

14.06.2022

Nemo for appellant. Lawyers are on general strike.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Notice be issued to appellant/counsel for 18.08.2022 for arguments before D.B at Camp Court, Abbottabad.



(Fareeha Paul)
Member (E)
Camp Court, A/Abad

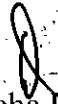


(Rozina Rehman)
Member (J)
Camp Court, A/Abad

20th Oct, 2022

None for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Notices be issued to the appellant and his counsel through registered post. To come up for arguments on 27.12.2022 before D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

17.01.2022

Counsel for the appellant present. Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Joint para-wise reply on behalf of respondents submitted, which is placed on file and copy of the same is handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 19.04.2022 before the D.B at Camp Court Abbottabad.



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

19.04.2022

Learned counsel for the appellant present. Mr. Sohail Ahmed Zeb, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant stated at the bar that similar nature Service Appeal No. 1629/2020 titled "Mujeeb-ur-Rehman Versus Government" Service Appeal No. 2233/2019 titled "Muhammad Idrees Versus Government, Versus Government" and Service Appeal No. 2232/2019 titled "Imtiaz Versus Government" are pending adjudication before this Tribunal, in which next date is fixed as 14.06.2022, therefore, the appeal in hand may also be fixed on the said date. Request is accepted and the instant appeal is adjourned to 14.06.2022 for arguments before the D.B at Camp Court Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court Abbottabad



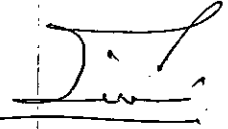
(Salah-ud-Din)
Member (J)
Camp Court Abbottabad

14.10.2021

Mr. Muhammad Tariq Abbasi, Advocate, for the appellant present. Preliminary arguments heard.

Points raised during preliminary arguments need consideration, therefore, the appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 29.11.2021 before the S.B at Camp Court Abbottabad.

Appellant Deposited
Security & Process Fee
78/10/21



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT ABBOTTABAD

29.11.2021

Counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Sohail Ahmad Zaib, Litigation Officer for the respondents.

Written reply/comments of the respondents are still awaited. Last opportunity is granted to the respondents for submission of reply/comments on next date, failing which their right to submit the reply/comments shall be deemed as struck off. Case to come up on 17.01.2022 before the S.B at camp court, Abbottabad.





Chairman
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 3082 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/02/2021	<p>The appeal of Mr. Muhammad Tariq Abbasi resubmitted today by Mr. Muhammad Liaqat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>18-06-2021</u></p> <p> CHAIRMAN</p>
	18.06.2021	<p>Due to COVID-19, tour to Abbottabad has been cancelled, therefore, case to come for the same as before on 14.10.2021.</p> <p>Reader</p>

The appeal of Mr. Muhammad Tariq Abbasi SPST GPS Lora District A.Abad received today i.e. on 26/01/2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the counsel.
- 2- Annexure-F of the appeal is illegible which may be replaced by legible/better one.

No. 207 /S.T,

Dt. 28/01 /2021



REGISTRAR

SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Liaqat Adv.
High Court A.Abad

Note:-

Above objection this is signature on memorandum of appeal and better copies of relevant pages of annexure F is thereby attached to appeal please be resubmitted.


Muhammad Liaqat Adv
H.C.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

3082
Appeal No. ___/2019/21

Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently SPST
GPS, Lora Tehsil Havelian, District Abbottabad

.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary
Education Department (E&SED), Khyber Pakhtunkhwa, Peshawar & Others

.....RESPONDENTS

SERVICE APPEAL

INDEX

S #	Description	Page No's	Annexures
1	Service appeal alongwith Affidavit	01 to 06	
2	Application for Suspension of Operation	7 to 8	
3	Copy of appointment order and pay slip	9 to 10	"A" & "B"
4	Copy of HSSC certificate	11	"C"
5	Copy of writ petition and order	12 to 15	"D" & "E"
6	Copy of the Policy dated 13/11/2012 and impugned order dated 18-12-2019	16 to 32	"F" & "G"
7	Attested copy of the Judgment dated 07-11-2018	33 to 37	"H"
8	Copy of minutes of the meeting dated 08-05-2018. Application of Condonation of Delay -	38 to 41	"I"
10	Wakalatnama	42	

Dated: 30/12/2019

.....APPELLANT

Through

(Muhammad Liaqat)
(Advocate High Court, Abbottabad)

1

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Appeal No. ____/2019

Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently SPST
GPS, Lora Tehsil Havelian, District Abbottabad

.....APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department (E&SED), Khyber Pakhtunkhwa, Peshawar.
2. Director, Elementary & Secondary Education (E&SE), Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (M) Abbottabad.
4. Sub Divisional Education Officer (M) Lower Tanawal Abbottabad.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF NWFP (NOW KPK) SERVICE TRIBUNAL, ACT, 1974 AGAINST THE OFFICE ORDER NO.13052/ADEO(Lit) DATED 18-12-2019 ISSUED BY RESPONDANT NO.3 VIDE WHICH DEPARTMENTAL REPRESENTATION OF THE APPELLANT WAS DISMISSED WHICH IS TOTALLY AGAINST THE LAW, POLICY, WITHOUT JURISDICTION, ARBITRARILY, VOID ABINITIO, AND HAVING NO LEGAL EFFECT UPON THE VESTED RIGHTS OF THE APPELLANT.

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUGNED ORDER ENDST: NO. 13052/ADEO(Lit) DATED 18-12-2019 ISSUED BY RESPONDANT NO.3 MAY

GRACIOUSLY BE SET-ASIDE AND RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO PROMOTE THE APPELLANT FROM PST BPS-12 TO SPST BPS-14 AND PSHT BPS-15 WITH ALL BACK BENEFITS AS PER NOTIFICATION NO. SO(PE)SSRC/MEETING/2012/TEACHING CADRE DATED 13-11-2012. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEMS PROPER IN THE CIRCUMSTANCES OF THE CASE BE GRANTED.

Respectfully Sheweth:-

1. That the appellant was appointed as PTC/PST on 23-11-1989 having prescribed qualification and presently working as SPST BPS-14 at GPS Lora, Tehsil Havelian, District Abbottabad. (Copy of appointment order and pay slip are annexed herewith as Annexure "A" & "B" respectively).
2. That the appellant passed HSSC in the year of 2015. (Copy of HSSC certificate is annexed as Annexure "C").
3. That after passing the HSSC petitioner move an application to respondent No. 3 for promotion according to notification dated 13/11/2012 but respondent NO. 3 did not promote the petitioner one way or other pretext. All the relevant documents are lying in the office of respondent No. 2.
4. That appellant being aggrieved filed writ petition before the August High Court, Abbottabad bench in which High Court Abbottabad Bench treated the writ petition of the appellant as departmental representation and same was sent to respondent for decision. Copy of writ petition and order is attached as Annexure "D" & "E".

5. That the request/ departmental representation of the appellant was rejected by the respondent No. 3 vide Endst: No. 13052 dated 18-12-2019 with the remarks that as per Notification dated 30-01-2018 appellant do not fulfill the requisite eligibility criteria for promotion. (Copy of the Policy dated 13/11/2012 and impugned order dated 18-12-2019 is annexed herewith as annexure "F" & "G").

Now appellant seeks indulgence of this Honourable Tribunal for setting aside the impugned order dated 18-12-2019 inter-alia on the following amongst many others:-

GROUND:-

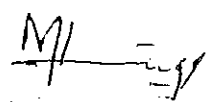
- a) That the impugned order dated 18-12-2019 against the law, facts and circumstances.
- b) That the impugned order is illegal passed in highly capricious manner which is void abinitio and without legal authority.
- c) That the respondents had illegally not consider the appellant for promotion and deprived the appellant for his legal right.
- d) That the identical issue was decided by the Honourable Peshawar High Court Abbottabad Bench in WP No. 207-A/2018 dated 07-11-2018 wherein, Honourable Court held that *"there is no mention in Notification dated 30-01-2018 that the same would have retrospective effect."* (Attested copy of the Judgment dated 07-11-2018 is annexed here with as Annexure "H").

