

12.09.2022

The worthy Chairman is on leave, therefore, the case is adjourned to 24.10.2022 for the same.

  
Reader

25.04.2022

Counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Shoaib Akhtar, ADEO for respondents present.

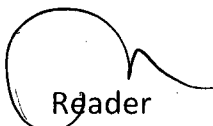
Learned counsel for the petitioner does not agree with the retirement order of the petitioner dated 07.10.2020 mainly on the ground that the converted penalty under the judgement of Service Tribunal dated 16.07.2019, was required to have been mentioned specifically with date i.e 29.04.2016. Due to this lapse, pension calculation does not include the increase given to the pensioner in 2016, 2017 and 2018. On the contrary learned AAG contends that the respondents have implemented judgement of the Service Tribunal in letter and spirit because the court had found the penalty of "removal from service" as harsh and converted it into "compulsory retirement." It is now up to the Accounts Office for calculation of pension and that office has not been impleaded as party in the penal of respondents.

Perusal of record and prudence would suggest that the Service Tribunal had converted the impugned penalty of removal from service dated 29.04.2016 vide its judgement dated 16.07.2019 meaning thereby that the compulsory retirement was required to have been effectuated and issued w.e.f the same date i.e 29.04.2016. As such the department is under obligation to rectify retirement order in respect of the petitioner dated 07.10.2020 by issuing of necessary corrigendum. To come up for further proceedings on 08.07.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER(E)

08.07.2022

Due to Public Holiday on account of Eid-UI-Adha case to come for the same on 12.09.2022.

  
Reader

EP 167/2021

25.03.2022

Counsel for the petitioner present. Mr. Kabirullah Khattak, Addl. AG alongwith Shoaib Akhtar, ADEO (Litigation) for the respondents present.

Representative of the respondents seeks further time to submit implementation report. Respondents are directed to implement the judgment in letter & spirit and submit implementation report on 25.04.2022 before S.B.

  
Chairman

25.03.2022

None for the petitioner present. Mr. Muhammad Abdul Bari, Addl. AG for respondents present.

Implementation report not submitted. Learned AAC sends adjournment. Notices be issued to the respondents for implementation report as well as to the petitioner and his counsel. To come up for further proceedings on 03.07.2022 before AAC.

(Signature)  
(Date)

14.12.2021

Clerk of learned counsel for the petitioner present. Mr. Asif Masood, Deputy District Attorney for respondents present.

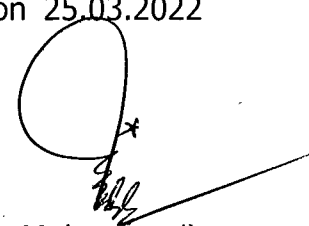
Implementation report not submitted. Fresh notices be issued to the respondents for submission of implementation report. Adjourned. To come up for implementation report on 01.02.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

01.02.2022

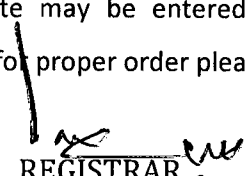


Junior to counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Masood Khan, Litigation Assistant for respondents present.

Representative of the respondents submitted implementation report which is placed on file. A copy of the same is also handed over to the junior to counsel for the petitioner. Adjourned. To come up for further proceedings on 25.03.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

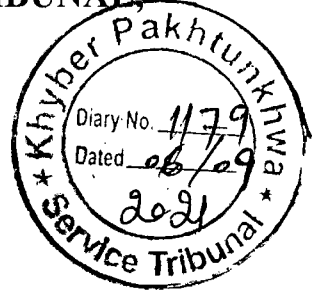
Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_  
Execution Petition No. 167 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	06.09.2021	<p>The execution petition of Syed Ashraf Ali Shah submitted today by Mr. Taimur Ali Khan 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 at Peshawar on <u>15/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	15.10.2021	<p>Counsel for the petitioner present.</p> <p>Notice of the present execution petition be issued to the respondents for submission of implementation report. To come up for implementation report on 14.12.2021 before S.B.</p> <p style="text-align: right;"> (Atiq-Ur-Rehman Wazir) Member (E)</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Execution Petition No. 167 /2021  
In Service Appeal No.1137/2019



Syed Ashraf Ali Shah, Ex-PST,  
GPS Badrasha Nowshera.

