


29.09.2017

None present on behalf of the appellant. Mr. Ziaullah, Deputy District Attorney for the respondents present. Notice be issued to appellant for attendance for 23.11.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

23.11.2017

Learned Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 17.01.2018 before D.B.



(Gul Zeb Khan)
MEMBER


(MUHAMMAD HAMID MUGHAL)
MEMBER

17.01.2018

None present on behalf of the appellant. Mr. Muhammad Jan, Learned Deputy District Attorney for the respondents present. case called but none appeared on behalf of the appellant. Therefore the present appeal is dismissed in default. File be consigned to the record room.


(Gul Zeb Khan)
MEMBER


(Muhammad Hamid Mughal)
MEMBER

07.02.2017

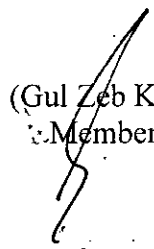
Husband of the appellant and Mr. Ziaullah, GP alongwith Mr. Hameed-Ur-Rehman, AD(Lit) for respondents present. Husband of the appellant requested for adjournment. Request accepted. To come up for arguments on 16.05.2017.


(ASHFAQUE TAJI)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

16.05.2017


No one present on behalf of appellant. Mr. Hameed-ur-Rahman alongwith Mr. Usman Ghani District Attorney for the respondents present. Notice be issued to the appellant and his counsel for attendance. To come up for arguments on 05.09.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

05.09.2017

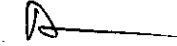
Clerk of the counsel for appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant seeks adjournment. Adjourned. To come up for arguments on 29.09.2017 before D.B.


(Muhammad Amin Khan Kundi)
Member

(Muhammad Hamid Mughal)
Member

18.12.2015

Counsel for the appellant and Mr. Muhammad Owais, Subject Specialist alongwith Mr. Ziaullah, GP for respondents present. Rejoinder submitted on behalf of the appellant which is placed on file. To come up for arguments on 16.5.2016.

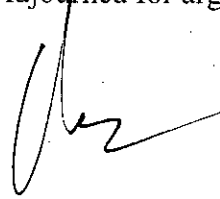

Member


Member

16.05.2016

Junior to counsel for the appellant and Mr. Owais Shah, Subject Specialist alongwith Mr. Muhammad Jan, GP for respondents present. Junior to counsel for the appellant requested for adjournment. Adjourned for arguments on 7.10.2016.

Member



Member



07.10.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 07.02.2017.

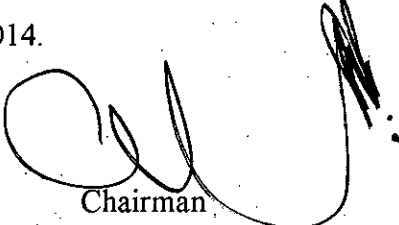

(MUHAMMAD AAMIR NAZIR)
MEMBER


(PIR BAKHSH SHAH)
MEMBER

9-

12.6.2014

Counsel for the appellant and Mr. Khurshid Khan, SO for respondent No. 1 with AAG for the respondents present. Written reply has not been received. To come up for written reply/comments, positively, on 24.9.2014.

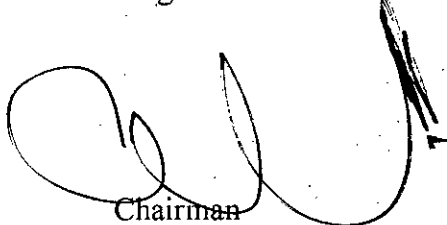


Chairman

1e

24.09.2014

Counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1 and Muhammad Owais, Subject Specialist for respondent No. 3 with Mr. Muhammad Adeel Butt, AAG for the respondents present. Written reply has not been received on behalf of the respondents, and request for further time made on their behalf. Another chance is given for written reply/comments on 26.01.2015.



Chairman

11 26.01.2015

Counsel for the appellant, M/S Khurshid Khan, S.O for respondent No. 1 and Muhammad Owais, Subject Specialist for respondent No. 3 alongwith learned Addl: A.G for all respondents present. Written reply submitted. To come up for rejoinder and final hearing/arguments before D.B on 23.07.2015.



Chairman

23.07.2015

Clerk of counsel for the appellant and Mr. Ziaullah, GP with Javed Ahmad, Supdt. for the respondents present. Counsel for the appellant is not available and request made on his behalf for adjournment. To come up for arguments on

18-12-2015

MEMBER



MEMBER

Appeal No. 623/2014
Mst. Shaukat Ara

7.

19.12.2013

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. The Appellant filed the instant appeal on 09.04.2013, against the impugned order dated 26.03.2013. He further contended that the said order is not a speaking order and passed in violation of Rule-5 of the Civil Servants (Appeal) Rules 1986. He also relied on Section-418, Sub-Section(b) of the Civil Service Regulations (C.S.R). Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply on 18.03.2014.

Appellant Deposited
Security & Process Fee
Rs. 1,800/-
Receipt is Attached with File.
JULY

Member

8.

19.12.2013

This case be put before the Final Bench D for further proceedings

Chairman

18.3.14

The Honble bench is on leave
Orders are issued
12.6.14

Read

4
10.07.2013

Clerk of counsel for the appellant. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance 2013, (Khyber Pakhtunkhwa ord. II of 2013) the case is adjourned on note Reader for proceedings as before on 24.09.2013.


Reader

5
24.9.2013

No one is present on behalf of the appellant. Preliminary arguments could not be heard due to strike of the Bar. To come up for preliminary arguments on 31.10.2013. Pre-admission notice be also issued to the respondents for production of relevant record.


Chairman

6
31.10.2013





No one is present on behalf of the appellant. To come up for preliminary hearing on 19.12.2013.


Member



Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 623/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/04/2013	<p>The appeal of Mr. Shaukat Ara presented today by Mr. Nasir Mahmood Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	16-4-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>29-5-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
3.	 <p>26/13</p>	<p>Asstt; to Counsel for the appellant present. In pursuance of the KPK Service Tribunals (Amendment) ordinance 2013, (KPK order No. II of 2013, the case is adjourned on note Reader for proceedings as before on 10-7-2013.</p> <p style="text-align: right;"> Reader.</p>

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

IN RE; Service Appeal NO. ⁶²³.....\2013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education
Peshawar and others.....Respondents.

INDEX

S.No.	Description of Documents	Annexure	Pages
1.	Appeal with affidavit		1-3
2.	Letter dt.06.01.2010	A	4
3.	Service Book	B	5-13
4.	Appointment Order dt.23.4.2013	C	14-15
5.	Relieving Order dt.23.4.2013	D	16
6.	Certificate of Transfer of Charge	E	17
7.	Last Pay Certificate	F	18
8.	Departmental Appeal	G	19
9.	Rejection Order	H	20
10.	Wakalat Nama		

Shaukat Ara

Appellant

Through



Nasir Mahmood Advocate
13-D Haroon Mension
Peshawar.

Mob.0333-9176275

8/4/12

(9)

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

IN RE; Service Appeal NO 623 \2013

Shaukat Ara D\O Noor Shah Zada Arabic Teacher GGHS
Jahangiri Banda District Karak.....Appellant

Versus

1. Govt. of KPK, through Secretary (E&S) Education Peshawar.
2. Director (E&S) Education Peshawar.
3. Executive District Officer (E&S) Education
Karak.....Respondents

Appeal under section 4 of the NWFP Service Tribunal Act, 1974 against the Office Order dated 26.03.2013 passed by Respondent No.3 whereby the Departmental appeal of the appellant dated 27.02.2013 for Counting\Merging of previous service was rejected.

Prayer in appeal:

On acceptance of this appeal the impugned order dated 26.03.2013 passed by respondent No.3 may be set-aside and the appellant previous service may please be counted\merged in present service.

Respectfully Sheweth:

1. That upon recommendations of Departmental Selection Committee appellant was appointed as Arabic Teacher GGMS Atta Muhammad Saroobi North Waziristan Agency vide order dated 10.09.2003.

2. That in the year 2012 respondent no.3 advertised posts of Arabic Teacher and appellant being eligible applied for the same which is clear from the letter dated 06.01.2010 through which application for appointment of appellant as

N.W.F.P. Peshawar
Service Tribunal
No. 703
Dated 09-04-2013

Filed to-
L. Sub
9/4/13

Arabic Teacher was sent by Agency Education Officer North Waziristan Agency to respondent no.3 Executive District Officer (E&S) Education Karak. Copy of the letter and Service Book is attached as annexure-A&B.

3. That later on consequent upon approval of District Recruitment\Selection Committee appellant was appointed as Arabic Teacher vide order dated 23.04.2012 in GGHS Jahangiri Banda District Karak. Copy of the appointment order is attached as annexure-C.

4. That appellant was relieved from her duty on 23.04.2012 and was directed to report to her new assignment and the appellant taken over charge on 24.04.2012 in GGHS Jahangiri Banda District Karak. Copy of the relieved order, Certificate of Transfer of Charge & Last Pay Certificate is attached herewith as annexure-D, E&F respectively.

5. That thereafter, appellant preferred departmental appeal (Annexure-G) to respondent No.3 for merging\Counting of her previous service in the present service which was dismissed vide order dated 26.03.2013(Annexure-H)hence the present appeal inter alia on the following grounds;

Grounds

A. That the appellant has not been treated in accordance with law, rules on the subject and his right secured and guaranteed under the law and Constitution has been violated.

