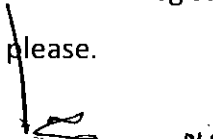


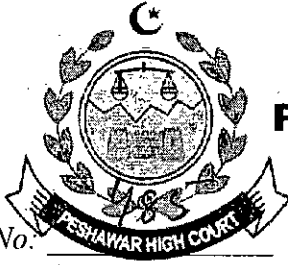


Form-A
FORM OF ORDER SHEET

Court of _____

Case No. 796/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	16/05/2022	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Bench A.Abad and the Hon'ble High Court vide its order dated 12.04.2022 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	24-5-22	<p>This case is entrusted to S. Bench at Abbottabad for preliminary hearing to be put up there on <u>14-6-22</u>. Notices shall be issued to appellants and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>
14.06.2022		<p>Nemo for appellant. Lawyers are on general strike.</p> <p>Notice be issued to appellant and his counsel for 18.08.2022 for preliminary hearing before S.B at Camp Court, Abbottabad.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J) Camp Court, A/Abad</p>



THE
PESHAWAR HIGH COURT
ABBOTTABAD BENCH.

PH: 0992-921058
FAX: 0992-921055

No. _____

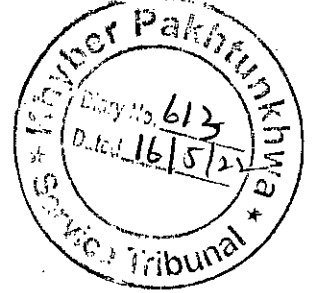
Dated Abbottabad 18/04 /2022

From

The Additional Registrar,
Peshawar High Court,
Abbottabad Bench.

To

The Worthy Chairman Service Tribunal,
Khyber Pakhtunkhwa, Peshawar.



Subject: WRIT PETITION NO. 286-A of 2022.

Akhtar Zeb

.....Petitioner

VERSUS

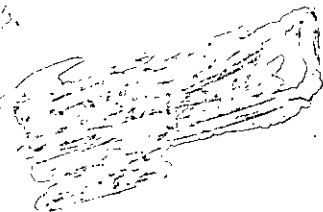
Chief Secretary Khyber Pakhtunkhwa Peshawa etc ...Respondents

Respected Sir,

I am directed to forward herewith writ petition (in Original) bearing No. 286-A/2022 titled "Akhtar Zeb Vs Chief Secretary Khyber Pakhtunkhwa & others" alongwith copy of order dated 12.04.2022, passed by the Honourable Court D.B in the above noted case for further necessary action please.

Additional Registrar

2



PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**FORM OF ORDER SHEET**

Court of.....

Case No.....of.....

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
12.04.2022.	<p data-bbox="505 718 792 756"><u>WP No. 286-A/2022.</u></p> <p data-bbox="505 776 1295 813">Present: Mr. Hamayun Khan, Advocate for petitioner.</p> <p data-bbox="873 851 922 876">***</p> <p data-bbox="505 965 1370 1247"><u>WIQAR AHMAD, J.</u> Through this petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner namely <i>Akhtar Zaib</i> has invoked the jurisdiction of this Court with the following prayer:-</p> <p data-bbox="695 1287 1219 1829"><i>It is therefore, very humbly prayed that on acceptance of the instant writ petition, order/Notification dated 24.02.2022 and 18.01.2022 passed by respondent No. 2 may kindly be declared null and void and transfer order dated: 13.01.2022 of the petitioner against the vacant post of IPE BPS-17 at GCMJSS Battagram may kindly be restored.</i></p> <p data-bbox="505 1884 1370 2174">3. Admittedly, the position and status of petitioner is of a civil servant and the grievance of the petitioner directly relates to the terms & conditions of his service, which is not amenable to the writ jurisdiction of</p>

SCANNED

this Court under Article 199 of the Constitution, in view of the bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. Reliance is placed on case titled '*Pir Muhammad Vs. Government of Baluchistan through Chief Secretary and others*' (2007 SCMR 54). Furthermore, Service Tribunal also has now been functional, thus, where, a civil servant is aggrieved of violation of any of the terms & conditions of his/her service, then he/she can approach the Service Tribunal for the redressal of his/her grievance but on no count he/she could agitate such issue before this Court. However, instead of passing any order in the case, in the interest of justice, we treat this petition as service appeal and send the same to the service Tribunal for its disposal in accordance with law. Office is directed to do the needful.

