

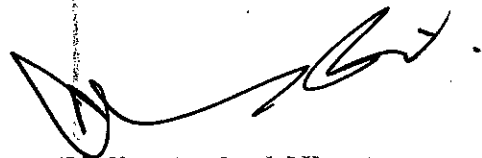
**ORDER**

28<sup>th</sup> Oct, 2022

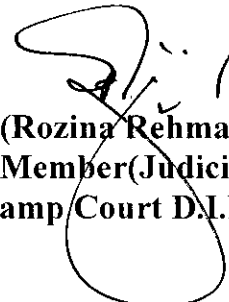
1. Learned counsel for the appellant present. Mr. ~~Kabirullah~~  
~~(Kha Etak, Addl. A.G.)~~ for respondents present.

2. Vide our detailed judgement of today placed on file this appeal and the connected one appeal, while allowing these appeals we set aside the impugned order and direct that the appellants be reinstated in service. The respondents are at liberty to proceed against the appellants in accordance with the provision of the Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 within a period of sixty days after the date of receipt of this judgment under intimation to the Registrar of this Tribunal. The respondents shall also intimate the date of receipt of the judgment to the Registrar office. Intervening period shall be treated as leave of the kind due. Copy of this judgment be placed in all the connected file. Consign.

3. *Pronounced in open court at D.I.Khan and given under our hands and seal of the Tribunal on this 28<sup>th</sup> day of October, 2022.*



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



**(Rozina Rehman)**  
**Member(Judicial)**  
**Camp Court D.I.Khan**

29<sup>th</sup> September, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the court on the next date. Adjourned. To come up for arguments on 28.10.2022 before the D.B at Camp Court D.I.Khan.




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



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

27.01.2022

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

  
Reader.

26.05.2022

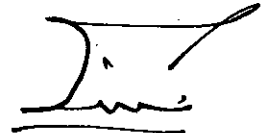
Nemo for the appellant. Mr. Farhaj Sikandar, District Attorney for the respondents present.

Reply/comments on behalf of respondents have already been submitted, therefore, to come up for arguments on 28.07.2022 before the D.B at Camp Court D.I.Khan.

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



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



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

28.07.2022

Due to summer vacations, the case is adjourned to 29.09.2022 for the same as before.

  
Reader

13.12.2021

Counsel for appellant and Mr. Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

The respondents having failed to submit the reply on previous date were directed to do the needful with adjournment of the proceedings for today but they have again not filed the comments/written reply and seek adjournment. Learned AAG is required to contact the respondents for submission of written reply within 10 days in office, failing which they shall be liable to payment of cost of Rs. 5000/- for submission of reply on the date fixed. If they fail to submit the reply on the next date, no further adjournment shall be granted for such purpose and appeal shall be heard on available record. Case to come up on 27.01.2022 before D.B at Camp Court, D.I.Khan.



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



Chairman  
Camp Court, D.I.Khan

28.07.2021

Appellant with counsel present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 25.10.2021 before the D.B, at camp court D.I.Khan.

Appellant Deposited  
Security & Process Fee

  
Chairman

25.10.2021

Counsel for the appellant present.

Mr. Muhammad Rasheed, Deputy District Attorney for respondents present.

Reply on behalf of respondents was not submitted. Learned Deputy District Attorney made a request for time to submit reply/comments; granted with direction to furnish the same within 10 days in office positively. If the written reply/comments are not submitted within stipulated time, the right of respondents for submission of reply shall be deemed as struck off. To come up for arguments on 13.12.2021 before D.B at Camp Court D.I. Khan.



(ATTIQ-UR-REHMAN WAZIR)  
MEMBER (E)  
CAMP COURT, D.I KHAN



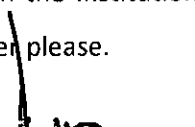

(ROZINA REHMAN)  
MEMBER (J)  
CAMP COURT, D.I KHAN

Form- A

FORM OF ORDER SHEET

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

Case No.- 4760/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/04/2021	<p>The appeal of Mst. Balqees Bibi received today by post through Sheikh Iftikhar-ul-Haq Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04/06/2021	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on 28/07/2021.</p> <p style="text-align: right;"> CHAIRMAN</p>

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR CAMP COURT D.I.KHAN.**

BEFORE: **KALIM ARSHAD KHAN .. CHAIRMAN**  
**ROZINA REHMAN .. MEMBER (Judicial)**

*Service Appeal No.4760/2021*

**Mst. Bilqees** daughter of Mashal Khan r/o Village Masha Mansoor Tehsil & District Lakki Marwat, Ex-Caller GGCMS Masha Mansoor Lakki Marwat.

