

16th Nov, 2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment being not prepared for arguments today. To come up for arguments on 13.12.2022 before the D.B at Camp Court Abbottabad.



(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad





(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

21st Sept 2022

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant produce copy of judgment in civil suit No. 18/1 passed on 06.07.2022 showing that the order of the Deputy Commissioner, Torghar cancelling the domicile certificate of the appellant was set aside in the judgment. He sought time to produce duly certified copy under the rules and also the documents regarding compliance of the judgment in decree of the Civil Court restoring domicile of the appellant. Granted. To come up for such record and arguments on 16.11.2022 before D.B at camp court Abbottabad.


(Fareeha Paul)
Member (Exeuctive)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

16.03.2022


Due to retirement of the Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned for the same before on 18.05.2022



Reader

18.05 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Last opportunity given. To come up arguments before this D.B on 20.07.2022 at camp court Abbottabad.

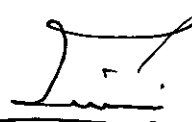

(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

20th July, 2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief of the instant appeal. Adjourned. To come up for arguments on 21.09.2022 before the D.B at Camp Court Abbottabad.


(Salah-ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

14.06.2021

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



Reader

29.09.2021

Appellant in person and Mr. Muhammad Adeel Butt, Addl. AG alongwith Alamzaib, Junior Clerk for the respondents present.

Written reply as directed to be filed on previous date is still awaited. Respondents are directed to furnish reply/comments on next date positively. If the respondents fail to submit the reply/comments on next date, their right of submission of written reply shall be deemed as struck off. Case to come up on 16.11.2021 before S.B. at Camp court, Abbottabad



Chairman
Camp Court, A/Abad

16.11.2021

Counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Abdul Hakeem, B&AO and Fakhar Saeed, ADEO for the respondents present.

Representatives of the respondents have furnished reply/comments which are placed on file. To come up for arguments on 15.03.2022 before the D.B at camp court, Abbottabad.



Chairman
Camp Court, A/Abad

19.01.2021

Due to COVID-19, the case is adjourned for the same on 18.02.2021 before D.B.



READER

18.02.2021

Counsel for the appellant present.

Noor Zaman Khattak learned District Attorney present.

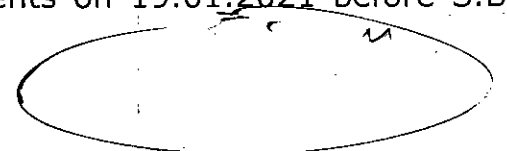
Written reply/comments not submitted, therefore, notice be issued to respondents for submission of reply/comments. To come up for reply/comments on 14.06.2021 before S.B at Camp Court, Abbottabad.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

18.11.2020

Counsel for appellant is present. Mr. Usman Ghani, District Attorney and Mr. Abdul Hakim, Budget & Accounts Officer, for the respondents are also present.

Written reply on behalf of respondents not submitted. Representative of the department requests for further time for submission of written reply/comments. Time is given. File to come up for written reply/comments on 19.01.2021 before S.B at Camp Court, Abbottabad.



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

Reader

Due to summer vacation case to come up for the same on
18.11.20 at camp court abbottabad.

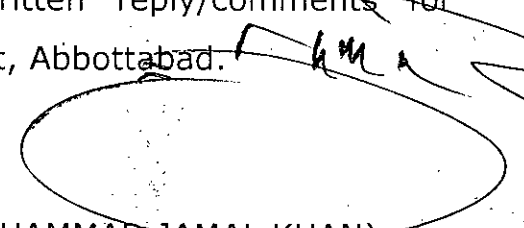

Reader

18.09.2020

Appellant himself alongwith Mr. Hamayun Khan, Advocate are present. The sum total of what has been agitated by the learned counsel representing appellant, is that the inquiry was conducted by the Deputy Commissioner who is not legally competent to conduct inquiry. That neither charge sheet was provided to appellant nor any statement of allegations in pursuance thereof was furnished. No show-cause notice has been served nor he was furnished with the inquiry report which acts are in contravention of the relevant law and rules which are unprecedented and requested for indulgence of this Tribunal in the matter.

The points so agitated ipso-facto required consideration therefore, the appeal is admitted for regular hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 18.11.2020 before S.B at Camp Court, Abbottabad.


Appellant Deposited
Security & Process Fee

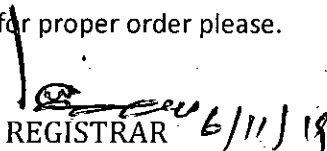

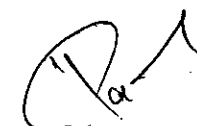

(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1493/2019

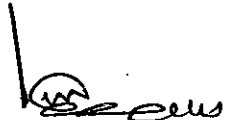
S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	06/11/2019	<p>The appeal of Syed Farmanullah Shah received today by post through Mr. Hamayun Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 6/11/19</p> <p>2-</p>	24.01.2020	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>24-1-2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant absent. Learned counsel for the appellant absent. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for preliminary hearing on 20.03.2020 before S.B at Camp Court Abbottabad. Appellant be put to notice for the date fixed.</p> <p style="text-align: right;"> Member Camp Court, A/Abad</p>

The appeal of Syed Farmanullah Shah son of Syed Usman Shah Ex-PST GPS Kand Bala Tehsil Kandar District Torghar received today i.e. on 14.10.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of withdrawal of appointment order mentioned in para-6 of the memo of appeal in respect of appellant (Annexure-C) is not attached with the appeal which may be placed on it.

No. 1734 /S.T.

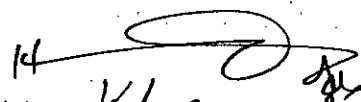
Dt. 14/10 /2019.

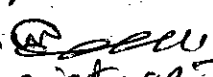

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Hamayun Khan Advocate
High Court Abbottabad.

Respected Sir,

It is to inform you that, the objection is not sustainable as the required document is already attached herewith the appeal at Page '16' Annexure C which is of worth perusal.


Hamayun Khan Adv.
18/10/19

objection removed submitted for further objection is still stand the process same is returned again to the Me Ja Counsel for the appellant for completion and resubmission within 15 days
no. 1847/ST dt. 23/10/2019

Registrar

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

Appeal No. 1493 -A/2019

Syed Farmanullah Shah son of Syed Usman Shah, Caste Aka Zai, (Ex PST Teacher) Govt. Primary School Kand Bala, resident of Daro Akazai, Tehsil Kandar District Torghar.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & Others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Memo of Appeal	1 to 7	
2.	Copy of domicile certificate	8-11	"A"
3.	Copy of appointment order	12-15	"B"
4.	Copy of impugned order	16	"C"
5.	Copy of writ petition	17-26	"D"
6.	Copy of judgment dated 15/05/2018	27-27	"E"
7.	Copy of order dated 03/07/2018	30	"F"
8.	Copy of show cause notice and reply of show cause notice	31-33	"G"
9.	Copy of impugned notification	34	"H"
10.	Copy of appeal	35-36	"I"
11.	Wakalatnama	37	

...APPELLANT

Through

Dated: 7/x /2019


(HAMAYUN KHAN)

Advocate High Court, Abbottabad

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

Appeal No. 1493 /2019

Syed Farmanullah Shah son of Syed Usman Shah, Caste Aka Zai, (Ex PST Teacher) Govt. Primary School Kand Bala, resident of Daro Akazai, Tehsil Kandar District Torghar.

...APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1451

Dated 14-10-2019

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) District Tor Ghar.

...RESPONDENTS

Filed to-day

Registrar

14/10/19

Re-submitted to -day
and filed.

