

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No 1/2022

Dr Salma Sami.....Appellant

VERSUS

Govt. & others.....Respondents

INDEX

S.No	Description of documents	Annexure	Pages
1.	Impleadment Application with Affidavit		1-2
2.	Copy of Notification dated 14-09-2022 & Arrival Report is	A B	3-8
3.	Copies of Appeals are enclosed	C	9-10
4.	Copies of Notifications dated 14-12-2021 & Notification dated 20-12-2021	D E	11-12
5.	Vakalatnama		13

Dated:-22-11-2022


Applicant

Through 

Fazal Shah Mohmand

Advocate,

Supreme Court of Pakistan

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

Email:- fazalshahmohmand@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No 1/2022

Dr Salma Sami.....Appellant

VERSUS

Govt. & others.....Respondents

Application Under Order 1 Rule 10 CPC 1908, for the Impleadment of SughraSadaf, Principal Govt. Girls Higher Secondary School, Irrigation Colony, Peshawar, in the panel of respondents

Respectfully Submitted:-

1. That the above cited Service Appeal is pending before this honorable tribunal wherein next date of hearing is fixed for 28-11-2022.
2. That the applicant is necessary party to the titled Service Appeal as vide Notification dated 14-09-2022, the applicant was posted/transferred as Principal Govt. Girls Higher Secondary School Irrigation Colony Peshawar where she also reported arrival for assumption of charge but charge was not allowed to her by the appellant of titled case, as according to her interim order has been granted in her favor in the titled Service Appeal by this honorable Tribunal. **(Copy of Notification dated 14-09-2022 & Arrival Report is enclosed as Annexure A & B).**
3. That the applicant also approached respondent's time and again for allowing her to assume the charge of her post but to no fruit till date. It is worth to mention that the as the applicant has been transferred to the GGHS Irrigation Colony Peshawar so her valuable rights are adversely affected, the applicant as such is necessary party to the titled lis. **(Copies of Appeals are enclosed as Annexure C).**
4. That as such the titled Service Appeal has become infructuous besides the same is based on malafide.
5. That even otherwise the appellant has concealed material facts from this honorable Tribunal, as the appellant was transferred as Principal GGHS Gulabad Jamrud, District Khyber vide Notification

dated 14-12-2021, as such even if the impugned Notification dated 20-12-2021 has been suspended or if is declared illegal, even then the appellant has to perform her duties as Principal GGHS Gulabad Jamrud, District Khyber which fact she has concealed from this honorable Tribunal. **(Copies of Notifications dated 14-12-2021 & Notification dated 20-12-2021 is enclosed as Annexure D &E).**

6. That the law on the subject is very much clear which allows this honorable Tribunal to order for impleadment at any stage which rather would not only serve the ends of justice rather is the best interest of justice.

It is therefore prayed, that on acceptance of this Application/Petition, the applicant may kindly be ordered to be impleaded in the panel of respondents in the ends of justice.

Dated:-22-11-2022

Sadaf
Applicant

Through *Fazal Shah*

Fazal Shah Mohmand

Advocate,

Supreme Court of Pakistan

AFFIDAVIT:

I, SughraSadaf, Principal Govt. Girls Higher Secondary School Irrigation Colony Peshawar, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Impleadment Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

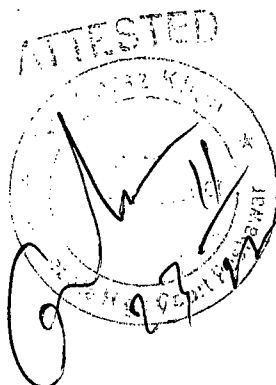
Sadaf
DEPONENT

Identified by

Fazal Shah

Fazal Shah Mohmand

Advocate Peshawar





GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
OFFICE & POSTER MPAN HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

3

Annex
"A"

Dated Peshawar, September 14th, 2022

NOTIFICATION

NO.50(SF)J&SED/4-16/2022/Posting/Transfer/51 Upon their promotion vide notification
NO.50(SF)J&SED/2-12/2022/Promotion dated:20.04.2022 the following Teaching Cadre (BS-19)
Officers are hereby posted against the post mentioned against each.

