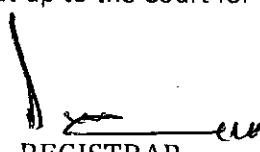




Form- A

FORM OF ORDER SHEET

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

Execution Petition No. 178 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13.09.2021	<p>The execution petition of Mst. Noshaba submitted today, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This execution petition be put up before S. Bench at Peshawar on <u>24/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	24.09.2021	<p>Petitioner present in person.</p> <p>Notices be issued to the respondents. To come up for implementation report on 18.10.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

18.10.2021

Petitioner in person present. Mr. Kabirullah Khattak,  
Addl. AG for the respondents present.

It has been informed by the learned AAG that the department is going to file CPLA against the judgment dated 25.06.2021 and for this reason, compliance of the judgment is awaited. Let the department pursue the remedy before the august Supreme Court of Pakistan against the judgment of this Tribunal but in absence of any suspension order from the august Supreme Court of Pakistan, the respondents are under obligation to pass necessary order meant for implementation of the judgment of this Tribunal conditionally subject to decision of CPLA, if filed. The respondents are directed to submit the conditional compliance report on the next date. Case to come up on 11.11.2021 before S.B.

  
Chairman

EP 178/21

11.11.2021

Petitioner in person and Mr. Kabirullah Khattak, Addl. AG alongwith Saleem Khan, S.O for the respondents present.

The representative of the administrative department has furnished the copy of summary for transfer of the petitioner as per requirement of the judgment vide proposal at Para-5 of the summary. The representative states that the summary for transfer of the petitioner as per requirement of the judgment was moved for approval of the competent authority but due to certain misunderstanding, the proposal will be resubmitted to the competent authority and the report shall be brought on record on next date positively. Case to come up on 02.12.2021 before S.B.

  
Chairman

02.12.2021

Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Naseer Ud Din Shah, Assistant for respondents present.

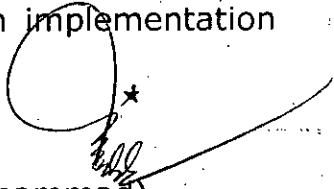
Implementation report not submitted. Representative of the respondents stated at the bar that the implementation under execution is under process and will be submitted soon. Adjourned. To come up for implementation report on 09.12.2021 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

09.12.2021

Petitioner in person present. Mr. Kabirullah Khattak, Additional Advocate General the respondents present.

Service Tribunal in its judgement dated 25.06.2021 has given specific directions to the respondents i.e transfer of the petitioner to Government Girls High School Irrigation Colony Warsak Road Peshawar within a period of one week. Implementation report is not submitted by the respondent-department on one pretext or the other. Learned Additional Advocate General is directed to contact the respondent-department and ensure to come up with implementation report on 13.12.2021 before the S.B.

  
(Mian Muhammad)  
Member (E)

13.12.2021

Petitioner in person present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Syed Naseer Ud Shah, Assistant for respondents present.

Representative of the respondents submitted copy of Summary for Chief Minister, Khyber Pakhtunkhwa which is placed on file. Adjourned. To come up for further proceedings on 03.01.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

03.01.2021

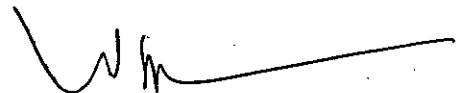
Petitioner in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Faheem Section Officer for respondents present.

Petitioner stated that notification dated 24.12.2021 does not fulfill the criteria of full implementation because at serial No. 2 of the above notification Dr. Salma Sami has not relinquished the charge because the position at GGHS Gulabad Jamrud Khyber is held by Mrs. Tahira Naz.

On the other hand learned Additional Advocate General submitted that the judgment has been complied and there is no need to further agitate the issue.

Perusal of the record shows that the judgment is clear regarding the posting of the petitioner as Principal GGHS Irrigation Colony Warsak Road Peshawar hence the post occupied by Dr. Salma Sami and she has not relinquished the charge from the said position which shows that judgment has not been fully implemented.

In view of the above, respondents are directed to implement the judgment in later and spirit. To come up on 17.01.2022 before S.B.



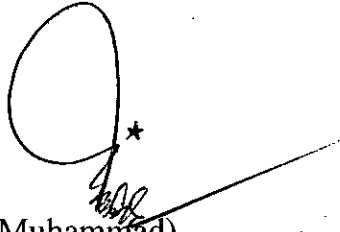
(Atiq-Ur-Rehman Wazir)  
Member (E)

17.01.2022

Petitioner in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Faizan Section Officer for respondents present.

Though the department has issued Notification on 14 December 2021 in pursuance of the judgment of service Tribunal dated 25.06.2021, yet it's pathetic to notice that the respondent department could not implement its own Notification in question till date. However, it is also brought in to the notice of this Bench that the said Notification has been suspended vide order dated 13.01.2022. It is expected that the suspension order might have been <sup>passed</sup> due to concealment of facts and background of the case, from the single Bench presided over by Honourable Member (Judicial) on 13.01.2022. It would, therefore, be in the fitness of things that the instant execution petition be fixed before the Hon'ble Member (J) (Mrs. Rozina Rehman) so that the legal proposition is duly brought to the notice of Hon'ble Member (J) and service Tribunal judgment dated 25.06.2021 is implement in later and spirit.

Adjourned to 24.01.2022 before S.B.

  
(Mian Muhammad)  
Member (E)

24.01.2022. Learned Judicial Member is on leave, therefore the case is adjourned to 09/02/2022.

  
Reader

10.02.2022


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 30.03.2022 for the same as before.

  
Reader

30.03.2022

None for the petitioner present. Mr. Kabirullah Khattak, Addl:  
AG for respondent present.