**PETITIONER**

**VERSUS**

1. The Secretary Education (E&SE) Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
2. The Director of Education (E&SE) Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (Male), Nowshera.

**RESPONDENTS**

.....  
**EXECUTION PETITION FOR DIRECTING THE  
RESPONDENTS TO FULLY IMPLEMENT THE  
JUDGMENT DATED 06.07.2021 OF THIS  
HONOURABLE TRIBUNAL IN LETTER AND  
SPIRIT.**  
.....

**RESPECTFULLY SHEWETH:**

1. That the petitioner has filed service appeal No.1137/2016 against the order dated 29.04.2016, whereby the appellant has been removed from service and against taking action on the departmental appeal of the appellant within the statutory period of ninety days. **(Copy of order dated 29.04.2016 is attached as Annexure-A)**
2. The said appeal was finally heard by this Honourable Service Tribunal on 16.07.2019. The Honourable Service Tribunal partially allowed the appeal, set aside the impugned order and converted the major penalty of removal from service into compulsory retirement. **(Copy of judgment dated 16.07.2019 is attached as Annexure-B)**

3. That in the compliance of the judgment dated 16.07.2019 the, respondent No.3 passed an order dated 07.10.2020, whereby the petitioner was compulsory retired from service w.e.f. 31.08.2011 **(Copy of order dated 07.10.2020 is attached as Annexure-C)**
4. That when the pension was penalized, annual increase in pension sanctioned by the Government for the year 2016, 2017 and 2018 were not granted to the petitioner and annual increase in pension of the petitioner was started from the year 2019, which is evident from the pension roll date sheet. **(Copy of pension roll data sheet is attached as Annexure-D)**
5. That the removal order dated 29.04.2016 was converted into compulsory retirement by this Honourable Tribunal in its judgment dated 16.07.2019 meaning by that the removal order dated 29.04.2016 was converted into compulsory retirement order dated 29.04.2016 of petitioner, therefore, the petitioner is entitle for annual increase in pension sanctioned by the Government from 2016, however the department granted annual increase from July 2019 and deprived him annual increase in pension for the year 2016, 2017 & 2018, which causes financial loss to the appellant being a poor person and supporting his whole family on that pension.
6. That in-action and not fulfilling formal requirements by the respondents after passing the judgment of this Honourable Service Tribunal, is totally illegal amount to disobedience and Contempt of Court.
7. That the judgment is still in the field and has not been suspended or set aside by the Supreme Court of Pakistan, therefore, the department is legally bound to fully implement the judgment dated 16.07.2019 of this Honourable Service Tribunal in letter and spirit.
8. That the petitioner has having no other remedy except to file this execution petition for full implementation of judgment dated 16.07.2019 of this Honourable Tribunal.

It is, therefore, most humbly prayed that the respondents may kindly be directed to fully implement the judgment dated 16.07.2019 of this Honourable Service Tribunal in its true letter and spirit and the respondents may further be directed to grant sanction of annual increase in pension from July 2016 along with

arrears to the petitioner as the august Tribunal converted the removal order dated 29.04.2016 into compulsory retirement by its judgment dated 16.07.2019 and as per judgment dated 16.07.2019, the petitioner is entitle for annual increase in pension from July 2016 and not from July 2019. Any other remedy, which this august Service Tribunal deems fit and appropriate that, may also be awarded in favour of petitioner.



**PETITIONER**  
Syed Ashraf Ali Shah

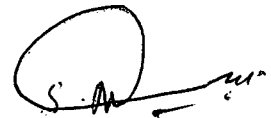
**THROUGH:**



**(TAIMUR ALI KHAN)**  
**ADVOCATE HIGH COURT**

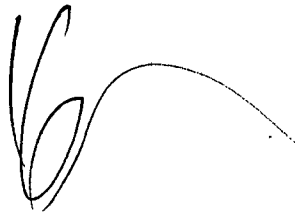
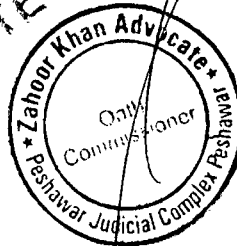
**AFFIDAVIT:**

It is affirmed and declared that the contents of the execution petition are true and correct to the best of my knowledge and belief.



