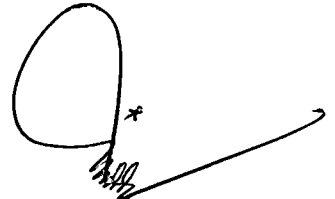


21.07.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

It is evident from the previous order sheet dated 16.05.2022 that the respondents department had been given last chance for submission of reply/comments. Despite last chance, the respondent department could not submit the requisite reply/comments today. Learned Additional Advocate General appeared on behalf of the respondents at fault and requested for yet another chance enabling him to contact and consult the respondents to submit reply/comments. The request is acceded to but as last chance whereafter coercive measures <sup>shall</sup> invariably be initiated against the respondents at fault. Adjourned. To come up for reply/comments as well as preliminary hearing on 10.10.2022 before S.B.



(Mian Muhammad)  
Member (E)

02.02.2022 Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Add: AG for respondents present. Preliminary arguments could not be heard due to learned Member (Executive) Mian Muhammad is on leave. To come up for preliminary hearing on 05.04.2022 before S.B.

  
Reader

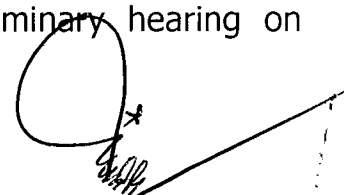
05.04.2022 Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Additional Advocate General seeks time to furnish reply/comments. Request is accepted. To come up for written reply/comments as well as preliminary hearing on 16.05.2022 before S.B.

  
Chairman

16.05.2022 Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

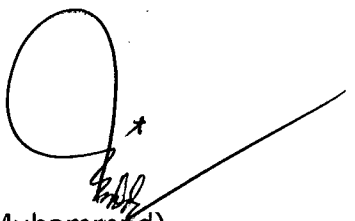
Learned AAG seeks time to furnish written reply/comments. Last opportunity is granted. To come up for written reply/comments as well as preliminary hearing on 21.07.2022 before S.B.

  
(Mian Muhammad)  
Member (E)

30.11.2021

Counsel for the appellant present. Preliminary arguments have been heard.

Learned counsel for the appellant is aggrieved of the impugned act of the respondents for not considering the service of appellant as qualified Drawing Master from the date of his first entry into service i.e 14.11.1994. Based thereon the impugned seniority list dated 20.03.2016 was issued w.e.f the promotion of appellant as SST (BS-16). He submitted departmental appeal on 14.07.2017. However, without waiting for order on his departmental appeal, the appellant approach<sup>ed</sup> the Peshawar High Court in writ petition which was disposed of on the basis of jurisdiction, on 19.05.2020 where-after the appellant filed the instant service appeal in the Service Tribunal on 25.08.2021. As the question of limitation arises i.e whether limitation is to be counted from the date of submission of his departmental appeal or from the date of choosing the wrong forum in writ petition which stands disposed of on 19.05.2020? It would, therefore, be appropriate to issue a pre-admission notice to the official respondents to submit their reply/parawise comments and assist the Tribunal. Adjourned. To come up for preliminary hearing on 02.02.2022 before S.B.

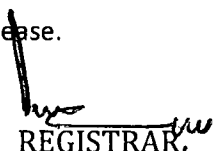

  
(Mian Muhammad)  
Member(E)

Form- A

FORM OF ORDER SHEET

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

Case No.- 7486 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/09/2021	<p>The appeal of Mr. Hamidullah resubmitted today by Syed Ghufranullah Shah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR.</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>30/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

Respected Sir,


Objection at serial no 2 has properly been removed, therefore, requested to place before the Hon'ble Tribunal.

  
Advocate.

Reference to your reply submitted in response to our observations, it is reiterated that the objections/observations raised by this office at serial no. 2 has not been removed and still stand. Therefore appeal in hand is returned for removing the above mentioned observation and resubmission within 15 days.

No. 1734 /S.T,

Dt. 02/09 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Syed Ghufuran Ullah ASC.

Respected Sir,

That on page 22 of the subject appeal, the covering letter about the representation of the appellant is available, which has been submitted before Peshawar High Court Peshawar in W.P No. 3310/2017. Furthermore, the subject appeal is being submitted upon the adjournment of Peshawar High Court Peshawar dated 19-05-2021; therefore, the subject objection may kindly be removed and the appeal be placed before the Hon'ble Tribunal.

- Advocate


Respected Sir,

To remove the objection, we need further time -

(15) days time further extended.

Advocate

16/09/21


  
16/09/2021

The appeal of Mr. Hamid Ullah, SDM , GHSS Moughlasht, District Chitral presented today i.e. on 25.08.2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copy of promotion order mentioned in Annexure C of the memo of appeal is incomplete which may be completed.
- 2- Original application/representation to competent authority mentioned in Annexure F may also be submitted with the appeal.
- 3- Certificate be given to the effect that appellatant has not been filed any service appeal earlier on the subject matter before this Tribunal.

No. 1691 /S.T,


Dt. 26/08 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Syed Ghufuran Ullah Shah ASC.

Respected Sirs,

- ① Objection 1 is concerned, it is stated that the said document is a better copy, which was earlier annexed with the writ Petition, it has not available, hence will be provided at the time of arguments with the prior permission of this Hon'ble Tribunal.
- ② Objection 2 is concerned, it is stated that it is already annexed at page 23 of the Service appeal, hence may kindly be placed before the Tribunal.
- ③ Objection 3 has properly been removed.

Advocate  


**BEFORE THE KHYBER PAKHTUNKHUWA SERVICE**  
**TRIBUNAL PESHAWAR**

Service Appeal No: 7486 2021

HAMID ULLAH

**VERSUS**

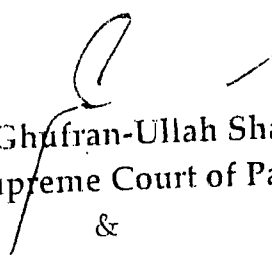
GOVERNMENT OF KHYBER PAKHTUNKHWA (KPK) THROUGH  
CHIEF SECRETARY AT CIVIL SECRETARIAT PESHAWAR AND  
OTHERS

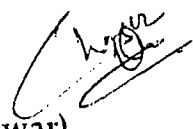
**INDEX**

S.No	Description of Documents	Annexure	Page No.
1.	Memo of appeal		1-5
2.	Affidavit		6
3.	Addresses of parties		7-8
4.	Copy of Appointment Letter	"A"	9
5.	Copy of Notification dated 30-03-2009	"B"	10
6.	Copy of Up-gradation Order	"C"	11-12
7.	Copy of Notification dated 24-07-2014	"D"	13-18
8.	Copy of impugned Seniority List	"E"	19-21
9.	Copy of applications/representations	"F"	22-23
10.	Copy of writ petition along with Order/Judgment dated 19-05-2021	"G"	24-32
11.	Wakalat Nama		33

  
Appellant

Through

  
Syed Ghufuran-Ullah Shah  
(Advocate Supreme Court of Pakistan)

&  
  
Changez Khan  
(Advocate Peshawar)

Office Address: 22-A Nasir Mension, Railway road Peshawar.

Cell # 0334-9185580/03339351777



**BEFORE THE KHYBER PAKHTUNKHUWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No: \_\_\_\_\_ 2021

HAMID ULLAH S/O SHER WALI KHAN R/O TEHSIL & DISTRICT  
CHITRAL PRESENTLY WORKING AS SDM IN BPS-16 AT GMS  
MOUGHLASHT DISTRICT CHITRAL.

.....Appellant

**V E R S U S**

1. GOVERNMENT OF KHYBER PAKHTUNKHWA (KPK) THROUGH  
CHIEF SECRETARY AT CIVIL SECRETARIAT PESHAWAR.
2. SECRETARY ELEMENTARY AND SECONDARY EDUCATION  
GOVERNMENT OF K.P.K AT CIVIL SECRETARIAT PESHAWAR.
3. DIRECTOR ELEMENTARY & SECONDARY EDUCATION KHYBER  
PUKHTUNKHUWA PESHAWAR.
4. DISTRICT EDUCATION OFFICER DISTRICT CHITRAL LOWER.
5. DISTRICT EDUCATION OFFICER DISTRICT CHITRAL UPPER.
6. SECRETARY FINANCE GOVERNMENT OF K.P.K AT CIVIL  
SECRETARIAT PESHAWAR.
7. SHUJA UD DIN S/O M. ZAFAR KHAN R/O CHITRAL PRESENTLY  
POSTED AS SDM IN BPS-16 AT GHS HONE DISTRICT CHITRAL,  
LOWER.
8. MUHAMMAD GHAZI KHAN S/O SHREEN KHAN R/O CHITRAL  
PRESENTLY POSTED AS SDM IN BPS-16 AT GHS BIRGA NISAR,  
DISTRICT CHITRAL, LOWER.
9. SHAH RIZA KHAN S/O KAHN R/O CHITRAL PRESENTLY POSTED AS  
SDM IN BPS-16 AT GHS HARCHIN DISTRICT CHITRAL, UPPER.
10. NOOR MUHAMMAD S/O GHULAM RASOOL R/O CHITRAL  
PRESENTLY POSTED AS SDM IN BPS-16 AT GHS KUSHUM DISTRICT  
CHITRAL, UPPER.
11. HUSSAIN ULLAH KHAN S/O HAMID ULLAH KHAN R/O CHITRAL  
PRESENTLY POSTED AS SDM IN BPS-16 AT GHS URSOON DISTRICT  
CHITRAL, LOWER.
12. FAIROOZ KHAN S/O PURDUM KHAN R/O CHITRAL PRESENTLY  
POSTED AS SDM IN BPS-16 AT GHS MROI DISTRICT CHITRAL,  
LOWER.

.....Respondents

**APPEAL U/S 4 OF KPK, SERVICE TRIBUNAL ACT 1974 IN  
COMPLIANCE OF ORDER AND JUDGEMENT OF PESHAWAR HIGH  
COURT PASSED IN W.P NO.3110-P/2017 AGAINST THE  
IMPUNGNEED ACT AND OMISSION OF RESPONDENTS NOT TO  
CONSIDER THE SERVICE OF APPELLANT AS QUALIFIED  
DRAWING MASTER ( DM) FROM THE DAY OF HIS FIRST**

APPOINTMENT i.e. 18-09-1989 AND TO EXCLUDE HIS UNTRAINED SERVICE OF (06 YEARS & 08 MONTHS) IN THE IMPUNGNE SENIORITY LIST DATED 20-03-2016 ; WITH EFFECT TO PROMOTE HIM AS SECONDARY SCHOOL TEACHERS ( BPS-16 ) AGAINST THE 04 % RESERVED QUOTA UNDER NOTIFICATION No. SO (PE)4-5/SSRC/TEACHING CADRE DATED 24<sup>TH</sup> JULY,2014..

