

24.01.2018

None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney for the respondents present. The appeal was called several times till last hours of the court but none appeared on behalf of the appellant nor the appellant was present in person despite issuance of notice to appellant and his counsel. As such the present service appeal is dismissed in default due to non-prosecution. File be consigned to the record room.

ANNOUNCED

24.01.2018




(Ahmad Hassan)  
Member  
Camp Court D.I.Khan

*Muhammad Amin*  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court D.I.Khan

29.11.2017


None present on behalf of the appellant. Mr. Farhaj Sikandar, District Attorney for the respondents present. Notice be issued to appellant and his counsel for attendance for 28.12.2017 before D.B at Camp Court D.I.Khan.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court D.I. Khan

28.12.2017

Appellant and his counsel is absent. Mr. Farhaj Sikandar, District Attorney for the respondents present. Again notice be issued to appellant and his counsel for arguments for 24.01.2018 before D.B at Camp Court D.I.Khan.


  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court D.I. Khan

  
(Muhammad Hamid Mughal)  
Member  
Camp Court D.I.Khan

Service Appeal No. 1026/2013


23.08.2017

None present on behalf of the appellant. Mr. Gul Nawaz, ADEO alongwith Mr. Farhaj Sikandar, District Attorney for official respondents No. 1, 2, 4 & 5 present.. Written reply on behalf of official respondents No. 1, 2, 4 & 5 submitted. None present on behalf of private respondent No. 3, therefore, fresh notice be issued to private respondent No. 3 for attendance and submission of written reply. Adjourned. To come up for written reply/comments on behalf of private respondent No. 3 on 27.09.2017 at Camp Court D.I.Khan. Notice be also issued to appellant and his counsel for attendance for the date already fixed.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court D.I. Khan.

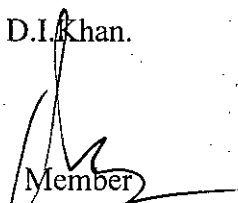
27.09.2017

Brother of the appellant present and Mr. Farhaj Sikandar, District Attorney for respondents present. None present on behalf of private respondent No. 3 despite ~~for~~ notice hence proceeding ex-parte. To come up for rejoinder and arguments on 29.11.2017 before DB at Camp Court D.I.Khan.

  
Member  
(Judicial)  
Camp Court D.I.Khan

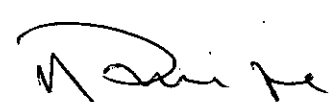
27.09.2016

Counsel for the appellant and Mr. Gul Nawaz, ADEO alongwith Mr. Farhaj Sikander, Government Pleader for the official respondents No. 1, 2, 4 & 5 present. None present on behalf of private respondent No. 3. Proceeded ex-parte. Written reply on behalf of official respondents submitted, copy whereof handed over to learned counsel for the appellant. To come up for rejoinder on 24.01.2017 at Camp Court D.I.Khan.

  
Member  
Camp Court D.I.Khan

25.01.2017

No one for appellant present. Ms. Ghulam Fatima, SDEO alongwith Mr. Farhaj Sikandar, Government Pleader for official respondents No. 1 to 3 present. Written reply neither official respondents nor private respondents is available on file. Government Pleader is directed to procure the written reply for official respondents and in the meanwhile private respondents be summoned for personal attendance and submission of written reply on next date. To come up for written reply/comments on behalf of official respondents as well as private respondents on 29.03.2017 before S.B at Camp Court D.I.Khan. Notice to appellant and his counsel be also issued for the date fixed.

  
ASHFAQUE TAJ  
MEMBER  
Camp Court D.I.Khan

29.03.2017

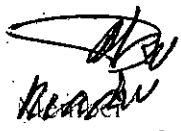
Since tour is hereby cancelled, therefore, the case is adjourned for the same on 23.08.2017.

  
Reader

29.12.2015


Since tour to D.I.Khan for the month of December, 2015  
has been cancelled, therefore, case is adjourned to 26.1.2016

for the same.

  
MEMBER  
Camp Court, D.I. Khan

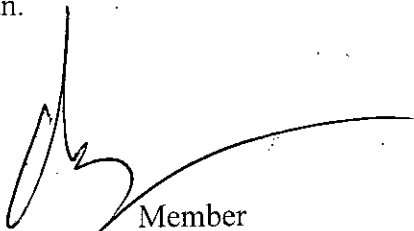
26.01.2016

Counsel for the appellant and Mr. Farhaj  
Sikandar, GP present and requested for time to contact the  
respondents. To come up for written reply on  
29.5.16 at camp court, D.I.Khan.

