

18<sup>th</sup> July 2022

Learned counsel present. Syed Naseer Ud Din Shah, Asst: AG alongwith Mr. Hamid Mansoor, Assistant for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 19.09.2022 before D.B at camp court Abbottabad.



(Salah Ud Din)  
Member(Judicial)



(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

19.09.2022

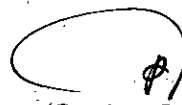
Appellant present through counsel.

Muhammad Jan, District Attorney alongwith Hamid Mansoor, Assistant for respondents present.

Former made a request for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 14.11.2022 before D.B at Camp Court, Abbottabad.



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



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

SA No. 8636/2020

27.12.2021

Counsel for the appellant present. Preliminary arguments heard.

Subject to all just and legal objection, the appeal is admitted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 14.03.2022 before S.B at camp court, Abbottabad.

Appellant Deposited  
Security Process Fee

24/1


  
Chairman

Camp Court, A/Abad

16.05.2022

None for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General along with Mr. Hamid Maqsood, Assistant for the respondents present.

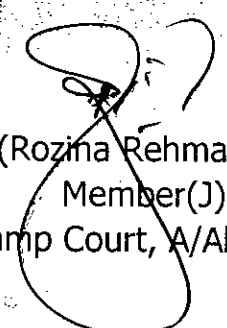
Written reply/comments on behalf of respondent No. 1 to 3 submitted which is placed on file. A copy of the same is also handed over to the appellant. To come up for rejoinder as well as arguments on 18.07.2022 before D.B at camp court Abbottabad.

  
Kalim Ashad Khan  
Chairman  
Camp Court, Abbottabad

18.02.2021

Junior to counsel for appellant present.

He made a request for adjournment as senior counsel for appellant is not in attendance. Adjourned. To come up for preliminary hearing on 14.06.2021 before S.B at Camp Court, Abbottabad.

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

14.06.2021

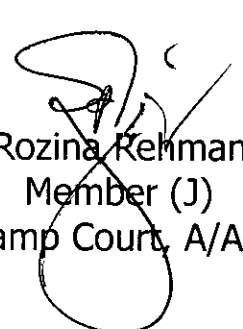
Due to cancellation of tour, Bench is not available. Therefore, case is adjourned to 29.09.2021 for the same as before.

  
Reader

30.09.2021

Appellant in person present.

He made a request for adjournment as his counsel is not available today; granted. To come up for preliminary hearing on 27.12.2021 before S.B at Camp Court, Abbottabad.

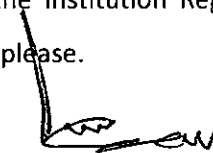


  
(Rozina Rehman)  
Member (J)  
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

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

Case No.- 8636 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/07/2020	<p>The appeal of Mr. Fida Muhammad presented today by post through Ikram-ul-Qayum 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>19-11-2020</u></p> <p> CHAIRMAN</p>
	19.11.2020	<p>Appellant is present in person and requested for adjournment on the ground that his counsel is not available today. Adjourned to 18.02.2021 on which date file to come up for preliminary hearing before S.B at Camp Court, Abbottabad.</p> <p> (MUHAMMAD JAMAL KHAN) MEMBER CAMP COURT ABBOTTABAD</p>

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN  
KHWA PESHAWAR

8636  
Fida Muhammad ..... Appellant

Versus

Secretary, Elementary and Secondary Education Department  
Peshawar etc..... Respondents

APPEAL

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Dated 08-07-2020

Fida Muhammad  
Fida Muhammad  
(Appellant)

Through:

IKRAM UL QAYYUM  
&

BABAR ILYAS  
Advocates High Court  
District Courts Mansehra

①

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN  
KHWA PESHAWAR

Service appeal No..... of 2020

Fida Muhammad son of Muhammad Fareed r/o Village Nakkah Post Office Lissan Nawab, Tehsil & District Mansehra, Ex DM GMS Devil Mansehra .....Appellant

**Versus**

- 1) Secretary, Elementary and Secondary Education Department Peshawar
- 2) Director, Elementary and Secondary Education Department Peshawar.
- 3) District Education Officer (Male) Mansehra.....Respondents

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION NO 17693-96 DATED 07-11-2019 WHEREBY RESPONDENT NO 03 HAS WITHDRAWN THE APPOINTMENT NOTIFICATION OF THE APPELLANT VIDE ENDST NO 10261-67 DATED 20.06.2019 AND WHERE UPON APPELLANT PREFER AND DEPARTMENTAL APPEAL AGAINST SAID ORDER, WHICH WAS REJECTED VIDE DATED 02-07-2020.

PRAYER:-

On acceptance of the appeal, the impugned NOTIFICATION NO. 17693-96 Dated 07-11-2019 may graciously be set-aside being illegal, void, without Lawful authority, of having no legal effect and factually erroneous and appellant be reinstated into service as DM with all back benefits and other admissible allowances as per law on the subject and any other order as may deem fit and appropriate in the fact and circumstances of the case.

**Respectfully Sheweth:-**

- 1) That, initially, appellant was appointed against vacant post of DM at GMS Ahl Seri, Mansehra vide appointment Order Endst: No.29911-19 Dated 13-11-1996 by Competent Authority (Respondent No 03)

*(Copy of appointment order dated 13-11-1996 is annexed as annexure "A").*

- 2) That, appellant performed his duties and continued his services, unfortunately the service of appellant

was terminated on grounds of irregular appointment vide termination order No.1965-2014 dated 30.01.1997 by Competent authority

(Copy of termination order dated 30.01.1997 is annexed as annexure "B").

3) That, the Government of Khyber Pakhtun Khawa, enacted the Khyber Pakhtukhawa Sacked Employees (Appointment) Act, 2012, for reinstatement of Sacked Employees whose terminated during 1996-98, where under, appellant applied for his reinstatement/ appointment through an application in year 2012, whereupon Respondent No. 03 regretted to reinstate/ appoint the appellant on the ground of having not possessing the prescribed professional qualification at the initial period, despite the facts that number of similar placed Sacked Employees were re instated into government service by competent Authority.

4) That, the appellant filed Writ Petition No. 731-A of 2016 title Muhammad Saeed & others verses Govt of KPK and Others before Hon'ble Peshawar High Court Abbottabad bench against the non issuing of appointment order of appellant as Sacked Employees, which was decided vide judgment dated 03-04-2018 in favour of petitioner/appellant. In compliance of the judgment of Honourable High Court, the appellant was re-instated/appointed, into Government Service after checking/scrutiny of application and relevant record of the appellant in office concerned and on the recommendation of Departmental Selection Committee, by the respondent No.3 vide appointment Notification Endst: No.10261-67 dated 20-06-2019 and posted as DM at GMS Devil Mansehra against vacant post.

(Copies of judgment and appointment order vide dated 20-06-2019 are annexed as annexure "C & D").

5) That, in compliance of appointment order dated 20-06-2019, the appellant took over the charge of the post by submitting arrival report and charge report vide

dated 21-06-2019 at GMS Devil Mansehra and is devotedly serving with his utmost endeavour and to the best of his ability from the date of his appointment.

(Copies Charge Report vide dated 21-06-2019 and other relevant documents are annexed as annexure "E").

- 6) That, all of a sudden, and to the utter surprise of the appellant, Respondent No. 03 served a Show Cause Notice upon the appellant in which he was required to explain his position in respect of alleged submission of fake document/service record and no record where found in initially appointed school vide GMS Ahl Seri Mansehra to which appellant replied and denied the baseless, after thought and unfounded allegation mentioned in the Show Cause Notice.

(Copy of Show Cause Notice and reply of show cause are annexed as annexure "F")

- 7) That, Respondent no 03 in the ibid Show cause notice was pleased to dispense with the conduct of formal/regular inquiry without any reason which shows mala-fide on the part of Respondent No 03.

- 8) That, without having proved the allegations leveled in the Show Cause Notice, the appointment order of the appellant vide appointment dated 20.06.2019 was withdrawn with immediate effect through a mechanical impugned Notification Endst: No. 17693-96 dated 07-11-2019, by Respondent No. 03.

(Copy of impugned Notification dated 07-11-2019 is annexed as annexure "G").

- 9) That, appellant filed a departmental appeal against impugned Notification vide dated 17-11-2019, before appellate authority (Respondent No 02), which was rejected vide Edst No 8014 dated 02-07-2020 by the respondent, hence the instant appeal.

(Copies of departmental appeal and rejection vide dated 02-07-2020 are annexed as annexure "H & I").

That, felling aggrieved from the impugned Notification dated 07-11-2019 passed by Respondent No. 03, appellant having no other remedy except to file the present appeal before this worthy Tribunal for interference inter alia on the following amongst other grounds.



