

04.04.2022

Rs-600/-
Appellant Deposition
Security & Process Fee
A. Jaffar
04/04/22

Counsel for the appellant present and submitted as to the facts whether the appellant was a civil servant or not, that the appellant had at first instance filed a Writ Petition No. 382-B/2017 which was dismissed on 11.07.2017 on the ground that the appellant was a civil servant and the dispute relates to the terms and conditions of his service, wherein, the Service Tribunal has exclusive jurisdiction to adjudicate upon the matter. Where-after, vide order dated 19.12.2017 the temporary appointment order of the appellant was withdrawn from the date of issuance. The appellant filed departmental appeal on 19.01.2018 and also waited for ninety days, he filed this appeal which apparently seems to be within time.

The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for submission of written reply/comments on 20.05.2022 before S.B



Chairman

20.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for respondents present.

Written reply/comments on behalf of respondents not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Granted. To come up for written reply/comments on 25.07.2022 before S.B.



(Mian Muhammad)
Member (E)

29.11.2021

None for the appellant present. Mr. Kabirullah Khattak,
Additional Advocate General for respondents present.

Notices be issued to the appellant and his counsel. To come
up for preliminary hearing on 01.02.2022 before S.B.




(MIAN MUHAMMAD)
MEMBER (E)

01.02.2022

Appellant in person present.

Former requests for adjournment on the ground that his
counsel is busy before the Peshawar High Court, Peshawar.
Adjourned. To come up for preliminary hearing on 04.04.2022
before S.B.



(Mian Muhammad)
Member(E)

04.08.2021

Appellant present in person and has submitted an application for amendment in the appeal. The same is placed on file.

As the appeal has already been fixed for arguments on its maintainability and respondents are not in attendance on pre-admission notice, this application shall be taken up at the time of arguments on maintainability of the appeal. Fresh notices be issued to the respondents. Case to come up for arguments on maintainability of appeal as well as application for amendment in the appeal on 30.09.2021 before S.B.


Chairman

30.09.2021

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Appellant submitted copy of cause list of Khyber Pakhtunkhwa Medical Teaching Institutions Appellate Tribunal dated 30.09.2021 wherein his counsel is busy there in other cases and requested for adjournment. Adjourned. To come up for preliminary hearing before the S.B on 29.11.2021.


(MIAN MUHAMMAD)
MEMBER (E)

31.03.2021

Appellant in person present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant case is adjourned to 07.07.2021 for hearing before S.B.



(Rozina Rehman)
Member(J)

07.07.2021

Counsel for the appellant present and requested for time to further prepare the brief.

To come up for preliminary hearing on 04.08.2021 before S.B, including arguments on the point of maintainability of appeal in light of order dated 04.08.2020.



Chairman

04.08.2020

Appellant alongwith his counsel Syed Noman Ali Bukhari, Advocate present.

On last date, case was adjourned on the strength of Reader's note due to spread of COVID-19 Pandemic, therefore, no notice to learned Additional Advocate General has been issued and consequently served, therefore, again pre-admission notice be issued to learned Additional Advocate General for 27.10.2020. To come up for preliminary arguments including arguments on the issue that whether the appellant can be termed as civil servant and that whether the present service appeal is maintainable, on the date, fixed before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

27.10.2020

Appellant in person present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 05.01.2021 for preliminary hearing before S.B.


(Rozina Rehman)
Member (J)

05.01.2021

Counsel for the appellant present.

Requests for adjournment to further prepare the brief. Adjourned to 31.03.2021 for hearing before S.B.


Chairman

11.03.2020

Learned counsel for the appellant present. The appellant has challenged the order dated 15.08.2016 whereby his appointment order dated 29.04.2016 to the post of PST, was withdrawn.

Perusal of appointment order would show that the appellant was appointed on contract basis.

Surely a person employed on contract basis is not a civil servant.

Departmental appeal of the appellant is also found time barred.

Learned counsel for the appellant refers to the judgment dated 21.11.2017 of the Hon'ble Peshawar High Court Bannu Bench in Writ Petition No.382-B/2017 filed by the appellant.

Let Pre-admission notice be issued to the learned Additional Advocate General for 28.04.2020.

To come up for preliminary arguments including arguments on the issue that whether the appellant can be termed as civil servant and that whether the present service appeal is maintainable, on the date, fixed before S.B.


Member

28.04.2020

Due to COVID-19, the case is adjourned to 04.08.2020 for the same, before S.B.


Reader

03.02.2020

Counsel for the petitioner and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Abdul Shakoor, Assistant Account Officer for the respondents present. Arguments on restoration application heard.

Learned counsel for the petitioner contended that the main service appeal of the petitioner was dismissed in default on 07.10.2019. It was further contended that the petitioner submitted application for obtaining attested copy of the order on 11.10.2019 and the attested copy of the impugned order was delivered to the petitioner on 14.11.2019 as reveals from the attested copy of the impugned order. It was further contended that the petitioner submitted application for restoration of appeal on the same day i.e 14.11.2019 therefore, after excluding the period consumed/spent for obtaining attested copy, the restoration application is well within time, therefore, requested for acceptance of restoration application. It was further contended that the petitioner was ill and in this respect his medication prescription is also available on the record therefore, the absence of the petitioner was not willful.

On the other hand, learned Additional AG opposed the contention of learned counsel for the petitioner and contended that the restoration application is badly time barred therefore, prayed for dismissal of restoration application.




Perusal of the record reveals that the main service appeal of the petitioner was dismissed in default on 07.10.2019. The petitioner submitted application for obtaining attested copy of the impugned order on 11.10.2019 and the same was delivered to the petitioner on 14.11.2019 as reveals from the attested copy of the impugned order and the petitioner submitted application for restoration of appeal on the same day i.e 14.11.2019 therefore, after excluding the period consumed/spent for obtaining attested copy, the restoration application is well within time. Moreover, the petitioner has also annexed medical prescription regarding his illness, therefore, the restoration application is accepted. The main service appeal is restored to its original number. Case to come up for preliminary hearing on 11.03.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 438/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	26.11.2019	<p>The application for restoration of appeal No.568/2018 submitted by Syed Noman Ali Bukhari Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR-26/11/19</p>
2	<u>28/11/19</u>	<p>This restoration application is entrusted to S. Bench to be put up there on <u>27/12/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
26.12.2019		<p>Petitioner with counsel present. Notices be issued to the respondents alongwith Addl: AG for submission of reply on application. To come up for written reply/comments on restoration of appeal on 03.02.2020 before S.B.</p> <p style="text-align: right;"> Member</p>

02.07.2019

Appellant in person present. Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Adjourned to 22.08.2019 for preliminary hearing before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

22.08.2019

Counsel for the appellant present and requested for adjournment. Adjourned to 07.10.2019 for preliminary hearing before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

07.10.2019

Nemo for appellant.

