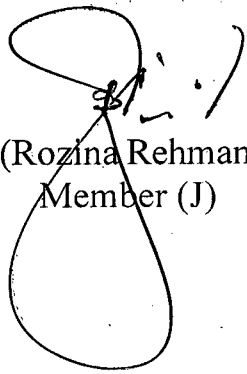


reply, office objection was fixed for orders. As respondents failed to decide the departmental appeal of the appellant in view of directions of Hon'able Peshawar High Court, therefore, office objection is no more sustainable in the eyes of law. Office objection is, therefore, removed.

Preliminary arguments heard.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments in office within 10 days of the receipt of notices, positively. To come up for written reply/comments on 16.12.2022 before S.B.

The operation of impugned order dated 20.10.2022 to the extent of appellant, shall remain suspended, if not acted upon earlier.

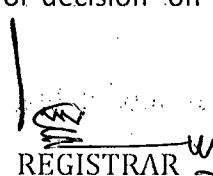


(Rozina Rehman)
Member (J)

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. _____ /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	28/11/2022	<p>As per direction of the Worthy Chairman this case be put up before Single Bench at Peshawar for decision on Office Objection on _____</p> <p style="text-align: right;">  REGISTRAR </p>
28.11.2022		<p>Counsel for the appellant present.</p> <p>Arguments on office objection as well as on appeal heard and record perused.</p> <p>Mst. Parveen has filed the instant appeal wherein she has challenged her transfer order dated 20.10.2022, vide which she was transferred from Karak to Kohistan Upper. Before filing this appeal, she had filed writ petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, wherein she had challenged her present transfer order, which was disposed off, vide order dated 03.11.2022 with directions to respondent to decide the appeal of the present appellant expeditiously, but not later than 10 days from the date of receipt of this order strictly in accordance with law, and in case her grievance is not redressed, she may approach the proper forum. Her departmental appeal was not decided, therefore, she filed the instant service appeal which was subject to Office Objection, that she filed the instant appeal on 21.10.2022, without the period of 90 days which had not yet lapsed as per Section of 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974. Learned counsel in his note/reply tried to draw the attention of Tribunal to the order passed by the Hon'ble Peshawar High Court and accordingly after submission of his</p>


#

This is an appeal filed by Mst. Parveen Begum today on 21/11/2022 against the order dated 20.10.2022 against which she made/preferred departmental appeal/representation on 21.10.2022 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. _____/ST,

Dt. _____/2022.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ashraf Ali Khattak Adv. Peshawar.

The matter is urgent nature. The order of the Honourable Peshawar High court dated 03-11-2022 which has been annexed with instant service appeal as annexure "H" page no. 24-34 is very clear; wherein the Honourable High court directed the Chief Secretary (respondant #1) to decide the departmental appeal of the appellant within period not better than 10 days and further directed that in case the departmental appeal is not decided within 10 days; the aggrieved civil servant may approach the Khyber Pakhtunkhwa Service Tribunal, immediately.

dt. 22/11/2022
Ashraf Ali Khattak
Advocate
ASC


Civ

The objection of this office and
reply of counsel for the appellant is
Submitted for order, please.

Honible Chair—on.

O/O be fixed
before the court


23/11/2022


23/11/22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1678/2022

Mst: Parveen Begum,
District Education Officer (F) (BPS-19),
E&SE Department, Karak.....Appellant.

Versus

The Govt. of Khyber Pakhtunkhwa,
Through Chief Secretary,
Civil Secretariat, Peshawar & others.....Respondents.

INDEX

S.#	Description of Documents	Date	Annexure.	Page
1.	Memo of Service Appeal with affidavit.			1-6
2.	Application for suspension of operation of impugned order.			7-8
3.	Copy of Transfer order dated 09-09-2021 and copy of Sanction Leave w.e.f. 27-06-2022 to 06-08-2022 for performance of Hajj	09-09-2021	A	9-12
4.	Copy of Secretary Education Order Ends. No.SO(MC)E&SED/4-16/2022/POSTING/TRANSFER/MC dated 05-07-2022	05-07-2022	B	13-14
5.	Copy of impugned order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022	20-10-2022	C	15-16
7.	Copies of Explanation Letter and Show Cause Notice served by the appellant upon Driver namely Wasi Ullah.	11-08-2022 & 13-08-2022	D	17-18
8.	Copy of the Explanation Letter served by the appellant to Mst. Mehwish Saeed.	20-08-2022	E	19-20
9.	Copy of the letterhead of sitting	17-09-2022	F	21

	MNA Mr. Shahid Ahmad Khattak.	& 02-10-2022		22
10.	Copy of departmental appeal.	21-10-2022	G	23.
11	Copy of writ petition along with order of the court	03-11-2022	H	24-34
	Copies of commendation certificates		I	35-45
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12.	Wakalat Nama.			50

Through

Appellant

Ashraf Ali Khattak

Advocate

Supreme Court of Pakistan

Dated: ___/10/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1678/2022

①

Mst: Parveen Begum,
District Education Officer (F) (BPS-19),
E&SE Department, Karak.....Appellant.

Versus

1. The Govt. of Khyber Pakhtunkhwa,
Through Chief Secretary,
Civil Secretariat, Peshawar.
2. The Secretary,
Govt. of Khyber Pakhtunkhwa,
E&SE Department,
Civil Secretariat, Peshawar.
3. The Director,
Directorate of E&SE,
Near Malik Saad Shaheed BRT Station,
Firdous, Peshawar.
4. Mst: Fanoos Jamal,
Deputy DEO (F) (BPS-18)
E&SE Department, ~~Khyber~~ District Khyber.....Respondents.

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
READ WITH CLAUSE NO.XIV OF THE KHYBER
PAKHTUNKHWA GOVERNMENT TRANSFER
POLICY AGAINST THE IMPUGNED POSTING /
TRANSFER ORDER Ends. No.SO(MC)E&SED/4-
16/2022PT/TC DATED 20-10-2022 OF RESPONDENT
NO.2 WHEREIN APPELLANT WAS TRANSFERRED
AND POSTED AS A DISTRICT EDUCATION OFFICER
(F) KOHISTAN UPPER AND AGAINST WHICH**

**APPELLANT FILED DEPARTMENT APPEAL WHICH
IS STILL PENDING WITHOUT DISPOSAL.**

②

Prayer:

- i. **Declare** the impugned order of respondent No.2 Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 as illegal, unlawful, without lawful authority, against the Posting Transfer Policy of Government of Khyber Pakhtunkhwa and set aside the same.
- ii. **Direct** the respondents to allow the appellant to serve as a District Education Officer (F) Karak till the completion of her normal tenure as per Posting Transfer Policy of Government of Khyber Pakhtunkhwa.
- iii. **Any other reliefs** deemed appropriate in the circumstances of the case and not specifically asked for may also be graciously be granted to the appellant.

Respectfully Sheweth,

That the facts given rise to the present service appeal are as under;

1. That the appellant has been serving in the respondent department since 14-11-1990. She was appointed as DDEO (Management Cadre) through Provincial Public Service Commission on 30-05-2011. She was promoted to the post of DEO (F) on 27-03-2019. Appellant has more than 32 years service at her credit with unblemished and clean sheeted conduct record.
2. That it is worth mentioning that appellant has served the management cadre of the respondent department for the last 10 years and that too in far-flung area of the Province.
3. That it is pertinent to mention here that appellant has been subjected to three continuous transfer orders within the span of one year without any cogent reason and exigency of service in violation of Posting and Transfer Policy of Government of Khyber Pakhtunkhwa.

