

14.06.2021 Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 27.09.2021.

  
Reader

27.09.2021 Petitioner in person and Mr. Muhammad Riaz Khan, Painsdakhel, Asstt. AG alongwith Sohail Ahmad Zaib, Assistant Litigation for the respondents present.

The department has submitted the copies comprising letter No. 142/EB, dated 04.01.2021 addressed by the DEO (M) Abbottabad to Principal, GHS Shaikh-ul-Bandi, the notification dated 13.03.2020 and seniority list as stood on 30.06.2021. According to notification dated 13.03.2021, the name of petitioner has been placed at S.No. 316 instead of S.No. 358 of the final seniority list in pursuance of the judgment of this Tribunal and his name was placed at S.No. 242 instead of 282 of final seniority list of SCT dated 31.12.2018. According to the seniority list as stood on 30.06.2021, the name of the petitioner appears at S.No. 334. The judgment stands implemented, hence the petition at hand be filed and consigned to the record room.

  
Chairman  
Camp Court, A/Abad

19.01.2021

Due to COVID-19, the case is adjourned for the same on 18.02.2021 before S.B.

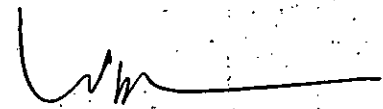
  
READER

18.02.2021

Nemo for petitioner.

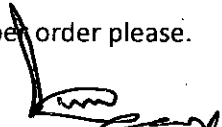

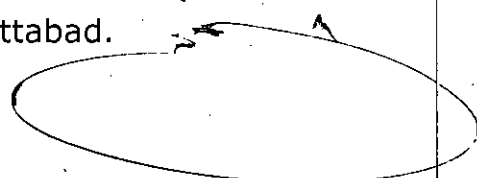
Noor Zaman Khattak learned District Attorney alongwith Sohail Ahmed Zeb Litigation Officer for respondents present.

Preceding date was adjourned on a reader's note, therefore, notice be issued to appellant and his counsel. To come up for further proceedings on 14.06.2021 before S.B at Camp Court, Abbottabad.

  
(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, A/Abad

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_  
Execution Petition No. 91 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	3.06.2020	<p>The execution petition of Mr. Muhammad Pervez submitted today by Syed Abdul Haq Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR 31/6/2020</p>
2-		<p>This execution petition be put up before touring S. Bench Abbottabad on <u>17-11-2020</u>.</p> <p> CHAIRMAN</p>
17.11.2020		<p>Petitioner is present in person. Notice be issued to the respondents for implementation report for 19.01.2021 before S.B at Camp Court, Abbottabad.</p> <p></p> <p>(MUHAMMAD JAMAL KHAN) MEMBER CAMP COURT ABBOTTABAD</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**

**PESHAWAR, CAMP COURT, ABBOTTABAD**

*Execution petition no 91/2020*

C.O.C No. \_\_\_\_\_/2020

IN

Service Appeal No-974/2016

Muhammad Pervez S/o Aziz-ur-Rehman, resident of Street No.2, Chamiali House, Near Civil Officer Colony, Mirpur, Abbottabad, presently working as S.C.T Government High School Sheikhulbandi, District, Abbottabad.

(APPLICANT /APPELLANT)

**V E R S U S**

Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Peshawar & Others.

..... (RESPONDENTS)

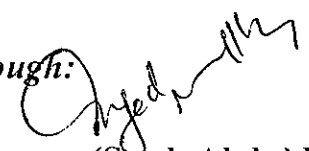
**COC PETITION**

**INDEX**

S.No	Description of Document	Annexure	Page No.
1.	<i>COC Petition</i>	--	1-4
2.	<i>Copy of the Judgment dated 26/12/2019</i>	"A"	5-8
3.	<i>Copy of application</i>	"B"	9
4.	<i>Wakalat Nama already attached with Service appeal No.974/2016</i>		

  
...Appellant/Appellant

Through:

  
(Syed Abdul Haq Shah)  
Advocate High court

Dated:-*03/06/2020*

C Reges

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

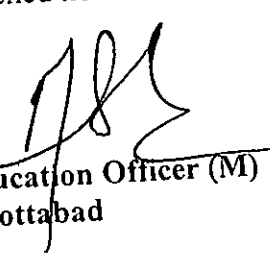
No. 142 /EB-

Dated: 11 /01/2021

To  
The Principal  
GHS Sheikh-ul-Bandi  
Abbottabad

Subject: **NOTIFICATION REGARDING IMPLEMENTATION OF JUDGMENT OF HONOURABLE SERVICE TRIBUNAL PASSED IN SERVICE APPEAL NO. 974/2016 DATED 26-12-2019**

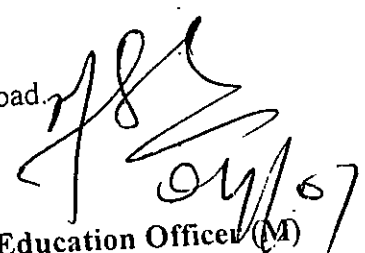
Memo: Please refer to the subject cited above and you are hereby informed that this office has already implemented the judgment of honourable Service Tribunal vide Notification No. 2090-94 dated 13-03-2020 and the same was communicated to you by ordinary post on the same day. Now as the teacher/litigant concerned may be informed and the attached notification may be got received to dispose of the case.

