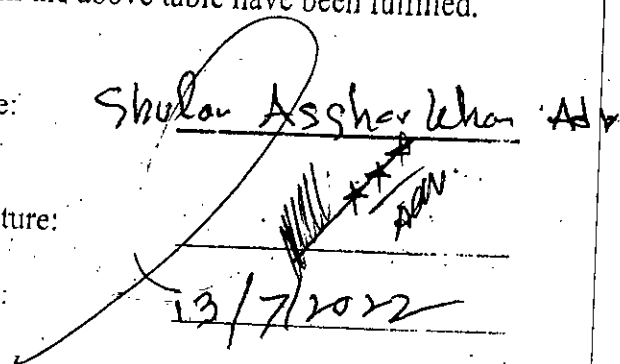
**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

Case Title: Dilshad begom vs Govt of Kpkhwa

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Counsel</u>		
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?		✓
17.	Whether list of books has been provided at the end of the appeal?		✓
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on	✓	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Shuhra Asshar Khan Ad

Signature: 

Dated: 13/7/2022

BEFORE THE HONORABLE SERVICE TRIBUNAL,  
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_ / 2022

Dilshad Begum

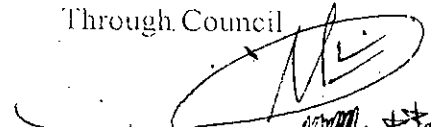
vs

Govt of KP etc

INDEX

S.No	Description of Documents	Annexures	Page No.
01	Appeal with Affidavit		1-5
02	Copy of initial appointment letter on contract basis dated 17-05-2004	A	6-7
03	Copy of Khyber Pakhtunkhwa civil servants (Amendment) Act 2005	B	8-9
05	Copy of KPK employees (Regularization) of Service Act 2009	C	10-13
06	Copy of writ petition No 443-D/2012, judgment dated 14-04-2015 & appointment letter dated 09-04-2013	D, E & F	14-22
07	Copy of application to respondents dated 21-06-2021	G	23-24
08	copy of Writ petition No 459-D/2021, order dated 01.03.2022 and letter of registrar dated 17-03-2022	H, I & J	25-31
	Vakalatnama .		32

Yours Humble Appellant  
Through Council

  
Shuhaimi Ashraf ~~Shuhaimi Ashraf~~ Advocate Dikhan

BEFORE THE HONORABLE SERVICE TRIBUNAL,  
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2022

Dilshad Begum D/O Guldar Ali Primary School Teacher Govt Primary School, Aslam Khan  
Cheena Darazinda District D.I.Khan

Appellant

Versus

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education Civil Secretariat Peshawar
2. Director Elementary And Secondary Education Primary School Section NMD Civil Secretariat Peshawar
3. District Education Officer (Female) District D.I.Khan
4. District Accounts Officer D.I.Khan

Service Appeal

Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AIMED TO REGULARIZE THE SERVICES OF APPELLANT FROM THE DATE OF THEIR INITIAL APPOINTMENT ON CONTRACT BASIS AND NOT FROM THE DATE OF APPOINTMENT OF REGULARIZATION IN SERVICE AND RELEASE ALL CONSEQUENTIAL BENEFITS OF INBETWEEN PERIOD INCLUDING SENIORITY AND PROMOTION ADMISSIBLE UNDER THE RULES.

3/

**PRAYER IN APPEAL**

On acceptance of instant appeal this honorable tribunal may be please to direct the respondents to regularize the services of appellant from the date of their initial appointment on contract basis and not from the date of appointment of regularization in service and release all consequential benefits of in between period including seniority and promotion admissible under the rules. Any other relief which this Honorable Tribunal may deem fit and proper may also be awarded to appellant in the interest of justice.

Note: that addresses of the parties given in the heading of the appeal are sufficient for the purpose of service upon them.

Respectfully shewith,

*The appellant prefers the instant appeal on the grounds hereinafter submitted apropos the following facts:*

**CONCISE FACTS:**

1. That the appellant was initially appointed on the post of PST on contract basis by Agency Education Officer FR D.I.Khan/Tank vide officer order No 1139-44 dated 17-05-2004 and since then she has been performing her duties to the entire satisfaction of her superiors. Copy of initial appointment letter on contract basis is enclosed as **Annexure-A**.
2. That during the course of ibid appointment Khyber Pakhtunkhwa civil servants (Amendment) Act 2005 was passed by KPK Provincial assembly vide which all contract employees posted from 01-07-2001 on contract basis till commencement of ibid act were regularized. Copy of ibid act is enclosed as **Annexure-B**

she has been deprived from all the monetary benefits an seniority even her promotion during ibid periods as well as future service will also badly suffer. She was not regularized from the date of initial appointment on contract basis whereas other contract employee of Khyber Pakhtunkhwa has been given such benefit.

- 4. That if the past service of appellant is not included as regular service then she will face a lot of problems even her total career will stand effected due to illegal act of respondents and their total past service will become fruitless.
- 5. That if past service of appellant is not counted then their seniority will seriously effect and they will be considered to be juniors from their colleagues. So automatically she will be deprived from promotion in service
- 6. That right of appellant is protected, guaranteed and secured under the article 4 & 25 of the Constitution of Islamic Republic of Pakistan 1973 and she deserved to be treated alike and be similarly placed like other contract employee who has been regularized from their initial date of appointments on contract basis.
- 7. That counsel of appellant maybe allowed to raise additional grounds during the course of arguments.