Order sheet dated 17.01.2022 is to be placed before  
Hon'able Member Judicial (Rozina Rehman) keeping in view  
background and facts of the case. Adjourned. To come up for  
implementation report on 18.04.2022 before *the same S.B.*

  
(MIAN MUHAMMAD)  
MEMBER(E)

18.04.2022

1. Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Faizan S.O (Litigation) for the respondent present.
2. Learned Addl. AG says that transfer summary of the petitioner has been moved, which is placed before the Chief Minister Khyber Pakhtunkhwa, and after approval of the summary, the petitioner will be posted against the vacant post. Learned Addl. AG also pointed out that the earlier transfer order made in compliance with the order of the Tribunal was stayed by this Tribunal in service appeal No. 01/2022 titled Salma Sami, which was fixed for 20<sup>th</sup> instant. Let this execution petition be clubbed with the same and to come up 20.04.2022 before S.B.

  
Chairman

20<sup>th</sup> April, 2022

Junior to counsel for the petitioner present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Learned AAG seeks further time to implement the judgment and submit implementation report on next date. To come up for implementation report on 13.05.2022 before S.B.

  
Chairman



BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education, ERSED  
Khyber Pakhtunkhwa, Peshawar ..... Respondents

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2	Copy of Courier Receipt	" B "	3

Noshaba  
Noshaba  
Appellant

Noshaba

13.05 2022

Petitioner in person present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Respondents produced copy of notification No.SO(S/F)E&SEd/4-16/2022/Posting/Transfer dated 11.05.2022, whereby the petitioner Mst. Noushaba Principal (BS-19) is hereby posted at RPDC (Female) Peshawar, against the vacant post of Senior Instructor (BS-19) with immediate effect.

On the other hand petitioner is satisfied. Disposed off accordingly. Consign.

*Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 13<sup>th</sup> day of May, 2022*



  
(Kalim Arshad Khan)  
Chairman



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR  
PHONE NO 091-9223588

Dated Peshawar May 11<sup>th</sup>, 2022

**NOTIFICATION**

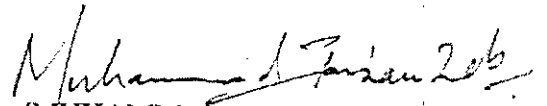
**NO.SO(S/F)E&SED/4-16/2022/Posting/Transfer:** Mst. Noushaba Principal (BS-19) presently (waiting for posting) hereby posted at RPDC (Female) Peshawar, against the vacant post of Senior Instructor (BS-19) with immediate effect, in the public interest.

**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. Director, Directorate of Professional Development (DPD) Peshawar.
4. Principal RPDC Dabgari Peshawar.
5. Mst. Noushaba Principal.
6. Director EMIS, E&SE Department for uploading at official website at the earliest.
7. PS to registrar Service Tribunal Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department.
9. Officers concerned.
10. Office order file.

  
(MUHAMMAD FAIZAN ZEB)  
SECTION OFFICER (S/F)  
11/05/2022

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

E.P.No. 178/2021

Khyber Pakhtunkhwa  
Service Tribunal

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Diary No. 1220  
Dated 13/09/2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through ~~Secretary~~ Secretary, Education EGSE  
Khyber Pakhtunkhwa, Peshawar ~~Secretary~~ .....Respondents

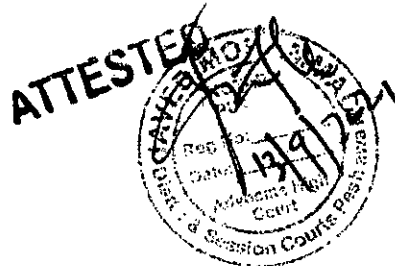
Application for the implementation of the Judgment and Order dated 25.06.2021 in  
Captioned service appeal of the Honorable Tribunal

Respectfully Sheweth,

1. That the above noted service appeal was decided vide judgment and order dated 25.06.2021 Copy at Annexure " A "
2. That vide judgment and order dated 25.06.2021 this Honorable Tribunal directed the Respondents to Transfer the appellant to Government Girls High School, Irrigation Colony, Warsak Road, Peshawar with in a period of one week of receipt of copy of the said judgment.
3. That the copy of Judgment was sent to Respondents vide Courier Service No. 4764511714 Dated 11/7/21 and Dairy No. 3638 Dated 2/7/21 Copy of Courier Service enclosed Annexure " B "
4. That Respondents has not implemented the said order even after lapse of 70 days, where as the appellant is also suffering from 28 months due to Posted out of Home district of Peshawar to Swabi.
5. That respondents are not looking serious for implementation of said judgment and Order where as Respondent was also visited personally, but in vain.

It is therefore, prayed that on acceptance of this application the Judgment and order dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit

It is therefore prayed that on acceptance of this application the Judgment and order dated Dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit.



Noshaba  
Noshaba  
Appellant.

AFFIDAVIT

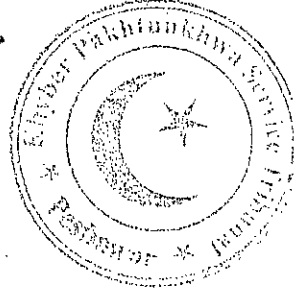
It is solemnly affirm and declare on oath that the contents of the above implementation petition are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honorable Tribunal.

Noshaba  
Noshaba  
DEPONENT

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**

**Service Appeal No. 10297/2020**

Date of Institution ... 26.08.2020



Ms. Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi.  
... (Appellant)

**VERSUS**

The Government of Khyber Pakhtunkhwa through Chief Secretary  
Khyber Pakhtunkhwa, Peshawar and another.  
(Respondents)

Mr. MUHAMMAD MOHAY-UD-DIN,  
Advocate --- For appellant.