It is already past 2.00 PM and the appellant is unrepresented despite repeated calls.

Dismissed for non-prosecution. File be consigned to the record room.

Chairman 

Announced:
07.10.2019

0/5
17/17

10.04.2019

Appellant in person present. He has submitted copies of Writ Petition No.3306/2016 and order passed therein on 27.03.2017 as well as on 21.11.2017. The copy of departmental appeal has also been submitted in view of order dated 17.07.2018. The said documents are placed on record.

The appellant requests for adjournment as his learned counsel is engaged before Peshawar High Court Bannu Bench at Bannu.

Adjourned to 15.05.2019 before S.B.


Chairman

15.05.2019

Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 02.07.2019 before S.B.


Member

6-11-18

Due to retirement of Honorable
Chairman the Tribunal is non functional
therefore the case is adjourned to come up
for the same on 24-12-2018

[Signature]
Reader

24.12.2018

Nemo for appellant.

The last date of hearing was adjourned due to
Reader Note. Let notice be issued to appellant/counsel for
31.01.2019 before S.B.

[Signature]
Chairman

31.01.2019

Appellant in person present and requested for adjournment on the
ground that his counsel is busy before the Hon'ble Peshawar High Court,
Peshawar and cannot attend the Tribunal Today. Adjourned. To come up
for preliminary hearing on 05.03.2019 before S.B.

[Signature]
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

05.03.2019

Appellant in person present and seeks adjournment. Adjourned to
10.04.2019 for preliminary hearing before S.B.

[Signature]
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

8/5
17/1/18

17.07.2018

Learned counsel for the appellant present.

The appointment order dated 29.04.2016 of the appellant (Ex-PST) was withdrawn vide impugned order dated 15.08.2016. The appellant was again conditionally reinstated, on the strength of order dated 27.03.2017 of the Peshawar High Court Bannu Bench, till the final decision of the Peshawar High Court Bannu Bench in Writ Petition filed by the appellant. The Writ Petition of the appellant was dismissed being not maintainable vide judgment/order dated 21.11.2017. Resultantly temporary appointment order in respect of the appellant was withdrawn vide order dated 19.12.2017.

Nothing is available on file to suggest that the appellant had filed the departmental appeal against the original impugned order dated 15.08.2016. During the course of arguments learned counsel for the appellant seeks time to furnish copy of order dated 27.03.2017 of the Peshawar High Court Bannu Bench mentioned above. Adjourned. To come up for preliminary hearing on 16.08.2018 before S.B



Member

16.08.2018

Appellant Altaf Hussain in person present and made a request for adjournment that his counsel is not available today. Granted. Case to come up for preliminary hearing on 25.09.2018 before S.B.



Chairman

25.09.2018

Appellant Altaf Hussain in person present and requested for adjournment as his counsel is not in attendance. Granted. To come up for written preliminary hearing on 06.11.2018 before S.B.



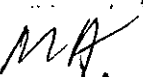


Chairman

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 568/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	24/04/2018	<p>The appeal of Mr. Altaf Hussain resubmitted today by Mr. Rasheed Khan Wazir Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 24/4/18</p>
2-	15/05/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>22/05/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
22.05.2018		<p>None present on behalf of the appellant. Adjourned. To come up for preliminary hearing on 17.07.2018 before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>


The appeal of Mr. Altaf Hussain son of Wahid Ullah r/o Hindi Khel Wazir Jani Khel Tehsil and Distt. Bannu received today by i.e. on 12.04.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- The law under which appeal is filed is not mentioned.


2- Copy of departmental appeal is not attached with the appeal which may be placed on it.

No. 753 /S.T,

Dt. 12/04 /2018


REGISTRAR —
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Rasheed Khan Adv. Bannu.

The instant appeal has been filed on
an expiry of the time limit set
herein, it is requested that the same may
be considered as fresh after 19/4/18. Please

24/4/18

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Appeal # 568 /2018.

Altaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil
& District Bannu ~~~~~ (Appellant)

--- VERSUS ---

1. The Government of Khyber Pakhtunkhwa through Secretary (Education) Khyber Pakhtunkhwa Peshawar.
2. Director Secondary and Elementary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (male), Bannu.
4. District Accounts Officer, Bannu. ~~~~~ (Respondents)

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1	Grounds of appeal alongwith affidavit		1-4
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5	Copy of appointment order	C	13-14
6	Copy of withdrawal order	D	15
7	Copy of writ petition	E	16-19
8	Copy of re-instatement order	F	20
9	Copy of judgment of Hon'ble High Court	G	21-23
10	Copy of re-withdrawal order	H	24
11	Copy of Departmental Appeal	I	25
12	Vakalat Nama		26

12/4/18

Dated: 11/04/2018

Petitioner's Through

(MOHAMMAD RASHID KHAN WAZIR)
Advocate High Court, Bannu.

12/4/18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal # _____/2018.

Altat Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil
& District Bannu ~~~~~ (Appellant)

--- VERSUS ---

- | | |
|---|--|
| 1. The Government of Khyber Pakhtunkhwa through Secretary
(Education) Khyber Pakhtunkhwa Peshawar. | |
| 2. Director Secondary and Elementary Education Khyber
Pakhtunkhwa Peshawar. | |
| 3. District Education Officer (male), Bannu; | |
| 4. District Accounts Officer,
Bannu. ~~~~~ (Respondents) | |

APPEAL AGAINST THE FIRST ORDER DATED 15/08/2016 AND THE
LAST IMPUGNED TERMINATION ORDER DATED 19/12/2017
WHEREBY THE SERVICE OF THE PETITIONER AS PST TEACHER HAS
BEEN WITHDRAWN.

PRAYER:

ON ACCEPTANCE OF THE INSTANT APPEAL BOTH THE IMPUGNED
ORDERS DATED 15/08/2016 AND TERMINATION ORDER DATED
19/12/2017 MAY KINDLY BE SET-ASIDE AND THE PETITIONER MAY
RE-INSTATED ON THE POST OF PST. OTHER RELIEF, IF ANY, MAY
-ALSO BE GRANTED.

