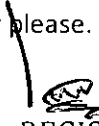





Form- A

FORM OF ORDER SHEET

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

Case No.- 276/2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/01/2020	<p>The appeal of Mr. Akhtar Nawaz resubmitted today by Mr. Javed Iqbal Gulbella Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 09/1/2020</p>
2-	10/01/20	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/01/2020</u></p> <p> CHAIRMAN</p>
	16.01.2020	<p>Appellant present in person. Requests for adjournment due to general strike of the Bar. Adjourned to 27.01.2020 before S.B.</p> <p> Chairman</p>
	27.01.2020	<p>Appellant in person present and seeks adjournment on the ground that his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 03.02.2020 before S.B.</p> <p> Member</p>

P17

03.02.2020

Counsel for the appellant Akhtar Nawaz present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Education Department as Physical Education Teacher. He was transferred from Government Middle School Dhoake Ghakran to Government Middle School Chechian vide order dated 24.07.2017. It was further contended that again he was transferred from Government Middle School Chechian to Government Middle School Khair Bara vide order dated 13.09.2019. It was further contended that just after one week the transfer order dated 13.09.2019 of the appellant at Government Middle School Khair Bara was treated as Government Middle School Garam Thoom vide order dated 20.09.2019. It was further contended that again the order dated 20.09.2019 was cancelled vide order dated 03.10.2019 and he was transferred/adjusted at Government High School Kalinger. It was further contended that the appellant filed departmental appeal but the same was not responded, therefore, it was vehemently contended that the appellant was transferred against the transfer posting policy, that the Government High School Kalinger is situated at far flung area from the house of the appellant therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The 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, notices be issued to the respondents for written reply/comments for <sup>25.02.2020</sup> ~~25.02.2020~~ before S.B. Learned counsel for the appellant also submitted application for suspension of the impugned order. Notice of the same be also issued to the respondents for the date fixed.

Appellant Deposited  
Security & Process Fee

06/2/20

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER


25.02.2020

Appellant with counsel present: Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Syed Badshah ADO for the respondents present.

Counsel for the appellant submitted application for placing on file necessary and important documents through office which is placed on file. Representative of the respondent department seeks time to furnish written reply/comments. Adjourned. To come up for written reply/comments on 11.03.2020 before S.B.

  
(Hussain Shah)  
Member


Grievance of the appellant has been redressed. Therefore the case of the appellant is here by withdrawn

  
11/3/2020

11.03.2020

Mr. Sagheer Iqbal Gulbela, Advocate for appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant stated at the bar that the grievance of the appellant has been redressed and requested for withdrawal of the present service appeal. In this regard signature of learned counsel for the appellant was also obtained at the margin of order sheet as a token of proof. Accordingly, the present service appeal is dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED  
11.03.2020

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER


This is an appeal filed by Mr. Akhtar Nawaz Khan today on 26/12/2019 against the order dated 03.10.2019 against which he preferred/made departmental appeal/ representation on 04.10.2019 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 reported 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 and also removing the following deficiencies.

- 1- Copy of order dated 03.10.2019 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.
- 2- Copy of order dated 20.09.2019 is illegible which may be replaced by legible/better one.

No. 2253 /ST,

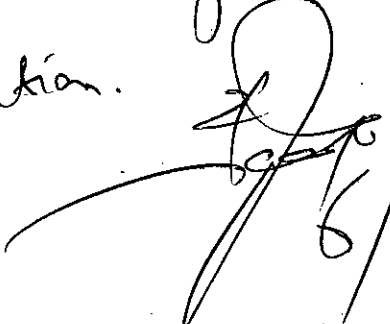
Dt. 26/12 /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Javed Iqbal Gulbella Adv. Pesh.

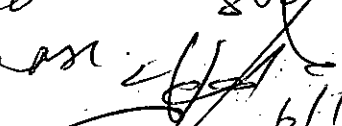
Respected Sir,

Resubmitted after necessary completion.


  
6/1/2020

Note: Copy of order dt: 03/10/2019

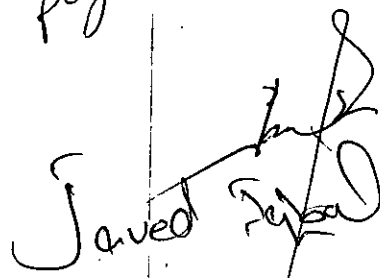
is not provided & the moment it is received

the same would be submitted via a C.M. please   
6/1/2020

objection No-1 is still stand,  
Be removed a re-submitted  
within (15) days.

  
08/01/2020

Resubmitted after removal of  
objection as the order dated  
3-10-2019 it was attached  
with file in page No. 21.

