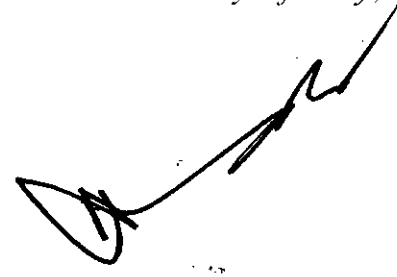


20.05.2022

Appellant in person present. Mr. Naseer ud Din, Assistant Advocate General alongwith Mr. Zahid Gul, ADEO for respondents present.

Appellant produced copy of Salary bill, whereby according to him, the desired relief has been granted to him and submitted for withdrawal of the instant appeal. As a token of admission of his submission, he signed the margin of the order sheet. Dismissed as withdrawn. Consign.

*Pronounced in open court in Abbottabad and given under my hand and seal of the Tribunal this 20<sup>th</sup> day of May, 2022.*

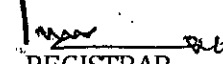







(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

## FORM OF ORDER SHEET

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

Case No.- 7921/2021

| S.No. | Date of order proceedings  | Order or other proceedings with signature of judge   |
|-------|--|--|
| 1     | 2  | 3  |
| 1-    | 24/12/2021   | <p>The appeal of Mst. Rukhsana Ishtiaq resubmitted today by Mr. Muhammad Asjad Pervez Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><br/>REGISTRAR</p>                     |
| 2-    |  | <p>This case is entrusted to S. Bench at <del>Abbottabad</del> <sup>Abbottabad</sup> for preliminary hearing to be put there on <u>15-03-2022</u></p> <p style="text-align: right;"><br/>CHAIRMAN</p>   |
| 3     | 12/5/22  | <p>Be found at Abbottabad</p> <p style="text-align: center;"> 17-05-2022</p> <p style="text-align: right;"></p>  |
|       | 17.05 2022   | <p>Learned counsel for the appellant present.</p> <p>Let pre-admission notice be given to respondent No. 2 and 3 for 20.05.2022 before S.B at camp court Abbottabad.</p> <p style="text-align: center;"><br/>(Kalim Arshad Khan)<br/>Chairman<br/>Camp Court Abbottabad</p> |

PAYROLL FORM  
SINGLE EMPLOYEE ENTRY

FORM: PAY02

Date:

Page No: 1

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) ABBOTTABAD  
Distt. Accounts Office  
Abbottabad.

THE MONTH OF Mar-22

SDEO (F) ABBOTTABAD

Source No. 1110

Dated 20/5/22

0 0 0 0 6 0 7 4

Employee Name

RUKHSANA GUL

National ID Card Number

13101-0930866-0

Grds (Pay) 1 5

PSHT

GGPS MUSA ZAI

Salary

| Field ID | GENERAL DATA CHANGE           |           | CHANGE IN PAYMENTS / DEDUCTIONS |       |   |       | Effective Date | Remarks   |
|----------|-------------------------------|-----------|---------------------------------|-------|---|-------|----------------|---|
|          | New Contents                  | Wage Type | Amount                          |       |   | Adj   |                |   |
|          |                               |           | Rupees                          | Paise |   |       |                |   |
|          | ADJUSTMENT BASIC PAY          | 5801      | 721080                          | 3004  | GP FUND                                   | 2890  | 01 03 2022     | 1- PAY ACTIVE (REGULAR) <i>only Active</i>  |
|          | ADJUSTMENT HOUSE RENT ALLOW   | 5002      | 54032                           | 3501  | B.FUND                                    | 1200  |                |   |
|          | ADJUSTMENT CONVENIENCE ALLOW  | 5011      | 48552                           | 3990  | EE.FUND                                   | 125   |                |   |
|          | ADJUSTMENT MEDICAL ALLOW      | 5012      | 27000                           | 4004  | RB&DC                                     | 600   |                |   |
|          | ADJUSTMENT TEACHING ALLOWANCE | 5288      | 32240                           | 3609  | I.TAX                                     | 423   |                | 2- ARREARS OF PAY AND ALLOWANCES W.E.F 01.09.2020 TO 28.02.2022 HAS NOT BEEN DRAWN BEFORE.        |
|          | ADJUSTMENT AR-2013            | 5309      | 14580                           |       | TOTAL                                     | 4145  |                |   |
|          | ADJUSTMENT AR-2015            | 5851      | 9828                            |       |   |       |                |   |
|          | ADJUSTMENT AR-2016            | 5322      | 50526                           |       | DEDUCTIONS                                |       |                |   |
|          | ADJUSTMENT AR-2017            | 5990      | 72108                           |       | INCOME TAX                                | 7614  |                |   |
|          | ADJUSTMENT AR-2018            | 5322      | 72108                           |       | GP FUND                                   | 52020 |                | 3- PAY INACTIVE DUE TO INQUIRY ON SAID TEACHER INQUIRY REPORT IS HEREBY ATTCHED WITH SOURCE FORM. |
|          | ADJUSTMENT AR-2019            | 2336      | 72108                           |       | B.FUND                                    | 18000 |                |   |
|          | ADJUSTMENT AR-2021            | 5151      | 8145                            |       | EE.FUND                                   | 2250  |                |   |
|          |                               |           |                                 |       | RB&DC                                     | 10700 |                |   |
|          | GROSS TOTAL                   |           | 1182307                         |       |   | 96884 |                |   |
|          | LESS DEDUCTIONS               |           | 90684                           |       | DEDUCTIONS W.E.F 01.09.2020 TO 28.02.2022 |       |                |   |
|          | NET PAYABLE                   |           | 1091623                         |       |   |       |                |   |

