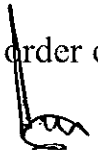


# FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 1761/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/12/2022	<p>The appeal of Mr. Ibrahim presented today by Syed Izat Badshah Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR.**

Service Appeal No. ....of 2022

Ex Chowkidar Ibrahim VERSUS Executive District Officer etc

**INDEX**

S.#	Description of Documents	Annexures	Pages
1)	Appeal	-	1-7
2)	Affidavit	-	8
3)	Memo of Addresses	-	9
4)	copy of moved order dated 27/02/2002	A	10
5)	copy of DEREK certificate	B	11
6)	copy of removal order dated 30/08/2010	C	12
7)	copy of application along with documents	D	13-15
8)	copy of appeal to Director of Education.	E	16,17
9)	copy of letter dated 16/08/2022	F	18
10)	Copy of order dated 23/08/2022 passed by respondent No. 4	G	19
11)	Reminder to respondent No.3	H	20,21
12)	Wakalat Nama		22

Appellant  
Through



**SYED IZAT BADSHAH**  
Advocate High Court  
District Courts Swat  
Cell # 03469406848

①

Q. G. P.

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR.**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. ...1761.....of 2022

Diary No. 2181

Dated 27/12/2022

Ex Chowkidar Ibrahim son of Khach-e Malik resident of  
Zora , post office / Tehsil Kabal District Swat.

.....Appellant

**VERSUS**

- (1) Executive District Officer ( E&S) Education District Swat
- (2) Secretary Elementary and Secondary Education K.P.
- (3) Director Elementary and Secondary Education K.P.
- (4) District Education Officer(F) Swat.

.....respondents

**Filed to-day  
Registrar**

Appeal Under Section 4 of the KPK Service Tribunal Act 1974  
against the order No. 7846/ File / Appeal / C-IV-2022/ DEO(F)  
Swat dated 23/08/2022 vide which application for the appellant  
has been dismissed by maintaining the office removal order No  
.17325-28 dated 30/08/2010 passed by the learned respondent  
No. 1 .

**PRAYER IN APPEAL:**

On acceptance of the instant appeal, the impugned order of  
respondent No.4 order No. 7846/ File / Appeal / C-IV-2022/  
DEO(F) Swat & office removal order No .17325-28 dated  
30/08/2010 of respondent No.1 may graciously be set aside and

appellant may graciously be reinstated on his post with back benefits

Respectfully Sheweth:

1. That, initially the appellant was appointed as class 4 in GGPS Zora Tehsil Kabal District Swat on dated 01/07/1988 and later on moved over to BPS-02 on dated 27/02/2002. (copy of moved order dated 27/02/2002 is annexure A)
2. That the appellant had faithfully performed his duties till July, 2008. But due to insurgency in District Swat, in August 2008, the Pak Army arrested the appellant and was released on 05 March 2022. In this regard the Pak Army issued DREP CERTIFICATE, but erroneously mentioned date of arrest as 30 June 2011. (copy of certificate is annexure B)
3. That after getting release from the Pak Army, the local police arrested the appellant in connection of FIR and the appellant was acquitted from the charges by the competent Court of law. (copies of the FIR and order will be provided during arguments of the case)
4. That after acquittal from the mentioned case, the appellant went to school to perform his duties, but the concerned headmistress informed him his removal.

5. That the appellant got the office removal order No .17325-28 dated 30/08/2010 from the concerned office. (copy of removal order is annexure C)
6. That the appellant on dated 21/04/2022 submitted an application for reinstatement before SDEO( Female) Circle Kabal Swat, which was forwarded to respondent No. 4, for onward proceedings. ( copy of application is annexure D)
7. That after lapse of time the respondent No. 4 neither decided the application of the appellant not forwarded to the respondent No .3 for legal proceedings, therefore, the appellant filed an appeal before the respondent No. 3 on dated 05/08/2022. ( copy of appeal is annexure E)
8. That on dated 16/08/2022 the respondent No. 3 directed respondent No .4 through letter for submission of detailed report/ comments. (copy of letter dated 16/02/2022 is annexure F)
9. That in connection of the said letter, the appellant met to respondent No. 4 who, instead of submitting detailed report/ comments gave the copy of impugned order No. 7846/DEO(F) Swat dated 23/08/2022 vide which application of the appellant has been dismissed by maintaining the office removal order No .17325-28 dated 30/08/2010 passed by the learned respondent No. 1.(

copy of impugned order No. 7846/DEO(F) Swat dated 23/08/2022 is annexure G)

10. That respondent No .3 inspite of stipulated period did not decide appeal of the appellant inspite of reminder of appellant on dated 08/11/2022. ( copy of reminder is annexure H)

1) That the appellant being aggrieved having no alternate efficacious remedy approached this Honorable Court on the following grounds.

