

16th June, 2022

Counsel for the appellant present.

Learned counsel for the appellant sought adjournment.
Last chance is given. To come up for preliminary hearing
on 04.08.2022 before S.B.



(Kalim Arshad Khan)
Chairman

11.11.2021

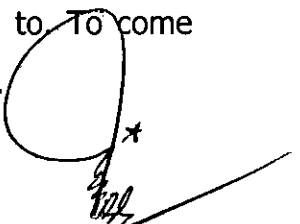
Junior to counsel for the appellant present. Seeks adjournment due to non-availability of learned senior counsel for the appellant. Request is accorded. To come up for preliminary hearing on 19.01.2022 before S.B.


Chairman

19.01.2022

Junior of learned counsel for the appellant present.

Former requests for adjournment on the ground that senior learned counsel is busy before the Peshawar High Court, Peshawar in some other cases. Request is acceded to. To come up for preliminary hearing on 16.03.2022 before S.B.


(Mian Muhammad)
Member(E)

16.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 16.06.2022 for the same as before.


Reader

23.06.2021

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

Petitioner seeks adjournment due to non-availability of his learned counsel. Adjourned to 22.09.2021 for reply to restoration application and arguments before S.B.


Chairman

22.09.2021

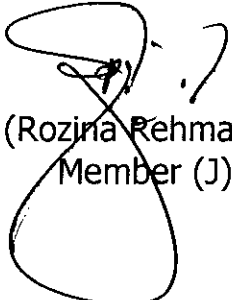
Petitioner present through counsel.

PI

Muhammad Adeel Butt learned A.A.G for respondents present.

Arguments on application heard. Record perused.

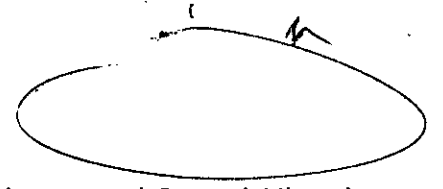
Application in hand was submitted seeking restoration of appeal which was dismissed in default on 11.08.2020, whereas, application seeking restoration was filed on 19.08.2020 which is well within time, hence, stands accepted. File stands restored. It be properly registered. This application stands consigned to the record, copy whereof be placed on original file. To come up for preliminary arguments in the main appeal on 11.11.2021, before S.B.


(Rozina Rehman)
Member (J)

03.11.2020

Nemo for applicant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is present.

Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for applicant is not available today. Adjourned to 23.12.2020 on which date to come up for reply to restoration application before S.B.



(Muhammad Jamal Khan)
Member (Judicial)

23.12.2020

Junior counsel for petitioner present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Reply was not submitted. Learned A.A.G made a request for time to furnish reply; granted. To come up for reply to restoration application on 16.03.2021 before S.B.



(Rozina Rehman)
Member (J)

16.03.2021

Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 23.06.2021 before S.B.

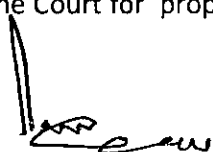

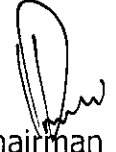


Reader

FORM OF ORDER SHEET

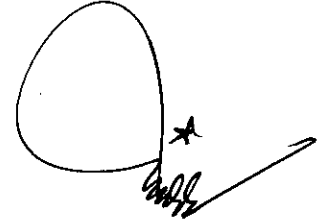
Court of _____

Misc. Application No. 117 117/2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/08/2020	<p>The application for restoration of Appeal No. 4304/2020 submitted by Mr. Sabir Hussain through Mr. Asif Ali Shah 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</p>
2-	18.09.2020	<p>This Misc. application be put up before SB Bench on <u>18/09/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Mr. Misbaullah, Advocate on behalf of counsel for the petitioner present.</p> <p>It is reported that learned counsel for the petitioner has met a road accident, therefore, is unable to appear today. Adjourned to 03.11.2020. The respondents shall also be put on notice for submission of reply to restoration application on the date fixed.</p> <p style="text-align: right;"> Chairman</p>

02.06.2020

None for the appellant present. Notices be issued to the appellant and his counsel. To come up for preliminary hearing on 11.08.2020 before S.B.



(MAIN MUHAMMAD)
MEMBER

11.08.2020

Nemo for the appellant.

Date of hearing was noted on behalf of the appellant on 05.06.2020. Despite repeated calls no one is in attendance for the appellant. It is already past 1.30 P.M. Dismissed for non-prosecution. File be consigned to the record.



Chairman

ANNOUNCED

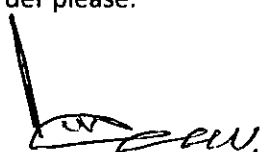
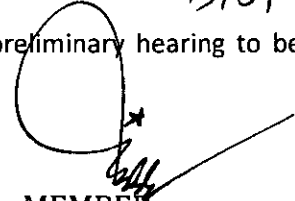
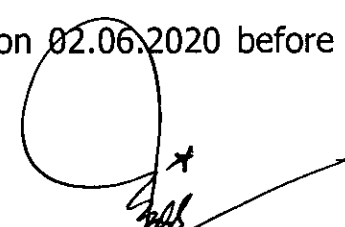
11.08.2020

Notice
S.B.
11.08.2020

Form- A

FORM OF ORDER SHEET

Court of _____
Case No.- 4304 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/05/2020	<p>The appeal of Mr. Sabir Hussain resubmitted today i.e 13.05.2020 by Mr. Asif Ali Shah Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/5/2020</p>
2-	15.05.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>15-05-2020</u></p> <p style="text-align: right;"> MEMBER</p> <p>None for the appellant present. Adjourned. To come up for preliminary hearing on 02.06.2020 before S.B.</p> <p style="text-align: right;"> (Mian Muhammad) Member</p>

The appeal of Mr. Sabir Hussain received today i.e. 11.05.2020 by Mr. Asif Ali Shah, Advocate is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.


