

SA 842/18

24th May, 2022

None present on behalf of the appellant. Mr. Kabirullah Khattak, Addl. AG alongwith Waheed Gul, ADEO (Litigation) for the respondents present.

Called several times till last hours of the court but nobody turned up on behalf of the appellant, despite the fact that on previous date, his learned counsel was present. In view of the above, the appeal is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 24th day of May, 2022.*


(Fareeha Paul)
Member (E)

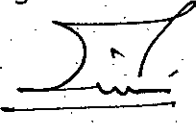



(Kalim Arshad Khan)
Chairman

18.10.2021

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

Due to general strike of the bar, learned counsel for the appellant is not in attendance. Case to come up for arguments on 01.02.2022 before the D.B.

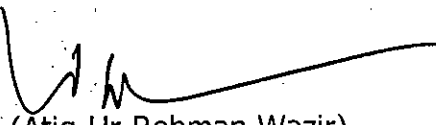

(Salah-ud-Din)
Member(J)



Chairman

01.02.2022

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for respondents present.

Due to paucity of time, arguments could not be heard. To come up for arguments on 24.05.2022 before the D.B.


(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

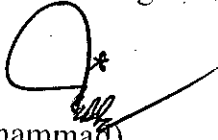
29-12-2020

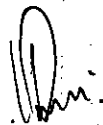
Due to summer vacation, case is adjourned to
16-03-2021 for the same as before.


Reader

16.03.2021 Junior to counsel for the appellant and Addl. AG for
the respondents present.

Former requests for adjournment as learned senior
counsel for the appellant is busy in the Honourable
Peshawar High Court in various cases today. Adjourned to
14.06.2021 for hearing before the D.B.


(Mian Muhammad)
Member (E)


Chairman

14.06.2021 Nemo for appellant.

Muhammad Adeel Butt learned A.A.G for
respondents present.

Appellant/counsel be put on notice for 18.10.2021 for
arguments, before D.B.


(Rozina Rehman)
Member (J)


Chairman

28.10.2020

Proper D.B is on Tour, therefore, the case is
adjourned for the same on 29.12.2020 before D.B.


Reader


30.03.2020

Due to public holiday on account of COVID-19, the case is adjourned to 08.06.2020 for the same as before.


Reader

08.06.2020

Clerk to counsel for the appellant present. Addl: AG for respondents present. Due to general strike of the Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 17.08.2020 before D.B.


MEMBER


MEMBER

17.08.2020

Due to summer vacations, the case is adjourned to 28.10.2020 for the same.


Reader

10.01.2020

None for the petitioner present. Notices be issued to the respondents for submission of written reply on application of restoration of appeal. To come up for further proceedings on 11.02.2020 before D.B. Petitioner be also put on notice for the date fixed.



Member



Member

11.02.2020

Learned counsel for the petitioner present. Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Waheed Gul ADO Litigation for the respondents present. Arguments on restoration application heard.

Perusal of record reveals that the main service appeal was dismissed in default on 03.10.2019. The appellant submitted application for attested copy to the copying branch on 04.10.2019 the attested copy was delivered to the appellant on 22.10.2019. on the same day i.e. 22.10.2019 the appellant submitted application for restoration, the application is well within time, as such the application is accepted. The main appeal is restored to original number. Adjourned. To come up for further proceedings/arguments on 30.03.2020 before D.B.



(Hussain Shah)
Member





(M. Amin Khan Kundi)
Member

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 387/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	22.10.2019	<p>The application for restoration of appeal No.842/2019 submitted by Mr. Hassan U.K. Afridi Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 22/10/19</p>
2		<p>This restoration application is entrusted to D. Bench to be put up there on <u>10-01-2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;">Due to general strike of the Bar Council of Punjab & Sindh, the case is adjourned. To come up for arguments on 11.02.2020 before the</p> <p style="text-align: center;">Member</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Restoration Application No. 387/2019

C.M. No. _____/2019

In

Service Appeal No.842/2019



Jamshad Khan **Appellant**

Versus

Govt. of KPK through

Secretary E&SE Peshawar & others..... **Respondents**

I N D E X

S#	Description of Documents	Annex	Pages
1.	Application for restoration		1
2.	Affidavit		2
3.	Copy of order dated 03.10.2019	A	3-4

Appellant

Through

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Dated 08.10.2019

Hassan U.K Afridi

Advocate Supreme Court

Cell No. 0300-9151936

①

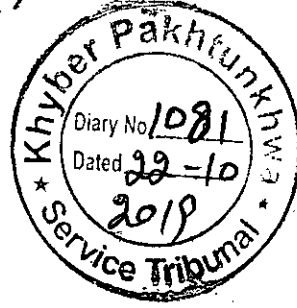
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Restoration Application No. 387/2019

C.M. No. _____/2019

In

Service Appeal No.842/2019



Jamshad Khan **Appellant**

Versus

Govt. of KPK through

Secretary E&SE Peshawar & others..... **Respondents**

APPLICATION FOR RESTORATION OF THE
ABOVE TITLED APPEAL

Respectfully Sheweth:

1. That the above titled Service Appeal was fixed for rejoinder on 03.10.2019.
2. That the counsel of appellant having viral eye infection for the reason he could not attend the case
3. That the application within time and the counsel of appellant will take care next time and attend the case property.

It is, therefore humbly prayed that on acceptance of this application, the above titled case may kindly be restored.

Appellant

Through

22
Dated 08.10.2019

Hassan U.K Afridi
Advocate Supreme Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____/2019

In

Service Appeal No.842/2019

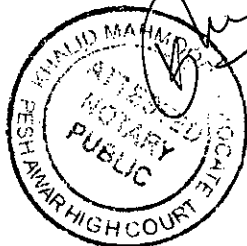
Jamshad Khan.....**Appellant**

Versus

Govt. of KPK through
Secretary E&SE Peshawar & others.....**Respondents**

AFFIDAVIT

I, Hassan U.K Afridi, Advocate Supreme Court of Pakistan, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



ADVOCATE

3

X

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 842/2018



Jamshed Khan S/o Rehmat Shah,
R/o Hayat Shaeed Colony,
Pindi Road, Kohat.....


1088
28/6/2018
.....Appellant

- VERSUS -

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar
2. Director Elementary & Secondary Education, Peshawar
3. District Education Officer (Male) Elementary & Secondary Education, K.D.A, Kohat
.....Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER
No.387275/ AT/ TT ESTAB, dt.23.06.2015
WHEREBY THE APPELLANT WAS
TERMINATED/ REMOVED FROM SERVICE
WITH EFFECT FROM 26.01.2015 WITHOUT
LAWFUL JUSTIFICATION.

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

A. No. 842/2018
Jawshed Khan vs Govt



03.10.2019

None for the appellant present. Addl: AG alongwith
Mr. Waheed Gul, ADO for respondents present. Called for
several times but no one appeared on behalf of the appellant,
therefore, the appeal in hand is hereby dismissed in default.
File be consigned to the record room.