Registrar

6/11/19

**APPEAL UNDER SECTION 4 KPK SERVICE
TRIBUNAL ACT 1974 AGAINST THE IMPUGNED
NOTIFICATION ENDST NO. 199-205 DATED
29/05/2019, WHERE BY RESPONDENT NO. 3 WITH
DISMISSED APPELLANT FROM HIS DATE OF
APPOINTMENT DATED 09/04/2016 WHICH IS**

ILLEGAL, AGAINST THE LAW, AGAINST THE
FACT, NATURAL JUSTICE, AB-INITIO VOID &
LIABLE TO BE SET ASIDE.

PRAYER:- ON ACCEPTANCE OF THE INSTANT
APPEAL, IMPUGNED ORDER/NOTIFICATION
ENDST NO. 199-205 DATED 29/05/2019 MAY
KINDLY BE DECLARED NULL AND VOID AND
APPELLANT BE RE-INSTEAD ALONG WITH ALL
BACK BENEFITS AND ANY OTHER RELIEF
WHICH THIS HONOURABLE COURT DEEM FIT
AND PROPER.

Respectfully Sheweth;-

May it please your lordship the brief fact of the instant
appeal are as under;-

1. That appellant belongs from cast of Aka Zai and
bonafide resident of District Torghar since
forefather. Copy of domicile certificate annexed as
Annexure "A".

2. That in August 2015 respondent NO. 3 advertised vacant post of teachers in different cadre including PST.
3. That thereafter appellant applied for PST BPS-12 post and submitted all required documents.
4. That thereafter respondent No. 3 conducted test interview and after completion of all codal formalities respondent No. 3 on 9 April 2016 issued appointment order of the appellant. Copy of appointment order is annexed as Annexure "B".
5. That after appointment order appellant submitted his medical fitness and charger report and joined service in Govt. Primary School Kand Bala, District Torghar as PST teacher in BPS-12.
6. That on 07/09/2016 respondent No. 3 issued impugned Notification whereby appointment order dated 09/04/2016 of the appellant was withdraw/de-notified. Copy of impugned order is annexed as Annexure "C".

7. That thereafter appellant alongwith other filed Constitutional petition W.P No. 897-A/2016 titled "Muhammad Ismail etc. Vs. Govt. of Khyber Pakhtunkhwa etc. before Peshawar High Court, Abbottabad Bench. Copy of writ petition is annexed as Annexure "D".
8. That after hearing of arguments Honourable Peshawar High Court, Abbottabad Bench allowed the writ petition vide order dated 15/05/2018. Copy of judgment dated 15/05/2018 is annexed as Annexure "E".
9. That in consequences of above judgment on 03/07/2018 respondent NO. 3 issued reinstatement order. Copy of order is annexed as Annexure "F".
10. That on 31/01/2019 respondent No. 3 again issued new show cause notice with allegation of fake documents and on 13/02/2019 appellant submitted reply of the same. Copy of show cause notice and reply of show cause notice is annexed as Annexure "G".

11. That on 29/05/2019 respondent NO. 1 issued the impugned notification whereby, appellant was dismissed from the date of appointment i.e 09/04/2016. Copy of impugned notification is annexed as Annexure "H".

12. That appellant filed departmental appeal before respondent No. 2 against impugned notification dated 29/05/2019 issued by respondent No. 3, but till date respondent No. 2 not pass any order on the said appeal. Hence, instant appeal filed inter-alia on the following grounds. Copy of appeal is annexed as Annexure "I".

GROUNDS:-

- a. That, order/notification dated 29/05/2019 issued by respondent No. 3 is illegal against the law, facts and liable to be declared null and void.
- b. That all proceeding were initiated without any notice, information and absence of appellant. Hence, order dated 29/05/2019 is liable to be set aside.

- c. That respondent No. 3 issued impugned notification without any final show cause notice, statement of allegation and charged sheet, hence, impugned order is against the law and liable to be set-aside.
- d. That respondent No. 3 issued so called notification against rule laid down by E&D rules, and ignored all basic principle of the natural justice.
- e. That impugned notification issued on political pressure of local government members.
- f. That impugned order against the constitutional guaranteed rights of the appellant and respondent No. 3 adopted his own procedure.
- g. That respondent No. 3 not provided any opportunity to appellant to explain his position. Hence, impugned notification is liable to be set aside.

- h. That impugned order against the fundamental rights of the appellant and clear violation of natural justice, hence, liable to be set aside.
- a. That, other points would be argued at the time of argument with the kind permission of this Honourable Court.

It is, therefore, humbly prayed that on acceptance of the instant appeal impugned order/notification Endst. No. 199-205 dated 29/05/2019 may kindly be declared null and void and appellant be re-instated along with all back benefits and any other relief which this Honourable Tribunal deems fit and proper.


...APPELLANT

Dated: 7/11 /2019

Through


(HAMAYUN KHAN)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


...APPELLANT

DOMICILE CERTIFICATE

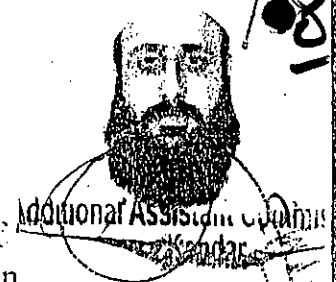
ANNEXURE 'A'

DISTRICT TOR GHAR, KHYBER PAKHTUNKHAWA

I, Mr. Syed Farman ullah Shah

Father's Name. Syed Usman ullah Sahah

Declare that I have been permanently residing in District Tor Ghar of Khyber Pakhtunkhwa and I am born of parents who are / were permanently domiciled in it. I further declare that I had not obtained Domicile Certificate of any other District / Province of Pakistan and express my intention to abandon my right of Domicile of other District / Provinces of Pakistan except District Tor Ghar.



I belong to Village Daro Aka Zai

Tehsil Hassan Zai Kandar District: Tor Ghar

I do solemnly affirm that above declaration is true to the best of my knowledge and belief.

سید فرمان اللہ شاہ

Signature of the applicant

Dated: 01 - 09 - 2015

Pursuance to the declaration dated 01 - 09 - 2015, filed by Mr. Syed Farman ullah Shah S/O Syed Usman ullah Sahah is hereby certify that the said Syed Farman ullah Shah is the permanent resident of District Tor ghar having belonged to it by birth/ settled in it.

I have satisfied myself from overleaf verification that the above declaration is true and certify accordingly.

Given this 4299 day of 08/09/ 2015

[Signature]
Assistant Commissioner
(Tehsil Hassan Zai Kandar)
Tor Ghar

COUNTERSIGNED

[Signature]
Deputy Commissioner
Deputy Commissioner
Tor Ghar



Al-Naseeb Communication Centre, New Darband, Mansehra,
Ph: +92-997-580080, 0345-2190110

[Signature]

باقر اصالح تصدیق کی جاتی ہیں کہ سہی اسماء	سید فریمان الہام شاہ	ولد ادبہ	سید عثمان الہام شاہ
قوم	اکازن	کنہ	ڈالرو اکازن
کام مستقل پیدا ہونے سے یہ کہ فارم خذہ چسپ تصویر درخواست کنندہ کی ہے۔ جو میرے تصدیق کردہ ہے سائل اساتذہ کو ذاتی طور پر جانتے ہے۔ اور ڈومیسائل سرٹیفکیٹ ہمارے ذاتی تصدیق پر دیا جائے۔ مذکورہ بالا تصدیق میں غلطی کی تمام ذمہ داری ہماری ہوگی۔			
تصدیق علاقہ	تصدیق علاقہ		
نام	نسب		
شخصی کارڈ نمبر	11210101856705	شخصی کارڈ نمبر	13504069113701
دستخط		دستخط	

VERIFICATION

Attested according to the above verification of the ELDERS of Aka Zan
 Mr / Miss Sayed Farman Ullah Shah S.W/D/O Syed Usman Ullah Shah
 Tribe Daro Aka Zan is a permanent resident of village Daro
 Distt: Tor Ghar.



