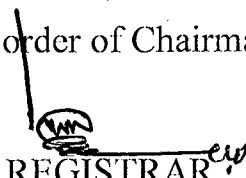


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1534/2022



S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/10/2022	<p>The appeal of Mst. Sumbal Riaz resubmitted today by Mr. Muhammad Asif Yousafzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Miss. Sumbal Riaz Ex-PST GPS WAPDA Colony Nowshera received today i.e. on 05.10.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

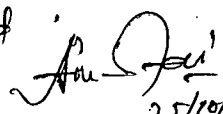
Annexure-N of the appeal is illegible which may be replaced by legible/better one.

No. 2774 /S.T,

Dt. 07/10 /2022


REGISTRAR 
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr.M. Asif Yousafzai Adv. Pesh.

Sir, objection removed and
Re-submitted

25/10/22.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1534/2022

Sumbal Riaz

V/S

Edu Deptt:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
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2.	Copy of documents	-A-	08-10
3.	Copy of application	-B-	11,12
4.	Copy of education document	-C-	13-14
5.	Copy of DSC	-D-	15-16
6.	Copy of impugned order	-E-	17
7.	Copy of joining report	-F-	18
8.	Copy of attendance register	G	19-20
9.	Copy of substitute order	H	21
10.	Copy of withdrawal application	I	22-33
11.	Copy of court order	J	24-25
12.	Copy of clearance	K	26
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Sumbal Riaz
Appellant

Sumbal Riaz

Through:

(MUHAMMAD ASIF YOUSAFZAI)

Advocate Supreme Court

Syed Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT

&

(SHAHKAR KHAN YOUSAFZAI)

ADVOCATE

Date: ___ / ___ /2022.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1534 /2022

Miss Sumbal Riaz. Ex-PST
GPS WAPDA Colony, Nowshera.

(Appellant)

VERSUS

1. The Director Education, Elementary & Secondary Education Peshawar.
2. The District Education Officer (Female) Nowshera.

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACTS, 1974, AGAINST THE ORDER DATED 12.05.2022, WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT WAS WITHDRAWN AND AGAINST NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THEIR APPEAL, THE ORDER DATED 12.05.2022 MAY PLEASE BE SET-ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THEIR AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SUBMITTED:

2

FACTS:

1. That the father of the appellant was working as PST and boarded out on medical ground vide order dated 29/10/2021. **Copy of the documents is attached as annexure-A.**
2. That the appellant filed application for appointment under invalidated quota under Rule 10(4) of the APT Rules 1989 being highly qualified. Thereafter, the DSC meeting was held on 19/02/2022 and the appellant was recommended as PST. On the basis of recommendation of DSC the appellant was appointed as PST on regular basis vide order dated 07/04/2022. **Copy of the application, educational documents, DSC meeting and appointment order is attached as annexure- B, C, D & E.**
3. That the appellant submitted joining report and performed her duties assigned to her with zeal and devotion and there was no complaint, what so ever regarding her performance. **(Copy of joining report and attendance register is attached as Annexure-F & G)**
4. That the appellant regularly performed her duties, but the pay of the appellant was not released, on query of the appellant, she was told that the order was issued *in compliance of the court judgment* and have no effect, but the appellant never claim appointment order under court judgment, therefore the appellant filed Civil Suit for proper order under rule 10(4). The respondent department during pendency of the suit issued substitute order but in back date on the plea that it was typographical mistake and the word in compliance of the Court judgment is deleted in substitute order. The same substitute order was produced in court therefore the appellant filed application for withdrawal of the civil suit being infructuous, the civil suit of the appellant was withdrawn vide order dated 28/04/2022. **Copy of the substitute order, withdrawal application and court order is attached as annexure-H, I & J.**
5. That thereafter the clearance certificate was issued in respect of the appellant and salaries of the appellant was release but quite astonishingly the request was made for returning of the salary of the appellant from bank vide letter dated 13/06/2022. **(Copy of clearance, pay slip and letter dated 13.06.2022, are attached as Annexure-K, L & M).**

- 6. That thereafter directly the appointment order of the appellant was withdrawn vide order dated 12.05.2022 without any prior notice which is mandatory in law, against which appellant filed departmental appeal which was not responded within statutory period of 90 days . **(copy of impugned order and departmental appeal is attached as Annexure-N & O.)**
- 7. Hence the appellant constrained to file the instant service appeal on the following grounds amongst others.

GROUND:

- A. That the impugned order are against the law, facts, norms of justice, and material on record, therefore not tenable and liable to be set aside.
- B. That the appellant simply filed application for appointment under invalidated quota under Rule 10(4) of the APT Rules 1989 without mentioning any court judgment, so there is no ground for mentioning that *in compliance of the court judgment*. Moreover, the DSC meeting was properly held which was also silent about court judgment and the appellant was recommended as PST. On the basis of recommendation of DSC the appellant was appointed as PST on regular basis vide order dated 07/04/2022. So the words *in incompliance of court judgment* was typographical mistake. Therefore the appellant filed Civil Suit for proper order under rule 10(4). The respondent department during pendency of the suit issued substitute order but in back date on the plea that it was typographical mistake and the word *in compliance of the Court judgment* is deleted. So, the order was produced in court therefore the appellant filed application for withdrawal of the civil suit being infructuous, the civil suit of the appellant was withdrawn vide order dated 28/04/2022. So there is no ground remained to withdrawn the appointment order of the appellant on ground that the verified degree was not produced. So whole episode was made on malafide intention. Hence liable to be set-aside.
- C. That neither charge sheet, statement of allegation, show cause notice was served upon the appellant nor inquiry was conducted against the appellant, which was necessary and mandatory in law before taking adverse action which is violation of law, rules and norms of justice.

