

27.06.2022

Learned Member (Executive), is on leave. Therefore, the case is adjourned to 11.08.2022 for the same as before.


READER

11.08.2022

Counsel for the petitioner present. Mr. Kabir Ullah Khattak, Additional AG alongwith Naseeb Khan, SO and Farhan, Assistant for respondents present.

On 18.01.2022 last chance was given for submission of implementation report. Today again representative of the respondent department did not submit implementation report. Therefore, salary of the Secretary (E&SE) Department be attached till submission of implementation report. To come up for implementation report on 16.09.2022 before S.B.


(Fareeha Paul)
Member (E)

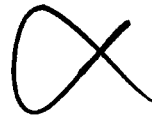
25.05.2022

Counsel for the petitioner present. Mr. Kabirullah Khattak, AAG for the respondents present.

Despite clear directions given on the previous date, respondents have not attended the Tribunal alongwith implementation report. This Tribunal has no other alternative but to convert this execution petition into contempt of court petition and take action against respondents. Show cause notice be issued to the Assistant Director, Directorate of Education Warsak Road Peshawar, Peshawar and District Education Officer, Satta Kurram District. The Accountant General Khyber Pakhtunkhwa and District Accounts Officer, Satta Kurram District are directed to attach salaries as well as the accounts of their offices till further orders by this Tribunal.

Copy of this order sheet be sent to the Chief Secretary Khyber Pakhtunkhwa and Secretary Education Khyber Pakhtunkhwa to look into the conduct of the respondents and take necessary action against them under intimation to the Tribunal through its Registrar.

To come up on 27.06.2020 for further proceedings.



(Kalim Arshad Khan)
Chairman

24.11.2021

Counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Naseeb Khan, SO and Syed Naseer Ud Din, Assistant for respondents present.

Learned AAG informed that the ^{implementation} case is under process and requested for adjournment with the commitment that implementation/execution report will be submitted on the next date. Adjourned. To come up for further proceedings on 18.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

18.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Jehanzeb, Supdt, Mr. Qazi Ayaz, Litigation Officer and Mr. Naseeb Khan, SO for respondents present.

The respondent-department, despite directions given in the preceding order sheets on various dates, could not be able to submit implementation report on execution of the Service Tribunal judgement dated 02.11.2017, learned AAG is therefore, directed to contact respondent No.1 and apprise/ sensitize him to submit implementation report being an old case of 4 years. This being last opportunity where-after coercive steps would invariably be the last option to be resorted on the next date of hearing. To come up for implementation report on 03.03.2022 before S.B.


(Mian Muhammad)
Member(E)

3-3-2022

Due to retirement of the Honable Chairman the case is adjourned to come up for the same as before on 25-5-2022
Reed

15.09.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. AG alongwith Sajid Superintendent and Jehanzeb, Superintendent for the respondents-present.

Learned AAG assured that he will take up the matter with concerned quarter for proper implementation report. Case to come up for proper implementation report on 25.10.2021 before S.B.


Chairman

25.10.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. AG alongwith Sajid Superintendent for the respondents present.

Representative of the respondents has produced the copy of letter dated 25.08.2021 addressed to the Secretary Higher Education Khyber Pakhtunkhwa Peshawar wherein request was made for taking up the matter with the Finance Department for creation of the supernumerary post so as to implement the judgment under execution in letter and spirit. Representative of the respondents is directed to pursue the said letter and submit compliance report on next date positively. Case to come up on 24.11.2021 before the S.B.


Chairman

25.05.2021

Petitioner through counsel and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Letter dated 21.12.2020 of Finance Department Government of Khyber Pakhtunkhwa reveals that the request made by respondent No. 5 through letter dated 08.08.2020 for creation of supernumerary post is underway. However, the matter needs to be expedited by the Government. Learned AAG assured that the appropriate authority will be approached by the respondents for early creation of supernumerary post. To come up for implementation report on 04.08.2021 before S.B.


Chairman

04.08.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, Addl. A.G for the respondents present.

Learned AAG seeks time to contact the respondents for early creation of supernumerary post. Request accorded. Case to come up for implementation report on 15.09.2021 before S.B.


Chairman

19.01.2021

Petitioner present through counsel.

Noor Zaman Khattak learned District Attorney alongwith Sajid Superintendent and Abdul Wahid ADEO for respondents present.

Representative of respondent No.4 i.e. Finance Department apprised the Tribunal in respect of proper implementation of the order of this Tribunal and that the matter was addressed to the Special Secretary-II Northern Merged Area Finance Department, to expedite the matter. He made a request for a short adjournment in order to produce proper implementation report. In the meanwhile, respondent No.3 i.e. D.E.O Kurram be noticed to attend the Tribunal in person and to apprise in respect of implementation of order. To come up for proper implementation report on 17.03.2021 before S.B.



(Rozina Rehman)
Member (J)

17.03.2021

Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 25.05.2021 before S.B.

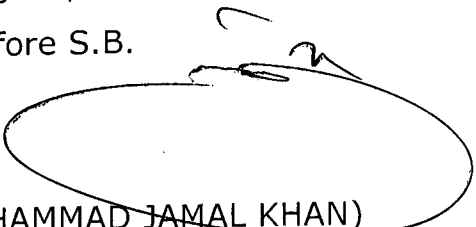


Reader

26.11.2020

Learned counsel for petitioner is present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Saleem Sajid, Superintendent, on behalf of respondent No. 4 and Syed Noman Bukhari, Advocate, and Mr. Sohail, Senior Clerk, on behalf of respondent No. 5, are also present.

Representative of respondent No. 5 furnished copy of reminder forwarded by the Principal of GGDC Sadda District Kurram to the respondents for correction of supernumerary post for redressal of grievances of Lab Attendance Mst. Munawara which is placed on file. One copy of the same is also handed over to representative of respondent No. 4 who stated at the bar that he will put up the same before the high-ups. File to come up for further proceedings on 19.01.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

EP 190/19

07.09.2020

Counsel for the petitioner and Addl. AG alongwith Muhammad Shoaib, Senior Clerk for the respondents present.

Representative of respondents has provided copy of memo dated 08.08.2020 signed by Principal, GGDC Sadda District Kurram. In the memo a request for creation of a supernumerary post for the petitioner has been made.


It is considered appropriate to allow time to the respondents for completion of proposed exercise. Adjourned to 20.10.2020 for further proceedings.


Chairman

20.10.2020

Mr. Kabirullah Khattak, Additional Advocate General for the respondents is present.

The legal fraternity is observing strike today, therefore, the case is adjourned to 26.11.2020 on which to come up for further proceedings before S.B.


(Muhammad Jamal Khan)
Member (Judicial)

30.04.2020. Due to public holidays on the account of Covid-19, the case is adjourned. To come up for the same before SB on 21.07.2020.


Reader

21.07.2020

Mr. Farhan Ullah Shahbanzai, advocate for appellant is present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Manzoor Khan, on behalf of respondent No. 2 and Syed Noman Ali Bukhari, Advocate and Mr. Muhammad Sohaib, Senior Clerk on behalf of respondent No. 5 are also present.

Respondent No. 5 is not present in person her counsel Syed Noman Ali Bukhari, Advocate, submitted application for exemption from attendance due to her suffering from COVID-19, the medical report advising her rest for two weeks with effect from 14.07.2020 till 28.07.2020 has been enclosed however, respective doctor namely, Attiq-ur-Rehman has provided that this certificate is not for court use then whether in the circumstances respondent No. 5 could be exempted from personal attendance. Learned counsel for respondent No. 5 is directed to get his client re-examined through registered medical practitioner by seeking second medical opinion as to the determination of her ailment sufferance from COVID-19. Alongwith application order/bill being provided by the Principal Government Girls Degree College Sadda Tribal District Kurram has been dispatchrd to the District Accounts Officer District Kurram. Copies of the bills are placed on record. Mr. Muhammad Shoaib, Senior Clerk Government Girls Degree College Sadda is directed to inform the competent authority to give effect to the judgment of this Tribunal and submit compliance report in writing on 07.09.2020.


(MUHAMMAD JAMAL KHAN)
MEMBER

04.02.2020

Mr. Muhammad Altaf Bangash, Special Attorney for petitioner present. Addl: AG alongwith Mr M. Tariq, Assistant for respondents present. Principal, GGDC, Sadda, District Kurram continues to defy directions of this Tribunal, as is evident from order sheet dated 22.10.2019, 25.11.2019 and 06.01.2020. This shows her scant regard for this Tribunal/Courts. Even today, she was not present during the course of hearing. Warrants of attachment of her salary may be issued forthwith so as to compel her to appear in person before this Tribunal. She is again directed to attend this Tribunal personally positively on the next date of hearing. To come up for further proceedings on 19.03.2020 before S.B.


Member

19.03.2020

Mr. Muhammad Atif Bangish, Special Attorney for the appellant present. Mr. Kabirullah Khattak, Additional AG for respondents No. 1 to 5 and private respondent No. 5 in person present. Miss. Abida Dilnasheen submitted reply which is placed on record. Miss. Abida Dilnasheen also submitted application for release of her salary on the ground that she has relinquished the charge of Principal of the said college and handover the charge to Saira Khatoon on 01.08.2019. Copy of charge report of Saira Khatoon as Principal of the said collage has also been annexed with the application, therefore, salary of Miss. Abida Dilnasheen is hereby released. However, Saira Khatoon Principal of Government Girls Degree College Sadda Kurram District be summoned to personally attend the court and apprise the Tribunal regarding the implementation report. To come up for attendance of Saira Khatoon Principal of Government Girls Degree College Sadda Kurram District and implementation report on 30.04.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

25.11.2019

Junior to counsel for the appellant and Addl. AG for the respondents present.

Despite notice to Principal Government Girls Degree College Sadda, District Kurram is not present today. Learned AAG undertakes to contact the official for appearance on next date of hearing positively.


Adjourned to 06.01.2020 before S.B.


Chairman

06.01.2020

Mr. Muhammad Altaf Bangash, Special Attorney for petitioner alongwith counsel present. Addl. AG alongwith Fawad Afzal, Senior Clerk and Muhammad Shafiue, Senior Clerk for the respondents present. Former has produced Special Power of Attorney which is placed on record.

Learned AAG on the other hand requests for a last opportunity to produce Principal, Government Girls Degree College Sadda, Kurram. Adjourned to 04.02.2020 for further proceedings before S.B.


Chairman

25.09.2019

Counsel for the petitioner and Addl. AG alongwith Fawad Afzal, Senior Clerk and Sajid Superintendent for the respondents present.

The representative of respondent No. 4 states that his department has time and again written to respondents No. 1 & 2 regarding initiation of case of petitioner for implementation of judgment of the Tribunal but the response is still awaited.

In the circumstances, notice be issued to respondent No. 2 to appear in person alongwith the relevant record on 22.10.2019 before S.B.

Chairman



22.10.2019

Counsel for petitioner and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sohail, Assistant on behalf of respondent No. 4 present.

Representative of respondent No. 4 states that the case of the petitioner is required to be initiated by the Principal of concerned College in first instance. Notice be issued to Principal Government Girls Degree College at Sadda, Kurram District for appearance on next date of hearing.

Adjourned to 25.11.2019 before S.B.

Chairman



04.07.2019

Counsel for the petitioner and Addl. AG present. No one is present as representative on behalf of the respondents. Fresh notices be issued to them. To come up for implementation report on 28.08.2019 before S.B.


Member

28.08.2019

Counsel for the petitioner and Addl. AG alongwith Muhammad Shoaib, Senior Clerk for the respondents present.

The representative of the respondents has submitted copies of correspondence dated 02.02.2018, 03.05.2018 and 06.3.2019 wherein the Principal, Government Girls Degree College, Sadda has requested the Director of Education FATA Peshawar for guidance to implement the judgment of Tribunal in letter and spirit.

It is a sorry state of affair that the reinstatement order of petitioner was issued on 19.03.2018, however, the back benefits are yet to be extended in her favour despite lapse of considerable period.

The respondents are, therefore, required to submit the implementation report positively on next date of hearing failing which the Director of Education Merged Districts Peshawar shall appear personally before the Tribunal on 25.09.2019.




Chairman



Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 190/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	24.4.2019	<p>The execution petition of Mst. Munawara submitted today by Mr. Rarhanullah Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR 24/4/19</p>
2-	25/4/19.	<p>This execution petition be put up before S. Bench on <u>24/05/19</u>.</p> <p> CHAIRMAN</p>
	23.05.2019	<p>Learned counsel for the petitioner present. Notice of the present execution petition be issued to the respondents for implementation report/comments. To come up for implementation report/parawise comments on 04.07.2019 before S.B.</p> <p> Member</p>

BEFORE THE K.P.K SEVICES TERIBUNAL PESHAWAR.

Execution Petition No. 190/2019.

In

Service Appeal No. 1114 of 2013

Mst. Munawara

.....Petitioner.

V E R S U S

The Secretary Education (E & SE), & Others

.....Respondents

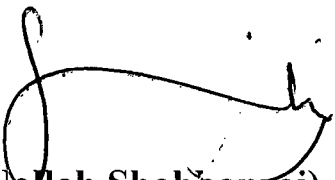
I N D E X

S/No	Description of Documents	Annexure	Page No. ^s
1	Memo of Petition Along with Affidavit & addresses of parties		1-5
2	Copy of appeal & Judgment is annexed as	A & B	6-13
3	Copy of application & letter no.103, dated: 03/5/2018 are annexed as	C & D	14-15
4	Copy of letter No.10101, dated: 23-7-2018 is annexed	E	16
5	Copy of application dated:22-10-2018 is annexed as	F	17-18
6	Copy of legal notice and A.D cards annexed as	G	19-23
7	Waqalat Nama		24


PETITIONER.

Dated; 24/04/2019.

Through:-


(Farhan Ullah Shabbanzai)
Advocate High Court,
PESHAWAR

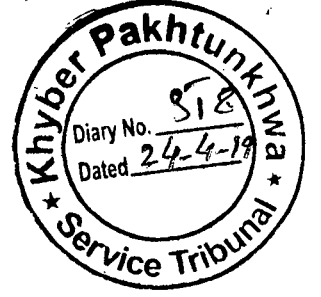
Cell-0321-9171522

Office: FF 29, 5th Floor, Bilor Plaza, Peshawar Cantt:

(1)

BEFORE THE K.P.K SEVICES TERIBUNAL PESHAWAR.

Execution Petition No. 190 / 2019.
In
Service Appeal No. 1114 of 2013



Mst. Munawara, Leb Attendant (BPS-1), Govt Girls Degree College,
Sadda, Kurram District.

.....Petitioner.