  
MEMBER  
Camp Court, D.I. Khan

24.05.2016

Clerk to counsel for the appellant and Farkhaj Sikandar, GP  
for respondents present. Written reply not submitted. Notices be  
issued to the respondents. To come up for written reply on  
27.09.2016 at camp court D.I. Khan.

  
Member  
Camp Court D.I. Khan

27.4.2015

Counsel for the appellant and Mr. Farhaj Sikandar, GP present. Fresh notices be issued to the respondents through registered post by way of last chance. Case to come up for written reply without fail on 29.09.2015 at camp court, D.I.Khan.

  
MEMBER  
Camp Court, D.I.Khan.

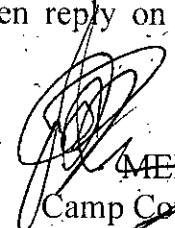
29.09.2015

Counsel for the appellant and Mr. Farhaj Sikandar, GP present. The appeal is an old one but the respondents have not yet submitted their written replies. Fresh notices be issued to the respondents. Another last opportunity is given to the respondents to file their written reply on the next date. To come up for the same on 23.11.15 at camp court, D.I.Khan.

  
MEMBER  
Camp court, D.I.Khan

23.11.2015

Clerk to counsel for the appellant and Mr. Farhaj Sikandar, GP present. None is present as representative on behalf of the respondents. Notices have not been issued despite directions. Office is once again directed to issue notices to the respondents and case to come up for written reply on 29.12.15 at camp court, D.I.Khan.

  
MEMBER  
Camp Court, D.I.Khan

27-5-2014

Mumtaz brother of appellant for appellant and G.P. for respondents no. 142 and 445 present. Muhammad Javed, Advocate filed wakkalat-nama on behalf of respondent No. 3. Reply not received. To come up for reply on 30-9-14 at Camp Court, D.I. Khan.

Member  
Camp Court, D.I.K.

30-9-2014

Present as before i.e. on 27-5-2014. Case adjourned to 29-12-2014 for reply at Camp Court, D.I. Khan.

Member  
Registrar  
Camp Court, D.I.K.

29-12-14

Counsel for the appellant present. No one is present on behalf of respondents. Case adjourned to 23-2-2015 for reply at Camp Court, D.I. Khan.

Member  
Registrar  
Camp Court, D.I.K.

23-2-15

Counsel for the appellant present. G.P. for respondents also present. Reply not received. To come up for reply on 27-4-15 at Camp Court, D.I. Khan.

Member  
Camp Court, D.I.K.

26-11-2013 - Term to D.I.Khan has been discontinued  
vide order dated 31-10-2013. Therefore, notices  
be issued to the parties for written reply before  
Final Bench-II on 30-1-2014 at Peshawar.

Legal  
Registrar.

30.1.2014

Attorney for the appellant present and requested for  
extension of time to deposit security and process fee. Be  
deposited within 7 days. Thereafter, notices be issued to the  
respondents for submission of written reply at camp court,  
D.I.Khan on 24.2.2014.

MEMBER

MEMBER

Appellant deposited  
Process fee & Security  
Rs. 120/- Bank Receipt  
attached with file

24-2-14

Brother of appellant and Syeda Anjum  
E.D.O. for respondents no. 1, 2, 4, 5 with G.P.  
present. No one is present on behalf of R No. 3.  
G.P. requested for adjournment to file reply.  
To come up for written reply on 24-3-2014 at  
Camp Court, D.I.Khan.

Member  
Camp Court, D.I.K.

24-3-2014




Muntyz brother of appellant and G.P. for  
respondents no. 1, 2 and 4, 5 present. No one is present  
on behalf of respondent No. 3. Notice be issued to  
R-No. 3 for appearance on the date stipulated for  
up for written reply on behalf of respondents  
on 27-5-2014 at Camp Court, D.I.Khan.


Member  
Camp Court, D.I.K.



**Form- A**  
**FORM OF ORDER SHEET**

Court of \_\_\_\_\_  
Case No. 1026/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01/07/2013	<p>The appeal of Mst. Kausar Perveen resubmitted today by Mr. Muhammad Mohsin Ali Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	27-8-2013	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up there on <u>24-9-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	24.9.2013	<p>Appellant with counsel present and heard. The learned counsel for the appellant contended that appellant has not been treated in accordance with law. Points raised in the memo of appeal would require consideration. Admit Process fee and security be deposited within 10 days. Thereafter, notices be issued to the respondents for submission of written reply on 26.11.2013 at Camp Court D.I.Khan.</p> <p style="text-align: right;"> Member Camp Court D.I.Khan</p>

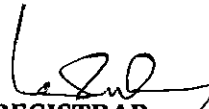
*Subject to all post legal objections.*  


The appeal of Mst. Kausar Perveen Arabic teacher received today i.e. on 14.06.2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of Impugned order dated 4.2.2013 mentioned in the heading of appeal is not attached with the appeal which may be placed on it.
- 2- Annexures of the appeal may be attested.