  
Javed Iqbal Gul Behl  
(Advocate)

08/01/2020

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A. 276 /2020

Akhtar Nawaz Khan

**VERSUS**

Government of Khyber Pakhtunkhwa and Others

**INDEX**

S#	Description of Documents	Annex	Pages
1.	Grounds of Appeal with affidavit		1-8
2.	Application for Suspension with affidavit		9-11
3.	Addresses of Parties.		12
4.	Copy of appointment order	"A"	13
5.	Copy of the transfer order dated 24/7/2017	"B"	14
6.	Copy of the impugned office order dated 13/9/2019	"C"	15
7.	Copies of the appeal and applications	"D&D/I"	16-17
8.	Copies of the impugned office transfer	"E"	18
9.	Copy of the reliving order 24/9/2019	"F"	19
10.	Copy of the appeal	"G" <del>A</del>	20-21
11.	Wakalatnama		22

Dated: 10/04/2019

*Akhtar Nawaz*  
APPELLANT

Through

**Saghir Iqbal Gulbela**

&

**Javed Iqbal Gulbela**

Advocates, High Court

Peshawar.

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

(1)

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

In Re S.A. 276 /2019

Mr. Akhtar Nawaz Khan PET, Govt. High School  
Kalinger Haripur

.....Appellant

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 2327  
Dated 26/12/19

**VERSUS**

1. Director Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (Male) Haripur.

....Respondents

**SERVICE APPEAL UNDER SECTION 4  
OF KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT 1974 AGAINST THE  
IMPUGNED TRANSFERRED ORDER  
DATED 03/10/2019 WHEREBY THE  
APPELLANT HAS ILLEGALLY BEEN  
TRANSFERRED FROM GOVT. HIGH  
SCHOOL GARAM THOON HARIPUR TO  
GOVT. HIGH SCHOOL KALINGER.**

Filed to day  
26/12/19  
Registrar

Re-submitted to -day  
and filed.

Registrar  
21/11/2020

**Respectfully Sheweth;**

1. That after going through the mandatorily  
prescribed mode of appointment, the

2

appellant got appointed as PET (Physical Education Teacher) and got posted at Govt. Middle School Dhoake Gakhran. **(Copy of appointment order is annexed as an annexure "A")**

2. That it was vide office order No.6151-53/3-3/GB/TRAN/PET, dated 24/7/2017 of the office of DEO (M) Haripur that the appellant was transferred from GMS Dhoake Gakhran to GMS Chechian **(Copy of the transfer order dated 24/7/2017 is annexed herewith as an annexure "B")**.

3. That after serving just for almost two years the appellant was once again transferred from GMS Chechian to GMS Khaira Bara vide the impugned notification No.6729-38, dated 13/9/2019 of the office of the DEO (M) Haripur. **(Copy of the impugned office order dated 13/9/2019 is annexed herewith as an annexure "C")**.

4. That feeling aggrieved from the impugned transfer order dated 13/9/2019 of the office of DEO (M) Haripur, the appellant preferred an appeal to the Director (E&SE)



3

KPK Peshawar as well as moved an application to the DEO (M) Haripur as well **(Copies of the appeal and applications are annexed herewith as an annexure "D" and D/I," respectively).**

5. That while the appeal and applications of the appellant, against the impugned transfer order 13/9/2019 has just been filed that in the meanwhile and just after seven days the same was cancelled/modified and the appellant was transferred to Garam Thoon from Khair Bara vide the impugned office order No.6976-80/5-2/GB, date 20/9/2019. **(Copies of the impugned office transfer is annexed herewith as annexure "E").**

6. That the story did not end here and the petitioner was once again transferred from GHS Garam Thoon to Govt. High School Kalinger vide the impugned office order No.8401-06, dated 3/10/2019 of the office of DEO (M) Haripur. The Appellant was relieved to GHS Kalinger vide reliving order No.1255, dated 24/10/2019 (which is inadvertently written as 24/9/2019) of the office of Head Master GHS Garam Thoon Haripur **(Copy of the reliving order**

4

24/9/2019 is annexed herewith as an annexure "F").

7. That once again the appellant preferred appeal against the same impugned order, but futile (Copy of the appeal is annexed herewith as an annexure "G").
8. That feeling aggrieved the appellant preferred the instant appeal for setting aside the impugned transfer order dated 3/10/2019 of the office of DEO (M) Haripur and for transferring back to GMS Chechian, upon the following grounds, inter alia:-

### **Grounds:**

- A. That the impugned transfer order along with the impugned transfer orders are illegal, unwarranted and against the law governing the subject.
- B. That even the very first order of the herein impugned series of repeated transfer orders had been issued just after two years and thus the transferring and posting policy of the Provincial Govt. and policy of normal tenure is boldly violated.

