

09.05.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Reply on behalf of respondents is still awaited. Notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 27.06.2022 before S.B.



(Rozina Rehman)  
Member (J)

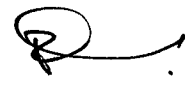
27.06.2022

Learned counsel for the appellant present.

Learned Member (Executive), is on leave. Therefore, the case is adjourned to 08.08.2022 for the same as before.

  
READER

8.8.2022 Due to The Public Holiday The  
Case is Adjourned to 20-9-2022

  
Reader

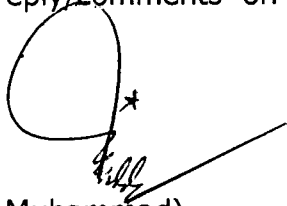
14.12.2021

Counsel for the appellant present. Preliminary arguments heard.

The Service appeal has been submitted invoking jurisdiction of the Service Tribunal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. learned counsel for the appellant while arguing the case stated that the appellant is aggrieved of the impugned order dated 01.06.2021 whereby major penalty of "reduction to lower post" was imposed. Feeling aggrieved, the appellant submitted departmental appeal to respondent No.1 on 30.06.2021. However, the same was not responded within the statutory period where-after the service appeal was filed in Service Tribunal on 26.10.2021. It was further contended that the prescribed formalities have not been fulfilled before imposing the major penalty. No charge sheet has been issued and no opportunity of defense provided to the appellant which is glaring violation of 2007 SCMR 834 and 2008 SCMR 678.

The appeal is admitted to regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 23.02.2022 before S.B.

Appellant Deposited  
Security & Process Fee

  
(Mian Muhammad)  
Member(E)

23.02.2022

Due to retirement of the Hon'able Chairman, the case is adjourned to 9.05.2022 for the same before D.B.



  
Reader

Form- A

FORM OF ORDER SHEET

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

Case No.- 7672 ~~2021~~/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/10/2021	<p>The appeal of Mr. Mubarak Hussain presented today by Roeda Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>14/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. 7672/2021

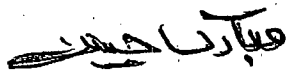
Mubarak Hussain

VERSUS

The Secretary Education & Others

**INDEX**

S#	Description of Documents	Annexure	Pages
1.	Grounds of Petition.		1-5
2.	Affidavit.		6
3.	Addresses of parties		7
4.	Copy of impugned order	"A"	
5.	Copy of departmental Appeal	"B"	
6.	Copy of inquiry report	"C"	
7.	Wakalatnama		



APPELLANT

Through



Roeda Khan  
Advocate, High Court  
Peshawar.

Dated: 26/10/2021

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Mubarak Hussain Ex Assistant at District Education  
Office District Khyber.

**Appellant**

***VERSUS***

1. The Secretary Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.
2. The Director Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Jamrud District  
Khyber.

**Respondents**

**APPEAL U/S-4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICES**  
**TRIBUNAL ACT 1974 AGAINST THE**  
**ORDER DATED 01-06-2021, WHEREBY**  
**THE MAJOR PENALTY OF**  
**REDUCTION TO LOWER POST FROM**  
**ASSISTANT BPS-16 TO SENIOR**  
**CLERK BPS-14 HAS BEEN AWARDED**  
**TO THE APPELLANT AGAINST**  
**WHICH THE APPELLANT FILED**  
**DEPARTMENTAL APPEAL ON**  
**30.06.2021 WHICH HAS NOT BEEN**  
**DECIDED WITHIN THE STATUTORY**  
**PERIOD OF 90 DAYS.**

PRAYER:-

ON ACCEPTANCE OF THIS APPEAL  
THE IMPUGNED ORDER DATED  
01/06/2021 MAY KINDLY BE SET ASIDE  
AND THE APPELLANT MAY KINDLY BE  
RESTORE ON HIS ORIGINAL POST AS  
ASSISTANT BPS-16 INSTEAD OF  
SENIOR CLERK BPS-14 IN SERVICE  
ALONG WITH ALL BACK BENEFITS.  
ANY OTHER REMEDY WHICH THIS  
AUGUST TRIBUNAL DEEMS FIT THAT  
MAY ALSO BE ONWARD TRIBUNAL  
DEEMS FIT THAT MAY ALSO BE  
GRANTED IN FAVOUR APPELLANT.

Respectfully Sheweth,

1. That the Appellant has been working with Respondent Department since 01.01.1986.
2. That the appellant performed his duty regularly and with full devotion and no complaint whatsoever has been made against the appellant.
3. That the appellant while performing his duty with respondent department as Assistant BPS-16 the impugned order dated 01.06.2021 has been passed against the Appellant whereby the appellant has been demoted from Assistant BPS-16 to Senior Clerk BPS-14 without fulfilling the codal formalities. (Copy of impugned order is annexure "A").