No. 913 /S.T.

Dt. 14/06 /2013.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Mohsin Ali adv. D.I.Khan

Respected Sir,

1. That The Impugned order (Transfer order) dated 4.2.2013 had not provided to the appellant by concerned authority, therefore, the same is not annexed with the appeal, and the same fact is narrated in para 'B' of grounds of appeal.

2. That The annexures of the appeal are attested now.

It is therefore, humble request that the instant appeal may kindly be fixed before Honourable Tribunal.



Dated: 26-06-2013

Muhammad Mohsin Ali  
Advocate High Court,  
D.I.Khan

Respected Sir,

1. That the impugned order (Transfer order) dated 14.5.2013 has not provided to the appellants by the concerned authority, therefore, the same is not annexed with the appeal, and the same fact is stated in para 'B' of grounds of appeal.

2. That the annexures of the appeal are attached now. It is therefore, humbly requested that the impugned order may kindly be fixed before Hon'ble Tribunal.

D.1. Khan  
Advocate High Court,  
Muzaffargarh District Ali

Dated: 26-06-2013

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

Appeal No. 1026 /2013

Kausar Perven

.....APPELLANT

**VERSUS**

Director Education Department and others

.....RESPONDENTS

**INDEX**

S #	Description of Documents	Annexure	Page #
1	Grounds of appeal	-----	1-5
2	Copy of Departmental Appeal alongwith Post office receipt & AD Card	A	6-9
3	Copy of Letter no. 3419-23 dated 31-12-2012	B	10
4	Copy of Appointment order dated 31-12-2012 of Respondent no. 3	C	11-12
5	Copy of Newspapers	D	13-14
6	Vakalatnama	-----	15

Dated: 08-06-2013

Humble Appellant



Kausar Perven

Through Counsel



Muhammad Mohsin Ali &  
Farasatullah Khan  
Advocates High Court,  
District Courts, D.I.Khan.

PO

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Appeal No. 1026/2013

~~SECRET~~  
1034  
14-6-13

Kausar Perven Daughter of Abdul Aziz caste Arayen resident of Muhallah  
Sheikhawala, City Tank. (Arabic Teacher)

.....APPELLANT

VERSUS

1. Director, Education Department KPK, Peshawar.
2. District Officer (Female) Education, District Tank.
- ③. Sakina Bibi, Arabic Teacher, GGMS Qutab Colony, Tank. (Pvt Resp:)
4. Govt. of K.P.K through Secretary Education K.P.K, Peshawar.
5. Secretary Education K.P.K, Peshawar. ....RESPONDENTS

-----  
**APPEAL UNDER SECTION 4 OF KPK**

**SERVICE TRIBUNALS ACT, 1974**  
-----

**PRAYER;** On acceptance of this appeal this august court may be pleased to DECLARE the transfer order of appellant from GGMS Qutab Colony, Tank to GGMS Darki Tehsil & District Tank dated 04-02-2013 vide letter no. 125-126 issued by DEO (female) Tank as illegal, without lawful authority, without jurisdiction, void *ab initio* and ineffective upon the rights of the appellant and is liable to be set aside/quashed on the grounds appearing hereinafter;

OR

**GRANT** any other relief considered just and appropriate under the given circumstances of the case.

co-submitted to  
and filed.

14/6/13

17/13

**Respectfully sheweth;**

1. That the appellant was working as Arabic Teacher (A.T) at Government Girls Middle School Chidhrar, Tank for three years, and served her duty with full of hard work and honestly.
2. That vide letter Endorsement No. 3419-23 dated 31-12-2012 the appellant was transferred from the above said school to Government Girls Middle School Qutab Colony, Tank City, and the appellant resumed the charge in GGMS Qutab Colony and started her duty.
3. That on 04-02-2013 vide letter no. 125-126 issued by DEO (female) Tank, the appellant was again transferred from GGMS Qutab Colony to GGMS Darki Tehsil & District Tank without any reason and the second transfer order of the appellant is totally against the law, facts, without authority and based on malafide and political victimization. Thus the second transfer order vide letter no. 125-126 dated 04-02-2013 is liable to be reversed on the following grounds:

**GROUND:**

- A. That the after getting the knowledge of the impugned transfer order dated 04-02-2013, the appellant preferred the departmental appeal to the respondent no. 1 but the respondent no. 1 paid no heed. Thus the non-disposal of appeal filed by appellant by respondent no. 1 within statutory period is against the law.
- B. That infact, respondent Sakina Bibi was transferred to GGMS Darki due to her promotion, and just after a month

Sakina Bibi again transferred to GGMS Qutab Colony from GGMS Darki on the basis of political interference. According to policy, no one could be transferred before completion of a year when transfer is made on the basis of promotion. Thus the transferred order dated 04-02-2013 is against the law, policy and based on malafide intention, which is liable to be cancelled. Relevant copies are attached. (DEO (female) Tank has not provided the impugned transferred letter to the appellant; therefore the same is not annexed with the appeal).

C. That the impugned transfer order is based on discrimination and political victimization as the impugned order of the appellant is made just after one month of last transfer, which is totally based on malafide, arbitrary, against the canon of justice, equity and fair-play. Thus the same is liable to be cancelled.

D. That it is a matter of record that the undersigned has never been communicated the transfer letter by concerned authority and committed material illegality by the authority as the same is necessary one. Thus the malafide is apparent from the face of record. Moreover, at that time, the government imposed the ban upon further transfers of government employees due to election matters.

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

Appeal No. \_\_\_\_\_/2013

Mst; Kausar Perveen

**VERSUS**

Director Education etc

**AFFIDAVIT**

I, **Muhammad Mohsin Ali Advocate High Court, D.I.Khan,**

Counsel for the appellant, do hereby solemnly affirm and declare  
on oath that as per information delivered by appellant ~~are true and~~ <sup>all the contents of appeal</sup>

<sup>are true &</sup> correct to the best of my knowledge and belief; and nothing has  
been deliberately concealed or kept secret from this Honourable  
Tribunal.



*Mohsin*  
**DEPONENT**



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

Appeal No. \_\_\_\_\_/2013

Kausar Perven .....APPELLANT

**VERSUS**

Director Education Department and others .....RESPONDENTS

-----  
**ADDRESSES OF THE PARTIES**  
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Kausar Perven Daughter of Abdul Aziz caste Arayen resident of Muhallah  
Sheikhawala, City Tank.  
(Arabic Teacher)

.....APPELLANT

1. Director, Education Department KPK, Peshawar.
2. District Education Officer (Female), District Tank.
3. Sakina Bibi, Arabic Teacher, GGMS Qutab Colony, Tank.

.....RESPONDENTS

Dated: 08-06-2013

Humble Appellant



Kausar Perven

Through Counsel



Muhammad Mohsin Ali &  
Farasatullah Khan  
Advocates High Court,  
District Courts, D.I.Khan.

Appreciated  
Mahid  
Adv

Annex-A  
P(6)

To

The Director  
Education, Khyber Pakhtunkhawa,  
Peshawar.

Subject: **Departmental Appeal against transfer of appellant vide order endorsement no. 125-126 dated 04-02-2013.**

**Respected Sir:**

1. That the appellant was working as Arabic Teacher (A.T) at Government Girls Middle School Chidhrar, Tank for three years, and served her duty with full of hard work and honestly.
2. That vide letter Endorsement No. 3419-23 dated 31-12-2012 the appellant was transferred from the above said to Government Girls Middle School Qutab Colony, Tank City, and the appellant resumed the charge in GGMS Qutab Colony and started her duty.
3. That on 04-02-2013 vide letter no. 125-126 issued by DEO (female) Tank, the appellant was again transferred from GGMS Qutab Colony to GGMS Darki Tehsil & District Tank without any reason and the second transfer order of the appellant is totally against the law, facts, without authority

*Appointed  
which  
are*

P 7

and based on malafide and political victimization. Thus the second transfer order vide letter no. 125-126 dated 04-02-2013 is liable to be reversed.

4. That infact, one Sakina Bibi was transferred to GGMS Darki due to her promotion, and just after a month Sakina Bibi again transferred to GGMS Qutab Colony from GGMS Darki on the basis of political interference. According to policy, no one could be transferred Sakina Bibi before completion of a year from GGMS Darki as she was transferred on the basis of promotion. Thus the transferred order dated 04-02-2013 is against the law, policy and based on malafide intention which is liable to be cancelled. Relevant copies are attached. (DEO (female) Tank has not provided the impugned transferred latter to the appellant, therefore the same is not annexed with the appeal).