**Grounds**

- a That the impugned orders of removal passed by learned respondents are unlawful and contrary to the established norms of law, natural justice & Sharia.
- b That the said impugned orders of removal from service of the appellant is quite illegal, unlawful, without lawful authority, without jurisdiction. Hence liable to be set aside.
- c That the appellant is innocent, no proper procedure has been adopted by the concerned authorities before passing the impugned removal orders, thus, the same are illegal and void abnitio.

- d That no proper enquiry has been conducted in the case of appellate.
- e That absence of the appellant was not intentionally but due to the circumstance which were beyond the control of appellant. Because the appellant could not attend the school due to the custody of Pak Army and then in the custody of local police.
- f That respondent No .4 was not competent to pass the impugned order dated **23/08/2022**.
- g That the law on the subject is very much clear & removal of the appellant is baseless and on proof-less grounds, thus is against his legal and fundamental rights enshrined in the service laws, rules, judgments of the superior courts and Constitution of Islamic Republic of Pakistan, 1973.
- h That the respondents have not adopted the prescribed procedure as laid down by the law & procedure given in the said rules.
- i That the major penalty of removal from service has been imposed against the appellant without

providing an opportunity to the appellant to clarify the real situation.

j That the appellant has been condemned unheard and the order of removal has been passed without providing opportunity of hearing to the appellant, thus the appellant remained unheard & the golden principle of justice "audi alteram partem" has been violated & ignored in the very case of the appellant, so the impugned order is liable to be set aside.

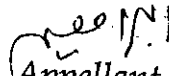
k That the impugned orders have been passed without any jurisdiction and lawful authority; that as the appellant was recruited through the course of law and therefore, could not be removed without adopting due course of law and terminating him without providing the opportunity of being heard is unlawful and comes in the bound of injustice.

l That the appellant is the only source of income of his family and service of the appellant is the only source of livelihood.



m That with the permission of this Honorable Court other grounds which are not mentioned in this appeal shall be argued at the time of arguments.

It is therefore, most humbly prayed that on acceptance of the instant appeal, the impugned orders of respondent may kindly be set aside & appellant may graciously be reinstated on his post/ service.

  
Appellant

Through



**SYED IZAT BADSHAH**  
Advocate High Court  
District Courts Swat  
Cell # 03469406848

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR.**

Service Appeal No. ....of 2022

*Ex Chowkidar Ibrahim VERSUS Executive District Officer etc*

**AFFIDAVIT**

*I, Ex Chowkidar Ibrahim son of Khach-e Malik resident of Zora ,  
post office / Tehsil Kabal District Swat, do hereby state on oath that  
the contents of this appeal are true and correct to the best of my  
knowledge and belief and nothing has been kept from this august  
court/tribunal.*

Deponen (Signature)

Ibrahim (Ex Chowkidar)

9

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR.**

Service Appeal No. ....of 2022

Ex Chowkidar Ibrahim VERSUS Executive District Officer etc

**MEMO OF ADDRESSES**

**Addresses of the Appellant:**

Ex Chowkidar Ibrahim son of Khach-e Malik resident of  
Zora , post office / Tehsil Kabal District Swat.

**Addresses of the Respondents:**

- (1) Executive District Officer ( E&S) Education District Swat
- (2) Secretary Elementary and Secondary Education K.P.
- (3) Director Elementary and Secondary Education K.P.
- (4) District Education Officer(F) Swat.

Appellant

Through



**SYED IZAT BADSHAH**

Advocate High Court  
District Courts Swat  
Cell # 03469406848

(16)

"A"  
Annexure

(15)

SANCTION OF MOVE OVER  
FRM BPS.NO.1 TO 02.

On 01/12/2001 consequent upon attaining the maximum of BPS.No.01, the following unowkedars of GUPS, Dist: Swat are hereby allowed move over to BPS.No.02 as per detail noted against each, under the scheme of basic pay scale and financial benefits of Prev: servant rules, 1972.

Necessary entry to this effect should be made in their Service book.