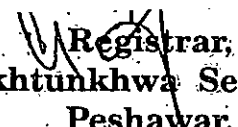
  
District Education Officer (M)  
Abbottabad  
Dated:

Endst: No. 143-45

Copy for information to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Mr. Muhammad Pervaiz SCT GHS Sheikh-ul-Bandi, Abbottabad.
3. Litigation Branch Local Office.

  
District Education Officer (M)  
Abbottabad

  
**Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.**

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
  2. Always quote Case No. While making any correspondence.

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

**NOTIFICATION**

In pursuance to the Judgement of Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar passed in Service Appeal No. 974/2016 dated 26-12-2019, the name of Mr. Muhammad Parvez, Ex-CT, GHS Jhangi is hereby placed at S.No. 316 instead of S.No 358 of final seniority list of CT issued vide this office Endst No. 5879-83 dated 25-06-2015.

His name is also placed at S.No 242 instead of 282 of final seniority list of SCT issued vide this office Endst No. 15337-41 dated 31-12-2018. Furthermore, the date of his promotion as SCT be read as 18.5.2016 instead of 15.2.2017

*self*

DISTRICT EDUCATION OFFICER (M)  
ABBOTTABAD

Endst: No. <sup>90-94</sup> /EB-III

Date 13/3 /2020

Copy forwarded to:-

1. Honorable Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. P/S to Secretary to Govt: of Khyber Pakhtunkhwa, Elementary and Secondary Education Department, Peshawar.
4. Principal GHS Sheikhul Bandi Abbottabad.
5. Mr. Muhammad Parvez SCT GHS Sheikhul Bandi Abbottabad.

*self*

DISTRICT EDUCATION OFFICER (M)  
ABBOTTABAD

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD**  
**FINAL SENIORITY LIST OF SENIOR CT B-16 (MALE) DISTRICT ABBOTTABAD AS ON 30-06-2021**

SNT. No of SCT	Name of Teacher	Father's Name	BPS	DATE OF BIRTH	D/O Ist Apptt:	D/O Apptt: In Present Post as CT	Date of Passing CT	Date of Regular Apptt as CT	Date of Promotion as Sr. CT	Qualification		Remarks	
										ACAD:	PROFF:		
1	3	4	5	6	7	8	9	10	11	12-01-00	13	15	18
1	GHS CHAMHAD	NAZIR Mohammad	Sumandar KHAN	16	18-04-1963	04-10-1983	04-10-1983	22/09/1983	04-10-1983	28-02-2013	BA	BEd	Promoted to SST (G)
2	GHSS Bandi Dhundan	MUHMAD SAFDAR	MUHMAD AJAB KHAN	16	10-08-1960	19-11-1984	19/11/1984	19/11/1984	19/11/1984	28-02-2013	MA	CT	Promoted to SST (G)
3	GHS No.3 A/Abad	QAMAR ZAMAN	GHULAM SAFDAR	16	25-12-1962	03-08-1982	01-10-1986	15-06-1986	01-10-1986	28-02-2013	BA	CT-Gen	Not Eligible
4	GHS Chamhad	M. FAZ	GHULAM SARWAR	16	22-07-1962	21/03/1983	01-10-1986	31/05/1986	01-10-1986	28-02-2013	BA	BED	Promoted to SST (G)
5	GHS Nambal	KHURSHEED AHMED	MUHMAD ROSHAN	16	05-04-1964	04-10-1986	04-10-1986	15-06-1986	04-10-1986	28-02-2013	BA	CT-Gen	Not Eligible
6	GHSS Lora	TARIQ SHAMIM	SULEMA KHAN	16	12-08-1961	26-11-1979	01-12-1986	14-07-1986	01-12-1986	28-02-2013	BA	CT	Not Eligible
7	GHS Kanthiali	MUHAMAMD NAZIR	SHAH ZAMAN	16	11-01-1964	03-03-1982	01-04-1986	26/05/1987	26-05-1987	28-02-2013	BA	BEd	Promoted to SST (G)
8	GHS Kanthiali	M.PERVAIZ	GHULAM HAIDER	16	16-05-1964	22-03-1983	26-05-1986	26-05-1987	26-05-1987	28-02-2013	BA	MEd	Promoted to SST (G)
9	GHS PHAL KOTE	SHABIR AHMED	ABDUR RASHID	16	15/04/1963	24/01/1984	24/01/1984	26/05/1987	26-05-1987	28-02-2013	MA	CT-Gen	Not Eligible
10	GHSS Berote	ABDUL WAHEED	MUHMAD FARIS	16	18-06-1964	23/04/1985	03-07-1987	31/05/1987	03-07-1987	28-02-2013	BA	BED	Promoted to SST (G)
11	GHS Kuthiala	MUHAMMAD AKHTAR	MIR MUHMAD	16	07-03-1963	22-09-1987	22-09-1987	13-08-1987	22-09-1987	28-02-2013	BA	BEd	Promoted to SST (G)
12	GCMHS No. 2 Abbottabad	KHIZAR HAYAT	M.YOUSAF HAYAT	16	01/06/1964	02-11-1983	29-09-87	13/08/1987	29-09-87	28-02-2013	BA	CT-Gen	Not Eligible
13	GHSS Muslim Abad	FARIDON KHAN	M. ASLAM KHAN	16	02-01-1960	01-09-1982	01-10-1987	26/05/1987	01-10-1987	28-02-2013	BSC	BED	Promoted to SST (G)
14	GHS Pawa	M. PERVAIZ	M. IRFAN	16	11-04-1963	01-10-1987	01-10-1987	31/05/1987	01-10-1987	28-02-2013	BA	BED	Promoted to SST (G)
15	GHSS Bandi Dhundan	FARID HUSSAIN	SHAH MUHMAD	16	12-04-1964	01-10-1987	01-10-1987	31-05-1987	01-10-1987	28-02-2013	BA	CT	Not Eligible
16	GHS Phallah	M. IRSHAD	M. HUSSAIN	16	10-04-1965	01-10-1987	01-10-1987	31/07/1987	01-10-1987	28-02-2013	BA	CT	Not Eligible
17	GHSS Dalola	MUHAMMAD JAVAID	AMIR GUL	16	15-06-1962	03-10-1987	03-10-1987	09-07-1987	03-10-1987	28-02-2013	MA	MEd	Promoted to SST (G)