Respectfully Sheweth:

1. That the appellant is the permanent resident of Union Council
Hindi Khel Jani Khel Tehsil & District Bannu. (Copy of the CNIC
and domicile certificate are annexed as annexure A).

12/14/18

2. That appellant is high qualified person. (Copy of the academic/qualification is annexed as annexure B).
3. That appellant was initially appointed on 19/04/2016 as PST teacher at Union Council Hindi Khel at GPS *Malikshai* Jani Khel. (Copy of the appointment order is annexed as C).
4. That respondents due to some reasons based known to them withdrew the previous order on dated 15/08/2016 without any show cause notice or explanation. (Copy of the withdrawal order is annexed as D).
5. That appellant moved an application to the concerned quarter but in vain.
6. That appellant also filed Writ Petition before the Hon'ble Peshawar High Court Bannu Bench. (Copy of the Writ Petition is annexed as E).
7. That in the meanwhile on 28/08/2017 the respondents once again re-instated the appellant on the same post at the same school. (Copy of the re-instatement order is annexed as F).
8. That fate of the Writ Petition was decided on 21/11/2017 wherein the appellant was advised to seek his relief at proper form. (Copy of the judgment of Hon'ble High Court is annexed as G).
9. That appellant was till working as teacher being re-instated by the respondents, however, the respondents once again withdraw the previous order of appointment on dated 19/12/2017 without any show cause notice. (Copy of re-withdrawal order is annexed as H).


12/11/18

10. That appellant after coming to know about the withdrawal order approached the concerned quarter for redressal of his grievances but they extended lame excuses and kept the appellant on wait.

11. That appellant also moved service appeal before the competent authority but till date no positive response in connection of the said appeal, therefore, the appellant had knocked at every door for justice but all the doors never open before the appellant, hence the instant appeal inters alia on the following ground.

GROUND:

- (1) That appellant is a well experienced and hard worker teacher.
- (2) That no show cause notice has been served upon the appellant.
- (3) That appellant is a poor person and cannot grace the plump of the appointing authorities.
- (4) That since the termination order of appellant, the appellant preferred so many appeals but received no positive response from either quarter.
- (5) That the respondents did not bother to issued show cause notice or explanation and thus the appellant has been condemned unheard by the respondents.
- (6) That whenever the appellant approaches the Hon'ble Courts the respondents without any explanation re-instated but when the case of the appellant decided the respondents again turned against the appellant which shows their malafide and ulterior motive.


That the appellant's counsel respectfully seeks permission of this Hon'ble Tribunal to advance and rely on additional grounds at the time of hearing of instant revision petition.


12/4/14

It is, therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 11/04/2018


Appellant
Through


Muhammad Rashid Khan Wazir
Advocate High Court, Bannu

12/4/18

CERTIFICATE

It is to certify that no such revision petition has earlier been filed before this Hon'ble Court as per information conveyed to me by my client.



Muhammad Rashid Khan Wazir
Advocate High Court, Bannu

Affidavit

I Mr. Akaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil & District Bannu do hereby solemnly affirm and declare on Oath that the contents of the instant Appeal are true and correct to the best of my knowledge and believe and that nothing has been concealed from this Hon'ble Court.

Dependent

Identified by


Muhammad Rashid Khan Wazir
Advocate High Court, Bannu

12/4/18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal # _____/2018.

MEMO OF ADDRESS.

Altaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil &
 District Bannu ~~~~~ (Appellant)


--- VERSUS ---

1. The Government of Khyber Pakhtunkhwa through Secretary
 (Education) Khyber Pakhtunkhwa Peshawar.
2. Director Secondary and Elementary Education Khyber Pakhtunkhwa
 Peshawar.
3. District Education Officer (male), Bannu.
4. District Accounts Officer, Bannu. ~~~~~ (Respondents)

Respectfully Sheweth,

The parties may easily be served on the addresses
 referred herein above.

Petitioner s through counsel,


 Muhammad Rashid Khan Wazir
 Advocate High Court, Bannu

12/4/18



PAKISTAN National Identity Card



Name: ARAKHAN



Machine Number: 11101-1285780-5
Date of Issue: 06.01.2017
Date of Validity: 06.01.2027

Holder's Signature

سید زاہد جاوید علی، ہندی ٹیل، تحصیل وادی بنوں

11101-1285780-5



سید زاہد جاوید علی، ہندی ٹیل، تحصیل وادی بنوں

Ministry of Information Technology
Registrar General of Pakistan

500581043430

گمشدہ کارڈ ملنے پر قریبی لیو بکس میں ڈال دیں

(7)

DOMICILE CERTIFICATE

DISTRICT BANNU N.W.F.P. PAKISTAN

I declare that I was born of parents who are permanently domiciled in N.W.F.P. having belonged to it by birth / settled in it.

I belong by birth to village/Mohallah Hamdi Khel Jari Khel
Tehsil Bannu District Bannu

Altaf H.H.
Signature of the applicant ✓
Date 24/7/2008

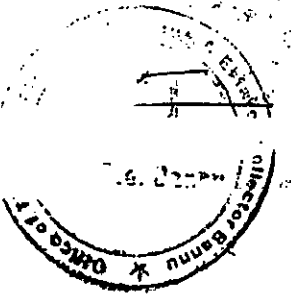
Pursuance to the declaration dated 18/7/2008 filed by MR. ALTAF HUSSAIN
son / ~~daughter~~ / wife WANEED ULLAH KHAN domiciled in the N.W.F.P. It is
hereby certified that the said ALTAF HUSSAIN is born of parents who are
permanent residents of the N.W.F.P. having belonged to it by birth settled in it.

I have satisfied myself from personal / my knowledge verification that the above
declaration is true and certify. Ythc Fali

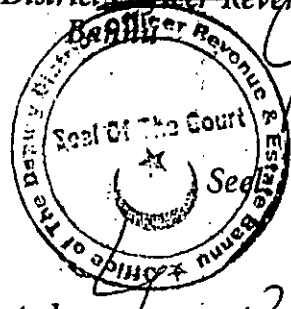
This Thursday day of July, 2008.