4. That the appellant submitted a departmental appeal on 30.06.2021 against the impugned order dated 01.06.2021 which has not been decided within the statutory period of 90 days. (Copy of Departmental appeal is attached as annexure "B").
5. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

**GRUNDS:-**

- A. That the impugned order 01/06/2021 is void and ab-initio order because it has been passed without fulfilling codal formalities in this respect the appellant relied upon a judgment reported on 2007 SCMR Page 834.
- B. That no charge sheet no statement of allegation has been issued or communicated to the appellant.
- C. That no opportunity a personal hearing and defence has been provided to the appellant.

(4)

D. That there is no proved or evidence regarding the allegation level against the appellant and it is a well settle a principle of law that no one can be punished mere on allegation until and unless it will not be proved.

E. That the innocence of the appellant has also been clarified form the inquiry report dated 30.06.2021. (Copy of inquiry report is attached as annexure "C").

F. It is a well settled maxim no one can be condemned unheard because it is against the natural justice of law in this respect the appellant relied upon a judgment reported on 2008 SCMR page:678.

G. That no opportunity of cross examination has been provided to the appellant. In this respect the appellant relied upon a judgment reported on 2016 SCMR Page 108.

H. That any other ground not raised here may graciously be allowed to be raised at the time full of arguments on the instant service appeal.




(5)

*It is therefore, most humbly prayed that on acceptance of this appeal the impugned order dated 01/06/2021 may kindly be set aside and the appellant may kindly be restore on his original post as assistant BPS-16 instead of Senior clerk BPS-14 in service along with all back benefits. Any other remedy which this august tribunal deems fit that may also be onward tribunal deems fit that may also be granted in favour appellant.*

*Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.*

  
Appellant

Through

  
Roed Khan  
Advocate, High Court  
Peshawar.

Dated: 26/10/2021

**NOTE:-**

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.

  
Advocate.

6)

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

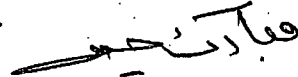
Mubarak Hussain

VERSUS

The Secretary Education & Others

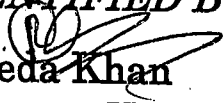
**AFFIDAVIT**

I, Mubarak Hussain Ex Assistant at District Education Office District Khyber, do hereby solemnly affirm and declare 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 or withheld from this Hon'ble Court.



DEPONENT

**IDENTIFIED BY:**

  
Roeeda Khan  
Advocate High Court  
Peshawar.

71

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Mubarak Hussain

VERSUS

The Secretary Education & Others

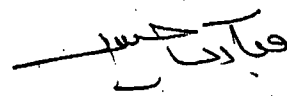
**ADDRESSES OF PARTIES**

***PETITIONER.***

Mubarak Hussain Ex Assistant at District  
Education Office District Khyber.

**ADDRESSES OF RESPONDENTS**

1. The Secretary Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.
2. The Director Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar.
3. District Education Officer Jamrud District  
Khyber.



APPELLANT

Through



**Roeeda Khan**  
Advocate, High Court  
Peshawar.

Dated: 26/10/2021



**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION**  
**KHYBER PAKHTUNKHWA PESHAWAR**  
Phone: 091-925514      Email: [dees@pk.gov.pk](mailto:dees@pk.gov.pk)

**NOTIFICATION**

1. WHEREAS, a complaint was received by Mr. Abdulhakeem P. S. Jaffer, Director of Accounts, Peshawar, from Mr. Mubarak Hussain, Assistant Office of District Education Officer, Khyber Pakhtunkhwa, regarding the non-deduction by stopping the monthly salary of the complainant but paid back dated year 31/12/2020 for Account Office.
2. WHEREAS, Mr. Abdulhakeem P. S. Jaffer Katta Fushita Jaffer was deprived from the salary by Mr. Mubarak Hussain, and forced the applicant to pay him.
3. WHEREAS, to know the factual position, the Director Elementary & Secondary Education, Khyber Pakhtunkhwa has conducted an inquiry through Mr. Atiq ur Rehman, Principal, Government School No 1 Peshawar, vide Notification No.7150-55 dated 22/12/2020.
4. WHEREAS, the inquiry officer has conducted inquiry and submitted report dated 22/12/2020 through Deputy Director (F&A) Directorate of Education Merged Areas, Peshawar, with his recommendations.
5. AND WHEREAS, the competent authority (Director Elementary & Secondary Education, Khyber Pakhtunkhwa) after having considered the charges, evidence on record and facts of the case, in the view that charges against the officer concerned have been proved.
6. NOW, THEREFORE, in exercise of the powers conferred under Rules, 4 (c) (i) of the Government Servant (Efficiency & Discipline) rules 2011, the competent authority Director E&SE Khyber Pakhtunkhwa is pleased to impose major penalty of "Reduction to lower Post" and to demote to the lower post from Assistant BS-15 to Senior Clerk BS-14 with immediate effect upon Mr. Mubarak Hussain O/O DEO Khyber and he is hereby relieved from the Office of DEO Khyber and his service is hereby placed at the disposal of Additional Director Directorate Merged area for further adjustment against the post of Senior Clerk.