74	GHS No.3 A/Abad	ISHTIAQ AHMAD	MUHAMMAD AYUB	16	01-07-1969	05-04-1990	05-04-1990	09-01-1995	09-01-1995	28-02-2013	MA	MEd	Promoted to SST (G)
75	GHS Bodla	Jhanzeb KHAN	ZARDAD KHAN	16	24-06-1968	03-05-1990	03-05-1990	09-01-1995	09-01-1995	28-02-2013	MA	MEd	Promoted to SST (G)
76	GHS Sumandar Katha	MUNSIF KHAN	SAID AKBAR	16	01-05-1970	03-05-1990	09-01-1995	09-01-1995	09-01-1995	28-02-2013	MA	MEd	Promoted to SST (G)
77	GHS No.1 A/Abad	ABDUL HAMEED KHAN	M.ASLAM	16	10-05-1970	06-05-1990	06-05-1990	09-01-1995	09-01-1995	28-02-2013	MA	MA-Edu.	Promoted to SST (G)
78	GHS Nambal	M. FIAZ	ABDUL QAYYUM	16	15-04-1971	16/07/1990	16/07/1990	09-01-1995	09-01-1995	28-02-2013	BA	BEd	p
79	GHS Kanthiali	M.SABIR	M.ILYAS	16	20-05-1968	22-12-1990	22/12/1990	09-01-1995	09-01-1995	28-02-2013	BA	BEd	
30	GHS Chamiali	M. SAIF UR REHMAN	GHULAM RABBANI	16	03-01-1965	25/03/1983	01-02-1995	22/11/1992	01-02-1995	24-11-14	MA	BEd	
31	GHS Kakul	M. FAYYAZ ABBASI	M. JAN ABBASJ	16	10-02-1968	10-10-1989	10-10-1989	03-05-1995	03-05-1995	24-11-14	BA	MA Edu	
32	GHS Boi	M. MUBARIK ABBASI	M. MISKIN ABBASI	16	04-04-1964	22/05/1990	22/05/1990	03-05-1995	03-05-1995	24-11-14	BA	MA Edu	
33	GHSS Dalola	SHABIR AHMED	BAGH WALI	16	15-04-1966	17/05/1995	17/05/1995	03-11-1993	17-05-1995	24-11-14	MA	MEd	
34	GHS Rajoiya	KALA KHAN	TAJ MUHAMMAD	16	03-06-1963	24/03/1990	24/03/1990	25/05/1995	25-05-1995	24-11-14	BA	CT	
35	GHS No.4 ATD	Tariq Mehmood	MEHMOOD DAD KHAN	16	01-12-1968	05-08-1990	05-08-1990	25/05/1995	25-05-1995	24-11-14	MA	CT-BED-MED	
36	GHS Jhangra	MUHAMMAD AKRAM	FAZAL AHMED	16	22-05-1970	31-05-1995	31-05-1995	30-11-1993	31-05-1995	24-11-14	MA	BEd	
37	GHS No.1 Havelian	MUHAMMAD ASIF KHAN	MUQRAB KHAN	16	01-05-1965	08-10-1989	17/09/1995	09-01-1995	17/09/1995	24-11-14	MA	BED	
38	GHS Sumandar Katha	MUHAMMAD AKRAM	GULAB KHAN	16	01-04-1966	17/10/1987	18-09-1995	22/11/1992	18-09-1995	24-11-14	MA	BEd	
39	GHS No. 1 Atd	Naseem Akhtar	M.Akram Khan	16	15/02/1970	20/09/1995	20/09/1995	05-01-1995	20/09/1995	24-11-14	MA	MED	
30	GHS Kanthiali	M.SARFARAZ	NOOR ALAM	16	15-05-1968	21-09-1995	21-09-1995	09-01-1995	21-09-1995	24-11-14	MA	MEd	
31	GHS Malsa	MUHAMMAD IQBAL	GHULAM HAIDER	16	04-12-1969	04-10-1995	12-03-2005	09-01-1995	09-01-1995	24-11-14	BA	CT	