- D. That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on their score alone.
- E. That the appellant has not been treated according to law and rules and has been deprived from the monthly salaries despite proper performance of duty, thus the action of the respondents is totally illegal and without lawful authority.
- F. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as *2019 CLC 1750* stated that Audi Alterum Partum" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as *2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC(cs) 67.*
- G. That according to Federal Shariyat court Judgment cited as *PLD 1989 FSC 39* the show cause notice is must before taking any adverse action, non-issuance of show cause notice is against the injunction of Islam. Hence the impugned order is liable to be set-aside.
- H. That the show cause is the demand of natural justice and also necessary for fair trial and also necessary in light of injunction of Quran and Sunnah but show cause was not given to the appellant. So, fair trail denied to the appellant which is also violation of Article 10-A of the constitution. Further it is added that according to reported judgment cited as *1997 PLD page 617* stated that every action against natural justice treated to be void and unlawful. Hence impugned order is liable to be set-aside. The natural justice should be considered as part and parcel of every statute according to superior court judgment cited as *2017 PLD 173 and 1990 PLC cs 727.*
- I. That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as *1997 PLC cs 564.*
- J. That no proper regular inquiry was conducted to dig out the real facts *Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011.*, which were

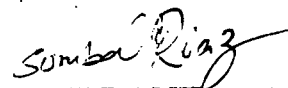
5

totally ignored before imposing punishment which is illegal and against the law, rules and natural justice. The same principle held in the Superior Court judgments cited as 2010 SCMR 1554, 2016 SCMR 108, 2009 PLC (cs) 19, 2008 SCMR 1369, 2009 SCMR 412, 2007 PLC cs 247 and 2008 PLC cs 1107.


K. That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of **Rule 7(d)** in case inquiry was not necessary and **14(5) of the E&D rules 2011** in case where inquiry is necessary. The same principle held in the Superior Court judgments cited as 2006 SCMR 1641.

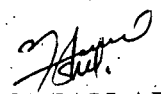
L. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.


APPELLANT
Sumbal Riaz

THROUGH:


(MUHAMMAD ASIF YOUSAFZAI)
Advocate Supreme Court


(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT

&

(SHAHKAR KHAN YOUSAFZAI)
ADVOCATE

(2)

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2022

Sumbal Riaz

V/S

Edu Deptt:

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in ther Tribunal, except the present one.

Sumbal Riaz
DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need.

7/6/22
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

12

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2022

Sumbal Riaz

V/S

Edu Deptt:

AFFIDAVIT

I, Sumbal Riaz, (Appellant) do hereby affirm that the contents of their service appeal are true and correct, and nothing has been concealed from their honorable Tribunal.

DEPONENT

Sumbal Riaz
Sumbal Riaz



OFFICE OF THE
MEDICAL SUPERINTENDENT
SERVICES HOSPITAL, PESHAWAR

Phone: 091 9210543 Fax: 091 9210543

A (P)

No. 27-09 MS/SMB/2021-22


Dated 13 /10/2021

Assistant Director (Estab.)
Directorate E& Secondary Education
Khyber Pakhtunkhwa
Peshawar.

Subject: - STANDING MEDICAL BOARD

Memo: - With reference to your office letter No. 5460/F.No. 123/Vol:51/ Medical dated 06-09-2021 addressed to Director General Health Services Khyber Pakhtunkhwa on the subject noted above.

Mr. Riaz Ul Haq, PST was examined by the Standing Medical Board held in this office on 06/10/2021. The proceedings of the Standing Medical Board are sent herewith for further necessary action.


Chairman
Standing Medical Board
Medical Superintendent
Police/Service Hospital
Peshawar

Copy to:

- Director General Health Services Khyber Pakhtunkhwa Peshawar for information with reference to his letter No. 7063-64/Medical/SMB Dated 27/09/2021.

OFFICE OF THE CHAIRMAN STANDING MEDICAL BOARD/MEDICAL SUPERINTENDENT POLICE/SERVICES, HOSPITAL PESHAWAR.

The Standing Medical Board comprising the following members assembled in the office of the Medical Superintendent Police/Services, Hospital Peshawar to examine, Mr. Riaz Ul-Haq, PST.

The Standing Medical Board is of the opinion that patient is known case of hypertension, Ischemic Heart Disease post PCI. He is having symptoms of dyspnea and chest pain despite GDMT. He is unable to continue his duty and may be boarded out on medical grounds. He is permanently incapacitated

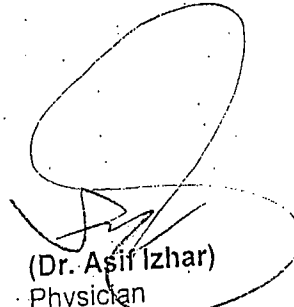
STATION PESHAWAR.
DATED: 06/10/2021



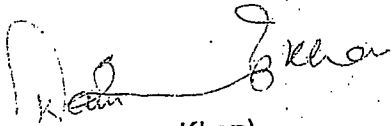
(Dr. Niaz Muhammad)
Chairman
Standing Medical Board
Medical Superintendent
Police/Services, Hospital,
Peshawar.



(Dr. Naseer Ahmad)
Ophthalmologist
Police/Services Hospital,
Peshawar...Member...



(Dr. Asif Izhar)
Physician
Police/Services, Hospital
Peshawar. Member...



(Dr. Kamran Khan)
Orthopedic Surgeon
Standing Medical Board
Police/Services Hospital, Peshawar



(Dr. Aurangzeb Afridi)
DMS/Secretary
Standing Medical Board
Peshawar...Member...



