

Abdullah 1065/18

18.1.2019

Nemo for appellant.

On the last date the appellant/his counsel were required to be put on notice for hearing today. The record shows that notice to the appellant was sent through registered post while his learned counsel received the notice on 12.12.2018, however, no one is present on behalf of appellant despite repeated calls.

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


Chairman

Announced:
18.01.2019

29.10.2018

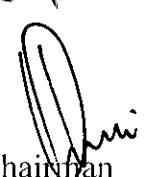
Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 07.12.2018.


Reader

07.12.2018

Nemo for appellant.




On 29.10.2018 the instant matter was adjourned on the strength of a note by Reader of the Tribunal. Issue notice to appellant/his counsel for 18.01.2019 for preliminary hearing before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1065/2018


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29.08.2018	<p>The present appeal was received on 06.04.2018 which was returned to the counsel for the appellant for completion and resubmission within 15 days. Today i.e. on 29.08.2018 he resubmitted the same late by 129 days. The same may be entered in the institution register and put up to the Worthy Chairman for appropriate order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19-9-2018</u></p> <p style="text-align: right;"> MEMBER</p>
2	29-8-18	<p>19.09.2018</p> <p>Counsel for the appellant present and made a request for adjournment. Granted. Case to come up for preliminary hearing on 29.10.2018 before S.B.</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p>

The appeal of Mr. Abdullah son of Muhammad Yonas r/o Mattani Changan Tordher Tehsil Lahor Distt. Swabi received today i.e. on 06.04.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- ④ Annexures of the appeal are illegible which may be replaced by legible/better one.
- ⑤ Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 6- Wakalat Nama in favour of appellant be placed on file.
- 7- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 694 /S.T,

Dt. 09/04 /2018


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

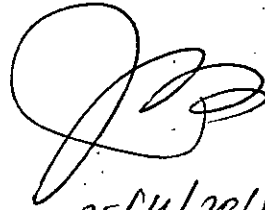
Mr. Noor Muhammad Khattak Adv.

Note:

Sr.

All objections have been removed hence re-submitted today dated

25/4/2018.



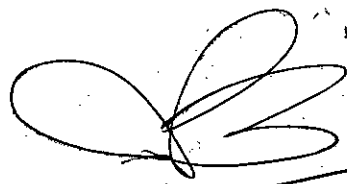
objections no. 4 and 5 are still stand and is returned to his counsel for completion and resubmission within 15 days.

*no. 901 /S.T
dt. 25/04 /2018*

Registrar

Note:

All objections have been removed,
hence re-submitted today dated
29/8/2018.



29/8/18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1065 /2018

ABDULLAH

VS

EDUCATION DEPTT:

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APPELLANT

THROUGH:



MUHAMMAD MAAZ MADNI,
ADVOCATE HIGH COURT,
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1065 /2018

ABDULLAH S/O MUHAMMAD YOUNAS,
r/o Matani Changan Tordher Tehsil Lahor, District Swabi.
..... APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 509

Dated 6-4-2018

VERSUS

- 1- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer (Female), Lahor District Swabi.
..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 04-11-2010 WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE w.e.f. 09.09.2009 AND AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL DATED 06.01.2018 OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned orders dated 04-11-2010 may very kindly be set aside and the appellant may kindly be re-instated in to service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed today
Registrar
6/4/18

R/SHWETH:

ON FACTS:

1. That appellant was enlisted as Chowidar in the respondent Department after fulfilling all the codal formalities required for appointment to the post. Copy of appointment order is attached as **Annexure** _____ **A.**
2. That appellant submitted his arrival report and started performing duty at Govt. Girls Primary School Matani Changan Tordher quite efficiently and with full devotion.
3. That, while performing duties at my concerned station i.e. Government Girls Primary School Matani Changan Tordher, the appellant is served with the impugned dismissal order dated 04-11-2010. Copy of the impugned order is attached as **Annexure** _____ **B.**

- 2
4. That, feeling aggrieved from the inaction of the respondent the appellant preferred Departmental Appeal dated 06-01-2018 which is not respondent till date. Copy of Departmental Appeal is attached as **Annexure** _____ **C.**
 5. That appellant feeling highly aggrieved and having no other remedy but to filed the instant appeal on the following grounds amongst the others.