Announced:
03.10.2019

(Ahmad Hassan)
Member

(M. Amin Khan Kundi)
Member

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

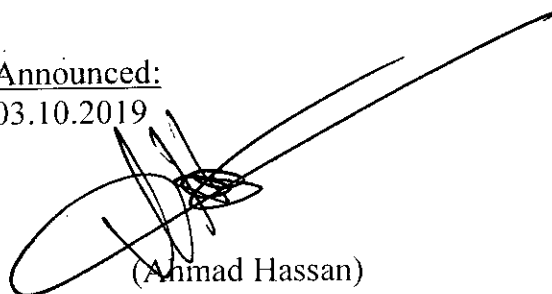
Date of Presentation of Application 04-10-19
Number of Words 800
Copying Fee 10-00
Urgent _____
Total 10-00
Name of Copy _____
Date of Completion of Copy 22-10-19
Date of Delivery of Copy 22-10-19

A. No. 842/2018
Jamshed Khan vs Govt.

03.10.2019

None for the appellant present. Addl: AG alongwith Mr. Waheed Gul, ADO for respondents present. Called for several times but no one appeared on behalf of the appellant, therefore, the appeal in hand is hereby dismissed in default. File be consigned to the record room.

Announced:
03.10.2019



(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member

02.05.2019

Clerk of counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present.

Learned District Attorney requests for adjournment to contact the respondents regarding submission of written reply. Adjourned to 20.06.2019 for submission of written reply/comments by the respondents.


Chairman

20.06.2019

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department present therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date. Adjourned but as a last chance. Case to come up for written reply/comments on 06.08.2019 before S.B. Notice be also issued to the appellant for attendance for the date fixed.


(Muhammad Amin Khan Kundi)
Member

06.08.2019

Clerk to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Wahid Gul ADO present. Representative of the respondent department submitted written reply/comments. Adjourn. To come up for rejoinder if any, and arguments on 03.10.2019 before D.B.


Member

18.02.2019 Counsel for the appellant present.

Contends inter-alia that the impugned order dated 30.06.2015 was not specific regarding termination or removal of appellant from service, therefore, the same could not stand. Regarding the delay in submission of departmental appeal, a judgments reported as 2004-PLC (CS) 821 was relied upon and it was stated that the said appeal remained undecided therefore it could not be termed as barred by time.


Appellant Deposited
Security & Process Fee

The appeal in hand is admitted for regular hearing subject to all just and legal objections regarding the delay.

The appellant is directed to deposit security and process fee within (10) days. Thereafter, notices be issue to the respondents. To come up for written reply/comments on 01.04.2019 before S.B


Chairman

01.04.2019 Clerk to counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG. Written reply not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 02.05.2019 before S.B.


(Ahmad Hassan)
Member

03.10.2018

Clerk of the counsel for appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 13.11.2018 before S.B.

MA
(Muhammad Amin Khan Kundi)
Member

13-11-2018

*Due to Retirement of Honorable
Chairman the Tribunal is non
functional therefore the case is
adjourned to come up for the same*

on 1-1-2019

8/1/18

*of all
Reader*

01.01.2019

Clerk of the counsel for appellant present and requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 18.02.2019 before S.B.

MA
Muhammad Amin Khan Kundi
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 842/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/06/2018	<p>The appeal of Mr. Jemshed Khan presented today by Mr. Hassan U.K Afridi Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 28/6/18</p>
2-	23.07.2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/7/18</u>.</p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
	10.09.2018	<p>Learned counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 10.09.2018 before S.B</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>
		<p>Neither appellant nor his counsel present. Case to come up for preliminary hearing on 03.10.2018 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 842 /2018

Jamshed Khan.....Appellant

V E R S U S

Govt. of Khyber Pakhtunkhwa through
Secretary E&SE Peshawar & other.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Service Appeal with affidavit		1-5
2.	Affidavit		6
3.	Application condonation of delay		7-9
4.	Addresses of parties		10
5.	Appointment order <i>with service book</i>		<i>11-17</i>
6.	Last salary slip dated 01.09.2014		<i>18</i>
7.	Termination Order dated 23.06.2015		<i>19</i>
8.	Application for leave		<i>20</i>
9.	Departmental Appeal		<i>21</i>
10.	Wakalatnama		<i>22</i>

Appellant
Through

Dated 28.06.2018

Hassan U.K Afridi
Advocate High Court
Cell No. 0300-9151963

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 842 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1088

Dated 28/6/2018

Jamshed Khan S/o Rehmat Shah,
R/o Hayat Shaeed Colony,
Pindi Road, Kohat.....

Appellant

V E R S U S

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar
2. Director Elementary & Secondary Education, Peshawar
3. District Education Officer (Male) Elementary & Secondary Education, K.D.A, Kohat

.....**Respondents**

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER
No.387275/ AT/ TT ESTAB, dt.23.06.2015
WHEREBY THE APPELLANT WAS
TERMINATED/ REMOVED FROM SERVICE
WITH EFFECT FROM 26.01.2015 WITHOUT
LAWFUL JUSTIFICATION.**

Filed to-day

[Signature]
Registrar
28/6/18

Prayer in Appeal:-

On acceptance of this appeal, the impugned order No. No.387275/ AT/ TT ESTAB, dt.23.06.2015, may kindly be set aside and the appellant may please be reinstated with all back benefit and also awarded salary since October 2014, till now.

Any other relief which deem fit may also be granted for the safe administration of justice.

Respectfully Sheweth:-

1. That appellant was appointed as T.T Teacher (BPS-07) at Government Middle School Charghri, Kohat on 08.04.1999, and since then performing his duty as Arabic Teacher (AT) to the entire satisfaction of Department.
2. That appellant received threats from Talibans as well as the threats were also received by the principal of school in January 2015 and bomb blast also carried out in some schools, due to which the appellant submitted an application for leave on

05.01.2015 but reasons disclosed as domestic problems, but actually the reasons was the threats.

3. That the appellant was astonished to know that he was terminated/removed from his service on 23.06.2015.
4. That the appellant when came to know he filed Departmental Appeal on 08.03.2018, but no reply was received, hence this appeal on the following amongst the other grounds:-

GRUNDS:

- A. That the impugned termination/removal order, vide dated 23.06.2015 is against law and justice and is liable to be set aside.
- B. That the appellant has performed his duty on Arabic Teacher since 08.04.1999 till in the year 2015, without any complaints of the authorities and performed his duty well.
- C. That the Government Middle school Ghulam Bade is situated, near the tribal area due to which the Taliban gave threats to the appellant and other teacher for the reason the appellant submitted an

application for leave without pay but no reply was received from the respondent No.3.