B. That the appellant has applied through proper channel and there is no break in her service but even then the respondents have not illegally counted her previous in her present service.

C. That in accordance with fundamental ^{C.S. 1933}rules civil servant who is appointed to another substantive post, the whole period which a civil servant has passed on the previous post will be counted in his present service but the respondents have flagrantly violated the law on the subject and the impugned order is liable to be set-aside on this score alone.


D. That the impugned order dated 26.03.2013 by respondent No.3 is highly arbitrary, malafide, discriminatory, whimsical and thus untenable.

It is, therefore prayed that on acceptance of this appeal the impugned order dated 26.03.2013 may be set-aside and the appellant previous service may be ordered to be merged\counted in her present service.

Any other remedy deemed proper may also be allowed.

Shaukat Ara
Appellant

Through


Nasir Mehmood Advocate,

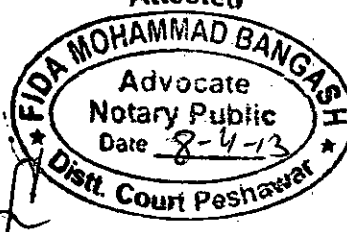
13-D Haroon Mansion Peshawar.

AFFIDAVIT

I, Shaukat Ara D\O Noor Shah Zada Arabic Teacher GGHS Jahangiri Banda District Karak do hereby solemnly affirm and declare on oath that contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this honorable tribunal.

Deponent

Shaukat Ara

Attested

FIDA MOHAMMAD BANGASH
Advocate
Notary Public
Date 8-4-13
Distt. Court Peshawar

Annex-A

4

No. 71

Dated 6 / 11 / 2010

FROM: The Agency Education Officer,
N.W. Agency Miranshah.

TO: The Executive District Officer,
Elementary and Secondary Education
Karak.

SUBJECT: APPLICATION FOR THE POST ARABIC TEACHER.

Memorandum

An application submitted by Shaukat Ara D/O
Noor Shhh Zada District Karak who is serving as (Arabic Teacher
in this Agency since 11.9.2003) is sent herewith for appointment
as Arabic Teacher.

It is further added that this office has no
objection if she is appointed as Arabic Teacher.

AGENCY EDUCATION OFFICER
North Waziristan Agency
at Miranshah, District
North Waziristan Agency
6/11/2010

[Signature]
Certified to be
True Copy

1. Name (نام) Shakhat - Yasa. Awa.
2. Nationality and Religion (قومیت اور مذہب) Islam. Dakshinari
3. Residence (مستقل رہائش) Ilage Karan, Teh. A Dist
4. Father's Name and residence (والد کا نام اور رہائش) Ilage Sahzade
5. Date of birth Christian era (تاریخ پیدائش مطابق مسیحی) 29-3-1984
nearly as can be ascertained
6. Exact height by measurement (قد و قامت) 5-7
7. Personal mark of identification (شمارہ شناخت) NIL

8. Left hand/right hand thumb and finger impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (انگشت چھوٹا)

Ring Finger (پستلیا کے ساتھ کی انگلی)

Middle Finger (انگشت میاں)

Fore Finger (انگشت شہادت)

Thumb (انگوٹھا)

9. Signature of Govt. Servant (سرکاری ملازم کے دستخط) J. Awa

10. Signature and designation of the Head of the Office or other attesting officer

Certified to be True Copy

(تصدیق کنندہ کے دستخط اور مہر)

Note: The entries in this page should be renewed at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 hours up to this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہو یا ضروری ہو تو اس کے بعد تصدیق کے لیے ہر ماہ سال

انگریزوں کے نشانات کے لیے ہر ماہ سال تصدیق کی ضرورت ہے۔

1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating st. to (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay		7 Date of appointment	8 Signature Government servant	9 Signature of Government servant
			Rs.	Ps.	Rs.	Pc.					
رجہ ملازمت G.G.M.S.	ملازمت مستقل Off/Temp	اگر ملازمت سے فوری رول کے مطابق پیش کیا جائے	9410/- pm		11-9 2003	FN.	Shree	[Signature]	2410-145-6760	BPS-9	

Notified to be
 11th copy

Rs 2410/- PM

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 2003

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1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating ; also- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.F. (Pb.) Volume II	4 Pay in substantive position	5 Additional pay for officiating	6 Other emoluments falling under the term pay	7 Date of appointment	8 Signature of official Government servant
	ماریس سٹیشن نام مقام	اگر ماریس سٹیشن ہے تو ماریس کے مطابق پیش کیا قوت ہے؟	ماریس ملازم ماریس ملازم	زائد ماریس ماریس قائم مقام	اسرائیل ماریس دیگر الوانس	تاریخ تقرری	ماریس ملازم
<p>Revised fixation B-14-3780-305-12930</p> <p>R. B-14-3780-305-12930</p>							
AT Post			Rs. 3780/- Pm.			22 9 06	
AT Post			Rs. 4350/- Pm.			1 7 07	
AT			Rs. 4700/- Pm.			14 12 07	
			Rs. 5220/-				
			Rs. 5700/-				

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8	9	10	11	12	13	14	15
Signature and designation of head of the office or other attesting officer station 1 to 8 Signature of Government servant	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of average period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitab to another Government	Signature of the Head of the office other attesting Officer	Reference to any recorded punishment of censure, or reward, or praised of the Government servants
[Signature]	[Date]	[Reason]	[Signature]	[Nature]	[Allocation]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Signature]	[Nature]	[Allocation]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Signature]	[Nature]	[Allocation]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Signature]	[Nature]	[Allocation]	[Signature]	[Reference]
[Signature]	[Date]	[Reason]	[Signature]	[Nature]	[Allocation]	[Signature]	[Reference]

Agency Education Officer
North West Frontier Province
30/6/07

Agency Education Officer
North West Frontier Province
30/6/07

Sanction of B-14
Sanction of B-14
accorded vide 14/14
vide AGO No. 219/07
dated 28-7-08
Agency Education Officer
North West Frontier Province

Agency Education Officer
North West Frontier Province
30/6/07

Agency Education Officer
North West Frontier Province
30/6/07

T-141 015-6-08
Drawn amount of
pay & all allowances of
B-14 (G.P. 23) T-3 S
on the basis of 12/12/07
amounting to Rs. 2036/-
11/6/08

Drawn Rs. 4224/- on 21/5/08
on account of pay & allowances for
the period 18/5-15/7/08 on the basis
of 12/12/07 vide T. No. 5 dated 19/6/08

Agency Accounts Officer
19/6/08

Certified to be True Copy

1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating state- (i) Substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay	7 Date of appointment	8 Signature Government Servant
			Rs.	P.s.	Rs.	P.s.			
درجہ ملازمت E.P.MS - A. Ha. Muhammad	مرضی مستقل تائم مقام	اگر کسی سے تو رول کے مطابق پیش کیا سکتا ہے؟	تختہ پور مرضی ملازمت		زائد تختہ پور مقرر تو تم مقام		اس کے تختہ پور دیگر الذات	تاریخ تقرری	تختہ پور مرضی ملازم
A.T. post	B.P.S.	No. 15	5990		20		12890		
B.P.S. No. 15					5640			1-7	
			RS	(5990)				2008	
					6060			1-12	
			RS	(6060)				2008	
					6480			1-12	
			RS	(6480)				2008	
					6700			1-12	
			RS	(6700)				2008	
		pay scale B.P.S. No. 15 (8500-7000-29500)							
			11500					1-7	
			RS	(11500)				2011	
		Certified to be True Copy			12000			1-12	
					(11300)			2011	

Annex C

14

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND
SECONDARY EDUCATION KARAK

APPOINTMENT ORDER OF AT (FEMALE)

Consequent upon the approval of the District Recruitment/Selection Committee, Karak, the following candidates are hereby appointed against the vacant posts of AT BPS-15 @ Rs. (8500-700-29500) PM plus usual allowances as due and admissible under the prescribed rules/quota (75% Open Merit, 25% Seniority- Cum-Fitness and 02% Disable) on regular basis except pension and gratuity with effect from the date of their taking over charge on the terms and conditions as mentioned below in the schools noted against each:-

75% Open Merit (11 Posts)

S. No	Name	Father's Name	Desig:	Address	Posted at	Merit
1	Mussarat Shaheen	Aslam Khan Almas	Fresh	Jahangiri	GCMS Mandar kala warana	59.09
2	Asma Afzal	Muhammad Afzal Khan	Fresh	S. Karak	GGMS Deli Mela	54.90
3	Khalida Zaheen	Fazal Haq	PST	Siraj Khel	GGMS Nara Banda	50.35
4	Fazilat Sultan	Taj Ali Khan	PST	S. Karak	GGHS Dagar Nari	49.97
5	Aisha Saif	Saif ur Rehman	Fresh	Mitha Khel	GGHS Khurram	49.91
6	Atiya Ferdous	Hajal Pur	Fresh	S. Karak	GCMS Charpara	49.42
7	Fatima Habib	Habib Khan	Fresh	N. Karak	GCMS Jarasi	48.87
8	Saima Noreen	Gul Sahib Shah	Fresh	N. Karak	GGMS Moheet Koroona	48.31
9	Anwar Sultan	Hazrat Usman	Fresh	A.ABAD	GGHS Totaki	48.66
10	Bibi Hadia	Gul Razim Khan	Fresh	S. Karak	GCMS Mandawa	48.50
11	Shoukat Ara	Noor Shah Zada	Fresh	Karak	GGHS Jahangiri	48.37