Prepared By


Sub Divisional Education Officer (F) Abbottabad

Audited/Checked By

DISTRICT ACCOUNTS OFFICER ABBOTTABAD

Entered / Verified By

| DETAIL OF ARREAR CLAIM IN R/O MRS. RUKHSANA GUL PSHT W.E.FROM 01.09.2020 TO 28.02.2022 |            |      |       |       |       |         |                |
|--|------------|------|-------|-------|-------|---------|----------------|
| PERIOD   |            | DAYS | MONTH | DUE   | PAY   |         | TOTAL          |
| FROM   | TO         |      |       |       | DRAWN | DIFF PM |                |
| 01.09.2020   | 30.11.2020 | 0    | 3     | 38730 | 0     | 38730   | 116190         |
| 01.12.2020   | 30.11.2021 | 0    | 12    | 40060 | 0     | 40060   | 480720         |
| 01.12.2021   | 28.02.2022 | 0    | 3     | 41390 | 0     | 41390   | 124170         |
| <b>HRA</b>   |            |      |       |       |       |         | <b>721080</b>  |
| 01.09.2020   | 30.04.2021 | 0    | 8     | 2349  | 0     | 2349    | 18792          |
| 01.05.2021   | 28.02.2022 | 0    | 10    | 3524  | 0     | 3524    | 35240          |
| <b>CA</b>  |            |      |       |       |       |         | <b>54032</b>   |
| 01.09.2020   | 31.01.2022 | 0    | 17    | 2856  | 0     | 2856    | 48552          |
| <b>MA</b>  |            |      |       |       |       |         | <b>48552</b>   |
| 01.09.2020   | 28.02.2022 | 0    | 18    | 1500  | 0     | 1500    | 27000          |
| <b>ADHOC-2013</b>  |            |      |       |       |       |         | <b>27000</b>   |
| 01.09.2020   | 28.02.2022 | 0    | 18    | 810   | 0     | 810     | 14580          |
| <b>ADHOC-2015</b>  |            |      |       |       |       |         | <b>14580</b>   |
| 01.09.2020   | 28.02.2022 | 0    | 18    | 546   | 0     | 546     | 9828           |
| <b>ADHOC-2016</b>  |            |      |       |       |       |         | <b>9828</b>    |
| 01.09.2020   | 28.02.2022 | 0    | 18    | 2807  | 0     | 2807    | 50526          |
| <b>ADHOC-2017</b>  |            |      |       |       |       |         | <b>50526</b>   |
| 01.09.2020   | 30.11.2020 | 0    | 3     | 3873  | 0     | 3873    | 11619          |
| 01.12.2020   | 30.11.2021 | 0    | 12    | 4006  | 0     | 4006    | 48072          |
| 01.12.2021   | 28.02.2022 | 0    | 3     | 4139  | 0     | 4139    | 12417          |
| <b>ADHOC-2018</b>  |            |      |       |       |       |         | <b>72108</b>   |
| 01.09.2020   | 30.11.2020 | 0    | 3     | 3873  | 0     | 3873    | 11619          |
| 01.12.2020   | 30.11.2021 | 0    | 12    | 4006  | 0     | 4006    | 48072          |
| 01.12.2021   | 28.02.2022 | 0    | 3     | 4139  | 0     | 4139    | 12417          |
| <b>ADHOC-2019</b>  |            |      |       |       |       |         | <b>72108</b>   |
| 01.09.2020   | 30.11.2020 | 0    | 3     | 3873  | 0     | 3873    | 11619          |
| 01.12.2020   | 30.11.2021 | 0    | 12    | 4006  | 0     | 4006    | 48072          |
| 01.12.2021   | 28.02.2022 | 0    | 3     | 4139  | 0     | 4139    | 12417          |
| <b>ADHOC-2021</b>  |            |      |       |       |       |         | <b>72108</b>   |
| 01.07.2021   | 30.11.2021 | 0    | 5     | 4006  | 0     | 4006    | 4006           |
| 01.12.2021   | 28.02.2022 | 0    | 3     | 4139  | 0     | 4139    | 4139           |
| <b>TEACHING ALLOW.</b>   |            |      |       |       |       |         | <b>8145</b>    |
| 01.05.2021   | 28.02.2022 | 0    | 10    | 3224  | 0     | 3224    | 32240          |
| <b>GROSS AMOUNT</b>  |            |      |       |       |       |         | <b>1182307</b> |
| <b>LESS DEDUCTION</b>  |            |      |       |       |       |         | <b>90684</b>   |
| <b>NEY PAYABLE</b>   |            |      |       |       |       |         | <b>1091623</b> |

  
 Sub-Divisional Education  
 Officer (F) Abbottabad



PAYROLL SYSTEM  
AMENDMENT FORM  
SINGLE EMPLOYEE ENTRY

FORM: PAY02

Date <sup>1</sup>

Page No. <sup>2</sup>

<sup>3</sup> OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) ABBOTTABAD

FOR THE MONTH OF <sup>4</sup> Mar-22

DDO CODE(Cost Center)

<sup>5</sup> A D 6 1 2 8

<sup>6</sup> SDEO (F) ABBOTTABAD

Personnel  
Number <sup>7</sup>

0 0 0 0 6 0 7 4

Employee  
Name <sup>8</sup>

RUKHSANA GUL

National ID  
Card Number

13101-0930866-0

Grade (Pay)

