

27th September, 2022

Learned counsel for the appellant present.

Let pre-admission notice be issued to other sides for submission of reply. To come up for reply/preliminary hearing on 25.10.2022 before the S.B at Camp Court D.I.Khan.



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

25.10.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Reply not submitted. Learned AAG requested for time to submit reply/comments. Last chance is given. To come up for reply/preliminary hearing on 23.11.2022 at Camp Court, D.I.Khan.

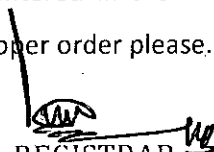



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1075/2022

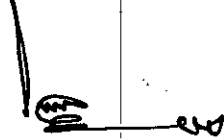
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/06/2022	<p>The appeal of Mr. Ijaz Ahmad resubmitted today by post through Mr. Muhammad Mohsin Ali Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	13-7-22 26-7-22	<p>This case is entrusted to touring Single Bench at D.I.Khan for preliminary hearing to be put there on <u>26.7.22</u>. Notices be issued to appelland and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"><i>Due to summer vacation to come up for the same on 27/9/22</i></p> <p style="text-align: right;"></p>

The appeal of Mr. Naseeb Khan son of Ajab Kha r/o village Barrkhel District Tank received today i.e. on 13.06.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexures-A, B & F of the appeal are illegible which may be replaced by legible/better one.
- 2- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1686 /S.T,


Dt. 14/6 /2022



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Mohsin Ali Adv.
High Court D.I.Khan.

Resubmitted after removing the
objections.


Muhammad Mohsin Ali
Advocate Supreme Court
D. I. Khan.

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST**

Case Title: Nabeeb Khan vs Govt. of KPK & others

S.#	Contents	Yes	No
1.	This appeal has been presented by: _____	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on _____	✓	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on _____		
26.	Whether copies of comments/reply/rejoinder submitted? on _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: _____

M. Mehsum Ali AS

Signature: _____

[Handwritten Signature]

Dated: _____

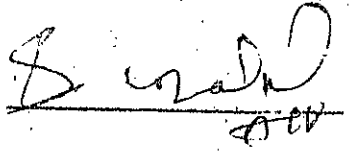
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Case Title: Nabeeb Khan vs Govt of KPK & others

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27.	Whether copies of comments/reply/rejoinder provided to opposite party? on _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: M. Mehsin Ali AS^c

Signature: 

Dated: _____

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Appeal No. _____/2022

Naseeb Khan

.....APPELLANT

VERSUS

Govt. of K.P.K and others

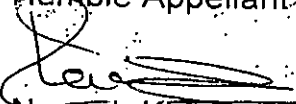
.....RESPONDENTS

INDEX


S #	Description of Documents	Annexure	Page #
1	Grounds of appeal	-----	1-5
2	Stay Application	-----	6
3	Memo of addresses of the parties	-----	7-8
4	Copy of Appointment order	A	9-10
5	Copy of Application alongwith Medical descriptions	B	11-15
6	Copy of Transfer order dated 31.01.2022	C	16-
7	Copies of Relieving chit and Charge Report	D & E	17-19
8	Copy of Impugned office order dated 04.02.2022	F	20
9	Copy of Departmental appeal alongwith Copy of Instruction regarding posting / transfers dated. 04.01.2022	G	21-23
10	Vakalatnama	-----	24

Dated: 07/06/2022

Humble Appellant


Naseeb Khan

Through Counsel


Muhammad Mohsin All
Advocate Supreme Court,
District Courts, D.I.Khan.

BEFO

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

1

Registry No. 250

Appeal No. _____/2022

250

13-6-2022

Naseeb Khan son of Ajab Khan resident of village Barrakhel, Tehsil & District Tank.

.....APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Education, Khyber Pakhtunkhwa, Peshawar.
2. Secretary Education, Khyber Pakhtunkhwa, Peshawar.
3. Director, Education Department KPK, Peshawar.
4. District Education Officer (Male), District Tank.
5. Kifayatullah s/o Naimatullah, SCT, resident of village Gul-Imam, Tehsil & District Tank.
6. Umar Khan Kundi, Ex-DEO (Male), Tank.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF KPK

SERVICE TRIBUNALS ACT, 1974

Filed today

13/6/2022

PRAYER; On acceptance of this appeal this august Tribunal may please be cancelled the impugned office order No. 1074-1079 dated 04.02.2022 issued by DEO (Male) Tank and may kindly be restored the transfer order dated 31.01.2022;

OR

GRANT any other relief considered just and appropriate under the given circumstances of the case.