JUDGE

JUDGE

Office
13/4/22

IN THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH
OPENING SHEET FOR WRIT BRANCH

Case No. _____

Date of Filing: _____

District: _____

Case Type: WRIT PETITION

Category Code:

Nature of Original Proceedings:

(Categories & Sub Categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of

Writ of;

Habeas Corpus

Prohibition

Mandamus

Quo Warranto

Certiorari

If Certiorari;

Forum	Date	Interlocutory /Final Order

Caste Pertains to

SB

DB

Petitioner Name	Akhtar Zaib son of Abdul Wahid.
Mobile No.	
Address	(IPE BPS-17 GCMHSS Battagram City), resident of Jasool, Battagram.
CNIC No.	
Email Address	

Counsel for Petitioner(s)	Hamayoun Khan
Mobile No.	0312-0861681
Address	Office at District Courts, Abbottabad
CNIC No.	
Email Address	

Respondent(s)	Chief Secretary Khyber Pakhtunkhwa, Peshawar & others
Address	Correctly given in the heading of writ petition.

Original Order/ Action/ Inaction Complained of;

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

Prayer;

On acceptance of the instant writ petition, order/ Notification dated 24.02.2022 and 18.01.2022 passed by respondent No. 2 may kindly be declared null and void and transfer order dated 13-01-2022 of the petitioner against the vacant post of IPE BPS-17 at GCMHSS Battagram may kindly be restored. Any other relief which this Honourable Court deem fit and proper in the circumstances of the case may also be granted to the petitioner.

Law/Rules/Governing the original proceedings/action/Inaction

1. Constitution of Islamic Republic of Pakistan, 1973
- 2.
3. Other relevant case law will be cited at the bar.

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/22

Signature: _____

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022
Appeal no. 796/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

Chief Secretary Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION

INDEX

S. #	Description	Page #	Annexures
1.	Writ petition alongwith affidavit & certificate	1 to 11	
2.	List of books	12	
3.	Addresses of the parties	13	
4.	Copy of application	14	"A"
5.	Copy of transfer order dated 13/01/2022 of the petitioner	15	"B"
6.	Copy of relieving the charge dated 14/01/2022 and charge assuming report dated 15/01/2022	16-17	"C"
7.	Copy of impugned notification dated 18/01/2022	18	"D"
8.	Copy of departmental appeal	19	"E"
9.	Copy of letter dated 02/02/2022	20	"F"
10.	Copy of impugned notification dated 24.02.2022	21	"G"
11.	Copy of notice and postal receipts	22-23	"H"
12.	Court fee stamp paper worth Rs. 500/-	24	
13.	Wakalatnama	25	

Zaib
...PETITIONER

Dated: 26/2/2022

Through

H Khan
(HAMAYUN KHAN)

Advocate High Court, Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/22

- 1 -

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022

Appeal no. 796/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

1. Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

....RESPONDENTS

WRIT PETITION UNDER SECTION 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973, FOR DECLARATION TO THE
EFFECT THAT ORDER/ NOTIFICATION DATED
24.02.2022 PASSED/ ISSUED BY RESPONDENT NO.
2 ON THE DEPARTMENTAL APPEAL OF THE
PETITIONER, WHEREBY RESPONDENT NO. 2 HAS
REGRETTED/ REJECTED THE DEPARTMENTAL
APPEAL DATED 19.01.2022 AGAINST THE
NOTIFICATION DATED 18.01.2022 PASSED BY

*No. 1253
26-02-22*

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/22

RESPONDENT NO. 2, WHEREBY RESPONDENT NO. 2 CANCELLED TRANSFER ORDER DATED 13.01.2022 WHICH IS ILLEGAL, AGAINST THE LAW, FACTS, NATURAL JUSTICE, VOID-AB-INITIO, HENCE INEFFECTIVE UPON THE RIGHTS OF THE PETITIONER.