4. That appellant was transferred from the post of DEO (F) Hangu to DEO (F) Lakki Marwat vide order dated 09-09-2021. Appellant was then transferred and posted as DEO (F) Karak vide order dated 05-07-2022. It is worth mentioning that the said premature transfer order was notified during her sanctioned leave for performance of Hajj. Copy of Transfer order dated 09-09-2021 and copy of Sanction Leave w.e.f. 27-06-2022 to 06-08-2022 for performance of Hajj is attached as **Annexure-A**.
5. That appellant was recently been transferred from the post of DEO (F) Lakki Marwat vide Secretary Education Order Ends. No.SO(MC)E&SED/4-16/2022/POSTING/TRANSFER/MC dated 05-07-2022 and posted as DEO (F) Karak. Copy of the Order dated 05-07-2022 is attached as **Annexure-B**.
6. That appellant has hardly served as DEO (F) Karak for about 03 months that all of sudden vide impugned order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022, she was transferred to far-flung area Kohistan Upper purely on political motivation. Copy of the impugned order is attached as **Annexure-C**.
7. That it is worth mentioning that immediately after the arrival of the appellant, against the post of DEO (F) Karak, she noticed that one Wasi Ullah Driver, presently serving as Driver at the office of SDEO Takht-e-Nasrati, is not performing his duties and continuously remained absent. The said Driver was deputed to SDEO (F) Banda Daud Shah but he was not performing his duties at his station. The said Driver was then transferred and posted at the office of Takht-e-Nasrati as Driver. Appellant being competent authority initially served the said Driver with Explanatory Letter vide Endst. No.2551-54 dated 11-08-2022 but he didn't respond. Appellant thereafter served the said Driver with Show Cause Notice Endst. No.2587-89 dated 13-08-2022. The said Driver happened to be the cousin of the sitting MNA Mr. Shahid Ahmad Khattak. Copies of Explanation Letter and Show Cause Notice are attached as **Annexure-D**.
8. That appellant being the District Head of Education Department, used to make surprise visits within her jurisdiction in order to effectively promote the cause of education and administration as well as to create healthy atmosphere of Education Department in public interest. During her visit to GGMS Zar Khan Kalay, District Karak dated 18-08-2022, she noticed that one Mst. Mehwish Saeed (PET) alongwith two others were absent without any leave application or prior approval. Appellant being competent authority served Mst. Mehwish Saeed (PET) with Explanation Letter Endst. No.2630-34 dated 20-08-2022 which later on happened to be the wife of the sitting

MNA Mr. Shahid Ahmad Khattak. Copy of the Explanation Letter dated 20-08-2022 is attached as **Annexure-E**.

9. That it is pertinent to mention here that the impugned order is also the result of non compliance of the directions of the sitting MNA Mr. Shahid Ahmad Khattak (Sitting MNA of PTI) who vide letterhead dated 17-09-2022 and 02-10-2022 directed the appellant to immediately transfer Mst. Saima Asif, SST (Bio/Chemistry) from GGHS Bahadar Khel to GGHS Bogara Karak being the wife of his close friend and also to appoint Mr. Akhtar Zaman against the post of Junior Clerk. Copy of the letterhead are attached as **Annexure-F**.
10. That appellant being Public Servant is not presumed to act as per wishes and whims of political figures but to safeguard the commands of the Constitution and law therefore, refused to obey such directions of the sitting MNA Mr. Shahid Ahmad Khattak, which refusal got him annoyed and he in connivance with respondent No.2 issued the highly politically motivated transfer order of the appellant to a far-flung area of the province i.e. Upper Kohistan so as to teach a lesson to the appellant. It is also worth mentioning that respondent No.4 (Fanoos Jamal) is Deputy DEO (F) (BPS-18), Khyber has been transferred in place of appellant in her own pay scale, which itself speak the malafide of the respondents.
11. That appellant being aggrieved from the impugned politically motivated transfer order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 preferred departmental appeal (**Annexure-G**) before the respondent No.1 which was not disposed of as per Clause-xiv of the Posting & Transfer Policy of the Government of Khyber Pakhtunkhwa. Appellant filed writ petition before the Hon'ble Peshawar High Court, Peshawar and the Hon'ble Peshawar High Court vide judgment dated 03-11-2022 directed the respondent NO.1 to decide the departmental appeal within 10 days and in case the departmental appeal is not decided within 10 days; appellant may approached the competent forum directly. Hence the present appeal inter alia on the following grounds. **Annexure-H**.

GROUND S

- A. That respondents has not treated the appellant in accordance with law, rules and policy on the subject and acted in violation of Articles 3, 4 and 10-A of the Constitution of Islamic Republic of Pakistan, 1973. Appellant has been subjected to three continuous transfer orders within a span of hardly one year and that too on the directions of political figures. Posting / Transfer

orders are made under Section 10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 in public interest as well as under exigency of service. Posting / Transfer are regulated through the Posting/Transfer Policy of Government of Khyber Pakhtunkhwa. The Khyber Pakhtunkhwa Civil Servant Act, 1973 and the rules made thereunder didn't figure politicians anywhere. Transfer & posting made under the directions of political figures are not sustainable in the eyes of law therefore, this Hon'ble Tribunal has got the jurisdiction to interfere with and set aside the impugned transfer order. Wisdom has derived from the reported Judgment reported as 2006 PLC (C.S) 101.

- B. That a civil servant's repeated transfers from one place to another in a span of few months through the directions of political figures and carrying out such directions obediently by the Secretary of the department is highly unethical, unwarranted and highly undesirable. Appellant being the head of District Education Department was under legal obligation to uphold the supremacy of law and to create a healthy atmosphere for the promotion of education within her jurisdiction. Appellant is deemed to be obedient to law and not to the directions of the political figures. In the instant case, appellant denied to adhere to the directions of the sitting MNA who belongs to the ruling Government Party; which denial got the MNA annoyed and he in connivance with the ruling party transferred and posted the appellant to a far-flung area i.e. Upper Kohistan so as to teach a lesson to the appellant.
- C. That appellant is a female and her husband has been serving abroad (Saudi Arabia) and more so is having school going kids therefore, is unable to serve at far-flung area. Appellant through the impugned order has been transferred from her own Zone i.e. Zone-IV which is the violation of principle of policy enshrined in the Constitution of Islamic Republic of Pakistan, 1973. On this score as well, the impugned order is liable to be set aside.
- D. That appellant has served the department in the capacity of head of District Education Department and during her tenure she has served the department beyond the call of her duty and to the entire satisfaction of high-ups. During her service as DEO (F), she has maintained merit and uphold the supremacy of law which is evident from the commendation certificates honored for her best performance. (Copies of commendation certificates are attached as **Annexure-I**)
- E. That this Hon'ble Tribunal has already entertained numerous service appeals on the basis of posting transfer policy. Copy of Order of this Hon'ble Tribunal dated 29-04-2021 in service appeal No.393 of 2022 is attached as **Annexure-J**.

F.

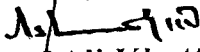
That appellant would like to seek the permission of this Hon'ble Tribunal to advance other grounds at the time of hearing.

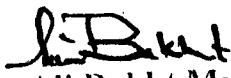
6


In view of the above humble submissions, this Hon'ble Tribunal may graciously be pleased to allow the instant service appeal as prayed for above.


Appellant

Through


Ashraf Ali Khattak
Advocate
Supreme Court of Pakistan

&

Ali Bakht Mughal
Advocate
District Court of Pakistan

&

Sadia Umar
Advocate
District Court of Pakistan

Dated: ___/10/2022

Affidavit:

I, Mst: Parveen Begum, District Education Officer (F) (BPS-19), E&SE Department, Karak, do hereby solemnly affirm and declare on oath that the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

Mst: Parveen Begum,
 District Education Officer (F) (BPS-19),
 E&SE Department, Karak.....Appellant.

Versus

The Govt. of Khyber Pakhtunkhwa,
 Through Chief Secretary,
 Civil Secretariat, Peshawar & others.....Respondents.

Application for suspension of the impugned posting / transfer order Ends.
 No.SO(MC)E&SED/4-16/2022pt/tc dated 20-10-2022 of Respondent No.2 till
 the final disposal of the accompanying appeal. *to the extent of serial no. 4.*
 Respectfully Sheweth,

Applicant humbly submit as under:-

1. That applicant has filed the titled service appeal before this Hon'ble Court, which is yet to be fixed for preliminary hearing.
2. That applicant has very prima facie case; balance of convenience lies on the part of applicant and in case the impugned order is not suspended; applicant would certainly face irreparable loss.
3. That the fact and grounds taken in the main service appeal may kindly be considered as part and parcel of the instant application.

In view of the above humble submission, this Hon;ble Tribunal may graciously be pleased to suspend the impugned posting / transfer order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 of Respondent No.2 till the final disposal of the accompanying appeal in the best interest of justice.

Through

Appellant *Begum*
Ast
 Ashraf Ali Khattak
 Advocate

Supreme Court of Pakistan

Dated: _____/10/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

8

Mst: Parveen Begum,
District Education Officer (F) (BPS-19),
E&SE Department, Karak.....Appellant.

Versus

The Govt. of Khyber Pakhtunkhwa,
Through Chief Secretary,
Civil Secretariat, Peshawar & others.....Respondents.