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) NOWSHERA

☎ 0923-9220228 ☎ 0923-9220228 ☎



RETIREMENT ORDER

Under the provision of Government of Khyber Pakhtunkhwa Finance Department Letter no. FD (SR-IV) Vol.II dated 24-08-1983; Sanction is hereby accorded to the grant of Encashment of Leave on Medical ground Retirement detail given below in respect of the following official.

S#	Name of Official	Date of Birth	Date of 1 st Appointment	Date Retirement	Encashment of LPR	Total Service Length Y-M-D	Remarks.
1.	Mr. Biaz Ullah PST/GP Khan Sher Khan Pabbi P.No.00134161	07/02/1967	20/01/1990	06/10/2021 A/N	365-days	31-08-16	Retire from Service On Medical Ground

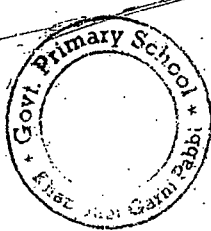
- Note - 1. Necessary entry to this effect should be made in his Service Book accordingly.
2. The outstanding amount/Bank loan (if any Govt; loan may be deducted from the concerned employee's Lumpsum please)

(SHAH JEHAN)
DISTRICT EDUCATION OFFICER
(MALE) NOWSHERA

Endst No. 5318-20 /Retirement/DEO (M) NSR/Dated Nowshera the 29/10 /2021.

Copy of the order is forwarded for information & for further necessary action to the:-

1. Senior District Accounts Officer, Nowshera.
2. Sub District Education Officer (Male) Pabbi/application received vide letter No. 10027 dated 26/10/2021 DEO (M) local Office Dairy No. 793 dated 26/10/2021.
3. All concerned.



Assistant Education
Officer (M)
Pabbi Nowshera

DISTRICT EDUCATION OFFICER
(MALE) NOWSHERA

B
① ②

To
The DEO (M)
Nowshera.

Subject :- "Appointment on medical/Death
Ground

R/sir

It is stated that my father was
working as pst teacher now he retired
Health / medical Ground I am jobless
and well qualified person.

So I may requested to issue me PST (order)
order according rules 10(4) 1989 of the
Apt. rules.

Thanks

Sumbal

Sumbal

Fawad
the case may be
referred to DEO(E)
As this office has no
vacant position for
or PST
Dec 28/9/21
NCL

H. H. H.
Head Mistress
Govt. Girls Middle School
Sheikhi Nowshera

27



FRONTIER WOMEN UNIVERSITY
Peshawar, Pakistan

Detailed Marks Certificate

Bachelor of Science

Part-I

Annual Examination 2009

Govt. Girls Degree College Pabbi, Nowshera



Regular

Name: **SUMBAL RIAZ** Father's Name: **RIAZ-UL-HAQ** Registration No: **2008-gcp-3516** Roll No: **437**

Papers	Max Marks	Marks Awarded	
		In Figures	In Words
Islamiyat (Comp)	60	29	Twenty Nine
Botany	75	35	Thirty Five
Zoology	75	32	Thirty Two
Geography	75	37	Thirty Seven
	285	133	One Hundred and Thirty Two

The Examination was taken as a Whole

Chances Availed: 1

Examination held From 10-Jun-2009 to 11-Jul-2009

Result Declared on Saturday, August 22, 2009

Errors & omissions are accepted

Issue Date: 30-Aug-2009 at 1:55 pm

Mumtaz Asad

for CONTROLLER OF EXAMINATIONS
FRONTIER WOMEN UNIVERSITY



14

University of Peshawar
Pakistan
Detailed Marks Certificate

Master of Science in Economics (DE)
Previous
Annual Examination 2014



Name: **SUMBAL RIAZ**

Gender: *Female* Roll No: **21407**

Father's Name: **RIAZ UL HAQ**

Registration No: **2013-DE-64**

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
Micro Economic Theory-I	100	75	Seventy Five
Macro Economic Theory-II	100	87	Eighty Seven
Mathematics for Economists-III	100	78	Seventy Eight
Basic Statistics & Research Methodology-IV	100	78	Seventy Eight
Public Finance & Monetary Economics-V	100	55	Fifty Five
	500	373	Three Hundred and Seventy Three

Errors & omissions are subject to subsequent rectification

Chances Availed: 1

The Examination was taken As a Whole

Examination held From 13-Aug-2014 to 13-Sep-2014


Result Declared on Thursday, February 19, 2015

Issue Date: 23-Feb-2015

10:18 am

Compu tenized by RTC

District Nowshera


(Prof. Dr. Rashid Khan)
CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR



**OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA**

☎ 0923-9220105 ☎ 0923-9220105
✉ denfnowsheera@yahoo.com



**MINUTES OF THE MEETING OF DEPARTMENTAL SELECTION COMMITTEE HELD
ON 19-02-2022 AT 10:00 AM IN OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA.**

A meeting of the Departmental Selection Committee was held on 19-02-2022 at 10:00 AM under the Chairmanship of District Education Officer (Female) Nowshera to discuss the Appointment cases of Deceased/retired or Individual Children to suitable posts i.e. PST, J/Clerk in the Elementary & Secondary Education Department Female Nowshera. The following attended the meeting:

1. **Mst. Dure Shawar**
District Education Officer
Female Nowshera in Chair
2. **Mst. Faheem Afshan**
Principal GGHESS, Dheri Kati Khel Member
3. **Mst. Sumbul Istikhar**
ADEO (Estab) Secondary Member
4. **Mst. Shahnum Bibi**
ADEO (Estab) Primary Member
5. **Mr. Shamshad Muhammad**
Superintendent Local Office Member
6. **Mr. Arsulan Ahmad**
J/Clerk Local Office Member

2. The meeting started with recitation from the Holy Quran. The Chair welcomed the participants and apprises that application received from Children of Deceased/retired or Medical Board Govt employees of Elementary and Secondary Education Female Nowshera Working Papers, Provisional selection lists were prepared as per the following selection criteria.