In view of submissions made above it is humbly prayed on acceptance of instant appeal this honorable tribunal may be please to direct the respondents to regularize the services of appellant from the date of their initial appointment on contract basis and not from the date of appointment of regularization in service and release all consequential benefits of in between period including seniority and promotion admissible under the rules. Any other relief which this Honorable Tribunal may deem fit and proper may also be awarded to appellant in the interest of justice

Dated: 13/7/2022

Dilshad-Begum  
Your Humble Appellant  
Through Council

Muhammad Asghar Khan Nazki  
Advocate DIKhan

BEFORE THE HONORABLE SERVICE TRIBUNAL,  
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2022

Dilshad Begum D/O Guldar Ali Primary School Teacher Govt Primary School, Aslam Khan  
Cheena Darazinda District D.I.Khan

Appellant

Versus

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education  
Civil Secretariat Peshawar

Respondents

MEMO OF ADDRESSES OF THE PARTIES

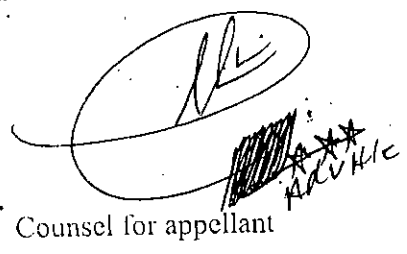
APPELLANT

Dilshad Begum D/O Guldar Ali Primary School Teacher Govt Primary School, Aslam Khan  
Cheena Darazinda District D.I.Khan

RESPONDENTS

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education  
Civil Secretariat Peshawar
2. Director Elementary And Secondary Education Primary School Section NMD Civil  
Secretariat Peshawar
3. District Education Officer (Female) District D.I.Khan
4. District Accounts Officer D.I.Khan

Date: 13/7/2022



Counsel for appellant

5

BEFORE THE HONORABLE SERVICE TRIBUNAL,  
KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2022

Dilshad Begum D/O Guldar Ali Primary School Teacher Govt Primary School, Aslam Khan  
Cheena Darazinda District D.I.Khan

Appellant

Versus

1. Govt Of Khyber Pakhtunkhwa Through Secretary Elementary And Secondary Education  
Civil Secretariat Peshawar

Respondents

SERVICE APPEAL

CERTIFICATE

Certified that this is first appeal involving the instant subject matter and that the appellant has not filed any other appeal earlier in this Honorable Tribunal regarding the above stated controversy.

Dated: 13/7/2022

Dilshad Begum  
Your Humble Appellant  
Through Counsel

*[Signature]*  
Sholam Asghar Khan Nasrullah  
Advocate DIKhan

AFFIDAVIT

I Dilshad Begum D/O Guldar Ali appellant do hereby solemnly affirm and declare on oath that all the parawise contents of above application are true and correct to the best of my knowledge, information and belief and that nothing has been deliberately consealed from this honorable tribunal.

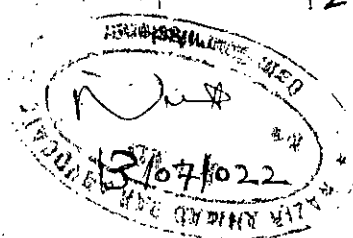
Dated: 13/7/2022

Dilshad Begum  
Deponent

12101-2695936-0

Identified by counsel

*[Signature]*  
Advocate





**APPOINTMENT ORDER**

As approved by the District Co-ordination Officer D.I.Khan and nominated by the Assistant Political Agent FR DIKHAN. Vide his letter No. 864/APA(FR) Dated DIKHAN the 15.5.2004 the following PTC candidates are hereby appointed against the project post of PTC on three years contract basis in BPS-7 @ (2220-120-5720) plus usual allowances at communal Schools noted against each with effect from their taking over charge.

S.No	Name	Father Name	Resident	Qualification	Name of School	Remarks
1.	Dilshd Begum	Gul Dar Ali	DIKHAN	F.A	GFCS Irfan Ullah Kor: FR D.I.Khan	Newly Created PTC Post
2.	Salma Bibi	Abdul Karim	Da aban D.I.Khan	Metric	-do-	-do-

**TERMS & CONDITIONS**

1. Charge reports should be submitted to all concerned in duplicate.
2. The appointment of candidates is being made in CONTRACT BASIS for three years and is liable to termination at any time without assigning any reason. In case they wish to resign their posts, they shall have to give one month prior notice OR forfeit one month pay in lieu thereof.
3. The original Academic/professional certificates, Domicile certificate N.I.C and date of birth certificates should be checked before their taking over charge, after taking over charge too, their monthly salaries will be drawn till verification of their documents from the institutions concerned.
4. TA/DA etc are not allowed.
5. They should have to produce Health & Age Certificate from the medical superintendent District Head Quarter Hospital D.I.Khan.
6. They should not handing over charge of their in posts if they are below 18 years or above 38 years.
7. The pay scales & service rules would be subject to revision with the orders to be passed by the Govt: of N.W.F.P time to time.
8. The concerned Authorities, should get verifies their verifications or roll of character and antecedent and the same might be kept of office record.
9. If they fail to report their arrival for taking over charge within 15 days, their appointment order will be treated as cancelled.
10. Their services will be terminated if they found absent from Govt: duties for 15 days in authorisedly.

(GUL NAWAZ KHAN MAHSOOD)  
**AGENCY EDUCATION OFFICER**  
**(FR) DIKHAN/TANK AT DIKHAN**

Endst: No.1139-44/FCS Dated D.I.KHAN the 17/5/2004.

**Copy of the above is forwarded to the:-**

1. District Coordination Officer DIKHAN.
2. Assistant Political Agent (FR) DIKHAN w/r to his no & Date noted above.
3. District Accounts Officer DIKHAN.
4. Pay clerk FR DIKHAN.
5. Candidate concerned.
6. A.A.E.O (F) DIK/Tank.

**AGENCY EDUCATION OFFICER**  
**(FR) DIKHAN/TANK AT DIKHAN**



regularly appointed from the date of his continuous affiliation, subject to engineering, necessary to the service rules applicable to the post, verified by the Administrative Secretary of the Department concerned.

ANNEXURE (B)

Provided that if any Civil servant is aggrieved regarding his eligibility, he shall have one right of appeal to the Chief Secretary, Government of Khyber Pakhtunkhwa, and his decision in the case shall be final;

Provided further that if there is any gap in service of any Civil Servant between this enactment and the date of appointment under section 3 of this Act, due to termination of contractual service only, the same shall be deemed to have been condoned as extraordinary leave without pay.