Respectfully sheweth;

1. That the appellant was appointed as Teacher (C.T) in Education department at District Tank vide office order dated 20.12.1999. Since then the Petitioner worked with sheer zeal and dedication and contributing his share in serving the nation without any complaint from superiors.
2. That in December, 2021, the appellant was posted at GHS Toran Nau, District Tank as Senior C.T, and on 30.12.2021, the appellant became serious injured in road accident when the appellant was coming back to home from his duty place. Due to injuries, the appellant has been advised by the Doctor from discounting or decreasing the travelling. Therefore, the appellant submitted an application to D.E.O (Male) Tank for his transfer to nearer school and the appellant has been transferred to GHS Gara Shehbaz, Tank vide office order dated 31.01.2022, after that the appellant took the charge in the said school.
3. That, on 04.02.2022, the District Education Officer (Male) Tank cancelled the transferred order of the appellant without any notice. Moreover, the transferred order of the appellant has been cancelled during ban period, thus the then DEO (Male) Tank Mr. Umar Khan Kundi illegally & without lawful authority exercised the power. Furthermore, no proper procedure was adopted by the then DEO (Male) Tank while cancelling the transfer order of the appellant.
4. That it has been mentioned in the impugned office order dated 04.02.2022 that the transfer order is cancelled due to disability of Mr.

SD
SK

Kifayatullah as he is not able to travel. The reason given in the impugned office order is not logical due to the reason that GHS Gara Shahbaz is far away from the residence of Mr. Kifayatullah while his new place of posting is near to his residence. The appellant also filed the civil suit against the impugned office order before the Civil Judge, Tank as during those days, the Service Tribunal was not functional. (Copies of appointment order, Application alongwith Medical descriptions, Transfer order dated 31.01.2022, Relieving chit, Charge Report, Impugned office order dated 04.02.2022, Departmental appeal alongwith Copy of Instruction regarding posting / transfers dated 04.01.2022 are enclosed as Mark-A to G respectively).

5. Thereafter, the present appellant filed the Departmental appeal before the Director Education, KPK, Peshawar on 25.02.2022 but till date he has not decided the same. Hence, the appellant is filling the instant appeal on the following grounds:

GROUND:

- A. That the act of the respondent No. 4 while he issued the impugned office order dated 04.02.2022 is totally against the law and natural justice.
- B. That impugned office order dated 04.02.2022 has been issued by the then DEO (M) Tank without any notice to appellant, thus the appellant remained unheard and the said impugned office order was issued during ban period, thus the then DEO (Male) Tank Mr. Umar Khan Kundi illegally & without lawful authority exercised the power.

4

Furthermore, no proper procedure was adopted by the then DEO (Male) Tank while cancelling the transfer order of the appellant.

- C. That the reason given in the impugned office order is also not logical due to the reason that GHS Gara Shahbaz is far away from the residence of Mr. Kifayatullah while his new place of posting is near to his permanent residence
- D. That the appellant is unable to travel 60 Kilometer on daily basis as the Doctor advised to the appellant to avoid the travelling on daily basis. Hence, on this score alone the impugned office order is liable to be cancelled.
- E. That the appeal is being filed within the statutory period prescribed under section 4 of The KPK Service Tribunals Act, 1974.
- F. Any other legal ground that may be raised at the time of hearing of this appeal.

It is, therefore, prayed that on acceptance of this appeal this court may be pleased to pass orders as prayed for in the heading of this appeal.

Dated: 07/06/2022

Humble Appellant


Naseeb Khan

Through Counsel



Muhammad Mohsin Ali
Advocate Supreme Court,
District Courts, D.I.Khan.

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2022

Naseeb Khan

.....APPELLANT

VERSUS

Govt. of K.P.K and others

.....RESPONDENTS

AFFIDAVIT

I, the appellant, do hereby solemnly affirm and declare on oath that all the para-wise contents of the appeal are true and correct to the best of my knowledge and belief; and that nothing has been deliberately concealed or kept secret from this Honourable Court.



Identified by Counsel



Deponent



6

**BEFORE BER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

CM in Appeal No. _____/2022

Naseeb KhanAPPELLANT

VERSUS

Govt. of K.P.K and othersRESPONDENTS


**APPLICATION FOR GRANT OF INTERIM RELIEF TO SUSPEND
THE IMPUGNED OFFICE ORDER DATED 04.02.2022 TILL THE
DISPOSAL OF APPEAL.**

Respectfully Sheweth:

1. That the above titled appeal is filling today before this Honourable Tribunal.
2. That the petitioner has got a very good prima facie case on merits, on factual controversy as well as on law and balance of convenience is also in favour of petitioner.
3. That the impugned office order is against the law & facts and if the interim relief is not granted then the petitioner will suffer irreparable loss.

