

27.10.2022

Junior to counsel for appellant present.

No one is present on behalf of respondents.

Neither reply was submitted on behalf of respondents No.1, 4 and 5 to 9 nor cost was deposited on behalf of the said respondents. Therefore, right of respondents No.1, 4 and 5 to 9 for submission of reply is hereby struck off. To come up for arguments on 24.11.2022 before D.B at Camp Court, D.I.Khan.



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

28/7/22

Due to summer vacation to  
come up for the case on 29/9/22



29.09.2022

Learned counsel for the appellant present; Mr. Muhammad Kamran, ADEO alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 4 present.

Comments on behalf of official respondents No. 2 & 3 have already been submitted, while reply/comments on behalf of official respondents No. 1 & 4, as well as private respondents No. 5 to 9 are still awaited. Learned Additional Advocate General shall intimate official respondents No. 1 & 4 to positively submit reply/comments on the next date.


Previous date was changed on Reader Note, therefore, notice be issued to private respondents No. 5 to 9 for submission of reply/comments. Adjourned. To come up for submission of reply/comments on behalf of official respondents No. 1 & 4 as well as private respondents No. 5 to 9 and cost of Rs. 5000/- on 27.10.2022 before the S.B at Camp Court D.I.Khan.



(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

26.01.2022

Tour is cancelled, therefore, case is adjourned to 26.05.2022 for the same as before.

  
Reader.

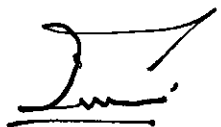
26.05.2022

Nemo for the appellant. Mr. Muhammad Kamran, ADEO (Litigation) as representative on behalf of official respondents No. 2 & 3 alongwith Mr. Farhaj Sikandar, District Attorney present. None present on behalf of official respondents No. 1 & 4 as well as private respondents No.5 to 9.

Reply/comments on behalf of official respondents No. 1 & 4 as well as private respondents No. 7 & 9 are still awaited.

Previous date was changed on Reader Note, therefore, notices be issued to official respondents No. 1 & 4 as well as private respondents No. 7 & 9 through registered post and last chance given for submission of reply/comments. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant, failing which the case shall be fixed before D.B for arguments without reply/comments deeming the same as waived off by the respondents. Adjourned. To come up for submission of written reply/comments on behalf of official respondents No. 1 & 4 as well as private respondents No. 7 & 9 on 28.07.2022 before the S.B at Camp Court D.I.Khan.

Notice for prosecution of the appeal also be issued to the appellant as well as his counsel through registered post for the date fixed.

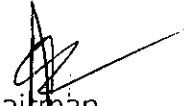
  
(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

24.11.2021

Junior to counsel for the appellant Mr. Muhammad Rasheed, DDA alongwith Kamran, ADO (Litigaton) for respondent No. 2 & 3 present and reply/comments submitted which are placed on file. Respondents No. 5, 6 and 8 in person present and relied on the written reply of respondents No. 2 and 3. Respondents No. 4, 7 and 9 are not in attendance. Fresh notices be issued to them by way of last chance.

Last opportunity is granted to respondent No. 1, 4, 7 and 9 for submission of written reply/comments on 26.01.2022 before S.B at camp court, D.I.Khan.

In case the last chance as given above is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant failing which the case shall be fixed before D.B for arguments without reply/comments deeming the same as waived off by the said respondents.



Chairman  
Camp Court, D.I.Khan

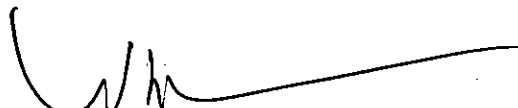
28.09.2021

Nemo for the appellant. Mr. Usman Ghani, District Attorney for official respondents present.

Written reply/comments on behalf of official respondents No. 2 & 3 have already been submitted.

Previous date was changed on Reader Note, therefore, notice be issued to official respondents No.1 & 4 as well as private respondents No. 5 to 9 with the directions to furnish reply/comments within 10 days. In case the official respondents No. 1 & 4 as well as private respondent No. 5 to 9 failed to submit their reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall stand ceased. To come up for arguments before the D.B on 24.11.2021 at Camp Court D.I Khan.

Notice for prosecution of the appeal also be issued to appellant as well as his counsel for the date fixed.



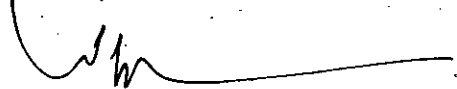
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COUR D.I KHAN

24.02.2021

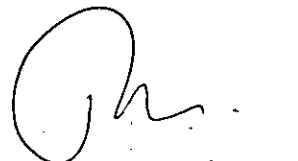
Appellant in person present.

Muhammad Riaz Khan Paindakhel learned Asst. AG alongwith Muhammad Kamran Khan ADO for official respondents No. 2 & 3 present. None present on behalf of official respondent No. 4 and private respondent No. 5 to 9.

Written reply/comments on behalf of official respondents No. 2 & 3 submitted which is placed on file. Reply/comments on behalf of official respondents No. 4 and private respondent No. 5 to 9 not submitted, therefore, notice be issued to official respondents No. 4 and private respondents No. 5 to 9 for submission of reply/comments. To come up for reply/comments on behalf of official respondents No. 4 and private respondent No. 5 to 9 on 25.05.2021 before S.B at Camp Court D.I. Khan.

  
(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, D.I. Khan

Due to COVID, 19 therefore do  
come up for the same on 28/3/21

  
Reader

26.10.2020

Appellant is not present. Notice be issued to appellant as well as his respective counsel for 25.11.2020. File to come up for preliminary hearing before S.B at Camp Court, D.I.Khan.

(MUHAMMAD JAMAL KHAN)  
MEMBER  
CAMP COURT D.I.KHAN

25.11.2020

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days.

Appellant Deposited  
Security & Process Fee  
01/12/20

Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 26.01.2021 before S.B at Camp Court, D.I.Khan.

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


26.01.2021 Due to Covid-19, case 18

adjourned to 24.02.2021 for  
the same as before.

Reader.


30.01.2020

Clerk of counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 27.02.2020 for preliminary arguments before S.B at Camp Court D.I.Khan.

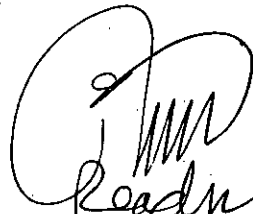
  
(M. Amin Khan Kundi)  
Member  
Camp Court D.I.Khan

27.02.2020

None present on behalf of the appellant. Notices be issued to appellant and his counsel for attendance and preliminary hearing for 25.03.2020 before S.B at Camp Court D.I.Khan.