(2) The inter se seniority of the Civil Servants under this Act shall be determined by the Government, according to the service rules in vogue.

**Khyber Pakhtunkhwa  
Civil Servants (Amendment) Act, 2005**

(Khyber Pakhtunkhwa Act No. IX of 2005)

Further to amend the Khyber Pakhtunkhwa Civil Servants Act, 1973

[Gazette of Khyber Pakhtunkhwa, Extraordinary, Page No. 202-203, 23rd July, 2005]

**No. PA/Khyber Pakhtunkhwa/Legis:1/2005/20440.**---The Khyber Pakhtunkhwa Civil Servants (Amendment) Bill, 2005 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on the 5<sup>th</sup> July, 2005 and assented to by the Governor of the Khyber Pakhtunkhwa on 12<sup>th</sup> July, 2005 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**Preamble.**---WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Civil Servant Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), for the purpose hereinafter appearing;

It is hereby enacted as follows:--

**1. Short title and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005.

(2) It shall come into force at once.

**2. Amendment of section 19 of Khyber Pakhtunkhwa Act No. XVIII of 1973.**--- In the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), for section 19, the following shall be substituted, namely:

**19. Pension and gratuity.**---(1) On retirement from service, a civil servant appointed on regular basis in the prescribed manner before the commencement of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005 (hereinafter referred to as the said Act), shall be entitled to received such pension or gratuity as are admissible to him under the West Pakistan Civil Service Pension Rules:

Provided that in the event of the death of such a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity or both, as admissible under the said rules. (9)

(2) A person though selected for appointment in the prescribed manner to a service or post on or after the 1st day of July, 2001, till the commencement of the said Act, but appointment on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on a regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servant, except for the purpose of pension or gratuity. Such a Civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said fund, in the prescribed manner:

Provided that in the event of death of such a civil servant, whether before or after retirement his family shall be entitled to receive the said amount, if it has already not been received by such deceased civil servant.

(3) No pension to a civil servant, who is otherwise entitled to it, shall be admissible to him, if he is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalidated from service on the date of such dismissal or removal.

Provided that a civil servant referred to in sub-section (2); in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund, be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualified for pension or gratuity; and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

9/31  
**Khyber Pakhtunkhwa  
Employees (Regularization of Services) Act, 2009**

**Khyber Pakhtunkhwa Act No. XVI of 2009**

AN ACT to provide for the regularization of the services of certain employees appointed on or contract basis.

[Gazette of Khyber Pakhtunkhwa, Extraordinary, Page No. 289 - 291, 24<sup>th</sup> October, 2009]

**No.PA/Khyber Pakhtunkhwa/Bills/2009/38472 dated 24-11-2009.**---The Khyber Pakhtunkhwa Employees (Regularization of Services) Bill, 2009 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 15th October, 2009 and assented to by the

attested  
by  
M. Q. Qureshi  
Advocate  
Leg. Advisor  
Leg. Advisor (ad hoc)  
PESCO

THE <sup>1</sup>[KHYBER PAKHTUNKHWA]  
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.  
(<sup>2</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)

CONTENTS

PREAMBLE

SECTIONS

- 3/31
1. Short title and commencement.
  2. Definitions.
  3. Regularization of services of certain employees.
  4. Determination of seniority.
  - 4A. Overriding effect.
  5. Repeal.

*M. Iqbal Nandi*  
*M. Iqbal Nandi*  
**M. IQBAL NANDI**  
Advocate High Court  
Legal Advisor Wapda Pesco

<sup>1</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>2</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

41

THE <sup>3</sup>[KHYBER PAKHTUNKHWA]  
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.  
(<sup>4</sup>[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)

[First published after having received the assent of the Governor of the <sup>5</sup>[Khyber Pakhtunkhwa] in the Gazette of <sup>6</sup>[Khyber Pakhtunkhwa] (Extraordinary), dated the 24<sup>th</sup> October, 2009]

AN  
ACT

to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

WHEREAS it is expedient to provide for the regularization of the services of certain employees appointed on adhoc or contract basis, in the public interest, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**---(1) This Act may be called the <sup>7</sup>[Khyber Pakhtunkhwa] Employees (Regularization of Services) Act, 2009.

(2) It shall come into force at once.

2. **Definitions.**---(1) In this Act, unless the context otherwise requires,-

(a) "Commission" means the <sup>8</sup>[Khyber Pakhtunkhwa] Public Service Commission;

(aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment;

(b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;

<sup>3</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>4</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>5</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>6</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>7</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>8</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*M. IQBAL KHAN*  
Advocate High Court  
Legal Advisor Wapda Pesco

- (c) "Government" means the Government of the <sup>9</sup>[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the <sup>10</sup>[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and
- (f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the <sup>11</sup>[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (<sup>12</sup>[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

3. **Regularization of services of certain employees.**---All employees including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31<sup>st</sup> December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.

4. **Determination of seniority.**---(1) The employees whose services are regularized under this Act or in the process of attaining service at the commencement of this Act shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority interse of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

<sup>9</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>10</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>11</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

<sup>12</sup>Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

*[Handwritten signature]*  
**M. IQBAL KHAN**  
 Advocate  
 Legal Advisor, Wapda Pesco

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

4A. **Overriding effect.**—Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. **Repeal.**—The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

*M. Iqbal Bhatti*  
*M. Iqbal Bhatti*

**M. IQBAL BHATTI**  
Advocate High Court  
Legal Advisor Wapda Pesco

Writ Petition No. 443 2012



ANNEXURE

(D)  
(14)

1. Dilshad Begum D/O Gul Dar Ali,  
G.P.C.S Irfanullah Koruna,  
Tehsil Drazinda F.R. D.I.Khan.
2. Yasmeen Begum D/O Ghulam Siddique,  
R/O Saleem Akbar Koruna  
Tehsil Drazinda F.R.D.I.Khan.
3. Sameena Bibi D/O Hubeemad Afzal Shah,  
R/O Nathey Khan Koruna  
Tehsil Drazinda F.R.D.I.Khan.
4. ~~Shah~~ Nar Bibi D/O Mithu Khan  
R/O Gul Begum School Drazinda  
F.R. D.I.Khan
5. Shawana Bibi  
R/O Azeem Khan Koruna  
F.R. Drazinda D.I.Khan.
6. Sajida Bibi D/O Faizullah Khan  
R/O Yarkhan Koruna  
Tehsil Drazinda F.R.D.I.Khan.