GROUND:

- A) That, admittedly, appellant was initially, appointed against the vacant post of DM on dated 13-11-1996 and till 30.01.1997, he performed his duties and kept on receiving his salary/ pay. Whereas the impugned Notification vide dated 17-11-2019 of withdrawn of appointment order is perverse, discriminatory, malafide, against the law and liable to be set aside.
- B) That, the services of the appellant were terminated on the ground of irregular appointment in the year 1997, and appellant applied for his appointments in the view of KPK Sacked Employees Act, 2012, respondent No 03 was appointed in due course and after inquiry by concerned quarter and furthermore scrutiny of the service record of the appellant wherein no deficiency in respect of the case of the appellant was found and he was declared "OK"
- C) That the meeting of District Selection Committee was held on 11-06-2019 under the Chairmanship of Respondent No. 3 for determining the eligibility and suitability for appointment of Sacked Employee, wherein the appellant was recommended for appointment as DM being eligible and suitable for appointment, after observing all codal formalities the withdrawal of appointment order appellant is against the law, rules and malafide on the part of respondents and against the natural justice.
- (Copy of minutes of meeting of DSC is annexed as Annexure "J")
- D) That, admittedly, appellant being Sacked Employee was appointed by respondent No. 3 after checking/ Scrutiny of all relevant document as per record in office concerned and on recommendation of Departmental Selection Committee and also as per Judgment of, Hon'ble Peshawar High Abbottabad Bench, issuing of impugned Notification vide dated 07-11-2019 is baseless, unlawful unconstitutional,

based on malafide by ignoring the facts and relevant records, without statement of allegation, over riding the rules, on the basis on report, which is although and favour of appellant, wherein the Headmaster GMS Ahl Seri Mansehra through his statement vide dated 30-09-2019 and 11-11-2017 and at per attendance register for the year 1996 that the appellant had been working 14-11-1996 to 24-11-1996 at GMS Ahl Seri Mansehra. On the basis of statement of Headmaster wherein he submitted that no record has been found of appellant at GMS Ahl Seri is against the fact and record of appellant, which is no legal and justified reason on the basis of which the appointment order of appellant was withdrawn. Which is illegal and is liable to be struck down.

(Copy of report vide dated 02.10.2019, 11.11.2017 and attendance registered are annexed as Annexure "K, L and M")

- E) That, the impugned notification vide dated 07-11-2019 against the law, rules, and also against the judgment of Hon'ble high court, that the appellant was appointed in due course and after adopting all codal formalities and after inquiry by concerned equator and on the recommendation of DSC and scrutiny of documents in office concerned by Scrutiny committee, thereafter, the appointment order vide dated 20-06-2019 was issued by respondent No.3.
- F) That, there is no cavil to the service legal proposition that regular inquiry must be held in denied and disputed question of fact, but department (respondent No.3) with malafide intention dispensed with holding of regular inquiry into the present case, and also malafide statement of Head Master due to which the impugned notification dated 07-11-2019 is not legally sustainable.
- G) That, the appellant was never provided an opportunity to rebut the allegation levelled against him in the show cause notice nor he was confronted

with any evidence in respect of fakeness of earlier appointment and termination orders nor appellant was provided in opportunity of personal hearing, hence the impugned notification vide dated 07-11-2019 is inherently flawed and legally unsustainable.

- H) That, the fresh appointment order of appellant dated 20-06-2019, would reveal that it was issued on the recommendation of DSC and after though and in-depth scrutiny of entire record of appellant, and no deficiency of whatsoever kind and nature was found by the scrutiny committee in the case of appellant.
- I) That no regular inquiry was held in the alleged allegation as mentioned in impugned notification dated 07-11-2019, hence the allegation setup by respondent has only remained the allegation and it has not been proved at all.
- J) That, neither any statement of allegation was prepared nor charge sheet was issued to the appellant and he was condemned un heard.
- K) That, no proper and lawful procedure was adopted by respondent, only appointment order was withdrawn on the bases of fake report of Head Master after though and fabricated manner hence the impugned notification in not sustainable.
- L) That, respondent/authorities were biased against the appellant and they wilfully and with malafide intention did not associate the appellant with any procedure.
- M) That, the alleged allegation of the respondent to the effect that the appointment order and termination orders are not available in previous school, where the appellant was initially appointed and not found in record of school concerned as per report of Head Master, are seem to be after though and fabricated by

respondent just to deprive the appellant of his vested right.

N) That, the entire scheme of service law does not recognize the expression 'WITHDRAWN' of appointment order, hence, respondent No.3 himself fabricated the allegation against the appellant of having fake record or not found in previous school, though self coined terminology of withdrawn of appellant appointment order, which had been issued in compliance of the judgment of Hon'ble Peshawar High Court Abbottabad bench, vide judgments dated 03-04-2018, 27-03-2018, 07,03-2019, in Writ Petition No731-A of 2016, No.516-A of 2013, 676-A of 2015, 20-A of 2014, 216-A of 2015, 1155-A of 2015, 702-A of 2014, 115-A of 2014 and 944-A of 2019.

O) That, facts and circumstance of the case suggest that appellant has been made a scapegoat by respondent No.3 for ulterior motive and with malafide.

P) That, whatever angle, the legality and propriety of the impugned notification is analyzed, it is liable to be declared void, patently illegal, unlawful, without jurisdiction and of having no legal effect without second thought.

Q) That, in fact the entire proceeding and action against the appellant were wrong, illegal against the rules and regulation and hence void-ab-intio.

R) That, this fact may not be left to fade in oblivion that withdrawal of appointment order of appellant is arbitrary, one sided and ex-parte therefore, notification has no legal sanctity and is nullity in the eye of law

S) That, there is no other efficacious and prompt remedy available to the appellant except the invocation of jurisdiction of this Hon'ble Tribunal.

8

T) That, appellant seeks the permission of this Hon'ble Court to agitate any other grounds available at the time of arguments

**PRAYER:-**

In view of the above circumstances and facts it is therefore, most humbly prayed and requested that on acceptance of the appeal, the impugned NOTIFICATION NO. 17693-96 dated 07-11-2019 may graciously be set-aside being illegal, void, without Lawful authority, of having no legal effect and factually erroneous and appellant be reinstated into service as Post of DM with all back benefits and other admissible allowances as per law on the subject and any other order as may deem fit and appropriate in the fact and circumstances of the case.

Dated 08-07-2020

*Fida Muhammad*  
Fida Muhammad  
(Appellant)

Through:

*Iqbal*  
IKRAM UL QAYYUM  
&

BABAR ILYAS  
Advocates High Court  
District Courts Mansehra

**VERIFICATION:**

FIDA MUHAMMAD SON OF MUHAMMAD FARID R/O VILLAGE NAKKAH, P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA, EX DM GMS GHORAY PHAIR GARHI HABIBULLAH MANSEHRA DO HEREBY VERIFY THAT THE CONTENTS OF FORE-GOING APPEAL ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND NOTHING HAS BEEN CONCEALED OR SUPPRESSED FORM THIS HON'BLE TRIBUNAL..

*Fida Muhammad*  
FIDA MUHAMMAD  
(DEPONENT)

9

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN  
KHWA PESHAWAR

Fida Muhammad .....Appellant

**Versus**

Secretary, Elementary and Secondary Education Department  
Peshawar etc.....Respondents

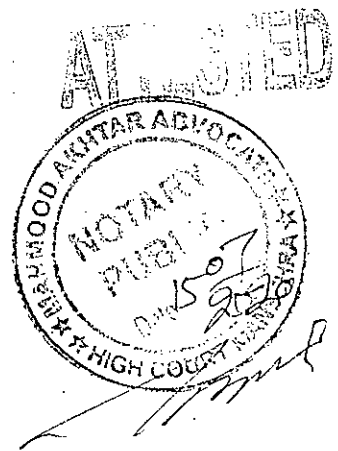
APPEAL

AFFIDAVIT

I FIDA MUHAMMAD SON OF MUHAMMAD FARID  
R/O VILLAGE NAKKA POST OFFICE LASSAN NAWAB  
TEHSIL & DISTRICT MANSEHRA, EX DM GMS AHL  
SERI MANSEHRA DO HERBY SOLEMNLY AFFIRM  
AND DECLARE ON OATH THAT THE NO SUCH  
SUBJECT MATTER APPEAL HAS EVER BEEN FILED  
BEFORE THIS HONORABLE COURT NOR PENDING  
NOR DECIDED. THAT THE CONTENTS OF  
FOREGOING AFFIDAVIT ARE TRUE AND CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND  
NOTHING HAS BEEN CONCEALED OR SUPPRESSED  
FROM THIS HONOURABLE TRIBUNAL.

*Fida Muhammad*

FIDA MUHAMMAD  
DEPONENT



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN  
KHWA PESHAWAR

Fida Muhammad.....Appellant

**Versus**

Secretary, Elementary and Secondary Education Department  
Peshawar etc.....Respondents

APPEAL

CORRECT ADDRESSES OF THE PARTIES

Respectfully sheweth!

Correct addresses of the parties are as under: -

APPELLANT

Fida Muhammad son of Muhammad Fareed r/o Village  
Nakkah Post Office Lassan Nawab, Tehsil & District  
Mansehra, Ex DM GMS Devil Mansehra

RESPONDENTS

- 1) Secretary, Elementary and Secondary Education  
Department Peshawar
- 2) Director, Elementary and Secondary Education  
Department Peshawar.
- 3) District Education Officer (Male) Mansehra

Dated 08-07-2020

*Fida Muhammad*  
Fida Muhammad  
(Appellant)

Through:

*[Signature]*  
AKRAM UL QAYYUM  
&

BABAR ILYAS  
Advocates High Court  
District Courts Mansehra

(11)

Ashtore 39 A

Took over on 14/11/96

OFFICE OF THE DIRECTOR OF EDUCATION (SCHOOLS), HAZARA DIVISION, A.A.P.S.