MR. MUHAMMAD ADEEL BUTT,  
Additional Advocate General --- For respondents.

MR. SALAH-UD-DIN --- MEMBER (JUDICIAL)  
MR. ATIQ-UR-REHMAN WAZIR --- MEMBER (EXECUTIVE)

**ORDER**  
**25.06.2021**

SALAH-UD-DIN, MEMBER:- The appellant was serving as SS (General) BS-18 in GGCHSS Peshawar, however upon her promotion to BS-19, vide Notification dated 18.12.2019, the appellant was posted as Principal GGHSS Kernal Sheer Killay Swabi. The appellant assumed the charge as Principal GGHSS-KSK Swabi, however being permanent resident of District Peshawar, the appellant challenged her transfer order by way of filing of departmental appeal, alleging therein that as she is unmarried, therefore, in light of Posting/Transfer Policy of Provincial Government, the respondents were required to have posted the appellant in District Peshawar. The departmental appeal of the

Case Number

3638

27/08/21  
Primary & Secondary

TESTED

EXAMINER  
Khyber Pakhtunkhwa

YASMIN KHALIDA  
Senior Instructor BPS-19  
RITE(F) Peshawar


appellant was not responded to by the appellate Authority, therefore, she filed the instant Service Appeal.

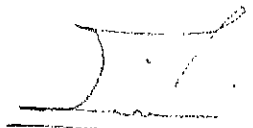
2. At the very outset, learned Additional Advocate General stated at the bar that upon consulting the concerned Additional Secretary, he has been informed that the post of Principal is laying vacant in Government Girls High School Irrigation Colony Warsak Road Peshawar and that he is having no objection on transfer of the appellant to the said school. In this respect, statement of learned Additional Advocate General recorded and placed on file.

3. Learned counsel for the appellant stated at the bar that the appeal may be disposed of in light of statement of learned Additional Advocate General recorded before the Tribunal today. In this respect, statement of learned counsel for the appellant recorded and placed on file.

4. In light of the above, the respondents are directed to transfer the appellant to Government Girls High School Irrigation Colony Warsak Road Peshawar within a period of one week of receipt of copy of this order. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

**ANNOUNCED**  
25.06.2021

  
(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 30/6/21  
Number of Words 800  
Copying Fee 10.00  
Urgent —  
Total 10.00  
Name of Copyist —  
Date of Completion of Copy 01/07/2021  
Date of Delivery of Copy 01/07/2021

  
YASMIN KHALIDA  
Senior Inspector BPS-19  
RITE(F) Peshawar

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

EP No 128/21

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education ERSED  
Khyber Pakhtunkhwa, Peshawar .....Respondents

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Noshaba  
Principal  
Appellant

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education ERSE  
Khyber Pakhtunkhwa, Peshawar .....Respondents

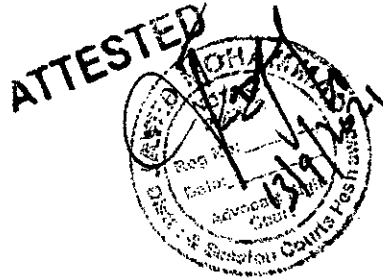
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Captioned service appeal of the Honorable Tribunal

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1. That the above noted service appeal was decided vide judgment and order dated 25.06.2021 Copy at Annexure " A "
2. That vide judgment and order dated 25.06.2021 this Honorable Tribunal directed the Respondents to Transfer the appellant to Government Girls High School, Irrigation Colony, Warsak Road, Peshawar with in a period of one week of receipt of copy of the said judgment.
3. That the copy of Judgment was sent to Respondents vide Courier Service No. 4764511714 Dated 1/7/21 and Dairy No. 3638 Dated 2/7/21 Copy of Courier Service enclosed Annexure " B "
4. That Respondents has not implemented the said order even after lapse of 70 days, where as the appellant is also suffering from 18 months due to Posted out of Home district of Peshawar to Swabi.
5. That respondents are not looking serious for implementation of said judgment and Order where as Respondent was also visited personally, but in vain.

It is therefore, prayed that on acceptance of this application the Judgment and order dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit

It is therefore prayed that on acceptance of this application the Judgment and order dated Dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit.



Noshaba  
Appellant.

AFFIDAVIT

It is solemnly affirm and declare on oath that the contents of the above implementation petition are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honorable Tribunal.

Noshaba  
DEPONENT



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**

**Service Appeal No. 10297/2020**

Date of Institution ... 26.08.2020



Ms. Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi.  
... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Chief Secretary  
Khyber Pakhtunkhwa, Peshawar and another.  
... (Respondents)

Mr. MUHAMMAD MOHAY-UD-DIN,  
Advocate --- For appellant.

MR. MUHAMMAD ADEEL BUTT,  
Additional Advocate General --- For respondents.

**MR. SALAH-UD-DIN --- MEMBER (JUDICIAL)**  
**MR. ATIQ-UR-REHMAN WAZIR --- MEMBER (EXECUTIVE)**

**ORDER**  
**25.06.2021**

SALAH-UD-DIN, MEMBER:- The appellant was serving as SS (General) BS-18 in GGCHSS Peshawar, however upon her promotion to BS-19, vide Notification dated 18.12.2019, the appellant was posted as Principal GGHSS Kernal Sheer Killay Swabi. The appellant assumed the charge as Principal GGHSS-KSK Swabi, however being permanent resident of District Peshawar, the appellant challenged her transfer order by way of filing of departmental appeal, alleging therein that as she is unmarried, therefore, in light of Posting/Transfer Policy of Provincial Government, the respondents were required to have posted the appellant in District Peshawar. The departmental appeal of the

3638

217/21  
Secretary

**TESTED**

**EXAMINER**  
Khyber Pakhtunkhwa

**YASMIN KHALIDA**  
Senior Insr.  
RITE(F) Peshawar  
BPS-19


appellant was not responded to by the appellate Authority, therefore, she filed the instant Service Appeal.


