

08.07.2022

Since 8<sup>th</sup> July 2022 is declared as holiday. Therefore, case is adjourned to 4/8 /2022 for the same as before.

  
Reader

4.8.22

*Due to summer vacation the case is adjourned to 3.10.22 for the same.*



03.10.2022

Appellant alongwith his counsel present. Syed Alamzeb Shah, Law Officer alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. None present on behalf of private respondent No. 4.

The appeal in hand has not yet been admitted for regular hearing, however the same was inadvertently placed before the D.B, therefore, the same may be delisted and be placed before the S.B.

Previous date was changed on Reader Note, therefore, notice be issued to private respondent No. 4 through registered post for submission of reply/comments and to come up for preliminary hearing on 07.11.2022 before the S.B at Camp Court Swat.



(Rozina Rehman)  
Member (Judicial)  
Camp Court Swat



(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

10.05.2022

Learned counsel for the appellant present. Syed Alamzeb Shah, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present. None present on behalf of private respondent No. 4.

Joint para-wise reply on behalf of official respondents submitted, which is placed on file and copy of the same handed over to learned counsel for the appellant.

Previous date was changed on Reader Note, therefore, notice be issued to private respondent No. 4 for submission of written reply/comments and to come up for arguments before the D.B on 09.06.2022 at Camp Court Swat.

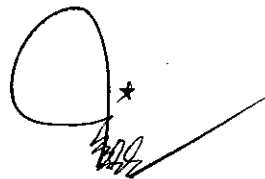


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

9<sup>th</sup> June, 2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Counsel are on strike. To come up for arguments on 08.07.2022 before the D.B at camp court Swat.



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

08.12.2021

Appellant alongwith counsel present.

Muhammad Rasheed learned Deputy District Attorney alongwith Syed Alamzeb Shah Litigation Officer present. Respondent No.3 in person present.

Again a request was made for adjournment in order to submit comments being not signed by the higher authority; granted but with last chance with direction to submit comments much before the next date of hearing. To come up on 07.01.2022 before S.B at Camp Court, Swat.



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

07.01.2022

Appellant alongwith his counsel present. Syed Alamgir Shah, Litigation Officer alongwith Mr. Riaz Ahmad Painsakhel, Assistant Advocate General for official respondents No. 1 to 3 present and again requested for grant to time for submission of written reply. Last opportunity given subject to payment of Costs of Rs. 2000/-. To come up for submission of written reply/comments before the S.B on 11.02.2022 at Camp Court Swat.

Representative of respondents No. 1 to 3 deposited an amount of Rs. 2000/- as costs, which is handed over to the appellant under proper receipt, which is placed on file.



(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

11.2.22

*Cost is hereby considered  
Therefore the case is adjourned to 10-5-2022  
for the same as before.*



05.10.2021

Appellant present through counsel.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General present. Nemo for respondents.

Notice be issued to respondents for 04.11.2021 before S.B at Camp Court, Swat.



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

04.11.2021

Appellant alongwith his counsel Mr. Imdad Ullah, Advocate, present. Syed Alamgir Shah, Litigation Officer alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Litigation Officer stated at the bar that the District Education Officer (Male) Dir Upper is unable to personally appear before the Tribunal today due to the reason that he is going to attend a meeting scheduled for today in the office of Senior Civil Judge (Admn) Dir Upper. In this respect, he produced copy of letter dated 02.11.2021, which is placed on file. He also produced copy of application of one Amir Usman, which led to issuing of corrigendum order dated 18.06.2020. The same is also placed on file. Learned Assistant Advocate General sought time for submission of reply/comments on behalf of official respondents. None present on behalf of respondent No. 4, therefore, notice also be issued to him for submission of reply/comments. To come up for submission of reply/comments on behalf of respondents as well as preliminary hearing on 08.12.2021 before the S.B at Camp Court Swat.



(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

18.10.2021

Appointed along with counsel present.

Mr. [Name] learned Deputy District Attorney along with Syed Alimzab Shah litigation officer present Respondent No. 3 in person present.

Again a request was made for adjournment in order to submit comments being not signed by the higher authority, granted in view of the chance with direction to submit comments in writing before the next date of hearing on 07/11/2022 before CJ, SC.

(Rozina Rahman)  
Member (I)  
Cand. Court, Swat

18.10.2021

Appointed along with counsel present.

Mr. [Name] learned Deputy District Attorney along with Syed Alimzab Shah litigation officer present Respondent No. 3 in person present.

Again a request was made for adjournment in order to submit comments being not signed by the higher authority, granted in view of the chance with direction to submit comments in writing before the next date of hearing on 07/11/2022 before CJ, SC.

(Rozina Rahman)  
Member (I)  
Cand. Court, Swat

26.08.2021

Counsel for the petitioner and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Respondent No. 3 despite telephonic contact is not in attendance for production of the record mentioned in order sheet dated 24.08.2021. Let respondent No. 3 be issued notice with warning for compliance with the order dated 24.08.2021, failing which he shall be liable to appropriate consequences. Adjourned due to absence of respondent No. 3 who was required to produce the record in continuation of appeal of one Amir Usman mentioned in corrigendum issued vide Endst No. 3609-12/DM/Appointment/Ad hoc/NTS 2019, dated 18.06.2020 and order of acceptance of the appeal by the Appellate Committee. Case to come up on 06.10.2021 before S.B at camp court, Swat.



Chairman  
Camp Court, Swat

S.A 13289/20

24.08.2021

Counsel for the appellant and Mr. Muhammad Rias Khan Painsdakhel, Asstt. AG for the respondents present.

Pre-admission notice was given to the respondents on 01.03.2021 for submission of reply/comments. It would be in the fitness of things to point out that the respondents are required to furnish information in relation to the appeal of one Amir Usman mentioned in corrigendum issued vide Endst No. 3609-12/DM/Appointment/Ad hoc/NTS 2019, dated 18.06.2020. The said corrigendum was issued in consequence of acceptance of appeal of Amir Usman. Learned AAG shall contact the respondent No. 3 for production of record of that appeal and the order of its acceptance by the Appellate Committee. To come up on 26.08.2021 before S.B at Camp Court, Swat.



Chairman  
Camp Court, Swat

23.08.2021

Counsel for the appellant seeks adjournment for tomorrow to prepare the brief. Request is accorded. To come up for preliminary hearing on 24.08.2021 before S.B at Camp Court, Swat.

  
Chairman  
Camp Court, Swat



4-1 .2021

Due to summer vacation, case is adjourned to  
1-3-2021 for the same as before.