APPOINTMENT

No./File: FIRA MUHAMMAD

3/1/00

MUHAMMAD SAJJAD

Resident of L/HANAN MAJID

ABEYANAZEL MANSUR

Is hereby appointed as

ONE ALLOT, HAZARA

in SPS No. 9 of 1097/14 File

with effect from the date of taking over charge in the interest of public service on the following terms & conditions:-

1. The appointment is purely on temporary basis and liable to termination at any time without notice or explanation.
2. He/She should produce his/her age and health certificate from the HQ concerned.
3. The Head of Institution/Office is required to check all the original Educational Qualification and professional qualification certificate before handing over charge.
4. The Head of Institution/Office is required to get verified his/her Certificate from Board/University/Registrar concerned.
5. Appointment of trained candidates who passed their professional examination from other than HWP is provisional and subject to the verification of certificates.
6. In case He/She wish to resign from Service he/She will have to give one month prior notice or forfeit one months pay in lieu of short notice.
7. The appointment shall stand automatically cancelled if he/she failed to join the post within 15 days of the issue of this order.
8. Special relaxation of upper age limit for 2 years has already been allowed vide Govt of NWFP SRO letter No. SOS-III (SRO) N, 04 dated 18.7.94.
9. He/She is allowed on 1st Appointment.
10. Charge reports should be submitted to all concerned.
11. He/She should not hand over charge if his/her age exceeds 60 years or below 18 years.

(FAZAL-UR-REHMAN KHAN)  
DIV: DIRECTOR OF EDUCATION (SCHOOLS)  
HAZARA DIVISION A.A.P.S.

Dated: No. 29/11-19 / Dated A/Abd the 13 / 11 / 1996.

Copy of the above is forwarded to that:-

- F/O to Minister for Education S/C NWFP, Peshawar.
- Director of Secondary Education NWFP, Peshawar.
- District Education Officer (N/S)
- Principal/Headmaster/Headmistress
- District Accounts Officer
- Candidate concerned.
- ADDO (Estab) Local office.
- Office under file.

DIVISIONAL DIRECTOR OF EDUCATION  
HAZARA DIVISION A.A.P.S.

Terminated

Vide A.E. Hazara No. 1936-2-14/A.ETI B dated 30-1-97.

untrained



11-A

**BETTER COPY**

**APPOINTMENT**

Mr. Fida Muhammad Son of Muhammad Fareed, resident of Village Nakkah, Post Office Lassan Nawab District Mansehra is hereby appointed as \_\_\_\_\_ in BPS No. 9 @ 1600/PM fixed as usual allowance at GMS Kaghan with effect from the date of taking over charge in the interest of public service on the following terms and conditions: -

**TERMS AND COPNDITIONS.**

- 1) The appointment is purely on Temporary basis and liable to be terminated at any time without notice or assigning reasons.
- 2) He/She should produce his/her Health & Age Certificate from the Medical Superintendent concerned.
- 3) The head of the Institution/officer is required to check all the original Edu: Qualification & Professional Qualificational Certificate before handing over charges.
- 4) The head of the Instt:/Office is required to get verified his/her Certificate from the Board/University/Registrar concerned.
- 5) The appointment of Trained Candidates who passed their prof: examinations from other than NWFP is provisional and subject to the verification of Certificates.
- 6) In case he/she wish to resign from service he/she will have to give one month prior notice or forfeit one month's pay in lieu of short notices.
- 7) The appointment shall stand automatically cancelled if he/she failed to join the post within fifteen days of the issuance of the letter/order.
- 8) Special Relaxation of upper age limit for 2 years has already been allowed vide Govt. of NWFP, S&GAD letter No. SOS-III(S&GAD) E-94 dated 18.07.1994.
- 9) No TA/DA is allowed on 1<sup>st</sup> Appointment.
- 10) Charge Reports should be submitted to all concerned.
- 11) He/She should not be handed over charge if his/her age is exceeds 32 years or below 18 years.

(FAZAL-UR-REHMAN KHAN)  
DIVISIONAL DIRECTOR OF EDUCATION (S)  
HAZARA DIVISION, ABBOTTABAD

Endst. No. 29911=19      Dated Abbottabad the 13.11.1996  
Copy of the above is forwarded to: -

- 1) P/S to Minister (S/S) NWFP Peshawar.
- 2) The Director Secondary Edu: NWFP Peshawar.
- 3) The District Edu: Officer (M-S) (Female - Secondary)
- 4) Principal/Headmaster/Headmistress \_\_\_\_\_
- 5) District Accounts Officer mansehra
- 6) Candidate concerned (8) ADEO Local Office.
- 10) Office Order file.

DIVISIONAL DIRECTOR OF EDUCATION (S)  
HAZARA DIVISION, ABBOTTABAD

12-17

**BETTER COPY**

**OFFICE OF THE DIVISIONAL DIRECTOR OF EDUCATION(S) HAZARA  
DIVISION A.T.D.**

**TERMINATION**

The following teachers are hereby terminated in the interest of public service with immediate effect hence their appointments have been made against the prescribed rules: -

S.No.	NAME OF TEACHERS/SCHOOLS
1.	Ameer Zaman DM GHSS Darband Mansehra.....DM(M)
2.	Shoukat Ali, DM GMS Sung Mansehra
3.	Muhammad Sajid DM, GMS tareri Mansehra
4.	Muhammad Javed DM, GMS Bat Darrian Mansehra
5.	Fida Muhammad DM GMS Allai Mansehra
6.	Saidur Rehman DM, GMS Shatial Kohistan
7.	Iftikhar Khan DM, GMS Jal Kot Kohistan
8.	Akhtar Ali, DM GMS Baija Kohistan
9.	Abdul Karwwm DM, GMS Kayal Kohistan
10.	Gul Nazar DM, GMS Danial Qillah Kohistan
11.	Sherzada, DM, GMS Dassu Kohistan
12.	Abdullah DM GMS Gadar Kohistan
13.	Abdullah DM GMS Dil Kando Kohistan
14.	Munawar Khan CT, GMS Chakkal Kohistan
15.	Iftikhar Ahmed, CT, GMS Chakkai Kohistan
16.	Amin Khan CT GMS Maidan Kohistan
17.	Fazal Haq, CT GMS Birsherial Kohistan
18.	Abdul Majid CT, GMS Dargah Karban Kohistan
19.	Said Ahmed, CT, GMS Summer Nullah Kohistan
20.	Khalid CT GMS Summer Nullah Kohistan
21.	Syed Khalid Saeed, CT GMSS Kohistan
22.	Shoukat Mehmood CT, GHS Pind Hasham Khan
23.	Amanullah Khan CT, GHS Jab Haripur
24.	Amir Iqbal, CT, GMS Badha Haripur
25.	Zaheer Baig DM, GCMS Narbeerh Mansehra

Sd/--

Divisional Director of Education (S)  
Hazara Division, Abbottabad

Endst. No. 1956-2014/AE-III.B Dated 30.1.97

Copy to: -

- 1) Ps to Chief Secretary, Secretary Ed-Ui N.W.F.P. Peshawar
- 2) The DEO(M) Secy: Haripur, Mansehra and Kohistan
- 3) All the Head of Institution.
- 4) All the candidates concerned
- 5) Office order file and office copy.

Sd/--

Divisional Director of Education (S)  
Hazara Division, Abbottabad

## OFFICE OF THE DIVL: DIRECTOR OF EDUCATION (S) HAZARA DIVISION A.T.D.

TERMINATION.

The following teachers are hereby terminated in the interest of public service with immediate effect hence their appointments have been made against the prescribed rules:-

S. NO.	NAME OF TEACHERS/SCHOOLS	
1.	Ameer Zafar D.M	GMSS Darband, Manshehra. .... DM(M)
2.	Shoukat Ali D.M	GMS Sung Manshehra
3.	Muhammad Sajid D.M	GMS Trarri Manshehra.
4.	Muhammad Javid D.M	GMS Bas Darrian Manshehra.
5.	Fida Muhammad D.M	GMS Alsaifi Manshehra.
6.	Saifur Rehman DM	GMS Sherial Manshehra.
7.	Iftikhar Khan DM	GMS Jal Kete Kohistan
8.	Akhtar Ali DM	GMS Baila Kohistan.
9.	Abdul Kareem DM	GMS Kayal Kohistan
10.	Gul Nazar DM	GMS Daniyal Qailla Kohistan.
11.	Sherzada DM	GMSS Dausu Kohistan.
12.	Abdullah D.M	GMS Qadar Kohistan.
13.	Abdullah D.M	GMS Dil Kende Kohistan.
14.	Hanwar Khan CT	GMS Kero bair Kohistan..... CT(M)
15.	Iftikhar Ahmad CT	GMS Chakkai, Kohistan.
16.	Amin Khan CT	GMS Maisan, Kohistan.
17.	Pazal Haq CT	GMS Birsherial Kohistan.
18.	Abdul Mejid CT	GMS Dargah Karban Kohistan.
19.	Said Ahmad CT	GMS Summer Mallah, Kohistan.
20.	Khalid CT	GMS Perobala Kohistan.
21.	Syed Khalid Saeed CT	GMSS Kohistan.
22.	Shoukat Helmoed CT	GMS Pipi Hasham Khan
23.	Amanullah Khan CT	GMS Jab Haripur.
24.	Amir Iqbal CT	GMS Badha Haripur.
25.	Zuheer Baig D.M	CGMS Narbora Manshehra ..... DM(M)

DIVL: DIRECTOR OF EDUCATION(S)  
HAZARA DIVISION ABBOTTABAD.