  
(M. Amin Khan Kundi)  
Member  
Camp Court D.I.Khan

Due to COVID-19 to come  
up for the same on 26-10-2020

  
Readn

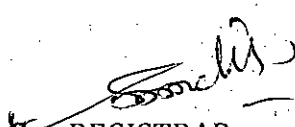
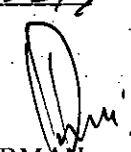
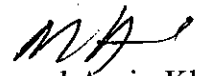


Form- A

FORM OF ORDER SHEET

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

Case No.- 1303/2019

| S.No.      | Date of order proceedings | Order or other proceedings with signature of judge  |
|------------|---------------------------|---|
| 1          | 2                         | 3   |
| 1-         | 09/10/2019                | <p>The appeal of Mr. Saif-ud-Din received today by post through Akhuzada Muhammad Aamir Khan Babar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p><br/>REGISTRAR</p>                          |
| 2-         | 15-11-2019                | <p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.11.2019</u></p> <p><br/>CHAIRMAN</p>   |
| 28.11.2019 |                           | <p>None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance and preliminary arguments for 30.01.2020 before S.B at Camp Court D.I.Khan.</p> <p><br/>(Muhammad Amin Khan Kundi)<br/>Member<br/>Camp Court D.I.Khan</p> |

To

The Registrar,  
Service Tribunal Khyber Pakhtunkhwa,  
Peshawar.

Saif ud Din Versus Govt. of KPK etc

## **SERVICE APPEAL**

Respected Sir,


Reference to objection dated 27/09/2019 received on 02/10/2019.

1. In respect of 1<sup>st</sup> objection, it is stated that the copy of CNIC of appellant (Annexure-A) and copy of service card of Appellant (Annexure-B) are annexed herewith.
2. Two more sets of appeal are also annexed herewith.

**Objection has been removed accordingly and service appeal mentioned above is hereby resubmitted for further necessary action please.**

Dated: 08/10/2019

Yours' Sincerely


  
Akhunzada Muhammad Aamir Khan Babar  
Advocate High Court  
stationed at Dera Ismail Khan

The appeal of Mr. Saif-ud-Din son of Islam-ud-Din Class-iv GHSS Daraban Kalan, District Dera Ismail Khan received today i.e. on 25.09.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures-A & B of the appeal are missing.
- 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. 1647 /S.T,

Dt. 27/9 /2019.

  
REGISTRAR 27/9/19  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Akhunzada Muhammad Aamir Khan Babar  
Advocate, High Court D.I.Khan.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES**  
**TRIBUNAL PESHAWAR**

In Service Appeal No. 1303 /2019

Saif ud Din  
(Appellant)

Versus

Govt. Of KPK, etc  
(Respondents)

**INDEX**

| S.# | Description of document                                | Annexure | Pages |
|-----|--|----------|-------|
| 1.  | Service Appeal with affidavit                          | --       | 1-6   |
| 2.  | Copies of service card and CNIC                        | A & B    | 7-8   |
| 3.  | Copy of the impugned notification dated 24/04/2019     | C        | 9     |
| 4.  | Copy of departmental appeal along with postal receipts | D        | 10-11 |
| 5.  | Wakalatnama  | --       | 13    |

Dated 23/09/2019

Your humble appellant,



Saif ud Din

Through counsel:-

  
Advocate High Court

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES**

**TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 1303 /2019

Diary No. 1305

Dated 25/9/2019

**Saif ud Din** son of Islam ud Din r/o Tehsil Daraban Kalan,  
District Dera Ismail Khan. Presently posted as PBS-04 at  
GHSS Daraban Kalan, Tehsil Daraban District Dera Ismail  
Khan.

.....(**APPELLANT**)

**VERSUS**

1. Government of Khyber Pakhtunkhwa, Through Secretary Elementary & Secondary Education Peshawar
2. The Director (E&S) Education Department Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) District Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. Abdul Hafeez, presently promoted as Junior Clerk at GHS Hafizabad, Dera Ismail Khan.
6. Haji Gul Nawaz, presently promoted as Junior Clerk at GHS Mithapur, Dera Ismail Khan.
7. Khizar Hayat, presently promoted as Junior Clerk at GHSS Daraban Kalan, Dera Ismail Khan.
8. Samiullah, presently promoted as Junior Clerk at GHS Bahadari, Dera Ismail Khan.
9. Muhammad Bilal, presently promoted as Junior Clerk at GHS Ghandi Ashiq, Dera Ismail Khan.

..... (**RESPONDENTS**)

**APPEAL UNDER SECTION 4 OF THE NWFP SERVICES TRIBUNAL ACT, 1974.**

*[Handwritten signature]*

**Filed to-day**

**Registrar**

**Re-submitted to-day and filed.**

*[Handwritten signature]*  
**Registrar**

**PRAYER**

On acceptance of this appeal the impugned notification#10457-65 dated 24/04/2019 issued by respondent#3 may please be declared as null and void ab initio, hence, liable to be set aside and the respondents may kindly be directed to promote the petitioner according to 33% quota reserved for promotion of Class-IV to Junior Clerk.

**Respected Sir,**

**Appellant humbly submits as under;**

1. That the appellant joined the Education Department Khyber Pakhtunkhwa as Class-IV employee and presently posted at Govt. High School Daraban Kalan, Tehsil Daraban District Dera Ismail Khan. Copies of CNIC & Service card of appellant are annexed as **Annexure-A & B.**
2. That after the appointment the petitioner served the department with the entire satisfaction of his high-ups and left no stone unturned during his whole service and nothing a single departmental inquiry was conducted against appellant petitioner in mentioned period.
3. That appellant, being fully qualified, is entitled for promotion Class-IV employee to Junior Clerk according to Rules and Regulations dated 07/11/2018 of the Education Department regarding 33% quota reserved for promotion of Class-IV to Junior Clerk.
4. That although the appellant fulfills the criteria of promotion from Class-IV employee to Junior clerk according to notification dated 07/11/2018 but the respondent#3 issued the impugned notification#10457-65 dated 24/04/2019 vide which the private respondents were promoted from Class-IV employee to Junior clerk despite the fact that they are not only juniors to the appellant but do not fulfill the criteria of 33% quota reserved for promotion due to not having the typing skills & computer knowledge etc. Copy of the

*Handwritten signature*

impugned notification dated 24/04/2019 is annexed as **Annexure-C**.