Attested

[Signature]



[Signature]
Deputy District Officer Revenue



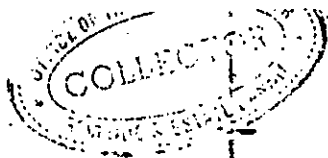
No. 1005 / 11 Dated 12/7/2008

COUNTERSIGNED

[Signature]

Seel:

DISTRICT OFFICER REVENUE & ESTATE / COLLECTOR
BANNU



تاریخ تصدیق بحالی ۱۵-۱۰-۲۰۰۸
 کوئٹہ میں ۱۵-۱۰-۲۰۰۸
 وزیر اعلیٰ کوئٹہ
 کہ انہیں اس وقت کوئی تعلقہ نہیں ہے
 اس وقت یہ تعلقہ کوئی نہیں ہے
 اور اس وقت یہ تعلقہ کوئی نہیں ہے

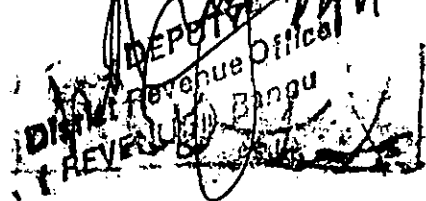
NOC obtained from
 APAP Bahawalpur

Muhammad Noor
 General Councilor
 UGC Hindi Khel

11101-6958943

AS - Verified by General
 Councilor UGC Hindi Khel

APAP Bahawalpur
 for verification & repair



03/11/08

ملک رحمت اللہ خان
 ناظم یوسی ہندی خیل
 (جانی خیل) بنوں



Annex 'A' 8

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION,
BANNU N-W.F.P. PAKISTAN**

S.No 09242

Secondary School Certificate Examination

Detailed Marks Certificate

Roll No 8564

Group: Science

Session 2007 (Annual 10th)

Registration No: 034-HPSB-1-05

Certificate No: 20708564

This is to certify that Altaf Hussain

Son / Daughter of Wahid Ullah

and a student of Hira School And College, Bannu

has secured the marks shown against each subject, in the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in April, 2007 as Regular Candidate

CHECKED & VERIFIED

Subject	Marks	MARKS OBTAINED			In Words
		10Th		Total	
		Theory/Paper A	Practical/Paper-B		
1. English	150	44	36	80	Eighty Only
2. Urdu	150	53	56	109	One Hundred Nine
3. Islamiyat	75	47		47	Forty Seven
4. Pakistan Studies	75	64		64	Sixty-Four
5. Mathematics	150	52	53	105	One Hundred Five
6. Physics	100	70	13	83	Eighty-Three
7. Chemistry	100	55	14	69	Sixty-Nine
8. Biology	100	70	13	83	Eighty-Three

Total 900. 640-A Six Hundred Forty Only

Remarks Science Group

Date of Birth according to Registration Record: 07-03-1992 (07 March, Nineteen Ninety-Two)

Date of declaration of Result: 16-07-2007

Prepared by: [Signature]

Checked by: [Signature]

Date of issue: 16-07-2007

Note: Error/Omission except...

Controller of Examinations
Board Of Intermediate and
Secondary Education, Bannu.

(Compiled by Computer CELL BISE, Bannu)

[Signature]
[Signature]

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION
BANNU N-W.F.P. PAKISTAN**

Higher Secondary School Certificate Examination

S. No. 56493

Detailed Marks Certificate

Session: 2009 (Annual Part-II)

Roll No: 256/1

Group: Pre-Medical

Registration No: 0014-BCB1-1-07

Certificate No: 20925071

This is to certify that Muhammad Hussain
Son / Daughter of Wahid Ullah
and a student of Govt. Post Graduate College, Bannu

has secured the marks shown against each subject, in the Higher Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in April, 2009 as Regular Candidate

SUBJECTS	MAXIMUM MARKS				MARKS OBTAINED				Total	In Words
	Part-I		Part-II		Part-I		Part-II			
	Theory	Practical	Theory	Practical	Theory	Practical	Theory	Practical		
1. English	100	-	100	-	60	--	55	--	115	One Hundred Fifteen
2. Urdu	100	-	100	-	74	--	72	--	146	One Hundred Forty-Six
3. Islamic Education	50	-	-	-	26	--	-	-	26	Twenty-Six
4. Pakistan Studies	-	-	50	-	-	--	30	--	30	Thirty Only
5. Physics	85	15	85	15	57	13	62	11	143	One Hundred Forty-Three
6. Chemistry	85	15	85	15	58	11	56	14	139	One Hundred Thirty-Nine
7. Biology	85	15	85	15	37	13	65	10	125	One Hundred Twenty-Five

Total Marks: 1100

Marks Obtained:

724-B Seven Hundred Twenty-Four Only

Remarks

Date of declaration of Result: 26-07-2009

Prepared by: [Signature]

Checked by: [Signature]

Date of issue: 20-07-2009

Controller of Examinations
Board of Intermediate and
Secondary Education, Bannu

Note: Error / Omission excepted.

(COMPILED BY COMPUTER CELL BISE, BANNU)

[Signature]
[Signature]



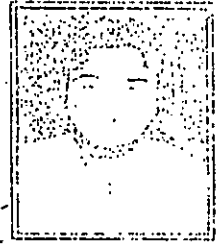
UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

S No 17042

REVISED

DETAILED MARKS CERTIFICATE



Bachelor of Arts

Session: 2010-2012

Part-II Improvement Examination Held in June, 2013

Name: Altaf Hussain Roll No: 27305

Father's Name: Wahid Ullah Reg No: 2010-UB-GCB-31271

Institute Name: Govt Degree College No.2 Bannu

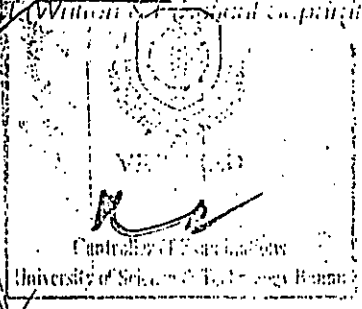
The Candidate has secured the following Marks and is placed in 2nd Division.