- 1- Affidavit is not attested which may be attested.
- 2- Annexures of the appeal are not attested which may be attested.

No. 1131 /S.T,

Dt. 12-05 /2020


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Asif Ali Shah Adv, Peshawar.

13-05-2020
Asif Ali Shah
Advocate


BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Service Appeal No. 4309/2020


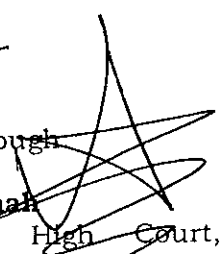
Sabir Hussain.....Appellant

Versus

Govt. of K.P.K & Others..... Respondents

INDEX

S.No.	Particulars	Annexure	P.No
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Appellant
Through

Asif Ali Shah
Advocates High Court,
Peshawar
Cell No.0333-9006806

Dated: 04.05.2020

①

**BEFORE K.P.K, SERVICE TRIABUNAL, K.P.K,
PESHAWAR**

Appeal No. 4304 /2020

Mr. Sabir Hussain, SET (Technical) BPS-16, Govt. Higher
Secondary School, Shalozan, Kurram Agency.
Appellant

VERSUS

1. Govt. of K.P.K., through Secretary Elementary & Secondary Education, Civil Secretariat Peshawar.
2. Director Elementary & Secondary Education K.P.K., GT, Road Peshawar.
3. District Education Officer (Male) District Kurram at Parachenar.
4. Deputy District Officer (M) District Kurram at Parachenar.
5. Principal Govt Shaheed Nadeem Hussin, Higher Secondary School, Shalozan.

Respondents

**APPEAL U/S 4 NWFP SERVICE TRIBUNAL
ACT 1974**

Prayer:

IT IS, HUMBLY PRAYED THAT ON ACCEPTANCE OF THIS APPEAL THE RESPONDENTS MAY KINDLY BE DIRECTED TO PROMOTE THE APPELLANT AGAINST THE POST OF SST-BS-16 AT GHSS SHALOZAN DISTRICT KURRAM AND TO GRANT ALL BACK BENEFITS OF SET (TECH) TO APPELLANT FROM DATE OF HIS ADJUSTMENT AGAINST THE POST OF SET (TECH) I.E. 31.05.2007. ALL ACTS DONE BY THE RESPONDENTS ARE AGAINST THE POLICY, BE

**DECLARED VOID ABINITIO BEING AGAINST THE
FUNDAMENTAL RIGHTS GUARANTEED UNDER
THE CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN.**

**ANY OTHER RELIEF WHICH THIS HON'BLE COURT
DEEMS FIT AND NECESSARY MAY ALSO BE
GRANTED FOR THE SAFE ADMINISTRATION OF
JUSTICE.**

Respectfully Sheweth,

Brief facts giving rise to the present appeal are as under:-

1. That the appellant is a law abiding citizen of Pakistan and bonafide resident of District Kurram and belong to a respectable family.
2. That the Appellant is a highly qualified having Master Degree from Kohat University of Science & Technology along with certificate of certified Teacher as well B.Ed & M.Ed degree from Allama Iqbal Open University, Islamabad. (Copies of educational testimonials are attached as annexure-A&B)
3. That the appellant was appointed as C.T. (Technical) by the respondent No. 2 on the proper recommendation of Departmental selection committee vide order dated 16-11-2005 after that the appellant was transferred and posted in GHS Shalozan against the post of SET (Tech) vide order dated:31.05.2007 and till date the appellant is serving the respondent Department as SET (Technical) quite efficiently and up to the entire satisfaction of his superiors.. (Copies of transfer order is attached as annexure-C)
4. That the appellant had served the respondent Department as SET (Technical) for more than ten years and during service the appellant has improved his qualification up to M.A. and M.Ed. that as the appellant is eligible for the post of SET (Technical) and have gained ten years experience, filed application / representation before the respondent No.3 through proper channel. That it is pertinent to mention that the respondent No.5 recommended the appellant for regular adjustment against the post of SET (Technical) vide letter dated 09-05-2017 but till date no action has been taken. (Copy of letter is attached as annexure-D)
5. That the appellant filed departmental appeal dated:03/12/2019 but the same has not been decided in statutory time, hence, this appeal.

- 3
6. That the appellant having no other remedy the appellant now approaches this Honourable Tribunal against the actions of the respondents on the following grounds amongst the others:-

Grounds:

- A. That the Appellant have excellent service record which clearly shows that the Appellant has been performed his service regularly and during the said period his moral character was too excellent, hence, not awarding the benefits of the post and not considering for promotion by the Respondents is a great discrimination and against the rules and regulation.
- B. That the Appellant is very hardworking and punctual in his duties, therefore, no complaint received by Respondents but the Respondents unlawfully creating hurdles in the way of promotion and granting benefits of the Appellant, which is against the law and fundamental rights of the Appellant.
- C. That not adjusting the appellant against the post of SET technical (BPS-16) and not granting the back benefits of the post of SET (Tech) by respondents is against the law, facts and norms of natural justice.
- D. That appellant has not been treated in accordance with law and Rules by respondents on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- E. That appellant has served the respondent Department as SET technical for more than ten years and also equipped with the requisite qualifications is entitle for regular adjustment against the post of SET and for all back benefits rendered by appellant from 31.05.2007 till date.
- F. That the respondents have no lawful right to refuse the appellant claiming for adjustment against regular post of SET (technical) and back benefits.
- G. That the malafide of respondents also born by the fact that no decision has still been taken on the requests of the appellant and the continuous pretext have been made falls under the illegality been dropped against the rules, injustice and unfair.
- H. That appellant seeks permission to advance other grounds and proofs at the time of hearing.