V E R S U S

- 1) The Secretary education (E & SE), Khyber Pukhtoonkhwa, Peshawar.
- 2) Assistant Director, Directorate of Education Khyber Pukhtoonkhwa,
Warsk Road, Peshawar.
- 3) District Education Officer at Sadda, Kurram District.
- 4) Secretary Finance Khyber Pukhtoonkhwa, at AG office Peshawar
Cantt.
- 5) Miss Abida D/O Tourab Khan, Principal Government Girls Degree
College, at Sadda, Kurram District.

.....Respondents.

APPLICATION FOR EXECUTION /
IMPLEMENTATION OF THE ORDER &
JUDGMENT DATED: 02-11-2017 PASSED IN
SERVICE APPEAL NO.1114/2013 BY THIS
HON'ABLE TRIBUNAL.

PRAYER

On acceptance of this execution petition,
respondents may kindly be directed to
implement the order & judgment of this Hon'able
tribunal Dated:02-11-2017 in letter & spirit by
allowing all the pervious salaries of the
petitioner, and the respondents may graciously
be proceeded against for non-compliance of the
ibid judgment.

Respectfully Sheweth:-

②

1. That petitioner/appellant was appointed on 01-09-2003 as Lab Attendant (BPS-1), in the respondent No.05 College, while petitioner service was regularized vide order dated: 04-02-2009, but without any reasons the subsequently order was held in abeyance and was restored on 31-05-2010, but despite of appointment petitioner salary was stopped, against which petitioner/appellant file Service Appeal No.1114/2013, which was allowed vide order dated: 02-11-2017, with the following conclusion/observations;

“As a sequel to above this appeal is accepted and the respondents are directed to adjust the appellant as Lab Attendant w.e.f the date of appointment alongwith all the consequential benefits”.

(Copy of appeal & Judgment is annexed A & B)

2. That after acceptance of appeal, petitioner assumed charge in respondent No.05 college, but petitioner salary from the date of appointment was not issued, in this respect petitioner wrote an application dated: 30-04-2018 to respondent No.05 which was forwarded to Director Education FATA, vide letter No.103, Dated:03-05-2018 (Respondent No.02), with of the view that due to non-availability of Budget it is not possible to pay previous salaries (w.e.f 04-02-2009).

(Copy of application & letter no.103, dated:03/05/2018 are annexed as C & D)

3. That latter dated:03-05-2018 was answered vide letter No.10101, dated:23-07-2018 by the Directorate of Education, FATA Secretariat without proper reasons (Respondent No.02), even till date neither any inquiry has been conducted nor salary to the petitioner were issued, as the said act is self explanatory.

(Copy of letter No.10101, dated: 23-7-2018 is annexed as E)

4. That after shutting eyes on the rights of the petitioner, she wrote another application to Additional District Magistrate, Lower Kurram on 22-10-2018, which was marked to worthy Assistant Commissioner Lower, Kurram vide endorsement No.3978/AC/LK, Dated:25-10-2018, but the same was forwarded to Additional Agency Education Officer (Now Respondent No.03) for necessary actions vide corresponding dated:26-11-2018 (No.4520/AC/LK-Org), but the matter still not been resolved.

(Copy of application dated: 22-10-2018 is annexed as F)

5. That despite of clear directions/ observation passed by this Hon'able tribunal the petitioner is facing the agony since many years but grievances of the petitioner has not been redressed,

(3)

rather petitioner has been treated as rolling stone as no one is ready to pay the pervious salaries of petitioner and everyone is shifting liability to someone else, as such vested rights of the petitioner has been kept delay by one pretext or the other, which is clear violation of service tribunal ibid judgment.

6. That not issuing pervious salary to the petitioner is illegal, wrong and without any justification & violation of the ibid Judgment (02-11-2017), in this respect petitioner issued legal notice to the respondents on 18-02-2019 but the same has not been reply till date.

(Copy of legal notice and A.D cards are annexed G)

7. That rights of the petitioner not been dealt in accordance with the ibid judgment, hence this Hon'able tribunal by virtue of Sub-Section 2(d) of Section 07 of the KPK Service Tribunal Act, 1974 read with Rule 27 of the KP service Tribunal Ruls; 1974 is empowered to execute / implement its judgment dated: 02-11-2017 in its letter & spirit against the respondents.

8. That in 2017 PLC (C.S) 1102 it was held--- "*Judgment of service tribunal, implementation of---scope---Service Tribunal being civil court for the purpose of deciding appeal had all the the powers of civil court including those required to implement its judgment as provided under the provisions of civil procedure code, 1908 ... Employee had an alternate, speedy and efficacious remedy for enforcement of judgment of service tribunal...Employee could approach the proper forum if desired.*

Hence respondents are duty bound to implement ibid judgment while this hon'able tribunal is the proper froum to rescue & protect the rights of the petioner to overcome the mental and financial agony of the petitioner, failing to complye the order of this Hon'able tribunal the concern respondent may also be proceeded in accordance with law.

It is therefore humbly prayed that the instant exectuion / implementation petition may kindly be allowed as prayed for in the heading.

Dated: 24/04/2019

منور
PETITIONER

Through:-

(Farhan Uallah Shahbanzai)
Advocate High Court,
PESHAWAR

4

BEFORE THE KPK SERVICES TRIBUNAL PESHAWAR.

Execution Petition No. _____ / 2019.

In

Service Appeal No. 1114 of 2013

Mst. Munawara

.....Petitioner.

V E R S U S

The Secretary Education (E & SE), & Others

.....Respondents

A F F I D A V I T

I, Mst. Munawara, Leb Attendant (BPS-1), Govt Girls Degree College, Sadda, Kurram District. do hereby solemnly affirm and states on oath that the contents of accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon' able Court.

Signature

(Deponent)

CNIC#21301-3348233-6

Mobile:0304-0890949

Dated; 29/04/2019

Signature
ATTESTED
KHALID RAHMAN
ADVOCATE
OATH COMMISSIONER
PESHAWAR
29/04/2019

5

BEFORE THE KPK SERVICES TRIBUNAL PESHAWAR.

Execution Petition No. _____ / 2019.

In

Service Appeal No. 1114 of 2013

Mst. Munawara

.....Petitioner.

V E R S U S

The Secretary Education (E & SE), & Others

.....Respondents

Mst. Munawara, Leb Attendant (BPS-1), Govt Girls Degree College,
Sadda, Kurram District.

.....Petitioner.

V E R S U S

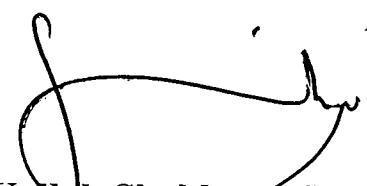
- 1) The Secretary education (E & SE), Khyber Pakhtoonkhwa, Peshawar.
- 2) Assistant Director, Directorate of Education Khyber Pakhtoonkhwa,
Warsk Road, Peshawar.
- 3) District Education Officer at Sadda, Kurram District.
- 4) Secretary Finance Khyber Pakhtoonkhwa, at AG office Peshawar
Cantt.
- 5) Miss Abida D/O Tourab Khan, Principal Government Girls Degree
College, at Sadda, Kurram District.

.....Respondents.


PETITIONER

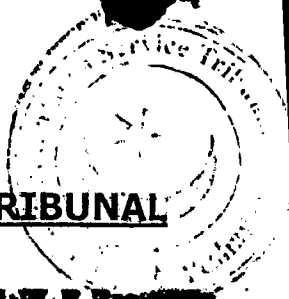
Dated: 27/04/2019

Through:-


(Farhan Ullah Shahbanzai)
Advocate High Court,
PESHAWAR

6

Ames "A"



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO 1114 /2013

W.F. No. 1091
Dated 04-7-13

Mst: Munawara, Lab Attendant (BPS-1),
GGDC Sadda, Kurram Agency **APPELLANT**

VERSUS

- 1- The Additional Chief Secretary FATA, FATA Secretariat, Warsak Road Peshawar.
- 2- The Director of Education FATA, FATA Directorate, Warsak Road Peshawar.
- 3- The Principal Govt: Girls Degree College Sadda, Kurram Agency.
- 4- The Political Agent Kurram Agency.
- 5- Mst: Balqees, Lab Attendant (BPS-1) Govt: Girls Degree College Sadda, Kurram Agency.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 FOR DIRECTING THE RESPONDENTS TO ADJUST THE APPELLANT ON THE POST OF LABORATORY ATTENDANT (BPS-1) W.E.F 4.2.2009 WITH ALL CONSEQUENTIAL BENEFITS AND SENIORITY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTARY PERIOD

PRAYER:

That on acceptance of this appeal the respondents may be directed to adjust the appellant on the post of laboratory attendant (BPS-1) w.e.f 4.2.2009 with all consequential benefits and seniority. Any other remedy with this august service tribunal deems fit that may also be awarded in favor of the appellant

Handwritten notes and signature in the prayer section.

ADMITTED

R/SHEWETH:

ON FACTS:

- 1- That the appellant was appointed as Lab attended (BPS-1) in the respondent Department on the recommendation of the Departmental selection committee vide order dated 1-9-2003. That since then the appellant performed her duties quite efficiently and upto the entire satisfaction of her superior. (Copy of the appointment order is attached as

Signature and stamp of the Khyber Pakhtunkhwa Service Tribunal, Peshawar.

So-submitted to and filed.

Handwritten signature and date 19/7/13.

(7)

- 2- That later on after serving for more than five years in the respondent department the appellant was adjusted as Lab attendant (BPS-1) after the approval of the concerned authority vide order dated 4.2.2009. (Copies of the letters, approval and order are attached as Annexure **B, C and D.**
- 3- That due to certain reasons best known to the respondent Department the appointment order of the appellant was held in abeyance but after verification of her Domicile the said appointment order was restored by respondent No.2 vide order dated 31.5.2010. (Copies of the Domicile Certificate and Restoration order are attached as Annexure **E & F).**
- 4- That in spite of restoration the respondent No.3 did not implement the order respondent No.2. That later on an inquiry was conducted by the Principal of GDC Sadda, Kurram Agency and the same was decided in favor of the appellant. (Copy of the letter and inquiry report are attached as Annexure **G & H).**
- 5- That the concerned authorities did not paid any heat to the said inquiry and ignored the appellant on one way or the other. That feeling aggrieved appellant filed Departmental appeal before the respondent No.1 and on the said Departmental appeal the respondent No.3 and 4 submitted their comments which were totally is in favor of the appellant but till date no action has been taken on the said inquiry by the respondent Department. (Copies of the Departmental appeal, forwarding letters and Comments are attached as Annexure **I, J & K).**
- 6- That having no other remedy the appellant prefers this appeal on the following grounds amongst the others.

GROUND:

- A- That not implementing restoration order of the appellant on the post of Lab Attendant (BPS-1) is against the law, facts and norms of natural justice.
- B- That not relieving the monthly salaries of the appellant with effect from 4.2.2009 till date is amounts to forced labour.
- C- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject

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and 25 of the Constitution of the Islamic Republic of Pakistan 1973.

- D- That the respondent Department acted in arbitrary and malafide manner by not releasing monthly salaries of the appellant with effect from 4.2.2009 till date.
- E- That in spite of appointment of appellant on the post of Lab attendant (BPS-1) the respondent No.3 and 4 appointed respondent No.5 on the post already held by the appellant, which shows malifide on the part of respondents.
- F- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore most humbly prayed that the appeal of the appellant be accept as prayed for.

Munawara
APPELLANT

Mst: MUNAWARA
THROUGH:
Nor
NOOR MOHAMMAD KHATTAK
ADVOCATE

Certified to be true copy

Munawara
Kyber Peshawar
Service Tribunal,
Peshawar

Date of Presentation *22-4-18*

Number of Words *1200*

Copying Fee *2*

Urgent *2*

Total *10*

Name of Applicant *Munawara*

Date of Presentation of Copy *22-4-18*

Date of Delivery of Copy *22-4-18*

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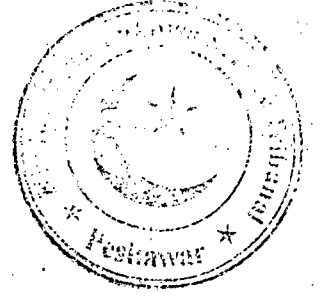
Annex "B"

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1114/2013

Date of Institution ... 04.07.2013

Date of Decision ... 02.11.2017



Mst. Munawara, Lab Attendant (BPS-01)
GGDC Sadda, Kurram Agency,

... (Appellant)

VERSUS

1. The Additional Chief Secretary FATA, FATA Secretariat,
Warsak Road Peshawar and 4 others.

... (Respondents)

MR. NOOR MUHAMMAD KHATTAK,
Advocate

--- For appellant.

MR. MUHAMMAD JAN,
Deputy District Attorney

... For official respondents.

MR. MUHAMMAD ASIF YOUSAFZAI
Advocate

... For private respondent no.5.

MR. AHMAD HASSAN,
MR. MUHAMMAD AMIN KHAN KUNDI

... MEMBER(Executive)
... MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the parties heard and record perused.

FACTS

2. The brief facts are that the appellant was initially appointed as Lab Attendant in project on 01.09.2003. That vide order dated 04.02.2009 she was appointed as Lab Attendant (BPS-01) on regular basis and this order was subsequently held in abeyance but restored on 31.05.2010. Despite her appointment salary was stopped

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by the respondents. The appellant preferred departmental appeal on 18.07.2012 which was not responded, hence, the instant service appeal.

ARGUMENTS

3. Learned counsel for the appellant argued that the appellant was appointed as Lab Attendant (BPS-01) on 01.09.2003 against a project post. That vide order dated 04.02.2009 she was appointed as Lab Attendant (BPS-01) on regular basis. However, on account of verification of her domicile her appointment order was held in abeyance. Subsequently, the same was restored vide order dated 31.05.2010. This order was not implemented by respondent no. 2. Moreover, her salary was stopped w.e.f 04.02.2009. The enquiry was conducted and decided in favour of the appellant but no action was taken on its recommendations. She preferred departmental appeal on 20.07.2012 which was not responded within the statutory period. Till date her services have not been terminated by the respondents. He further contended that vide letter dated 20.04.2013 the Assistant Political Agent (Lower Kurram) Sadda confirmed that non-availability of termination order reveals that the appellant has not been relieved by the competent authority and is still in service therefore, her services may be maintained and salaries paid. Respondent No. 3 informed Assistant Political Agent (Lower Kurram) that Mst. Balqees D/O Haji Ayub was appointed as Lab Attendant w.e.f 09.09.2009. Despite protracted correspondence between various respondents for years the case could not be taken to a logical conclusion. Reliance was placed on case law reported as 1991 SCMR 1041 and 2002 PLC C.S 1388.

4. Learned Counsel for private respondent no.5 argued that initially the appellant was appointed against a project post. Private respondent is working against the post of Lab Attendant w.e.f. 09.09.2009. Domicile produced by the

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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appellant was fake. There is no original or appellate order challenged by the appellant through the instant appeal. Moreover, the appeal is hopelessly time barred. Appellant never challenged appointment order of private respondent no.5.