**DEPONENT**

**ATTESTED**







OFFICE OF THE  
DISTRICT EDUCATION OFFICER (M&F)  
NOWSHERA

(Phone & Fax # 0923-9220228)

A

NOTIFICATION:

1. Whereas, Mr. Syede Ashraf Ali Shah PST GPS Badrashi was proceeded under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules-2011, on the charges of willful absenteeism from his duty.
2. And Whereas, Mr. Amil Shah Head Master GHS Pir Pai No.2 Nowshera, was appointed as the inquiry officer vide this office notification No. 3340-45 Date 30/01/2012 EDO(E&SE) Nowshera.
3. And whereas, the inquiry officer after having examine the charges, evidence on the record submitted the report to the office of the undersigned.
4. And whereas, a show cause Notice was served upon Mr. Syed Ashraf Ali Shah PST vide this office No.8793-97 dated 01-02-2016, No.9057 Dated 09-02-2016, No.9509 Dated 22-02-2016 and in the Daily News Paper Aaj dated on 25-03-2016.
5. And whereas, the authority having considered the charges, evidence on the record as per report of inquiry officer and giving the opportunity of personal hearing /appearing in person, to the accused official, is of the opinion that the charges leveled against him have been proved.
6. Now, Therefore, in exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules 2011, Section 4 (b) (iii), the Competent authority is pleased to impose the major penalty of removal from service upon Mr. Sayed Ashraf Ali Shah PST GPS Badrashi.

(Faytz Hussain)  
Competent Authority  
District Education Officer (M)  
Nowshera

Endst: No. 450-57 /DEO (M) NSR/Estb; Secy /Discp. Action, Dated Nowshera the 27/3/2016  
Copy of the above is forwarded for information to the: -

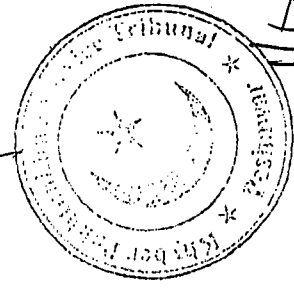
1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer Nowshera.
3. District Monitoring Officer E&SE Nowshera.
4. DDEO (M) Nowshera.
5. SDEO(M) Nowshera.
6. ADEO /Suptt: Estab : (S) / Litigation.
7. Head Master GPS Badrashi Nowshera.
8. Mr. Ashraf Ali Shah PST GPS Badrashi Nowshera. ✓
9. Office copy.

Competent Authority District Education Officer (M)  
Nowshera

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 1137/2016

Date of institution ... 10.11.2016  
Date of judgment ... 16.07.2019



Syed Ashraf Ali Shah  
Ex-PST GPS, Badrashi, 7/20

... (Appellant)

VERSUS

1. The Secretary, Education (E&SE) Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director of Education (E&SE), Department, Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male), Nowshera.

... (Respondents)

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 29.04.2016 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE AND AGAINST NOT TAKING ANY ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

Mr. M. Asif Yousafzai, Advocate. \_\_\_\_\_

.. For appellant.

Mr. Riaz Ahmad Paindakheil, Assistant Advocate General \_\_\_\_\_

.. For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI .. MEMBER (JUDICIAL)

MR. HUSSAIN SHAH .. MEMBER (EXECUTIVE)

.. MEMBER (JUDICIAL)

.. MEMBER (EXECUTIVE)

ATTESTED JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the

Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

appellant and Mr. Riaz Ahmad Paindakheil, Assistant Advocate General

alongwith Mr. Inayatullah, ADO for the respondents present. Arguments heard and record perused.

2. Brief facts of the case as per present service appeal are that the appellant was appointed as Primary School Teacher in Education Department vide order dated 10.11.1990. He was imposed major penalty of removal from service vide

of removal from service order was received to the appellant on 11.07.2016 as revealed from the certificate issued by the Diary & Dispatcher office of DEO (M) NSR No. 2150-57. The appellant filed departmental appeal on 13.07.2016 as alleged by the appellant in para-6 of the service appeal which was not responded hence, the present service appeal on 10.11.2016.