Affidavit:

I, Mst: Parveen Begum, District Education Officer (F) (BPS-19), E&SE Department, Karak, do hereby solemnly affirm and declare on oath that the contents of this Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT



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

Dated Peshawar the, September 09th, 2021

NOTIFICATION

No.SO(S/F) E&SED/4-16/2021/Posting/Transfers/MC:

The Competent authority

is pleased to order the posting/transfers of the following Officers of Elementary & Secondary Education Department Khyber Pakhtunkhwa, in the best public interest, with immediate effect. -

S. No	NAME & Designation	FROM	TO
1.	Mst. Farzana Sardar (MC BS-19)	At the disposal of Directorate of E&SE	District Education Officer (Female) DI Khan vice Sr. No-4
2.	Mst. Parveen Begum (MC BS-19)	At the disposal of Directorate of E&SE	DEO (Female) Lakki Marwat vice No-5
3.	Mst. Sameena Iltaf (MC BS-19)	District Education Officer (Female) Haripur	District Education Officer (Female) Mardan AVP
4.	Mst. Syeda Anjum (MC BS-19)	District Education Officer (Female) DI Khan	District Education Officer (Female) Bannu vice No-7
5.	Mst. Sabira Parveen (MC BS-19)	District Education Officer (Female) Lakki Marwat	District Education Officer (Female) Karak vice No-8
6.	Mst. Naheed Anjum (MC BS-19)	Additional Director, Directorate of E&SE	District Education Officer (Female) Malakand AVP and the additional charge of the post of Additional Director (Female) is assigned to the Additional Director (Male) of the Directorate of E&SE till further orders.
7.	Mst. Surraya Begum (MC BS-19)	District Education Officer (Female) Bannu	District Education Officer (Female) Charsadda AVP
8.	Mst. Zaib Un Nisa (MC BS-19)	District Education Officer (Female) Karak	District Education Officer (Female) Hangu AVP
9.	Mst. Rukhsana Rahim (MS BS-18)	At the disposal of Directorate of E&SE	Deputy District Education Officer (Female) Upper Kohistan AVP. She is also authorize to hold additional charge of the post of DEO (Female) Upper Kohistan till further orders.
10.	Mst. Rehana Yasmeen (MC BS-18)	At the disposal of Directorate of E&SE	Deputy District Education Officer (Female) Kolai Palas by reliving DEO (Female) Lower Kohistan from the additional charge and DEO (Male) Kolai Palas is hereby assigned the additional charge of the post of DEO (Female) Kolai Palas.



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

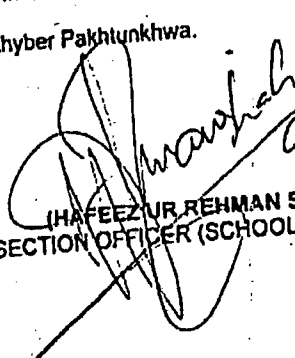
11.	Mst. Abida Parveen (MC BS-18)	At the disposal of Directorate of E&SE	Deputy District Education Officer (Female) Tor Ghar vice No-13 and DEO (Male) Tor Ghar is hereby assigned the additional charge of the post of DEO (Female) Tor Ghar till further orders.
12.	Mst. Fanoos Jamal (MC BS-18)	At the disposal of Directorate of E&SE	District Education Officer (Female) Khyber (OPS) AVP.
13.	Mst. Nadia Begum (MC BS-18)	District Education Officer (Female) Tor Ghar OPS	Deputy District Education Officer (Female) Peshawar AVP.
14.	Mst. Riiaz Begum (TC BS-18)	Principal GGHS Subhan Khwar Mohmand.	District Education Officer (Female) Mohmand AVP.

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 Officers Concerned.
4. District Accounts Officer, Concerned
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
7. Officers concerned.
8. Master file.


(HAFEEZ UR REHMAN SHAH)
SECTION OFFICER (SCHOOLS FEMALE)

9/9/2021

10



GOVT. OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Peshawar the June 22, 2022

NOTIFICATION

NO. AO/ERSE/4-21/Leave/Lakki Marwat: Sanction is hereby accorded to the grant of 41 days Ex-Pakistan leave on full pay w.e.f. 27-06-2022 to 06-08-2022 in favour of Mst. Parveen Begum DEO(F) Lakki Marwat as admissible under the Revised Leave Rules 1981.

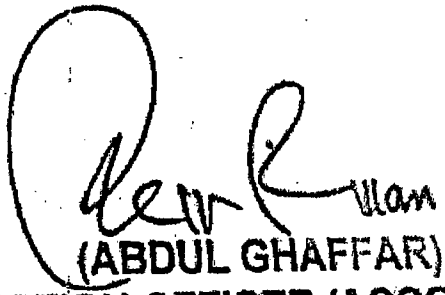
2. This Department has no objection on the proceeding to Saudi Arabia of the above-named officer for the performance of Hajj subject to the condition that no financial implication will be borne by the Government of Khyber Pakhtunkhwa.

SECRETARY
Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Edu: Department

Endst: of even No. & date:

Copy forwarded to:

1. The Director, E&SE Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer, Lakki Marwat.
3. The District Education Officer (Female), Lakki Marwat.
4. The Section Officer (Schools/MC), Elementary & Secondary Education Department.
5. Mst. Parveen Begum DEO(F) Lakki Marwat.
6. Master File.


(ABDUL GHAFFAR)
SECTION OFFICER (ACCOU)



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) LAKKI MARWAT**

Ph: (0969)538080, email: deoflakki@gmail.com



No. _____

Dated. _____ / _____ /2022.

To,

The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar.

Subject:- NOC REGARDING EX- PAKISTAN LEAVE FOR PERFORMANCE OF HAJJ 2022.

Memo,

Refer to the above noted subject and to state that I am proceeding to Saudi Arabia to perform Hajj w.e.f. 28/06/2022 to 30/07/2022. The Hajj department/Department of religious affairs requires NOC/Departmental permission in this regard from Govt. servants.

Therefore your good self is requested to issue NOC in this regard. I will be very thankful and obliged.

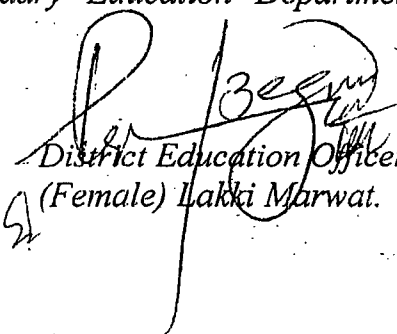
District Education Officer,
(Female) Lakki Marwat.

Endst: 3062-64

Dated. 15/6/2022.

Copy to the:-

- 1- PS to Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar.
- 2- Deputy Commissioner Lakki Marwat.
- 3- Master file.


District Education Officer,
(Female) Lakki Marwat.

Anx-B



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. (011-9221188)

Dated Peshawar the July 05th, 2022

NOTIFICATION

NO.SO(MC)E&SED/4-18/2022/POSTING/TRANSFER/MC: Consequent upon their promotion / appointment on the post of Additional Director/DEO (Female MC BS-19) notified vide Notification No. SO(MC)E&SED/1-3/2022/Promotion (MC BS-18) dated 20-04-2022 on regular/acting charge basis, the following posting/transfers/adjustment of Management Cadre Officers are hereby ordered with immediate effect, in the best public interest: -

Sr. No	Name of officer	From	To
1.	Mst. Rabia Anees (MC BS-19)	Deputy DEO (Female) / working as Principal GGHS Mardan	DEO (Female) Malakand (AVP) for one day for actualization of her promotion in BS-19. After actualization of her promotion, she is directed to report to the Directorate of E&SE
2.	Mst. Hafsa Gul (MC BS-19 a.c.b)	Deputy Director, NMAs, Directorate of E&SE KP	Additional Director, Directorate of E&SE (AVP)
3.	Mst. Aniq Huma Touqeer (MC BS-19 a.c.b)	Deputy DEO (Female) DI Khan	DEO (Female) North Waziristan (AVP)
4.	Mst. Aisha Saeed (MC BS-19 a.c.b)	Deputy DEO (Female) / working as SSS at GGHS Hevellian Abbottabad	DEO (Female) Kolai Palas (Kohistan) AVP
5.	Mst. Sadia Aziz (MC BS-19 a.c.b)	DEO (Female) Haripur in OPS	DEO (Female) Haripur against the already occupied post.
6.	Mst. Shazia Nawaz (MC BS-19 a.c.b)	Deputy DEO (Female) Buner	DEO (Female) Orakzai (AVP)
7.	Mst. Sumera Sheraz (MC BS-19 a.c.b)	Deputy DEO (Female) / on deputation to Higher Education.	DEO (Female) Kohistan Upper for one day for actualization of her promotion in BS-19. After actualization of her promotion, she is allowed to continue her deputation under Higher Education Department.
8.	Mst. Safia Amin (MC BS-19 a.c.b)	Deputy Director, Directorate of E&SE	Additional Director (Female), Directorate of E&SE (AVP)
9.	Mst. Abida Parveen (MC BS-19 a.c.b)	Deputy DEO (Female) Torghar	DEO (Female) Mardan by relieving DEO (Male) Mardan from the additional charge of the said post.
10.	Mst. Nadia Begum (MC BS-19 a.c.b)	Deputy DEO (Female) Peshawar	DEO (Female) Torghar (AVP)
11.	Mst. Durr-e- Shahwar (MC BS-19 a.c.b)	DEO (Female) Nowshera in OPS	DEO (Female) Nowshera against the already occupied post.