  
Reader

01.03.2021

Appellant present through counsel.


Let pre-admission notice be issued to respondents for  
reply/comments. To come up for reply and preliminary  
arguments on 04.05.2021 before S.B at Camp Court, Swat.



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

26.07.2021

To come up for reply/preliminary hearing on  
23.08.2021 before S.B at Camp Court, Swat. Notices be  
issued to appellant/counsel as well as respondents for  
the date fixed.

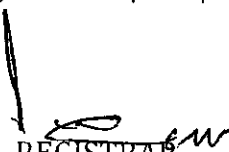

  
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 13289 /2020

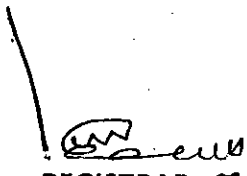
| S.No. | Date of order proceedings | Order or other proceedings with signature of judge   |
|-------|---------------------------|--|
| 1     | 2                         | 3  |
| 1-    | 29/10/2020                | <p>The appeal of Mr. Sardar Ali resubmitted today by Mr. Imdadullah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><br/>REGISTRAR</p> |
| 2-    |                           | <p>This case is entrusted touring to S. Bench at Swat for preliminary hearing to be put up there on <u>04-01-2021</u></p> <p style="text-align: right;"><br/>CHAIRMAN</p>   |

The appeal of Mr: Sardar Ali Drawing Master Government Higher Secondary School Pacha Kalay Dir Upper received today i.e. on 21.10.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of annexure-B of the appeal is illegible which may be replaced by legible better one.
- 2- Copy of original/main order dated 09/05/2020 wherein corrigendum order dated 18.6.2020 was issued is not attached with the appeal which may be placed on it.

No. 3008 /S.T.

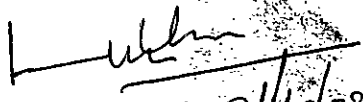
Dt. 21/10 /2020.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Imdadullah Adv. Swat.

Resubmitted

objection no ① is removed while replacing a better copy. in the case of objection no ② the appellant asked for original order time and again from his department but badly fail to ~~cost~~ received. I request that the same may be placed before bench for further consideration.

  
Counsel 21/10/2020

The objection No-2 is still stand.  
The appeal is returned again to the  
counsel for the appellant for completion  
& re-submission within 10 days.

~~Handwritten signature~~  
21/10/2020

Sis,

Resubmitted after doing the needful.  
The case may please be fixed / placed the  
Honourable Tribunal, even if any objection  
still remains.

~~Handwritten signature~~  
21/10/2020  
Dudal Ullah  
Advocate Swet

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 13289 of 2020

Sardar Ali Drawing Master Government Higher Secondary School Pacha Kalay,  
Dir Upper.

VERSUS

...Appellant

The Secretary Elementary and Secondary Education Department Government of  
Khyber Pakhtunkhwa, Peshawar Others.

...Respondents

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| S. No. | Description of documents           | Annexure | Pages |
|--------|------------------------------------|----------|-------|
| 1.     | Memo of Appeal                     | ....     | 1-4   |
| 2.     | Affidavit                          | ....     | 5     |
| 3.     | Addresses of the parties           | ....     | 6     |
| 4.     | Copies of the Applications         | A        | 7-9   |
| 5.     | Copy of the Order dated 18-06-2020 | B        | 10    |
| 6.     | Copy of the Departmental Appeal    | C        | 11    |
| 7.     | Vakalat Nama                       | ....     | 12    |

Appellant Through

*Imdad Ullah*

Advocate Swat

Office: Khan Plaza, Gulshone Chowk,  
Mingora Swat, Cell 0333 929 7746

①

**BEFORE THE KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 13289 of 2020

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 11848

Dated 21/10/2020

Sardar Ali Drawing Master Government Higher  
Secondary School Pacha Kalay, Dir Upper.

**VERSUS**

...Appellant

1. The Secretary Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa, Peshawar.
2. The Director Elementary and Secondary Education Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) Dir Upper.
4. Amir Usman Drawing Master Government Middle School Kaskai Karpant, District Dir Upper.

...Respondents

Filed to-day

  
Registrar

21/10/2020

Re-submitted to-day  
and filed.

  
Registrar

29/10/2020

APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 AGAINST THE  
ORDER ENDST: NO. 3609-  
12/DM/APPOINTMENT/AD HOC/NTS  
2019 DATED 18-06-2020, WHEREBY  
INSTEAD OF THE APPELLANT THE  
RESPONDENT NO. 4 WAS  
TRANSFERRED IN UTTER VIOLATION  
OF THE LAW, RULE AND POLICY OF  
THE PROVINCIAL GOVERNMENT,  
AGAINST WHICH THE APPELLANT  
PREFERRED A DEPARTMENTAL  
APPEAL, BUT THE SAME WAS NOT  
RESPONDED TO DESPITE THE LAPSE  
OF STATUTORY PERIOD OF TIME.

PRAYER:

*That on acceptance of this appeal the order impugned may very kindly be modified to the extent of appellant and issue transfer order of the appellant to GMS Kaskai Karpant against his original post of DM.*

---

*Respectfully Sheweth:*

Facts:

- i. That the appellant is post as DM at GHSS Pacha Kalay since 13-09-2018, but against the wrong post of SDM.*
- ii. That the appellant submitted application for his adjustment / transfer against his original post of DM, but all felt flat on deaf ears. Copies of the applications are enclosed as Annexure "A".*
- iii. That the appellant is working against the wrong post of SDM which is against the law, rules and policy of the Provincial Government and is in utter violation of the same.*
- iv. That recently a post of DM got vacant due to promotion of the employee, but instead of the appellant, who was senior and also working against wrong post, he was ignored and instead the Respondent No. 4 was transferred against the same vide order Endst: No. 3609-12/DM/Appointment/Ad hoc/NTS 2019 dated 18-06-2020 to the utter detriment of the appellant on one hand while in negation of the*

law, rule and policy of the Government on the other. Copy of the order dated 18-06-2020 is enclosed as Annexure "B".

- v. That feeling aggrieved of the same the appellant preferred a departmental appeal against the same, but the same was not responded to despite the lapse of the statutory period of time. Copy of the departmental appeal is enclosed as Annexure "C".
- vi. That still feeling aggrieved and having no other option for this Honourable Tribunal is approached for the redressal of the grievances of the appellant on the following grounds.