It is, therefore, humbly prayed that on the acceptance of instant application by granting the interim relief may kindly be suspended the impugned office order dated 04.02.2022 till the disposal of Appeal.

Your Humble Petitioner


Naseeb Khan

Through Counsel

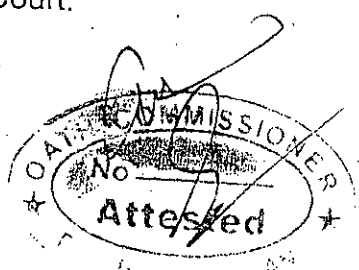



Muhammad Mohsin Ali
Advocate Supreme Court

Dated: 07/06/2022

AFFIDAVIT

I, the petitioner, do hereby solemnly affirm and declare on Oath that all the para-wise contents of the application are true and correct to the best of my knowledge and belief; and that nothing has been deliberately concealed or kept secret from this Honourable Court.


OATH COMMISSIONER
No. _____
Attested


Deponent

(6) (7)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2022

Naseeb Khan

.....APPELLANT

VERSUS

Govt. of K.P.K and others

.....RESPONDENTS

ADDRESSES OF THE PARTIES

Naseeb Khan son of Ajab Khan resident of village Barrakhel, Tehsil & District Tank.


.....APPELLANT

-
1. Govt. of Khyber Pakhtunkhwa through Secretary Education, Khyber Pakhtunkhwa, Peshawar.
 2. Secretary Education, Khyber Pakhtunkhwa, Peshawar.
 3. Director, Education Department KPK, Peshawar.
 4. District Education Officer (Male), District Tank.
 5. Kifayatullah s/o Naimatullah, SCT, resident of village Gul-Imam, Tehsil & District Tank.
 6. Umar Khan Kundi, Ex-DEO (Male), Tank.


.....RESPONDENTS

Dated: 07/06/2022

Humble Appellant


Naseeb Khan

Through Counsel


Muhammad Mohsin Ali
Advocate Supreme Court,
District Courts, D.I.Khan.

8

PAKISTAN National Identity Card
 ISLAMIC REPUBLIC OF PAKISTAN

Name: Naseeb Khan
 Father's Name: Alab Khan
 Gender: M Country of Stay: Pakistan
 Identity Number: 12201-8767913-9 Date of Birth: 03.01.1978
 Date of Issue: 07.10.2021 Date of Expiry: 07.10.2031

Holder's Signature

12201-8767913-9

101051312728
 150-78-038600

Registrar General of Pakistan

آگشده کارڈ ملنے پر قریبی لیٹر بکس میں ڈال دیں

Arrested
 Mr. [Signature]

ANNEX A
Page # 9

CT Child
AKG

Office of the Director, Education, Government of Punjab, Secondary Tank

APPOINTMENT ORDER:-

Consequent upon the selection by the Departmental Selection Committee, the following CT (Ind. Art) candidates are hereby appointed in the schools noted against their names in BPS No. 09 (CT, I. Art) 1605-97-3050 plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions:-

Sr. No.	Name of Candidate/ Father's Name & Address:-	Date of Birth	No. of Merit/ Marks	School where Appointed.	Remarks
<u>OPEN MERIT: 25%</u>					
1.	Naseeb Khan S/O Ajab Khan r/o Bara Khel Tank.	03.01.78.	49.82	GHS, Gomal Bazar.	Against Vacant Post.
<u>BATCH-WISE/YEAR-WISE: 75%</u>					
1/2.	Muhammad Ramzan S/O Naik Muhammad r/o Tank city C/O Naik Muhammad HC, PA Office Tank.	04.02.73.	43.83	GHS, No. 1 Tank.	Against vacant Post.
2/3.	Kaleem Ullah S/O Faiz Ullah r/o Vill: Khaiber (Oul: Imam).	24.04.77	43.49	GHS, No. 2 Tank.	Against vacant Post.
3/4.	Asif Nawaz S/O Haji Muhammad Nawaz r/o Moh: Qutab Colony Tank.	12.03.77	37.83	GHS, No. 1 Tank.	Against vacant Post.

TERMS & CONDITIONS:-

1. They will be governed by such rules and regulation as may be prescribed by the Govt. from time to time for the category which they belong.
2. Their services will be liable to terminated on one month notice from either side. In case of resignation without notice one month pay will be forfeited in lieu thereof.
3. They should join the posts within one month of the issue of this order.
4. Their inter seniority will be determined in accordance with the merit of departmental selection committee.
5. Charge report should be submitted to all concerned.
6. They shall be on probation for a period of TWO Years and will have to pass departmental examination. In case a candidate fails to pass the departmental examination he will be given one more chance. If he fails again then his services will be terminated. On arrival of availability of trained teacher the service of untrained teacher occupies the post will be terminated.
7. Their original certificates/degrees should be checked & verified from the concerned University/Board/Instit and Islamic Madarases. Over their pay may not be drawn till the verification of documents.