Petitioners.

V/S

1. Government of Khyber Pakhtunkhwa  
through Secretary Education Peshawar.
2. Secretary Education (Secondary and Elementary)  
K.P.K. Peshawar.
3. Director Education (Secondary & Elementary)  
K.P.K. Peshawar.
4. Agency Education Officer F.R.D.I.Khan.

Respondent

Writ Petition under Article 199 of  
Constitution of Islamic Republic of  
Pakistan, 1973.

ATTESTED

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan.

19/07/2012

7  
3

44.65  
15/11/12

*[Signature]*

Note:

Names and addresses of the parties given above are sufficient and correct for summoning the parties.

Respectfully Sheweth,

Facts giving rise to the present writ Petition are as under :-

That Petitioners have been appointed on the post of P.T.C teachers in Education Department on Contract basis by Respondents and have been still holding their posts in the education department .Details of their appointments ,nature of job and qualification of Petitioners are given hereunder.

S.No.	Name of Petitioner.	Date of appointment.	Nature of Job with Pay Scale	Qualification.
1.	Dilshad Begum.	17.5.2004	PTC BPS 7	B.A, B.Ed
2.	Yasmeen Begum.	17.5.2007	PTC BPS 7	F.A. PTC
3.	Samina Bibi	8.1.2002	PTC BPS 7	B.A PTC
4.	Gulnar Bibi.	5.3.2001	PTC BPS 7	FA PTC
5.	Shawana Bibi	12.4.2007	PTC BPS 7	BA ,PTC
6.	Sajida Bibi	21.1.2004	PTC BPS 7	FA PTC

*Squander*

Copies of their appointment letters are enclosed as Annexure A, A/1 to A/5.

That during the course of their appointments NWFP Employee (Regularization of Service) Act XVI of 2009 was Passed by Provincial Assembly and as per clause 3 of this act all the contract employees appointed on contract basis

ATTESTED

*[Signature]*  
EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

18/07/2021



and holding that post on 31.12.2008 or till commencement of <sup>the Act</sup> ~~this~~ were validly appointed on regular basis .

Clause 3 of ibid Act is being reproduced as under :-

Clause -3 Regularization of services of certain Employees.

All the employees including recommendees of of the High Court appointed on Contract or adhoc basis and holding that post on 31st December 2008 or till the commencement of this act shall <sup>be</sup> deemed to have been validly appointed on Regular basis having the same qualification and experience for a regular post"

Copy of the Act XVI of 2009 is enclosed and marked as Annexure B .

3. That the Petitioners filed representation before Respondent No.1 for regularization of their services in the light of the ibid Act XVI of 2009 but no heed was paid to their requests and uptill now their matter is being hanging and lingering on by Respondents .

Copies of the Representations are enclosed and marked as Annexure C, C/1 to C/5.

4. That in the meanwhile a lot of posts of PTC Teachers were announced by Respondents and and test/ interview were taken from eligible candidates. Petitioners also appeared in those test and interview and they were declared to be successfull candidates and were on the merit Position 1, 4, 12, 14, 11 and 7 according to merit list announced and displayed by Respondents .

Copy of the merit list is enclosed and marked as Annexure "D

ATTESTE

EXAMINOR

Wenawar High Court Bench,  
Dera Ismail Khan

19/07/2011

37  
31  
4485  
*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten mark]*

(17)

5. That despite having good position on merit Petitioners are neither being appointed on regular basis by Respondents according to the merit Position nor their services are being regularized in the light of N.W.F.P Employees (Regularization of Services) Act XVI of 2009 .In this regard Joint representation was made to the Respondent No.3 but uptill now it was not responded by him .

Copy of the representation is enclosed as Annexure E.

6. That Petitioners now came to know that Respondents are not going to appoint the Petitioners on the vacant posts but those candidates who are having low merit than Petitioners are being appointed.

7. That Petitioners having no other remedy now invoke the original writ Jurisdiction of this August Court for redressal of their grievances through instant writ Petition inter alia on the following grounds.

GROUNDS.

1. That Respondents have not been treating the Petitioners in accordance with law and they are violating Article 4 of the Constitution of Islamic Republic of Pakistan 1973 ,which is unjust,unfair ,hence not sustainable in the eyes of law . Thus ineffective upon the rights of Petitioners.

2. That Petitioners Services were required to be regularized according to N.W.F.P Employees (Regularization of Service ) Act 2009 as their appointments on contract basis are well before 31.12.2008 even they are

ATTESTE:

*[Signature]*

EXAMINOR

Posnawar High Court Bench,  
Dera Ismail Khan

79/07/2008

31

*[Handwritten signature]*

18

Interim Relief.

The Respondents may kindly be restrained from fresh appointments of those candidates who are lower than Petitioner in merit.

In wake of submissions made it is therefore humbly prayed that on acceptance of this Writ Petition, this august Court may be pleased to.

i) Direct the Respondents to regularize the Services of Petitioners in the light of NWFP Employees (Regularization of Service) Act XVI of 2009.

ii) Director the respondents to act according to law and made appointment according to the merit list pronounced by them.

Any other relief as deemed appropriate in the circumstances of the case not specifically asked for may also be granted to the Petitioners.

Yours Humble Petitioner  
through Counsel  
*Muhammad Iqbal Khan*  
Muhammad Iqbal Khan  
Advocate High Court

Dated: 13.11.2022

Books Cited.