Subjects	Marks	MARKS OBTAINED				Remarks
		Theory	Practical	Total	In Words	
1 Part-I	285		---	153	ONE HUNDRED FIFTY-THREE	
2 Islamic Studies (Elective)	75	48	---	48	FORTY-EIGHT	
3 English (Elective)-New	75	23 + 19	---	42	FORTY-TWO	
4 English (Comp)	75	32	---	32	THIRTY-TWO	
5 Pakistan Studies (Comp)	40	30	---	30	THIRTY	
Total	550			305	THREE HUNDRED FIVE	

Note: Required Pass Percentage in each Subject (Written & Practical Separately) for Admission is 50% (Average) 50%

The Examination was taken as a Whole

Prepared by:



[Signature]
Controller of Examinations
University of Science & Technology, Bannu

Checked by:

Result Declaration Date	09-09-2013
Issue Date	17-09-2013



[Signature]
Senior Agency Representative
Bannu

[Signature]
24/8/16

Errors & omissions excepted, if subject to subsequent notification.



UNIVERSITY OF SCIENCE & TECHNOLOGY BANNU

Khyber Pakhtunkhwa PAKISTAN

S No 04154

TRANSCRIPT

Master of Arts in English
Session: 2012-2014

Name: Altaf Hussain Father's Name: Wahid Ullah
Registration No. 2010-UB-GCB-31271 Roll No. 10356

The candidate has secured the following marks and is placed in First Division

Term/Semester	Subject	Marks		Remarks
		Maximum	Obtained	
First Term	Novel-I	100	69	Promoted
	Prose-I	100	60	
	Poetry-I	100	54	
	History of English Literature-I	100	65	
	Total	400	248	
Second Term	Prose-II	100	53	Promoted
	Novel-II	100	60	
	Poetry-II	100	55	
	History of English Literature-II	100	72	
	Total	400	240	
Third Term	Poetry-III	100	52	Promoted
	Drama-III	100	62	
	Criticism-III	100	69	
	Language & Linguistics-III	100	59	
	Total	400	242	
Fourth Term	Viva Voce	100	65	Passed
	Poetry-IV	100	55	
	Drama-IV	100	65	
	Criticism-IV	100	76	
	English Language Teaching	100	69	
	Total	500	330	
Grand Total		1700	1060	Over All 62.35 %

Prepared by: [Signature]

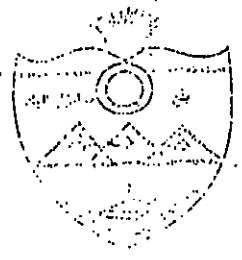
The Examination was taken in Parts

Checked by: [Signature]

Result Declaration Date	24-11-2015
Issue Date	27-11-2015

[Signature]
Controller of Examinations
University of Science & Technology, Bannu

[Signature]
[Signature]



DETAIL MARKS CERTIFICATE
DIPLOMA IN EDUCATION (2ND TERM)

NAME: Aitaf Hussain SESSION: 2013-14
 FATHER'S NAME: Wahid ullah ROLL NO: 14

Subjects: -	Maximum Marks	Marks Obtained		Total
		Internal	External	
1. Curriculum and Instructions	100	30	40	70
2. School Organization & Management	100	35	45	80
3. Testing, Evaluation & Basic Research	100	30	55	85
4. Teaching of Computer Science	100	35	45	80
5. Teaching of English	100	30	45	75
6. Teaching of Calligraphy/Art & Craft/Industrial Arts/ Agriculture/Home Economics/Phys. Education.	100	30	45	75
7. Teaching Practice	150	50	50	100
Total 2 nd Term Marks: -	750	270	310	580
Total 1 st Term Marks:	750			580
G. Total Marks: -	1500			1160

Note: Errors/Omission excepted.

Failed/Passed: - Passed Division: - 1st

Prepared By _____
 Checked By _____
 Date of Declaration of Result 11-11-2014

Theory Papers	Internal: 40%
	External: 60%
Teaching Practice	Internal: 60%
	External: 40%

Assistant Director
 Examinations
 K.P.K. Peshawar

Aitaf Hussain
24/11/14

Annex. B

13



**OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE BANNU**

Appointment Order PST (Primary School Teacher) Male Adhoc
PH No. 0928-660005, 660346, Fax 928-660005,
E-mail: emisbannu@yahoo.com

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Primary School Teacher (PST) School based in BPS-12 (Rs. 9055-650-28555) @Rs. 9055/- fixed plus usual allowances as admissible under the rules on Contract basis under the existing policy/notification issued vide SO (PE) 4-5/2014/Teaching Cadre dated 30-04-2014 of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of the taking over charge :-

S.NO	NAME	FATHER NAME	UNION COUNCIL	SCORE	NAME OF SCHOOL	REMARKS
1	Jahangir Khan	Nek Nawaz Khan	Nizam Dherma Khel	110.05	GPS Kachozai	Instead of Abdul Wahab Not assume charge in the Said School
2	Altaf Hussain	Wahid Ullah Khan	Hindi Khel	109.68	GPS Malik Shahi Jani Khel	Instead of Rauf Ullah Khan Not assume charge in the Said School
3	Zarin Ullah	Aqal Khan	Takhti Khel	107.32	GPS Ghulam Jan Baka Khel	Approved by DSC

TERMS & CONDITIONS.

1. NO TADA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & contract basis initially for one year.
4. They should not be handed over charge if he exceeds 35 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that certificate/documents must be verified from the concerned institutions by the DEO Male (concerned), anyone found producing bogus/fake Certificate/degree will be reported to the law enforcing agencies for further action and their appointment will be withdrawn from the selection list. Charges of the verification will be borne by the appointees themselves.
6. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice their one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn by the DDO concerned until and unless a certificate is not issued by this office that their certificates are duly verified.
8. They should join their posts within 15 days of the issuance of this notification. In case of failure, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. They will be governed by such rules and regulations as may be issued from time to time by the Govt.

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Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, They shall be processed under the rules framed from time to time.

12. Their appointment is made on School base, They will have to serve at the place of posting, and their services are not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.
14. In case of any error, deceit on behalf of the appointee found at any time, the appointment order of the candidates will be withdrawn.
15. The Undersigned reserve the rights of amendment in this appointment order in case of any mistake/error or omission.

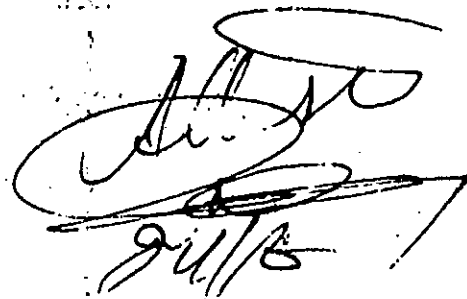
(Imtiaz Ul Haq)
DISTRICT EDUCATION OFFICER
MALE BANNU

Endst:No. 2539-44 /AE-I-Male/PSJ/Adhoc/Apptt: Dated Bannu the 29 /04/2016.