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Contd: on next page-2-

10

8. Service books of the teachers must be prepared complete in all respect after handing over charge.
9. The declaration of assets should be obtained from them immediately and placed on record.
10. They are required to produce health and age certificate from the Superintendent concerned before taking over the charge.
11. Charge should not be given to the over-age candidates. The case for relaxation is sent to the concerned quarter.
12. Efforts for transfer before the completion of tenure will discontinue him from the service.
13. 10th/DA is allowed.
14. An undertaking shall be obtained from Master and Degree holders SI/Dn/PST/ST/PT/Juni/Junior Clerk etc; that they will serve the Department at least five years. Unless he is selected by the Public Service Commission in any post.
15. The age of candidate should not exceed 25/33 years and not below 18 years.
16. If any person make, appeal, the Department for his appointment, then service of Junior most will be terminated.
17. His service will be terminated if his Sanad/Certificate are found bogus at any time and action will be taken against him according to the rules.

Distt. EDUCATION OFFICER
(Male) SECONDARY PANK

Andst No. 6522-77 dated Tank, the 20/12/99

Copy of the above is forwarded for information to the

1. Director secondary education H.F.F, Peshawar.
2. District Accounts Officer, Tank
3. Principals/Headmasters GMS/GSS/GMS concerned.
4. As to secretary to Govt. of H.F.F, education Department H.F.F, Peshawar.
5. Candidates concerned.
6. Office Copy.

[Signature]
Distt. Education Officer
(Male) Secondary Pank

Agreed
[Signature]

10-A

BETTER COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
SECONDARY TANK.

APPOINTMENT ORDER:

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following CT(Ind: Art) candidates are hereby appointed in the school noted against their name BPS No: 09 (CT,I,Art) 1605-97-3060 plus usual allowance as admissible under the rules with immediate effect subject to the existing terms and conditional:

S.NO.	Name of candidate/ father name & address	Date of Birth	No. of Merit/ marks	School Where appointed	Remarks
1	Open Merit 25% Naseeb Khan s/o Ajab Khan r/o Bara Khel Tank.	03-01-1978	49.82	GHS, Gomal Bazar	Against vacant post
1/2	BATCH-WISE/YEAR WISE 75% Muhammad Ramzan s/o Naik Muhammad r/o Tank City c/o Naik Muhammad HC, PA Office Tank.	04-02-1973	43.83	GHS No. 01 Tank.	Against vacant post
2/3	Kaleem Ullah s/o Faiz Ullah r/o Vill: Khaiber (Gul Imam)	24-04-1977	43.49	GHS NO. 02 Tank.	Against vacant post
3/4	Asif Nawaz s/o Haji Muhamma Nawaz r/o Moh; Qutab Colony Tank.	12-03-1977	37.83	GHS No. 01 Tank.	Against vacant post.

TERMS AND CONDITIONS.

1. They will be governed by such rules and regulations as may be prescribed by the Govt: from time to time for the category which they belongs.
2. Their services will be liable to terminated on one month notice for either side. In case of resignation without notice one month pay will be forfeited in lieu thereof.
3. They should join the posts within one month of he issue of this order.
4. Their inter seniority will be determined in accordance with the merit of departmental selection committee.
5. Charge report should be submitted to all concerned.
6. They shall be on probation for a period of TWO years and will he pass' he departmental examination. In case a candidate fails its

مستحقان در خواست فراد تراست برائت

تایید عالی

خداوند کن از حق چه در میان شما و ما بر چه اساسی که این است
در باره حقوق من این است که در باره خود من در میان سکول تو این فو من است
ایس کی یونورسٹی پر لکھنا ہے جو ندر تو دان تو اپنے حق ہا سے بہتر ہے
ان روزانہ آنے جانے میں وقت مامانہ کرنا پڑتا ہے اس لئے میں اپنے ملازمین
کو اجازت دیتا ہوں

آئیے صبر سے در خواست ہے کہ آپ کو ندر کر انفر انڈر اسٹیٹ برائت میں
اس کے لئے میں آپ کو حذر دے رہا ہوں سکولوں میں کسی ایک میں ندر انفر انڈر اسٹیٹ
تاجے ڈیوٹی میں ہے
- گو رننگ جاک سکول تھر بلوے
- جی ڈی جے جاک سکول گرو سپار
- گو رننگ جاک سکول دفال

Approved
[Signature]