Dated: 14-02-2013

Your's Sincerely,



**Kausar Parveen**  
D/o Abdul Aziz  
R/o Muhallah  
Sheikhanwala, Tank  
City.  
A.T GGMS Qutab  
Colony, Tank City.

14  
3  
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*Approved  
Rahim  
adv*

*Annex-B  
P 10*

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY &  
SECONDARY EDUCATION TANK

\*\*\*\*\*  
OFFICE ORDER  
\*\*\*\*\*

The adjustment / transfer of the following teacher is hereby ordered in the best interest of public service with immediate effect.

S.No	Name of Teacher & Designation	From	To	Remarks
1	Kosar Perveen (AT)	GGMS Chadhrar	GGMS Qutab Colony Tank	Against Vacant post

Note:

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed

Executive District Officer  
E&S Education Tank

Endst: No. 3419-23

Dated Tank the 31 / 12 / 2012

Copy of the above is forwarded for information to:

1. The District Accounts Officer, Tank
2. The District Officer, (E)E&SE Tank
3. The Budget & Account Officer, Local office.
4. The ADO (Establishment), local office.
5. The Headmistress School concerned.

*[Signature]*  
Executive District Officer  
E&S Education Tank

Assessed  
Mubish  
Adv

Annex-C  
P(11)



OFFICE OF THE EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECONDARY  
EDUCATION, TANK

ORDER:

Consequent upon the recommendation of the Departmental Selection Committee Endst. No.3359-62 dated 31/12/2012, the following candidates being qualified are hereby appointed as Arabic Teacher (AT) Female in the school/ Office noted against their names on Merit in BPS-15 (8500-700-29500) plus usual allowances as admissible under the rules in the interest of public service w.e.f the date of taking over charge on the following Terms & Conditions.

OPEN MERIT

S.No	Name & Add:	Fathers Name	Domicile	Merit Position	Place of Posting	Remarks
1	Saira Gul Aroz GGPS Worki	Asmat Ullah	Tank	64.9545	GGMS Dabara	
2	Sabra Kalsoom GGPS No 2 Tank	Noor Khan	Tank	64.6749	GGMS Ali Khel	
3	Sakina Jan GGPS W/Collany	Muhammad Jan	Tank	64.5370	GGMS Daraki	
4	Tasleem Kusar GGPS G. Shahbaz	Sona Khan	Tank	61.5233	GGMS Chadrer	
5	Shabnum Bibi GGPS Qutab Collany	Hassan Jan	Tank	60.6802	GGMS Abizer	

TERMS & CONDITIONS.

1. Their service will be considered as regular but without pension/gratuity in term of section-19 of the NWFP Civil servant Act-1973 as amended by KPK Civil servant Act-2005. However, the PST appointed prior the implementation of contract policy will be entitled to pension/gratuity.
2. They will contribute CPF @ 10% of the minimum of pay @10% contribution will be made by the Govt.
3. They will be governed by such rules and regulation as prescribed by the Govt. from time to time for category of Govt servant to which they belong.
4. The appointments of the candidates mentioned above are subject to the condition that they should have domicile of District Tank.

Approved  
M. A. V.

P 12

5. Their services are liable to termination on one-month notice or resignation with the prior notice one-month pay shall be forfeited.
6. The candidates should join the post within 30 days.
7. They are required to produce Health and Age certificate from Medical Superintendent concerned before the taking over charge.
8. Charge should not be given to the overage candidates.
9. They are required to furnish copies of all their Certificates/Degrees along with the original receipts and their photo copies, pertaining to the verification fee of concerned Board/University through concerned Drawing Disbursing Officer. The DDO concerned will arrange verification of all Certificates/Degrees of the appointee of their respective School / Office and will issue clearance certificate to each appointee for release of his pay.
10. The declaration of assets should be obtained from them immediately & placed on record.
11. Charge Reports should be submitted to all concerned.

-sd-

(GHULAM QASIM)

Executive District Officer  
Elmy:&Secy:Edu: Tank

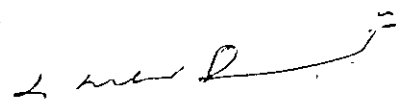
Endst. No. 3385-911

Dated Tank

the 31/12 /2012.

Copy of above is forwarded for information & necessary action to :

1. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. The District Coordination Officer, Tank w/r to his No & dated cited above.
3. The District Officer (M/F) E&SE Tank
4. District Accounts Officer, Tank
5. ADO Estab: Local Office,
6. Principal / Headmistress Concerned.
7. Official Concerned.