Copy forwarded for information and necessary action to the: -

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa.
2. Deputy District Education Officer Male Bannu.
3. District Accounts Officer District Bannu.
4. SDEO (M) Primary.
5. ASDEOs (Concerned).
6. Official Concerned.


DISTRICT EDUCATION OFFICER
MALE BANNU


9/1/16



Am. E
15 173

Govt: of Khyber Pakhtunkhwa

Office of the District Education Officer (Male) E & SE Bannu.

bannuedo@yahoo.com Phone&Fax:0228660005

OFFICE ORDER.

Appointment order issued by this office vide Endst: No:2539-44 AE- 1 male PST /Adhoc /App:Dated Bannu the 29-4-2016, the order of Altaf Hussain S/O Wahid Ullh Khan U/C Hindi Khel GPS Malik Shahaj Jani Khel Bannu is hereby withdrawn with immediate effect.

DISTRICT EDUCATION OFFICER,
(MALE) BANNU.

EndstNO: 6589-92 /ADEO(M)/Primary Bannu

Dated: 15/08/2016.

Copy forwarded for information to the:-

Director of Elem: & Sec: Edu: Khyber Pakhtunkhwa Peshawar.

- Dy: DEO Bannu.
- District Account Officer Bannu.
- SDEO male Primary Bannu.
- ASDEO (C) Concerned
- Teachers Concerned,

DISTRICT EDUCATION OFFICER,
(MALE) BANNU.

Taj Murad

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46

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

382-8/17
W.P No. 3306/2016



Altaf Hussain S/o Wahid Ullah R/o Hindi Khel Wazir
Jani Khel, Tehsil and District Rannu Petitioner

VERSUS

1. Director Secondary and Elementary Education
K.P.K Peshawar
2. District Account Officer Bannu.
3. District Education officer Bannu.

..... Respondents

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

PRAYER:-

ON ACCEPTANCE OF THIS WRIT PETITION
AN APPROPRIATE WRIT MAY VERY
GRACIOUSLY BE ISSUED TO THE
RESPONDENT WITH DIRECTION TO THE
RESPONDENT TO CANCEL THE IMPUGNED
ORDER DATED 15.08.2016, THE SERVICE
OF THE PETITIONER MAY KINDLY BE
RESTORED, MOREOVER THE MONTHLY
PAY OF THE PETITIONER BE RELEASED
OTHER RELIEF IF ANY ALSO BE GRANTED.

FILED TODAY

20 AUG 2016

ATTESTED

EXAMINER
Peshawar High Court
Rannu Bench

17

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Respectfully Sheweth:

1. That the petitioner is the bonafide resident of the district Bannu is a well qualified person. (Copy of Qualification is attached as Annexure "A")
2. That the respondent advertised some post of PST, for which the petitioner also applied and after through scrutiny and checking the petitioner was found eligible for the same.
3. That after codal formalities the petitioner was appointed as PST Teacher vide appointment order by respondent No.3 dated 29.04.2016. (Copy of order is attached as Annexure "B").
4. That the petitioner assumed his charge on 29.04.2016, after medical examination. (Copy of the charge report and medical examination is attached as Annexure "C" & "D").
5. That since his appointment, no complain or defect was pointed out by the respondent against the petitioner.
6. That on 15.08.2016, all of a sudden and with one stroke of pen the respondent No.3, with drew the appointment order of the petitioner without any

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FILED TODAY
Deputy Registrar
25 AUG 2016

TESTED
EXAMINER
Bannu High Court
Bannu Bench

18

B

legal justification or notice, hence the instant writ petitioner inter alia on the following grounds. (Copy of the impugned order is attached as Annexure "E)

GROUND:-

- A. That the impugned order dated 15.08.2016 issued by respondent No.3 is against facts law and fundamental rights.
- B. That no show cause notice was served on the petitioner.
- C. That the academic qualification have been found as genuine and correct after the departmental verification similarly the selection committee has also checked the qualifications of the petitioner at the time of interview.
- D. That no complaint all defect has been intimated to the petitioner as is clear for the withdrawl order of the respondent No.3.
- E. That the petitioner has been made escape goat as the respondent No.3 is an interested to appoint his favorite candidate in place of the petitioner.
- F. That the petitioner seeks permission of this Honourable Court to advance other points at the time of arguments.

FILED TODAY

Deputy Registrar

25 AUG 2016

ATTESTED

EXAMINER

Madras High Court

Banau Bench

19

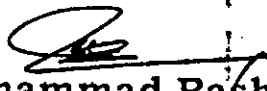
It is, therefore, most humbly prayed that on acceptance of this writ petition the impugned order dated 15.08.2016, be set-aside the petitioner be restored on his job ^{as} ~~on~~ PST Teacher and his monthly pay is also be released other reliefs also be granted.

INTERIM RELIEF:-

In wake of the above submission it is humbly requested that the operation of the impugned order dated 15.08.2016, may kindly be suspended and the monthly pay of the petitioner be released till the disposal of this writ petition.

PETITIONER

Through


Muhammad Rasheed Wazir
Advocate, Bannu

24/8

Dated 24.08.2016

ATTESTED

EXAMINER
Bannu High Court
Bannu Bench

FILED TODAY
Deputy Registrar
25 AUG 2016

90

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BANNU

REINSTATEMENT ORDER IN LIGHT OF COURT DECISION.

With reference to this office Appointment order issued under Endst: No.2539-24 dated: 29-04-2016 and this office withdraw order issued under Endst: No.6589-92 dated: 15-8-2016.

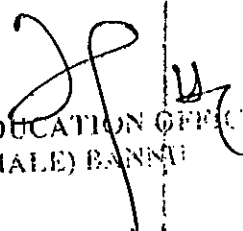
In light of Peshawar High Court Bannu Bench decision dated: 27-03-2017, Mr. Alta Hussain S O Wahidullah R/O Hindi Khel District Bannu is conditionally reinstated into service as PST Teacher till the final decision of the Honorable court.