- D. That due to the said unavailable circumstances, the appellant submitted an application for leave but instead of granting leave the respondent No.3, terminated the appellant without adopting the legal formalities.
- E. That no regular inquiry was conducted before the said termination order, so no proper procedure has been adopted under the law.
- F. That no charge sheet, statement of allegation and show cause notice have been served to the appellant.
- G. That no show cause notice has been published in newspapers and no intimation has been given by the respondents to the appellant regarding his termination.
- H. That because the proceedings if any in absence of the appellant, have been conducted/adopted is against the fundamental rights embodied in the constitution of Islamic Republic of Pakistan, 1973,

hence not tenable in the eyes of law and is liable to be quashed/set aside.

- I. That the absence of the appellant is not intentional but due to the threats of Talibans.
- J. That some other ground may be adduced at the time of arguments with the permission of this Honourable Court.

It is, therefore most humbly prayed that acceptance of this appeal, the impugned order of removal of the appellant, vide dated 22.07.2005, may kindly be set aside and the appellant may please be re-initiated or be considered in service and the respondents may further be directed to grant/given pension with all pensionary benefits to the appellant under the law

Any other relief this Honourable Court may deem fit for the safe administration of justice

James had

Appellant

Through

Hassan U.K Afridi
Advocate High Court

Dated 28.06.2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2018

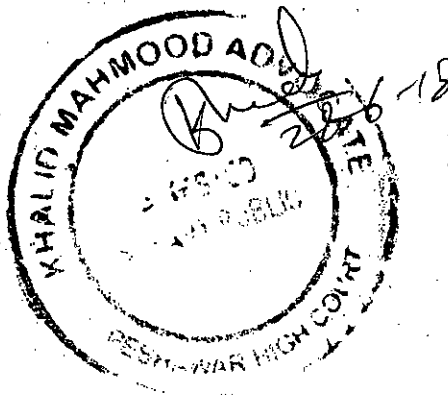
Jamshed Khan.....**Appellant**

VERSUS

Govt. of Khyber Pakhtunkhwa through
 Secretary E&SE Peshawar & other.....**Respondents**

AFFIDAVIT

I, Jamshed Khan S/o Rehmat Shah, R/o Hayat Shaeed Colony, Pindi Road, Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Jamshed
DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2018

Jamshed Khan.....**Appellant**

V E R S U S

Govt. of Khyber Pakhtunkhwa through
Secretary E&SE Peshawar & other.....**Respondents**

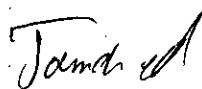
APPLICATION FOR CONDONATION
OF DELAY IF ANY

Respectfully Sheweth:

1. That the service appeal also filed with this application, which has bright chance to succeed.
2. That the departmental appeal was filed in some delay on 08.03.2018 due to threats of Taliban's but as soon as the Talibanization has to an end, the appellant filed the departmental Appeal.
3. That as there was no reply of the departmental appeal filed by the appellant, then the appellant after 90 days filed the present service appeal with in time.
4. That justice demands to decide the case on merit rather than on point of limitation.

5. That the appellant has good prima facie case on merit.
6. That some other ground may be adduced at the time of arguments with the permission of this Honourable Court.

It is, therefore most humbly prayed that acceptance of this application, the condonation of delay if any may kindly be granted.



Appellant

Through

Dated 28.06.2018



Hassan U.K. Afridi
Advocate High Court

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____/2018
In
Service Appeal No. _____/2018

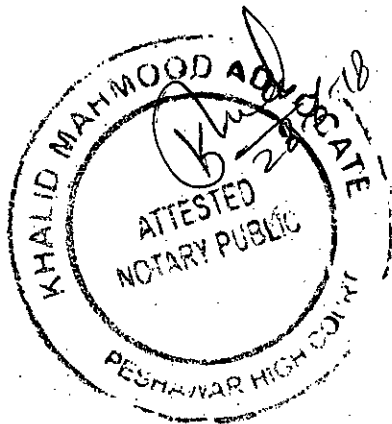
Jamshed Khan.....**Appellant**

V E R S U S

Govt. of Khyber Pakhtunkhwa through
Secretary E&SE Peshawar & other.....**Respondents**

A F F I D A V I T

I, Jamshed Khan S/o Rehmat Shah, R/o Hayat Shaeed Colony, Pindi Road, Kohat, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Jamshed

DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2018

Jamshed Khan.....**Appellant**

V E R S U S

Govt. of Khyber Pakhtunkhwa through
 Secretary E&SE Peshawar & other.....**Respondents**

ADDRESSES OF PARTIES

APPELLANT:

Jamshed Khan S/o Rehmat Shah,
 R/o Hayat Shaeed Colony,
 Pindi Road, Kohat

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa through
 Secretary Elementary & Secondary Education, Civil
 Secretariat, Peshawar
2. Director Elementary & Secondary Education,
 Peshawar
3. District Education Officer (Male) Elementary &
 Secondary Education, K.D.A, Kohat

Appellant

Through

Dated 28.06.2018

Hassan U.K Afridi
 Advocate High Court

1

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) SECONDARY(KOHAT).

CONREGENDUM.

Please read in appointment order issued Vide this Office Endst:No.3711-3728/Apptt:/T.T/I-AE Dated 05/4/1999 as noted below:-

1. Jamshed Khan S/O Rehmat Sher At GMS Charghri instead
C/O Shakar Khan Shop Keeper of GMS Bazid Khel.
P.O.R.T.C H.Shaheed Col:
Kohat.
2. Hiaz Din S/O Nek Din R/O AT GMS Bazid Khel instead
Ghorzai Payan Kohat. of GMS Charghri (Kohat).

(MIAN SAADAT SHAH)
DISTRICT EDUCATION OFFICER,
(MALE) SECONDARY, (KOHAT).

Endst:No. 4185-93 /F-TT/I-AE Dated Kohat the 10/4/99.

Copy of the above is forwarded to the:-

1. Accountant General NWFP, Peshawar.
2. Director of Secondary Education NWFP, Peshawar.
- 3.4. Head Master, GMS, Charghri and Bazid Khel (Kohat).
5. P.S. to Secretary to Govt of NWFP, Peshawar.
6. District Accounts Officer Kohat.
- 7-8 Candidates Concerned.
9. Master File.


DISTRICT EDUCATION OFFICER,
(MALE) SECONDARY, (KOHAT).

5/4/99

APPOINTMENT.

Consequent upon the orders of the High-ups of the Education Department NWFP, Peshawar in the meeting held on 22.03.1999 the following candidates selected by the District Selection Committee Kohat for the Posts of T. Ts are hereby appointed in the basic Pay scale No.07 (Rs. 1480-81-2695) Plus usual allowances as admissible against the newly created/vacant post in the schools noted against each with immediate effect subject to the terms and conditions detailed below:-

S.No.	Name with Father's Name.	Date of Birth.	Merit Position.	Schools where appointed.	Remarks
1.	Jamshed Khan S/O Rehmat Sher C/O Shakar Khan Shop Keeper P.O. R. T. C H. Shaheed Col: Kohat.	20.1.74	2/ 39.86	GMS I Bazid Khel.	V. Post.
2.	Niaz Din S/O Nek Din Vill: Ghorzai Payan Kohat.	15.10.76	4/ 35.86	GMS, Chargarhi	N. C. P.
3.	Saadullah Khan S/O Noor Gul R/O Kandar Kohat.	05.8.70	5/ 35.39	GMS Dhok Sher Zaman.	N. C. P.
4.	Muhammed Amin S/O Habib ul R/O Shanda Fateh Khan KT	08.02.67	7/ 30.80	GMS Ghorzandi.	N. C. P.
5.	Ahmad Nawaz S/O Alhaj Luqman Khan R/O Lachi.	01.04.73	9/ 29.29	GHSS, Billitang.	V. Post.
6.	Hafiz Muhammad Tariq S/O Maulana Muhammad Tahir R/O Malgin KT.	07.08.70	10/ 28.50	GHS, Ghorzai P.	V. Post.

