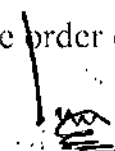


# FORM OF ORDER SHEET

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

Case No. - 2013/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	28/12/2022	<p>The appeal of Mst. Shahnaz Begum presented today by Mr. Inayat Ullah Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and her counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

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

Appeal No. 2013 /2022

Shahnaz Begum.....Appellant

**V E R S U S**



Secretary, E & SE and others.....Respondents

**I N D E X**

S.No.	Description of Documents	Annex	Pages
1.	Memo of appeal along with	*	1-11
2.	Affidavit	*	12
3.	Addresses of Parties	*	13
4.	Copy of appointment order dated 23/04/2012	A	14-17
5.	Copy of order dated 13/06/2013	B	18
6.	Copy of judgment dated 18/04/2016 passed in Appeal No. 1496/2013 titled as "Shahnaz Begum Vs Director Education etc"	C	19-20
7.	Copy of statement of allegation dated 28/06/2016 along with charge sheet	D & E	21-22
8.	Copy of statement submitted by the appellant to the inquiry officer	F	23
9.	Copy of inquiry report	G	24-26
10.	Copy of reinstatement order dated 23/07/2016 & Copy of charge report	H & H1	27-28
11.	Copy of writ petition along with order dated 11/01/2018	I	29-39
12.	Copy of Civil MISC Petition along with order dated 22/05/2018	J	40-52
13.	Copy of COC along with order dated 09/03/2022	K	53-57
14.	Copies of departmental appeal dated 09/09/2022, impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 and Detail Marks Certificate of the appellant	L to N	58-61
15.	Wakalatnama		62

Through

Date: 27/12/2022

  
Appellant 

Inayatullah Khan  
Advocate Supreme  
Court of Pakistan  
LL.M (UK)  
Cell# 0333-9227736

①

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

Appeal No. 2013 /2022

Mst. Shahnaz Begum D/o Sairullah Shah R/o Akhundani, Narmali  
Jhando Khel, District Bannu.....Appellant

**V E / R S U S**

1. Director Elementary & Secondary Education Govt. of Khyber  
Pakhtunkhwa, Dabgari Garden, Peshawar
2. District Education Officer, (Female) Bannu.
3. District Accounts Officer, District Bannu.

.....Respondents

**APPEAL UNDER SECTION 4 OF KP**  
**SERVICES TRIBUNAL ACT 1974 AGAINST**  
**THE IMPUGNED ORDER DATED**  
**07/03/2022 WHICH WAS COMMUNICATED**  
**TO THE APPELLANT ON 07/09/2022**  
**AGAINST WHICH DEPARTMENTAL**  
**APPEAL DATED 09/09/2022 WAS FILED**  
**BEFORE RESPONDENT NO.1 BUT THE**  
**SAME HAS NOT BEEN RESPONDED**  
**DESPITE LAPSE OF STATUTORY PERIOD**  
**OF 90 DAYS, HENCE PRESENTS THE**  
**INSTANT SERVICE APPEAL BEFORE**  
**THIS HON'BLE TRIBUNAL WITHIN 30**  
**DAYS WHICH IS WELL WITHIN TIME.**

Prayer in Appeal:

2

On acceptance of this service appeal, the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 may kindly be set aside and the appellant be reinstated in service with all back benefits.

Further directions be issued to the official respondents to pay compensatory cost to the appellant by treating her against the provisions of law when she was already exonerated from the baseless charges by an inquiry committee constituted in the light of directions of this Hon'ble Tribunal vide judgment dated 18/04/2016.

NOTE:

(No one should be vexed twice for the same cause).

Respectfully Sheweth:

Brief fact giving rise to the instant Service Appeal for reinstatement of the appellant with back benefits are as under:

1. That the appellant was appointed as Primary School Teacher vide order dated 23/04/2012 in BPS-07 while the appellant was placed at Serial No. 40 in the ibid order.

(Copy of appointment order dated 23/04/2012 is enclosed as Annexure-A)

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2. That the appellant was performing her duties regularly to the entire satisfaction of her immediate Superiors without any complaint.
3. That vide order dated 13/06/2013, the appointment order was withdrawn by respondent No. 2 that her SSC Certificate was found tempered.  
**(Copy of order dated 13/06/2013 is attached as Annexure-B)**
4. That the appellant earlier filed Service Appeal No. 1496/2013 wherein order dated 13/06/2013 was impugned before the Hon'ble Provincial Service Tribunal, Peshawar which was disposed of with the following directions:

**No show cause notice was issued to the appellant as to whether declared total marks are 1050 or 850. It was further observed that the record is insufficient and this Tribunal cannot reach to a just and fair conclusion as to whether the appellant in-fact had tempered SSC Certificate and whether through the said tempering, the merit position really changed?, hence the Tribunal is constrained to remit the case to Appellate Authority with direction to decide the departmental appeal of the appellant by dealing with the above point/observation but strictly on merit within a period of one month after receipt**

4

of this judgment: Appeal disposed-off in  
above terms.

**(Copy of judgment dated 18/04/2016 passed in Appeal  
No. 1496/2013 titled as "Shahnaz Begum Vs Director  
Education etc" is attached as Annexure-C)**

5. That the respondent in the light of earlier directions recorded by this Hon'ble Tribunal, conducted an inquiry whereby statement of allegations dated 28/06/2016 and charge sheet were issued to the appellant by respondent No.2 for the alleged tempering in her SSC Certificate appearing under Roll No. 378, Session 2006 Annual Examination from BISE, Bannu by decreasing the figure of total marks by 850 instead of 1050.

**(Copy of statement of allegation dated 28/06/2016 along  
with charge sheet are attached as Annexure-D & E)**

6. That the appellant also recorded his statement to the Inquiry Officer wherein she has refuted the allegation of tempering and it was contended that no tempering has been made by her in her Matric Certificate. In-fact the appellant asserted that she got 594 marks out of 1050 and the said certificate was produced at the time of interview and thereafter her appointment order as PST, Teacher was made at GGPS, Noor Mali Jando Khel, U/C Jando Khel, hence she was dismissed from service on unfounded allegations.

**(Copy of statement submitted by the appellant to the  
inquiry officer is attached as Annexure-F)**

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7. That during course of regular inquiry, the allegations of tempering was thoroughly probed which was found false with the following findings and recommendations which are reproduced in verbatim for ready reference of this Hon'ble Tribunal:

**FINDINGS**

The committee reached to the following Findings.

The accused has not made any tempering in her certificate which is evident by the BISE Bannu letter No. 1438 dated 27/09/2012.

She has been victimized by some conspirator against her.

That her withdrawal order of appointment Endst No. 2679-80 dated 13/06/2013 has been issued in hurry and have the following mistakes.

That Secretary BISE Bannu letter No. has been quoted as 438 instead of 1438 while the date is the same i.e. 27/09/2012.

Endst: No. of withdrawal order is wrong.

There are four copies of Endst: while Endst: Nos are 02 i.e. 2679-80 dated 13/06/2013.

The letter No. 1438 was received from BISE Bannu on 27/09/2012, on the basis

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of which the appointment of the accused has been withdrawn on 13/06/2013 i.e. 09 Months late and during this time no enquiry has been conducted, either charge sheet has been issued nor the accused has been heard.

### **RECOMMENDATIONS**

On the basis of above findings, it is recommended that the accused may be reinstated in service as PST with back benefit from the date of termination.

**(Copy of inquiry report is attached as Annexure-G)**

8. That in the light of regular inquiry conducted on the direction of this Hon'ble Tribunal, the appellant was reinstated in service with all back benefits from the date of termination by the office of respondent No.2 vide order dated 23/07/2016.

**(Copy of reinstatement order dated 23/07/2016 is attached as Annexure-H)**

9. That Writ Petition No. 256/2012 was filed before Hon'ble Peshawar High Court Bannu Bench wherein appointment order dated 23/04/2012 was challenged and the same was disposed-of to finalize the process of appointment of deserving candidates within 30 days positively.



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**(Copy of writ petition along with order dated 11/01/2018 are attached as Annexure-I)**

10. That the appellant filed Civil MISC 12(2) Petition No. 7-B/2018 before the Hon'ble Peshawar High Court, Bannu Bench which was disposed of by sending case of the appellant/petitioner to the DEO (F) Bannu for reexamination, verification of her academic record vide order dated 22/05/2018.

**(Copy of Civil MISC Petition along with order dated 22/05/2018 are attached as Annexure-J)**

11. That the appellant filed COC No. 407-B/2018 for defying the judgment dated 22/05/2018 passed by the Hon'ble Peshawar High Court, Bannu Bench which was too disposed-of vide order dated 09/03/2022, wherein it was observed that since the office of respondent No.2 passed an order dated 07/03/2022, therefore, the petitioner/appellant is at liberty to challenged the subsequent order.

**(Copy of COC along with order dated 09/03/2022 are attached as Annexure-K)**

12. That the impugned order dated 07/03/2022 which was communicated to the appellant on 07/09/2022, against which the appellant filed departmental appeal dated 09/09/2022, but the same has not been responded despite lapse of statutory period of 90 days, hence presents the

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instant service appeal to set aside order dated 07/03/2022 communicated to the appellant on 07/09/2022 on the following amongst other grounds:

**(Copies of departmental appeal dated 09/09/2022, impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 and Detail Marks Certificate of the appellant are attached as Annexure-L, M & N respectively)**

**GRUNDS:**

- A. That the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 is against the law, facts and material available on record.
- B. That the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 was passed in haste, without adhering to the due process of law, as embodied in E & D Rules and Article 10-A of the Constitution of Pakistan, hence the same is liable to be set at naught alone on this ground.
- C. That there are plethora of case law, that no one should be condemned unheard as principles of natural justice are part and parcel of all statutes, hence the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 is void-ab-initio and it will be presumed that the same is non-existent in the eyes of law.

D. That the appellant cannot be vexed twice for the same allegations as in earlier round of litigation, her Service Appeal was remitted by this Hon'ble Tribunal vide judgment dated 18/04/2016 to conduct departmental inquiry which was accordingly conducted and the appellant was found innocent, resultantly she was reinstated in service with all back benefits vide order dated 23/07/2016, therefore the subsequent order dated 07/03/2022 communicated to the appellant on 07/09/2022 is illegal, void-ab-initio and passed without lawful authority and against the findings recorded by the inquiry committee conducted on the direction of this Hon'ble Tribunal.

It is pertinent to mention that Article 13 of the Constitution of Pakistan provide safeguard to litigants against double jeopardy which in essence, is the fundamental right of the citizens of Pakistan.

- E. That no statement of allegation, charge sheet was issued and no regular inquiry was conducted to probe the allegations showing an exit door once again to the appellant without issuing initial or final show cause notice which act is against the cannon of justice, fair play and equity.
- F. That no opportunity of personal hearing was afforded to the appellant to plead her cause.
- G. That adopting an illegal process by the official respondents at their whims has subjected the appellant to mental torture, agony and duress by entangling her in unnecessary and

frivolous litigations would not only entitle the appellant for reinstatement in service with all back benefits/consequential relief plus also make her entitle to exemplary compensatory cost that once she was exonerated from the frivolous charges by the inquiry committee than there was no justification to issue the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022.

- H. That additional grounds will be raised at the time of arguments with prior permission of this Hon'ble Tribunal.