- 5. That appellant being senior employee than the private respondents and also having typing skill along with basic computer knowledge is entitled to be promoted as Junior Clerk but the respondents did not promote the petitioner which is gross injustice and needs serious interference of this honourable Tribunal.
- 6. That feeling aggrieved by the impugned notification#10457-65 dated 24/04/2019, the appellant moved a departmental appeal to the respondent#2 for his promotion against the post of Junior Clerk but the respondents did not pay any heed to the appeal of the appellant which cause huge loss to the appellant to the effect the salaries, allowance and on the future of petitioner's service and petitioner's pension. Copy of departmental appeal is enclosed as **Annexure-D**.
- 7. That refusal of the departmental appeal of the appellant, the appellant is being challenged by way of instant appeal, on inter alia the following grounds:-

*Handwritten initials/signature*

**GROUND**S

- a. That the impugned notification dated 24/04/2019 is against law, Rules & regulations and departmental policy, hence, the same is liable to be cancelled and the appellant is entitled to be promoted as Junior Clerk according to Rules and Regulations dated 07/11/2018 of the Education Department.
- b. That in view of the qualification and skills of appellant, his hard work and better performance in Education Department as also in view of his laudable and favourable and be treated on equality.

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- c. That non awarding promotion to the appellant as Junior Clerk cast an adverse effect upon his entire service career which badly resulted his expected ancillary benefits thereon.
- d. That non-promotion of the appellant despite fulfilling the criteria has brought a bleak disaster not only to his impeccable career but also has financially straightened.
- e. That appellant fulfil the criteria of promotion as Junior Clerk in Education Department but the respondents are intending to deprive the appellant from his valuable rights which is clear violation of the policy of Government.
- f. That the appellant has been discriminated in the matter of promotion and as the said discrimination smacks of malafides, the impugned act of respondents is merit annulment.
- g. That this honourable Tribunal has got vast and ample powers to entertain the instant appeal.
- h. That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

**For the afore-stated grounds, this appeal may please be allowed as prayed above.**

Dated 23/09/2019

Your humble appellant,



**Saif ud Din**  
Through counsel:-

  
**Advocate High Court**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL**  
**PESHAWAR**

In Service Appeal No. \_\_\_\_\_/2019

Saif ur Din  
(Appellant)

Versus

Govt. Of KPK, etc  
(Respondents)

*Allested*  
**Oath Commissioner**  
RD & AC  
District Dera Ismail Khan

**AFFIDAVIT**

I, **Saif ud Din** son of Islam ud Din r/o Tehsil Daraban Kalan, District Dera Ismail Khan, appellant herein, do hereby solemnly affirm on oath that all para-wise contents of the accompanying appeal are true and correct to the best of my knowledge, belief and information; that nothing has been concealed or kept secret from this worthy Tribunal, nor anything contained therein is based on exaggeration or distortion of facts.

Dated 23/09/2019

*Saif ud Din*  
**Deponent**

**VERIFICATION**

Verified on oath at DIKhan, this 23 day of September, 2019, that all contents of the above appeal are true and correct.

Dated 23/09/2019

*Saif ud Din*  
**Appellant**

6

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES**  
**TRIBUNAL PESHAWAR**

In Service Appeal No. \_\_\_\_\_/2019

Saif ud Din  
(Appellant)

Versus

Govt. Of KPK, etc  
(Respondents)

**ADDRESSES OF PARTIES**


**Saif ud Din** son of Islam ud Din r/o Tehsil Daraban Kalan,  
District Dera Ismail Khan. Presently posted as PBS-04 at GHS  
Daraban Kalan, Tehsil Daraban District Dera Ismail Khan.

.....(**APPELLANT**)

**VERSUS**

1. Government of Khyber Pakhtunkhwa, Through Secretary  
Elementary & Secondary Education Peshawar
2. The Director (E&S) Education Department Khyber  
Pakhtunkhwa Peshawar.
3. District Education Officer (Male) District Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. Abdul Hafeez, presently promoted as Junior Clerk at GHS  
Hafizabad, Dera Ismail Khan.
6. Haji Gul Nawaz, presently promoted as Junior Clerk at GHS  
Mithapur, Dera Ismail Khan.
7. Khizar Hayat, presently promoted as Junior Clerk at GHSS  
Daraban Kalan, Dera Ismail Khan.
8. Samiullah, presently promoted as Junior Clerk at GHS  
Bahadari, Dera Ismail Khan.
9. Muhammad Bilal, presently promoted as Junior Clerk at  
GHS Ghandi Ashiq, Dera Ismail Khan.

..... (**RESPONDENTS**)

  
Appellant's counsel



Appointment order: Junior Clerk (Subordinate) to Junior Clerk (Promotion) C-15 to B-1 D.E.Khan

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Annexure C

**OFFICE OF THE DISTRICT EDUCATION OFFICER  
(MALE) DERA ISMAIL KHAN**

Tel: 0966-9280131/9280121  
E-mail: deoisdikhan@yahoo.com

**NOTIFICATION.**

Consequent upon the recommendations of the Departmental Promotion Committee, the following Class IV servants working in and under the Elementary & Secondary Education Department District DIKhan are hereby promoted as Junior Clerk in BPS-11 on regular basis (under 33% quota promotion of Class IV to Junior Clerk) in the interest of public service with immediate effect.

| Sr. No | Seniority No. | Name           | Place of posting as Naib Qasid | CNIC            | Place of posting   | Typing Speed per minute |
|--------|---------------|----------------|--------------------------------|-----------------|--------------------|-------------------------|
| 1-     | 1156-A        | Abdul Hafeez   | Naib Qasid GMS Chah Lang-wala  | 12103-1497976-5 | GHS Hafiz Abad     | 28.8                    |
| 2-     | 621           | Haji Gul Nawaz | Chowkidar GPS Faqirabad        | 12101-5487347-5 | GHS Mithapur       | 26.6                    |
| 3-     | 990           | Khizar Hayat   | Naib Qasid GHSS Daraban Kalan  | 12104-3359430-9 | GHSS Daraban Kalan | 26.6                    |
| 4-     | 1038          | Samiullah      | Naib Qasid GHS Paniala         | 12103-6342796-5 | GHS Bahadri        | 25.0                    |
| 5-     | 778           | Muhammad Bilal | Cook GHSS No.2 DIKhan          | 1201-0966068-5  | GHS Gandhi Ashiq   | 25.2                    |

**TERMS & CONDITIONS**

1. The appointee will get salary against the sanctioned post in the budget.
2. They are required to join the post within 15 days, failing which the promotion order will stand automatically as cancelled.
3. Their Promotion Order will be treated as cancelled if the said quota has already been availed.
4. Their pay may not be drawn till the verification of certificate /documents from the concerned Board/University by this office. If any certificate/documents found bogus will be reported to the law enforcing agencies for further action and Promotion Order will be automatically treated as cancelled. Verification fee will be borne by the candidate.
5. Their documents may be checked by the DDO concerned once again before handing over the charge, if he has not the required relevant qualification as per rules he may not be handed over the charge of the post.
6. Charge reports should be submitted to all concerned.