3. Respondents were summoned who contested the appeal by filing of written reply/comments.

4. Learned counsel for the appellant contended that the appellant was appointed as Primary School Teacher in Education Department. It was further contended that the appellant was imposed major penalty of removal from service vide order dated 29.04.2016 on the allegation of absence from duty. It was further contended that the appellant served in Education Department for more than 18 years but the respondent-department has not taken into consideration the aforesaid service of the appellant while imposing the major penalty of removal from service on the allegation of absence from duty. It was further contended that neither charge sheet, statement allegation was served nor proper inquiry was conducted nor the appellant was handed over any show-cause notice therefore, the appellant was condemned unheard which <sup>was</sup> rendered the whole proceeding illegal and liable to be set-aside and prayed for acceptance of appeal.

5. On the other hand, learned Assistant Advocate General for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was absent from duty for a long period without permission of lawful authority. It was further contended that all the codal formalities were conducted and thereafter, the appellant was imposed major penalty of removal from service in accordance with rules by the competent authority therefore, prayed for dismissal of appeal.

ATTESTED

*[Signature]*

*M. Anwar*  
*16.7.2019*

6. ✓ Perusal of the record reveals that the appellant was appointed as Primary School Teacher in Education Department vide order dated 10.11.1990 and was having long service of about 18 years in his credit as alleged by the appellant in para-1 of the service appeal but the respondent-department has not taken into consideration the aforesaid period of service of the appellant while imposing the major penalty of removal from service on 29.04.2016 despite the fact that the inquiry officer has also recommended the major penalty of compulsory retirement for the appellant in inquiry report, therefore, the appellant having 18 years service in his credit in Education Department, the penalty of removal from service appear to be harsh. As such, due to his long service, we partially accept the appeal, set-aside the impugned order and convert the major penalty of removal from service into compulsory retirement. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
16.07.2019

*Muhammad Amin*  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

*Hussain Shah*  
(HUSSAIN SHAH)  
MEMBER

Certified to be true copy

*[Signature]*  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of ..... 10-10-19  
 Number of Pages ..... 1200  
 Copying Fee ..... 14  
 Urgent ..... 4  
 Total ..... 18  
 Name of ..... [Signature]  
 Date of Receipt ..... 10-10-19  
 Date of Delivery of Copy ..... 10-10-19



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)



**RETIREMENT ORDER.**

In compliance with the judgment of Honorable Service Tribunal Peshawar Service Appeal N 1137/2016 announced on 16-07-2019 and under the provision of Government of Khyber Pakhtunkhwa Finance Department letter No.FD (SR-VI) Vol. II dated 24-08-1983, Sanction is hereby accorded to the grant of compulsory Retirement from Govt. Service.

Detail given below

S#	Name of Official	D/O Retirement	D/O Birth	D/O 1 <sup>st</sup> Appointment	Total Service Length Y_M_D	Remarks
01	Mr. Syed Ashraf Ali Shah FST BPS-12 GPS No.1 Badrashi PNO 00351978	31-08-2011	12-09-1968	18-11-1990	16-10-06	Compulsory Retired from Govt. Service

- Note: -1. Necessary entry to this effect should be made in his service book accordingly  
2. The outstanding amount/Bank loan (If any Govt. loan may be deducted from the concerned pensioner Lumsum Please.

(Sajjad Akhtar Iqbal)  
District Education Officer (Male)  
Nowshera

Encl: No. 500-02 /DEO (M) NSR/E-Prv/File.No.01/Vol.01/Teachers/ Dated Nowshera the 07/10/2020.

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

- 1: Senior District Account Officer, Nowshera.
- 2: Sub Divisional Education Officer (Male) Nowshera application received vide letter No: 4174-78 dated 22-09-2020 DEO (M) local Office Dairy No; 4307 date 22-09-2020.
- 3: ADO Circle concerned