2. At the very outset, learned Additional Advocate General stated at the bar that upon consulting the concerned Additional Secretary, he has been informed that the post of Principal is laying vacant in Government Girls High School Irrigation Colony Warsak Road Peshawar and that he is having no objection on transfer of the appellant to the said school. In this respect, statement of learned Additional Advocate General recorded and placed on file.

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**ANNOUNCED**  
25.06.2021

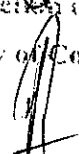
  
(**ATIQ-UR-REHMAN WAZIR**)  
MEMBER (EXECUTIVE)

  
(**SALAH-UD-DIN**)  
MEMBER (JUDICIAL)

Certified to be true copy

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 30/6/21  
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Name of Applicant Attest  
Date of Completion of Copy 01/07/2021  
Date of Delivery of Copy 01/07/2021

  
**YASMIN KHALIDA**  
Senior Clerk BPS-19  
RTE(F) Peshawar

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

EP No. 128/21

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Ms Noshaba, Principal (BPS-19) GGHS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education EBSED  
Khyber Pakhtunkhwa, Peshawar .....Respondents

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Noshaba  
Noshaba  
Appellant



BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

In the matter of :

Appeal No. 10297/2020

Decided on 25.06.2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education EASE

Khyber Pakhtunkhwa, Peshawar .....Respondents

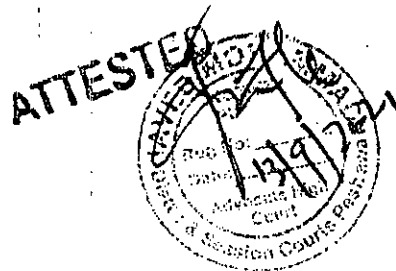
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It is therefore prayed that on acceptance of this application the Judgment and order dated Dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit.



Noshaba  
Noshaba  
Appellant.

AFFIDAVIT

I do solemnly affirm and declare on oath that the contents of the above  
are true and correct to the best of my knowledge and belief  
kept back or concealed from this Honorable Tribunal.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**

**Service Appeal No. 10297/2020**

Date of Institution ... 26.08.2020



Ms. Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi. ... (Appellant)

**VERSUS**

The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar and another. ... (Respondents)

Mr. MUHAMMAD MOHAY-UD-DIN, Advocate --- For appellant.

MR. MUHAMMAD ADEEL BUTT, Additional Advocate General --- For respondents.

MR. SALAH-UD-DIN --- MEMBER (JUDICIAL)  
MR. ATIQ-UR-REHMAN WAZIR --- MEMBER (EXECUTIVE)

**ORDER**  
**25.06.2021**

**SALAH-UD-DIN, MEMBER:-** The appellant was serving as SS (General) BS-18 in GGCHSS Peshawar, however upon her promotion to BS-19, vide Notification dated 18.12.2019, the appellant was posted as Principal GGHSS Kernal Sheer Killay Swabi. The appellant assumed the charge as Principal GGHSS-KSK Swabi, however, being permanent resident of District Peshawar, the appellant challenged her transfer order by way of filing of departmental appeal, alleging therein that as she is unmarried, therefore, in light of Posting/Transfer Policy of Provincial Government, the respondents were required to have posted the appellant in District Peshawar. The departmental appeal of the

3538  
27/06/21  
Secretary & Secretary

**TESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa

**YASMIN KHALIDA**  
Senior Instructor BPS-10  
RITE(F) Peshawar


appellant was not responded to by the appellate Authority; therefore, she filed the instant Service Appeal.

2. At the very outset, learned Additional Advocate General stated at the bar that upon consulting the concerned Additional Secretary, he has been informed that the post of Principal is laying vacant in Government Girls High School Irrigation Colony Warsak Road Peshawar and that he is having no objection on transfer of the appellant to the said school. In this respect, statement of learned Additional Advocate General recorded and placed on file.

3. Learned counsel for the appellant stated, at the bar that the appeal may be disposed of in light of statement of learned Additional Advocate General recorded before the Tribunal today. In this respect, statement of learned counsel for the appellant recorded and placed on file.

4. In light of the above, the respondents are directed to transfer the appellant to Government Girls High School Irrigation Colony Warsak Road Peshawar within a period of one week of receipt of copy of this order. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

**ANNOUNCED**  
25.06.2021

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 30/6/21

Number of Words 800

Copying Fee 10.00

Urgent —

Total 10.00

Name of Copyist —

Date of Completion of Copy 01/07/2021

Date of Delivery of Copy 01/07/2021

YASMIN KHALIDA  
Senior — BPS-13  
RIT (P) Peshawar

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD 33  
PESHAWAR.

No.

Execution Petition 178 of 20 21  
Appeal No. ....

Ms. No. Shaba ..... Appellant/Petitioner

Versus

The Court of KP through Secretary PSE ..... Respondent

Respondent No. 1

Notice to: —

The Court of KP through Secretary PSE Peshawar

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.....18/10/2021.....at 8.00 A.M. If you wish to urge anything against the appellants/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..... 07/10

Day of..... 07/10/21 .....20 21

(For Implementation Report)

[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.