PRAYERS:

ON ACCEPTANCE OF THE SUBJECT APPEAL RESPONDENTS MAY KINDLY BE DIRECTED TO COUNT SERVICE OF THE APPELLANT AS DRAWING MASTER FROM FIRST DAY OF HIS APPOINTMENT i.e. 18-09-1989 INSTEAD OF DATE OF ACQUIRING TRAINING i.e 25-05-1996 FOR ALL SERVICE PURPOSES INCLUDING SENIORITY AND PROMOTION RESULTANTLY TO MODIFY / CORRECT THE IMPUNGNE SENIORITY LIST DATED 20-03-2016 WITH EFFECT TO PROMOTE THE APPELLANT AS SECONDARY SCHOOL TEACHER (BPS -16) AGAINST THE SPECIFIED QUOTA ON HIS TERM WITH ALL SUBSEQUENT BENEFITS . ANY OTHER RELIEF WHICH DEEMS JUST AND PROPER MAY ALSO BE GRANTED TO THE APPELLANT KEEPING IN VIEW FACTS AND CIRCUMSTANCE OF THE CASE.

Respectfully Sheweth:

Brief facts and grounds giving rise to the instant Service Appeal are as under;

1. That Appellant was firstly appointed as Drawing Master BPS-09 on 18-09-1989. (Copy of appointment letter is Annexure "A")
2. That at the time of his appointment, the appellant was un trained because at the relevant time it was in practice to appoint teachers on general educational degrees/certificates and later on to train them in their terms in accordance with the capacity of the concerned Training Schools resultantly, the appellant was trained by Respondents department on 25-05-1996 on his term after about (06 Years an 08 months). It is pertinent to mention here that presently KP Government has also adopted the training procedure like practiced in the relevant time when appellant was appointed.
3. That vide Notification of Finance Department bearing No. FD (PRC) 5-2/2002 dated 30-03-2009; all the annual increments were granted to the appellant; hence treated as trained Teachers from day of his first appointments.

(Copy of Notification dated 30-03-2009 is annexed as Annexure "B")

4. That although, the appellant was upgraded in the same cadre of post (DM) and are presently working at BPS-16 (Senior Drawing Master) but have never been promoted to next cadre throughout his career of long service due to variation in Government policies from time to time. (Copy of up gradation Order is annexed as annexure "C")
  
5. That according to applicable Policy / Notification issued by Elementary and Secondary Education Government of K.P.K dated 24<sup>th</sup> July, 2014; 04% posts of Senior English Teachers (BPS-16) are to be filled on the basis of Seniority Cum fitness amongst the Senior Drawing Masters with at least five years service and having qualification of at least second class Bachelor degree in the relevant subject along with B.Ed. (Copy of Notification dated 24-07-2014 is annexure "D")
  
6. That the Appellant being qualified according to the subject notification is duly qualified to be appointed as Senior English Teacher (BPS-16) against the 04 % reserved quota having Bachelor Degree along with the required B.Ed /M.Ed training beside being seniors on the basis of their first day of appointment as DM.
  
7. That for the afore mentioned purpose Respondents have prepared the impugned seniority list whereby the service of the appellant has been counted from the date of acquiring training instead of his first appointment and incumbents juniors to the appellant have been recommended for promotion to Senior English Teacher (BPS-16). (Copy of impugned Seniority List is annexure "E")
  
8. That the appellant properly approached Respondents through different applications/representation to count their service from date of his first appointment and to recommend for promotion to the subject posts but in vain. (Copies of applications are annexed as Annexure "F")
  
9. That appellant challenged the impugned Seniority criteria before the Peshawar High Court Peshawar in W.P No.3310-P/2017 ,wherein the appellant has been directed to approach this Honorable Tribunal; hence the subject Service appeal amongst the following grounds inter alia; (Copy of Writ Petition along with order & judgment is annexure "G")

**GROUND:**

- a. That the impugned Seniority list and criteria for determination of seniority by respondents; is against Rule, 17 of the Civil Servants (Appointment, Promotion and Transfer) Rules 1989.
- b. That admittedly the appellant is serving with respondent department as Drawing Master (DM) from the day of his first appointment and there is no distinction between trained and untrained teachers with effect to consider and count his tenure of service for further promotion, therefore act of respondents to exclude the untrained tenure of service of appellant is in effective upon his entitled rights in performance of Government Service.
- c. That it is also admitted fact that through Notification bearing No. FD (PRC) 5-2/2002 dated 30-03-2009 issued by Government of KPK Finance Department all the annual increments were granted to the appellant ; hence treated as trained Teacher from day of his first appointment.
- d. That Supreme Court of Pakistan in some connected Civil Appeals No.398 to 405-L/2010 (Abdul Hameed and others VS Special Secretary Education, Government of Punjab and others) vide order/judgment dated 09-03-2016 has held that no distinction can be drawn between the un trained and trained teachers with effect to ancillary privileges of the service.
- e. That admittedly the requirements of notification against the reserved quota never distinguish between trained and untrained DMS with effect to determine qualification about appointment as SET through promotion, therefore the impugned Seniority List with effect to exempt the untrained services of the appellant is illegal and void.
- f. That respondents violated Article, 4 of the Constitution of Islamic Republic of Pakistan, 1973 with its heading "Rights of Individual to be dealt with in accordance with the Law" because in order to ensure merit in promotion of Civil Servant it is mandatory for respondents to comply with the applicable Law in fair, equal and lawful manner as well as prohibitory for them to act in a manner which is not admissible in law/rules; hence their such act and omission is un warranted under the Constitution.

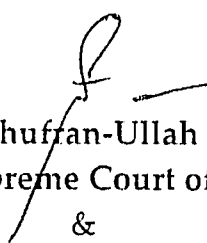
- g. That according to Article, 25 of the Constitution of Republic of Pakistan, 1973 all citizens are equal before Law and are entitled to equal protection of Law but the respondents violated this Article of the Constitution, because admittedly the appellant is senior in service as compared to incumbents recommended for promotion.
- h. That act of respondents with effect to avoid applicable law on the subject and their omission to accept applications for correction of the same is in clear cut violation of Article, 27 of the Constitution of Islamic Republic of Pakistan, 1973 with its heading "Safe Guard against discrimination in services".
- i. That any other grounds will be furnished at the time of final arguments with the prior permission of this Honorable Tribunal.

*Therefore, it is, most humbly prayed that the instant service appeal be accepted as prayed for.*




Appellant

Through



Syed Ghuffan-Ullah Shah  
(Advocate Supreme Court of Pakistan)

&



Changez Khan  
(Advocate Peshawar)

5A

CERTIFICATE

It is certified that no other Service Appeal on the same subject has been filed before this Honorable court.

  
Counsel

**BEFORE THE KHYBER PAKHTUNKHUWA SERVICE**  
**TRIBUNAL PESHAWAR**

Service Appeal No: \_\_\_\_\_ 2021

HAMID ULLAH

**VERSUS**

GOVERNMENT OF KHYBER PAKHTUNKHWA (KPK) THROUGH  
CHIEF SECRETARY AT CIVIL SECRETARIAT PESHAWAR AND  
OTHERS

**AFFIDAVIT**

I, Hamid Ullah S/O Sher Wali Khan R/O Tehsil & District Chitral Presently Working As DM In BPS-16 At GMS Moughlasht District Chitral do hereby solemnly verify on Oath that all the contents of the subject appeal are true and correct to the best of my knowledge and belief.



DEPONENT.

**BEFORE THE KHYBER PAKHTUNKHUWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No: \_\_\_\_\_ 2021

HAMID ULLAH

**VERSUS**

GOVERNMENT OF KHYBER PAKHTUNKHWA (KPK) THROUGH  
CHIEF SECRETARY AT CIVIL SECRETARIAT PESHAWAR AND  
OTHERS

**ADDRESSES OF PARTIES**

**APPELLANT;**

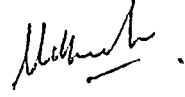
HAMID ULLAH S/O SHER WALI KHAN R/O TEHSIL & DISTRICT CHITRAL  
PRESENTLY WORKING AS DM IN BPS-16 AT GMS MOUGHLASHT DISTRICT  
CHITRAL

**RESPONDENTS;**

1. GOVERNMENT OF KHYBER PAKHTUNKHWA (KPK) THROUGH  
CHIEF SECRETARY AT CIVIL SECRETARIAT PESHAWAR.
2. SECRETARY ELEMENTARY AND SECONDARY EDUCATION  
GOVERNMENT OF K.P.K AT CIVIL SECRETARIAT PESHAWAR.
3. DIRECTOR ELEMENTARY & SECONDARY EDUCATION KHYBER  
PUKHTUNKHUWA PESHAWAR.
4. DISTRICT EDUCATION OFFICER DISTRICT CHITRAL LOWER.
5. DISTRICT EDUCATION OFFICER DISTRICT CHITRAL UPPER.
6. SECRETARY FINANCE GOVERNMENT OF K.P.K AT CIVIL  
SECRETARIAT PESHAWAR.
7. SHUJA UD DIN S/O M. ZAFAR KHAN R/O CHITRAL PRESENTLY  
POSTED AS DM IN BPS-16 AT GHS HONE DISTRICT CHITRAL, LOWER.
8. MUHAMMAD GHAZI KHAN S/O SHREEN KHAN R/O CHITRAL  
PRESENTLY POSTED AS DM IN BPS-16 AT GHS BIRGA NISAR,  
DISTRICT CHITRAL, LOWER.
9. SHAH RIZA KHAN S/O KAHN R/O CHITRAL PRESENTLY POSTED AS  
DM IN BPS-16 AT GHS HARCHIN DISTRICT CHITRAL, UPPER.
10. NOOR MUHAMMAD S/O GHULAM RASOOL R/O CHITRAL  
PRESENTLY POSTED AS DM IN BPS-16 AT GHS KUSHUM DISTRICT  
CHITRAL, UPPER.