PRAYER: ON ACCEPTANCE OF THE INSTANT WRIT PETITION, ORDER/ NOTIFICATION DATED 24.02.2022 AND 18.01.2022 PASSED BY RESPONDENT NO. 2 MAY KINDLY BE DECLARED NULL AND VOID AND TRANSFER ORDER DATED 13-01-2022 OF THE PETITIONER AGAINST THE VACANT POST OF IPE BPS-17 AT GCMHSS BATTAGRAM MAY KINDLY BE RESTORED. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEM FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE PETITIONER.

Respectfully Sheweth:-

That the facts forming the background of the instant writ petition are arrayed as under; -

FILED TODAY
 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 26/2/22

1. That initially the petitioner was appointed as PET in the respondents department in the year 1989.
2. That thereafter, the petitioner join his duty and continuously performed his duties/ responsibilities with full devotion, dedication and liabilities and no complaint has been ever remained against the petitioner.
3. That since 1989 petitioner performed his duties in the remote backward area Schools of District Battagram till 13/01/2022.
4. That due to good performance of the petitioner, the respondents department has promoted the services of the petitioner time to time and lastly in the year 2018 petitioner was promoted to BPS-17 as DPE/IPE and was posted at GHS Thakot Battagram.
5. That on 15/12/2021 petitioner filed application for transfer against the vacant post at GCMHSS Battagram City before the respondent No. 2 on medical grounds. Copy of application is annexed as Annexure "A".

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
12/01/22

6. That on the application of petitioner, the respondent No. 2 issued transfer order of the petitioner vide notification dated 13/01/2022 whereby petitioner was transferred from GHSS Thakot to GCMHSS Battagram City. Copy of transfer order is attached as Annexure "B".
7. That after relieving the charge from GHSS Thakot on 14/01/2022, the petitioner assumed the charge at GCMHSS Battagram City on 15/01/2022. Copy is annexed as Annexure "C".
8. That on 18/01/2022 respondent No. 2 issued impugned notification whereby transfer order dated 13/01/2022 was cancelled. Copy of impugned notification is annexed as Annexure "D".
9. That on 19/01/2022 petitioner preferred departmental appeal before the respondent No. 1 and thereafter respondent No. 1 sent the said appeal to respondent No. 2 for disposal. Copy of departmental appeal is annexed as Annexure "E".

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/1/22

10. That on 02/02/2022 respondent No. 2 issued letter to the petitioner for personal hearing on departmental appeal and on the date fixed for personal hearing, petitioner appeared before the respondent No. 2. Copy of letter is annexed as Annexure "F".
11. That on 24/02/2022 respondent No. 2 passed/ issued notification on the departmental appeal of the petitioner, whereby respondent No. 2 regretted/ rejected appeal of the petitioner. Copy of impugned notification dated 24.02.2022 is annexed as Annexure "G".

Feeling aggrieved from the above said situation, the present petitioner seeks indulgence of this Honourable Court, inter-alia on the following amongst other grounds;-

GROUND:-

- a. That the act of the respondents is against the law, facts and policy hence, the respondents are bound to restore order dated 13/01/2022 of the petitioner under the law.

FILED FOR
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
28/2/22

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- b. That the impugned order dated 18/01/2022 of petitioner is patently illegal, based on malafide and without authority, hence are liable to be set-aside.
- c. That the impugned transfer cancellation order dated 18.01.2022 of petitioner is premature, against the tenure, policy and same is liable to be set-aside.
- d. That petitioner is being politically victimized by the Local MPA of District Battagram.
- e. That petitioner is near to retirement age as and per law and rules he has prerogative to serve his near station during last year of service.
- f. That both the notifications dated 18/01/2022 & 24/02/2022 on political grounds, whereby petitioner deprived from his legal rights.
- g. That respondents department ignored that order dated 13/01/2022 issued against the

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
20/1/22

vacant post and no one was effected from the said order but despite this facts respondents issued both the notification which is liable to be set aside.