TERMS & CONDITIONS.

1- They will be governed by such rules & regulations as may be prescribed by the Govt: from time to time for the category of the Govt: servants which they belong.

2- Their Services will be liable to termination on one month notice from either side. In case of resignation without notice One Month Pay will be forfeited in lieu thereof.

3- They should join the Posts within 15 days of the issue of this Notification.

4- Their inter-se-seniority will be determined in accordance with the merit of Departmental Selection Committee.

5- Charge report should be sent to all concerned.

6- They shall be in probation for a period of Two years & will neither apply for long leave nor seek admission in any College/University.

1) Passed S.S.C (A) Exam Under Roll No. 51071
Session 1990, marks Obtained 514/850 Grade "B"
from BISE Peshawar, result declared on 8-8-90

2) Passed F.A (S) Exam Under Roll No. 19701
Session 2000, marks Obtained 669/1100
Grade "B" from BISE Peshawar result
declared on 5-1-2001

Director
(Male) Schools & Hqs
Kohat

3) Obtained Dars-i-Nizami from Madrasa
Gazi Husamudin Kohat. Marks Obtained
495/600, result declared on 15-11-1998.

4) Passed "Arabic Honours" in Arabic Exam.
from BISE Peshawar in 1998 Under
Roll No. 2167, marks Obtained 306/600
result declared on 17-2-1999.

page No 01
attested

[Signature]
Headmaster
B.M.S. Chak 17/04/04
Kohat

[Signature]
Director
(Male) Schools & Hqs
Kohat

1. Name (نام) JAMSHED KHAN
2. Nationality and Religion Pakistan Islam
(قومیت اور مذہب)
3. Residence Hayat Shaheed Colony
(مستقل رہائش) R.T.C Pindi Road Kohat
4. Father's name and residence Rehmat Shah
(والد کا نام اور پتہ)
5. Date of birth by Christian era as nearly as can be ascertained 20-01-1974
(تاریخ پیدائش مطابق سن مسوی)
6. Exact height by measurement 1.65M
(قد کا پتہ)
7. Personal mark of identification Wound mark on Rt. Knee.
(نشانی نشانات)

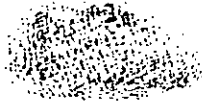
8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (بھنگلیا)



Ring Finger (بھنگلیا کے ساتھ کی انگلی)



Middle Finger (انگلی)



Fore Finger (انگلی)



Thumb (بھنگلیا)



9. Signature of Govt. Servent Jamshed Khan
(سرکاری ملازم کے دستخط)

10. Signature and designation of the Head of the Office or other Attesting officer

(تصدیق کنندہ کے دستخط اور نام)

By D. B. S. (S)
Kohat

Page No 02
attested

M. S. Chaudhary
Headmaster
G.M.S. Chaudhary
Kohat

Note : The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور ہر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے

انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں

M. S. Chaudhary

1	2	3	4		5		6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive pension		Additional pay for officiating		Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
		اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے	تختواہ بطور	عارضی ملازمت	زائد تختواہ بطور	تائیم مقام	ماسوائے تختواہ دیگر الاڈنس	تاریخ تقرری	دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
T-T Post		(BPs-07)	Rs. 1480-51-2685						
at SMS	Off: Temp				1480/- PM		✓	10/4/99	Khan Jamshad
Changhan		Remission entry of BPs-9						(A-1)	Khan Jamshad
Do	Do	1251/-	1450	1605/-			✓	10/4/99	Khan Jamshad
Do	Do	141	1561	1702/-			✓	10/4/99	Khan Jamshad
Do	Do	1571/-	1644	1799/-			✓	10/4/99	Khan Jamshad
Do	Do	921/-	1712	1896/-			✓	10/4/99	Khan Jamshad
		Remission Reg on 12/2001							
T-T Post									
Changhan	Temp	1451/-	2700	2845/-			✓	1/12/2001	Jamshad
Do	Do	1451/-	2845	2990/-			✓	1/05/03	Jamshad
Do	Do	1451/-	2990	3135/-			✓	1/12/03	Jamshad

Page No. 03

attested
 M. S. Chaudhary
 GM S. Chaudhary
 R.O. No. 17/14/04

16

9	10	11	12	13	14	15
Signature and Designation of the head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office or other Attesting Officer.	<p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>Govt. to which Debit</p> <p>Period</p>	Signature of the head of the office or other Attesting office	Reference to any recorded punishment or censure or reward or praised of the Government servant
دستخط افسر مجاز	تاریخ انتقال ملازمت	وجہات انتقال ملازمت ترقی، تبادلہ یا برطرفی	دستخط افسر مجاز	<p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <p>رخصت کی نوعیت و معیار</p>	دستخط افسر مجاز	سرنا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
Syl DIE.C (M) Kohat				Appointed as T-T at EMS Chergari Kohat vide DEO (M) Secy. Kohat office Enclst no. 3711-3728/		
Syl DIE.C (M) Kohat	30/11/99	Jure	Syl DIE.C (M) Kohat	Appnt. T-T dt. 5/4/99 + Correspondence Enclst. no. 4185-93 / F-TT / T-AB	دستخط افسر مجاز	
Syl DIE.C (M) Kohat			Syl DIE.C (M) Kohat	Credited: 10/4/99	دستخط افسر مجاز	
Syl DIE.C (M) Kohat			Syl DIE.C (M) Kohat	Earned leave sanctioned w.e.f. 8/5/02 to 27/5/02	دستخط افسر مجاز	
Syl DIE.C (M) Kohat			Syl DIE.C (M) Kohat	Via D. & Secy. Kohat office Enclst. No 4884/88	دستخط افسر مجاز	
Syl DIE.C (M) Kohat			Syl DIE.C (M) Kohat	Patrol - 5/6/09	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat		T No 732 8/6	Syl DIE.C (M) Kohat	Drawals 3735	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat		85 to 215 including pay for duty first half	Syl DIE.C (M) Kohat	50 5 285 315	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat		2002 7 2002 2002	Syl DIE.C (M) Kohat	2002 2002	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat			Syl DIE.C (M) Kohat	Earned leave sanctioned with half pay 29/11/02 to 10/02/02	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat			Syl DIE.C (M) Kohat	without pay 12/02/02 to 21/02/02 (7 days)	دستخط افسر مجاز	
District Officer (Male) Schools & EHS Kohat			Syl DIE.C (M) Kohat	via D.O no. 13999-1400	دستخط افسر مجاز	