None
5-7-22



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

12.	Mst. Ghulam Fatima (MC BS-19 a.c.b)	Deputy DEO (Female) North Waziristan	DEO (Female) South Waziristan (AVP)
13.	Mst. Hasrat Zahra (MC BS-19 a.c.b)	Awaiting posting	DEO (Female) Hangu (Vice Sr. No-14)
14.	Mst. Zaib un Nisa (MC BS-19)	DEO (Female) Hangu	DEO (Female) Kurram (AVP)
15.	Mst. Shaheen Begum (MC BS-19 a.c.b)	Awaiting posting	DEO (Female) Dir Lower (AVP)
16.	Mst. Syeda Anjum (MC BS-19)	DEO (Female) Bannu	DEO (Female) Lakki Marwat (Vice No-17)
17.	Mst. Parveen Begum (MC BS-19)	DEO (Female) Lakki Marwat	DEO (Female) Karak (Vice No-18)
18.	Mst. Sabra Parveen (MC BS-18)	DEO (Female) Karak	DEO (Female) Tank (Vice No-19)
19.	Mst. Azra Bibi (MC BS-19)	DEO (Female) Tank	DEO (Female) Bannu (Vice No-16)
20.	Mst. Naghmana Sardar (MC BS-19)	Under transfer as DEO (Female) Kohistan Lower	DEO (Female) Buner. (AVP).
21.	Mst. Naheed Anjum (MC BS-19)	Awaiting posting	DEO (Female) Charsadda (Vice Sr. No-22)
22.	Mst. Surraya Begum (MC BS-19)	DEO (Female) Charsadda	DEO (Female) Malakand (AVP). She is also assigned additional charge of the post of DEO (Male) Malakand till arrival of regular incumbent of the post from Hajj.
23.	Mst. Zubaida Hanif (MC BS-18)	Awaiting posting	DEO (Female) Mohmand in OPS (Vice Sr. No-24)
24.	Mst. Riiaz Begum Principal (BS-18)	DEO (Female) Mohmand in OPS	Report to Directorate of E&SE
25.	Mst. Rukhsana Rahim (MC BS-18)	Awaiting posting	DEO (Female) Shangla in OPS (Vice Sr. No-26)
26.	Mst. Rehana Yasmin (MC BS-19)	DEO (Female) Shangla	DEO (Female) Battagram (AVP)
27.	Mst. Bibi Razia (MC BS-18)	Deputy DEO (Female) / Principal GGHS Chokara Karak	DEO (Female) Kohistan Lower in OPS (Vice Sr. No- 20)

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 Officers (Male & Female) of the concerned district.
4. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.



Anx- C

GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9221358

Dated Peshawar 20th October, 2022

NOTIFICATION

NO. SO(MC)E&SED/4-16/2022/PT/TC: The following posting / transfers of the officers are hereby ordered with immediate effect, in the best public interest: -

S.#	Name & Designation	Present place of posting	Proposed place of posting	Remarks
1.	Mst. Parveen Rehman (TC/BS-19)	GHSS Khawaz Khela Swat	DEO (Female) Shangla	AVP by relieving DEO (M) Shangla from Addl.Charge purely on temporary basis, as a stop gap arrangement till the arrival of the regular officer
2.	Mst. Safia Amin (MC/BS-19 a.c.b)	Additional Director (Estab) Directorate of E&SE Peshawar	DEO (Female) Peshawar	V.S.No.11
3.	Mst. Hafsa Gul (MC/BS-19 a.c.b)	Additional Director (P&M) Directorate of E&SE Peshawar	DEO (Female) Malakand.	AVP
4.	Mst. Parveen Begum (MC/BS-19 a.c.b)	DEO (Female) Karak.	DEO (Female) Kohistan Upper.	AVP
5.	Mst. Naghmana Sardar (MC/BS-19 a.c.b)	DEO (Female) Buner.	Additional Director (Estab) Directorate of E&SE Peshawar.	V.S.No.2
6.	Mr. Muhammad Sultan (TC/BS-19) Ex-DEO(M) Kurram	At the disposal of Directorate of E&SE Peshawar	Additional Director (Admn) DPD	AVP, purely on temporary basis, as a stop gap arrangement till the arrival of the regular officer
7.	Mst. Rukhsana Rahim (MC/BS-19)	At the disposal of Directorate of E&SE	DEO (Female) Buner.	V.S.No.5
8.	Mr. Zahoor Muhammad (MC/BS-19)	DEO (Male) Lakki Marwat.	DEO (Male) Kohistan Lower by relieving DEO (M) Baltagram form Additional Charge.	AVP
9.	Mr. Sher Daraz (TC/BS-19)	At the disposal of Directorate of E&SE	Additional Director (P&M) Directorate of E&SE Peshawar.	V.S.No.3, purely on temporary basis, as a stop gap arrangement till the arrival of the regular officer
10.	Mr. Faridullah Mehsood (TC/BS-19) Ex-DEO (M) Orakzai	At the disposal of Directorate of E&SE	DEO (Male) Kurram	V.S.No.15, purely on temporary basis, as a stop gap arrangement till the arrival of the regular officer.
11.	Mst. Samina Ghani (MC/BS-19)	DEO (Female) Peshawar.	DEO (Female) Khyber.	V.S.No.14

Alam
26.10.22



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

12.	Mst. Mehr-Un-Nisa (MC/BS-18)	Under transfer to DEO (Female) Kohistan Upper	DEO (Female) Bajaur by relieving DEO(F) Upper Dir from Additional Charge.	AVP
13.	Mr. Muhammad Ilyas (MC/BS-18)	Deputy DEO (Male) Lakki Marwat.	DEO (Male) Lakki Marwat in OPS.	V.S.No.8
14.	Mst Fanoos Jamal (MC/BS-18)	DEO (Female) Khyber.	DEO (Female) Karak.	Vice S.No. 4
15.	Mr. Liaqat Ali (MC/BS-18)	DEO (Male) Kurrum In OPS.	Deputy DEO (Male) Dir Lower.	AVP
16.	Mst. Syeda Anjum (MC BS-19)	DEO (Female) Lakki Marwat.	DEO (Female) D.I.Khan.	Vice S.No. 17
17.	Mst. Farzana Sardar (MC BS-19)	DEO (Female) D.I. Khan	DEO (Female) Lakki Marwat.	Vice S.No. 16

SECRETARY TO THE 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 (Male/ Female) Peshawar.
4. District Account Officer, Concerned.
5. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
6. PS to Minister E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Officers concerned.
9. Master file.

Naseer
20.10.22
(NASEER ABBAS KHALIL)
SECTION OFFICER (Management Cadre)

OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Anx- D

Address: KDA Karak.

Phone: 0927-291177

Email: emiskarak@yahoo.com

NO _____ Explanation/PST/C-IV-Vol:I Dated Karak the 11/08/2022

TO,

Mr: Wasi Ullah Driver,
O/O SDEO(F) T.Nsarati.

Subject: EXPLANATION.

Memo:

During the surprise visit for Enrollment campaign of the undersigned on 10/8/2022 you have been found absent from duty without any permission from the competent authority.

Hence you are directed to Explain solid reason with proof with in three days of the receipt of this letter, In case of failure disciplinary process will be initiated against you.

(PARVEEN BEGUM KHATTAK)
DISTRICT EDUCATION OFFICER (F)
KARAK

Endst: 2551-54

Copy to the.

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar for Information please.
2. SDEO(F) Takhti-e-Nasrati with the remarks that as per your verbal statement the concerned driver is absent from duty since long but you did not issued any kind of Notice to him. Now one day pay may be deducted from the above Officials from their salary and submit detail report to this office within three days positively.
3. Maqsood Anwar A.P local office with the remarks that all official correspondence may be shared through whats App groups.
4. Master File.

SHOW CAUSE NOTICE.