5. Learned DDA relied on arguments advance by the learned counsel for private respondent no.5. Reliance was placed as reported on 2006 SCMR 1630 and 2016 SCMR 1375.

CONCLUSION.

6. Careful perusal of record would reveal that the appellant was appointed as Lab Attendant (BPS-01) on regular basis vide order dated 04.02.2009. However, without issuing any written orders her appointment was held in abeyance and monthly salary stopped. On the other hand through maneuvering and under hand tactics private respondent no.5 was appointed as Lab Attendant (BPS-01) vide order dated 09.09.2009. The appellant tried her level best to resolve the issue of her appointment and payment of salary but to no avail. Respondents have not issued termination order of the appellant so far. Repeatedly the official respondents were afforded opportunity to produce any such order and they confirmed that no such order has been issued till date. Now it has been proved beyond doubt that appellant is till in service and entitled for salary/ allied benefits. This fact has also been admitted by Assistant Political Agent (Lower Kurram) vide letter dated 24.04.2013 and not contested/challenged by learned counsel for private respondent no. 5 and Deputy District Attorney during the course of arguments. We are of the considered view that appointment order of the private respondent is illegal, unlawful and in utter violation of rules. It has created an anomalous situation for the respondents by

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EXAMINING OFFICER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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appointing two candidates on one post. They have become guilty of making illegal appointment and liable to be punished after due process of law.

7. Learned counsel for private respondent no. 5 and learned DDA in order to cover the misdeeds of official respondents made an attempt to weaken the case of the appellant by taking shelter under technicalities as they miserably failed to defend it on merit. Their first plea was that under normal circumstances Section-4 of the Khyber Pakhtunkhwa Services Tribunal Act, 1974 provides that any civil servant aggrieved from any original or appellate order may file appeal within 30 days. But in this case no such order is available on record. As such the appeal is not maintainable in its present forum. However, this case is its own peculiar circumstances and have been highlighted in the preceding paras. The appellant fell victim to the fraud, treachery, high handedness, manipulation and malafide on the part of the official respondents. The superior courts have always held that cases should be decided on merit rather than technicalities. In this regard attention is invited to famous judgment of august Supreme Court of Pakistan reported as 1991 SCMR 1041 titled I.A Sherwani-vs- Government of Pakistan in which the issue of original and appellate order has been decided. So far as the issue of limitation is concerned ever since her appointment, the appellant is running from pillar to post for the redressal of her grievances. As already explained that till date termination order of the appellant has not been issued by the respondents and as such she is in service and deserves to get salary and related benefits. As salary is a recurring issue, hence, no limitation should become a hindrance in such a situation even otherwise she is a very strong case to be decided on merit.

APPEALED

Signature
Khyber Pakhtunkhwa
Services Tribunal
Peshawar

(13)

8. As a sequel to above this appeal is accepted and respondents are directed to adjust the appellant as Lab Attendant w.e.f the date of her appointment alongwith all consequential benefits. Parties are left to bear their own costs. File be consigned to the record room.

[Signature]

(AHMAD HASSAN)
MEMBER

Muhammad Amin
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

ANNOUNCED
02.11.2017

Certified to be true copy

[Signature]
Khyber Pakhtunkhwa
Secretary

[Signature]
22-4-19

Date of Presentation of Application _____
 Number of Words 24000
 Copying Fee 14/-
 Urgent 2/-
 Total 16/-
 Name of Applicant [Signature]
 Date of Completion of Work 22-4-19
 Date of Receipt of Fee 22-4-19

ATTESTED

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انگریزی میں تحریر کیا گیا ہے۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔

Mobile = 03040890949

Date: 30/04/2018

مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔

Areas کے متعلق تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔

Termenation کے متعلق تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔

مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔ - مندرجہ بالا تمام باتیں درست ہیں۔

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Check to do
The needful

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OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram Agency:
No. 103 / Dated 03/05/2018

Annex 'D'

To
The Director of Education
FATA Peshawar.

Subject: REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.

Memo:

Kindly refer to the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to adjust the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA & Others). The above lab Attendant was given charge on 19/3/2018. Now the said servant has submitted an application regarding to pay her the salaries along with arrears w.e.f 2009 which was her initial appointment. Due to the non availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay of previous period initial pay (w.e. f 04/02/2009).

Therefore legal instructions are required as she took charge on 19/03/2018 while relieving the respondent (Mst: Bilques Lab Att:) to implement the order of the court in her respective/own post.

Principal

Govt: Girls Degree College
Sadda Kurram Agency

ATTESTED



(16)

FATA SECRETARIAT
DIRECTORATE OF EDUCATION
KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN
PHONE: 091-9210166 FAX: 091-9210216
No. 10/01
Dated Pesh: the 23/7 /2018

To

Anna "E"

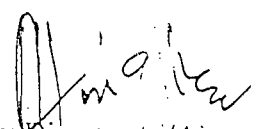
The Principal Govt Girls Degree,
College Sadda Kurram Agency.

Subject: REINSTATEMENT / REAPPOINTMENT OF MUNAWARA
BEGUM.

Memo:

I am directed to refer to your office letter No-103 dated-03-05-2018 on the subject cited above and to state that the salary may be started of the official concerned from the date of her resuming charge.

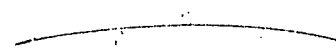
It is further directed that in case of back benefits (dispute salaries) an impartial enquiry may be conducted from this office as per operative part of judgment of Honorable Court in order to fix responsibility against the defaulter and advise strategy for back benefits, please.

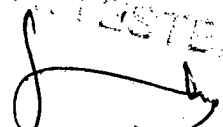

Deputy Director (F/A)

Endst: No _____ Dated _____ / _____ /2018.

Copy forwarded to the:

1. Registrar Peshawar High Court Peshawar.
2. PA to Director Education FATA.


Deputy Director (F/A)

REGISTERED


ATTESTED

Handwritten signature and date: 25/10/18

26-10-18

Handwritten text: No 39788, 25/10/18, and other illegible markings.

Handwritten text: 03040890949, 25/10/18, and other illegible markings.

Handwritten text: 25/10/18, 2018, and other illegible markings.

Handwritten text: (CSE) and other illegible markings.

Handwritten text: Re-appointment, Termination, and other illegible markings.

Handwritten text: Adjust the applicant w.e.f the date of the appointment along with all consequential benefits. Includes a circled number 17.

Handwritten text: 17, and other illegible markings.

ALTERED

No 4580/ALR-ers
dt 26-11-18

Forwarded
to Additional Agency
Education Officer for
Agency report
& comments on District
Education Officer's report

26/11

No. 1508/P78
26-11-18

P. A. 1201
26-11-2018

26/11

Worthy ALR

Reference to your good office
enclosure no: 3978/ALR dated 25-10-18
it is submitted that, the case
in hand relates to education department
therefore the same may please be forward
to Additional Agency Education Officer
for further necessary action and
report please.

Respected Sir,

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Annex "G"

Farhan Ullah Shahbanzai
Advocate High Court
Office :FF.29, 5th Floor, Bilour Plaza, Peshawar Cantt.

Ref: 17 of 2019 Cell # 0321-9171522 Date: 18-02-2019

Under Register A.D

LEGAL NOTICE

To

Miss Abida D/O Torab Khan,
Principal, Govt Girls, Degree College,
Sadda, Kurram Agency.

Respected Mistress/Madam,

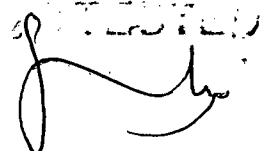
I have been engaged and instructed by my client Mst. Munawara Begum D/O Said Abbas Khan, working as Lab Attendant (BPS-1), at Govt Girls, Degree College, Sadda, Kurram Agency to serve you with the following Legal Notice under the cover of Registered AD.

1. That my client was appointed on 01-09-2003 as Lab Attendant (BPS-1), in your College, while her service was regularized vide order dated: 04-02-2009, but without any reasons the subsequently order was held in abeyance but was restored on 31-05-2010, but despite of my client appointment her salary was stopped, against which my client file Service Appeal No.1114/2013, which was allowed vide order dated: 02-11-2017, with the following conclusion/observations;

"As a sequel to above this appeal is accepted and the respondents are directed to adjust the appellant as Lab Attendant w.e.f the date of appointment alongwith all the consequential benefits".

2. That after acceptance of my client appeal, she assumed charge in your school, but her salary from the date of appointment was not issued, in this respect my client wrote an application dated: 30-04-2018 to your goodself, which was forwarded to Director Education FATA, vide letter No.103, Dated:03-05-2018, with of the view that due to non-availability of Budget it is not possible to pay previous salaries (w.e.f 04-02-2009).

3. That latter dated:03-05-2018 was answered vide letter No.10101, dated:23-07-2018 by the Directorate of Education, FATA Secretariat without proper reasons, even till date neither any inquiry has been conducted nor salary of my client was issued, as the said act is self explanatory.



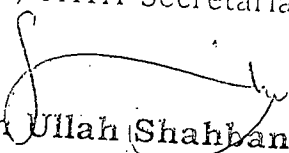
18/02/19

- 20
4. That after shutting eyes on the rights of my client, she wrote another application to Additional District Magistrate, Lower Kurram on 22-10-2018, which was marked to worthy Assistant Commissioner Lower, Kurram vide endorsement No.3978/AC/LK, Dated:25-10-2018, but the same was forwarded to Additional Agency Education Officer for necessary actions vide corresponding dated:26-11-2018 (No.4520/AC/LK-Org), but the matter still not been resolved.
 5. That being Principal of the college it is the responsibility of your good self to care about your staff, but despite facing the agony for many years the grievances of my client has not been redressed, rather my client has been treated as rolling stone as no one is ready to pay the pervious salaries of my client and everyone is shifting liability to someone else, as such rights of my client has been kept delay by one pretext or the other, which is clear violation of service tribunal ibid judgment.
 6. That not issuing pervious salary to my client is illegal, wrong and without any justification & violation of the ibid Judgment (02-11-2017), hence pervious salary of my client is required to be issued forthwith to overcome the mental and financial agony of my client, failing to which my client would be at liberty to approach the appropriate forum for implementation of the ibid judgment along with competent court of proceedings.

Therefore, through this Legal Notice you are hereby directed to issued previous salaries of my client forthwith (within 10 days), otherwise my client would be at liberty to initiate legal proceedings against you and other officials in the court of law/Tribunal and your goodself will also be liable for all expenditure occurred thereon.

Copy also To;

- i-Directorate of Education, FATA Secretariat, Warsk Road, Peshawar.
- ii-Assistant Commissioner, at Sadda, Lower Kurram.
- iii-Additional Agency Education, Officer, FATA Secretariat, Warsak Road, Peshawar.


Farhan Ullah Shahbanzai
Advocate High Court Peshawar
Office: FF.29, 5th Floor Bilour Plaza Peshawar

Dated: -18.02.2019

Cell Phone NO: 0321-9171522

Note: This Legal notice Consists of 02 pages and a copy of the same is retain in my office for further necessary actions.

ATTESTED


No. 1289

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps.

38-

21

Received a registered* addressed to

_____ Date-Stamp

Initials of Receiving Officer _____ *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ Weight _____ (in words) _____ Kilo _____ Grams _____ Name and address of sender _____

No. 1286

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps.

38-

Received a registered* addressed to

_____ Date-Stamp

Initials of Receiving Officer _____ *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ Weight _____ (in words) _____ Kilo _____ Grams _____ Name and address of sender _____

No. 1287

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps.

38-

Received a registered* addressed to

_____ Date-Stamp

Initials of Receiving Officer _____ *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ Weight _____ (in words) _____ Kilo _____ Grams _____ Name and address of sender _____

No. 1288

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps.

38-

Received a registered* addressed to

_____ Date-Stamp

Initials of Receiving Officer _____ *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ Weight _____ (in words) _____ Kilo _____ Grams _____ Name and address of sender _____

ATTES TED

[Signature]



ACKNOWLEDGEMENT DUE CARD

22

نام مرحان اللہ شہباز می ایدر کید
پتہ FF-29، ٹاکی ضلع، بلوچستان
ڈاکخانہ تھیل تحصیل تھیل ضلع تھیل

پوسٹ کوڈ
(پوسٹ کوڈ گنتا نہ جو لے)



ACKNOWLEDGEMENT DUE CARD



نام مرحان اللہ شہباز می ایدر کید
پتہ FF-29، ٹاکی ضلع، بلوچستان
ڈاکخانہ تھیل تحصیل تھیل ضلع تھیل

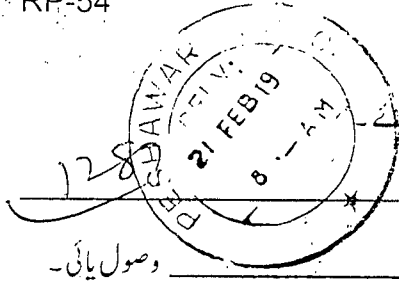
پوسٹ کوڈ
(پوسٹ کوڈ گنتا نہ جو لے)

ATTESTED

RP-54

سہ ماہ سنو بلا سیکرٹری بنام ڈائریکٹر ایجوکیشن

رجسٹری یا بیمہ بھیجنے والے کو پشت پر دیئے گئے پتہ پر واپس بھیجا جائے۔



☆ ایک رجسٹری نمبر _____

برائے (نام) _____ وصول پائی۔

● بیمہ کی مالیت _____ ● وزن (لفظوں میں) _____ گرام

تاریخ تقسیم

مکتوب الیہ کے دستخط

☆ یہاں "چھٹی" "پوسٹ کارڈ" "پیکٹ" یا "پارسل" جو چیز ہو تحریر کریں۔ بیمہ کی صورت میں لفظ "بیمہ" پہلے تحریر کریں۔
● صرف بیمہ کی صورت میں یہاں اندراج کیا جائے۔ بصورت دیگر کاٹ دیا جائے۔

قیمت: دس روپے -/Rs.10

RP-54

سہ ماہ سنو بلا سیکرٹری بنام سہ ماہ حسابہ رسید

رجسٹری یا بیمہ بھیجنے والے کو پشت پر دیئے گئے پتہ پر واپس بھیجا جائے۔

☆ ایک رجسٹری نمبر _____

برائے (نام) _____ وصول پائی۔

● بیمہ کی مالیت _____ ● وزن (لفظوں میں) _____ گرام

تاریخ تقسیم

لوررہا (۱)

مکتوب الیہ کے دستخط

☆ یہاں "چھٹی" "پوسٹ کارڈ" "پیکٹ" یا "پارسل" جو چیز ہو تحریر کریں۔ بیمہ کی صورت میں لفظ "بیمہ" پہلے تحریر کریں۔
● صرف بیمہ کی صورت میں یہاں اندراج کیا جائے۔ بصورت دیگر کاٹ دیا جائے۔

قیمت: دس روپے -/Rs.10

ATTESTED

قیمت 50 روپے	11330			
ایڈویکٹ: صرحان اللہ سہانتری اہارلڈ		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: 3153-11-2011				
رابطہ نمبر: 0321-917122				

بعدالت جناب: **روس ٹریبیونل KPK**

منجانب: سائل اہلوند	دعویٰ: اجراء
صماہ منورہ	علت نمبر:
بنام	مورخہ:
سیکرٹری ایجوکیشن	جرم:
	تھانہ:

بابت تحریر آئکہ

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

آن مقام **پشاور** کیلئے **صرحان اللہ سہانتری اہارلڈ** کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: **23 اپریل 2019**

مقام **پشاور** **گواہ شد** کے لیے منظور ہے۔

Accepted by.