  
Executive District Officer  
Elmy:&Secy:Edu: Tank



جرمہ اور اسماعیل خان: ڈگری کاٹ نمبر 1 میں کانچ

# اسلام آباد میں احتجاجی مظاہرے

تعلیم مقدس و تیسرے نمبر پر پیشہ ہے اس میں غفلت کے مرتکب اساتذہ کرام

## 102 نمبروں کے کائنات مکمل کر کے پیرا ایجوکیشن کے خاتمے کو روکنے ہیں

پیرا ایجوکیشن (ایم وی ایڈ) اور ڈگری ایجوکیشن کا ڈگری ایجوکیشن کے خاتمے کو روکنے کے لیے اساتذہ کرام نے احتجاجی مظاہرے کیے۔

☆ ☆ ڈیڑھ سو سال قبل خان سے شائع ہونے والا پہلا مہینہ کیبر لاشاعت قومی و علاقائی اخبار ☆

Daily Meezan-e-Adel

ABC CERTIFIED

ڈیڑھ سو سال قبل خان

چھٹ اپنا ڈیڑھ سو سال کی عمر منانے کے ساتھ

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128 شمارہ 07 فروری 2013 جمعرات 25 ربیع الاول 1434ھ 26 گھنٹات 8 قیمت 8 روپے

تاکہ، محکمہ تعلیم کی پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ

تاکہ (دیوبند پوسٹ) محکمہ تعلیم تاکہ کی پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ کر دیا گیا ہے۔ ایک ماہ بعد 4 فروری کو ایک پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ کر دیا گیا ہے۔ ایک ماہ بعد 4 فروری کو ایک پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ کر دیا گیا ہے۔ ایک ماہ بعد 4 فروری کو ایک پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ کر دیا گیا ہے۔

Registration No: 2523

## روزنامہ میزان عدل (7) جمعرات 07 فروری

10 مارچ تک ہے۔ یہ ہفتے کی ایک اہم خبر ہے۔ اساتذہ کرام نے احتجاجی مظاہرے کیے۔

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پندرہ روزہ ناپابندی کے دوران تعلیم کے لوگوں کے لیے تمام امور سنبھالنے کے لیے ایک کمیٹی تشکیل دی گئی۔

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دور رس میں بطور سہ ماہی کی پھرتیاں ناپابندی کے باوجود خاتون ٹیچر کا تبادلہ کر دیا گیا ہے۔

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# وکالت نامہ

P 15

قیمتی ایک روپیہ		کورٹ فیس
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صاحب خیر محتوخواہ سردس بر بیسول، پشاور

ایبیلانڈ پنجاب

کوٹر پروین نام ڈاکٹر گلبرگ ولسن

دعویٰ یا جرم

سروس ایپل

تفصیل دعویٰ یا جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں ملحقہ طرف واسطے بیرونی وجوہات کے پیش یا تصفیہ مقدمہ تمام پشاور / دیوبند کے لیے  
محمد حسن علی امیر کوٹلی صاحب کوٹ / فرانسٹ اسٹریٹ کوٹلی صاحب کوٹلی صاحب کوٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بذرا بزرگیہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر مقام پکھری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذگری نظر ثانی اپیل گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تاشی یا راضی نامہ و فیصلہ بر حلف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مقرر بیرون از پکھری صدر بیرونی مقدمہ مقرر نظر ثانی اپیل و گمرانی و برآمدگی مقدمہ یا منسوخ ذگری یک طرفہ یا درخواست حکم اتناہی یا ترقی یا گرفتاری قبل از فیصلہ اجراء ذگری بھی صاحب موصوف کو بشرط ادا ہنگی علیحدہ محتاج بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخہ صاحب موصوف مثل کردہ از خود منظور ذ قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مقررہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرونی کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

مورخہ 19 جون 2013

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Accepted &  
Dated  
19/6/13  
Adv

Kausar  
کوٹر پروین  
(ایبیلانڈ)

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BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1026/2013

Mst. Kausar Parveen ..... (Appellant)

Versus

Govt. of K.P.K through Secretary (E&SE) Deptt: .... (Respondents)

**WRITTEN REPLY ON BEHALF OF RESPONDENTS NO. 1, 2, 4 & 5**

Respectfully Sheweth,

Respondents humbly submit as under:

**PRELIMINARY OBJECTIONS**

1. That the appeal is badly time barred.
2. That the appeal is not maintainable and incompetent.
3. That the appellant is stopped due to his own conduct.
4. That the appellant has got no cause of action and locus standi.
5. That the appellant has not come to the Tribunal with clean hands.
6. That the appellant is bad for misjoinder / non-joinder of necessary parties.
7. That the appellant has concealed the material facts from Honourable Tribunal.
8. That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal.
9. That as per section 10 of Civil Servants Act, 1973. Every Civil Servant shall be liable to serve anywhere within or outside the province.