GROUND:

- A- That impugned dismissal order dated 04-11-2010 issued by the respondents are against the law, facts and norms of natural justice hence not tenable and liable to be set aside.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the codal formalities required for the major penalty of Dismissal from service was not fulfilled by the respondents while issuing the impugned order dated 04-11-2010.
- D- That, the respondents acted in an arbitrary and malafide manner while issuing the impugned dismissal order dated 04-11-2010.
- E- That, the respondent have issued the impugned dismissal order dated 04-11-2010 is void-ab initio in a sense that retrospective effect have been given.
- F- That, the respondent have taken the shelter of the wrong Rules i.e. E&D Rule 1973 whereas on 04-11-2010 SRO 2000 was in field.
- G- That, no chance of personal hearing/personal defense was awarded to the appellant while issuing the impugned order dated 04-11-2010.
- H- That, no Show Cause notice has been served upon the appellant while issuing the impugned dismissal order dated 04-11-2010.
- I- That, no charge sheet statement or statement of allegation what so ever have been served upon the appellant while issuing the impugned dismissal order dated 04-11-2010.
- J- That, no regular or fact finding inquiry is conducted in the matter which is pre-requisite as per the judgments of the Apex Supreme Court of Pakistan in punitive matters.

- K- That no publication has been issued in the case of appellant by the respondents before issuing the impugned order dated 05-11-2009.
- L- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 05-04-2018

APPELLANT



ABDULLAH KHAN

THROUGH:



NOOR MOHAMMAD KHATTAK

&


MUHAMMAD MAAZ MADNI
ADVOCATES,
High Court Peshawar

⚡

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2018

ABDULLAH

VS

EDUCATION DEPTT:

APPLICATION FOR CONDONATION OF DELAY
IN FILING THE ABOVE NOTED APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay (if any) in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that causes should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014& 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

APPELLANT

Abdullah

ABDULLAH KHAN

THROUGH:

N.M. Khattak

NOOR MOHAMMAD KHATTAK

&

M. M. Madni

MUHAMMAD MAAZ MADNI

ADVOCATES,

High Court Peshawar

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (ELEMENTARY &
SECONDARY EDUCATION SWABI

APPOINTMENT OF CLASS-IV SERVANTS

Consequent upon the recommendation of the Departmental Selection Committee as contained in the minutes of the meeting held on 17.04.2009.

The EDO Elementary & Secondary Education Swabi is pleased to order the appointment of the following candidates against Class IV posts in BPS-No.1 (Rs.2970-90-5070) plus usual allowances as admissible under the rules and policy against the vacant posts at the station note against the their names from the date of their taking over charge and will be governed under civil servant Act 1973, amended NWFP act 2005 except pension/gratuity in the interest of public service or the terms and conditions given below:-

CANDIDATES APPOINTED UNDER DECEASED 100% QUOTA

S#	Name	Father's Name	Death date of deceased	Address	Posted as	PF	Name of School	Remark

CANDIDATES APPOINTED UNDER 25% QUOTA RESERVED FOR RETIRED CLASS-IV SONS

S#	Name	Father's Name	Date of Retirement	Address	Posted as	PF	Name of School	Remark

CANDIDATES APPOINTED FROM PF-33

S#	Name	Father's Name	Address	Posted as	Name of School	Remark

CANDIDATES APPOINTED PF-34

S#	Name	Father's Name	Address	Posted as	Name of School	Remark
85	Abdullah Khan	Muhammad Younas	VPO Toraner	Sweeper	GGPS Matani Changan Torner	AVP

AS

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OFFICE OF THE EXECUTIVE DISTRICT OFFICER (ELEMENTARY & SECONDARY EDUCATION) SWABI
APPOINTMENT OF CLASS-IV SERVANTS

Consequent upon the recommendation of the Departmental Selection Committee as contained in the minutes of the meeting held on 17.04.2009
 The EDO Elementary & Secondary Education Swabi is pleased to order the appointment of the following candidate against Class IV posts in BPS No.1 (Rs.2970-90-5670) plus usual allowances as admissible under the rules in force against the vacant posts at the station, note against their names from the date of their taking over charge and will be governed under civil servants Act 1973, amended NWFP act 2005 except pension/gratuity in the interest of public service or the terms and conditions given below:-