صماہ منورہ لیب ایجوکیشن (BPS-I)، گورنمنٹ سہانتری اہارلڈ

"B"

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

No.

19/11/2018
Appeal No..... of 2018

Appellant/Petitioner

Versus

Respondent

Respondent No.....

Notice to:

Secretary, Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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..... 7 days..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

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

Day of..... 7..... 20 18

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

Appeal No. 11/14 of 2014

Appellant/Petitioner

Versus

Respondent

Respondent No.

Notice to:

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

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

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

Day of..... 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,
PESHAWAR.**

No. *190/1910*
Appeal No. *1114* of 20*13*.
1114-1116 Appellant/Petitioner
Versus
Secretary (F&SE) Peshawar Respondent
Respondent No. *2*

Notice to: *Secretary (F&SE) Peshawar*
Kirana Bhatt

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *4-7-2013* 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.

Appeal
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 *3rd*

Day of *June*, 20*13*.

g. y. p. s. notification report

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

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

"B"

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

E/Petitioner No. 190/19w
Appeal No. *1114* of 20 *13*
Mr. Muhammad Afzal Khan (NPS-I)
Appellant/Petitioner
vs
Director of Education, Peshawar
Respondent
Respondent No.

Notice to: *Mr. M. J. Khan, Peshawar*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *28-8-19w* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this *28*

Day of 20 *19w*

2/18

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

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

"B"

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

No. *190/191*
Appellant/Petitioner
Appeal No. *1114* of 20 *13*
Nersus
Respondent
Respondent No. *1*

Notice to: *Director, Department of Education, Peshawar*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *28-8-2019* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *28/8/19*.....

Day of.....20 ..

16/8
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

Appellant No. 1114 of 20
Appellant/Petitioner
Versus
Respondent
Respondent No.

Notice to:

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

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

Day of.....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,
PESHAWAR.

No. *190/1900*
Appeal No. *1114* of 20 *13*
Appellant/Petitioner
Versus
Respondent
Respondent No. *4*

Notice to:

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *23/3/19* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *29/3/19*.....

Day of.....20 ..

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

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

"B"

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

No.

Appeal No. 190/1911 of 2013

Appellant/Petitioner

Versus

Respondent

Respondent No.

Notice to:

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

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

Day of.....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.

Reminder-I

To

The Director of Education
FATA Peshawar.

Subject: **APPEAL NO.1114/2013 MST. MUNAWARA VS ACS FATA & OTHERS.**

Memo:

Reference this office letter No.01-2 Dated 07/01/2018 on the above cited subject. It is once again requested that The Khyber Pakhtunkhwa Service Tribunal Peshawar in a judgment vide Para No. 8 has decided to adjust Munawara as Lab Attendant w.e from the date of her appointment along with all consequential benefits. As no such post is lying vacant since her removal from service.

The undersigned is requested to guide her in this regard to compliance the court order well in time.



Principal
Govt: Girls Degree College Sadda

No. _____ Dated _____

Copy to:

1. Assistant Director Litigation FATA Peshawar.

Principal
Govt: Girls Degree College Sadda

h

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram District.
No. 103 / Dated 03/05 / 2018

To

The Director of Education
FATA Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

Memo:

Kindly refer to the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to adjust the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA & Others). The above lab Attendant was given charge on 19/3/2018. Now the said servant has submitted an application regarding to pay her the salaries along with arrears w.e.f 2009 which was her initial appointment. Due to the non availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e. f 04/02/2009).

Therefore it is requested to conduct an enquiry about the said official to proceed into the matter.



Principal
Govt: Girls Degree College
Sadda Kurram
n

To
The Director of Education
Merged Districts Peshawar.

Subject: **LEGAL NOTICE.**

Memo:

Reference Advocate High Court Mr. Farhan Ullah Shahbanzai legal Notice letter No. 17 of 2019 dated 18/2/2019, on the subject cited above and to state that Mst: Munawara Begum w/o Said Abbas Lab Attendant BPS-03 was reinstated as per verdict of the service Tribunal Peshawar on 02/11/2017 and her salary was released accordingly. Her salary was released w.e.f her reinstatement. However, she cannot be paid w.e.f 04/02/2009 as a vacant post in BPS-03 was not available. However your good self has been requested to get release her previous salary somewhere else against the vacant post in Tribal schools/colleges.

As salary can't be drawn without the availability of the vacant post as per rules.


Principal

Govt: Girls Degree College
District Kurram

No. _____ Dated _____

Copy to:

1. Mr Farhanullah Shahbanzai Advocate High Court
Office FF.29, 5th Floor, Bilour Plaza Peshwar.

Principal

Govt: Girls Degree College
District Kurram

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1740 /ST

Dated 14 / 10 / 2019

To


The Assistant Director, Directorate of Education,
Government of Khyber Pakhtunkhwa,
Warsak Road Peshawar.

SUBJECT: -

ORDER IN EXECUTION PETITION NO. 190/2019, MST. MUNAWARA.

I am directed to forward herewith a certified copy of order dated 25.09.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR,
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

"B"

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

S.B

No.

Appeal No. *1114/13 E.P. No 190* of 20 *19*

Mst. Munawara Appellant/Petitioner

Versus

the Secy Education Peshawar Respondent

Respondent No. *45*

Principal Govt. Girls Degree
College at Sadda, Kurram
Distt.

Recd

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....*25/11/2019*.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court. at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

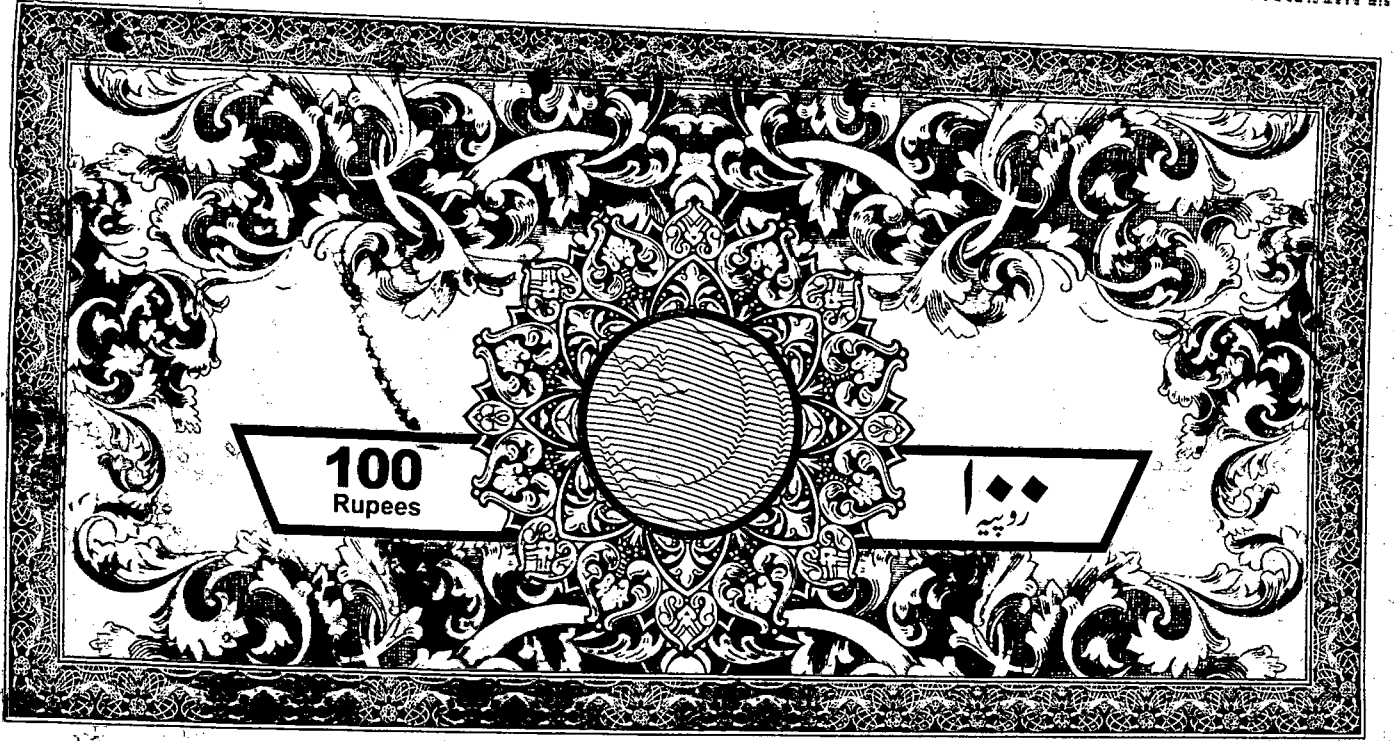
23th

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

Day of.....*October*.....20 *19*

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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



مختار نامہ

منکہ منورہ بیگم زوجہ سید عباس خان Lab Attendent گورنمنٹ گریڈنگ کالج صدہ لوہڑ کرم قوم شناختی کارڈ نمبر 6-21301-3348233-3 باہوش و خواص نمسہ بلا جبر و اکراہ غیرے کے مقرر ہوں بدین عرض کہ سروس ٹریبونل وغیرہ میں، بوجہ بیماری و کمزوری خود پیش ہونے سے قاصر ہوں اسلئے اپنے جانب سے محمد الطاف بنگش ولد سلطان محمد ساکن سخی احمد شاہ لوہڑ کرم حامل قومی شناختی کارڈ نمبر 7-21302-3556674 کو مکمل اختیار دیتی ہوں کہ میری طرف سے عدالت میں پیش ہو کر مقدمے میں حاضری اور بیروی کر کے جواب دعویٰ کرے اور دیگر متفرق درخواستوں پر دستخط کر کے انکی تصدیق کرے۔ بیان حلفی دے، خط و کتابت کرے یا عدالت میں میری طرف سے بیان دے، مقدمے میں وکیل مقرر کرے، گواہ اور ثبوت پیش کرے، نگرانی کر کے یا دیگر متفرق قسم کے پٹیشنرز حکام بالا، عدالت عالیہ اور سپریم کورٹ میں دائر کرے۔

العرض: مختیار موصوف جملہ کاروائی میں منفرداً مشترکہ حصہ لے مجھے قبول اور منظور ہے۔ مختیار نامہ لکھ دیا تاکہ سند رہے۔

اختیار دہندہ

منورہ بیگم زوجہ سید عباس خان

قوم علیشیر زئی پتہ میر مت خیل۔ حال صدہ لوہڑ کرم

CNIC-21301-3348233-6

رابطہ نمبر: 0307-5111447

0304-9654686

اختیار گیریندہ

محمد الطاف بنگش ولد سلطان محمد

قوم بنگش سکندہ سخی احمد شاہ لوہڑ کرم

CNIC-21302-3556674-7

رابطہ نمبر 0301-3237876

CNIC No = 21301-66081255

گواہ-1 سید علی الدین ولد سید عباس خان
قوم علیشیر زئی۔ حال صدہ لوہڑ کرم
پتہ میر مت خیل سندھ کرم

طیبت

03/12/2019

03/12/19
گواہ-2 عادل بادشاہ
ولد سید مسر جان قوم علیشیر زئی
محلہ صدر آباد لوہڑ کرم
21302-5817236-5

محمد الطاف بنگش

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 382-83ST

Dated 11 / 02 / 2020

To


1. The District Accounts Officer,
Government of Khyber Pakhtunkhwa,
District Kurram.
2. The Pirncipal GGDC,
Government of Khyber Pakhtunkhwa,
at Sadda, Kurram District.

SUBJECT: -

**ORDER REGARDING WARRANTS OF ATTACHMENT OF SALARY OF RESPONDENT
NO. 5 IN E.P NO. 190/2019, MST. MUNAWARA.**

I am directed to forward herewith certified copy of order dated 04.02.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1342-43 /ST

Dated 30-06 / 2020

To


1. The District Accounts Officer,
Government of Khyber Pakhtunkhwa,
District Kurram.
2. Mst. Saira Khatoon, Principal GGDC Sadda,
Government of Khyber Pakhtunkhwa,
District Kurram

Subject: -

ORDER REGARDING RELEASE OF SAIRA KHATOON, RESPONDENT NO. 5 IN EXECUTION
PETITION NO. 190/2019, MST. MUNSIF KURRAM.

I am directed to forward herewith a certified copy of order dated 19.03.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

Execution Petition No. 190-2019.

IN

Service Appeal No. 1114-2013

Mst. Munawara

VS

Mst. Abida Dilnasheen etc.

REPLY ON BEHALF OF RESPONDENT NO. 05

RESPECTFULLY SHEWETH:

It is stated that I have been working as Lecturer in History (BPS-17) and also performed the duty of (Incharge Principal) at GGDC Sadda Kurram District till 31/07/2019.

Due to arrival of the Principal I relinquish the charge of Incharge Principal and handed over the charge to the Principal on 1/08/2019 (**copy of the principal order & handed over charge is attached Annexure-A & B**).


It is also mentioned here that the letters was also forwarded to all concerned Departments to resolve the issue of the said official outstanding salaries (Account office, Govt: of Khyber Pakhtunkhwa & Accountant General, Khyber Pakhtunkhwa) & their sub-offices (copies of letters are attached as Annexure-C).

It is also worth to mention here that this matter is not relates to my personal capacity. The instant matter is relates to Principal office. So the charge of Principal office was relieved by me on 31/07/2019 and handed over to Mst: Saira Khatoon on 01/08/2019. Hence the salary attachment order is not base on facts.

It is, therefore, most humbly requested that on acceptance of this application the salary of the applicant may be released and the name of the applicant may also be deleted from the list of respondent.

i shall be very thankful to you for this act of kindness.