Signature

ATTESTED

Sr. #	Name/ Designation	Present Posting	To	Remarks
1	Mst. Anis Bano	GGHSS Dhanitor Abbottabad	GGHSS Sherwan Abbottabad	AVP of Principal (BS-19)
2	Mst. Talata Tabassum	GGHSS Shahdand Baba Mardan	GGHSS Jalala Mardan	AVP of Principal (BS-19)
3	Mst. Salma Kaboomi	GGHSS Lator Swabi	GGHS Panjpir Swabi	Vice Sr. No.12
4	Mst. Nooreen Afzal	RPDC (Female) Peshawar	GGHS Prang Charsadda	AVP of Principal (BS-19)
5	Mst. Azra Begum	RPDC Malakand	RPDC Malakand	Agent Sr. No.45
6	Mst. Gul E Rana	GGHSS Jugiswara Peshawar	GGHS KSK Swabi	AVP of Principal (BS-19)
7	Mst. Alia Iqbal	GGHSS Chankani Peshawar	Shakar Dara Kohat	AVP of Principal (BS-19)
8	Mst. Ambareen Fatima	GGHSS No.2 D.1 Khan	GGHSS Jandola Tank	AVP of Principal (BS-19)
9	Mst. Nusrat Parveen	GGCMHSS No.6 D.1 Khan	GGHSS Karak No.1	AVP of Principal (BS-19)
10	Mst. Salima	GGHSS Toru Mardan	GGHSS Palai Malakand	AVP of Principal (BS-19)
11	Mst. Shabana Rehman	GGHS No.1 Lakki Marwat	GGHSS No.1 Serai Nurang Lakki Marwat	Vice Sr. No. 42
12	Mst. Zuhaida Bibi	GGHSS Panjpir Swabi	GGHS Zaida Swabi	AVP of Principal (BS-19)
13	Mst. Fareeda Sabeen	GGHSS University Town Peshawar	GGHSS Matta Palanzai Charsadda	AVP of Principal (BS-19)
14	Mst. Shaheen Shehriaz	GGHS Takhti Nasrati Karak	GGHS Chokara Karak	AVP of Principal (BS-19)



(4)

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE MPA'S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223558

cal
ATTES

15	Mst. Gul E Rama Sidiq	GGHSS Peshawar	BSD	GGHS No.1 Hangu	AVP of Principal (BS-19)
16	Mst. Saeeda Tabassum	GGHSS Kocher Swabi		GGHSS Sheera Swabi	AVP of Principal (BS-19)
17	Mst. Bibi Amira	GGHSS Parkho Dheri Mardan		GGHSS Hafizain Mardan	AVP of Principal (BS-19)
18	Mst. Banaras Begum	GGHS Akora Khattak Nowshera		GGHSS Totakan Malakand	AVP of Principal (BS-19)
19	Mst. Yasmin Ara Bibi	GGHSS Shabland Baba Mardan		GGHSS Rustam Mardan	AVP of Principal (BS-19)
20	Mst. Shamita Tabassum	GGHS Naivala D.I Khan		GGHSS Ismaili Manu Khel Bannu	AVP of Principal (BS-19)
21	Mst. Jamila Begum	GGHS Markam Malakand		GGHSS Dheri Alhadand Malakand	AVP of Principal (BS-19)
22	Mst. Shaista Kanwal	GGHSS Jungle Khel Kohat		GGHSS Gumbat Kohat	AVP of Principal (BS-19)
23	Mst. Ishaad Begum	GGHSS No.4 Bannu City		GGHSS Bilawar Khori Bannu	AVP of Principal (BS-19)
24	Mst. Farrah Deba	GGHSS Lahore Swabi		GGHSS Kalukhan Swabi	AVP of Principal (BS-19)
25	Mst. Farzana Yasmin	GGHSS Jungle Khel Kohat		GGHSS Qamar Zaman Mandew Bannu	AVP of Principal (BS-19)
26	Mst. Shaista Gul	GGHSS University Town Peshawar		GGHSS Charasadda Mardan	AVP of Principal (BS-19)
27	Mst. Romaisa Sadiq	GGHSS Sahibzada Umar Khan Shaheed Peshawar		GGHSS Tehkal Peshawar	AVP of Principal (BS-19)
28	Mst. Farhana	RPDC Swabi		GGHSS Kunda Swabi	AVP of Principal (BS-19)
29	Mst. Sadaf Rehana Malik	GGHSS Comprehensive Abbottabad		GGHSS Siri Kot Haripur	AVP of Principal (BS-19)
30	Mst. Syeda Tayyaba	GGHSS Comprehensive Abbottabad		GGHSS Kot Najibullah Haripur	AVP of Principal (BS-19)
31	Mst. Shagufta Khanam	GGHSS Peshawar	BSD	GGHSS Tiner Khel Lakki Marwat	AVP of Principal (BS-19)
32	Mst. Iffat Begum	GGHSS Sahibzada Umar Khan Shaheed Peshawar		RPDC Peshawar	AVP of Principal (BS-19)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A OPPOSITE M.P.A.S HOSTEL, CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-9223588