I, Mst. PARVEEN BEGUM as competent authority, under the Khyber Pakhtunkhwa Government Servant (Efficiency and Discipline) Rules, 2011, do hereby serve you:

Mr. WASI ULLAH DRIVER O/O SDEO(F) Takhti-e-Nasrati as follows:

1. Whereas you have been absent from duty w.e.f 27/9/2021 to 9/11/2021 duly reported by the SDEO(F) B.D Shah vide her Office Endst: No 760 dated 9/11/2022 and in the light of the written complaint of the SDEO (F) Concerned you have been transferred under disciplinary ground from O/O SDEO(F) Banda Daud Shah to O/O SDEO(F) T/Nasrati vide this Office Endst: No. 2303-08 dated 4/7/2022.
 2. Whereas on the Surprise Visit of the Undersigned you have been absent from duty on 10/8/2022.
 3. Whereas explanation was issued vide his Office NO. 2550 dated 11/8/2022 but no reply received to this Office so far.
 4. Whereas the attendance register of office of the SDEO(F) T/Nasrati received to this on 12/8/2022 and you are found again absent on dated 11/8/2022 and 12/8/2022 without any application/permission.
 5. Whereas in exercises of the power confirmed on me under sub section 4 of section 5 of the KPK removal from service (special power 2011, the undersigned in the capacity of competent authority is hereby pleased to serve you the instant show cause notice with the direction to submit your defence in writing/personally with in (Seven) days of the receipt of this notice as to why a major penalty of removal from service should not be imposed upon you, there is no need of holding a formal enquiry in this case.
 6. Where as according to the Terms & Conditions of Appointment order the Services shall be terminated at any time, in case of your performance as found unsatisfactory.
 7. Whereas in case you failed to submit your reply (personally) within the stipulated time period. It will be presumed that you have no defence, and an Ex-part decision will be taken against you.
- Also intimate whether you desire to be heard in person. Complexity

Mst. WASI ULLAH DRIVER
O/O SDEO(F) T/Nasrati

Competent Authority

(PARVEEN BEGUM)

DISTRICT EDUCATION OFFICER

(FEMALE) KARAK

Entist: No

2587-89

Dated

13/08/ 2022.

Copy to the:

1. Director Elementary & Secondary Education Khyber pakhtunkhwa Peshawar.

DISTRICT EDUCATION OFFICER (FEMALE) KARAK

No. 2629 /File-1/Volum-1/Explanation
To

Anx-E

Dated 20/08/2022

Mst: Mehwish Seed PET
GGMS Zar Khan Killal Karak

Subject:- EXPLANATION
Memo:-

During surprise visit on dated 18/8/2022. You have found absent in teacher attendance and no written application was found. Therefore you are directed to explain your position that why you have leave the school/institute without the permission of the competent authority. Your explanation should reach to this office within the three days positively, in case of non compliance disciplinary action will be initiated against you under E&D Rules 2011.

e/c
for
(PARVEEN BEGUM KHATTAK)
DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

Endst: No 2630-34

Copy for information to the:-

1. PA to Secretary Government of Khyber Pakhtunkhwa E&S Education Department.
2. Director of E&S Education Khyber Pakhtunkhwa, Peshawar.
3. Head Mistress of GGMS Zar Khan Killa.
4. DMO Karak.
5. Master file.

e/c
for
DISTRICT EDUCATION OFFICER
(FEMALE) KARAK

To,

MA. Meesamman
P. K. K. G.
M. S. S.

20

The Distt, Education
Offices Jemal Karak

Subject :: Explanation / Reply

1250
29/8/22

Memo,

Reference explanation no 2630-34
dt 20/08/2022. It is submitted for your
kind information that Miss Mehwish
Saeed son was seriously ill and
she was informed on telephonic msg.
Therefore she was unable to attend
to attend the school

Madam in future I will
obey the order of the authority and
will be informed the time

No 232 dt 25/8/2022 Headmistress GGMS Zarikha
Bibi Zulikha

Zulikha
Headmistress
GGMS Zarikha Killa
(Karak)

Forwarded to DEO (F) Karak
for information please

SHAHID AHMAD KHAN



Member National Assembly Pakistan Tehreek-e-Insaf

District Karak

Cell: +92-345-5917470

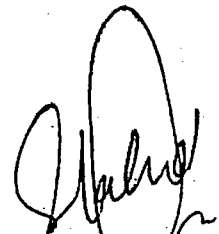
Ref _____

Anx-F

Date 02.10.202

Parveen Begum.
DEO (F) Karak.

Mst. Saima Asif SST Bio/Chemistry
GGHS Bahadar Khel is my wife close
friend. She be immediately transfer from
GGHS Bahadar Khel to BGHS Bogara
incumbents of SST Bio/Chemistry at
SST of GGHS Bogara. be transferred
to any other school.


SHAHID AHMAD
Member National Assembly
(NA-34) District Karak

✉ Shahidkhattak_isf@yahoo.com Shahidkhattak0

SHAHID AHMAD KHAN

Member National Assembly Pakistan Tehreek-e-Insaf
District Karak
Cell: +92-345-5917470

Ref _____

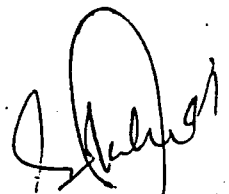
Date 17.09.2022

Parveen Begum
DEO (F) Karak.

- Ms. Akhtar Zaman R/o Chowkara Dist. Karak
- Ms. Amer Ayub R/o Narsi Khousa Dist. Karak

Both of the personnel are belongs to my Constituency and are the active members of PTI. Therefore Ms. Akhtar Zaman R/o Chowkara is recommended for appointment against the post of Driver. Ms. Amer Ayub R/o Narsi Khousa is recommended for appointment against the post of Junior Clerk in GHS Suddas.

Issue both the appointment order immediately.



SHAHID AHMAD
Member National Assembly
(NA-347) District Karak

Shahidkhattak_isf@yahoo.com Shahidkhattak0

To

Anx- # G

23

The Chief Secretary,
Government of Khyber Pakhtunkhwa.

**SUBJECT: - DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION
NO: SO (MC) E&SED/4-16/2022 PT/TC DATED 20/10/2022:
WHERE BY THE APPLICANT WAS PREMATURE TRANSFER
FROM DEO (F) KARAK TO DEO (F) KOHISTAN UPPER.**

Respecter Sir,

Most humbly requested that I have been serving in Elementary and Secondary Education Department since 14/11/1990. I have been appointed through Public Service Commission as DDEO Management cader in 30.05.2011 and promoted to the post of DEO Female on 27.03. 2019. Currently I am working as District Education Officer (Female) BPS-19 Karak. During my whole service, I have performed my duty to the best of my competency and to the full satisfaction of high authority. I have been transferred from District Karak to District Kohistan Upper vide transfer order Endst No: SO (MC)E&SED/4-16/2022PT/TC dated 20/10/2022 So it is requested in your honour to kindly cancel me my transfer on the following ground..

Whereas I have performed my duty honestly and to the best of my competency and have obeyed the order of high authority every time.

Whereas I have performed my duty during the last 10 years out of home station in for flung areas.

Whereas my husband is out of country and my little kids reading in different classes in different schools face great problems in their schooling.

Whereas during my service in the previous one year I have been transferred three time with out any complaint and cogent reason but still I obeyed the order of high authority. (Transfer orders attached for ready reference).

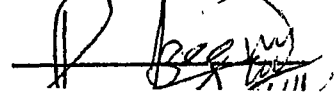
Whereas I have been recently transferred from District Lakki Marwat vide Secretary Education Order Endst No: SO (MC) E&SED/4-16/2022/POSTING/TRANSFER /MC DATED 05 July 2022 and my tenure has not yet been completed.

In light of the above facts and figure my transfer order may please be cancelled.

I will be thankful to you.

Dated: 21/10/2022.

Yours Obediently



Anx — H

24

BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR



Writ Petition No. _____/2022

Mst: Parveen Begum,
R/o House No.40, Street 14, Sector A-2, Zone-III,
Regi Model Town, Peshawar.....Petitioner.

Versus

1. Mr. Shahid Ahmad S/o Mumtaz Khan,
Member of National Assembly,
G-206, Parliament Lodges, Islamabad
2. The Advocate General,
Govt. of Khyber Pakhtunkhwa,
Office of Advocate General,
Peshawar High Court, Peshawar.
3. The Govt. of Khyber Pakhtunkhwa,
Through Chief Secretary,
Civil Secretariat, Peshawar.
4. The Secretary,
Govt. of Khyber Pakhtunkhwa,
E&SE Department,
Civil Secretariat, Peshawar.
5. The Director,
Directorate of E&SE,
Near Malik Saad Shaheed BRT Station,
Firdous, Peshawar.
6. Mst: Fanoos Jamal,
Deputy DEO (F) (BPS-18)
E&SE Department, Khyber.....Respondents.