<sup>10</sup> 1 <sup>11</sup> 5

PSHT

GGPS MUSA ZAI

Salary <sup>12</sup>

GENERAL DATA CHANGE <sup>13</sup>

CHANGE IN PAYMENTS / DEDUCTIONS

| Info Type | Field ID <sup>15</sup> | New Contents <sup>16</sup>    | Wage Type <sup>8</sup> | Amount               |   |            | Effective Date <sup>21</sup> | Remarks <sup>22</sup> |   |
|-----------|------------------------|-------------------------------|------------------------|----------------------|---|------------|------------------------------|-----------------------|---|
|           |                        |                               |                        | Rupees <sup>19</sup> | Paisa                                     | Adj        |                              |                       |   |
|           |                        | ADJUSTMENT BASIC PAY          | 5801                   | 721080               | 3004                                      | GP FUND    | 2890                         | 01.03.2022            | 1- PAY ACTIVE (REGULAR)                           |
|           |                        | ADJUSTMENT HOUSE RENT ALLOW   | 5002                   | 54032                | 3501                                      | B.FUND     | 1200                         |                       |   |
|           |                        | ADJUSTMENT CONVENYNCE ALLOW   | 5011                   | 48552                | 3990                                      | EE.FUND    | 125                          |                       |   |
|           |                        | ADJUSTMENT MEDICAL ALLOW      | 5012                   | 27000                | 4004                                      | RB&DC      | 600                          |                       | 2- ARREARS OF PAY AND ALLOWANCES W.E.F 01.09.2020 |
|           |                        | ADJUSTMENT TEACHING ALLOWANCE | 5288                   | 32240                | 3609                                      | I.TAX      | 423                          |                       | TO 28.02.2022 HAS NOT BEEN DRAWN BEFORE.          |
|           |                        | ADJUSTMENT AR-2013            | 5309                   | 14580                | TOTAL                                     |            | 4145                         |                       |   |
|           |                        | ADJUSTMENT AR-2015            | 5851                   | 9828                 |   |            |                              |                       |   |
|           |                        | ADJUSTMENT AR-2016            | 5322                   | 50526                | DEDUCTIONS                                |            |                              |                       |   |
|           |                        | ADJUSTMENT AR-2017            | 5990                   | 72108                |   | INCOME TAX | 7614                         |                       | 3- PAY INACTIVE DUE TO INQUIRY ON SAID TEACHER    |
|           |                        | ADJUSTMENT AR-2018            | 5322                   | 72108                |   | GP FUND    | 52020                        |                       | INQIRY REPORT IS HEREBY ATTCHED WITH SOURCE FORM. |
|           |                        | ADJUSTMENT AR-2019            | 2336                   | 72108                |   | B.FUND     | 18000                        |                       |   |
|           |                        | ADJUSTMENT AR-2021            | 5151                   | 8145                 |   | EE.FUND    | 2250                         |                       |   |
|           |                        |                               |                        |                      |   | RB&DC      | 10800                        |                       |   |
|           |                        | GROSS TOTAL                   |                        | 1182307              |   |            | 90684                        |                       |   |
|           |                        | LESS DEDUCTIONS               |                        | 90684                | DEDUCTIONS W.E.F 01.09.2020 TO 28.02.2022 |            |                              |                       |   |
|           |                        | NET PAYABLE                   |                        | 1091623              |   |            |                              |                       |   |

Prepared By <sup>23</sup>

Sub Divisional Education  
Officer Abbottabad

Audited/Checked By <sup>24</sup>

<sup>25</sup>

Entered / Verified By

The appeal of Rukhsana Ishtiaq W/O Ishtiaq Ahmed Jadoon, R/O Musa Zai Colony, Mirpur, Tehsil and District Abbottabad received today i.e. on 18.11.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ① Check list is not attached with the appeal.
- ② Appeal has not been flagged/ marked with annexures marks.
- ③ Impugned order dated 01-09-2020 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- ④ One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2308 /S.T,

Dt. 18/11/2021



REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Muhammad Asjad Pervez Abbasi  
Advocate High Court, Abbottabad

That above mentioned objections are here by removed and appeal is being resubmitted. Kindly be fixed before Honourable Tribunal because the salary of women appellant is stopped since one year without any reason.

A Counsel for the Appellant.

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL**  
**ABBOTTABAD BENCH.**

**Appeal No. 7921 /2021**

Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony,  
Mirpur Tehsil & District Abbottabad.

**...APPELLANT**

**VERSUS**

Govt. of KPK Through Director of Elementary & Secondary Education  
Peshawar & Others

**...RESPONDENTS**

**SERVICE APPEAL**

**INDEX**

| S.No. | Description of Document   | Annexure | Page No. |
|-------|---|----------|----------|
| 1     | Service Appeal along with affidavit, , Addresses of the Parties   | --       | 1 - 5    |
| 2     | (Copy of the appointment letter is annexed as annexure "A")   | "A"      | 6        |
| 3     | (Copy of the relevant page of service book is annexed as annexure "B").   | "B"      | 7 - 8    |
| 4     | (Copy of the education documents is annexed as annexure "C").   | "C"      | 9 - 13   |
| 5     | (Copy of the source form is annexed as annexure "D")<br><i>Whereas copy of the impugned order is Annexed D.</i> | "D"      | 14       |
| 6     | (Copy of the legal notice & representation is annexed as annexure "E & F").                                     | "E & F"  | 15 - 16  |
| 7     | (Copy of the Writ petition along with order/judgment is annexed as annexure "G")                                | "G"      | 17       |
| 8     | Vakalat Nama  | --       |          |

**PETITIONER**

Through:

Dated:- 16 / 11 / 2021

**(MUHAMMAD ASJAD PERVEZ ABBASI)**  
Advocate High Court,  
Abbottabad

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL**  
**ABBOTTABAD BENCH.**

Diary No. 7911  
Dated 18/11/2021

**Appeal No. 7921 /2021**

Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony,  
Mirpur Tehsil & District Abbottabad.



...APPELLANT

**VERSUS**

1. Govt. of KPK Through Director of Elementary & Secondary Education Peshawar
2. District Education Officer (Female) Abbottabad
3. District Account Officer, Abbottabad

...RESPONDENTS

-----  
**SERVICE APPEAL U/S 4 OF THE NWFP SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER STOPPAGE OF SALARY OF APPELLANT DATED: 01-09-2020 WITHOUT ANY LAWFUL JUSTIFICATION PETITIONER PERFORMING HER DUTY REGULARLY AND NEVER FOUND ABSENT FROM HIS DUTY. THIS ACT OF THE RESPONDANT IS PRE-MATURE, ILLEGAL WITHOUT JURISDICTION AGAINST THE SERVICE RULES AND NATURAL JUSTICES IS ALSO AGAINST THE ARTICLE 11 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN WITHOUT SUFFICIENT REASON & FLIMSY GROUNDS WHICH IS LIABLE TO BE SET A SIDE.**  
-----

**PRAYER:-**

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL RESPONDANT No.2 MAY KINDLY BE DIRECTED TO RELEASE THE SALARY OF THE PETITIONER FORTHWITH FROM THE DATE OF HIS STOPPAGE ANY OTHER RELIEF WHICH THIS HONOURABLE COURT MAY DEEM FIT AND APPROPRIATE ACCORDING TO THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED IN FAVOR OF THE APPELLANT.

Respectfully Sheweth,

The facts giving rise to the present appeal are as under:-

1. That, the appellant appointed in the education Department as PTC teacher on 12-06-1996.(Copy of the appointment letter is annexed as annexure "A")
2. That the appellant during her 24 years service in Education Department performing her duty regularly to the best satisfaction of the superior and no complaint made against the appellant during the period of her service.(Copy of the relevant page of service book is annexed as annexure "B").