District Education Officer (Male)  
Nowshera

**PENSION ROLL DATA SHEET  
NOT A PAYMENT ADVICE**

D

Date of Issue : 09.12.2020  
 PPO Type : FRESH  
 PPO Number : 00351978-01  
 Pensioner ID : 00351978  
 Pension Register No  
 Pensioner's Name : SYED ASHRAF ALI SHAH  
 Father / Husband name : SYED AFZAL SHAH  
 Designation : PRIMARY SCHOOL TEACHER  
 NIC No : 1720121674597  
 Grade / Scale : 12  
 Department Min : Education Schools  
 Pensioner's Type : SELF  
 Pension Type : COMPULSARY RETIREMENT  
 Date of Birth : 12.09.1968  
 Date of appointment : 18.11.1990  
 Date of retirement : 31.08.2011  
 Date of Death :  
 Date of commencement :  
 Date of Restoration :  
 Accounts office ID : NR  
 Accounts office Name : Nowshera  
 Federal Province : Khyber Pakhtunkhwa  
 Length of Qualifying Service : 20 years, 9 months, 13 days  
 No. and Date of sanction of pension / Letter No. :  
 and the date of the other Audit and Accounts officer authorising  
 the Pension Gratuity/Commutation  
 Permanent Address: BABA KHEL ZYARAT KAKA SAHIB  
 DISTT NOWSHERA

Note : MINIMUM PENSION  
 Age : 43 years  
 Last Drawn pay/Emolument(Rs.) : 8695.00  
 Gross Pension(Rs.) : 3449.02  
 1/4th Surrendered Portion (Rs.) :  
 Commuted Portion (Rs.) : 1207.16  
 Net Pension (Rs.) : 10000.00  
 Net Family Pension (Rs.) : 0.00  
 Amount of Commutation(Rs.) : 335842.00  
 With Held Amount (Rs.) : 0.00  
 Life Time Arrears (Rs.) : 0.00  
 Arrears Of Pension (Rs.) : 0.00  
 Special Additional Pension (Rs.) : 0.00  
 Commutation Percentage : 35.00  
 Commutation Table value : 23.18  
 Recovery on A/C of :  
 Debitable to Govt : Khyber Pakhtunkhwa

**PROPOSED PENSION SLIP**

Payment details

Wage Type	Wage Type Text	Amount
0100	Monthly Pension - Self	10000.00
0101	Pension Increases - Self	1000.00
1399	Medical Allow - Pensioner	750.00
1600	Med. All. 2015 Pensioner	157.50

He/She is also entitled to the following increases

S. No.	Period	Increase % or amount	Increase Amount	W.E.F.
1	JUL 2018	Rs. 0.00	0.00	01.07.2018
2	JUL 2019	10.00 %	1000.00	01.12.2020
3	0	Rs. 0.00	0.00	
4				
5				
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12				
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15				
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18				
19				
20				
21				
22				
23				

Bank Details

Bank Account Number : 0010023863130011  
 Bank Branch : CAVALRY ROAD  
 CAVALRY ROAD  
 Payment Mode : ALLIED BANK LIMITED

ACCOUNTS OFFICER  
(Pension)

*2016-2017*

بعدالت

سروس ٹریڈ ٹیوٹریل

سید اشرف علی صاحب  
سید اشرف علی صاحب

مورخہ  
مقدمہ  
دعویٰ  
جرم

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی صاحب سے کاروانہ کی کاروانہ  
آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروانی کا کامل اختیار ہوگا۔ نیز  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروانی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زر میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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۔ از بصورت ضرورت  
مقدمہ مذکور کے کل یا جزوی کاروانی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے  
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے  
اور اس کا ساختہ پرداخت منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ 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 لکھ دیا کہ سندر ہے۔

Accepted  
&  
Attested

20

۶

المرقوم

واہ العبد  
کے لئے منظور ہے۔

مقام

S.A.

**"B"**

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

No.

Execution Petition 167 of 2021  
Appeal No..... of 2021

Syed Ashraf Ali Shah.....Appellant/Petitioner

Versus

The Secy F&E Edu KPk.....Respondent

Respondent No.....3.....

Recd

Notice to: - The Distt Education Officer  
(made) Now Shera.

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.....14/12/21.....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 F.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.....3/11.....

Day of.....Nov.....20 21

for 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, S.P  
PESHAWAR.**

No.

Execution Petition 167 of 20 21  
Appeal No. ....

Syed Ashraf Ali Shah Appellant/Petitioner

The Secy. Edu (ERSE) KPK Respondent

Respondent No. 1

Notice to: -

The Court of KPK Secretary  
Education ERSE 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.....16/12/21.....at 8.00 A.M. If you wish to urge anything against the appelland/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..... 315

Day of..... Nov 20 21

for presentation  
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, P.F.**  
**PESHAWAR.**

No.

*Execution Petition 167* of 20 *21*  
 Appeal No. ....  
*Syed Ashraf Ali Shah* ..... Appellant/Petitioner

*Versus*  
*The Secy F&SE Edu KPK* ..... Respondent

Respondent No. *2* .....