**BRIEF FACTS**

1. This Para needs no comments as pertains to record.
2. This Para also needs no comments as pertains to record as well.
3. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies. The competent authority can transfer a Civil Servant in light of Section 10 of Civil Servants Act, 1974.

This Para is correct to extent that as per guidelines communicated to the district officers, the senior most teachers may retained in the present posting but the Competent authority can transfer a civil servant in light of section 10 of Civil Servant Act, 1974.

ROUNDS:

- A. The representation was examined, considered and rejected by the competent authority.
- B. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies.
- C. This Para is also incorrect vehemently denied. The appellatant was neither subjected to any kind of discrimination nor was any political pressure asserted on the respondents.
- D. This Para is incorrect not admitted.
- E. This Para is legal hence no comments.
- F. This Para needs no comments.

PRAYER

It is therefore, most humbly prayed that on acceptance of this Para wise comments, the appeal being devoid of legal footings and merit may graciously be dismissed with cost.

Secretary  
 Govt: of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt:  
 Peshawar  
 Respondent No. 4 & 5

Director  
 Govt: of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt:  
 Peshawar  
 Respondent No. 1

District Education Officer (F)  
 District Tank  
 Respondent No. 2

ing /  
 competent  
 1, 1974.

This Para is correct to extent that as per guidelines communicated to the district officers, the senior most teachers may retained in the present posting but the Competent authority can transfer a civil servant in light of section 10 of Civil Servant Act, 1974.

REQUINDS:

- A. The representation was examined, considered and rejected by the competent authority.
- B. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies.
- C. This Para is also incorrect vehemently denied. The appellatant was neither subjected to any kind of discrimination nor was any political pressure asserted on the respondents.
- D. This Para is incorrect not admitted.
- E. This Para is legal hence no comments.
- F. This Para needs no comments.

PRAYER

It is therefore, most humbly prayed that on acceptance of this Para wise comments, the appeal being devoid of legal footings and merit may graciously be dismissed with cost.

Secretary  
 Govt. of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt:  
 Peshawar  
 Respondent No. 4 & 5

Director  
 Govt. of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt:  
 Peshawar  
 Respondent No. 1

District Education Officer (F)  
 District Tank  
 Respondent No. 2

Mst. Kausar Parveen ..... (Appellant)

Versus

Govt. of K.P.K. through Secretary (F&SE) Deptt. .... (Respondents)

INTERIM REPLY ON BEHALF OF RESPONDENTS NO. 1, 2, 4 & 5

Respectfully Submitted,

Respondents humbly submit as under:

PRELIMINARY OBJECTIONS

1. That the appeal is badly time barred.
2. That the appeal is not maintainable and incompetent.
3. That the appellant is stopped due to his own conduct.
4. That the appellant has got no cause of action and locus standi.
5. That the appellant has not come to the Tribunal with clean hands.
6. That the appellant is bad for misjoinder / non-joinder of necessary parties.
7. That the appellant has concealed the material facts from Honourable Tribunal.
8. That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal.
9. That as per section 10 of Civil Servants Act, 1973, Every Civil Servant shall be liable to serve anywhere within or outside the province.

REPLY FACTS

1. This Para needs no comments as pertains to record.
2. This Para also needs no comments as pertains to record as well.
3. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies. The competent authority can transfer a Civil Servant in light of Section 10 of Civil Servants Act, 1974.

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No. 1026/2013

Mst. Kausar Parveen ..... (Appellant)

Versus

Govt. of K.P.K. through Secretary (E&SE) Deptt: .... (Respondents)

WRITTEN REPLY ON BEHALF OF RESPONDENTS NO. 1, 2, 4 & 5

Respectfully Sheweth,

The respondents humbly submit as under:

PRELIMINARY OBJECTIONS

1. That the appeal is badly time barred.
2. That the appeal is not maintainable and incompetent.
3. That the appellant is stopped due to his own conduct.
4. That the appellant has got no cause of action and locus standi.
5. That the appellant has not come to the Tribunal with clean hands.
6. That the appellant is bad for misjoinder / non-joinder of necessary parties.
7. That the appellant has concealed the material facts from Honourable Tribunal.
8. That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal.
9. That as per section 10 of Civil Servants Act, 1973. Every Civil Servant shall be liable to serve anywhere within or outside the province.