**IT IS, THEREFORE, PRAYED THAT IN VIEW OF
THE ABOVE SUBMISSIONS THE INSTANT APPEAL**

(4)

**MAY GRACIOUSLY BE ACCEPTED AS PRAYED FOR
HEREIN ABOVE.**

APPELLANT

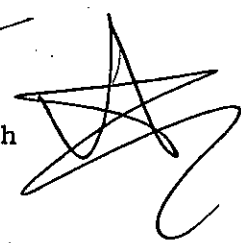


Through

Asif Ali Shah

&

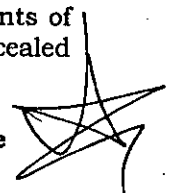
Haseen Ullah Gamaryani
Advocate High Court,



VERIFICATION:

It is verified that (as per information given me by my client) all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.

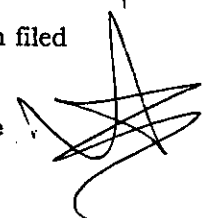
Advocate



Note:

That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.

Advocate



5

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Service Appeal No. _____/2020

Sabir Hussain.....Appellant

Versus

Govt. of K.P.K & Others..... Respondents

Affidavit

It is hereby solemnly affirm and declare on oath that all the contents of the instant appeal are true and correct to the best of my Knowledge and belief and nothing has been concealed intentionally from this Honourable Court.


Deponent

6

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Service Appeal No. _____/2020

Sabir Hussain.....Appellant

Versus

Govt. of K.P.K & Others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT

Mr. Sabir Hussain, SET (Technical) BPS-16, Govt. Higher Secondary School, Shalozan, Kurram Agency.

RESPONDENTS

1. Govt. of K.P.K., through Secretary Elementary & Secondary Education, Civil Secretariat Peshawar.
2. Director Elementary & Secondary Education K.P.K., GT, Road Peshawar.
3. District Education Officer (Male) District Kurram at Parachenar.
4. Deputy District Officer (M) District Kurram at Parachenar.
5. Principal Govt Shaheed Nadeem Hussin, Higher Secondary School, Shalozan.

APPELLANT
Through:

Asif Ali Shah
Advocates High Court,
Peshawar

Annexure - A.

7

RESUME

MR. SABIR HUSSAIN



Contact # 92+ 3000526316

OBJECTIVE

To get a career oriented Job/Fellowship in professional environment that offers utilization of my skills and provides learning opportunities to keep pace with advanced technologies. So that I can serve my country and human beings in the best possible way.

PERSONAL INFORMATION

- Name: Sabir Hussain
- F. Name: Gul Akbar
- Date of Birth: 06/03/1978
- CNIC No. 21303-6409613-9
- Domicile: FATA Kurram Agency
- Nationality: Pakistani
- Religion: Islam
- Marital Status: Married

ACADEMIC QUALIFICATION

Certificate/Degree	Session	Marks obtained	Board/University
S.S.C	1994	594/800	BISE Peshawar
D.A.E	1996	1947/3400	TB Peshawar
B.A	2006	608/900	A.I.O.U Islamabad
M.A	2009	619/1100	KUST

PROFESSIONAL QUALIFICATION

Certificate/Degree	Session	Marks obtained	University
C.T	2001	873/1200	GEC Jamrod Khyber
B.Ed	2008	574/900	A.I.O.U Islamabad
M.Ed	2013	774/1200	A.I.O.U Islamabad

LANGUAGES

- o Urdu
- o Pashto
- o English

REFERENCES

Waiting for your request

8

S. No. PBR- 116223



Roll No. 42036

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 1994 (ANNUAL)
 (SCIENCE GROUP)

THIS IS TO CERTIFY THAT Sabir Hussain

Son/Daughter of Gul Akbar

and a student of Govt High School, Shalozan (Kurram Agency)

has passed the Secondary School Certificate Examination

of the Board of Intermediate and Secondary Education, Peshawar held in March 1994.

as a *Regular candidate*. He/She obtained 594 Marks of 850

and has been placed in Grade B C Representing Very Good

The Candidate passed in the following subjects.

- | | | | |
|------------|---------------------|----------------|--------------|
| 1. English | 3. Islamiyat | 5. Mathematics | 7. Chemistry |
| 2. Urdu | 4. Pakistan Studies | 6. Physics | 8. Biology |

He/She has been awarded Grade B C on the basis of internal assessment by the Institution concerned.

Date of birth according to admission form is Sixth March
 one thousand nine hundred and Seventy Eight (06-3-1978)

Asstt. Secretary
 4th August, 1994.

Secretary

This certificate is issued without alteration or erasure.