TERMS & CONDITIONS

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the EDO (E&SE) Karak. If any one found producing bogus certificates, he will be reported to the law enforcing agencies for further action and his services will be considered automatically dismissed with no privileges of the past if any.
4. Under the provision of Government of N.W.F.P Civil Servant (Amendment Act) 2005 came into force w.e.f. 23rd July 2005, notified vide Establishment & Administration Department (Regulation Wing) Government of Khyber Pakhtunkhwa No. SO (Regulation) 6(E&AD)1-13/2005 dated 14.8.2005. All the above persons and the persons appointed on regular basis to a service, are post in the prescribed manner after the commencement of the said Act. If for all intents and purposes be a civil servant except for the purpose of pension or gratuity, such a civil servant shall in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contribution made by the Government to his account in the said fund, in the prescribed manner.
5. If they fail to take over charge within 15 days, the appointment order will be deemed as cancelled.
6. Health & Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
7. They are required to produce an affidavit on stamp paper regarding the genuineness of the certificates/degrees submitted by them for appointment in response to the advertisement of the EDO (E&SE) Office Karak. They should not be allowed to take over charge if they fail to produce the affidavit at the time of their arrival to join the duty to the concerned DDO. The DDO concerned

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countersign the affidavit and the same should be submitted to the EDO (E&SE) Office Karak for record.

8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
9. They would be on probation for a period of one year.
10. The documents of the appointee should be verified by EDO (E&SE) Office Karak from the concerned authorities on the expenses of candidates.
11. The DDO's are directed not to honour their pay until and unless verification of Documents from the concerned Board/University. Further more EDO (E&SE) Office Karak will issue proper pay release order after verification.

District Coordination Officer
Karak

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND
SECONDARY EDUCATION KARAK**

Indst: No. 2722²⁸ /AE-1

Dated Karak the 23/4/2012

Copy of the above is forwarded to the:-

1. Director Elementary & Secondary Education Deptt: Khyber Pakhtunkhwa Peshawar.
2. District Coordination Officer, Karak.
3. District Accounts Officer, Karak.
4. District Officer (Female) E&SE Karak.
5. All the concerned Headmistresses of GEMS/OGMS.
6. ADO Establishment Primary (M) with the request to personally verify the documents of the newly appointed teacher.
7. Candidates concerned.

Executive District Officer
Elementary & Secondary Education
Karak

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Annex D


16

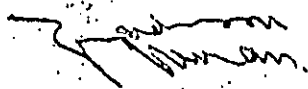
OFFICE OF THE AGENCY EDUCATION OFFICE NORTH WAZIRISTAN(MIRANSHAH)

In the Light of the Executive District Officer Elementary & Secondary Education, Karak, Appointment Order Endost:No.

2722-28 Dated 23.4.2012/

Hence Mst: Shaukat Ara, D/O Noor Sehada, already working against the Post of AT at CGMS, Kot Attah Muhammad Cum Serobi Razmak Dosalli Road (Miranshah) Agency. is here by received & directed to report her new assignment in Distt: Karak, please.

Dated 


AGENCY EDUCATION OFFICER
N.W.A) MIRANSHAH


Certified to be
True Copy

Annex-E

(17)

GOVERNMENT OF KHYBER PAKHTUNKHWA

CERTIFICATE OF TRANSFER OF CHARGE

1. Certified that we have on 24-04-2012 (FN) Office of the Headmistress, GGHS Jehangiri Karak) with reference to the order of the Executive District Officer, E& S Education Karak Office Endst: No. 2722-28 AE-I Dated Karak the 23-04-2012.
2. Particulars of the cash and important / secret / confidential documents/Stock received / handed over:

Station: GGHS Jehangiri (Karak)

Dated 24-04-2012 (F.N)

Signature of Relieved
Government
Servant..... (Vacant)
Designation.

Signature of Relieving
Government
Servant. Shoukat Ara
(Shoukat Ara)
Designation: A.T BPS-15

g/e Amjad Begum
Headmistress,
Govt: Girls High School,
Jehangiri(Karak)

Endst: NO. 64-686 C. Report file

Dated 24-4-2012

Copy of the above is submitted for information to the:-

- 1) Executive District Officer E&S (Edu) Karak.
- 2) District Coordination Officer, Karak.
- 3) District Accounts Officer, (Karak)
- 4) District Officer (F) E&S Education Karak.
- 5) Candidate concerned.

g/e Amjad Begum
Headmistress,
Govt: Girls High School,
Jehangiri(Karak)

**Certified to be
True Copy**

1. Last Pay Certificate in respect of Shaukat Azeem BRS- 15
of the CPA, Miran Shah N.W. Agency.
Proceeding to Transfer to G.P. No. 10, Ganga, Govt. Canal side, Executive District
Secretary and Secy. Boin, Khyber, Enrol. No. 2722-28 dt. 23/4/2012
2. Has been paid upto 23/4/2012

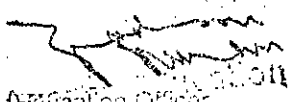
Pay	Rs.	12022
HRA	Rs.	1566
MA	Rs.	1000
USA	Rs.	1000
UAF	Rs.	750
Con/All	Rs.	1700
EPF	Rs.	1284
EPF	Rs.	4252
		<u>30380/-</u>

GPF	Rs.	X
B.Fund	Rs.	120
BIF	Rs.	115/-
	Rs.	<u>20/-</u>

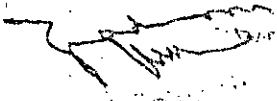
Net 26065/-


3. He made over charge of the office of the AT Post on 23/4/2012
4. Recoveries are to be made from the pay of the government servant as detail on the reverse (Nil)
5. He has been paid Leave Salary as detailed below. Deductions have been made as noted on the reverse of this page. (Nil)
6. He is entitled to draw the following:
7. He is also entitled to joining time for As Admissible Under Rules
8. The detail to the Income Tax recovered from him upto the date from the beginning of the current year is noted on the reverse. (Nil)

No. 1413-17 / J.P.O./MEO/NWA. Dated Miran Shah the 15/1/10 2012


Agency Accounts Officer
North Waziristan Agency

- Copies forwarded to the:
1. Manager Claims State Life Insurance Corporation of Pakistan Group & Pension Zone Peshawar.
 2. Managing Director Education Employees Foundation Khyber Pakhtoon Khawa Peshawar.
 3. Director Education FATA Warsak Road Khyber Pakhtoon Khawa Peshawar.
 4. Agency Accounts Officer North Waziristan Agency at Miran Shah.
 5. Political Agent North Waziristan Agency at Miran Shah.
 6. Office Record.


Agency Officer
North Waziristan Agency


Certified to be True Copy

Annex-9

(19)

To,

The Honourable,
Executive District Officer
Elementary & Secondary Education, (Karak).

Through:- PROPER CHANNEL.

Subject:- APPEAL
REGULARIZATION, OF MY, SERVICE FROM, THE DATE OF
FIRST APPOINTMENT AGAINST THE POST OF AT IN EDUCATION
DEPARTMENT.

Respected Sir,

With due respect I beg to submit the few lines for
your kind consideration, on humerterial grounds, that my service
against the occupied posts may kindly be regularized from, the date of
my first appointment against the post of AT in Education Deptt.
on the noted detailed ground please.

- 1) I am serving, in Education Deptt. since 11.9.2003 against
the post of AT, at GGMS, Kotka at Muhammad (N.W.A) Miranshah.
 - 2) I already applied through proper channel duly you recently
advertisement, by your good office.
 - 3) NOC, were also obtained from, the Agency Education Officer
Concerned (N.W.A.) Miranshah.
 - 4) I already passed the ETA Test & appear before your Good
office for test & interview.
 - 5) I was selected being in Merit as a AT, and posted at GGMS
Jehangiri, Karak, against my already availed posts of AT.
 - 6) I was properly relieved by the Agency Education Officer
on the appointment order duly issued by your Good Office via
No 2722-28, Dated 23.4.2012.
 - 7) I have properly taken over charge on 24.4.2012, (F.N) for
New Assignment.
 - 8) The Agency Education Officer N.W.A, has already paid my pay
etc, upto 23.4.2012, (F.N) LPC, attached please.
 - 9) I also properly relieved by the Agency Education Officer
in the due date & time, according to my original S.Book.
- Hence it is requested to kindly regularize my service, since from,
first appointment in Education Deptt. as there is no break
my services, and according to the rules & regulation please.

I shall be thankful to you for your this kindness.

Thanks.

Encl.: All the reverts
Charge / Report / LPC / Relieving
S/BOOK Original are attached pl.

Yours obediently,

Shaukat ARA

SHAUKAT ARA AT, GGMS, JEHANGIRI,
KARAK, EX. AT GGMS, Kotka
at Muhammad Khan, N.W.A Miranshah.

Certified to be
True Copy

HEAD MISTRESS
GGMS, Jehangiri
Karak

Forwarded to the EDO (205) for necessary action please.

Annex H

20

OFFICE OF THE DISTRICT EDUCATION

OFFICER FEMALE KARAK.