216	GHS Chamiali	ABID KHAN	SAFDAR KHAN	16	10-04-1968	20/12/1995	20/12/1995	25/05/1996	25-05-1996	31-07-2015	BA	MED	
217	GHS CHAMHAD	ASHFAQ AHMED	ABDUL SATTAR	16	24-01-1971	11-06-1996	11-06-1996	21/01/1996	11-06-1996	31-07-2015	BCOM	CT	
218	GHS JABRIAN	LIAQAT ALI	MUZAFER KHAN	16	04-02-1967	17/09/1986	01-11-1996	02-04-1992	01-11-1996	31-07-2015	MA	BEd	
219	GHS No.4 A/Abad	HABIB UR REHMAN	MUHAMMAD YOUSAF	16	10-02-1975	04-10-1995	01-11-1996	25-05-1996	01-11-1996	31-07-2015	MA	MED	
220	GHSS Boi	ZARDAD	AZIZ UR REHMAN	16	13-08-1964	27/09/1989	11-11-1996	30-11-1992	11-11-1996	31-07-2015	BA	MED	
221	GHS Nathia Gali	UMER KHATAB	AKBAR KHAN	16	09-01-1972	27-06-1990	09-01-1997	20-12-1995	09-01-1997	31-07-2015	MA	MEd	
222	GHS Keri Raiki	HAFEEZ UR REHMAN	MUHAMMAD KHAN	16	07-05-1964	16/05/1984	27-03-1997	22/10/1991	27-03-1997	31-07-2015	BA	B.ED	
223	GCMHS No. 2 Abbottabad	SHOUKAT HAYAT	MUHAMMAD YOUSAF	16	01-04-1967	01-09-1985	27-03-1997	22/10/1991	27-03-1997	31-07-2015	MA	MA.Edu	
224	GHS Keri Raiki	FAZAL UR REHMAN	LAL AKBAR	16	01-04-1969	04-04-1988	27-03-1997	20/12/1995	27-03-1997	31-07-2015	BA	BEd	
225	GCMSS Abbottabad	M. YOUSAF	PIR KHAN	16	03-08-1962	28/10/1981	28/03/1997	09-01-1995	28/03/1997	31-07-2015	MA	MED	
226	GHS Nathia Gali	MUHAMMAD IQBAL	MIR AHMED KHAN	16	14-12-1962	02-08-1982	28/03/1997	01-08-1988	28-03-1997	31-07-2015	MA	MEd	
227	GHSS Nathia Gali	MUHAMMAD SIDDIQUE	SHAH ZAMAN	16	01-06-1964	02-08-1982	28/03/1997	14/11/1990	28-03-1997	31-07-2015	MA	MEd	
228	GHS No.4 A/Abad	RIASAT KHAN	MUHAMMAD AFZAL	16	02-02-1968	16/05/1990	16-05-1990	13-05-1997	13-05-1997	31-07-2015	BA	CT-Gen	
229	GHSS Bandi Dhundan	RASHID KHAN	MUHAMMAD AKRAM KHAN	16	07-04-1972	12-06-1996	12-06-1996	20/11/1995	12-06-1996	18-05-2016	MA	CT	
230	GCMHS No. 2 Abbottabad	SAJJAD AHMED	SHAH ZAMAN	16	20-04-1969	20/04/1993	02-08-1996	20/12/1995	02-08-1996	18-05-2016	BA	CT	
231	GHS Takia Sheikhan	MUHAMMAD FAYYAZ	ALLAH DAD KHAN'	16	03-01-1967	20/04/1993	11-11-1996	20/12/1995	11-11-1996	18-05-2016	MA	BEd	
232	GCMHS No. 2 Abbottabad	GUL HAMEED KHAN	ABDUR REHMAN	16	15-05-1967	17-12-1995	17/12/1995	13-05-1997	13-05-1997	18-05-2016	MA	BEd	
233	GHS DHamtour	DDUR-E-ZAFAR	Q.M.NASEEM KHAN	16	24-12-1964	31/01/1995	25/06/1997	25/05/1996	25-06-1997	18-05-2016	MA	BED-MED-CT	
234	GHS SHEIKH UL BANDI	Muhammad Pervaiz	Aziz-ur-Rehman	16	03-04-1973	23/10/1994	13/08/1997	31/12/1996	25-06-1997	18-05-2016	BA	MED	