ملا - لی جن واز جی ہوگا

26-01-2022

الدیان

سید عیسیٰ علی صاحب
کو رننگ جاک سکول تو دان و ملے ملک

0343-1949615

Better Copy

بخدمت جناب ڈی ای او صاحب ایلمنٹری اینڈ سیکنڈری ایجوکیشن (مراد نہ) ٹانک

عنوان: درخواست بمراد ٹرانسفر ایڈجسٹمنٹ

جناب عالی:

مصدقہ بانہ گزارش ہے کہ سائل گاؤں برہ خیل کارہاشی ہے اور ایجوکیشن ڈیپارٹمنٹ میں آپ صاحب کے زیر سایہ گورنمنٹ ہائی سکول توران نو میں بطور ایس سی ٹی پوسٹ پر تعینات ہے چونکہ توران نو اپنے گاؤں سے بہت دور ہے اور روزانہ آنے جانے میں دقت کا سامنا کرنا پڑتا ہے اس لیے سائل اپنے علاقے میں آنے کا خواہش مند ہے۔

آپ جناب سے درخواست ہے کہ آپ چونکہ ٹرانسفر ایڈجسٹمنٹ پر پابندی نہیں ہے اس لیے سائل کو مندرجہ ذیل ہائی سکولوں میں کسی ایک میں ٹرانسفر ایڈجسٹمنٹ کیا جاوے تاکہ ڈیوٹی میں آسانی رہے۔

۱۔ گورنمنٹ ہائی سکول گرہ بلوچ

۲۔ گورنمنٹ ہائی سکول گرہ شہباز

۳۔ گورنمنٹ ہائی سکول رنوال

جناب کی عین نوازش ہوگی۔

مورخہ: 26-01-2022

العارض

سائل نصیب اللہ خان SCT گورنمنٹ ہائی سکول توران نو ضلع ٹانک۔

DISPENSARY QUARTER HOSPITAL TANK
Out Door Patients Department

Name _____

(12)

Yearly No. _____

2032

Rs. 10/-

Date 1/2 120

Disease _____

RTA
Hemiplegia

ASD

RTA

VENOUS

5 months
1/2

17th

ALUCANT
3 0 3

PK

Accessed
in

Complete bed rest for 2 weeks
date when
Lungs skin

NEURO SURGEON

Dr. Mudassar Riaz Khan

MBBS, M.S (Neuro Surgery)

(1) Gold Medalist Neuro Surgery PGMI, Lahore

(2) Gold Medalist Best Graduate Punjab 2014,

Ex-Consultant Neuro Surgeon Lahore General Hospital

PMDC No: 10542-N

13



Neuro Surgery Clinic

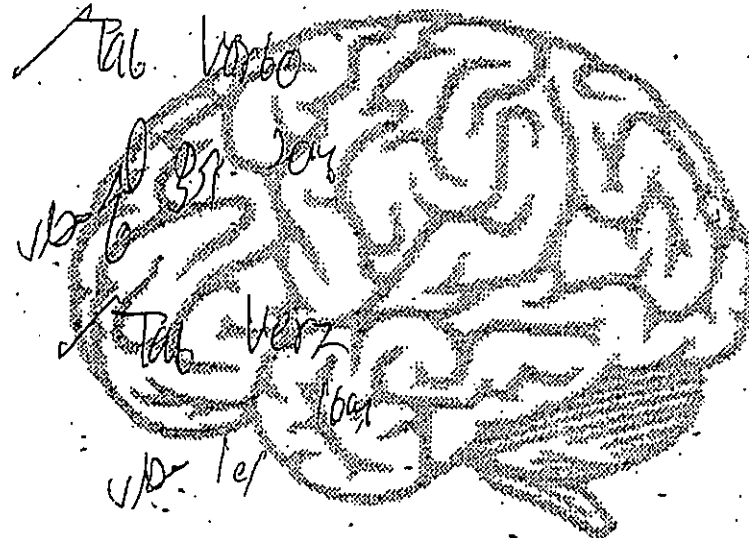
35

1/55/100

Mudassar Khan M.S

Old U.S

Insidious
No treatment
now. vertigo,
Headache
(DM)
No
CT scan
Chi
MPP
inval



Tab. Metabonta 10
10/10/14

Tab. Atilolard
10/10/14

Tab. Etod
10/10/14

0316-9987373
0347-1892021
0966-719998

Attested
Mudassar Khan

Not Valid for Court

1/55/100
ڈاکٹر مندر ریا خان
(گولڈ میڈلسٹ نیوروسرجری) لاہور جنرل ہسپتال
الشفاء (علی) ہسپتال
پانچ DHQ ہسپتال ڈیرہ اسماعیل خان