جناب سید محمد امجد علی خان سید نادرہ والہم لہما سے زید بیگم کے خاں بیگانہ قلمی کہ
 سید فریمان الہام شاہ ولد سید عثمان الہام شاہ قوم اکازن ڈالرو اکازن
 تحصیل کنڈر خلم تو غنر مارہا پش پیدائش کو منتخب ہے رپورٹ ہے

محمد امجد علی
 1/9/15

صدر رپورٹ برائے
 کنڈر خلم پش پیدائش کو منتخب ہے رپورٹ ہے

02.9.2015

10

PAKISTAN National Identity Card
ISLAMIC REPUBLIC OF PAKISTAN


Name: Syed Farman Ullah Shah
Father's Name: Syed Usman Ullah Shah
Gender: M Country of Stay: Pakistan
Identity Number: 13504 2111626 53 Date of Birth: 03.03.1984
Date of Issue: 04.01.2010 Date of Expiry: 04.01.2026
Holder Signature

39081

Syed Farman Ullah Shah

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13504-2111628



1013310835
123-82-58886

Registrar General of Pakistan

گمشدہ کارڈ ملنے پر قریبی لیوی بکس میں ڈال دیں



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DISTRICT TOR GHATA

NOTIFICATION

ANNEXURE 'B' 12

Consequent upon the recommendations of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the vacant posts of Primary School Teacher (PST) on School based in BPS-12 (Rs.9055-650-28555) @ Rs.9055/- fixed plus usual allowances as admissible under the rules on adhoc basis and school basis initially for a period of one year under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge :-

S NO	NAME OF CANDIDATE	FATHER'S NAME	SCORE	WARD/ UNION COUNCIL	NAME OF SCHOOL WHERE APPOINTED	REMARKS
1	Naseeb Rahim	Qareeb Khan	82.37	Balkot	GPS Bateela	Against V/P
2	Umar Habib	Lalif Ur Rehman	64.56	Balkot	GPS Balkot	--do--
3	Shabir Ahmad	Habib Ur Rehman	64.03	Balkot	GPS Pakban	--do--
4	Waez Ullah	Muhammad Israr	78.78	Judba	GPS Sormal N/Khail	--do--
5	Rahman Ullah	Muhammad Husan	53.26	Balkot	GPS Sormal N/K	--do--
6	Abdullah	Talib Khan	64.81	Bimbal	GPS Bilyani	--do--
7	Gulab Zada	Naseeb Zada	84.78	Bimbal	GPS Bilyani	--do--
8	Irshad Ullah	Habib Ullah	82.25	Bimbal	GPS Warokay Kilay	--do--
9	Sadiq Zar	Gula Zar	79.8	Bimbal	GPS Warokay Kilay	--do--
10	Muhammad Usman	Khitab Muhammad	80.58	Darbani	GPS Darbani	--do--
11	Majid Khan	Shahedol	70.05	Darbani	GPS Darbani	--do--
12	Abdul Mujeeb	Fazal Kareem	75.55	Darbani	GPS Jhango	--do--
13	Rozamin	Malik Said	85.44	Bimbal	GPS Khadang	--do--
14	Mastoreen	Meem Zaman	62.86	Darbani	GPS Lashora	--do--
15	Ameer Khan	Muhammad Khan	65.29	Bimbal	GPS Mera Aka Zai	--do--
16	Muntaz Khan	Ajmal Khan	70.52	Bimbal	GMPS Dilyari	--do--
17	Muhammad Anwar	Gul Nazar Said	81.32	Dour Mera	GPS Dada Banda	--do--
18	Umar Ali	Taliwan Said	77.58	Dour Mera	GPS Dada Banda	--do--
19	Umar Rehman	Ghulam Khan	61.73	Dour Mera	GPS Danda Banda	--do--
20	Muhammad Nawab	Fazal Wahab	73.43	Dour Mera	GPS Dour Pain	--do--
21	Alim Ullah	Talib Zar Khan	61.98	Dour Mera	GPS Dour Pain	--do--
22	Umar Zahid	Said Fazal Hakeem	73.29	Dour Mera	GPS Dour Mera	--do--
23	Shah Fahad	Israfeel	62.13	Dour Mera	GPS Sado Khan	--do--
24	Nor Nabi Said	Muhammad Akram	60.6	Dour Mera	GPS Zezari	--do--
25	Umar Nosh	Zar Farosh	58.77	Dour Mera	GPS Zezari	--do--
26	Fazal Nawaz Khan	Mir Nawaz Khan	76.48	Gari H/Zai	GPS Ambar Gari	--do--
27	Muhammad Khalid	Muhammad Lalit	82.02	Gari H/Zai	GPS Bava	--do--
28	Gul Nabi Shah	Hamza Ali Shah	75.41	Gari H/Zai	GPS Gari Hasan Zai	--do--
29	Jehan Zeb Khan	Fareed Khan	70.24	Gari H/Zai	GPS Gari Hasan Zai	--do--

Attested
W O

	Akhtar Muhammad	Yaqeen Khan	67.81	Gari H/Zai	GPS Gari Hasan Zai	--do--
31	Abdul Jalil	Abdul Wahid	106.38	Gari H/Zai	GPS Gari Kotwal	--do--
32	Faiz Ur Rehman	Sahib Rahman	67.27	Gari H/Zai	GPS Gari Kotwal	--do--
33	Raqib Ullah Khan	Amin Khan	87.81	Paloosa	GPS Gatta Umar Khan	--do--
34	Naseer Ullah	Jehan Zaib	85.92	Paloosa	GPS Gatta Umar Khan	--do--
35	Yousuf Gul	Sahib Gul	75.71	Palosa	GPS Gatta Umar Khan	--do--
36	Ishafaq Ullah	Zareen Khan	65.23	Gari H/Zai	GPS Malyar	--do--
37	Abdus Sadiq	Naseem Khan	61.48	Gari H/Zai	GPS Malyar	--do--
38	Sana Ullah	Abdur Rauf	90.7	Harnail	GPS Petawo Asharay	--do--
39	Gul Farooq Farooqi	Karamat Khan	85.43	Harnail	GPS Shaloon	--do--
40	Hashamali	Hazrat Ahmad	87.15	Harnail	GPS Soray Asharay	--do--
41	Muhammad Islam	Ahmad Latif	79.03	Harnail	GPS Zangia	--do--
42	Bakhtzada	Nawab Muhammad	91.4	Jhalka	GPS Mori Bala	--do--
43	Noor Zada	Ghulam Muhammad	65.46	Jhalka	GPS Shatal	--do--
44	Qadar Muhammad	Taluq Khan	85.56	Judba	GMPS Judba	--do--
45	Ghani Ur Rehman	Rokhman Shah	62.28	Judba	GPS Shadag	--do--
46	Muhammad Ikram	Muhammad Ishaq	55.86	Judba	GPS Shagai	--do--
47	Muhammad Rafiq	Muhammad Niqab	89.01	Judba	GPS Shadag	--do--
48	Fathullah Pathan	Shabir Ahmad	69.25	Judba	GPS Shagai	--do--
49	Alta Ullah	Shehzada	61.38	Harnail	GPS Shadag	--do--
50	Syed Farman Ullah Shah	Syed Usman Ullah Shah	75.28	Kand	GPS Kand Bala	--do--
51	Zafar Ullah	Sher Zada	91.1	Khovar M.K	GPS Chund	--do--
52	Alhar Ullah	Muhammad Raheem	85.3	Khovar M.K	GPS Chund	--do--
53	Amin Said	Qeemat Said	83.62	Khovar M.K	GPS Chund	--do--
54	Behrullah	Sher Zada	76.42	Khovar M.K	GPS Gari Mada Khail	--do--
55	Rahman Ullah	Muhammad Hanif	73.32	Khovar M.K	GPS Gari Mada Khail	--do--
56	Faisal	Yad Ullah	80.42	Khovar M.K	GPS Kalsoona	--do--
57	Muhammad Ismaeel	Bakht Zada	103.3	Khovar	GPS Legra	--do--
58	Tahir Muhammad	Baz Muhammad	92.21	Khovar	GPS Sonia	--do--
59	Zahid Said	Umar Said	87.85	Khovar	GPS Tara	--do--
60	Zar Muhammad	Wala Jan	78.49	M M Khail	GPS Chamgah Doga	--do--
61	Ibrahimi Khan	Sabit Khan	79.48	M M Khail	GPS Dilo Bala	--do--
62	Zar Muhammad Shah	Muhammad Shah	76.77	M M Khail	GPS Dilo Payeen	--do--
63	Atwar Zaib	Shah Hussain	77.54	M M Khail	GPS Gawandla	--do--
64	Muhammad Shahid	Sheikh Fareen	83.92	M M Khail	GPS Gawandla Bala	--do--