Encl: NO. 1956-2014 / AE-III. B

Dated 30/1/197

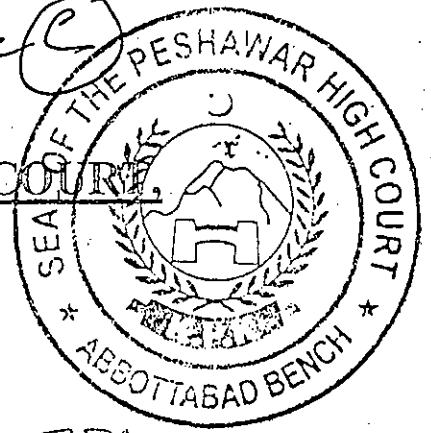
Copy to:-

- 1-2 Chief Secretary & Secretary, Ed-UI N.W.F.P. Peshwar.
- 3-5 The District Secy. Haripur, Manshehra and Kohistan.
- 6-8 The District Accounts Officers Haripur Manshehra and Kohistan.
- 9-32 All the Head of Institutions.
- 33-56 All the Candidates concerned.
- 57-58 Office Order File and Office Copy.

DIVL: DIRECTOR OF EDUCATION(S)  
HAZARA DIVISION ABBOTTABAD.

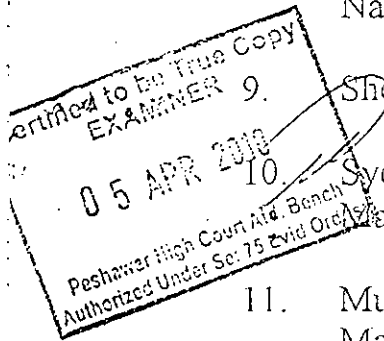
131 Amur

BEFORE THE PESHAWAR HIGH COURT  
ABBOTTABAD BENCH



Writ Petition No. 731 -A/2016

1. Muhammad Saeed son of Miskeen Shah, PST, resident of Karan GPS Mat Serian, Mansehra.
2. Muhammad Arshad son of Malik Aman, PST, resident of Mansehra.
3. Muhammad Fiaz son of Muhammad Zaman, PST, resident of Mansehra.
4. Abdul Khanan son of Behram Khan, PST, resident of Mansehra.
5. Tariq Manan son of Abdul Manan, CT, resident of Lissan Nawab, Mansehra.
6. Rashid Manan son of Abdul Manan, PST resident of Lissan Nawab, Tehsil and District Mansehra.
7. Hakim Khan son of Gohar Rehman, PST, resident of Mansehra.
8. Muhammad Ilyas son of Muhammad Nzir, PST, resident of Lissan Nawab, Tehsil and District Mansehra.
9. Sher Afzal son of Sher Muhammad, CT, resident of Mansehra.
10. Syed Sajjad Hussain Shah son of Hayat Shah, PST, resident of Mansehra.
11. Muhammad Anwar son of Khani Zaman, PST, resident of Mansehra.
12. Iftikhar Ahmed son of Mir Zaman, PST, resident of Mansehra.
13. Samiullah son of Abdul Aziz, AT, resident of Mansehra.
14. Khurshid son of Abdul Razzaq, PST, resident of Mansehra.
15. Khurshid son of Abdul Rehman, PST, resident of Mansehra.



3524

03-08-16

Re-Filed Today

Additional Registrar  
Peshawar High Court

14

16. Muhammad Zaheer, PST, resident of Mansehra.
17. Khan Muhammad S/o Mehmood, PST, resident of ~~Sakot~~ District Mansehra.
18. Tazeem Babar, PST, resident of Mansehra.
19. Kala son of Ali Zaman, PST, resident of Mansehra.
20. Shakeel Ahmed son of Ayub, PST, resident of Mansehra.
21. Muhammad Iqbal son of Aziz ur Rehman, PST resident of Mansehra.
22. Syed Amir Hussain Shah son of Syed Habib Ali Shah, PST, resident of Mansehra.
23. Naheed Ahmed son of Ghulam Nabi, PST resident of Mansehra.
24. Muhammad Khalid son of Ameer Khan, PST, resident of Mansehra.
25. Hamayun son of Habib ur Rehman; PST, resident of Mansehra.
26. Zulfiqar Ahmed son of Ghulam Sarwar, PST, resident of Mansehra.
27. Sabir Ali son of Fida Muhammad, CT, resident of Mansehra.
28. Parvez son of Malik Noor Alan, PST, resident of Gar Darband, District Mansehra.
29. Muhammad Irfan son of Muhammad Zaman, PST, resident of Gali Badra, District Mansehra.
30. Muhammad Haroon son of Ghulam Haider, PST, resident of Mansehra.
31. Muhammad Naeem, TT, resident of Mansehra.
32. Sultan son of Rehmatullah, PST, resident of Mansehra.
33. Muhammmad Irfan son of Muhammad Miskeen, PST, resident of Shanaya, District Mansehra.
34. Arshad son of Ali Zaman, PST, resident of Mansehra.
35. Sarshad son of Miskeen, PST, resident of Mansehra.

Certified to be true copy  
 EXAMINER  
 05 APR 2011  
 Peshawar High Court Area  
 Authorized Sign: [Signature]

Re-Filed Today

[Signature]  
 Additional Magistrate  
 Peshawar District Court

36. Muhammad Ghulab son of Abdul Rehman, PST, resident of Mansehra.
37. Muhammad Rafique son of Abdullah, PST, resident of Pathani Seri Tehsil and District Mensehra.
38. Muhammad Imran son of Badri Zaman, PST, resident of Village Seri Gorla, Tehsil and District Mansehra.
39. Muhammad Asif son of Wali Jan, PST, resident of Mansehra.
40. Muhammad Saddique son of Sher Bahadur, PST, resident of Mansehra.
41. Saliheen son of Hadayatullah, PST, resident of Mansehra.
42. Sajid Hussain son of Saieen, PST, resident of Mansehra.
43. Sher Dil son of M. Mahroof, PTC, village Chakal Tehsil and District Mansehra.
44. Mazhar Ali son of Khawaj Muhammad, PST.
45. Muhammad Ajmal son of Suleman, PST, resident of Chooian, Tehsil and District Mansehra.
46. Muhammad Ifran son of Ali Akhtar, PSt, resident of Mansehra.
47. Muhammad Aslam son of Muhammad Alam, PST, resident of Gali Jabbar, Tehsil and District Mansehra.
48. Muhammad Ejaz son of Taj Muhammad, PST, resident of Mansehra.
49. Muhammad Afzal son of Muhammad Ayub, PST, resident of Mansehra.
50. Parvez son of Malik Noor Alam, PST, resident of Tehsil and District Mansehra.
51. M. Zaheer son of Ali Akbar, PST, resident of Pakona, Tehsil and District Mansehra.
52. Abdul Sadiq, PST, resident of Mansehra.
53. Abdul Rasheed son of Abdul Wahab, PST, resident of Village Maira Hajam, Mansehra.

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EXAMINER  
05 APR 2013  
Peshawar High Court Atd. Bench  
Authorized Under Sec. 75 Evid Ordns.

Re- Filed Today

Additional Registrar  
Peshawar High Court  
Abbottabad Bench

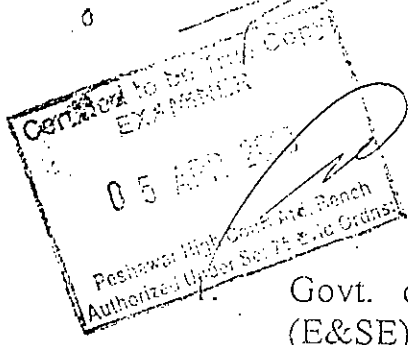
01.04/16

Vide order of Honorable Court, DB dt: 20-10-2010 in C.M. No. 1055-A/17. No. 64 to 66 are implemented as Petitioners. 64. Gul Naz Bibi D/o Abdullah wife of Ali Zaman, PST, s/o Phulra, Tehsil and District Mansehra. 65. Pir Ali Shah s/o Sajed Farman Shah, PET, s/o, Devi Phulra, Tehsil and District Mansehra. 66. Nozot Bibi D/o Fazal Dad Khan DM, Nawanshehr, Abbottabad.