- 4
- e) That the impugned order dated 18-12-2019 is against the Policy as a meeting was held on 08-05-2018 at committee room of E&SE KP under the chairmanship of respondent No. 2 wherein, issue of promotion was discussed at Serial No. 10 and respondent No. 2 directed all the DEOs including respondent No. 3 **“that the promotion cases of PSTs to SPSTs/PSHTs must be entertained according to the previous Policy of promotion while new Rules are to be applied for new induction/recruitment.”** (Copy of minutes of the meeting dated 08-05-2018 is annexed herewith as Annexure “I”).
- f) That the Notification dated 30-01-2018 is not applicable in the case of appellant as at the time of appointment no such terms and conditions was incorporated in the appointment order of the appellant. Hence, Notification dated 30-01-2018 has no legal value in the case of appellant as appellant is eligible for promotion in view of Notification No. SO(PE)SSRC/Meeting/2012/Teaching Cadre dated 13-11-2012.
- g) That the Notification dated 30-01-2018 is silent whether the same would have retrospective or prospective effect. Hence, impugned order dated 18-12-2019 is liable to be set aside on this score alone.
- h) That the valuable rights of the appellant are involved, and appeal will be re-submitted, and the original appeal returned to Council for removal of objection, and not received to Council due to
- i) That the appellant seeks leave of this Honourable Tribunal ^{Colony of Post offices in Covid-19} to raise additional grounds during the course of arguments with the permission of Honourable Tribunal.
- j) That the instant service appeal is well within time.

k) That the other points shall be urged at the time of arguments.

It is, therefore, very humbly prayed that on acceptance of instant appeal impugned order issued vide Endst: No. 13052/ADEO(Lit) dated 18-12-2019 issued by respondent No.3 may graciously be set-aside and respondents may graciously be directed to promote the appellant from PST BPS-12 to SPST BPS-14 and PSHT BPS-15 alongwith all back benefits as per Notification No. SO(PE)SSRC/Meeting/2012/Teaching Cadre dated 13-11-2012. Any other relief which this Honourable Tribunal deems proper in the circumstances of the case be granted.

Dated: 30/12/2019



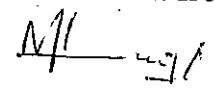
....APPELLANT

Through

(Muhammad Liaqat)
(Advocate High Court, Abbottabad)

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Tribunal.



....APPELLANT

6/

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Appeal No. ____/2019

Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently SPST
GPS, Lora Tehsil Havelian, District Abbottabad

.....APPELLANT

VERSUS

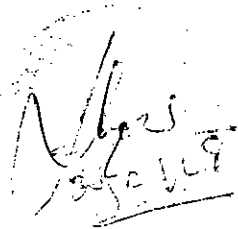
Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary
Education Department (E&SED), Khyber Pakhtunkhwa, Peshawar & Others

.....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently
SPST GPS, Lora Tehsil Havelian, District Abbottabad, do hereby solemnly
affirm and declare that the contents of foregoing appeal are true and correct
to the best of my knowledge and belief and nothing has been concealed from
this Honourable Tribunal.




DEPONENT

7

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Appeal No. ___/2019

Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently SPST
GPS, Lora Tehsil Havelian, District Abbottabad

.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary
Education Department (E&SED), Khyber Pakhtunkhwa, Peshawar & Others

.....RESPONDENTS

SERVICE APPEAL

APPLICATION FOR SUSPENSION OF OPERATION OF
THE ORDER NO. 10629-31 DATED 26/09/2019 TILL THE
DECISION OF THE ABOVE TITLED SERVICE
APPEAL.

Respectfully Sheweth:-

That the petitioner/appellant submits as under:-

1. That the above referred service Appeal is going to be filed in this Honourable Tribunal and instant application may please be considered as integral part of the appeal in hand.
2. That the service appeal of the petitioner /appellant is prima facie in nature as the impugned order dated 18/12/2018 was issued without lawful authority and clear cut violation of direction of respondent No. 2.

3. That the balance of connivance is also in the favour of appellant.
4. That in case of non suspension of operation of order dated 26/09/2019 the appeal of the appellant would become infructuous and appellant would be suffered irreparable loss.
5. That all the basic ingredients regarding suspension of the operation of order dated 26/09/2019 temporary injunction is fulfilled under the law.

It is, therefore, respectfully prayed that on acceptance of instant application operation of the order dated 26/09/2019 may kindly be suspended till the decision of titled Service Appeal.

Dated: 30/12/2019

....APPELLANT

Through

(Muhammad Liaqat)
(Advocate High Court, Abbottabad)

AFFADAVIT

I, Muhammad Tariq Abbasi son of Muhammad Firdos Khan, presently SPST GPS, Lora Tehsil Havelian, District Abbottabad, declare on oath that the contents of forgoing application are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

[Handwritten signature]

[Handwritten signature]
DEPONENT

DISTRICT PRODUCTION OFFICER (M)
APPROVED BY: *M*

- 1. SUP DIVISION NOTIFICATION OFFICER WITH APPROVED...
- 2. Head Teacher Concerned. Contact:-
- 3. OFFICE FILE:-

APPROVED BY: *M*
 DISTRICT PRODUCTION OFFICER (M)
 APPROVED BY: *M*

DISTRICT PRODUCTION OFFICER (M)

- 1. Change report should be submitted to all concerned.
- 2. NOBODY IS TO REPORT
- 3. The appointment is hereby temporarily and liable to termination at any time without assigning any reasons.
- 4. He should be provided his age and health certificate from his doctor.
- 5. He should not be handed over charge if his age exceeds 25 years.
- 6. In case he failed to take over charge of the post within 10 days from the date of issue of this order his appointment will be deemed automatically cancelled.

CONDITIONS:-

1. Change report should be submitted to all concerned.

2. NOBODY IS TO REPORT

3. The appointment is hereby temporarily and liable to termination at any time without assigning any reasons.

4. He should be provided his age and health certificate from his doctor.

5. He should not be handed over charge if his age exceeds 25 years.

6. In case he failed to take over charge of the post within 10 days from the date of issue of this order his appointment will be deemed automatically cancelled.

APPROVED BY:-

Annex

OFFICE ORDER NO. *44*
 DATED THE *23/11/59*

DISTRICT PRODUCTION OFFICER (M)

**Dist. Govt. NWFP-Provincial
District Accounts Office Abbotabad
Monthly Salary Statement (November-2019)**

10



Personal Information of Mr MUHAMMAD TARIQ ABBASI. d/w/s of MUHAMMAD FIRDOUS KHAN.

Personnel Number: 00010716 CNIC: 1310180393351 NTN: 0
Date of Birth: 06.06.1970 Entry into Govt. Service: 25.11.1989 Length of Service: 30 Years 00 Months 007 D.

Amma 'B'

Employment Category: Active Temporary

Designation: SENIOR PRIMARY SCHOOL TEA 80667879-DISTRICT GOVERNMENT KHYBE

DDO Code: AD6280-District Abbottabad

Payroll Section: 003 GPF Section: 001 Cash Center: 11

GPF A/C No: EDUAD013568 Interest Applied: Yes **GPF Balance: 216,486.00**

Vendor Number: -

Pay and Allowances: Pay scale: BPS For -2017 Pay Scale Type: Civil BPS: 14 Pay Stage: 26

Wage type		Amount	Wage type		Amount
0001	Basic Pay	45,600.00	1000	House Rent Allowance	2,214.00
1210	Convey Allowance 2005	2,856.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	775.00	2199	Adhoc Relief Allow @10%	564.00
2211	Adhoc Relief All 2016 10%	3,036.00	2224	Adhoc Relief All 2017 10%	4,560.00
2247	Adhoc Relief All 2018 10%	4,560.00	2264	Adhoc Relief All 2019 10%	4,560.00

Deductions - General

Wage type		Amount	Wage type		Amount
3014	GPF Subscription	-2,620.00	3501	Benevolent Fund	-600.00
3609	Income Tax	-809.00	3990	Emp.Edu. Fund KPK	-125.00
4004	R. Benefits & Death Comp:	-600.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 12,135.04 Recovered till NOV-2019: 3,439.00 Exempted: 3033.67 Recoverable: 5,662.37

Gross Pay (Rs.): 70,225.00 Deductions: (Rs.): -4,754.00 Net Pay: (Rs.): 65,471.00

Payee Name: MUHAMMAD TARIQ ABBASI.