GOVERNMENT OF KHYBER PAKHTUNKHWA

ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone: 091-9210480, Fax # 091-9211419

SUMMARY FOR CHIEF MINISTER KHYBER PAKHTUNKHWA

Reference para-19 & 20 of the Summary:-

21. The Honourable Chief Minister Khyber Pakhtunkhwa has approved Para-19/S which contains views/observations of the worthy Chief Secretary Khyber Pakhtunkhwa. The Department has responded to those observations vide Para-10/S to 16/S ante.

22. In order to implement the judgment of the Hon'able Tribunal, the Elementary & Secondary Education submitted proposal of posting/transfer of the appellant vide Para-5/S. The Khyber Pakhtunkhwa Service Tribunal in Execution Petition No. 178/2021 vide order sheet dated 11-11-2021 further directed that the implementation report of its judgment dated 25-06-2021 be submitted for record of the Service Tribunal on 02-12-2021 before S.B (Annex-V).

23. The proposal contained at Para-5 of the Summary is re-submitted for approval of the Chief Minister, Khyber Pakhtunkhwa, please.

(Muhammad Yahya Akhunzada)  
Secretary E&SED

CHIEF SECRETARY KHYBER PAKHTUNKHWA.

CHIEF MINISTER KHYBER PAKHTUNKHWA

APPESTED

have posted  
the departmental appeal of the



# Summary For Chief Minister

 Preview

Subject

posting transfer mst. NOSHABA

**File Tacking ID**

**EnSED-13-1182-00351**



Initiated By: Section Officer (Schools/Female)  
Elementary & Secondary Education Department

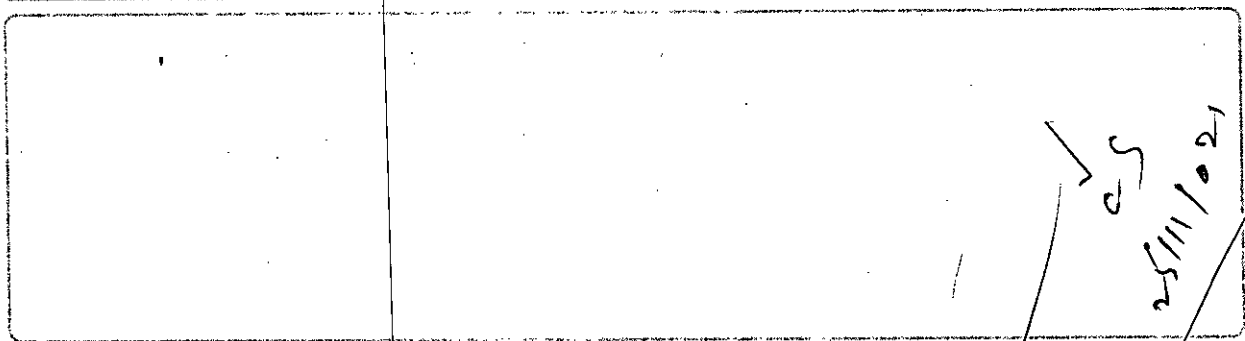
 Normal

Current Status

Active

Draft For Approval

 Content



Attachment(s) / Annexures:

*Handwritten notes:*  
370  
25/11/21  
Dha  
B 20  
CS  
25/11/21  
SOSJF

Timeline / Previous Hi...

Life Time: **0 days**,  
No.Of Routs: **4**, Avg Time (In Days):  
**0 days**

Department

Minister For Elementary & Secondary Education

Elementary & Secondary Education Department

**In-Transit Duration:** 1 hour(s), 2 day(s)

**Received Date:** 26/08/2021 11:58 AM

Remarks:

2. SE Diary No. 117 Dated 24.08.2021

0 months, 0 days at Secretary E&SE's desk

3

Minister For Elementary & Secondary Education

Forward To  
26/10/2021 12:12 PM

Elementary & Secondary Education Department

25/11/21

Secretary E&SE

Elementary & Secondary Education Department

Preview



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

MOST IMMEDIATE / COURT MATTER

NO NO:SO (Lit-II) E&SED/1-3/SA#10297/20/EP. 178/21/Noshaba  
Dated Peshawar, the 22-11-2021.

To

The Section Officer (Schools Female)  
Elementary & Secondary Education,  
Department.

Subject:

ORDER IN SERVICE APPEAL NO. 10297/20 EP NO. 178/21 TITLED  
NOSHABA VS GOVT. OF KHYBER PAKHTUNKHWA THROUGH  
CHIEF SECRETARY AND OTHERS

I am directed to refer to the subject noted above and to enclose herewith a copy of  
Order / Judgment dated 11.11.2021 Passed by the KP Service Tribunal Peshawar for  
implementation and further necessary action at your end, please.

Encl. As above.

Endst: of even No. & date.

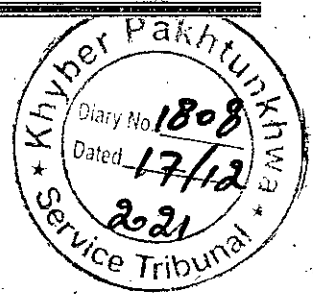
Copy is forwarded to the:-

SECTION OFFICER (LIT:II)

1. PA to Additional Secretary (General) E&SE, Department.

SECTION OFFICER (LIT:II)

31/12/2021



To

The Honourable Secretary to Govt. of Khyber Pakhtunkhwa  
Elementary and Secondary Education Department.