- 54. Siraj Khan son of Abdul Hameed, PST, resident of Shinkhari, Tehsil and District Mansehra.
- 55. Malik Azhar Hafeez, CT, resident of District Mansehra.
- 56. Mukhtiar Ahmed son of Muhammad Yousaf, CT, resident of Mansehra.
- 57. Nisar Ahmed son of Said Akbar, CT, resident of Ramkot, Mansehra.
- 58. Shahnawaz S/o Khalil ur Rehman CT, GHS, resident of Darband Mansehra.
- 59. Hamayun son of Samundar Khan, DM, resident of Tehsil and District Mansehra.
- 60. Fida Muhammad son of Muhammad Fareed, DM, resident of Mansehra.
- 61. Saleem Babar son of Abdul Qayyum, TT, resident of Mansehra.
- 62. Muhammad Shafaaqat son of Muhammad Zareen, PST, resident of Bhalla, P.O Talhatta, Tehsil Balakot, District Mansehra.
- 63. Shah Zaman son of Faqir Muhammad PET, Village Paplian, P.O New Darband, Tehsil Oghi, District Mansehra.

...PETITIONERS

VERSUS



Govt. of Khyber Pakhtunkhwa, through Secretary Education (E&SE), Peshawar.

- 2. Director Education (E&SE), Khyber Pakhtunkhwa, Peshawar.
- 3. District Education Officer (Male), District Mansehra.

....RESPONDENTS

No 3375  
23-7-11

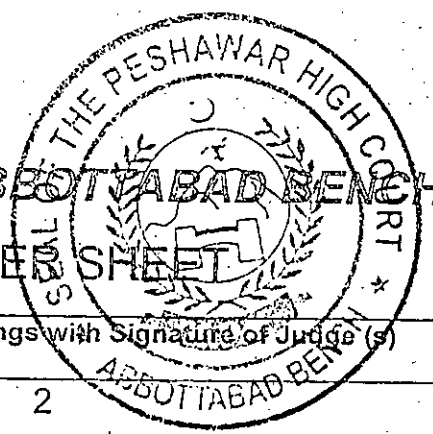
FILED TODAY  
h. ul-ah  
Additional Registrar  
Peshawar High Court  
Abbottabad Bench  
23/7/11

Re- Filed Today  
Additional Registrar  
Peshawar High Court  
Abbottabad Bench

23/08/16

19

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.  
FORM OF ORDER SHEET



Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
03.04.2018	<p><u>W.P.No. 731-A/2016.</u></p> <p>Present: Mr. Muhammad Arshad Khan Tanoli, Advocate, for the petitioners.</p> <p>Mr. Yasir Zahoor Abbasi, Assistant A.G alongwith representatives of the respondents.</p> <p>***</p> <p><u>LAL JAN KHATTAK, J.-</u> For the reasons and observations recorded in the detailed judgment of even date in the connected W.P.No. 131-A/2015, this petition stands disposed of accordingly.</p> <p style="text-align: right;"><i>(Handwritten Signature)</i></p>

Certified to be True Copy  
EXAMINER  
05 APR 2018  
Peshawar High Court/Atd. Bench  
Authorized Under Sec: 75 Evid Ordns: 1974

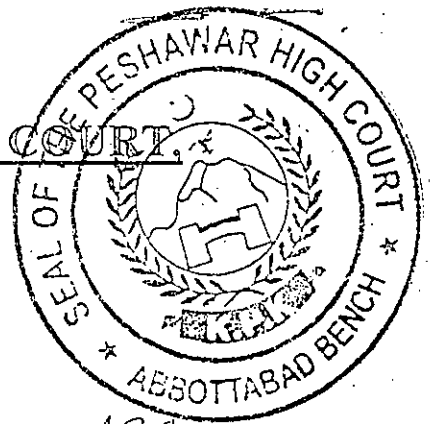
Saif, PS.

Hon'ble Mr. Justice Lal Jan Khattak  
Hon'ble Mr. Justice Ijaz Anwar



18

BEFORE THE PESHAWAR HIGH COURT,  
ABBOTTABAD BENCH



W.P No. 137 -A/2015

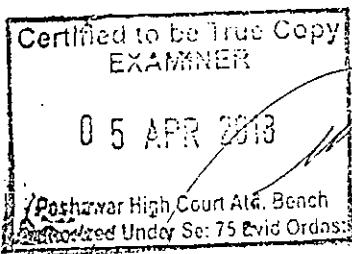
Ashfaq Ahmed son of Jadaid Khan, resident of Kuza Hijra, P.O Chakesar, District Shangla.

...PETITIONER

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary. Education (E&SE), Peshawar.
2. Director Education (E&SE) Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male), District Kohistan.

....RESPONDENTS



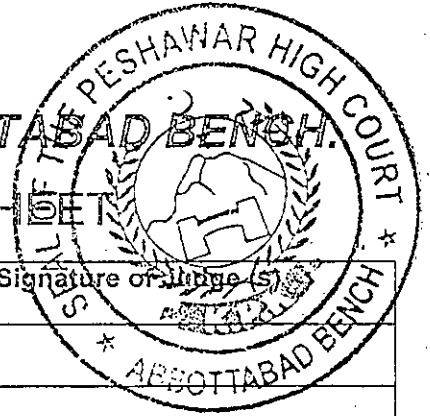
WRIT PETITION UNDER ARTICLE 199 READ WITH ARTICLE 25 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 FOR A DECLARATION TO THE EFFECT THAT THE PETITIONER WAS APPOINTED AS CT TEACHER IN 1995 AND HIS SERVICE WAS TERMINATED IN 1997-98 BY THE RESPONDENTS. LATER ON,

No 552  
12.02.15

12/2/15

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

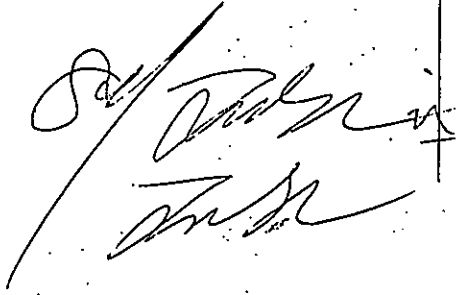


Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
03.04.2018	<p><u>W.P.No. 131-A/2015.</u></p> <p>Present: Mr. Muhammad Arshad Khan Tanoli, Advocate, for the petitioner.</p> <p>Mr. Yasir Zahoor Abbasi, Assistant A.G alongwith representatives of the respondents.</p> <p style="text-align: center;">***</p> <p><u>LAL JAN KHATTAK, J.-</u> Through this single judgment we shall also decide connected writ petitions bearing No. 976-A/2015, 1102-A/2015, 1154-A/2015, 781-A/2015, 690-A/2016, 731-A/2016, 738-A/2016, 740-A/2016, 986-A/2016 and 316-A/2018 as common questions of law and facts are involved in all the petitions wherein the petitioners have prayed this court for issuance of a writ, directing the respondents to reinstate them in service on the ground that they were illegally fired from service by the respondents.</p> <p>2. Facts of the case need no reiteration as at the very outset, learned Assistant Advocate General stated at the bar that if the petitioners approach the concerned offices of District Education Officers and produce before them their termination orders and other relevant documents, then their cases will be considered according to law, to which learned counsel for the petitioners readily agreed.</p>

*Jan*

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EXAMNER  
05 APR 2018  
Peshawar High Court Atd. Bench  
Authorized Under Sec: 75 Evid Ordns

3. In view of the above, this and the connected writ petitions are disposed of with direction to the petitioners to appear before their respective District Education Officers alongwith their termination orders and other related documents, so that, their cases be considered. The concerned District Education Officers are also directed to look into the petitioners' grievances and try to resolve their complaints strictly in accordance with law on the subject by passing reasonable orders but within a period of two (02) months.



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EXAMINER  
05 APR 2013  
Peshawar High Court, 1st Bench  
Authorized Under Section 75 of the Ordinance

Saif, PS.

Hon'ble Mr. Justice Lal Jen Khattak  
Hon'ble Mr. Justice Ijaz Anwar

(24)

Annexure (D)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA.

APPOINTMENT

In pursuance of Khyber Pakhtunkhwa Sacked Employees (Appointment) 2012 and Consolidate Judgment passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad vide Dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019 in W/P No S16-A/2013, 676-A/2015, 20-A/2014, 216-A/2015, 1155-A/2015, 702-A/2014, 115-A/2014, and orders of Honorable High Court in COC No. 22-A/2016, COC No. 47-A/2016, COC No. 58-A/2016, COC No. 83-A/2016, COC 14/2019, and recommendation of the Departmental Selection Committee the appointment of the following candidates are hereby ordered against the vacant post of **DRAWING MASTER (DM) BPS-15 (Rs.16120-13330-56020)** plus usual allowances as admissible under the rules, under the existing policy of the Provincial Government, on the terms and condition given below with effect from the date of their taking over charge:-

S. #	Name	Father's Name	Date Of Birth	Domicile	Permanent Address	Place of posting	Remarks
1	FIDA MUHAMMAD	MUHAMMAD FARID	MANSEHRA	5-2-1976	VILLAGE NAKKA P/O LASSAN NAWAB TEHSIL & DISTRICT MANSEHRA.	GMS DEVIL	AGAINST VACANT POST

TERMS & CONDITIONS.