BRIEF FACTS

1. This Para needs no comments as pertains to record.
2. This Para also needs no comments as pertains to record as well.
3. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies. The competent authority can transfer a Civil Servant in light of Section 10 of Civil Servants Act, 1974.

This Para is correct to extent that as per guidelines communicated to the district senior most teachers may retained in the present posting but the Competent authority transfered a civil servant in light of section 10 of Civil Servant Act, 1974.

ROUNDS:

- A. The representation was examined, considered and rejected by the competent authority.
- B. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies.
- C. This Para is also incorrect vehemently denied. The appellant was neither subjected to any kind of discrimination nor was any political pressure asserted on the respondents.
- D. This Para is incorrect not admitted.
- E. This Para is legal hence no comments.
- F. This Para needs no comments.

PRAYER

It is therefore, most humbly prayed that on acceptance of this Para wise comments, the appeal being devoid of legal footings and merit may graciously be dismissed with cost.

Secretary  
Govt. of Khyber Pakhtunkhwa  
Elementary & Secondary Education Deptt:  
Peshawar  
Respondent No. 4 & 5

Director  
Govt. of Khyber Pakhtunkhwa  
Elementary & Secondary Education Deptt:  
Peshawar  
Respondent No. 1

District Education Officer (F)  
District Tank  
Respondent No. 2

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR**

**Service Appeal No. 1026/2013**

Mst. Kausar Parveen ..... (Appellant)

Versus

Govt: of K.P.K through Secretary (E&SE) Deptt: .... (Respondents)

**WRITTEN REPLY ON BEHALF OF RESPONDENTS NO. 1, 2, 4 & 5**

Respectfully Sheweth,

Respondents humbly submit as under:

**PRELIMINARY OBJECTIONS**

1. That the appeal is badly time barred.
2. That the appeal is not maintainable and incompetent.
3. That the appellant is stopped due to his own conduct.
4. That the appellant has got no cause of action and locus standi.
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6. That the appellant is bad for misjoinder / non-joinder of necessary parties.
7. That the appellant has concealed the material facts from Honourable Tribunal.
8. That the Honourable Service Tribunal has no jurisdiction to entertain the instant appeal.
9. That as per section 10 of Civil Servants Act, 1973. Every Civil Servant shall be liable to serve anywhere within or outside the province.

**BRIEF FACTS**

1. This Para needs no comments as pertains to record.
2. This Para also needs no comments as pertains to record as well.
3. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies. The competent authority can transfer a Civil Servant in light of Section 10 of Civil Servants Act, 1974.



4. This Para is correct to extent that as per guidelines communicated to the district officers, the senior most teachers may retained in the present posting but the Competent authority can transfer a civil servant in light of section 10 of Civil Servant Act, 1974.

GROUNDS:

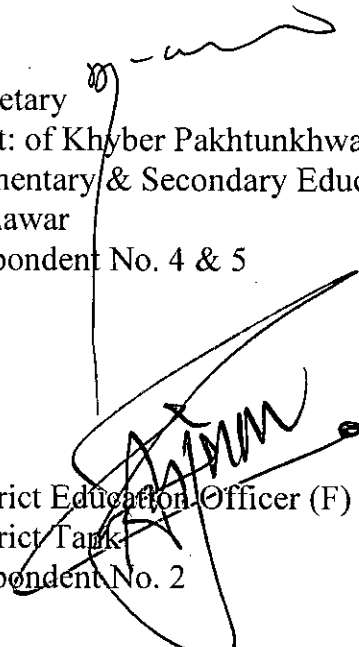
- A. The representation was examined, considered and rejected by the competent authority.
- B. This Para is incorrect not admitted hence vehemently denied. The orders of the posting / transfer were made in the interest of public service as per rules and policies.
- C. This Para is also incorrect vehemently denied. The appellant was neither subjected to any kind of discrimination nor was any political pressure asserted on the respondents.
- D. This Para is incorrect not admitted.
- E. This Para is legal hence no comments.
- F. This Para needs no comments.

PRAYER

It is therefore, most humbly prayed that on acceptance of this Para wise comments, the appeal being devoid of legal footings and merit may graciously be dismissed with cost.

Secretary  
 Govt: of Khyber Pakhtunkhwa  
 Elementary & Secondary Education Deptt:  
 Peshawar  
 Respondent No. 4 & 5

Director  
 Govt: of Khyber Pakhtunkhwa  
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 District Tank  
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