THE
EXAMINER
PESHAWAR HIGH COURT

25

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF
PAKISTAN, 1973.**

Prayer:

- i. **Declare** the directions of respondent No.1 (sitting MNA...Shahid Ahmad) to respondent No.3 (Secretary Education E & SE) for the transfer of petitioner from the post of District Education Officer (F) (E &SE) Karak to the post of DEO (F) Kohistan Upper and carrying out obediently such directions by respondent No.3 by notifying the impugned order vide Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 by him is highly un-ethical, highly un-professional, highly un-warranted, undesirable as well as illegal, unlawful, without lawful authority, against the Posting Transfer Policy of Government of Khyber Pakhtunkhwa and set aside the same.
- ii. **Declare** the delay on the part of respondent No.3 by not disposing the departmental appeal of the petitioner on the directions of respondent No.1 within prescribed period of 15 days as per Clause XIV of Khyber Pakhtunkhwa Government Servant Posting and Transfer Policy as illegal, unlawful, without lawful authority, highly un-professional, un-warranted and undesirable.
- iii. **Declare** section 4 (a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 to the extent of 90 days wait for disposal of departmental appeal preferred by aggrieved civil servant against transfer order as illegal, against the principle of administration of justice, equity, fair play and set aside the same to that extent only.
- iv. **Direct** the respondents to bring suitable amendment in Section 4 (a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 to the extent of 90 days wait for the disposal of departmental appeal preferred against transfer order by aggrieved civil servant and to bring it in harmony with Clause No.XIV of the Khyber Pakhtunkhwa Posting & Transfer Policy.

TEST
EXAMINER

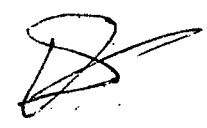
- 26
- v. Direct the respondent No.3 to dispose of the departmental appeal of the petitioner as per Clause No.XIV positively of the Khyber Pakhtunkhws Posting and Transfer Policy.
 - vi. Direct the respondents to allow the petitioner to serve as a District Education Officer (F) Karak till the completion of her normal tenure as per Posting Transfer Policy of Government of Khyber Pakhtunkhwa.
 - vii. Any other relief as deemed appropriate in the circumstances of the case and not specifically asked for may also be graciously be granted to the petitioner.

Respectfully Sheweth,

That the facts given rise to the present service appeal are as under:

1. That the petitioner has been serving in the respondent department since 14-11-1990. She was appointed as DDEO (Management Cadre) through Provincial Public Service Commission on 30-05-2011. She was promoted to the post of DEO (F) on 27-03-2019. Petitioner has more than 32 years service at her credit with unblemished and clean sheeted conduct record.
2. That it is worth mentioning that petitioner has served the management cadre of the respondent department for the last 10 years and during this period she has performed her duties to best of her capabilities and uphold the supremacy of law and merit. The Govt. of Khyber Pakhtunkhwa in recognition of her best performance, has honored her with Certificates of Recognition which is hereby attached as Annexure-A.
3. That it is pertinent to mention here that petitioner has been subjected to three continuous transfer orders within the span of one year without any cogent reason and exigency of service in violation of Posting and Transfer Policy of Government of Khyber Pakhtunkhwa.
4. That petitioner was transferred from the post of DEO (F) Hangu to DEO (F) Lakki Marwat vide order dated 09-09-2021. Petitioner was then transferred and posted as DEO (F) Karak vide order dated 05-07-2022. It is worth mentioning that the order dated 05-07-2022 was premature and was notified when she was on her sanctioned leave for performance of Hajj. Copies of transfer order dated 09-09-2021 and

WIFE
PKAT



order dated 05-07-2022 alongwith Sanction Leave w.e.f. 27-06-2022 to 06-08-2022 for performance of Hajj is attached as Annexure-B.

5. That petitioner assumed her charge after arrival from Hajj on 27-07-2022. She has hardly served as DEO (F) Karak for about 03 months and all of sudden vide impugned order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022, she was transferred to far-flung area i.e. Upper Kohistan purely on political motivation. Copy of the impugned order is attached as Annexure-C.
6. That it is worth mentioning that the impugned transfer order was the result of certain politically motivated facts. During the initial period of posting, petitioner received a complaint filed by one Manzoor Ahmad Driver in the office of SDEO (F) Banda Daud Shah, Karak, who was transferred from the office of SDEO (F) Takht-e-Nasrati to the office of SDEO (F) Banda Daud Shah in place of Driver Wasi Ullah. Petitioner on her visit to the office of SDEO (F) Takht-e-Nasrati noticed that the said Wasi Ullah Driver is not performing his duty at his place of posting and even then he is marked present. Petitioner being competent authority initially served the said Driver with Explanatory Letter vide Endst. No.2551-54 dated 11-08-2022 but he didn't respond. Petitioner thereafter served the said Driver with Show Cause Notice Endst. No.2587-89 dated 13-08-2022. Later on it was surfaced that the said Driver Wasi Ullah is the cousin and blue eyed chap of the sitting MNA Mr. Shahid Ahmad Khattak (respondent No.1). Copies of Explanation Letter and Show Cause Notice are attached as Annexure-D.
7. That petitioner being the District Head of Education Department, used to make surprise visits within her jurisdiction in order to effectively promote the cause of education and administration as well as to create healthy atmosphere of Education Department in public interest. During her visit to GGMS Zar Khan Kalay, District Karak dated 18-08-2022, she noticed that one Mst. Mehwish Saeed (PET) alongwith two others were absent without any leave application or prior approval. Petitioner being competent authority served Mst. Mehwish Saeed (PET) with Explanation Letter Endst. No.2630-34 dated 20-08-2022 which later on happened to be the wife of the sitting MNA Mr. Shahid Ahmad Khattak. Copy of the Explanation Letter dated 20-08-2022 is attached as Annexure-E.
8. That the aforesaid narrated facts got the sitting MNA (respondent No.1) annoyed therefore, he through one Waqas Shaheen (who is PTI activist and front man of the sitting MNA) came to the office of petitioner and directed her to comply the commands of MNA if she wants to retain her office at Karak.
9. That it is pertinent to mention here that the impugned order is also the result of non compliance of the directions of the sitting MNA Mr. Shahid Ahmad Khattak (respondent No.1) who vide letterhead dated 17-09-2022 and 02-10-2022 directed the petitioner to immediately transfer Mst. Saima Asif, SST (Bio/Chemistry) from

EXAMINER

28

GGHS Bahadar Khel to GGHS Bogara Karak being the wife of his close friend and also to appoint Mr. Akhtar Zaman against the post of Junior Clerk. Copies of the letterheads are attached as Annexure-F.

10. That in August, 2022, respondent No.1 (sitting MNA) came to the office of petitioner along with his group comprising of more than 50 persons and entered the office of the petitioner directly. He harassed the petitioner and threatened in evil language that he will not spare the petitioner and will transfer her to a far-flung area of the province. Copy of separate affidavit is attached as Annexure-G.
11. That petitioner being Public Servant is not presumed to act as per wishes and whims of political figures but to safeguard the commands of the Constitution, law and the obligations of her job description therefore, refused to obey such directions of the sitting MNA Mr. Shahid Ahmad Khattak, which refusal got him annoyed and he in connivance with respondents No.3 & 4 issued the highly politically motivated transfer order of the petitioner to a far-flung area of the province i.e. Upper Kohistan so as to teach a lesson to the petitioner. It is also worth mentioning that respondent No.4 (Fanoos Jamal) is Deputy DEO (F) (BPS-18), Khyber has been transferred in place of petitioner in her own pay scale, which itself speak the malafide of the respondents.
12. That petitioner being aggrieved from the impugned politically motivated transfer order Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 preferred departmental appeal before the respondent No.3 who has kept the same pending on the directions of respondent No.1 (sitting MNA) only for the purpose that petitioner could not be able to approach the Khyber Pakhtunkhwa Service Tribunal for redressal of her grievances. Copy of departmental appeal is attached as Annexure-H.
13. That as per Clause-XIV of the Posting & Transfer Policy of the Government of Khyber Pakhtunkhwa; a civil servant aggrieved of his/her posting/ transfer order, may seek remedy from the next higher authority appointing authority within 7 days of the impugned transfer order and such appellate authority shall decide the departmental appeal within 15 days. Petitioner has filed her departmental appeal on 21-10-2022 which is still pending without disposal due to political interference / motivation.
14. That Section 4 (a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, provides that "an aggrieved civil servant shall wait for 90 days after preference of departmental appeal against his / her transfer order before invoking the jurisdiction of Service Tribunal". which is against the principles of safe administration of justice, fair play and equity therefore, needs interference on the part of this Hon'ble Court.

ATTES
EXAMINER
H.C.

15. That petitioner being aggrieved from the highly politically motivated transfer order made purely on the directions of sitting MNA (respondent No.1), delay made by respondent No.3 in disposal of departmental appeal and that too on the directions of sitting MNA (respondent No.1) and finding no efficacious and adequate remedy is constrained to file the instant Constitutional Petition on the following amongst other grounds.