-Sd-
DISTRICT EDUCATION OFFICER
(MALE) BANNU

Endst: No. 10596-601 Court decision order/PST Dated 28/08/2017

Copy for information & necessary action to the:-

- 1- Sub Divisional Edu: Officer (M) Bannu.
- 2- Registrar Peshawar High Court Bannu Bench at Bannu.
- 3- District Account Officer Bannu.
- 4- ASDEO(C) concerned.
- 5- Head Teacher concerned school.
- 6- Candidate concerned.


DISTRICT EDUCATION OFFICER
(MALE) BANNU

21

JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT,
BANNU BENCH
(Judicial Department)

W.P.No.382-B/2017

ALTAF HUSSAIN

VERSUS

DIRECTOR SECONDARY AND ELEMENTARY
EDUCATION K.P.K PESHAWAR AND TWO
OTHERS.

JUDGMENT

Date of hearing: 21.11.2017.

Appellant-petitioner Altaf Hussain By Muhammad
Rashid Khan Magir Advi

Respondent By Chehid Hameed Pankeshi Advi
AW Farzand Suppl. DEO Office Bannu.

SHAKEEL AHMAD, J.- Through this constitutional petition,
the petitioner Altaf Hussain has sought the following relief.

*"It is, therefore, most humbly prayed
that on acceptance of this writ petition,
the impugned order dated 15.8.2016, be
set aside and the petitioner be restored
on his job as PST Teacher and his
monthly pay is also be released, other
relief also be granted."*

2. Brief facts of the case are that in pursuance of the
recommendations made by the Departmental Selection
Committee, the petitioner was appointed as PST vide order

Iran:

REGISTERED
PESHAWAR HIGH COURT
Bannu Bench

dated 29.4.2016, whereafter he assumed the charge as such. All of a sudden, his appointment order was withdrawn vide office order dated 15.8.2016, by the respondent No.3 i.e. The District Education Officer (Male), Bannu, hence, the instant writ petition.

3. It has been argued by the learned counsel for the petitioner that the impugned office order dated 15.8.2016, whereby the appointment order of the petitioner was withdrawn is illegal, without lawful authority and without jurisdiction. He next argued that no reason whatsoever has been assigned before withdrawal of appointment order of the petitioner, therefore, the same is liable to be set aside.

4. Arguments heard and record perused.

5. Perusal of the record reveals that the petitioner was appointed as PST vide office order dated 29.4.2016. Admittedly, he is a civil servant and the dispute relates to the terms and conditions of his service wherein the Service Tribunal has exclusive jurisdiction to adjudicate upon the matter. In view of embargo placed by Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 jurisdiction of this Court is barred in matters relating to the terms and conditions of a civil servant. When the learned counsel for the petitioner was confronted with the aforesaid provision of Article 212 of the Constitution, he remained answerless and stated that he will seek his relief before

intran

ATTESTED
EXAMINER
Bannu High Court
Bannu District

23

appropriate forum in accordance with law. May do so, if so advised.

6. For what has been stated above, the instant writ petition, being not maintainable, is dismissed.

Announced.
Dt: 21.11.2017.

Sd/- Mr. Justice Saif-ul-Shakeer-J

Sd/- Mr. Justice Saif-ul-Shakeer-J

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court Bahau Benoit
Authorised Under Article 87 of
the Qanun-e-Shahadat Order 1984

6 12 / 17

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21/11/17

24

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) BANNU

OFFICE ORDER

In light of Peshawar High Court Bannu Bench final decision in WP No.382-B/2017 dated; 21-11-2017, the temporary appointment order in respect of Altaf Hussain S/O Wahidullah R/O Jani Khel Bannu PST GPS Malik Shahi Jani Khel Bannu is hereby withdrawn from the date of issuance.

DISTRICT EDUCATION OFFICER
(Male) BANNU

Endst.No. 16160-64 /AE-III/M-P Dated; 19/12 /2017

Copy for information & N/A to the:-

- 1- Director Elem: & Secy: Edu: KPK Peshawar.
- 2- Deputy Commissioner Bannu
- 3- District Monitoring Officer Bannu.
- 4- SDEO (M) Bannu/ASDEO Circle Bannu.
- 5- Ex-Teacher concerned.


DISTRICT EDUCATION OFFICER
(Male) BANNU

**BEFORE THE DIRECTOR ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.**

Departmental Appeal # _____/2018.

Altaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil
& District Bannu ~~~~~ (Appellant)

Versus.

1. District Education Officer (male), Bannu.
2. District Accounts Officer, Bannu. ~~~~~ (Respondents)

APPEAL AGAINST THE IMPUGNED TERMINATION ORDER DATED
19/12/2017 WHEREBY THE SERVICE OF THE PETITIONER AS PST
TEACHER HAS BEEN WITHDRAWN.

PRAYER:

ON ACCEPTANCE OF THE INSTANT APPEAL THE IMPUGNED
TERMINATION ORDER DATED 29/12/2017 MAY KINDLY BE SET-
ASIDE AND THE PETITIONER MAY RE-INSTATED ON THE POST OF
PST. OTHER RELIEF, IF ANY, MAY ALSO BE GRANTED.

Respected Sir,

1. That the appellant is the permanent resident of Union
Council Hindi Khel Jani Khel Tehsil & District Bannu.
2. That appellant is high qualified person.
3. That appellant was initially appointed on 19/04/2016
as PST teacher at Union Council Hindi Khel at GPS
Malikshai Jani Khel. That respondents due to some

reasons based known to them withdrew the previous order on dated 15/08/2016 without any show cause notice or explanation.

4. That appellant moved an application to the concerned quarter but in vain.
5. That appellant also filed Writ Petition before the Hon'ble Peshawar High Court Bannu Bench.
6. That in the meanwhile on 28/08/2017 the respondents once again re-instated the appellant on the same post at the same school.
7. That fate of the Writ Petition was decided on 21/11/2017 wherein the appellant was advised to seek his relief at proper form.
8. That appellant was till working as teacher being re-instated by the respondents, however, the respondents once again withdraw the previous order of appointment on dated 19/12/2017 without any show cause notice.
9. That appellant after coming to know about the withdrawal order approached the concerned quarter for redressal of his grievances but they extended lamp excuses and kept the appellant on wait, hence the instant appeal inters alia on the following ground.

GROUND:

- (1) That appellant is a well experienced and hard worker teacher.