**DIRECTOR**  
**Elementary & Secondary Education**  
**Khyber Pakhtunkhwa Peshawar**

Endst: No. 7519-22 /F.No.A-23/MS/Inquiry/Mubarak Hussain Assit: Khyber  
Dated Peshawar the \_\_\_\_\_ 2021

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

- 1- Additional Director Merged Directorate Khyber Pakhtunkhwa.
- 2- District Education Officer Khyber with the remarks to go through attached three lists of employee's active employees leaving employees and critically review these lists making up defecies sent by DEO Office to Accounts Office Khyber in Source-1.
- 3- All the DEOs in merged Districts to carry out post audit of expenditure and posts with budget book on monthly basis.
- 4- PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.

**Deputy Director (F&A)**  
**Directorate E& Secondary Education**  
**Khyber Pakhtunkhwa Peshawar**

A<sub>2</sub> 9

Better Copy

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

Phone No. 091-9225344

Email: ddadmn.ese@gmail.com

**NOTIFICATION**

1. **WHEREAS**, a complaint was lodged by Mr. Abdullah PST GPS Katta Kushta Jamrud against Mr. Mubarak Hussain Assist Office of District Education Officer Khyber at Jamrud in connection with extortion by stopping the monthly salary of the complainant bringing back his service book from the account office.
2. **WHEREAS**, Mr. Abdullah PST GPS Katta Kushta Jamrud was deprived from his salaries by Mubarak Hussain and forced the application to pay him.
3. **WHEREAS**, to know the factual position, the Director Elementary Secondary Education KPK his conducted an inquiry through Mr. Atiqu-ur-Rehman Principle GHSS No.1 Peshawar Cantt vide Notification No. 7150-55 dated 22.12.2020.
4. **WHEREAS**, inquiry officer has conducted inquiry and submitted detail inquiry report though Deputy director (F&A) Directorate of education merged aria alongwith clear cut recommendation.
5. **AND WHEREAS**, the competent authority Director Elementary Secondary Education KPK after having considered the charged, evidence on record and facts of the case o the view that charges against the officer concerned have been proved.
6. **NOW, THEREFORE**, In exercise of the powers conferred under Rules 4 (b) (i) of Khyber Pakhtunkhwa Government servant (Efficiency & Discipline) rules 2011, I the competent authority Director Elementary Secondary Education KPK is pleased to impose major penalty of "Reduction to lover post" and to demote to the lower post from Assistant BPS-16 to Senior Clerk BPS-14 with immediate effect upon Mr. Mubarak Hussain O/O DEO Khyber and he is hereby relieved from the office of DEO Khyber and his service is hereby placed as the disposal of Additional Director Directorate Merged area for further adjustment against the post of Senior Clerk.

**DIRECTOR**

Director Elementary Secondary Education  
Khyber Pakhunkhwa Peshawar

Eddst: No. 7519-22/F.No. A-23/MS/iquiry/Mubarak Hussain Asst: Khyber dated

Peshawar the 01.06.2021

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

1. Additional Director Merged Directorate Khyber Pakhtunkhwa.
2. District Education Officer Khyber with the remarks to go through attached three list of employee's active employees leaving employees critically review these lists making of defecies sent by DEO Office to Account Office Khyber in Source-1.
3. All the DEOs in merged District to carry out post audit of expenditure and posts with budget book on monthly basis.
4. PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.