5

- C. That what happened after the impugned transfer order dated 13/9/2019 is quite naïve to the service laws as repeated transfer orders issued just in a month which finds no precedent in the past.
- D. That the appellant is a teacher by profession and normally all teachers of lower cadres are normally Posted in the nearby schools in order to save the precious time of the students as well as reserves the energy and potential of the teachers. But here the situation is thoroughly anti-thetic to the established practice as the appellant has been posted to an area lying firstly at a distance of 120 Km (GHS Garam Thoon), and lastly a distance of more than 140 Km from his home town which is not justified at all.
- E. That even the herein impugned transfer orders are so abrupt and simultaneously that afforded no chance for availing the prescribed remedies against the same, which fact is suffice to prove that all these repeated transfer orders are issued melafiedly and with ulterior motives and are never ever in public interest.

6

- F. That the impugned transfer order are being issued on caprices and whims of his own by the worthy DEC (M) Haripur without observing the cherished principle of Public Interest, & are thus null and void in the eyes of law.
- G. That from every angle the impugned transfer orders are wrong, illegal, void and are liable to be set aside and the appellant is entitled to be posted back to GMS Chichian or any other nearby station.
- H. That any other ground not raised here may graciously be allowed to be raised at the time of arguments.

*It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal the impugned transfer order No.8401-06, dated 3/10/2019 of the office of DEO (M) Haripur, whereby the appellant has been transferred to GHS Kalinger be declared as illegal and void and be set aside along with declaring the impugned transfer order No.6729/5-2/GB, dated 20/9/2019 & No.6729-38, dated 13/09/2019 as void ab-initio and quaram non judice and by doing so the appellant may very graciously be transferred*

(7)

*and posted as PET at GMS chichian or to any other nearby station, close to the home town of the appellant.*

*Any other relief not specifically asked for may also graciously be extended in favor of the Appellant in the circumstances of the case.*

Dated: 26/12/2019

*Akhtar Nawaz*  
**APPELLANT**

Through

*Javed Iqbal Gulbela*  
**Javed Iqbal Gulbela**

&

**Saghir Iqbal Gulbela**

Advocates, High Court

Peshawar.

**CERTIFICATE:-**

As per instructions of my client no such appeal has earlier been filed by the Appellant before this Tribunal.

*[Signature]*  
Advocate.

**LAW BOOKS:-**

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Civil Servant Act.
3. Khyber Pakhtunkhwa Service Tribunal Act.
4. Case Law according to need.

*[Signature]*  
Advocate.

8

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2019

Akhtar Nawaz Khan

**VERSUS**

Government of Khyber Pakhtunkhwa and Others

**AFFIDAVIT**

I, Mr. Akhtar Nawaz Khan S/o Mir Sultan Khan R/o Haripur Chohar Sharif, Tehsil & District Haripur, do hereby solemnly affirm and declare that all the contents of the accompanied **appeal** is true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

*Akhtar Nawaz Khan*  
**DEPONENT**

**CNIC#13302-0382099-1  
Cell # 0311-0865363**

Identified By:

*Javed Iqbal Gulbela*  
**Javed Iqbal Gulbela  
Advocate High Court  
Peshawar.**



9

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

In Re C.M No# \_\_\_\_\_ / 2018

In Re S.A \_\_\_\_\_ /2019

Akhtar Nawaz Khan

**VERSUS**

Government of Khyber Pakhtunkhwa and Others

**APPLICATION FOR TEMPORARY INJUNCTION.**

**Respectfully Sheweth:**

1. That the Petitioner/Appellant is filing the accompanying Service Appeal, the contents of which may graciously be considered as integral part of the instant petition.
2. That the Petitioner/Appellant has got a good prima facie case and is pertinently sanguine of its success.
3. That balance of convenience also lies in favour of the Petitioner/Appellant.

(10)

4. That if the instant petition is not allowed the petitioner shall suffer irreparable loss.

*It is, therefore, humbly prayed that on acceptance of the instant Petition the Respondents be restrained from taking any adverse action against the Petitioner/Appellant, till the final disposal of the accompanying Service Appeal.*

Dated: 19/12/2019

*Atch. for name of*  
Plaintiffs

Through

  
Javed Iqbal Gulbela

Saghir Iqbal Gulbela

&

Yasir khan Bakhshipul  
Advocates High Court  
Peshawar



11

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2019

Akhtar Nawaz Khan

**VERSUS**

Government of Khyber Pakhtunkhwa and Others

**AFFIDAVIT**

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*Akhtar Nawaz Khan*  
**DEPONENT**

**CNIC#13302-0382099-1  
Cell # 0311-0865363**

Identified By:

*Javed Iqbal Gulbela*  
**Javed Iqbal Gulbela**  
Advocate High Court  
Peshawar.



(12)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2019

Akhtar Nawaz Khan

**VERSUS**

Government of Khyber Pakhtunkhwa and Others

**ADDRESSES OF PARTIES**

**APPELLANT.**

Mr. Akhtar Nawaz Khan PET, Govt. High School  
Kalinger Haripur

**RESPONDENTS:**

1. Director Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.
2. District Education Officer (Male) Haripur.

Dated: 10/04/2019

*APPELLANT*

Through

*Saghir Iqbal Gulbela*

*&*

*Javed Iqbal Gulbela*

Advocates, High Court  
Peshawar.