Attested
H. S. Khan

	Muhammad Shoab	Zamin Khan	70.96	M. M Khail	GPS Lakwal	14--do--
66	Siraj Ullah	Muhammad Arif	77.09	M M Khail	GPS Mabra	--do--
67	Abu Bakar	Lal Sharif	75.58	M.M Khail	GPS Mabra Bala	--do--
68	Muhammad Hanif	Palas Khan	75.49	M M Khail	GPS Mera K.D	--do--
69	Yas Muhammad	Zubaid Khan	88.96	M M Khail	GPS Shabaz	--do--
70	Saeed Rehman	Saidmar Khan	76.06	M M Khail	GPS Shabaz	--do--
71	Muhammad Zahid	Ghulam Saeed	72.21	M M Khail	GPS Telay	--do--
72	Abdul Manan	Muhammad Ayub	90.85	Manjakot	GMPS Shanai Pain	--do--
73	Israr Ahmad Khan	Muhammad Farosh Khan	101.24	Tilli	GPS Abo Hasan Zai	--do--
74	Shair Muhammad Zal	Muhammad Afzal	76.82	Manjakot	GPS Abo Mada Khail	--do--
75	Muhammad Ibrahim	Nasrullah Khan	81.69	Manjakot	GPS Doba	--do--
76	Inam Ul Haq	Sahib Shah	78.65	Manjakot	GPS Doba	--do--
77	Ifan Ul Allah	Waris Khan	77.72	Manjakot	GPS Karor	--do--
78	Asif Nawaz Khan	Wahid Gul	73.77	Manjakot	GPS Karor	--do--
79	Imam Gul	Baram Gul	71.68	Manjakot	GPS Karor	--do--
80	Roheeb Gul	Sakhimat Khasn	70.34	Manjakot	GPS Karor	--do--
81	Muhammad Safeh	Wazir Muhammad	66.56	M. M Khail	GPS Manjakot	--do--
82	Khawaj Muhammad	Muhammad Ashraf	67.2	M. M Khail	GPS Manjakot	--do--
83	Zarkhoib Gul	Sakhimat Gul	66.0	Manjakot	GPS Manjakot	--do--
84	Zahir Khan	Nazar Meet Khan	65.2	Manjakot	GPS Manjakot	--do--
85	Naseeb Ullah	Jehanzeb	101.82	Palosa	GPS Kandar Tawara	--do--
86	Muhammad Zahid	Muhammad Naseeb Khan	79.13	Paloosa	GPS Kunhar Sharif	--do--
87	Muhammad Riaz	Karim Shah	79.36	Palosa	GPS Paloosa	--do--
88	Noor Faiser Gul	Gul Khan	69.13	Shingaldar	GPS Banjo Banda	--do--
89	Syed Mehtab Shah	Syed Khitab Shah	82.69	Tilli	GPS Gangat	--do--
90	Abdullah	Mehmood Ur Rehman	99.81	Tilli	GPS Maira Khankhail	--do--
91	Ibrar Ahmed	Muhammad Ferosh Khan	78.15	Tilli	GPS Maira Khankhail	--do--
92	Muhammad Amin	Muhammad Tahir	73.04	Tilli	GPS Mishkot	--do--
93	Syed Muslim Shah	S.Taj Muhammad Shaha	57.9	Tilli	GPS Mishkot	--do--
94	Mohib Ullah	Ghulam Bahadar	62.28	Tilli	GPS Reol	--do--
95	Muhammad Suleman	Abid Khan	53.9	Tilli	GPS Sabay	--do--
96	Syed Sahib Zar shah	Syed Bakht Shah	50.95	Tilli	GPS Tilli Sydan	--do--
97	Syed Bakht Munir shah	Naseebzar Shah	43.86	Tilli	GPS Tilli Sydan	--do--

TERMS & CONDITIONS:

1. NO TA/DA is allowed.
2. Charge reports should be submitted to all concerned in duplicate.

Attested
H. J. D.

[Handwritten Signature]

Appointment is purely on temporary & adhoc basis initially for a period of one year. They should not be handed over charge if their age is above 35 years or below 18 years. Their Appointments are subject to the condition that their CERTIFICATE/DOCUMENTS AND DOMICILES be verified from the concerned authorities by the District Education Officer before release of their salaries. Anyone who found producing fake documents will be dismissed from service and the case will further be reported to the law enforcing agencies for action under the relevant law.

6. Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government treasury.
7. Their Pay will not be activated until and unless pay release order is not issued by the competent authority after verification of their documents by the District Education Officer.
8. They should join their post within 10 days of the issuance of this notification. In case of failure to join the post within 10 days of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
9. They should produce Health and Age Certificate from the Medical Superintendent concerned 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 their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be preceded under the rules framed from time to time.
12. Their appointment is made on School based, they will have to serve at the place of posting, and their services are not transferable to any other station.
13. The competent Authority reserve the right to rectify the errors and omissions, if any noted/observed at any stage in the instant order issued erroneously.
14. Before handing over charge once again their document may be checked by the SDEO (M) Tor Ghar if they don't have the prescribed qualifications prescribed for the post they should not be handed over the charge.

--SD--
Abdullah
District Education Officer (M)
E&SE Tor Ghar

Endst: No. 900-18/Dated Tor Ghar 09th April 2016.

Copy forwarded for information and necessary action to the: -

1. Secretary to Government of Khyber Pakhtunkhwa E&S Education Department Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. PS to Minister E&SE Department Khyber Pakhtunkhwa Peshawar.
4. Deputy Commissioner District Tor Ghar.
5. District Accounts Officer Tor Ghar at Mansehra.
6. Sub Divisional Education Officer (M) Tor Ghar.
7. District Monitoring Officer (IMU) Tor Ghar.
8. District Education Management Information System (DEMIS) Local Office.
9. Head Teacher GPS Concerned.
10. Official Concerned.
11. Office File.