Filed to-day  
Registrar  
18/11/2021

re-submitted to  
and filed.  
Registrar  
24/12/21



3. That the appellant qualification is M.A along with professional courses.(Copy of the education documents is annexed as annexure "C").
4. That respondent No.2 stopped the salary of the appellant from 01-09-2020 without any lawful justification and issued source form to the District Account Officer Abbottabad for stopping the salary of the appellant.(Copy of the source form is annexed as annexure "D")
5. That during the period of stoppage of the salary of appellant the appellant also sent legal notice & representation before respondents for release of her salary but respondent up till now did not decide the representation of the petitioner.(Copy of the legal notice & representation is annexed as annexure "E & F").
6. That the children of the appellant are school going and admitted in different schools of Abbottabad who are dependent upon the salary of the petitioner, due to stoppage of salary of the petitioner all the children of the petitioner are badly suffer.
7. That appellant also filed writ petition before honorable Peshawar high court Abbottabad bench which was dismissed & directed the petitioner to avail the remedy before proper forum i.e service tribunal on which the petitioner file the instant appeal for release of her salary.(Copy of the Writ petition along with order/judgment is annexed as annexure "G")
8. That feeling aggrieved from the stoppage of salary of appellant without any lawful justification, appellant has come to this Honourable Court on the following ground inter-alia amongst many other ground.

#### **GR OUNDS:-**

- a. That the stoppage of salary of the appellant is illegal unlawful, perverse, unilateral, capricious unwarranted, against the norms of natural justice and fair play, hence liable to be immediately release.
- b. That as per article 11 of the constitution of Islamic republic of Pakistan, all form of forced labor & traffic in human being are prohibited more ever according to this article compulsory service shall be of cruel nature are an compatible with human dignity because performance of duty under the said circumstances could also amount to force labor which was forbidden by article 11 of the constitution of Islamic republic of Pakistan.
- c. That the appellant is performing her duty regularly in G.G.P.S Musa Zai Colony Mirpur Abbottabad as PSHT and she never found absent from her duty at nay time but respondent No.2 without any lawful justification stopped the salary of the appellant & making petitioner to work without payment of salaries was against Islamic laws. This act of the respondents No.2 is against the natural justice, Respondent No 2 misuse her power for stoppage the salary of the appellant since 1 year which is liable to be struck down and appellant is entitled for release of her salary.

- d. That appellant having 4 children, all the children are school going in different private institutions in abbotabad who are dependent upon the salary of the appellant and other of their daily livelihood. It is well principle of law that where there is a work, there is payment but respondent No.2 violated the service rules and laws and illegally stopped the salary of the appellant, due to stoppage of salary, the children of the appellant affected badly suffer.
- e. That the other point would be raised at the time of arguments.
- f. That no other efficacious remedy is available to the appellant except the instant writ petition.
- g. That, the appellant seeks leave of this honourable tribunal to agitate additional grounds at the time of hearing of this appeal.
- h. That, the instant appeal is well within time.

**prayer**

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL RESPONDANT No.2 MAY KINDLY BE DIRECTED TO RELEASE THE SALARY OF THE PETITIONER FORTHWITH FROM THE DATE OF HIS STOPPAGE ANY OTHER RELIEF WHICH THIS HONOURABLE COURT MAY DEEM FIT AND APPROPRIATE ACCORDING TO THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED IN FAVOR OF THE APPELLANT.

**Interim Relief**

It is therefore, Humbly prayed that respondent No.2 may please be directed to release the salary of the appellant forthwith.

  
...APPELLANT

Through:

Dated:- 11/11 /2021

  
(Muhammad Asjad Pervez Abbasi)

&   
(Sardar Muhammad Akmal)

Advocate High Court  
Abbottabad

**VERIFICATION:-**

Verified that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Court.

Dated:- 11/11 /2021

  
...APPELLANT

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL**  
**ABBOTTABAD BENCH.**

**Appeal No. /2021**

Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony,  
 Mirpur Tehsil & District Abbottabad.

  
**...APPELLANT**

**V E R S U S**

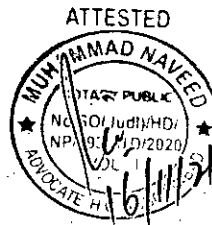
1. Govt. of KPK Through Director of Elementary & Secondary Education Peshawar
2. District Education Officer (Female) Abbottabad
3. District Account Officer, Abbottabad

**...RESPONDENTS**

**APPEAL**  
**AFFIDAVIT**

I Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony, Mirpur Tehsil & District Abbottabad. **Appellant**, do hereby solemnly affirm and declare on Oath that the contents of instant **Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 10/01 /2021



  
**DEPONENT**

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL**  
**ABBOTTABAD BENCH.**

**Appeal No. \_\_\_\_\_ /2021**

Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony,  
 Mirpur Tehsil & District Abbottabad.

  
**...APPELLANT**

**V E R S U S**

1. Govt. of KPK Through Director of Elementary & Secondary Education Peshawar
2. District Education Officer (Female) Abbottabad
3. District Account Officer, Abbottabad

**...RESPONDENTS**

**SERVICE APPEAL**

**ADDRESSES OF THE PARTIES**

**Respectfully Sheweth,**

The addresses of the parties are as under:-

**APPELLANT:**

Rukhsana Ishtiaq Wife Of Ishtiaq Ahmed Jadoon R/O Musa Zai Colony,  
 Mirpur Tehsil & District Abbottabad.



**RESPONDENTS:**

1. Govt. of KPK Through Director of Elementary & Secondary Education Peshawar
2. District Education Officer (Female) Abbottabad
3. District Account Officer, Abbottabad

  
**...APPELLANT**

**Through:**

Dated:- 11/11 /2021

  
 (SARDAR MUHAMMAD AKMAL)  
 &   
 (Muhammad Asjad Pervez Abbasi  
 Advocate High Court  
 Abbottabad)

# Annex A B

## OFFICE OF THE DISTRICT EDUCATION OFFICER (T) P.R.Y. ABBOTTABAD.

### APPOINTMENT:-

The following PT/Mistresses is/are hereby temporarily appointed in the institution noted against each in BPS.No.7 @ Rs.1480/-P.M fixed Rs.1480-81-2695/- plus usual allowances as admissible under the rules with e.f. their taking over charge in the interest of public service on the terms and conditions appended below:-