Grounds:

- a. That to work against the original post is the vested right of an employee, but the appellant has been denied the same as he is forced to work against the wrong post of SDM which is never approved by the law, rules and policy of the Provincial Government.
- b. That the appellant is not being treated in accordance with the law, rules and policy and thus has been denied the vested right of protection of the law.
- c. That the appellant has been singled out to work against the wrong post, although his other colleagues are working against their original post, thus the appellant is discriminated with to his detriment.



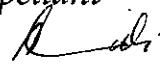
4

- d. That this is classic example of abuse of authority, not vested in the official Respondents, and that too exercised in a very colourful, fanciful and arbitrary manner to the utter detriment of the appellant and buy bulldozing all the relevant law, rules and policy.
- e. That the appellant has got the right to be posted against his original post and not against the wrong post, which is adversely affecting the service record of the appellant and that too without any fault of his.

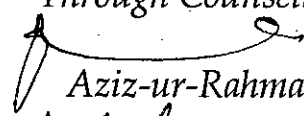
It is, therefore, very respectfully prayed that on acceptance of this service appeal the order impugned may very kindly cancelled and instead of the Respondent No. 4 the appellant may very kindly be transferred to GMS Kaskai Karpant, against his original post of DM.


Any other relief deemed appropriate in the circumstances and not specifically prayed for may also very kindly granted.

Appellant

  
Sardar Ali

Through Counsels,

  
Aziz-ur-Rahman

  
Imdad Ullah

Advocates Swat

5

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2020

Sardar Ali Drawing Master Government Higher  
Secondary School Pacha Kalay, Dir Upper.

**VERSUS**

...Appellant

The Secretary Elementary and Secondary Education  
Department Government of Khyber Pakhtunkhwa,  
Peshawar and Others.

...Respondents

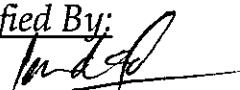
**AFFIDAVIT**

It is solemnly stated on Oath that all the contents of  
this service appeal are true and correct to the best of my  
knowledge and belief and nothing has either been  
misstated or kept conceal before this Honourable Tribunal.

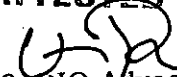
Deponent

  
Sardar Ali

Identified By:

  
Imdad Ullah  
Advocate Swat

**ATTESTED**

  
UMAR SADIQ Advocate,  
OATH COMMISSIONER  
Distt: Courts Swat.

No. 103 Date 20/10/2020

6

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_ of 2020

Sardar Ali Drawing Master Government Higher  
Secondary School Pacha Kalay, Dir Upper.

**VERSUS**

...Appellant

The Secretary Elementary and Secondary Education  
Department Government of Khyber Pakhtunkhwa,  
Peshawar Others.

...Respondents

**ADDRESSES OF THE PARTIES**


Appellant:

Sardar Ali Drawing Master Government Higher  
Secondary School Pacha Kalay, Dir Upper.

Respondents:

1. The Secretary Elementary and Secondary  
Education Department Government of Khyber  
Pakhtunkhwa, Peshawar.
2. The Director Elementary and Secondary Education  
Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (Male) Dir Upper.
4. Amir Usman Drawing Master Government Middle  
School Kaskai Karpart, District Dir Upper.

Appellant  
Through Counsel,

  
Imdad Ullah  
Advocate Swat

INTRA DISTRICT TRANSFER PROFARMA FOR SCHOOL TEACHERS

7

DISTRICT EDUCATION OFFICE MALE DIR UPPER

Annexure "A"

1 Name Sardar Ali Father Name Ambali Jan  
2 Designation DM present post DM  
3 Date of first appointment 13/09/2018  
4 Date of taking over charge in present school 14/09/2018  
5 Home address Village Bedamai UC Nehaa Tehsil Wari  
6 Distance of current school from teacher's home in KM 100 KM  
7 Tenure in present school Years \_\_\_\_\_ Months \_\_\_\_\_  
8 Proposed School (1) GMS KaskaiKarpal (2) \_\_\_\_\_ (3) \_\_\_\_\_

Teacher signature [Signature]

CERTIFICATE FROM THE HEAD OF THE INSTRUCTION

Certified that there 15 teachers and 470 in this school. The transfer of this teacher will not affect the teaching / learning process of the school

Signature \_\_\_\_\_

Name \_\_\_\_\_

Office seal \_\_\_\_\_

VACANCY CERTIFICATE FROM THE HEAD OF THE PROPOSED SCHOOL

This is to certify that the above mentioned post has been lying vacant in this institute since

01/04/2019 there are 10 Teachers 332 Students in this school

I have no objection over the transfer of the above said teacher to this school

Signature [Signature]

Name Saeed Rahman

Official seal Head Master  
G.M.S Kaskai Karpal  
Distt: Dir Upper

COMMITTEE REMARKS

ATTESTED

ADVOCATE

DISTRICT EDUCATION OFFICER

MALE DIR UPPER

عنوان - درخواست برائے تبادلہ از EHS باحالیہ ڈیو Ems کرنا

حیات عالی

مورد نامہ گزارش حسب ذیل ہیں

1- یہ کہ مسائل گورنمنٹ ہائی اسکول باحالیہ میں تحت DM ایسی سرکاری

انجام دے رہے ہیں۔

2- یہ کہ میرا موجودہ سٹیشن بہت زیادہ سے تقریباً نوے کلو میٹر کے فاصلے پر واقع ہے۔

3- یہ کہ مسائل موجودہ اسکول پر موجود سٹیشن پر ہے۔ کیونکہ یہ سٹیشن

Bps 16 کا ہے۔

4- یہ کہ حال ہی میں Ems کرنا سے اسلم کا DM سے SDM

کو درخواست ہوئی ہے۔ جس کے وجہ سے Ems کرنا سے مسائل کا درست

نہاں اور تیزی سے اظاف ہے۔

5- یہ کہ مسائل کے والدین صعب العری کے حالات میں ہے، جس کے عدالت کیلئے دفعہ مسائل

کے علاوہ کوئی نہیں ہے۔

لہذا میری درخواست ہے کہ میری بالاحالیہ کے تبادلہ سے Ems کرنا باحالیہ

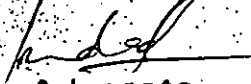
سے Ems کرنا سے گورنمنٹ ہائی اسکول باحالیہ کے تبادلہ سے

بہتر ہوگا۔

ان کا نام عبدالرشید صاحب دیر Ems باحالیہ DM

تاریخ 2018-11-5

Attested



Advocate

Application

No - 469

Date: 16-6-2020

حضرت جناب ڈسٹرکٹ ایجوکیشن افسیر صاحب، حیدرآباد ریجن - (9)

عنوان: درخواست لبراد تبادلہ از GHSB با حاکمیت تا GMS کرناٹ

جناب عالی!