---Sd---  
District Education Officer  
(Male) Dera Ismail Khan

Endst No. 10657-65 /AE-1/Promotion C-15 to JC 33% quota

Dated Di Khan the 24/4/2019

**Copy forwarded to:**

1. The PS to the Secretary to Govt, Khyber Pakhtunkhwa E&SE Department.
2. The Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commissioner, DI Khan.
4. The District Comptroller of Accounts, DI Khan.
5. The DMO (IMU) D.I.Khan
6. The Principal concerned.
7. The Headmaster concerned.
8. The Official concerned.
9. The PA to DEO (M) DIKhan.

  
District Education Officer,  
(Male) Dera Ismail Khan

بخدمت جناب ڈائریکٹر E&S ایجوکیشن خیبر پختونخواہ پشاور

محکمہ اپیل

Through Proper Channel

D.E.O (Male) Dera Ismail Khan

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

۱۔ یہ کہ من سائل محکمہ تعلیم ڈیرہ اسماعیل خان میں بطور درجہ چہارم ملازم (BPS-4) اپنے فرائض منصبی سرانجام دے رہا ہے اور گورنمنٹ ہائر سیکنڈری سکول درابن کلاں میں تعینات ہے۔ نقل شناختی کارڈ دوسروں کارڈ سائل لف ہیں۔ Annexure-A & B۔  
۲۔ یہ کہ من سائل نے ہمیشہ پوری ایمانداری اور جانفشانی کیساتھ اپنے فرائض منصبی سرانجام دیئے ہیں اور افسران بالا کو کبھی بھی شکایت کا موقع نہیں دیا ہے اس نسبت سائل کا سروس ریکارڈ واضح ہے۔

۳۔ یہ کہ سائل 33% Quota reserved for promotion of Class-IV to Junior Clerk کے تحت جو نیئر کلرک Promote ہونے کا اہل ہے اس نسبت سائل نے افسران بالا سے بارہا استدعا بھی کی لیکن سائل کی کوئی شنوائی نہیں ہوئی۔ جبکہ سائل ٹائپنگ میں بھی بے حد مہارت رکھتا ہے جس کا رزلٹ بھی منسلک ہے۔

۴۔ یہ کہ ڈسٹرکٹ ایجوکیشن آفیسر صاحب ڈیرہ اسماعیل خان کی جانب سے نوٹیفیکیشن نمبر 10457-65 مورخہ 24/04/2019 جاری کیا گیا جس میں سائل کی بجائے دیگر درجہ چہارم ملازمین کو جو نیئر کلرک کے عہدے پر ترقی دی گئی ہے حالانکہ مذکورہ ملازمین سائل سے جو نیئر ہیں اور مذکورہ کوڈ کی شرائط پر بھی پورا نہیں اترتے ہیں۔ جبکہ سائل سینئر Employee ہونے کے علاوہ مذکورہ کوڈ کی تمام شرائط یعنی ٹائپنگ وغیرہ پورا کرتا ہے اس کے باوجود بھی من سائل کو نظر انداز کرتے ہوئے دیگر منظور نظر ملازمین کو جو نیئر کلرک کے عہدے پر ترقی دے کر میرٹ کی خلاف ورزی کی گئی ہے۔ بدیں وجہ نوٹیفیکیشن نمبر 10457-65 مورخہ 24/04/2019 کو منسوخ فرما کر سائل کو جو نیئر کلرک کے عہدے پر ترقی دی جانی عین ترین انصاف ہے۔ نقل نوٹیفیکیشن لف ہے۔ Annexure-C  
۵۔ یہ کہ من سائل نے ڈسٹرکٹ ایجوکیشن آفیسر صاحب ڈیرہ اسماعیل خان کو درخواست گزارگی جس میں سیناریٹی لسٹ، منٹس آف میٹنگ وغیرہ کی نقل فراہم کرنے کی استدعا کی گئی تھی لیکن درخواست مذکورہ پر کوئی بھی کارروائی نہیں کی گئی۔ درخواست زیر دفعہ RTA لف ہے۔ Annexure-D

۵۔ یہ کہ سائل ایک غریب درجہ چہارم ملازم ہے جس کا کوئی اثر رسوخ وغیرہ نہیں ہے جس کی وجہ سے سائل کو قیمتی حقوق سے محروم رکھا جا رہا ہے اس لئے سائل آپ جناب سے دست بستہ استدعا کرتا ہے کہ سائل کی دادرسی فرماتے ہوئے سائل کو جو نیئر کلرک کے عہدے پر ترقی دی جائے۔

لہذا استدعا ہے کہ منظوری اپیل ہذا سائل کو درجہ چہارم ملازم سے جو نیئر کلرک کے عہدے پر ترقی دی جا کر سائل کی دادرسی فرمائی جائے۔

مورخہ 24/05/2019

سیف الدین ولد اسلام الدین سکند ڈاکخانہ درابن کلاں، ضلع ڈیرہ اسماعیل خان  
حال تعینات بطور BPS-04 گورنمنٹ ہائر سیکنڈری سکول درابن کلاں ڈیرہ اسماعیل خان