5

ATTESTED

33	Mst. Sughra Saiful	DPD Peshawar	GGHSS Irrigation Colony Peshawar.	Vice Sr.44
34	Mst. Nusrat Hussain	GGHSS Garhi Habibullah Manshra	GGHSS Thathi Khurd Manshra	Vice Sr. No.41
35	Mst. Samia Danish	DCTE Abbottabad	GGHSS Bulakot	AVP of Principal (BS-19)
36	Mst. Rashan Ara	GGHSS Ningolai Swat	GGHSS Malu Swat	AVP of Principal (BS-19)
37	Mrs. Ishrat Jabeen	GGHSS Peshawar BSD	GGHSS Jumarud Khyber	Vice Sr. No.43
38	Mst. Rohina Farooq	GGHSS Dhamtor Abbottabad	GGHSS KTS Sector No. 2 Haripur	AVP of Principal (BS-19)
39	Mst. Zeb Jehan	GGHSS Chankani Peshawar	GGHSS Saidu No. 1 Swat	AVP of Principal (BS-19)
40	Mst. Sheila Nauman	GGHSS University Town Peshawar	GGHSS Koper Malakand.	AVP of Principal (BS-19)
CONSEQUENTIAL POSTING				
41	Mst. Fehmida Malik, Principal (BS-18) working against the post of (BS-19) in OPS	GGHSS Thathi Khurd Manshra	GGHSS Dairband Manshra	AVP of Principal (BS-18)
42	Mrs. Shabana Nooren, (BS-18)	GGHS Serai Naurang Lukki Muewat	GGCMFSS No. 06 D.I Khan	Vice Sr. No. 09
43	Najma Niaz, Principal (BS-18)	GGHS Khyber Jumarud	DPD Peshawar	Vice Sr. No.33
44	Dr. Salma Sami Principal (BS-18)	GGHSS Irrigation Colony	GGHSS Malogi, Peshawar	AVP of Principal (BS-18)
45	Dr. Dil Ara Begum Principal (BS-19)	Instructor (BS-19), RPDC (Female) Malakand	RPDC (Female) Malakand (BS-20)	Against Vacant Post of Principal (BS-20) in OPS



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
BLOCK A (OPPOSITE MPA'S HOSTEL), CIVIL SECRETARIAT PESHAWAR
PHONE NO 091-922322

6

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT**

Ends: of even No. & date:

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. CSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE, Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) concerned.
5. District Account Officer, concerned.
6. Director EMIS, E&SE Department for uploading at official website at the website.
7. PS to Minister for E&SE Department, Khyber Pakhtunkhwa.
8. PS to Secretary, E&SE Department.
9. PA to Additional Secretary, E&SE Department.
10. Officers/Officials Concerned.
11. Office order file.

ewls
ATTESTED

Muhammad Faizan Zeb
(MUHAMMAD FAIZAN ZEB)
SECTION OFFICER (S/F)

Relieving Chit

Peshawar, you have been re-
near vide elementary &
E&SED/4-

7

Scanned with CamScanner

Arrival Report

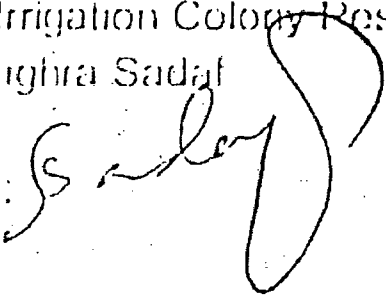
According to notification: Dated Peshawar, September 14, 2022

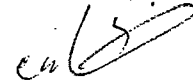
NOTIFICATION NO.SO(S/F)E&SED/4-16/2022/Posting/Transfer/51: Upon their promotion vide
notification NO.SO(S/F)E&SED/2-3/2022/promotion dated 20.04.2022.