1st appointment P.E.T order 13

Amir

13/09/09

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY HARIPUR

ORDER

Consequent upon the selection of candidates by the departmental selection committee and approval for appointment. The appointments of the following trained PET (M) candidates 25% open merit and 75% Batch wise quota on regular/contract basis mentioned against each in the schools as noted against the name of appointee in BPS-09 on the terms & conditions given below is hereby ordered with effect from the date of taking over charge in the interest of public service:-

CANDIDATES APPOINTED ON OPEN MERIT PET (MALE)

S. NO.	NAME OF CANDIDATES WITH ADDRESSES	FATHER'S NAME	Score	Place of Posting	REMARKS
1	Mohibob Khan PTC GPS Mohrian	Sher Bahadar	55.56	GHS Jhanra	On Contract Basis
2	Shafiqur Rehman r/o Village Kamal Pura Haripur	Mohboob Ellahi	52.11	GMS Baddah	On Contract Basis
3	Amad Ejaz r/o Moh: Mulikpura Chhor Colony Haripur	Ijaz Ahmad	51.26	GMS Swar Maira	On Contract Basis
4	Muhammad Khalid PTC GPS Phareari	Gul Zaman	50.82	GHS Karipian	On Regular Basis

CANDIDATES APPOINTED ON BATCH WISE 75% QUOTA (PET MALE)

S. NO.	NAME OF CANDIDATES WITH ADDRESSES	FATHERS NAME	Session of PET Exam	Place of Posting	REMARKS
1	Pervaiz Akhtar r/o Village Darkote Haripur	Mirza Khan	30-08-04	GMS Sairi	On Contract Basis
2	Rafique Asghar r/o Moh: Darzian Darwesh Haripur	Ali Asghar	27-09-05	GMS Kancerari	On Contract Basis
3	Zia ur Rehman r/o Village Sarai Saleh Haripur	Muhammad Saddique	27-09-05	GMS Kheri	On Contract Basis
4	Ehsan Baig r/o Village Sirya Haripur	Muhammad Ashraf	27-09-05	GMS Umer Khana	On Contract Basis
5	Huudar Shah C-IV GMS Sirya	Mehr Hussain Shah	27-09-05	GMS Hassan Bai	On Contract Basis
6	Anjum Rehman r/o KTS Haripur	Abdul Khaliq	30-12-05	GHS Badhora	On Contract Basis
7	Akhtar Nawaz Khan r/o Village Chhor Sharif Haripur	Sultan Khan	30-12-05	GMS Dhoke Gakhran	On Contract Basis
8	Muhammad Aamir r/o Village Patro Sirikote Haripur	Muhammad Ayyaz	05-09-06	GHS Bari Gali	On Contract Basis

Handwritten signature and stamp on the left margin.

Note: The candidates namely Mohibur Rehman S/O Abdul Qudus passed the drill course from Police Training Center Hangu & Mr. Khan Afsar S/O Fazal Dad passed the Course from Army Education College. The equality of their certificates equal to JDPE is still under consideration and case has been submitted to the Director Schools & Literacy NWFP for guidance.

TERMS/CONDITIONS FOR ALL APPOINTEES ON REGULAR/CONTRACT

- They will be governed by such rules and regulations enforce and as may be prescribed from time to time by the Govt. for the category of employees to whom they belong.
- Their services will be liable to termination on one month's prior notice from either side. In case of resignation without prior notice their one-month pay/allowances if any shall be forfeited to Government.

JAVED IOB Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501



2nd appointment (14)  
Office of the District Education Officer (Male)

Haripur

PH No. 0995-610178, 610268

Am-B

Adjustment

Consequent upon the approval of competent authority in its meeting held on 21/07/2017, the following transfer's/Adjustments orders of teaching staff is hereby made on their own pay & grade in the best interest of public service with immediate effect.

S. #	Name Design:	School	Transfer to	Remark
01	Naveed PET	GHS Ladha	KTS No 3	Against Vacant post
02	Shamas us Din PET	U/C GMS Bhutri	GHS Ladha	Against Vacant post
03	Muhammad Irshad PET	GMS Koi Maria	GMS KTS no 4 HR	Against Vacant Post
04	Nusrullah Khan PET	GMS Nilore	GMS Bajeeda	Against Vacant Post
05	Anjum Rehman PET	GHS Hattar	GMS baso Maria	Against Vacant Post
06	Akhtar Nawaz PET	GMS d/Ghakran	GMS Chechian	Against Vacant Post
07	Qazi Ifthqar PET	GMS Banda Muqlan	GMS Nilore	Against Vacant Post

Note:-

1. No TA/DA or TG is allowed to anyone.

.....sd.....  
District Education Officer (Male)