S.No.	Name of Unwkd:	School.	move over due w.e.f.
01.	Mohammad Naeem.	GUPS, Garri Snamzi.	01.12.2001.
02.	Bakht Sarwara.	" Shna Krapa.	-do-
03.	Rez i Gul.	" Chali Snagal.	-do-
04.	Aqal Mand.	" Spai Bandal.	-do-
05.	Mahn Wanieed.	" Deanera.	-do-
06.	Amir Khan.	" Margnazar.	-do-
07.	Maneer.	" Sukarkata.	-do-
08.	Ibrali	"	-do-

DEPUTY DISTT: OFFICER (F),  
PRY: EDUCATION DISTT: SWAT.

Endst: No. 1287-59 / M.O/C.IV/ Estab: / DDO (F) Swat / Dated. 27/2/02

Copy for information and necessary action to:-

- 01. The ADD (F) Altiqa of the local Office.
- 02. The Superintendent of the local Office.
- 03. The Candidates concerned.

DEPUTY DISTT: OFFICER (F),  
PRY: EDUCATION DISTT: SWAT.

Subst: Distt. Officer (F)  
Pry: Education Distt: Swat

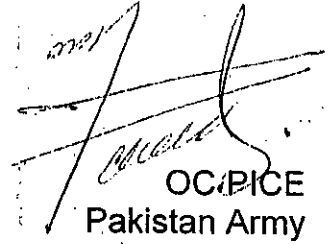
11

"B"

Annexure

DREP CERTIFICATE

Mr Ibrahim son of Khach-e-Malik residence of Village Zora, Post office/  
Tehsil Kabal District Swat CNIC Number 15602-8470807-7 Surrender to Pakistan  
Army on 30 June 2011. Individual has been cleared released by Pakistan Army on  
05 March 2022 after completion DREP at DRC Misahl PAITHOM Swat.

  
OC/PICE  
Pakistan Army

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY & SECONDARY EDUCATION SWAT  
OFFICE ORDER No. /

Whereas Mr, Ibrahim Chowhidar GGPS Zawra swat remained willfully absent from his duty since 01.08.2009 .Whereas he was directed by the DDO(F)Pry:Swat No.372 dated 11.9.09 No.441 dated 30.9.09 & No. 590 dated 21.10.2009 and also published in the Daily News paper on 29.7.2010 to resume duty but he failed to report for duty. Whereas an enquiry committee was constituted to conduct enquiry against him. Whereas the enquiry committee has recommended him for removal from service vide No. 191 dated 6/2010. In view of, the above facts the DDO(E&S)Swat being competent authority in exercise of powers conferred upon him under ordinance, 2000 Mr, Ibrahim chowhidar GGPS Zawra, swat is hereby removed from service with effect from 01.08.2009.

RAJ MUHAMMAD LIAN  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECY:EDU:SWAT.

E.No. 17325-28 / Dated the 30/8/2010.

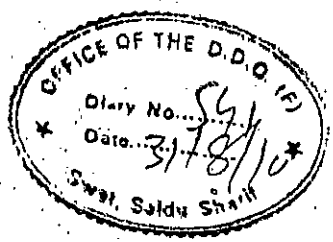
Copy to:-

- 1. The Director E&S:Edu:NWFP, Peshawar E.P.K Posh.
- 2. The District Coordination officer, swat.
- 3. The District Accounts officer, swat.
- 4. The DDO(F)Pry:Swat for information w/r to her No.441 dt:30.9.09.

*ME. Akmal Waboh*  
*Keep Sec'dal - his*  
*SI Book.*

*J*  
*3/8/10*

*[Signature]*  
EXECUTIVE DISTRICT OFFICER ELEMENTARY  
AND SECONDARY:EDU:SWAT.



*[Signature]*

● خدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر (فی میل) سرکل کبل سوات۔

عنوان: درخواست بمراد نوکری پر تعیناتی / بحالی

جناب عالی!