14



SHIFA (ALI) CLINICAL LABORATORY

Patient, sID No: 719 Monday, February 21, 2022
 Patient Name : NASEEB KHAN Age: Y/Sex: M
 Referred by : DR MUDASSAR RIAZ KHAN SB Time: 4:02:10 PM
 Test Required : CBC/PLT

TEST NAME	NORMAL RANGE	UNIT	RESULT
Haemoglobin (M)	12.5 - 18.0	g/dl	14.1
(F)	11.5 - 16.5		
TLC (WBC)	4,000 - 11,000	c/mm	8,600
Platelets	150,000 - 450,000	c/mm	283,000
<u>DLC:</u>			
Neutrophil:	40 - 75	%	51
Lymphocyte:	20 - 50	%	41
Monocyte:	01 - 09	%	06
Eosinophil:	01 - 05	%	02

Handwritten signature:
 Dr Irshad Ahmad Burki

Handwritten signature:
 Mr. Kalim Abbas

Dr Irshad Ahmad Burki
 MBBS, M.Phil Biochemistry
 Gomal Medical College D.I Khan

Mr. Kalim Abbas
 MEDICAL TECHNOLOGIST
 Gomal Medical College D.I Khan

SHIFA (ALI) HOSPITAL, OPP: D.H.Q TEACHING HOSPITAL, D.I.KHAN CELL: 0333-9955442

15



SHIFA (ALI) CLINICAL LABORATORY

Patient, SID No: 719	Monday, February 21, 2022
Patient Name : NASEEB KHAN	Age: ?Y/Sex: M
Referred by : DR -MUDASSAR RIAZ KHAN SB	Time: 4:02:55 PM
Test Required : MP/WIDAL	

WIDAL:

TO: 1/20

TH: 1/20

MP ICT:

Pv: (NEGATIVE)

Pf: (NEGATIVE)

Arrested
m. Sub

Dr Irshad Ahmad Burki
MBBS. M.Phil Biochemistry
Gomal Medical College D.I Khan

Mr. Kalim Abbas
MEDICAL TECHNOLOGIST
Gomal Medical College D.I Khan.

SHIFA (ALI) HOSPITAL, OPP: D.H.Q TEACHING HOSPITAL, D.I.KHAN CELL: 0333-9955442

OFFICE OF THE DISTRICT EDUCATION
OFFICER (MALE) TANK

OFFICE ORDER:

ANNEX C
Page # 16

In pursuance of relaxation of ban on posting / transfer of teachers/officials (mutual / rationalization / general) issued by the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department vide No. SO(SM)E&SED/7-1/2021/PT/General Dated: 01-01-2022, the following teachers are hereby transferred in the best interest of public service with immediate effect.

S#	Name & Desig:	From	To	Remarks
1.	Mr. Naseeb Khan SCT	GHS Toran Nau	GHS Gara Shahbaz	Vice S.No. 2
2.	Mr. Kifayat Ullah SCT	GHS Gara Shahbaz	GHS Toran Nau	Vice S.No. 1

- Note: (1) No TA/DA is allowed.
(2) Charge report should be submitted to all concerned.

---SD---
(UMAR KHAN)
District Education Officer
(Male) Tank

Endst. No. 891-96 / F.No. 4-2/EB/Transfer/Distt: Cadre Dated Tank the 31/01/2022

Copy of the above is forwarded for info: & n/action to the:

1. District Accounts Officer, Tank.
2. District Monitoring Officer (EMA) Tank.
3. Dy. District Education Officer (Male) Local Office.
4. Principal / Headmasters Schools Concerned.
5. Teachers Concerned.
6. Office File.

District Education Officer
(Male) Tank

Attested
M. Sub
an

ANNEX D
Page # 17

OFFICE OF THE HEAD MASTER GOVT. HIGH SCHOOL TORAN NAU

DISTRICT TANK

Relieving chit

Mr. Naseeb Khan SCT Govt; High School Toran Nau is hereby relieved from his duties today on
(A.N)

03-02-2022 due to transferred to GHS Gara Shahbaz vide District Education Officer (Male)

Tank order No. 891-84/DEO-M Dated tank the 31-01-2021.

He is directed to submit his arrival report to Head Master GHS Gara Shahbaz Tank.

Naseeb Khan

dt 03/2/2022

Head Master
G.H.S Toran Nau
District Tank

*Attested
in Jal
side*

ANNEX E

پانچ روپے Page #

18

Set No STT

Endst. No 891-96/F No 4-2/EB/Transfer Dist. cadre
03/02
2022

dt 31/01/2022

Vacant Post

(طوائف)

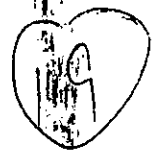
03/02/2022 (A.M)

پانچ روپے

پانچ روپے

Assessed
2/2/22

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NO. 316-18" dt 03/02/2022

- 1) D.E.O (m) Tank
- 2) D.A.O. Tank
- 3) office record.