Page No 04 attached

Headmaster S-Chargh 11/7/x/04

Earned leave sanctioned with half pay 29/11/02 to 10/02/02 without pay 12/02/02 to 21/02/02 (7 days) via D.O no. 13999-1400 dated 6-11-02 District Officer (Male) Schools & EHS Kohat

Signature and designation of the head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion transfer dismissal etc.)	Signature of the Head of the office or other Attesting Officer.	Nature and duration of leave taken	Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government	Signature of the head of the office or other Attesting officer	Reference to any recorded punishment or censure or reward or praised of the Government servant
دستخط انسرمجاز	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط انسرمجاز	رخصت کی نوعیت و معیار	چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین	دستخط انسرمجاز	سرایا یا غیر مناسب کارکردگی کا ریکارڈ

17

Service Verified W.E.F... 1/11/00
To 30/11/00 From the Acct; Roll & other office record.

Office of the Accountant General
M. W. P. P. Fakhawar.
Pay Band is the revised basic pay scale of Rs 2220-1200-5820 (3-7) of Rs 2700/- with 1-12-20/01 with 10% increment on 1-12-20/01
Accountant Officer
Pay Band Rs 2700/-

DISTRICT OFFICER
Secy Education Kohat

Service Verified W.E.F... 1/11/00
To 30/11/00 From the Acct; Roll & other office record.

DISTRICT OFFICER
Secy Education Kohat

The o/pay H: may please be reviewed from 1/12/99 to 1/12/00

Excessed leave sanctioned w.e.f. 29/12 to 30/12 (130) without pay vide No 846 Kohat End of No 1713-20 Dated 1/12/03

From 1 12/99 to 30 11/00 144/-

1 12/00 to 30 11/01 @ 157/-

1 12/01 to 31 12/02 @ 145/-

less three month without pay

145 x 20 = 2900/-

7476/-

Page No 05 attached

Actg Off

Headmaster
G.M.S. Charak
Kohat

7/1/04



GOVERNMENT OF PAKISTAN
 ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA
 DISTRICT Kohat
 PAY ROLL SYSTEM

1-9-2014

PAYMENT ADVICE

P Ser: 002 Month: September 2014
 KT7056 - Govt. Middle Schools
 Div: Education Schools
 NTN:
 GPF #: EDUKT009724
 Old #:

Emp No: 00200412 Buckle:
 Name: MUSHEER KHAN
 Des: ASSTIC TEACHER
 ENIC No: 14879019601

DEPTT CODE KT7056

PS: 15 Active Permanent

GYS AND ALLOWANCES:		
0001-Basic Pay		11,300.00
1000-House Rent Allowance		1,566.00
1210-Convay Allowance 2005		2,856.00
1300-Medical Allowance		1,200.00
1949-Adhoc Allowance 2010@ 50%		3,240.00
1970-Adhoc Relief Allow 2011		972.00
2110-Adhoc Relief Allow (2012)		2,260.00
2148-15% Adhoc Relief All-2013		1,695.00
2174-Adhoc Relief Allow-2014		1,130.00
Gross Pay and Allowances		26,219.00
DEDUCTIONS:		
GPF Balance	17,693.00	Subtr: 1,520.00
AS05-GPF Loan Principal Instal	Bel: 42,240.00	1,760.00
3501-Benevolent Fund		180.00
3511-Addl Group Insurance		13.00
3604-Group Insurance		115.00
Total Deductions:		3,588.00
NET AMOUNT PAYABLE		22,631.00

A-T 06/10

QUALIFYING SERVICE
 YRS MON
 15 Years 05 Months 02 Days

D.O.B
 20.01.1974

LFP Quota:
 NBP, MAIN BAZAR KUHMAIN BAZAR KOHAT
 526-0

[Handwritten Signature]

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

TERMINATION ORDER

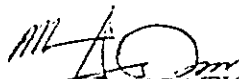
Mr. Jamshid Khan AT Govt: Middle School Ghulam Banda Kohat is hereby terminated/ Removed from his Service due to his wilfull absence from official duty with effect from 26.01.2015 for which all codal formalities have been observed under efficiency and disciplinary Rules 2011

Necessary entry to this effect should be made his service Book.

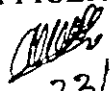
DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst No 387275 / AT/TT /Etab Dated Kohat the 23-6-2015

- Copy of the above is forwarded for information to the:-
1. Assistant District Education Officer Etab Male local office
 2. Headmaster Govt: Middle School Ghulam Banda Kohat
 3. District Account Officer Kohat
 4. Mr. Jamshid Khan R/O Hayat Shaheed Colony Pindi Road Kohat

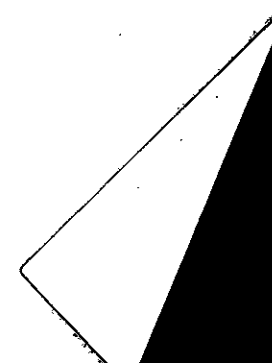

DY DISTRICT EDUCATION OFFICER

23/6/2015 (MALE) KOHAT


23/6/2015







حضرت جناب ڈسٹرکٹ ایجوکیشن آفیسر (سرڈانہ) ضلع کوٹلیا

عنوان: - Leave without pay w.e. from
26/01/15 to 31/05/16.

26

جناب عالی!

مودبانہ گزارش کیجانی ہے کہ فردی GMS علاج باندہ

بطور عزیز ٹیچر (AT) اپنے فرائض سر انجام دے رہا ہے۔

فردی کو چند ناگزیر گھریلو مسائل کیوجہ سے ڈیوٹی

احسن طریقہ سے انجام دینے میں مشکلات کا سامنا ہے

لہذا فردی کو مورخہ 26/01/15 تا 31/05/16

تک "leave without pay" عنایت فرما کر مشکور و ممنون

فرمائیں۔ فردی آپ صاحبان کا تادم ذہنیت

دعا گو رہے گا۔

عین گزارش ہوگی۔

محمد شہید خان (AT)

GMS علاج باندہ کوٹلیا

تاریخ: 05/01/15

Submitted to DDEO (M) Kohat
for said leave for further process
please.

Head Master
G. M. S.
Chulam Banda Kohat

To

The Director (E&SE)

KPK Peshawar

Through

PROPER CHANNEL

Subject:-

APPEAL FOR RE-INSTATEMENT

20

Respected Sir,

I have the honour to stated that I have been serving as AT in Education Department since, 08.04.1999. Presently I was performing my duties at GMS Ghulam Banda Kohat. Due to some domestic problems, I submitted an application for EOL without pay in the office of Worthy District Education Officer Kohat w.e.f 26.01.2015 to 31.05.2016.