11. HUSSAIN ULLAH KHAN S/O HAMID ULLAH KHAN R/O CHITRAL PRESENTLY POSTED AS DM IN BPS-16 AT GHS URSOON DISTRICT CHITRAL, LOWER.
12. FAIROOZ KHAN S/O PURDUM KHAN R/O CHITRAL PRESENTLY POSTED AS DM IN BPS-16 AT GHS MROI DISTRICT CHITRAL, LOWER.



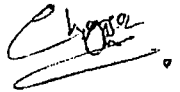
Appellant

Through

Syed Ghufuran Ullah Shah  
(Advocate Supreme Court of Pakistan)

&

Changez Khan  
(Advocate Peshawar)



OFFICE OF THE DIRECTOR OF EDUCATION (S) MALAKAND DIVISION SAIDU SHARIF, AT GUL KADA SWAT.

APPOINTMENT.

Amna A

Mr. ~~Fazidullah F.A. Mati with Drawing~~ resident of Village ~~Naroway~~ District ~~Chitral~~ is hereby temporarily appointed against ~~Vacant P.O.~~ Post at ~~G.H.S. Mastuj Chitral~~ in RPS No. ~~9~~ C.Ps. ~~830/~~ P.M. ~~fixed~~ plus usual allowances as due and admissible to him/her under the rules with effect from the date of his/her taking over charge in the interest of public service subject to the following terms & conditions:-

TERMS & CONDITIONS:-

- 1- No T.A./D.A. is allowed.
- 2- Charge reports should be submitted to all concerned.
- 3- The appointment is made on purely temporarily basis and liable to termination at any time with-out notice and assigning any reason. In case of resignation he will to submit one month's prior notice to the Department or forfeit one month's pay in lieu thereof if to the Govt.
- 4- The Candidate shall produce his/her health and age certificates from the Civil surgeon concerned in case he/she is not already in service.
- 5- The Heads of the Institutions are required to check the original academic professional Certificates of the Candidate before handing over charge to him/her.
- 6- In Case the Candidate failed to take over charge within 15 days of the issue of this order, his/her appointment shall stand automatically cancelled.
- 7- The Candidate shall not be handed over charge if his/her age exceed 28 years or below 18 years

DIRECTOR OF EDUCATION, MALAKAND DIVISION AT GUL KADA SWAT.

Dated 18/8 / 1989.

Endst: No. 9259094

Copy forwarded to :-

- 1- The Distt: Education Officer ~~Chief Minister, P.O.P.w/r to his order dated 12/~~ ~~(Chitral) on the original notification.~~
- 2- The S.D.E.O. ~~G.H.S. Mastuj Chitral.~~
- 3- The Headmaster/Headmistress. ~~G.H.S. Mastuj Chitral.~~
- 4- The Candidate concerned.

\*Taj Mohammad\*

for/

DIRECTOR OF EDUCATION, MALAKAND DIVISION AT GUL KADA SWAT.

Akbar Khan  
Headmaster  
G.H.S. Kesu Chitral

Attested

KAMPAN



Annex - "B" IS

(10)

Annex B (10)

GOVERNMENT OF N.W.F.P  
FINANCE DEPARTMENT  
(REGULATION WING)

NO.FD (PRC) 5-2/2002  
Dated Peshawar the: 30-03-2009

To:

The Secretary to Govt. of NWFP,  
Elementary & Secondary Education,  
Peshawar.

Subject: GRANT OF ANNUAL INCREMENT / RUNNING  
PAY TO UNTRAINED TEACHERS IN THE LIGHT  
OF SUPREME COURT JUDGEMENT.

Dear Sir,

I am directed to refer to your letter NO.SO (B&A) 1-16/08/  
Advance Increment dated February 27, 2009 on the subject noted above and  
to state that the Provincial Government is pleased to allow the benefit of  
annual increments to the untrained teachers from the date of their regular  
appointment.

No arrears shall however, be admissible / payable prior to the  
date of issuance of this circular.

(ABDUL JABBAR)  
SECTION OFFICER (SR-1)

Encls: of even No & date.

Copy for information & necessary action to the:

1. Accountant General NWFP.
2. All District Coordination Officers.
3. All District / Agency Accounts Officers NWFP / FATA.

Attested  
J.~

SECTION OFFICER (SR-1)

11

Ammer  
C  
Better Copy

DIRECTORATE OF ELEMENTARY AND SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

Ph No. 091-9210389, 9210938  
9210437, 9210957, 9210468  
Fax 091-9210936, 0800-33857  
Email: rafiq-kk851@yahoo.com

**NOTIFICATION**

Consequent upon the recommendations of the Department Promotion committee and in pursuance of the Government of Khyber Pakhtunkhwa Elementary and Secondary Education Notification No.SO(B&A)/1-18/E&SE/2012 dated 11.07.2012 and Finance Department endorsement No.SO(FR)/FD/10-22(E)/2010 dated 16.07.2012, the following Male DMs B-15 are hereby promoted to the post of Senior DM BPS-16 (Rs.10000-800-34000) plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, on the terms and condition given below with immediate effect and further they will be posted in the Government Higher Secondary/ Higher Secondary/ High Schools by the district education Officers concerned against the newly upgraded Senior DM BPS-16 posts:-

Total No. of DM (M) posts duly verified by the DAO	109
1/3 SHARE OF Senior DM Posts	36
Share of promotion 100%	36
Promoted to the post of Senior DM B-16	36

S.#	Name	Place of posting	Date of Birth	Remarks
1.	Mashkooor Hussain	GHS Balach	11.12.1959	Services placed at the disposal of DEO (M) Chitral for further posting
2.	Rahman Wali shah	GMS Kalkatak	04.01.1968	-do-
3.	Sahib Ud Din	GMS Miryarm	15.04.60	-do-
4.	Sardar Hussain	GHS Chumorkhan	12.07.1964	-do-
5.	Rahmat Ullah	GMS Seenlusht	15.02.64	-do-
6.	Sardar Azam Khan	GMS Washich	20.02.63	-do-
7.	Aziz Ud Din	GMS Orghuch	12.01.1956	-do-
8.	Aziz Ur Rahman	GMS Parkusap	06.05.1961	-do-
9.	Mohammad Ayub Khan	GMS Riri Owir	15.01.67	-do-
10.	Siraj Ud Din	GMS Jinirale Kuh	26.02.62	-do-
11.	Mohammad Sami Ul Haq	GHS Kosht	08.06.1965	-do-
12.	Israr Nabi	GHS Parabeg	01.07.1965	-do-
13.	Amin Ullah Khan	CGMHS (B) CHt	01.03.1967	-do-
14.	Sahib Rahim	GHS Broze	12.07.1965	-do-
15.	Mohammad Afzal	GMS Kari	18.02.65	-do-
16.	Shafur Rahman	GMS T/ Paveen	03.03.1969	-do-
17.	Barkat Shah	GMS Shuno	02.04.1970	-do-
18.	Fairooz Khan	GHS Mroi	20.06.65	-do-
19.	Hussain Ullah Khan	GMS Ursoon	01.10.1967	-do-
20.	Mohammad Ghafoor	GHS Mashu	03.10.1965	-do-
21.	Farhat Ullah	GMS Lone	03.01.1969	-do-

Attested  
S. R.

12



Better Copy

36.	Qurban Wli BPS-15	GHS Booni	GMS Lona	V No.35
37.	Halbullah BPS-16	GHS Workup	Retained	-
38.	Noor Mohammad BPS-16	GHS Khushum	Retained	-
39.	Mohd; Ghazi Khan GBPS-16	GMS Sortaspoor	GHS Koghuzi	V No.40
40.	Saeedullah BPS-15	GHS Koghuzi	GMS Sarlaspoor	V No.39
41.	Fida Mohammad BPS-16	GHS Mada (not visible)	Retained	-
42.	Shujaud Din BPS-16	GHS Hone	Retained	-
43.	Mohd Assadullah BPS-16	GMS Birir	GHS Hone	V No.44
44.	Afzal Shah BPS-15	GHS Hone	GMS Birir	V No.43
45.	Hamidullah BPS-16	GHS Barumowir	Retained	-
46.	Ghulam Sarwar BPS-16	GMS M/ Ayun	GHS Ayun	V No.47
47.	Sanaullah BPS-15	GMS Ayun	GMS Maideh Ayun	V No.46
48.	Iqbal Afzal BPS-16	GMS Parwak	GMS Muzhgolo	V No.49
49.	Saiful Karim BPS-15	GHS Muzhgole	GMS Pawak	V No.48
50.	Syed Sardar Ali Shah B-16	GMS Zhupo	GHS Brop	V No.51
51.	Mohammad Aman BPS-15	GHS Brop	GMS Zhugo	V No.50
52.	Sardar Hussain BPS-16	GHS Chumrukong	Retained	-
53.	Zakir BPS-10	GHS Gohkir	Retained	-
54.	Sher Zam Shah BPS-10	GHS Reshun	Retained	-
55.	Nazir Ahmad Khan BPS-16	GHS Chumkon	Retained	-

TERMS AND CONDITIONS:

1. They would be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations as may be issued from time to time by the Government.
3. This services can be terminated at any time, in case his performance is not found satisfactory during probationary period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
4. Change report should be submitted to all concerned.
5. Their inter-se seniority on lower post will remain intact.
6. No TA/ DA is allowed for joining his duty.
7. They will give an undertaking to the recorded in their service book to the effect that if any over payment is made to him in light this order will be recorded and if he is wrongly prompted, he will be reversed.

Sd/-  
Siraj Mohammad  
District Education Officer  
(Male) Chitral

Endst No.11052-82/EB(M\_/T-5/Trf/DM dated Chitral the 28.02.2013

Copy forwarded for information and necessary action to the:-

1. PA to Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer Chitral
3. Principals / H/Ms concerned/ Teachers concerned

Sd/-  
DY/ DEO (M) Chitral

*dm*  
Attested  
*g*

13

Annex 'D'

Annex - D

6

Annexure - "3/4"

P-48-51



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar, dated the 24<sup>th</sup> July, 2014.