Selection Criteria

1. PST Post= Bachelor degree from recognized University and nine months in service mandatory professional training at RITE or PITE. Age limit: 19 to 35 years
2. J/Clerk= At least SSC or equivalent qualification from a recognized Board and a speed of twenty five words per minute in typing. Age limit: 18 to 30 years.

The following items were considered by the Departmental Selection Committee and the decisions recorded below:

(16)

LIST OF
MEMBERS OF DEPT AND RETIRED ON MEDICAL BOARD

Sr	Name of Candidate	Father/Mother/Spouse Name	Name of Post with Station	Date of Death/Invalidation	Qualification of Candidate	Eligible for Post	Reason of not recommendation	Remarks
1	Usama Far	Faz Ullah Khan Ex-SPSI	GPS Islamabad Nowshera	22-02-2019	FA/BA	PSI	ok	Recommended
2	Ryza Memon	Mohar Memon Ex-SPSI	GGHMS Saidu Garhi Peshawar	31-12-2018	F.Sc. HS Incomplete	PSI	1. No valid ADRs 2. Candidate Ex-PSI 3. No valid ADRs 4. No valid ADRs 5. No valid ADRs 6. No valid ADRs 7. No valid ADRs 8. No valid ADRs 9. No valid ADRs 10. No valid ADRs 11. No valid ADRs 12. No valid ADRs 13. No valid ADRs 14. No valid ADRs 15. No valid ADRs 16. No valid ADRs 17. No valid ADRs 18. No valid ADRs 19. No valid ADRs 20. No valid ADRs 21. No valid ADRs 22. No valid ADRs 23. No valid ADRs 24. No valid ADRs 25. No valid ADRs 26. No valid ADRs 27. No valid ADRs 28. No valid ADRs 29. No valid ADRs 30. No valid ADRs 31. No valid ADRs 32. No valid ADRs 33. No valid ADRs 34. No valid ADRs 35. No valid ADRs 36. No valid ADRs 37. No valid ADRs 38. No valid ADRs 39. No valid ADRs 40. No valid ADRs 41. No valid ADRs 42. No valid ADRs 43. No valid ADRs 44. No valid ADRs 45. No valid ADRs 46. No valid ADRs 47. No valid ADRs 48. No valid ADRs 49. No valid ADRs 50. No valid ADRs 51. No valid ADRs 52. No valid ADRs 53. No valid ADRs 54. No valid ADRs 55. No valid ADRs 56. No valid ADRs 57. No valid ADRs 58. No valid ADRs 59. No valid ADRs 60. No valid ADRs 61. No valid ADRs 62. No valid ADRs 63. No valid ADRs 64. No valid ADRs 65. No valid ADRs 66. No valid ADRs 67. No valid ADRs 68. No valid ADRs 69. No valid ADRs 70. No valid ADRs 71. No valid ADRs 72. No valid ADRs 73. No valid ADRs 74. No valid ADRs 75. No valid ADRs 76. No valid ADRs 77. No valid ADRs 78. No valid ADRs 79. No valid ADRs 80. No valid ADRs 81. No valid ADRs 82. No valid ADRs 83. No valid ADRs 84. No valid ADRs 85. No valid ADRs 86. No valid ADRs 87. No valid ADRs 88. No valid ADRs 89. No valid ADRs 90. No valid ADRs 91. No valid ADRs 92. No valid ADRs 93. No valid ADRs 94. No valid ADRs 95. No valid ADRs 96. No valid ADRs 97. No valid ADRs 98. No valid ADRs 99. No valid ADRs 100. No valid ADRs	Deferred
3	Husna Bibi	Mahab Ex-PSI	GGPS Azkhel	27-09-2020	MA	PSI	ok	Recommended
4	Laila Gul	Mizan Shabeen Ullah Ex-Sub Qaid	Office of DEO (F) NSR	29-09-2021	F.Sc B.Sc	PSI	ok	Recommended
5	Maria	Anwar Zeb Ex-PSI	GGPS No 1 Amankot	29-03-2001	BA	PSI	ok	Recommended
6	Gul Rubh	Shagufa Ex-PSII	GGPS No 2 Chowki Drab NSR	14-09-2021	F.Sc B.Sc	PSI	ok	Recommended
7	Sombal Riaz	Riaz Ullah Ex-PSI	GGPS Khan Sher Garhi	06-10-2021	M.Sc	PSI	ok	Recommended
8	Naveed Ali Durrani	Shakeela Ex-Sweeper	GGMS Paditson Garhi NSR	01-11-2021	SSC	J.Clerk	ok	Recommended
9	Muhammad Abbas	Javed Khali Ex-Chowkidar	GGPS Islamabad Koronta NSR	04-08-2021	HSSC DIT	J.Clerk	ok	Recommended
10	Muhammad Haqir Malik	Saimreen Shabeen Ex-PSI	GGPS Khal Kibi NSR	01-12-2021	SSC/DAT	J.Clerk	ok	Recommended
11	Kamran Khan	Races Khan Ex-Chowkidar	Office of DEO (Female) NSR	31-12-2021	SSC	J.Clerk	ok	Recommended
12	Bushra Munaf	Abdul Munaf Ex-PSII	GPS No.1 Akbar Para	24-01-2021	FA	J.Clerk	ok	Recommended
13	Muhammad Haris Saddique	Khurshid Jehan Ex-PSI	GGPS Baghban Para	31-01-2022	HSSC	J.Clerk	ok	Recommended
14	Fawad Ullah	Hayat Ullah Ex-Junior Clerk	GGHS Dag Behsud NSR	01-02-2022	F.Sc/DIT	J.Clerk	ok	Recommended
15	Said Jameel Khan	Mumtaz Khan Ex-Junior Clerk	GGHSS Noudah NSR	01-02-2022	SSC	J.Clerk	ok	Recommended