Account Number: 4501-4

Bank Details: NATIONAL BANK OF PAKISTAN, 231609 NBP LORA, Abbottabad

Sd/- Muzammar Hafeez
OGA/CFO
District Accounts Office, Abbotabad

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address: VILL MALMOOLA NAGRI TUTIAL

City: ATD

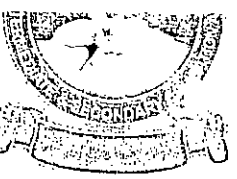
Domicile: NW - Khyber-Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email: tariqabbasi10716@gmail.com



ABBOTTABAD
Khyber Pakhtunkhwa (Pakistan)

PROVISIONAL & DETAILED MARKS CERTIFICATE

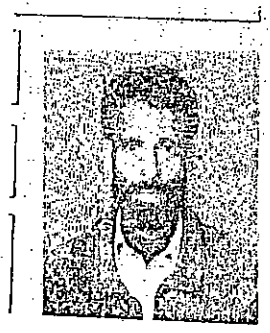
Roll No: 88110
Group: HUMANITIES

Annex "C"

Part - II

Session: 2015 (Annual)

Name: MUHAMMAD TARIQ ABBASI
Father Name: MUHAMMAD FIRDOUS KHAN
Reg No: 4489AB/HR-intMP14
Institution/District: ABBOTTABAD



has secured the marks shown against each subject in the Higher Secondary School Certificate Examination Part-II held in the month of May/June as a Private Candidate.

Subjects	Marks	Marks Obtained					
		Part-I		Part-II		Total	Marks in Words
		Theory	Pract	Theory	Pract		
English	200	61	--	33	--	94	Ninety-Four
Urdu (Comp)	200	43	--	53	--	96	Ninety-Six
Islamiyat Compulsory	50	32	--	--	--	32	Thirty-Two
Pakistan Studies	50	--	--	36	--	36	Thirty-Six
Education	200	56	--	55	--	111	One Hundred Eleven
Islamiyat Elective	200	69	--	55	--	124	One Hundred Twenty-Four
Archaeology	200	71	--	53	--	124	One Hundred Twenty-Four
Total : 1100						617-C	Six Hundred Seventeen Only

Date: 06 August, 2015

Remarks:

Checked By:

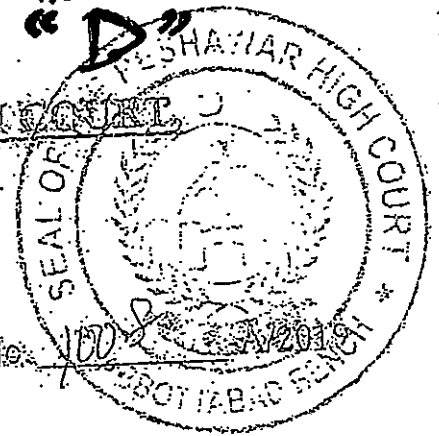
Syed Farooq Hafeez
CFO / CFO
NEP Main Bld. Abbottabad

Controller of Examinations

Note: Errors / Omissions excepted. Any mistake in Name, Father Name etc must be intimated within 30 days of the issuance date of this certificate to BISE Abbottabad. Visit us: www.biseatd.edu.pk



SEAL OF PESHAWAR HIGH COURT
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH



Writ Petition No. 1008/2018

1. Muhammad Kaleem GPS Thora Kalan District Abbottabad
2. Oadeer Ahmed GPS Batangl District Abbottabad
3. Muhammad Tariq GPS Lora District Abbottabad
4. Aqeel Ahmed GPS Tatar District Abbottabad
5. Muhammad Zafeer GPS Goreeni District Abbottabad
6. Majeed ur Rehman GPS Goreeni District Abbottabad
7. Mir Baz Khan Patoh District Abbottabad
8. Muhammad Iqbal GPS No. 4 District Abbottabad
9. Rab Nayazi
10. Imtiaz Khan
11. Muhammad Javed
12. Khawaja Waqar GPS Dara Arach District Abbottabad
13. Sajid Mahmood
14. Mubarak Ali
15. Safdar Hussain
16. Nusrat Iqbal GPS Thora Karamshah District Abbottabad
17. Zahoor Ahmed GPS Mera Changa District Abbottabad
- Shafiqe GPS Chela District Abbottabad

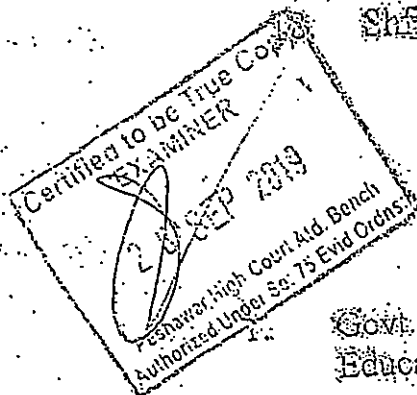
.. PETITIONERS

VERSUS

Govt. of Khyber Pakhtunkhwa, Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.

2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male), Abbottabad.
4. District Account Officer, Abbottabad.

.. RESPONDENTS



WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 FOR DECLARATION TO THE EFFECT THAT THE PETITIONERS ARE ELIGIBLE FOR PROMOTION FROM SPST BPS-14 TO PHST BPS-15 AS PER PROMOTION POLICY 2013 BUT THE RESPONDENTS ARE NOT PROMOTING THE PETITIONERS FROM THE POST OF SPST TO PHST DUE TO THE REASONS THAT AS PER NEW POLICY/ RULES, NOTIFICATION DATED 30/01/2018 QUALIFICATION FOR UP-GRADATION/ PROMOTION FOR PHST IS BA WHEREAS, IN THE OLD POLICY OF 2013 THE QUALIFICATION FOR PROMOTION TO THE SAID IS BA, HENCE THE PETITIONERS ARE ELIGIBLE TO BE PROMOTED AS PHST BPS-15 AS PER POLICY 2013.

8/1/16

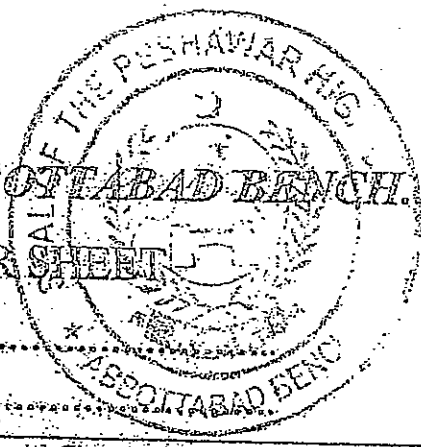
Certified to be True Copy
 EXAMINER
 7 SEP 2019
 Peshawar High Court Atd. Bench
 Authorized Under Sec. 75 Evid. Ordns.

PRAYER: ON ACCEPTANCE OF THE INSTANT WRIT PETITION, RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO UP-GRADE/ PROMOTE THE PETITIONERS

ANNEXURE 14
"E" 14

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET



Court of

Case No. of

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
26.09.2019	<p><u>WP No. 1008-A/2019.</u></p> <p>Present: Mr. Muhammad Arshad Khan Tanoli, Advocate for petitioners.</p> <p align="center">***</p> <p><u>HAZ ANWAR, J.</u> Through this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioners Muhammad Kaleem & seventeen others have made the following prayer:-</p> <p align="center"><i>That on acceptance on instant writ petition, respondents may graciously be directed to upgrade/promote the petitioners from EPST EPS-14 to PHCT EPS-15 under the old policy of 2013.</i></p> <p>2. At the very outset, learned counsel for petitioners when confronted that the question raised in the instant writ petition relates to the terms and conditions of service he stated that petitioners would not press this petition anymore, if this writ petition is converted into departmental representation/s and send the same to the respondent/department for its decision.</p> <p>3. In view of the peculiar facts and circumstances of</p>

Certified to be True Copy
EXAMINED
22 SEP 2019
Peshawar High Court, Abbottabad Bench
Authorized Under Section 15 Extraordinary

the present writ petition, this Court in the larger interest of justice, and in the light of case law reported as 2017 PLC (C.S), 692 and 2004 PLC (C.S) 1240, treats the present petition as departmental representation/s of the petitioners with directions to respondent/department to consider the grievance of petitioners and decide the matter, strictly in accordance with the law, within statutory period and decisions so made be also communicated to the petitioners. In case the petitioners find themselves still aggrieved after the receipt of reply or if no reply is received, the petitioners may approach the competent forum for the redressal of their grievance.

SA / JUDGE

SA / JUDGE

Certified to be true copy
 27 SEP 2019
 Pakistan High Court
 Evidence Under Seal
 73 Evid Ord.

ANNEXURE

16

ee F^{no}

ANNEXURE

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

NOTIFICATION

Peshawar, dated the November 13, 2012

مقررہ فی سبب سسر/آئی/تدریس/2012/تدریس/تدریس In pursuance of the provisions contained in sub rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Recruitment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications issued in this behalf by the Elementary and Secondary Education Department hereby, lay down the method of recruitment and conditions for consideration with the Establishment Department and the Finance Department hereby. Issued down the method of recruitment and conditions for consideration with the Establishment Department and the Finance Department hereby. Issued down the method of recruitment and conditions for consideration with the Establishment Department and the Finance Department hereby. Issued down the method of recruitment and conditions for consideration with the Establishment Department and the Finance Department hereby.