1. NO TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Their Appointment are subject are condition that; their certificates/document and domicile be verify from the concerned authority before releasing their salary in the light of Section 3 of the said ACT.
4. They will be governed by such rules & regulation enforce and as may be prescribed by the Government time to time for the category of the Government savant to which they belong.
5. Their appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employee (appointment) ACT 2012. Hence under Section 5 of the said ACT they shall not be entitled to any claim of the seniority, promotion and back benefits.
6. Their appointment has been made in pursuance of Khyber Pakhtunkhwa, Sacked Employee (appointment) ACT 2012. Hence Section 4 of the said ACT period during which they remained dismissed, removed or terminated from services, till the date of their appointment shall have been deemed atomically relaxed.
7. Their Appointment is subject to the condition that the certificates/documents must be verified from the concerned authorities by the DEO. Anyone found producing bogus Certificate will be reported to the law enforcing agencies for further action.
8. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
9. Their pay will not be drawn until and unless a certificate to the effect by DEO is issued that his certificates/degrees are verified from the concerned board/university.
10. The Principal / Headmaster School concern is directed to submit their Degrees /Certificates etc to this office for verification from Board /University/Institutions before any payment made to them.
11. They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, his appointment will expire automatically and no subsequent appeal etc shall be entertained.
12. Health and Age Certificate should be produced from the Medical Superintendent King Abdullah Teaching Hospital Mansehra before taking over charge.
13. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
14. Their services shall be terminated at any time, in case his performance is found unsatisfactory during their probation period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
15. In case of having less qualification which ever is prescribed Academic BA for DM as well as classical certificate as profession the candidate must attain prescribed qualification for his post i.e. Academic & Professional within 3 years after issuance of this appointment order, failing which their appointment order shall stand terminated atomically, without any further notice.
16. Before handing over charge once again their documents must be checked by Head of institution and convey deficiencies in qualification to DEO office.
17. Before handing over charge they will sign an affidavit by stating that they will not claim seniority or back benefits/service and they will acquire required qualification within stipulated period of time, falling which they will have no objection on their removal.
18. The competent authority reserve to right to rectify the error / omission, if any noted /observed at any stage in instant order issued erroneously.

*[Handwritten signature]*

(22)

1. The candidates appointed against the school(s) falling in summer vacation shall be handed over the charge w. 01-09-2019 on opening of school after summer vacation.
20. Their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him.

*[Signature]*  
DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA

Enclst: No. 16261-62 DM/Sacked Apptt:/2019/Dated Mansehra the 25/06 2019

Copy forwarded for information to the: -

1. Registrar Honorable Peshawar High Court Abbottabad Bench.
2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. PS to Secretary Khyber Pakhtunkhwa E&SE Department Peshawar.
4. District Accounts Officer Mansehra.
5. District Monitoring Officer Mansehra.
6. Budget & Account Officer Local Office.
7. Officials Concerned.
8. Office Order File

*Sd/-*  
DY: DISTRICT EDUCATION OFF  
(MALE) MANSEHRA

23

Annure (E)

ARRIVAL REPORT

Consequent upon the approval of the competent authority Mr. Firdous Muhammad

S/P M. Fareed who has been appointed as D.M in BPS 15

Vide \_\_\_\_\_ issued under Endst: No 10.261-67 Esst: 10261-67

School G. MS. Davel Dated 20-06-2019 at 8.A.M.

He has been submitted his arrival at 21.06.2019

Al. md SST  
Head Master  
Govt: Middle School  
Davel Darband Mansehra  
21.06.2019



(24)

Annure

(F)


## SHOW CAUSE NOTICE

I, Mr. Khan Muhammad District Education Officer (M) Mansehra, as competent authority under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Fida Muhammad S/o Muhammad Qasim DM GMS Devel District Mansehra as follows:-

- i. Whereas Mr. Fida Muhammad DM was reappointed and posted at GMS Devel District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10261-67 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- ii. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- iii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GMS Ahl Seri Mansehra for verification of record of Mr. Fida Muhammad DM GMS Ahl Seri vide letter No.10635 dated 25-06-2019.
- iv. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- v. Whereas, as per report of the Head Master GMS Ahl Seri vide dated 04-07-2019 with the remarks that "No record found relating to Mr. Fida Muhammad Ex-DM i.e First Appointment order, Charge report/Arrival report in over school, No such record of the Pay record of the said teacher in school Acquaintance role, only Attendance Register shows Mr Fida Muhammad remained present w.e.f 14-11-1996 to 24-12-1996 (02 Months). Whereas log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- vi. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 07-10-2018, with the remarks that no record was found in school record the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- vii. I am satisfied that you found guilty of misconduct, inefficiency and committed illegal act as specified in rule 3 of the said rules. Thus you have rendered yourself liable to be proceeded against under the said rules.

2. In exercise of the powers conferred by the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, the competent authority is hereby pleased to serve you with the show cause notice with the direction to submit your defense in writing within 07 (Seven) days of the receipt of this notice as to why one of the major penalty of rule-4 of the said rules should not be imposed upon you.

3. In case you failed to submit your reply within stipulated Period, it will be presumed that you have no defense to offer and an ex-parte decision will be taken against you.

  
COMPETENT AUTHORITY

Fida Muhammad S/o Muhammad Farid DM  
GMS Devel  
District Mansehra



**NOTIFICATION**

**Mr. Fida Muhammad S/O Muhammad Farid DM GMS Devel Mansehra.** WHEREAS Mr. Fida Muhammad DM GMS Devel Circle Mansehra was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of fake and fabricated documents have been found in service record and tempering in documents was proved.

- x. Whereas Mr. Fida Muhammad DM was reappointed and posted at GMS Devel District Mansehra under sacked Employee Act 2012 vide this office vide Endst No. 10261-67 dated 20-06-2019. On the basis of documents provided by you as per direction of Honourable Peshawar High Court Abbottabad Bench vide his judgment dated 03-04-2018.
- xi. Whereas according to the Terms and Condition NO.20 of the appointment order is that "their documents if found fake/bogus at any stage, their appointment order shall be withdrawn and legal action be taken against him."
- xii. Whereas after issuing of appointment order the competent authority sent a letter to the Head Master GMS Ahl Seri Mansehra for verification of record of Mr. Fida Muhammad DM GMS Ahl Seri vide letter No.10635 dated 25-06-2019.
- xiii. After verification of your documents/service record, fake and fabricated documents have been found in your service record.
- xiv. Whereas, as per report of the Head Master GMS Ahl Seri vide dated 04-07-2019 with the remarks that "No record found relating to Mr. Fida Muhammad Ex-DM i.e First Appointment order, Charge report/Arrival report in over school, No such record of the Pay record of the said teacher in school Acquaintance role, only Attendance Register shows Mr.Fida Muhammad remained present w.e.f 14-11-1996 to 24-12-1996 (02 Months). Whereas log book and appointment order file were checked no such record was found of the said person in our school for the period 1996-1997.
- xv. Whereupon the initial inquiry conducted by the officer on 06-08-2019, the said committee submitted report to this office on 12-08-2019, with the remarks that no such record i.e Log Book, Appointment order, charge report, arrival report was found in school record. and also he marked his attendance in attendance register fraudulently through unknown sources, the case is fake, so the appointment order may be withdrawn. It shows that you have committed misconduct /illegality thus violated E&D rule, 2011.
- xvi. WHEREAS as per inquiry report dated 12-08-2019, a showcause notice was issued to concerned vide this office No. 15760 dated 24-09-2019, and received reply of showcause on 28-09-2019
- xvii. WHEREAS, he was called for personal on 08-10-2019, while attending the office of undersigned on 11-10-2019 and heard.
- xviii. AND WHEREAS the competent authority District Education Officer (M) E&SE Mansehra after having considered the charges and evidence on record, perusal of reply of show cause notice & Personal hearing, is of the view that the charges against the accused Teacher have been proved. Therefore the appointment order vide Endst No.10268-74 dated 20-06-2019 in r/o Mr. Fida Muhammad DM GMS Devel Mansehra is hereby **WITHDRAWN** from the date of issue of re-appointment order (Ab-initio Withdrawn) with immediate effect.

Sd/-  
DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA

Endst: No. 17693-96 /F.No.Final Showcause/Appointt:2019 (M)//Dated 07/11 /2019

Copy forwarded for information to the:

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. District Monitoring Officer (IMU) Mansehra.
3. District Account Officer Mansehra.
4. Head Master GMS Devel.
5. Mr. Fida Muhammad Residence of village Nakka P/O Lissan Nawab Teh: & Dist: Mansehra.
6. Office File.