گزارش یہ ہے۔

(1) یہ کہ سائل بحیثیت DM، GHSB با حاکمیت میں ڈیوٹی انجام دے رہا ہے۔ جو کہ سائل کیلئے ~~لوٹ~~ لوٹ ہے۔

(2) یہ کہ ماہ ذوالحجہ سے معلوم ہوا ہے کہ GMS (2) میں الفوری سادات بحیثیت DM لوٹ اختیار ہے۔ اور اسکا تبادلہ GHSB سیکٹوری کو عنین تھن اور متوقع ہے۔

(3) یہ کہ سائل کو انتہائی مشغولت کا سامنا ہے۔ نیز سائل کے والدین انتہائی صنف الہی کی حالت میں ہیں۔ جو کہ خدمت کے حمانہ ہے۔ اور اسوائے سائل اور کوی بالیہ فرد گھر میں موجود نہیں ہے۔

(4) یہ کہ الفوری سادات DM کے تبادلہ کے سوائے سائل کا تبادلہ بھی ناگزیر اور فرین الفاف ہے۔

بجالات بالا استدعا ہے کہ آراء صاحب پھر بالیہ کے الفوری سادات کے تبادلہ کے سوائے سائل کے تبادلہ کے افغانا عنایت فرمائیں۔

تاریخ: 11-06-2020

Attested  
Advocate

سر دائر علی DM-5 GHSB با حاکمیت

Annexure <sup>"B"</sup> 10

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

Dir Upper (Phone # 0344 881400) E-mail: dirupper@emil.com

**CORRIGENDUM:**

On acceptance of appeals by the appellate committee, The following corrigendum/commutation is hereby ordered of DM Male order issued vide Encl: No. 2793-96/DM/Appointment/Ad hoc/NTS 2019. Dated: 09/05/2020 in S/O of Amir Usman S/O Said Usman GMS Jandral Order S.No:02 may be read as GMS Kaskai Karpet.

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

Encl No. 3609-12 DM/Appointment/Ad hoc/NTS 2019

Dated: 18/06/2020

Copy to the>

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar,
2. District Account Officer Dir Upper,
3. Principal(s)/Headmaster(s)/Incharge(s) concerned.
4. Official(s) Concerned.

DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

Attested

Advocate

Better copy

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

Dir Upper (Phone # 0944-881400)E.mail: [deomdirupper@gmail.com](mailto:deomdirupper@gmail.com)

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CORRIGENDUM:

On acceptance of appeals by the appellate committee. The following corrigendum/corrections is hereby ordered of DM Male order issued vide Endst: No. 2793-96/DM/Appointment/Adhoc/NTS 2019; Dated 09/05/2020 in S/O of Amir Usman S/O Said Usman GMS Jandral Order S.No.02 may be read as GMS Kaskai karpal.

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

Endst No. 3609-12/DM/Appointment/Adhoc/NTS 2019

Dated: 18/06/2020.

Copy to the:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Upper.
3. Principal(s)/Headmaster(s)/incharge(s) concerned.
4. Official(s) Concerned.

DISTRICT EDUCATION OFFICER  
(MALE) DIR UPPER

e.Te







# OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)

Dir Upper (Phone # 0944-881400) E-mail: [deorndirupper@gmail.com](mailto:deorndirupper@gmail.com)

10-A

## APPOINTMENT

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered purely on merit against the vacant posts of Drawing Master on Ad hoc School basis policy in BPS-15 (Rs.16120-1330-56020/-) Fixed plus usual allowances as admissible to them under the Rules and existing policy of the Provincial Government on the terms & conditions given below from the date of re-opening of school after vacation / taking over charge in the interest of public service.

| S# | RollNo    | Name       | Father Name   | Date Of Birth | NIC             | School     | Score  | Remarks |
|----|-----------|------------|---------------|---------------|-----------------|------------|--------|---------|
| 1  | 181400462 | SANA ULLAH | BURHAN UD DIN | 01-05-1994    | 15702-8506543-5 | GMS SIASAN | 134.4  | A.V.P   |
| 2  | 181400575 | AMIR USMAN | SAID USMAN    | 07-02-1992    | 15702-8944939-7 | GMS IANDRI | 130.25 | A.V.P   |

## TERMS & CONDITIONS:

1. Appointment is purely on temporary & ad hoc basis for a period of one year with effect from re-opening of school after vacation as the schools are closed due to COVID-19.
2. They should join their posts within 15 days after re-opening of school. In case of failure to join the post within 15 days after re-opening of school their appointment shall stand expired automatically and no subsequent appeal etc. shall be entertained.
3. No TA/DA is allowed.
4. Charge reports should be submitted to all concerned.
5. They should not be handed over charge if their age exceeds 35+3 (3 Years age relaxation for hard area) or below 18 years of age.
6. Appointment is subject to the condition that their certificates/documents must be verified from the concerned authorities, and anyone found producing bogus certificates or degrees their appointment shall be cancelled and they will be reported to the Law enforcing agencies for further legal action.
7. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice their one month pay/allowances shall be forfeited to the Government treasury.
8. Pay shall not be drawn until and unless a certificate issued by this office to the effect that their documents have been verified.
9. Health & Age Certificate should be produced from the Medical Superintendent before taking over charge.
10. They will be governed by such Rules and Regulations as may be issued from time to time by the Government.
11. Their services shall be terminated at any time in case of their performance is found unsatisfactory during their service period. In case of misconduct, they shall be proceeded against under the relevant rules & regulations announced from time to time.
12. Their appointment is Ad hoc and school based. They shall have to serve at their place of posting and their services are not transferable to any other station.
13. Before handing over charge to them, their documents may be checked and if found bogus or fake they may be reported to this office for necessary action.
14. All the Principal(s)/Headmaster(s) are required to collect an affidavit from each candidate that he will follow all the terms and conditions listed above and will keep it on record.
15. Errors and omissions will be acceptable within the specified period.

(Syed Tahir Shah)

DISTRICT EDUCATION OFFICER (M)

DIR UPPER

Dated: 09/05/2020

ATTESTED

Encls No 2793-96/DM/Appointment/Ad hoc/NTS 2019

Copy forwarder for information & necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Upper.
3. Principal(s)/Headmaster(s)/Incharge(s) concerned.
4. Official(s) Concerned.

DISTRICT EDUCATION OFFICER (M)

DIR UPPER

ADVOCATE

Annexure <sup>"C"</sup>

11

BEFORE THE DIRECTOR ELEMENTARY AND SECONDARY EDUCATION GOVERNMENT  
OF KHYBER PAKHTUNKHWA, PESHAWAR.