.....(*Appellant*)

Versus

1. **Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar.**
2. **Director (E&SE), Education Department Khyber Pakhtunkhwa, Peshawar.**
3. **District Education Officer(F), Lakki Marwat.**

.....(*Respondents*)

Present:

Sheikh Iftikhar Ul Haq,  
Advocate.....For appellant.

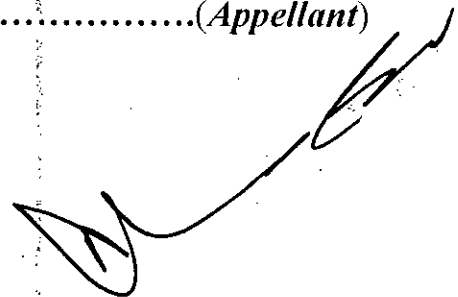
Kabirullah Khattak,  
Additional Advocate General.....For respondents.

----  
Date of Institution.....09.04.2021  
Dates of Hearing.....28.10.2022  
Date of Decision.....28.10.2022

.....  
*Service Appeal No.4761/2021*

**Farhad Ullah** son of Mashal Khan caste Marwat r/o Village Masha Mansoor Tehsil & District Lakki Marwat, Ex-Chowkidar GGCMS, Masha Mansoor Lakki Marwat.

.....(*Appellant*)



Versus

1. **Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar.**
  2. **Director (E&SE), Education Department Khyber Pakhtunkhwa, Peshawar.**
  3. **District Education Officer(F), Lakki Marwat.**
- .....(Respondents)

Present:

Sheikh Iftikhar Ul Haq,  
Advocate.....For appellant.

Kabirullah Khattak,  
Additional Advocate General.....For respondents.

-----  
Date of Institution.....09.04.2021  
Dates of Hearing.....28.10.2022  
Date of Decision.....28.10.2022

**APPEAL UNDER SECTION 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974.**

**CONSOLIDATED JUDGMENT**

**KALIM ARSHAD KHAN CHAIRMAN:** Through this single judgment this appeal and the connected Service Appeal No. 4761/2021 titled "Farhad Ullah-vs-Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Peshawar and others", are decided as both are against the same allegations.

2. These appeals are against order dated 30.12.2020, whereby the appellants were removed from service on the allegations that during

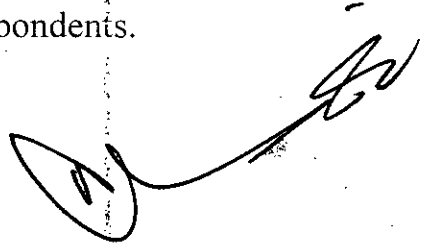


surprise visit of GGCMS Masha Mansoor by the DEO(F) accompanied by SDEO (F), Lakki Marwat, the school was found closed and the Caller was also found absent who was stated to be leaving in Peshawar as per report of SDEO (F) Lakki Marwat vide No. 857/SDEOF/LM dated 13.11.2020. Against the impugned order the appellant filed appeals but awaiting ninety waiting period when no reply was received the appellant filed this appeal.

3. It is alleged in the appeal that the appellants were performing duties and in the month of November 2020, due to crucial and critical conditions of Covid-19 the school was closed but even then the appellants performed her duties and remained punctual; that on 18.12.2020, the appellants were present but were marked absent by the respondents because of personal grudges and on political grounds.

4. On receipt of the appeals and admission to full hearing, the respondents were summoned, who, on putting appearance, contested the appeals by filing written reply and while supporting the impugned order submitted that the appellants remained absent that is why they were proceeded against.