Notice to: — *The Director C F 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.....*14/12/21*.....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.....*3/15*.....

Day of.....*Nov*.....20 *21*

*(for 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.

No.

Appeal No. E.P. No. 167 of 2021

Syed Ashraf Ali Shah Appellant/Petitioner

The Court of K.P.S. Secy: ERSE Respondent

Respondent No. 3

Notice to: — the Dist. Education Officer (Male)  
Nowshera.

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 21/12/21 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 E.P. 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 22<sup>nd</sup>

Day of Dec 2021

for 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, P  
PESHAWAR.

No.

Appeal No. E.P. 167 of 20 21

Syed Ashraf Ali Shah Appellant/Petitioner

The Govt. of KPK Secy. Edu Respondent

Respondent No. 2

Notice to: —

The Director (E & 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 1/2/22 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.

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 22/12

Day of Dec 20 21

For Implementation Report

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

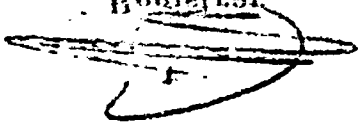
Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

ΠΡΟΣΦΩΝΑ:

ΚΥΡΑΡΧΕΙΟ ΠΑΡΕΠΙΘΕΚΙΩΝ ΣΕΛΩΝΕΣ ΔΙΔΡΑΜΩΝ

ΚΕΚΙΣΤΕΛΑΙ

Handwritten notes: "Από 1/10/2019", "Κύριος", "Πρωτόκολλο"



Επισημαίνεται ότι η παρούσα απόφαση εκδόθηκε σύμφωνα με το άρθρο 100 του Κ.Ν. 1566/1986.

Οι αιτήσεις για την παροχή υπηρεσιών καταχωρήσεως των οχημάτων υποβάλλονται στην αρμόδια αρχή σύμφωνα με το άρθρο 100 του Κ.Ν. 1566/1986.

Οι αιτήσεις για την παροχή υπηρεσιών καταχωρήσεως των οχημάτων υποβάλλονται στην αρμόδια αρχή σύμφωνα με το άρθρο 100 του Κ.Ν. 1566/1986.

Handwritten signatures and notes: "Κ. Ν. 1566/1986", "Απόφαση", "Πρωτόκολλο"

ΣΤΕΦΑΝΟΣ ΚΑΡΑΓΙΑΝΝΗΣ

ΠΡΟΕΔΡΟΣ ΤΗΣ ΕΠΙΤΡΟΠΗΣ ΚΑΤΑΧΩΡΗΣΗΣ ΟΧΗΜΑΤΩΝ

ΚΑΤΑΧΩΡΗΣΗ ΟΧΗΜΑΤΩΝ ΚΑΙ ΕΚΔΟΣΗ ΑΔΕΛΦΟΤΗΤΑΣ

**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), 1 KHYBER ROAD, PESHAWAR.**

No.

Appeal No. E.P. No. 167 of 2021

Syed Ashraf Ali Shah Appellant/Petitioner

The Govt. of KPK Secy: F&D Respondent

Respondent No. 1

Notice to: — The Govt. of KPK Secretary (F&D)  
Peshawar.

WHEREAS an appeal/petition under the provisions 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.....12/12/21.....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.....22/12.....

Day of.....Dec.....2021

*(for implementation Report)*

23/12/21  
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.



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)

No. \_\_\_\_\_ /DEO(M)NSR /Court-Matter Dated Nowshera the \_\_\_\_\_ / 11 / 2021

To

The Director,  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Subject: **GUIDANCE.**

Memo;

Please refer to the subject cited above it is stated that Mr. Ashraf Ali Shah PST was removed from service on 29-04-2016. He approached to Honorable Service Tribunal Peshawar for his re-instatement in service Appeal No. 1137/2019. While service tribunal converted his major penalty removal from service into compulsory retirement.

In compliance of the Honorable Service Tribunal Order/ Judgment, penalty was converted into compulsory retirement and issued retirement order w.e.f 31-08-2011 (from the date of his absenteeism) vide this office Endst No. 5500-07 dated: 07-10-2020.

Now the appellant filed execution petition for annual increase in his pension from July-2016 along with arrears.