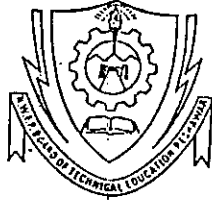
2/21

S. No. 013479

Roll No. 31247

(9)

N.W.F.P. Board of Technical Education



PESHAWAR - PAKISTAN

DIPLOMA OF ASSOCIATE ENGINEER

SESSION 1996

(ANNUAL / SUPPLEMENTARY)

This is to certify that

MISS/MR. SABIR HUSSAIN BANGASHI

DAUGHTER / SON OF MR. GUL AKBAR

REGISTERED NO. GCT/P/C/94-3060

OF THE GOVERNMENT COLLEGE OF TECHNOLOGY, PESHAWAR

HAS PASSED THE DIPLOMA OF ASSOCIATE ENGINEER EXAMINATION IN

CIVIL TECHNOLOGY, CONDUCTED BY THE N.W.F.P. BOARD OF

TECHNICAL EDUCATION PESHAWAR IN THE MONTH OF DECEMBER, 1998

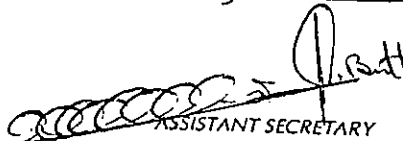
SHE/HE SECURED 1947/3400 MARKS AND WAS PLACED IN 1st GRADE.

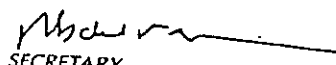
In recognition thereof this
DIPLOMA OF ASSOCIATE ENGINEER

is awarded to her/him at Peshawar

on the 25th day of September, 1999

Peshawar 25-9-1999


ASSISTANT SECRETARY


SECRETARY

10

Alama Iqbal Open University
Islamabad



Serial No. 138605

Certified that Mr. / Ms. SABIR HUSSAIN


Son / Daughter of GUL AKBAR

Registration No: 03-AKR-0095 Roll No: W-601169

having successfully completed the prescribed requirements
in semester AUTUMN 2007 is awarded the degree of

Bachelor of Education (B.Ed)

He/She has secured 64 % marks and has been placed in B grade.


CONTROLLER OF EXAMINATIONS



VICE-CHANCELLOR

Result declared on: July 26, 2008

Date of Issue: April 02, 2010

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

11
Allama Iqbal Open University
Islamabad



Serial No. 45630

Certified that Mr. / Ms. SABIR HUSSAIN

Son / Daughter of GUL AKBAR

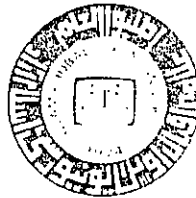
Registration No: 03-AKR-0095 Roll No: AL642484

having successfully completed the prescribed requirements
in semester SPRING 2012 is awarded the degree of

Master of Education (M.Ed.)

He / She has secured 65 % marks and has been placed in B grade.

Maw
CONTROLLER OF EXAMINATIONS



VICE-CHANCELLOR

Result declared on: February 15, 2013

Date of Issue: February 08, 2016

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

12



N.W.F.P. BOARD OF TECHNICAL EDUCATION

PESHAWAR

DETAIL MARKS CERTIFICATE

DIPLOMA OF ASSOCIATE ENGINEERS 3RD YEAR CIVIL TECHNOLOGY

B.No. 42
S.No. _____

NAME OF CANDIDATE Sabir Hussain Bangla

FATHER'S NAME Qul Akbar

ROLL NO. 31247 SESSION, ANNUAL/SUPPLEMENTARY EXAM: 1986

NAME OF THE INSTITUTE ECT Peshawar

S. NO.	SUBJECT	TOTAL MARKS	MARKS OBTAINED	
			IN FIG	IN WORDS
	2ND YEAR MARKS	2350	1361	
1.	CT-312 (Bridge Engg.)	P-50 T-50	57	
2.	CT-333 (High Ways, Air Ports & Traffic Engg.)	P-50 T-100	83	
3.	CT-342 (Irrigation Engineering)	P-50 T-50	45	
4.	CT-353 (Public Health Engg.)	F-50 T-100	89	
5.	CT-365 (Concrete Tech: & R.C.C. Design)	P-100 T-150	136	
6.	CT-372 (Railways Docks And Harbours)	P-50 T-50	57	
7.	CT-382 (Soil Mechanics)	P-50 T-50	50	
8.	CT-321 (Civil Egg. Project)	P-50	40	
9.	Gen-331 (Isl/ Pak Study)	T-50	29	
	TOTAL MARKS	3400	1947	<i>One Thousand nine hundred & forty seven</i>

Prepared by _____

Checked by _____

Errors & omissions are excepted.

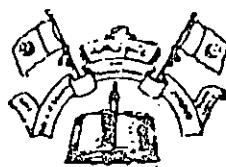
[Signature]

SECRECY OFFICER

13

GOVERNMENT COLLEGE OF EDUCATION FOR ELEMENTARY TEACHERS (FATA)

JAMRUD (KHYBER AGENCY)




Provisional Certificate

Serial No. 278 Admission No. 426 Session 2000 -
Certified that Mr. Sabir Hussain S/o Gul Akbar
of Kurram Agency/F.R. x was declared Passed/Failed in the P.T.C./D.A
Examination held by the Registrar Departmental Examination N.W.F.P. Peshawar on 14 - 9 -
Under Roll No. 270 Obtaining 873 Marks out of Total 1200
and was placed in the 1st Division.
Subjects in which failed x
The Examination was taken as a whole / in Parts.
His Conduct during the Session was Good

Dated 31 - 3 - 2002

Controller of Examination Qasim

Checked by Qasim


P
Govt. College of Ed
for Elementary Teachers
Jamrud (Khyber /

S. No. 6470

Departmental Examinations Education Department



Detailed Marks Certificate

Training Classes Examination CT (General)

Name Sabin Hussain

Session _____

Father's name Gul Akbar

Roll No. _____

Subject	Maximum Marks	Marks obtained		
		Internal	External	Total
1. Theory and History of Education	100			51
2. Child Development	100			79
3. School and Community Development	100			77
4. General Methodology & Preparation of Teaching Aids	100			79
5. Counselling Testing and Evaluation	100			64
6. Organisation of Elementary Education of School Management	100			72
7. English	100			65
8. Science/Maths	100			81
9. Social Studies	100			73
10. Islamiyat	100			61
11. Teaching Practice	200			181
Total	1200			873

Note: Errors/omissions excepted.