Sardar Ali DM GHSS Pacha Kalay, Dir Upper. ....Appellant

VERSUS

The District Education Officer (M) Dir Upper. ....Respondent

Departmental appeal against the order Endst: No. 3609-12/DM/Appointment/Ad hoc/NTS  
2019 dated 18-06-2020.

Respected Sir,

The appellant submits as under:

That the appellant is posted at GHSS Pacha Kalay since 13-09-2018 as DM.

That the appellant is adjusted a wrong post of SDM which is against the law and rules.

That the appellant has also served for the period completing his tenure at the hard area under the rules.

That the appellant has already submitted applications for his transfer but have not been considered.

That recently the appellant has submitted another application against the vacant post of DM at GMS Kaskai Karpat.

That instead of the appellant the adjustment of one Amir Usman against the law and rules and also not completing his tenure.

It is thus very humbly submitted that on acceptance of this departmental appeal the order mentioned above may be cancelled and the appellant transferred to the same school.

**Attested**

**Advocate**

Appellant *Sardar Ali* 15/7/2020

Sardar Ali

Affidavit:

It is solemnly stated on Oath that all the contents of this departmental appeal are true and correct to the best of my knowledge and belief.

**ATTESTED**  
**WAJID ALI SHAH ADVOCATE**  
District Courts Swat  
No. 161 Date 15-07-2020  
**OATH COMMISSIONER**

Deponent *Sardar Ali* 15/7/2020

Sardar Ali

# بعدالت سروس ٹریڈنگ کمپنی درگھیر کوری کورس

|           |                |
|-----------|----------------|
| کوریٹ فیس | قیمت ایک روپیہ |
|-----------|----------------|

مورخہ  
مقدمہ  
دعویٰ  
جرم

13 جولائی

صحنہ منجانب سپرائیڈ

بنام کوریٹ درگھیر  
سر در علی

سروس ٹریڈنگ کمپنی  
کے کباعت تحریر آنک

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی وجواب دہی و کل کاروائی متعلقہ آن مقام ٹریڈنگ کمپنی کوریٹ کے / (مسٹر دائرہ) کے لئے لکھی گئی ہے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہاگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

سر در علی (سپرائیڈ)

المرقوم 13 ماہ جولائی ۲۰۲۰

العبد گواہ شدہ العبد  
بمقام سروس ٹریڈنگ کمپنی کوریٹ

Accepted  
کے لئے منظور ہے  
Accepted

Handwritten signature

**"B"**

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

No.

TB

Appeal No. 13289 of 20 20

Sardar Ali Appellant/Petitioner

Versus

The Secy. Edu. H. P. Pesh. Respondent

Respondent No. 3

Notice to:

The Distt. Education Officer (male)  
Div Upper

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 4-3-2021 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 16th

Day of March 20 21

at Camp Court Swat

[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.

TCB

Appeal No. 13287 of 20 20

Sardar An Appellant/Petitioner

Versus

The Secy. Edu. Dept. Pesh. Respondent

Respondent No. 2

Notice to:

The Director, E.L. & Sec. Education's  
Govt. of KP Peshawar.


WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 4-5-2021 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 6/4/21

Day of March 20 21

at Camp Court Smart  
  
24/3/21

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.**

713

No.

Appeal No. 13289 of 20 20

Sardar Ali

Appellant/Petitioner

Versus

The Secy. Edn. 14 Pk Peshawar

Respondent

Respondent No. 1

The Secy. Edn. 2 Sec. Education Grant of  
14 Pk Peshawar.

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.

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.....March 21 20.....

at Camp Court Swat

Reza  
21/3/21

[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. 13289 of 20 20

15

Sardar Ni

Appellant/Petitioner

Versus

The Secy. Edn. KPSS Pesh.

RESPONDENT(S)

Notice to Appellant/Petitioner

Sardar Ni Drawing Master  
Govt. High Secondary School  
Pachai Kalay Dir Upper

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 23/8/2021 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 Swat

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

**"A"**

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

No.

APPEAL No. 13289 of 2020

Sardar Ali

Appellant/Petitioner

Versus

The Secy. Edm: KPSC Pesh:

RESPONDENT(S)

Counsel  
Notice to Appellant/Petitioner

Mudadd ulah

Advocate High Court

Swat

0333-929

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 23/8/2021 at 9:00 AM <sup>7746</sup>

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 Swat

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



**"B"**

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

No.

Appeal No. 13289 of 20 20

Sardar Ali

Appellant/Petitioner

Versus

The Secy. Edu. 12 Pk Pesh.

Respondent

Respondent No. 1

Notice to: —

The Secy. Edu. 2 Secondary Education  
Dept. of 12 Pk Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 23/8/2021 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 3/8/21

of August 20 21

at Camp Court Swat

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. 13289 of 20 20

TB

Sardar An Appellant/Petitioner  
Versus

The Secy: Edn: K.P.K. Pesh. Respondent  
Respondent No. 2

Notice to: —

The Director, Ede: 2 Sec: Education Dept: of

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 August 20 21

3-01

at Camp Court Swat

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. 13289 of 20<sup>th</sup>

Sardar An Appellant/Petitioner

Versus

The Secy. Edn: KP/11 Pesh. Respondent

Respondent No. 3

Notice to: The Distt. Education Officer (Male)  
Div upper

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 23/8/2021 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 27<sup>th</sup>

Day of August 2021

at Camp Court Smart

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. 13289 of 20 20

Sardar Ma Appellant/Petitioner

Versus

The Secy. Educ. Dept. Pesh. Respondent

Respondent No. 4

Notice to: —

Amir Usman, Drawing Master  
Govt. Middle School Kasrai Karpant  
Distt. Dir upper

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 23/8/2021 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 30th

Day of August 2021

at Camp Court Quat

[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.

Appeal No. 13289 of 20 TB  
20

Sardar Ali Appellant/Petitioner  
Versus

The Secy. Edn. 14 Pt. Pesh. Respondent  
Respondent No. 3

Notice to: —

The Distt. Education office (male)  
Dir Upper

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.....

Given under my hand and the seal of this Court, at Peshawar this.....7/11/21

Day of.....Sep......20 . 21

at Camp Court Smart

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"**

A&B Ser. Tribunal/P2

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

No.