- ۱۔ گزارش حسب ذیل ہے۔  
یہ کہ سائیل ابراہیم ولد چچے ملک سکند زوڑہ تحصیل کبل ضلع سوات کارہاشی باشندہ ہوں۔
  - ۲۔ یہ کہ سائیل گورنمنٹ گریڈ سکول زوڑہ میں پوسٹ کلاس فور پر تعینات تھا۔
  - ۳۔ یہ کہ سائیل کو پاک آرمی نے بتاریخ 30 جون 2011 پر اپنے زیر حراست میں لے لیا تھا۔
  - ۴۔ یہ کہ سائیل کئی عرصہ تک جیل میں گزارا اس وجہ سے ڈیوٹی سرانجام نہیں دیا۔
  - ۵۔ یہ کہ سائیل اب بتاریخ 05 مارچ 2022 کو پاک آرمی سے رہا ہوا ہے۔
- لہذا اگر آپ صاحبان مہربانی کر کے مذکورہ بالا سکول پر ڈیوٹی سرانجام دینے کا حکم صادر فرمائیں۔  
تو سائیل تاحیات دعا گور ہیگا۔

العارض چچی

یہ کہ سائیل ابراہیم ولد چچے ملک  
سکند زوڑہ تحصیل کبل ضلع سوات

رابطہ نمبر: 0344-9005601



OFFICE OF THE  
SUB-DIVISIONAL EDUCATION OFFICER  
(Female) KABAL, SWAT

No. 1203

Dated 21/04 /2022.

Ms. Shabir Shah

26/4/2022

To,

The District Education Officer (Female)  
Swat.

Subject: - APPEAL FOR RE-INSTATEMENT.

Memo: -

Enclosed please find herewith original appeal/application in respect of Ibrahim S/O Khachai Ex-Chowkidar of Zawra, Swat resident of Zawra Tehsil Kabal, District, Swat, the contents of which are self-explanatory for your kind perusal and necessary action, please.

It is further submitted that: -

1. The appellant had appointed as Chowkidar at GGPS, Zawra vide SDEO (F) Swat Office order Endst: No.961 dated 1/7/1988 and took over charge on 1/7/1988 (Photo copy of appointment order and S/Book attached).
2. As per written report of the PSHT of GGPS, Zawra, the appellant had recorded attendance in the attendance register up to 27/6/2008. (Copy attached).
3. The appellant had removed from service vide Executive District Education Officer Elementary & Secondary Education, Swat Office order Endst: No.17325-28 dated 30/8/2010 w.e.f.1/8/2009 (Copy attached)
4. The Chowkidar post of GGPS, Zawra has already been occupied by One Mr. Muhammad Israr S/O Shah Bali Jan vide Executive District Education Officer Elementary & Secondary Education, Swat Office order Endst: No.10369-79 dated 9/7/2011 through appointment.
5. The Pak Army has issued DREP Certificate to the appellant that he had apprehended to Pakistan Army on 30 June 2011 and has been released on 5/3/2022 after completion of DREP class. (Photo copy) attached).

S District Education Officer (F)  
Kabal Swat

829  
26/4/2022



**رخصت حاصله و مدت رسیدن می می این زود است**  
 تاریخ: ۲۵ شهریور ۱۳۹۳  
 محل: اداره خدمات رفاهی  
 نام: [ ]  
 نام خانوادگی: [ ]  
 شماره: [ ]

ردیف	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع
1	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع
2	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع
3	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع
4	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع
5	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع
6	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع
7	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع
8																
9																
10																
11																
12																
13																
14																
15																
16																
17																
18																
19																
20																
21																
22																
23																
24																
25																
26																
27																
28																
29																
30																
31																

ردیف	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع

**رخصت حاصله و مدت رسیدن می می این زود است**  
 تاریخ: ۲۵ شهریور ۱۳۹۳  
 محل: اداره خدمات رفاهی  
 نام: [ ]  
 نام خانوادگی: [ ]  
 شماره: [ ]

ردیف	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع
1	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۵	استراحت	تهران	ع
2	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۶	استراحت	تهران	ع
3	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۷	استراحت	تهران	ع
4	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۸	استراحت	تهران	ع
5	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع	۱۳۹۳/۰۹/۲۹	استراحت	تهران	ع
6	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۰	استراحت	تهران	ع
7	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع	۱۳۹۳/۰۹/۳۱	استراحت	تهران	ع
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
26												
27												
28												
29												
30												
31												

ردیف	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع	تاریخ	موضوع	محل	نوع

کشفیات ڈائریکٹر انٹرنیٹ سروسز ایجنسی کے ذریعہ ایجنسی کے سرکاری سرور سے

عنوان :- ایپل کے ری ایسٹنٹ

عرفیہ کے میں محنت جو بھرا گوردھنہ پیر امری سکول زورہ سے  
17/7/2018 سے ایپل کے ری ایسٹنٹ کے تمام دہریوں