Passed/Failed Passed Division: I

Prepared by [Signature]

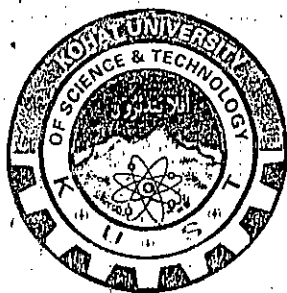
Checked by _____
Department

Date of Declaration of Result _____

Eight hundred & Seventy three

[Signature]
Registrar
Departmental Examinations Education
NWFP, Peshawar

Serial No. 078445



Kohat University

of Science & Technology, Kohat (Pakistan)

DETAILED MARKS CERTIFICATE

Master of Arts (Islamiyat) Final Annual Examination, 2009

Name: Sabir HussainRoll No. 5392Father's Name: Gul AkbarRegistration No. 2008-PCKUM-391

Certified that the candidate secured the following marks and is placed in 2nd Division

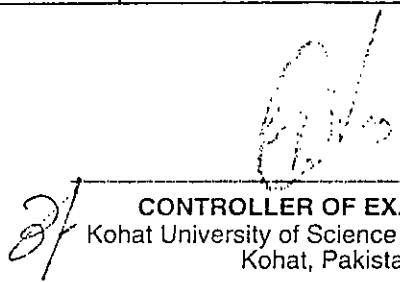
S U B J E C T S	Maximum Marks	M A R K S O B T A I N E D	
		In Figure	In Words
Translation "2nd Half" & Commentary along with Grammar (VI)	100	76	Seventy Six
Principles of Islamic Jurisprudence (VII)	100	53	Fifty Three
Islam and Other World Religions (VIII)	100	83	Eighty Three
Kalam & Philosophy of Islam (IX)	100	67	Sixty Seven
Islam and Modern Economic Thought - (X)	100	62	Sixty Two
Viva	100	40	Forty
Previous Marks:	500	238	Two Hundred Thirty Eight
Total	1100	619	Six Hundred Nineteen

The examination was taken as a whole

Result declared on 12-Mar-10

Tahrir

Errors and omissions are subject to subsequent rectification.


CONTROLLER OF EXAMINATIONS
 Kohat University of Science and Technology
 Kohat, Pakistan.

Serial No.

33589

16

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
PROVISIONAL RESULT CARD



Name SABIR HUSSAIN
 Fathers's Name GUL AKSAR
 Address C/O SABIR BROTHERS STATIONERS
 MART PUNJABI BAZAR PARACHINAR
 Tehsil KORRAM AGENCY
 District KORRAM AGENCY
 has successfully completed BACHELOR OF ARTS

Roll No Q479106
 Registration No Q3AKR0095
 Final Semester AUT- 2005

Programme.

The detail of passed courses are as under: (GENERAL GROUP)

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT- 03	0416	ISLAMIAT (C)	100	75
AUT- 03	0417	PAKISTAN STUDIES(C)	100	65
AUT- 03	0435	FUNCTIONAL ENGLISH	100	75
SPR- 04	0436	SEERAT-E-TAYYABA	100	70
SPR- 04	0437	ISLAMIC STUDIES(E)	100	71
AUT- 04	0404	URDU	100	61
AUT- 04	0406	ECONOMICS OF PAKISTAN	100	57
SPR- 05	0419	EDUCATION	100	71
AUT- 05	0407	HISTORY OF MODERN MUSLIM WORLD	100	63

CREDITS: 8

Total Marks / Obtained 900 / 508

Result Declared on AUGUST 15, 2006

Percentage / Grade 58 5

Date of issue AUGUST 23, 2006

[Signature]
Controller of Examinations

Disclaimer:

This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the original record of the university student.

Kohat University

of Science & Technology, Kohat
(Pakistan)

Session ANNUAL 2009

SABIR HUSSAIN

SON

of

GUL AKBAR

and a student

having passed the prescribed

examination held in OCTOBER 20 09, is this day admitted by

The Kohat University of Science & Technology, Kohat
to the Degree of

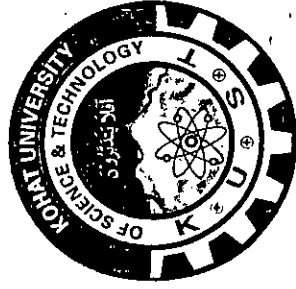
Master of Arts

in the SECOND Division

ISLAMIYAT

The Subject of examination being _____

The Examination was taken as a whole / in parts



Controller of Examinations

Countersigned

Myoams
Vice Chancellor

Result declared on MARCH 12, 2010

18

Allama Iqbal Open University Islamabad



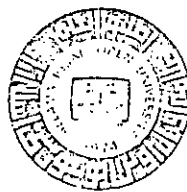
Serial No 114854

Certified that *Mr/Ms* SABIR HUSSAIN
Son/Daughter of GUL AKBAR
Registration No 03 AKR 0095 Roll No 0479106
Semester Autumn 2005 having met all the requirements under
the semester system is this day awarded the degree of

Bachelor of Arts Group - General

He/She has scored 68 marks
and has been placed in B grade

CONTROLLER OF EXAMINATIONS



VICE-CHANCELLOR

Result declared on: August 15, 2006

Date of issue: March 01, 2010

NOTE: THIS DEGREE IS TO BE READ IN CONJUNCTION WITH THE TRANSCRIPT/PROVISIONAL CERTIFICATE ISSUED SEPARATELY

Annexure = B - (19)

Serial No.