5. We have heard learned counsel for the appellants and learned Additional Advocate General for the respondents.

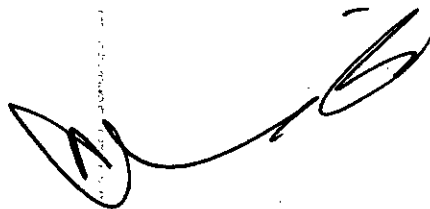


6. The learned counsel for the appellants reiterated the facts and grounds detailed in the memo and grounds of the appeals while the learned Additional Advocate General controverted the same by supporting the impugned order.

7. In case of absence of a civil servant from the duty, the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 provide a specific provision and procedure for proceeding against such a civil servant and that is Rule-9 of the above rules. Rule-9 is reproduced as under:-

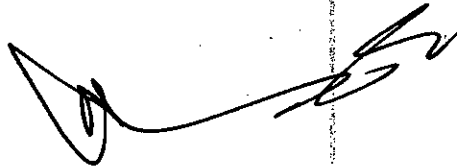
“Notwithstanding anything to the contrary contained in these rules, in case of willful absence from duty by a Government servant for seven or more days, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within fifteen days of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an ex-parte decision shall be taken against the absentee. On expiry of the stipulated period given in the notice, major penalty of removal from service may be imposed upon such Government servant.

8. The respondents were bound to follow the procedure prescribed and provided in Rule-9 of the rules *ibid* but it appears that they have not proceeded in accordance with the provisions of the above rules, therefore, the impugned action is not in accordance with the provisions of the above rules and, hence, not sustainable. While allowing these appeals we set

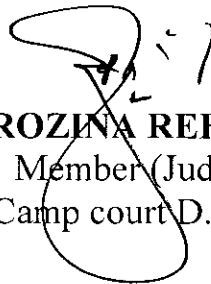


aside the impugned order and direct that the appellants be reinstated in service. The respondents are at liberty to proceed against the appellants in accordance with the provision of the Rule-9 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 within a period of sixty days after the date of receipt of this judgment under intimation to the Registrar of this Tribunal. The respondents shall also intimate the date of receipt of the judgment to the Registrar office. Intervening period shall be treated as leave of the kind due. Copy of this judgment be placed in the connected file. Costs shall follow the event. Consign.

9. *Pronounced in open Court at D.I.Khan and given under our hands and the seal of the Tribunal on this 28<sup>th</sup> day of October, 2022.*



**KALIM ARSHAD KHAN**  
Chairman  
Camp court D.I.Khan



**ROZINA REHMAN**  
Member (Judicial)  
Camp court D.I.Khan

**BEFORE THE KPK SERVICES TRIBUNAL PESHAWAR**

In Service Appeal No. \_\_\_\_\_/2021

Bilqees Bibi  
**(Appellant)**

Versus

Govt Of KPK, etc  
**(Respondents)**

**INDEX**

S.No.	Description of document	Annexure	Pages
1.	Service Appeal with affidavit	--	1-6
2.	Copy of the appointment order	A	-7-
3.	Copies of attendance register	B-	8-11
4.	Copy of the impugned order	C	-12-
5.	Copies of the departmental appeal and letter dated 20/01/2021	D & D/1	13-15
6.	Wakalatnama	--	-16-

Dated 07/02/2021

Your humble appellant,

*Bilqees*  
**Bilqees Bibi**

Through counsel:-

*Sheikh Iftikhar ul Haq*  
**Sheikh Iftikhar ul Haq**  
**Advocate High Court**  
District Bar Dera Ismail Khan

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL**

**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 4760 /2021

Diary No. 4824

Dated 9/4/2021

**Mst. Bilqees** daughter of Mashal Khan r/o village Masha Mansoor Tehsil & District Lakki Marwat, Ex-Caller GGCMs Masha Mansoor Lakki Marwat. 03449345312

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

**VERSUS**

1. Government of KPK, Through Secretary Elementary & Secondary Education Peshawar.
2. The Director (E&S) Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) Lakki Marwat.

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

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

**PRAYER**

On acceptance of the instant appeal the impugned office order bearing No. 5079-84 dated 30/12/2020 issued by the respondent#3 may kindly be set aside vide which by imposing the major penalty of removal from service the appellant was removed from services with immediate effect and also against the appellate order qua the departmental appeal wherein the respondent#2 remained silent/not taken any action by not deciding the departmental appeal of the appellant meaning thereby rejection of departmental appeal of the appellant within stipulated period and thus the service of the appellant be restored with all back benefits by setting aside the impugned office orders mentioned above.