See Appendix and the schedule therewith

SECRETARY TO GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT

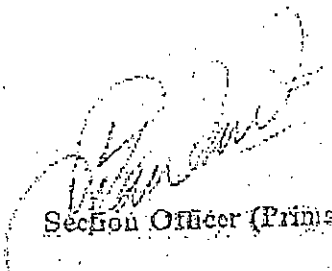
Serial No. 15 Date as above

Copy forwarded to:-

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary Khyber Pakhtunkhwa, Public Service Commission Peshawar.
5. The Assistant General, Khyber Pakhtunkhwa Peshawar.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education (F&T), Peshawar.

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1. The Director Curriculum & Teachers Education Abbottabad.
2. The Director (PIIE) Khyber Pakhtunkhwa Peshawar.
3. The Director ESRU, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
4. The Deputy Director Database (EMIS) E&SE Department.
5. All District Coordination Officers in Khyber Pakhtunkhwa.
6. All Executive District Officers Elementary & Secondary Education in Khyber Pakhtunkhwa.
7. All District Accounts Officers in Khyber Pakhtunkhwa / Agency Accounts Officers FATA.
8. All Agency Education Officers FATA.
9. P.S to Governor, Khyber Pakhtunkhwa.
10. P.S to Chief Minister, Khyber Pakhtunkhwa.
11. P.S to Chief Secretary, Khyber Pakhtunkhwa.
12. P.S to Minister E&SE Khyber Pakhtunkhwa Peshawar.
13. P.S to Secretary E&SE Department.
14. Master File.


Section Officer (Primary)

No.	Nomenclature of the post.	Minimum qualification and experience for initial appointment or by transfer.	Age limit.	Method of recruitment.
	2.	3.	4.	5.
1.	Secondary School Teacher (BPS-16).	(i) Second class Bachelor's Degree with two subjects as Chemistry, Botany, Zoology, Physics, Mathematics, Statistics Humanities and other equivalent groups from a recognized University; or (ii) MA in Education or Bachelor's Degree in Education, from a recognized University.	18 to 35 years.	(a) Fifty per cent by promotion on the basis of seniority-cum-fitness, in the following manner: (i) forty per cent from amongst the Certified Teachers (General), Certified Teachers (Agriculture), Certified Teachers (Industrial Arts) and Certified Teachers (Home Economics) with at least five years service as such and having qualification mentioned in column No. 3; (ii) four per cent from amongst the Drawing Masters with at least five years service as such and having qualification mentioned in column No. 3; (iii) four per cent from amongst the Physical Education Teachers with at least five years service as such and having qualification mentioned in column No. 3.

			<p>(iv) one per cent from amongst Instructional Material Specialists with atleast five years service such and having qualification mentioned in column No. 3; and</p> <p>(v) one per cent from amongst Arabic Teachers with at least five years service as such and have qualification mentioned in Column No.3; and</p> <p>(b) fifty per cent by initial recruitment.</p>
2.	Senior Arabic Teacher (SAT) (BPS-16)		By promotion, on the basis of seniority-cum-fitness, from amongst Arabic Teachers, with least five years service as such and have qualification as prescribed for initial recruitment of Arabic Teacher.
3.	Senior Theology Teacher (STT) (B-16)		By promotion, on the basis of seniority-cum-fitness, from amongst Theology Teachers, with at least five years service as such and have qualification as prescribed for initial recruitment of Theology Teacher.
4.	Senior Certified Teacher (SCT) (General) (BPS-16)		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teacher (General), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (General).

	Senior Certified Teacher (Industrial Arts) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Industrial Arts), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Industrial Arts).
6.	Senior Certified Teacher (Agriculture) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teacher (Agriculture), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Agriculture).
7.	Senior Drawing Master (BPS-16).		By promotion on the basis of seniority-cum-fitness from amongst Drawing Masters, with at least five years service as such and having qualification as prescribed for initial recruitment of Drawing Master.
8.	Senior Certified Teacher (SCT) (Home Economics) (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Certified Teachers (Home Economics), with at least five years service as such and having qualification as prescribed for initial recruitment of Certified Teacher (Home Economics).
9.	Senior Physical Education Teacher (BPS-16).		By promotion, on the basis of seniority-cum-fitness, from amongst Physical Education Teachers, with at least five years service as such and having qualification as prescribed for initial recruitment of Physical Education Teacher.

		(i) Second Class Secondary School Certificate from a recognized Board with Shahadatul Alaminia Fil Uloomul Arabia wal Islamia from a recognized Tanzimatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Arabic from a recognized University.	20 to 35 years.	By initial recruitment
11.	Theology Teacher (TT) (BPS-15).	(i) Second Class Secondary School Certificate from a recognized Board with Shahadatul Alaminia from a recognized Tanzimatul Wafaqul Madaris; or Darul Uloom Saidu Sharif Swat, Darul Uloom Charbagh Swat, Darul Uloom Chitral, Darul Uloom Darosh Chitral and any other Government run Darul Uloom, as notified by the Government from time to time; or (ii) Second Class Master's Degree in Islamiyat from a recognized University.	20 to 35 years.	(a) Seventy-five per cent by initial recruitment; and (b) twenty-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Qaris, with at least five years service and having qualification prescribed for initial recruitment of Theology Teacher. <u>Note:</u> In case of non availability of suitable person for promotion, then by initial recruitment.
12.	Senior Qari (BPS-15).			By promotion, on the basis of seniority-cum-fitness, from amongst Qaris, with at least 15 years service as such and having qualification prescribed for initial recruitment.
13.	Certified Teacher (General) (BPS-15).	Bachelor's Degree or equivalent qualification from a recognized University with Certified Teacher	18 to 35 years.	(a) Forty per cent by initial recruitment; and

		<p>Certificate or two years Associate Degree in Education from a recognized University or eighteen months Diploma in Education.</p>		<p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (General). Provided that if no suitable candidate is available amongst the Primary School Head Teachers for transfer, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five year service and having qualification prescribed for initial recruitment of Certified Teacher (General). <u>Note:</u> In case of non availability of suitable person for promotion then by initial recruitment.</p>
<p>14.</p>	<p>Certified Teacher (Industrial Arts) (2PS-15).</p>	<p>(a) Bachelor's Degree from a recognized University with two years training in the relevant technical subjects from any Government Industrial or Govt. Technical Vocational Institute or Center, or (b) Bachelor's Degree from a recognized</p>	<p>18 to 35 years.</p>	<p>(a) Forty per cent by initial recruitment; and (b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher</p>

	<p>University with nine months training from any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Industrial Arts).</p>		<p>(Industrial Arts):</p> <p>Provided that if no suitable candidate is available amongst all Primary School Head Teachers for Promotion, then the posts will be filled by promotion on the basis of seniority cum fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Industrial Arts).</p> <p>Note: In case of non availability of suitable person for promotion, then by initial recruitment.</p>
<p>15. Certified Teacher (Agriculture) (BPS-15).</p>	<p>(i) Bachelor's Degree from a recognized University with one year training in Agriculture from any Government institute or center with nine months training from Government Agro Technical Teacher Training Center of the level of Certified Teacher Agro Technical (Agriculture); or</p> <p>(ii) Bachelor's Degree with Agriculture as one of the subject, from a recognized University; or</p> <p>(iii) Bachelor's Degree from a recognized</p>	<p>18 to 35 years.</p>	<p>(a) Forty per cent by initial recruitment; and</p> <p>(b) Sixty per cent by promotion, on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers, with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture):</p> <p>Provided that if no suitable candidate is available amongst the</p>

	<p>any Government Agro Technical Teacher Training Center of the Level of Certified Teacher, Agro technical (Agriculture).</p>		<p>promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Certified Teacher (Agriculture).</p> <p>Note: In case of non availability of suitable posts for promotion, then by initial recruitment.</p>
<p>16. Certified Teacher (Home Economics) (BPS-15).</p>	<p>(i) Bachelor's Degree with Home Economics, as one of the subject, from a recognized University with in service training from Government Agro Technical Teacher Training Center; or</p> <p>(ii) Certified Teacher Certificate with Home Economics, as one of the subjects, from any Government Training school or college with Bachelor's Degree; or</p> <p>(iii) Bachelor's Degree from a recognized University with nine months training from Government Agro Technical Teacher Training Center of the level of the Certified Teacher Agro Technical (Home Economics); or</p> <p>(iv) Bachelor's Degree, from a recognized</p>	<p>18 to 25 years.</p>	<p>(a) Forty per cent by initial recruitment; and</p> <p>(b) sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service as such and having qualification prescribed for initial recruitment of Certified Teacher (Home Economics).</p> <p>Provided that if no suitable candidate is available amongst the Primary School Head Teachers for promotion, then the posts will be filled by promotion on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of</p>