No 564 / E-III(F)

Dated 26-3/2013

To,

Mst:Shoukat Ara AT

GGHS Jehangiri(Karak)

Subject:-


Appeal Regarding Regularization /Inclusion of
of FATA Service

Memo:-

Reference your appeal No Nil dated 27.2.13

Your previous FATA service w.e.f 11.9.2003 to
23.4.2012 can not merged in to present service in the light of Govt:
of NWFP, Schools & Literacy Department No SO(PE)2-1/FATA/A.transfer/
court decision/07 dated 24.4.2007.

So this office is unable to merged FATA service in
present service. So appeal is hereby rejected.


District Education Officer
Female Karak

99

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

SERVICE APPEAL NO 523/2013

Shukat Ara ~~237~~ GGPS Jahangiri Banda District KARAK

.....Appellant

VERSUS

Secretary Elementary & Secondary Education Department Khyber PukhtunKhwa Peshawar &

Others

-----Respondents.

PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENTS.

Respectfully Sheweth:

The responded submit as under.

Preliminary objections

1. The appellant has no cause of action/locus standi.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. The appellant has concealed the material facts from this Honorable Tribunal hence liable to the dismissed.
4. That the instant appeal is based on mala fide intentions.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is badly time barred.
7. That the appellant is estopped by his own conduct to file the instant appeal before this Honorable Tribunal
8. That the appellant is not entitled for the grant of relief he has claimed in this appeal.
9. That the Instant appeal is bad for misjoinder & nonjoinder of the necessary parties to the appeal.
10. That the present appeal against the relevant policy.
11. That prayer of the appellant in the instant appeal is against the policy and vogue for Posting of FATA employees of Education Department in BPS-15 or below.

ON FACTS.

1. This Para pertains to service record of appellant which the appellant rendered in FATA. Moreover it would not be out of place to explain here that the appellant was appointed against Agency Cadre post. Which is not transferrable of the post in settled area according to the prevailing policy if a teachers having a domicile & appointed in FATA and afer appointment intends to come to settled area then he/she should apply for the post advertised for settled area a fresh and should quit his/her service from FATA.Hence the appellant is not entitled for the relief as asked for.
2. Incorrect. In fact the respondent No 03 advertised the posts of ATs (Female) and did not ask for the letter as mentioned in this Para nor the Service book was the required documents for appointment as At, in District Karak.It would not be out of context to mention here the Agency Education Officer (NW Agency)at Miranshah has overstep his authority and by

taking this overstep intends to over reach the appellant. Hence denied and rejected the whole Para.

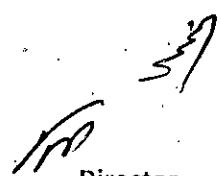
- 3. It is correct that the appellant was appointed afresh against the vacant AT post in settled Area and according to rule & policy the appellant would have to resign from the post in FATA but she violated the rules on the subject.
- 4. The statement of the appellant is mis-leading one. The appellant should quit her service From FATA instead of her relieving from duties in FATA and no need for directions to report to her new assignment because the DEO E&SE Distract Karak has not endorsed/forwarded any Copy to FATA authorities as evident from the appointment letter annexure "C" of the appeal.
- 5. Incorrect. The departmental appeal annexure "G" of the appeal is without date and diary Number, however, the said appeal is against the policy and rules on the subject and time Barred one, hence the present appeal is liable to be dismissed inter alia on following grounds.

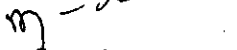
GROUNDS.

- A. Incorrect. The appellant has been treated in accordance with law, rules on the subject and no Right of the appellant has been violated.
- B. Incorrect. The statement of the appellant is misleading one. According to the policy on the subject the appellant should have resigned from FATA service hence the appellant is not entitled for the relief as asked for.
- C. Incorrect and admitted. As replied in foregoing Para.
- D. The order dated 26.3.2013 is in accordance with law, rules & policy on the subject, hence denied. Moreover the respondents seek the permission to adduce more grounds, proofs at the time of arguments.

In view of the above made submission, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.


 District Education Officer (Female)
 District Karak.


 Director
 E & SE Khyber Pakhtunkhwa
 Peshawar.


 Secretary
 E & SE Khyber Pakhtunkhwa,
 Peshawar

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 623/2013

Shaukat Ara, ~~PSA~~, GGPS Jahangiri Banda, DISTRICT KARAK

.....Appellant

VERSUS

Govt: of KPK through Secretary E&SE KPK Peshawar and others

.....Respondents

AFFIDAVIT

I, Sabira Parveen, District Education Officer (Female) Karak, do hereby solemnly affirm and declare that the contents of this joint para wise comments/ reply are true and correct to the best my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



DEPONENT

ATTESTED

29

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

SERVICE APPEAL NO 623/2013

Shukat Ara ~~BST~~ GGPS Jahangiri Banda District KARAK

.....Appellant

VERSUS

Secretary Elementary & Secondary Education Department Khyber PukhtunKhwa Peshawar &

Others

-----Respondents.

PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENTS.

Respectfully Sheweth:

The responded submit as under.

Preliminary objections

1. The appellant has no cause of action/locus standi.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. The appellant has concealed the material facts from this Honorable Tribunal hence liable to the dismissed.
4. That the instant appeal is based on mala fide intentions.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is badly time barred.
7. That the appellant is estopped by his own conduct to file the instant appeal before this Honorable Tribunal
8. That the appellant is not entitled for the grant of relief he has claimed in this appeal.
9. That the Instant appeal is bad for misjoinder & nonjoinder of the necessary parties to the appeal.
10. That the present appeal against the relevant policy.
11. That prayer of the appellant in the instant appeal is against the policy and vogue for Posting of FATA employees of Education Department in BPS-15 or below.

ON FACTS.

1. This Para pertains to service record of appellant which the appellant rendered in FATA. Moreover it would not be out of place to explain here that the appellant was appointed against Agency Cadre post. Which is not transferrable of the post in settled area according to the prevailing policy if a teachers having a domicile & appointed in FATA and after appointment intends to come to settled area then he/she should apply for the post advertised for settled area a fresh and should quit his/her service from FATA. Hence the appellant is not entitled for the relief as asked for.
2. Incorrect. In fact the respondent No 03 advertised the posts of ATs (Female) and did not ask for the letter as mentioned in this Para nor the Service book was the required documents for appointment as At in District Karak. It would not be out of context to mention here the Agency Education Officer (NW Agency) at Miranshah has overstep his authority and by

taking this overstep intends to over reach the appellant. Hence denied and rejected the whole Para.


3. It is correct that the appellant was appointed afresh against the vacant AT post in settled Area and according to rule & policy the appellant would have to resign from the post in FATA but she violated the rules on the subject.
4. The statement of the appellant is mis-leading one. The appellant should quit her service From FATA instead of her relieving from duties in FATA and no need for directions to report to her new assignment because the DEO E&SE Distract Karak has not endorsed/forwarded any Copy to FATA authorities as evident from the appointment letter annexure "C" of the appeal.
5. Incorrect. The departmental appeal annexure "G" of the appeal is without date and diary Number, however, the said appeal is against the policy and rules on the subject and time Barred one, hence the present appeal is liable to be dismissed inter alia on following grounds.


GROUNDS.

- A. Incorrect. The appellant has been treated in accordance with law, rules on the subject and no Right of the appellant has been violated.
- B. Incorrect. The statement of the appellant is misleading one. According to the policy on the subject the appellant should have resigned from FATA service hence the appellant is not entitled for the relief as asked for.
- C. Incorrect and admitted: As replied in foregoing Para.
- D. The order dated 26.3.2013 is in accordance with law, rules & policy on the subject, hence denied. Moreover the respondents seek the permission to adduce more grounds, proofs at the time of arguments.

In view of the above made submission, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.


District Education Officer (Female)
District Karak.


Director
E & SE Khyber Pakhtunkhwa
Peshawar.


Secretary
E & SE Khyber Pakhtunkhwa,
Peshawar

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 623/2013

Shaukat Ara, ~~PS~~, GGPS Jahangiri Banda, DISTRICT KARAK

.....Appellant

VERSUS

Govt: of KPK through Secretary E&SE KPK Peshawar and others

.....Respondents

AFFIDAVIT

I, Sabira Parveen, District Education Officer (Female) Karak, do hereby solemnly affirm and declare that the contents of this joint para wise comments/ reply are true and correct to the best my knowledge and belief and nothing has been concealed from this Honourable Tribunal.


DEPONENT

ATTESTED

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

IN RE Service Appeal No.632\013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education Peshawar and others.....Respondents.

Rejoinder on behalf of appellant to the Para wise comments of respondents

Preliminary Objections;

All the preliminary objections have been taken as a routine. The appellant has a cause of action and has come to this honorable tribunal with clean hands. The appellant has not concealed any material facts from this honorable tribunal. The appeal has been filed bonafidely and is maintainable. The appeal is not barred by law. The appellant has not done anything which could esstope her from approaching this honorable tribunal. The respondents have not given any reason due to which the claimed for relief can not be granted to the appellant. The appeal is not bad for mis-joinder and non-joinder of parties. The policy does not debar the appellant from her rights.

ON FACTS;

1. In reply to Para-1 of the reply it is submitted that the appellant has applied to the post of Arabic Teacher through proper channel and under the law she is entitled that her previous service should be counted towards her new service because there is not a single day gap between her relieving and taking charge at the present place of posting. At the time of her applying through proper channel the respondents have not raised any objection about the appointment of appellant.