Filed to-day

Registrar

9/4/2021

*[Handwritten signature]*

2

Respected Sir,

Appellant humbly submits as under;

1. That the appellant was appointed as Caller in GGCMS Masha Mansoor Lakki Marwat and on 01/04/2004. Copy of the appointment order is annexed as **Annexure-A**.
2. That the appellant was performing her duties to the entire satisfaction of her high-ups and never absented herself throughout her service career. In this respect attendance register of the school is very much clear. Copies of the attendance register are annexed as **Annexure-B**.
3. That in the month of November 2020, due to crucial and critical conditions of the COVID-19, the school was closed to some extents and conditions, in spite of this the appellant performed her duties and remained punctual and never absented herself as evident from the attendance register.
4. That the appellant was performing duties and on the instructions of political vendetta in spite of on duty, the appellant was marked absent on 18/12/2020 in his presence due to personal grudges and instructions of political vendetta because some of the family members of appellant are having/belonging with political rivals of the ruling party. Thus, the appellant was on duty on the eventful day i.e. 18/12/2020. In spite of this, ironically, the respondent#3 issued the impugned office order No. 5079-84 dated 30/12/2020 vide which the service of the appellant was removed by imposing major penalty. Copy of the impugned order dated 30/12/2020 is annexed as **Annexure-C**.
5. That the appellant feeling aggrieved, preferred a departmental appeal vide dairy No. 232 dated 06/01/2021 to the respondent#2 being appellate authority, which was not accepted within stipulated period. It is also pertinent to mention that later on 20/01/2021 the respondent#2 called the detailed report/comments from the respondent#3 vide letter No. 2850 dated 20/01/2021. Copies of the

*[Handwritten signature]*

3

departmental appeal and letter dated 20/01/2021 are annexed as **Annexure-D & D/1**.

6. That appellant feeling aggrieved by the impugned order dated 30/12/2020, hence, the instant appeal on the following grounds.

**GROUND**

- a. That the impugned order is against law, fact and circumstance of the case, hence, is not tenable in the eye of law but liable to be set aside.
- b. That the impugned order has been passed with mala-fide and hasty manner as, no charge sheet, statement of allegations, opportunity of replication, hearing, first show cause notice, final show cause notice, in short no inquiry has been conducted whatsoever, thus the impugned order is against the principle of law, service rules, policy and is not in the commence of EASTA Code.
- c. That the appellant is punctual and was on duty and never remained absent from duty and the alleged proceeding is on the bases of political pressure and victimization.
- d. That this honourable Tribunal has got vast and ample powers to entertain the instant appeal.
- e. That counsel for the appellant may graciously be allowed to raise additional grounds at the time of arguments.

*in file*  
**It is therefore humbly prayed that On acceptance of the instant appeal the impugned office order bearing No. 5079-84 dated 30/12/2020 issued by the respondent#3 may kindly be set aside vide which by imposing the**

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major penalty of removal from service the appellant was removed from services with immediate effect and also against the appellate order qua the departmental appeal wherein the respondent#2 remained silent/not taken any action by not deciding the departmental appeal of the appellant meaning thereby rejection of departmental appeal of the appellant within stipulated period and thus the service of the appellant be restored with all back benefits by setting aside the impugned office orders mentioned above.

Dated 07/04/2021

Your humble appellant,

*Bilqees*  
**Bilqees Bibi**

Through counsel:-

  
**Sheikh Iftikhar ul Haq**  
**Advocate High Court**  
District Bar Dera Ismail Khan



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**BEFORE THE KPK SERVICES TRIBUNAL PESHAWAR**

In Service Appeal No. \_\_\_\_\_/2021

Bilqees Bibi  
**(Appellant)**

Versus

Govt Of KPK, etc  
**(Respondents)**

**AFFIDAVIT**

I, Bilqees, appellant herein, do hereby solemnly affirm on oath that all parawise 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 07/04/2021

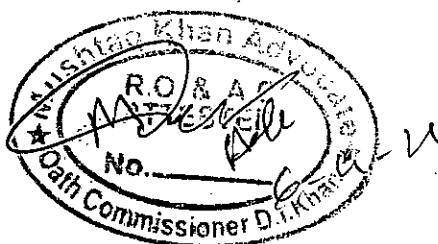
*Bilqees*  
**Deponent**

**VERIFICATION**

Verified on oath at DIKhan, this 07 day of April, 2021, that all contents of the above appeal are true and correct.