394	GHSS Bandi Dhundan	Muhammad. IRSHAD	ALI ZAMAN	16	18-05-76	01-11-96	22-12-04	30-09-99	22-12-04	11-12-20	MA	MED	
395	GMS Sangrari	ABDUL QAYYUM SH	S. SAKHI SARWAR S	16	06-06-71	11-04-95	22-12-04	31-03-01	22-12-04	11-12-20	BA	PTC-CT	
396	GMS Mari	ATIQU UR REHMAN	NEK MUHMMAD	16	02-12-74	11-04-95	22-12-04	27-02-98	22-12-04	11-12-20	MA	MED	
397	GMS Bandi Matrach	S. HAFEEZ	AZIZ AHMED	16	04-03-75	24-10-94	22-12-04	27-02-98	22-12-04	11-12-20	BA	CT	
398	GHS Takia Sheikhan	RIZWAN AHMAD	M.AKBAR DIN	16	01-03-73	22-03-92	22-12-04	31-07-99	22-12-04	11-12-20	BA	BEEd	
399	GHSS No.1 Atd	Aftab Ud Din	Abdul Qayyum	16	09-05-61	23-05-79	22-12-04	22-12-04	22-12-04	11-12-20	BA	BEEd	
400	GHS Beeran Gali	IMTIAZ AHMED	S.SARFARAZ KHAN	16	10-03-67	05-05-87	23-12-04	22-10-91	23-12-04	11-12-20	BA	BEEd	
401	GHS.No.1 Havelian	MUHAMMAD MUSHT	MUHAMMAD ISHAQ	16	03-05-68	15-09-88	01-03-05	22-11-92	01-03-05	11-12-20	MA	BEEd	
402	GHS Jarral	KALA KHAN	DOST MUHMMAD	16	02-04-67	16-09-86	01-03-05	02-04-92	01-03-05	11-12-20	BA	BEEd	
403	GHS Pattan Khurd	GOHAR REHMAN	ALI KHAN	16	12-04-67	10-09-88	01-03-05	21-11-92	01-03-05	11-12-20	BA	BEEd	
404	GHS Kuthiala	SAIN MUHMMAD	ALI KABR	16	26-02-67	15-09-88	01-03-05	22-11-92	01-03-05	11-12-20	BA	CT-Gen	
405	GHS Majuhian	QAMAR ZAMAN	AKRAM KHAN	16	01-04-66	31/04/1986	01-03-05	02-04-92	01-03-05	11-12-20	MA	MEEd	
406	GHSS Bandi Dhundan	TANVEER AHMED	MIR AFZAL	16	01-04-70	17-09-88	01-03-05	22-11-92	01-03-05	11-12-20	BA	BED	

SCT To  
SST (G)

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) ABBOTTABAD**  
**WORKING PAPER FOR DEPARTMENTAL PROMOTION COMMITTEES FOR PROMOTION OF**  
**SCT TO SST (G) 101-09-2021**

Total No. of vacant posts of SST (G)	24
25 % share of initial recruitment	6
75% share of promotion	18
40 % share of promotion of SCT/CT	10
Post Available for Promotion	10
Proposed For Promotion	10

S.No.	Sn. No.	Name of Official	Father Name	Name of School	Date of Birth	Date of Promotion as SCT	Qualification Acad:	Prof:	Whether eligible for promotion	Committee Decision
1	179	MUHAMMAD SABIR	MUHAMMAD ILYAS	GHS Kanthali	20-05-1968	28-02-2013	BA	BEEd	Eligible	Recommended
2	180	MUHAMMAD SAJJUR REHMAN	GHULAM RABBANI	GHS Chamli	03-01-1965	24-11-14	MA	BEEd	Eligible	Recommended
3	181	MUHAMMAD FAYYAZ ABBASI	MUHAMMAD JANI ABBASI	GHS Kakul	10-02-1968	24-11-14	BA	MA Ed	Eligible	Recommended
4	182	MUHAMMAD MUBARRIK ABBASI	M. MISKIN ABBASI	GHS Boi	04-04-1964	24-11-14	BA	MA Ed	Eligible	Recommended
5	183	SHABIR AHMED	BAGH WALI	GHSS Dalola	15-04-1966	24-11-14	MA	MEEd	Eligible	Recommended
6	184	KALA KHAN	TAJ MUHAMMAD	GHS Rajoya	03-06-1963	24-11-14	BA	CT	Eligible	Recommended
7	185	TARIQ MEHMOOD	MEHMOOD DAD KHAN	GHS No.4 ATD	01-12-1968	24-11-14	MA	BEEd	Eligible	Recommended
8	186	MUHAMMAD AKRAM	FAZAL AHMED	GHS Jhangra	22-05-1970	24-11-14	MA	BEEd	Eligible	Recommended
9	187	MUHAMMAD ASIF KHAN	MUQRAB KHAN	GHS No.1 Havelian	01-05-1965	24-11-14	MA	BEEd	Eligible	Recommended
10	188	MUHAMMAD AKRAM	GULAB KHAN	GHS Sumandar Katha	01-04-1966	24-11-14	MA	BEEd	Eligible	Recommended