Subject:- NON AVAILABILITY OF POST FOR SERIAL NO. 2 IN NOTIFICATION NO. SO(S/F)  
E&SED/4-16/2021/POSTING/TRANSFER/TC, DATED 14.12.2021

R/Sir,

It is submitted for your kind information that above mentioned post is already occupied by Mrs. Tahira Naz, Principal BS-18 in Notification No. SO(S/F)E&SED/4-16/2021/Posting/Transfer/TC, dated 14.12.2021. (Enclosed)

Therefore, I cannot take over charge at GGHS Irrigation Colony Warsak Road Peshawar. As there are other vacant posts of Principal BS-19 in District Peshawar therefore I may kindly be adjusted to one of the following vacant posts:-

1. GGHS Dabgari Banat Peshawar (Principal BS-19 ) will be retired on 31.12.2021
2. RPDC (F) Peshawar (Senior Instructor BS-19)
3. GGHS Civil Colony Peshawar (Principal BS-19).

I have no reservations on my adjustment.

Thanking you in anticipation.

Dated 16.12.2021

*Noushaba*  
(Mst: Noushaba)  
Principal BS-19  
GGHS KSK Swabi

cc:-

✓ Registrar KP Service Tribunal Pesh.

Put up to the court with relevant execution petition.

*[Signature]*  
17/12/2021



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No: 091-9223563

Dated Peshawar the December 14<sup>th</sup>, 2021

**NOTIFICATION**

**NO. SOISF/E&SED/4-16/2021/POSTING/TRANSFER/TC:** The Competent Authority, in light of the Judgment of the Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25-06-2021 in Service Appeal No-10297/2020, is pleased to order the following posting / transfer, with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
1	Mst. Noshaba, Principal (BS-19)	GGHS Kemal Sher Khan Swabi.	Principal GGHS, Irrigation Colony, Warsak Road Peshawar (Vice No-2)
2	Dr Salma Sami, Principal (BS-18)	GGHS, Irrigation Colony, Warsak Road Peshawar	Principal GGHS Gulabad Jamrud, Khyber against the vacant post. <i>Filled</i>

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Ends: of even No. & date:**

Copy forwarded for information to the: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) Peshawar, Swabi & Khyber.
5. District Accounts Officer Swabi & Khyber.
6. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
7. Section Officer (Litigation-II), E&SE Department, Khyber Pakhtunkhwa.
8. PS to Minister for E&SE, Khyber Pakhtunkhwa.
9. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
10. Principal concerned.
10. Master file.

*(Signature)*  
14/12  
(SAMIRA MEHSOOD)  
SECTION OFFICER (SCHOOLS FEMALE)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No 091-9223588

Dated Peshawar the December 14<sup>th</sup>, 2021

**NOTIFICATION**

**NO. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER/TC:** The Competent Authority, in light of the Judgment of the Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25-06-2021 in Service Appeal No-10297/2020, is pleased to order the following posting / transfer, with immediate effect, in the public interest: -

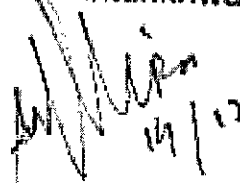
Sr. No	Name & designation	From	To
1.	Mst. Noshaba, Principal (BS-19)	GGHS Kernal Sher Khan Swabi.	Principal GGHS, Irrigation Colony, Warsak Road Peshawar (Vice No-2)
2.	Dr. Salma Sami, Principal (BS-18)	GGHS, Irrigation Colony, Warsak Road Peshawar	Principal GGHS Gulabad Jamrud, Khyber against the vacant post.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No. & date:

Copy forwarded for information to the: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) Peshawar, Swabi & Khyber.
5. District Accounts Officer Swabi & Khyber.
6. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
7. Section Officer (Litigation-II), E&SE Department, Khyber Pakhtunkhwa.
8. PS to Minister for E&SE, Khyber Pakhtunkhwa.
9. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
10. Principal concerned.
10. Master file.

  
(SAMIRA MEHSOOD)  
SECTION OFFICER (SCHOOLS FEMALE)

To

The Honourable Secretary to Govt: of Khyber Pakhtunkhwa  
Elementary and Secondary Education Department.

Subject:-

**NON AVAILABILITY OF POST FOR SERIAL NO. 2 IN NOTIFICATION NO. SO(S/F)  
E&SED/4-16/2021/POSTING/TRANSFER/TC, DATED 14.12.2021**

R/Sir,

It is submitted for your kind information that above mentioned post is already occupied by Mrs. Tahira Naz, Principal BS-18 by Notification No. SO(S/F)E&SED/4-16/2021/Posting/Transfer/TC, dated 14.12.2021.

Therefore, I cannot take over charge at GGHS Irrigation Colony Warsak Road Peshawar. As there are other vacant posts of Principal BS-19 in District Peshawar therefore I may kindly be adjusted to one of the following vacant posts:-

1. GGHS Dabgari Banat Peshawar (Principal BS-19 ) will be retired on 31.12.2021
2. RPDC (F) Peshawar (Senior Instructor BS-19)
3. GGHS Civil Colony Peshawar (Principal BS-19).

I have no reservations on my adjustment.

Thanking you in anticipation.

Dated 16.12.2021

*Noushaba*  
(Mst: Noushaba)  
Principal BS-19  
GGHS KSK Swabi

Draft

Noshaba

03.01.2021

Petitioner in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Faheem Section Officer for respondents present.

Petitioner stated that notification dated 24.12.2021 does not fulfill the criteria of full implementation because at serial No. 2 of the above notification Dr. Salma Sami has not relinquished the charge because the position at GGHS Gulabad Jamrud Khyber is held by Mrs. Tahira Naz.

On the other hand learned Additional Advocate General submitted that the judgment has been complied and there is no need to <sup>further</sup> agitate the <sup>issue</sup> further relief.