NOTIFICATION

No.SO(PE)4-5/SSRC/Meeting/2013/Teaching Cadre:- In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Elementary and Secondary Education Department in consultation with the Establishment Department and the Finance Department hereby directs that in this Department's Notifications No.SO(G)S&I.D/1-28/2003/Vol-II dated, 09-04-2004, Notification No.SO(G)S&I/1-69/06/Vol-1/DPE/LIB dated, 13-11-2007, and Notification No.SO(PE) 4-5/SSRC/Meeting/2012/Teaching Cadre, dated, 13.11.2012, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(i) Serial No. 1 shall be renumbered as 1B and before Serial No. 1B, as so renumbered, the following new entries shall be inserted in respective columns, namely:

1	2	3	4	5
-1.	Subject Specialist (BPS-17)	i. At least second class Master's Degree or four years BS Degree in the relevant subject; and  ii. Bachelor of Education or Master of Education (Industrial Art or Business Education) or MA Education or equivalent qualification from a recognized University.	23 to 35 years	(a) Fifty per cent by promotion, on the basis of seniority-cum-fitness, for the relevant subject from amongst the Secondary School Teachers (BPS-16), with at least five years service as such and having qualification mentioned in column No. 3.  Note: If no suitable candidate is available in the relevant subject the post falling in their promotion quota shall be filled by initial

(1)

Attested  
Sr

ATC  
g

Z + (14)

(18)

IA	Director Physical Education (BPS-17)	At least second class Master's Degree in Physical Education from a recognized University.	22-35 years	<p>recruitment; and (b) fifty percent by initial recruitment.</p> <p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Physical Education Teachers (BPS-16), with at least five years service as Senior Physical Education Teacher and Physical Education Teacher and having qualification mentioned in column No. 3:</p> <p>Provided that if no suitable person is available from amongst Senior Physical Education Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst the Physical Education Teachers, with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>Note:- If no suitable candidate is available in the relevant cadres of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment; and</p> <p>(b) fifty percent by initial recruitment"; and</p>
----	--------------------------------------	---	-------------	--

P-48-51

Accepted  
ADMIN...

ATE  
§-

8

15

10

(ii) against Serial No. 1B, as so renumbered, for the existing entries, the following shall be substituted, in respective columns, namely:

1	2	3	4	5
1B.	Secondary School Teacher (BPS-16)	<p>I. At least second class Bachelor Degree's from a recognized University on-need basis from the following groups with two subject</p> <p>(a) (Chemistry, Botany or Zoology), Or (b) (Physics, Maths "A" or "B" or Statistics) Or (c) (Humanities and other equivalent groups at degree level with English as compulsory subject;</p> <p>and</p> <p>II. Bachelor of Education or Master of Education (Industrial Art or Business Education) or M.A Education or equivalent qualifications from a recognized University.</p>	21 to 35 years.	<p>1. Seventy Five per cent by promotion, on the basis of seniority-cum-fitness, from the district concerned in the following manner:</p> <p>(a) forty per cent from amongst the Senior Certified Teachers (BPS-16), with at least five years service as Senior Certified Teacher and Certified Teacher and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Certified Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers, with at least five years service as such and having qualification mentioned in column No. 3: )</p> <p>(b) four per cent from amongst the Senior Drawing Masters(BPS-16), with at least five years service as Senior Drawing Masters and Drawing Masters and having qualification mentioned in column No.3:</p>

P-48-51

(3)

ATE

ALLSTED



16



				<p>Provided that if no suitable candidate is available from amongst Senior Drawing Masters for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(c) four per cent from amongst the Senior Arabic Teachers(BPS-16), with at least five years service as Senior Arabic Teachers and Arabic Teachers, and having qualification mentioned in column No.3:</p> <p>Provided that if no suitable candidate is available from amongst Senior Arabic Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Arabic Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(d) four per cent from amongst the Senior Theology Teachers(BPS-16), with at least five years service as Senior Theology Teachers and Theology Teachers and having qualification mentioned in column No.3:</p>
--	--	--	--	--

P-48-51

(4)

Attested  
S-

ATC  
S-

10 (17)

(2)

				<p>Provided that if no suitable candidate is available from amongst Senior Theology Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(e) three per cent from amongst the Senior Qaris (BPS-16), with at least five years service as Senior Qari and Qari and having qualification mentioned in column No.3;</p> <p>Provided that if no suitable candidate is available from amongst the Senior Qaris then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from Qaris with at least five years service as such and having qualification mentioned in column No. 3;</p> <p>(f) twenty per cent from amongst the Primary School Head Teachers (BPS-16), with at least seven years service as Primary School Head Teachers and Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No. 3;</p> <p>Provided that if no suitable candidate is available from amongst</p>
--	--	--	--	---

P-48-51

(5)

Attested  
S.E.

ATC  
S

18

				<p>Primary School Head Teachers for promotion then the post shall be filled by promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least seven years service as Senior Primary School Teachers and Primary School Teachers and having qualification mentioned in column No.3:</p> <p>Provided further that if no suitable candidate is available from amongst Senior Primary School Teachers for promotion then the post shall be filled from amongst Primary School Teachers with at least seven years service as such and having qualification mentioned in column No. 3; and</p> <p>(ii) twenty five percent by initial recruitment.</p> <p>Note:</p> <p>i. If no suitable candidate is available in the relevant cadre of the above teachers, the post falling in their promotion quota shall be filled by initial recruitment.</p> <p>ii. Posts of General SST and SSTs-1 Science and SST-2 Science shall be filled by promotion or initial recruitment, each on need basis separately."</p>
--	--	--	--	---

P- 48-51

(6)

ATC  
  
 Attested

(ZAMIN KHAN MOMAN  
SECTION OFFICER

(19)

W

(28)

Annex E

Page No.

## FINAL SENIORITY LIST OF DM (M) IN ELEMENTARY &amp; SECONDARY EDUCATION CHITRAL CORRECTED UPTO 20.03.2016.

S.No	Seniority No.	Name	Father's Name	BPS	Acad.	Subject	Profess.	Division	D/o Birth	Domicile	Date of 1 <sup>st</sup> Entry into Govt. Service	D/o Appoint to the present Post	Place of Posting
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	1	Mashkoo Hussain	Mohammad Hussain	16	BA	2 <sup>ND</sup> Div.	DM/B.Ed	2 <sup>ND</sup> Div.	15.11.59	Chitral	10.15.81	31.03.83	GHSS;
2.	2	Hussain Ahmad	Abdul Jalil	15	SSC	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	15.09.56	Chitral	22.09.81	16.02.84	GHS Tar
3.	3	Rahman Wali Shah	Sultan Wali Shah	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	01.04.62	Chitral	24.09.81	16.02.84	GHS Drosch
4.	4	Sahib Ud Din	Sher Ajab	16	BA	3 <sup>rd</sup> Div.	DM	2 <sup>ND</sup> Div.	15.04.60	Chitral	08.10.84	20.01.85	GHS Istaru
5.	5	Akhtar Hussain	M. Hussain	15	SSC	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	20.11.62	Chitral	09.10.84	20.01.85	GMS Khuzh
6.	6	Sardar Hussain	Gul Hazar Baig	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	07.12.64	Chitral	09.10.84	20.01.85	GHS Ursoon
7.	7	Rahmat Ullah	Bulan Khan	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	15.02.64	Chitral	10.10.84	20.01.85	GHS Arkari
8.	8	Sardar Azam Khan	Sahib Ullah	16	MA	Sociology	DM	2 <sup>ND</sup> Div.	20.02.63	Chitral	01.08.85	01.08.85	GHS Shahgram
9.	9	Aziz Ud Din	Shams Ud Din	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	01.12.56	Chitral	01.10.86	01.10.86	GHS Kessu
10.	10	Aziz Ur Rahman	Fath Ur Rahman	16	MA	Urdu	DM/B.Ed	2 <sup>ND</sup> Div.	05.06.61	Chitral	01.10.86	01.10.86	GHS Broze
11.	11	Siraj Ud Din	Ghazi Ud Din	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	26.02.62	Chitral	01.06.83	17.01.90	GHS Sweer
12.	12	Mohammad Sami Ul Haq	Fazli Ilahi	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	06.08.65	Chitral	13.07.85	14.11.90	GHS Kosht
13.	13	Israr Nabi	Amir Wali Khan	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	07.01.65	Chitral	16.09.85	14.11.90	GHS Parabeg
14.	14	Amin Ullah Khan	Adalat Khan	16	MA	Urdu	DM	2 <sup>ND</sup> Div.	03.01.67	Chitral	15.12.90	15.12.90	GCMHS.(B) Chit.
15.	15	Sahib Rahim	Rahmat Karim	16	BA	2 <sup>ND</sup> Div.	DM/B.Ed	2 <sup>ND</sup> Div.	07.13.65	Chitral	20.12.90	20.12.90	GHS Burnburate
16.	16	Mohammad Afzal	Saadat Ud Din	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	18.02.65	Chitral	21.04.87	22.10.91	GHS Kari
17.	17	Shafiqur Rahman	Masar Khan	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	02.03.69	Chitral	24.04.92	24.04.92	GHS Lonkoh
18.	18	Rahmat Ul Faiz	Rehman Khan	16	FA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	02.12.66	Chitral	12.05.92	12.05.92	GHS Kalkatgak
19.	19	Barkat Shah	Bulbul Shah	16	MA	Urdu	DM	2 <sup>ND</sup> Div.	04.02.70	Chitral	01.05.92	22.11.92	GHS Warijun
20.	20	Fairooz Khan	Purdum Khan	16	BA	2 <sup>ND</sup> Div.	DM/B.Ed	2 <sup>ND</sup> Div.	20.06.65	Chitral	11.04.93	11.04.93	GHS Mroi
21.	21	Hussain Ullah Khan	Hamid Ullah Khan	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	10.01.637	Chitral	18.04.93	18.04.93	GHS Ursoon
22.	22	Mohammad Ghafoor	Mohammad Nazir	16	MA	Urdu	DM/B.Ed	2 <sup>ND</sup> Div.	10.03.65	Chitral	25.04.87	25.12.93	GHS Mastuj
23.	23	Farhat Ullah	Habib Ullah	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	01.03.69	Chitral	15.08.87	25.12.93	GHS Booni
24.	24	Habib Ullah Khan	Mehrabi Khan	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	02.02.70	Chitral	21.11.88	25.12.93	GHS Werkup
25.	25	Noor Mohammad	Ghulam Rasool	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	01.02.63	Chitral	28.09.89	25.12.93	GHS Kushum
26.	26	Shah Riza Khan	Kahn	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	02.02.71	Chitral	30.09.89	25.12.93	GHS Harchin
27.	27	Mohammad Ghazi Khan	Shereen Khjan	16	BNA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	01.05.67	Chitral	11.04.93	29.05.94	GHS Birga Nisar
28.	28	Fida Mohammad	Dost Mohammad	16	BA	2 <sup>ND</sup> Div.	DM/B.Ed	2 <sup>ND</sup> Div.	01.12.66	Chitral	01.06.87	09.01.95	GHS Hone
29.	29	Shuja Ud Din	M. Zafar Khan	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	05.01.65	Chitral	25.09.89	09.01.95	GHS Hone
30.	30	Mohammad Asad Ullah	Hazrat Ullah Khan	16	BA	2 <sup>ND</sup> Div.	DM/B.Ed	2 <sup>ND</sup> Div.	08.04.65	Chitral	01.10.89	09.01.95	GHS Boomi
31.	31	Mohammad Ayub Khan	Pahlavan	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	15.01.67	Chitral	01.01.88	25.05.96	GHS Baranis
32.	32	Mir Anwar Hussain	Sher Haqan	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	01.05.67	Chitral	16.05.89	25.05.96	GHS Domil
33.	33	Mohammad Qayum Shah	Yatim Shah	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	02.01.60	Chitral	20.09.89	25.05.96	GHS Barumowir
34.	34	Hamid Ullah	Sher Ajam Khan	16	MA	Islamiat	DM/B.Ed	2 <sup>ND</sup> Div.	14.03.69	Chitral	23.09.89	25.05.96	GHS Ayun
35.	35	Ghulam Sarwar	Mohammad Yousaf	16	BA	2 <sup>ND</sup> Div.	DM	2 <sup>ND</sup> Div.	02.02.58	Chitral	05.12.89	25.05.96	GHS Sonooghur
36.	36	Iqbal Afzal	Sarfaraz Ul Amin	16	MA	Islamiat	DM/B.Ed	1 <sup>ST</sup> Div.	18.04.68	Chitral	10.12.89	25.05.96	GHS