**Keeping in view, what has been stated above, it is, therefore, humbly prayed to allow this Service Appeal, the impugned order dated 07/03/2022 communicated to the appellant on 07/09/2022 may kindly be set aside and the appellant be reinstated in service with all back benefits.**

**Further directions be issued to the official respondents to pay compensatory cost to the appellant by treating her against the provisions of law when she was already exonerated from the baseless charges by an inquiry committee constituted in the light of directions of this Hon'ble Tribunal vide judgment dated 18/04/2016.**

**NOTE:**

**(No one should be vexed twice for the same cause).**

**OR**

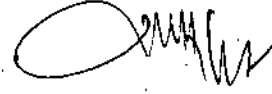
(11)

Any other relief to whom the appellant found entitled  
in the given facts and circumstances and not specifically  
asked for may also be granted.



Appellant

Through



**Inayatullah Khan**  
Advocate Supreme  
Court of Pakistan  
LL.M (UK)

Date: 27/12/2022

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

Appeal No. \_\_\_\_\_/2022

Shahnaz Begum.....Appellant

**V E R S U S**

Secretary, E & SE and others.....Respondents

**AFFIDAVIT**

I, **Mst. Shahnaz Begum D/o Sairullah Shah R/o Akhundana,**  
**Narmali Jhando Khel, District Bannu,** do hereby solemnly affirm  
and declare on oath that the contents of accompanying **Appeal** are  
true and correct to the best of my knowledge and belief and nothing  
has been concealed from this Honorable court.

Identified by:



Inayatullah Khan  
Advocate Supreme Court of Pakistan  
LL.M (UK)

  
**DEPONENT**

CNIC NO. 11101-0631888-0

(13)

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

Appeal No. \_\_\_\_\_/2022

Shahnaz Begum.....Appellant

**V E R S U S**

Secretary, E & SE and others.....Respondents

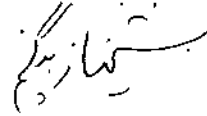
**ADDRESSES OF PARTIES**

**APPELLANT**

Mst. Shahnaz Begum D/o Sairullah Shah R/o Akhundani, Narmali  
Jhandi Khel, District Bannu

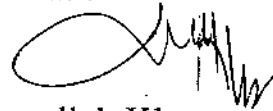
**RESPONDENTS**

1. Director Elementary & Secondary Education Govt. of Khyber  
Pakhtunkhwa, Dabgari Garden, Peshawar
2. District Education Officer, (Female) Bannu.
3. District Accounts Officer, District Bannu.



Appellant

Through



Inayatullah Khan  
Advocate Supreme  
Court of Pakistan  
LL.M (UK)

Date: 27/12/2022

## APPOINTMENT ORDER

(14)

ANNEXURE

A4

In compliance with the Honorable Peshawar High Court D.I.Khan Bench Judgment dated 14-1-2011 and judgment of the August Supreme Court of Pakistan in CP. No.837 and after vacation of stay from the Hon. Court of Civil Judge No.3 Bannu dated 23-4-2012 and on the recommendation of the DPC/DSC Committee in the meeting held on 14-1-2012, the undersigned pleased to appoint the following PSF Female candidates out of Union Council/District Open Merit and other Quotas on Regular Basis but without Pension and Gratuity in BPS-07 plus usual allowances as admissible under the existing Rules & Policy in all schools noted against their names with effect from their date of taking over charge in the best interest of public service subject to the Terms/Conditions given below:-

## UNION COUNCIL LEVEL MERIT APPOINTMENT ORDERS

S.No	Name	Father Name	ADDRESS	U/Council	Place of Posting	Remarks
1	Musarat Shaheen	Mehboobur Rehman	Amrandi Hanif	Amrandi	GGPS Sha Khel Daud Shah	Against V/P
2	Unier Shad	Syed Ayaz	Nahayat Kila	Aral Hathi Khel-II	GGPS Kotka Zahid Sardar Baik Khel	-do-
3	Jamila	Akhtar Jan	Spina Tangi Patol Khel	Aral Hathi Khel-II	GGPS Kotka Haji Sarfaraz Domel	-do-
4	Yasmin bibi	Ghulam Sadiq	Nambat Kila	Aral Hathi Khel-one	GGPS Kotka Gul Rauf.Khan Domel	-do-
5	Nasim	Mir Zaman	Kotka Mirdil Domel	Aral Hathi Khel-one	GGPS Ghani Khel Domel	-do-
6	Musarat	Mir Payio shah	Aral Hathi Khel	Aral Hathi Khel-one	GGPS Landi Kila	-do-
7	Noorshad	Shakil Rehman	Kotka Sadrawan Vizda	Asperka Wazir	GGPS Kotka Ayub Khan Painda Khel	-do-
8	Dil Khurshad	Nazif Khan	Asperka Wazir	Asperka Wazir	GGPS Mirmaroti Kila	-do-
9	Noor Yana	Sabeza Ali Shah	Terkhuba Kalan	Asperka Wazir	GGPS Inayatullah Khan,Kasho Nohi Link Road	-do-
10	Huma Wazir	Himatullah Khan	Asperka Wazir	Asperka Wazir	GGPS Kotka Inayatullah Gadi Top	-do-
11	Komal Nusrat Zafer	Zafer Ali khan	Kaski Akhundani	Baka Khel	GGPS Doctor Nardaraz Baka Khel	-do-
12	Sufia Larin	Akhtar Ali khan	Kaski Akhundani	Baka Khel	GGPS Narmi Khel Baka Khel Mumtaz	-do-
13	Nazia	Noor Baz	Bazar ahmad Khan	Bazar Ahmad Khan	GGPS Khashra Kila Ghani	-do-
14	Roman Bibi	Mohammad Bashir	Kotka Khushbakht	Bazar Ahmad Khan	GGPS Khashra Kila Ghani	-do-
15	Natasha Afridi	Mehrullah Khan	Domanza Bezan Khel	Bezan Khel	GGPS Kotka Syed Rehman Sharozai Syed khel	-do-
16	Shamnaz Begum	Amir Jan	Nager Khan Bharat	Bharat	GGPS Kalan Tughal Khel	-do-
17	Nazia Awan	Khan Mohammad	Bharat Khas	Bharat	GGPS Shah Daraz Bharat	-do-
18	Solita Rabail	Younas Javed	H.No.486/C Moh.Jang	City-II	GGPS Bannu city No.4	-do-
19	Salma Aslam	Mohammad Aslam	H.No.633/D Moh:Munian Bannu	City-II	GGPS Bannu City No.5	-do-
20	Seemab Gul	Ghazi Mehmood	H.No.274/D Moh:Tanchi Bazar	City-II	GGPS Bannu City No.4	-do-
21	Gul Behramzahida	Noor Ali shah	Gulan Daud Shah	Daud Shah	GGPS Shah Daud Shah	-do-
22	Rahmida	Bakht Ali khan	Mischer Daud Shah	Daud Shah	GGPS Piran Daud Shah Bilal	-do-

PRINCIPAL  
CHSS Jami Bannu



	Farakh Naz	Ghulam Nabi	H.No.282/D Moh Arja Samaj	Fatima Khel	GGPS Kot Daji	-do-
24	Nayab	Nimatullah Khan	D.No.3/12 S Wapda Colony	Garhi Sher Ahmad	GGPS Kotka Juma Khan	-do-
25	Naila Gul	Ghulam Shah	H.No.150/B Moh Umer Hayat	Garhi Sher Ahmad	GGPS Kotka Juma Khan	-do-
26	Zafrana Iftikhar	Iftikhar Husain	H.No.419/B Mh.Nasrullah Khan wakil	Garhi Sher Ahmad	GGPS Bannu city No.2	-do-
27	Saleh Gul	Abdur Razaq	Mir Ahmad Ghoriwala	Ghoriwala	GGPS Bharthi Michan Khel	-do-
28	Nayab Younas	Mohammad Younas	Ghoriwala	Ghoriwala	GGPS Ghoriwala Khas	-do-
29	Farshad Begum	Mohammad Afzal	Fazal Haq Malwana	Hasani Kalan	GGPS Kotka Babo Jan Surani	-do-
30	Tahira Islam	Zainul Islam	Bazida Yousaf Khan	Hasani Kalan	GGPS Bazida Karim Khan	-do-
31	Ghulam Fatima	Malay Ayaz	Basia Khel	Haved	GGPS Aslam Khan Derdariz	-do-
32	Saima Ghazal	Sher Nawaz	Multani Landidak	Haved	GGPS Haved Molvi Anwar Shah	-do-
33	Asima Bibi	Maqbool Khan	Zabla Khan Derdariz	Haved	GGPS Mohd Subhan Derdariz	-do-
34	Nazera Bibi	Mohd Awaz Khan	Lewan Derdarzi	Haved	GGPS Lewan Derdariz No.2	-do-
35	Umama Wazir	Wali Rehman	Mali Khel Jani Khel	Hindi Khel	GGPS Hindi Khel Jani Khel	-do-
36	Zainub	Dar Awaz Khan	Mali Khel Jani Khel	Hindi Khel	GGPS Maroon Khel Jani Khel	-do-
37	Tahira	Abdur Rasool	Hinjul Noorbuz	Hinjul	GGPS Mir Azam Baist Khel	-do-
38	Feharátun Sadiqa	Khan Gul Khan	ismail khel	Ismail Khel	GGPS Dhandi Ismail Khel	-do-
39	Noortaj Begum	Kamal Din	ismail khel	Ismail Khel	GGPS Khujaram Khel Ghulam Ali	-do-
40	Shanaz Begum	Sairullah Shah	Akhudan	Jhando Khel	GGPS Normali Jhano Khel	-do-
41	Rizana Jamil	Mohd Jamil	Shabaz Kakki	Kakki-II	GGPS Lower Zone Kakki	-do-
42	Anifa Murad	Murad Ali	Ismail Khan	Kala Khel	GGPS Pir Sabir Shah	-do-
43	Zuhra Ajmal	Mohd Ajmal	Shabaz Sheikhhan Shah	Kala Khel	GGPS Shamjaz Kala Khel	-do-
44	Hina Murard	Murad Ali	Kala Khel Masli Khan	Kala Khel	GGPS Shadov Nawab Ali	-do-
45	Iftikhar Begum	Ismail Khan	Baik Khel	Khander Khan Khel	GGPS Kotka Nazidullah Karab Kila	-do-
46	Nosheen Sana	Sanaulah Khan	Kotka Mohamad Khan	Khander Khan Khel	GGPS Kotka Raj Ali Azim Kila	-do-
47	Zubaida Nasreen	Ahmad Khan	Awadin Guj Kila	Khander Khan Khel	GGPS Ayub Khan Kila Alanawaz	-do-
48	Nabia Sultan	Sher Dil Khan	Zulqader Mandan	Khawajamad Mandan	GGPS Shukrullah Beri Khel	-do-
49	Musarat Shaheen	Mohammad Salim	Kafshi Khel Zafer Khan	Kosar Fateh Khel	GGPS Luqman Kafshi Khel	-do-
50	Naheed Akhtar	Nek Nawaz	Faiz Talab Abas Mandan	Kosar Fateh Khel	GGPS Bihader Manak Khel	-do-
51	Nabila Nawaz	D.Umer Nawaz	Kotka Khan Sherin	Kot Qalander	GGPS Kotka Khan Sherin Degon	-do-
52	Asima bibi	Gul Jehan	Kumkotka Saqi	Lalozai	GGPS Kumkotka Saqi No.2	-do-