DY: DISTRICT EDUCATION OFFICER  
(MALE) MANSEHRA



## بخدمت جناب ڈائریکٹر ایلیمنٹری اینڈ سیکنڈری ایجوکیشن (پشاور)

عنوان: اپیل برائے بحالی سروس

جناب عالی۔

مؤدبانہ گزارش ہے کہ سائل کی تقرری بحوالہ آرڈر نمبر 19-11-29911 تاریخ 13-11-1996 ڈویژنل ڈائریکٹر ہزارہ ڈویژن گورنمنٹ مڈل سکول اہل سیری میں ہوئی اور سائل نے 14-11-1996 کو اپنی حاضری کی اور اپنی خدمات مورخہ 29-01-1997 تک احسن طریقے سے سرانجام دیتا رہا ہے اور ٹوٹل سروس 2 ماہ 12 دن کی ہے جبکہ 24 دسمبر 1996 سے 29 جنوری تک سرکاری اداروں کو بسلسلہ سرمائی چھٹیاں ہو گئی تھیں حاضری کے دنوں کی حاضریاں باقاعدہ حاضری رجسٹر میں موجود ہیں۔ پھر سائل کو بحوالہ آرڈر نمبر: 1956-2014/A.EIII.B dated: 30-01-1997 کے تحت ملازمت سے برخاست کر دیا گیا۔

اس طرح سائل نے اپنی نوکری سے برخاستگی کو پشاور ہائی کورٹ بیچ ایٹ آباد میں چیلنج کیا اور پشاور ہائی کورٹ ایٹ آباد بیچ نے مورخہ 03-04-2018 کو اپنے فیصلے میں نکالے گئے ملازمین کو دوبارہ بحال کرنے کا فیصلہ سنایا گیا جسکی کاپی ساتھ لف ہے۔ فیصلے کی روشنی میں سائل کو ڈسٹرکٹ ایجوکیشن آفس مانسہرہ بحوالہ آرڈر نمبر: 10261-67 dated: 20-06-2019 کے تحت دوبارہ بحال کر کے گورنمنٹ مڈل سکول دیول مانسہرہ میں تعینات کر دیا گیا۔

یہ کہ سائل کو مورخہ 25-09-2019 کو بحوالہ نمبر: 15760 مورخہ: 24-09-2019 ڈی ای او (مردانہ) کے دفتر سے مجھے شوکاز نوٹس ملا۔ جس کا جواب سائل نے باقاعدہ معزز افسران کو دیا ہے اور ساتھ سابقہ گورنمنٹ مڈل سکول اہل سیری جس میں میری تعیناتی ہوئی تھی اس سکول کے ہیڈ ماسٹر صاحب نے بھی لکھ کر دیا تھا کہ اس نے میرے پاس اس سکول میں ڈیوٹی کی ہے۔ اور سروس سرٹیفکیٹ اور کاغذات کو باقاعدہ دستخط کر کے دیا ہے، جو کہ ساتھ لف ہے۔ اور شوکاز کا جواب سائل نے مورخہ 25-10-2019 کو ڈی ای او مردانہ کے دفتر میں جمع کروایا ہے۔ سائل کے خلاف یہ چارج تھے کہ آپ نے رجسٹر حاضری میں Tapering کی ہے جبکہ سکول میں باقاعدہ حاضری رجسٹر موجود ہے اس ریکارڈ سے تصدیق کی جاسکتی ہے۔ رجسٹر حاضری کی کاپی بھی ساتھ منسلک ہے۔

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یہ کہ سائل کی personal hearing مورخہ 11-10-2019 کو ہوئی ڈی ای او صاحب اور کمیٹی ممبران کے باقاعدہ میری بات کو سنا۔ کمیٹی کے ممبران نے باقاعدہ مبارک باد دی کہ آپ اپنی ڈیوٹی جاری رکھیں اس کے بعد سائل مزید ایک ماہ تک اپنی ڈیوٹی سرانجام دی ہے۔ اور 09-11-2019 کو ڈاک میں ایک نوٹیفیکیشن ملا جس میں میرا تعیناتی لیٹر کو withdraw کر لیا گیا۔

یہ کہ میرا withdrawn لیٹر جو دیا گیا ہے اس میں proceeding ساری میرے کیس کی درج ہے جبکہ جو آرڈر withdraw کیا گیا ہے وہ میرا نہیں ہے۔

استدعا ہے کہ مندرجہ بالا حقائق اور معروضات کی روشنی میں میرا آرڈر بحال کرنے کا حکم صادر فرمایا جائے۔ سائل تاحیات دعا گو

رہے گا۔

العارض

فدا محمد S/O محمد فرید سکینہ پوسٹ آفس  
لساں نواب تحصیل و ضلع مانسہرہ  
سابقہ ڈی ایم گورنمنٹ ہڈل سکول دیول مانسہرہ  
منورخہ: 10-01-2020

*Gudjwal*  
10/01  
2020

28 | Annex (I) 47



DIRECTORATE OF ELEMENTARY & SECONDARY  
EDUCATION KHYBER PAKHTUNKHWA,  
PESHAWAR

No. 7013 /F.No. Appeal /DM/Estab.  
Dated: 2/7/2020.

To

The District Education Officer  
(Male) Mansehra.

Subject: - DEPARTMENTAL APPEAL

I am directed to refer to your office letter No. 2817 Date 14-03-2020 on the subject cited above and to ask you that appeal in respect of Mr. Fida Muhammad Ex: DM GMS Devel District Mansehra, has been rejected.

I am further directed to ask you to inform the appellant concerned accordingly under intimation to this office.

Endst No. 7014

Copy of the above is forwarded to: -

1. Mr. Fida Muhammad Ex: DM GMS Devel District Mansehra.
2. PA to Director E&SE local Office.
3. Master File.

*o/c*  
*1/7/2020*  
Assistant Director Estab (Male)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

*o/c*  
*1/7/2020*  
Assistant Director Estab (Male)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



(2)

(28)

Amir (J)

(45)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

MINUTES OF THE MEETING OF DISTRICT SELECTION COMMITTEE HELD ON 11 JUNE 2019 AT 12:00 PM IN THE OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MANSEHRA

A meeting of the District Selection Committee was held on June 11-06-2019 at 12:00 PM under the chairmanship of District Education Officer (Male) Mansehra for determining of eligibility & suitability for appointment of PST, C.T, T.T, QARI, A.T, DM, PET, Junior Clerk & Class-Iv Sacked Employees, in the Elementary and Secondary Education Department Khyber Pakhtunkhwa District Mansehra under sacked employee Act 2012 & in light of decision passed by Honorable Peshawar High Court Abbottabad Bench Abbottabad in COC No.22-a/2016, COC 47-a/2016, COC58-a/2016, COC83-a/2016, in the light of judgments/order sheet vide dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019, in w/p no 516-a/2013, 676-a/2015, 20-a/2014, 216-a/2015, 1155-a/2015, 702-a/2014, 115-A/2014, and under subsequent COC,s under process before Honorable Peshawar High Court Abbottabad Bench.

*The following attended the meeting:-*

- |   |             |
|---|-------------|
| 1. Mr. Khan Muhammad D.E.O (Male) Mansehra                    | In Chairman |
| 2. Mr. Zahid Hussain Dy: D.E.O (Male) Mansehra                | Member      |
| 3. DEO (F) Mansehra Representative of the Director            | Member      |
| 4. Mr. Tariq Mehmood Supdt: (Estt :) DEO (M) Office Mansehra. | Member      |
| 5. Mr. Saif Ul Malik ADEO (Estt :) (M) Mansehra               | Member      |
| 6. Mr. Sakinullah ADEO (Lit :) Local Office Mansehra          | Member      |

The meeting started with recitation from the Holy Quran. The chair briefed the forum regarding criteria of eligibility and suitability for appointment under the Sacked Employee (Appointment) Act 2012. The Assistant District Education Officer (Litigation) explained the legal aspects of the Act and informed the forum that according to the said Act & the judgment of Honorable Peshawar High Court Abbottabad Bench (dated 24-05-2016, 27-03-2018, 03-04-2018 & 07-03-2019) in which the employees who were terminated in the period between 01-11-1993 to 30-11-1996 will have to be re-appointed if they fulfill the criteria fixed for selection. He told the forum that a process was started by receiving the applications from the candidates for re-instatement under the Act as per procedure lays down in sacked Employee Act 2012. The application received on the direction of Honorable Peshawar High Court Abbottabad Bench, this office received applications for each category as per detail given below,

CT=15, PST=133, AT=07, TT=11, DM=01 JC=07 PET=03, QARI=06, C-IV=07 TOTAL=190.

He further told that all the applications were received within stipulated period of time as per directions of the court and this office constituted scrutiny committee vide Endst: No 6359-61/ dated 07-04-2018 for scrutinizing the documents of the applicants for determining the eligibility of candidates for re-appointment against the above mentioned posts. The scrutiny committees submitted its report on 29-08-2018, and again re-check the documents and submitted his detail report on 15-03-2019, as per direction of Honorable Court in COC No.22-a/2016, COC 47-a/2016, COC58-a/2016, COC83-a/2016, this office nominated an inquiry officer vide Endst No.14120 dard 24-09-2018, Mr. Luqman Ali Khan Principal GHSS NO.1 Mansehra for verification of record of sacked employee, the officer submitted his complete report with the remarks that the scrutiny committee will considered the eligibility/suitability in the light of sacked Employee Act 2012, the competent authority constituted the scrutiny committee vide Endst No : 19010-11 dated 27-12-2018 for scrutinizing the documents of the applicants for determining the eligibility of candidates for re-appointment against the above mentioned posts. The scrutiny committee submitted its report on 13-03-2019.