Yours Truly,

Signature 

Miss Abida Dilnasheen Lecturer in History
Govt: Girls Degree College Sadda Kurram District

Respondent No. 5

Sl. No.	NAME OF OFFICERS	RDW	IC
1	Ms. Salma Khatoon (BS-20)	Associate Professor of Urdu at GGDC, Mardan	vacant post
2	Ms. Aqsa Tabassum (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
3	Ms. Harida Farid (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
4	Ms. Huseina Javed (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
5	Ms. Tanzeem Begum (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
6	Ms. Hira Shafiq (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
7	Ms. Ghazala Yousof (BS-20)	Associate Professor of Urdu at GGDC, Bannu	vacant post
Adjustment			
8	Ms. Zeenat Rani (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
9	Ms. Zahid Shabbir (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
10	Ms. Tahar Ali (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
11	Ms. Shakir Taz (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
12	Ms. Salma Rehman (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
13	Ms. Humera Kamal (BS-19)	Associate Professor of Urdu at GGDC, Bannu	vacant post
14	Ms. Gul Naz (BS-20)	Professor at GFCW, Peshawar	vacant post
15	Ms. Safia Gul (BS-20)	Professor at GGDC, Peshawar	vacant post
16	Ms. Nadia Ashtari (BS-20)	Principal at GGDC, Peshawar	vacant post

NO. SOLE-1544-01-20223. Considered upon the recommendation of the Board of Officers, Government of Khyber Pakhtunkhwa, dated 20.05.2022. The following female officers are proposed for promotion to the post of Associate Professor in the following manner:

NOTIFICATION
ESTABLISHMENT DEPARTMENT
GOVERNMENT OF
KHYBER PAKHTUNKHWA



Certified that I Mst: Saira Khatoon have this day before/after noon taken over/relinquished charge of the office of post of Principal/ Professor in Urdu (BPS-20) with referent to the Order of the Government of Khyber Pakhtunkhwa Higher Education Notification No.SO(E-I)E &AO/9-88/2019 Dated 26/07/2019 to Mst: Saira Khatoon Principal/Professor in Urdu at GGDC Sadda Kurram District. She took over charge on 01/08/2019 A/N

2 Particulars of Cash and Important/Secret/Confidential document handed over/taken over are noted on the reverse.

Signature of relieved. vacant
Government Servant. _____
Designation _____

Station:
Sadda Kurram District.

Signature of Government
Servant receiving charge. [Signature]
Designation. Principal/Professor, in Urdu

Endst No. 190-96 Dated 03/08/2019

From
The Principal Govt: Girls Degree College
Sadda Kurram District.

To

- 1 Chief Secretary Government of Khyber Pakhtunkhwa
- 2 Secretary Higher Education Department Khyber Pakhtunkhwa Peshawar.
- 3 Director Higher Education Khyber Pakhtunkhwa Peshawar.
- 4 District Accounts Officer Concerned.
- 5 Principal Concerned.
- 6 Officer concerned.
- 7 Office file

Signature _____

Designation : Principal

To

1. The Finance Department Government of Khyber Pakhtunkhwa Peshawar.
2. The Accountant General, Government of Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer, Parachinar Dist: Kurram.
4. The Directorate Higher Education Khyber Pakhtunkhwa Peshawar.

Subject: **ORDER REGARDING WARRANTS OF ATTACHMENT OF SALARY OF RESPONDENT NO. 5 IN E.P NO.190/2019, MST, MUNAWARA.**

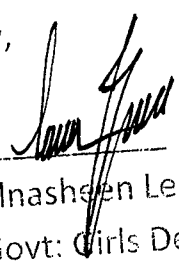
Memo:

Reference Khyber Pakhtunkhwa Service Tribunal Peshawar order letter No. 382-83/ST dated 11/02/2020 on the subject noted above. it is submitted for your kind information that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal Judgment vide Para No. 8 dated 02/11/2017 has decided to adjust the appellant (appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA & others). The above Lab Attendant was given charge on 19/03/2018. As the said servant has submitted a case against the respondent at Khyber Pakhtunkhwa Service Tribunal Peshawar in which she has demanded of all back benefit/salaries along with arrears w.e. 2009 which was her initial appointment. In this regard the undersigned informed the worthy Director of Higher Education by submitting a detailed letter repeatedly that due to the non-availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e.f 04/02/2009). Furthermore to redress the grievances of Mst. Munawaram, Mst: Bilques, Ex-Lab Attendant of this college was relieved from her post, but the Ex- Lab attendant was paid from 2009 to 2018. Hence it was not possible to draw dual salaries of one sanctioned post.

In this regard the undersigned requested to give the opinion in the instant matter according with rules and laws for quick disposal/for further process.

Yours Truly,

Signature


Miss Abida Dilnasheen Lecturer in History
Ex-Incharge Govt: Girls Degree College
Sadda Kurram District
Respondent No. 5

OFFICE OF THE PRINCIPAL GOVT: GIRLS DEGREE COLLEGE SADDA KURRAM AGENCY
No. 01-02 Dated 07/01/2018

The Director of Education
FATA Peshawar.

Subject: APPEAL NO 1114/2013 MST. MUNAWARA VS ACS FATA & OTHERS.

Re:

Kindly refer to the cited above subject. The Khyber Pakhtunkhwa Service Tribunal Peshawar in a judgment vide Para No.8 has decided to adjust Munawara as lab: Assistant w.e from the date of her appointment along with all consequential benefits. As no such post is lying vacant since her removal from service.

The undersigned is requested to guide her in this regard to compliance the court order well in time.



Principal

PRINCIPAL
Govt: Girls Degree College Sadda
Sadda Kurram Agency

_____ Dated _____

Copy to:

1. Assistant Director Litigation FATA Peshawar.



Principal

PRINCIPAL
Govt: Girls Degree College Sadda
Sadda Kurram Agency

o/c

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram Agency.
No. 93 /Dated 09/04/2018

The Director of Education
FATA Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

Memo:

Kindly refer to the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to grant the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA Others). The above lab Attendant was given charge on 19/3/2018. The initial salary w.e.f 04/02/2009 can't be drawn as there is no vacant/sanctioned post of class-IV to release the previous pay and other allowances of the said period. She was given charge on 19/03/2018 while relieving the respondent (Mst: Bilques Lab Att:) to implement the order of the court on her respective/own post.


Principal

Govt: Girls Degree College
Sadda Kurram Agency

OFFICE OF THE PRINCIPAL GOVT GIRLS DEGREE COLLEGE SADDA
/GGDC/Sadda No. 12-13 Dated 02/02/2018

Reminder-I

The Director of Education
FATA Peshawar.

Subject: APPEAL NO.1114/2013 MST. MUNAWARA VS ACS FATA & OTHERS.

Re:

Reference this office letter No.01-2 Dated 07/01/2018 on the above
subject. It is once again requested that The Khyber Pakhtunkhwa Service
Commission Peshawar in a judgment vide Para No. 8 has decided to adjust Munawara
Lab Assistant w.e from the date of her appointment along with all
sequential benefits. As no such post is lying vacant since her removal from
service.

The undersigned is requested to guide her in this regard to compliance the
court order well in time.



Principal

Govt: Girls Degree College Sadda
Govt: Girls Degree College Sadda
Sadda, FATA

_____ Dated _____

Copy to:

1. Assistant Director Litigation FATA Peshawar.


Principal

Govt: Girls Degree College Sadda
Govt: Girls Degree College Sadda
Sadda, FATA

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram Agency.
No. 03 /Dated 03/05/2018

The Director of Education
FATA Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

Info:

Kindly refer to the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to dismiss the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA Others). The above lab Attendant was given charge on 19/3/2018. Now the said respondent has submitted an application regarding to pay her the salaries along with arrears w.e.f 2009 which was her initial appointment. Due to the non availability of vacant post of Class-IV and deficiency of budget it is not possible for the respondent to pay of previous period (initial pay w.e. f 04/02/2009).

Therefore legal instructions are required as she took charge on 19/03/2018 while relieving the respondent (Mst: Bilques Lab Att:) to implement the order of the court on her respective/own post.



Principal
Govt: Girls Degree College
Sadda Kurram Agency



OFFICE OF THE Principal
Govt Girls Degree College Sadda Kurram Agency

No. 103 / Dated: 03/05/2018

The Agency Accounts

Officer Parachinar Kurram.

Subject: **REINSTATEMENT ORDER OF MUNAWARA BEGUM**

Re: mo:

Kindly refer to the above noted subject. It is submitted that Mst. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to restore the appellant with her initial appointment (Appeal No: 1114/2013 Mrs. Munawara Begum VS ACS FATA & Others) and Directorate of Education FATA reinstatement letter No. 3386 Dated 05/03/2018. The above lab Attendant was in charge on 19/3/2018. Due to the non availability of sanction/vacant post of class-IV the initial pay w.e.f 4/2/2009 can't be drawn. The above lab attendant is given charge on 19/03/2018.

Therefore to implement court order she has been reinstated.


Principal

Govt: Girls Degree College
Sadda Kurram Agency

B

Govt: Girls Degree College Sadda
Kurram District.
No. 212 /Dated 3/09/2019

To


The Director of Higher Education
Khyber Pakhtunkhwa Peshawar.

REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.

TO:

Kindly refer to the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed as per the Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided to grant the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS FATA Benchers). The above lab Attendant was given charge on 19/3/2018. Now the said attendant has submitted a case against the respondents at Khyber Pakhtunkhwa Labour Tribunal Peshawar in which she has demanded of all back benefits/salaries along with arrears w.e.f 2009 which was her initial appointment. The appeal/petition was fixed for hearing before the Tribunal on 28/08/2019 in which an order sheet was issued by the Chairman and it was clarified to implement the court order before next hearing to be held on 25/09/2019 positively. Due to non availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e. f 02/2009).

Therefore legal guidelines are required to resolve the issue of the said attendant to proceed into the matter.


For Principal
Govt: Girls Degree College
Sadda Kurram, 1

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram District.
No. _____/Dated: _____/2019

Reminder-2

To


The Director of Higher Education
Khyber Pakhtunkhwa Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

Re:

Kindly reference this office letter No 212 Dated 03/09/2019 and
No.254 Dated 12/10/2019 on the above noted subject. It is submitted that
Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed
by Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided
in favor of the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS
& Others). The above lab Attendant was given charge on 19/3/2018. Now
said servant has submitted a case against the respondents at Khyber
Pakhtunkhwa Service Tribunal Peshawar in which she has demanded of all back
pay/benefits/salaries along with arrears w.e.f 2009 which was her initial appointment.
The appeal/petition was fixed for hearing before the Tribunal on 28/08/2019 in
which order sheet was issued by the Chairman and it was clarified to implement
the court order before next hearing to be held on 25/09/2019 positively. Due to
non-availability of sanction/vacant post of Class-IV and deficiency of budget it
is not possible for the undersigned to pay of previous period (initial pay w.e.f
2/2009).

Therefore legal guidelines are required to resolve the issue of the said
matter to proceed into the matter.


For Principal
Govt: Girls Degree College
Sadda Kurram

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram District.
No. 254 / Dated 12/10/2019

Reminder

To


The Director of Higher Education
Khyber Pakhtunkhwa Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

no:

Kindly reference this office letter No 212 Dated 03/09/2019 on the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant -03 has been reinstated/reappointed as per Service Tribunal judgment vide No. 8 dated 02/11/2017 has decided to adjust the appellant (Appeal No. 4/2013 Mrs. Munawara Begum VS ACS FATA & Others). The above lab attendant was given charge on 19/3/2018. Now the said servant has submitted an appeal against the respondents at Khyber Pakhtunkhwa Service Tribunal Peshawar in which she has demanded of all back benefits/salaries along with arrears w.e.f 04/02/2009 which was her initial appointment. The appeal/petition was fixed for hearing before the Tribunal on 28/08/2019 in which order sheet was issued by the Tribunal and it was clarified to implement the court order before next hearing to be held on 25/09/2019 positively. Due to the non availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay arrears of previous period (initial pay w.e. f 04/02/2009).

Therefore legal guidelines are required to resolve the issue of the said appeal to proceed into the matter.

For

Principal
Govt: Girls Degree College
Sadda Kurram

OFFICE OF THE PRINCIPAL
Govt: Girls Degree College Sadda
Kurram District.
No. 269 / Dated 28/10/2019

Reminder-2

To

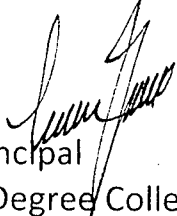
The Director of Higher Education
Khyber Pakhtunkhwa Peshawar.

Subject: **REINSTATEMENT/REAPPOINTMENT OF MUNAWARA BEGUM.**

Reference

Kindly reference this office letter No 212 Dated 03/09/2019 and letter No.254 Dated 12/10/2019 on the above noted subject. It is submitted that Mrs. Munawara Begum Lab. Attendant BPS-03 has been reinstated/reappointed after Service Tribunal judgment vide Para No. 8 dated 02/11/2017 has decided in favor of the appellant (Appeal No. 1114/2013 Mrs. Munawara Begum VS ACS A & Others). The above lab Attendant was given charge on 19/3/2018. Now the said servant has submitted a case against the respondents at Khyber Pakhtunkhwa Service Tribunal Peshawar in which she has demanded of all back benefits/salaries along with arrears w.e.f 2009 which was her initial appointment. The appeal/petition was fixed for hearing before the Tribunal on 28/08/2019 in which order sheet was issued by the Chairman and it was clarified to implement the court order before next hearing to be held on 25/09/2019 positively. Due to non-availability of sanction/vacant post of Class-IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e. f 12/2009).

Therefore legal guidelines are required to resolve the issue of the said matter in order to proceed into the matter.


Principal
Govt: Girls Degree College
Sadda Kurram

BEFORE THE KPK Service Tribunal, PESHAWAR.

Execution Petition No: 190/2019

IN

Appeal No. 1114/2013

Mst. Munawara

V/S

#- EDU Deptt..

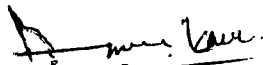
.....

APPLICATION FOR EXEMPTION FROM ATTENDANCE OF RESPONDENT NO.5 IN ABOVE MENTIONED EXECUTION DUE TO ILLNESS .

RESPECTFULLY SHEWETH:

1. That the above captioned Execution is fixed for implementation today.
2. That the respondent no:5 is ill due to covid-19 and not in position to attend the Hon'able Tribunal. So in interest of Justice the case may be fixed to some other date to meet the end of justice.
3. that it is worth to mentioned here that the respondent no.5 also fulfil her responsibility according to judgment. i.e prepared the bill and forwarded for sanctioning.
4. That due to the above reasons, the respondent no:5 may be exempted from attendance for today.

It is, therefore, most humbly prayed that on acceptance this application the appellants may be exempted from attendance.


Respondent No.5

THROUGH:


(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

LATIF MEMORIAL CLINIC BAFFA

لطیف میموریل کلینک بافہ

ڈاکٹر عتیق الرحمن
ایم بی بی ایس پشاور

Dr. Atiq-ur-Rehman
M.B.B.S. (Pesh)

PMDC No: 3130-N

Name:-----

Age:-----

Date: 14/7/20

To whom it may concern

Certified that I have examined
Mrs. Saira Khatoon at my clinic today.
She is suffering from fever, cough, bronchitis
and lethargic for the last 02 days.
She is advised medications and
complete bed rest alongwith taking
Plenty of fluids and using face mask
and social distancing for 02 weeks
w/ep today 14/7/20 till 28/7/20 (both
day including). This certificate is made
for court use..