E

**DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA**

Phone/Fax No. 0923-9220105
Email: deofnowshera@gmail.com

(17)

Notification

In compliance of the Court Judgment in Civil Suit titled **Sumbal Riaz D/o Riaz Ul Haq Vs DEO (F) Nowshera** and under rule 10 sub rule (4) of the Khyber Pakhtunkhwa civil servants (Appointment, Promotion and Transfer) rules, 1989, on consequent upon the recommendation of Departmental selection committee (DSC) is hereby appointed as **PST** post at **GGPS Wapda Colony NSR** (under deceased children/widow Quota (Children/Widow of deceased employees) Invalided in BPS-12 (13320-960-42120) @ Rs.13320/- PM plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, on the terms and conditions given below with effect from her taking over charge.

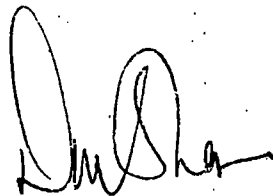
TERMS & CONDITIONS

12. No TA/DA etc. is allowed for joining their duty.
13. He/she will be governed by Khyber Pakhtunkhwa Civil Servant Act, 1973 and the rules made thereunder.
14. His service shall be considered regular and he will be eligible for pension /deduction of GP fund in terms of Khyber Pakhtunkhwa Civil Servant Act, 1973 as amended in 2013.
15. He will be on probation for initial period of one year extendable for further one year as per rules.
16. His service can be terminated at any time, in case of his performance is found unsatisfactory during probationary period. In case of misconduct, he will be preceded under the rules framed from time to time.
17. His service is liable to termination on one month's notice from either side. In case of resignation without notice his one month pay/allowances shall be forfeited to the Government.
18. They should join his post within 15 days of the issuance of this Notification failing which his candidature shall expire automatically and no subsequent appeal etc. Shall be entertained.
19. The age limit of the above post is 18-40
20. Health & Age Certificate should be produced from the Medical Superintendent Concerned before taking over charge to the DDO concerned and the same date of birth shall be reckoned till retirement.
21. His pay will be released subject to verification of his documents/testimonials (i.e domicile CNIC etc)
22. Charge assumption report should be submitted to all concerned.

(DUR E SHAWAR)
District Education Officer
(Female) Nowshera

Endst: No. 4441-48 Dated 07/04/2022
Copy for information and necessary action to the:-

9. Director E&SE Khyber Pakhtunkhwa Peshawar.
10. Senior District Accounts Officer Nowshera.
11. Sub Divisional Education Officer (Female) Concerned.
12. Medical Superintendent District Head Quarter Hospital Nowshera
13. ADEO (Female) Pry: Establishment Branch Local Officer.
14. Superintendent Establishment Section Local Office.
15. Candidate Concerned
16. Master File


District Education Officer
(Female) Nowshera

JOINING REPORT

F 18

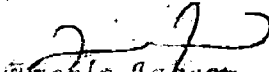
In pursuance of the District Education Officer (Female) Endst No. 4441-48 dated: 07/04/2022, I (Sumbal Riaz) assumed the charge of the Primary School Teacher PST (BPS-12) at Govt. Girls Primary School (GGPS) Wapda Colony, Nowshera on 08/04/2022 forenoon.

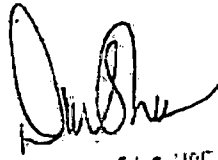
Thank you.

Date: 08/04/2022

Sumbal 8/4/2022
SUMBAL-RIAZ

- PST, GGPS
Wapda Colony Nowshera


Asma Jabeen
ASDEO (F)
Fabi Nowshera


District Education Officer
(Female) Nowshera

Jasmeen Noor Rahman.



DISTRICT EDUCATION OFFICER

(FEMALE) NOWSHERA

Phone/Fax No. 0923-9220105

Email: deofnowshera@gmail.com

H

21

To be Substituted Vide Same Number And Date

Corrigendum

Pursuant to the litigation policy Government of Khyber Pakhtunkhwa 2016 and pending adjudication vide civil suit No. 915-/2022MST: Sumbal D/o Riaz Ul Haq Vs DEO (F) Nowshera. The component authority is pleased to appoint Mst: Sumbal Riaz D/o Riaz Ul Haq against vacant post at GGPS Wapda Colony NSR as PST BPS-12 (13320-960-42120) Pm plus usual allowance as admissible on regular basis under the existing policy on the following term and condition.

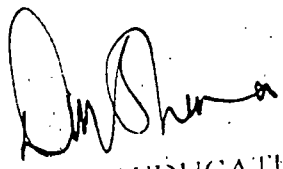
TERMS & CONDITIONS

1. No TA/DA etc. is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities by the DEO (Female) Nowshera, any one found producing bogus certificate/degree will be reported to law enforcing agencies for further action.
4. The pay of any appointee shall not be drawn/released by the DAO/DDO concerned until a certificate to the effect by DEO (F) Nowshera is issued that her certificates/degrees have been verified.
5. Health and age certificate should be produced from the Medical Superintendent concerned before taking over charge.
6. The appointee should join her post within 30 days of the issuance of this order positively otherwise the appointment shall stand cancelled.
7. She shall be governed by such rules and regulations as may be issued from time to time by the Government.
8. Her services are liable to termination on one month's notice from either side. In case of resignation without notice her one month pay and allowance shall be forfeited to the Government.