Attested  
S-

(50)

(99)

37.	37.	Zakir	Sher Wali Khan	16	MA	Islamiat	DM/B.Ed	1 <sup>st</sup> Div.	12.02.68	Chitral	23.12.89	25.05.96	GHS Gohkir
38.	38	Sher Azam Shah	Namakin	16	MA	Islamiat		2 <sup>nd</sup> Div.	06.01.65	Chitral	01.04.90	25.05.96	GHS Reshun
39.	39	Syed Sardar Ali Shah	Farman Shah	16	MA	1 <sup>st</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	01.04.68	Chitral	21.05.92	25.05.96	GHS Mastuj
40.	40	Nazir Ahmad Khan	Jano Mir	16	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	15.02.71	Chitral	09.04.96	25.05.96	GHS Chumurkone
41.	41	Zakir Ud Din	M. Sardar Ali Khan	16	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	20.02.68	Chitral	01.10.89	30.08.96	GHS Chuinj
42.	42	Duradona Baig	Khush Baig	16	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	27.06.58	Chitral	15.05.83	13.05.97	GHS Muzhgole
43.	43	Qurban Wali Khan	Rahmat Wali Khan	16	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	01.02.60	Chitral	15.04.87	13.05.97	GHS Reshun
44.	44	Salah Ud Din	Wali Khan	16	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	22.03.55	Chitral	22.04.87	13.05.97	GHSKuju
45.	45	Mahboob Ul Haq	Maula Nigah	16	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	19.04.75	Chitral	01.07.97	01.07.97	GHS Zongroangram
46.	46	Saif Ullah	Amitr Ullah	16	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	18.01.75	Chitral	11.07.97	11.07.97	GHS Garum Chashma
47.	47	Javeed Iqbal	Saif Ullah Khan	16	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	01.02.75	Chitral	16.08.97	16.08.97	GHS Khorkashandeh
48.	48												
49.	49	Mir Ajab Khan	Noor Aziz Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	02.02.60	Chitral	23.09.87	27.02.98	GHS Shunu
50.	50	Shah Zaman Khan	Mohd Taib Khan	15	BA	3 <sup>rd</sup> Divn.	DM	2 <sup>nd</sup> Div.	01.01.58	Chitral	30.08.89	27.02.98	GHS Awi
51.	51	Vazl Ur Rahman	Abdul Ghani	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	20.11.63	Chitral	10.12.89	27.02.98	GHS Sh/Owir
52.	52	Mir Ajam Khan	Misal Arab	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	12.07.68	Chitral	19.11.94	27.02.98	GHS Lashl Kosht
53.	53	Saif Ullah Jan	Wazir Arab	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	12.03.73	Chitral	01.01.98	27.02.98	GHS Rach
54.	54	Siddiq Ur Rahman	Rahmat Nigah	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	07.11.76	Chitral	20.01.98	27.02.98	GHS Nishkoh
55.	55	Syed Mehmood Ul Hassan	M. Saeed Ullah	15	BA	1 <sup>st</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	15.10.73	Chitral	01.03.98	01.03.98	GHS Tar
56.	56	Ghulam Anbia	Abdul Hakim	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	05.02.76	Chitral	01.03.98	01.03.98	GHS Miragram No. 1
57.	57	Manzoor Ahmad	Amir Mohammad	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	01.04.78	Chitral	05.04.99	01.03.98	GHS G/Choshma
58.	58	Syed Shahab Ud Din	Sher Amir Khan	15	BA	2 <sup>nd</sup> Divn.	DM	1 <sup>st</sup> Div.	10.04.67	Chitral	08.04.99	01.03.98	GHS Susoom
59.	59	Aziz Ud Din	Takbir Khan	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	10.04.67	Chitral	10.12.94	05.04.99	GHS Nagar
60.	60	Ramazan Shah	Gul Hussan Shah	15	MA	T.Edu.	DM	2 <sup>nd</sup> Div.	06.11.73	Chitral	14.11.94	08.04.99	GHS Breshgram
61.	61	Mohammad Jahangir Khan	Jamoldar Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	05.03.66	Chitral	19.11.94	11.05.99	GHS Bomborate
62.	62	Nabi Ud Din	Haji Mir	15	MA	Islamiat	DM/B.Ed	1 <sup>st</sup> Div.	01.01.71	Chitral	20.11.94	11.05.99	GHS Morilasht
63.	63	Saeed Ullah	Ghazi Muhammad	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	01.04.69	Chitral	21.1194	11.05.99	GHS Koghuzi
64.	64	Noor Ud Din	Zerballi Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	10.01.72	Chitral	24.11.94	11.05.99	GHS Mogh
65.	65	Shakir Ahmad	Sher Wali Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	01.03.76	Chitral	24.1194	11.05.99	GHS Ujno
66.	66	Iqrar Ud Din	Abdul Qadir	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	01.02.69	Chitral	24.1194	11.05.99	GHS Shagram
67.	67	Mohammad Ali	Rahim Baig	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	22.02.72	Chitral	26.11.94	11.05.99	GHS Breshgrm
68.	68	Saif Ul Karim	S. Rahmat Ali Shah	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	06.04.73	Chitral	10.04.96	11.05.99	GHS Parwak
69.	69	Mohammad Ilyas	Gul Mohd Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	15.04.70	Chitral	09.04.99	11.05.99	GHS Melp
70.	70	Shuja Ud Din	Mirza Khan	15	MSC	P/Std	DM/B.Ed	1 <sup>st</sup> Div.	12.04.75	Chitral	10.04.99	11.05.99	GHS Hart
71.	71	Hamid Ullah	Ghulam Sarwar	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	13.02.76	Chitral	02.03.98	11.05.99	GHS Drosh
72.	72	Abu Baker Ahmad	Mehboob Ilahi	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	12.05.77	Chitral	24.09.95	31.03.02	GHS Orghuch
73.	73	Mohammad Hassan Khan	Mohd Rahim Khan	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	01.04.71	Chitral	03.09.02	03.09.02	GHS Khot
74.	74	Abdul Basit	Rahmat Kabir	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	01.03.72	Chitral	03.09.02	03.09.02	GHS Beori
75.	75	Sana Ullah Khan	Atta Ullah	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	01.01.74	Chitral	11.09.02	03.09.02	GHS Rumboor
76.	76	Rahmat Ullah	Rahmat Qadir Khan	15	MA	Islamiat	DM	2 <sup>nd</sup> Div.	03.02.75	Chitral	12.09.02	11.0.02	GHS Golain
77.	77	Fokhr Ud Din	Afsar Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Div.	15.01.75	Chitral	12.09.02	12.09.02	GHS Lone
78.	78	Tika Khan	Jano Yar Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Div.	03.02.75	Chitral	12.09.02	12.09.02	GHS Shishi
79.	79	Mehmood Ali	Zarin Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Div.	18.03.75	Chitral	12.09.02	12.09.02	GHS Shoghore
80.	80	Inayat Ullah	Sher Azam Khan	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Div.	01.02.77	Chitral	12.09.02	12.09.02	GHS Muzhgole

