



FORM OF ORDER SHEET

Court of _____

Case No. - 2022/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/12/2022	<p>The appeal of Mr. Lal Rahim presented today by  Roesda Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 2029 of 2022

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

..... Appellant

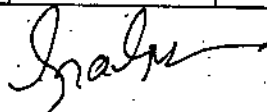
VERSUS

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.


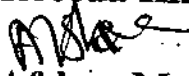
..... Respondents

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Appellant

Through


Roeda Khan

Afshan Manzoor
Advocate, High Court,
Peshawar

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 2022 of 2022

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

..... **APPELLANT**

VERSUS

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.

..... **RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, THAT THE APPELLANT MAY KINDLY BE TREATED ACCORDING TO LAW AND RULES BY ORDERING IN FAVOR OF THE APPELLANT TO COMPULSORY RETIREMENT FROM SERVICE IF ANYT REMOVAL/DISMISSAL ORDER HAS BEEN PASSED AGAINST THE APPELLANT OR HE MAY ALLOW COMPENSATE ALLOWANCES WHICH IS EQUAL TO 2/3 OF HIS PENSION FOR WHICH THE APPELLANT PROPERLY SUBMITTED DEPARTMENTAL APPEAL ON 25/09/2022 WHICH HAS NOT BEEN DECIDED WITH IN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

On acceptance of this appeal the appellant may kindly be treated according to law and rules and may kindly be order for compulsory retirement from service if any removal/dismissal order has been

passed against the ⁽²⁾appellant OR, he may allow compensate allowances which is equal to 2/3 of his pension alongwith all back benefits.

Respectfully Sheweth:

FACTS

The appellant respectfully submits as under:

- 1) That the appellant has been appointed as PST on 1980 with respondent Department. (Copy of appointment order is attached as Annexure-A).
- 2) That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
- 3) That the appellant has performed his duty with respondent Department till 1991, and after that the appellant was unable to perform his duty due to some domestic problem with respondent Department.
- 4) That after settlement of dispute the appellant visited to respondent Department for joining his duty but no response/information has been provided to the appellant by the respondent Department.
- 5) That the appellant properly submitted an application for compulsory retirement to

3)

respondent Department but no response has been provided to the appellant.

- 6) That the appellant submitted a Departmental Appeal on 25/09/2022 to respondent Department for compulsory retirement if any removal or dismissal has been passed OR for compensate allowances. (Copy of Departmental Appeal is attached as Annexure-B).
- 7) That feeling aggrieved the appellant prepares the instant Service Appeal before this Hon' able Tribunal inter alia on the following grounds.

GROUND

- A). That the appellant was the employ of the respondent Department and properly perform his duty with respondent Department since 1980 to till 1991.
- C). That the absence of the appellant was not deliberate and intentionally but due to the reasons mentioned in Para-3 which was beyond the control of the appellant.
- D) That the appellant is legal and title for the relief claimed by the appellant.

J). Any ⁽⁴⁾ other grounds will be raised at the time of arguments with prior permission of this Hon' able Tribunal.

It is therefore most humbly prayed that on acceptance of this appeal the appellant may kindly be treated according to law and rules and may kindly be order for compulsory retirement from service if any removal/dismissal order has been passed against the appellant OR he may allow compensate allowances which is equal to 2/3 of his pension alongwith all back benefits..

Any other remedy which this august tribunal deems fit that may also onward granted in favor of appellant.



Appellant

Through



Roseda Khan



Afsan Manzoor

**Advocate, High Court,
Peshawar.**

5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. _____ of 2022

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

..... Appellant

VERSUS

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.

..... Respondents

APPLICATION FOR CONDONATION OF DELAY (IF ANY).

Respectfully Sheweth:

- 1) That the petitioner/appellant has filed the accompanied appeal today in which no date has yet been fixed.
- 2) That petitioner/appellant has a good prima facie case and is hopeful for its success and the grounds mentioned in appeal may be treated as integral part of this application.
- 3) That the issue of the appellant is come under finical matter against which no limitation has been done.

6)

4) That there are many Judgment of the Supreme Court that cases should be decided on merit rather than on technicality.

5) It is a well settled principle of law no one can be condemned unheard.

It is, therefore, most humbly prayed that on acceptance of this application the delay if any may be condoned in the interest of justice.

Petitioner / Appellant

Through.

Rooeda Khan

Afshan Manzoor
Advocate, High Court
Peshawar

9)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. _____ of 2022

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

..... Appellant

VERSUS

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.

..... Respondents

ADDRESSES OF THE PARTIES

Appellant

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

Respondents

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.


Appellant

Through


Roeda Khan


Afshan Manzoor

Advocate, High Court,
Peshawar.

(8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Appeal No. _____ of 2022

Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan.

..... Appellant

VERSUS

- 1) District Education Officer (Male) Mardan.
- 2) Director Education Officer KPK Peshawar.
- 3) Secretary Education KPK Peshawar.