Handwritten signature: *dim Ch...*

Head Master
G.H.S Teran Nam
District Tank

dt 03/02/2022

AF 1-2-5-11
[Signature]

ANNEX F

Page # 20



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE), TANK**

Cancellation Order.

The office order issued vide this office. Endst No. 891-96/1-2022 E.B Transfer /Distt: Cadre Dated 31-01-2022 in r/o Mr. Naseeb Khan SCT and Kifayat Ullah SCT are hereby cancelled, due to disability having fracture in leg not able travelling of Mr. Kifayat Ullah SCT GHS Gara Shahbaz in the best interest of public service with immediate effect.

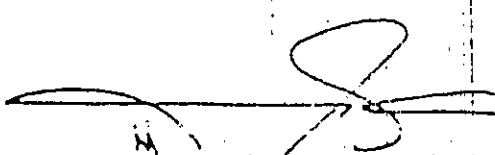
- Note: 1. No TA/DA is Allowed
2. Charge report should be submitted to all concerned.

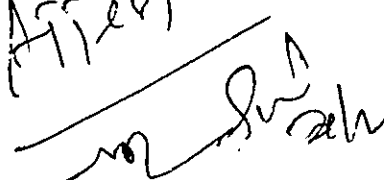
--- sel ---
District Education Officer
(Male) Tank.

Endst: No. 1074-1078 F.No.4-2/E.B/Transfer/CT,DM,PET Dated Tank 04/03/2022

Copy of the above is forwarded for information & n/action to the :

1. District Accounts officer Tank
2. District Monitoring Officer (EMA) Tank
3. Dy: District Education Officer (M) Local Office
4. Principal /Headmaster Concerned .
5. Teacher concerned.
6. Office file


District Education Officer
(Male) Tank.

Approved


20-A
BETTER COPY

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
TANK.

Cancellation Order:

The Office order issued vide this office Endst No. 891-96/ 1 No.4 E.B/ Transfer/ Distt: Cadre Dated: 31-01-2022 in r/o Mr. Naseeb Khan SCT and Kifayat Ullah SCT are hereby cancelled, due to disability having fracture the leg notable travelling of Mr. Kifayat Ullah SCT GHS Garra Shahbaz in the best interest of public service with immediate effect.

- Note: 1. No TA/DA is allowed.
2. Charge report should be submitted to all concerned.

---sd---

**District Education Officer
(Male) Tank.**

Endst: No. 1174-1074/ E.No.4-2/E.B/Transfer/CT,DM,PET

Dated: 04-02-2022

Copy of the above is forwarded for information & n/action to the:

01. District Accounts Officer Tank.
02. District Monitoring Officer (EMA) Tank.
03. Dy: District Education Officer (M) Local Office.
04. Principal/ Headmaster concerned.
05. Teacher concerned.
06. Office file.

**District Education Officer
(Male) Tank.**

To

The Director
Education, Khyber Pakhtunkhwa,
Peshawar.

ANNEX: G1

Page # (21)

Subject: **Departmental Appeal against the impugned office order dated 04.02.2022 issued by District Education Officer (Male) District Tank.**

Respected Sir:

1. That the appellant was appointed as Teacher (C.T) in Education department at District Tank vide office order dated 20.12.1999. Since then the Petitioner worked with sheer zeal and dedication and contributing his share in serving the nation without any complaint from superiors.
2. That in December, 2021 the appellant was posted at GHS Toran Nau, District Tank as Senior C.T, and on 30.12.2021 the appellant became serious injured in road accident when the appellant was coming back to home from his duty place. Due to injuries, the appellant has been advised by the Doctor from discounting or decreasing the travelling. Therefore, the appellant submitted an application to D.E.O (Male) Tank for his transfer to nearer school and the appellant has been transferred to GHS Gara Shehbaz, Tank vide office order dated 31.01.2022, after that the appellant took the charge in the said school.
3. That, on 04.02.2022, the District Education Officer (Male) Tank cancelled the transferred order of the appellant without any notice. Moreover, the transferred order of the appellant has been cancelled

Agreed
[Signature]

(22)

during ban period, thus the then DEO (Male) Tank Mr. Umar Khan Kundi illegally & without lawful authority exercised the power. Furthermore, no proper procedure was adopted by the then DEO (Male) Tank while cancelling the transfer order of the appellant.