P.F-74

| S.No. | Name of candidate with father's Name & R/O                         | Place of appointment Name of Institution. | Remarks.     |
|-------|--|---|--------------|
| 1.    | Fozia Rehman D/O Fazlur Rehman R/O B/Dhundan Marks 885/1200 93-94  | GGPS, Surjal                              | Agt: V/Post. |
| 2.    | Sobia Bibi D/O Molvi Abdul Aziz N.Shehr, Marks 883/1200 93-94      | " Maira Hala                              | -do-         |
| 3.    | Anneza Bibi D/O Mohd Din R/O Sajikote Marks 881/1200 93-94         | " Surjal                                  | -do-         |
| 4.    | Rizwana Shaheen D/O Fazlur Rehman R/O N.Shehr Marks 875/1200 93-94 | " Jatala                                  | -do-         |
| 5.    | Rukhsana Gul D/O Gul Hussain R/O Mirpur Marks 872/1200 93-94       | " Jabri Tarnawi                           | -do-         |

### TERMS AND CONDITIONS:-

- The appointment purely on temporary basis and subject to termination at any time without assigning any reasons or prior notice. In case they wishes to leave the post she shall have to submit one month's prior notice or in lieu thereof forfeit one month pay & allowances to the Govt.:
- In case they fails to take over the charge within 15 days from the date of issue of this order, their appointment will stand cancelled automatically.
- No joining time is allowed except what is absolutely necessary for transit.
- No TA/DA etc is allowed being first appointment.
- Charve reports should be submitted to all concerned.
- They should produce her health & age certificate from the M/S concerned within seven days of reporting arrival for duty as required under the rules.
- They should not be handed over charge if her age exceeds 25 years or is below 18 years.
- Pay scales & services rules would be subject to revision in accordance with orders to be passed by the Govt: of N.W.F.P from time to time.
- The appointment of the mistresses made on leave vacancies shall stand automatacally terminated on the expiry of leave/arrival of incumbent.

DISTRICT EDUCATION OFFICER (FEMALE) P.R.Y: ABBOTTABAD.

Wdstat: No. 1448-53 / Dated A, Abad the, 12/6 / 1996.

Copy to the:-  
1. S.D.E.O (T) Abbottabad.  
2-6. Candidates

DISTRICT EDUCATION OFFICER (FEMALE) P.R.Y: ABBOTTABAD.

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*Handwritten signature/initials*

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 1010-97,58

121-92-783927  
 3  
 Annex  
 B  
 7

Note:— The entries in this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

1. Name: Rukhsana Gul

2. Race: Pakistani

3. Residence: Mehallah Musazai (colony) P.O. Mangpur Village Mangpur, A.D.






4. Father's name and residence: Gul Hassan Khan, Dujail

5. Date of birth by Christian era as nearly as can be ascertained: (20-03-1976), Twentieth, March 1976, Seventy Six.

6. Exact height by measurement: 5-2

7. Personal marks for Identification: A mole on the left eye

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

|               |   |             |  |
|---------------|---|-------------|--|
| Little Finger |  | Ring Finger |  |
| Middle Finger |  | Fore Finger |  |
| Thumb         |  |             |  |

9. Signature of Government Servant: Rukhsana Gul

10. Signature and Designation of the Head of the Office, or other Attesting Officer: Sub Divisional Education Officer N.A. (Female) Abbottabad

Attested  


8

~~8~~

Passed MA Exam: (A) 2004 from Hazara university  
manshera marks obtained 630 out of 1100 and placed II Division  
The Result was declared on (under Roll no: 05529)

More-over the certificate has been verified from the  
(For use in Police Department only)  
University under Edst. no. H.U/EE/2070-9758 dt: 15/10/2010

Heirs:-

1. 

Dy. Dist. Officer  
Primary Abbottabad

Passed Ssc (A) Exam from B.S.S. Karachi  
under Roll No 143092 in Grade B<sup>2</sup> Science  
Group in 1986 obtaining 539/850 marks.  
Result declared on 8/7/86

Verification Roll No. dated received back  
Sub Divisional Education Office  
NA (Female) Abbottabad

Passed Intermediate Exam: under Roll No  
72954 obtaining 622 marks in 1991 as a  
Private Candidate. Result declared on  
October, 1991.

Sub Divisional Education Office  
NA (Female) Abbottabad

| Qualifications    | Passed                    | Date               | Exams                 | Qualifications  | Date of |
|-------------------|---------------------------|--------------------|-----------------------|---|---------|
| English           | Education for Elementary  |                    | from the Govt College | First Arts  |         |
| Pushro            | Hazi Kate Manshera        | 1993-94            | as a regular          | H.L. or B.A.  |         |
| Urdu              | Candidate                 | obtaining 872/1100 | for Result            | Pleadership Examination                                       |         |
| Plan-Drawing      |                           |                    |                       | Sub Divisional Education Office<br>Training School Abbottabad |         |
| Finger Print      | Passed BA Examination     |                    |                       | Other Qualifications:-  |         |
| Drill Instructing | from University of Tehraw |                    | under AWO 89480       |   |         |
| Court Duties      | Secured 240/550 marks in  |                    | 2nd Division          |   |         |
| Reserve Duties    | Result declared on        | 28-12-98.          |                       |   |         |

Passed ET Examination from AICU Islamabad  
Session-2013 under Roll No. AS 44639 Marks  
obtained 636 out of 902 and verified from  
concerned officer by vide letter No. FI-5  
verif 47679 Dated 20/11/2015

Passed Master of Education Exam: Session 2006 under Roll no 10459  
from Hazara university (Total marks 1000) obtained marks 582. The result was declared  
on 10/10/07. The certificate has been verified from university no: H.U/EE/2070-9758  
dt: 15/10/2010

Dy. Dist. Officer  
Primary Abbottabad

Note:- The a  
10 sh

1. Name

2. Race

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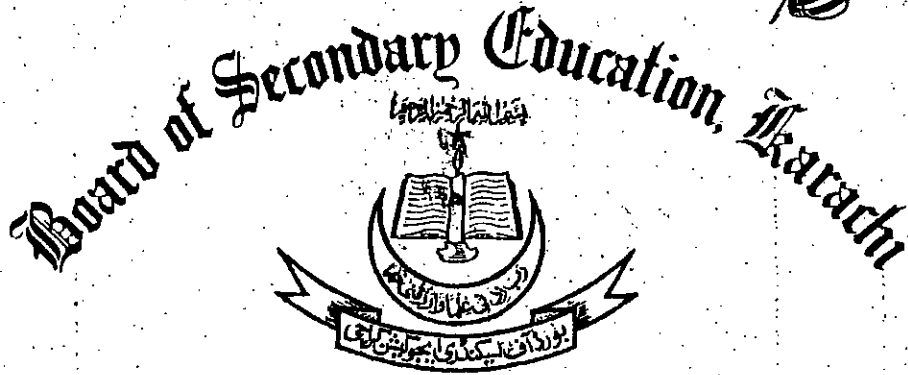
10. S  
U

Sl. No.