..... Respondents

AFFIDAVIT

I, Lal Rahim Ex-PST S/o Khan Baz R/o Faqeer Korona District
Mardan do hereby solemnly affirm and declare on oath that the
content of the above application are true and correct to the best of
my knowledge and belief and nothing has been kept secret and
concealed from this Hon'ble Tribunal.


DEPONENT

Identified by


Roeda Khan

Advocate High Court Peshawar

The following appointments of trained PTC candidates are hereby ordered in the M.P. No. (6) of Rs. 315/12-399/14-525 plus usual allowances in the interest of public service with immediate effect.

S.No.:-	Name of candidate:-	From:-	To:-	Remarks.
1.	Ajmal Khan s/o Fazli Vill: Sharif Khan Killi P.O. Fazli Abad (Mardai) Tehsil Mardan.	Candidate/335	G.M. Jalbail.	Against vacant post.
2.	Sirblend Khan s/o Ghulam Mohayud Din V: Inzargul Mourna P.O. Fazli Abad.	Candidate/334	G.M. Yousafi. (A-biq Abad).	--do--
3.	Mohammad Farooq s/o Amar Vill: P.O. Parkho Dheri.	Candidate/320	G.P. 3. Khishha.	--do--
4.	Lal Rahim s/o Khan Baz Vill: P.O. Baizo Kharki.	Candidate/781	G.M. J. Kohra.	--do--
5.	Anwar Khan s/o Alaf Khan Vill: Yark Kot (Madah Baba) PG. Fazli Abad (Mardan).	Candidate/762	G.P. 3. No. (1) Khandra.	--do--
6.	Zameer Khan s/o Nawaz Khan Vill: P.O. Lund Khawar.	Candidate/758	G.P. 3. Jehangira.	--do--
7.	Muhtaza Khan s/o Fazli Qadar Vill: P.O. Fazli Abad Teh: Mdn.	Candidate/664	G.P. 3. Urnal Dheri.	--do--
8.	Gohar Taj s/o Fumer-hah Vill: P.O. Chawa.	Candidate/600	G.P. 3. No. (3) Toni.	--do--
9.	Jasheed s/o Fazal Vill: P.O. Gujrat (Mardan).	Candidate/523	G.P. 3. Tabir Abad (Swabi).	--do--

TERMS AND CONDITIONS.

1. Charge reports should be submitted in duplicate to all concerned.
2. No TA/DA or TG is allowed.
3. They should produced their Health and Age Certificate from the Medical Supdt: DEQ Hospital, Mardan.
4. Their appointments made on temporary basis and liable to termination at any time without notice or assigning any reason. In case of resignation they will have to give ~~month~~ one month prior notice to the Department or forfeited one month's pay to the Govt: in lieu thereof.

(ABDUR RAUF SIQQIQUI)
DISTRICT EDUCATION OFFICER,
MARDAN.
2-10/1980

Order No. 11363-86 / Dated Mardan the,

- Copy forwarded to the:-
1. Sub Div: Education Officer (Male) Swabi
 2. Headmaster/Headteacher of the above schools.
 3. Candidate concerned.

Abdur Rauf
District Education Officer,
Mardan.

(B) (10)

The District Education Officer Mardan

**Departmental Appeal for the compulsory retirement OR
for compensate allowances.**

Respected Sir

- 1) That the appellant has been appointed as PST on 1980 with respondent Department. (Copy of appointment order is attached as Annexure-A).
- 2) That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
- 3) That the appellant has performed his duty with respondent Department till 1991, and after that the appellant was unable to perform his duty due to some domestic problem with respondent Department.
- 4) That after settlement of dispute the appellant visited to respondent Department for joining his duty but no response/information has been provided to the appellant by the respondent Department hence the instant Departmental Appeal.

It is therefore most humbly prayed that on
acceptance of instant Departmental Appeal may kindly
be accepted as prayed for.

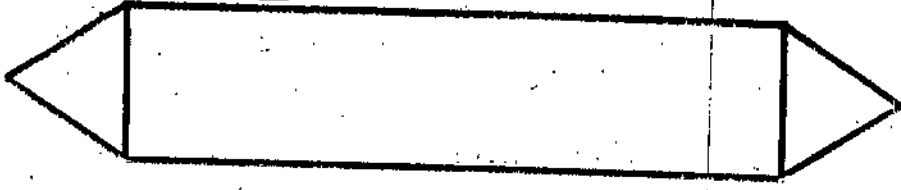
Dated 26.09.2022



Your Sincerely

Lal Rahim
Ex PTC Teacher

بعدالت سرحد طراسٹونٹ لکھنؤ



مورخہ

مقدمہ

دعویٰ

جرم

2022ء 2 منجانب املا

بنام الخولیس

لال رحیم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج 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 مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوا۔ نے مقدمہ ہوں گے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

2022ء

ماہ دسمبر

28

المرقوم

واہ العبد

Accept

Signature

Signature