(DUR E SHAWAR)
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst: No. 4441-48 Dated Nowshera the 07/04/2022
Copy of the above is forwarded for information & necessary action to the:-

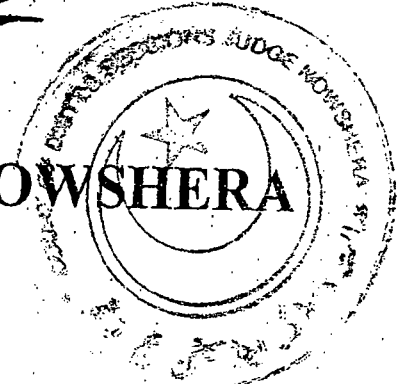
1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. Senior District Accounts Office Nowshera.
3. Sub Divisional Education Officer (Female) Concerned.
4. Medical Superintendent District Head Quarter Hospital Nowshera
5. ADEO (Female) Pry: Establishment Branch Local Officer.
6. Superintendent Establishment Section Local Office.
7. Candidate Concerned.
8. Master File.


DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

DEO (Female) Nowshera

I 22

BEFORE CIVIL JUDGE-I NOWSHERA



Sumbal Riaz.....(Plaintiff)

VERSUS

The Director Education (E&SE) Peshawar and others

Defendants

SCANNED COPY
FILED IN THE
ELECTRONIC SYSTEM

0-4
28/4/22

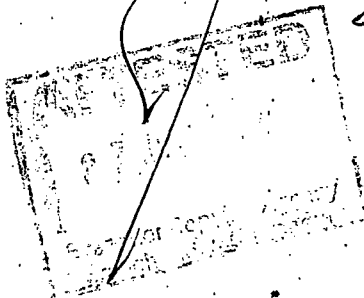
APPLICATION FOR WITHDRAWAL OF ABOVE MENTIONED CASE.

Respectfully Shewith,

1. That the above mentioned case is pending before this honorable court and is fixed for today.
2. That the defendant No.2 District Education Officer (F) has issued appointment order the plaintiff under rule 10 sub rule 4 of the Khyber Pakhtunkhwa Civil servant (Appointment, Promotion and Transfer) Rules 1989.
3. That since the claim of the plaintiff has been categorically admitted by the defendant by issuing appointment order, therefore the suit his become infectious and not liable to be proceeded.

It is humbly prayed that the plaintiff may be permitted to withdraw the suit and the same may kindly be withdrawn as per law.

Dated: 28-04-2022



30

Sumbal Riaz

Plaintiff

Through

Ashraf Ali Khattak

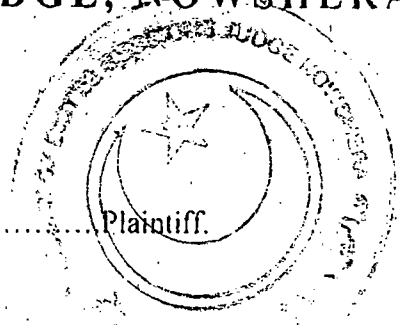
Ashraf Ali Khattak
Advocate Supreme Court

23

IN THE COURT OF SENIOR CIVIL JUDGE, NOWSHERA

Civil Suit No. _____/2022

Sumbal Raiz D/o Raiz Ul Haq
R/o Muhab Banda. Pabbi, Nowshera.....



Plaintiff.

Versus

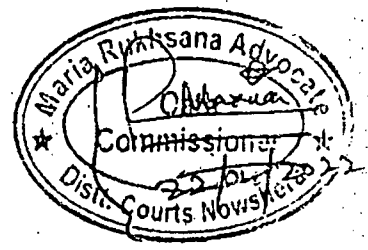
The Director Education (E & SE);
Malak Saad BRT Stop. IT Road, Peshawar & others Respondents.

Varification

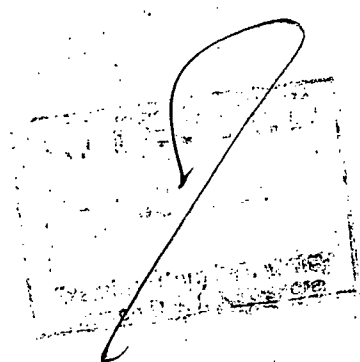
Verified and declare on oath that the contents of this Civil Suit from
Para No.1 to 8 are true and correct to the best of my knowledge and
belief and grounds are correct to the best of my knowledge and
information and nothing has been concealed from this Hon'ble Court.

Sumbal Raiz
Deponent

CNIC:
Cell:



ATTESTED



31

IN THE COURT OF SENIOR CIVIL JUDGE, NOWSHERA

Civil Suit No. 24/2022

Sumbal Raiz D/o Raiz Ul Haq
R/o Muhab Banda, Pabbi, Nowshera.....Plaintiff.

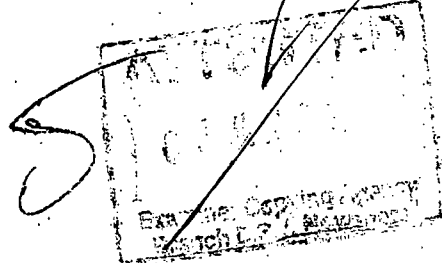
Versus

1. The Director of Education (E & SE),
Malak Saad BRT Stop, JT Road, Peshawar.
2. The District Education Officer (F),
District, Nowshera.
3. The District Education Officer, (Male), District
Nowshera.....Defendants.