2. Para-2 of the Para wise reply is wrong and incorrect. Moreover the Agency Education Officer has done the right thing.

3. Para-3 of the Para wise reply is wrong and incorrect. The appellant has applied through proper channel therefore she was correctly relieved by the Agency Education Officer.

4. Para-4 of the Para wise reply is wrong and incorrect.

5. Para-5 of the Para wise reply is wrong and incorrect.

GROUNDS;

A. Ground A of the Para wise reply is wrong and is denied in Toto with all the forces at the command of appellant. The appellant was not dealt in accordance with law and rules.

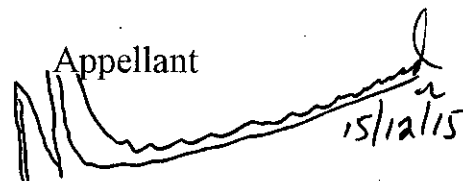
B. Ground B of the Para wise reply is wrong and is denied.

C. Ground C of the Para wise reply is wrong and is denied.

D. Ground D of the Para wise reply is wrong and is denied. The respondents cannot be allowed to argue a matter not taken in the pleading.

It is, therefore, respectfully prayed that in the light of facts mentioned above the appeal may accepted.

Through

Appellant

15/12/15

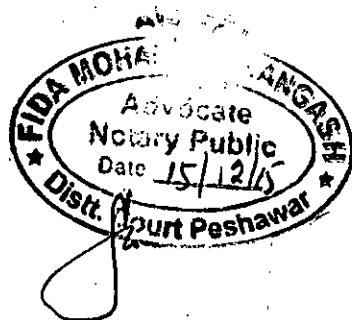
Nasir Mahmood Advocate,
Supreme Court of Pakistan
13-D Haroon Mension Peshawar.

Affidavit

I, do hereby declare, and affirm on oath that the contents of accompanying rejoinder are true and correct to the best my knowledge and belief and nothing has been concealed from this hon'ble tribunal.

Deponent

Shokat Ara



BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

IN RE; Service Appeal NO. ⁶²³.....\2013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education
Peshawar and others.....Respondents.


INDEX

S.No.	Description of Documents	Annexure	Pages
1.	Appeal with affidavit		1-3
2.	Letter dt.06.01.2010	A	4
3.	Service Book	B	5-13
4.	Appointment Order dt.23.4.2013	C	14-15
5.	Relieving Order dt.23.4.2013	D	16
6.	Certificate of Transfer of Charge	E	17
7.	Last Pay Certificate	F	18
8.	Departmental Appeal	G	19
9.	Rejection Order	H	20
10.	Wakalat Nama		

Shaukat Ara

Appellant

Through


Nasir Mahmood Advocate
13-D Haroon Mension
Peshawar.

Mob.0333-9176275

8/4/12

①

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

IN RE; Service Appeal NO.....\2013

Shaukat Ara D\O Noor Shah Zada Arabic Teacher GGHS
Jahangiri Banda District Karak.....Appellant

Versus

1. Govt. of KPK, through Secretary (E&S) Education Peshawar.
2. Director (E&S) Education Peshawar.
3. Executive District Officer (E&S) Education
Karak.....Respondents

Appeal under section 4 of the NWFP Service Tribunal Act, 1974 against the Office Order dated 26.03.2013 passed by Respondent No.3 whereby the Departmental appeal of the appellant dated 27.02.2013 for Counting\Merging of previous service was rejected.

Prayer in appeal:

On acceptance of this appeal the impugned order dated 26.03.2013 passed by respondent No.3 may be set-aside and the appellant previous service may please be counted\merged in present service.

Respectfully Sheweth:

1. That upon recommendations of Departmental Selection Committee appellant was appointed as Arabic Teacher GGMS Atta Muhammad Saroobi North Waziristan Agency vide order dated 10.09.2003.
2. That in the year 2012 respondent no.3 advertised posts of Arabic Teacher and appellant being eligible applied for the same which is clear from the letter dated 06.01.2010 through which application for appointment of appellant as

Arabic Teacher was sent by Agency Education Officer North Waziristan Agency to respondent no.3 Executive District Officer (E&S) Education Karak. Copy of the letter and Service Book is attached as annexure-A&B.

3. That later on consequent upon approval of District Recruitment\Selection Committee appellant was appointed as Arabic Teacher vide order dated 23.04.2012 in GGHS Jahangiri Banda District Karak. Copy of the appointment order is attached as annexure-C.

4. That appellant was relieved from her duty on 23.04.2012 and was directed to report to her new assignment and the appellant taken over charge on 24.04.2012 in GGHS Jahangiri Banda District Karak. Copy of the relieved order, Certificate of Transfer of Charge & Last Pay Certificate is attached herewith as annexure-D, E&F respectively.

5. That thereafter, appellant preferred departmental appeal (Annexure-G) to respondent No.3 for merging\Counting of her previous service in the present service which was dismissed vide order dated 26.03.2013 (Annexure-H) hence the present appeal inter alia on the following grounds;

Grounds

A. That the appellant has not been treated in accordance with law, rules on the subject and his right secured and guaranteed under the law and Constitution has been violated.

B. That the appellant has applied through proper channel and there is no break in her service but even then the respondents have not illegally counted her previous in her present service.

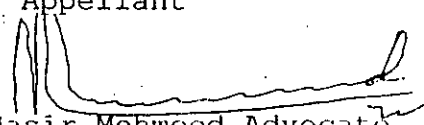
C. That in accordance with fundamental rules civil servant who is appointed to another substantive post, the whole period which a civil servant has passed on the previous post will be counted in his present service but the respondents have flagrantly violated the law on the subject and the impugned order is liable to be set-aside on this score alone.

CS [Signature]

D. That the impugned order dated 26.03.2013 by respondent No.3 is highly arbitrary, malafide, discriminatory, whimsical and thus untenable.

It is, therefore prayed that on acceptance of this appeal the impugned order dated 26.03.2013 may be set-aside and the appellant previous service may be ordered to be merged\counted in her present service.

Any other remedy deemed proper may also be allowed.

Appellant
Through 
Nasir Mehmood Advocate,

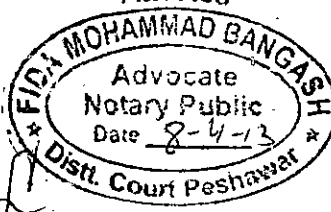
13-D Haroon Mansion Peshawar.

AFFIDAVIT

I, Shaukat Ara D\O Noor Shah Zada Arabic Teacher GGHS Jahangiri Banda District Karak do hereby solemnly affirm and declare on oath that contents of the accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this honorable tribunal.

Deponent

Shaukat Ara

Attested

FIDA MOHAMMAD BANGASH
Advocate
Notary Public
Date 8-4-13
Dist. Court Peshawar

Annex-A

4

No. 71

Dated 6/11/2010

To:

The Agency Education Officer,
N.W. Agency Miranshah.

From:

The Executive District Officer,
Elementary and Secondary Education
Karak.

Subject:

APPLICATION FOR THE POST ARABIC TEACHER


Memorandum

An application submitted by Shaukat Ara D/O
Noor Shah Zada District Karak who is serving as (Arabic Teacher
in this Agency since 11.9.2003) is sent herewith for appointment
as Arabic Teacher.

It is further added that this office has no
objection if she is appointed as Arabic Teacher.

AGENCY EDUCATION OFFICER
North West Frontier Agency
Miranshah District
North West Frontier Agency

6/11/2010


Certified to be
True Copy

1. Name (نام) Shakua Ayesha Aro
2. Nationality and Religion Islamic Pakistan
3. Residence lage Karachi Teh. District Karachi
4. Father's Name and residence plac S. A. A. Karachi
5. Date of birth Christian era as nearly as can be ascertained 29-3-1984
(تاریخ پیدائش مطابق میلادی)
6. Exact height by measurement 5-7
(قد قامت)
7. Personal mark of identification NIL
(نشان شناخت)

Handwritten mark

8. Left hand/right hand thumb and finger impressions of (Non-gazetted officer)
(بمرد کی صورت میں بائیں اور چمورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (انگلی) Ring Finger (بشمطما کے ساتھ کی انگلی) Middle Finger (انگشت میاند)
 Fourth Finger (انگشت شہادت) Thumb (انگوٹھا)

9. Signature of Govt. Servant (سرکاری ملازم کے دستخط) Shakua Aro

10. Signature and designation of the Head of the Office or other Attesting officer

Certified to be True Copy
 (مستحقق کنندہ کے دستخط اور مهر)

Note: The entries in this page should be renewed at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 hours under this rule.