- 1 All the Sct(Male) included in the panel for the promotion to SST(G) Post
  - a Hold the post on regular basis and none of them is holding the post on adhoc/acting charge/contract basis.
  - b Have completed the required minimum length of qualifying service and qualifications as required for promotion of SST (G) under the rules.
  - c None of them is on deputation to any organization under the Federal/provincial autonomous/International organization.
  - d Neither any disciplinary/departmental proceeding/Anti-corruption/Judicial Inquiry is pending against them nor any penalty has been imposed upon any one of them during the last five years.
  - e None of them is on long leave/Ex-Pakistan leave.
  - f Their ACRs synopsis are free from adverse remarks.
  - g They are alive and serving.
  - h Their appointment order against CT post is attached herewith.
  - i The seniority list of SCT BPS-16 officials is final, undisputed and not subjudice.
- 2 The Departmental Promotion Committee is requested to determine the suitability of the above named SCT for promotion to SST (G) with immediate effect.

DISTRICT EDUCATION OFFICER (M)  
ABBOTTABAD

Chairman \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

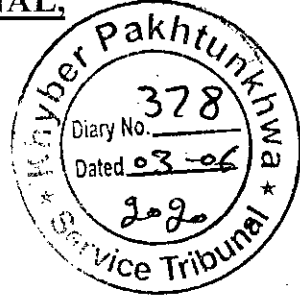
Member \_\_\_\_\_

- 1 Director (E & SE) Peshawar
- 2 Deputy Secretary (E & SE) Peshawar
- 3 District Education Officer (M) Abbottabad
- 4 Deputy Director (E & SE) Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR, CAMP COURT, ABBOTTABAD**

*Execution petition no. 91/2020*

C.O.C No. \_\_\_\_\_ /2020



IN

Service Appeal No-974/2016

Muhammad Pervez S/o Aziz-ur-Rehman, resident of Street No.2, Chamiali House, Near Civil Officer Colony, Mirpur, Abbottabad, presently working as S.C.T Government High School Sheikhulbandi, District, Abbottabad.

.....(Applicant /Appellant)

**V E R S U S**

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education, Peshawar.
2. Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male), Abbottabad / Qazi Tajamal Hussain.

..... (Respondents)

---

APPLICATION FOR ISSUING OF STRICT AND PROPER DIRECTIONS TO THE RESPONDENTS TO IMPLEMENT THE JUDGMENT DATED 26/12/2019 OF THIS HONOURABLE TRIBUNAL WITH LETTER AND SPIRIT UNDER THE LAW AT EARLIEST.

---

*Respectfully Sheweth,*

**FACTS OF THE CASE:**

1. That, the applicant / appellant initially filed a Service Appeal against Seniority Position issued by respondent No.3 as final seniority list of C.T. in 2013.

2. That, contesting respondents submitted comments of their choice, and after hearing the appeal filed by applicant was dismissed vide Judgment dated 22/08/2017.
3. That, the applicant impugned the same before the Honourable Supreme Court of Pakistan wherein the Apex court allowed the CPLA of the applicant and the case was remanded back to the Hon'ble Service Tribunal vide order dated 14/11/2018.
4. That, after the remand of the case, Hon'ble Service Tribunal heard the parties at length, resultantly the service appeal bearing No. 974/2016 was allowed vide Judgment dated 26/12/2019. **(Copy of the Judgment dated 26/12/2019 is attached as Annexure "A")**
5. That, the applicant approached the concerned office and handed over the Judgment ibid alongwith application. **(Copy of application is attached as Annexure "B")**
6. That, the applicant knocked the door of the concerned Authority time and again but the department clearly refused and warned the applicant / appellant about to file the CPLA before the Hon'ble Supreme Court.

7. That, the applicant / appellant is seeking genuine rights since 2016 but still the concerned Authority, without any lawful justification, not complying the judgment of this Honourable Tribunal. The applicant, in such situation, having no other remedy except to file the instant COC petition on the following grounds:-

**GROUND:**

- a. That, the act of official Respondents not complying the Judgment of this Honourable Tribunal, is illegal, lack backing of law, hence not maintainable.
- b. That, the role and procedure adopted by the official respondents, are one sided, based on malafide as against the spirit of law, hence liable to be struck down.
- c. That, the existing of clear law, the respondents have no option except to honour the judgment of this Honourable Tribunal, as their refusal amount to harassment and physical torture, where no law permitted such alleged act of respondents.
- d. That, the applicant / appellant filed an application for the implementation of the judgment dated 26/12/2019 of this Hon'ble Tribunal but respondent paid no heed to the same,

however with the permission of this Hon'ble Tribunal, applicant / appellant also humbly requesting to treat this petition as Contempt of Court as the respondent No.3 has been arrayed also by name as well by designation.