Attested
[Signature]

[Signature]
District Education Officer (M)
E&SE Tor Ghar

ANNEXURE 'C' 16



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) TOR GHAR

Ph. 0345-6660087 Fax. Nil
Email. torgharemis@gmail.com

No. _____
Dated: ___ / ___ / 2016

156

NOTIFICATION

Reference to the Deputy Commissioner Tor Ghar letters No. 1223/DC (2016)/TG Dated 09/05/2016, No. 1394/DC (2016) TG Dated 19/05/2016 and Assistant Commissioner Letter No. AC(2016)/TG 2792-93 dated 18/08/2016, in connection with the terms and conditions No. 5 of the Appointment order issued vide this office Notification No.908-18 Dated 09/04/2016, the competent authority E&SE Tor Ghar is pleased to withdraw/denotify the appointment in respect of Syed Farman Ullah Shah S/O Syed Usman Ullah Shah GPS Kand Bala w.e.f the date of his appointment.

---SD---

District Education Officer (M)
E&SE Tor Ghar

Endst: No 2940-48 / Dated 7/9/2016.

Copy for information to the.

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Tor Ghar with the remarks that denotification and legal action has been initiated against the teachers as directed.
3. District Police Officer Tor Ghar with request to Lodge FIR as per rules against above mentioned candidate.
4. District Nazim Tor Ghar.
5. District Account Officer Tor Ghar at Manshara.
6. Sub Divisional Education Officer (M) Tehsil Kandahar.
7. District Monitoring Officer (IMU) Tor Ghar.
8. District Education Management Information System (DEMIS) Local office.
9. Office File.

Dy: District Education Officer (M)
E&SE Tor Ghar

Note. All employees education department & other interested ones, please Type "Follow torghardeo" in your mobile message & send it to "40404" to get free tweets of DEO Education Torghar on your mobile.

ANNEXURE 'D'

17

BEFORE THE PESHAWAR HIGH COURT,
BENCH ABBOTTABAD

WP. No. 897-A/16

- 1) Muhammad Ismail son of Bakht Zada, resident of Kund Mada Khail, Post Office Darband, Tehsil and District Torghar.
- 2) Muhammad Ikraam son of Muhammad Ashiq resident of Fazal Bassi Khail, Post Office Judbah Torghar.
- 3) Saif Farid son of Abdul Shaheed, resident of Judbah Cherr, Tehsil and District Torghar.
- 4) Hashim Ali son of Hazrat Ahmed, resident of Utlair Bassi Khail Darband Utia, Tehsil and District Torghar.
- 5) Akhtar Muhammad son of Yaqeen Khan resident of Novray Hassan Zai, Tehsil and District Torghar.
- 6) Jamal Khan son of Hajim Khan, resident of Qalasar, Post Office Oghi, Tehsil and District Torghar.
- 7) Noorzada son of Ghulam Muhammad, resident of Shatal, Post Office Judbah, Tehsil and District Torghar.
- 8) Syed Farmanullah Shah son of Usmanullah Shah, resident of Oghi Village Dara Akazai, Tehsil and District Torghar
- 9) Nusrat Shah son of Iqbal Shah, resident of Surmal, PO Judbah, Tehsil and District Torghar.
- 10) Sharif-Ur-Rehman son of Yaqoob Khan, resident of Bassi Khail, PO Judbah, Tehsil and District Torghar.....Petitioners

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EXAMINER
24/11/2016
Peshawar High Court-Aid-Bench
Authorized Under Sec: 75 Evid Ordns.

FILED TODAY

Registrar
Peshawar High Court
Abbottabad Bench

Shahid
Khan

Versus

- 1) Government of K.P.K. through Secretary Elementary and Secondary Education, Peshawar.
- 2) Director E&SE, K.P.K. Peshawar
- 3) DEO (Male) E&SE Torghar.
- 4) Deputy DEO (Male) E&SE Torghar
- 5) Deputy Commissioner, Torghar.
- 6) District Police Officer Torghar
- 7) District Nazim Torghar.
- 8) District Accounts Officer Torghar at Mansehra..... Respondents
- 9) *Suleman Khan Sp 74 Kania Khan Sp 10 Salwa Haidar Khan Tehsil & District. Torghar.*

vide order dt. 20.6.17

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 FOR DECLARATION TO THE EFFECT THAT THE NOTIFICATION BEARING ENDST. NOS. 2967-75, 2861-69, 2915-23, 2844-52, 2826-34, 2852-60, 2879-89, 2940-48, 2907-14 & 2932-39 DATED 07.09.2016 ISSUED BY RESPONDENTS NOS. 3 & 4 REGARDING DENOTIFICATION/ WITHDRAWLS OF THE APPOINTMENT ORDERS OF THE PETITIONERS ARE ILLEGAL, WRONG, AGAINST THE LAW, FACTS, POLICY AND ARBITRARY, FANCIFUL, PERVERSE, WITHOUT LAWFUL AUTHORITY, BASED ON MALAFIDE IS LIABLE TO BE STRUCK DOWN.

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EXAMINER
24 MAY 2017
Peshawar High Court A'd. Bench
Authorized Under Sec: 75 Evid Ordns.

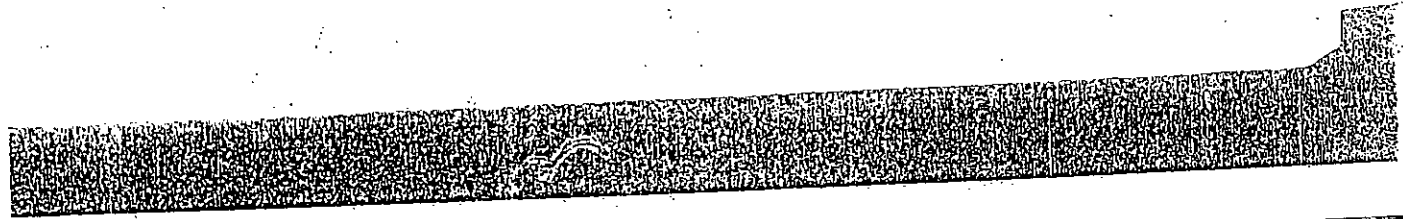
4/7/17
No 21-8-16
Writ Petition

21/9/16
Peshawar High Court
Abbottabad Bench

PRAYER:-

On the acceptance of instant writ petition impugned denotification/ withdrawals issued by respondents Nos. 3 & 4 may please be declared as

Attested
H [Signature]





illegal, unlawful, against the facts and policy, arbitrary, fanciful, perverse, discriminatory, without lawful authority, based on malafide be struck down and petitioners be re-instated with all back benefits according to their initial appointment orders or any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be passed/issued.

Respectfully sheweth!

- 1) That, petitioner No. 1 to 6 were appointed by the respondent No. 3 vide order endst. No. 908-18 dated 09.04.2016, petitioners Nos. 7 to 8 appointed vide appointment order endst. No. 1060-70 dated 13.04.2016 and petitioners Nos. 9 to 10 were appointed vide appointment order Endst. No. 919-29, dated 09.04.2016.

(Copies of the appointment orders are annexed as Annexure "A", "B" & "C" respectively).

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 - EXAMINER
 24 MAY 2016
 Peshawar High Court Ald. Bench
 Authorized Under Sec: 75 Evid Ordns:

- 2) That, after passage of appointment orders, the petitioners took over the charge at their respective schools against the vacant post within reasonable time.

(Copies of charge reports in order are annexed as Annexure "D").

Attested
[Signature]

[Handwritten signature]
 27/9/16

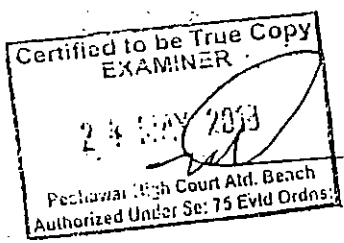
3) That, petitioners were performing their duties at their designated schools with great zeal and zest and no negligent behaviour was ever found by the respondents in performance of duties by the petitioners.

4) That, all the documents duly provided by the petitioner at initial stage as well as on the interview time were submitted by the petitioner with the concerned authorities for verification purpose.