PRINCIPAL  
GGPS Jani Khel

53	Norin Sozar	Suzar Khan	Torka Surani	Lalozi	GGPS Torka Mohd Nawaz	-do-
54	Nilofar	Umer Hayat Shah	Gider Mama Khel	Mama Khel	GGHS Hasan Khel Kheraki No.2	-do-
55	Aisha	Umer Ayaz Khan	Chota Masoori	Mama Khel	GGPS Nari Jajan	-do-
56	Hasiba Khatoon	Gul Mehboob Shah	Dari Saidan	Mamash Khel	GGPS Deri Saidan	-do-
57	Amna Bibi	Abdul Nawab	Alladad Mamash Khel	Mamash Khel	GGPS Alladad Mamash Khel	-do-
58	Mehnaz	Umer ayaz Khan	Imaro Kila Mandan	Mandan	GGPS Misal Khan Mandan	-do-
59	Nosheen Gul	Abdul ghani Shah	Saidan Abdul Qadir Shah	Mandan	GGPS Rastab Ali Bozi Kila	-do-
60	Bas Nazira	Shah Qiaz	Saidan Abdul Qadir Shah,	Mandan	GGPS Mathan Khan Sabo Khel	-do-
61	Mehnaz Aziz	Aziz Khan	Bangish Mandan Khel	Mandan	GGPS Inayat Mitha Khel	-do-
62	Najma	Mir Hakim Khan	Lali Kila	Mandev	GGPS Shah Qiaz Mandev	-do-
63	Shazia	Umer Khan	Mandow	Mandev	GGPS Mandev Khas	-do-
64	Fozia Shah	Rehimdin Shah	Chak Dadan	Mira Khel	GGPS Sirmast Mira Khel	-do-
65	Najma	Ghafoor Khan	Fazal Shah Mita Khel	Mitha Khel	GGPS Feroz Fatch Khel	-do-
66	Saira Khan	Sherzali Khan	Fazal Shah Mita Khel	Mitha Khel	GGPS Feroz Fatch Khel	-do-
67	Samrin	Gul Shabaz	Kotka Makhn Kila Patona Mohd Khel	Mohd Khel Wazir	GGPS Kotka Sharifullah Mohd Khel	-do-
68	Ulfat Begum	Aziz Khan	Murib Khel Baka Khel	Mohd Khel Wazir	GGPS Hakmatullah Baka Khel	-do-
69	Nadia	Gul Shamad	Mali Kila Mohd Khel Wazir	Mohd Khel Wazir	GGPS Zakim Mohd Khel	-do-
70	Nusrat Nawaz	Mohammad Nawaz	Amir Waiz Nurar	Mumbathi Barakzai	GGPS Wazir Kila Mumbathi Barakzai	-do-
71	Yasmin Zaib	Umer Khan	Mumbathi Barakzai	Mumbathi Barakzai	GGPS Mumbathi Barakzai	-do-
72	Amna Qureshi	Rehmatullah	Mirbaz Barakzai	Mumbathi Barakzai	GGPS Zonda Ghaibi Delawat	-do-
73	Zahida Kalsoom	Akhtar Zaman	Kotka Amir Waiz Khan nurar	Mumbathi Barakzai	GGPS Khan Kila No.2	-do-
74	Naheed Akhtar	Mohammad Azam Khan	Nar Sher Mast	Nar Jaffer	GGPS Nar Mir Akber Khan	-do-
75	Bushra Norin	Zarban Shah	Pariz Khoni Khel	Nizam Dharma Khel	GGPS Kotka Feroz Shafqat	-do-
76	Musarat	Noor Zaman	Pariz Khoni Khel	Nizam Dharma Khel	GGPS Nizam Dharma Khel	-do-
77	Rafia Rais	Gul Rais Khan	Nurar	Nurar	GGPS Haji Umar Nawaz Nurar	-do-
78	Amrozia	Safdar ali	Nurar	Nurar	GGPS Abbas Khan Nurar	-do-
79	Farah Gul	Mohammad Rais	Nurar	Nurar	GGPS Kotka Safdar Ali Nurar	-do-
80	Rasmina	Asar Ali Shah	Dulader Khel Nurar	Nurar	GGPS Sher Ayaz Nurar	-do-
81	Sanza Norin	Safdar Ali Khan	Shabaz Azmat Khel	Shabaz Azmat Khel	GGPS Kotka Baber Shabaz Azmat Khel	-do-
82	Samrad	Rashid Nawaz	Kotka Khudad Shabaz Azmat Khel	Shabaz Azmat Khel	GGPS Kotka Baber Shabaz Azmat Khel	-do-

*[Handwritten signature]*  
GGPS

17

	Isha Iqbal	Sir Iqbal	Shabaz Azmat Khel	Shabaz Azmat Khel	GGPS Shabaz Azmat Khel Muqader	-do-
	Salma Zahid	Zahidullah Khan	Akhundan Shabaz Azmat Khel	Shabaz Azmat Khel	GGPS Shabaz Azmat Khel Muqader	-do-
85	Rakhshanda	Sardar ali Khan	Ghora Baka Khel	Takhti Khel	GGPS Noor Badshadin Sany Khel Baka Khel	-do-
86	Shaheen Bibi	Shor Ali Khan	Surat Khan Kila	Takhti Khel	GGPS Khalidin Murib Baka Khel	-do-
87	Shakeela Bibi	Mosam Khan	Ahmad Shah Soraki Khel	Zerki Pirba Khel	GGPS Bannuchi Kila Habibullah	-do-

**TERMS AND CONDITIONS**

1. Their Service will be considered regular but without pension and gratuity in term of Section-19 of NWFP, civil servant Act, 1973 as amended vide NWFP, civil servant Amendment Act, 2005. They will however be entitled to contributory provident Fund in such a manner and such rates as may be prescribed by the Government.
2. Their services will be considered on probation for two year from the date of taking over charge.
3. Their services are not transferable from the Union Council where they are appointed.
4. Their services can be terminated at any time, in case their performances are found unsatisfactory during probation period. In case of misconduct they will be proceeded against under the Khyber Pakhtunkhwa E and D Rules 2011 and the rules framed from time to time.
5. The candidates should join their post within 15 days. The DDO Female Primary Bannu should furnish a certificate to the effect that the candidates have joined the post or otherwise, after 15 days of the issuance of this order, failing which their orders will automatically stand cancelled.
6. Charge should not be handed over if age of the candidate is below 18 years or above 35 years as per Govt. Rules.
7. In case of fake certificates/Degrees or any other mistake in the said appointment order detected later on, the undersigned reserves the right of withdrawal/amendment in the appointment orders accordingly.
8. The DDO Female may not release pay of the above PST Female teachers before proper verification of their documents and pay release order from the undersigned.
9. They will produce Health and age certificates from Medical Superintendents concerned Hospital before taking over charge.
10. On the acceptance of the above Terms and Conditions, the appointees should join the post and submit their charge report to all concerned.
11. No TA/DA etc is allowed to any one.

SARAF ALI SHAH  
 EXECUTIVE DISTRICT OFFICER  
 ELEM AND SECY: EDU: BANNU  
 23-04-2012

- Isr. No. 4192-4288 /AE-I/Female PST/2012 Dated the 23-04-2012
- Copy for information and necessary action to:-
1. Secretary Elementary and Secondary Education Khyber Pakhtonkhwa
  2. Director Elementary and Secondary Education Khyber Pakhtonkhwa.
  3. The District Coordination Officer Bannu
  4. District Officer Female E and SE Bannu
  5. DDO Female Primary Bannu with the remarks that their pay may not be drawn until and unless their testimonials are not verified from concerned Board/University.
  6. District Accounts Officer Bannu
  7. Registrar Peshawar High Court Bannu.
  8. Member inspection team Peshawar High Court Peshawar w/r to his order No. 172/ dated 13-4-2012.
  9. Govt. Pleader Bannu

PRINCIPAL  
 CHCS Jamil Khel Bannu

EXECUTIVE DISTRICT OFFICER  
 ELEM AND SECY: EDU: BANNU

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) BANNU.

OFFICE ORDER:

Miss. Shah Naz D/o Sairullah Shah has been appointed as PST at GGPS Noormali on U/C Level Merit vide E.D.O. Bannu No. 4191-4288 Dated 23.04.2012, Whereas her S.S.C certificate has been submitted to B.I.S.E. Bannu vide D.O. (F) No. 8530 Dated 26.09.2012, the Secretary BISE Bannu declared her certificate as tempered (total Marks decreased) vide his Letter No. 438 Dated 27.09.2012.

Hence the appointment order is illegal. Therefore in the light of Terms and conditions at S: NO. 07, the appointment order in respect of the above named teacher is hereby withdrawn from the date of taking over charge.

District Officer (F) Education,  
Bannu.

Encl: NO. 2679-80 Dated 13/6/2013.

Copy to the:-

- 1. Director of Education Khyber Pakhtunkhwa Peshawar.
- 2. Sub Divisional Edu: Officer (F) Bannu.
- 3. District Accounts Officer Bannu.
- 4. Candidate concerned.

Attested to be True Copy

District Education Officer,  
(F) Bannu.



S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	18.04.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO.1496/2013</p> <p style="text-align: center;">(Shahnaz Begum-vs- Director Education (E&amp;SE) Govt: of Khyber Pakhtunkhwa, Dubgari Gardan, Peshawar and others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>PIR BAKHSH SHAH, MEMBER:</u></p> <p style="text-align: center;">Counsel for the appellant (Ms. Uzma Syed, Advocate) and Mr. Usman Ghan, Sr.GP for respondents present.</p> <p>2. Appointed as PST vide order dated 23.4.2012, the appellant was sacked from service vide impugned order dated 13.06.2013 by withdrawing the said appointment order. The ground given is that her SSC certificate was tampered. Her departmental appeal has not been responded, hence this service appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act-1974.</p> <p>3. Arguments heard and record perused.</p> <p>4. It was submitted by learned counsel for the appellant that she never tampered any SSC certificate. It was argued that no show cause notice or enquiry was conducted or opportunity of personal hearing was given and all of a sudden the appointment order was withdrawn. It was further argued that the SSC certificate if any sent for verification was so sent by respondent-department on its own and appellant was unaware of the same.</p>

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Attested to be  
True Copy

5. The learned Sr. GP resisted the appeal on the ground that total n  
SSC is 1050 and in order to enhance merit position, the appellant tamper  
this figure by forging total as 850. He further submitted that according to  
7 of the appointment letter, the appellant is estopped to bring this ap  
prayed that the appeal being devoid of any merits may be dismissed.

6. After perusal of the record and hearing pro & Contra arguments,  
found that no show cause notice was issued to the appellant as to whether  
declared total number to be 1050 or 850. She denies that she tampered any  
in her SSC certificate. Contrarily, the department has not disclosed any me  
etc of selectees as to how the appellant enhanced her merit position b  
alleged tampering. The record is insufficient and this Tribunal cannot reach  
just and a fair conclusion as to whether the appellant in-fact had tamper  
SSC certificate and whether through the said tempering the merit position  
really changed? Hence the Tribunal in these circumstances, is constraine  
remit the case to the appellate authority with the direction to decide departme  
appeal of the appellant by dealing with the above points/observation but strict  
on merit, within a period of one month after receipt of this judgment. Appea  
disposed of in the above terms. Parties are left to bear their own cost. File  
consigned to the record room.

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Sd Member

Sd Member

dye

Attested to be  
True Copy

ANNOUNCED  
18.04.2016

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Page	11
C. / J. / S. Fee	11
Number of Words	800


26-5-16

**DISCIPLINARY ACTION.**

I Bibi Razia District Education Officer (Female) Bannu as competent authority, am of the opinion that Mst: Shahnaz Begum D/O Sairullah shah has rendered herself to be proceeded against, as she committed the following acts/omissions with in the meaning of Rule 03 of the Khyber Pakhtunkhwa Govt: servants E&D Rules 2011.