Haripur

Dated: 24/7/2017

Endst: No. 6151-53 /3-3/GB/Tran/PET

Cc

1. Senior District Accounts Officer Hraipur.
2. Principal's/HM Concerned
3. Headmaster Concerned.
4. Office copy.

Dy: District Education Officer  
(Male)

JAVED IQBAL Gul Bela  
Daudza Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9495501



OFFICE OF THE DISTRICT EDUCATION OFFICER (M)  
HARIPUR

Ph. No. 0995-920150, 920151, 920152

Email: deomalehrp@yahoo.com



Am-c  
=

**Notification:-**

Consequent upon the selection of candidates by the departmental promotion committee in its meeting held on 29-08-2019 the following PSHT (B-15)/ SPST (B-14) are hereby promoted to PET (B-15) Rs.16120-1330-56020 with usual allowances on regular base as per service structure promotion of PSHT/SPST to PET on seniority cum fitness base, as notified by the Govt. of Khyber Pakhtunkhwa E&S department Peshawar vide Notification No. SO(PE)4-5/SSR/Vol-III dated 18/01/2011 and revised Notification dated 16/06/2011 in the schools as noted against each their names mentioned blow with effect from the date of taking over charge in the best interest of public service.

S.No.	S/List. No	Name of Teacher & Designation	Name of School	Place of New Posting	Remarks
1	600	Shujahat Ali PSHT	GPS Tarnawa	GHS Bhera No-1	Against Vacant Post
2	386	Muhammad Riaz SPST	GPS Kandaf	GHS Noor Pur	Against Vacant Post
3	393	Syed Sarwat shah SPST	GPS No.4 Haripur	GHS Garam Thoon	Against Vacant Post
4	435	Muhammad Shekeel SPST	GPS No-1 KTS 1	GHS Ghazi	Against Vacant Post
5	423	Shahzad Ahmed SPST	GPS Dheri Silkander pur	GHS Kalinjar	Against Vacant Post
6	459	Rafaqat Mahmood SPST	GPS Dheri Silkander pur	GMS Umar Khana	Against Vacant Post

**Consequential adjustment**

S.No	Name and Designation	From	To	Remarks
01	Gul Muhammad PET	GHS Garam Thoon	GMS Chechian	Vice S.No-02
02	Akhtar Nawaz PET	GMS Chechian	GMS Khair Bara	Against Vacant Post

**Terms & Conditions:-**

1. They would be on probation for a period of one year extendable for another year.
2. They will be governed by such rules and regulations as may be issued from time to time by the govt.
3. Their service can be terminated at any time in case his performance is found unsatisfactory during probationary period. In case of misconduct, he shall be preceded under the rules framed from time to time.
4. Charge report should be submitted to all concerned.
5. No TA/DA is allowed for joining their duty.
6. Their inter-se-seniority on lower post will remain intact.
7. They will give an under taking to be recorded in their service book to the effect that if any over payment is made to him in the light this order will be recovered and if he is wrongly promoted he will be reversed.

Sd/  
District Education Officer (Male)  
Haripur

Enclst: No. 6729-38

Dated: 13/09/2019

Copy of the above is submitted for information and necessary action to the:-

1. The Director E & S E Khyber Pakhtun Kihwa Peshawar.
2. The Senior District Accounts Officer, Haripur.
3. The Principal / Headmaster's concerned.
4. Teacher's concerned.
5. Office Record File.

Assistant District Education Officer (Male)  
Haripur

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501

To

DIRECTOR  
E&SE, KPK  
PESHAWAR

(16)

Am-D  
2

**Respected Sir,**

It is humbly requested that I am serving as PET (BPS: 16) since 01-09-2006. During this period I have served for Eleven Years in far flung area at GMS Dhok Ghakrian. Two Years Earlier On 27-07-2017 I was transferred to GMS Chéchian, Haripur which was my home station. At GMS Chechian I was serving with my full capabilities and energy.

Mr. Gul Muhammad has taken charge at GMS Chechian from GMS Garam Thoon while KPK Government has completely banned the transfer. I got my transfer order to another far flung area GMS Khair Bara, which is almost 120 KM away from my resident. It is nearly impossible to offer my duty at GMS Khair Bara. And this transfer will also badly effect my family.

So it is requested to you kindly transfer again me at GMS Chechian, Haripur.

I Shall be very thankful to you for your cooperation.

Your Faithfully

Akhtar Nawaz  
PET (BPS: 16)  
Personal No. 003241821  
Cell No. 0311-0865363  
Village Chohar Sharif  
Haripur, Harzara

Dated: 21-09-2019

**JAVED IQBAL Gul Bela**  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405591

خدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب سکول اینڈ کالج ایس پی اور  
Am-I  
جناب عالی!