DR. ATIQUUR RAHMAN
MBBS(Pesh)
PMDC # 3130-N
Latif Memorial Clinic Baffa

Dr. Atiqur Rehman
14/7/20

0301-5047123

03115864555

رابطہ

9 بجے تک
5 بجے تک

اللہ اکبر

OFFICE OF THE PRINCIPAL
GGDC SADDA KURRAM

NO.--159-63--Dated---13/07/2020---

To

The District Account Officer

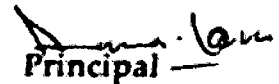
Parachinar District Kurram

Subject: Submission of Bill/Source 2 regarding arrears of Mst Munawara Lab Attendant

Memo:

Kindly refer to the above noted subject. it is stated for your kind information that Mst Munawara Begum Lab Attendant of this college has been reinstated/re appointed as per Service Tribunal Judgment vide para No 8 dated 0211/2017. The above official has not been drawn her previous pay/arrears w.e.f February 2009 till February 2018.

A detail of her pay along with arrears on source 2 w.e.f February 2009 to February 2018 is hereby submitted to release her previous pay to redress the grievances of the said official and implementation of court decision please.


Principal

Govt: Girls Degree College Sadda
District Kurram

Endst No.-----Dated-----

1. Service Tribunal Khyber Pakhtunkhwa Peshawar.
2. The Finance Department Government of Khyber Pakhtunkhwa Peshawar.
3. Accountant General Government of Khyber Pakhtunkhwa Peshawar.
3. Director Higher Education Khyber Pakhtunkhwa Peshawar.

Principal

Govt: Girls Degree College Sadda
District Kurram

Personal Number 50400824

Employee Name Munawara National ID GGDC Seelaha

Grade (Pay Scale Group) 01 BPS Lab Attendant

Salary Status start Stop

Inof Type	GENERAL DATA CHANGE				CHANGE IN PAYMENTS/ DEDUCTIONS							Effective Date	Remarks		
	Field ID	New Contents	Wage Type	Amount											
				Rupees			Paisa Adj								
		Adjustment	Pay	0001									Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate . 3:- Charge Report . 4:- Verified Document of Acadmic and professionnal. 5:- Service Book. 6:- Source One. 7:- Pay releaze Notification.		
			HRA	1000											
			Cov:A	1210											
			Medical	1300											
			Med: 16 to22	1947											
			Dress:A	1516											
			UAA	1528											
			Washing All	1567											
			AR 50%2010	1948											
			ARA-15% 2011	1970											
			ARA-20% 2012	2118											
			AR 10%2013	1865											
			AR 10% 2014	2152											
		Deduction	Adjustment of Pay for											Deduction Adjustment	
	3101-3022	GPF	Rs	3914	Basic Pay	5801	1	4	3	5	1	5	+	13280	GPF(6087) Rs.
	3701	BF	Rs	2040	HRA	5002	1	5	1	4	7	+	2465	EEF (6138) Rs.	
	3661	EEF	Rs	850	Conv:A	5011	3	0	3	4	5	+	4703		
					Medical	5012	2	5	5	0	0	-	2767	GIS (6154) Rs.	
					Dress At W.A	5026	1	7	0	0		277	Add:GIS(6155) Rs.		
					UAA	5102	1	0	8	3	6			Net Amount:RS:	
	3704	GIS E	Rs	986	50% 2010	5070	2	7	3	1	5	+			
	3711	Add:GIS	Rs		15% .	5898	1	0	9	9	5	+			
	Total				A.R 2013	5911		7	2	6	0	+			
					A.R 2015	5938		6	9	6	5	+			
					A.R 2016	6143		4	9	9	5	+			
						2122						+			
						2122						+			
					TOTAL										

Prepared By

Audited/ Checked by

Signed / Verified by

Munawara
Principal
 Govt: Girls Degree College
 Seelaha Tribal District Kurram

Personal Number 50400824

Employee Name Munawara

National ID Card Number

GGDC Sadda

Grade (Pay Scale Group) 03 BPS Lab Attendant

Salary Status start Stop

GENERAL DATA CHANGE					CHANGE IN PAYMENTS/ DEDUCTIONS					Effective Date	Remarks				
Inof Type	Field ID	New Contents			Wage Type	Amount			Paisa			Adj			
		Adjustment			Pay	0001						Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate . 3:- Charge Report . 4:- Verified Document of Acadmic and professional. 5:- Service Book. 6:- Source One. 7:- Pay releaze Notification.			
					HRA	1000									
					Cov.A	1210									
					Medical	1300									
					Med: 16 to22	1947									
					Dress:A	1516									
					UAA	1528									
					Washing All	1567									
					AR 50%2010	1948									
					ARA-15% 2011	1970									
					ARA-20% 2012	2118									
					AR 10%2013	1865									
					AR 10% 2014	2152									
		Deduction			Adjustment of Pay for								Deduction Adjustment		
	3101-3022	GPF	Rs	8078	Basic Pay	5801	1	7	2	0	9		5	+	13280
	3701	BF	Rs	1800	HRA	5002		1	3	7	7	3	+	2465	EEF (6138) Rs.
	3661	EEF	Rs	750	Conv:A	5011		2	6	7	7	5	+	4703	
		death Comp	Rs	2400	Medical	5012		2	2	5	0	0		2767	GIS (6154) Rs.
					Dress All W.A	5026			1	5	0	0		277	Add:GIS(6155) Rs.
					UAA	5102			9	4	3	2			Net Amount:RS:
	3704	GIS	Rs	870	A.R 50%	5070		1	1	3	4	0	+		
	3711	Add:GIS	Rs		A.R 20%	5898			2	3	3	6	+		
	Total				A.R 2013	5911			1	5	5	5	+		
					A.R 2016	5938		1	4	8	3	3	+		
					A.R 2017	6143			9	8	7	2	+		
						2122							+		
						2122							+		
					TOTAL										

Prepared By

Audited/ Checked by

Signed / Verified by

Munawara
Principal
 Govt: Girls Degree College
 Sadda Tribal District Kurram

	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015	AR 2016			SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/12/2016 to 30/6/2017	10315	891	100	648	1500	1620		1785				999				17858	274	120	58		50	17356
7 months	72205	6237	700	4536	10500	11340		12495				6993				125006	1918	840	406		350	121492
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015	AR 2016	AR2017		SDA	total	G.P	B.F	GIF	Deat	EEF	Net
w.e.f 1/7/2017 to 30/11/2017	12340	942	100	612	1500			1785	292	194		980	1234			19979	770	120	58	300	50	18681
5 months	61700	4710	500	3060	7500			8925	1460	970		4900	6170			99895	3850	600	290	####	250	93405
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015	AR 2016	AR2017		SDA	total	G.P	B.F	GIF	Deat	EEF	Net
w.e.f 1/12/2017 to 28/2/2018	12730	942	100	612	1500			1785	292	194		980	1234			20369	770	120	58	300	50	19071
5 months	38190	2826	300	1836	4500			5355	876	582		2940	3702			61107	2310	360	174	900	150	57213
																						1260640

Amber

Personal Number **50400824**

Employee Name **MUNAWARA**

National ID Card Number **GGDC Suddala**

Grade (Pay Scale Group) **01 BPS**

Lab Attendant

Salary Status start Stop

GENERAL DATA CHANGE				CHANGE IN PAYMENTS/ DEDUCTIONS				Effective Date	Remarks							
Inof Type	Field ID	New Contents	Wage Type	Amount												
				Rupees	Paisa	Adj										
		Adjustment	Pay	0001					Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate . 3:- Charge Report . 4:- Verified Document of Acadmic and professional. 5:- Service Book. 6:- Source One. 7:- Pay release Notification.							
			HRA	1000												
			Cov:A	1210												
			Medical	1300												
			Med: 16 to22	1947												
			Dress:A	1516												
			UAA	1528												
			Washing All	1567												
			AR 50%2010	1948												
			ARA-15% 2011	1970												
			ARA-20% 2012	2118												
			AR 10%2013	1865												
			AR 10% 2014	2152												
		Deduction	Adjustment of Pay for						Deduction Adjustment							
3101-3022	GPF	2668	Rs	2668	Basic Pay	5801	1	7	6	9	7	0		+	13280	GPF(6087) Rs.
3701	BF	2765	Rs	2765	HRA	5002		4	0	9	8	6		+	2465	EEF (6138) Rs.
3661	EEF	460	Rs	460	Conv:A	5011		1	4	4	5	0		+	4703	
					Medical	5012		3	1	5	0	0		-	2767	GIS (6154) Rs.
					Dress All (w.A)	5026			2	2	2	0			277	Add:GIS(6155) Rs.
					UAA	5102		1	6	3	3	8				Net Amount:RS:
3704	GIS		Rs		AR 50%..	5070		2	6	7	7	5		+		
3711	Add:GIS		Rs		15%.	5898			8	0	2	4		+		
Total				5893	SDA	5911			4	2	8	4		+		
						5938								+		
						6143								+		
						2122								+		
						2122								+		
					TOTAL											

Prepared By

Audited/ Checked by

Signed / Verified by

[Signature]
Principal
Govt: Girls Degree College
Sadda Tribal District Kurram

Pay and arrears of Mst Munawara Lab Attendant BPS-1 and upgraded at BPS-3 w.e.f 2/2009 to 2/2018 (GGDC Sadda District Kurram)

w.e.f 02/2009 to 30/11/2009	B.Pay	HRA	W.A	UAA	M.A								SDA	Total	B.F	GIF	EEF	Net
10 months	2970	891	30	75	500									4466	25	58	10	4373
Total	29700	8910	300	750	5000									44660	250	580	100	43730
																		0
w.e.f 12/2009 to 30/11/2010	B.Pay	HRA	W.A	UAA	M.A								SDA	Total	B.F	GIF	EEF	Net
12 months	3060	891	30	75	500									4556	25	58	10	4463
	36720	10692	360	900	6000									54672	300	696	120	53556
w.e.f 12/2010 to 30/6/2011	B.Pay	HRA	W.A	UAA	M.A								SDA	Total	B.F	GIF	EEF	Net
7 months	22050	6237	210	4284	3500								612	5795	25	58	10	5702
													4284	40565	175	406	70	39914
														0				0
														0				0
w.e.f 1/7/2011 to 30/11/2011	B.Pay	HRA	W.A	UAA	M.A	50%	15%	C.A					SDA	total	B.F	GIF	EEF	Net
5 months	5100	891	30	612	1000	1575	472	850						10530	120	58	10	10342
	25500	4455	150	3060	5000	7875	2360	4250						52650	600	290	50	51710
w.e.f 1/12/2011 to 30/11/2012	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A					SDA	total	B.F	GIF	EEF	Net
12 months	63000	10692	1200	7344	12000	18900	5664	10200						129000	1440	696	120	126744

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Personal Number 50400824

Employee Name Munawara National ID Card Number

GGDC Suddala

Grade (Pay Scale Group) 01 BPS Lab Attendant

Salary Status start Stop

GENERAL DATA CHANGE				CHANGE IN PAYMENTS/ DEDUCTIONS				Effective Date	Remarks				
Inof Type	Field ID	New Contents	Wage Type	Amount			Adj						
				Rupees	Paise								
		Adjustment	Pay	0001									
			HRA	1000									
			Cov:A	1210									
			Medical	1300									
			Med: 16 to22	1947									
			Dress:A	1516									
			UAA	1528									
			Washing All	1567									
			AR 50%2010	1948									
			ARA-15% 2011	1970									
			ARA-20% 2012	2118									
			AR 10%2013	1865									
			AR 10% 2014	2152									
		Deduction	Adjustment of Pay for										
3101-3022	GPF	Rs 4028	Basic Pay	5801	1	7	1	3	0	0	+	13280	GPF(6087) Rs.
3701	BF	Rs 3720	HRA	5002	2	7	6	2	11		+	2465	EEF (6138) Rs.
3661	EEF	Rs 310	Conv:A	5011	5	0	3	0	0		+	4703	
			Medical	5012	3	1	0	0	0			2767	GIS (6154) Rs.
			Dress-All W.A	5026		3	1	0	0			277	Add:GIS(6155) Rs.
			UAA	5102	1	8	9	7	2				Net Amount:RS:
3704	GIS F	Rs 1798	5011-2018	5070	5	0	2	2	0		+		
3711	Add:GIS	Rs	1511	5898	1	5	0	6	6		+		
Total			A.R 2012	5911	3	4	2	6	0		+		
				5938							+		
				6143							+		
				2122							+		
				2122							+		
			TOTAL										

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Principal
Girls Degree College

	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012					SDA	total		B.F	GIF		EEF	Net
w.e.f 1/12/2012 to 30/11/2013	5400	891	100	612	1000	1620	486	1500	1080						12689		120	58		10	12501
12 months	64800	10692	1200	7344	12000	19440	5832	18000	12960						152268		1440	696		120	150012
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012					SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/12/2013 to 30/11/2014	5550	891	100	612	1000	1620	486	1700	1110						13069	212	120	58		10	12679
12 months	66600	10692	1200	7344	12000	19440	5832	20400	13320						156828	2544	1440	696		120	152148
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013				SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/12/2014 to 30/6/2015	5700	891	100	612	1000	1620	486	1700	1140	570					13819	212	120	58		10	13419
7 months	39900	6237	700	4284	7000	11340	3402	11900	7980	3990					96733	1484	840	406		70	93933

Amber
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VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP Service Tribunal, Peshawar

Msts Munawara (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Edu Dept (Respondent)
(Defendant)

I/We, Respondent No. 5 (Principal GGDC SADA Dist Kohat)

Do hereby appoint and constitute **SYED NOMAN ALI BUKHARI Advocate High Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

S. Munawara
(CLIENT)

AS
ACCEPTED

Syed Noman Ali Bukhari
Advocate High Court

GGDC SADDA KURRAM

NO ~~185~~-89 Dated 08/08/2020

To

1. The Finance Department Government of Khyber Pakhtunkhwa Peshawar
2. The Accountant General Government of Khyber Pakhtunkhwa Peshawar
3. District Account Officer, Parachinar District Kurram
4. The Directorate Higher Education Khyber Pakhtunkhwa Peshawar

Subject: Creation of Supernumerary Post for redressal of grievances of Lab Attendance Mst Munawara in compliance of Service tribunal Judgment dated 02/11/2017 in appeal No:1114/2013 and order sheet dated 21/07/2020 in execution petition No 190/2019

Memo:

Reference Khyber Pakhtunkhwa Service Tribunal Peshawar order letter No. 382-83/ST dated 11/02/2020 on the subject noted above it is submitted for your kind information that Mrs. Munawara Begum Lab Attendant BPS 03 has been reinstated / reappointed as per Services Tribunal Judgment vide para No Dated 02/11/2017 has decide to adjust the appellant (Appeal No 1114/2013 Mrs Munawara Begum VS ACS FATA & Others). The above Lab Attendant was given charge on 19/03/2018. As the said servant has submitted a case against respondent at Khyber PakhtoonKhwa Services Tribunal Peshawar in which she has demanded of all back benefits/salaries along with arrears w-e-f 2009 which was her initial appointment. In this regard the undersigned informed the worthy Director of Higher Education by submitting a detailed letter repeatedly that due to the non-availability of sanction/vacant post of class IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e.f 04/02/2009). Furthermore to redress the grievances of Mst Munawara, Mst Bilquest. Ex Lab Attendant of this college was relieved from her post, but the Ex Lab Attendant was paid from 2009 to 2018. Hence it was not possible to draw dual salaries of one sanctioned post. Therefore, it was requested that may kindly be create supernumerary post for redressal of grievances of Lab Attendant Mst Munawara in compliance of Services tribunal Judgment dated 02/11/2017 in appeal No:1114/2013 and order sheet dated 21/07/2020 in execution petition No 190/2019. And to avoid contempt of court proceeding.