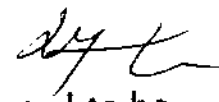
**STATEMENT OF ALLEGATIONS.**


1. She tampered her SSC certificate under R.No 378 Session 2006 Annual Exam: from BISE Bannu by decreasing the figures of total marks as 850 instead of 1050. While the total Marks in the SSC(A) 2006 were as 1050 not 850 (Photocopy of Tampered Certificate attached).
  2. Thus she arranged to upgrade herself in the U.C merit list of PST (F) 2012 and forgedly succeeded to get her appointment on U.C merit as PST at GGPS Noor mali Jhando Khel vide order No 4192-4288/AE-I/Female/PST 2012 dated 23.4.2012 at Sr: No 40.
  3. Merit List 2012.
  4. Tampered SSC Certificate (Present on file).
  5. Withdrawl order (Present on file)
  6. Letter No 41 dated 19.9.2012 from BISE Bannu.
- iii. Thus she is guilty of misconduct under Khyber Pakhtunkhwa E&D rules 2011.
- iv. For the purpose of Enquiry against the said accused with reference to above allegations an enquiry committed consisting of the following is constituted under rule 10(i) (a) of the ibid rules.
1. Hashmat Ullah SS GHSS Bhangi Khan Khujari Bannu
  2. Riffat Ullah Khan SS GHSS Lalozai Bannu.
  3. The enquiry committee shall in accordance with the provision of the ibid rules, provide reasonable opportunity of hearing the accused, record its findings and mark with in 30 days of the receipt of this order recommendations as to punishment or other appropriate action against the accused.
  4. The accused and a well conversant representative of the department shall join the proceeding on the date time and place fixed by the enquiry committee.

  
District Education Officer  
(Female) Bannu.

Endst: No 3479-80 dated Bannu the 28/6 /2016.

- Copy forwarded to the :-
- 1.2:- Enquiry Committee.
  3. The accused.

  
Attested to be  
True Copy

  
District Education Officer  
(Female) Bannu.

**CHARGE SHEET.**


"Annexe-D"

I Bibi Razia District Education Officer (Female) Bannu as Competent authority, hereby charge you, Mst Shahnaz Begum D/O Syer Ullah shah PST GGPS Noor Mali Jhando Khel U.C. Jhando Khel as follows.

That you while posted as PST Committed the following irregularities.

1. While applying for appointment as PST you tampered your SSC Certificate and decreased the total marks from 1050 to 850 and thus forgedly succeeded to get appointment as PST at S.No 40 of the appointment order Endst: No 4192-4288/AE-I/F/PST dated 23.4.2012 (Photocopy of tampered Certificate attached).
2. By reasons of the above, you appear to be guilty of misconduct under rule 03 of the Khyber Pakhtunkhwa E&D rule 2011 and have rendered yourself liable to all or any one of the penalties specified in rule 04 of the rules ibid.
3. You are therefore, required to submit your written defence with in seven days of the receipt of this charge sheet to the enquiry committee.
4. Your written defence if any, should reach the enquiry committee with in the specified period.
5. Intimate whether you desire to be heard in person.
6. A statement of Allegation is enclosed.

  
District Education Officer  
(Female)Bannu.


  
Attested to be  
True Copy

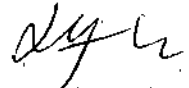


بیان مسماہ شہناز بیگم دختر سیر اللہ شاہ، گاؤں اخوندان، UC جھنڈو خیل، ضلع بنوں

میں حلفیہ اقرار کرتی ہوں کہ میں نے اپنے میٹرک کے سرٹیفکیٹ میں کوئی گڑبڑ نہیں کی ہے۔ سرٹیفکیٹ کی فوٹو کاپی رول نمبر 378 سال 2006 سالانہ امتحان از بنوں بورڈ ہمراہ لف ہے۔ میرے حاصل کردہ نمبر 594 ہیں جبکہ کل نمبر 1050 ہیں۔ میں نے یہی سرٹیفکیٹ انٹرویو 2012 میں داخل کیا تھا۔ میری تقرری بطور P.S.T بمقام GGPS نورمالی جھنڈو خیل UC جھنڈو خیل مورخہ 23-04-2012 کو ہوئی لیکن بلاوجہ مورخہ 13-06-2013 کو برطرف کر دی گئی۔ لہذا مجھے بحال کیا جائے۔

عریضے

  
شہناز بیگم دختر سیر اللہ شاہ

  
Attested to be  
True Copy

From

(24)

ANNEXURE

**ENQUIRY OFFICERS**

1. Hashmat Ullah SS GHSS Bhangi  
Khan Khujari Bannu

2. Riffat Ullah Khan SS GHSS Lalozai  
Bannu.

To:-

The DISTRICT EDUCATION OFFICER  
(FEMALE) BANNU

**Subject: ENQUIRY REPORT.**

Memo.

Ref: your letter No 3479-88 dated 28-06-2016 along with a copy of charge sheet against shahnaz Begum D/O Syer Ullah Shah Vill: Akhundani U.C Jhando Khel (Bannu). We the undersigned conducted an enquiry against the accused.

**Brief history of the case.**

1. The accused Mst. shahnaz Begum D/O syer Ullah Shah village Akhundani U.C Jhando Khel was appointed as PST at GGPS Normali Jhando Khel on the basis of U.C wise merit of U.C Jhando Khel vide E.D.O(E&SE) Bannu NO 4192-4288 dated 23.4.2012(Copy attached as Annex"A").
2. Later on her above said order was withdrawn vide DEO(F) Bannu Endst NO 2679-80 dated 13.6.2013 (Copy attached as Annex"B" quoting the BISE Bannu letter No 438 dated 27.9.2012 that she had tampered the total marks and changed it as 850 instead of 1050 and thus forged the merit list. (Copy of BISE letter Bannu attached as Annex"C")
3. The accused approached Khyber Pakhtunkhwa Services tribunal vide her appeal No 1496 of 2013.

The learned court decided on 14.3.2016 and remitted the case to the appellate authority to decide the case within a month period.

*[Signature]*  
Attested to be  
True Copy

PROCEDURE OF ENQUIRY.

The accused was issued a charge sheet (Photocopy attached as Annex"D" The response of the accused attached as Annex"E".

The committee perused the record on file which was found as under.

1. The form submitted for recruitment by the accused shows that she has entered her total marks correctly as 1050 not 850 (Photocopy attached as Annex"H".
2. Letter No 438 dated 27.9.2012 on the basis of which the appointment of accused was withdrawn is Attached as Annex"I" which's actual No is 1438 dated 27.9.2012 not 438. It does not mention any tampering in the certificate but particulars are verified as under.

R.No	Name	Father,s Name	Marks Obt.	Grade	D.O.B
378	Shahnaz Begum	Syer Ullah Shah	594/1050	C	05.01.1990

3. The accused was heard. She stated that she had not tampered SSC Certificates while she served for one year up to 13.6.2013. She is innocent and has been victim of some conspiracy.

FINDINGS.

The committee reached to the following Findings.

1. That the accused has not made any tampering in her certificate which is evident by the BISE Bannu letter NO 1438 dated 27.9.2012 (Attached as Annex"I".
2. That she has been victimized by some conspirator against her.
3. That her withdrawal order of appointment Endst No 2679-80 Dated 13-06-2013 has been issued in hurry and have the following mistakes.
4. The secretary BISE Bannu letter No. has been quoted as 438 instead of 1438 while the dated is the *same* i.e 27.9.2012.
5. Endst: no of withdrawal order is *wrong*. There are four copies of Endst: while Endst: Nos are 02 i.e *2679-80* dated 13.6.2013.
6. The letter NO 1438 was received from *BISE Bannu* on 27.9.2012, on the basis of which the *appointment of the* accused has been withdrawer on 13.6.2013 i.e-09 *Months late* and during this time no enquiry has been conducted, either *charge* sheet has been issued nor the accused has been heard.

*[Signature]*  
 Attested to be  
 True Copy

**RECOMMENDECTIONS.**

On the basis of above findings, it is recommended that the accused may be reinstated in service as PST with back benefit from the date of termination.

1. Hashmat Ullah SS  
Hashmat Ullah SS  
Subjct Specialist (B-17)  
C.H.S.S. Bannu  
(Chairman Enquiry Committee)

2. \_\_\_\_\_  
Member.

Subject Specialist  
CPS 17  
C.H.S.S. Laloz  
Bannu

Endst: No 989 / Dated Bannu the 22/7/2016.

Copy forwarded to the District Education Officer (Female) Bannu, in ref: to her letter NO 3479-80 dated 28-06-2016

Hashmat Ullah SS  
Hashmat Ullah SS

Chairman inquiry committee

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(27)

ANNEXURE H

**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)**  
**BANNU ELEMENTARY & SECONDARY EDUCATION KHYBER**  
**PAKHTUNKHWA.**

**Re-Instatement Order.**

In the light of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar Decision appeal No. 1496/2013, announced on 18/04/2016 and on the recommendation of departmental inquiry committee Mst: Shah Naz Begum PST GGPS Pirba Khel Jhando Khel is hereby re-instated in service with back benefit from the date of termination, in the best interest of public service.

Note: Necessary entry to this effect should be made in her service book.

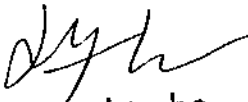
  
DISTRICT EDUCATION OFFICER  
FEMALE BANNU

Endst:No. 3712-17 /AE-II-Female/PST

Dated Bannu the 23 /07/2016.

Copy forwarded for information and necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa.
2. SDEO (F) Office Bannu.
3. ASDEO(F) Concerned.
4. District Account Office Bannu.
5. Chairman Inquiry Committee.
6. Official Concerned.