این صفحہ کے مندرجہ کم از کم ہائے ال بعد تصدیق ہونا ضروری ہے اور ہر سال اور ایسے دستخطوں کے نئے تاریخ لکھنی چاہئے۔ انگلیوں کے نشانات کے لئے ہر ماہ سوال تصدیق کی ضرورت ہے۔

1 Name of Post	2 Whether Substantive of officiating any whether permanent or temporary	3 If officiating state- (a) substantive appointment of (b) whether service counts for pension under rule 3-23 of C.S.R. (Pb.) Volume II	4 Pay in substantive position	5 Additional pay for officiating	6 Other emoluments falling under the term pay	7 Date of appointment	8 Signature of Government Official in 1 to
Shaukat BPS-9	دارن سٹیٹ	دارن سٹیٹ	2525 PM			12/01	
2410-115-2750							
Pay. P. W. Seal. B. P. S. No. 9. RS-2770-155-22							
			RS = 2935/pm			12	Agency W. A. P.
			RS = 3100/pm			12/2005	Agency W. A. P.
			RS = 265/pm			12/06	Agency W. A. P.
Revised BPS No. 9 (485-190-8835)							
			RS = 3755/pm			01/05	Agency Educ. W. A. P.
			3925/pm			01/07	Agency Educ. W. A. P.
CTC							
R							

1	2	3	4	5	6	7	8
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position	Additional pay for officiating	Other emoluments falling under the term pay	Date of appointment	Signature of Government servant
دور ملازمت 2,2,1,15 - A.P. P.M.C.	مادری مشعل تاکم نظام	اگر مادری ہے تو رول کے مطابق تہمت کا مستحق ہے۔	مادری ملازمت	مادری ملازمت	مادری ملازمت		
A.P. post	B.P.S.	10.15	920	120	12820		
B.P.S. 10.15				5640		12	
			RS	(5220)		12	2008
				6060		12	
			RS	(5000)		12	2008
				6480		12	
			RS	(5220)		12	2008
				6720		12	
			RS	(5480)		12	2008
				11300		12	
			RS	(10600)		12	2011
				11300		12	
			RS	(10600)		12	2011

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11300

12/2011

Annex C

(14)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND
SECONDARY EDUCATION KARAK

APPOINTMENT ORDER OF AT (FEMALE)

Consequent upon the approval of the District Recruitment/Selection Committee, Karak, the following candidates are hereby appointed against the vacant posts of AT BPS-15 @ Rs. (8500-700-29500) PM plus usual allowances as due and admissible under the prescribed rules/quota (75% Open Merit, 25% Seniority- Cum-Fitness and 02% Disable) on regular basis except pension and gratuity with effect from the date of their taking over charge on the terms and conditions as mentioned below in the schools noted against each:-

75% Open Merit (11 Posts)

S. No	Name	Father's Name	Desig:	Address	Posted at	Merit
1	Mussarat Shaheen	Aslam Khan Almas	Fresh	Jahangiri	GGMS Marider kala warana	59.09
2	Asma Afzal	Muhammad Afzal Khan	Fresh	S. Karak	GGMS Doli Mola	54.90
3	Khalida Zaheen	Fazal Haq	PST	Siraj Khel	GGMS Nara Banda	50.35
4	Fazlat Sultan	Taj Ali Khan	PST	S. Karak	GGHS Dagan Nari	49.97
5	Asha Saif	Saif ur Rehman	Fresh	Mitha Khol	CCIS Khurram	49.91
6	Ahya Ferdous	Hajat Pur	Fresh	S. Karak	CCMS Chappara	49.42
7	Fatima Habib	Habib Khan	Fresh	N.Karak	CCMS Jarasi	48.87
8	Sama Noreen	Gul Sahib Shah	Fresh	N.Karak	GGMS Mohcet Koroon	48.81
9	Anwar Sultan	Hazrat Usman	Fresh	A.ABAD	CCIS Tolaki	48.66
10	Bibi Hadia	Gul Razim Khan	Fresh	S. Karak	CCMS Mandawa	48.50
11	Shoukat Ara	Noor Shah Zada	Fresh	karak	GGHS Jahangiri	48.37

TERMS & CONDITIONS

1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned in duplicate.
3. Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the EDO (E&SE) Karak. If any one found producing bogus certificates, he will be reported to the law enforcing agencies for further action and his services will be considered automatically dismissed with no privileges of the past if any.
4. Under the provision of Government of N.W.F.P Civil Servant (Amendment Act) 2005 came into force w.e.f. 23rd July 2005, notified vide Establishment & Administration Department (Regulation Wing) Government of Khyber Pakhtunkhwa No. SO (Regulation) 6(L&AD)1-13/2005 dated 19.8.2005. All the above persons and the persons appointed on regular basis to a service, are post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be a civil servant except for the purpose of pension or gratuity, such a civil servant shall in lieu of pension and gratuity be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contribution made by the Government to his account in the said fund, in the prescribed manner.
5. If they fail to take over charge within 15 days, the appointment order will be deemed as cancelled.
6. Health & Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
7. They are required to produce an affidavit on stamp Paper regarding the genuineness of the certificates/degrees submitted by them for appointment in response to the advertisement of the EDO (E&SE) Office Karak. They should not be allowed to take over charge if they fail to produce the affidavit at the time of their arrival to join the duty to the concerned DDO. The DDO

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18

countersign the affidavit and the same should be submitted to the EDO (E&SE) Office Karak for record.

- 8. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 9. They would be on probation for a period of one year.
- 10. The documents of the appointee should be verified by EDO (E&SE) Office Karak from the concerned authorities on the expenses of candidates.
- 11. The DDO's are directed not to honour their pay until and unless verification of Documents from the concerned Board/University. Further more EDO (E&SE) Office Karak will issue proper pay release order after verification.

District Coordination Officer
Karak

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND
SECONDARY EDUCATION KARAK

Endst: No. 2722²⁸ /AE-I

Dated Karak the 23/4/2012

Copy of the above is forwarded to the:-

- 1. Director Elementary & Secondary Education Deptt: Khyber Pakhtunkhwa Peshawar.
- 2. District Coordination Officer, Karak.
- 3. District Accounts Officer, Karak.
- 4. District Officer (Female) E&SE Karak.
- 5. All the concerned Headmistresses of G&HS/CGMS.
- 6. ADO Establishment Primary (M) with the request to personally verify the documents of the newly appointed teacher.
- 7. Candidates concerned.

Executive District Officer
Elementary & Secondary Education
Karak

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Annex-D

16

OFFICE OF THE AGENCY EDUCATION OFFICE NORTH WAZIRISTAN (MIRANSHAH)

In the Light of the Executive District Officer Elementary & Secondary Education, Karak, Appointment Order Endost: No.

~~272/28~~ Dated 23/4/2012/

Hence Mst: Shaukat Ara, D/O Noor Sehzada, already working against the Post of AT at CGMS, Kot Attah Muhammad Cum Serobi Razmak Dosalli Road (Miran Shah) Agency, is here by received & directed to report her new assignment in Distt: Karak, please.

Dated

AGENCY EDUCATION OFFICER
N.W.A. MIRANSHAH

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Annex-E
(17)

GOVERNMENT OF KHYBER PAKHTUNKHWA

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certified that we have on 24-04-2012 (FN) Office of the Headmistress, GGHS Jehangiri Karak) with reference to the order of the Executive District Officer, E&S Education Karak Office Endst: No. 2722-28 AE-I Dated Karak the 23-04-2012.
2. Particulars of the cash and important / secret / confidential documents/Stock received / handed over.

Station: GGHS Jehangiri (Karak)

Dated 24-04-2012 (F.N)

Signature of Relieved
Government
Servant..... (Vacant)
Designation.....

Signature of Relieving
Government
Servant: Shoukat Ara
(Shoukat Ara)
Designation: A.T BPS-15

g/c Gulbad Begum
Headmistress,
Govt. Girls High School,
Jehangiri(Karak)

Encl: NO. 24-04 C. Report file

Dated 24-4-2012

- Copy of the above is submitted for information to the:-
- 1) Executive District Officer E&S (Edu) Karak.
 - 2) District Coordination Officer, Karak.
 - 3) District Accounts Officer, (Karak)
 - 4) District Officer (F) E&S Education Karak.
 - 5) Candidates concerned.

g/c Gulbad Begum
Headmistress,
Govt. Girls High School,
Jehangiri(Karak)

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True Copy**

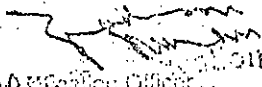
Final Pay Certificate in respect of Shaukat Ali BPS- 15
 of the CPRI, Miran Shahr, District Swat, N.W. Agency
 Proceeding to Transfer to CPRI, Jhelum, Dist. Gujranwala, Executive District
Swat and Coy. Bani Kalah-Budh, No. 2722-28 Oct-23/4/2012
 Has been paid upto 23/4/2012

Pay	Rs.	10000	✓
MRA	Rs.	1500	✓
MA	Rs.	1500	✓
USA	Rs.	1000	✓
UAC	Rs.	750	✓
Gratuity	Rs.	1700	✓
PF	Rs.	1284	✓
PF	Rs.	4250	✓
		26350/-	✓
Deductions:			
GPF	Rs.	X	✓
PF	Rs.	120	✓
GPF	Rs.	115	✓
	Rs.	201	✓
		26049/-	✓


Nd


1. He made over charge of the office of the AT Post on 23.11.2011
2. Recoveries are to be made from the pay of the government servant as detail on the reverse. (Nil)
3. He has been paid Leave Salary as detailed below. Deductions have been made as noted on the reverse of this page. (Nil)
4. He is entitled to draw the following:
5. He is also entitled to joining time for As Admissible Under Rules
6. The detail to the Income Tax recoveries from him upto the date from the beginning of the current year is noted on the reverse. (Nil)

No. 1413-17 /MIRANSHAH. Date Miran Shahr the 15.1.12 2012


 Agency Accounts Officer
 North Waziristan Agency

- Copies forwarded to the:
1. Manager Claims State Life Insurance Corporation of Pakistan Group & Pension Zone Peshawar.
 2. Managing Director Education Employees Foundation Khyber Pakhtoon Khwa Peshawar
 3. Director Education PATA Waziristan Khyber Pakhtoon Khwa Peshawar.
 4. Agency Accounts Officer North Waziristan Agency at Miran Shahr.
 5. Political Agent North Waziristan Agency at Miran Shahr.
 6. Office Record.