A-06570

ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD
PROVISIONAL RESULT CARD



Name SABIR HUSSAIN
Father's Name GUL AKBAR
Address C/O ZAHID BOOK SHOP, SHOP NO. 10 SECTOR I-10 MARKAZ
AL IMRAN PALAZA
Tehsil ISLAMABAD
District ISLAMABAD
has successfully completed

Roll No. W-601169
Registration No. 03-AKR-0095
Final Semester AUTUMN-2007

BACHELOR OF EDUCATION (B.ED)

The detail of passed courses are as under:

Semester	Course Code	Title of Course	Marks	
			Maximum	Obtained
AUT-06	513	SCHOOL ORGANIZATION	100	60
	514	EVALUATION, GUIDANCE AND RESEARCH	100	65
	518	EDUCATIONAL PSYCHOLOGY	100	54
	651	ENGLISH	100	72
AUT-07	517	TEACHING OF PAKISTAN STUDIES	100	63
	654	TEACHING OF ISLAMIAT	100	58
AUT-07	512	PERSPECTIVES OF EDUCATION	100	59
	652	ISLAM, PAKISTAN AND MODERN WORLD	100	61
	655	WORKSHOP AND TEACHING PRACTICE	100	79

A Hussain

Credits: 6

Result Declared on July 26, 2008

Date of issue March 31, 2010

Disclaimer:

Total Marks / Obtained 900 / 574

Percentage / Grade 64 / B

[Signature]
Controller of Examination

TRANSFER/POSTING/ADJUSTMENT

Annexure C-35

The transfer/posting of the following Officers/Officials are ordered in their own pay & scale to the institutions as mentioned against their names with immediate effect:-

<u>S/No</u>	<u>Name/Designation</u>	<u>Posted at</u>	<u>Remarks</u>
✓ 1.	Ghadeer Hussain SET(G) working against SET(Tech:) post GHS Shalozan(Kurram)	GHS Mir Jamal (Kurram)	Against vacant SET(G) post..
2.	Sabir Hussain AWI(JET) GHS Sadda (Kurram)	GHS Shalozan (Kurram)	Vice S/No.1 above

NOTE:-

- 1) Charge report should be sent to all concerned.
- 2) Mr. Sabir Hussain JET posted against SET(Tech:) post in his own pay and scale on the condition that he will not claim higher pay/scale or other emoluments related to the SET (Tech:) post till his regular promotion/appointment through Departmental Selection Committee or Public Service Commission. He will have no objection on his transfer/adjustment on AWI Post as & when regular W.I (SET Tech:) is posted.
- 3) An under taking on a stamp paper to the effect ~~THAT~~ may be obtained from him and to be kept on school record.
4. TA/DA etc: is not allowed.

(FAZLI MANAN)
DIRECTOR OF EDUCATION
FATA, NWFP, PESHAWAR

Endst: No. 7958-64 / Dated Pesh: the 31-8/2007
No. 8/B/SET(Tech:)

Copy for information and necessary action to the:-

1. Political Agent Kurram Agency at Parachinar
2. Asstt: Political Agent Bower Kurram
3. Agency Education Officer, Kurram Agency at Parachinar
- 4-5 Principals concerned
6. Headmaster GHS Mir Jamal (Kurram)
7. Relevant File

[Signature]
DY: DIRECTOR OF EDUCATION
FATA, N-W.F.P., PESHAWAR

Annexure-D 3

SERVICE CERTIFICATE/TO WHOM IT MAY CONCERN

D (21)

It is to certify that Mr. Sabir Hussain son of Gul Akbar and a resident of village Shalozan Kurram Agency has been serving in Education Department since 16-11-2005 . It is obvious from his service book and other office record that initially he had been appointed against C.T(Technical) post in BPS-14. On 31-5-2007 he had been transferred from GHS Sadda and adjusted at GHSS Shalozan renamed G.S.N.H.H.S.S. Shalozan against SST (Technical) post.

It is further stated that the incumbent was qualified while fulfilling the required qualification for SST (Tech) i.e B.Ed, M.Ed and M.A(Islamyat). Furthermore he has been teaching different subjects to High classes to the entire satisfaction of the undersigned . Now he has been upgraded to BPS-16 as S.CT since 20-2-2013.

Principal

Govt Shaheed Nadeem Hussain

Higher Secondary School Shalozan

Principal
Govt Shaheed Nadeem Hussain
Higher Secondary School
Shalozan

28/06/2013

To

The District Education Officer
Kurram at Parachinar.

Amir Khan (22)

E:

Subject: ADJUSTMENT AS SST
R/Sir,

With due respect and humble submission, I have the honor to state that I am working against SST Technical post at GHSS Shalozan since 31-05-2007 up till now.