Appeal No. 13289 of 200

Sardar Ali Appellant/Petitioner

Versus

The Secretary, E.S.E. DP4 Govt of KPK Peshawar Respondent

Respondent No. 4

Notice to: — Amir Usman Drawing master GMS Kaskai  
Karpart District Dir upper.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 14.10.20 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 14th

of October 2020

(At Camp Court Swat)

for Fakhr  
Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

Appeal No. ~~650~~ 13289 of 20

Sardar Ali Appellant/Petitioner

Versus

The Secretary E.F.S.E. Dpt. Govt. KPk Peshawar Respondent

Respondent No. 3

Notice to: — The DEO (Male) Dir Upper

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....14-11-2021.....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..... 14-11

Given under my hand and the seal of this Court, at Peshawar this.....  
October  
Day of.....20

( AT Camp Court Swat )

E. Khan

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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.

To.

The District Education Officer

D. U. S. I.

Distt Bin Upper.

Subject - Appeal for Corrigendum in DM appointment order.

Respected Sirs,

With due respect, I stated that I am appointed as DM in the current appointment order at GMS Jandrai Bin Upper. But there are some issues which are linked with my posting.

(1) I am a patient of kidney and the station is far away from my home thus the long travel from Akhagram to Jandrai Kohistan can increase my infection.

It had been come in our notice from a reliable source that there is a vacant post of SDM at GHS Shinkari which is the nearest station to my home and the vacancy certificate from the incharge of the concerned school

Dear Sirs, Keeping in view the above points, I request in your honor, to adjust me at GHS Shinkari in OPS against the vacant post of SDM and provide me a chance of thanks.

Shukriyat ki Khat  
Aapki Khat  
Obediently yours

Amir Usman Village  
Akhagram near Bin Upper.

Call: 93016391003.  
93016396126

Amir Usman  
18.05.2020



**"B"**

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

No. *Resd*

Appeal No. *13289* of 20 *20*

*Sardar Ali* Appellant/Petitioner

Versus

*Secy: (ESE) Pesh* Respondent

Respondent No. *4*

Notice to: *Amir Usman D/O GOMS Kasikai*  
*Karpart Dist Dir Upper*

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 *9-6-22* 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 *17*

Day of *5* 20 *22*

*at camp court*  
*Swat*

*[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.

By Post one ~~copy~~  
copy

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL AT CAMP COURT SWAT.**

Swat

**SERVICE APPEAL NO: 13289/2020**

Sardar Ali (DM) District Dir Upper------(Appellant)

**VERSUS**

DEO (M) Dir Upper Khyber Pakhtunkhwa & Others------(Respondents)

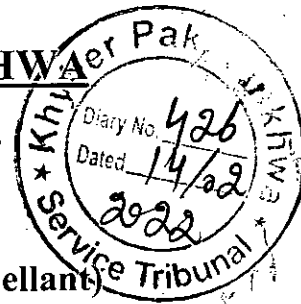
**Index:**

| S.No | Description        | Page |
|------|--------------------|------|
| 1    | Para wise comments |      |
| 2    | Affidavit.         |      |
| 3    | Authority Letter   |      |

**District Education officer (Male)  
District Dir Upper**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL AT CAMP COURT SWAT.**

**SERVICE APPEAL NO: 13289/2020**



Sardar Ali (DM) District Dir Upper------(Appellant)

***VERSUS***

DEO (M) Dir Upper Khyber Pakhtunkhwa & Others-----(Respondents)

**JOINT PARA WISE COMMENTS FOR & ON BEHALF OF**  
**RESPONDENTS NO. 1 to 3.**

Respectfully Sheweth: -

The Respondents submit as under:

**PRELIMINARY OBJECTIONS.**

1. That the Appellant is not the "aggrieved" person with the meaning of Article 212 of the Constitution of the Islamic Republic of Pakistan 1973.
2. That the Appellant has got no cause of action /locus standi to file the instant appeal because the Appellant did not come on merit.
3. That the Appellant has not come to this Honorable court with clean hands.
4. That the Appellant is estopped by his own conduct.
5. That the appeal is barred by law and badly time barred.
6. That the appellant was appointed on school base conditionally up to the judgment of the August Supreme Court of Pakistan.

**ON FACTS.**

1. Para -1 of the facts is correct up to the extent of the appointment as D.M on school base conditionally, till the decision of the August Supreme Court of Pakistan, whereas it is incorrect that the appellant was appointed as D.M on wrong post of S.D.M, in addition the appellant was appointed on the post of D.M BPS-15.
2. Para- 2 of the facts pertains to record up to the extent of application whereas up to the extent of transfer, the appellant is not entitled for transfer in the light of law. It is also pertinent to mention here that the appellant is serving conditionally till the decision of the Apex Court.
3. Para-3 of the facts is incorrect hence denied and again it is stated that the appellant is serving on right post of D.M BPS-15.
4. Para-4 of the facts is incorrect up to the extent of the appellant serving on the wrong post hence denied. Furthermore, detail has been submitted in the Para's 3 above. So far as the Respondent No.4 is concerned, he was appointed as D.M, later on he filed an

application/appeal for corrigendum as per law on medical grounds, the competent authority accepted his appeal and was readjusted. (Appointment order, Application and order is attached as Annexure-A)

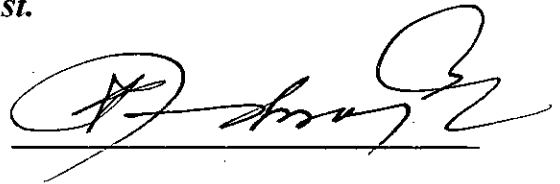
5. Para-5 the appellant has no locus standi to invoke the jurisdiction of this Honorable Tribunal.

**GROUND.**

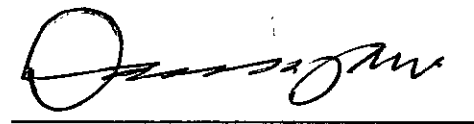
- A. In correct. The respondents always follow rules and policies consigned by government and the Appellant has been treated as per law, rules and policies. Whereas the appellant is working on a right post of D.M (BPS-15). (Copy is attached as Annx-B).
- B. Incorrect, hence denied. The official respondents always follow rules and policies in letter and spirit and no illegality has been done by the official respondents. The appellant has been treated as per law and policies.
- C. Incorrect, hence denied. Detail reply has been submitted in the above Para's.
- D. Incorrect, hence denied. Detail reply has been submitted in the above Para's.
- E. Incorrect, hence not admitted. The appellant has been appointed on a right post as per Court order and serving on such post conditionally till the decision of the August Supreme Court of Pakistan. It is also pertinent mention here that now the transfer policy has been changed by the provincial Government and those entire teachers working on regular post should apply through E-Transfer policy for transfer.