- (2) That no show cause notice has been served upon the appellant.
- (3) That appellant is a poor person and cannot grace the plump of the appointing authorities.
- (4) That since the termination order of appellant, the appellant preferred so many appeals but received no positive response from either quarter.
- (5) That the respondents did not bother to issued show cause notice or explanation and thus the appellant has been condemned unheard by the respondents.
- (6) That respondents have shown no complaint against the appellant.
- (7) That no show cause notice whatsoever was issued to the appellant.

It is, therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 19/01/2018

 Appellant

Altaf Hussain

Affidavit

I Mr. Altaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil & District Bannu do hereby solemnly affirm and declare on Oath that the contents of the instant Appeal are true and correct to the best of my knowledge and believe and that nothing has been concealed from this Hon'ble Court.

Dependent



34846

ایڈوکیٹ: محمد سرسبز خان وزیر الیم و کونسل بینزل
 بار کونسل ایسوسی ایشن نمبر: B/1101/3864
 رابطہ نمبر: 0336-0996613

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سروسز سرڈینٹس خیبر پختونخواہ سینا ہور

مخائب:	دعویٰ:
اپیل وینج	رسول
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:
بابت تحریر آگہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام سینا ہور کیلئے محمد سرسبز خان وزیر الیم و کونسل بینزل کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم:

العبد _____ واہ شد _____ العبد
 مقام سینا ہور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کو قابل قبول ہوگی۔

11/11/18
 80-5

**BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.**

Restoration Appli - no 438/19

APPEAL NO.568/2018

Altaf Hussain

V/S

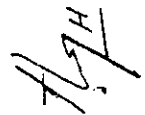
Education Deptt:

**APPLICATION FOR RESTORATION OF APPEAL NO.
568/2018 WHICH WAS DISMISSED ON DEFAULT VIDE
ORDER DATED 07.10.2019.**


RESPECTFULLY SHEWETH:

1. That the instant appeal No. 568/2018 was filed before this Honorable Tribunal for re-instatement.
2. That the instant appeal was in preliminary stage and the case was fixed on 07.10.2019 and the appellant himself was not available due to illness and the case was dismissed in default for want of prosecution on 07.10.2019. (Copy of the order is attached as annexure-A).
3. That the appellant file application on 11.10.2019 well in time for copy of orders sheet dated 07.10.2019 and the appellant was directed to come for attested copy after 2 days but thereafter the appellant when return to home fell seriously ill and on complete bed rest. Copy of medical certificates is attached as annexure-B.
4. That after recovery from illness the appellant today on 14.11.2019 received the copy of order dated 07.10.2019. so after receiving the order the application for restoration is well in time. So the delay if may be condoned.
5. That it is in the interest of justice that the appeal should be dealt on merit rather to dismiss on default because the valuable right of the appellant was involved.

It is therefore, most humbly prayed, that the instant appeal No. 568/2018 may be restore on the acceptance of this application.


APPELLANT

Through:


(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGHCOURT
PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.


DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 547

Dated 12-4-2018

Appeal # 568 /2018.

Altaf Hussain son of Wahid Ullah R/O Hindi Khel Wazir Jani Khel Tehsil
& District Bannu ~~~~~ (Appellant)

--- VERSUS ---

1. The Government of Khyber Pakhtunkhwa through Secretary
(Education) Khyber Pakhtunkhwa Peshawar.
2. Director Secondary and Elementary Education Khyber
Pakhtunkhwa Peshawar.
3. District Education Officer (male), Bannu. ~~~~~ Officer,
4. District Accounts ~~~~~ (Respondents).

APPEAL AGAINST THE FIRST ORDER DATED 15/08/2016 AND THE
LAST IMPUGNED TERMINATION ORDER DATED 19/12/2017
WHEREBY THE SERVICE OF THE PETITIONER AS PST TEACHER HAS
BEEN WITHDRAWN.

07.10.2019

Nemo for appellant.

It is already past 2.00 PM and the appellant is
unrepresented despite repeated calls.

Dismissed for non-prosecution. File be consigned to the
record room.

Chairman 

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Announced:

07.10.2019

Date of Presentation of Application 11-10-19

Number of Words 400

Copying Fee 6-00

Urgent 4-00

Total 10-00

Name of Copy [Signature]

Date of Completion of Copy 14-11-19

Date of Delivery of Copy 14-11-19

No. _____ RS. 5/-

OUT PATIENT'S DEPARTMENT

NAME Alaf Hussain

YEARLY NO. 277

DATE 13/1/19

DISEASE _____

FACE VALUE RUPEES 5/-

WOMEN'S Bed Rest

1-1-1
Novider 500
1-1

One

Cap Nexime 100
1-1

Ms. Cal 1000

Dr. J. S. B. S. D.
Assistant Medical Officer
Khanika Gul Nawaz
Hospital Bannu

Dr. Khania G. Khan
Teaching Hospital Bannu

No. _____ RS. 5/

OUT PATIENT'S DEPARTMENT

NAME Altaf Hussain

YEARLY NO. 27th

DATE 12/1/13

DISEASE _____

FACE VALUE RUPEES 5/

Job Postmaster
1-1-1

IS. No. 1000000

IS. Cae 1000000
1000000

Cap. Cae 1000000
1000000

Senior Medical Officer
Khalifa Gul Nawaz
Teaching Hospital Bannu

Stemsted
1-1-1
Reza U.
1-1-1

Medical Officer
Khalifa Gul Nawaz
Teaching Hospital Bannu

1000000 Best Best

“B”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.**

SB

No.

Recd

Appeal No. *568* of 2018

Altaf Hussain

Appellant/Petitioner

Through *Sey (Education) KPK, Peshawar*

Respondent

Respondent No. *(3)*

Notice to: —

DEO (Male) Banna.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....*20/05/2022*.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ ✓ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....*21th*.....

Day of.....*April*.....20*22*

For Reply

[Signature]
Registrar,

**Khyber Pakhtunkhwa Service Tribunal,
Peshawar.**

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No.

*Recd**SB*

Appeal No.....

*568*of 20 *18**Aitaf Hussain*

Appellant/Petitioner

Through Secy (Education) ^{Versus} KPK, Peshawar

Respondent

Respondent No.....

(4)

Notice to: —

District Accounts Officer Bannu.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....*20/05/2022*.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

~~Copy of appeal is attached.~~ ✓ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....*11th*.....

Day of.....*April*.....20 *22*

For Reply

↓
 Registrar, *CO*

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

- Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.