P-13

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		<p>University with one year vocational training from any Government training center or Institute with nine months training from Government Agro Technical Teacher Training center of the level of certified Teacher Agro Technical (Home Economics).</p>		<p>Certified Teacher (Home Economics). <u>Note:</u> In case of non-availability of suitable person for promotion, then by initial recruitment.</p>
17.	<p>Drawing Master (BPS-15).</p>	<p>Bachelor's Degree from a recognized University with one year Drawing Master (DM) course Certificate.</p>	<p>18 to 35 years.</p>	<p>(a) Eighty per cent by initial recruitment; and (b) twenty per cent by promotion on the basis of seniority-cum-fitness from amongst the Primary School Head Teachers with at least five years service and having qualifications prescribed in initial recruitment of Drawing Master. Provided that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness from Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Drawing Master. <u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>

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Physical Education Teacher (BPS-15).	Bachelor's Degree from a recognized University with one year Junior Diploma in Physical Education course or Army equivalency or other equivalent qualification.	18 to 35 years.	<p>(a) Eighty per cent by initial recruitment as</p> <p>(b) twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Primary School Head Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.</p> <p>Provided that if no suitable candidate is available for promotion then on the basis of seniority-cum-fitness from amongst Senior Primary School Teachers with at least five years service and having qualification prescribed for initial recruitment of Physical Education Teacher.</p> <p><u>Note:</u> In case of non-availability of suitable candidate for promotion, then by initial recruitment.</p>
19.	Primary School Head Teacher (PSHT) (BPS-15)		By promotion, on the basis of seniority-cum-fitness, from amongst Senior Primary School Teachers with at least ten years service or having qualification prescribed for initial recruitment of Primary School Teacher.
20.	Senior Primary School Teacher (BPS-14)		By promotion, on the basis of seniority-cum-fitness, from amongst Primary School Teacher

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21.	Primary School Teacher (BPS-12)			<p>(i) Intermediate or equivalent qualification, from a recognized Board with Primary School Teacher Certificate/ Diploma in Education from a recognized Institute; or</p> <p>(ii) Secondary School Certificate from a recognized Board or second Division with two years Associate Degree in Education from a recognized University.</p>	18 to 35 years	with at least five years service as such having qualification prescribed for initial recruitment of Primary School Teacher.
22.	Qari (BPS-12)			Intermediate with Hifz-e-Quran and Qirat Sanad from a recognized Institution.	18 to 35 years	By initial recruitment on merit at Union Council level provided that if no suitable candidate within the Union Council is available, then in the adjacent Union Councils on merit.

By initial recruitment.

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IX

SCHEDULE

Selection criterion and other conditions for direct recruitment against the below mentioned posts shall be as in

Arabic Teacher	
Educational Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
B.A/BSC	Marks obtained X 20 / total marks =
M.A Arabic / Shiksha aur Manazil Fil Uloomul Arabiya wal Islamia fiya wal ta'arufat al Tarbiyat al Uloomul Arabiya Qaher WA ASHIMIAH / MA Edu	Marks obtained X 20 / total marks =
M.Phil/Ph.D	Marks obtained X 35 / total marks =
	Marks = 05

Urdu Teacher

Urdu Teacher	
Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
B.A/BSC	Marks obtained X 20 / total marks =
M.A Urdu/MA Edu	Marks obtained X 20 / total marks =
M.A Urdu / Shikhsat al Manazil Fil Uloom ul Arabiya wal Islamia fiya wal ta'arufat al Tarbiyat al Uloomul Arabiya A.P.H.R.P.D.	Marks obtained X 35 / total marks =
	Marks = 05

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Over/Quota

Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
Over/Quota of recognized Institution	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
BA/BSC	Marks obtained X 20 / total marks =
MA/MSC/M.Ed/M.A.Ed	Marks obtained X 15 / total marks =
MPHED	Marks = 05

Certified Teacher
 (General, Industrial Arts, Agriculture, Home Economics)

Category of Qualification	Total Marks 100 For Intermediate group at Intermediate/Graduation Level	For Candidate of Sciences group
SSC	Marks obtained X 20 / total marks =	2 Marks marks for B.Sc. 5 Marks marks for B.Sc. and 3 Marks marks for M.Sc. will be added to the total marks obtained by a candidate during his selection
HSSC	Marks obtained X 20 / total marks =	
BA/BSC	Marks obtained X 20 / total marks =	
CT, Certificate/Diploma in Education	Marks obtained X 20 / total marks =	
M.A./M.Sc./M.Ed/M.A.Ed	Marks obtained X 15 / total marks =	
MPHED	Marks = 05	

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Drawing Master

Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
BA/BSc	Marks obtained X 20 / total marks =
DM Certificate	Marks obtained X 20 / total marks =
M.A./M.Com/Ed / M.A. Edu	Marks obtained X 15 / total marks =
MPhil/PhD	Marks = 05

For Candidate of Science group

5 Extra marks for B.Sc. 5 Extra marks for B.Sc. and 5 Extra marks for M.Sc. will be added to the total score obtained by a candidate during his selection

Physical Education Teacher

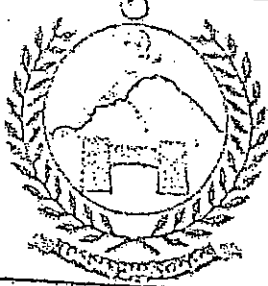
Category of Qualification	Total Marks 100
SSC	Marks obtained X 20 / total marks =
HSSC	Marks obtained X 20 / total marks =
BA/BSc	Marks obtained X 20 / total marks =
JDPE or Equivalent Certificate	Marks obtained X 20 / total marks =
M.A./M.Com/Ed / M.A. Edu	Marks obtained X 15 / total marks =
MPhil/PhD	Marks = 05

For Candidate of Science group

5 Extra marks for B.Sc. 5 Extra marks for B.Sc. and 5 Extra marks for M.Sc. will be added to the total score obtained by a candidate during his selection

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Annex "G"

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 3057 /AD/EO LIT

Dated: 13/12/2019

0992-9310102, 0992-330131

EDD.Education.Abd@gmail.com

To

1. Mr. Muhammad Kaleem GPS Thora Kalan District Abbottabad.
2. Mr. Qadeer Ahmad GPS Batangi, District Abbottabad.
3. Mr. Muhammad Tariq GPS Lora, District Abbottabad.
4. Mr. Aqee Ahmed GPS Tarar, District Abbottabad.
5. Mr. Muhammad Zaheer GPS Gordeni, District Abbottabad.
6. Mr. Mujeeb-or-Rehman GPS Gordeni, District Abbottabad.
7. Mr. Mir Baz Khan Feteh, District Abbottabad.
8. Mr. Muhammad Iqbal GPS No. 4, District Abbottabad.
9. Mr. Rab Nawaz
10. Mr. Imtiaz Khan
11. Mr. Muhammad Jayed
12. Mr. Khawaja Waqar GPS Dara Aman, District Abbottabad.
13. Mr. Sajid Mehmood
14. Mr. Mubarak Ali
15. Mr. Safdar Hussain
16. Mr. Nusrat Iqbal GPS Thana Karamshah, District Abbottabad.
17. Mr. Zahoor Ahmed GPS Morn Changra, District Abbottabad.
18. Mr. Shafique GPS Chehr, District Abbottabad.

Subject: DECISION ON DEPARTMENTAL REPRESENTATIONS IN THE LIGHT OF JUDGMENT DATED 26-09-2019 PASSED IN WP NO. 1008-A/2019 TITLED MUHAMMAD KALEEM & OTHERS VS GOVT OF KHYBER PAKHTUNKHWA & OTHERS

In pursuance to the judgment of Honourable Peshawar High Court Abbottabad Bench Passed in WP No. 1008-A/2019 dated 26-09-2019, undersigned examined the case of the petitioners thoroughly.

In view of Notification No. SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre/2017 dated 30-01-2018, petitioners do not fulfill the requisite eligibility criteria for promotion hence, departmental representations of petitioners are hereby rejected accordingly.

District Education Officer (M)
Abbottabad.