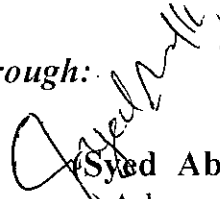
**PRAYER:**

*In view of the above submission, it is humbly prayed, that the instant contempt petition may graciously be accepted as prayed for.*



...Appellant/Appellant

Through:



(Syed Abdul Haq Shah)  
Advocate High court

Dated:- 03/06/2020

**VERIFICATION:-**

Verified that the contents of the instant *COC Petition* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.

Dated:- 03/06 /2020



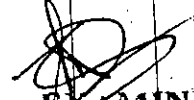
*Applicant / Appellant*



Sr. No	Date of order/proceeding	Order or other proceedings with signature of Judge or Magistrate
1	2	3
<p align="center"><b>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</b>  <b>Service Appeal No. 974/2016</b></p> <p align="right">Date of Original Institution ..... 15.09.2016  Date of Decision ..... 26.12.2019</p> <p>Muhammad Parvez son of Aziz ur Rehman, resident of Street No.2, Chimal House, Near Civil Officers Colony, Mirpur, Abbottabad, presently working as C.T Government High School Jhangi, District Abbottabad.</p> <p align="right"><b>Appellant</b></p> <p align="center"><b>Versus</b></p> <p>1. Government of Khyber Pakhtunkhwa, through Secretary Elementary &amp; Secondary Education, Peshawar.  2. Director, Elementary &amp; Secondary Education, Khyber Pakhtunkhwa, Peshawar.  3. District Education Officer (Male), Abbottabad.</p> <p align="right"><b>Respondents</b></p> <p>26.12.2019  Mr. Muhammad Hamid Mughal-----Member(J)  Mr. Ahmad Hassan-----Member(E)</p> <p align="center"><b>JUDGMENT</b>  <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Appellant</p> <p>with counsel present. Mr. Muhammad Jan learned Deputy District Attorney present.</p> <p>2. Through the present service appeal, the appellant by agitating his seniority position in the seniority list of C.T teachers, made impugned the promotion order dated 18.05.2016 on the ground that through the above said promotion order, C.Ts junior</p>		

26.12.2019

**ATTESTED**

  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar



to the appellant were also promoted as Senior C.Ts while the appellant was illegally deprived from his right of promotion by dropping his seniority position to Serial No.358 in the seniority list, although the appellant was correctly placed at Serial No.316 in the seniority list dated 01.01.2013.


3. The present service appeal was earlier dismissed by this Tribunal vide order dated 22.08.2017 however the Civil Petition No.4393 of 2017 filed there against by the appellant before the august Supreme Court of Pakistan, was allowed vide order dated 14.11.2018 and the case/service appeal was remanded for decision afresh on merits.

4. Fresh arguments of learned counsel for the appellant and learned DDA heard. File perused.

5. Learned counsel for the appellant argued that the appellant applied for the post of C. T and on 25.06.1997, appointment order of about 366 candidates as C.Ts was issued, however the name of appellant was not included in the said order; that on 12.08.1997 a corrigendum was issued and the appellant was also appointed as C.T under the same terms & conditions prescribed by the appointment order dated 25.06.1997; that the respondents prepared tentative seniority list of C.T wherein the name of appellant was placed at Serial No.358; that the appellant raised objection thereto and filed departmental appeal against the said position of the appellant in the tentative seniority list and resultantly in the seniority list dated 01.01.2013 the appellant was

0.12.2019

**ATTESTED**


  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

placed at Serial No.316; that on 18.05.2016, the respondent department promoted the C.Ts to the Senior C.Ts and those teachers who were lying at Serial No.317 to 335 of the seniority list dated 01.01.2013 and were juniors to the appellant were also promoted but the serial number of the appellant in the seniority list was illegally changed/dropped and was deprived from his right of promotion; that the appellant shall be deemed appointed vide appointment order dated 25.06.1997 instead of 12.08.1997 hence any seniority list prepared in violation of seniority list dated 01.01.2013 is in violation of law/rules.

6. As against that learned DDA argued that as per the tentative seniority list of C.Ts as stood on 31.12.2012, the name of appellant is mentioned at Serial No.316 however as per final seniority list of C.Ts dated 25.06.2015 the name of appellant stands at Serial No.358 and the eligible candidates up to Serial No.331 were promoted to the post of Senior C.Ts vide order dated 18.05.2016; that the appellant has also been promoted as Senior C.T vide order dated 31.01.2017 .