Khalid Mansoor
Senior Civil Judge (Judicial)
Judicial Magistrate
Nowshera.

Suit for declaration and permanent injunction to the effect that
this Hon'ble Court may graciously be pleased to declare;

1. Defendant No.2 is not competent to deny the plaintiff of his
appointment against any post in BPS-12 (PST) OR equivalent
under Rule 10 (4) of the Khyber Pakhtunkhwa Civil Servant
(Appointment, Promotion and Transfer) Rules, 1989; and
2. Direct:
The defendant No.2 to immediately appoint the plaintiff
against any post carrying Basic Pay Scale 12 (Primary School
Teacher) with all attached benefit under law.
3. Any other remedy, which this Hon'ble Court deemed
appropriate under the fact and circumstance of the case, may
also be graciously granted.




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Order---03
22.04.2022

Plaintiff through learned counsel present. Admits and verify the contents of plaint as true and correct. It be registered.

Defendant No. 01 be summoned through registered post A/D whereas Defendants No. 02 & 03 be summoned through ordinary means for 28/4/2022.


Muhammad Umair
Civil Judge-I,
Nowshera

Order---04
28.04.2022

Plaintiff alongwith learned counsel Mr. Ashraf Ali Khattak advocate present. Defendant No. 02 present.

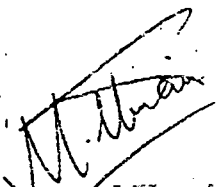
At the very outset of the proceedings learned counsel for Plaintiff moved an application requesting therein for the withdrawal of the instant suit, reason mentioned therein.

In the light of the application, the suit in hand is hereby dismissed as withdrawn.

File be consigned to Record Room after its necessary completion and compilation.

Announced
28.04.2022




Muhammad Umair
Civil Judge-I,
Nowshera

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**OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA**
(Office Phone# 0923-9220105, Fax# 0923-9220105)

CLEARANCE CERTIFICATE / PAY RELEASE

The following teachers has been appointed against PST post under, on Regular basis vide District Education Officer (Female) Nowshera in the school mentioned noted against her name.

Her educational and professional Certificates /Degree /DMC's have been verified from the concerned boards' Universities and found correct.

Therefore the undersigned is pleased to issue clearance certificate / pay Release of the following PST teachers.

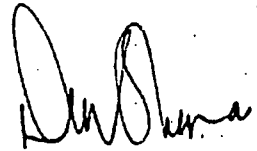
S.No	Name of Teacher & Designation	Father / Husband Name	School Name
1	Mst. Nayab Azmat (PST)	Azmat Ali	GGPS Spin Qamar
2	Mst. Maria (PST)	Anwar Zeb	GGPS Ouch Neher NSR
3	Mst. Sumbal Riaz (PST)	Riaz Ul Haq	GPS Wapda Colony
4	Mst. Kainat (PST)	Pervez Khan	GGPS Rasheed Abad Shabara Nowshera
5	Mst. Rukhsar Nazar Ali (PST)	Nazar Ali	GGPS Rasheed Abad Shabara Nowshera
6	Mst. Nazish (PST)	Irfan Khan	GGPS Spin Qamar

(DUR E SHAWAR,
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst: No. 5262-68 / DEO (F) NSR Estab: Clearance File / Date
NSR 09 / 05 / 2022

Copy of the above is forwarded for information & Necessary action.

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
2. Senior District Accounts Officer Nowshera.
3. Sub Divisional Education Officer (Female) Nowshera.
4. Superintendent Local Office.
5. ADFO (F) Primary Estab: Local Office.
6. EMIS Local Office.
7. Head Mistress Concerned.
8. Official Concerned.
9. Office Copy


DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

7
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Layout Set Display

Nowshera

Pers # 08995818 Buckle:
Name: SUMBAL RIAZ
PRIMARY SCHOOL TEACHER
CNIC No 1720129482420
GPF Interest Free

P Sec:001 Month:May 2022
NR6328 -Govt. Primary Schools(Fema
GOVT PRIMARY SCHOOLS(FEHA
NTN:
GPF #:
Old #:

12 Active Temporary

PAYS AND ALLOWANCES:

0001-Basic Pay	13,320.00
1001-House Rent Allowance 45%	2,940.00
1210-Convey Allowance 2005	2,856.00
1300-Medical Allowance	1,500.00
2211-Adhoc Relief A11 2016 10%	1,332.00
2224-Adhoc Relief A11 2017 10%	1,332.00
2247-Adhoc Relief A11 2018 10%	1,332.00
2264-Adhoc Relief A11 2019 10%	1,332.00
2308-Adhoc Relief A11 2021 10%	1,332.00
Gross Pay and Allowances	31,938.00

DEDUCTIONS:

3501-Benevolent Fund	1,200.00
3534-R. Ben & Death Comp Fresh	600.00
3990-Emp. Edu. Fund KPK	125.00

Subro

1,925.00

Total Deductions



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA



0923-9220105. 0923-9220105 deofnowshera@yahoo.com

No. 631 /Inquiry.

Dated Nowshera the 13 / 6 /2022

To

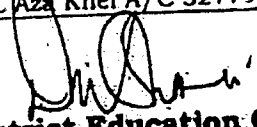
The Senior District Accounts Officer,
Nowshera

Subject: RETURN OF SALARIES.