Copy forwarded for information to the:-

1. Additional Registrar Peshawar High Court Abbottabad Bench with reference to above referred Writ Petition.
2. PA to Deputy Secretary (Legal) E&SED, Khyber Pakhtunkhwa, Peshawar.

- 51 -
District Education Officer (M)
Abbottabad



No. 1124/ADEO(Lit)

Dated: 15/10/2019

32



0992-9310102, 0992-330131



EDO.Education.Atd@gmail.com

To

The Director,
E&SE Khyber Pakhtunkhwa,
Peshawar.

Subject:

DECISION ON DEPARTMENTAL REPRESENTATIONS IN THE LIGHT OF
JUDGMENT DATED 26-09-2019 PASSED IN WP NO. 1008-A/2019 TITLED
MUHAMMAD KALEEM & OTHERS VS GOVT. OF KHYBER
PAKHTUNKHWA & OTHERS.

It is submitted that Petitioners filed WP No. 1008-A/2019 before the Honourable Peshawar High Court Abbottabad Bench to effect that the petitioners are eligible for promotion from SPST (BPS-14) to PSHT (BPS-15) as per Policy 2013, but the respondents are not promoting the petitioners from the post of SPST to PSHT due to the new Recruitment Rules/Notification No. SO(PE)4-5/SSRC/Meeting/2012/Teaching Cadre/2017 dated 30-01-2018, wherein, for qualification for upgradation for PSHT is B.A whereas, in the Policy of 2013 the qualification for promotion was F.A and Honourable Peshawar High Court Abbottabad Bench passed the judgment dated 26-09-2019 in the above referred Writ Petition and the operative part of the judgment is reproduced as under:

"In view of the peculiar facts and circumstances of the present writ petition, this Court in the larger interest of justice, and in the light of case law reported as 2017 PLC (C.S), 692 and 2004 PLC (C.S) 1240, treats the present petition as departmental representation/s of the petitioners with directions to respondent/department to consider the grievance of petitioners and decide the matter, strictly in accordance with the law, within statutory period and decisions so made be also communicated to the petitioners. In case the petitioners find themselves still aggrieved after the receipt of reply or if no reply is received, the petitioners may approach the competent forum for the redressal of their grievance." (Attested copy of judgment attached)

Furthermore, legal notice No 0005 dated 07-10-2019 was also received to this office from the office of Muhammad Liaqat Advocate High Court Abbottabad regarding the same subject matter. (Copy of legal notice attached).

It is, therefore, your gracious honour is requested to refer the instant case to worthy Secretary E&SE for appropriate decision.

Endst: No. 11242

Copy forwarded for information to the:

PA to Deputy Secretary (Legal) E&SED Khyber Pakhtunkhwa, Peshawar.

District Education Officer (M)

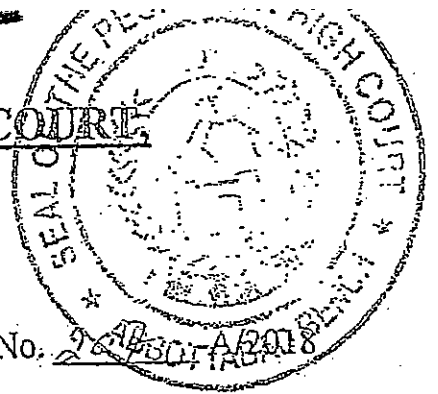
ok / Abbottabad

Dated: 15/10/2019

District Education Officer (M)

ok / Abbottabad

#1
"H"
BEFORE THE PESHAWAR HIGH COURT
ABBOTTABAD BENCH



(33)

Writ Petition No. 92/2018

Muhammad Ali son of Muhammad Manzoor, resident of Dheri Kiala, Lora, Union Council Lora, Tehsil Havelian, District Abbottabad.

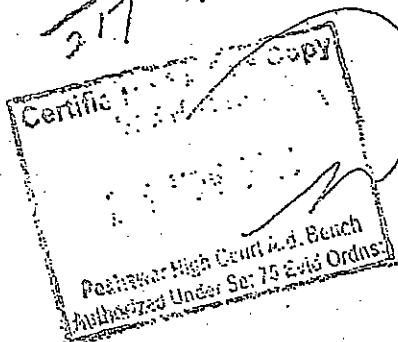
...PETITIONER

VERSUS

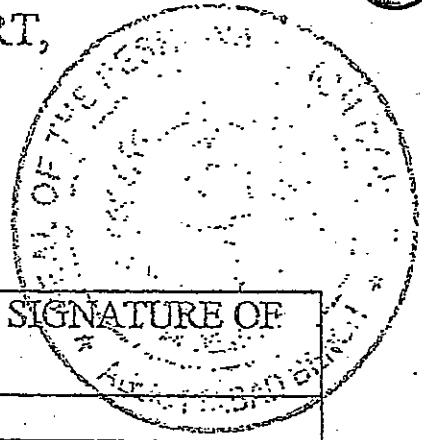
1. District Education Officer (Male) District Abbottabad.
2. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Peshawar.

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973, FOR ISSUANCE OF A DECLARATION
TO THE EFFECT THAT PETITIONER BEING
QUALIFIED AND HAVING PASSED NTS
EXAMINATION WAS ENTITLED TO BE APPOINTED
AS PST IN GPS NAGRI TUTIAL UNION COUNCIL
NAGRI TUTIAL OR GPS RAHI UNION COUNCIL
PHALLAH AS PER CLAUSE 1 OF ADVERTISEMENT
PUBLISHED BY RESPONDENTS AND REFUSAL OF



PESHAWAR HIGH COURT,
ABBOTTABAD BENCH
FORM 'A'
FORM OF ORDER SHEET



Date of Order or Proceedings	ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES
1	2
07.11.2018	<p><u>W.P No. 207-A/2018.</u></p> <p>Present:- Mr. Awais Abbasi, Advocate for the petitioner.</p> <p>Sardar Muhammad Asif, AAG for the respondents.</p> <p style="text-align: center;">***</p> <p><u>SYED MUHAMMAD ATTIQUE SHAH, J.-</u> Petitioner Muhammad Ali has invoked the constitutional jurisdiction of this court praying that:-</p> <p style="text-align: center;"><i>“On acceptance of this writ petition, the respondents may graciously be directed to forthwith issue appointment order of the petitioner on the post of PST (BPS-12) with immediate effect in GPS Nagri Tutial Union Council Nagri Tutial or GPS Rahi Union Council Phalla. Any other relief as may be deemed fit and proper in the circumstances of the case.”</i></p> <p>2. In essence, the case of petitioner is that as per Clause-I of the advertisement dated 30.08.2016, when no candidate was available in the concerned union council, then the candidate from adjacent union council was to be considered and since the petitioner was hailing from the</p>

Official stamp and handwritten signature of the judge, Syed Muhammad Attique Shah, J.

Handwritten initials or mark.

adjacent union council, therefore, he was required to have been appointed on the subject post.

3. Respondents were put on notice who appeared and contested the petition by filing their para-wise comments wherein they have relied upon the notification dated 30.01.2018 whereby amendment was made against Serial No. 1 in column No. 3 & 4 of the appendix to Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules 1989 and submitted that the petitioner was not having the requisite qualification for his appointment.

4. Arguments heard and record perused.

5. Perusal of record reveals that the respondents advertised posts of PST through advertisement dated 30.08.2016, wherein it has clearly been mentioned in clause-I of terms and conditions of advertisement that when a candidate in the concerned union council is not available, then the candidate from the adjacent union council would be considered. It is very much clear from the record as well as comments filed by the respondents that the petitioner fulfill the criteria for his appointment against the subject post.

6. So far as the contention of the respondents that in the light of notification No. SO (PE)4-SSSRC/Meeting/2012/Teaching Cadre/2017 dated 30.01.2018, the petitioner was lacking the requisite

qualification, is concerned, suffice it to mention that in advertisement dated 30.08.2016, the respondents advertised certain posts of Primary School Teacher (PST) and the requisite qualification for the said post was mentioned in the advertisement as Intermediate or equivalent certificate from any recognized board along with Primary School Teacher Certificate or SSC Second division along with two years Associate Degree in Education from any recognized University. Consequent to the said advertisement, several candidates including the petitioner, having qualification upto intermediate, have applied for the said post and appeared in the screening test and some of them having the same qualification, were also appointed against the vacant posts after qualifying the test and interview. Moreover, the advertisement was issued on 31.08.2016 and consequent thereof, the appointments were made on 10.04.2017, whereas the amendment in the rules through the ibid notification was made on 30.01.2018. There is no mention in the notification dated 30.01.2018 that the same would have retrospective effect, therefore, the petitioner carrying the qualification mentioned in the advertisement, would not be subject to the ibid amendment and the respondents without any whim and reason have refused to appoint him which is otherwise against the very terms and conditions of their advertisement.