- h. That respondents department ignored all basic principle of natural justice and fair play.
- i. That respondents ignored the fact that petitioner performed his duties since 1989 till 13/01/2022 outside the local area for more than 32 years.
- j. That petitioner performed his duties for more than 32 years in remote backward area District Battagram and lastly applied for transfer on medical ground, because petitioner now a days old age employee.
- k. That there is no other alternate adequate remedy available to the petitioner except the titled petition.

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
PESHAWAR
26/11/22

1. That notice/ intimation of filing the instant writ petition against the respondents have duly been served upon the respondents through registered post. Copies of notice & receipts are attached as Annexure "H".

- m. That court fee stamp worth Rs. 500/- is attached with the petition.

- n. That any other ground will be raised at the time of arguments with the permission of this Honourable.

It is, therefore, very humbly prayed that on acceptance of the instant writ petition, order/ Notification dated 24.02.2022 and 18.01.2022 passed by respondent No. 2 may kindly be declared null and void and transfer order dated 13-01-2022 of the petitioner against the vacant post of IPE BPS-17 at GCMHSS Battagram may kindly be restored. Any other relief which this Honourable Court deem fit and proper in the circumstances of the case may also be granted to the petitioner.

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
PESHAWAR
20/1/22

INTERIM RELIEF;

Meanwhile the operation of impugned notifications/ orders dated 18/01/2022 & 24/02/2022 issued by respondent No. 2 may graciously be suspended till final disposal of the titled writ petition.

Said

...PETITIONER

Through

Dated: _____/2022

Fazlullah Khan

(FAZLULLAH KHAN)

&

Hamayun Khan

(HAMAYUN KHAN)

Advocates High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing writ petition are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable Court.

Said

...PETITIONER

**FILED FOR
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH**
20/1/22

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

Chief Secretary Khyber Pakhtunkhwa, Peshawar & others.

....RESPONDENTS

WRIT PETITION

AFFIDAVIT

I, *Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMSS Battagram City),*
resident of Jasool, Battagram, do hereby solemnly affirm and declare that
the contents of foregoing writ petition are true and correct to the best of my
knowledge and belief and nothing has been concealed therein from this
Honourable Court. *13202 - 88.0/0/15-9*

AFFIDAVIT

No: 813/624 Receipt No: 624

Certified that the above was verified on Solemn
affirmation Wtd before me on this
26 day of Feb 20022, by
Akhtar Zaib son of Abdul Wahid
No. 624 who was verified by 10
Jasool who personally know is me

Zaib

DEPONENT

S. J. ...
Oath Commissioner
(Additional Registrar)
Peshawar High Court Abbottabad Bench

26/2/22

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/22

-11-

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

Chief Secretary Khyber Pakhtunkhwa, Peshawar & others.

....RESPONDENTS

WRIT PETITION

CERTIFICATE

Certified that no writ petition has earlier been filed by the petitioner
on the subject.

It is further certified that notice of writ petition alongwith grounds of
writ has been dispatched to the respondents.

Zaib

...PETITIONER

Through

Dated: _____/2022

H. Khan
(HAMAYUN KHAN)

Advocate High Court, Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

Chief Secretary Khyber Pakhtunkhwa, Peshawar & others.

....RESPONDENTS

WRIT PETITION

LIST OF BOOKS

1. Constitution of Islamic Republic of Pakistan 1973.
- 2.
3. Other law books shall be sited at Barr.

Baile

...PETITIONER

Dated: 26/2 /2022

Through

H. Khan
(HAMAYUN KHAN)

Advocate High Court, Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/22

BEFORE HONOURABLE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

W.P No. 286 -A/2022

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

Chief Secretary Khyber Pakhtunkhwa, Peshawar & others.

....RESPONDENTS

WRIT PETITION

ADDRESSES OF THE PARTIES

Respectfully Sheweth:-

Addresses of the parties are as under;-

Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City),
resident of Jasool, Battagram.