سیف الدین



MUHAMMAD AAMIR KHAN

Advocate  
bc-14-49  
Date of Birth: November 2017  
Valid upto: November 2020



ADVOCATE HIGH COURT

وکالت نامہ



Before H. LC PK Service Tribunal Peshawar

Saif ul Din <sup>مجانب</sup> <sub>نام</sub> Court of KPK

Service Appeal

دعوی یا جرم  
تفصیل دعوی یا جرم

باعث تحریر آنکہ

D.I.K

Alhwand Zada Mohammad Amir Khan Babar

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی درجہ دہی برائے پیشی یا تصفیہ مقدمہ بنام  
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بذریعہ روز بروز عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب  
موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ بیرونی غیر حاضری کی وجہ سے کسی طور حیرت خلاف ہو گیا تو صاحب  
موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل  
بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا بیچے پیش ہونے  
پر مظہر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا عمت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے نہ  
کوکل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا اور صاحب موصوف کو غرض دہی یا جواب دعوی یا درخواست اجراء اساتے ڈگری  
نظر ثانی اپیل، گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تاشی یا راضی نامہ و فیصلہ بر خلاف کرنے اقبال دعوی کا بھی اختیار ہوگا اور بصورت مقرر ہونے  
تاریخ پیشی مقدمہ مذکور بیرون از پکھری صدر بیرونی مقدمہ مذکور نظر ثانی اپیل و گمرانی و برآمدگی مقدمہ یا منسوخ ڈگری یک طرفہ یا درخواست حکم استعفی یا ترقی  
یا گرفتاری اپیل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ ضمانت بیرونی کا اختیار ہوگا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ  
از خود منظور و قبول ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نہ ہونے  
اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرونی کو اپنے ہوائے اپنا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں اپنی اور اپنے  
اختیاراً حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جائد التواء چاہے گا وہ صاحب موصوف کا حق ہوگا اور  
صاحب موصوف کو پوری نہیں تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پوری نہ کریں اور اپنی صورت  
میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے  
مورخہ 23 مارچ 2019

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Accepted  
D. Khan  
B.A.R.

Saif ul Din  
سوائف الدین

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303 / 2109

Saifuddin

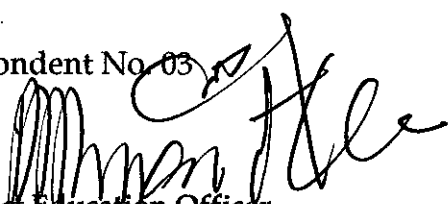
VS

Government of KPK

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| 04    | Authority                |                          |          |

Respondent No. 03

  
District Education Officer  
(Male) Dera Ismail Khan

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR**

**SERVICE APPEAL No. 1303 / 2109**

**Saifuddin**

**VS**

**Government of KPK**

**COMMENTS ON BEHALF OF RESPONDENTS.**

**Preliminary Objections**

- 1. THAT THE APPELLANT WAS ABSENT IN THE TYPING TEST.**
2. That the appellant has got no cause of action / locus standi.
3. that the appellant has not come to the honorable tribunal with clean hands.
4. That the appellant has filed the service appeal on malafide objectives.
5. that the instant appeal is against the prevailing laws and rules.
6. That the appeal is barred by the doctrine of leeches.
7. That the instant appeal is illegal and against the facts.
8. That the service appeal is not maintainable in its present form.
9. That the appellant has concealed the material facts from the honorable tribunal.
10. That the appeal is badly time barred.



## OBJECTION ON FACTS

Respected Sir, The respondents humbly submits as under

1. Para pertains to the residential address of appellant hence no comments.
2. Para pertains to the performance of duty of appellant hence no comments.
3. Para pertains to the promotion of the appellant from post of class – iv to junior clerk on 33% quota hence no comments.
4. That the appellant as got no cause of action. That the appellant was not appeared in the typing test held in GHSS No.4 D.I.Khan on 10/01/2019. Para is correct to the extent that respondent No. 3 issued to the notification No.10457 – 65 dated 24/04/2019 of promotion from class – iv to the junior clerks on 33 % reserved quota. The basic criteria for promotion class – iv to junior clerk is FA along with 25 words per minute typing skill and computer knowledge. The five private respondent which fulfill the typing / computer test on 10/01/2019, at GHSS NO. 4.D.I.Khan where record is given below:

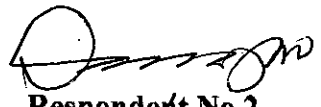
| S.No | Name           | F/Name       | Designation | School             | Typing Speed | Qualification |
|------|----------------|--------------|-------------|--------------------|--------------|---------------|
| 1    | Haji Gul Nawaz | Imam Bakhsh  | Chowkidar   | GPS Faqir abad     | 26.6         | MA            |
| 2    | M. Bilal       | Abdur Rehman | Cook        | GHSS No.2          | 25.2         | BA            |
| 3    | Sami Ullah     | Saad Ullah   | NQ          | GHS Panyal         | 25.0         | BA            |
| 4    | Khizar Hayat   | Umer Daraz   | NQ          | GHSS Daraban Kalan | 26.6         | MA            |
| 5    | Abdul Hafiz    | Mureed Khan  | NQ          | GMS Chah Lal Wala  | 28.8         | FA            |


5. Incorrect / Not admitted strongly denied. As discussed in para No. 4.
6. Para pertains to the departmental appeal of appellant to the respondent No.2 hence no comments.
7. No comments.

## Grounds

- a. Incorrect / Not admitted. the para is refuted. The notification No.10457 – 65 dated 24/04/2019 was according to law, Rules and regulation so is not liable to be cancelled. As the appellant was absent in the typing test so appellant for promotion from the post of class –iv to junior clerk.
- b. No comments.
- c. Incorrect / Not admitted. The promotion of respondent from post of class – iv to junior clerk based on policy of Government with plausible justification.
- d. Incorrect / Not admitted. Para is totally false and frivolous.
- e. Para is strongly denied. The appellant was deprived from promotion as not fulfilling the basic criteria of promotion from post of class – iv to junior clerk. As he was absent in the typing test.
- f. Incorrect / Not admitted. As discussed in para No.E.
- g. No comments.
- h. That the counsel for respondent may be graciously be allowed to raise additional grounds at the time of the arguments.