Memo:

Reference this office letter No. 362-64 dated 07-06-2022 on the subject cited above and to state that the following officials salary/pay may be return from the concerned bank to Govt. exchequer, detail given below.

S. No.	Name of Teachers & Address	P. No.	Bank Name and Account No.
1	Nayab Azmat GGPS Qamar Jallozar	00995575	Al Habib limited Pabbi A/C 9500249101
2	Maria GGPS Och Neher	00995572	ABL Pabbi A/C 10093678570018
3	Sumbal Riaz GGPS Wapda Colony	00996616	NBP Pabbi A/C 3312333376
4	Kainat GGPS Rashid Abad	00995574	ABL Pabbi A/C 10094187870013
5	Rukhsar Nazr Ali GGPS Rashid Abad	00995573	ABL Pabbi A/C 10083242700
6	Nazish GGPS Spin Qamar	00995591	ABL Pabbi A/C 1009462580013
7	Mujahid Class IV	00995582	HBL Aza Khel A/C 3277900320603


District Education Officer
(Female) Nowshera

Endst No. _____

- Copy forwarded for information to the:
Sub Divisional Education Officer (Female) Pabbi Nowshera


District Education Officer
(Female) Nowshera

Daisy

19/6/22

Almas

BETTER
COPY.

N

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OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA
Phone/Fax No. 0923-9220105

OFFICE ORDER:

As the following candidates have been appointed as PST BPS-12 vide this office Endst. No. noted against each name in the light of court judgment. But verified court judgment and other relevant documents have not been provided to the undersigned by candidates, as well as, legal advisor. Several letters & reminders issued to the legal advisor to provide the same vide this office Memo: No. 5239-42 Dated: 28/04/2022 and Reminder memo: No. 5310 Dated: 09/05/2022.

Therefore, the undersigned is pleased to withdraw/cancelled the appointment of the following candidates' ab-initio.

S. No.	Name of Teacher	Name of School	No. & Date of Appointment	Remarks
01	Nayab Azmat	GGPS Spin Qamar, Jalozei	No. 4617-24 Dated 09-04-2022	Appointed under Court Judgment
02	Maria	GGPS Och Neher, Jalozei	No. 4449-56 Dated 07-04-2022	-do-
03	Sumbal Riaz	GGPS Wapda Colony	No. 4441-48 Dated 07-04-2022	-do-
04	Kainat	GGPS, Rashid Abad	No. 4457-64 Dated 07/04/2022	-do-
05	Rukhsar Nazar Ali	GGPS, Rashid Abad	No. 5180-87 Dated 07/04/2022	-do-
06	Nazish	GGPS, Spin Qamar	No. 5255 Dated 09/05/2022	-do-

(DURE SHAWAR)
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst: No. 5321-56 / Dated 12/05/2022

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

1. Director E/S Education Khyber Pakhtunkhwa Peshawar
2. Deputy Commissioner Nowshera
3. Senior District Accounts Officer Nowshera to stop the salaries
4. District Monitoring Officer Nowshera
5. Sub Divisional Education Officer (Female) Pabbi to stop the salaries
6. Superintendent / ADEO Estt./Dealing Assistant Local Office
7. Legal Advisor local Office with the directions to explain your position as to why action will not be taken against you under E&D Rules-2011.

--Sd--

DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

To,

The Director Elementary & Secondary Education,
Khyber Pakhtunkhwa near Firdous Chowk, Peshawar.

Subject: **APPEAL AGAINST THE ORDER DATED 12.05.2022
WHEREBY THE APPOINTMENT ORDER OF THE
APPELLANT HAS BEEN WITHDRAWN/CANCELLED
UNILATERILY.**

Sir,

It is humbly submitted that the appellant was appointed as PST Teacher at Government Girls Primary School WAPDA Colony, Nowshera under Rule-10 (4) of APT Rules, 1989. In the order, the office used words "In compliance of Court Judgment" which was a typographical mistake on the part of the concerned office. However, the said appointment order dated 07.04.2022 was not given effect therefore, the appellant filed Civil Suit in the Civil Court Nowshera. The concerned office at the very outset i.e initial date of suit, submitted a corrected order to the Court wherein the words "In compliance of the Court Judgment" were deleted and the appellant correct order was issued on 07.04.2022. Thereafter, the appellant reported her arrival and continuously performed her duties. The appellant was astonished to receive order dated 12.05.2022 whereby the appointment order was withdrawn/cancelled unilaterally on flimsy ground.

The impugned order was issued in an illegal and improper way. The concerned office has neither issued show cause notice nor provided chance of personal hearing to the appellant. Thus the appellant has been condemned unheard.

The appellant was a regular Civil Servant, and resumed the charge of the post but the appellant has not been dealt in accordance with law and rules.

Therefore, it is humbly prayed that the impugned order dated 12.05.2022 may graciously be set-aside and the appellant may be reinstated with all back and consequential benefits, Keeping in view the law and rules on the subject.

APPELLANT
Sumbal Riaz 8/6/2022
(Sumbal Riaz)
Ex-PST GPS WAPDA
Colony, Nowshera.

377

8-6-2022

gis

VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP Service Tribunal, Peshawar

Sumba Riaz (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Education Dept (Respondent)
(Defendant)

I/We, Sumbal Riaz (Appellant)

Do hereby appoint and constitute **Mr. M. Asif Yousafzai, ASC** 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

Sumbal Riaz
(CLIENT)

ACCEPTED

Asif
M. ASIF YOUSAFZAI, ASC,

Ali
SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar

SHAHKAR KHAN YOUSAFZAI
ADVOCATE.