Perusal of the record shows that the judgment is clear regarding the posting of the petitioner as Principal GGHS Irrigation Colony Warsak Road Peshawar but the post occupied by Dr. Salma Sami and she has not relinquished the charge from the said position which shows that judgment has not been fully implemented.

In view of the above, respondents are directed to implement the judgment in later and spirit. To come up on 17.01.2022 before S.B.

(Atiq-Ur-Rehman Wazir)  
Member (E)

READER

Due to Winter Vacations, the case is adjourned to \_\_\_\_\_ 2022 for the same as before.

28.12.2021





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9223588

Dated Peshawar the December 14<sup>th</sup>, 2021

**NOTIFICATION**

**NO. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER/TC:** The Competent Authority, in light of the Judgment of the Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25-06-2021 in Service Appeal No-10297/2020, is pleased to order the following posting / transfer, with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
1.	Mst. Noshaba, Principal (BS-19)	GGHS Kernal Sher Khan Swabi.	Principal GGHS, Irrigation Colony, Warsak Road Peshawar (Vice No-2)
2.	Dr. Salma Sami, Principal (BS-18)	GGHS, Irrigation Colony, Warsak Road Peshawar	Principal GGHS Gulabad Jamrud, Khyber against the vacant post.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

**Endst: of even No.& date:**

Copy forwarded for information to the: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) Peshawar, Swabi & Khyber.
5. District Accounts Officer Swabi & Khyber.
6. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
7. Section Officer (Litigation-II), E&SE Department, Khyber Pakhtunkhwa.
8. PS to Minister for E&SE, Khyber Pakhtunkhwa.
9. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
10. Principal concerned.
10. Master file.

*(Handwritten signature)*  
14/12

(SAMIRA MEHSOOD)  
SECTION OFFICER (SCHOOLS FEMALE)



05-04-22-739

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR  
PHONE NO 091-9223588

**SUMMARY FOR CHIEF MINISTER**

**Subject: TRANSFER/ADJUSTMENT PROPOSAL**

The following posting/transfer of the officers of Teaching Cadre (as mentioned against each) are proposed in the best public interest.

Sr.	Name & Designation	From	To
1.	Mst. Naushaba Principal (BS-19)	Waiting for posting	RPDC Dabgari Garden Peshawar, against the post of senior instructor (BS-19). The post will become vacant on 2.4.2022 after the retirement of Mst. Yasmin Khalida Sr. Instructor (BS-19) as she has submitted application for pre-mature retirement. <b>(Annex-I)</b>
2.	Mst. Mst. Azra Naz SIPE (BS-18)	GGHSS Toru Mardan (w.e.f. 29.05.2018)	GGHSS No.1 Mardan against the vacant post of CIPE (BS-19) (OPS) as she is in the line of promotion. <b>(Annex-II)</b>
3.	Mst. Nagina Sayel Principal (BS-19)	GGHSS Ghallanai, TD Mohmand (w.e.f. 01.01.2020)	RPDC Peshawar, against the vacant post of Instructor (BS-19). <b>(Annex-III)</b> (On spouse policy)
4.	Mst. Yafqa Bibi Principal (BS-19)	GGHSS Ghoriwala Bannu (w.e.f. 05.06.2017)	RPDC (Female) Township Bannu against the vacant post of Instructor (BS-19) <b>(Annex-IV)</b>

2. In term of Rule 17 (1) and (2) read with Schedule-III, of the Khyber Pakhtunkhwa Govt. Rules of Business 1985 the Chief Minister is the Competent Authority for the approval of the aforesaid proposal.

3. The proposal contained at Para-01 ante is submitted for the approval of the Honorable Chief Minister, please.

  
(MOTASIM BILLAH SHAH)  
SECRETARY E&SE DEPARTMENT

**MINISTER, E&SE**

**SECRETARY, ESTABLISHMENT DEPARTMENT**

**CHIEF SECRETARY**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa Service Tribunal

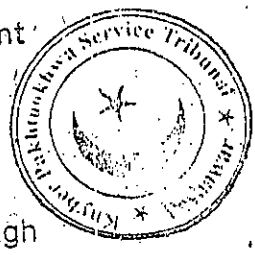
Service Appeal No: 01/2022

Diary No. 8103

Dr. Salma Sami principal GGHS, Irrigation Colony, Warsak Road, Peshawar

Date: 23/12/2021

Appellant



VERSUS

1. The Government of Khyber Pakhtunkhwa through chief Secretary, Civil Secretariat, Peshawar
2. The Section Officer, (School Female) Khyber Pakhtunkhwa, Peshawar.
3. The Elementary & Secondary Education through Secretary Education, Civil Secretariat, Peshawar.
4. Principal GGHS Mst. Noshaba, Irrigation Colony, Warsak Road, Peshawar
5. Principal Tahira Naz GGHS Gulabad Jamrud Khyber

Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE TRANSFER ORDER OF THE APPELLANT, WHEREBY SHE HAS BEEN TRANSFERRED, POSTED ILLEGALLY AND UNLAWFULLY.

*Certified to be true copy*

Registrar  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

RESPECTFULLY SHEWETH:

Facts giving this present service appeal are as under;

- I. That the appellant is appointed/posted against the vacant post (BPS-18) on dated 08.02.2021 as a principal GGHS Nodeh District Nowshera vide notification NO SO. (S/F) E&SE 4-16-2021,

Registrar  
23/12/21

Registrar  
31/1/22

13.01.2022

Appeal No. 01/2022  
Dr. Salma Sami's Govt



Appellant present through counsel. Preliminary arguments heard and record perused.

Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of reply/comments. To come up for reply/comments on 01.02.2022 before S.B.

