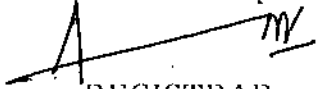


Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 45/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	23.01.2023	<p>The execution petition of Saleem Khan submitted today by Mr. Hassan Zaib Advocate. It is fixed for implementation report before Single Bench at Peshawar on _____. Original file be requisitioned. AAG has noted the next date. The respondents be issued notices to submit compliance/implementation report on the date fixed.</p> <p>By the order of Chairman  REGISTRAR</p>

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

Exception Petition no. 45/2023

CM No:- _____/2023
In
Service Appeal No:- 407/2017

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 3135
Dated 23-1-2023

Saleem Khan S/o Noor Ali R/o Ghalanai Miangan Haleem Zai
District Mohmand, Lab Attendant Govt High School Ghalanai,
..... Petitioner/Appellant

Versus

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Govt of KPK Peshawar
2. Secretary Elementary & Secondary Education Govt Khyber Pakhtunkhwa Peshawar
3. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
4. District Education Officer District Mohmand (Male)
5. District Education Officer District Mohmand (Female)
6. Adil Khan S/o Umar Khan promoted to junior Clerk
7. Arshid Iqbal S/o Dost Muhammad promoted to Junior Clerk.
8. Shah Hussian S/o Islam jan Junior Clerk GJHS Mian Mandi
9. Iqbal Hussain S/o Ummat Khan Junior Clerk DEO Officer Mohmand
10. Safi Ullah S/o Taj Muhammad GHS Mosa Kore Ambar
11. Bakht Biland S/o Alif Zada GHS Azeem Kor Safi
12. Mumtaz Khan S/o Said Rasool Junior Clerk Promoted GGHS Shalam Sali Teshil E/ Ghund

13. Aziz Ur Rehman S/o Amir Salam Promoted as Senior Clerk.
14. Zahid Ullah S/o Usman Promoted to Junior Clerk from Class-IV.
15. Sulman Malik S/o Sher Malik Fresh appointment as Junior.
16. Fazle Hadi S/o Muqaram khan promoted to Junior Clerk from Class IV.
17. Jawad Khan S/o Shoukat Khan Fresh Appointment as Junior Clerk.
18. Salman S/o Riaz gul fresh appointment as Junior Clerk.
19. Fazal Amin S/o promoted to Junior Clerk.
20. Muhammad Yousaf Khan S/o Asif fresh appointment to Junior Clerk.
21. Inayat Ullah S/o Noor Ullah promoted to Junior Clerk.
22. Mustajab Promoted to Junior Clerk.
23. Wisal S/o Hussain fresh appointment to Junior Clerk.
24. Sami Ullah S/o Khalil Ur Rehman Promoted to Junior Clerk.
25. Salman Rauf S/o Fazal Rauf fresh appointment to Junior Clerk.
26. Tariq S/o Abdul Shakoore Promoted to Junior Clerk.
27. Yasir Khan S/o Ismail fresh appointment to Junior Clerk.
28. Ikram Ullah S/o Farman Ullah promoted to Junior Clerk.
29. Basmata W/o Sahib Gul Junior Clerk.
30. Syed Muhammad Waseem Khan Junior Clerk.

.....Respondents

rights of the petitioner because the petitioner initially appointed on 25-02-2005 and taking charge on 01-03-2005, in view of this fact the petitioner most senior from other juniors Collogues promoted to junior clerk by the respondents.

5. That the respondents also prepare the (GRC) Scheduled to be held on 23-05-2022 minutes and the petitioner name as mentioned as serial No. III but also not comply the order dated 18-10-2022.
6. That this Hon'ble Tribunal also issued direction and the petitioner personally appeared before the respondent and submitted so many written application for implementation of the above mention judgment but in vain.
7. That this acts of the respondents not implement the judgment of this Hon'ble tribunal and neither promoted the petitioner to junior clerk, is intentionally, malafidely, deliberately violated the rules and principle of natural justice and as well as the constitutional rights of the petitioner.
8. That this acts of the respondents is also indicate to commit the contempt's of the order of this Hon'ble tribunal.
9. That the respondents are morally, ethically bound to follow the order of this Hon'ble tribunal and as well as also bound to promote the petitioner according to the seniority list of 2013-14.

10. That the appellant/petitioner approached through many written application to the respondents department time and again for the implementation of judgment passed by this Hon'ble tribunal but fruitless, hence this application for implementation of judgment.

It is, therefore, most humbly prayed that on acceptance of this Execution Petition, the order/judgment dated 21/11/2019 may kindly be implemented.

Any other remedy which deem fit to this Hon'ble tribunal may kindly be granted to the appellant/petitioner.

Dated:- 17-Jan-23

Through:-

Petitioner/Appellant

Hasan Zaib Rahim
Advocate, High court
Peshawar.

7-Annexure
-A-

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 407 /2017

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 417

Dated 25-4-2017

Saleem Khan S/O Noor Ali, Lab Attendant (BPS-2) Govt. Higher
Secondary School, Ghalanai, Mohmand Agency.Appellant

VERSUS

1. Agency Education Officer Mohmand Agency at Ghalanai
Mohmand Agency.
2. Director Education FATA, FATA Secretariat, Warsak Road,
Peshawar.
3. Secretary Education FATA, FATA Secretariate, Warsak
Raod, Peshawar.
4. Additional Chief Secretary FATA, FATA Secretariat,
Warsak Road, Peshawar
.....Respondents



**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT
1974 FOR PROMOTION OF THE APPELLANT FROM
LAB ATTENDANT TO JUNIOR CLERK.**

PRAYER:-

That on acceptance of this appeal, respondents may kindly
be directed to promote the appellant from Lab Attendant to
Junior Clerk.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Filed to-day

Registrar

5/4/17, Respectfully Submitted:-

1. That the appellant was appointed as Lab Attendant BPS-2
posted to Govt. High School, Ghalanai Mohmand Agency
and since then is performing his duties with honesty and

we-submitted to-day
and filed.