**Deputy DIRECTOR (F&A)**

Director Elementary Secondary Education  
Khyber Pakhunkhwa Peshawar

(9) (18)

Subject: **APPEAL FOR RESTORATION AND CIRCUMVATION OF MAJOR PENALTY IMPOSED AGAINST THE APPLICANT**

R/Sir

Reference to the direction issued by the Director, GCEI, dated 01/09/2021  
Notification No. 1519/22/E No. 1176/2021 dated 01/09/2021

I want to draw your kind attention to the fact that the major penalty mentioned above (Annexure-A) on the basis of which was imposed which is baseless on the following ground:

That I did not stop/keep pending the salary of Mr. M. M. Khan, the only son of Mr. Nisar Muhammad DEO Khyber at S.No.9 of the questionnaire filled by his father Rehman and his certificate already issued to the then inquiry officer Mr. Mubarak Ullah in the subject matter may be seen in (annexure B)

That an inquiry already conducted by Mr. Mubarak Ullah, the only son of GCEI Male Jamrud in this connection, the matter was in progress in fact of my father with the recommendation "Mr. Mubarak Hussain assistant is exonerated from the allegations leveled against him by the complainant (Annexure-C)

That I was asked to take an oath by the "Holy Quran" in the questionnaires at S.No.11 (annexure-D) where I replied with "yes" with respect to the oath of Holy Quran denying/rejecting the allegations, etc.

That the 2<sup>nd</sup> inquiry officer Mr. M. M. Khan did not give me a chance of personal hearing which shows injustice on the part of the inquiry officer. The questionnaire served through third person.

In the light of above explanations, I request your kind honor to withdraw the major penalty imposed vide Notification No. 1519/22/E dated 01/09/2021 and also allow me to continue my duty at the present station.

*Noted 28/11/2021*

*Mubarak Hussain*  
*(MUBARAK HUSSAIN)*  
*Assistant*  
*Director, GCEI*

*D No: 3652*  
*25/7/21*

*AC(E)*  
*25/7/21*

(11)

Better Copy

To

The Secretary Education (E&SED)  
Khyber Pakhtunkhwa Peshawar.

Subject:- **APPEAL FOR RESTORATION AND TERMINATION OF MAJOR PENALTY  
IMPOSED AGAINST THE APPLICANT.**

R/Sir,

Reference to the Director Education E&SED Khyber Pakhtunkhwa  
Notification No. 7519-22/F.No.A-23/MS/inquiry/Mubarak Hussain assistant Khyber  
dated 01.06.2021.

I want to your kind attention to the para No.2 of the notification  
mentioned above (**Annexure-A**) on the basis of which the "Major Penalty" is imposed  
which is baseless on the following grounds.

That I did not stop/keep pending the salary of Mr. Abdullah, the reply of  
Mr. Nisar Muhammad DEO Khyber at S.No.9 of the questionnaire served by Mr. Atiq ur  
Rehman and his certificate already issued to the then inquiry officer i.e Mr. Muhammad  
Ullah in the subject matter may be seen as (**annexure-B**).

That an inquiry already conducted by Mr. Muhammad Ullah SSS BS-18  
GCET Male Jamrud in this connection the matter was dispose off in favour of myself  
with the recommendation "Mr. Mubarak Hussain assistant in exonerated from the  
allegations leveled against him by the complainant". (**Annexure-C**).

That I was asked to take an oath on the "Holy Quran" in the  
questionnaires at S.No.11 (**annexure-D**) wherein I replied with "Yes" and took the oath  
of "Holy Quran" denying/rejecting the unfair/illegal allegations.

That the 2<sup>nd</sup> inquiry Office Mr. Atiq ur Rehman did not give me a chance  
of personal hearing which shows injustice on the part of an inquiry officer. The  
questionnaire served through third person.

In the light of the above explanation/facts I request your kind owner to  
withdraw the major penalty imposed vide Notification No. and date quoted above and  
also allow me to continue my duty at the present station.

Dated: 30.06.2021

**MUBARAK HUSSAIN**  
Assistant Education Officer  
District Khyber at Jamrud

D.No. 3652 dated 05.07.2021

As (E)

05.07.2021

(12)<sup>12</sup> INQUIRY REPORT

INTRODUCTION.

Mr. Abdullah PST.GPS. Katta Kushta Jamrud leveled the following allegations against Mr. Mubarak Hussain Office Assistant District Education Office Khyber through an application submitted to Director E & S Education Peshawar at F/A

1. That the concerned Assistant has stopped my salary, take my service Book back from District Accounts Office Khyber and kept me deprived of my pay just for bribery.
2. That the concerned Assistant Mr. Mubarak Hussain was demoted in the light of proceedings by the then Agency Education Officer Mr. Attiq ur Rehman and now illegally promoted to the post of Assistant BS.16

PROCEDURE

In compliance with Directorate Elementary & Secondary Education vide Endost.No.5239-43 dated 06.11.2020, the Inquiry Officer called on the complainant Mr. Abdullah PST.GPS. Katta Kushta Jamrud and accused Mr. Mubarak Hussain to FITE Jamrud for interrogation on 19.11.2020. Necessary data was collected from the Office of District Education Officer Khyber at Jamrud.