(Relevant documents of the petitioners are annexed as Annexure "E", "F", "G", "H", "I", "J", "K", "L", "M" & "N" respectively).

5) That, after a period of approximately of five months, respondent No. 3 & 4 with reference to the direction issued by respondent No. 5 denotified/withdrawn the appointment orders of the petitioners holding therein that petitioners domicile certificates are not verified by the concerned authorities.

(Copies of withdrawal/denotification orders are annexed as Annexure "O").



27/9/16

Attested

31

6) That, petitioners ran from pillar to post for redressal of their grievances, but remain in-vain, the petitioner still feeling aggrieved, having no other adequate remedy except to invoke the constitutional jurisdiction of this Honourable Court inter-alia on the following amongst other grounds: -

GROUNDS: -

A) That, the impugned denotification/withdrawal orders issued by respondents Nos. 3 & 4 at the behest of respondent No. 5 are wrong, illegal, against the law, facts, policy, arbitrary, fanciful, perverse, without lawful authority, based on malafide, discriminatory and against the norms of justice, hence liable to be struck down.

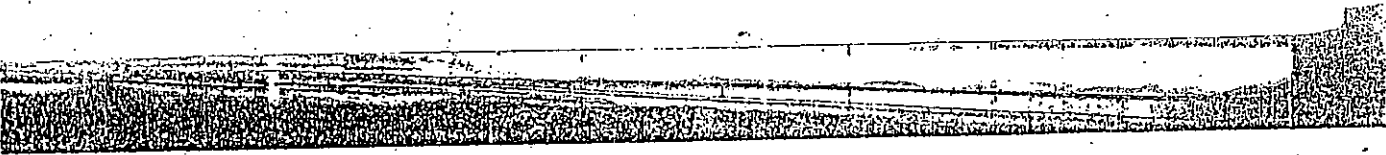
That, the petitioners have got the permanent resident certificates from Union Council concerned, wherein it was categorically mentioned that the petitioners are the residents

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EXAMINER
24 MAY 2013
Peshawar High Court and Bench
Authorized Under Sec: 75 Evid Ordns

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Additional Registrar
Peshawar High Court
Abbottabad Bench
15/4/16

Attested
[Signature]



of District Torghar furthermore the said P.R.C. duly attested by the District Nazim Torghar, which makes it crystal clear that the petitioners are the permanent residents of District Torghar. It is important to note that nothing incriminating has been attributed in the impugned order. The petitioners have fulfilled all the requisite, formulated requirements as per law. The respondents Nos. 3 & 4 have not considered this important aspect of the case. Hence, traveled beyond their jurisdiction.

C) That, prior to the issuance of impugned order no notices were given to petitioners which was the legal requirement of the law. respondents Nos. 3 & 4 issued denotification/ withdrawal order in haphazardious manner without considering the factual aspect of the case and without giving an opportunity of being heard which was the fundamental, legal and constitutional right of

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WATKINS
Court A.M. Bench
Order No: 75 Evid Ordns.

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Additional- Registrar
Peshawar High Court
Abbottabad Bench
21/9/16

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OR

the petitioners and have knocked out merely on technical ground without advertng to the documentary evidence as well as decisions of jirgas convened by the elders of the area just due to political pressure and baseless allegations.

D) That, the petitioners are residing in Torghar permanently and applied for the advertised post on the basis of their domicile and CNIC which are of worth perusal, wherein the petitioners were shown as permanent residents of district Torghar. Respondents Nos. 3 & 4 either not considered the same, overlooked CNIC and domicile address which caused great prejudice to the petitioners and resulted grave discrimination.

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EXAMINER
24 JUN 2013
Peshawar High Court Afdl. Bench
Authorized Under Sec: 75 Evid Ordns.

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Additional Registrar
Peshawar High Court
Abbottabad Bench
24/9/16

E) That, respondent No. 5 being the concerned authority has totally ignored the prior issued domicile of his office as well as the office of Deputy Commissioner, Mansehra.

Attested
[Signature]

before the Notification of District Torghar. Respondent No. 5 on the basis of mere assumptions inspite of due permanent resident verification by all the locals and elders of the locality and their affidavits have done a grave mistake and transgressed all norms of justice, fair play good conscious.

F) That, order passed by respondents is a clear discrimination on the basis of ulterior motives by overlooking relevant rules and regulations, which comes within the jurisdiction of this Honourable Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973.

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EXAMINER
7: 50
High Court Bench
Authorized Under Sec: 75 Evid Ordns:

G) That, domicile "is a document which is issued to a person in connection with his permanent/originating residence". All the respondents have not found any other domicile nor any other residential document which manifests the domicile as a fake one. All practice by the

Attested
H. S. Khan

High Court
21/9/16

respondent No. 5 is not warranted by law as all domiciles bears the whole process by the concerned authorities. Moreover, each petitioner has only one and present domicile issued by the concerned authorities after fulfillment the all codal formalities. Impugned orders of respondents is suspicious, which caused injustice to the dignity and legal status of petitioners among the society which is not tenable in the eye of law.

H) That, it is inalienable right of the petitioners to enjoy the protection of law and to be treated in accordance with law, rules and regulations while this right of the petitioners have been transgressed by the respondents.

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EXAMINER
7053
Prescribed by: C.S. & A.D. Bench
Authorized Under Sec: 75 Evid Ordns.

I) That, the imposes a sacred duty upon all public functionaries to act in accordance with relevant law, rules, regulations, justice, equity and fair play and the impugned order of the

[Signature]
21/9/16

Attested
[Signature]

respondents is absolutely in disregard of the concept of justice and fair play.

It is, therefore, most humbly prayed that on the acceptance of instant writ petition impugned denotification/withdrawals issued by respondents Nos. 3 & 4 may please be declared as illegal, unlawful, against the facts and policy, arbitrary, fanciful, perverse, discriminatory, without lawful authority, based on malafide be struck down and petitioners be re-instated with all back benefits according to their initial appointment orders or any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be passed/issued.

INTERIM RELIEF

It is further requested that the operation of impugned denotification/withdrawal orders may please be suspended and respondents Nos. 3 & 4 be stopped from appointing any other persons on the concerned vacant posts by advertising the posts of petitioners as vacant or by performance of any other act which is

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EXAMINER
24/9/16
Punjab High Court Aid. Bench
Authorized Under Sec. 75 Evid Ordns.

24/9/16

Attested
H [Signature]

ANNEXURE 'E'

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
<p>15.05.2016</p> <p><i>[Signature]</i></p>	<p><u>W.P.No. 897-A/2016.</u></p> <p>Present: Mr. Adeel Ahmad, Advocate, for the petitioner.</p> <p>Mr. Yasir Zahoor Abbasi, Assistant A.G. alongwith Fakhar Saeed, ADEO (Litigation) Torghar.</p> <p>Mr. Junaid Anwar Khan, Advocate, for respondent No.7.</p> <p>Mr. Naeem Anwar, Advocate, for respondent No.9.</p> <p>***</p> <p><u>LAL JAN KHATTAK, J.-</u> Through this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioners have prayed this court for issuance of a writ declaring the notifications bearing Endorsement Nos. 2967-75, 2861-69, 2915-23, 2844-52, 2826-34, 2852-60, 2879-89, 2940-48, 2907-14 and 2932-39 dated 07.09.2016 as illegal, unlawful and of no legal effect whereby their appointment orders have been withdrawn.</p> <p>2. Arguments heard and record gone through.</p>

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 EXAMINER
 24 MAY 2018
 Peshawar High Court Abd. Bench
 Authorized Under Sec: 75 Evid Ordns.