1. Constitution of Islamic Republic of Pakistan
2. Pesta Code
3. Appointment and service regularization

*[Signature]*

EXAMINOR  
Karnalwar High Court Bench,  
Dera Ismail Khan

*[Signature]*  
Muhammad  
Advocate

18/10/2021

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT D.I. KHAN BENCH**  
**JUDICIAL DEPARTMENT**

WP No. 443-D of 2012

Date of hearing 14-4-2015

Appellant / petitioner (Dilshad Begum dothra) by

Mr. Muhammad Iqbal Khan Ismail Advocate

Respondent (Govt of NWFP dothra) by Mr. Saoullah Khan

Shamim AFS for respdt; 1 to 3; & Mr. Kamran Hayat  
Fed: Standing Counsel for respdt No-4.

**MOHAMMAD GHAZANFAR KHAN J.-** Through

the instant writ petition, the petitioners seek the following relief;

"In wake of submissions made it is therefore humbly prayed that on acceptance of this writ petition, this august Court may be pleased to

- (i) Direct the respondents to regularize the services of petitioners in the light of NWFP Employees (Regulation of Services) Act XVI of 2009.
- (ii) Direct the respondents to act according to law and made appointment to the merit list pronounced by them".

2. In essence, the petitioners were appointed by the respondents on the post of PTC Teachers in Education Department on contract basis and during course of their appointment NWFP Employees (Regularization of Service) Act XVI 2009 was passed by provincial assembly and as per clause 3 of the Act all the contract employees were

ATTESTED

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan

18/07/2011

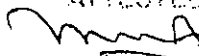
regularized. Thereafter, the petitioners filed representation before respondent No.1 for regularization of their services in light of the Act ibid but no heed was paid to their request till today, hence the instant writ petition.

3. Arguments heard and record perused.

4. At the time of arguments it transpired that the petitioners No.1 to 3 and 5 to 6 were adjusted by the respondents as they have also qualified for the impugned posts after passing test and interview, held for the purpose by the respondents, in the second merit list the petitioner No.4 Mst. Gul Nar Bibi figures at S.No.14 of the list, having secured 24.84 marks. Other similarly placed petitioners have been adjusted against the vacant post, so the petitioner No.4 should have been treated alibi as any discrimination treatment is against the prevailing law and the spirit of the Constitution of Islamic Republic of Pakistan, 1973.

5. The petitioner No.4 like others was posted on contract basis against the post of PTC Teacher on 05.3.2001 and was serving as such till institution of the writ petition. Thus petitioners like others have gained sufficient experience in the field and at this stage dispensation service of a most qualified and experienced person would amount to

ATTESTED



EXAMINOR

Rawalpindi High Court Bench,  
Dera Ismail Khan

19/10/2024

deprive the students of experienced and qualified teachers.

55  
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6. Consequent upon what has been discussed above, the instant writ petition to the extent of petitioner No.4 is accepted and the respondents are directed to treat the petitioner No.4 at par with the petitioners No.1 to 3,5 & 6. As the petitioners No. 1 to 3, 5 & 6 have already been appointed, this writ petition has become infructuous to that extent.

**ANNOUNCED**

14.04.2015.

Aftab/\*

**JUDGE**

**JUDGE**

3/3/

Office  
12  
2/5

EXAMINER  
Sindh High Court Bench  
Dera Ismail Khan  
3 18/07/2014

ANNEXURE

28

OFFICE OF THE AGENCY EDUCATION OFFICER FR DI KHAN.

OFFICE ORDER.

Consequent upon the recommendations of the Departmental/Selection Committee FR DI Khan based on interview held on 12/07/2012 in the light of the Secretary Social Sector Department, FATA Secretariat, Peshawar Notification No.SO(E)/SSD/CST/1299-10 dated 11-05-2012, and subsequent direction of Directorate of Education FATA No.3979-9/10/03/2013 the following Non-local Fe-male community schools teachers of FR DI Khan are hereby re-appointed as contract/regular ST Teachers against the regular PST posts in BPS-07 (5800-520-15400) plus usual allowances as admissible under the rules, at the schools mentioned, against their names with immediate effect from the date of taking over charge

Sr#	Name of teacher/Father Name	Name of School where working	Name of School where posted.	Remarks
01	Dilshad Begum D/O Gul Dar Ali.	FCS Irfan Ullah Kor	GGPS Irfan Ullah kor	Against newly created post.
02	Haseena Gul D/O M.Hussain	FCS Malang Kor	Do	Do
03	Qabees Jamal D/O Mahmood Khan	FCS Kuza (Suba Khan)	GGPS Kuza (Suba Khan)	Do
04	Robinah Kanwal D/o Karim Baksh	FCS Cheena sar	Do	Do
05	Yasmeen Begum D/O Said Khan.	FCS Younas Khan	GGPS Tijree	Do
06	Saminah Bibi D/O Said Afzal Shah	FCS Nathe Khan	Do	Do
07	Shawana Libi D/O Said Mohammad.	FCS Azcom Abad	GGPS Gul Badin	Do
08	Saminah D/O Farim Baksh	FCS Gul Badin	Do	Do
09	Rakhshanda Gul D/O M.Afzal.	FCS Beliran Safr Khan	GGPS Beliran Safer Khan	Do
10	Munaza Nawaz D/O Qayum Nawaz.	FCS Gul Badin	Do	Do
11	Sajidah Bibi D/O Faiz Ullah.	FCS Tijree	GGPS Abdullah Shah.	Do
12	Hafsa Bano D/O Mir Khan	FCS Landi Astanadar	GGPS Ghairat Khan	Against vacant post Do

Terms and conditions.