گزارش ہے کہ سائل دو سال سے گورنمنٹ مڈل سکول چیمپاں میں تعینات ہے  
اس سے قبل ۱۵ سال گورنمنٹ مڈل سکول ڈھوک سہراہ بہت دور  
پاڑی سٹیٹس پر رہا ہے۔ اب میں مڈل سکول چیمپاں میں اپنی ڈیوٹی  
ٹھیک طریقے سے انجام دے رہا تھا۔ ٹرانسفر پر پابندی کے باوجود میرا

آڈر ۱۳۰۹۰۱۹ کو G.M.S Ichair bara میں کر دیا گیا۔ کل صعد P.E.T

گرم حقون یاٹی سکول سے مڈل سکول چیمپاں میں میری پوسٹ پر ٹرانسفر  
ہو گیا ہے۔ اس کے بعد میرا آرڈر گورنمنٹ یاٹی سکول گرم حقون میں ہو گیا  
اب گرم حقون کے بعد میرا آرڈر گورنمنٹ یاٹی سکول کلنٹر میں ہو گیا جو  
میرے گھروں سے بہت دور ہے آپ سے گزارش ہے کہ میرا آرڈر میرے  
قریبی سکول G.M.S chechia میں کیا جائے۔ یا یاٹی سکول گرم حقون  
میں کیا جائے۔

شکریہ

القاریں

احتراماً P.E.T

JAVED IQBAL Gul Bela  
Daudai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405531

(B) Am-E

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

**ORDER**

Consequent upon the approval by the competent authority the following partial modification of this office order issued under Endst. No 6729-38 dated 13/09/2019 at S No 01 and office order Endst. No 6707-12 dated 13/09/2019 S No 2 is hereby made in the interest of public service

S. No.	Name of Design	Read as	Instead of	Remarks
1	Syed Sarwar Shah PEI S.No 1 (6729-38 dated 13/09/2019)	GHS Kalinger	GHS Garam Hoom	Against Vacant post
2	Irfan Khan PEI S.No 2 (6707-12 dated 13/09/2019)	GMS Kharbara	GMS Talikote	Against Vacant post
3	Akhtar Nawaz PEI S.No 2 (Consequential order)	GHS Garam Hoom	GMS Kharbara	Against Vacant post

Note: - Terms and condition of is intact

.....Sd/.....  
**District Education Officer (M)  
Haripur**

Endst: No: 1576-80 15-2/GB Dated 20/09 /2019.

Copy for information and necessary action to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. The Senior District Account Officer Haripur.
3. The District Monitoring Officer Haripur.
4. The Headmaster concerned.
5. Office Record file.

20/09/2019  
**Asst: District Education Officer (M)  
Haripur**

**JAVED QBAL** Gul Bela  
Daudza Law Chamber  
Advocate High Court Peshawar  
MO: 0345-040004



BETTER COPY NO.(18)

**OFFICE OF THE DISTRICT EDUCATION OFFICE (MALE)  
HARIPUR.**

OFFICE ORDER

Competent upon the appeal by the competent authority the following initial meshtication at this office order issued under Endst: No. 6729-38 dated 11/4/2019 at 8 No office order Endst: No. 6707-12 dated 13/08/2019 No.2 is here my made in the interest of public service.

S.No.	Name of Design	Real as	Instead of	Remarks
1	Syed Sarwar Shah PET S No: 16729-38 dated 1309 (2019)	GMS Ralings	GHS Garam thoom	Against Vacant post
2	Irfan Khan PET S.NO 2 (6707-12 dated 13/09/2019	GMS Kharbata	GMS Talikote	Against Vacant Post
3	Akhtar Nawaz PET S No 2 (consequential order)	GMS Garam thoom	GMS Kharbara	Against Vacant post

Note:- Terms and Condition of is intact

-----Sd/-----

District Education Officer (M)  
Haripur

Endst: No: \_\_\_\_\_ 6976-80 /5-2/GB Dated \_\_\_\_\_ 20/09/2019

Copy for information and necessary action to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. The Senior District Account Officer Haripur.
3. The District Monitoring Officer Haripur.
4. The Headmaster concerned.
5. Office Record file.

Asst: District Education Officer (M)  
Haripur.

**JAVED IQBAL** Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-3405501

(19)

Ann - F  
2

OFFICE OF THE HEADMASTER GOVT HIGH SCHOOL GARAM THOON HARIPUR

Endst No. 1255

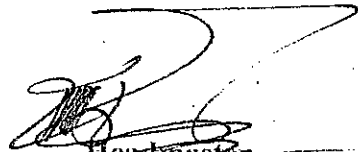
Dated 24 / 09 / 2019.

RELIEVING CHIT

Mr. *Akhtar Nawaz Khan PET* is transferred/Adjustment to *GHS Kalinger* as per order issued from District Education Officer (Male) Endst No.8401-06 Dated: 03-10-2019

You are hereby relieved off your duties on the (Evening ) of the 07-10-2019 and directed to report your respective Station.

He enjoyed 0 C/Leave during the Year.