Alotted  
JC



81.	81	Farid Ud Din	Munir Ud Din	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Divn.	01.03.78	Chitral	12.09.02	12.09.02	
82.	82	Sadr Ud Din	Mir Sawat Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Divn.	04.04.78	Chitral	12.09.02	12.09.02	GMS Warimoon
83.	83	Ashraf Nabi Shah	Adina Shah	15	BA	2 <sup>nd</sup> Divn.	DM	1 <sup>st</sup> Divn.	01.08.89	Chitral	12.09.02	12.09.02	GMS Joghhor
84.	84	Bashir Ullah	Rahmat Wali	15	MA	Islamiat	DM/B.Ed	1 <sup>st</sup> Divn.	12.10.81	Chitral	12.09.02	12.09.02	GMS Terich (p)
85.	85	Kai Khisrow	Ahmad Khisrow	15	MA	Islamiat	DM/B.Ed	1 <sup>st</sup> Divn.	25.02.82	Chitral	12.09.02	12.09.02	GMS Khot (p)
86.	86	Haji Akbar	Syed Jalal	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	01.01.66	Chitral	28.09.86	17.09.02	GMS Riri
87.	87	Syed Nayab Shah	Shyed Musanif Shah	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	10.10.79	Chitral	19.09.02	19.09.02	GMS Prayit
88.	88	Mohammad Aman	Zar Aman	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Divn.	20.04.66	Chitral	21.03.96	05.05.03	GHS Chuinj
89.	89	Afzal Shah	Mohd Karim Shah	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	12.02.72	Chitral	22.03.04	22.03.04	GMS Zhupo
90.	90	Taj Mohammad Khan	Mas Khan	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Divn.	12.12.78	Chitral	22.03.04	22.03.04	GMS Birir
91.	91	Nasir Ud Din	Dinar Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	04.03.72	Chitral	01.04.04	01.04.04	GHS Chumporkhon
92.	92	Muslih Ud Din	Sharif Ud Din	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	2 <sup>nd</sup> Divn.	02.01.73	Chitral	01.04.04	01.04.04	GMS Kosht Bala
93.	93	Abdul Khaliq	Abdul Murad Khan	15	MA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	01.02.76	Chitral	01.04.04	01.04.04	GMS jinjirate
94.	94	Sardar Ullah Khan	Mudavar Shah	15	MA	Urdu.	DM/B.Ed	1 <sup>st</sup> Divn.	30.03.81	Chitral	01.04.04	01.04.04	GHS Bang
95.	95	Mohammad Murad	Bacha Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	22.02.81	Chitral	22.07.06	22.07.06	GMS Baleem
96.	96	Farooq Ahmad	Muntazim	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Divn.	01.02.73	Chitral	24.07.06	24.07.06	GHS herchin
97.	97	Mohammad Yousaf	Mohammad Hanif	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	01.01.75	Chitral	24.07.06	24.07.06	GHS Ashirate
98.	98	Amwar Ahmad	Hussain Ahmad	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	14.01.75	Chitral	24.07.06	24.07.06	GHS Madak
99.	99	Aziz Ullah	Saeed Ullah	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	15.05.75	Chitral	24.07.06	24.07.06	GHS Krinj
100.	100	Jamil Ahmad	Sher Wali Khan	15	MA	Islamiat	DM/B.Ed	2 <sup>nd</sup> Divn.	15.10.81	Chitral	24.07.06	24.07.06	GMS Terich P
101.	101	Sajid Ullah	Mehmood Shah	15	BA	2 <sup>nd</sup> Divn.	DM/B.Ed	1 <sup>st</sup> Divn.	06.03.82	Chitral	24.07.06	24.07.06	GMS Sor Rech
102.	102	Mohd Nazir Khan	Qadir Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	01.01.79	Chitral	12.10.06	12.10.06	GMS Sakt
103.	103	Azhar Ullah	Shoukat Ali Khan	15	BA	2 <sup>nd</sup> Divn.	DM	2 <sup>nd</sup> Divn.	15.04.87	Chitral	25.02.09	25.02.09	GMS Kalkatak
104.	104	Sardar Mohd Rashid	Sheikh Ul Islam	15	BA	1 <sup>st</sup> Divn.	DM	2 <sup>nd</sup> Divn.	15.12.79	Chitral	02.03.09	02.03.09	GMS Dizg
105.	105	Muhib Ullah	Abdul Qayum	15						Chitral	07.06.14	07.06.14	GMS Jinjirate
106.	106	Burhan Ud Din	Farid Khan	15						Chitral	07.06.14	07.06.14	GMS Parsan
107.	107	Abdur Rashed	Abdur Rashid	15						Chitral	07.06.14	07.06.14	GMS Arandu

**CERTIFICATE**

Certified that this Seniority list is final/ undisputed, non subjudious and all the DM (M) teachers working district Chitral are included in this final seniority list.

Sd/-  
District Education Officer (Male)  
Chitral

Attested  
S/-

FE

00

Ammed F (2)

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (MALE)  
CHITRAL

NO. 2088 /EB(M)/P-2/Promotion Secy:

DATED 21/7 /2017.

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

Subject: APPLICATION FOR SENIORITY W.E.F 1<sup>ST</sup> APPOINTMENT AS  
UNTRAINED DRAWING MASTER.

Memo: Enclosed herewith kindly find original application & other relevant documents in respect of the Drawing Masters claiming seniority against D.M posts from the date of initial appointment as untrained instead of passing professional examination, for your kind consideration.

Encl: original application.  
Punjab Govt Notification dated 10-07-2017.  
Judgment of Supreme Court of Pakistan dated 01-03-2017.  
Judgment of Supreme Court of Pakistan dated 09-03-2016.  
Copy of ESTA CODE page No.5.  
Finance Deptt: Notification dated 30-03-2009.

District Education Officer (Male)  
Chitral

Endst: No. \_\_\_\_\_ /EB(M)/P-2/Promn: Secy: Dated \_\_\_\_/\_\_\_\_/2017.

Copy forwarded to all the applicants w/r to their joint application dated 18-07-2017, for information, please.

District Education Officer (Male)  
Chitral

Attested  
y/s

ATTESTED

1- ...  
2- ...  
3- ...  
4- ...  
5- ...  
6- ...

...  
...  
...  
...

...  
...  
...  
...

...  
...  
...  
...

...  
...  
...  
...

...  
...  
...  
...

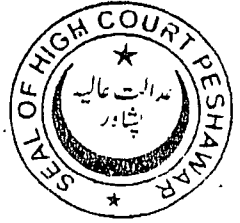
...  
...  
...  
...





(24)

Annex "G"



BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

W.P No. ———/2017

1. Muhammad Ayub Khan S/O Pahlawan Khan
2. Hamid ullah S/O Sheir Ajam Khan
3. Zakir S/O Sher Wali Khan
4. Sheir Azam Shah S/O Namkeen
5. Qurban Wali S/O Rahmat Wali Khan , All through Petitioner No.1  
Resident of Green Lasht,P.O Rashun ,Tehsil Mastuj District Chitral.

.....Petitioners

VERSUS

1. Secretary Elementary and Secondary Education Government of K.P.K at Civil Secretariat Peshawar.
2. Director Elementary & Secondary Education Old City College near Peshawar City No.2 School, Firdaws GT Road Peshawar.
3. District Education Officer Chitral
4. Secretary Finance Government of K.P.K at Civil Secretariat Peshawar.

.....Respondents

WRIT PETITION UNDER ARTICLE, 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973.

PRAYER:

On acceptance of the instant Writ Petition, Respondents may very graciously be directed to consider the Petitioners as qualified Drawing Masters ( DMs) from the day of their first appointment with effect to appoint them as Secondary School Teachers ( BPS-16 ) through promotion against the 04 % reserved quota hence ; all act and omission of Respondents to exclude their untrained tenure of Service for the same ; be declare as void *ab initio*, illegal, unlawful, without lawful authority and justification; hence ineffective upon the legal/ fundamental/constitutionally protected rights of the

May  
ATTESTED  
EXAMINER  
Peshawar High Court

25

2

petitioners. Any such relief which this honorable court deems proper and just be granted to the petitioners against the respondents keeping in view the circumstances of the case.

Respectfully Sheweth:

Brief facts and grounds giving rise to the instant writ petition are as under;

1. That the names and addresses of the parties have correctly been given in the head note of the instant writ petition, which are sufficient for the purpose of effecting their proper services and citation etc.
2. That Petitioner No.1 was firstly appointed as Drawing Master BPS-09 on 01-01-1988 , Petitioner No.2 on 23-09-1989 ,Petitioner No.3 on 23-12-1989 ,Petitioner No.4 on 01-04-1990 and Petitioner No.5 on 15-04 1987 respectively .  
(Copies of appointment letters are annexed as Annexure "A")
3. That at the time of their first appointments the Petitioners were un trained and later on they were trained in their terms by Respondent department in different dates i.e. Petitioners No.1 to 4 on 25-05-1996 and Petitioner No.5 on 13-05-1997 respectively.
4. That through Notification bearing No. FD (PRC) 5-2/2002 dated 30-03-2009; issued by Respondent No.4 all the annual increments were granted to the petitioners; hence treated as trained Teachers from day of their first appointments.  
(Copy of Notification dated 30-09-2009 is annexed as Annexure "B")
5. That although the petitioners were upgraded in the same cadre of post (DMs ) and are presently working at BPS-16 (Senior Drawing Masters) but have never been promoted to next cadre throughout their career of long service due to variation in Government policies from time to time.  
(Copy of Promotion Order is annexed as annexure "C")
6. That according to applicable Policy / Notification issued by Elementary and Secondary Education Government of K.P.K dated 24<sup>th</sup> July, 2014; 04 % posts of Senior English Teachers (BPS-16) are to be filled on the basis of Seniority Cum fitness amongst the Senior Drawing Masters with at least five years service and having qualification of at least second class Bachelor degree in the relevant subject along with B.Ed.  
(Copy of Notification dated 24-07-2014 is annexure "D")
7. That the petitioners being qualified according to the subject notification are duly qualified to be appointed as Senior English Teachers (BPS-16) against the 04 % reserved quota having Bachelors Degrees along with the required B.Ed /M.Ed training beside being seniors on the basis of their first day of appointment as DMs.

Mej  
ATTESTED  
EXAMINER  
Peshawar High Court

26

3

8. That for the afore mentioned purpose Respondents have prepared the impugned seniority list whereby the service of the petitioners have been counted from the date of acquiring training instead of their first appointment and incumbents juniors to the petitioners have been recommended for promotion to Senior English Teacher (BPS-16).

(Copy of impugned Seniority List is annexure "E")

9. That the Petitioners properly approached Respondents through different applications/representation to count their service from date of their first appointment and to recommend their promotion for the subject posts but in vain. (Copies of applications are annexed as Annexure "F")
10. That being aggrieved from the impugned act and omission of Respondents and having no efficacious remedy the petitioners approach this honourable court inter alia;

**GROUND:**

- A. That admittedly the petitioners are Drawing Masters (DMs) from the day of their first appointment and there is no distinction between trained and un trained teachers with effect to consider and count their tenure of service for further promotion, therefore act of respondents to exclude the untrained tenure of service of Petitioners by respondents is in effective upon the fundamental rights of the Petitioners.
- B. That it is also admitted that through Notification bearing No. FD (PRC) 5-2/2002 dated 30-03-2009 issued by Respondent No.4 all the annual increments were granted to the petitioners; hence treated as trained Teachers from day of their first appointments.
- C. That recently Supreme Court of Pakistan in some connected Civil Appeals No.398 to 405-L/2010 (Abdul Hameed and others VS Speacial Secretary Education, Government of Punjab and others) vide order/judgment dated 09-03-2016 has held that no distinction can be drawn between the un trained and trained teachers with effect to ancillary privileges of the service.
- D. That admittedly the requirement of Notification against the reserved quota never distinguish between trained and untrained DMS with effect to determine qualification about appointment as SET through promotion, therefore the impugned Seniority List with effect to exempt the untrained services of Petitioners is illegal and void.