1. charge report should be submitted to all concerned in duplicate.
2. their service will be considered regular but without pension of gratuity in terms of section 19 of the NWFP civil servant act 1973 as amended by the NWFP civil servant act 2005.
3. they will not in lieu of Pension and gratuity be entitled to receive such amount contributed by them towards the contributory provident fund along with the contribution made by the Government to their account in the said fund in the prescribed manner.
4. in case they wish to resign their post, they will have to give one month's prior notice OR forfeit one month pay in lieu thereof.
5. they will not be entitled to get pay unless their domicile/NIC and academic, Professional qualifications are not got verified from the quarter concerned.
6. they should have to produce age and health certificate from the Medical Superintendent District Headquarter Hospital concerned.
7. their pay scales and service rules should be subjected to the revision in accordance with the order to be passed by the Govt. from time to time.
8. if they failed to take over charge within 15 days, their appointments will automatically be cancelled.
9. if any technical legal flaw pointed out, their appointment will stand as cancelled.
10. if their documents found bogus in any stage their services will be terminated.

Encls: No 532-99 Dated 9/6/2013

Agency Education Officer, FR DI Khan.

- Copy to:
1. Secretary Social Sector Department Peshawar wr to the Notification quoted above.
  2. Director of Education, FATA, KPK Peshawar.
  3. District Account Officer, DI Khan.
  4. Assistant Agency Education Officer, FR DI Khan.
  5. Cluster In-charge concerned.
  6. pay clerk local Office.
  7. Record Clerk local office.
  8. Teacher concerned.

*Attested*  
*M. IQBAL KUNDI*  
 M. IQBAL KUNDI  
 Advocate High Court  
 Legal Advisor Wapda Peshawar

*[Signature]*  
 Agency Education Officer,  
 FR DI Khan.

21/6/24

ANNEXURE

(A)

(23)

The Director Education  
Directorate of Elementary and Secondary Education,  
Civil Secretaries Peshawar

Subject APPLICATION FOR REGULARIZATION APPLICANT'S  
SERVICE W.E.F 17-05-2004 ALONG WITH GRANT OF ALL  
MONETARY BACK BENEFITS FROM 17-05-2004  
ADMISSIBLE UNDER THE RULES.

Respectfully Sheweth,

*Q. A. Khan*  
*M. J. Khan*  
Advocate  
Legal Advisor Wapda Peshawar

With profound regards applicant submits as under:-

- 3/1
1. That applicant was appointed as PTC Teacher on contract basis vide office order bearing No. 1139-44 dated 17-05-2004 issued by Agency Education Officer (FR) D.I.Khan /Tank. Copy of Appointment letter dated 17-05-2004 is enclosed.
  2. That during the course of applicant's said appointment KPK Employees (Regularization) of service Act 2005 was Passed by provincial Assembly, vide which all contract employees posted on contract basis from 01-07-2001 till commencement of ibid Act were regularized.
  3. That thereafter KPK employee (Regularization of service Act 2009 was passed by the provincial Assembly vide which all the employees holding the post on contract basis from 31-12-2008 till commencement of ibid act.
  4. That matter of regularization had also been judiciously Securitized by Honorable Peshawar High Court D.I.Khan through W.P 443-D/2012 decided on 14-04-2015. Copy of ibid writ Petition and order dated 14-04-2005 are enclosed for your ready reference.
  5. That in the light of ibid Acts and Decision of August High Court dated 14/04/2015 Petitioner's service was to be regularized from 17-05-2004 being initial date of appointment but she was regularized on 09-04-2013 the department vide endorsement No. 581-89 dated 09-04-2013.
  6. That while not regularizing her service from 17-05-2004 applicant has been discriminated and deprived from her legal rights even she was not similarly treated/placed. Apart from that her valuable 8 years service have



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been thrown in the rough basket and also deprived her from monetary benefits in the shape of back benefits from 17-05-2004 admissible under the rules. Thus act of the department is not according to law and against the natural Justice.

*in view of submissions made above it is humbly requested that applicant's services may be regularized from 17-05-2004 being date of initial appointment on contract basis and simultaneously back benefits admissible under the rules may be granted to her in the interest of justice and equity.*

Thanking You.

Dated: 21/06/2021

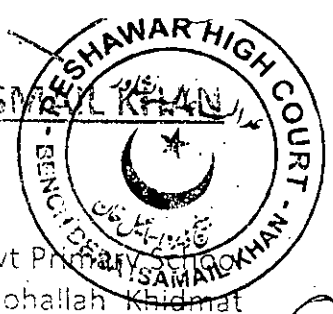
Your Faithfully

Dilshad Begum  
D/O Guldar Ali  
Govt Girls Primary School  
Aslam Khan Chena  
Darazinda.

Dilshad Begum

3/1  
*Attested*  
*[Signature]*  
M. IQBAL  
Advocate High Court  
Legal Advisor Wapda Pasco

BEFORE PESHAWAR HIGH COURT BENCH DERA ISMAIL KHAN



Write Petition No. USA D/2021

1. Dilshad Begum D/O Guldar Ali Primary School Teacher Govt Primary School Asham Khan Cheena Darazinda District D.I.Khan R/O Mohallah Khidmat Garanwala Dera Ismail Khan
2. Farzana Rehman D/O Fazal Rehman Primary School Teacher Govt Girls Primary School Landi Baloch Darazinda District D.I.Khan R/O Basti Alam Sher District D.I.Khan

Petitioner

VERSUS

1. Govt of Khyber Pakhtunkhwa Through Secretary Elementary & Secondary Education Civil Secretariat Peshawar.
2. Director Elementary and secondary Education Primary School Section NMD Civil Secretariat Peshawar.
3. District Education Officer (Female) District Education office D.I.Khan.
4. Deputy District Education Officer D.D.E.O Office Tank Road D.I.Khan
5. District Account Officer D.I.Khan

Respondents

WRIT PETITION UNDER 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.

PRAYER

On acceptance of instant petition this honorable court may be pleased to direct the respondents to regularize the services of petitioners, from the date of their initial appointment on contract basis and not from the date of appointment of regularization in service and release all consequential benefits of in between period including seniority and promotion admissible under the rules. Any other relief which this Honorable court may deem fit and proper may also be awarded to the petitioner in the interest of justice.