As the matter is related to Finance Deptt, Therefore it is requested to guide the undersign in the above matter.

**Encl:**

All Relevant Documents

District Education Officer (Male)  
Nowshera

Dated Nowshera the 24/11/2021

Endst: No. 6455-56 /DEO(M)NSR /Absentee Notice  
Copy for information to:

1. Registrar Service Tribunal Peshawar.
2. Secretary to Finance Deptt: Khyber Pakhtunkhwa Peshawar.
3. Office Copy.

District Education Officer (Male)  
Nowshera



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA**

No. 8592 Dated. 29 / 11 /2022  
☎0923-9220228, ☎0923-9220228

**IMPLEMENTATION REPORT REGARDING ORDER/JUDGMENT DATED 16/07/2019  
IN SERVICE APPEAL NO. 1137/2019**

Respectfully Sheweth;

It is humbly submitted that the order/judgment dated 16/7/2019 of this Honorable Service Tribunal in service appeal no. 1137/2019 has been fully complied whereby major penalty of removal from service was converted into compulsory retirement. Gratuity, pension and all other attached funds has already been released.

Now as the appellant seeks the afterward annual pension increase from 2016-2018 is a pure financial issue for that purpose guidance has been sought from Finance department.

**(Copy of retirement order & 'guidance' letter is attached)**

  
District Education Officer (M)  
Nowshera.





OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone//0923-9220228, Fax//0923-9220228)

**RETIREMENT ORDER.**

In compliance with the judgment of Honorable Service Tribunal Peshawar Service Appeal N 1137/2016 pronounced on 16-07-2019 and under the provision of Government of Khyber Pakhtunkhwa Finance Department letter No.FD (SR.VI) Vol. II dated 24-08-1983, Sanction is hereby accorded to the grant of compulsory Retirement from Govt. Service.

Detail given below

Sr	Name of Official	D/O Retirement	D/O Birth	D/O 1 <sup>st</sup> Appointment	Total Service Length Y_M_D	Remarks
02	Mr. Syed Ashraf Ali Shah PST BPS-12 GPS No.1 Badraahi PNO 00351978	31-08-2011	12-09-1968	18-11-1990	16-10-06	Compulsory Retired from Govt. Service ?

- Note: -1. Necessary entry to this effect should be made in his service book accordingly  
2. The outstanding amount/Bank loan (If any Govt. loan may be deducted from the concerned pensioner Lumpsum Please.

(Sajjad Akhtar Iqbal)  
District Education Officer (Male)  
Nowshera

Encl: No. 500-02 /DEO (M) NSR/E-PK/ File.No.01/Vol.01/Teachers/ Dated Nowshera the 01/10/2020.

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

- 1: Senior District Account Officer, Nowshera.
- 2: Sub Divisional Education Officer (Male) Nowshera application received vide letter No: 4174-78 dated 22-09-2020 DEO (M) local Office Dalry No; 4307 date 22-09-2020.
- 3: ADO Circle concerned

District Education Officer (Male)  
Nowshera



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)

No. \_\_\_\_\_ /DEO(M)NSR /Court-Matter Dated Nowshera the / 11 / 2021

To

The Director,  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Subject: **GUIDANCE.**

Memo;

Please refer to the subject cited above it is stated that Mr. Ashraf Ali Shah PST was removed from service on 29-04-2016. He approached to Honorable Service Tribunal Peshawar for his re-instatement in service Appeal No. 1137/2019. While service tribunal converted his major penalty removal from service into compulsory retirement.

In compliance of the Honorable Service Tribunal Order/ Judgment, penalty was converted into compulsory retirement and issued retirement order w.e.f 31-08-2011 (from the date of his absenteeism) vide this office Endst No. 5500-07 dated: 07-10-2020.

Now the appellant filed execution petition for annual increase in his pension from July-2016 along with arrears.

As the matter is related to Finance Deptt, Therefore it is requested to guide the undersign in the above matter.