7. Resultantly, while accepting this writ petition, we direct the respondent No. 1 to consider the petitioner for his appointment against the subject post in accordance with law.

Announced.
07.11.2018

JUDGE

JUDGE

Certified to be True Copy
EXAMINER
23 NOV 2018
Peshawar High Court Aid. Bench
Authorized Under Sec: 75 Evid Ordns.

Tufail*

Hon'ble Justices Lal Jan Khattak & Syed Muhammad Attique Shah.

DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT KHAYUR PAKISTAN
Ph: 091-2253111 Fax: 091-2253115 Email: zulfqar@gnoll.com

Dated: / / 2018

Near Government Station Bus Stop Shariqullah Secondary School No. 1, City Peshawar

MINUTES OF THE OPEC MEETING WITH DEOS (M&F) ON May 08, 2018

Venue: Committee room Directorate of E&SE KP Peshawar

Time: 09:00 AM to 04:00 PM

Chaired By: Mr. Farid Khattak Director E&SE KP Peshawar

Participants: Asst Attached

Proceedings

A meeting was held on 08/05/2018 at Committee room of E&SE KP Peshawar. The meeting was chaired by Mr. Farid Ahmad Khattak Director E&SE KP Peshawar local office. The meeting started with the recitation from the holy Quran.

The participants discussed the following agenda items & agreed upon the following points:

Sr	Agenda Item	Decisions	Responsibility
1	Construction of Group Houses for Girls Students Under Conditional Grant 2017-18	The chair directed DEOs concerned to construct group houses (only for girls schools) under CG 2017-18 as per the decision of Secretary E&SE in the light of court decision. Work on the rest of schemes/facilities must not be started in the decision of socio-engineering team.	DEOs
2	Pending facilities under CG 2014-15, 2015-16 & 2016-17	The chair shared the grievance of worthy Secretary E&SE regarding pending facilities under CG 2014-15, 2015-16 & 2016-17 on which work still not completed. He also directed DDU team to share the list of pending facilities with concerned DEOs and also a copy of it may also be provided to the chair. The chair further directed the concerned DEOs to provide school wise lists of pending facilities & complete all such pending facilities and work on such facilities may also be monitored on weekly basis.	DDU team DEOs
3	Purchase of Science Equipment for Schools & IT Equipment for newly created SDEOs Offices	The chair was informed by a few DEOs that their respective Deputy Commissioners are not willing to convene the purchase committee meetings for the purchase of Science Equipment, PCF and IT equipment for newly established SDEOs offices. The chair directed DEOs to constitute local committee under their personal chairmanship and ensure the utilization of the budget under the said heads up to 30 May 2018. The target set was set by all the DEOs.	DEOs

Note: All employees of E&SE department & District Offices should use the following E&SE and communication numbers to contact the Director E&SE KP Peshawar on their mobile.



**DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA**
 PIR: 091-9225314 / Fax: 091-9225315 Email: esd@go.gov.pk

No. _____ Dated _____ / _____ / 2018

Near Government Shohad Hussain Shahi High Secondary School No. 3, City Peshawar.

4	Autonomy of HSS	The chair directed the DEOs to shift the funds under hiring of teachers (only) in Autonomy budget of HSS to the PTC accounts of the respective school to be utilized on need basis through PTCs afterwards in the new session only for the same purpose of hiring. Chair also directed the DEOs to conduct weekly meeting with concerned principals of GHSSs/IGHSSs to discuss the issues in the utilization of autonomy, budget and its resolution.	DEOs
5	Release of Remaining 25% budget under Non-Salary head.	It was revealed that almost 70% of the budget under Non-Salary head have been utilized therefore the chair directed DEOs to write a letter to their respective DO (F&P) for the release of remaining 25% budget immediately.	DEOs
6	Utilization of Conveyance Charges for Female ASDEOs.	As per the direction of the Secretary ESSE utilization under this head is alarmingly low, therefore as per decision of the Secretary ESSE the chair further directed DEOs to submit & clear all the pending bills immediately & in future submits all such bills along with relevant documents to the account officers up to 5 th of each month for clearance. The bills of previous month (if not cleared for any reason) shall not be paid to the ASDEOs afterwards.	DEOs
7	Reporting of issues regarding budget execution to Directorate	It was revealed in the meeting that some DEOs have issues on part of DC office, DO (F&P) and District Govt. with reference to the budget execution. In this regard the Deputy Director P&D suggested that they should report such issues well in time to Directorate in order to tackle such issues immediately at proper forums.	DEOs
8	GPS Coordinates for developmental schemes	Regarding PC-1 for developmental schemes Deputy Director P&D suggested the DEOs to send GPS coordinates/ GIS map location with PC-1 for proper verification of the proposed site. Sample GPS coordinates/ GIS map sheet will be shared with all DEOs via email.	DEOs DD P&D
9	Vacant Positions	All the DEOs (Male & Female) directed to provide vacant position of all cadres & date regarding retirement of personnel (from 1 st April 2018 to 30 th September 2018) of each cadre with proper school wise STR must be sent ASAP.	DEOs DD P&D
10	Promotions	The Chair directed the DEOs that the promotions cases of PST to SPSTs/PSHTs must be entertained according to the previous policy of promotion while new rules are to be applied for new induction/recruitment.	DEOs

Note: All employees ESSE department & other interested ones, please type "Follow Dir ESSE KP" in your mobile message send it to "40104" to get free tweets of Directorate of ESSE KP Peshawar on your mobile.

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DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION, KHYBER PAKHTUNKHWA
RISE WITH EDUCATION
 Date: 14/11/2010

Near Government Shohra Ahl-e-Sunnat Staff College, District School No. Chakrabandi

Position Transfer of staff	The staff directed to implement policy of staff transfer of employees reported through DRS in addition to mutual transfer and agency as per rules and regulations already notified.	DEOs
Late in a school visit	Directors to conduct surprise visits of their schools after the staff transfer to prevent the unauthorized use of school building resources.	DEOs
Communication with District officials	Staff directed DEOs to respond to official calls/SMS/emails within the duty hour as well as after the close of business hours. They must follow the official WhatsApp group with care to quality. The officials are advised to use the official WhatsApp group for only relevant contents/communications.	DEOs
Staff	DEOs are directed not to follow the orders/instruction/endorsements of personnel not related to the E&SE Department regarding school activities.	DEOs
Social media communication	All the members of the E&SE Directorates of the DEOs (M&F) directed to create their official or personal Facebook & Twitter accounts, update them regularly and share their updates along with details of local person with ID-PRD immediately.	

End of the matter / DRS is dated 14/11/10

Copies communicated to the Director, District Office

All the Districts for information & proper compliance

Official

Deputy Director (E&D)
 E&SE Khyber Pakhtunkhwa

Deputy Director (E&D)
 E&SE Khyber Pakhtunkhwa

Best copy ①

**DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA**
PH:091-9225344/Fax 091-9225345 Email: zulfiqarulmalik@gmail.com

40A

NEAR GOVERNMENT SHAHEED HUSSAIN SAIF HIGHER SECONDARY SCHOOL NO. -1 CITY PESHAWAR.

4	Autonomy of HSS	The Chair directed the DEOs shift the funds under hiring of teachers fondly in Autonomy budget of HSS to the PTC accounts of the respective school to utilized on need basis through PTCs afterwards in the new session only for the same purpose of hiring chair also directed the DEOs to conduct weekly meeting with concerned principals of GHSS and GGSSSSs to discuss the the agues in the mutation of autonomy budget and is resolution	DEOs
5	Release of reaining 25% budget under non salary head	It was fevered that their brost to the budget under non salary have been utilized therefore the other directed DEOs to write a letter to their respective DO (F&P) for the release of remaining 25% budget immediately.	DEOs
6	Utilization of conveyance chaiges for female asdeos	As per the direction of secretary E&SE utilization under this head is alarmingly low therefore as set per decision of the secretary E&SE the Chair further directed DEOs to submit &their all pending bills immediately and in future submits all such bills along with relevant documents to teh account offices up to 5th of each month for clearance the bills of previous month not cleared for any reason not be paid to the ASDEOs afterwards	DEOs
7	Reporting of ussues regarding budget execution to directorate	It was revealed in the meeting thatsome DEOs have ussues on part of DC office DOE&P and District Govt with refrence to the execution with this regard the deputy Director PSD suggested that they should report such issues within time to directorate in order to such issues well immediately at proper forums.	DEOs
8	GPS coordinates for developmental schemes	Regarding PC 1 for developmental schemes deputy Director P&D suggested the DEPs to sent GPS coordinates GIS map location with PC 1 for proper verification of the proposed site sample GPS coordinates GIS map sheet will be shared with all DEOs by email	DEOs DD P &D
9	Vacant Positions	All the DEOs (Male & Female directed to provide vacant position of all cadres & data regarding retirement of persons from 1st April 2018 to 30th September 2018 mst be sent ASAP	DEOs DD P &D
10	Promotions	The Chair directed the DEOs that the promotions cases of PST to SPSTs, PSHTs must be entertained according to the previous policy of promotion while new rules are to be applied for new induction recruitment.	DEOs

Note: All employees E&SE department & other interested please type "Follow Dir_ESE_KP" your mobile massage and sent it to 40404 to get free tweet's of Directorate of E&SE KP Peshawar on your mobile.