Furthermore, I am teaching to 9th and 10th classes in our school since the date of adjustment. While I have passed my M.Ed examination on 26-07-2008 in the light of one step of up gradation and getting the pay in BPS-16.

So it is therefore requested that:-


1. I may kindly be adjusted as SST-BPS-16 at GHSS Shalozan District Kurram and.
2. The benefit of SST may kindly be awarded from 31-05-2007 till date.
3. Any other relief which your honor deems fit and according to rules may also be granted.

I shall be very thankful to you for this act of kindness.

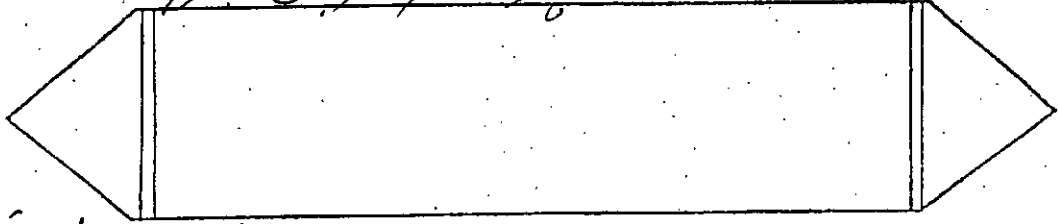
Dated 11/12/2019.


Sabir Hussain SST (Technical)
GHSS Shalozan District Kurram

3223/Edu
03/12/19
E/c
Keep pending


3/12
DISTRICT EDUCATION OFFICER
KURRAM

بعدالت جواب گنہگارین میں سے جو اس میں قبول گنہگارین خواہ



2020ء بمطابق اسلام آباد
صاحبزادہ بنام حکومت

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ بر حلقہ دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک درو پیہار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لایا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا خدمت سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 20/5/20
ماہ 20
واہ العی
مقام کے لئے منظور ہے۔

"B"

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

No.

Restoration Appli: 117

S.B

Appeal No. of 20 20

Sabir Hussain

Appellant/Petitioner

Versus

Court of K.P.K Secy ERSE Peshawar

Respondent

Respondent No. 3

Notice to:

Distt. Education Officer (Male)

ERSE Distt. Kurban at Porachinar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....3/11/2020.....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 Restoration 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.....7/11/.....

Day of.....Oct.....20 20

Registrar

7 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. P.P

No.

Restoration A-PPL: 117 of 20 *20*
Appeal No..... of 20 *20*

Sabir Hussain.....Appellant/Petitioner

Versus

Court of KPK Secy ERSE Peshawar.....Respondent
Respondent No. *4*.....

Recd

Notice to:

*Deputy Distt Officer (M) Ditt
Kurram at Patachinos*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....*2/11/2020*.....at **8.00 A.M.** If you wish to urge anything against the appellat/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 *Restoration* 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.....*7/11*.....

Day of.....*Oct*.....20 *20*

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.

P.B

No.

Restoration Appli: 117 of 20 20
Appeal No..... of 20 20

Recd

Sabis Hussain.....Appellant/Petitioner

Versus

Court of KPK Sery ERSE Peshawar.....Respondent

Respondent No.....*5*

Notice to: —

*Principal Court: Shaheed Nadeem Hussain
Higher Secondary School, Shalozan.*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....*3/11/2020*.....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.

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Copy of *Restoration* 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.....*7/11/20*.....

Day of.....*6/11*.....20 20



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. S.B

No.

Restoration Appl: 117
Appeal No..... of 20 20

Sabir Hussain.....Appellant/Petitioner

Versus

Court of K.P.K. Secy. E & SE Peshawar

Respondent No. 1.....

Notice to: —

Court of K.P.K through Secretary
E & SE Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier 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..... 2/11/2020..... 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~~ ^{Restoration} is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

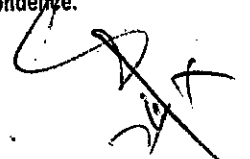
Given under my hand and the seal of this Court, at Peshawar this..... 7/11/20.....

Day of..... OCT 20 20


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.



BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL PESHAWAR

Restoration Application No. 117 /2020
in
Service Appeal No. 4304/2020

Mr. Sabir Hussian, SET (Technical) BPS-16, Govt. Higher Secondary School,
Shalozan, Kurram Agency.

V/S

Secretary E&SE Peshawar & Others.

INDEX

S.No.	Documents	Annexure	Page No.
1.	Index	-----	01
2.	Application for restoration & Affidavit	-----	02-03

Dated 19⁰⁸/₂₀₂₀

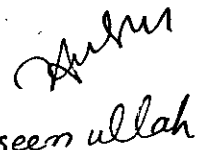
THROUGH:

Petitioner

Mr Sabir Hussain



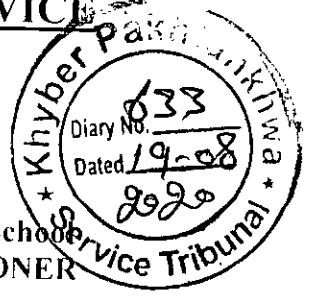
Asif Ali Shah & Haseem ullah
Advocates High Court
Peshawar