*It is, therefore, humbly prayed that on acceptance of the above submission, the instant service appeal may very graciously be dismissed in favor of the answering respondents with cost.*

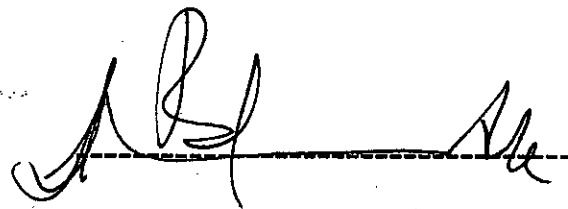
- 1) District Education Officer  
(Male) Dir Upper



- 2) Director  
Elementary & Secondary  
Education Khyber Pakhtunkhwa



- 3) Secretary  
Elementary & Secondary  
Education Khyber Pakhtunkhwa



**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL AT CAMP  
COURT SWAT**

**SERVICE APPEAL NO: 13289.**

Sardar Ali , DM (BPS-15)GHSS Pacha Kalay, District Dir Upper ..... (Appellant)

**Versus**

1. Secretary, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar.
2. Director, Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
3. District Education Officer (M) DIR Upper (Respondents)

**Affidavit**

I, Syed Alamzeb Shah Litigation Officer Dir Upper do hereby solemnly affirm and state on oath that the whole contents of this reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this August court.

**Identified by**

**Additional Advocate General  
Khyber Paktunkhwa.**



**Deponent**

**Syed Alamzeb Shah  
Litigation Officer  
DEO (M) Dir Upper**

To

The District Education Officer

DM (13)

Distt Dir Upper.

Subject: Appeal for corrigendum in DM appointment order.

Respected Sir,

With due respect it is stated that i am appointed as DM in the current appointment order at GMS Jandrai Dir Upper. But there are some issues which are linked with my posting.

(2) I am a patient of Kidneys and the station is far away from my home thus the long travel from Akhagram to Jandrai Kohistan can increase my infection.

It had been come in our notice from a reliable source that there is a vacant post of SDM I at GHS Shinkari which is the nearest station to my home and the vacancy Certificate from the incharge of the concerned school

Dear Sir,

Keeping in view the above points I request in your honor, to adjust me at GHS Shinkari in OPS against the vacant post of SPM and provide me a chance of thanks.

# Accepted and adjusted at GHS Shinkari Karpat through const.

Obediently yours  
Aimur Usman village  
Akhagram wari Dir Upper.  
Cell: 98139181003.  
03016396126

DEO

12/01/2020

Date: 18-05-2020



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

Dir Upper (Phone # 0914 881400) | mail: deo@dirupper@gmail.com

**CORRIGENDUM:**

On acceptance of appeals by the appellate committee. The following corrigendum/correction is hereby ordered of DM Male order issued vide Endst: No 2793-96/DM/Appointment/Ad hoc/NTS 2019: Dated 09/05/2020 in &O of Amir Usman S/O Said Usman GMS Jandral Order S.No:02 may be read as GMS Kaskai Karpat.


DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

Endst No. 3609-12 /DM/Appointment/Ad hoc/NTS 2019

Dated: 18/05/2020

Copy to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Account Officer Dir Upper.
3. Principal(s)/Headmaster(s)/Incharge(s) concerned.
4. Official(s) Concerned.

  
DISTRICT EDUCATION OFFICER,  
(MALE) DIR UPPER.

**OFFICE OF THE DISTRICT EDUCATION OFFICER MALE DIR UPPER**  
**List of sanction post Government High Secondary Schools Male Dir**

