

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1202/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/08/2022	<p>The appeal of Mst. Nadia Anjum presented today by Roeeda Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>03-08-2022</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;">REGISTRAR</p>

Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 1202 of 2022

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad
..... Appellant

VERSUS

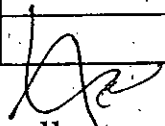
- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar

..... Respondents

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Dated 01/08/2022


Appellant

Through


Roeeda Khan

Advocate, High Court,
Peshawar.

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2022

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad
..... Appellant

VERSUS

- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar

..... Respondents

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, AGAINST THE ORDER DATED 31/03/2022 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF SDEO CHOTA LAHORE SWABI TO THE POST OF SDEO RAZZAR SWABI AGAINST WHICH THE APPELLANT FILED DEPARTMENTAL APPEAL ON 05.04.2022 WHICH HAS NOT BEEN DECIDED WITH IN THE STATUTORY PERIOD.

Prayer:

On acceptance of this appeal the impugned order dated 31/03/2022 may kindly be set aside and the appellant may kindly be transferred from the post of SDEO Razzar Swabi to the post of Chota Lahore Swabi or may kindly be transferred to any sub division Abbottabad City, Sub Divison Lower

(2)

Tanawal District Abbottabad in service alongwith all back benefits, any other remedy which this Hon' able Tribunal deems fit that may also be granted in favor of the appellant.

Respectfully Sheweth:

FACTS

The appellant respectfully submits as under:

- 1) That the appellant is a permanent resident of District Abbottabad and working in Education Department since long time.
- 2) That the appellant has been promoted SDEO (BPS-17) and has been transferred/posted to SDEO Chota Lahore Swabi on 07.10.2021. (Copy of transfer order and transfer charge certificate are attached as Annexure-A&B).
- 3) That the appellant has been transferred on 07/10/2021 and properly submitted her arrival report on 09.10.2021 for the said post with respondent Department. (Copy of arrival report is attached as Annexure-C).
- 4) That the appellant found astonishingly when the appellant came to know regarding the impugned order dated 31/03/2022 whereby the appellant has been transferred from Chota Lahore Swabi to Razzar

Swabi. (Copy of impugned order is attached as Annexure-D).

- 5) That the appellant submitted Departmental Appeal on 05.04.2022 against the impugned order dated 31/03/2022 which has not been decided within the statutory period. (Copy of Departmental Appeal is attached as Annexure-E).
- 6) That feeling aggrieved the appellant prepares the instant Service Appeal before this Hon' able Tribunal inter alia on the following grounds.

GROUND

- A. That the appellant has not been treated in accordance with law and hence her rights secured and guaranteed under the constitution of 1973 were badly violated.
- B. That the impugned transfer order dated 31/03/2022 has wrong, illegal, unlawful, and is liable to be struck down and set aside.
- C. That the respondent Department has been violated transferred /posting policy of the provincial Government.
- D. That the impugned transferred order is void because there is no illegality on part of the appellant.
- E. That the appellant is an unmarried lady and residing with her parents and District Abbottabad.

(4)

F. That any other grounds not raised here may graciously be allowed to be raised at the time of arguments in the instant Service Appeal.


It is therefore most humbly prayed that on acceptance of this appeal the impugned order dated 31/03/2022 may kindly be set aside and the appellant may kindly be transferred from the post of SDEO Razzar Swabi to the post of Chota Lahore Swabi or may kindly be transferred to any sub division Abbottabad City, Sub Division Lower Tanawal District Abbottabad in service alongwith all back benefits, any other remedy which this Hon' able Tribunal deems fit that may also be granted in favor of the appellant.

Any other remedy which this august tribunal deems fit that may also onward granted in favor of appellant.

Dated 01/08/2022

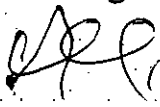

Appellant

Through


Roeeda Khan
Advocate, High Court,
Peshawar.

Verification:

Verified that the contents of the above appeal are true and correct to the best of my knowledge and belief.


Deponent

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2022

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad
..... Appellant

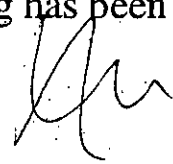
VERSUS

- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar.

..... Respondents

AFFIDAVIT

I, Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad do hereby solemnly affirm and declare on oath that the content of the above application are true and correct to the best of my knowledge and belief and nothing has been kept secret and concealed from this Hon'ble Tribunal.