R/Sir, in the said period the applicant approached his home on 7th July, 2015 I was astonished to see absentee notices and termination order within as short period no procedure has been adopted, neither I have been intimated.

There was no a single male member in my home to inform me the said situation. Sir I belong to a poor family and have no source to support my family.

Therefore, the applicant and the other family members are requested/appealed that may please be re instated me on the same.

We all the family members will always be grateful to you on this act of kindness.

Dated:- 08th March 2018

Yours Obediently

Jamshid

Jamshid Khan AT

GMS Ghulam Banda Kohat

Cell#0333-9624459

Copy to:-

DEO Male Kohat

Dated
8/3/2018

D.NO

567

بعدالت جناب سروس ٹریڈیونل جسٹریٹو ٹیوٹور سٹار

کورٹ نمبر

۲۲

۲۰ منجانب - Appeal

مقدمہ

علت نمبر

جرم زید نقد

مورخہ

تھانہ

نام گورنمنٹ آف پاکستان

ٹھکانہ

Service Appeal - 2018

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی کل کارروائی متعلقہ آں مقام کے لیے

حسن۔۔۔ بوکے۔۔۔ اقرار ال ریاست سٹارڈیٹوٹور سٹارڈیٹوٹور
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر
ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجرا اور وصولی چیک در روپیہ اور عرضی دعویٰ اور
درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور
منسوخی و نیز دائر کرنے اپیل نگرانی نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکور کے کل یا جزو کارروائی
کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا
اختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہر جائنہ التوائے مقدمہ کے
سبب سے ہوگا اس کے مستحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیش
مقام دورہ پر ہو یا حد سے باہر ہو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔ لہذا کالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم

مقام سٹارڈیٹوٹور سٹارڈیٹوٹور ہے

Appeal

Jamshed

Appeal

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR SERVICE APPEAL NO: 842/2018

Jamshid Khan S/O Rehmat Shah R/O Hayat Shaheed Colony Kohat..... **Appellant**

V E R S U S

1. Govt of Khyber Pakhtunkhwa Through Secretary Elementary & Secondary Education Civil Secretariat, Peshawar
2. Director Elementary & Secondary Education Peshawar
3. District Education Officer (Male) Kohat **Respondents**

Parawise Comments on behalf of respondent no: 1, 2 & 3

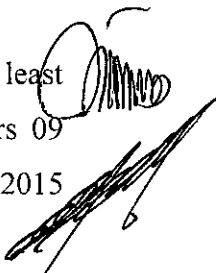
Preliminary Objections:-

1. That the appellant has got no locus standi to file instant Appeal
2. That the appellant has concealed material facts from the Honourable Tribunal
3. That the appellant has not come to this Tribunal with clean hands
4. That the instant appeal is not maintainable in the eyes of law.
5. That the appellant is based upon malicious/ vexatious and frivolous grounds.
6. That the instant appeal is badly barred by time as the appellant just after the removal from service vide order 23.06.2015 filed Departmental appeal to appellate authority on dated 10.07.2015 after expiry of prescribed period of appeal, required to knock the door of this Hon'able Tribunal as remedial step but failed to do so. Now after a lap of 3 years filed an other appeal dated 08.03.2018 in this connection it is stated that structure of law is founded upon the legal maxims, the delay defeat equity, time and tied wait for none and law helps the vigilant not the indolent and the law limitation is to held the vigilant not the indolent. The appellant has to explain each and every delay, but no plausible explanation has been given limitation is not a mere technicality rather is a mandatory statutory provision and creating it a formality or triviality would amount to make the entire limitation act 1908. Hence the instant case is not maintainable.

Respectfully sheweth

Facts

1. Incorrect, the appellant had been performed his duty regularly irregular with least interest, availed different kind of leave on different time for about 04 Years 09 Months & 16 Days EOL right from joining the Department as AT up to 25.01.2015 on the basis of one pretext or the other. (Copy attached as Annexure A)
2. Incorrect, what so ever circumstance the appellant had been facing but it was beyond the competency of Respondent No: 3 being a authorized officer to entertain his leave application w.e.f. 26.01.2015 to 31.05.2016 (01 Year 04 Months & 05 Days) within the ambit of Revised leave rules 1981 as the appellant has already availed the prescribed limit of EOL. Hence he was informed accordingly vide order dated 07.02.2015 (**Annexure B**) with the direction to resume duty but he failed, so 03 absence Notices have been sent on his Home address by the Head of institution



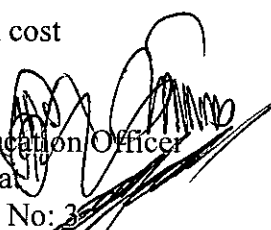
concerned to resume duty (**Annexure C**) but no response has been received from the appellant end. Consequentially, absent notice has been fluted in Daily News Paper dated 28.05.2015 (**Annexure D**) and the appellant has been terminated from Service vide order dated 23.06.2015 under E&D rules 2011 para 9 (Copy attached as **Annexure E**).

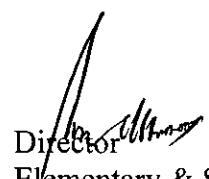
3. Incorrect, the services of the appellant was terminated due to his own conduct.
4. Incorrect, the appellant was well aware, will in time as evident from his 1st Departmental appeal dated 10.07.2015 (Copy attached as **Annexure F**), the current appeal dated 08.03.2018 being a barred by time and abortive attempt, have no legal maxim and have no reason to entertain.

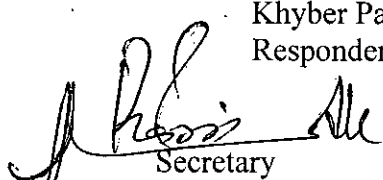
GROUNDS

- A. Incorrect, the appellant has been treated strictly in accordance with rules and regulations.
- B. Incorrect, the appellant had been performing duty with lethargic attitude as evident from **Annexure A**.
- C. Admitted to the extend that the school is situated near tribal Area but the contemporary teacher of his school performing their duties well. This stance of appellant seems to be pretext as he is habitual to avail EOL from time to time just to avoid the paramount responsibility. However letter of rejection of leave has been conveyed well in time as evident from **Annexure B**.
- D. Incorrect, as stated vide para 2 above
- E. Incorrect, all codal formalities has been observed under E&D rules 2011 para 09.
- F. Incorrect, As stated vide para E above.
- G. Incorrect, absent notice/Show cause has been published in daily News Paper dated 28.05.2015 as evident from (**Annexure D**).
- H. Incorrect, the appellant was well aware as transpires his 1st appeal dated 10.07.2015 filed against his termination, he was deliberately willful absent from duty.
- I. Incorrect, the appellant was supposed to contact the law enforcement agencies instead of absconding him self.
- J. That the some other grounds would adduce at the time of argument with the permission of this Hon'able tribunal.