| Name Of Schools                   | DP      | Principal B-19 | Principal B-18 | C.Instructor B-19 | S.Instructor B-18 | Instructor B-17 | SS B-18   | SS B-17    | Lib B-17 | S.I.T B-17 | SST I.T. B-16 | S.S.T B-16 | S.A.T B-16 | A.T. B-15 | S.C.T B-16 | C.T B-15  | S.D.M B-16 | D.M B-15 | SPET B-16 | PET B-15 | S.TT B-16 | TT. B-15 | S.Qarai B-15 | Qari B-12<br>Lab Supervisor B-16 | S/C B-14<br>Lab Supervisor B-14 | CT IT B-12 | J/C B-11 | S.Lab Assistant B-09 | Lab Asst: B-7 | ASK B-07 | Workshop Atten | Beh: B-3 | Chow: B-3 | Lab:att: B-3 | N/Q B-3   | Sw: B-3   | G.Total.. |           |            |
|-----------------------------------|---------|----------------|----------------|-------------------|-------------------|-----------------|-----------|------------|----------|------------|---------------|------------|------------|-----------|------------|-----------|------------|----------|-----------|----------|-----------|----------|--------------|----------------------------------|---------------------------------|------------|----------|----------------------|---------------|----------|----------------|----------|-----------|--------------|-----------|-----------|-----------|-----------|------------|
| 1 Principal GHSS Sheringal ..     | DP-6023 | 1              |                |                   | 1                 |                 | 13        | 1          | 1        |            | 10            | 1          |            |           | 8          | 5         |            | 1        | 1         |          | 1         |          | 2            |                                  | 1                               | 1          | 1        | 2                    | 1             | 2        |                | 1        | 1         | 2            | 5         | 2         | 1         | 66        |            |
| 2 Principal GHSS Kalkot ..        | DP-6024 | 1              |                |                   | 1                 |                 | 13        | 1          | 1        |            | 4             | 1          |            |           | 2          | 3         |            | 1        | 1         |          |           | 1        | 1            |                                  | 1                               | 1          | 1        | 2                    | 1             | 2        |                |          | 1         | 3            | 5         | 1         | 2         | 51        |            |
| 3 Principal GHSS Barawal Bandi .. | DP-6025 | 1              | 1              |                   | 1                 | 10              | 3         | 1          | 2        |            | 12            | 1          |            |           | 12         | 4         | 1          |          | 1         |          | 1         |          |              | 1                                | 1                               | 1          | 1        | 2                    | 1             | 1        |                |          | 1         | 2            | 5         | 2         | 1         | 76        |            |
| 4 Principal GHSS Wari ..          | DP-6026 | 1              | 1              | 1                 |                   | 10              | 3         | 1          | 1        |            | 24            | 1          |            |           | 10         |           | 1          |          | 1         |          | 1         |          | 1            | 1                                | 1                               | 1          | 2        | 1                    | 1             |          |                |          | 1         | 2            | 1         | 2         | 1         | 44        |            |
| 5 Principal GHSS Gamseer ..       | DP-6027 | 1              |                |                   | 1                 |                 | 10        |            |          |            | 9             | 1          |            |           | 6          | 2         | 1          |          |           | 1        | 1         |          |              |                                  | 1                               | 1          |          | 1                    |               | 1        |                |          | 1         | 2            | 2         | 2         | 1         | 41        |            |
| 6 Principal GHSS Sawnai ..        | DP-6028 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 8             | 1          |            |           | 4          | 2         |            | 1        | 1         |          | 1         |          | 1            |                                  |                                 |            |          | 1                    |               | 1        |                |          | 1         | 2            | 2         | 1         | 2         | 40        |            |
| 7 Principal GHSS Biyar ..         | DP-6030 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 5             |            | 1          | 5         | 2          | 1         |            |          | 1         |          |           | 1        | 1            |                                  | 1                               |            | 1        |                      | 1             |          |                |          |           | 2            | 2         | 2         | 1         | 57        |            |
| 8 Principal GHSS Patrak ..        | DP-6032 |                | 1              |                   | 1                 |                 | 13        |            | 1        |            | 11            | 1          |            |           | 5          | 9         | 1          |          |           | 1        | 1         |          |              | 1                                | 1                               | 1          | 1        | 1                    | 1             |          |                |          |           | 3            | 2         | 2         |           | 44        |            |
| 9 Principal GHSS Kair Dara ..     | DP-6034 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 5             |            | 1          | 3         | 9          | 1         |            |          |           | 1        |           | 1        |              |                                  | 1                               |            | 1        | 1                    |               |          |                |          | 0         | 2            | 2         | 2         | 1         | 41        |            |
| 10 Principal GHSS Qulandi ..      | DP-6035 |                | 1              |                   | 1                 |                 | 13        |            | 1        |            | 4             | 1          |            |           | 2          | 2         | 1          |          | 1         |          | 1         |          | 1            | 1                                | 1                               | 1          | 1        | 1                    |               |          |                |          | 1         | 2            | 2         | 2         | 1         | 64        |            |
| 11 Principal GHSS Nihag ..        | DP-6038 |                | 1              |                   | 1                 |                 | 13        |            | 1        |            | 18            |            | 1          | 8         | 6          | 1         |            |          | 1         |          | 0         | 1        |              | 1                                | 1                               |            | 1        | 1                    |               |          |                |          | 1         | 2            | 2         | 2         | 1         | 40        |            |
| 12 Principal GHSS Ganorai ..      | DP-6039 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 5             | 1          |            |           | 6          | 1         | 1          |          | 1         |          | 1         |          |              | 1                                | 1                               |            | 1        | 1                    |               |          |                |          | 1         | 3            | 2         | 2         |           | 46        |            |
| 13 Principal GHSS Pacha Kalay ..  | DP-6042 |                | 1              |                   | 1                 |                 | 13        |            | 1        |            | 4             | 1          |            |           | 4          | 5         |            | 1        | 1         |          |           | 1        |              | 1                                | 1                               |            | 1        | 1                    |               |          |                |          | 1         | 2            | 3         | 3         | 2         | 78        |            |
| 14 Principal GCMHSS Dir Khass ..  | DP-6046 | 1              | 1              | 1                 |                   | 10              |           | 1          | 14       | 2          | 15            | 7          | 2          |           | 2          |           | 2          |          | 2         |          | 1         |          | 1            |                                  | 2                               | 1          | 1        | 1                    |               |          |                |          | 1         | 2            | 3         | 2         | 1         | 53        |            |
| 15 Principal GHSS Gandigar ..     | DP-6047 | 1              |                |                   | 1                 |                 | 13        |            | 1        | 1          | 7             | 1          |            |           | 6          | 5         | 1          |          | 1         |          | 1         |          |              | 1                                | 1                               | 1          | 1        | 1                    |               |          |                |          |           | 1            | 2         | 2         |           | 2         |            |
| 16 Principal GHSS Akhagram ..     | DP-6053 | 1              |                |                   | 1                 |                 | 12        |            | 1        |            | 5             | 1          |            |           | 6          | 3         | 1          |          | 1         |          | 1         |          |              | 1                                | 1                               |            | 1        | 1                    |               |          |                |          |           | 2            | 2         | 2         |           | 11        |            |
| 17 Principal GHSS Berari ..       | DP-6104 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 7             | 1          |            |           | 5          | 8         | 1          |          | 1         |          | 1         |          |              | 1                                | 1                               |            | 1        | 1                    |               |          |                |          |           | 2            | 2         | 2         | 2         | 55        |            |
| 18 Principal GHSS Usheri ..       | DP-6115 |                | 1              |                   | 1                 |                 | 13        |            | 1        |            | 12            |            | 1          | 4         | 5          |           | 1          |          | 1         |          | 1         |          | 1            | 1                                | 1                               | 1          | 1        | 1                    |               |          |                |          |           | 3            | 2         | 2         | 1         | 44        |            |
| 19 Principal GHSS Jatgram         | DP-6114 |                | 1              |                   | 1                 |                 | 10        |            |          |            | 7             | 1          |            | 6         | 3          | 1         |            | 1        |           | 1        |           | 1        |              | 1                                | 1                               | 1          | 1        | 1                    |               |          |                |          |           |              | 3         | 2         | 2         | 1         | 44         |
| <b>Total</b>                      |         | <b>8</b>       | <b>14</b>      | <b>1</b>          | <b>2</b>          | <b>16</b>       | <b>20</b> | <b>202</b> | <b>4</b> | <b>12</b>  | <b>2</b>      | <b>171</b> | <b>16</b>  | <b>4</b>  | <b>117</b> | <b>81</b> | <b>15</b>  | <b>5</b> | <b>16</b> | <b>3</b> | <b>15</b> | <b>4</b> | <b>10</b>    | <b>11</b>                        | <b>1</b>                        | <b>20</b>  | <b>4</b> | <b>11</b>            | <b>23</b>     | <b>7</b> | <b>19</b>      | <b>1</b> | <b>1</b>  | <b>13</b>    | <b>42</b> | <b>51</b> | <b>36</b> | <b>21</b> | <b>999</b> |

*Verified*  
**SUPERINTENDENT (BO-V)**  
**FINANCE DEPARTMENT**

*[Signature]*  
**District Education Officer (M)**  
**Elementary & Secondary Education**  
**Upper Dir**



Case Title:

Sardar Ali (DM) Dir Upper

VS

DEO (M) Dir Upper

at Camp Court Swat

Comments are vetted and counter sign  
from all necessary parties.