CANDIDATES APPOINTED UNDER DECEASED POSTS

S#	Name	Father's Name	Death date of Deceased	Address	Posted As	PF	Name of School	Remarks
1	Zahir Gul	Inzar Gul	12.06.05	Village Gohat, District Swabi	Chowkidar	35	GGPS Said Dabah Gohat (Pahman)	AVP
2	Ayaz Ali	Said Mahmood	08.02.97	Gohat	Chowkidar	34	GGPS Said Dabah Gohat	AVP
3	Muhab Ali	Hawab Ali	07.10.03	Village Permooli	N/Oasid	35	GGHS Dobhan	AVP
4	Mujahid	Zarin Dad	11.02.01	Village Gohat	Chowkidar	34	GGHS Jahangira	AVP
5	Waqar	Arzu Muhammad	13.11.08	Village Gohat	Chowkidar	31	GGPS No. 1 Gohat	AVP
6	Kashif Ali	Abdul Ghani	28.03.09	Gohat	Chowkidar	31	Gohat	AVP

CANDIDATES APPOINTED UNDER 25% QUOTA FOR RETIRED CLASS-IV SONS DATA

S#	Name of Candidates	Father's Name	D/O of Retirement	Home Address	Posted as	PF	Name of school where appointed	Remarks
1	Gohar Rahman	Sonab	31.12.03	Tordher, Lahor, Swabi	Chowkidar	34	Teacher	AVP
2	Riyaz	Taro Shah	01.10.97	Karim Khel P. Pir, Swabi	Callar	35	GGPS No 1 Gandaf	AVP
3	Murad	Fard Khan	31.08.93	Mili Khel Gandaf (G) Swabi	Chowkidar	36	GGPS No 3 Gandaf	AVP
4	Muhammad Zarnan	Sher Khan	15.02.97	Qamaral Mandir, Swabi	Chowkidar	35	Marghoz	AVP
5	Muhammad Irshad	Azcom Ullah	31.12.97	Darra, Swabi	N/Oasid	31	GGPS No. 1 Darra	AVP
6	Inayat ul Rahman	Wahed Ullah	21.05.95	Shahi Khel Aoda	Chowkidar	36	GPS Dhero Garna	AVP
7	Sher Zaman Khan	Shah	11.02.01	Gandaf (G) Swabi	Chowkidar	35	GGPS No. 1 Gandaf	AVP
8	Rahmat Ullah Khan	Said Dabdar	11.02.01	Dawar Khel, Swabi	Chowkidar	35	GPS No 1 Kalab	AVP
9	Zafar Ali Shah	Mamat Ullah	31.10.01	Dawar Khel, Swabi	Chowkidar	31	GGHS Kalu Khan	AVP
10	Isteraf	Faqir	21.01.01	Mili Khel, Swabi	L.A. - na	39	GGHS - Bamkhor	AVP
11	Mubarik Shah	Mahmud Shah	03.10.01	Village Misher Ali	Chowkidar	32	GPS Sher Darra	AVP
12	Sabz Ali Khan	Mazrool Khan	01.11.01	Mutazam Koly	Chowkidar	32	GPS No 1 Dag	AVP
13	Javed Iqbal	Said Dabdar Shah	21.12.01	Mili Khel, Swabi	Chowkidar	34	GGPS No 1 Misher	AVP
14	Fazal Ghani	Faqir Ullah	15.09.05	Awan Jalbar	Chowkidar	32	GPS Asota Shant	AVP
15	Adil Nawaz	Nawar Khan	01.04.04	Khumar Khel K.S.K	Chowkidar	31	GGPS No 2 Kam	AVP
16	Sher Zaman Khan	Sher Zaman Khan	15.02.01	Lahangan Pang Pir	Chowkidar	31	GGPS Centre	AVP
17	Usman Khan	Abdul Karim	01.01.01	Sher Zaman, Swabi	Chowkidar	35	GPS No 3 Kalab	AVP
18	Alam Zaib	Ghulam Akbar	15.01.05	Bar Cham Kalabat	Chowkidar	33	GPS Qasim Binda	AVP
19	Lung Zada	Sahar Zaid	02.02.95	Gandaf kot Y/Hugam	Chowkidar	31	GGPS AS Adana	AVP
20	Muhammad Feyaz	Sultan Hussain	1.01.01	Gandaf	Chowkidar	31	GGPS Adana	AVP
21	Amjed Ali	Zamir Gul	30.06.05	Fardus Abad, Swabi	Swagdar	33	GGPS Adana	AVP
22	Laj Akbar	Yasir Khan	05.01.05	Sher Dad khel, Swabi	Chowkidar	31	GGPS Manabdar	AVP
23	Said Zahir Shah	Yasir Khan	24.01.05	Sher Dad khel, Swabi	Chowkidar	31	GGPS Manabdar	AVP
24	Fazal Amin	Rahim Shah	31.10.05	Hadi Mera Salim Khan, Swabi	N/Oasid	34	GGHS Mera	AVP
25	Qasim Ali Shah	Faqir Khan	14.12.05	Multan Gabasni, Swabi	Chowkidar	30	GGPS Gabasni (G)	AVP
26	Waqar Ahmad	Faqir Khan	15.11.05	Multan Gabasni, Swabi	N/Oasid	34	GGHS Gabasni	AVP

9/9/09

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53	Umar	W/O Fazil Raziq	VPO, Roshan Pura KSK	Sweepress	GGMS Roshan Pura
54	Faizad Ali	Gulzar	VPO, K.S.K	N/Oasid	GGMS K.S.K
55	Wali Hussain	Zar Muhammad	VPO, K.S.K	Sweeper	GGMS K.S.K
56	Ayaz Khan	Muhammad Iqbal	VPO, K.S.K	Chowkidar	GGMS K.S.K
57	Hazrat Jamal	Fazal Khalig	VPO, K.S.K	Chowkidar	GGMS No 1 K.S.K
58	Nawab Ali	Zulfiqar	VPO, K.S.K	Chowkidar	GGMS No 1 K.S.K
59	Shahab Hussain	Noor Hussain	VPO, K.S.K	Chowkidar	GGMS Ghulamian
60	Munzad Ali	Khan Bahader	VPO, Ghulamian	Chowkidar	GGMS Daudalay
61	Syed Shah Zau	Muhammad Shah	VPO, K.S.K	Chowkidar	GGMS Daudalay
62	Farooq Hussain	Raja	VPO, K.S.K	N/Oasid	GGMS Daudalay
63	Anwar Rashid	Abdur Rashid	VPO, K.S.K	Chowkidar	GGMS Daudalay
64	Munzoor Ali	Zahir-illah	VPO, K.S.K	Chowkidar	GGMS Daudalay
65	Inayatul Rahman	Shan Multan	VPO, Far Hussain	N/Oasid	GGMS No 1 Y.Hussain
66	Shah Faisal	Rehan Gul	VPO, Far Hussain	L/AIend	GGMS Y.Hussain
67	Rukhan	Abdur Rahman	VPO, Far Hussain	N/Oasid	GGMS Y.Hussain
68	Alam Sher	Bahadur	VPO, Adina	Sweeper	GGMS Adina
69	Falak Naz	Itabar Khan	VPO, Adina	N/Oasid	GGMS Adina
70	Idayat Ullah	Inayat-Ullah	VPO, Adina	N/Oasid	GGMS Adina
71	Nadra	D/O Siraj Gul	VPO, Adina	Chowkidar	GGMS Adina
72	Farooq Zaman	Muhammad Shah	VPO, Far Hussain	Chowkidar	GGMS Adina
73	Shad Ali Khan	Fazal Ghani	VPO, Kulu Khan	Sweeper	GGMS Kulu Khan
74	Ashfaq Ali	Ghani Ullah	VPO, Daulat	Chowkidar	GGMS Daulat
75	Tabir	Fazal Khan	VPO, Daulat	Chowkidar	GGMS Daulat
76	Iqbal Shah	Muhammad Shah	VPO, Adina	Chowkidar	GGMS Adina
77	Mian Bahad Akbar	Muhammad Yusaf	VPO, Adina	Chowkidar	GGMS Adina
78	Amjad Ali	Mira Khan	VPO, Chera Ghund	N/Oasid	GGMS Chera Ghund
79	Asad Ali	Muhammad	VPO, Chera Ghund	Chowkidar	GGMS Chera Ghund
80	Faizad Ali	Fazal Raman	VPO, Chera Ghund	Chowkidar	GGMS Chera Ghund
81	Zunab Hassan	Ghulam Hussain	VPO, Torner	N/Oasid	GGMS Torner
82	Sahib	Kamdar Muhammad Hashim	VPO, Torner	Sweeper	GGMS Torner
83	Ramen	Muhammad Ali Khan	VPO, Torner	N/Oasid	GGMS Torner
84	Mir Wah Khan	Muhammad Ali Khan	VPO, Torner	Sweeper	GGMS No 2 Torner
85	Fazal Wahab	Muhammad	VPO, Torner	N/Oasid	GGMS Torner
86	Muhammad Tayyab	Arman Khan Muhammad Younas	VPO, Torner	Chowkidar	GGMS Torner
87	Abdullah Khan	Younas	VPO, Torner	Chowkidar	GGMS Torner
88	Jamal Gul	Sanaib Gul	VPO, Torner	Chowkidar	GGMS Torner
89	Usaid Ullah	Tayyab	VPO, Jehangira	Chowkidar	GGMS Jehangira
90	Bismillah Khan	Ali Khan	VPO, Jehangira	Chowkidar	GGMS Jehangira
91	Miaz Wali Shah	Musharaf Shah	VPO, Jehangira	Chowkidar	GGMS Jehangira
92	Habibur Rahman	Ali-Ullah	VPO, Jalba	Chowkidar	GGMS Jalba
93	Qamar Zaman	Amjad	VPO, Jalba	Chowkidar	GGMS Jalba
94	Shahid	Tar Bar Khan	VPO, Jalba	Chowkidar	GGMS Jalba
95	Iqbal Wahab	Abdul Qayyum	VPO, Jalba	Chowkidar	GGMS Jalba
96	Gulzar	Shah	VPO, Jalba	Chowkidar	GGMS Jalba
97	Farman Ali	Noor Wah	VPO, Och Khawar Jalba	N/Oasid	GGMS Jalba
98	Sahib Shah	Bahader Shah	VPO, Manki	Chowkidar	GGMS Manki
99	Nazir Muhammad	Muhammad	VPO, Manki	Chowkidar	GGMS Manki
100	Ajmal Khan	Karam Khan	VPO, Bazar	Chowkidar	GGMS Bazar
101	Muhammad Pabman	Muhammad Haq	VPO, Bazar	N/Oasid	GGMS Bazar
102	Noor Iqbal	Sahib	VPO, Bazar	Chowkidar	GGMS Bazar
103	Zaman Khan	Lubab Khan	VPO, Bazar	Chowkidar	GGMS Bazar

M/S 9/9/09

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (ELEM: & SECY:)
EDUCATION SWABI

DISMISSAL FROM SERVICE:

Where as, willful absence from duty of Abdullah S/O Muhammad Younas Chowkidar, GGPS Matanichangan Tordher w.e.f. 09.09.2009, without prior information/approval of the Elementary & Secondary Education Department.

Where as, completion of all codal formalities under the E&D Rules, 1973 Khyber Pakhtunkhwa issued three notices under Registered cover & wide publicity through Daily paper "Mashriq" Peshawar dated 13.10.2010 to Abdullah S/O Muhammad Younas Chowkidar, GGPS Matanichangan Tordher and he failed to comply with up to date.

Whereas the competent authority Executive District Officer (E&SE) Swabi is pleased to Dismiss Abdullah S/O Muhammad Younas Chowkidar, GGPS Matanichangan Tordher from Govt: Service w.e.f. 09.09.2009 under the E&D Rules, 1973 Khyber Pakhtunkhwa in the best interest of public service after fulfillment of all formalities.

(ABDUS SALAM)
EXECUTIVE DISTRICT OFFICER
(ELEM: & SECND: EDU:) SWABI

Endst: No. 2012-9/Dismissal/C-IV/DA-8/Dated 04/11/2010.

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OFFICE OF THE EXECUTIVE DISTRICT OFFICER (ELEM. & SECY.) EDU: SWABI.

DISMISSAL FROM SERVICE:-

Where as, willful absence from duty of **Abdullah S/O Muhammad Younas Chowkidar**, GGPS Matanichangan Tordher w.e.f. 09.09.2009, without prior information/approval of the Elementary & Secondary Education Department.

Where as, completion of all codal formalities under the E & D Rules, 1973, Khyber Pukhtoonkhwa issued three notices under Registered cover & wide publicity through Daily News Paper "Mashriq" Peshawar dated 13.10.2010 to **Abullah S/O Muhammad Younas Chowkidar**, GGPS Matanichangan Tordher and he failed to comply with up to date.


Where as, the competent authority Executive District Officer (E&SE) Swabi is pleased to Dismiss **Abdullah S/O Muhammad Younas Chowkidar**, GGPS Matanichangan Tordher from Govt. service w.e.f. 09.09.2009 under the E & D Rules, 1973 Khyber Pukhtoonkhwa in the best interest of public service after fulfillment of all formalities.

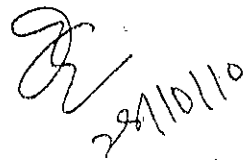
(ABDUS SALAM)
EXECUTIVE DISTRICT OFFICER
(ELEM. & SECOND. EDU.) SWABI

Endst. No. 2012-9 /Dismissal/C-IV/DA-8/Dated 04/11/2010.

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

1. District Accounts Officer, Swabi.
2. District Officer (Female) Local Office.
3. Dy. District Officer (Female) Lahor w/r to her No.363 dated 03.05.2010.
4. ADO(B&A) Local office.
5. Official concerned through DDO(F) Lahor.


EXECUTIVE DISTRICT OFFICER
(ELEM. & SECOND. EDU.) SWABI


28/10/10

C-8

DJA - 111
16/01

**BEFORE THE HON'BLE DISTRICT PRIMARY & SECONDARY
EDUCATION OFFICER (F) DISTRICT SWABI**

**DEPARTMENTAL REPRESENTATION AGAINST
THE IMPUGNED ORDER NO. 2012-9 DATED
04.11.2010 PASSED BY THE EXECUTIVE
DISTRICT OFFICER (ELEMENTARY &
SECONDARY EDUCATION SWABI) A WHEREIN
THE APPLICANT WAS DISMISSED FROM
SERVICE.**



Respected Sir,

1. That the applicant was appointed as Chokidar on 09.09.2009 at Government Girls Primary School Matani Changan Tordher Tehsil Lahor District Swabi.

(Copy appointment order is attached)

2. That the applicant was dismissed on 20.12.2009 without any reason without following the law, rules and regulations.

(Copy of dismissal order is attached)

Attached
EP

C-9

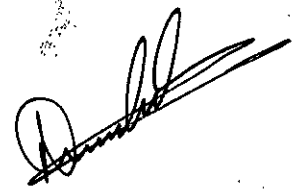
3. That no proper inquiry was conducted against the applicant as no notice, no show cause, no personal hearing etc been conducted nor the opportunity of cross-examination been provided.
4. That the penalty of dismissal in probation period is illegal, unconstitutional and against law and rules because the applicant is a young educated man and by the order of dismissal the applicant was deprived for any future Govt; Service.
5. That the order of dismissal is arbitrary, fanciful harsh and sever and is double punishment by reprovng the applicant are is legal and constitutional rights.
6. That any other ground which has not been mentioned may also be permitted to raise at the time of hearing.

C-9/A

It is, therefore, most humbly submitted that the applicant reappointed or at least the impugned order of dismissal be converted in to order of removal.

Any other remedy/ relief which has no specifically been asked for may also be allowed/ granted in favour or applicant.

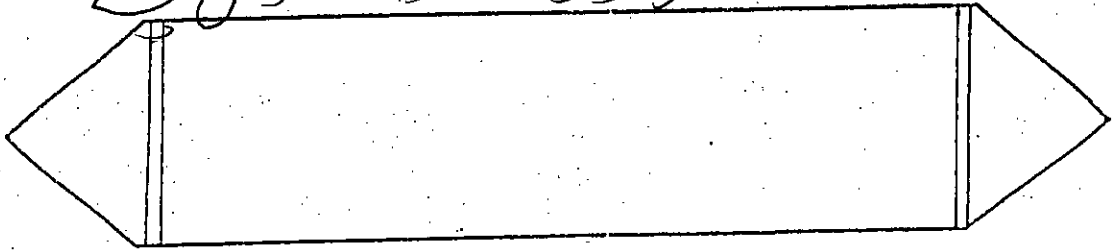
Applicant



Dated: 03/01/2018

ABDULLAH KHAN S/o MUHAMMAD YUNAS
R/O Matani Changan Tordher Tehsil
Lahor District Swabi

بعدالت فیصلہ کی درخواست



2ء مخانب
بنام قلعہ راجھو کشن

صدر اللہ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

آن مقام کے لئے کیا معاوضہ درخواست منعقد عمل اندروکش
مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ

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 ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا کٹ طرفہ یا اپیل کی برادگی اور منسوخی 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 لیا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سند ہے۔

المرقوم 25 ماہ 4 2018

واہ الع

کے لئے منظور ہے۔

لکھد

بمقام

Accepted by