DEPONENT

(6)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2022

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad
..... Appellant

VERSUS

- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar

..... Respondents

ADDRESSES OF THE PARTIES

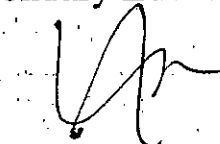
Appellant

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad

Respondents

- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar

Dated 01/08/2022



Appellant

Through



Roeda Khan
Advocate, High Court,

(7)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2022

Mst. Nadia Anjum D/o Faqir Muhammad R/o District Abbottabad
..... Appellant

VERSUS

- 1) Chief Secretary Government of KPK Peshawar.
- 2) Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Peshawar.
- 3) Director Elementary and Secondary Education Peshawar

..... Respondents

APPLICATION FOR SUSPENSION OF THE IMPUGNED
ORDER DATED 31.03.2022 WHEREBY THE APPELLANT
HAS BEEN TRANSFERRED FROM CHOTA LAHORE
SWABI TO RAZAR SWABI.

Respectfully Sheweth:

- 1) That the petitioner is failing the accompanying appeal, the contents of which may graciously considered as integral part and parcel of the instant petition.
- 2) That prima facie case exist in favor of the Petitioner.
- 3) That if the impugned notification as mention above as not suspended the Petitioner will suffer irreparable loss.



(8)

- 4) That the balance of convenience is also lies in favor of the Petitioner and her quite sanguine of his success.
- 5) That in the given circumstances the suspension of operation of the impugned notifications are indispensable.

It is therefore to most humbly prayed that on acceptance of the instant petition the operation of the impugned notification for as mention above may kindly be suspended till the final disposal of the accompanying appeal.

Any other relief not specifically asked for may also graciously be extended in favor of the Petitioner in the circumstances of the case.

Dated 01/08/2022


Petitioner / Appellant
Through 
Rooeda Khan
Advocate, High Court
Peshawar



(A)
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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223583

Dated Peshawar the, October 07th, 2021

NOTIFICATION

No. SO(S/F) E&SED/4-16/2021/POSTING/TRANSFERS/MC: Consequent upon their promotion to the post of Sub Divisional Education Officers (SDEOs BS-17) in Elementary & Education Department, Khyber Pakhtunkhwa as notified vide Notification No. SO(PE)/2-6/DPC Promotion ADEO/ASDEO (BS-16) to SDEO/AD (BS-17) dated 14-09-2021, the Competent Authority is pleased to order the following posting / adjustment, in the public interest, with immediate effect:-

S. No	NAME & DESIGNATION	PROPOSED PLACE OF POSTING
1.	Mst. Samina Shahnaz	Sub Divisional Education Officer (Female) Munda Dir Lower AVP
2.	Mst. Khadija Bibi	Sub Divisional Education Officer (Female) Larjam Dir Upper AVP
3.	Mst. Nadia Anjum	Sub Divisional Education Officer (Female) Chota Lahore Swabi AVP
4.	Mst. Yasmin Akhtar	Sub Divisional Education Officer (Female) Wari, Dir Upper.
5.	Mst. Syeda Humaira Mehmood	Sub Divisional Education Officer (Female) Besham Shangla AVP
6.	Mst. Shaista Begum	Sub Divisional Education Officer (Female) Shahqadar Charsadda.
7.	Mst. Shamim Akhtar Khan	Sub Divisional Education Officer (Female) Chakwal Shangla AVP
8.	Mst. Seema Saleem	Sub Divisional Education Officer (Female) Mardan.
9.	Mst. Zeenat Ferdos	Sub Divisional Education Officer (Female) Banda Daud Shah, Karak
10.	Mst. Zobia Riaz	SDEO (Female BS-17) Balakot, Mansehra
11.	Mst. Riffat Bano	Sub Divisional Education Officer (Female) Samanagh Dir Lower AVP
12.	Mst. Shamim Akhtar	Sub Divisional Education Officer (Female) Marung Shangla AVP
13.	Mst. Shogulfa Yasmeen	Sub Divisional Education Officer (Female) Nowshera AVP.