It is therefore humbly prayed before this learned court to dismiss the Service appeal with cost


District Education Officer
(Male) Kohat
Respondent No: 3


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
Respondent No: 2


Secretary
Elementary & Secondary Education Deptt
Govt of Khyber Pakhtunkhwa Peshawar
Respondent No: 1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR SERVICE APPEAL NO: 842/2018

Jamshid Khan S/O Rehmat Shah R/O Hayat Shaheed Colony Kohat..... **Appellant**

V E R S U S

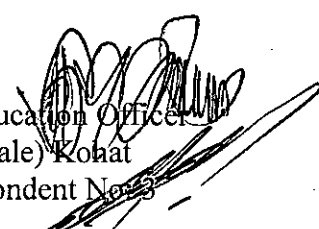
1. Govt of Khyber Pakhtunkhwa Through Secretary Elementary & Secondary Education
Civil Secretariat, Peshawar
2. Director Elementary & Secondary Education Peshawar
3. District Education Officer (Male) Kohat **Respondents**

REPLY TO THE APPLICATION FOR CONDONATION OF DELAY IF ANY

Respectfully sheweth

1. Incorrect, the instant appeal is hopelessly time barred and has no chances to succeed.
2. Incorrect, the appellant concealed his 1st appeal dated 10.07.2015, the 2nd appeal dated 08.03.2018 is to mis lead this Hon'able tribunal.
3. Incorrect, the current appeal dated 08.03.2018 which is hopelessly time barred and have no legal maxims to be entertain.
4. Incorrect, that the instant appeal is badly barred by time as the appellant just after the removal from service vide order 23.06.2015 filed Departmental appeal to appellate authority on dated 10.07.2015 after expiry of prescribed period of appeal, required to knock the door of this Hon'able Tribunal as remedial step but failed to do so. Now after a lapse of 3 years filed an other appeal dated 08.03.2018 in this connection it is stated that structure of law is founded upon the legal maxims, the delay defeat equity, time and tied wait for none and law helps the vigilant not the indolent and the law limitation is to held the vigilant not the indolent. The appellant has to explain each and every day delay, but no plausible explanation has been given limitation is not a mere technicality rather is a mandatory statutory provision and creating it a formality or triviality would amount to make the entire limitation act 1908. Hence the instant case is not maintainable.
5. Incorrect, The instant appeal does not attract any prima-facie case.
6. That the some other grounds would adduce at the time of argument with the permission of this Hon'able tribunal.

It is therefore humbly prayed before this learned court to set-aside an application for condonation please.


District Education Officer
(Male) Kohat
Respondent No. 3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR SERVICE APPEAL NO: 842/2018

Jamshid Khan S/O Rehmat Shah R/O Hayat Shaheed Colony Kohat..... **Appellant**

VERSUS

District Education Officer (Male) Kohat & others **Respondents**

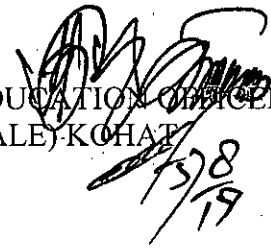
Affidavit

I, District Education Officer (Male) Kohat do hereby solemnly affirm and declare on oath that the contents of the accompanying Parawise comments are true and correct to the best of my knowledge and belief and nothing has been concealed withheld from this Honourable Tribunal.

Deponent

Dated 06.08.2019

DISTRICT EDUCATION OFFICER
(MALE) KOHAT



7/5/19

Amnt- (A) 5

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

No. 4491/1

Dated: 11/1/08/2015

To

The Director
Elementary & Secondary Education Khyber Pakhtunkhwa
Peshawar

Subject: **APEAL FOR REINSTATEMENT**

Memo

Reference your letter No. 5967 / F.No. 396 / KC / TT / AT / Qari (M)
Dated: 29.07.2015 on the subject cited above.

One Mr. Jamshed Khan Ex-AT was working in Education Department since 10.04.1999. Detail history of service / leave period is as under:

<u>Service Period</u>	<u>Length of Service</u>	<u>Availed Leave</u>
10.04.1999 To 07.05.2002	3-0-28	08.05.2002 To 25.02.2002 (20 Days with Full pay)
28.05.2002 To 01.09.2002	0-3-0-05	02.09.2002 To 30.04.2003 (08 Months without pay)
01.05.2003 To 31.10.2005	02-06-0	01.11.2005 To 23.04.2006 (05 Month 23 Days E.O.L)
24.04.2006 To 03.09.2006	0-4-10	04.09.2006 To 03.11.2006(02 Month E.O.L)
04.11.2006 To 01.09.2009	02-09-28	02.09.2009 To 29.04.2011 (1 Years,8Months, 28 Days E.O.L)
30.04.2011 To 05.09.2011	0-04-06	06.09.2011 To 31.05.2013 (1 Year,08 Months, 25 Days E.O.L)
01.06.2013 To 25.01.2015	0-07-25	

His qualifying Service has ten (10) Years upto 25.01.2015 and he has availed (04) Years, (09) Months and (16) Days E.O.L without Pay. He has applied for more E.O.L w.e.f 26.01.2015. On the discretion of competent authority more E.O.L not sanctioned to him. Therefore he was directed to resume his duty accordingly.

He failed to resume his duty at GMS Ghulam Banda Kohat. The HM GMS Ghulam Banda Kohat issued notice to Mr. Jamshed Ex-AT on his home address but no reply received to him, after that three absent notices were issued to him on his address by the undersigned i.e First Notice: 02.03.2015, Second Notice: 19.03.2015 and Third Notice: 09.04.2015, but he was failed to report on the above notices and did not resume his official duty accordingly.

Then, absent notice published in daily News papers, but no reply has been received till last date mentioned in notice.

After completion of all codle formalities, he has been terminated form service due to long absence.

O/e
District Education Officer
Male Kohat
11/3/2015
11/08/2015



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

No. 677 / AT - TT file

Ammt

B *6*

Dated: 7/2 /2015

To

The Headmaster
GMS Ghulam Banda Kohat

Subject: **APPLICATION FOR EARNED LEAVE IN R/O JAMSHED KHAN AT**

Memo

Reference your memo No. 462 Dated: 26.01.2015.

The leave application in r/o Mr. Jamshed AT of your school for grant of E.O.L (Extra Ordinary Leave) returned with the remarks that the applicant has already availed E.O.L for more than five years and he is not entitled for more E.O.L under the revised leave rules 1981 and can not be sanctioned at this stage.

Hence the applicant may be directed to report the school and continue his duty with immediate effect. In case nonattendance for duty absent notes may be issued on his home address.

of
e
07/2/015

DISTRICT EDUCATION OFFICER (M)
ELEM. & SECY: EDUCATION
KOHAT

07/2/2015

AMM - C 7
20

OFFICE OF THE DIRECTOR GENERAL OF CUSTOMS AND EXCISE

No. 1080

Dated 23/2/2015

To,

Mr. Jauchid Khan A.P.,
Head, Finance Colony,
Faisalabad Tehsil

Subject: ADVERSE REPORT.

Re:

Reference this office No. 607 dated 27-02-2015.