Advocate High Court  
Legal Advisor Wapda Peshawar

TESTED  
EXAMINOR  
14/07/22  
Peshawar High Court Bench,  
Dera Ismail Khan

NOTE: That addresses of the parties given in the heading of Petition are sufficient for the propose of service upon them.

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Filed today 3280  
Addl. Registrar  
19/7/2014

RESPECTED SIR,

1. That petitioners were initially appointed on the post of PST on contract basis by Agency Education Officer FR D.I.Khan/Tank vide office order No.s 113944 dated 17-05-2004 and 1101-07 dated 14-05-2004 respectively and since then they have been performing their duties to the entire satisfaction of their superiors. Copies of initial appointments letters on contract basis are enclosed and marked as Annexure A and B.
2. That during course of ibid appointments Khyber Pakhtunkhwa *Civil Servants (Amendment) Act 2005* was passed by KPK Provincial Assembly vide which all contract employees posted from 01-07-2001 on contract basis till commencement of ibid Act were regularized. Copy of ibid Act is enclosed and marked as Annexure C.
3. That there after KPK Employees (Regularization) of Service Act 2009 was passed by KPK Provincial assembly vide which services of all the employees holding the post on contract basis from 31-12-2008 till commencement of ibid Act were regularized. Copy of ibid Act of 2009 is enclosed and marked as Annexure D.

4. That matter of Regularization of petitioner was judicially scrutinized by Honorable Peshawar High Court bench Dera Ismail Khan in writ petition No.443-D/2012 vide Judgment dated 14-04-2015 and it was observed by August Court that respondents has confirmed /admitted at the bar that they have adjusted the Petitioners on vacant post of PST *and* petitioners were appointed on regular post vide office order No. 581-89 and 759-64 dated 09-04-2013 and 26-03-2018 respectively whereas under ibid Act 2005 respectively their services were to be regularized from 17-05-2004 and 14-05-2014 being their dates of initial appointments on contract basis.

Copies of writ petition, judgment dated 14-04-2015 appointment letter number dated 17-05-2004 and 14-05-2004 are enclosed and marked as Annexure E, F, G and H.

5. That while not regularizing the services of petitioners from their initial dates of appointments on contract basis i.e 17-05-2004 and 14-05-2004 respectively petitioners have been discriminated and they have been deprived from their legal and legitimate rights accrued to them under *Section 2* of *Khyber Pakhtun Khwa Civil Servants (Amendment) Act 2005*. Thus in this manner they were not similar treated/ placed like other contract employees of the province and their valuable 8 and 14 years of service were thrown away in the rough basket without any plausible reasons.

*M. IQBAL KUMAR*  
*Advocate*

M. IQBAL KUMAR  
Advocate High Court  
Legal Advisor Wapda Pesco

ATTEST  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan  
11/07/22

even they were deprived from all consequential benefit in shape of annual increase in salary, seniority and promotions.

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6. That petitioner severally requested the respondent to regularize their service from their initial date of appointment on contract basis i.e 17-05-2014 and 14-05-2004. in this regard request was made to respondents vide application dated 21-05-2021 but in vain.

Copies of application and receipts are enclosed and marked as Annexure I/I/1, and J/2.

7. That having no any other remedy available petitioner invoke the original jurisdiction of this August Court through instant writ petition for redressal of their legal and legitimate rights inter alia on the following grounds:

GROUND

Filed today 3280  
Addl. Registrar  
19/7/2021

1. That according to *under section 25 of KPK Civil Servants (Amendment) Act 2005* petitioner are to be regularized in service from 17-05-2004 and 14-05-2014 being their initial date of appointment on contract basis, thus respondents have erred to regularize their service from 09-04-2013 and 26-03-2018 respectively.
2. That petitioner have been discriminated while not regularizing from their services from initiate date of appointment on contract basis i.e 17-05-2004 and 14-05-2004 and they have not been treated and similar placed like other contract employees of Khyber Pakhtunkhwa.
3. That conduct of respondents in respect of not regularizing services of petitioner from their initial appointment on contract basis are wrong and without lawful authority and are against ibid Act 2005 as well as norms of justice thus respondents are warranted to regularize the services of petitioner from 17-5-2004 and 14-05-2004 respectively.
4. Those fundamental and legal rights of petitioner have been sabotaged while not regularization the petitioners from their initial appointments dated 17-5-2014 and 14-05-2004 on contract basis.
5. That due to illegal and unlawful act petitioner golden 8 and 14 year respectively service have been thrown away is the rough basket with one stroke of pen without out plausible reasons and they have been deprived from all the monetary benefits and seniority even their promotion during ibid periods as well as future service will also badly suffer of they were not basis from the dates of initial appointments regularized on contract whereas, other contract employees of Khyber Pakhtunkhwa have been given such benefit.

*[Handwritten signature]*

**MUJEER KHAN**  
Advocate High Court  
Legal Advisor Punjab JSC

TESTED  
EXAMINOR  
Pasnowar High Court Bench,  
Dera Ismail Khan

- 6. That if the past service of petitioner are not included as regular service then they will face a lot of problems even their total career will stand effected due to illegal act of the respondents and their total past service will become fruitless.
- 7. That if past services of petitioner <sup>are</sup> not counted then their seniority will seriously effect and they will be considered to be juniors from their colleagues. So automatically they will be deprived from promotion in service.
- 8. That right of petitioner are protected guaranteed and secured under the article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973 and they deserve to be treated alike and be similarly placed like other contract employees who have been regularized from their initial date of appointments on contract basis.
- 9. That act of respondents for not regularizing Petitioners service from the dates of initial appointments are wrong, incorrect and without lawful authority which is required to be done by respondents.
- 10. That notice along with copy of instant writ petition and copy of postal receipt have been sent to respondents. Copies of the same are enclosed and marked as Annexure K, K/1.
- 11. That counsel of petitioner may be allowed to raise additional ground during the course of arguments.