2. Consequent upon above, the following consequential posting / transfer amongst the SDEOs (Female BS-17) are hereby ordered:-

S. No	NAME & DESIGNATION	FROM	TO
1.	Mst. Salma Bashir SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Banda Daud Shah, Karak.	Sub Divisional Education Officer (Female) Daraban Di Khan.
2.	Mst. Nayyar Sultana SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Daraband Kalan Di Khan.	Sub Divisional Education Officer (Female) Gaggia Buner



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Form No. NS-22/168

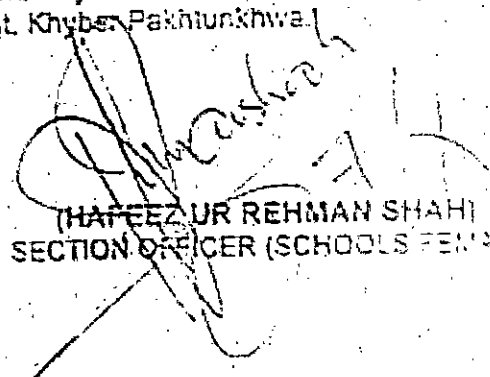
3. Mst. Samina Yasmeen SDEO (Female BS-17)	Sub Divisional Education Officer (Female) Charbagh Swat	Sub Divisional Education Officer (Female) Gumbat Kohat
4. Mst. Kalsoom Syed (MC BS-17)	Sub Divisional Education Officer (Female) Shabadar Charsadda	Report to Directorate of E&SE Pakhtunkhwa
5. Mst. Amber Saeed SST (G) (TC BS-16)	Sub Divisional Education Officer (Female) Gumbat District Kohat	CGMS Dargana District Hangu

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of Even No & date

Copy forwarded for information to the:-


1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officers (Female) concerned.
4. District Accounts Officers concerned.
5. Director, EMIS, E&SE Department with the request to upload the posting transfer notification on the official website of the department.
6. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.


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

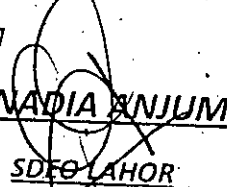
(11) (B)

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certified that we have on the fore noon of this day 8-10-2021 respectively made over and took over charge of this office of the SUB DIVISIONAL EDUCATION OFFICER (FEMALE) LAHOR (SWABI) Vide government Khyber Pakhtunkhwa E&SE Department Peshawar notification No.SO(S/F)E &SED/4-16/2021/POSTING /TRANSFER /MC dated 7/10/2021.
2. Particulars of cash and important and confidential documents handed over.

Signature of relieved 
Government Servant: HAFIDA BEGUM
Designation: - ASDEO LAHOR

Station: - SDEO (F) LAHOR.

Signature of relieving 
Government Servant: NADIA ANJUM
Designation: - SDEO LAHOR

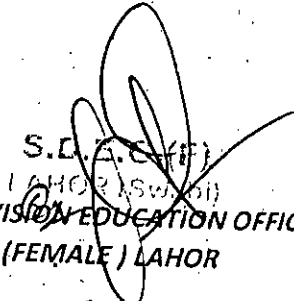
Dated: - 08/-10-2021.

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) LAHOR (SWABI).

Endst No. 274/ Dated 08 / 10 . / 2021

Copy of the above is forwarded for information and necessary action to the: -

1. Secretary Elementary and Secondary Education Department Khyber Pakhtunkhwa Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Swabi.
4. District Accounts Officer Swabi.
5. Manger National Bank Swabi.
6. Officer record and Official concerned.


S.D.E.O (F)
LAHOR (Swabi)
SUB DIVISIONAL EDUCATION OFFICER
(FEMALE) LAHOR

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OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER FEMALE LAHOR

To,
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The District Education Officer
(Female) Swabi.

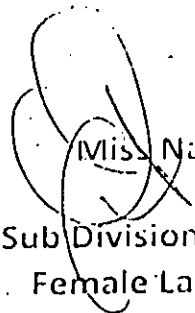
Subject:- ARRIVAL REPORT IN RESPECT OF MISS NADIA ANJUM SDEO(F) LAHOR

R/Madam:-

I have the honor to submit my arrival for duty to day on 08-10-2021 in compliance with order of the higher authorities vide Secretary Elementary & Secondary Education Department Khyber Pakhtun Khawa Peshawar Notification No:SO(S/F)E&SED/4-16/2021/posting/transfer/MC dated 7-10-2021.

Accepted


9/10/2021
District Education Officer
(Female) Swabi.



Miss Nadia Anjum
Sub Divisional Education Officer
Female Lahor(Swabi)

G.2

"D"

(13)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block "A" Opposite MPA's Hostel, Civil Secretariat, Peshawar

NOTIFICATION

NO SO(MC)E&SED/4-19/2022/POSTING/TRANSFER/MC: The posting and transfer orders are hereby ordered with immediate effect, in the interest of service.