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

Restoration application No. /2020

**Mr. Sabir Hussain SET(Technical)BPS-16 Govt; Higher secondary School
Shalozan, Kurram Agency.....PETITIONER**



VERSUS

1. Govt. of K.P.K., through Secretary Elementary & Secondary Education, Peshawar.
2. Director Elementary & Secondary Education K.P.K., Directorate of Education of KPK, GT Road, Peshawar.
3. District Education Officer (male) (Elementary & Secondary Education, District Kurram at Parachinar.
4. Deputy District Officer (M) District Kurram at Parachinar.
5. **Principal Govt; Shaheed Nadeem Hussain, Higher Secondary School , Shalozan.....RESPONDENT**

**APPLICATION FOR GRANT OF
ORDER OF RESTORATION OF
APPEAL TITLED ABOVE**

Respectfully Sheweth,

1. That the captioned Appeal was pending before this Hon`ble Court, which was fixed for hearing on 11.08.2020.
2. That on the same date the Appeal was dismissed in default by this Hon`ble Court.
3. That the applicant seeks restoration of the subject Appeal on the following grounds as under:-

Grounds:

- A. That the applicant /Appellant Counsel was on the way to this Hon`ble Tribunal for proceeding at the date of hearing. But due to road accident the counsel of the Appellant was injured and was unable to assist this honorable Tribunal. and the

Appeal was dismissed in default by this Hon'ble Court. The absence of the Counsel and applicant are not willful and intentional and their non-appearances before this Hon'ble Court was not willful. hence Appeal merits restoration.

- B. That the applicant/Petitioner will suffer an irreparable loss, if the applicants have not been given the opportunity to plead their case and to assist the Hon'ble Court in proper manner.
- C. That valuable rights of the Petitioner/ Applicant are connected to the present litigation and he should be given an opportunity to protect and defend his rights otherwise the purpose of law would be defeated and serious miscarriage of justice would be done with the Petitioner.
- D. That it is the principle of natural justice that no one should be condemned unheard, therefore, the applicant should also be given a right of audience.
- E. That if the present Appeal is restored and Order dated: 11.08.2020 is set aside, there is no adverse effect upon the case of the Respondents, while the order of bestowing the present Applicant / Petitioner to contest the litigation and safeguard their rights that would be in the interest of safe administration of Justice.
- F. That there is no legal embedment / hurdle in the way of allowing this petition, while acceptance of this petition would enhance the demands of justice.

UNDER THE FOREGOING SUBMISSIONS, IT IS, THEREFORE, RESPECTFULLY PRAYED THAT ON ACCEPTANCE OF THIS PETITION AN ORDER OF RESTORATION OF THE APPEAL TITLED ABOVE MAY GRACIOUSLY BE PASSED AND ORDER DATED: 11.08.2020 MAY KINDLY BE SET ASIDE AND THE APPLICANT MAY BE GIVEN AN OPPORTUNITY TO PLEAD THE INSTANT APPEAL.



Petitioner
Through



Asif Ali Shah Advocate, High Court

¶
Haseem ullah Advocate

Affidavit

It is hereby verified upon oath that the contents of this petition are true and correct to best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Deponent

Dated: 19.08.2020



BEFORE K.P.K, SERVICE TRIBUNAL, K.P.K,

PESHAWAR

Appeal No. 4304/2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3582

Dated 11-05-20

Mr. Sabir Hussain, SET (Technical) BPS-16; Govt. Higher
Secondary School, Shalozan, Kurram Agency.

Appellant

VERSUS

1. Govt. of K.P.K., through Secretary Elementary & Secondary Education, Civil Secretariat Peshawar.
2. Director Elementary & Secondary Education K.P.K., GT, Road Peshawar.
3. District Education Officer (Male) District Kurram at Parachenar.
4. Deputy District Officer (M) District Kurram at Parachenar.
5. Principal Govt Shaheed Nadeem Hussin, Higher Secondary School, Shalozan.

Respondents

APPEAL U/S 4 NWFP SERVICE TRIBUNAL
ACT 1974

Prayer:

IT IS, HUMBLY PRAYED THAT ON ACCEPTANCE OF THIS APPEAL THE RESPONDENTS MAY KINDLY BE DIRECTED TO PROMOTE THE APPELLANT AGAINST THE POST OF SST-BS-16 AT GHSS SHALOZAN DISTRICT KURRAM AND TO GRANT ALL BACK BENEFITS OF SET (TECH) TO APPELLANT FROM DATE OF HIS ADJUSTMENT AGAINST THE POST OF SET (TECH) I.E. 31.05.2007. ALL ACTS DONE BY THE RESPONDENTS ARE AGAINST THE POLICY, BE

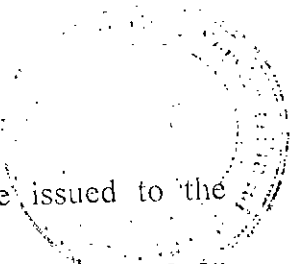
11/5/2020

11/5/2020

13/5/2020

13/5/2020

Appeal No. 4304/2020
Sabir Hussain vs Govt



02.06.2020

None for the appellant present. Notices be issued to the appellant and his counsel. To come up for preliminary hearing on 11.08.2020 before S.B.

(MAIN MUHAMMAD)
MEMBER

11.08.2020

Nemo for the appellant.

Date of hearing was noted on behalf of the appellant on 05.06.2020. Despite repeated calls no one is in attendance for the appellant. It is already past 1.30 P.M. Dismissed for non-prosecution. File be consigned to the record.

Chairman

ANNOUNCED

11.08.2020

Consented to be filed 0207

Date of Entry	12/08/2020
Number of	800
Copy	10.00
Unit	—
Total	10.00
Name of	
Date of	17/08/2020
at	17/08/2020