  
Attested to be  
True Copy

  
DISTRICT EDUCATION OFFICER  
FEMALE BANNU

چارج رپورٹ

حوالہ آرڈر نمبر 4288 - 4192 مورخہ 23-4-2012 اکمده از

E.D.O صاحب پرائمری ایجوکیشن بنوں

آج مورخہ 24-4-2012 کو قبل از دوپہر شہناز میم

دفتر سائبر اللہ شاہ نے جی. جی. پی. ایس کورمالی جھنڈو ویل

میں بحیثیت پی. ایس. ٹی پوسٹ پر چارج سنبھال لیا

کسب رپورٹ عین ہے

SHAHNAZ

چارج دہندہ

Attested to be  
True Copy

Head Mistress  
G.G.P.S. Kormali  
Jhanbu Khel Bannu

چارج دہندہ

IN THE PESHAWAR HIGH COURT, BANNU BENCH

Writ Petition No. 256 / 2012

- 1- ~~Saira Bibi~~ D/O Haji Muhammad Ali R/O Murghali pirba khel caste wazeer union council zairaki perbakhel.
- 2- Abida bibi D/O Muhammad Sabcel R/O union council zairaki perbakhel.
- 3- Nazia bibi D/O Allah Nawaz
- 4- Asra bagum D/O Muhammad Hanif
- 5- Irtana Bagum D/O Gul Marjan
- 6- Meherunisa D/O Saeed Nawaz
- 7- Naila Bagum D/O Mausam Khan
- 8- Shahida D/O Abdur Raheem residents of union council khandar khan khel.
- 9- Bushra Bagum D/O saeed Nawaz R/O union council sperka wazeer kotka ayaz sarki khel.
- 10- Farah deba D/O Muhammad Masken R/O union council Mataki Bezen khel
- 11- Nahida D/O Muhammad Meskin R/O union council post office Mataki Bezin khel.
- 12- Meher Taj Munawar D/O Munawar
- 13- Nazmina D/O Rehmat Ullah
- 14- BiBi Asia D/O Rehmat Ullah
- 15- Samera Yasmeen D/O Shafi Ullah residents of union council Aral-I, Domail.
- 16- Mehwish Gul D/O Fakher Zaman R/O union council Aral No. II, Domail
- 17- Hasing Gul D/O Mir madad khan R/O Sukari Zabta Khan.
- 18- Shagma Shereen D/O Sher Nawaz R/O H.No.347/D, Mahallah Bathia char bijli chowk Bannu City:
- 19- Asia D/O Ilyas R/O Kotka Muhammad Jan union council khandar khan khel.
- 20- Noorana D/O Dir Nawab khan R/O karb kula p/o Azeem kula Bannu.
- 21- Bushra Jabeen W/O Mehboob Alam R/O Kotka Muhammad Khan union council Khandar Khan khel.
- 22- BiBi Sajda D/O Mir Yaqoob khan
- 23- Minhaj BiBi D/O Muhammad Latif residents of kotka wazer Mohammad sarki khel P/O Kotka Muhammad Khan.
- 24- Basim Puri D/O Bagh Dad Khan
- 25- Shamim Akhter D/O Sarfaraz Khan residents of Sarki khel P/O Kotka Muhammad Khan.
- 26- Basharat BiBi D/O Abdul Nasir R/O Male Khan Sarki khel P/O Kotka Muhammad Khan

(petitioners)

VERSUS

(30)

1. Government of Kheyber pakhtonkhwa through Secretary Education KPK Peshawar.
2. Director elementary and Secondary Education KPK Peshawar.
3. Director Education for literary and Schools KPK Peshawar.
4. Executive District officer Elementary and Secondary Education Bannu.
5. District Accounts officer District Bannu..

**RESPONDENTS**

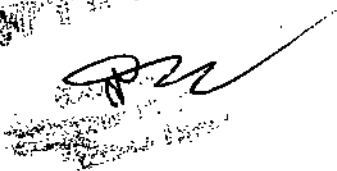
WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 TO DECLEAR NUL AND VIDE THE APPOINTMENT ORDER OF THE EDO ELEMENTOY AND SECENDORY EDUCATION BANNU REGARDING THE OPEN MARIT LIST DATED 23/04/2012 AND UNION COUNCIL MERIT LIST DATED 23/04/2012 BY-WHICH 126 CONDIDATS WERE APPOINTED AGAINST THE PST FEMALE CANDIDATS POSTS AND 87 FEMALE CONDIDATS ON UNION COUNCIL BASIS AGAINST PST FEMALE. ALL THE APPOINTMENTS HAVE BEEN AGAINST THE EXISTING RULES AND REGULATIONS. THE POLICY DATED 2011, AS PRESCRIBED BY THE GOVERNEMT AND NOT ACCORDING TO THE ADVERTISMENT FOR THE ALLEGED IMPUGNMET POSTS AND APPROPRIATE ORDER MAY BE PASSED AND THE DIRECTION MAY BE

Filed Today

Additional Registrar

16-5-11

APTE





GIVEN TO THE RESPONDENTS TO APPOINT THE  
PETITIONERS ACCORDING TO THE OPEN MERITS AS  
WELL AS COUNCIL WISE MERITS OF UNION COUNCIL  
KHANDER KHAN KHEL, UNION COUNCILS SPERKA-I,  
SPERKAI, UNION COUNCILS AREL-I, AREL-II, UNION  
COUNCIL ZAIRAKI PERBAKHEL, UNION COUNCIL  
MATAKI BEZIN KHEL DISTRICT BANNU.

Respectfully Sheweth:-

BRIEF FACTS:-

- I- That on 18/02/2010 the advertisement was published by EDO Elementary and secondary education Bannu and invited application for the one hundred vacancies/posts of PST for Bannu District and the same was declared to be conducted on the basis of Govt. of KPK rules and regulations, and it was also one of the condition mentioned therein in the said advertisement that 40% posting shall be on union council merit basis and 60% on district open merit basis, but subsequently the policy for the year 2011 up to date was announced and 100% merit list was introduced.

Filed Today

Additional Registrar

16-5-11

ATTESTED

*[Signature]*  
 Additional Registrar  
 Bannu District

- II- It was also mentioned that in case of non availability eligible candidates at the related

union council from the adjustment union council candidates who secure better merit shall be appointed. The advertisement copy of the daily News paper Mashriq dated 18/02/2010 is enclosed as Annexure A, and the policy of the dated 25/06/2011 is enclosed as Annexure B.

III- That the respondent No.04 has declared appointment order of District open merits of 126 female and on-union counsel merits 87 female candidates were declared appointed. The copy of the district open merit list is enclosed as Annexure C, while the copy of union council merit list is enclosed as Annexure D.

IV- That feeling aggrieved from the posting order of the respondent No. 4 the petitioners approached this Honorable court, invoking constitutional power of Honorable court for seeking remedy and redress of their grievances inter alia on the following grounds.

**GROUNDS:-**

1- That the petitioners have properly applied for the post of PST female and fulfilled all the formalities and requirements for the same along with academic certificates and proper Roll No were issued, and already test, interview were conducted.

Filed Today

Additional Registrar  
16-5-12

ATTEST

*[Handwritten Signature]*

- 2- That according to merit list the petitioners were eligible in open merit list as well as in the merit of union council but the respondent No. 4 is adopted the policy of pick and chose and violated the rules and regulations in appointment policy according to the advertisement and policy, subsequently declared in year 2011, prior to the appointment order.
- 3- That according to the merit list in all union councils mentioned above the appointments have been made with out merit and on the basis of personal interest of respondent No. 4. It is worth to mention that the candidate in serial No. 45, belong to domiciled union council Kakki while her posting was made in union council Khander Khan Khel.
- 4- That the respondent No. 3 has also violated the basic policy of merits and verifications of the domicile which has been produced by the candidates however it can be disclosed from the record that majority of the candidates who have been appointed have produced bogus domicile but the same has not been properly checked and inquired.
- 5- That it is also ground reality that in the said union council intentionally they have kept

Filed Today

Additional Registrar  
16-5-11

vacant post during the appointment order for the reason to show the policy of merit but actually the act of respondent No. 4 is based on mala fidi, and the same is evident from the office record, and intentionally candidates of these union council who have deserved for open merits were adjusted in union council quota and the merit posts were filled by the candidates of their own personal choice.

6- That some of schools situated in the limits of those union councils, the posts of PST are still kept vacant and not felled by the present posting order of respondent No. 4. The list in this regard is attached as a proof is enclosed as Annexure E.

7- That the respondent No. 4 has intentionally kept secret the merit list and for that very reason merit list was not attached and result was not declared open, and the same may be requisitioned by the Honorable court.

8- That the counsel for the petitioners may be allowed to explain other material grounds at the time of arguments.

In the light of above mentioned grounds, it is humbly prayed that appropriate order may be

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Additional Registrar  
16-5-12

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EX-123  
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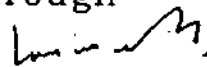
35

passed for appointments of the petitioners against the PST posts being legible and the order of the respondent No. 4 may be set aside being illegal and against the existing policy.

Petitioners

Safora BiBi etc.

Through



(Muhammad Yunis Ali Wazer)  
Advocate PHC Bannu Bench

Dated: 14 / 5 / 2012

**BOOKS REFERENCES.**

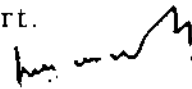
1- Constitution of Islamic Republic of Pakistan 1973.

**CERTIFICATE**

Certified that this is the first petition on the subject matter from the petitioners side and nothing has been concealed from this Honorable Court.

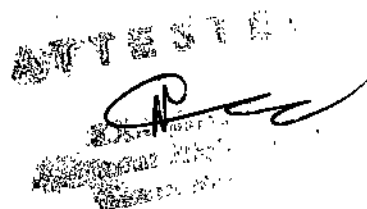
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18-5-12



(Muhammad Yunis Ali Wazer)  
Advocate PHC Bannu Bench

Dated: 14 / 05 / 2012

ATTESTED  


36

**IN THE PESHAWAR HIGH COURT,  
BANNU BENCH.**

(Judicial Department)

W.P No. 256-B of 2012.

Safora Bibi etc: Vs Govt:of KP etc:

**JUDGMENT**

Date of hearing 11.01.2018

Appellant-Petitioner by Mr. M. Iqbal

Ali Waqar PCV

Respondent(s) Govt. by Shabir Hameed PCV

Deputy DDO (F) Edu. Bannu

IKRAMULLAH KHAN, J.--- We intend to dispose of all these Writ Petitions No. 256-B/2012, 257-B/2012, 383-B/2012, 200-B/2015, 665-B/2015, 681-B/2015, 273-B/2016, & 513-B/2016 through the instant consolidated judgment.

2. In essence, the Executive District Officer (EDO) Bannu appointed 126 candidates on vacant posts of PSTs vide notification dated 23.4.2012 on open merit seats and like-wise, also appointed 87 candidates on Union Council wise merit. The

(D.B) Justice Ikramullah Khan and Justice Abdul Shakoor

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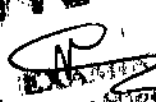
*[Signature]*  
Bannu Bench  
Peshawar High Court

petitioners in all these Writ petitions have challenged not only the process of appointment, but also the numbers assigned to these appointed candidates on account of fake domicile as well as education certificates.

3. Respondents were put on notice with direction to submit their comments in response to each and every petition. Respondents submitted their comments, but have not specifically denied the allegations of petitioners, however, in vogue kind generally denied the allegations. Even no proper documents were annexed with the comments.

4. The record reveals that the petitioners have approached various authorities for redressal of their grievance and in this respect a number of inquiries were conducted, however, without any action on behalf of the concerned officers. The most comprehensive inquiry report was that of Mr. Syed Kamran Shah, Special Secretary Environment Department Government of Khyber Pakhtunkhwa. However, during the course of proceedings of these Writ petitions, this Court deem it appropriate to initiate an inquiry through Additional Registrar of

(D.B) Justice Ikramullah Khan and Justice Abdul Shakoor

**ATTESTED**  
  
 JUDGE  
 HONOURABLE HIGH COURT  
 BAHAWALPUR

this Court as many of the concerned departments were non-cooperative and due to their lack of interest in the inquiry the previous inquiry reports were not comprehensive.

5. The Additional Registrar of this Court issued notices to all the concerns and recorded their statements as well as checked the testimonials of all the appointed candidates and verified through its own source personally from each and every concerned department. He also reviewed the merit lists on the basis of which the official respondents had appointed various candidates and in this respect the concise comprehensive and detailed report was placed on record.