Appellant has also prayed for interim relief. In the meanwhile, operation of impugned order shall remain suspended, if not acted upon earlier.

Certified to be true copy. (Rozina Rehman)  
Member (J)

MEMBER  
Kyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 13/01/22  
Number of Words 800  
Page 4/10  
Date of Delivery of Copy 13/01/22

**CERTIFICATE OF CHARGE REPORT.**

In Pursuance of the Notification issued by the Secretary Elementary and Secondary Education Department vide No. SO(S/F)/E&SED/4-16/2022/Posting/ Transfer , dated 11.5.2022 , I Mst: Noushaba, Principal BS-19 is receiving the charge at RPDC(F) Dabgari Peshawar against the vacant post of Senior Instructor BS-19 today on 13.5.2022 F.N.

Signature of Relieved Vacant  
Government Servant Vacant  
Designation Senior Instructor BS-19

Signature of Relieving Noushaba  
Government Servant Noushaba  
Designation Senior Instructor BS-19

Dated. 13/5 /2022

**OFFICE OF THE PRINCIPAL REGIONAL PROFESSIONAL DEVELOPMENT  
CENTRE "RPDC" (FEMALE) DABGARI PESHAWAR.**

**Endst: No.503-08/**

**dated Peshawar the 13.05.2022.**

Copy of the above forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director (Female) Directorate E&SE Khyber Pakhtunkhwa.
3. Director, Directorate of Professional Development (DPD) Peshawar.
- ✓ 4. P.S to Registrar Service Tribunal Khyber Pakhtunkhwa
5. P.S to Secretary E&SE Department with reference to Section Officer (S/F) No. And dated cited above.
6. Officer concerned.

Noushaba  
Principal  
Regional Professional Development  
Centre "RPDC" (Female) Dabgari  
Peshawar.

D:/Charge Report Noushaba



**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
BLOCK A OPPOSITE MPA,S HOSTEL, CIVIL SECRETARIAT PESHAWAR  
PHONE NO 091-9223588

Dated Peshawar May 11<sup>th</sup>, 2022

**NOTIFICATION**

**NO.SO(S/F)E&SED/4-16/2022/Posting/Transfer:** Mst. Noushaba Principal (BS-19) presently (waiting for posting) hereby posted at RPDC (Female) Peshawar, against the vacant post of Senior Instructor (BS-19) with immediate effect, in the 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. Director, Directorate of Professional Development (DPD) Peshawar.
4. Principal RPDC Dabgari Peshawar.
5. Mst. Noushaba Principal.
6. Director EMIS, E&SE Department for uploading at official website at the earliest.
7. PS to registrar Service Tribunal Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department.
9. Officers concerned.
10. Office order file.

*Muhammad Faizan Zeb*  
(MUHAMMAD FAIZAN ZEB)  
SECTION OFFICER (S/F)  
11/05/2022

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL, PESHAWAR

E.P.No. 178/2021

Khyber Pakhtunkhwa  
Service Tribunal

In the matter of :  
Appeal No. 10297/2020  
Decided on 25.06.2021

Diary No. 1220  
13/09/2021

Ms Noshaba, Principal (BPS-19) GGHSS, KSK, Swabi .....Appellant

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary, Education EASE  
Khyber Pakhtunkhwa, Peshawar ..... Respondents

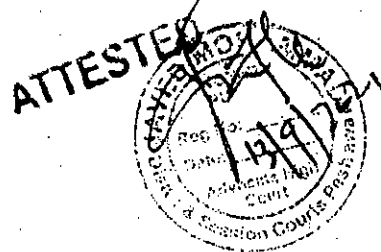
Application for the implementation of the Judgment and Order dated 25.06.2021 in  
Captioned service appeal of the Honorable Tribunal

Respectfully Sheweth,

1. That the above noted service appeal was decided vide judgment and order dated 25.06.2021 Copy at Annexure " A "
2. That vide judgment and order dated 25.06.2021 this Honorable Tribunal directed the Respondents to Transfer the appellant to Government Girls High School, Irrigation Colony, Warsak Road, Peshawar with in a period of one week of receipt of copy of the said judgment.
3. That the copy of Judgment was sent to Respondents vide Courier Service No. 4764511714 Dated 17/21 and Dairy No. 3638 Dated 21/7/21 Copy of Courier Service enclosed Annexure " B "
4. That Respondents has not implemented the said order even after lapse of 70 days, where as the appellant is also suffering from 28 months due to Posted out of Home district of Peshawar to Swabi.
5. That respondents are not looking serious for implementation of said judgment and Order where as Respondent was also visited personally, but in vain.

It is therefore, prayed that on acceptance of this application the Judgment and order dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit

It is therefore prayed that on acceptance of this application the Judgment and order dated Dated 25.06.2021 of this Honorable Tribunal be implemented in its true letter and spirit.



Noushaba  
Noshaba  
Appellant.

AFFIDAVIT

It is solemnly affirm and declare on oath that the contents of the above implementation petition are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honorable Tribunal.

Certified to be true copy

Noushaba  
Noshaba  
DEPONENT

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Noshaba

13.05.2022

Petitioner in person present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Respondents produced copy of notification No.SO(S/F)E&SEd/4-16/2022/Posting/Transfer dated 11.05.2022, whereby the petitioner Mst. Noushaba Principal (BS-19) is hereby posted at RPDC (Female) Peshawar, against the vacant post of Senior Instructor (BS-19) with immediate effect.

On the other hand petitioner is satisfied. Disposed off accordingly. Consign.

*Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 13<sup>th</sup> day of May, 2022*



*(Signature)*  
(Kalim Arshad Khan)  
Chairman

**Certified to be true copy**

**EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar**