

11.05.2022

Petitioner in person present.

Muhammad Adeel Butt, learned Additional Advocate General present. Nemo for respondent Department.

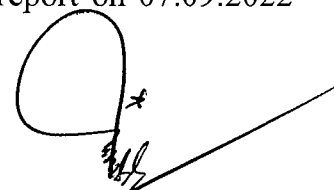
Implementation report is still awaited. Notice be issued to all the respondents for submission of implementation report on or before 15.07.2022 before S.B.


(Rozina Rehman)
Member (J)

15.07.2022

Petitioner in person present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Implementation report not submitted. Learned Additional Advocate General committed at the bar that opportunity may be granted to contact and consult the respondent department for submission of proper implementation report on the next date. Adjourned. To come up for implementation report on 07.09.2022 before S.B.

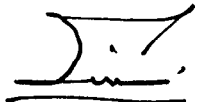

(MIAN MUHAMMAD)
MEMBER(E)

11.01.2022

Learned counsel for the petitioner present. Mr. Hussain Ahmed, Focal Person alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents.

Representative of respondents stated at the bar that the judgment under execution has been challenged through filing of CPLA before the august Supreme Court of Pakistan.

In this view of the matter, in case no order of suspension of the judgment under execution has been passed by august Supreme Court of Pakistan, the respondents are required to pass a conditional order of implementation of the judgment dated 14.07.2021 passed by this Tribunal, which of course will be subject to outcome of the CPLA. To come up for submission of implementation report on 24.02.2022 before S.B.



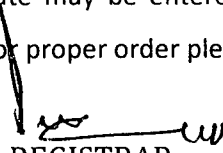

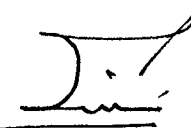
(Salah-Ud-Din)
Member (J)

24.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 11.05.2022 for the same as before.

Form- A
FORM OF ORDER SHEET

Court of _____
Execution Petition No. 236 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.10.2021	<p>The execution petition of Mr. Abdul Hamid submitted today by Mr. Abdur Rehman Mohmand 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-		<p>This execution petition be put up before S. Bench on <u>19/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
19.11.2021		<p>Learned counsel for the petitioner present. Notices be issued to the respondents for submission of implementation report on 11.01.2022 before the S.B.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J)</p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

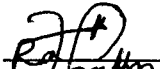
CHECK LIST

Case Title: Abdul Hamid VS Chief Secretary KP and others

S#	CONTENTS	Yes	No
1.	This Appeal has been presented by <u>Abdur Rahman Mohmand</u>		
2.	Whether counsel / appellant / respondent / deponent have signed the requisite document?	✓	
3.	Whether appeal is within time?	✓	
4.	Whether appeal enactment under which the appeal is filed is mentioned?	✓	
5.	Whether enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal / annexure are properly paged?	✓	
9.	Whether certificate regarding filling any earlier appeal in the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/ clear?	✓	
13.	Whether copies of appeal is delivered to AG/ DAG?	✓	
14.	Whether Power of Attorney of the counsel engaged is attested and signed by Petitioner/ Appellant/ Respondents?		✗
15.	Whether number of referred cases given are correct?		
16.	Whether appeal contains cutting / overwriting?		
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies are attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are completed?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether security and process fee deposited? On _____	✓	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rule 1974 rule 11, Notice along with copy of appeal and annexure has been sent to respondents? On _____		
26.	Whether copies of comments / replay/ rejoinder submitted? On _____		
27.	Whether copies of comments / replay/ rejoinder provided to opposite party? On _____		

It is certified that formalities /documentations as required in the above table, have been fulfilled.

Name:- Abdur Rahman Mohmand

Signature:- 

Dated:- 20/10/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Execution petition No 236 2021

In

Service appeal No. 327/2019

ABDUL HAMID

VERSUS

**THE CHIEF SECRETARY KHYBER PAKHTUNKHWA, CIVIL
SECRETARIAT PESHAWAR AND OTHERS.**

I N D E X.

S.NO	DESCRIPTION OF DOCUMENTS	ANN:	PAGES
1.	Execution Petition		1-3
2.	Affidavit		4
3.	Copy of the judgment dated 14/07/2021	A	5-16
4.	Copy of the letter No-4258-4300 dated 30/09/2021	B	17
	Wakalat Nama		18

PETITIONER

Through



Abdur Rahman Mohmand

Advocate High Court, Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Execution petition No 236 2021
In
Service appeal No. 327/2019



**ABDUL HAMID S/O SARWAR KHAN R/O KOTA SADAR
DIN, SARGHAR MUHAMMAD KHAN P/O TAJORI,
TEHSIL & DISTRICT LAKKI MARWAT WORKING AS
SST IN EDUCATION DEPARTMENT GOVERNMENT OF
KHYBER PAKHTUNKHWA**

.....**PETITIONER.**

VERSES

- 1) The Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
- 2) The Secretary Education, Khyber Pakhtunkhwa Peshawar.
- 3) The Director Education Newly Merged Districts Warsak Road, Peshawar.
- 4) District Education officer sub division, battani (EX-F.R Lakki).

.....**RESPONDENTS.**

**EXECUTION PETITION FOR IMPLEMENTATION OF
JUDGMENT OF THIS HON'ABLE TRIBUNAL IN
APPEAL NO. 327/2019 DECIDED ON 14/07/2021.**

Respectfully Sheweth!

- 1) That the above mentioned appeal was decided by this Hon'able Tribunal vide judgment dated 14/07/2021. (Copy of the judgment dated 14/07/2021 is annexed as annexure-"A").

- 2) That the petitioner after getting of the attested copy of the same judgment approached the respondents several time for the implementation of the above mention judgment. However they are using delaying tactics and reluctant to implement the judgment of this Hon'able Tribunal.
- 3) That the respondents are legally and morally bound to obey the order of this Hon'able Tribunal and to implement judgment of this Hon'able Tribunal. But they are reluctant to implement the same.
- 4) That the respondent No-03 has issued a letter NO-4258-4300 dated 30/09/2021 to respondent No-04 for promotion of SST to the post of SS/HM where applications/ documents along with ACR for SS/HM promotion have been requested to be submitted of entire SST period along with separate documents file of those male SSTs who are due for promotion to BPS-17 and having appointing up to 31/11/2015 according to updated/revised seniority list of SST who are working under jurisdiction of respondents office within one month **(Copy of the letter No-4258-4300 is annexed as annexure-B).**
- 5) That the petitioner has no other option but to file the instant petition for implementation of judgment of this Hon'able Tribunal because if the judgment of this Hon'able Tribunal is not implemented on time the petitioner may not be included in the seniority list asked for promotion to the post of SS/HM, hence will suffer irrecoverable loss.

3

- 6) That there is nothing which may prevent this Hon'able Tribunal from implementation of its own judgment.

It is therefore requested that on acceptance of this petition the respondents may kindly be directed to implement the judgment of this Hon'able Tribunal dated 14/07/2021.

INTERIM RELIEF:

The petitioner further pray that in the meanwhile the respondents be restrained from promotion of SST through letter NO-4258-4300 dated 30/09/2021 to the post of SS/HM till the implementation of Judgment dated 14.07.2021 and respondents may also be restrained from any adverse action against petitioner till the decision of this petition.



PETITIONER

Through



Abdur Rahman Mohmand

Advocate High Court, Peshawar

DATED:15.10.2021

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Execution petition No _____ 2021

In

Service appeal No. 327/2019

ABDUL HAMID

VERSUS

**THE CHIEF SECRETARY KHYBER PAKHTUNKHWA, CIVIL
SECRETARIAT PESHAWAR AND OTHERS.**

AFFIDAVITE

I, *Abdul Hamid S/O Sarwar Khan R/O Kota Sadar Din, Sarghar Muhammad Khan P/O Tajori, Tehsil & District Lakki Marwat working as SST in Education Department Government Of Khyber Pakhtunkhwa*, do hereby affirm and declare on oath that all contents of this petition are true and correct to the best of my knowledge and believe and nothing has been concealed from this Hon'able Tribunal.



DEPONENT.

CNIC:11201-0605264-1

CELL NO.03416258040



18-10-21

1 (5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR



Service Appeal No. 327/2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 308

Dated 05/3/2019

Abdul Hamid Son of Sarwar Khan,
R/o Kotia Sadar Din, Sarghar Muhammad Khan, P.O
Tajori, Tehsil & District Lakki Marwat..... **Appellant**

V E R S U S

- 1) The Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
- 2) The Secretary Education, Khyber Pakhtunkhwa, Peshawar
- 3) The Director Education newly merged District, Warsak Road, Peshawar
- 4) District Education, Officer Sub Division, Battani (Exe-F R Lakki)

..... **Respondents**

Filed to-day
ASMB
Registrar VS/3/19

APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE ORDER/NOTIFICATION
DATED 11.10.2017 WHEREBY THE
PROMOTION ORDER OF THE APPELLANT
TO SST WERE ANNOUNCED BUT WHICH
WAS DUE FROM 31.10.2014 AS PER
PROMOTION ORDER NO.3493-3562/SST
PROMOTION/ ESTABLISHED DATED
31.10.2014 NOTIFIED BY KHYBER

ATTESTED

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No-327/2019
Abdul Hameed vs Govt

6



ORDER

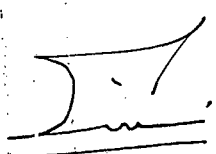
14.07.2021


Mr. Hidayat Ullah Khattak, Advocate for the appellant present.

Muhammad Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present. Arguments heard and record perused.

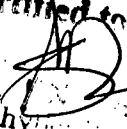
Vide our detailed judgment of today, separately placed on file, in Service Appeal No. 1266/2018 titled "Afzal Shah Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and eight others", the instant appeal is accepted and the appellant is held entitled for promotion from the date, the first batch of their other colleagues at provincial level were promoted in the year 2014 with all consequential benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
14.07.2021


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

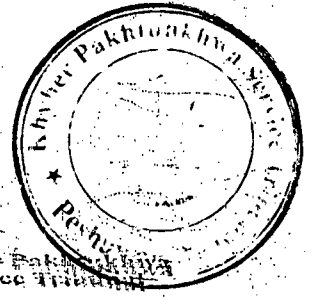

(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

Date of Presentation of Application 30-9-21
Number of Words 800
Copying Fee 10.00
Urgent 4.00
Total 14.00
Name of Copyist -
Date of Completion of Copy 30-9-21
Date of Delivery of Copy 30-9-21

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(X)

(7)



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

S.A.No. 1266/2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1501

Dated 09/10/2018

AFZAL SHAH SST (BIO/CHEM) BPS-16) GOVERNMENT
HIGH SCHOOL SANDU KHEL MOHMAND AGENCY
GOVERNMENT OF KHYBER PAKHTUNKHWA EDUCATION
DEPARTMENT.----- APPELLANT.

VERSUS

1. GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY ELEMENTARY AND SECONDARY EDUCATION SECRETARIATE BUILDING PESHAWAR.
2. DIRECTOR ELEMENTARY AND SECONDARY EDUCATION DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.
3. DEPUTY DIRECTOR (ESTABLISHMENT) ELEMENTARY AND SECONDARY EDUCATION DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.
4. DIRECTOR EDUCATION FATA, FATA SECRETARIAT KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR.
5. DEPUTY DIRECTOR (ESTABLISHMENT) DIRECTORATE OF EDUCATION, FATA SECRETARIAT KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR.
6. ADDITIONAL DIRECTOR (ESTABLISHMENT) DIRECTORATE OF EDUCATION, FATA SECRETARIAT KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR.
7. AGENCY EDUCATION OFFICER MOHMAND GALLANAI. *District Tehsil*
8. ACCOUNTANT GENERAL (PR) SUB OFFICE, PESHAWAR.
9. SECRETARY FINANCE DEPARTMENT FATA SECRETARIAT KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR.

-----RESPONDENTS

**APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974
AGAINST ORDER DATED 11.10.2017 OF RESPONDENT
NO.4 & RESPONDENT NO.6 FOR NON OBSERVANCE OF
PROMOTION/SENIORITY ORDER OF THE APPELLANT**

ATTESTED

[Signature]
**EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar**

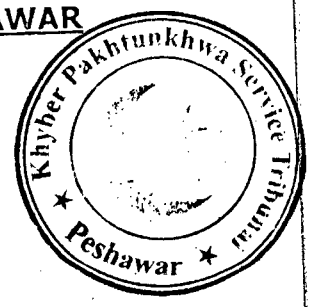
File-to-day
Registrar
9/10/18

(8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1266/2018

Date of Institution ... 09.10.2018
Date of Decision ... 14.07.2021



Afzal Shah SST (EIO/CHEM BPS-16) Government High School Sandu Khel
Mohmand Agency Government of Khyber Pakhtunkhwa Education Department.
... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Elementary and
Secondary Education Secretariat building Peshawar and eight others.
... (Respondents)

MR. HIDAYAT ULLAH KHATTAK &
MR. ABDUR REHMAN MOHMAND
Advocates

... For Appellants

MR. MUHAMMAD RIAZ AHMED PAINDAKHEIL
Assistant Advocate General

... For Respondents

MR. SALAH-UD-DIN ...
MR. ATIQ-UR-REHMAN WAZIR ...

MEMBER (JUDICIAL)
MEMBER (EXECUTIVE)

JUDGMENT

ATIQ-UR-REHMAN WAZIR MEMBER (E):- This judgment shall dispose of
the instant Service Appeals as well as the following connected Service Appeals as
common question of law and facts are involved therein.

- 1) Service Appeal bearing No.1267/2018 titled "Abi Hayat Versus Government of
Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education
Secretariat building Peshawar and others",

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

- 2) Service Appeal bearing No. 1268/2018 titled "Shams Ur -Rahman Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 3) Service Appeal bearing No. 1269/2018 titled "Karim Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 4) Service Appeal bearing No. 1270/2018 titled "Abdul Hakim Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 5) Service Appeal bearing No. 1271/2018 titled "Stana Gul Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 6) Service Appeal bearing No. 1272/2018 titled "Mohammad Idress Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 7) Service Appeal bearing No. 1273/2018 titled " Mansoor Ahmad Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 8) Service Appeal bearing No. 1274/2018 titled " Khial Zada Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 9) Service Appeal bearing No. 1275/2018 titled "Nizam-ud-Din Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 10) Service Appeal bearing No. 1276/2018 titled "Sher Mohammad Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

- 11) Service Appeal bearing No. 1277/2018 titled "Rahmat Said Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 12) Service Appeal bearing No. 1278/2018 titled "Javid Akhter Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 13) Service Appeal bearing No. 1279/2018 titled "Munawar Khan Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 14) Service Appeal bearing No. 1280/2018 titled "Said Alam Shah Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 15) Service Appeal bearing No. 1281/2018 titled "Lateef Ullah Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 16) Service Appeal bearing No. 1282/2018 titled "Mst. Khalida Safi Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 17) Service Appeal bearing No. 1283/2018 titled "Zar Gul Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 18) Service Appeal bearing No. 1284/2018 titled "Imtiaz Gul Versus Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Secretariat building Peshawar and others".
- 19) Khaista Sher Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".

TESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

- 20) Service Appeal bearing No. 327/2019 titled "Abdul Hamid Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 21) Service Appeal bearing No. 651/2018 titled "Sabeel Hassan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 22) Service Appeal bearing No. 652/2018 titled "Anwar Ali Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 23) Service Appeal bearing No. 653/2018 titled "Javed Hassan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 24) Service appeal bearing No. 654/2018 titled "Luqman Hakeem Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 25) Service Appeal bearing No. 655/2018 titled "Aziz-ur-Rehman Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 26) Service Appeal bearing No. 656/2018 titled "Muhammad Muneer Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 27) Service Appeal bearing No. 657/2018 titled "Mst. Shah Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 28) Service Appeal bearing No. 658/2018 titled "Munir Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 29) Service Appeal bearing No. 659/2018 titled "Mst. Fahmeeda Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 30) Service Appeal bearing No. 660/2018 titled "Muhammad Baz Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 31) Service Appeal bearing No. 661/2018 titled "Hanif Jan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 32) Service Appeal bearing No. 662/2018 titled "Sher Afzal Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".


ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

- 33) Service Appeal bearing No. 663/2018 titled "Mst. Dil Taj Begum Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 34) Service Appeal bearing No. 664/2018 titled "Raees Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 35) Service Appeal bearing No. 665/2018 titled "Syed Hijab Hussain Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 36) Service Appeal bearing No. 666/2018 titled "Eid Muhammad Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 37) Service Appeal bearing No. 667/2018 titled "Fazal Hakeem Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 38) Service Appeal bearing No. 668/2018 titled "Syed Zamir Hussain Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 39) Service Appeal bearing No. 669/2018 titled "Janat Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 40) Service Appeal bearing No. 670/2018 titled "Ayan Ali Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".
- 41) Service Appeal bearing No. 671/2018 titled "Sohail Khan Versus Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others".

02. Brief facts of the case are that the appellants are primarily aggrieved by inaction of the respondents to the effect that promotions of the appellants were delayed for no good reason, which adversely affected their seniority positions as well as sustained financial loss. The appellant, Mr. Afzal Shah and 18 others were serving under Agency Education Officer, Mohmand Agency (Now District Mohmand) and the appellant Mr. Khaista Sher and 22 others were serving under Agency Education Officer, Orakzai Agency (Now District Orakzai). All the appellants were promoted to the post of Secondary School Teachers (SST) (BPS-16) vide order dated 11-10-2017, which, as per stance of the appellants were required to be promoted in 2014.

ATTESTED



EXAMINER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

Feeling aggrieved, the appellants preferred respective departmental appeals against the impugned order dated 11-10-2017, which were not responded to, and hence the appellants filed service appeals in this Tribunal with prayers that promotions of the appellants may be considered from 24-07-2014 or the date when other employees serving in settled districts were promoted along with all back benefits.

03. Written reply/comments were submitted by the respondents.

04. Learned counsel for the appellant Mr. Afzal Shah and 18 others has contended that the appellants have not been treated in accordance with law and their rights secured under law and constitution have been violated; that the respondents delayed promotions of the appellants for no good reason, which adversely affected their seniority positions and made them junior to those, who were promoted at settled district level in 2014; that the delay occurred due to lethargic attitude of respondents, otherwise the appellants were equally fit for promotion like their counterparts working in settled districts; that the appellants were discriminated which is highly deplorable, being unlawful and contrary to the norms of natural justice; that inaction on part of the respondents have adversely affected financial rights of the appellants as protected by the Constitution. He further added that the appellant be treated at par like other employees of districts who were promoted in 2014 in pursuance of notification dated 24-07-2014 and shall equally be dealt with in accordance with law and rules.

05. Learned counsel for the appellant Mr. Khaista Sher and 22 others mainly relied on the arguments of the learned counsel for the appellant Mr. Afzal Shah and 18 others with further arguments that departmental appeals of the appellants were not considered and the appellants were condemned unheard; that as per constitution every citizen is to be treated equally, while the appellants have not been treated in accordance with law, which need interference.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

06. Learned Assistant Advocate General appeared on behalf of respondents has contended that as per Para-VI of promotion policy, promotions are always made with immediate effect and not with retrospective effect; that promotion is neither a vested right nor it can be claimed with a retrospective effect. Reliance was placed on 2005 SCMR 1742. Learned Assistant Advocate General argued that promotions of the appellants were made in accordance with law and rule and no discrimination was made. He further argued that some of the appellants submitted successive appeals, which is violation of Rule 3(2) of Appeal Rules, 1986. Learned Assistant Advocate General prayed that appeals of the appellants being devoid of merit may be dismissed.

07. We have heard learned counsel for the parties and have perused the record.

08. A perusal of record would reveal that all the appellants were employees of the provincial government, who were deputed to serve in Ex-FATA under the control of Director of Education Ex-FATA, whereas their other colleagues working in settled districts were working under the control of Director of Education at provincial level. The provincial Government vide Notification dated 24-07-2014 had issued criteria for promotion of teachers to next grades, which was equally applicable to provincial as well as employees working in Ex-FATA. To this effect, the provincial directorate of Elementary & Secondary Education KP vide letter dated 07-08-2014 had asked the Directorate of Education Ex-FATA to fill in the vacant posts of SST in Ex-FATA by promotion of in-service teachers under the existing service rules. The said letter lingered in the Directorate of Ex-FATA for almost seven months, which finally was conveyed to all Agency Education Officers vide letter dated 09-03-2015 with directions to submit category wise lists of candidates for promotion against the post of SST. Agency Education Officers took another two years and seven months, while submitting such information to the directorate of Ex-FATA and finally the appellants

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

were promoted vide order dated 11-10-2017. On the other hand, the office of the District Education Officer in the settled district took timely steps and the promotions were made possible in the same year i.e. 2014. Placed on record is a Notification dated 01-11-2014 issued by District Education Officer Charsada, whereby promotions had been made in pursuance of the Notification dated 24-07-2014 in the same year, whereas promotions in Ex-FATA were made in 2017 with delay of more than three years. Placed on record is another Notification dated 14-03-2017 issued by Directorate of Education Ex-FATA promoting Certified Teachers (CT) (BPS-15) to the post of Senior CT (BPS-16) w.e.f 20-02-2013, negating their own stance that promotions are always made with immediate effect. Similarly placed teachers was extended the benefit of their promotion with retrospective effect, however the respondents are denying the same to the appellants for the reasons best known to them. The material available on the record, would suggest that the appellants were treated with discrimination.

09. The appellants are primarily aggrieved by the inaction of the respondents to the effect that all the appellants were otherwise fit for promotion to the post of SST, but their promotions were delayed due to slackness of the directorate of education, which adversely affected their seniority position as well as suffered financially due to intentional delay in their promotions. The respondents also did not object to the point of their fitness for further promotion at that particular time.

10. We have observed that seniority of the appellants as well as their other counterparts working at Districts level had been maintained at Agency/District level before their promotion to the post of SST, whereas upon promotion to the post of SST, the seniority is maintained at provincial level and the appellants who were promoted in 2017 in comparison to those, who were promoted in 2014, would definitely find place in the bottom of the seniority list maintained at provincial level with dim future prospects of their further promotions, as well as they were kept

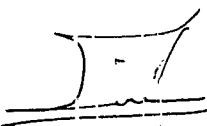
ATTESTED



EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

deprived of the financial benefits accrued to them after promotion for no fault of them, hence they were discriminated. It was noted with concern that the only reason for their delayed promotion was slackness on part of directorate of education Ex-FATA and its subordinate offices at Agency level, which had delayed their promotions for more than three years for no fault of the appellants.

11. In view of the foregoing discussion, the instant appeals are accepted and all the appellants are held entitled for promotion from the date, the first batch of their other colleagues at provincial level were promoted in the year 2014 with all consequential benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
14.07.2021


(SALAH-UD-DIN)
MEMBER (JUDICIAL)


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

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 30-9-21
Number of Words 40000
Copying Fee 42.00
Urgent 4.00
Total 46.00
Name of Copyist _____
Date of Completion of Copy 30-9-21
Date of Delivery of Copy 30-9-21



(17)

Annex - B

**DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

No. 4258-4300

dated 30/09/2021

To,

All District Education Officer
Deputy Directors DCTE/PITE/NMD (Male),
Elementary and Secondary Education Department,
Khyber Pakhtunkhwa.

Subject: **SUBMISSION OF APPLICATION/DOCUMENTS ALONGWITH ACR FOR
SS/HM PROMOTION**

Memo:-

I am directed to refer to the subject cited above and to request you to submit complete ACRs/PERs files of entire SST period alongwith separate documents file (detail of each given below) of those male SSTs who are due for promotion to B-17 and having appointed upto 31/11/2015 according to updated/revised seniority of SST, who are working under your jurisdiction to this office within one month positively.

The relevant documents file will be consisting of:

Bio Data, CNIC attested copy, 1st appointment order, Regular Appointment SST, Service Certificate, Noninvolvement certificate (duly countersigned by DEO), Last five year results, Pay slip, Synopsis (11 copies) (SST Period), All certificate /Degree with DMCs (Duly Attested by authorized guzzated officer), Domicile. |

ACRs/PERs file will be consisting of:

ACRs/PERs of entire SST period duly countersign by Reporting Officer/Countersigning Officer of his in chair period, Noninvolvement certificates, Service Certificate, Service History, Synopsis (one copy), Promotion/regularization Order of SST period, and All Transfer orders during the period of SST.

General Instructions:

Combination for Promotion to Subject Specialist.

- SS (Bio & Zoology) in B.Sc + Botony in M.Sc OR Botony in B.Sc + Zoology, in M.Sc
- SS History-cum-Civics is history in BA+ Political science in MA OR Political science in BA + History in MA OR Master degree in History + political science

Those that not have the above combination are not eligible for SS (Biology) & SS (H/Civics) post.

1. Candidate having master in more than one subject are directed to apply for each subject separately in the same manner mentioned above for submission of documents only.
2. SST's having third division in master are not eligible.

Furthermore you are directed that the information about those SSTs who have been retired, died, selected against another post, on deputation, went abroad and left the department may also clearly be indicated with exact dates/ justification and annexures. It is also stated that those who are not willing for promotion written on stamp paper may also be annexed.

Note: By hand/Individual ACRs/PERs file will not be collected/received by this office. All DEOs are directed to submit ACR/PERs file of the concerned SSTs through focal person alongwith coving letter in consolidate format accordingly.

ACR/document must be complete in all aspect.



Assistant Director (ACR)
Directorate of Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar

Endst: No. _____/

Copy of the above is forwarded to the:-

3. Assistant Director (Establishment) Local Directorate.
4. P.A to Director of Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.

Assistant Director (ACR)
Directorate of Elementary and Secondary
Education Khyber Pakhtunkhwa Peshawar

قیمت 50 روپے	101584	  
ایڈویکٹ: عبدالرشید شاہن مہمند بار کونسل/ایسوسی ایشن نمبر: BC-10-0611 رابطہ نمبر: 0300-5991598		
پشاور بار ایسوسی ایشن، خیبر پختونخواہ		

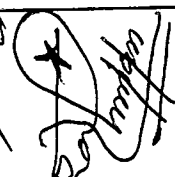
بعدالت جناب: **حیدر محبتون خواہ سروس ٹرانسپول پشاور**

منجانب: سائل عبدالحمید بنام حیدر سیکرٹری وکیل حیدر	دعویٰ: _____ علت نمبر: _____ مورخہ: _____ جرم: _____ تھانہ: _____
باعث تحریر آنکہ	

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

18/10/2021

المقام _____
 العواہ شد _____
 کے لیے منظور ہے۔

Attested
 Accepted


نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

عبدالحمید خان سٹان SSI 19 سروس ٹرانسپول پشاور
 Sub-Division Bettani
 CNIC No, 11201-0605260-1
 GHS. Sakhi May Jan

"B"

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

No.
Regd

E/P No. 236
 Appeal No. *Abdul Hamid* of 20 *21*
 Appellant/Petitioner

The chief Secy Pesh: *Versus*
 Respondent

Respondent No. *Dist: Education officer Sub Division,*
Battani (EX-F.R. Lakki)

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *11/11/2022* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

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

Day of..... 20 *21*

(Implementation Report)

[Signature]
 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

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

“B”

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

No.

~~Appeal No.~~ **E/P No. 236** of 20²¹

Abdul Hamid Appellant/Petitioner

Versus

The chief Secy Pesh. Respondent

Respondent No. **1**

Notice to:

The Chief Secretary KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on **11/1/2022** at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing **4** copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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


Copy of ^{E/P ✓} 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 **7/1/21**.....

Day of..... **Dec**..... 20²¹.

(Implementation report)


 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 3. B
PESHAWAR.

No.

Appeal No. E/P No. 236 of 2021

Abdul Hamid Appellant/Petitioner

The chief Secy Pesh. Respondent
 Respondent No. 2

Notice to: The Secretary Education Kpk Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11/11/2021 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 E/P ~~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 7th

Day of Dec 20 21

(Implementation Report)

[Signature]
10.12.21

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

 E/P No. 236
Appeal No. Abdul Hamid of 20 21

..... Appellant/Petitioner
The chief Secy Pesh.
..... Respondent

Respondent No.

Notice to: —

The Director Education Newly Merged
Dist. Wazirabad Road Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11/1/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated 7th

Given under my hand and the seal of this Court, at Peshawar this Dec 21

(Day of Supplemental Report) 20 ..
15-12-21

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

Regd

Appeal No..... of 20 . SB

EP NO 236

Appellant/Petitioner

Firdul H. Versaid

Respondent

chief secy kpk, civil secretariat Peshawar.

Respondent No.

Notice to: —

(4)

District education officer sub division, battani

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....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.

E.P.C

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

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

Day of.....20

June

22

17th

(For Impl-ment-ation Report)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

“B”

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

No.

SB

Appeal No. E.P No 236 of 20 21

Abdul Hamid Appellant/Petitioner
Versus

chief secy kpk, civil secretariat Peshawar Respondent
Respondent No. (1)

Notice to: —

The chief secy kpk, civil secretariat Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 16/7/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

E.P ✓

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

Given under my hand and the seal of this Court, at Peshawar this 17th

Day of June 20 22

(For Impl-ment-ation Report)

CHIEF SECRETARY
Khyber Pakhtunkhwa
Peshawar

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

SB

Appeal No. EP No. 236 of 2021

Abdul Hamid Appellant/Petitioner

Versus

chief secy kpk, civil secretariat Peshawar Respondent

Respondent No. (2)

Notice to: The secy education, kpk.

[Signature]
27/6

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 15/7/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

EP ✓

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

Given under my hand and the seal of this Court, at Peshawar this 17th

Day of June 2022

(For Impt. mention Report)

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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