...PETITIONER

VERSUS

1. Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

....RESPONDENTS

...PETITIONER

Dated: 26/2 /2022

Through



(HAMAYUN KHAN)

Advocate High Court, Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
26/2/2022

- 14 -
ANNEX
"A"

To

The Honorable Secretary
Elementary & Secondary Education
Khyber Pakhtunkhwa (Pakistan)

Subject REQUEST FOR TRANSFER/ADJUSTMENT ON MEDICAL GROUND
FROM GOVT. HIGHER SECONDARY SCHOOL THAKOT
TO GOVT. CENTENNIAL MODEL HIGHER SECONDARY SCHOOL BATTAGRAM

Dear Sir,

With due respect it is stated that I Mr. Akhtar Zeb IPE BPS-17 serving at Govt. Higher Secondary School Thakot, Battagram since January 2018. The school is about 60 KM from my home town.

I am cardio patient and getting medicines regularly. Moreover, I am also diabetic patient. It is difficult for me to travel about 60 Km daily.

Recently Govt. Centennial Model High school Battagram is upgraded to Govt. Centennial Model Higher Secondary School Battagram. The post of IPE is lying vacant in said school.

Therefore you are requested to transfer/adjust me against vacant post of IPE at GCMHSS Battagram.


With Regards

Akhtar Zeb IPE BPS-17
GHSS Thakot, Battagram

Dated: 15/12/2021

The application is based on facts

So, Submitted for further process pls.


Principal
GHSS Thakot

SOSSA
Kindly facilitate
DPA
21/12

TO BE SUBSTITUTED BEARING SAME NO & DATE.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223533

Dated Peshawar the January 13, 2022

NOTIFICATION

NO.SO(SM)E&SED/7-1/2022/ PT/G/IPE. The Competent Authority is pleased to order the transfer of Mr. Akhtar Zeb, IPE (BS-17) GHSS Thatkot District Battagram and post him as IPE (BS-17) at Govt. Centennial Model Higher Secondary School District Battagram against the vacant post, in the best public interest, with immediate effect.

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT**

Endst: of even No. & Date

- Copy forwarded to the:
1. Accountant General, Khyber Pakhtunkhwa Peshawar.
 2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
 3. District Education Officer (Male) Battagram.
 4. District Account Officers, Battagram.
 5. Director, EMIS E&SE Department.
 6. PS to Minister for E&SE Department.
 7. PS to Secretary E&SE Department.
 8. PA to Deputy Secretary (Admn) E&SE Department.
 9. Mr. Akhtar Zeb, IPE, Govt. Centennial Model Higher Secondary School District Battagram.
 10. Office order file.

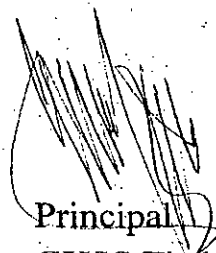
(Handwritten Signature)
 (HAFAEEZ UR REHMAN SHAH)
 SECTION OFFICER (SCHOOLS MALE)

1)
MALE

—16—
ANNEX
"C"

RELIEVING CERTIFICATE

Incompliance with the Notification No.SO(SM)E&SED/7-1/2022/PT/G/IPE Vide: Govt of Khyber Pakhtunkhwa E&SED, Dated Peshawar the January 13, 2022. Mr. Akhter Zeb, IPE BPS-17 transferred from GHSS Thakot Battagram to Govt. Centennial Model Higher Secondary School Battagram is hereby relieved off his duties today on January 14, 2022 afternoon and directed to report to the concerned school.

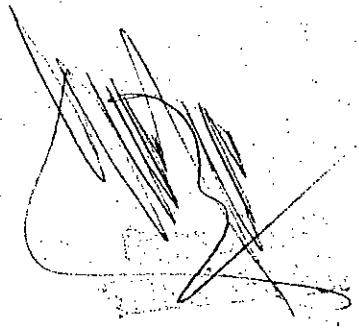

Principal
GHSS Thakot Battagram

Endst: 1377-79

Dated: 14 / 01 / 2022

Copy Forwarded to:

1. DEO(M) Battagram.
2. DAO Battagram.
3. Office Copy.



OFFICE OF THE PRINCIPAL GCMHSS BATTAGRAM

CHARGE /ARRIVAL REPORT

I Akhtar Zeb in compliance of posting /Transfer order issued under EndstNO:SO(SM)E&SED/07-01/2022/PT/IPE Vide:Govt of Khyber Pakhtunkhwa E&SED, Dated Peshawar the 13/01/2022 issued by secretary of Elementary & secondary Education KHyber Pakhtunkhwa Peshawar took over charge as IPE BPS 17 from principal GCMHSS Battagram today on 15/01/2022 forenoon.