**Respondent No.1**  
**The Secretary E&SE KPK**  
**Peshawar**

  
**Respondent No.2**  
**The Director E&SE KPK**  
**Peshawar**

  
**Respondent No.3.**  
**District Education Officer**  
**(M) D. I. Khan**

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303 / 2109

Saifuddin

VS

Government of KPK

### Affidavit

I Mr: Muhammad Kamran Khan ADEO Litigation (M) D.I.Khan do solemnly affirm and declare on oath that contents of written reply are correct to the best of my knowledge and nothing has been concealed from this honorable Court

*M Kamran Khan*  
Depoent

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR**

**SERVICE APPEAL No. 1303 / 2109**

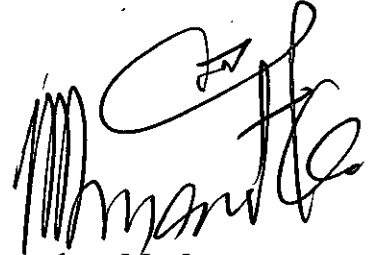
**Saifuddin**

**VS**

**Government of KPK**

**Authority**

I District Education Officer (M) D.I.Khan do hereby authorized Mr: Muhammad Kamran Khan to attend the honorable Service Tribunal KPK Peshawar on behalf of respondent in connection with submission para wise comments till the decision of service appeal.



Respondent No.3  
District Education Officer  
(M) D.I.Khan

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

TB

No.

APPEAL No. 1303 of 20 19

*Saif ud Din*

Appellant/Petitioner

Versus

*Through Secy: Edu: KPLP Pesh:*

RESPONDENT(S)

Counsel *Muhammad Amir Khan Baber*  
Notice to Appellant/Petitioner *Advocate High Court*  
*D.I. Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 30-1-2020 at 1.00 PM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court D.I. Khan*

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

**"A"**

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

No.

T13

APPEAL No..... 1303 ..... of 20 19

*Saif ud Din*

Appellant/Petitioner

Versus

*through Secy: Edu: KP/K Pesh*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Saif ud Din S/o Islam ud Din*  
*R/O Tehsil Daraband Kalam Distt. D.I. Khan*  
*Dera Ismail Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 30-1-2020 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court D.I. Khan*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar

"A"

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

No.

713

APPEAL No.....1303..... of 20 14

*Saif ul Din*

Appellant/Petitioner

Versus

*Through Saif ul Din & P. P. Sha*

RESPONDENT(S)

*Amir Khan*

*Counsel*

Notice to Appellant/Petitioner

*Akhuand Zada Muhamamad*

*Babar Advocate High Court*

*D.I. Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25-3-2020 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court D.I. Khan*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

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

No.

713

APPEAL No. 1303 of 2019.

Saif uddin

Appellant/Petitioner

Versus

Through Saqif Eddin M. P. P. Sh.

RESPONDENT(S)

Notice to Appellant/Petitioner

Saif uddin S/o Islam uddin  
R/o Tehsil Daraban Kalan  
Distt. Dera Ismail Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25-3-2020 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court D.I. Khan

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



"A"

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

No.

APPEAL No..... 1303 ..... of 2019.

*Saif ul Din*

Appellant/Petitioner

Versus

*Through Secy: Edm: K.P.S.T.*

RESPONDENT(S)

*Counsel*

*Amir Bab*

Notice to Appellant/Petitioner.....

*Akbar Zada Muhammad  
Advocate High Court*

*D. I. Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25-11-20 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court D.I. Khan*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

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

TB

No.

APPEAL No..... 1303 ..... of 2019.

Saif ud Din

Appellant/Petitioner

Versus

Through Secy: Edu: WPN Pesh:

RESPONDENT(S)

✓  
Notice to Appellant/Petitioner

Saif ud Din S/o Imran ud Din  
R/o Tehsil Daraban Kalan  
Distt: Dera Ismail Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25-11-20 at 7:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at court D.I. Khan

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

**"B"**

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

No.

TB

Appeal No. .... 1303 ..... of 2019

*Saif ul Din* ..... Appellant/Petitioner  
Versus

*Through Saeed Ahmad* ..... Respondent

Respondent No. .... 3 .....

Notice to:

- Distt. Education officer (male)  
Distt. D. I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26/12/2019 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 20/12/19

Day of Dec ..... 20 20

*at Camp Court D. I. Khan*

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.**

TB

No.

Appeal No. 1303 of 2019

Saif ul Din Appellant/Petitioner

Versus

Through Secy. Edn: Mr. P. P. P. Respondent

Respondent No. 4

Notice to: —

Distt. Accounts officer D. I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26-1-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 2nd

Day of Dec 2020

at Camp Court D. I. Khan

[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.

TB

No.

Appeal No. 1303 of 20 19

Saif ud Din Appellant/Petitioner

Versus

Through Secy. Eder. Pesh. Respondent

Respondent No. 5

Notice to:

Abdul Hafeez Presently Promoted  
as J/C at GHS, Hafizabad D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 20-1-2021 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 2nd

Day of Dec 20 20

at Camp Court D.I. Khan

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.

1B

Appeal No.....1303..... of 20 17

Saif ul Din.....Appellant/Petitioner  
Versus

through Saif ul Din.....Respondent  
Respondent No.....6

Notice to: -

Haji Gul Nawaz presently promoted as G/C at GHS, Mithapur D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....21.....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.....21.....

Day of.....Decr.....20 20

at Camp Court D.I. Khan

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.

713

Appeal No. .... of 20

1303

19

*Sarf ul Din*

Appellant/Petitioner

Versus

*Through Sarf Edin, Pesh.*

Respondent

Respondent No. ....

Notice to:

*- Khizar Hayat Presently promoted  
As J/C Post GHS Mithapur D.I. Khan*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.

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.....2nd.....

Day of.....Dec......20 20

*at Camp Court D.I. Khan*

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, T/B  
PESHAWAR.

No.

1303

19

Appeal No. 1303 of 2019

Prof. Dr. Din Appellant/Petitioner  
Muhammad Saqib Versus Dr. P. I. Khan  
Respondent

Samiullah Respondent No. 1

Notice to:

- as J/c at GHS, Bahadarikalan  
P. I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.

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..... 2nd

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

Day of.....  
at Camp Court P. I. Khan

*[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.

T13

No.

Appeal No..... 1303 ..... of 2019

Saif-ud-Din ..... Appellant/Petitioner

Versus

Through Secy. Edu: KP/ P. Sh: ..... Respondent  
Respondent No..... 9

Notice to:

Muhammad Bilal Pashtun  
as T/O at GHS, Ghandi Ashiq, D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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..... 26.12.2019 ..... 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..... 2nd

Day of..... Dec ..... 20 20

at Camp Court D.I. Khan

[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.

TB

Appeal No.....1303..... of 20 14

Scarf not Dm.....Appellant/Petitioner  
Versus

Through Secy. Edn. K.P.S.T......Respondent  
Respondent No.....2.....