4. That it has been mentioned in the impugned office order dated 04.02.2022 that the transfer order is cancelled due to disability of Mr. Kifayatullah as he is not able to travel. The reason given in the impugned office order is not logical due to the reason that GHS Gara Shahbaz is far away from the residence of Mr. Kifayatullah while his new place of posting is near to his residence. Hence, the impugned office order is liable to be cancelled.
5. That the appellant is unable to travel 60 Kilometer on daily basis as the Doctor advised to the appellant to avoid the travelling on daily basis.

It is therefore, humbly prayed that may kindly be cancelled the impugned office order No. 1074-1079 dated 04.02.2022 issued by DEO (Male) Tank and may kindly be restored the transfer order dated 31.01.2022.

Dated: 25.02.2022

Your's Sincerely,



**Naseeb Khan S/o
Ajab Khan
R/o Village Barakhel,
Tehsil & District Tank
Senior C.T.
Cell No. 0343-1949615**

Appraised
[Signature]
2/2

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block - A, Opposite SPA, Horal, Civil Secretariat, Peshawar

No. SO/SME/SEEDT/2022/PT/General
Dated Peshawar the January 04th 2022

- 1. Director,
Elementary & Secondary Education, Khyber Pakhtunkhwa
- 2. All District Education Officers (Male & Female)
Khyber Pakhtunkhwa

INSTRUCTION REGARDING POSTING/TWANSFERS

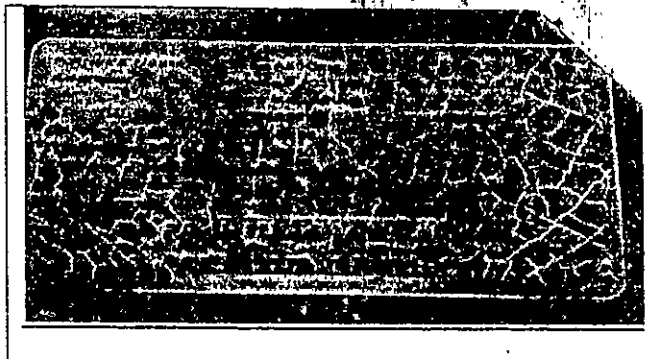
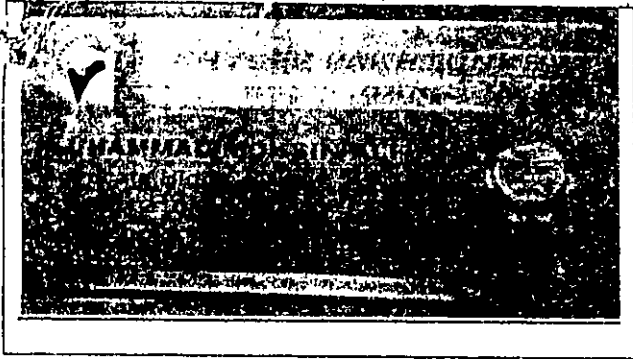
I am directed to refer this Department's letter of even number dated 03-01-2022 and to convey the directions of the Competent Authority as per following:-

- i. Posting / transfer order / notifications shall be issued up to 31-01-2022 and there will be a complete ban on any kind of posting/transfers after this cut off date.
- ii. Grievance / Retirement applications against any posting / transfer will be submitted online through Web Portal of E&SE Department, Khyber Pakhtunkhwa and Director EMIS will attend the appeal with the concerned DEOs on weekly basis, preferably on Monday of every week.
- iii. All posting/transfer orders/notifications will be uploaded on HRMIS and report be shared with the Director EMIS of E&SE Department on weekly basis.
- iv. No teacher / official will visit the department as well as Directorate of E&SE for any grievance. If found he/she will be proceeded against under Govt Servants (E&O) Rules, 2011.

The above instructions shall strictly be followed.

Aff. signed
[Signature]

[Signature]
(HAFEEZ UR REHMAN SHAH)
REGIONAL OFFICER (E&SE)



VAKALATNAMA

24

IN THE COURT OF *UPU Service Tribunal Peshawar* **DERA ISMAIL KHAN.**

Naseeb KhanPlaintiff /Appellant /Petitioner/Complainant/ Accused

Govt of Pk etc **vs** Defendant /Respondent / Complainant/ Accused

KNOW ALL to whom these present shall come that I/We *Appellant* do hereby appoint **Muhammad Mohsin Ali Advocate Supreme Court** (herein after called the advocate/s) to be my/our Advocate in the above noted case authorize him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorized agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3-years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this *6th* day of *June* 20*22*

Accepted
Muhammad Mohsin Ali
Muhammad Mohsin Ali
Advocate Supreme Court
District Bar, Dera Ismail Khan.

Naseeb Khan (Appellant)

[Signature]