  
Headmaster  
Govt High School  
Garam Thoon Haripur

Copy to:-

1. Headmaster *GHIS Kalinger*
2. District Account Office.
3. Office file.

**JAVED IQBAL** Gul Bela  
Daudzan Law Chamber  
Advocate High Court Peshawar  
Mob: 0345-9405501

Am - G  
ڈائریکٹر ایجوکیشن صاحب  
المنصفین اینڈ اسٹڈی ایجوکیشن کونسل  
پشاور

صاحب عالی

گزارش ہے کہ سائل دو سال سے گورنمنٹ مڈل سکول چیمپان میں لفتیا ہے  
اس سے قبل ۱۰ سال گورنمنٹ مڈل سکول ڈھورنگھراں بہت دور تھا  
سیشن پر رہا ہوں۔ اب میں مڈل سکول چیمپان میں اپنی ڈیوٹی ٹھیک طریقے  
سے انجام دے رہا تھا۔ ٹرانسفر پر پابندی کے باوجود میرا آرڈر ۳۰۰۹۰۱۹  
کو G.M.S. Chachan سے لے کر دیا گیا۔ حال صفحہ P.E.T گم تقون پائی سکول  
سے مڈل سکول چیمپان میں میری پوسٹ پر ٹرانسفر ہو گیا ہے۔ اس کے بعد  
میرا آرڈر صرف ۲۰۰۹۰۱۹ کو گورنمنٹ پائی سکول گم تقون میں ہو گیا۔ اب  
گم تقون کے بعد میرا آرڈر صرف ۰۶-۱۰-۰۱۹ کو کلنگ میں کر دیا گیا  
جو میرے گم سے بہت دور ہے آپ سے گزارش ہے کہ میرا آرڈر  
میرے قریبی سکول G.M.S. Chachan میں کیا جائے۔ تاکہ  
میرے بچوں کی تعلیم متاثر نہ ہو۔

۰۶-۱۰-۰۱۹

شکر

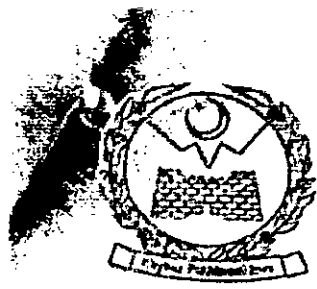
الغرض

A

اختر نواز  
P.E.T

JAVED IQBAL Gul Bela  
Daudzai Law Chamber  
Advocate High Court Peshawar  
MOR: 6662-4445541

21



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER MALE  
HARIPUR**

(Office Phone No. 0995-010178, Email: enr@haripur@yahoo.com)

**OFFICE ORDER**

This office order issued vide Endst: No. 6976-80 dated 20-09-2019, at S No 01 & 03 is hereby cancelled.

**Note:**

1. Mr. Akhtar Nawaz PET U/T CHS Garam Thoon, is adjusted at CHS Kalinjer against vacant post.
2. Charge report should be submitted to all concerned.
3. No TA/DA allowed.

-4/-

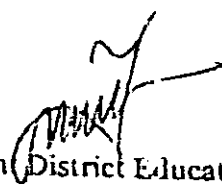
District Education Officer (M)  
Haripur

Dated: 02/10/2019.

Endst: No. 8401-06

**Cc:**

1. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
2. The Senior District Accounts Officer, Haripur.
3. The DMO Education, Haripur.
4. The Principal/ Headmaster concerned.
5. The Teachers concerned.
6. Office Record File.

  
Assistant District Education Officer (M)  
Haripur

**JAVED IQBAL Gul Bafa**  
Daudzai Law Chamber  
Advocate High Court Peshawar  
Mob: 0346-9405501

# وکالت نامہ

بعدالت: سروس ٹریبونل لاہور

اسٹریٹو از خان بنام حکومت

منجانب ایڈوائٹ دعویٰ S.A

تاریخ 26/12/2019

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوابدہی کے  
بمقام لاہور کے لیے جاوید اقبال گل بیلہ ایڈووکیٹ ہائی کورٹ کو بدین شرط وکیل  
مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل  
صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا، اگر پیشی پر من مظهر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے  
کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر  
مقام پکھری کی کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اگر  
مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر  
من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی  
صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور  
صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و گمرانی ہر قسم کی درخواست پر دستخط و  
تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل  
کرنے اور ہر قسم کے بیان دینے اور سپروٹا لشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور  
بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کطرفہ درخواست حکم اتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف  
کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا  
اس کے کسی جزو کی کاروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا پیرسٹر کو بجائے اپنے یا اپنے ہمراہ  
مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہوں گے جیسے کے صاحب موصوف کو حاصل  
ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو  
پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت  
میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند رہے۔  
مورخہ 26/12/2019۔ مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accepted by:

26/12/2019

احمد از خان . Kamran Kamran

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 276/2020

Mr. Akhtar Nawaz Khan PET, District Haripur.....