G R O U N D S

- A. That respondents has not treated the petitioner in accordance with law, rules and policy on the subject and acted in violation of Articles 3, 4 and 10-A of the Constitution of Islamic Republic of Pakistan, 1973. Petitioner has been subjected to three continuous transfer orders within a span of hardly one year and that too on the directions of political figures. Posting / Transfer orders are made under Section 10 of the Khyber Pakhtunkhwa Civil Servant Act, 1973 in public interest as well as under exigency of service. Posting / Transfer are regulated through the Posting/Transfer Policy of Government of Khyber Pakhtunkhwa. The Khyber Pakhtunkhwa Civil Servant Act, 1973 and the rules made thereunder didn't figure politicians anywhere. Transfer & posting made under the directions of political figures are not sustainable in the eyes of law therefore, this Hon'ble Court has got the jurisdiction to interfere with and set aside the impugned transfer order. Wisdom has derived from the reported Judgment reported as 2006 PLC (C.S) 101.
- B. That a civil servant's repeated transfers from one place to another in a span of few months through the directions of political figures and carrying out such directions obediently by the Secretary of the department is highly unethical, unwarranted and highly undesirable. Petitioner being the head of District Education Department was under legal obligation to uphold the supremacy of law and to create a healthy atmosphere for the promotion of education within her jurisdiction. Petitioner is deemed to be obedient to law and not to the directions of the political figures. In the instant case, petitioner denied to adhere to the directions of the sitting MNA (respondent No.1) who belongs to the ruling Government Party; which denial got the MNA (respondent No.1) annoyed and he in connivance with the ruling party transferred and posted the petitioner to a far-flung area i.e. Upper Kohistan so as to teach a lesson to the petitioner.
- C. That petitioner is a female and her husband has been serving abroad (Saudi Arabia) and more so is having school going kids therefore, is unable to serve at far-flung area. Petitioner through the impugned order has been transferred from her own Zone i.e. Zone-IV which is the violation of principle of policy enshrined in the Constitution of Islamic Republic of Pakistan, 1973. On this score as well, the impugned order is liable to be set aside.

ATTES
EXAMINER
H.C.

- D. That petitioner has served the department in the capacity of head of District Education Department and during her tenure she has served the department beyond the call of her duty and to the entire satisfaction of high-ups. During her service as DEO (F), she has maintained merit and uphold the supremacy of law which is evident from the commendation / recognition certificates honored for her best performance.
- E. That Section 4 (a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, provides that "an aggrieved civil servant shall wait for 90 days after preference of departmental appeal against his / her transfer order before invoking the jurisdiction of Service Tribunal", which is against the principles of safe administration of justice, fair play and equity therefore, needs interference on the part of this Hon'ble Court.
- F. That petitioner would like to seek the permission of this Hon'ble Tribunal to advance other grounds at the time of hearing.

In view of the above humble submissions, this Hon'ble Court may graciously be pleased to allow the instant writ petition as prayed for above.

Interim Relief:

By way of interim relief, this Hon'ble Court may graciously be pleased to suspend the operation of the impugned transfer order vide Ends. No.SO(MC)E&SED/4-16/2022PT/TC dated 20-10-2022 till the final disposal of the instant writ petition.

Parveen Begum
Petitioner

Through

Ashraf Ali Khattak
Ashraf Ali Khattak
Advocate
Supreme Court of Pakistan

Dated: 29 /10/2022

TEST
EXAM
[Signature]

31

IN THE HON'BLE PESHAWAR HIGH COURT PESHAWAR

W.P No. ____/2022

Mst Parveen BegumPetitioner

VERSUS

Govt of KPK & others.....Respondents

AFFIDAVIT

I, Parveen Begum W/o Istikhar Ullah R/o Khojki Kala, Tehsil Takht e Nasrati District Karak, do hereby solemnly affirm and declare that the contents of the accompanying Writ Petition true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Parveen Begum
DEPONENT

CNIC # 14203-1481155-4

Cell # 0346-9694361

Identified By:

Ashraf Ali Khattak

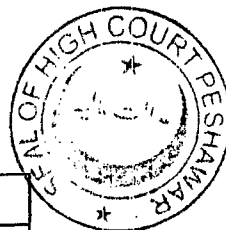
ASHRAF ALI KHATTAK
ASC, Peshawar

22043
Istikhar Ullah
Karak
Ashraf Ali
28
Parveen Begum
Karak
Ashraf Ali
28/10/2022
Peshawar

EXAMINED

PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET



Date of Order or Proceedings	Order or others Proceedings with Signature of Judge
1	2
03.11.2022	<p>W.P No.4260-P/2022</p> <p>Present: Mr. Ashraf Ali Khattak, Advocate, for petitioner.</p> <p>*****</p> <p>MUSARRAT HILALI, J.- The instant writ petition has been filed by the petitioner under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, wherein she seeks the following relief:-</p> <p>i. Declare the directions of respondent No.1 (sitting MNA..Shahid Ahmad) to respondent No.3 (Secretary Education E&SE) for the transfer of petitioner from the post of District Education Officer (F) (E&SE) Karak to the post of DEO (F) Kohistan Upper and carrying out obediently such directions by respondent No.3 by notifying the impugned order vide Endst. No. SO(MC)E&SED/4-16/2022 PT / TC dated 20.10.2022 by him is highly un-ethical, un-professional, unwarranted, undesirable as well as illegal, unlawful, without lawful authority, against the posting transfer policy of Government of Khyber Pakhtunkhwa and set aside the same.</p> <p>ii. Declare the delay on the part of respondent No.3 by not disposing the departmental appeal of the petitioner on the directions of respondent No.1 within prescribed period of 15 days as per Clause XIV of Khyber Pakhtunkhwa Government Servant Posting and Transfer Policy as illegal, unlawful, without lawful authority, highly unprofessional, unwarranted and undesirable.</p>

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hmmw

EXAMINER
PESHAWAR HIGH COURT

- iii. *Declare Section 4 (a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 to the extent of 90 days wait for disposal of departmental appeal preferred by aggrieved civil servant against transfer order as illegal, against the principle of administration of justice, equity, fair play and set aside the same to that extent only.*
- iv. *Direct the respondent to bring suitable amendment in Section 4(a) of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 to the extent of 90 days wait for the disposal of departmental appeal preferred against transfer order by aggrieved civil servant and to bring it in harmony with Clause No. XIV of the Khyber Pakhtunkhwa Posting & Transfer Policy.*
- v. *Direct the respondent No.3 to dispose of the departmental appeal of the petitioner as per Clause XIV positively of the Khyber Pakhtunkhwa Posting and Transfer Policy.*
- vi. *Direct the respondents to allow the petitioner to serve as a District Education Officer (F) Karak till the completion of her normal tenure as per Posting Transfer Policy of Government of Khyber Pakhtunkhwa.*

2. *At the very outset, learned counsel for the petitioner submitted that petitioner has filed departmental appeal against the impugned order before respondent No.3 which is still pending and has not yet been decided.*

3. *In view thereof, we, without dilating upon the merits of case, direct respondent No.3 to decide the appeal of the petitioner expeditiously but not later than 10 days from the date of receipt of this order strictly in*

hina

[Signature]

34

accordance with law, and in case her grievance is not redressed, she may approach the proper forum.

4. Accordingly, the instant writ petition is disposed of in the above terms.

Imran
JUDGE

[Signature]
JUDGE

Announced
03.11.2022

[Signature]
NOV 2022

No.	57577
Date of Presentation	11-11-22
No of Pages	11
Copying fee	44
Total	15-11-22
Date of Preparation	15-11-22
Date of Submission	
Prepared by	<i>[Signature]</i>

(DB) Hon'ble Justice Musarrat Hilali
Hon'ble Mr. Justice Ijaz Anwar

Noor Shah

I 02 35

Anx-1

Certificate of Recognition

District Performance Scorecard – Education Quality

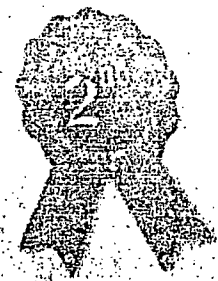
is hereby awarded for the month of November, 2019

Parveen Begum

District Education Officer (Female) – Honger
for performance in improving education service delivery.

Date: 19th December 2019

Nadeem Aslam Chaudhary
Secretary, Elementary & Secondary Education



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA

~~12~~
36

Certificate of Recognition

INTRA-DISTRICT PERFORMANCE SCORECARD (ACCESS)

is hereby awarded for the month of October, 2020
to

PARVEEN BEGUM

DEO (Female) - Hangu
for performance in improving education

Date: December, 2020


MANSOOR ARSHAD
Deputy Commissioner, Hangu



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA



37

Certificate of Recognition

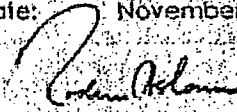
District Performance Scorecard - Education Quality

is hereby awarded for the month of October, 2019
to

Parveen Begum

District Education Officer (Female) - Hangu
for performance in improving education service delivery.