Further it is added that the undersigned already sent bill to concerned District Account officer for releasing of arrear in respect of Mst Munawara which was for sanctioned returned with objection that the pay was already drawn from the said post and request from the competent authority. Therefore, it is necessary to create Supernumerary post for Mst Munawara and sanction for the same to redressed the same grievances of Lab Attendant Mst Munawara in compliance of Services Tribunal judgment.

Your Truly,

Signature 

Mst Saira Khatoon

Principal GGDC Sadda District Kurram

Being T. No: 125, 127, and 128 dt. 20-07-2020 are returned unpaid with the remarks that pay of Form Lab: attendants already drawn against the same post w/d: 30-06-2012 to 28-02-2018. Therefore proper sanction for adjustment in vacant post may be obtained from competent authority for this purpose.

Personal Number: 50400824

Employee Name: Munawara National ID Card Number

GGDC Saddle

Grade (Pay Scale Group): 01 BPS Lab Attendant

Salary Status: start Stop

137
20/7/20

GENERAL DATA CHANGE				CHANGE IN PAYMENTS/ DEDUCTIONS				Effective Date	Remarks				
Ingr. Type	Field ID	New Contents	Wage Type	Amount			Rupees			Paisa	Adj		
		Adjustment	Pay	0001									Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate 3:- Charge Report 4:- Verified Document of Acadmic and professional. 5:- Service Book. 6:- Source One. 7:- Pay release Notification.
			HRA	1000									
			Cov.A	1210									
			Medical	1300									
			Med: 16 to22	1947									
			Dress:A	1516									
			UAA	1528									
			Washing All	1567									
			AR 50%2010	1948									
			ARA-15% 2011	1970									
			ARA-20% 2012	2118									
			AR 10%2013	1865									
			AR 10% 2014	2152									
Deduction				Adjustment of Pay for				Deduction Adjustment					
3101-3022	GPI	Rs 4028	Basic Pay	5801	1	7	1	3	0	0	+	13280	GPF(6087) Rs.
3701	BF	Rs 3720	HRA	5002	2	7	6	2	1		+	2465	EEF (6138) Rs.
3661	EEF	Rs 310	Conv:A	5011	5	0	3	0	0		+	4703	
			Medical	5012	3	1	0	0	0			2767	GIS (6154) Rs.
			Dress All W.A	5026		3	1	0	0			277	Add:GIS(6155) Rs.
			UAA	5102	1	8	9	7	2				Net Amount:RS
3704	GIS	Rs 1798	50% 2010	5070	5	0	2	2	0		+		
3711	Add:GIS	Rs	15%	5898	1	5	0	6	6		+		
Total			A.R 2012	5911	3	4	2	6	0		+		
				5938							+		
				6143							+		
				2122							+		
				2122							+		
TOTAL													

Prepared By

Audited/ Checked by

Signed / Verified by

Principal
Govt: Girls Degree College
Kumaon Tribal District Kumaon

	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012					SDA	total		B.F	GIF		EEF	Net	
w.e.f 1/12/2012 to 30/11/2013	5400	891	100	612	1000	1620	486	1500	1080						12689		120	58		10	12501	
12 months	64800	10692	1200	7344	12000	19440	5832	18000	12960						152268		1440	696		120	150012	
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012					SDA	total	G.P	B.F	GIF		EEF	Net	
w.e.f 1/12/2013 to 30/11/2014	5550	891	100	612	1000	1620	486	1700	1110						13069	212	120	58		10	12679	
12 months	66600	10692	1200	7344	12000	19440	5832	20400	13320						156828	2544	1440	696		120	152148	
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013				SDA	total	G.P	B.F	GIF		EEF	Net	
w.e.f 1/12/2014 to 30/6/2015	5700	891	100	612	1000	1620	486	1700	1140	570					13819	212	120	58		10	13419	
7 months	39900	6237	700	4284	7000	11340	3402	11900	7980	3990					96733	1484	840	406		70	93933	

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Number 20100001

Name MUNAWARA

National ID

Card Number

Grade (Pay

01

BPS

Lab Attendant

Salary

Status

start

Stop

(126) -
20/7/20

GENERAL DATA CHANGE				CHANGE IN PAYMENTS/ DEDUCTIONS						Effective Date	Remarks				
Inof Type	Field ID	New Contents	Wage Type	Amount											
				Rupees		Paisa		Adj							
		Adjustment	Pay	0001							Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate . 3:- Charge Report . 4:- Verified Document of Acadmic and professionál. 5:- Service Book. 6:- Source One. 7:- Pay release Notification.				
			HRA	1000											
			Cov:A	1210											
			Medical	1300											
			Med: 16 to22	1947											
			Dress:A	1516											
			UAA	1528											
			Washing All	1567											
			AR 50%2010	1948											
			ARA-15% 2011	1970											
			ARA-20% 2012	2118											
			AR 10%2013	1865											
			AR 10% 2014	2152											
		Deduction	Adjustment of Pay for							Deduction Adjustment					
	3101-3022	GPF 2	Rs	2668	Basic Pay	5801	1	7	6	9	7	0	+	13280	GPF(6087) Rs.
	3701	BF	Rs	2765	HRA	5002		4	0	9	8	6	+	2465	EEF (6138) Rs.
	3661	EEF	Rs	460	Conv:A	5011		1	4	4	5	0	+	4703	
					Medical	5012		3	1	5	0	0		2767	GIS (6154) Rs.
					Dress All W.A	5026			2	2	2	0		277	Add:GIS(6155) Rs.
					UAA	5102		1	6	3	3	8			Net Amount:RS:
	3704	GIS	Rs		AR 50%	5070		2	6	7	7	5	+		
	3711	Add:GIS	Rs		15%	5898			8	0	2	4	+		
	Total			5893	SDA	5911			4	2	8	4	+		
						5938							+		
						6143							+		
						2122							+		
						2122							+		
					TOTAL										

Prepared By

Audited/ Checked by

Signed / Verified by

[Signature]
Principal
Govt: Girls Degree College
Kardla Tribal District Kurran

11/

Pay and arrears of Mst Munawara Lab Attendant BPS-1 and upgraded at BPS-3 w.e.f 2/2009 to 2/2018 (GGDC Sadda District Kurram)

w.e.f 02/2009 to 30/11/2009	B.Pay	HRA	W.A	UAA	M.A									SDA	Total		B.F	GIF		EEF	Net
10 months	2970	891	30	75	500										4466		25	58		10	4373
Total	29700	8910	300	750	5000										44660		250	580		100	43730
																					0
w.e.f 12/2009 to 30/11/2010	B.Pay	HRA	W.A	UAA	M.A									SDA	Total		B.F	GIF		EEF	Net
12 months	3060	891	30	75	500										4556		25	58		10	4463
	36720	10692	360	900	6000										54672		300	696		120	53556
w.e.f 12/2010 to 30/6/2011	B.Pay	HRA	W.A	UAA	M.A									SDA	Total		B.F	GIF		EEF	Net
7 months	3150	891	30	612	500									612	5795		25	58		10	5702
	22050	6237	210	4284	3500									4284	40565		175	406		70	39914
															0						0
															0						0
w.e.f 1/7/2011 to 30/11/2011	B.Pay	HRA	W.A	UAA	M.A	50%	15%	C.A						SDA	total		B.F	GIF		EEF	Net
5 months	5100	891	30	612	1000	1575	472	850							10530		120	58		10	10342
	25500	4455	150	3060	5000	7875	2360	4250							52650		600	290		50	51710
w.e.f 1/12/2011 to 30/11/2012	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A						SDA	total		B.F	GIF		EEF	Net
12 months	5250	891	100	612	1000	1575	472	850							10750		120	58		10	10562
	63000	10692	1200	7344	12000	18900	5664	10200							129000		1440	696		120	126744

Munawara
5

NUMBER

NAME

NATIONAL ID

Card Number

Grade (Pay Scale Group)

BPS

Lab Attendant

Salary Status

start

Stop

128
20/7/2018

Inof Type	GENERAL DATA CHANGE			CHANGE IN PAYMENTS/ DEDUCTIONS				Effective Date	Remarks					
	Field ID	New Contents	Wage Type	Amount										
				Rupees	Paisa	Adj								
	Adjustment		Pay 0001						Arearer of pay & allownces appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate 3:- Charge Report 4:- Verified Document of Acadmic and professionai. 5:- Service Book. 6:- Source One. 7:- Pay release Notification.					
			HRA 1000											
			Cov:A 1210											
			Medical 1300											
			Med: 16 to22 1947											
			Dress:A 1516											
			UAA 1528											
			Washing All 1567											
			AR 50%2010 1948											
			ARA-15% 2011 1970											
			ARA-20% 2012 2118											
			AR 10%2013 1865											
			AR 10% 2014 2152											
	Deduction			Adjustment of Pay for						Deduction Adjustment				
	3101-3022	GPF	Rs 3914	Basic Pay 5801	1	4	3	5		1	5	+	13280	GPF(6087) Rs.
	3701	BF	Rs 2040	HRA 5002		1	5	1	4	7	+	2465	EEF (6138) Rs.	
	3661	EEF	Rs 850	Conv:A 5011		3	0	3	4	5	+	4703		
				Medical 5012		2	5	5	0	0		2767	GIS (6154) Rs.	
				Dress W.A 5026			1	7	0	0		277	Add:GIS(6155) Rs.	
				UAA 5102			1	0	8	3	6			Net Amount:RS:
	3704	GIS	Rs 986	50% 2010 5070		2	7	3	1	5	+			
	3711	Add:GIS		15% 5898		1	0	9	9	5	+			
	Total			A.R 2013 5911			7	2	6	0	+			
				A.R 2015 5938			6	9	6	5	+			
				A.R 2016 6143			4	9	9	5	+			
				2122							+			
				2122							+			
				TOTAL							+			

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Principal
Govt. Girls Degree College
Tribal District

N

	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015				SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/7/2015 to 30/11/2015	7380	891	100	612	1500	1575	855	1785		570	553					15821	212	120	58		50	15381
5 months	36900	4455	500	3060	7500	7875	4275	8925		2850	2765					79105	1060	600	290		250	76905
scale upgraded bps 3 w.e.f 1/12/2015 to 30/6/2016	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015				SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/12/2015 to 30/6/2016	8095	891	100	648	1500	1620	960	1785		630	600					16829	212	120	58		50	16389
7 months	56665	6237	700	4536	10500	11340	6720	12495		4410	4200					117803	1484	840	406		350	114723
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2012	2013	A.R 2015	AR 2016			SDA	total	G.P	B.F	GIF		EEF	Net
w.e.f 1/7/2016 to 30/11/2016	9990	891	100	648	1500	1620		1785				999				17533	274	120	58		50	17031
5 months	49950	4455	500	3240	7500	8100		8925				4995				87665	1370	600	290		250	85155

Personal Number 50400824

Employee Name Munawara

National ID Card Number G7DC Sadus

Grade (Pay Scale Group) 03 BPS Lab Attendant

Salary Status start Stop

Token No: 125
Date: 20/7/20

Inof Type	GENERAL DATA CHANGE		Wage Type	CHANGE IN PAYMENTS/ DEDUCTIONS				Effective Date	Remarks						
	Field ID	New Contents		Amount											
				Rupees	Paisa	Adj									
		Adjustment	Pay	0001					Arrear of pay & allowances appointed with effect from Encloser 1:- Appointment letter 2:- Medical certificate 3:- Charge Report 4:- Verified Document of Academic and professional. 5:- Service Book. 6:- Source One. 7:- Pay release Notification.						
			HRA	1000											
			Cov:A	1210											
			Medical	1300											
			Med: 16 to22	1947											
			Dress:A	1516											
			UAA	1528											
			Washing All	1567											
			AR 50%2010	1948											
			ARA-15% 2011	1970											
			ARA-20% 2012	2118											
			AR 10%2013	1865											
			AR 10% 2014	2152											
		Deduction	Adjustment of Pay for												
	3101-3022	GPF	Rs 8078	Basic Pay	5801	1	7	2	0	9	5		+	13280	GPF(6087) Rs.
	3701	BF	Rs 1800	HRA	5002		1	3	7	7	3		+	2465	EEF (6138) Rs.
	3661	EEF	Rs 750	Conv:A	5011		2	6	7	7	5		+	4703	
		death Comp	2400	Medical	5012		2	2	5	0	0			2767	GIS (6154) Rs.
				Dress All W.A	5026		1	5	0	0				277	Add:GIS(6155) Rs.
				UAA	5102		9	4	3	2					Net Amount:RS:
	3704	GIS	Rs 870	A.R 50%	5070		1	1	3	4	0		+		
	3711	Add:GIS		A.R 20	5898		2	3	3	6			+		
	Total			A.R 2013	5911		1	5	5	2			+		
				A.R 2016	5938		1	4	8	3	3		+		
				A.R 2017	6143		9	8	7	2			+		
					2122								+		
					2122								+		
				TOTAL											

Bearing T. NO: 125, 127, 128 date. 20/7/20
returned Unpassed with the remarks
that pay of Four Lab attendants
only