 Agency Accounts Officer
 North Waziristan Agency


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Annex-9
(19)

To,

The Honourable,
Executive District Officer
Elementary & Secondary Education, (Karak).

Through:-- PROPER CHANNEL.

Subject:-- APPEAL
REGULARIZATION, OF MY SERVICE FROM, THE DATE OF
1ST APPOINTMENT AGAINST THE POST OF AT IN EDUCATION
DEPARTMENT.

Respected Sir,

With due respect I beg to submit the few line for your kind consideration, on humenterial grounds, that my Service against the occupied posts may kindly regularized from, the date of my first appointment against the post of AT in Education deptt; on the noted detailed ground please.

- 1) I am Serving, In Education Deptt; Since 11.9.2003 against the post of AT, at GGMS, Kotla Atta Muhammad (N.W.A) Miranshab
 - 2) I already applied through proper Channel duly you recently advertisement, by your good office.
 - 3) NOC, were also obtained from, the Agency Education Officer Concerned (N.W.A.) Miranshab .
 - 4) I already passed The ETA Test & appear before your Good office for test & Interview.
 - 5) I was Selected beaing in Merit as a AT, and Posted at GGMS Jehangiri, Krak, against my already availed Posts of AT.
 - 6) I was properly Relived by the Agency Education Officer bea on the appointment Order duly Issued by your Good Office Via No 2722-28, Dated 23.4.2012.
 - 7) I have Properly taken Over Charge on 24.4.2012, (F.N) for a New Assignment.
 - 8) The Agency Education Officer N.W.A, has already paid my pay Etc, upto 23.4.2012, (E.N) LPC, attached please.
 - 9) I also Properly Relived by the Agency Education Officer in the due date & time, according to my Original S.Book.
- Hence It is Requested to Kindly Regularized my Service, Since from, First appoinment In Education Deptt; as their is no Brake my Services, and according to the Rules & Regulation please

I shall be thnakful to you for your this mindness.

Thanks.

Encl: All the revents
Charge/Report/LPC/Reliving
S/Book/Original are attached pl.

*Forwarded to the EDO (2012) advised 10 years obediently.
A for necessary action please*

Shaukat Ara

SHAUKAT ARA AT, GGMS, JEHANGIRI, KARAK, EX, AT GGMS, Kotla Atta Muhammad Khan, N.W.A Miranshab.

Ed
HEAD MISTRESS
GGMS, JEHANGIRI
KARAK

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Annex H
20

OFFICE OF THE DISTRICT EDUCATION

OFFICER FEMALE KARAK.

No. 564 / E-III(F)

Dated 26-3/2013


To, Mst: Shoukat Ara AT
GGHS Jehangiri (Karak)

Subject:-- Appeal Regarding Regularization / Inclusion of
of FATA Service

Memo:-- Reference your appeal No Nil dated 27.2.13

Your previous FATA service w.e.f 11.9.2003 to 23.4.2012 can not merged in to present service in the light of Govt. of NWFP, Schools & Literacy Department No SO(PE)2-1/FATA/A.transfer/court decision/07 dated 24.4.2007.

So this office is unable to merged FATA service in present service. So appeal is hereby rejected.


District Education Officer
Female Karak

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

SERVICE APPEAL NO 623/2013

Shukat Ara ~~PS~~ GGPS Jahangiri Banda District KARAK

.....Appellant

VERSUS

Secretary Elementary & Secondary Education Department Khyber Pukhtunkhwa Peshawar &

Others

-----Respondents.

PARAWISE COMMENTS/REPLY FOR AND ON BEHALF OF THE RESPONDENTS.

Respectfully Sheweth:

The responded submit as under.

Preliminary objections

1. The appellant has no cause of action/locus standi.
2. That the appellant has not come to this Honorable Tribunal with clean hands.
3. The appellant has concealed the material facts from this Honorable Tribunal hence liable to the dismissed.
4. That the instant appeal is based on malafide intentions.
5. That the instant appeal is not maintainable in its present form.
6. That the instant appeal is badly time barred.
7. That the appellant is estopped by his own conduct to file the instant appeal before this Honorable Tribunal
8. That the appellant is not entitled for the grant of relief he has claimed in this appeal.
9. That the Instant appeal is bad for misjoinder & nonjoinder of the necessary parties to the appeal.
10. That the present appeal against the relevant policy.
11. That prayer of the appellant in the instant appeal is against the policy and vogue for Posting of FATA employees of Education Department in BPS-15 or below.

ON FACTS.

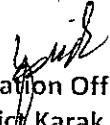
1. This Para pertains to service record of appellant which the appellant rendered in FATA. Moreover it would not be out of place to explain here that the appellant was appointed against Agency Cadre post. Which is not transferrable of the post in settled area according to the prevailing policy if a teachers having a domicile & appointed in FATA and afer appointment intends to come to settled area then he/she should apply for the post advertised for settled area a fresh and should quit his/her service from FATA.Hence the appellant is not entitled for the relief as asked for.
2. Incorrect. In fact the respondent No 03 advertised the posts of ATs (Female) and did not ask for the letter as mentioned in this Para nor the Service book was the required documents for appointment as At in District Karak.It would not be out of context to mention here the Agency Education Officer (NW Agency)at Miranshah has overstep his authority and by

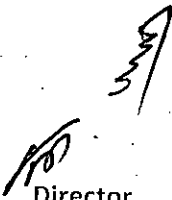
- taking this overstep intends to over reach the appellant. Hence denied and rejected the whole Para.
3. It is correct that the appellant was appointed afresh against the vacant AT post in settled Area and according to rule & policy the appellant would have to resign from the post in FATA but she violated the rules on the subject.
 4. The statement of the appellant is misleading one. The appellant should quit her service From FATA instead of her relieving from duties in FATA and no need for directions to report to her new assignment because the DEO E&SE Distract Karak has not endorsed/forwarded any Copy to FATA authorities as evident from the appointment letter annexure "C" of the appeal.
 5. Incorrect. The departmental appeal annexure "G" of the appeal is without date and diary Number, however, the said appeal is against the policy and rules on the subject and time Barred one, hence the present appeal is liable to be dismissed inter alia on following grounds.

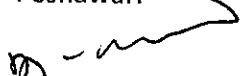
GROUNDS.

- A. Incorrect. The appellant has been treated in accordance with law, rules on the subject and no Right of the appellant has been violated.
- B. Incorrect. The statement of the appellant is misleading one. According to the policy on the subject the appellant should have resigned from FATA service hence the appellant is not entitled for the relief as asked for.
- C. Incorrect and admitted. As replied in foregoing Para.
- D. The order dated 26.3.2013 is in accordance with law, rules & policy on the subject, hence denied. Moreover the respondents seek the permission to adduce more grounds, proofs at the time of arguments.

In view of the above made submission, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the appeal with cost in favour of the respondent Department.


District Education Officer (Female)
District Karak.


Director
E & SE Khyber Pakhtunkhwa
Peshawar.


Secretary
E & SE Khyber Pakhtunkhwa,
Peshawar

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 623/2013

Shaukat Ara, ~~1037~~, GGPS Jahangiri Banda, DISTRICT KARAK

.....Appellant

VERSUS

Govt. of KPK through Secretary E&SE KPK Peshawar and others

.....Respondents

AFFIDAVIT

I, Sabira Parveen, District Education Officer (Female) Karak, do hereby solemnly affirm and declare that the contents of this joint para wise comments/ reply are true and correct to the best my knowledge and belief and nothing has been concealed from this Honourable Tribunal.



DEPONENT

ATTESTED

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

IN RE Service Appeal No.632\013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education Peshawar and
others.....Respondents.

Rejoinder on behalf of appellant to the Para wise comments of respondents

Preliminary Objections;

All the preliminary objections have been taken as a routine. The appellant has a cause of action and has come to this honorable tribunal with clean hands. The appellant has not concealed any material facts from this honorable tribunal. The appeal has been filed bonafidely and is maintainable. The appeal is not barred by law. The appellant has not done anything which could esstope her from approaching this honorable tribunal. The respondents have not given any reason due to which the claimed for relief can not be granted to the appellant. The appeal is not bad for mis-joinder and non-joinder of parties. The policy does not debar the appellant from her rights.

ON FACTS;

1. In reply to Para-1 of the reply it is submitted that the appellant has applied to the post of Arabic Teacher through proper channel and under the law she is entitled that her previous service should be counted towards her new service because there is not a single day gap between her relieving and taking charge at the present place of posting. At the time of her applying through proper channel the respondents have not raised any objection about the appointment of appellant.

2. Para-2 of the Para wise reply is wrong and incorrect. Moreover the Agency Education Officer has done the right thing.

3. Para-3 of the Para wise reply is wrong and incorrect. The appellant has applied through proper channel therefore she was correctly relieved by the Agency Education Officer.

4. Para-4 of the Para wise reply is wrong and incorrect.

5. Para-5 of the Para wise reply is wrong and incorrect.

GROUNDS;

A. Ground A of the Para wise reply is wrong and is denied in Toto with all the forces at the command of appellant. The appellant was not dealt in accordance with law and rules.