Your application for grant of S.O.L. is rejected by the competent authority with remarks that you have availed 05 years Extra Ordinary Leave previously and more S.O.L. can not be sanctioned at this stage.

Therefore you are directed to report for duty at GPO Ghulam Haider Chhat with 10 days.

otherwise necessary action will be taken against you under S.O. Rules accordingly.

DIRECTOR GENERAL OF CUSTOMS AND EXCISE

FAISALABAD

28/2

[Signature]

28/2/2015

Date: 28/2/2015

Sl. No. 1080

Copy for information to:

1. The Head Master G. Ghulam Haider Chhat.

DIRECTOR GENERAL OF CUSTOMS AND EXCISE

FAISALABAD

28/2/2015

[Signature]

28/2/2015

AMM - C 8

OFFICE OF THE DISTRICT ENGINEER CIVIL SERVICE RAIPUR KOTAH.

No. 1500

Dated 19.3.1915.

To,

Mr. Janshid Khan AT,
Mayat Shaheed Colony Pindi Road Kohat.

Subject: ABSENT NOTICE IIND.

Memo:

You are absent from duty w.e.f 26-1-1915 and two absent notices have been sent to you on your home address by the Head Master G.M. Chulaw Banda Kohat and one absent notice has been sent to you vide this office No. 1080 dated 22-2-1915.

You are once again directed to report to the Headmaster G.M. Chulaw Banda Kohat and resume your duty, otherwise necessary action should be taken under the rules.

DISTRICT ENGINEER CIVIL SERVICE
RAIPUR KOTAH. 18/3/15

Dated 19.3.1915.

Encl: No. 1501

Copy for information to the:

1. Head Master G.M. Chulaw Banda Kohat.

DISTRICT ENGINEER CIVIL SERVICE
RAIPUR KOTAH. 18/3/15

Amnt - C 9

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT.

NO. 2531
DATED 29/4/15

To
Mr. Jamshid Khan AT
Hayat Shaheed Colony
Pindi Road Kohat.

Subject:- FINAL ABSENT NOTICE.


Nemo,

You are absent from duty w,e, from 26/01/2015.

Two absent notice have been sent to you on your home address by the Headmaster GMS Ghulam Banda Kohat. Ist Vide HM GMS Ghulam Banda Kohat No 464 dated 24/2/2015 and 2nd absent notice vide No 467 dated 10/3/2015.

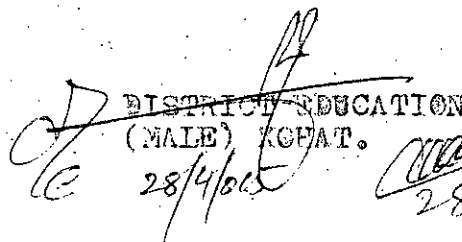
And Two Absent notice have been sent to you on your Home address Ist Vide this Office No. 1080 date 2/3/2015 and 2nd absent notice vide this Office No. 1500 dated 19/03/2015

You are Finally directed to report to the Headmaster GMS Ghulam Banda Kohat with in 10 days, otherwise necessary action will be taken against you.


DISTRICT EDUCATION OFFICER
(MALE) KOHAT.
28/4/2015

Enst: No. 2532

1. Copy for information to the Headmaster GMS Ghulam Banda Kohat


DISTRICT EDUCATION OFFICER
(MALE) KOHAT.
28/4/2015

نوٹس غیر حاضری

بحوالہ رپورٹ از ہیڈ ماسٹر گورنمنٹ مڈل سکول غلام بانڈہ کوہاٹ آپ جمشید خان عربی ٹیچر (A.T) گورنمنٹ مڈل سکول غلام بانڈہ کوہاٹ سکندہ حیات شہید کالونی پنڈی روڈ ضلع کوہاٹ مورخہ 26-01-2015 سے غیر حاضر ہیں۔ دفتر ہڈانے آپ کے گھر کے پتہ پر زیر نمبر 1080 مورخہ 02-03-2015، نمبر 1500 مورخہ 19-03-2015 اور نمبر 2531 مورخہ 09-04-2015 جواب طلبی اور نوٹس بھیجے ہیں۔ لیکن نہ تو آپ اپنی ڈیوٹی پر حاضر ہوئے اور نہ آپ کی طرف سے کوئی جواب موصول ہوا۔

لہذا آپ کو آخری نوٹس کے ذریعے مطلع کیا جاتا ہے کہ اس نوٹس کی اشاعت کے پندرہ دنوں کے اندر اندر اپنی ڈیوٹی پر حاضر ہو کر اپنی غیر حاضری کی وجہ بتائیں۔ ورنہ آپ کے خلاف حکومت خیبر پختونخواہ کے E&D Rules 2011 کے قوانین کے مطابق یکطرفہ کارروائی عمل میں لائی جائے گی۔ جس میں ملازمت کی برخاستگی بھی شامل ہے۔

روزولی خان خٹک

ڈسٹرکٹ ایجوکیشن آفیسر (مردانہ) کوہاٹ

26/5/2015

AMM - E (12)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

TERMINATION ORDER

Mr. Jamshid Khan AT Govt: Middle School Ghulam Banda Kohat is hereby terminated/ Removed from his Service due to his wilfull absence from official duty with effect from 26.01.2015 for which all codal formalities have been observed under efficiency and disciplinary Rules 2011

Necessary entry to this effect should be made his service Book.

DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst No 3872-75 / AT/TT /Estab Dated Kohat the 23-6 2015

Copy of the above is forwarded for information to the:-

1. Assistant District Education Officer Estab Male local office
2. Headmaster Govt: Middle School Ghulam Banda Kohat
3. District Account Officer Kohat
4. Mr. Jamshid Khan R/O Hayat Shaheed Colony Pindi Road Kohat

o/c
DY DISTRICT EDUCATION OFFICER
(MALE) KOHAT
23/6/15 23/6/2015

TO

The Director (E&SE)
KPK Peshawar

Amr - LF (13)

Thorough

PROPER CHANNEL

Subject

APPEAL FOR RE- INSTATMENT

Respected Sir,

I have the honour to stated that I have been serving as AT in education Department since, 08-04-1999. Presently I was performing my duties at GMS Ghulam Banda Kohat. Due to some domestic problems, I submitted an application for EOL without pay in the office of worthy District Education Officer Kohat w.e.f. 26-01-2015 to 31-05-2016.

R/Sir, in the said period the applicant approached his home on 7th July, 2015. I was astonished to see absentee notices and termination order within a short period.

There was no a single male member in my home to inform me the said situation. Sir I belong to a poor family and have no source to support my family.

Therefore the applicant and the other family members are requested / appealed that may please be re instated me on the same.

We all the family members will always be grateful to you on this act of kindness.

Dated: 10TH July 2015

AE
We've to send this with factual position and all relevant record.
DB
13/7
13/7/15

Yours Obediently

Jamshid Khan

JAMSHID KHAN AT

GMS GHULAM BANDA KOHAT

(13) *AE*