6. We have gone through the reports with the valuable assistance of learned counsel for all the parties and find no any error, mistake, illegality or irregularity in the same; therefore, we make the report of Additional Registrar as Rule of the Court. The DEO (F) Bannu shall, in light of reports of Mr. Syed Kamran Shah, Special Secretary Environment Department Government of Khyber Pakhtunkhwa as well as that of the inquiry report of Additional Registrar of this Court, dismiss all

(D.B) Justice Ikramullah Khan and Justice Abdul Shakoor

ATTEST  
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Registrar  
Bannu



those candidates who were appointed on fake documents or who were awarded exaggerated marks in the process of evaluation of merit and thereafter when the vacancies fall vacant, a new merit list shall be prepared and those who were on waiting list higher on merit shall be appointed but only those candidates shall be appointed who had applied for the vacant posts in response to the advertisement who participated in the process of test and interview, if any, and who qualify the criteria for appointment of PSTs. The EDO shall after finalization of the process of appointment of deserving candidates shall report back to Additional Registrar of this Court within thirty days positively. So all these Writ petitions are disposed of in the above terms.

**Announced.**  
11.01.2018

*Sd/ Mr justice Ikramullah Khan ,J*  
*Sd/ Mr Justice Abdul Shakoor ,J*

*\*Imranullah\**

**CERTIFIED TO BE TRUE COPY**

*[Signature]*  
Prothonotary  
Authentic  
The Government of Sindh 1995

15/12/2018

*[Handwritten signature]*

(D.B) Justice Ikramullah Khan and Justice Abdul Shakoor

BEFORE THE HONOURABLE PESHAWAR HIGH COURT  
BANNU BENCH, BANNU.

Civil Misc: Petition No. 07 B of 2018

Mst. Shah Naz Begum daughter of Sairullah Shah (wife of Waheed Ullah Shah ) R/O Akhundai Jhando Khel Tehsil and District Bannu. -----Applicant

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
2. Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female), Bannu.
4. District Account Officer, Bannu.
5. Mst. Safora Bibi D/O Haji Muhammad Ali R/O Mughali Pirba Khel, Tehsil Domel District, Bannu.
6. Mst. Abida Bibi D/O Muhammad Sabeel Union Council Zairaki Pirba Khel Tehsil Domel District, Bannu.
7. Mst. Nazia Bibi D/O Allah Nawaz
8. Mst. Asia Begum D/O Muhammad Hanif
9. Mst. Irfana Begum D/O Gul Mar Jan
10. Mst. Mehr un Nisa D/O Saeed Nawaz
11. Mst. Naila Begum D/O Mausam Khan.
12. Mst. Shahida D/O Abdul Raheem all residents of Union Council Khandar Khan Khel Tehsil Domel District, Bannu.
13. Mst. Bushra Begum D/O Saeed Nawaz R/O Kotka Ayaz Sirki Khel U.C Asperka Wairan Tehsil Domel District, Bannu.
- Mst. Farah Deeba D/O Muhammad Maskeen

Filed Today

20/11/2018

Additional Registrar

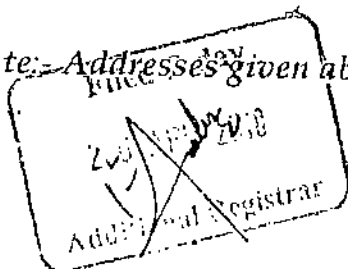
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PESHAWAR HIGH COURT  
BANNU BENCH

15. Mst. Nahida D/O Muhammad Kaskeen both residents of U.C Mataki Bezen Khel Tehsil Domel District Bannu.
16. Meher Taj Munawar D/O Munawar.
17. Mst. Nazmina D/O Rehmat Ullah.
18. Mst. Bibi Asia D/O Rehmat Ullah.
19. Mst. Samera Yasmeen D/O Shafiullah all residents of U.C Aral -I Tehsil Domel District, Bannu.
20. Mst. Mehwish Gul D/O Fakhar Zaman R/O U.C Aral-II Tehsil Domel District Bannu.
21. Mst. Hasina Gul D/O Mir Madad R/O Sokari Zabta Khan Tehsil & District Bannu.
22. Mst. Shama Shereen D/O Sher Nawaz R/O M. No. 347-D Mahalla Bhatia Charbijli Chowk, Bannu City.
23. Mst. Asia D/O Ilyas R/O Kotka Muhammad Jan U.C Khandar Khean Khel Tehsil Domel District, Bannu.
24. Mst. Noorana D/O Dir Nawab Khan R/O Karab Kala, P/O Azeem Kala Tehsil Domel District, Bannu.
25. Mst. Bushra Jabeen W/O Mehboob Alam R/O Kotaka Muhammad Khan U.C Khandar Khean Khel Tehsil Domel District, Bannu.
26. Mst. Bibi Sajda D/O Mir Yaqoob Khan.
27. Mst. Minhaj Bibi D/O Muhammad Lateef both residents of Kotka Wazir Muhammad Sirki Khel Tehsil Domel District, Bannu.
28. Mst. Basir Pari D/O Bughdad Khan.
29. Mst. Shamm Akthar D/O Sarfaraz Khan both residents of Sharki Khel P/O Kotka Muhammad Khan Tehsil Domel District Bannu.
30. Mst. Basharat Bibi D/O Abdul Nasir R/O Mali Khan Sarki Khel P/O Kotaka Muhammad Khan Tehsil Domel District, Bannu.
31. Mst. Shamshad Begum D/O Mehmood Jahan R/O Akhundani Kakkhi Tehsil and District Bannu.

Filed Today  
26 APR 2013  
Additional Registrar

32. Mst. Nuabahar Gul D/O Naboath Khan R/O Village Matha Khel Banuchi P/O Syedan Thughal Khel Tehsil and District Bannu.
33. Mst. Shaulat Jahan D/O Zafar Ali Khan R/O Nizam Dhirma Khel Tehsil and District Bannu.
34. Mst. Nusrat Qazi D/O Yousaf Qazi R/O Mumbati Barakzad Tehsil and District Bannu.
35. Mst. Fouzia Ayub D/O Muhammad Ayub R/O. Khawafamad Mandan Tehsil and District Bannu.
36. Mst. Kousar Manawar D/O Manawar Khan R/O Khawafamad Mandan Tehsil and District Bannu.
37. Mst. Shah Naz Begum D/O Abdul Haq
38. Mst. Rubina Begum D/O Abdul Haq
39. Mst. Rukhsana Begum D/O Abdul Haq all residents of Niam Dhirma Khel Tehsil and District Bannu.
40. Mst. Samida Shafi D/O Muhammad Shafi R/O Jhando Khel Tehsil and District, Bannu.
41. Mst. Samia Begum D/O Israr Khan R/O Gul Ahmad Shah Shaikhan Tehsil & District, Bannu.
42. Mst. Tajran D/O Mir Zali Khan R/O Shoriwala Khass Tehsil and District Bannu.
43. Mst. Nahida Muhammad D/O Muhammad Khan R/O Choriwala Tehsil and District Bannu.
44. Mst. Mehnaz D/O Umar Ayaz Khan R/O Emaro Kala Mandan Tehsil and District Bannu.
45. Mst. Mehnaz Aziz D/O Aziz Khan R/O Baugash Khel Mandan Tehsil and District, Bannu. -----( Respondents.)

Note: Addresses given above are sufficient for proper service.



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**CIVIL MISC: APPLICATION UNDER SECTION 12(2)  
R/W SECTION 151 CPC AGAINST THE JUDGMENT  
DATED 11-01-2018 PASSED BY THIS HONOURABLE  
COURT IN WRIT PETITION NO. 256-B/2012 TITLED  
MST: SAFORA BIBI ETC VS. GOVT: OF KPK &  
OTHERS.**

*(Attested photocopy of judgment dated 11-01-2018 is annexed as Annexure "A")*

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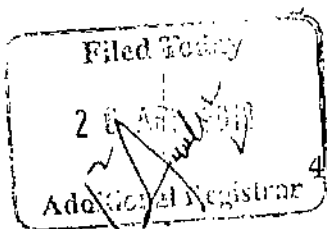
Respectfully Sheweth

The present application under section 12 (2) r/w Section 151 of CPC arises out of the following facts.

**FACTS.**

1. That the present applicant before this honourable court was appointed against the post of P.S.T vide order dated 23-04-2012. *(Attested photocopy dated 23-04-2012 is annexed as annexure "B").*
2. That District Education Officer (Female) withdraw the above said appointment order of the applicant on the ground that her S.S.C was tempered. *(Attested photocopy withdrawal order is annexed as Annexure "C").*
3. That the applicant felt aggrieved from the said withdrawal order so she filed departmental appeal before the next higher authority. Her departmental appeal was not responded; therefore she filed service appeal No. 1496/13 before Khyber Pakhtunkhwa Service Tribunal which was disposed of on 18-04-2016. Consequently, the case was remanded / remitted to the appellate authority with some directions mentioned therein. *(Attested photocopy judgment of Service Tribunal dated 18-04-2016 is annexed as Annexure "D").*

That after remand, in compliance of the judgment of the Khyber Pakhtunkhwa Service Tribunal an inquiry committee was constituted. After due process and inquiry, the inquiry committee submitted his report;



findings and recommendation for re-instatement of the applicant in service with all back benefits. Resultantly the applicant was re-instated with all back benefits vide order dated 23-07-2016. (Attested photocopies of the inquiry report etc and re-instatement order are annexed as Annexure "E").

5. That on the other hand respondent No. 5 namely Mst. Safora Bibi filed writ petition No. 256-B of 2012 on 06-05-2012 which was pending before this honourble court for adjudication along with other writ petitions and decided on 11-01-2018 alongwith other writ petitions No. 257-B /2012m 383-B/2012, 200-B/2015, 665-B/2015, 681-B/2015, 273-B/2016 and 513-B /2016 in light of the inquiry report constituted by this honourable court in another Writ petition no. 16-B / 2011 titled "Rehmeen Begum VERSUS E.D.O (F) Bannu etc. ( Attested photocopies order sheet dated 10-09-2015 in writ petition No. 16-B /2011 alongwith inquiry report and judgment passed in writ petition No. 16-B /2011 dated 09-05-2017 are annexed as Annexure "E, F-1 & F-2 respectively).

6. That the respondent No. 3 dismissed the present applicant from service vide dismissal order dated 28-02-2018 in pursuance of the judgment dated 11-01-2018 passed in writ petition No. 256-B /2012. (Attested photocopy of dismissal order dated 28-02-2018 is annexed as Annexure "G").

7. That the applicant is aggrieved by the impugned judgment and as well as dismissal order which badly effect the rights of the applicant hence presents the instant application under section 12(2) C.P.C with the following grounds amongst others.

Grounds

a. That the impugned judgment dated 11-01-2018 passed in writ petition No. 256-B/ 2012 as well as order of dismissal are illegal, against law and facts.

**ATTESTED**  
EXAMINED  
District High Court  
Bannu

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Addl. Dist. J. Bannu

b. That the present applicant was not a party in the case / writ petitions decided on 11-01-2018, therefore condemned unheard and hit by the principle of audi alteram partem.

c. That respondent No.3 has misconceived and mis-applied the judgment dated 11-01-2018 passed in writ petition No. 256-B/2012 against the applicant as the appointment order of the applicant was withdrawn by respondent No. 3 on 13-06-2013 against which the applicant has availed proper remedy before the honourable Service Tribunal which remanded the case to the departmental authority with the directions mentioned therein and after proper enquiry the applicant was re-instated in service with all back benefits vide order dated 23-07-2016. Thus respondent No.3 has passed the dismissal order enblock without deeply examination of the case of the applicant, which is illegal and liable to be set aside.

d. That the inquiry committee has also mentioned in his report that the appointment order of the applicant has been withdrawn / cancelled by the respondent No. 3, therefore no finding has been given by the inquiry committee in respect of the applicant.

e. That this honourable court has decided / disposed of such like, identical and similar application No. 01/18 on 10-04-2018. (Attested photocopy judgment in peititon u/s 12 (2) No. 01-B of 2018 dated 10-04-2018 in is annexed as Annexure "H").

f. That the impugned judgment passed in writ petition No. 256-B/2012 etc has been obtained through fraud, misrepresentation and suppressing the correct position from this honourable court.