Notice to: — Director Education Dept. of K.P.S.T. Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....26-1-2021.....at 8.00 A.M. If you wish to urge anything against the appellat/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.....2nd.....  
Day of.....Dec......20 20

at Camp Court D.1. Khan

M. J. 10/2/2020

[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.

713

Appeal No. 1303 of 20

19

..... Appellant/Petitioner  
Saif ud Din

..... Respondent  
through Secy. Edu. Dept. Pesh.  
Respondent No. ....

Notice to: —

Govt. of KP through Secy. Edu. Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.

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.....

Day of.....20

Dec:

20

at Comptroller D.I. Khan

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.

14/11

**"B"**

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

No.

TB

Appeal No.....1303..... of 2019

.....Saif Ullah Durr.....Appellant/Petitioner

Versus

.....Through Secy. Edn. 14P/1 Pesh.....Respondent

Respondent No.....4.....

Notice to:

*Distt. Account Officer, Dera Ismail Khan*

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 ~~25-3-2019~~ 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.....<sup>2nd</sup>.....

Day of.....<sup>March</sup>.....20<sup>19</sup>.....

*At Camp Court D.I. Khan*

**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.

TB

Appeal No. 1303 of 20<sup>19</sup>

Saif ud Din

Appellant/Petitioner

Versus

Through Secy. Edm. 14/11/19

Respondent

Respondent No. 5

Notice to:

Abdul Hafeez, Presently Promoted as J/c  
GHS, Hafizabad Dera Ismail Khan

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 25-3-2019 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 2nd .....

Day of March 2019.

at Camp Coast D. I. Khan



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.

7.3

Appeal No. 1303 of 2021

Saif ud Din Appellant/Petitioner

Versus

Through Secy. Edm: 14/11/2021 Respondent

Respondent No. 6

Notice to:

Haji Gul Nawaz, Presently Promoted as  
J/c at GHS, Mithapur Dera Ismail Khan

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 25-3-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 2nd.....

Day of March.....2021

at Camp Court D.I. Khan

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.**

TB

No.

Appeal No. 1303 of 20 19

Saif ud Din Appellant/Petitioner

Versus Touqeer Saqif, Edm: KPLC No. 84 Respondent

Respondent No. 7

Notice to:

Mhizar Hayat, presently promoted as S/C  
at GHSS, Darabara Kalan Deza (small)

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 23-3-19 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 2nd

Day of March 20

at Camp Court D.I. Khan

**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. TB

No.

Appeal No. 1303 of 19

Saif ud Din Appellant/Petitioner

Versus

Through Secy. Edu. Dept. Pesh. Respondent

Samiullah Pr. Sec. Pesh. Respondent No. 1303

Notice to:

at GHS, Ghandi Ashiq, Dera Ismail Khan

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.

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..... 2nd

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

Day of.....20

at Camp Court D.I. Khan

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.

78

Appeal No. 1303 of 20 19

Saif ud Din Appellant/Petitioner

Versus

Through Sr. Sg. Edu. K.P.U. Respondent

Respondent No. 9

Notice to:

Muhammad Bilal, presently promoted  
as J/c at GHS, Ghandi Ashiq D.I. Khan

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 25-5-2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 20/3/21

Day of March 20 21

at Camp Court D.I. Khan

[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.

"A"

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

No.

APPEAL No. 1303 of 2019.

Saif ud din

Appellant/Petitioner

Versus

Through Secretary E & SE Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner Saif ud din S/o Islam ud din R/o Tehsil

Daraban Kalan, District D.I. Khan. Presently posted as

BPS-04 a-1 GHSS Daraban Kalan, Tehsil Daraban District D.I. Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 24-11-2021 at D.I. Khan

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

AI copy  
Court D.I. Khan

Elkhan

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

No.

APPEAL No..... 1303 ..... of 20/19.

Sajjad din

Appellant/Petitioner

Versus

Through Secretary E & SE Peshawar

RESPONDENT(S)

Notice to Appellant/Petitioner..... Akhwan Zada Muhammad Amir

Khan Babar HHC D.I. Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... 24-11-2021 ..... at..... D.I. Khan.....

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

A+  
Camp  
Court D.I. Khan

Eshes

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**“B”**

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

No.

Appeal No.....1303..... of 20 19

.....Saif ud din.....Appellant/Petitioner

Versus

.....Through Secretary E.F.S.E. Peshawar.....Respondent

Respondent No.....4.....

Notice to: — District Account Officer D. Khan

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.....24-11-2021.....at ~~8.00~~ 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.....3rd.....

Day of.....November.....20 21

At Camp  
Court D. Khan

*E. Khan*

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.  
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**“B”**

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

No.

Appeal No. .... 1303 ..... of 209 .

..... Saif ud din ..... Appellant/Petitioner

Versus

..... Through Secretary E.S.S.E. Peshawar ..... Respondent

Respondent No. .... 5 .....

Notice to: — Abdul haqeez, Presently promoted as Junior clerk  
at GHS Hafizabad, D.I. Khan

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 24-11-2021 ..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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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 3rd .....

Day of November ..... 20 .....

At Camp  
Court D.I. Khan

Enkhay

**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.  
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“B”

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

1303

No.

Appeal No. <sup>So. J. ud. din</sup> ..... of 20

..... Appellant/Petitioner  
Through Secretary <sup>ESSE</sup> Peshawar.  
Versus

..... Respondent

<sup>Respondent</sup> H. J. Gul Nawaz, present as Junior Clerk at  
GHS Mithaare, D. 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 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..... 3rd

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

Day of.....<sup>At Camp</sup>.....20

<sup>At Camp</sup>  
D. Khan

*D. Khan*

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.  
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**“B”**

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

No.

Appeal No. 1303 of 2018  
Said ud din Appellant/Petitioner

Versus  
Through Secretary E F S E Peshawar Respondent

Respondent No. 7

Notice to: Khusan Hayat, Presently promoted as Junior clerk at GHS Daraban Kalan, D.I. Khan.

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 3rd.....  
November  
Day of.....20

At camp  
Court D.I. Khan

E. Khan

**Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.**

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**“B”**

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

No.

Appeal No. 1303 of 20 19

Sayy ud din Appellant/Petitioner

Versus

Through Secretary ESE Peshawar Respondent

Respondent No. 8

Notice to: — Sami Ullah, presently promoted as Junior clerk at GHS Bahaduri, D.I. Khan.