Attested
[Signature]

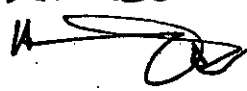
3. At the very outset, learned counsel for the petitioners pointed out at the bar that the issue raised by the petitioners in this petition has already been laid to rest by this court in judgments dated 21.02.2018, 22.02.2018, 09.05.2018 and 10.05.2018 delivered in Writ Petitions No. 910-A/2016, 209-A/2017, 1082-A/2016 and 48-A/2017 respectively wherein, while accepting the referred petitions this court has not only declared the 'likewise notifications as illegal and of no legal effect but at the same time also ordered for re-instatement of the petitioners therein in their service leaving the respondents at liberty to proceed against them, if they so wish but in accordance with law and rules on the subject.

Open

4. Perusal of the case record would show that the petitioners' case is fully at par with the referred writ petitions. When in all respect the petitioners' case is identical with the cases already decided by this court, then there would be no justification to take a view different than the one already taken by this Court earlier.

5. in the wake of the above and for the reasons given

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 EXAMINER
 24/11/2018
 Probationary Court Librarian
 Authorized Under Sec 73 Evid Ordns.

Attested


in the referred judgments, this petition is allowed and consequently, the impugned notifications dated 07.09.2016 are declared illegal, unlawful and of no legal effect with direction to the respondents to re-instate the petitioners in their service, however, the respondents would be at liberty to proceed against them if they so wish but in accordance with law and rules on the subject.

*Self Judge,
Self Judge,*

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EXAMINER
24 MAR 2016
Court And Bench
Authentic under Sec 75 Evid Ordns.

Attested
[Signature]

Sd/- PS

Hon'ble Mr. Justice Lal Jen Khattak
Hon'ble Mr. Justice Muhammad Nasir Mahfooz



ANNEXURE 'F' 30
OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
DISTRICT TOR GHAR

Email: torgharemis@gmail.com



NOTIFICATION

In compliance with the Judgment of Honorable Peshawar High Court Bench Abbottabad, dated 15/05/2018, in Writ Petition No. 897-A/2016, the services of the following teachers are reinstated on their posts in the schools mentioned against each from the date of their withdrawn order.

S. NO	NAME	FATHER NAME	DESIGNATION	NAME OF SCHOOL
1	Muhammad Ismaeel	Bakht Zada	PST	GPS Legra MK
2	Muhammad Ikram	Muhammad Ashiq	PST	GPS Shagai
3	Said Farid	Abdul Shaheed	PST	GPS Shagai
4	Hashim Ali	Hazrat Ahmed	PST	GPS Soray Asharay
5	Akhtar Muhammad	Yaqeen Khan	PST	GPS Gari H/Zai
6	Jamal Khan	Hajim Khan	PST	GMPS Barar Shatal
7	Noor Zada	Ghulam Muhammad	PST	GPS Shatal
8	Syed Farman Ullah Shah	Usman Ullah Shah	PST	GPS Kand Bala
9	Nusrat Shah	Iqbal Shah	CT	GMS Shadag
10	Sharif Ur Rehman	Yaquob Khan	CT	GMS Kotkay

Their arrears of pay and allowances will be decided on the outcome of the de-novo inquiry.

SD

District Education Officer (M)
District Tor Ghar

Endst: No. 4980-36 /Dated 03 107 /2018.

Copy for information to the.

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Tor Ghar.
3. District Monitoring Officer IMU Tor Ghar
4. District Accounts Officer Tor Ghar
5. Head Master/Head Teacher GPS/GMS Concerned.
6. Teacher Concerned.
7. Office File.

District Education Officer (M)
District Tor Ghar

Note. All employees education department & other interested ones, please Type "Follow torghardeo" in your mobile message & send it to "40404" to get free tweets of DEO Education Torghar on your mobile.

Abdul Wahid
H. S. D. G.

ANNEXURE 'C' 2 31



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
CIVIL SECRETARIAT HEAD QUARTER JUDBA DISTRICT TOR GHAR

torgharemis@gmail.com

/deomaletorghar

@torghardeo



No. 2336 /Dated: 31/01/2019

To,

Mr. Syed Farman Ullah Shah PST
GPS Kand Bala Tor Ghar

Subject: **SHOW CAUSE NOTICE**

I, Mr. Khan Muhammad, the District Education Officer (M) Elementary and Secondary Education District Tor Ghar as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve you as follow.

- (i) In compliance with Judgment of Honorable Peshawar High Court Bench Abbottabad dated 15/05/2018, in Writ Petition No. 897-A/2016, you were reinstated in your services subject to de-novo inquiry for the purpose of domicile verification by the issuing authority i.e Deputy Commissioner Tor Ghar. In this regard the Deputy Commissioner Tor Ghar conducted detail inquiry vide letter No. Steno/ADC(2018)/TG/131 Dated 27/12/2018, by stating therein that you are not Bonafide resident of District Tor Ghar and the Domicile Certificate has wrongly been issued to you and the same was declared as fake/bogus.
- (ii) Ongoing through the material on record and report of the Deputy Commissioner Tor Ghar vide letter quoted above. I am satisfied as per provision of Rule 7 of the Khyber Pakhtunkhwa Government Servants (E& D) Rules, 2011, that you have committed the following acts/omissions specified in rule-3 of the said rules:

(a) Misconduct

(b) Provision of Fake Document

(c) Corruption

2. As a result thereof, I, as competent authority, have tentatively decided to impose upon you the Major penalty of **DISMISSAL FROM SERVICE** under rule 4 of the said rules.

3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also attend this office for personal hearing.

4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

POSTED 9
- DA - for N/A
A C 31/19

District Education Officer (M)
E&SE Tor Ghar

Endst: No. 2337-40 /Dated 31/01/2019.

Copy for information to the:-

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Tor Ghar
3. Sub Divisional Education Officer Male Hassan Zai Tor Ghar
4. Office File

District Education Officer (M)
E&SE Tor Ghar

ان کے لئے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے
ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے

ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے
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ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے

ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے
ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے

ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے
ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے

ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے
ان کے لئے ہے جو کہ ان کے لئے ہے وہی گناہوں کا گناہ ہے اور ان کے لئے ہے

Attest
[Signature]



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
CIVIL SECRETARIAT HEAD QUARTER JUDBA DISTRICT TOR GHAR



torgharem1@gmail.com



deomaletorghar



@torghardeo



NOTIFICATION

ANNEXURE 'H' 34

WHEREAS Mr. Syed Farman Ullah PST GPS Kand Bala District Tor Ghar was proceeded against under Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 on account of producing fake domicile certificate for appointment against the post of PST.

2. AND WHEREAS The teacher concerned was appointed against the post of PST at GPS Kand Bala through NTS 2016 vide this office Notification No. 908-18 Dated 09/04/2016. ✓

3. AND WHEREAS the Domicile Certificate of the teacher concerned was forwarded to Deputy Commissioner Tor Ghar for verification, the authority concerned declared his domicile as unverified/fake vide letter No. 1394/DC(2016)/TG/ dated 19/05/2016 as well as letter No. 806/AAC(K)/TG Dated 28/04/2016.

4. AND WHEREAS in light of the Deputy Commissioner letter referred above and read with terms of condition No. 05 of the appointment order issued vide No. 919-28 Dated 09/04/2016, and subsequently the concerned teacher was de-notified vide this office letter No.2940-48 Dated 07/09/2016.

5. AND WHEREAS the accused teacher instituted Writ Petition No. 897-A/2016, against the impugned order, which was decided by the Peshawar High Court Bench Abbottabad on 15/05/2018, the Honorable High Court passed its judgment in favor of the petitioner for re-instatement to the service by pointing out that the petitioner had not been given opportunity to avail due procedure of justice before dismissed from service.