I, Sughra Sadaf, am posted as a principal at GGHSS Irrigation Colony Peshawar. I arrived at
GGHSS Irrigation Colony Peshawar, dated 15th September, 2022, at 8:00 am.

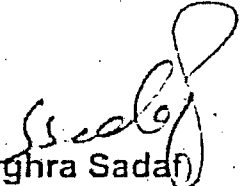
Name: Sughra Sadaf

Signature:




ATTESTED

In pursuance of the Government Khyber Pakhtunkhwa, Elementary and Secondary Education Notification No.SO(S/F)E&SED/4-16/2022/POSTING/TRANSFER/51, I, Sughra Sadaf, hereby assume the charge of the post of Principal at GGHSS Irrigation Colony, Peshawar, today on 1st October 2022.


(Sughra Sadaf)
Principal,

GGHSS Irrigation Colony, Peshawar,
Khyber Pakhtunkhwa.

Copy to .

1. The Secretary of E&SE, Khyber Pakhtunkhwa
2. The District Accounts Officer, Peshawar, Khyber Pakhtunkhwa
3. The Director E&SE, Peshawar, Khyber Pakhtunkhwa
4. The DEO E&SE (Female), Peshawar, Khyber Pakhtunkhwa


ATTESTED

To

The Secretary (L & SED)
KP Peshawar.

Annex "C" (9)

Subject: APPEAL

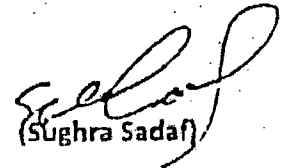
Respected sir,

The appellant submits as under:-

1. That the appellant is working in Education Department from the last 19 years.
2. That on 14 September 2022 the appellant was promoted from BPS-18 to BPS-19.
3. That in the said order the appellant is adjusted in GGHS Irrigation Colony Peshawar.
4. That Mst: Salma Sami Principal is adjusted in GGHS Malogi Peshawar who is BPS-18 while the said post is BPS-19.
5. That when the appellant visited GGHS Irrigation Colony to take over charge to the appellant.
6. That the appellant visited time and again to your good office and wrote letters for seeking the solution of the problem but still action awaited.
7. That the salary of the appellant will be stop form the running month and the appellant will be face so many problems because without salary the daily life expenses cannot manage.
8. That the appellant is tired from the visit of concerned offices time and again but in vain.


Therefore, it is requested to order the Principal Mst: Salma Sami Principal GGHS Irrigation Colony Peshawar to relieve herself from the post of Principal in the best interest of public.

Dated 5 October, 2022


(Sughra Sadaf)

Principal,
GGHS Irrigation Colony Peshawar

Recd
A.S.P.
26/10/


ATTESTED

مخزن : اپیل

ضابطہ عالی: سائل حسب ذیل غرض رساں ہے۔

- یہ کہ سائل ملکہ اجموین میں 19 سال سے خدمات سرانجام دے رہی ہے۔

- یہ کہ سائل کا 15/9/2022 کو 18-BPS سے 19-BPS کو ترقی ہو چکی ہے۔

- یہ کہ جب سائل تعلقہ سکول چارج لینے کی تو پرنسپل کو دفعتاً رٹن ہائی سکول (Dargah Colony) نے چارج دینے سے انکاری پائی تھی۔

- یہ کہ جب میں نے تعلقہ آفسر سے رابطہ کیا تو اس نے کہا کہ پرنسپل تعلقہ سکول نے عدالت حضور سے حکم امتیازی لے چکی ہے۔

- یہ کہ سائل نے عدالت حضور سے اپیل سماہ سٹی میں ہی عدالت نظر حاصل کر چکی ہے جس میں سیٹ لڈا بیدر عدالت حضور سے