تین سواہ میں دہشت گردی کے وقت 3 جون 2011 سے  
یال ارمی نے جو قید کر دیا اور ان سے تو تریبا ٹیبا سوال کیا  
اب چونکی یال ارمی کے ملینس کے 5/3/22 کو مہری رہا  
موجہ کی اور (F) سواہ سواہ کو ای اسٹنٹ کے درخواست دی  
تین سواہ کی تین سواہ کی۔ اب اب جا جانے قدرت میں لڑھی  
اور جو ای پیرٹی تو تری پیر حال تیت جائیں تو پیر پیرٹی  
حقو

آگاہی پیر  
ایپل کے ری ایسٹنٹ  
سواہ زورہ کے  
03449005601

17

BSF No: 09608-002-73



88-022



CR 4765383558

U

2022-03-03

11:05 5  
Route: X35107

MR. IBRAHIM  
Phone: 03449095601  
Address: MOH ZAWRAH KADAL SWAT

Mr. HAFIZ M IBRAHIM  
Phone: 09192253399  
Address: DIRECTOR E&S EDUCATION KP PESHAWAR

Rs. 0

5:00

Service CHG	250.0
Fuel Surcharge	0.0
Other Amount	0.0
VAS	0
Insurance CHG	0
GST	0
Practical	0
Total	250.0

For Terms & Conditions Visit

[www.lcsocouriers.com/tdc](http://www.lcsocouriers.com/tdc)

Headquarters: 101-104, Civil Aviation

Club Road Karachi - 75202, Pakistan

UAN: 111-123456 Web: [www.lcsocouriers.com](http://www.lcsocouriers.com)

(Shipper Copy)

18

"F"  
Annexure



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR  
No. A.No. 451/A-200 IV/Swat Vol.15  
Dated Peshawar the  
Phone: 091-9225344 Email: ddeh@peshawar.gov.pk

To

The District Education Officer  
(Female) Swat

Subject: **APPEAL**

Memo:

I am directed to refer to the subject noted above and to enclose herewith a copy of appeal lodged by Mr. Ibrahim S/O Khachai Ex-Chowkidar GGPS Zora District Swat and to ask you to submit detailed report/comments at an early date.

Assistant Director (Admn)  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst; No. 6199

Copy forwarded to the:-

1. Mr. Ibrahim S/O Khachai Malik Ex-Chowkidar GGPS Zawra District Swat
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. Master File

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



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (FEMALE)  
DISTRICT SWAT

#: (0946) 9240214  
Email: deofswat@gmail.com

#: (0946) 9240214  
Web: www.female.sed.edu.pk

No: 7846 / File / Appeal / C-IV- 2022 / DEO (F) Swat. Dated: 23/08 2022

To

The Sub Divisional Education Officer,  
(Female) Kabal, Swat.

Subject: APPEAL FOR RE-INSTATEMENT.

Memo:

Reference your office Memo No: 1203 Dated: 21-04-2022 along with appeal of Mr. Ibrahim S/O Khachai R/O Zawra Tehsil Kabal Distt: Swat.

It is with great concern that despite the admitted facts that Mr. Ibrahim S/O Khachai R/O Zawra Tehsil Kabal Distt: Swat Ex-Chowkidar GGPS Zawra has been removed from service Vide the then Executive District Officer Elementary & Secondary Education Swat No: 17325-28 Dated the 30-08-2010 & after laps of 12 years who was absent from service and you submitted appeal which is against the Rule-3 of Govt of KP (Appeal Rules) which tantamount to gross negligence and wastage of precious time of this office & the same could not be considered due to the following reasons.

1. Application of Mr. Ibrahim S/O Khachai is badly barred by time and not maintainable in the eye of law because this is settle principle of law that long absence from duty without intimation which entailed dismissal from service, therefore, the instant appeal falls within the meaning of misconduct and could not be considered.
2. It is also very much clear from the Verdict of the judgement of Supreme Court (A&JK) reported in PLJ 2019 at (77) that:

**“The Supreme Court of Pakistan and Azad Jammu Kashmir have time & again held that as Govt servant having remained absent from duty for more than 05 year ceased the status of Govt: Servant”.**

On the basis of this analogy, the appellant remained absent more than 05 years and ceased his status as civil servant.

Keeping in view the above is hereby **REJECTED** and you are directed to be careful in future and follow rules regulations and services laws being Sub Divisional Controlling Authority.

You are further directed to inform the appellant above the decision of his appeal / application under intimation to this office.