M. J. J.  
**ATTESTED**  
EXAMINER  
Peshawar High Court

207

4

- E. That respondents violated Article, 4 of the Constitution of Islamic Republic of Pakistan, 1973 with its heading "Rights of Individual to be dealt with in accordance with the Law" because in order to ensure merit in promotion of Civil Servant it is mandatory for respondents to comply with the applicable Law in fair, equal and lawful manner as well as prohibitory for them to act in a manner which is not admissible in law/rules; hence their such act and omission is unwarranted under the Constitution.
- F. That according to Article, 25 of the Constitution of Republic of Pakistan, 1973 all citizens are equal before Law and are entitled to equal protection of Law but the respondents violated this Article of the Constitution, because admittedly the Petitioners are seniors in service as compared to incumbents recommended for promotion.
- G. That act of respondents with effect to avoid applicable law on the subject and their omission to accept applications for correction of the same is in clear cut violation of Article, 27 of the Constitution of Islamic Republic of Pakistan, 1973 with its heading "Safe Guard against discrimination in services".
- H. That in this very case any order or act relating to initiation of proceedings or decision taken by Respondents is contrary to law and illegal therefore all subsequent proceedings and actions taken thereon would have no basis and would fall.
- I. That the matter in the instant petition relates to enquire functionaries of the Government; with effect to secure the constitutionally guaranteed rights of the petitioner therefore, this honourable court has ample jurisdiction to exercise its writ jurisdiction under Article, 199 of the Constitution of Pakistan, 1973.
- J. That otherwise too, there is no other immediate and alternate remedy to protect prerogative rights of Petitioner and that's too; when law is clear on the subject. Furthermore, mental torture, financial and professional loss of the Petitioner in the like circumstances demand for natural justice under the prerogative writ of this honourable court to ensure protection of all fundamental rights of Petitioners effected by mal practice and act of inducement of respondent through order, instruction and directives under the four wheel of Article, 199 in both in its original and inherited jurisdiction.
- K. That as per section 4(b)(i) of K.P.K Service Tribunal Act, 1974, no appeal shall lie to a Tribunal against an order or decision of a Departmental Authority determining the fitness or otherwise of a person to be appointed to or hold a particular post or to be *promoted to a high post or grade*.
- L. That the petitioner seeks leave of this honourable court to argue/raise additional grounds at the time of arguments.

INTERIM RELIEF:

May  
ATTESTED  
EXAMINER  
Peshawar High Court

28

5

All the three ingredients like prima facie case, balance of convenience and irreparable loss are in favour of the petitioners against the respondents, therefore by way of Interim Relief; Respondent No.2 &3 may very graciously be directed not to issue appointments/ promotions orders of Senior English Teachers (BPS-16) against the 04 Percent quota for DMs/ SDMs to the extent of District of the Petitioners till final disposal of the instant writ Petition.

It is, therefore, most humbly prayed that the instant Writ Petition be accepted as prayed on the heading.

Petitioner

Through,

Syed Ghufran ullah Shah  
Advocate, 22-A Nasir  
Mansion, Peshawar

**CERTIFICATE:**


It is certified that no other writ petition on the same subject has been filed before this honourable court.

**LIST OF BOOKS;**

- 1- Constitution of Islamic Republic of Pakistan, 1973.
- 2- General Clause, Act.
- 3- Rules of Business, 1985.
- 4- Any other Book according to need.

Counsel

Counsel

  
CERTIFIED TO BE TRUE COPY  
EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Section 44-A of  
The Courts Act, 1973  
30 JUN 2021

~~18~~ (18) A

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR**

C.M No. 2042 P/2017

In

W.P No. 3310/2017

**Muhammad Ayub Khan and others**

**VERSUS**

**Secretary Elementary and Secondary Education Government of  
K.P.K and others**

**AN APPLICATION WITH EFFECT TO IMPEAD THE  
PETITIONERS IN THE PENAL OF PETITIONERS.**

Respectfully Sheweth,

1. That the subject Writ Petition along with Interim Relief is pending for adjudication before this Honorable Court and is fixed for 25-10-2017.
2. That through the subject writ Petitions petitioners seek regularization of their un trained Services as Drawing Masters with effect to appoint them as SST (BPS-16) through promotion on seniority basis.
3. That the following incumbents are also Drawing Masters at Education Department and their grievances are similar and same to the Petitioners in pending W.P No. 3310/2017;
  - i. Nabi uddin S/O Haji Mir R/O P/O kuju Tehsil & District Chitral presently working as DM in BPS-16 at GHSS Mori Lasht District Chitral.

FILED TODAY  
Deputy Registrar

21 OCT 2017

- 2- (28) B
- ii. Ramzan Shah S/O Gul Hassan Shah R/O Lasht P/O Chitral, Seen, Tehsil & District Chitral presently working as DM in BPS-16 at GMS Seen Lasht District Chitral.
  - iii. Jahangir Khan S/O Jamaladar Khan R/O Seen Tehsil & District Chitral presently working as DM in BPS-16 at GMS Seen Lasht District Chitral.
  - iv. Saeed Ullah S/O Ghazi Muhammad R/O Barghuzi P/O Koghuzi Tehsil & District Chitral presently working as DM in BPS-16 at GHS Koghuzi District Chitral.
  - v. Noor ud Din S/O Zerbali Khan R/O P/O kuju Tehsil & District Chitral presently working as DM in BPS-16 at GHS Kuj District Chitral.
  - vi. Muhammad Ali S/O Rahim Baig R/O P/O Shoghor Seewakht Tehsil & District Chitral presently working as DM in BPS-16 at GMS Mough Lasht District Chitral.

**(Copies of Service certificates are Annexure "A")**

4. That the Petitioners are also same and similar in context of the dispute between the parties.
5. That the grievances of the present petitioners are also similar to the petitioners in original writ petition No. 3310/2017.
6. That the main writ petition is already under adjudication and no final order has been passed.
7. That it is in the interest of administration of justice to deal the entire case in equal footing as well as necessary to avoid conflicting judgment on single issue, therefore; there is nothing repugnant to the rules and procedures to accept the subject application.

FILED TODAY  
Deputy Registrar

21 OCT 2017


208 = C  
②

8. That it is also in the interest of the parties to proceed the case in collective manner.

It is, therefore, most humbly prayed that on acceptance of the instant petition, the Petitioners may kindly be add and consider as petitioners No. 6 to 11.

**Petitioners**

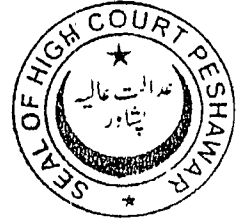
Through

  
Syed Ghufuran Ullah Shah  
Advocate, Peshawar

FILED TODAY  
Deputy Registrar  
21 OCT 2017



29



*Judgment Sheet*  
**PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT.**

W.P.No.3310-P/2017

**Muhammad Ayub Khan and others  
Versus  
Secretary Elementary & Secondary Education  
Govt: of KPK and others.**

**Date of hearing 19.05.2021**

**Petitioner by: Mr. Yasir Saleem, advocate (added  
petitioners)**

**Respondent (s) by: Umar Farooq, AAG**

\*\*\*\*

**JUDGEMENT**

\*\*\*\*

**IJAZ ANWAR. J:-** The instant writ petition has  
been filed under Article 199 of the Constitution of  
Islamic Republic of Pakistan, 1973 with the  
following prayer:-

“On acceptance of this writ  
petition, respondents may  
very graciously be directed to  
consider the petitioners as  
qualified Drawing Masters  
(DMs) from the day of their  
first appointment with effect  
to appoint them as Secondary  
School Teachers (BPS-16)  
through promotion against  
the 04 % reserved quota  
hence all act and omission of  
Respondents to exclude their  
untrained tenure of service

**ATTESTED**  
EXAMINER  
Peshawar High Court

30

2

for the same be declared as void ab initio, illegal, unlawful, without lawful authority and justification, hence ineffective upon the legal/fundamental/constitutionally protected rights of the petitioners.

Any such relief which this honorable court deems proper and just be granted to the petitioners against the respondents keeping in view the circumstances of the case."

2. In essence, petitioners claim promotion against the 4 % reserved quota to the post of Secondary School Teacher (BPS-16) on the ground that if their service as untrained teachers is considered, they will become eligible for promotion.

3. Comments were called from the respondents which were accordingly submitted wherein they have opposed issuance of the desired writ.

4. At the very outset, learned counsel representing the added petitioners was confronted

2d  
ATTESTED  
EXAMINER  
Peshawar High Court

31

3

with the question of jurisdiction as the matter pertains to the terms and conditions of service. Learned counsel for petitioners stated that petitioners are discriminated and that since it is question of promotion, as such is outside the scope of Service Tribunal.

5. The explanation given for invoking the jurisdiction of this court is not satisfactory nor legally tenable. Promotion is the foremost term and condition of service and it can only be agitated before the Service Tribunal duly constituted under the Service Tribunal Act, 1974. The jurisdiction of this Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 besides availability of alternate remedy to the petitioners.

6. In view of the above, since this Court has got no jurisdiction to entertain this petition, it is therefore, dismissed allowing the

M  
ATTESTED  
EXAMINER  
Peshawar High Court

39

petitioners to avail their remedy before the Tribunal established under the law, if they are so advised.

Announced on;  
Dated. 19.05.2021.