لگاؤ حکم امتیازی جاری نہیں ہو چکی ہے۔
(اپیل نامہ عدالت سائل کے لیے)

Remind لکھنؤ انسداد میں جاتی ہے کہ سائل کی درخواست پر غور کرنا شکر فرمائیں
الذم: 27/10/22

502
27/10
27/10/22

پریسٹیشن ڈیپارٹمنٹ
27-10-22
27/10/22

23359017334

Handwritten signature

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No: 091-9223588

Annex D 11

Dated Peshawar the December 14th, 2021

NOTIFICATION

NO. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER/TC: The Competent Authority, in light of the Judgment of the Khyber Pakhtunkhwa Service Tribunal Peshawar dated 25-06-2021 in Service Appeal No-10297/2020, is pleased to order the following posting / transfer, with immediate effect, in the public interest: -

Sr. No	Name & designation	From	To
1.	Mst. Noshaba, Principal (BS-19)	GGHS Kernal Sher Khan Swabi.	Principal GGHS, Irrigation Colony, Warsak Road Peshawar (Vice No-2)
2.	Dr. Salma Sami, Principal (BS-18)	GGHS, Irrigation Colony, Warsak Road Peshawar	Principal GGHS Gulabad Jamrud, Khyber against the vacant post.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the: -

1. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Female) Peshawar, Swabi & Khyber.
5. District Accounts Officer Swabi & Khyber.
6. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
7. Section Officer (Litigation-II), E&SE Department, Khyber Pakhtunkhwa.
8. PS to Minister for E&SE, Khyber Pakhtunkhwa.
9. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
10. Principal concerned.
10. Master file.

ATTESTED

(SAMIRA MEHSOOD)
SECTION OFFICER (SCHOOLS FEMALE)

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223588

Annex "E" (12)

(14)

Dated Peshawar the December 20th, 2021

NOTIFICATION

NO. SO(SF)E&SED/4-16/2021/POSTING/TRANSFER/TC: In partial modification of this Department's Notification of even number dated 14-12-2021, the place of posting of Dr. Salma Sami Principal (BS-18) may be read as GGHS Matta Palangzai District Charsadda instead of GGHS Gulabad Jamrud District Khyber.

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Endst: of even No.& date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female) Peshawar, Swabi & Khyber.
4. District Accounts Officer Swabi & Khyber.
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. Section Officer (Litigation-II), E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Mst. Tahira Naz Afridi Principals, GGHS Gulabad Jamrud, Khyber.
9. Principals, GGHS Matta Palangzai District Charsadda.
10. Officer concerned.

(SAMIRA MEHSOOD)
SECTION OFFICER (SCHOOLS FEMALE)

ATTESTED

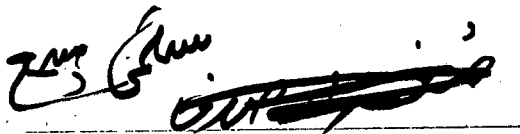
ATTESTED

VAKALATNAMA

13

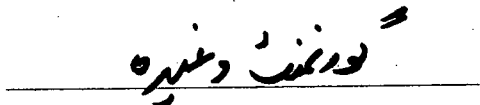
IN THE SERVICE TRIBUNAL KP, PESHAWAR.

No. _____/2022



.....Petitioner.

VERSUS



..... Respondents.

I, the undersigned, do hereby appoint and constitute,

FAZAL SHAH MOHMAND Advocate Supreme Court. To act, appear and plead in the above-mentioned matter and to withdraw or compromise the said matter or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said matter and to receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said matter.

1. To draft and sign files at necessary pleadings, applications, objections, affidavits or other documents as shall be deemed necessary and advisable for the prosecution of the said matter at all its stages.
2. To employ any other Legal Practitioner, authorizing him to exercise the power as conferred on the undersigned Advocate, wherever he may think fit to do so.

AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the above matter. I/We also hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter in consequence of his absence from the Court when the said matter is called up for hearing. I/We further hereby agree that in the event for the whole or any part of the fee to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the above matter. Received by me on 21-10-2020

CLIENT(s)

ACCEPTED BY:


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN.