[Handwritten signature]
15/01/2022
PRINCIPAL
GCMHSS Battagram

Principal
GCMHSS BATTAGRAM

Took Over

[Handwritten signature]

Mr. Akhtar Zeb

Designation: IPE BS-17

Endst: No 20-25 dated:15-01-2022

Copy for information to:

1. DEO (M) Battagram
2. DAO Office Battagram
3. DMO Office Battagram
4. Official Concerned
5. Office Copy



-18-

ANNEX
D.

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223533

Dated Peshawar the January 13, 2022

NOTIFICATION

NO.SO(SM)E&SED/7-1/2022/ PT/G/IPE.

The Competent Authority is pleased to cancel this Department Notification of even number, dated 13-01-2022 in respect of Mr. Akhtar Zeb, IPE (BS-17) Govt. Centennial Model Higher Secondary School District Battagram with immediate effect, in the best public interest.

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT**

Endst. of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Battagram.
4. District Account Officers, Battagram.
5. Director, EMIS E&SE Department.
6. PS to Minister for E&SE Department.
7. PS to Secretary E&SE Department.
8. PA to Deputy Secretary (Admn) E&SE Department.
9. Mr. Akhtar Zeb, IPE, Govt. Centennial Model Higher Secondary School District Battagram.
10. Office order file.


(HAFEEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS MALE)

ANNEX
"E"

To

The Honourable Chief Secretary to Govt Of Khyber Pukhton Khuwa

Subject: Appeal for restoration of Previous Transfer

Respected Sir!

With due respect it is stated that I Mr Akhtar Zeb IPE BPS17 had been transfred from GHSS Thakot to GCMHSS Battagram issued under Endst No SO(SM)E&SED/07-01 2022/PT/G/IPE vide Govt Of Khyber Pukhton Khuwa E&SED Dated Peshawar the 13-01-2022 issued Secretary of Elementry and Secondary Education Khyber Pukhton Khuwa, on that dated my Medical Ground and Tenure too.

But unfortunatly the honourable Secretary KPK E&SE Department cancelled the said transfer under ENDST Of even No and date. The cancellation order was issued on January 18-2022.

Note : Therefore it is requested in your kind honour that if you kindly grant me restored on the previous position at GCMHSS Battagram

Thanks

Name: Mr Akhtar Zeb IPE BPS17
GCMHSS Battagram

Dated 19-01-2022.

Copy to :

- 1) District Education Officer Battagram
- 2) Principal GCMHSS Battagram
- 3) Principal GHSS Thakot
- 4) District Account Officer Battagaram

Mr Akhtar Zeb IPE BPS17 GCMHSS Battagaram

Basil
19/01/2022

1-01/22
50 School Male
922 3593
7-1
31 Jan 2022
IPE



Regd

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

-20-
ANNEX
F.

No.SO(SM)E&SED/7-1/2022/PT/IPE
Dated Peshawar the February 01, 2022

To

Mr. Akhtar Zeb, IPE (BS-17),
GHSS Thakot Battagram,

Subject: - PERSONAL HEARING.

I am directed to refer to your appeal dated 19.01.2022 on the subject noted above and to inform you to attend the office of Additional Secretary (Estab/General) Elementary & Secondary Education Department, Civil Secretariat Peshawar on 02.02.2022 at 1100 hrs for personal hearing before the Additional Secretary (Estab/General) E&SED, please.

(HAFEEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS MALE)

Endst: Even No. & Date:

Copy of the above is forwarded to the PS to Secretary, E&SE Department Khyber Pakhtunkhwa, Peshawar.