Dr. SHAMIM AKHTAR  
DISTRICT EDUCATION OFFICER (F)  
SWAT

کلی ریف ضلع ڈاکٹر بلدیہ ریسرچ اینڈ سینٹر ایجوکیشن ایچ ایچ ڈی  
ضیاب عالی!

عنوان: درخواست اپیل اجواب سلسلہ درخواستی کلاس فور سروس

مخبر ضلعی تہ میں گورنمنٹ گریڈنگ ٹریننگ اسکول زورڈہ میں بطور ملازمی فور ہولڈ  
کے لیے 1988ء میں سہ ماہی کیس دیکھتے ہوئے واقعہ سے 2011ء میں  
فائل آر جی نے چھ ماہ کی تاخیر میں 2011ء میں سہ ماہی کیس دیکھتے ہوئے  
ریٹائرمنٹ کے لیے سہ ماہی کیس دیکھتے ہوئے 2011ء میں سہ ماہی کیس دیکھتے ہوئے  
کیس کی منظوری ہوئی۔ اس کے بعد 18/12/11ء کو ایس ڈی کے لیے  
سروس کی ترقی کی گئی۔ تاہم اس میں تاخیر کی وجہ سے اس کے لیے  
بہتر ترقی کی سہ ماہی کیس دیکھتے ہوئے 2011ء میں سہ ماہی کیس دیکھتے ہوئے  
ایس ڈی کے لیے درخواستیں فرمائیں۔ تاہم اس میں تاخیر کی وجہ سے اس کے لیے  
سروس کی ترقی کی گئی۔ تاہم اس میں تاخیر کی وجہ سے اس کے لیے

آپ کا شکریہ ادا کرتے ہیں  
سابقہ چوکیدار - سروس زورڈہ ایس ڈی  
03441565730  
تاریخ: 2022/11/18



CN: 4765254789

0 0  
CASH 2022-11-18 11:50

SWT TEW IPcs - U.S  
Staff: 3401 Route: X35107

Name : IBRAHIM SAHIB  
Phone : 03441565730  
Address : CHOWKEDAR GGPS ZIARA TENSIL KADAL  
SWAT

Name : DR. HAFIZ M IBRAHIM  
Phone : 09192253399  
Address : DIRECTOR E&S EDUCATION KP PESHAWAR

Rs. 0

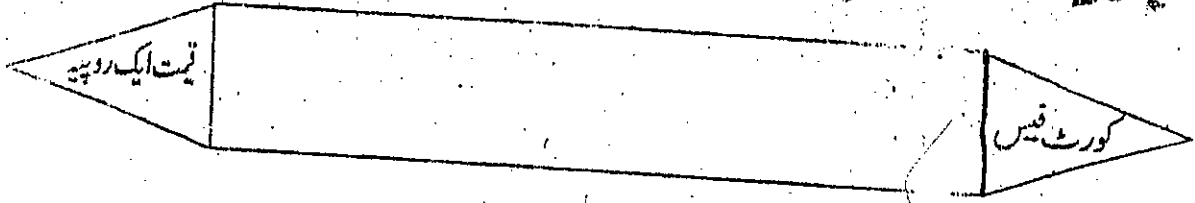
Service CHG	250.0
Fuel Surcharge	10.0
Other Amount	0.0
VAS	0
Insurance CHG	0
GST	0
Premium	0
<b>TOTAL</b>	<b>260.0</b>

For Terms & Conditions Visit

[www.tcsexpress.com/tnc](http://www.tcsexpress.com/tnc)

TCS Headquarters, 101-104, Civil Aviation  
Club Road Karachi - 75202, Pakistan  
UAN : +92 21 111 123 456 Web : [tcs.com.pk](http://tcs.com.pk)  
(Shipper Copy) V-1.00

٢٢٢  
بعد الت سروس ٹریبونل خیبر کینٹونواہ مقام پشاور



مورخہ 2 رجبہ 2022 منجانب ریلانٹ  
مقدمہ ابراہیم بیام ایگزیکٹو ڈیو آفیر صاحب سوان و غیرہ

سروس اپیل  
باعث تحریر آنکے جرم

مقدمہ متدرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام سید عزت بارساہ ایڈووکیٹ سوان مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل احتیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوا یہ مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا اوکالت نامہ لکھ دیا کہ سند ہے

2022

ناہ رجبہ

2 المرقوم

السید گداہ شادہ العبد

مقام سروس ٹریبونل خیبر کینٹونواہ کے لئے منظور ہے

Attested and accepted  
Mobile: 03469406848