(Appellant)

**VERSUS**

Secretary E&SE Department, Khyber Paktunkhwa & Others.....

(Respondents)

WRITTEN STATEMENT FOR & ON BEHALF OF RESPONDENTS NO: 2.


**Respectfully Sheweth:-**

The answering respondents respectfully prefers to submit with leave of this Honorable Tribunal as under:-

1. That the instant appeal is pending before this Honorable Tribunal and is fixed for hearing today on 11-03-2020.
2. That the impugned order regarding transfer of appellant has been set straight vide consequential adjustment order bearing No. 2234-38 dated 04-03-2020 at serial # 6. **(Copy of order is attached as annexure-A)**
3. That the grievances of the appellant have been redressed and the issue in hand has been settled by disposing of his appeal / application. **(Copy of application is attached as annexure-B)**

**PRAYER:**


It is therefore humbly prayed that on acceptance of foregoing statement, the instant service Appeal along with application for interim relief may graciously be disposed of please.

  
District Education Officer (M)  
Haripur (Being respondent No.2)

**VERIFICATION:**

*Certified that contents of forgoing statement are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.*

Respondents

  
District Education Officer (M)  
Haripur



**OFFICE OF THE DISTRICT EDUCATION OFFICER (M)**

**HARIPUR**

Ph. No. 0995-920150, 920151, 920152

Email: deomalehrp@yahoo.com



**CONSEQUENTIAL ADJUSTMENT:**

As approved by the competent authority, the following consequential transferred/adjustments of Teaching staff due to appointment of NTS teachers, where the posts of different cadre were sent to NTS for appointments, are hereby made on their own pay & grade in the best interest of public service with immediate effect.

S.No	Name of Teacher	Desig:	From	TO	Remarks
1	Ihalaq Hussian Shah	SST (G)	GHSS Beer	GHS Sarri	Against vacant Post
2	Tahir farced	TT	GHS Mang	GMS Chachian	Against vacant Post
3	Shabir	CT	GHSS Bagra	GHSS Sari Salah	Against vacant Post
4	Muhammad Sadiuqe	Qari	GHS Beer	GHS Kholian Bala	Against Vacant Post
5	Gul Muhammad	PET	GMS Chachian	GHS Mang	Against Vacant Post of SPET on his Own Pay and Grade
6	Akhtar Nawaz	PET	GHS Kalinger	GMS Chachian	Against Vacant Post being Court case
7	Qari Saboor Ahmad	Qari	GCMHS Kot Najbullah	RITE	Against Vacant post
8	Mukhtiar Ahmad	PET	GCMHSS Kot najbullah	GHS Shadi	Vice S.No 09
9	Imran Yuqoob	PET	GHS Shadi	GCMHSS Kot Najbullah	Vice S.No 08 on the request of principal

Note:

1. Necessary entry to this effect should be made in their service books accordingly.
2. No TA/DA is allowed.

*[Handwritten signature]*  
4/3/2020

Endst: No. 2234-38 /F. No.3-4/Adj: /GB

-----Sd/-----  
District Education Officer (Male)

Haripur

Dated: 04 /03/2020

Copy for information to:

1. The Senior District Account Officer Haripur.
2. The District Monitoring Office (IMU) Haripur.
3. The Principal Concerned.
4. The SDEO Male Haripur
5. Office record file.

*[Handwritten signature]*  
Assistant District Education Officer  
(Male) Haripur

4/3/2020

بخصوص ضراب ڈسٹرکٹ ایجوکیشن آف صیغہ صاحب سکولز اینڈ ٹیچنگ کالج پورہ

ضراب ٹائی

گزارش ہے کہ سائل کی صورت 13.09.2019 کو مدلل سکول جیہاں سے ڈوٹمنٹ ہائی سکول حکیم میں ٹرانسفر ہوئی تھی۔ صیغہ ویان Testare لیا نہیں تھا اور صیغہ کی طرف سے ٹرانسفر پر یا بندی ہے تھی کالج سکول صیغہ گھر سے کتب دور ہے۔ صیغہ بچیوں کی تعلیم ہے متاثر ہوئی ہے۔ اور میں نے service Testare میں اپیل بھی کی ہے۔ آپ سے گزارش ہے کہ صیغہ آرڈر مدلل سکول جیہاں میں کر دیں تو میں اپنی اپیل بھی واپس لے لوں گا

شکر

28-02-20

المقدم

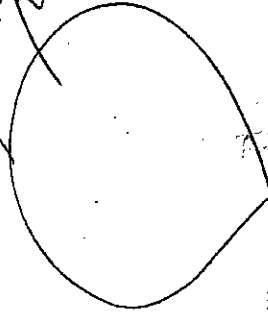
العاقص

احقر لواز P-E-T ڈوٹمنٹ ہائی سکول حکیم

Suppl. GB

Put

proper



913

1102/B  
28/02/2020

Handwritten signature or initials at the bottom right.