

Supreme Court of Pakistan in C.A 36/2014, which was dismissed on 05.05.2015, upholding the judgment of Peshawar High Court, where-after the petitioner was appointed but she was not given seniority alongwith her batch mates but also below the people who were appointed after the appointment of the batch mates of the petitioner compelling the petitioner to file appeal No.76/2018 before this Tribunal, which was decided on 07.09.2021. Learned counsel for the petitioner objects that the date in the column No. 4 of entry into service may be got corrected from the department to which learned Addl: AG very fairly submitted that let the matter be taken with the department in this regard. To come up on 21.11.2022 before S.B.



(Kalim Arshad Khan)
Chairman

20th Oct, 2022 Learned Counsel for the petitioner present. Mr. Kabirullah Khattak, learned Addl: AG alongwith Mr. Mohsin Hassan Khan, Assistant (Litigation) and Mr. Farhan Ahmad, Assistant for respondents present.

Representative of the respondents produced a copy of letter No. 5800/CA-I/Estt:Branch/A-12/Ms.Abida/Islamiyat dated 07.10.2022 addressed to the Secretary to Govt: of Khyber Pakhtunkhwa Higher Education Department, Peshawar, annexing therewith a tentative seniority list of Lecturers (Female cadre) and stating that in compliance with the judgment of this Tribunal dated 07.09.2021, name of the petitioner had been conditionally incorporated in the seniority list of Female Lecturers subject to the final outcome of the CPLA. The name of the petitioner is reflected at S.No.2 of the list. Learned counsel for the petitioner submitted that although the serial number on the seniority list was correct but the date of entry into government service was wrongly mentioned as 04.02.2014 instead of the date on which her batch mates of the original recommendation were appointed as was the spirit of the judgment passed in favour of the petitioner in writ petition No. 534/2011. The issue of date of appointment had been the subject matter of writ petition No. 534/2011 which was decided in favour of the petitioner with clear direction of issuance of appointment letter to the petitioner from the date of her first recommendation, which admittedly was the date when her batch mates were recommended and later on appointed ignoring the petitioner. The judgment of the Hon'ble Peshawar High Court was challenged before the august

E.P.No. 382/2021
Mrs. Abida vs Govt

14th Sept. 2022

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: Advocate General alongwith Mr. Ihsanullah, Litigation Officer for respondents No. 1 and 2 and Mr. Mehtab Gul, Law Officer for respondents No. 3 and 4 present.

Implementation report has not been submitted. Representative of the respondents seeks further time to submit the implementation report on the next date. This Tribunal has no other alternative but to attach salaries of the judgment debtors. The Accountant General Khyber Pakhtunkhwa is also directed to attach salaries of Secretary Higher Education Department, Peshawar and Director Higher Education Department, Peshawar till further orders of this Tribunal. Respondents are directed to appear in person alongwith the proper implementation report on the next date.

To come up on 20.10.2022 for further proceedings.



(Kalim Arshad Khan)
Chairman



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA
RANO GHARI, NEW CHAMKANI CHOWK, PESHAWAR**

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10. 5806 /CA-VEsjt: Branch/A-12/Ms. Abida/ Islamiyat

Dated Peshawar the 7/10/2022

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

SUBJECT: CONDITIONAL IMPLEMENTATION OF COURT JUDGMENT REGARDING
FIXATION OF SENIORITY IN RESPECT OF MS. ABIDA LECTURER IN
ISLAMIYAT GGDC, NOWSHERA.

Respected Sir/ السلام عليكم

I am directed to refer to your letter No. SO(C-III)/HED/1-1/1-1085 /Abida (Islamiyat) /2022/4174 dated 12.09.2022 on the subject noted above and to state that in the light of Judgment of Khber Pakhtunkhwa Service Tribunal, Peshawar dated 07.09.2021 name of Ms. Abida Lecturer in Islamiyat Govt; Girls Degree College, Nowshera has been conditionally incorporated in the seniority list of Female Lecturer. Subject to the final outcome of the "Civil Petition for leave to appeal" CPLA.

Now her name in reflected at S.No. 02 of seniority list of Female Lecturers (Copy enclosed).

With best regards

Endst: No. 5801-021

Copy of the above is forwarded for information to the:

1. Principal Govt; Girls Degree College, Nowshera.
2. Assistant Director (Litigation) Local Directorate

(Farida Bibi) 07/10/2022
DY. DIRECTOR (FEMALE)

(Farida Bibi) 07/10/2022
DY. DIRECTOR (FEMALE)

TENTATIVE SENIORITY LIST OF LECTURES BPS-17 (FEMALE) COLLEGE CADRE

S No	Name of Officers with Academic Qualification	Date of Birth/ Domicile	Date of Entry into Govt. Service	1st Reg. Apptt. to the Service cadre			Remarks
				Date	BPS	Method of Recrtt.	
1	Rushda Habib D/O Habib'ur Rehman M.Sc Zoology GGC Sawal Dher (Mardan)	21.08.1979 Charsadda	27.5.2008	27.5.2008	B-17	Initial Recruitment	Advertisement No. 03/2007
2	Abida D/O Jan Muhammad, MA Islamiyat GGC, Nowshera	20.12.1980 Peshawar	04.02.2014	04.02.2014	17	Initial Recruitment	Seniority granted conditionally in the light of the P/Govt. letter No. SO(C/III)/HED/1-1059/Abida (1st/Am/1st) dated 12.09.2022, subject to the final outcome of the pending CPLA in the Supreme Court of Pakistan
3	Fatima Ahmad D/O Syed Ahmad Shah M.Sc Maths GCGC	28.01.1980	03.9.2005	24.09.2009	17	Regularized	
4	Sadia Abid D/O S. Abid Hussain M.Sc Botany GGC, Sarai Saleh Haripur	05.11.1976 Abbottabad	16.02.2008	05.01.2012	B-17	Regularized	
5	Rubina Akhtar D/O Akhtar Bilal MA Islamiyat GGC, Nowshera	16.02.1982 Malakand	28.03.2008	05.01.2012	B-17	Regularized	
6	Sameeqa Waheed D/O Abdul Waheed MA Urdu GGDC, Cheti Dheri	21.10.1983 Haripur	10.04.2008	05.01.2012	B-17	Regularized	
7	Qurat Ul Ain D/O Mohammad Syed Khan MA Pakistan Study	Abbottabad	11.04.2008	05.01.2012	B-17	Regularized	
8	Naveeda Sajjad D/O Sajjad Ahmad MA Urdu GGDC, Manshera	06.06.1982 Manshera	25.10.2007	10.09.2012	17	Regularized	Regularized under Act, 2011
9	Mutia Bukhari D/O Syed Zafar Ali Shah M.Sc. Maths GGC, Bach Khan Peshawar	30.08.1984 Peshawar	05.07.2012	05.07.2012	17	Initial Recruitment	Advertisement No. 02/2011
10	Shagufta D/O Balqais Khan M.Sc. Maths, GGDC, Dara Adam Khel	25.08.1984 FR Bannu	04.08.2012	04.08.2012	17	Initial Recruitment	Advertisement No. 02/2011
11	Seema D/O Muhammad yaqub M.Sc. Maths Thana	10.03.1984 Malakand	22.10.2012	22.10.2012	17	Initial Recruitment	Advertisement No. 02/2011
12	Shandana Ihsan D/O Ihsan Ullah MA Islamiyat, GFC(W), Peshawar	10.03.1987 Peshawar	02.02.2014	02.02.2014	17	Initial Recruitment	Advertisement No. 02/2011