6. AND WHEREAS in the light of the Judgment of the Honorable Court Peshawar Bench Abbottabad, the teacher concerned was reinstated/adjusted vide this office Notification No. 4930-36 dated 03/07/2018 subject to the outcome findings of the de-novo inquiry and the same was communicated to the Deputy Commissioner Tor Ghar vide this office letter No. 4956 Dated 03/07/2018.

7. AND WHEREAS the Deputy Commissioner Tor Ghar conducted de-novo inquiry and submitted his recommendation vide letter No. DOM/DC(2018)/TG/2253 Dated 31/12/2018, that the teacher concerned was not bonafide resident of District Tor Ghar and domicile certificate had wrongly been issued to him and subsequently cancelled his domicile vide letter No. Estb/DC(2019)/TG/274-84 Dated 27/03/2019.

8. AND WHEREAS Show Cause Notice was served upon concerned teacher vide this office letter No. 2337-40 dated 31/01/2019, and he submitted his reply to the Show Cause Notice, which was declared by the competent authority as non-convincing.

9. AND WHEREAS the Competent Authority (District Education Officer 'M'), after having considered the charges and evidence on record, report of the Deputy Commissioner Tor Ghar and response of teacher to the personal hearing make vide letter No. 3173-75 Dated 09/03/2019, found the teacher guilty forgery.

10. NOW, THEREFORE, in exercise of the powers conferred under the Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011, the Competent Authority (District Education Officer 'M') is pleased to impose major penalty of "DISMISSAL FROM SERVICE FROM THE DATE OF HIS APPOINTMENT" upon Mr. Syed Farman Ullah Shah PST GPS Kand Bala District Tor Ghar.

M. Farman
District Education Officer (M)
District Tor Ghar

M. Farman
District Education Officer (M)
District Tor Ghar

Endst: 199-208 /Dated: 27/05/2019

Copy of the above is forwarded to the -

1. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. Deputy Commissioner Tor Ghar
3. District Monitoring Officer IMU Tor Ghar
4. District Accounts Officer Tor Ghar
5. Sub Divisional Education Officer Male Hassan-Zai
6. Teacher Concerned.
7. Office File

M. Farman
District Education Officer (M)
District Tor Ghar

محمد صہاب ڈائریکٹر صاحب محلہ تعلیم P.K. کابل سید

تاریخ برآمد قلم محررہ 29/5/59
D.O. صادرہ صلح تو عمر سے سائل کو نوکری
Dismissed قلم کیا

صہاب عالی

کہ سائل آباد اہلاد سے صلح تو عمر جا سکونتی بامستہ رہت
کہ سائل نے مال ماہ 2 د میں محلہ تعلیم صدرانہ صلح تو عمر
میں P.T.C کے طالبی آسامی کیلئے اپنے کاغذات جمع کیلئے
یکم 9/16 کو سائل کی تعلیمی عیبت P.T.C کو ریفرت
پرائمری سکول کتہہ بازار میں ہوئی

کہ بعد از تعلیمی سائل نے مذکورہ سکول میں اپنے فرائض
انجام دینا شروع کیا

کہ اس کا بعد قلمی سیاسی فرائض سے سائل نے صرف
صحت قلم کی درخواستیں D.O. صلح تو عمر کو
گزاریں۔ جس کے بعد D.C نے تقریباً سائل
کی ڈیوٹی سائل کینسل کرنے کے ساتھ ساتھ سائل کو نوکری سے
نازع کیا

Attested


کہ مذکورہ قلم کو سائل نے بذریعہ آئینی درخواست عدالت
عالیہ میں جمع کیا۔ جس کو عدالت عالیہ نے منظور کیا
یا۔ اس کے بعد D.C طلب نے نکلنے کے طور پر دوبارہ
انکوائری شروع کیا۔
کہ اسی طرح D.O. صلح نے سائل کے صرف

36 سندھ کارپوریشن جاری کیا۔ جس کا باقاعدہ جواب سائل نے جمع کیا۔

جس پر فوراً 29/5/1957 کی D.O. صوبہ سائل کو دوبارہ نوٹری سے فارغ کیا۔ جب سائل کو کسی قسم کا حق رعا، صفائی کا حوالہ نہیں دیا۔ اور نہ ہی کوئی انڈسٹری ایبل قانون عمل میں لائی گئی ہے۔

یہ کہ مذکورہ حکم تحریرہ 29/5/1957 سراسر عدویہ قانون، عدوت و امتعات سے

استدلال ہے حکم تحریرہ 29/5/1957 کو مبالغہ قرار دے کر سائل کو عین تمام سابقہ مراعات نوٹری میں بحال کرنے کا حکم فرمائی جاوے

المخروم 29/6/1957

Attested
H. [Signature]

سید فرمان اللہ ولد سید عثمان اللہ شاہ سکنہ کنڈھارو
کنڈھارو ضلع تور عمر (سابقہ PST گورنمنٹ پرائمری

سکول کنڈھارو ضلع تور عمر)
[Signature]

وکالت نامہ

کورٹ فیس

بعدالت BEFORE THE K.P.K. Senior Tribunal

عنوان: Syed Farmanullah نام Cont

منجانب: Appellant

نوعیت مقدمہ: Appeal

باعث تحریر آنکہ A. Abad

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آن مقام

Hamayun Khan Amrota

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

استجارت نالاش بصیغہ مفلسی کے دائر کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم: 7/11/19

Accepted by

بمقام: Syed Farmanullah
ایبٹ آباد

"A"

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

TB

No.

APPEAL No. 1493 of 20 19

Syed Farmanullah Shah

Appellant/Petitioner

Versus

Through Syed Ehsanullah Shah

RESPONDENT(S)

Notice to Appellant/Petitioner

Syed Farmanullah Shah
S/o Syed Usman Shah Caste Akka
R/o Daro Akazai Tehsil Kandahar
Distt. Torghar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 20-3-2020 at 9:00 AM

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

at Camp Court Abbottabad

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

"B"

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

113

No.

Appeal No..... 11393 of 20 19

..... Syed Faysalullah Appellant/Petitioner

Versus

..... Through Secy. Edu. & Ple. Pesh. Respondent

Respondent No..... 3

Notice to: - Distt. Education office (M) Distt. Torghar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... 18-11-2020 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..... 29th Day of..... Sep. 20 20

at Comp Court A. Plead

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar

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

"B"

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

No.

TB

Appeal No. 1493 of 2019

Syed Farmanullah Appellant/Petitioner

Versus

Through Secy: Edu: 14 Pk Respondent

Genl: of 14 Pk Respondent No. 1
Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 18-11-2020 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 29/11.....

Day of Sep.....2020

at Camp Court A Road

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, TB
PESHAWAR.

No.

1493

19

Appeal No. Syed Farmanullah of 20

Appellant/Petitioner

Through Sergent Edu. KPLC Pesh.

Respondent

Director, Edu. Sec. Educational Dept. of
KPLC Peshawar.

Notice to: -

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Wb/He 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.....
at Camp Court A. Head

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. 1493 of 2019

Syed Farmanullah Shah Appellant/Petitioner

Versus

Through Seyf Edin K.P.I. Respondent

Respondent No. 3

Notice to:

Distt. Education Officer (Male)
Distt. Torghar

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 14-6-2021 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 1st

Day of March 20 21

At Camp Court A Head

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

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

"B"

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

No.

TB

Appeal No. 1493 of 20 19

Syed Farnanullah Appellant/Petitioner
 Versus

Through Secy. Edu. K.P. Respondent
 Respondent No. 2

Notice to:

Director, Ele. & Sec. Education Govt. of K.P.
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 14.6.2021 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 1st

Day of March 20 21

at Camp Court A-Abad

[Signature]
8/3/21

[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.