015388

Roll No.

143092



## Secondary School Certificate Examination, 19 86

SCIENCE GROUP

Certified that RUKHSANA GUL

Son/Daughter of GUL HASAN KHAN

whose date of birth is TWENTIETH DAY OF MARCH

one thousand nine hundred SEVENTY XXXXXXXXX has duly passed

the Secondary School Certificate Examination held in the

month of MARCH 1986 as A REGULAR Candidate

in the subjects mentioned below and has been placed in

GRADE

B

COMPONENT I

SINDHI SALEÉS

URDU

ENGLISH

PAKISTAN STUDIES

ISLAMIAT

COMPONENT III

He/She offered DRAFTING & GARMENT MAKING

as Vocational Subject and has been awarded grade 'A'

by his/her Institution on the basis of Internal Assessment.

His/Her Mark of Identification is:

MOLE IN THE LEFT EYE

DATED 14-05-87

Amir

S. Ehsan A. Rizvi

SECRETARY

Note: This certificate is issued without alteration or erasure.  
Please also see on the reverse.



10

~~B~~

GS&PD, NWFP 547 Dir. of Edu. 5000 F.—15-10-92—(31)

# DETAIL MARKS CERTIFICATE.

## TRAINING CLASSES EXAMINATION P.T.C. 1994.

Roll No. 2446 Name Rubisama Gul Son/Daughter of Sul Hassan

| Serial No.  | SUBJECT                                    | Max: Marks | Marks Obtained |         | TOTAL |
|-------------|--|------------|----------------|---------|-------|
|             |  |            | Interl:        | Exterl: |       |
| 1.          | Principales of Edu: and Method of Teaching | 100        | 61             |         | /     |
| 2.          | Child Devept: and Counselling              | 100        | 65             |         |       |
| 3.          | School Org: and Class Room Management      | 100        | 76             |         |       |
| 4.          | Lang: and Method of Teaching               | 100        | 67             |         |       |
| 5.          | Mathematics and Method of Teaching         | 100        | 78             |         |       |
| 6.          | Science and Method of Teaching             | 100        | 56             |         |       |
| 7.          | Social Studies and Method of Teaching      | 100        | 75             |         |       |
| 8.          | Islamiat and Method of Teaching            | 100        | 75             |         |       |
| 9.          | Art and Craft, Art and Method of Teaching  | 100        | 76             |         |       |
| 10.         | Health and Physical Education              | 100        | 78             |         |       |
| 11.         | Teaching Practice                          | 200        | 55             |         |       |
| Grand Total |  | 1200       | 185            |         |       |

Passed/Failed \_\_\_\_\_

To Re-appear in \_\_\_\_\_

Division I

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

19

Prepared by [Signature]

Checked by .....

[Signature]

Date of declaration 9/1/95

107 (11)

New Town Govt. Girls Secondary School

NEW TOWN, KARACHI.

Provisional Certificate

G. R. No. 4830

This is to Certify that Miss. RUKHANA LUL  
Daughter of Mr. LUL HASAN KHAN bearing Roll No. 143092  
Passed S. S. C. Part II (Class X) Examination from the Board of  
Secondary Education Karachi in the year 1986 in Grade B  
in SCIENCE Group.

This is also to certify that she was a regular student of this Institution  
for the last TWO years. Her date of birth is  
20-3-70 TWENTYTH MARCH M/H SEVENTY  
according to our General Register.

It is further certified that she bears a good moral character. I wish  
her all success in her future career.

[Signature]  
Class Teacher

Attested

[Signature]  
Head Mistress  
Headmistress

12

7



ALLAMA IQBAL OPEN UNIVERSITY, ISLAMABAD  
PROVISIONAL RESULT CARD



Serial No. 142599

Name RUKHSANA GUL  
Father's Name GUL HASSAN KHAN  
Address MUSA ZAI COLONY MIRPUR

Roll No. AS644689  
Registration No. ISNAD00150  
Final Semester AUT- 2013

Tehsil ABBOTTABAD  
District ABBOTTABAD  
has successfully comple. CERTIFICATE OF TEACHING

The detail of passed courses is as under:

| Semester | Course Code | Title of Course                        | Marks   |          |
|----------|-------------|--|---------|----------|
|          |             |  | Maximum | Obtained |
| SPR- 13  | 0638        | TEACHING STRATEGIES & EVALUATION       | 100     | 67       |
| SPR- 13  | 0633        | SCHOOL ORGANIZATION                    | 100     | 64       |
| SPR- 13  | 0632        | EDUCATIONAL PSYCHOLOGY                 | 100     | 70       |
| SPR- 13  | 0631        | DIMENSIONS IN EDUCATION                | 100     | 74       |
| AUT- 13  | 0634        | ENGLISH AND ITS TEACHING               | 100     | 62       |
| AUT- 13  | 0612        | PRACTICAL WORKSHOP & TEACHING PRACTICE | 100     | 92       |
| AUT- 13  | 0605        | SOCIAL STUDIES & ITS TEACHING          | 100     | 73       |
| AUT- 13  | 0635        | ISLAMIAT AND ITS TEACHING              | 100     | 69       |
| AUT- 13  | 0604        | URDU LANGUAGE AND ITS TEACHING         | 100     | 65       |

Attested  
A

CREDITS: 5

Total Marks / Obtained

900 / 626  
70. A

Result Declared on JULY 03, 2014

Percentage / Grade

Date of issue AUGUST 06, 2014

Disclaimer:

This result card is issued provisionally, errors and omission excepted, as a notice only. Any entry appearing in this card does not itself confer any right or privilege on a candidate for the grant of certificate/degree/diploma, which will be issued under the rules/regulations on the basis of the

Controller of Examinations

13

13

UNIVERSITY OF PESHAWAR  
(PAKISTAN)

No 089480



DETAILED MARKS CERTIFICATE

Roll No 83480

B.A. PART-II EXAMINATION, 1998 (Annual/Supplementary)

Mr./Ms. Rukhsana Gul

Certified that the candidate secured the following marks and is placed in III Division

| SUBJECTS            | MARKS OBTAINED |            |                                     |
|---------------------|----------------|------------|-------------------------------------|
|                     | MAXIMUM        | FIGURES    | MARKS IN WORDS                      |
| 1. English          | 75             | 25         | Twenty five                         |
| 2. P.S. Studies     | 75             | 27         | Twenty seven                        |
| 3. Law              | 75             | 32         | Thirty two                          |
| 4. Pakistan Studies | 40             | 25         | Twenty five                         |
| B.A. Part-I marks   | 285            | 131        | one hundred & thirty one            |
| <b>TOTAL</b>        | <b>550</b>     | <b>240</b> | <b>Two hundred &amp; forty only</b> |

Errors & omissions are subject to subsequent rectification.