JUDGE

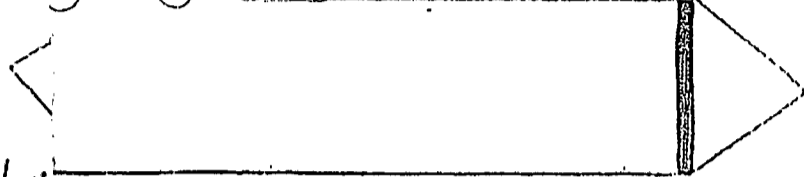
JUDGE

D.B. Hon'ble Mr. Justice Lal Jan Khattak and Hon'ble Mr. Justice Ijaz Anwar

*[Signature]*  
CERTIFIED TO BE TRUE COPY  
EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article A-7 of  
The Oath-taking Statute Order, 1981  
30 JUN 2021

No. 35866  
Date of Presentation of Application 20/5/21  
No of Pages 3  
Copying fee  
Total 26  
Date of Preparation of Copy 30/6/21  
Date of Delivery of Copy 02/8/21  
Received By: *[Signature]*

# بجداالت برہاں سرسہ سروسز ٹریڈنگ کمپنی لاہور



2021 ایس ایٹ  
مکینر اللہ  
بورنگنگ و ٹیسٹ

موزونہ  
مقدمہ  
ڈاؤنی  
سرسہ سروسز  
جیم

## باعث تخریب آنکھ

مقدمہ مندرجہ نمونہ بالا میں اپنی طرف سے واسطے پیروی و جناب دی وکل کاروائی مت  
 آن مقام لاہور کے لیے سرخیزان ارشاد شاہ صاحب کے  
 تقرر کر کے اتر کر کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار۔ نیز  
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحالیف دینے جناب دی اور اقبال اور  
 بسورت ڈگری کرنے اجراء اور مسولی چیک درو پیار مرضی دعوی اور درخواست ہر قسم کو وایت  
 زرا میں پر دستخط و کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا کیلبر نہ یا اپیل کی ہوگی اور منسوخ  
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
 ہوگا۔ اور صاحب مقرر شدہ کو کسی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ  
 پرواختہ منظور قذیل ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوا نے 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 ادا کالت نامہ لکھ دیا کہ مندر ہے۔

فصلت  
لاہور  
Chohan

مکینر اللہ  
بورنگنگ و ٹیسٹ

الرقوم 04 ماہ 08 2021

العبد \_\_\_\_\_ واہ العبد \_\_\_\_\_

بمقام لاہور کے لئے منظور ہے

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD, 8.B  
PESHAWAR.

No.

Appeal No. 74, 86 of 20 21

Hamidullah Appellant/Petitioner

Road

Court of KPN Chief Secy: Respondent

Versus

Respondent No. 4

Notice to: —

Distt: Education Offices Distt:  
Chitral Lower

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 2/2/22 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.

Pre-Admission Notice for Reply

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 21 th

Day of Dec 20 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.

“B”

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

No.

Appeal No. 7486 of 2021

Hamidullah Appellant/Petitioner

Versus

Govt. of K.P. Chief Secy. Respondent

Respondent No. 5

Notice to: Distt. Education Officer Distt. Chitral  
Upper.

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 2/2/22 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.

Pre-admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20 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.

**"B"**

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

No.

Appeal No. 7486 of 20 21

Hamid ullah Appellant/Petitioner

Versus

Court of K.P.K. Chief Secy: Respondent

Respondent No. 1

Notice to: —

Court of K.P.K. through Chief Secretary  
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.....2/2/22.....at 8.00 A.M. If you wish to urge anything against the appellants/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.

Re-Admission Notice

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.....21<sup>st</sup>.....

Day of.....Dec 20 21.....

(for Reply)

ISSUED BY THE REGISTRAR  
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
93-12-21  
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.



**"B"**

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

No.

Appeal No. 7486 of 2021  
Hamidullah Appellant/Petitioner

*Versus*  
Court of NPK Chief Secy: Respondent

Respondent No. 2

Notice to: — Secretary ERSE Court: CF NPK  
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 2/2/22 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.

Re-admission Notice

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 21<sup>st</sup>

Day of Dec 2021

(for Reply)

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.

**“B”**

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

No.

Appeal No. 74 86 of 2021.  
Hamid ullah Appellant/Petitioner

*Versus*  
Govt. of KPK Chief Secy: Respondent

Respondent No. 3

Notice to: — 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 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.

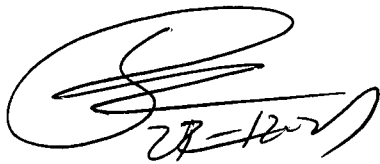
*Pre-admission Notice for Reply*

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 21/12

Day of Dec 20 21.




Registrar,  
 2 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

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

“B”

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

No.

Appeal No. 7486 of 2021

Hamid ullah Appellant/Petitioner

Versus

Govt. of KPK Chief Secy. Respondent

Respondent No. 6

Notice to: —

Secretary Finance Govt. of KPK  
Secy: Finance KPK  
Dairy No. 23/22  
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 2/2/22 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.

Pre-Admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20

  
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.B  
PESHAWAR.

No.

Appeal No. 7486 of 20 21

Hamid ullah Appellant/Petitioner

Versus

Govt. CF U.P. Chief Secy: Respondent

Respondent No. 12

Notice to: Faircoz Khan S/o Puzdum Khan posted  
AS SDM (BPS-16) At G.H.S. M. Rai Distt.  
Chitral Lower.

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 2/2/22 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.

Pre-admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7486 of 20 21

Hamidullah Appellant/Petitioner

Versus

Govt. of KP Chief Secy. Respondent

Respondent No. 12

Notice to: Fayyaz Khan S/o Puzdum Khan posted AS SDM (BPS-16) At GHS M Roi Distt. Chitral Lower.

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 2/2/22 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.

Pre-admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7686 of 20 21

Hamid ullah Appellant/Petitioner

Reqd

Govt. of KPK Chief Secy: Respondent

Respondent No. 11

Notice to: Hussain ullah Khan S/o Hamid ullah Khan posted AS SDM (BPS-16) At GHS USoon Distt. Chitral Lower.

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 2/2/22 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.

Pre-admission notice for Reply

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 21st

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7686 of 2021

Hamid ullah Appellant/Petitioner

Regd

Govt. of KPK Chief Secy: Respondent

Respondent No. 11  
Hussain ullah Khan S/o Hamid ullah Khan posted  
AS SDM (BPS-16) At GHS USsoon Distt. Chitral  
Lower.

Notice to:

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 1/2/21 at 8.00 A.M. If you wish to urge anything against the appellent/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

Pre-Admission Notice for Reply

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

office Notice No.....dated.....

2-11

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

Day of.....Dec 2021



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.B**  
**PESHAWAR.**

No.

Appeal No. 7486 of 20 21

Hamid ullah Appellant/Petitioner

Versus

Govt. of K.P.K. Chief Secy: Respondent

Respondent No. 10

Regd

Notice to: — Noor Muhammad S/o Ghulam Rasool posted as  
SDM (BPS-16) At GHS Khushum Distt: Chitral  
Upper.

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.....2/2/22.....at 8.00 A.M. If you wish to urge anything against the appellent/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.

Pre-Admission Notice for Reply

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.....21<sup>st</sup>  
 Day of.....Dec.....20 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.



**"B"**

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

No.

Appeal No. 7486 of 2021

Hamid ulkai Appellant/Petitioner

Versus

Govt. & RPU Chief Secy: Respondent

Respondent No. 10

P-99

Notice to: NOOR Mubia -sd S/o Ghulam Rasool posted As  
SDM (BPS-16) At GHS Khushum Distt. Chitral  
uppos.

**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.....2/2/22.....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.

Pre-Admission Notice for Reply

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.....21<sup>st</sup>.....  
Day of.....Dec.....2021

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.B  
PESHAWAR.

No.

Appeal No. 7486 of 20 21

Hamidullah Appellant/Petitioner

Versus

Govt: CF KPM Chief Secy: Respondent

Respondent No. 9

Recd

Notice to: Shah Riza Khan S/o Khan posted. As SDM  
(BOS-16) At GHS Harchin Distt: Chitral Upper.

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 2/2/22 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.

Pre-Admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7486 of 20 21

Hamidullah Appellant/Petitioner

Versus

Govt: CF KPM Chief Secy: Respondent

Respondent No. 9

Notice to:

Shah Riza Khan So Khan posted. AS SDM  
(BPS-16) At GHS Harchin Distt. Chitral Uppoc.

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 2/2/22 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.

Pre-Admission Notice for Reply

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 21 th

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7486 of 20 21

Hamidullah Appellant/Petitioner

Read

Govt. of K.P.K. Chief Secy: Respondent

Respondent No. 8

Notice to: Muhammad Ghazi Khan 8/0 Shireen Khan  
Posted AS SDM BPS16 At GHS Birga Nisar  
Distt: Chitral Lower.

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 2/2/22 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.

De- Admission Notice for Reply

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 21

Day of Dec 20 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.

**“B”**

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
 JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. 3.B

No.

Appeal No. 7486 of 2021

Hamidullah Appellant/Petitioner

*Read*

Govt. of KP Chief Secy. Respondent

Respondent No. 8

Notice to: Muhammad Ghazi Khan 8/0 Shireen Khan  
posted as SDM B/S 16 At GHS Bisga Nisar  
Distt: Chitral Lower.

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 2/2/22 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.

*Pre-Admission Notice for Reply*

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 21<sup>st</sup>

Day of Dec 20<sup>21</sup>.



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.B  
PESHAWAR.

No.

Appeal No. 7486 of 20 21

Hamid ullah Appellant/Petitioner

*Regd*  
Versus  
Govt. of KPK Chief Secy: Respondent

Respondent No. 7

Notice to: —

Shuja ud Din S/o M. Zafar Khan  
R/o Chitral. SDM At GHS Hone  
Distr. Chitral Lower.

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 2/2/22 at 8.00 A.M. If you wish to urge anything against the appellants/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.

*Pre-admission Notice for Reply*

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 21<sup>st</sup>

Day of Dec 20 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.

**“B”**

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

No.

Appeal No. 7486 of 20 21

Hamidullah Appellant/Petitioner

Versus

Govt. of KP Chief Secy. Respondent

Respondent No. 7

Repl

Notice to: — Shuja ud Din S/o M. Zafar Khan  
PO Chitral SDM At GHS Hone  
Distt. Chitral Lower

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 2/2/22 at 8.00 A.M. If you wish to urge anything against the appellants/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.

Pre-admission Notice for Reply

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 21<sup>st</sup>

Day of Dec 20 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.