*In view of the submissions made above it is humbly prayed that appropriate writ petition may be issued in favor of Petitioners as prayed for in the head of petition in the interest of justice.*

Petitioners  
 Dilshad Begum  
 Farzana Rehman  
 Through Special Attorney  
*[Signature]*  
 Mr. Muhammad Irfan  
 Through Counsel  
*[Signature]*  
 Muhammad Iqbal Kundi  
 Advocate High Court  
 D.I. Khan

TESTED  
 EXAMINOR  
 Pesnawar High Court Bench,  
 Dera Ismail Khan  
*[Signature]*

**M. IQBAL KUNDI**  
 Advocate High Court  
 Legal/Advocate Dera Pesco

Filed to  
 Addl. Registrar  
 3289  
 19/7/22

AFFIDAVIT

29

I Muhammad Irfan special Attorney of petitioners solemnly affirm on oath and state that contents of instant writ petition are correct and nothing has been concealed from this august Court.

Filed to ~~1006~~ 3280  
Addl. Registrar  
19/7/22

*D. Irfan* 0346-7862788  
Deponent CNIC 12101-06441164  
*Muhammad Irfan Kundi*  
Advocate High Court  
D.I.Khan  
0332 7249427

VERIFICATION

Verified that no any writ petition on subject matter has been filed prior to instant writ petition and nothing has been Concealed from this court.

*D. Irfan*  
Petitioner

BOOK REFERRED

1. Constitution of Islamic Republic of Pakistan 1973.
2. Service Laws in Pakistan
3. Case laws decided by Apex court

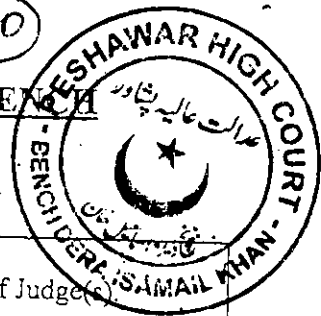
*Muhammad Irfan Kundi*



TESTED  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan  
14/07/22

REGISTERED  
Peshawar High Court  
Legal Department  
Peshawar

PESHAWAR HIGH COURT, D. I. KHAN BENCH

FORM OF ORDER SHEET



Date of Order or proceedings (1)	Order or other proceedings with signature of Judge(s) (2)
01.03.2022	<p><u>W.P. No. 459-D/2021</u></p> <p><u>Present:</u> Muhammad Iqbal Khan Kundi Advocate for petitioners.</p> <p style="text-align: center;">***</p> <p><u>MUHAMMAD FAHEEM WALI, J.-</u> Learned counsel representing petitioners, after arguing the case at some length, contended at the bar that petitioners would be satisfied and not press the instant petition, provided the instant petition is treated as representation and sent for its decision to respondent No.2. In view thereof the instant petition is converted into representation and sent to the respondent No.2 for its decision within 30 days positively after affording petitioners an opportunity of hearing. Whereafter, petitioners would be at liberty to avail the proper forum, if so desired.</p> <p><u>Announced</u> 01.03.2022</p> <div style="text-align: right;">   <u>JUDGE</u>    <u>JUDGE</u> </div>

*Office  
2/23*

\*M/Subhan

(D.B) Hon'ble Mr. Justice S. M. Anwar Shah and Hon'ble Mr. Justice Muhammad Faheem Wali

ATTEST.

EXAMINOR

Peshawar High Court Bench,  
Dera Ismail Khan.



THE  
PESHAWAR HIGH COURT  
DERA ISMAIL KHAN BENCH

Ph No. 0966-920225  
Fax No. 0966-920230  
Email: phcdikhanbench@yahoo.com

No. 1009 / Judl: / WB

Dated: 17/3/22

To

The Director Elementary & Secondary Education,  
Primary School Section NMD Civil Secretariat Peshawar

**Subject:** Writ Petition No.459-D/2021  
Dilshad Begum etc VS Govt of Khyber Pakhtunkhwa etc

Enclosed herewith please find copy of Order dated 01.03.2022, passed by the Hon'ble Division Bench of this Court alongwith copy of Writ Petition and annexures in the above noted case for information and compliance.

Enclosure as above

*Ghulam Abbas*  
(GHULAM ABBAS) o/c  
Additional Registrar

*16/3*

*CS*



GHULAM ASGHAR

Advocate  
No-15-8641  
Date of Issue: February 2023  
Valid upto: February 2023



KHYBER PAKHTUNKHWA  
BAR COUNCIL

# وکالت نامہ

کوارٹ فیس

بعدالت جناب جسٹس مختار احمد سرویس ٹریڈ یونٹ ایسٹ اور  
مخاتب ایسٹائنٹ  
دشاد بیگم بنام گورنمنٹ KPK ویلڈ  
دعویٰ یا اجرم  
تفصیل دعویٰ یا اجرم  
سرویس ایسٹ  
باعث تخریب آفتاب

مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
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مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
مقدمہ مندرجہ بالا درجہ میں اپنی طرف سے اسٹاپ ہوئی اور جو ایسٹائنٹ برائے فریڈام آف انفارمیشن ایکٹ، 2002ء کے تحت فراہم کیے گئے ہیں۔  
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تاریخ 13/07/2022

Accepted  
[Handwritten Signature]

مضمون وکالت نامہ میں آیا ہے اور دائی طرح کچھ ایسا ہے اور منظور ہے۔  
دشاد بیگم  
ایسٹائنٹ

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 1115 /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/07/2022	<p>The appeal of Mst. Dilshad Begum received today by post through Mr. Ghulam Asghar Nar Malang Advocate. It is fixed for preliminary hearing before the touring Single Bench at D.I.Khan on _____ . Notices be issued to appellant and her counsel for the date fixed.</p>
2-		<p>By the order of Chairman</p>
		<p>REGISTRAR</p>