The Examination was taken as a WHOLE / IN PARTS

RESULT DECLARATION DATE

DATE

28 DEC 1998

*M. Shamsuddin Khan*

CONTROLLER OF EXAMINATIONS  
UNIVERSITY OF PESHAWAR

*Acc*

*Arrested*

19

|           |            |                  |             |                           |
|-----------|------------|------------------|-------------|---------------------------|
| Employee  | [REDACTED] |                  |             |                           |
| Job Title | [REDACTED] |                  |             |                           |
| Group     | 1          | Active Permanent | Per Area    | DN01 Dist. Govt. K...     |
| Subgroup  | 15         | Grade 15         | Cost Center | AD6128 DY DO (F) PRY ABBO |
| Choose    | 01.01.1800 | to               | 31.12.9999  |                           |

| Start Date | End Date   | Act. | Action Type              | ActR | Reason for action          |
|------------|------------|------|--------------------------|------|----------------------------|
| 01.09.2020 | 31.12.9999 | 10   | Leaving                  | 21   | Temporary inactive         |
| 01.12.2017 | 31.09.2020 | 46   | Change Employee Grade    |      | Grade Change for Emplo     |
| 01.03.2016 | 30.11.2017 | 02   | Organizational reassignm | 05   | Transfer Data to OI-I      |
| 01.10.2015 | 29.02.2016 | 02   | Organizational reassignm | 05   | Transfer Data to OI-I      |
| 01.08.2013 | 30.09.2015 | 02   | Organizational reassignm |      | Transfer to other DDO      |
| 01.08.2013 |            | 16   | Change in pay            | 04   | Promotion                  |
| 01.04.2009 | 31.07.2013 | 16   | Change in pay            | 01   | Pay Scale Reclassification |
| 01.07.2006 | 31.03.2009 | 02   | Organizational reassignm |      | Transfer to other DDO      |
| 01.10.2002 | 30.06.2006 | 01   |                          |      |                            |

A 10/5/06

Annexure D<sub>1</sub>

14

FORM: PAY02

Date <sup>1</sup>

Page No. <sup>2</sup>

PAYROLL SYSTEM  
AMENDMENT FORM  
SINGLE EMPLOYEE ENTRY



OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (FEMALE) ABBOTTABAD

FOR THE MONTH OF Sep-20

|                       |   |   |      |   |   |        |                     |   |               |              |             |                 |
|-----------------------|---|---|------|---|---|--------|---------------------|---|---------------|--------------|-------------|-----------------|
| DDO CODE(Cost Center) | A | D | 6    | 1 | 2 | 8      | SDEO (F) ABBOTTABAD |   |               |              |             |                 |
| Personnel Number      | 0 | 0 | 0    | 0 | 6 | 0      | 7                   | 4 | Employee Name | RUKHSANA GUL | National ID | 13101-0930866-0 |
| Grade (Pay)           | 1 | 5 | PSHT |   |   | Salary |                     |   |               |              |             |                 |

| Info Type | Field ID | New Contents | Wage Type | Amount |       |            | Effective Date | Remarks |
|-----------|----------|--------------|-----------|--------|-------|------------|----------------|---------|
|           |          |              |           | Rupees | Paisa | Adj        |                |         |
|           |          | PAY STOP     |           |        |       | 01.09.2020 | PAY STOP       |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |
|           |          |              |           |        |       |            |                |         |

Prepared By <sup>23</sup> \_\_\_\_\_ Audited/Checked By <sup>24</sup> \_\_\_\_\_ Entered / Verified By <sup>25</sup> \_\_\_\_\_

Sub Divisional Education Officer (F) Abbottabad

Attested

Dana  
E.P.

15

الفاروق لاء ایجوکیشن ایٹس ٹاؤن ڈائریکٹوریٹ، جی ڈی ایف، ایف ایف ایف

سردار محمد اکمل ایڈووکیٹ ہائی کورٹ 0346 9557749

محمد احمد پرویز عباسی ایڈووکیٹ ہائی کورٹ 0346 9225949

## قانونی نوٹس

نام

۱۔ ڈائریکٹوریٹ ایجوکیشن ایف ایف ایف ایف (نی ٹیل) ایڈوکیٹ آباد

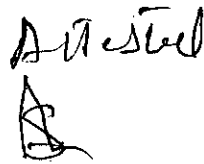
۲۔ ڈائریکٹوریٹ ایجوکیشن ایف ایف ایف ایف (نی ٹیل) ایڈوکیٹ آباد

میں موکلہ رخصانہ گل ہیڈ مسٹریس GGPS موسیٰ زئی کالونی میر پور ایڈوکیٹ آباد کی ہدایت پر مندرجہ ذیل قانونی نوٹس ابلاغ  
جواز بندش تنخواہ ماہانہ موکلہ ہیڈ مسٹریس کا عملی مجاز ہوں۔