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Registrar

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26 APR 2018  
*[Signature]*  
Additional Registrar

g. That with permission of this honourable court any other ground will be pressed during course of argument.

Prayer

So it is, therefore, most humbly and respectfully prayed that by acceptance this application the judgment dated 01-11-2018 alongwith writ petitions may re-called and set aside and the applicant may be arrayed as party therein and give an opportunity of hearing so that the requirements of natural justice may be fulfilled / completed.

It is further humbly prayed that any other relief / reliefs if this honourable court may deems fit and proper may be granted.

It is further very humbly prayed that if this honourable court deems it proper and appropriate then an alternate this application may be treated is writ petition.

Dated :- 26-04-2018

*[Signature]*  
Applicant Mst. Shah Naz Begum

*[Signature]*  
Through Amanullah Khan Khattak  
Advocate, Karak.

Certificate

Certified that no such like writ petition has been filed on similar grounds earlier before this court or any other court.

*[Signature]*  
Petitioner

Mst. Shah Naz Begum

Law Books

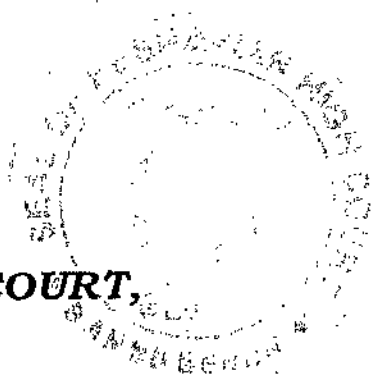
1. The constitution of Islamic Republic of Pakistan, 1973.
2. Case law according to need.

Filed Today  
26 APR 2018  
Additional Registrar

*[Signature]*



47



**JUDGMENT SHEET**  
**IN THE PESHAWAR HIGH COURT,**  
**BANNU BENCH.**

(Judicial Department)

12(2) Petition No. 07-B of 2018

**Mst. Shahnaz Begum**  
**Vs.**  
**Govt: of Khyber Pakhtunkhwa etc:**

**JUDGMENT**

Date of hearing 22.05.2018

Appellant-Petitioner By Amanullah Khan  
Khattak Adv.

Respondent By Shahid Hameed Qureshi  
Adv. A.G.

**SHAKEEL AHMAD, J.**--- Through instant petition bearing No. 07-B/2018 filed under section 12(2) CPC, Mst. Shahnaz Begum D/o Sairullah Shah has impugned the judgment dated 01.11.2018, passed by this Court in WP No. 256-B/2012.

2. In essence, the grievance of the petitioner is that in earlier round of litigation, the respondents brought separate constitutional petitions bearing Nos.

\*Azam Khan/P.S\* (D.B) Justice Abdul Shakoor and Justice Shakeel Ah

**ATTESTED**  
**EXAMINER**  
Peshawar High Court  
Bannu Bench

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256-B/2012, 257-B/2012, 383-B/2012, 200-B/2015, 665-B/2015, 681-B/2015, 273-B/2016 & 513-B/2016, challenging therein appointment orders of the candidates on vacant posts of Primary School Teachers vide notification dated 30.4.2012, on open merit, and appointment of the candidates on Union Council wise merit. Vide order dated 10.9.2015, an inquiry committee headed by Additional Registrar was constituted by this Court, who after probing into the matter submitted a comprehensive report, and after receipt of inquiry report of Additional Registrar of this Court, it was made a Rule of Court, and the District Education Officer (Female) Bannu was directed to dismiss all those candidates who were appointed on fake documents / testimonials or who were awarded exaggerated marks in process of evaluation of merit, in the light of inquiry report of Additional Registrar of this Court as well as the inquiry conducted by the Syed Kamran Shah, Special Secretary

*\*Azam Khan/P.S\* (D.B) Justice Abdul Shukoor and Justice Shakeel Ahmad*

Environment Department Government of Khyber  
Pakhtunkhwa. The relevant portion of the judgment is  
reproduced below:-

*"We have gone through the reports with the valuable assistance of learned counsel for all the parties and find no any error, mistake, illegality or irregularity in the same; therefore, we make the report of Additional Registrar as Rule of the Court. The DEO (F) Bannu shall, in light of reports of Mr. Syed Kamran Shah, Special Secretary Environment Department Government of Khyber Pakhtunkhwa as well as that of the inquiry report of Additional Registrar of this Court, dismiss all those candidates who were appointed on fake documents or who were awarded exaggerated marks in the process of evaluation of merit and thereafter when the vacancies fall vacant, a new merit list shall be prepared and those who were on waiting list higher on merit shall be appointed but only those candidates shall be appointed who had applied*

*for the vacant posts in response to the advertisement who participated in the process of test and interview, if any, and who qualify the criteria for appointment of PSTs. The EDO shall after finalization of the process of appointment of deserving candidates shall report back to Additional Registrar of this Court within thirty days positively. So all these Writ petitions are disposed of in the above terms."*

3. It has been argued by learned counsel for the petitioner that order of this Court is misconceived by official respondents and wrongly terminated her from the service without affording an opportunity of hearing to her, therefore, warrants interference; that the petitioner possess valid documents and her testimonials are neither fake or fictitious; that in earlier round of litigation, in light of judgment passed by learned Service Tribunal inquiry was conducted and the petitioner was reinstated in service in pursuance of the said inquiry, thus, the impugned order passed by this Court is not

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sustainable; that DEO (F) while passing the impugned termination/dismissal order has misconceived the judgment of this Court.

4. Learned counsel representing the petitioners in Writ petition No. 256-B/2012 (respondents herein) argued that the order dated 11.01.2018, passed by this Court does not suffer from legal infirmity; that the impugned order was neither obtained by practicing fraud nor the same is result of misrepresentation or collusion, therefore, does not warrant interference.

5. The learned Additional A.G representing the official respondents argued that though the impugned order does not suffer from legal infirmity, but without giving an opportunity of hearing the DEO (F) Bannu dismissed services of the petitioner and she misconceived the order of this Court and suggested that the case of the petitioners be sent to the DEO (F) Bannu to re-examine their case of dismissal in the light of their

testimonials and thereafter pass an appropriate order in the light of the scrutiny so conducted. The learned counsel for the petitioner as well as the learned counsel for private respondents agreed with the proposal/suggestion of the learned Addl. A.G and the learned counsel for the petitioner stated at the bar that the petitioner would be satisfied if her case is sent to the DEO (F) Bannu for re-examination as suggested by the learned Addl. A.G.

6. In view of the above, we send the case of the petitioner to the DEO (F) Bannu for re-examination / verification of testimonials/credentials of the petitioner, and after re-examination of the order of dismissal from service and drawing a conclusion, pass a speaking order. The petition is disposed of in the above terms.

**Announced.**  
22.05.2018

**CERTIFIED TO BE TRUE COPY**

*[Handwritten signature]*  
22/5/18

*[Handwritten signature]*  
Peshawar High Court Bench  
Authorised Under Article 87 of  
The Qanun-e-Quadrast Ordinance 1964  
5/12/2018

*\*Azam Khan/P.S\* (D.B) Justice Abdul Shakoor and Justice Shakeel Ahmad*



54

Respectfully Sheweth.

1. That on 26-04-2018, the present petitioner filed an application 12 (2) CPC before this honourable court in writ petition No. 256-B of 2012 titled "*Safora Bibi etc V.s Govt. of KP etc*"
2. That this honourable court disposed of the above titled 12 (2) petition with the directions to the respondent for re-examination / verification of testimonials / credentials of the petitioner and after re-examination of the order of dismissal from service and drawing a conclusion, pass a speaking order vide order dated 22-05-2018.  
*(Attested photocopy of order dated 22-05-2018 with copy of 12 (2) petition is annexed as Annexure "A")*
3. That after getting the attested photocopy of order of this honourable court dated 22-05-2018, the same has been delivered to the office of the respondent  
*(Attested photocopy of order dated 22-05-2018 with copy of 12 (2) petition is annexed as Annexure "A")*
4. That the respondent is reluctant to make compliance the order of this honourable court dated 22-05-2018 and has violated the order of this honourable court hence approaches before this honourable court through the instant COC against the respondent on the following grounds inter alia.

Ground

- a. That the respondent has violated the order of this honourable court hence liable to be initiated contempt of court proceedings against the respondent.
- b. That sufficient time has been lapsed after delivering the judgment of this honourable court to the respondent but the respondent is intentionally and deliberately violating the order and judgment of this honourable court, therefore contempt proceedings are liable to be initiated against the respondent.
- c. That the respondent is avoiding compliance the order of this Hon'able court hence the instant COC petition for initiating COC proceeding against the respondent.

W. P. No. 256-B of 2012  
Safora Bibi etc V. Govt. of KP etc  
22-05-2018

Additional



- f. That the petitioner approached to the office of respondent with the request to make compliance the order and judgment of this honourble court dated 22-05-2018 but the respondent is still reluctant to honour the order and judgment of this honourable court hence committed contempt of court of this honourable court.
- g. That any other ground will be pressed at the time of argument with permission of this Hon'able court.

=====

**Prayer**

So it is, therefore, most humbly and respectfully prayed that on acceptance of the instant contempt of court petition, this Hon'able court may very graciously be pleased to initiate contempt of court proceedings against the respondent under the above mentioned provisions of constitution, law and may be punished according to law.

=====

Dated:- 19-07-2018

*Signature*

Petitioner Mst. Shahnaz Begum

Through Amanullah Khan Khattak  
Advocate, Karak. 15/7/2018

**Certificate**

Certified that no such like petition has been filed on similar grounds before this Hon'able court or any other court as per information of my client

*Signature*

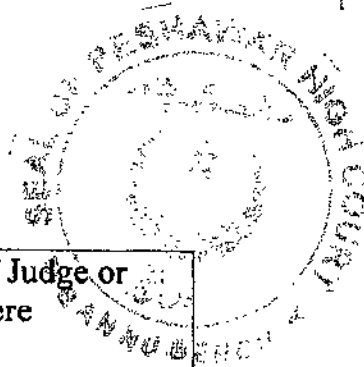
Petitioner Mst. Shahnaz Begum

**ATTESTED**  
*Signature*  
Additional Registrar

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16  
*Signature*  
Additional Registrar

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FORM "A"  
FORM OF ORDER SHEET



Date of order or proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties or counsel where necessary.
2.	3.
09.03.2022	<p><u>C.O.C.No. 407-B/2018.</u></p> <p><u>Present:</u></p> <p>Mr. Amanullah Khan Khattak, advocate for petitioner.</p> <p>Sardar Muhammad Asif, Asstt: A.G for the respondents.</p> <p>*****</p> <p><u>SYED ARSHAD ALI, J.---</u> Through the instant petition, the petitioner has approached this Court for initiation of contempt of court proceedings against the respondents for defying the judgment of this Court dated 22.05.2018, wherein the respondents were directed for re-examination/verification of testimonials of the present petitioner and thereafter to pass a speaking order. Learned Asstt: A.G has produced order bearing No. 2330/Lit Dated Bannu the 07<sup>th</sup> March, 2022, whereby a well reasoned order has been passed in the case of the present petitioner, therefore, this petition has served its purpose as such has become infructuous, stands disposed of accordingly. However, the petitioner will be at liberty to challenge the</p>

WITNESSES  
*[Handwritten signatures]*

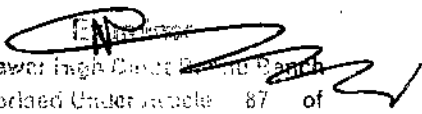
57

subsequent order, if so desired.