Prepared By

Audited/ Checked by

Signed / Verified by

[Signature]
Principal
Govt: Girls Degree College
Kada Tribal District Kurma

	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2015	2013	A.R 2015	AR 2016			SDA	total	G.P	B.F	GIF		EEF	Net	
w.e.f 1/12/2016 to 30/6/2017	10315	891	100	648	1500	1620		1785				999				17858	274	120	58		50	17356	
7 months	72205	6237	700	4536	10500	11340		12495				6993				125000	1918	840	406		350	121492	
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2015	2013	A.R 2015	AR 2016	AR2017		SDA	total	G.P	B.F	GIF	Deat	EEF	Net	
w.e.f 1/7/2017 to 30/11/2017	12340	942	100	612	1500			1785	292	194		980	1234			19979	770	120	58	300	50	18681	
5 months	61700	4710	500	3060	7500			8925	1460	970		4900	6170			99895	3850	600	290	1500 ####	250	93405	
	B.Pay	HRA	W.A	UAA	M.A	0.5	0.15	C.A	A.R 2015	2013	A.R 2015	AR 2016	AR2017		SDA	total	G.P	B.F	GIF	Deat	EEF	Net	
w.e.f 1/12/2017 to 28/2/2018	12730	942	100	612	1500			1785	292	194		980	1234			20369	770	120	58	300	50	19071	
3 months	38190	2826	300	1836	4500			5355	876	582		2940	3702			61107	2310	360	174	900	150	57213	
																							1260640

Amber

REMINDER 1

To

1. The Finance Department Government of Khyber Pakhtunkhwa Peshawar
2. The Accountant General Government of Khyber Pakhtunkhwa Peshawar
3. District Account Officer, Parachinar District Kurram
4. The Directorate Higher Education Khyber Pakhtunkhwa Peshawar

Subject: Creation of Supernumerary Post for redressal of grievances of Lab Attendance Mst Munawara in compliance of Service tribunal Judgment dated 02/11/2017 in appeal No:1114/2013 and order sheet dated 21/07/2020 in execution petition No 190/2019

Memo:

Reference Khyber Pakhtunkhwa Service Tribunal Peshawar order letter No. 382-83/ST dated 11/02/2020 on the subject noted above it is submitted for your kind information that Mrs. Munawara Begum Lab Attendant BPS 03 has been reinstated / reappointed as per Services Tribunal Judgment vide para No Dated 02/11/2017 has decide to adjust the appellant (Appeal No 1114/2013 Mrs Munawara Begum VS ACS FATA & Others). The above Lab Attendant was given charge on 19/03/2018. As the said servant has submitted a case against respondent at Khyber PakhtoonKhwa Services Tribunal Peshawar in which she has demanded of all back benefits/salaries along with arrears w-e-f 2009 which was her initial appointment. In this regard the undersigned informed the worthy Director of Higher Education by submitting a detailed letter repeatedly that due to the non-availability of sanction/vacant post of class IV and deficiency of budget it is not possible for the undersigned to pay of previous period (initial pay w.e.f 04/02/2009). Furthermore to redress the grievances of Mst Munawara, Mst Bilquest. Ex Lab Attendant of this college was relieved from her post, but the Ex Lab Attendant was paid from 2009 to 2018. Hence it was not possible to draw dual salaries of one sanctioned post. Therefore, it was requested that may kindly be create supernumerary post for redressal of grievances of Lab Attendant Mst. Munawara in compliance of Services tribunal Judgment dated 02/11/2017 in appeal No:1114/2013and order sheet dated 21/07/2020 in execution petition No 190/2019.And to avoid contempt of court proceeding.

Further it is added that the undersigned already sent bill to concerned District Account officer for releasing of arrear in respect of Mst Munawara which was for sanctioned returned with objection that the pay was already drawn from the said post and request from the competent authority. Therefore, it is necessary to create Supernumerary post for Mst Munawara and sanction for the same to redressed the same grievances of Lab Attendant Mst Munawara in compliance of Services Tribunal judgment.

Your Truly,

Signature

Mst Saira Khatoon

Principal GGDC Sadda District Kurram

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 182 /ST

Dated 27/01/2021

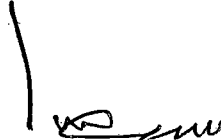
To

The District Education Officer,
Government of Khyber Pakhtunkhwa,
At Satta District Kurram.

SUBJECT: - ORDER IN EXECUTION PETITION NO. 190/2019, MST. MUNAWARA.

I am directed to forward herewith a certified copy of order dated 19.01.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

**MOST IMMEDIATE
COURT MATTER**

**NO.SO (LIT-II)/FD/2-1967/2018.
Dated Peshawar the, 21/12/2020.**

To,

The Special Secretary-II
Northern Merged Area,
Finance Department.

Subject: **REQUEST FOR IMPLEMENTATION OF SERVICE TRIBUNAL JUDGMENT DATED
02.11.2017.**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith photocopies of Service Appeal No. 1114/2013 preferred by Mst. Munawara, Lab Attendant (BPS-01), Government Girls Degree College Kurram Agency alongwith Joint Parawise Comments and letter of Principal GGDC Sadda District Kurram with request that since subject matter relates to the then FATA locality which is now run under the Administrative control of Merged Area Finance Department.

The Finance Department has actively attended since the case was filed before Service Tribunal, Khyber Pakhtunkhwa.

The short history of the case is that the appellant Mst. Munawara was appointed as Lab Attendant (BPS-01) on 01.09.2009 at GGDC Sadda Kurram on makeshift basis her services were regularized on 04.02.2009, but appellant was disallowed to serve against regular assignment during the period of litigation the post occupied by appellant was filled with appointment of Mst. Bilqais (Lab Attendant) Service Tribunal judgment dated the respondent were directed to release all dues in favour of appellant w.e.f. 2009 to 2018. During this period Mst. Bilqais was drawing salary without any interruption so technical it is impossible to draw salary from said post in respect of appellant Mst. Munawara.

In view of the foregoing paras it is humbly requested that concrete steps regarding obligation of Service Tribunal judgment dated 02.11.2017 may kindly be initiated so same could be produced during next date of hearing i.e.. ~~30-04-2021~~ please.

19-1-2021

Priority is requested being court matter.

Yours faithfully


SECTION OFFICER (LIT-II)

Endst: of No. & date even.

Copy to:

1. The Additional Advocate General, Khyber Pakhtunkhwa, Service Tribunal Peshawar.


SECTION OFFICER (LIT-II)



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI NEAR CHAMKANI MOR, PESHAWAR**

E-mail:- dhekpkesh@gmail.com Facebook.com/dhekpkeshawar Twitter.com/dhekpkeshawar1

No. 4493 / CA-VII/Estt. Branch/A-167/Munawara Begum EP 190/2019

Dated Peshawar the 25/8 /2021

To

The Secretary,
Higher Education Department,
Khyber Pakhtunkhwa, Peshawar.

Subject: - EP NO. 190/2019 IN SA NO. 1114/2013 MUNAWARA BEGUM VS GOVT OF KPK

Respected Sir,

I am directed to refer to the subject noted above and to enclose herewith Khyber Pakhtunkhwa Service Tribunal order dated 04-08-2021 wherein it has been directed to create supernumerary post for the above stated lady for payment of her arrears w.e.f 2009. Brief in the matter is detailed below;

- i. Mst. Munawara Begum was engaged in college out of pupil fund in 2003 (copy enclosed)
Annexure-I.
- ii. Latter on when a post of Lab attendant was created, Mst. Balqees was appointed against the same by the recommendation of the Political Agent Kurram w.e.f 09-09-2009 (copy enclosed)
Annexure-II.
- iii. Aggrieved of the decision, Mst. Munawara Begum filed appeal in Khyber Pakhtunkhwa Service Tribunal which was decided in her favor, as during the proceedings, it was established that on 04-02-2009 her appointment against the post of Lab Attendant was made, but due to unknown reasons it was held in abeyance, which was subsequently restored on 31-05-2010, but not implemented, hence owing to the facts narrated above, honorable Court issued order of her adjustment against the post of Lab Attendant with all consequential benefits on 02-11-2017 **Annexure-III.**
- iv. In light of above mentioned facts, Mst. Munawara Begum was given charge against the post of Lab Attendant on 19-03-2021 by relieving Mst. Balqees who was working against the said post. However, her arrears for the period from 04-02-2009 to 18-03-2021 were not paid due to the fact that salary was already drawn by Mst. Balqees in that period.

Foregoing in view, in order to implement the Service Tribunal judgement in letter & spirit, creation of supernumerary post of Lab Attendant at the strength of Govt: Girls Degree College, Sadda Kurram for the period 04-02-2009 to 18-03-2021 is deem required and for the purpose it is requested to take up the matter with Finance Department for creation of the post so that the same may be presented in the next hearing scheduled on 15-09-2021, please.

Note: THE CASE MAY BE TREATED AS MOST URGENT BEING COURT MATTER

(Khawaja M. Saqib)

ASSISTANT DIRECTOR (GENERAL)

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No: 1658-59/ST Dated: 10/06/2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

To,

- 1 Chief Secretary, Govt. Of Khyber Pakhtunkhwa, Peshawar.
- 2 Secretary Education, Govt. Of Khyber Pakhtunkhwa, Peshawar.

Subject: ORDER IN EXECUTION PETITION NO.190/2019 OF Mst. MUNAWARA VS EDUCATION.

I am directed to forward herewith a certified copy of Order dated 25.05.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.


(WASEEM AKHTAR)

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

No: 2045-46/ST Dated: 17/06/2022

To,

- 1 The Accountant General,
Government of Khyber Pakhtunkhwa,
Peshawar.
- 2 District Account Officer, Sadda Kurram District.

Subject: SALARY ATTACHMENT IN EXECUTION PETITION NO. 190/2019 IN CASE TITLE Mst. MUNAWARA VS GOVT. OF KHYBER PAKHYUNKHWA THROUGH SECRETARY EDUCATION (E &SE), PESHAWAR

I am directed to forward herewith a certified copy of Order dated 25.05.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.


(WASEEMAKHTAR)

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

No: 2548 /STP Dated: 12/09 /2022

To:

The Accountant General,
Khyber Pakhtunkhwa.

Subject:-

**SALARY ATTACHMENT OF THE SECRETAY ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT TILL SUBMISSION OF IMPLEMENTATION IN
CASE TITLE MUNAWARA VS EDUCATION DEPARTMENT IN EXECUTION
PETITION NO. 190/19**

I am directed to forward herewith a certified copy of order dated 11-08-2022 passed by this Tribunal on the above subject for compliance.



REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp>

[facebook.com/GokPFD](https://www.facebook.com/GokPFD)

twitter.com/GokPFD

No.KC.SO(F-II)FD/FDAW.P.No.3937-P/2018/Munawara

Dated: 02.09.2022

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Higher Education Department,
Peshawar.

Subject: - **REQUEST FOR IMPLEMENTATION OF SERVICE TRIBUNAL JUDGEMENT
DATED 02.11.2017.**

Dear Sir,

I am directed to refer to this Department letter of even number dated 03.06.2022, and subsequent reminders dated 20.06.2022, 29.07.2022 and a meeting held on 15.08.2022 on the subject issue and to state that Scrutiny Committee in Law Department has already declared the case fit for CPLA vide letter No.SOL/DG/Law/9-12/(13)/HE/2022/3745 dated 29.06.2022. Moreover, departmental inquiry in the matter is also under process in Higher Education Department to fix responsibility, hence no direct action on the part of Finance Department is involved at this stage.

2. The case may be vigorously pursued by the department in the court of law and any action required on our part may be taken up with Finance Department in light of the court judgement.

3. The matter may please be treated as most urgent being court matter.

Your's faithfully

(Savindar Kumar)
Budget Officer (NMD-II)

Endst: No. & date even.

Copy forwarded to:

1. PA to Additional Secretary-I, Finance Department.
2. Section Officer (Lit-II) Finance Department.
3. AD-V (FMIU) with complaint Reference No.FMIU/FD/PCP/Complaint/2022/KP210921-89095442 dated 19-07-2022 on Citizen Portal.
4. Master File.

Budget Officer (NMD-II)

Supt

3/2/9/2022

[Signature]
Budget Officer (NMD-II)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

PROFORMA FOR EARLY HEARING

FORM 'A'



To be filled by the Counsel/Applicant

Case Number	190/2019			
Case Title	MUMAWRA BIBI			
Date of Institution	16/9/2022			
Bench	SB	EP	DB	
Case Status	Fresh		Pending	
Stage	Notice		Reply	Argument
Urgency to clearly stated.	Due to stoppage of salary of writing secretary.			
Nature of the relief sought.	Relaxation of salary.			
Next date of hearing	18-10-2022			
Alleged Target Date				
Counsel for	Petitioner		Respondent	In person

[Signature]
Signature of counsel/party

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

PROFORMA FOR EARLY HEARING

FORM 'B'

Inst#

Early Hearing _____ -p/20 _____

In case No. _____ -p/20 _____

Vs _____

Presented by _____ on behalf of _____, Entered
in the relevant register.

Put up alongwith main case _____

REGISTRAR

Last date fixed	16-9-22
Reason(S) for last adjournment, if any by the Branch Incharge.	
Date(s) fixed in the similar matter by the Branch Incharge	
Available dates Readers/Assistant Registrar branch	

Assistant Registrar

REGISTRAR

16th Sept, 2022

Counsel for the petitioner present. Mr. Muhammad Adeel But, Addl: AG alongwith Mr. Sajid, SO Finance department present.

None for the other respondents present nor implementation report submitted. Learned AAG requested for further time. To come up for implementation report on 18.10.2022 before S.B.



(Kalim Arshad Khan)
Chairman

BEFORE THE HON'ABLE SERVICE TRIBUNAL, PESHAWAR



EP NO. 190/2019

in

SERVICE APPEAL 190/2019

MST. MUNAWAR BIBI, LAB ATTENDENT.....PETITIONER

VERSUS

SECRETARY E&SE DEPARTMENT.....RESPONDENTS

APPLICATION/REQUEST FOR THE RELEASE OF MONTHS SALARY/ LIVING WAGE OF THE RESPONDENT NO.1 SECRETARY E&SED ATTACHED BY THIS HON'BLE COURT VIDE ORDER DATED 11.08.2022.


Respectfully sheweth:

The applicant submitted as under:

1. That the above titled case is fixed before this Hon'ble Court for 11.08.2022 but the applicant/respondent was ill and due to his illness he was hospitalized in emergency therefore he could not attend the court .
2. That due to the above reason this Hon'ble Court has attached the salary of the applicant/respondent on 11.08.2022.
3. That the decree holder /appellant is Lab Attendant at Govt. Girls Degree College Sadda Kurram District. It is very much important to disclose and bring in notice of this Hon'ble Court that the above college after merger is under the Administrative control/authority of Secretary Higher Education, KPK. So Secretary Higher Education is the implementation authority to implement the said judgment date 11.08.2022 may be within drawn and exonerated.
4. The Secretary E&SED may kindly be exonerated from the respondent list. having no concerned in the instant case.

It is therefore most humbly requested that the Secretary E&SED may kindly be exonerated from the said execution petition and the salary of the applicant/respondent i.e. Secretary E&SED may be ordered, please.

By
Ms. Faraha Khan
Lawyer
10/10/22


SECRETARY
Elementary & Secondary Education,
Department Khyber Pakhtunkhwa.