DIRECTORATE OF ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA
PH:091-9225344/Fax 091-9225345 Email: zulfiqarulmalik@gmail.com

NEAR GOVERNMENT SHAHEED HUSSAIN SAIF HIGHER SECONDARY SCHOOL NO. -1 CITY PESHAWAR.

4	Posting transfer of NTS appointments Teachers	The Chair directed to implement wedlock policy regarding transfer of employee appointed through NTS in addition to mutually transfers and agency as per rules and regulations already notified.	DEOs
5	Late time school Visit	DEOs to ensure surprise visit of schools after the duty hour to provincial un- authorize of shcool buildings assurance .	DEOs
6	Communication with District Official	Chair Directed DEOs to respond the official calls/SMS Emails within the duty hours as well as after the close of business all of them must follow the official whatsapp group and not to quite if the officials are advised to use the official whatsapp group for only relevant contents /communication	DEOs
7	Scout	DEOs are directed not to follow the orders/instruction/ suggestions of personal not related to the E&SE department regarding scout activities.	DEOs
8	Social mean communication	With refrance of the S directive all the DEOs(M&F) directed to creat their official district level face book & twitter accounts update them regularly and share and share their prior this along with details of fact person with DDP&D immediately	DEOs DD P &D

Deputy director (P&D
E&SE Khyber Pakhtunkhwa

Endst No. _____ Meeting minutes/DPES-1/dated _____

Copies communicated to:

1. PS to Director Local Office
2. All the DEOs (M&F for information & proper compliance
3. Office file

Deputy director (P&D
E&SE Khyber Pakhtunkhwa

Note: All employees E&SE department & other interested please type "Follow Dir_ESE_KP" your mobile message and sent it to 40404 to get free tweet's of Directorate of E&SE KP Peshawar on your mobile.

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD

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NOTIFICATION

The Committee comprising the following officers/officials is hereby constituted to examine, check and scrutinize the documents regarding promotion from PST to SPST, SPST to PSHT, PSHT to CT, PGT, M/DIV and recommend the name of eligible candidates for promotion.

Committee	Name of Officer	Designation	Cadre	Date of Scrutiny	Place of Scrutiny
	Babu Lehngit	SDEO (M) Abbottabad	SPST to SPST	01-3/10/2019	DPO (M) Office
	Muhammad Naseer	SDEO (M) Lera	do	do	do
	Zaheer Ahmed Qureshi	Superintendent	do	do	do
	Nagash Khan	ASDEO Circle Abbottabad	do	do	do
	Muhammad Bashir	Assistant	do	do	do
	Abdul Qayyum	SDEO (M) Havelian	SPST to PSHT	do	do
	Arshad Mahmood	ADEO (E) Birmar	do	do	do
	Syed Mehmoob ul Hassan	ASDEO Circle Havelian	do	do	do
	Muhammad Saeed	PSAO Local Office	do	do	do
	Asif Khan	ASDEO Circle Dhamtour	do	do	do
	Muhammad Zaman	Assistant Local Office	do	do	do
	Mahroof Khan	SDEO (M) Lower Tanawal	PSHT to CT, PGT, M/DIV	do	do
	Zubair Ali	ASDEO Circle P.K. Khan	do	do	do
	Irshad Ali	ASDEO Circle Narnia Gali	do	do	do
	Rabnawaz Khan	ADEO (E) Secondary	do	do	do
	Aqeel Khan	J/C Local Office	do	do	do

Note: All the ASDEOs Circle are directed to be present during the scrutiny of documents during the above period.

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

Order No. J.P.C. / Promotion SPST to PSHT

Dated: 01/02/2019

Copy forwarded to the

1. Director, Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar

2. Deputy District Education Officer (M) Local Office

3. All the Member of Committee

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD

**BEFORE THE HONORABLE KHYBER PAKTOONKHUWA SERVICE TRIBUNAL
PESHAWAR**

Muhammad Tariq Abbasi

V/s

Govt. Of Khyber Paktoon Khuwa & Others

**APPLICATION FOR CONDONATION OF DELAY FOR FILING THE ABOVE
SERVICE APPEAL**

RESPECTFULLY SHEWETH

- 1- That above appeal instituted in this Honorable Court Dated 30-12-2019.
- 2- That the above title service appeal has been return to the counsel due to removal of objection preceding date but mistakenly he did not note the date by court given on that date and was waiting for the date in office.
- 3- That the original appeal was not received, due to closing of Post Office in the period of COVID-19.
- 4- That when counsel approached record clerk for information why title appeal not fixed in preliminary herring.
- 5- That the record clerk told the original file send to Abbottabad for removal of objection a few days ago.
- 6- That the law favours adjudication on merit rather than technicalities.

It is therefore, humbly prayed that the time spent in unawareness about the order may kindly be condoned and appeal of the petitioner may kindly be restored.


Petitioner

Through


Muhammad Liaqat

Advocate High Court Abbottabad

وکالت نامہ

کورٹ فیس
قیمتی

بعدالت جناب سروس ٹریبونلے لپٹا ور کیپ کورٹ ایبٹ آباد

اپیلرینٹ / Petitioner

مخانب

گورنمنٹ آف پبلک ورکس اور پبلک ورکس

بنام

محمد طارق عباسی

باعث تحریر آئیکہ

سروس ایبل

دعویٰ یا جرم

مندرجہ بالا عنوان میں اپنی طرف سے پیروی و جوابدہی مقام محمد رلیات ایڈووکیٹ حالی کورٹ

ایبٹ آباد میں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی پیشی پر مظہر حاضر نہ ہو اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پچھری کے علاوہ کسی اور جگہ یا پچھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام پچھری کے کسی اور جگہ ساعت ہونے پر یا بروز پچھری کے اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے واسطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے بھی صاحب موصوف

ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پر ساختہ صاحب مثل کردہ ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرانے کا ہر قسم کا بیان دینے اور سپرد وراثی و راضی نامہ و فیصلہ برخلاف کرنے و اقبال دعویٰ کا اختیار ہوگا۔ اور بصورت اپیل و براڈگی مقدمہ یا منسوخی ڈگری یک طرفہ درخواست حکم امتناعی یا ڈگری قتل از فیصلہ اجرائے ڈگری بھی صاحب موصوف کو بشرط ادا کی علیحدہ پیروی مختار نامہ کرنے کا مجاز ہوگا اور بصورت ضرورت اپیل یا اپیل کے

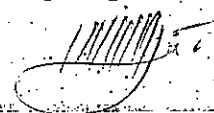
واسطے کسی دوسرے وکیل یا بیرٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی امور میں ذہنی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں۔ ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سندر ہے۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

مورخہ 30/12/2019ء

محمد طارق عباسی

العبد العبد العبد العبد العبد

Accepted
&
Attested



"B"

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

No.

TR A/A

Appeal No. 3082 of 20 21

Mohd Tariq Abbas Appellant/Petitioner

Versus

Imgh Sanyal Edu Respondent

Respondent No. 4

Notice to:

Sub Divisional Officer (Male)
Lower Tanawal Alabad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 29-11-21 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 16

Day of 11 20 21

at court

Al Abad

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

No.

3082

TR A/A

Appeal No..... of 20 21

Mohd Tariq Abbasi..... Appellant/Petitioner

Versus

Imogh Say: Edu..... Respondent

Respondent No..... 3

Notice to: - DIST Education Office (M),
A/Abad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... 29-11-2021..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

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

Day of..... 11..... 20 21

Af camp court
A/Abad

Registrar,
Khyber Pakhtunkhwa Ser
Peshawar.

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