*[Handwritten signature]*

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GHULAM RASOOL	GULISTAN	4/4/1966	Mansehra	1916-4-70	20-8-1996	DEO (M) Secy: Mansehra	2134-3528	13-2-1997	Yes	Yes	Yes	Yes	N/a	N/a	BA	Yes	Yes	RECOMMENDED FOR APPOINTMENT
SHAH ZAMAN	FAQIR MUHAMMAD	15-4-1969	Mansehra	1921-7-21	6/8/1995	DEO (M) Secy: Mansehra	Nil	Nil	Yes	Yes	Yes	N/a	N/a	N/a	SSC	YES	nil	REJECTED
KHANI ZAMAN	NOORANI	1/1/1973	Mansehra	7068-76	24-4-1996	DEO (M) Secy: Mansehra	2134-3528	13-2-1997	Yes	Yes	Yes	Yes	Yes	Yes	FA	Yes	Yes	RECOMMENDED FOR APPOINTMENT

**DECISION:**

After thorough deliberation and perusal of record the committee recommended the candidate at serial No.01 & 03 were possessed the required documents and prescribed qualification i.e. Both academic and professional at the time of their appointment hence the committee declared these candidates as **Recommended** in light of sacked employee (appointment act 2012). While the candidates at serial No.03 IS rejected as they did not possessed the required Documents at the time of scrutiny hence the committee declared these candidates were **REJECTED** in the light of Sacked Employee (Appointment) Act 2012.

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**DRAWING MASTER.**

The forum was briefed that only those candidates are eligible in light of Sacked Employee (Appointment) ACT 2012, who were appointed in the period from 01/11/1993 to 30/11/1996 and terminated during the period from 01/11/1996 to 31/12/1998. He further informed the forum that under the Category of DM (01) candidate has submitted their applications. After detailed deliberation the following decision were made

S#	NAME OF TEACHER	FATHER NAME	DATE OF BIRTH	DOMICILE	Endst No	DATE OF IST APPOINTMENT:	Issuing Authority	Endst No	D/O Termination	App:	CNIC	App: order	Arr: Report	S/ Book	Att: Reg:	Qulf:	Dom:	Termination order	REMARKS
1	Fida Muhammad	Muhammad Farid	5/2/1976	Manshehra	2991-1-19	13/11/1996	Div: Dir: Hazar Atd	1956-2014	30/01/1997	yes	Yes	Yes			Yes	FA	Yes	Yes	RECOMMENDED FOR APPOINTMENT

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**DECISION:**

After thorough deliberation and discussions the committee declared the candidates at serial No.01, 02, 03, 04, 05, 06 and 07 as rejected as they did not possess the required Documents at the time of scrutiny. Hence the committee declared these candidates as Rejected in the light of Sacked Employee (Appointment) Act 2012.

Meeting ended with vote of thanks and from the Chair.

1. Khan Muhammad , District Education Officer, (Male) Mansehra \_\_\_\_\_
2. Zahid Hussain Dy: District Education Officer, (Male) Mansehra \_\_\_\_\_
3. DEO (F) Mansehra Representative of the Director \_\_\_\_\_
4. Tariq Mehmood Supdt: (Estt:) DEO (M) Office Mansehra. \_\_\_\_\_
5. Saif ul Malik ADEO (Estt:) DEO (M) Mansehra \_\_\_\_\_
6. Sakinullah ADEO (Lit) DEO(M) Mansehra. \_\_\_\_\_

*[Signature]*  
 DISTRICT EDUCATION OFFICER,  
 (MALE) MANSEHRA

Endst: No. 9944-67 /sacked employee Dated Mansehra the 15/6 /2019.

Copy forwarded for information and necessary action to the:-

1. The Director, Elementary & Secondary Education Peshawar.
2. District Accounts Officer Mansehra.
3. District Education Officer (Female) Mansehra.
4. PA to Secretary Khyber Pakhtunkhwa E & SE Department Peshawar.
5. Office File

*[Signature]*  
 DISTRICT EDUCATION OFFICER  
 (MALE) MANSEHRA

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(32)

جناب عالی (K) کے نام سے

(5)

نوٹ

میں نے فدائے محمد صاحب کے اسرار پر آج مورخہ 09/2019

کو سکول پڑھا GMS اہل گیری میں حاضر ہوئے

میں نے دوبارہ ان کے سامنے ریکارڈ تلاش کیا

صرف ماسوا کے رجسٹر حاضری معلمین کے علاوہ

11/1996 تا 24/12/1996 تک حاضری لگی ہوئی ہے اور

بڑھایا ہے

*Handwritten signature*

Principal  
Government  
Middle School  
Bani Mansoor

30/9/19

*Handwritten signature*  
Principal  
Government  
Middle School  
Bani Mansoor

21/9/19

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Answer

(R) (L)

It is certified that Mr. Fida Mohd  
was Drawing Teacher of Govt. Middle School  
Ahl Sun in 1996.

According to Attendance register of  
Teachers, his record is correct.

The pages of Attendance register  
is also attached with such letter please.

11/11/2017  
Principal  
Govt. Middle School  
Ahl Sun



گورنمنٹ ہسپتال سکول ایف اے (34) (M)

رجسٹر خاصہ کی طرف سے بین 1976

نام		بابت ماہ		نوع		بابت ماہ	
مدرسہ		مدرسہ		مدرسہ		مدرسہ	
SET		C-T		C-T		SET	
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
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21							
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24							
25							
26							
27							
28							
29							
30							
31							

I am pleased that  
 this register  
 contains on 90 pages  
 Govt. Medical  
 School  
 Faisalabad  
 26/11/1976  
 Mr. Mirza  
 M. I.

نمبر	حال	سابقہ	حال	سابقہ	حال	سابقہ	حال	سابقہ	حال	سابقہ
I	-	1	1	-	1	1	-	1	11	11
-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-

The  
 11/11/76



DBAM No. \_\_\_\_\_

139

S.No \_\_\_\_\_

34462

36



BC No. \_\_\_\_\_

10-2818

Fee Rs. 100/-

Name of Advocate \_\_\_\_\_

اکرم علی

وکالت نامہ

Gen. No. 2020-21  
District Bar Association  
Manshera

بعدالت: جناب سروس سروس سروس

عنوان: خدائے

منجانب: اسلئے

باعث تحریر آنکہ

دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقام اس کے لئے

اکرم علی (مقدم) - سروس سروس سروس

کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بوقت پکارے

جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ

میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام پکھری کے علاوہ

کسی اور جگہ پکھری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ پکھری کے علاوہ

کسی اور جگہ سماعت ہوا یا پکھری کے اوقات کے آگے پیچھے سماعت ہونے پر منظر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار

نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست

بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کا روپیہ وصول

کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپرد تالی و رضی نامہ دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا

بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف

کر بشرط ادائیگی علیحدہ محتاتانہ ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدوراں مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا ایئر سٹرو کو

بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو

اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت

میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پرداخت وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے اور دستخط/انگوٹھا ثبت کر دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

مورخہ 20

ACCEPTED

Manshera

**"B"**

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

No.

73

Appeal No. 8636 of 20 20

Feda Mohammad Appellant/Petitioner

Versus

Secy. Edu. Dept. Pesh. Respondent

Respondent No. 3

Notice to: — District Education officer (male) Munsheva

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.....14.3.2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this.....14/3/22.....

Day of.....Jun.....20 22

at Camp Court A Head

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

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

**"B"**

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

No.

113

Appeal No. 8636 of 20 20

Fida Mohammad Appellant/Petitioner

Versus

Secty: Education & Pl. Pesh. Respondent

*[Signature]*  
18/01

Respondent No. E

Notice to: —

Secty: Ed. & Sec. Education Dept. of K.P.K.  
Peshawar.

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 17-3-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 18/01

Day of Jan: 2022

at Camp Court A. Shah

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

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

"B"

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

No. \_\_\_\_\_

23

Appeal No. \_\_\_\_\_ of 20 \_\_\_\_\_

Appellant/Petitioner \_\_\_\_\_

VERSUS

Respondent \_\_\_\_\_

Respondent No. \_\_\_\_\_

Prof. Dr. S. S. Khan  
Prof. Dr. S. S. Khan  
Prof. Dr. S. S. Khan

Notice to:

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 \_\_\_\_\_ at 8.00 A.M. If you wish to urge anything against the appeal/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.

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

Office Notice No. \_\_\_\_\_ dated \_\_\_\_\_

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

Day of \_\_\_\_\_ 20 \_\_\_\_\_

at Camp Court, Peshawar

Registrar  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar

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

**"B"**

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

No.

Appeal No. .... of 20

503

8636

Appellant/Petitioner

Feda Mohammad

Respondent

Sing. Edu. in Pesh.  
Respondent No. ....

Notice to: —

Director, Edu. Sec. Education Dept. of  
K.P.K. Peshawar.

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.....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.

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

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

Day of.....20

Jan: 22

at Camp Court A. Ahmad

*[Signature]*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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