Date: November 2019



Nadeem Aslam Chaudry
Secretary, Elementary & Secondary Education



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA

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38

INTRA-DISTRICT PERFORMANCE SCORECARD-EDUCATION AGENCY

is hereby awarded for the month of October 2019
to

Parveen Begum

District Education Officer (Female) - Hangu
for performance in improving education service delivery.

Date: December 10, 2019



TAYYAB ABDULLAH
Deputy Commissioner, Hangu



**ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT
GOVERNMENT OF KHYBER
PAKHTUNKHWA**

39

Certificate of Recognition

INTRA-DISTRICT PERFORMANCE SCORECARD

is hereby awarded for the month of February 2019
to

PARVEEN REHMAN

DEO (Female) - Hangu
for performance in improving education service delivery.

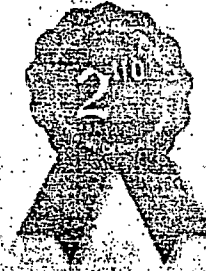
Date: May 16, 2019



TAYYAB ABDULLAH
Deputy Commissioner, Peshawar



**ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA**



40

Certificate of Appreciation

INTRA-DISTRICT PERFORMANCE SCORECARD-EDUCATION

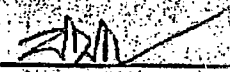
is hereby awarded for the month of November, 2019

PARVEEN BEGUM

District Education Officer (Female) - Hangu

For performance in improving education service delivery.

Date: January 21st, 2020



Muhammad Tayyab Abdullah
Deputy Commissioner, Hangu



**ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA**

~~10~~ 41

Certificate of Recognition

This certificate of recognition along with incentive is hereby conferred on

Parveen Begum

District Education Officer, Peshawar

for outstanding performance in

2nd Position

In District Performance Scorecard - Education Quality (August-December)



Secretary, Elementary & Secondary Education Department

Date: 15th January 2020



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA

17/1

11

8 42

Certificate of Recognition

INTRA-DISTRICT PERFORMANCE SCORECARD (ACCESS)

Is hereby awarded for the month of November, 2020

To

PARVEEN BEGUM

DEO (Female) - Hangu
For performance in improving education service delivery.

Date: February, 2021

MANSOOR ARSHAD
Deputy Commissioner, Hangu



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT
GOVERNMENT OF KHYBER
PAKHTUNKHWA





43

Certificate of Appreciation

INTRA-DISTRICT PERFORMANCE SCORECARD-EDUCATION ACCESS

is hereby awarded for the month of September, 2019
to

Parveen Begum

District Education Officer, (Female) - Hangu
for performance in improving education service delivery.

Date: November, 2019

TAYYAB ABDULLAH
Deputy Commissioner, Hangu



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA

~~44~~ 44

Certificate of Appreciation

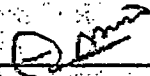
District Performance Scorecard - Education Quality

is hereby awarded for the month of September, 2019
to

Parveen Begum

District Education Officer (Formal) - Hangu
for performance in improving education service delivery.

Date: October 16, 2019



Arshad Khan
Secretary, Elementary & Secondary Education



**ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA**

24 45

Certificate of Recognition

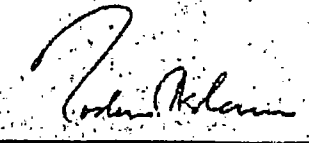
This certificate of recognition is hereby awarded to

District Education Office (Female) - Hangu

for outstanding performance and securing

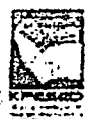
1st Position

in District Performance Scorecard - Education Quality (February 2020)

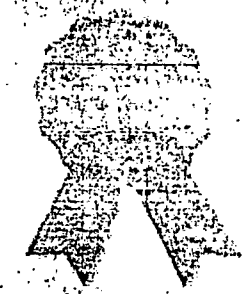


Nadeem Aslam Chaudhary
Secretary, Elementary & Secondary Education Department

Date: 11th March 2020



ELEMENTARY & SECONDARY
EDUCATION DEPARTMENT,
GOVERNMENT OF KHYBER
PAKHTUNKHWA



Anx-1



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

TRIBUNAL, PESHAWAR

Service Appeal No. 670/2022

Khyber Pakhtunkhwa Service Tribunal

Distt. No. 624

Dated 27/4/2022

Khan Zaman,
District Food Controller,
Karak

Appellant.

Versus

1. The Chief Secretary,
Govt: Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
2. The Secretary,
Govt: of Khyber Pakhtunkhwa,
Food Department, Civil Secretariat, Peshawar.
3. Mr. Adil Badshah DFC, Kohat..... Respondents.

Service Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with clause No.XIV Khyber Pakhtunkhwa Govt: Posting and Transfer Policy against the impugned posting/transfer order dated 05-05-2022 of respondent No 2, thereby he directed the appellant to report to the Food Directorate with immediate effect and authorized Mr. Adil Badshah District Food Controller, Kohat (respondent No.3) to hold charge of the post of DFC, Karak in addition to his own duties (additional charge) till further order and against which appellant filed departmental appeal before the respondent No.1 under clause No.XIV of the KP Posting and Transfer Policy, which is still pending without disposal.

Prayer in Appeal:

On acceptance of the instant service appeal; this Hon'ble Tribunal may graciously be pleased to:

filed to-day

WC
Registrar
27/4/2022

~~42~~ 47

21.06.2022

Learned counsel for the appellant present. M.
Kabirullah Khattak, Additional Advocate General for the
respondents present.

Reply/comments on behalf of respondents are still
awaited. Learned Additional Advocate General requested for
time to submit reply/comments. Last opportunity is extended
till the next date. In case, the respondent, failed to submit
reply/comments on the next date, their right for submission of
reply/comments shall be deemed as struck off. Adjourned. To
come up for reply/comments on 29.07.2022 before S.B.

(Mian Muhammad)
Member (B)

25/7/22

1600

4/8/22

22/7/22

25/7/22

25/7/22

16.05.2022

Appellant with counsel present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Written reply/comments not submitted. Learned AAG requested for adjournment to contact the respondents for submission of written reply/comments on the next date. Request is acceded to. To come up for written reply/comments on 06.06.2022 before S.B. The operation of impugned order shall remain suspended, if not acted upon earlier.

(Mian Muhammad)
Member (E)

06.06.2022

Clerk to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Amir Zaman DFC for respondents present.

Reply on behalf of respondents is still awaited. Representative of respondents requested for time to submit reply/comments. Last chance is given with direction to respondents submit the same on or before the next date, positively. If the reply/comments are not submitted, right of respondents for submission of comments shall be deemed as struck off. To come up for reply/comments on 21.06.2022 before S.B.

(Rozina Rehman)
Member (J)

29.04.2021

Case file received from the office of Registrar on the verbal direction of Hon'ble Chairman.

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

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 16.05.2022 before S.B.

Rs-500/-
Appellant Deposited
Security & Process Fee

[Signature]
29/4/22

Annexed with the memo of appeal is an application for suspension of impugned order dated 05.04.2022. Notice of this application be issued to respondents. In the meanwhile, operation of impugned order shall remain suspended, if not acted upon earlier.

[Signature]
(Rozina Rehman)
Member (J)

[Signature]

WAKALAT NAMA

50

IN THE COURT OF _____

Appellant(s) Petitioner(s)

VERSUS

Respondent(s)

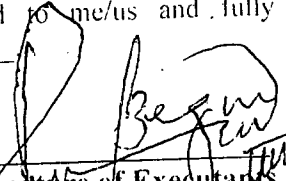
I/We _____ do hereby appoint
Mr. Ashraf Ali Khattak, Advocate Supreme Court of Pakistan,
Mr. Ali Bakht Mughal, Advocate District Courts Peshawar &
Mst: Sadia Umar, Advocate District Courts, Peshawar in the above
mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.


AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.


In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____


Signature of Executants

Attested & Accepted by


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Ali Bakht Mughal
Advocate,
District Courts, Peshawar


Sadia Umar
Advocate,
District Courts, Peshawar

WAKALAT NAMA

IN THE COURT OF Honorable Service Tribunal KPK **50**

Pauveen begum
Appellant(s)/Petitioner(s)

VERSUS

Government of KPK etc
Respondent(s)

I/We _____ do hereby appoint
Mr. Ashraf Ali Khattak, Advocate Supreme Court of Pakistan,
Mr. Ali Bakht Mughal, Advocate District Courts Peshawar &
Mst: Sadia Umar, Advocate District Courts, Peshawar in the above
mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by

Ashraf Ali Khattak
Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

Ali Bakht Mughal
Ali Bakht Mughal
Advocate,
District Courts, Peshawar

Sadia Umar
Signature of Executants
Sadia Umar
Advocate,
District Courts, Peshawar