FINDINGS

1. A questionnaire was served to Mr. Mubarak Hussain and got his written statement at F/B&C
2. Mr. Mubarak Hussain Office Assistant stated in his written statement that I have neither demanded nor taken any money/ gratifications from the complainant Mr. Abdullah PST. I have no role in the appointments in 2020.
3. He stated that I have not stopped the pay of Mr. Abdullah PST.GPS. Katta Kushta Jamrud.
4. Mr. Mubarak Hussain Office Assistant stated in his written statement that I know nothing about my demotion in the light of proceedings by the then Agency Education Officer Mr. Attiq ur Rehman.
5. He further stated that I have promoted to the post of Assistant BS.16 via Directorate of Education Ex. FATA and presently working as Accountant in the Office of DEO Khyber.
6. The pay of Mr. Abdullah PST.GPS. Katta Kushta Jamrud was stopped on public complaints by the District Education Officer Khyber. An inquiry

15/12/21



(13)

(2)

142 (35)

180

committee was constituted in the subject matter and the pay of the concerned teacher has released in the light of recommendations of the inquiry committee. A certificate duly signed by DEO Khyber is attached for ready reference at F/D

7. At the time of reduction to the lower post, the official concerned was serving at Govt. College for Elementary Teachers (M) Jamrud. The reduction order was not implemented well in time, now time bard.

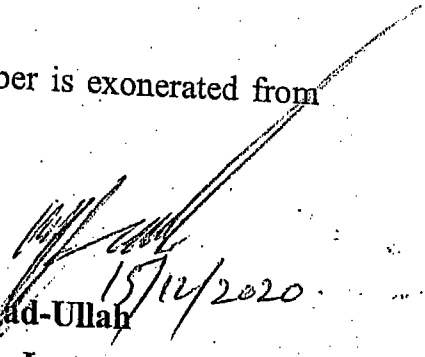
A questionnaire was served to the complainant Mr. Abdullah PST and got his written statement at F/E&F.

### CONCLUSIONS

The allegations levelled against Mr. Mubarak Hussain Office Assistant DEO Khyber are not based on facts. The complainant has no written proof, recording, audio/ video and witnesses regarding illegal gratifications/money etc. The written statement of the complainant, Mr. Abdullah PST is self-explanatory.

### RECOMMENDATIONS

1. Mr. Mubarak Hussain Office Assistant DEO Khyber is exonerated from the allegations level against him by the complainant.



Muhammad-Ullah  
Education Instructor

FITE. Jamrud Distt. Khyber  
(Inquiry Officer)

15/12/2020

قیمت  
50 روپے

101955



ایڈوکیٹ:

بار کونسل / ایسوسی ایشن نمبر:

رابطہ نمبر: 03330265950

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: محمد رفیق محمد رفیق محمد رفیق

منجانب: <u>محمد رفیق</u>	دعویٰ:
عبارت بنام <u>محمد رفیق</u>	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

**بامث تحریر آئیکہ**

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

آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا 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 باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تارتخ 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

المرقوم: 2021-10-26

الع محمد رفیق الع

مقام پشاور کے لیے منظور ہے۔

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

ACCEPTED BY  
محمد رفیق

**“B”**

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

No.

Appeal No. 7672 of 20 21

Mubarak Hussain Appellant/Petitioner

Versus

The Secy: ERSE KPK Peshawar Respondent

Respondent No. 2

Notice to: — The Director ERSE 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 23/2/22 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 .....

Given under my hand and the seal of this Court, at Peshawar this 27th

Day of Dec 20 21

(For Reply)

[Signature]  
S-1-22

[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.

Appeal No. 7672 of 20 21

Mubarak Hussain Appellant/Petitioner

Versus

The Secy. ERSE KPK Peshawar Respondent

Respondent No. 3

Notice to: —

Distt: Education Officer Jamrud  
Distt: Khyber.

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 23/2/22 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 .....

Given under my hand and the seal of this Court, at Peshawar this 27th

Day of Dec 20 21

(for Reply)

  
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.

Appeal No..... 7672 ..... of 20 21

..... Mubarak Hussain ..... Appellant/Petitioner  
*Versus*

..... The Secy. F&SE KPK Peshawar ..... Respondent  
Respondent No..... 1.....

Notice to: —

The Secretary F&SE 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..... 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.....

Given under my hand and the seal of this Court, at Peshawar this..... 27/12  
Day of..... Dec ..... 20 21

*(for Reply)*

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.