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.....<sup>21</sup>/<sub>20</sub>

at Camp  
Court D.I. Khan

Edehan

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.  
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**“B”**

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

No.

Appeal No.....1393..... of 130

Sajid ud din.....Appellant/Petitioner

Versus

Through Secretary E.S.E. Peshawar.....Respondent

Respondent No.....9.....

Notice to: Muhammad Bilal, Presently promoted as Junior clerk at GHS Ghandi Ashiq, D.I. Khan

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.....24.11.2024.....at 8.00 A.M. If you wish to urge anything against the appelland/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 3<sup>rd</sup>.....  
Day of.....November.....20

At Camp Court D.I. Khan

*E. Khan*  
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.  
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BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303/2109

Saifuddin

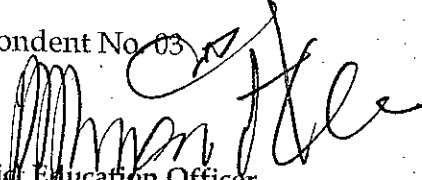
VS

Government of KPK

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| 03    | Annexure                 |                          |          |
| 04    | Authority                |                          |          |

Respondent No. 03

  
District Education Officer  
(Male) Dera Ismail Khan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303/2109

Saifuddin

VS

Government of KPK

COMMENTS ON BEHALF OF RESPONDENTS.

Preliminary Objections

1. THAT THE APPELLANT WAS ABSENT IN THE TYPING TEST.
2. That the appellant has got no cause of action / locus standi.
3. that the appellant has not come to the honorable tribunal with clean hands.
4. That the appellant has filed the service appeal on malafide objectives.
5. that the instant appeal is against the prevailing laws and rules.
6. That the appeal is barred by the doctrine of leeches.
7. That the instant appeal is illegal and against the facts.
8. That the service appeal is not maintainable in its present form.
9. That the appellant has concealed the material facts from the honorable tribunal.
10. That the appeal is badly time barred.

## OBJECTION ON FACTS

Respected Sir, The respondents humbly submits as under

1. Para pertains to the residential address of appellant hence no comments.
2. Para pertains to the performance of duty of appellant hence no comments.
3. Para pertains to the promotion of the appellant from post of class – iv to junior clerk on 33% quota hence no comments.
4. That the appellant as got no cause of action. That the appellant was not appeared in the typing test held in GHSS No.4 D.I.Khan on 10/01/2019. Para is correct to the extent that respondent No. 3 issued to the notification No.10457 – 65 dated 24/04/2019 of promotion from class – iv to the junior clerks on 33 % reserved quota. The basic criteria for promotion class – iv to junior clerk is FA along with 25 words per minute typing skill and computer knowledge. The five private respondent which fulfill the typing / computer test on 10/01/2019, at GHSS NO. 4.D.I.Khan where record is given below:

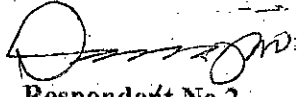
| S.No | Name           | F/Name       | Designation | School             | Typing Speed | Qualification |
|------|----------------|--------------|-------------|--------------------|--------------|---------------|
| 1    | Haji Gul Nawaz | Imam Bakhsh  | Chowkidar   | GPS Faqir abad     | 26.6         | MA            |
| 2    | M. Bilal       | Abdur Rehman | Cook        | GHSS No.2          | 25.2         | BA            |
| 3    | Sami Ullah     | Saad Ullah   | NQ          | GHS Panyal         | 25.0         | BA            |
| 4    | Khizar Hayat   | Umer Daraz   | NQ          | GHSS Daraban Kalan | 26.6         | MA            |
| 5    | Abdul Hafiz    | Mureed Khan  | NQ          | GMS Chah Lal Wala  | 28.8         | FA            |

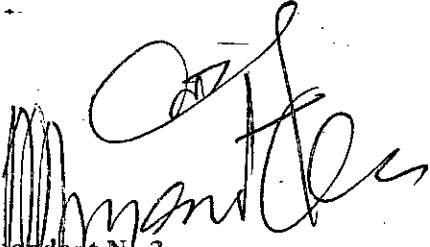
5. Incorrect / Not admitted strongly denied. As discussed in para No. 4.
6. Para pertains to the departmental appeal of appellant to the respondent No.2 hence no comments.
7. No comments.

## Grounds

- a. Incorrect / Not admitted. the para is refuted. The notification No.10457 – 65 dated 24/04/2019 was according to law, Rules and regulation so is not liable to be cancelled. As the appellant was absent in the typing test so appellant for promotion from the post of class –iv to junior clerk.
- b. No comments.
- c. Incorrect / Not admitted. The promotion of respondent from post of class – iv to junior clerk based on policy of Government with plausible justification.
- d. Incorrect / Not admitted. Para is totally false and frivolous.
- e. Para is strongly denied. The appellant was deprived from promotion as not fulfilling the basic criteria of promotion from post of class – iv to junior clerk. As he was absent in the typing test.
- f. Incorrect / Not admitted. As discussed in para No.E.
- g. No comments.
- h. That the counsel for respondent may be graciously be allowed to raise additional grounds at the time of the arguments.

**Respondent No.1**  
**The Secretary E&SE KPK**  
**Peshawar**

  
**Respondent No.2**  
**The Director E&SE KPK**  
**Peshawar**

  
**Respondent No.3.**  
**District Education Officer**  
**(M) D. I. Khan**

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303/2109

Saifuddin

VS

Government of KPK

**Affidavit**

I Mr: Muhammad Kamran Khan ADEO Litigation (M) D.I.Khan do solemnly affirm and declare on oath that contents of written reply are correct to the best of my knowledge and nothing has been concealed from this honorable Court

*M Kamran Khan*  
Deponent

BEFORE THE HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

SERVICE APPEAL No. 1303/2109

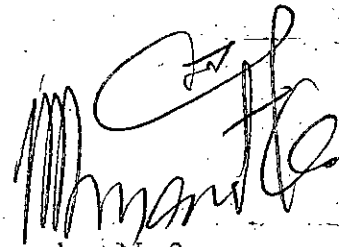
Saifuddin

VS

Government of KPK

**Authority**

I District Education Officer (M) D.I.Khan do hereby authorized Mr: Muhammad Kamran Khan to attend the honorable Service Tribunal KPK Peshawar on behalf of respondent in connection with submission para wise comments till the decision of service appeal.



Respondent No.3  
District Education Officer  
(M) D.I.Khan