Sr. No	Name & designation	From,	To,
1.	Mst. Dilraj (MC BS-17)	Awaiting posting	SDEO (Female) Swabi
2.	Mst. Nadia Anjum (MC BS-17)	SDEO (Female) Chota Lahor Swabi	SDEO (Female) Swabi (A/P)

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

Endst: of oven No. & date:

Copy forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Swabi.
4. Director EMIS, E&SE Department with the request to upload on the official website of the department.
5. District Accounts Officer Swabi.
6. PS to Minister for E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.

(JUNALD SHAN)
SECTION OFFICER (Management)

Better Copy

(13)

**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-A Opposite MPA'S Hostel, Civil Secretariat Peshawar
Phone No. _____**

Dated Peshawar the 31, March, 2022

NOTIFICATION

NO. SO (MC) E&SED/4-16/2022/POSTING/TRANSFER/MC: following posting transfers are hereby ordered with immediate effect, in the best interest.

Sr No.	Name and Signature	From	To
1.	Mst. Diraj (MC BS-17)	Awaiting Posting	SDEO (Female) Chota Lahore (Vice No.2)
2.	Mst. Nadia Anjum (MC-17)	SDEO (Female) Chota Lahore Swabi	SDEO (Female) Razzar Swabi (AVP)

**SECRETARY TO THE GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT**

Endst No & date

Copy forwarded for information to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director Education Officer (Female) Swabi.
4. Director EMIS, E&SE Department with the request to uphold the official website of the Department.
5. District Accounts Officer Swabi.
6. PS to Minister for E&SE Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.

(JUNAID KHAN)
SECTION OFFICER (MANAGER)

(E) (M)

To, The Secretary,
Elementary & Secondary Education KPK Peshawar

Subject: APPEAL FOR TRANSFER/POSTING AT SUB DIVISIONAL LAHOR SWABI OR SUB DIVISION ABBOTTABAD CITY

Respected Sir,

Reference order promotions vide No: SO(S/F) E&SED/4-16/2021/posting /transfer/MC: Peshawar the 07-10-2021 issued from Secretary E&SE Dep, KPK, and Peshawar (copy is attached as annex :- (A) For reference.

I Mst Nadia Anjum D/O Faqir Muhammad working as SDEO (Female) Tehsil Lahor District Swabi since 7-10-2021 but it was found astonishingly that after five month 22 days a notification vide No: SO(MC) E&SE/4-16/2022/posting/transfer/MC: dated 31-3-2022 (copy attached as annex: (B) for reference has been issued in which I was transferred at Tehsil Razzar, so I Mst: Nadia Anjum is hereby submitted my appeal for adjustment due to the fact reason given below:-

1. That I am permanent residence of district Abbottabad
2. I have a cancer patient sister, there is no one to look after /take care of her at home. My parents have been died already.
3. I am patient of spinal card due to accident
4. Razzar Tehsil is much far away from my home
5. That in the above said notification of transfer/posting I have been posted as SDEO (F) Razzar which is very far away from my residence as it take about 08 hours and 600 km distance to travel to reach my duty station. In these circumstances it is very difficult for me to join new station of posting
6. Due to above mentioned facts, you are humbly requested that I may please be posted /adjusted at one of the following stations:-
7. 1. Sub Division Abbott Abad City 2. Sub Division Lower Tanawal District Abbott Abad 3. Sub Division Lahor (retained here) or it is also requested that may kindly withdrawn the notification vide No: SO (MC) E&SE/4-16/2022/posting/Transfer/MC: dated 31-3-2022 in the best interest of public, please.

I shall be very thankful to you for your kind considerations.

Yours Sincerely,

Mst: Nadia Anjum

Tehsil Lahor District Swabi

Contact NO: 0331-5735049

5-4-2022

قیمت
50 روپے

120375



ایڈوکیٹ: _____
بار کونسل / ایسوسی ایشن نمبر: _____
رابطہ نمبر: 0333 021 059 00

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: _____

منجانب: الذکری	دعوی:
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:
باعث تحریر آگے	

نادیہ الحق

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام _____ کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز ذمیل صاحب کو راضی نامہ کرنے و اقرار ثالث و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از پیروں کی تصدیق زریں پر دستخط کرانے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری سیکٹرفہ 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 کوئی تو اپنے ہمراہ آئے بغیر رکھا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور ان کا مستحقہ برداشتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشگی 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

المقوم: _____
العبد _____

مقام _____ کے لیے منظور ہے۔

Accepted
PBA

نوٹ: اس وکالت نامہ کی فوٹو کاپی نامتعلی قبول ہوگی۔