Dated 07/04/2021

*Bilqees*  
**Appellant**



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**BEFORE THE KPK SERVICES TRIBUNAL, PESHAWAR**

In Service Appeal No. \_\_\_\_\_/2021

Bilqees Bibi  
**(Appellant)**

Versus

Govt Of KPK, etc  
**(Respondents)**

**ADDRESSES OF PARTIES**

**Mst. Bilqees** daughter of Mashal Khan r/o village Masha Mansoor Tehsil & District Lakki Marwat, Ex-Caller GGCMS Masha Mansoor Lakki Marwat.

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

- 
1. Government of KPK, Through Secretary Elementary & Secondary Education Peshawar.
  2. The Director (E&S) Education Khyber Pakhtunkhwa Peshawar.

District Education Officer (Female) Lakki Marwat.

Dated 07/04/2021

Your humble appellant,

*Bilqees*  
**Bilqees Bibi**

Through counsel:-

*Sheikh Iftikhar ul Haq*  
**Sheikh Iftikhar ul Haq**  
**Advocate High Court**  
District Bar Dera Ismail Khan

7

ANZ: "A"

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (S & L) LAKKI MARWAT.  
OFFICE ORDER.

As approved by the District Co-Ordination Officer Lakki Marwat, the following Contract Chowkidar/Naib Qasid/ Caller are hereby appointed \* Rs.2800/-M fixed at G.G.M School Masha Mansoor against newly Created Posts in the interest of public Service from the date of their taking Over Charge with the following terms and conditions.

S/No.	Name & Father Name Address.	D/O	Birth.	Post.	Place of Duty.	Remarks.
1.	Kalisullah Khan Mashal Khan Vill; M/Mansoor.	S/O	25.3.79	N/Q	G.G.C.S M/Mansoor.	Recommended by Land deoner.
2.	Balqees Bibi Mashal Khan Vill; M/Mansoor.	D/O	1981.	Caller	-do-	-do-

TERMS AND CONDITIONS.

1. Charge Report should be submitted to all concerned.
2. The Candidate Must take Over Charge with in 15 Days.
3. The Appointment is made pur y on Ten:/Contract basis and liable to terminate any time without any notice/reason.
4. The Candidates Must produce their health and age certificate from M/S DRQ Hospital Lakki Marwat.
5. The age of the candidates not less than 18 Years and exceed than 45 Years.

Sd/-  
EXECUTIVE DISTRICT OFFICER,  
(SCHOOLS & LITERACY) LAKKI.

Edst: No. 150-156 / Dated 01/04/2004.  
Copy to the:-

1. District Co-Ordination Officer District Lakki Marwat.
2. Executive District Officer (Schools & Literacy) Lakki Marwat.
3. Dy: District Officer (P) Primary Lakki Marwat.
4. Suptts: (A) local Office.
5. District Accounts Officer Lakki Marwat.
- 6-7. Candidates Concerned.

M  
Head Mistress  
G.G.C.M.S Masha Mansoor  
Lakki Marwat

EXECUTIVE DISTRICT OFFICER  
(SCHOOLS & LITERACY)  
LAKKI MARWAT

رجسٹر حاضری مدرسین سہ ماہیہ 2020

بیابت میاہ

نام	عیدہ	رنگ	آمد	دستخط	رنگ	آمد	دستخط	رنگ	آمد	دستخط	رنگ	آمد	دستخط
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8	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday	Sunday
9	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں	نویں
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قسمت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان
القائید									
استحقاق									
بیماری									
بیزان									

Handwritten signature and stamp: H. M. S. MASHI

Attached to be true copy Bilal

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ASST. COM. (M) LAHORE

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6

# رجسٹر حاضری مدرسين

2020

بابت ماہ

نام	تاریخ	مقام
نام و کثیر		

روز	دستخط	امضاء	دستخط	امضاء	دستخط	امضاء	دستخط	امضاء	دستخط	امضاء	دستخط	امضاء
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 A.S.H. ED (Female)  
 Lakshmi Narayan

حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت	سابقہ	میزان

Bill copy

Attested to be true copy

حاضر کی مدرسین کی فہرست (3) ستمبر 2020

11

فہرست مدرسین  
گلاس

روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	روزانہ	آدھ	
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*[Handwritten signature]*

Dist. Educational Officer  
Female  
Akki Marwat

18-12-2020

By (year)  
Attested by Team of

(12)

ANK: "C"

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) LAKKI MARWAT  
OFFICE ORDER:-

WHEREAS Mst: Balqis Caller, GGCMS Masha Mansoor Lakki Marwat was proceeded under the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules, 2011.

AND WHEREAS During the course of surprise visit of GGCMS Masha Mansoor, paid by the District Education Officer (F) Lakki Marwat, accompanied with SDEO (F) Lakki Marwat the school was found closed.

AND WHEREAS the caller concerned was also found absent from school duty, which is against the rules and regulations, as she is responsible to look after the property of school building.

AND WHEREAS as per report of SDEO (F) Lakki Marwat vide No. 857/SDEOF/LM dated 13-11-2020 the concerned caller is habitually absent from school duty and lives in Peshawar.

NOW, THEREFORE, in exercise of the power conferred to the undersigned under Rule, 4-b (III) of the Khyber Pakhtunkhwa Govt: Servants (Efficiency & Discipline) Rules 2011, the competent authority (DEO Female Lakki Marwat) after having considered the charges and evidence on record, is pleased to impose Major penalty of (Removal from Service) upon Mst: Balqis caller GGCMS Masha Mansoor Lakki Marwat in the interest of public service with immediate effect.

(Sabra Parveen)

District Education Officer  
(Female) Lakki Marwat

Endst: No. 5079-84

Dated: 31/12/2020.

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Lakki Marwat.
3. District Monitoring Officer Lakki Marwat.
4. SDEO (F) Lakki Marwat.
5. Mst: Balqis caller GGCMS Masha Mansoor Lakki Marwat
6. Master file.

District Education Officer  
(Female) Lakki Marwat

Bilal  
Attested to by true copy



(13)

Ann: D

محضور جناب ڈائریکٹر ایجوکیشن اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا پشاور

ڈائری نمبر 232  
تاریخ 6/1/2021

اپیل برائے منسوخی حکم و فیصلہ مورخہ 30-12-2020 بذریعہ ڈی ای او پی میل لگی مروت

و بحالی ایپلائٹ بر ملازمت حسب ضابطہ

جناب عالی! ایپلائٹ حسب ذیل عرض رساں ہے۔

یہ کہ ایپلائٹ بمعہ آباؤ اجداد منصفہ منصور تحصیل و ضلع لکی مروت کی پیدائش و رہائش ہے۔

یہ کہ ایپلائٹ عرصہ تقریباً 16-17 سال سے بحیثیت کارگری جی سی ایم ایس منصفہ منصور لکی مروت میں ڈیوٹی پر انجام دے رہی ہیں۔

یہ کہ ایپلائٹ نے دوران ملازمت کبھی کسی قسم کی غیر حاضری نہیں کی ہے۔ اور نہ اس سے قبل ایپلائٹ کو محکمہ کی جانب سے کسی قسم کا شوکار نوٹس ملا ہے۔ اور نہ محکمہ کو شوکاریت کا موقع دیا ہے۔

یہ کہ ایپلائٹ ڈیوٹی کی خاطر پشاور کی بجائے لکی مروت میں اپنے والدین کے گھر رہائش پذیر ہے۔ حالانکہ ایپلائٹ کا شوہر پشاور میں رہائش پذیر ہے اور تعلیمات میں شوہر سے ملنے کیلئے جاتی ہوں تاکہ ڈیوٹی میں کسی قسم کی غیر حاضری نہیں آجائے۔

یہ کہ مورخہ 31-12-2020 کو ڈی ای او پی میل لگی مروت آئی تھی اور اس دن سکول بند تھا جبکہ ایپلائٹ ہر وقت ڈیوٹی پر موجود ہوتی ہے۔ لیکن ایپلائٹ ملازمت سے برخاست کیا گیا ہے۔ نقل لطف ہے۔