Encl:

All Relevant Documents

District Education Officer (Male)  
Nowshera

Dated Nowshera the 24/11/2021

6455-56  
Endst: No. \_\_\_\_\_ /DEO(M)NSR /Absentee Notice

Copy for information to:

1. Registrar Service Tribunal Peshawar.
2. Secretary to Finance Deptt: Khyber Pakhtunkhwa Peshawar.
3. Office Copy.

District Education Officer (Male)  
Nowshera



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA

(Office Phone#0923-9220228, Fax#0923-9220228)



**CORRIGENDUM RETIREMENT ORDER.**

Consequent upon the judgment announced by Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar in Execution Petition No. 167 In Service Appeal No.1137/2019 announced on 16-07-2019 and 25/04/2022 and in continuation of this office Retirement order Endst No: 5500-02/DEO(M)NSR/E-Pry/File No;1 Vol No;1/Teachers/dated Nowshera the 07/10/2020 Mr. Ashraf Ali Shah PST BPS-12 GPS No;1 Badrashi Nowshera shall stand Retire from Service on 29/04/2016 the intervening /Absence period i.e. from 01-09-2011 To 28-04-2016 is hereby converted in to leave without Pay as per following detail under the provision of Government of Khyber Pakhtunkhwa Finance Department letter No,FD(SR-VI) Vol, II dated 24-08-1983 ,Sanction is hereby accorded to the grant of compulsory Retirement From Govt: Service. Detail given below

S#	Name of Official	D/O Retirement	D/O Birth	D/O 1 <sup>st</sup> Appointment	Total Length Service Y_M_D	Remarks
1	Mr. Syed Ashraf Ali Shah PST BPS-12 GPS No.1 Badrashi PNO. 00351978	29-04-2016	12-09-1968	18-11-1990	16-10-06	Compulsory Retire from Service.

Note: -- 1. Necessary entry to this effect should be made in his service book accordingly

2. The outstanding amount/Bank loan (if any Govt: loan may be deducted from the concerned pensioner Lumsum Please.

(SHAH JEHAN)

District Education Officer (Male)  
Nowshera

Endstt: No 4427-30/DEO (M) NSR/E-Pry/File.No.1 /Vol;-I /Teachers/ Dated Nowshera the 24/08/2022.

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

- 1: Senior District Account Officer, Nowshera.
- 2: Sub Divisional Education Officer (Male) Nowshera application received vide letter No. 7165 dated 06-07-2020.
- 3: ADO Circle concerned

District Education Officer (Male)  
Nowshera



B.D.

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
NOWSHERA  
(Office phone#023-220228, Fax#023-220228)



**CORRIGENDUM RETIREMENT ORDER**

Grant of compulsory Retirement from Govt. Service Detail given below  
Pakhtunkhwa Peshwar in Execution Petition No. 167 in Service Appeal No. 1131/2019 announced on 16-07-2019  
and 25/04/2020 and in continuation of this office Retirement order dated No. 2200 02 DCO (M) 1577-2-1/19 No. 1  
Vol No. 17/2020 dated 16/07/2020 Mr. Ashraf Ali Shah Pst BP-12 CPS No. 1 Badrashi Nowshera  
shall stand Retire from Service on 25/04/2016 the intervening Absence period i.e. from 01-09-2011 to 28-04-2016  
thereby converted in to leave without pay as per following detail under the provision of Government of Punjab  
Pakhtunkhwa Finance Department letter No FD(R-VI) Vol. II dated 24-08-1983. Action is hereby accorded to the

S#	Name of Official	D/O Retirement	D/O Birth	D/O 1 <sup>st</sup> Appointment	Total Length of Service Y M D	Remarks
1	Mr. Syed Ashraf Ali Shah Pst BP-12 CPS No. 1 Badrashi PNO 00251978	29-04-2016	12-09-1988	18-11-1990	18-10-06	Compulsory Retire from Service.

Note - 1. Necessary entry to this effect should be made in his service book accordingly.  
2. The outstanding amount/bank loan (if any) Govt. loan may be deducted from the concerned pensioner/loanee please

(SHAH JEHAN)

District Education Officer (Male)  
Nowshera

Copy of the above is forwarded for information for further necessary action to the:-  
1. Senior District Account Officer, Nowshera  
2. Sub Divisional Education Officer (Male) Nowshera application received vide letter No. 2182  
3. ADO Circle concerned dated 08-07-2020

1: Senior District Account Officer, Nowshera  
2: Sub Divisional Education Officer (Male) Nowshera application received vide letter No. 2182  
3: ADO Circle concerned dated 08-07-2020

District Education Officer (Male)  
Nowshera