SECTION OFFICER (SCHOOLS MALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223533

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ANDEX
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No.SO(SM)E&SED/5-17/2022/PT/General
Dated Peshawar the February, 24 2022

To

Mr. Akhtar Zeb, IPE (BS-17)
GCMHSS Battagram.

SUBJECT: APPEAL FOR RESTORATION OF PREVIOUS TRANSFER.

I am directed to refer to your appeal dated 19-01-2022 on the subject noted above and to state that the Competent Authority has regretted your appeal regarding restoration of previous transfer dated 13-01-2022.

f. aigab
24-02-22

(SYEDA ZAINAB NAQVI)
SECTION OFFICER (SCHOOLS MALE)

Copy of the above is forwarded to:-

1. Director E&SE Khyer Pakhtunkhwa Peshawar.
2. PS to Secretary, E&SE Department.

f. aigab
24-02-22

SECTION OFFICER (SCHOOLS MALE)

HAMAYUN KHAN

Advocate High Court, Abbottabad
Office No. 15, Jinnah Lawyers Plaza,
Kutchery Compound, Abbottabad
Cell No. 0312-0861681



ANNEX
"H."

Ref: _____

Dated: _____/2022

To

1. Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

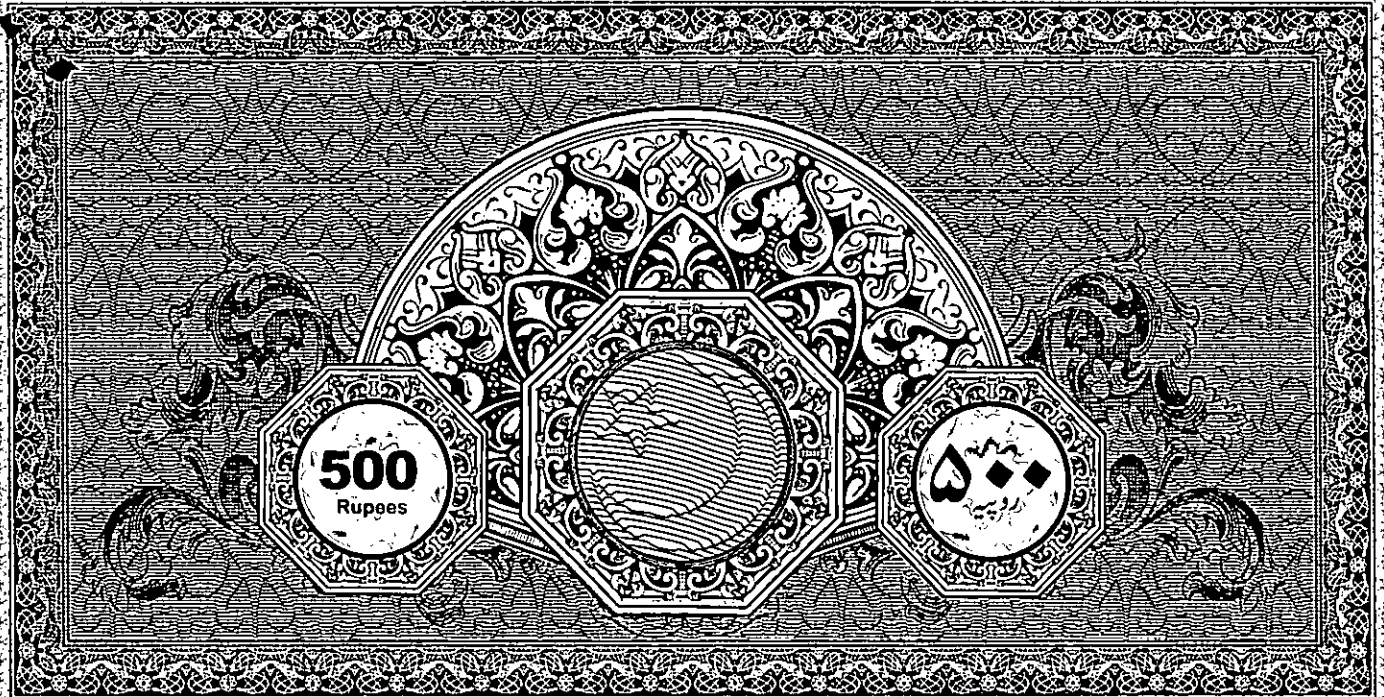
Subject: **NOTICE OF FILING OF WRIT PETITION.**