B. Ground B of the Para wise reply is wrong and is denied.

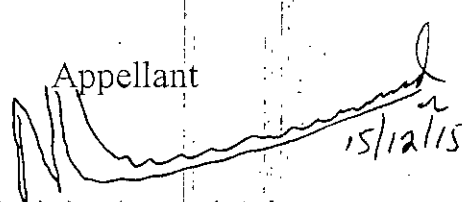
C. Ground C of the Para wise reply is wrong and is denied.

D. Ground D of the Para wise reply is wrong and is denied. The respondents cannot be allowed to argue a matter not taken in the pleading.

It is, therefore, respectfully prayed that in the light of facts mentioned above the appeal may accepted.

Through

Appellant

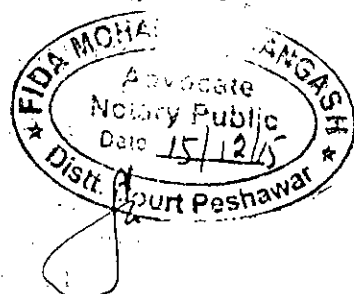

15/12/15
Nasir Mahmood Advocate,
Supreme Court of Pakistan
13-D Haroon Mension Peshawar.

Affidavit

I, do hereby declare, and affirm on oath that the contents of accompanying rejoinder are true and correct to the best my knowledge and belief and nothing has been concealed from this hon'ble tribunal.

Deponent

Shonkat Ara



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

IN RE Service Appeal No.632\013

Shaukat Ara..... Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education Peshawar and
others..... Respondents.

Rejoinder on behalf of appellant to the Para wise comments of respondents

Preliminary Objections;

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ON FACTS;

1. In reply to Para-1 of the reply it is submitted that the appellant has applied to the post of Arabic Teacher through proper channel and under the law she is entitled that her previous service should be counted towards her new service because there is not a single day gap between her relieving and taking charge at the present place of posting. At the time of her applying through proper channel the respondents have not raised any objection about the appointment of appellant.
2. Para-2 of the Para wise reply is wrong and incorrect. Moreover the Agency Education Officer has done the right thing.

3. Para-3 of the Para wise reply is wrong and incorrect. The appellant has applied through proper channel therefore she was correctly relieved by the Agency Education Officer.

4. Para-4 of the Para wise reply is wrong and incorrect.

5. Para-5 of the Para wise reply is wrong and incorrect.

GROUNDS;

A. Ground A of the Para wise reply is wrong and is denied in Toto with all the forces at the command of appellant. The appellant was not dealt in accordance with law and rules.

B. Ground B of the Para wise reply is wrong and is denied.

C. Ground C of the Para wise reply is wrong and is denied.

D. Ground D of the Para wise reply is wrong and is denied. The respondents cannot be allowed to argue a matter not taken in the pleading.

It is, therefore, respectfully prayed that in the light of facts mentioned above the appeal may accepted.

Through

Appellant
15/12/15

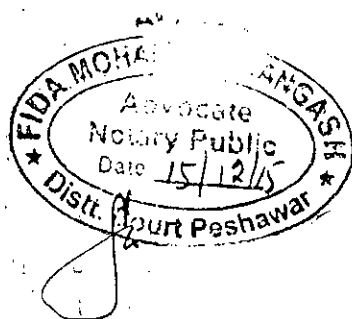
Nasir Mahmood Advocate,
Supreme Court of Pakistan
13-D Haroon Mension Peshawar.

Affidavit

I, do hereby declare, and affirm on oath that the contents of accompanying rejoinder are true and correct to the best my knowledge and belief and nothing has been concealed from this hon'ble tribunal.

Deponent

Shokat Ara



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

IN RE Service Appeal No. 632\013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education Peshawar and
others.....Respondents.

Rejoinder on behalf of appellant to the Para wise comments of respondents

Preliminary Objections;

All the preliminary objections have been taken as a routine. The appellant has a cause of action and has come to this honorable tribunal with clean hands. The appellant has not concealed any material facts from this honorable tribunal. The appeal has been filed bonafidely and is maintainable. The appeal is not barred by law. The appellant has not done anything which could esstope her from approaching this honorable tribunal. The respondents have not given any reason due to which the claimed for relief can not be granted to the appellant. The appeal is not bad for mis-joinder and non-joinder of parties. The policy does not debar the appellant from her rights.

ON FACTS;

1. In reply to Para-1 of the reply it is submitted that the appellant has applied to the post of Arabic Teacher through proper channel and under the law she is entitled that her previous service should be counted towards her new service because there is not a single day gap between her relieving and taking charge at the present place of posting. At the time of her applying through proper channel the respondents have not raised any objection about the appointment of appellant.

2. Para-2 of the Para wise reply is wrong and incorrect. Moreover the Agency Education Officer has done the right thing.

3. Para-3 of the Para wise reply is wrong and incorrect. The appellant has applied through proper channel therefore she was correctly relieved by the Agency Education Officer.

4. Para-4 of the Para wise reply is wrong and incorrect.

5. Para-5 of the Para wise reply is wrong and incorrect.

GROUNDS;

A. Ground A of the Para wise reply is wrong and is denied in Toto with all the forces at the command of appellant. The appellant was not dealt in accordance with law and rules.

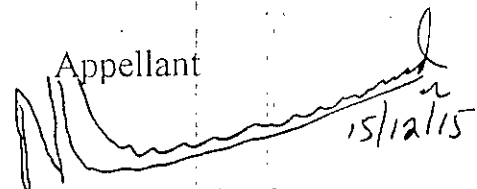
B. Ground B of the Para wise reply is wrong and is denied.

C. Ground C of the Para wise reply is wrong and is denied.

D. Ground D of the Para wise reply is wrong and is denied. The respondents cannot be allowed to argue a matter not taken in the pleading.

It is, therefore, respectfully prayed that in the light of facts mentioned above the appeal may accepted.

Through

Appellant

15/12/15

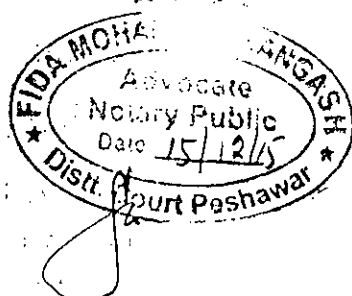
Nasir Mahmood Advocate,
Supreme Court of Pakistan
13-D Haroon Mension Peshawar.

Affidavit

I, do hereby declare, and affirm on oath that the contents of accompanying rejoinder are true and correct to the best my knowledge and belief and nothing has been concealed from this hon'ble tribunal.

Deponent

Shonkat Aia



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

IN RE Service Appeal No.632\013

Shaukat Ara.....Appellant

Versus

Govt. of KPK, through Secretary (E&S) Education Peshawar and
others.....Respondents.

Rejoinder on behalf of appellant to the Para wise comments of respondents

Preliminary Objections;

All the preliminary objections have been taken as a routine. The appellant has a cause of action and has come to this honorable tribunal with clean hands. The appellant has not concealed any material facts from this honorable tribunal. The appeal has been filed bonafidely and is maintainable. The appeal is not barred by law. The appellant has not done anything which could estop her from approaching this honorable tribunal. The respondents have not given any reason due to which the claimed for relief can not be granted to the appellant. The appeal is not bad for mis-joinder and non-joinder of parties. The policy does not debar the appellant from her rights.

ON FACTS;

1. In reply to Para-1 of the reply it is submitted that the appellant has applied to the post of Arabic Teacher through proper channel and under the law she is entitled that her previous service should be counted towards her new service because there is not a single day gap between her relieving and taking charge at the present place of posting. At the time of her applying through proper channel the respondents have not raised any objection about the appointment of appellant.

2. Para-2 of the Para wise reply is wrong and incorrect. Moreover the Agency Education Officer has done the right thing.

3. Para-3 of the Para wise reply is wrong and incorrect. The appellant has applied through proper channel therefore she was correctly relieved by the Agency Education Officer.

4. Para-4 of the Para wise reply is wrong and incorrect.

5. Para-5 of the Para wise reply is wrong and incorrect.

GROUNDS;

A. Ground A of the Para wise reply is wrong and is denied in Toto with all the forces at the command of appellant. The appellant was not dealt in accordance with law and rules.

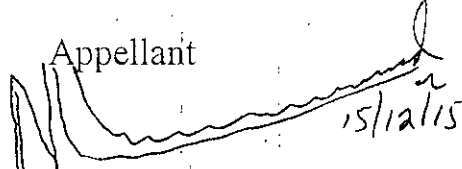
B. Ground B of the Para wise reply is wrong and is denied.

C. Ground C of the Para wise reply is wrong and is denied.

D. Ground D of the Para wise reply is wrong and is denied. The respondents cannot be allowed to argue a matter not taken in the pleading.

It is, therefore, respectfully prayed that in the light of facts mentioned above the appeal may accepted.

Through

Appellant

15/12/15

Nasir Mahmood Advocate,
Supreme Court of Pakistan
13-D Haroon Mension Peshawar.

Affidavit

I, do hereby declare, and affirm on oath that the contents of accompanying rejoinder are true and correct to the best my knowledge and belief and nothing has been concealed from this hon'ble tribunal.

Deponent

Shonkat Ara