7. There is no dispute that due to oversight/miscalculation by the respondent department the name of the appellant (originally a PTC) was not included in the appointment order dated 25.06.1997 of C.Ts and it was upon rechecking of merit list that vide order dated 12.08.1997 the appellant was appointed as C.T. on the same terms & conditions prescribed in the appointment order dated 25.06.1997. This Tribunal is therefore, of the considered opinion

ATTESTED

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

6.12.2019

that for the purpose of determination of seniority position of the appellant, his date of appointment shall be considered as 25.06.1997 instead of 12.08.1997. One of the term & condition as mentioned in the appointment order dated 25.06.1997 is that the inter se seniority will be determined in accordance with the merit of Departmental Selection Committee.

8. Needless to mention the settled principle that seniority is to be reckoned from the date of initial appointment and not from the date of confirmation, regularization or assumption of charge.

9. This may be observed that in the seniority list of C.Ts wherein the date of appointment of the appellant as C.T is mentioned as 12.08.1997, he is placed at Serial No.358 whereas in the seniority list wherein his date of appointment is mentioned as 25.06.1997, he is placed at Serial No.316.

10. As a sequel to above the present service appeal is allowed and the respondent department is directed to treat the name of appellant at Serial No./Seniority No.316 of the seniority list of the C.Ts instead of Serial No./Seniority No.358 and accordingly consider his case for promotion to the post of Senior C.T from the due date. Parties are left to bear their own costs. File be consigned to the record room.

(Ahmad Hassan)

Member

(Muhammad Haris Mughal)

Member

ANNOUNCED  
26.12.2019

Certified to be true copy  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

(9)

To,

The DO (Male)  
E & SE Abbollabad.

Subj- Adjustment in order # 4046-52 dated 18-05-16 on seniority # 316 instead of order # 1573-35 dated 15-02-17 on seniority # 358 and provision of new SCT seniority list in the light of the judgments of Supreme Court and Service Tribunal (KP).

R/Sir,

It is stated that:-

(1)- I've appealed before the Service Tribunal (KP) on 09-09-16 vide # 974/16 against <sup>SCT</sup> promotion order # 4046-52 dated 18-05-16 in which I've illegally deprived from my right promotion by dropping my seniority from 316 to 358.

(2)- My appeal has been accepted by the Service Tribunal (KP) on 26-01-19 with the directions mentioned in the judgement order.

It is therefore requested that in the light of the judgement of Supreme Court and Service Tribunal I may kindly be adjusted on S.No-316 in order # 4046-52 dated 18-05-16 instead of S.No-358, order # 1573-35 dated 15-02-17.  
Relevant documents attached.

Copy to :-

(1) Registrar Service Tribunal (KP)

(2) Secretary E & SE (KP)

(3) Director E & SE (KP)

Muhammad Pervez (SCT)

GHS Sheikhul Bandi

Dated 31-01-19

Cell# 0311-5820642.

D# 671  
01-02-20

قیمت  
50 روپے

47825



ایڈوکیٹ: سید عبدالحق شاہ  
بار کونسل ایسوسی ایشن نمبر: bc-10-0298  
رابطہ نمبر: 0311-0950 959

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: جسٹس سروس ٹریبونل کے لیے پشاور

دعویٰ: <u>سروس اپیل (COC)</u>	مخائب: <u>اپیلانٹ (Appellant)</u>
علت نمبر: <u>974/2016</u>	
مورخہ: <u>03-06-2020</u>	
جرم:	
تھانہ:	

بنام  
محمد پرویز گل حکومت

**بابت تحریر آنکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ  
آن مقام کیٹیب کریج کیلئے سید عبدالحق شاہ کو وکیل مقرر  
کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو  
راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز  
دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب  
مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا  
دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے  
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے  
المرقوم: 03-06-2020

مقام خیبر پختونخواہ سروس ٹریبونل کیٹیب کریج کے لیے منظور ہے۔  
ایسٹ ایڈوکیٹ

نوٹ: اس وکالت نامہ کی فونو کالی ناقابل قبول ہوگی۔

Syed  
03/06/20

محمد پرویز گل وکیل حکومت پشاور کیٹیب کریج (20) کے مختار وکیل

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

No. \_\_\_\_\_/EB-

Dated: 4 /01/2021

To

The Principal  
GHS Sheikh-ul-Bandi  
Abbottabad

**Subject: NOTIFICATION REGARDING IMPLEMENTATION OF JUDGMENT OF HONOURABLE SERVICE TRIBUNAL PASSED IN SERVICE APPEAL NO. 974/2016 DATED 26-12-2019**

Memo:

Please refer to the subject cited above and you are hereby informed that this office has already implemented the judgment of honourable Service Tribunal vide Notification No. 2090-94 dated 13-03-2020 and the same was communicated to you by ordinary post on the same day. Now as the teacher/litigant concerned may be informed and the attached notification may be got received to dispose of the case.

*sd*  
District Education Officer (M)  
Abbottabad

Endst: No. 143-45

Dated:

Copy for information to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Mr. Muhammad Pervaiz SCT GHS Sheikh-ul-Bandi, Abbottabad.
3. Litigation Branch Local Office.

*[Signature]*  
District Education Officer (M)  
Abbottabad

*04/07*