- ۱۔ یہ کہ موکلہ کورٹسٹ کر لیا پرائمری سکول موسیٰ زئی کالونی میر پور ایڈوکیٹ آباد میں ایڈوکیٹ ہیڈ مسٹریس تدریسی فرائض انجام دینے سے سزا انجام دے رہی ہے اور اس طرح موکلہ نے بدوران ملازمت اعلیٰ ریٹائرمنٹ کی کوئی ہدایت کا موقع نہ دیا۔
- ۲۔ یہ کہ موکلہ تکلیف تعلیم میں 25 سال سروس کے دوران کبھی غیر حاضر نہ رہی اور ہا قاعدگی سے اپنے تدریسی فرائض سزا انجام دے رہی ہے۔ اس طرح موکلہ کی ماہانہ تنخواہ بلاوجہ بند کرنا قانون و انصاف کے تقاضوں کے برخلاف ہے۔
- ۳۔ یہ کہ موکلہ کے چھوٹے چھوٹے بچے ہیں جو مختلف سکولوں میں زیر تعلیم ہیں اور موکلہ کی تنخواہ بند ہونے کی وجہ سے موکلہ کا خاندان اور بچے شدید متاثر ہو رہے ہیں جس سے موکلہ کے بچوں کی تعلیم و تربیت اور روزمرہ کی ضروریات زندگی متاثر ہو گئی ہے اس دور میں بری طرح متاثر ہو رہی ہیں۔
- ۴۔ یہ کہ برعکس سروس رولز آئین و قانون آپ کو کوئی حق حاصل نہ ہے کہ آپ موکلہ کی تنخواہ ہا قاعدگی کے ساتھ اپنے تدریسی فرائض سزا انجام دے رہی ہے۔ بند کرے، آپ کا یہ فعل غیر مجاز اور اختیار کے غلط استعمال کے زمرہ میں آتا ہے۔
- ۵۔ یہ کہ آپ کو بذریعہ قانونی نوٹس ہذا مطلع کیا جاتا ہے کہ آپ موکلہ کی ماہانہ تنخواہ بند ہلا یا جات Release کر دیں تاکہ موکلہ کو اپنے اہل و عیال کی پرورش و تعلیم و تربیت میں رکاوٹ کا سامنا نہ کرنا پڑے، بصورت دیگر موکلہ مجاز عدالت میں آپ کے خلاف قانونی کارروائی برائے وصولی ماہانہ تنخواہ کرے گی۔ نوٹس ہذا کی ایک کاپی میرے آفس میں برائے مزید کارروائی رکھی گئی ہے۔

رخصانہ گل ہیڈ مسٹریس GGPS موسیٰ زئی کالونی میر پور ایڈوکیٹ آباد بذریعہ وکلاء خود



رخصانہ گل  


خدمت صبا ڈائریکٹر صاحبہ ایگزیکٹو ایسڈ ایڈمنسٹریٹو  
انجولیشن لیسٹ اور

حکمانہ اپیل بر خلاف اچھا کرنے تنخواہ حور فرم  
2020-19 جبکہ وہ سے ایڈوانس کی تنخواہ تا حال D.E-0  
زبانہ اسٹیک آؤٹ کے Release نہ فرمائی

صبا بلالی - اپیل ذیل درج ہے

1۔ یہ ایڈوانس کی تنخواہ حورم 1/2020 سے D.E-0  
زبانہ اسٹیک آؤٹ کے بعد کسی وجوہات کے بند نہ  
رکھی ہے۔ قبیلہ سائلہ باقاعدگی سے اپنے تدریسی  
فرقوں پر انجام دے رہی ہے اور کبھی بھی اپنی  
ڈیوٹی سے غییر حاضر نہ رہی ہے

2۔ یہ کہ سائلہ کے چھوٹے چھوٹے کام ہیں اور وہ  
مختلف سٹو کوں میں وزیر تعلیم ہیں۔ قبلی تعلیم اور  
دیگر فریڈم پر ماہانہ بہت زیادہ خرچ آتا ہے جو  
سائلہ کی تنخواہ پر اکتفا کرتے ہیں

3۔ یہ کہ سائلہ کا ڈیوٹی کو ذریعہ آمدن نہ ہے  
اور سائلہ کی تنخواہ غیر قانونی اور غیر آئینی طور پر  
مندانہ بیرونی۔ اس سے قبل جس سائلہ نے قانونی طور پر  
A.P.S. سے بھی لیکچرر کی شہادت نہ ہوئی۔  
اس کے علاوہ کہ سائلہ کی تنخواہ سے Release  
سماہ رمضان اشتیاق ایڈوانس PST 7/2020



Annex G  
17

**PESHAWAR HIGH COURT, ABBOTTABAD BENCH.**

**FORM OF ORDER SHEET**

| Date of Order of Proceedings | Order or other Proceedings with Signature of Judge (s)  |
|------------------------------|---|
| 1                            | 2   |
| 06.10.2021                   | <p><u>W.P.No. 1503-A/2020.</u></p> <p>Present: Sardar Muhammad Akmal, Advocate for the petitioner.</p> <p>Raja Muhammad Zubair, AAG for the respondents.</p> <p>***</p> <p><u>MOHAMMAD IBRAHIM KHAN, J.-</u> Petitioner through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 has prayed the following relief:-</p> <p>"It is, therefore, humbly prayed that on acceptance of the instant writ petition, respondent No.2 may kindly be directed to release the salary of the petitioner for the last 04 months, any other relief which this honourable court may deem fit and appropriate according to the circumstances of the case may also be granted in favour petitioner."</p> <p>2. Brief facts of the case are that petitioner was appointed as PTC through appointment letter dated 12.06.1996, and she regularly performing her duties. Thereafter her salary was stopped by the District Education Officer (Female) Abbottabad, hence, she filed the instant writ petition.</p> <p>3. Arguments heard and record gone through.</p> |

11/2/21

etw  
A. Meesid

4. Admittedly, the petitioner is a civil servant and salary is one of the terms and conditions of service of a civil servant and if a civil servant is aggrieved of any breach of the terms and conditions of her service, then she should apply to the Service Tribunal, established for that purpose, and not rush to this court, keeping in view the clear bar contained under Article 212 (2) of the Constitution of Islamic Republic of Pakistan, 1973.

5. For what has been discussed above, this petition, being not maintainable, is hereby dismissed in limine.



JUDGE



JUDGE

کورٹ فیس

19

وکالت نامہ

بعدالت جناب خدیو بختون خواجہ مسرور حسین ٹرانسپلٹیشن لیسٹاڈر

عنوان: دھماڑہ (سٹیشن) بنام گورنمنٹ

منجانب: ایڈووکیٹ

نوعیت مقدمہ: (سیل سرچس)

### باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام

ایڈووکیٹ مسرور حسین ٹرانسپلٹیشن لیسٹاڈر (مستند) کے نام سے کیا گیا ہے۔

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بہر اد

استجارت نالاش بصیغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

۱۱/۱۱/۲۰

دعا و صلوات علیہ وسلم

بمقام: ATO

عبد

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