یہ کہ ایپلائٹ کے بارے میں متعلقہ شاف سے معلومات کی جا سکتی ہے۔

13/1/2021  
Authentic copy

14

یہ کہ اپیلانٹ کے چھوٹے چھوٹے بچے ہیں اور کافی عرصہ ملازمت میں نہایت احسن طریقے سے گزاری ہے۔  
یہ کہ اپیلانٹ کے ذریعہ معاش صرف یہی ملازمت ہے اور اگر اپیلانٹ کو بحال نہ کیا گیا تو اپیلانٹ کو ناقابل تلافی نقصان پہنچنے کا قوی  
اندیشہ موجود ہے۔

یہ کہ اپیلانٹ اپنی ڈیوٹی و حاضری کی بابت ہر قسم شہادت، ثبوت پیش کرنے کو تیار ہے۔  
یہ کہ اپیلانٹ آئندہ کے لئے ہم چوں قسم کی شکایت کا موقع محکمہ کو نہیں دے گی۔

لہذا استدعا ہے کہ بمظوری اجیل ہذا حکم و فیصلہ مورخہ 31-12-2020

منسوخ کیا جا کر اپیلانٹ کو بحال کیا جائے۔

العارض:  
بتیس بی بی دختر مشال خان  
کالری جی سی ایم ایس مو منصور لگی مروت

بیان حلفی:-

حلفاً بیان کرتی ہوں کہ جملہ مراتب درخواست میرے علم و یقین کے مطابق صحیح درست ہے۔

ATTESTED



العبد:-

بتیس بی بی

13/1/2021

Attested by Trucoddy



Anx. D/1

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR.

No 2050 /F.No /A-20/C-IV/Appeal/Balqis/Caller

Dated Peshawar the 20/11 /2021

Phone: 091-9225344

Email: ddadmn.es@gmail.com

15

To

The District Education Officer  
(Male) Lakki Marwat

Subject: **APPEAL**

Memo:

I am directed to refer to the subject noted above and to enclose herewith a copy of appeal lodged by Mst Balqis Caller GCMS Masha Mansoor District Lakki Marwat. You are therefore directed to submit detailed report/comments at an early date.

*[Signature]*  
Assistant Director (Admn)  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst; No. \_\_\_\_\_

Copy forwarded to the:

1. Mst Balqis Caller GCMS Masha Mansoor District Lakki Marwat
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
3. Master File

*[Signature]*  
Assistant Director (Admn)  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

13th year  
Attended By: *[Signature]*



SIL ISTIKHAR UL HAQ  
Advocate High Court  
N.L.C. 12201-0316740-9  
S.No 1365



Issuing Authority

وکالت

16

کورٹ  
فیس

Comptroller  
D.I. Khan

Before the Higher Administrative Service Tribunal

Appellant

Belqees Bibi's Court of K.P. Kel  
Service Appeal

دعویٰ یا جرم

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

D. I. Khan

Shahid Iftikhar ul-Haq

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات کی پیش یا تصدیق مقدمہ معینام  
کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ذمہ داروں کو برو عدالت حاضر ہونا روکنے کا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب  
موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب  
موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ یا کچہری کے اوقات سے پہلے یا بیچے یا بروز تعطیل  
بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر کچہری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے یا بیچے پیش ہونے  
پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا سخت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ  
کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسانے ڈگری  
نظر ثانی پمیل گمرانی و ہر قسم درخواست برہم کے بیان دینے اور پر جائی یا راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے  
تاریخ پیشی مقدمہ مرکز بیرون از کچہری صدر بیرونی مقدمہ مرکز نظر ثانی اپیل و گمرانی و برآمدگی مقدمہ یا منسوقی ڈگری یک طرفہ یا درخواست حکم اقسائی یا قرضی  
یا گرفتاری مثل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا ایگی علیحدہ مختصمیر کی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ  
از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی  
اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا میرسز کو اپنے بجائے یا اپنے امراء مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیے  
اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جان التواہ پڑے گا وہ صاحب موصوف کا حق ہو گا مگر  
صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت  
میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

2021

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے

ماہ

7

مورخہ

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

Attest

Accepted

Shahid Iftikhar ul-Haq

By Signee

Signature of  
Appellant