**Announced**  
09.03.2022.

Sd IMr Justice Syed Arshad Ali j  
SdIMr Justice Sahibzada Asadullah ,J

**CERTIFIED TO BE TRUE COPY**

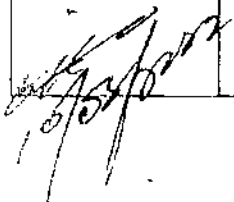
  
Peshawar High Court Clerk  
Authorized Under Article 87 of  
The Qanun-e-Shahadat Ordinance 1984

15/12/2022

SCANNED

10 MAR 2022

  
Khalid Khan



(58)

To

The Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa.

Subject: - DEPARTMENTAL SERVICE APPEAL AGAINST THE ORDER  
PASSED BY DEO(F) BANNU DATED:07-03-2021.

R/Sir,

With Reference to the District Education Officer (Female) Bannu  
Termination orders issued under Endst: No.2331-32 dated; 07-03-2021.

It is humbly submitted that I am PTC Teacher working at GGPS Pirba Khel Jhando Khel Bannu since 24-04-2012 and I was received my Pay through District Account Office Bannu up to 28-02-2018 (Pay slip copy attached for ready reference please.) I was made my duty regularly at the school mentioned above and there is no absentee report of the ASDEO(C), SDEO (F) Bannu as well as Monitoring Officer.

Respected Sir, that the DEO(F) Bannu declared my SSC as well as PTC certificate disputed although the Enquiry Officer already declared the same certificates as verified and also recommended that the accused may be reinstated in service as PST with all back benefits from the date of termination vide enquiry report dated; 12-07-2016. (Copy attached)

That the District Education Officer (Female) Bannu removed me from service without fulfillment of coddle formalities, vide order issued under Endst: No.4672-5990 dated; 6-5-2017.

That for removing a civil servant from service, there is a procedure provided in service laws, which has not been adopted in my termination and my removal from service order was issued in violation of rules.

It is therefore requested that the termination order issued under Endst: No.4672-5990 dated; 06-05-2017 may kindly be set-aside and my service may kindly be restored with all back benefits in the interest of public service as well as my innocent children please. I will pray for your long life please.



(SHANAZ BEGUM)

PST GGPS Pirba Khel Jhando Khel  
Bannu.

Date 09/09/2022



Attested to be  
True Copy

No. 3331/22 Dated Bannu the 27/5/2022

**SHAHNAZ BEGUM  
 VS  
 GOVT. OF KPK**

**SPEAKING/OFFICE ORDER**

With the receipt of an intimation received from the District Education Officer, Bannu in W.P. No. 16-II/2011, the Government of K.P.K. has been informed that the applicant, Shahnaz Begum VS Govt. of K.P.K. has presented an affidavit and other original credentials/documents submitted by her petitioner for the purpose of PTC order at Union Council Mandi Khel Bannu and judicial inquiry report issued by the Honorable Peshawar High Court Bannu Bench, the following stipulated order passed with the following reasons:

- a. That the SSC certificate in the name of Shahnaz Begum was found falsified during verification process from the copy provided by her, as she had decreased the total marks from 1050 to 850 to get appointment to work as a teacher in PST cadre at Union Council Mandi Khel Bannu. The certificate, however, was not destroyed and she pointed out during verification that the original certificate in her name was 1050 but she deliberately shown decreased the total marks from 1050 to 850 and tried to get merit position. The said finding came out during departmental inquiry and judicial inquiry conducted by the Honorable Peshawar High Court Bannu Bench. (SSC Certificate and apply form copy attached as annexure "A & B")
- b. That contingently she had also increased the obtained marks in PTC Merit table whereas the actual marks 387 out of 900 but she tampered the total percentage and increased the obtained marks to 612 out of 900. The said process adopted for the sake of merit table and to get appointment in all means. (PTC Certificate copy attached as annexure "C")

So, in view of above factual position when her original merit calculate with the verified original marks for the purpose of appointment as PST teacher then her merit falls less than other meritorious candidates. Consequently, the appointment order withdrawn with the compliance of Peshawar High Court Bannu Bench Judgment in W.P. No. 16-II/2011 being no vacancy in eye of law. Moreover, in the appointment order at S.No. 07 it was clearly mentioned that if any degree certificate found fake/forged or any other misdeed in the said appointment order detected later on, the undersigned reserves the right of withdrawal/amendment in the appointment orders accordingly.

*[Signature]*  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) BANNU

Encl: No. 3331/22 Dated 27/5/2022  
 Copy for information and necessary action to the:

1. Honorable District Judge, Peshawar High Court Bannu Bench (Bannu Bench)
2. Shahnaz Begum, P.O. Mandi Khel Bannu, Bannu, K.P.K.

*communicated  
 Shahnaz  
 PST. on 7/09/2022*

*[Signature]*  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) BANNU

*[Signature]*  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) BANNU

(60)

**BETTER COPY OF THE PAGE NO.**  
**OFFICE OF THE**  
**DISTRICT EDUCATION OFFICES (F) BANNU**  
**OUTSIDE MIRYAN GATE NEAR GHS NO.4 BANNU**  
**PHONE NO 0978-660010**

No. 2330/Lit

Dated Bannu the 07/03/2022

COC No. 407-B/2018 12(2) Petition No. 07-B in W.P NO. 07-B/2018.

**SHAHNAZ BEGUM**

**VS**

**GOVT: OF KPK**

**SPEAKING/OFFICE ORDER**

With the competence of directions issued by Honorable PHC Bannu Bench in COC No. 407-B/2018 12(2) Petition No. 07-B in W.P NO. 07-B/2018 under case titled Shabnar Begum VS Govt of KPS As per scrutiny of official record, Educational credentials/documents submitted by the petitioner for the post of P5) cadre at Union Council Jhande Khel Bannu and Judicial inquiry report issued by the Honorable Peshawar High Court Bannu Branch the following speaking order passed with the below remarks.

- a. That the SSC certificate in r/o Shahmar Begum was found tempered during verification process from the concerned board, as she had decreased the total marks from 1050 to 850 to get appointment to hook or by crook in PST cadre at Union Council Jhande Khel Bannu that and fortunatch, her unsuccessful attempt pointed out during vertsatoni route Her original marks in SSC certificate was 594 out 1050 but she deliberately shown/decreased the total marks from 1050 to.850 and tried for top merit position The said blunder come out during departmental inquiry and judicial inquiry conducted by the Honorable Peshawar High Court Bannu Bench (SSC Certificate and apply form copy attached as annexure "A & B")
- b. That continuously she had also increased the obtained marks in PTC Certificate wherein, the actual marks 587 out of 900 but she tampered the said certificate and increased the obtained marks as 632 out of 900 The said process adopted for the sake of high merit and to get appointment by all means (PTC Certificate copy attached as annexure "C")

So, in view of above factual position when her original merit calculate with the verified original marks for the purpose of appointment as PST teacher then her merit falls low from other meritorious candidates. Consequently, the appointment order withdrawn with the compliance of Peshawar High Court Bannu Bench Judgment in W.P NO 16-B/2011 being no sustains in eye of law, Moreover, in the appointment order at S No.07 it was clear et mentioned that if any degree/certificate found fake/bogus or any other mistake in the said appointment order directed later on, the undersigned reserve the right of with draw./amendment in the appointment orders accordingly.

DISTRICT EDUCATION OFFICER  
(FEMALE) BANNU

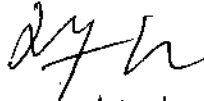
Endstt: No. 233-32

Dated 07/03/2021

Copy for information and necessary action to the,

1. Hon'ble Registrar, Peshawar High Court, Bannu Bench.
2. Shahnaz Begum D/o Samiullah Shah, Jhande Khel

DISTRICT EDUCATION OFFICER  
(FEMALE) BANNU

  
**Attested to be**  
**True Copy**

(6)

ANNEXURE



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

BANNU M.W.P.P. PAKISTAN

S.No. 28126

SECONDARY SCHOOL CERTIFICATE EXAMINATION PART-I&II

RESULT CARD

Roll No : 378  
Group : Science Session 2006 (Annual 10th)  
Registration No : 092-B-GBU2-1-04  
Certificate No : 20600378

This is to certify that Shahnaz Begum  
Son / Daughter of Syed Ullah Shah  
and a student of Govt Girls Higher Secondary School No. 2, Bannu.

has secured the marks shown against each subject, in the Secondary School Certificate Examination of the Board of Intermediate & Secondary Education, Bannu, held in March, 2006 as Regular Candidate

Subject	Marks	MARKS OBTAINED					
		9th		10th		Total	In Words
		Theory	Practical	Theory	Practical		
1. English	75	37	--	54	--	91	Ninety-One
2. Urdu	75	41	--	29	--	70	Seventy-Only
3. Islamiyat	75	32	--	--	--	32	Thirty-Two
4. Pakistan Studies	75	--	--	45	--	45	Forty-Five
5. Mathematics	75	30	--	50	--	80	Eighty Only
6. Physics	75	23	12	34	14	83	Eighty-Three
7. Chemistry	75	37	10	37	13	97	Ninety-Seven
8. Biology	75	31	13	38	14	96	Ninety-Six

Total 1050 504-C Five Hundred Ninety-Four Only  
Remarks SC

Date of Birth according to Registration Record: 05-01-1996 (05 January, Nineteen Ninety)

Date of Declaration of Result: 26-06-2006

Prepared by:

Checked by:

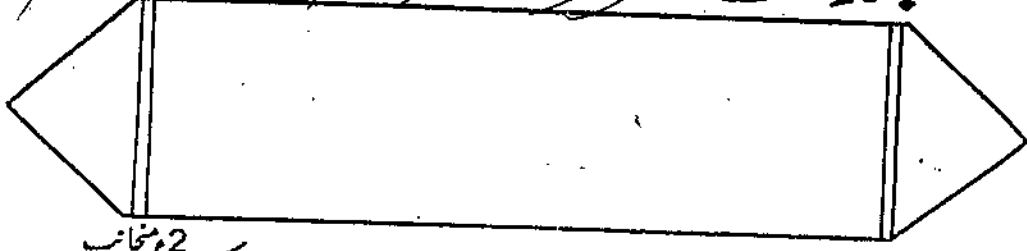
Date of Issue: 26-06-2006

Attested to be True Copy

Controller of Examinations  
Board of Intermediate and  
Secondary Education, Bannu

This Result Card is valid only for the purpose of admission to the next level of education. It is not valid for any other purpose. (Compiled by: Bannu Computer Centre, Bannu)

# بعدالت سروی کرپشنل شیڈ



2ء منجانب  
بنام

مورخہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام Peshawar کیلئے Inayat Ullah Khan

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ فیصلہ  
دیکھل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک در و پیہار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پر و اختیہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جات التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا ادکالت نامہ لکھد یا کہ سندر ہے۔

المرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 20 \_\_\_\_\_

واہ العب \_\_\_\_\_

کے لئے منظور ہے۔

Accepted by  
Inayat Ullah Khan  
ASC  
LHM  
(UK)

بمقام  
شہیناز سلیم