On the advice of my client *Akhtar Zaib son of Abdul Wahid (IPE BPS-17 GCMHSS Battagram City)*, resident of *Jasool, Battagram*, a writ petition is being filed before the Honourable Peshawar High Court, Abbottabad Bench. A notice/ intimation of the same is being sent to you for information/ necessary action under the law. Copy of writ petition is attached herewith.

Dated: _____/2022

(HAMAYUN KHAN)

Advocate High Court, Abbottabad



PAKISTAN COURT FEE

BEFORE THE PESHAWAR HIGH COURT And Bench

AKHTAR ZEB

u

CHIEF SECRETARY & other

CANCELLED

CANCELLED

CANCELLED

Petitioner

Through

Namayun Khan
Advocate HIGH COURT

ATD

ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
AKHOTTABAD BENCH
26/2/22



THE

**PESHAWAR HIGH COURT,
ABBOTTABAD BENCH**

Ph: 0992-921058
Fax: 0992-921055

No: 187tc/189

Dated Abbottabad 25/2 /2022

From

The Additional Registrar,
Peshawar High Court,
Abbottabad Bench.

To :

1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

Subject:

WRIT PETITION NO. 286-A/2022 With Interim Relief.

Akhter Zaib

.....PETITIONERS

VERSUS

Chief Secretary Khyber Pakhtunkhwa & others.

.....RESPONDENTS

Memo,

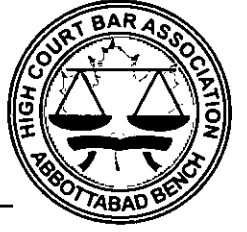
Reproduce a copy of order dated 08.03.2022, passed by the Honourable Court
P.B in the above noted case for Immediate compliance.

"Learned counsel for the petitioner states that Service Tribunal is not functional, therefore, the bar of jurisdiction shall not come in the way of petitioner. Let notice of this petition be given to learned Additional Advocate General, who accepted the same on behalf of respondent no. 3. To come up for arguments on 12.04.2022. Till then impugned notifications/orders dated 1.2022 and 24.02.2022 shall remain suspended."


(Additional Registrar)

HCBA Reg No. 523-A
 BC No. 11-0121
 Place of Practice بکراچ
 Name of Advocate سجاد خان

S. No. 24105



وکالت نامہ

بعدالت: معالیہ شاد در حالی کورٹ ایٹک آباد
 عنوان: احقر زلیپ
 منجانب: مہیشتر
 نام: حفیہ کبریٰ وغیرہ
 نوعیت مقدمہ: W.P
 باعث تحریر آئیکہ: W.P

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ایٹک آباد کے لیے

صحالیون حان ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہو گا۔ نیز وکیل صاحب موصوف صدر مقام بکراچی کے علاوہ کسی جگہ یا بکراچی کے اوقات سے پہلے یا پیچھے یا بروز تعطیل یا پیروی کرنے کے ذمہ دار نہ ہو گا اور مقدمہ بکراچی کے علاوہ کسی اور جگہ سماعت ہونے یا بروز تعطیل یا بکراچی کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عتقانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہو گا۔ مجھ کو کل ساختہ پر دائرہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور سہارے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ناشی و راضی نامہ و فیصلہ بر حلف کر سنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از بکراچی صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کطرفہ درخواست حکم استماعی یا ترقی یا گرفتاری قیل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا سنگی علیحدہ محتانہ پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار حاصل ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مصلحتاً جو چاہے ہر جائزہ لیتا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 22-1-2022ء

دن مہینہ سال

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accept
#2

افراد