Registrar

28/4/17

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 407/2017

Date of institution 25.04.2017



Saleem Khan S/o Noor Ali, Lab Attendant (BPS-02) Govt. Higher Secondary
School, Chalanai, Mohmand Agency

VERSUS

District Education Officer Mohmand at Ghalanai District Mohmand and two others

ORDER
18.10.2022

Messrs Fazal Shah Mohmand & Noor Muhammad Khattak
Advocates for the appellant present. Mr. Behramand Khan, Assistant
Director alongwith Mr. Muhammad Riaz Khan Painsakhel, Assistant
Advocate General for the respondents present.

At the very outset, learned counsel for the appellant stated at the
bar that the appellant would be satisfied if direction is issued to the
respondents to consider him in accordance with relevant rules and law
for promotion to the post of Junior Clerk in the upcoming meeting of
DPC. Respondents shall consider the appellant for promotion to the
concerned post in the forth coming meeting of DPC in accordance with
relevant rules and law. Disposed of accordingly. Parties are left to bear
their own costs. File be consigned to the record room.

ANNOUNCED
18.10.2022

(MIAN MUHAMMAD)
MEMBER (EXECUTIV)

Certified to be true copy

~~EXAMINER~~
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

OFFICE OF PRINCIPAL GHS CHALLANAI MOHMAND AT CHALLANAI?

APPOINTMENT

With reference to the Directive of worthy Political Agent Mohmands at Challanai vide his office order No. 1200/S dated 25/2/2005. One Mr Salim Khan S/O Bor Ali Khan r/o Helimzei M/Agency is hereby appointed as Laboratory Attendant (G/IV) in BPS No. 1 No. (1870-55-3520) against vacant post mentioned post at Higher Secondary portion of this school from the date of taking over charge.

TERMS & CONDITION.

1. His appointment is made purely on CONTRACT BASIS for the period of three years.
2. He should produced Age & health certificate from Agency Surgeon concerned.
3. He is liable to be terminated any time without giving any notice of showing any reason.

(MR IMAM GUL)
PRINCIPAL

GHS CHALLANAI M/AGENCY.

Endt. No. 438-40 dated 1/3 2005.

Copy for information to the:-

1. Political Agent Mohmands at Challanai w/r to his quoted above No. and date.
2. Agency Education Officer Mohmand at Challanai.
3. Director of Education (PATA) H.B.P. Peshawar.
4. Agency Accounts Officer Mohmand at Challanai.
5. Accountant of this school office.
6. Candidate concerned.

Imam Gul
PRINCIPAL

GHS CHALLANAI M/AGENCY.

*Accepted by
H. J. P.
L. J. P.*

ll

rib



OFFICE OF THE AGENCY EDUCATION
AT GHALLANAI MOMAND AGENCY

Phone.0924290180 Fax.0924290180

No. _____
Dated Ghallanai the _____ / _____ /2014

-10-

SUBJECT:- PROMOTIONM OF CLASS-IV TO J/CLERK POST.

MEMO.

Consequent upon directions of the competent authority Vide No.8349-63/dated 04/06/2013, and Reminder (I) Vide No.8686-98 dated 11/06/2013,Reminder (II) Vide No.1668-82 dated 21/02/2014 and Reminder No.(III) Vide No.6265 dated 28/04/2014 and on the recommendation of departmental selection committee following class-iv in the school of Mohmand Agency are hereby promoted to junior clerk/ lab asstt; posts, and their adjustment is hereby made in the school mentioned against their name in BPS No.07 @ Rs.5800-320-16400), plus usual allowances as admissible under the rules, in the interest of public service, w.e.f the date of their taking over charges.

Note:- Selection of the promoted candidate has been made on the basis of their clear record regarding date of birth entries in S/Book, CNIC, SSC Certificate, and experience in type writing, while there was great variations in the date of birth of the remaining candidates with very less speed in typewriting.

However this promotion order will remain open for any kind of appeal /objection if any, and will be cancelled if was found against the rules and policy of the Govt.

S/No	Name	Promoted as	Place of Posting	Remarks
1	Mr Mumtaz khan S/o Said Rasool Chow:GHS,S/Khawar	Junior Clerk	GGHS,Shalam Sali Tehsil E/Ghund.	Newly created post
2	Mr Iqbal Hussain S/o Umat khan GGMS Umat khan	-do-	GHS,Sagi Bala. Tehsil Safi.	-do-
3	Shah Hussain S/o Islam jan Chow:GGHS Mian Mandi	Lab.Asstt;	GHS Sagi Bala. Tehsil Safi.	He is Re-deployed to GGHS Mian Mandi for the performance of duties as j/clerk.

TERMS AND CONDITIONS

- 1.They are entitled to avail all kinds of benefits specified for Govt. servants, including CP Fund Except pension, gratuity and GP fund.
2. The verification of the documents will be made through DDO concerned, If any certificate proves a fake/bogus at any stage, his promotion will be considered as cancelled.
3. No payment will be made till the verification of his all documents from the institutions concerned.
4. If they wish to resign the post, they will have to give one month prior notice or pay to the one month will be forfeited in lieu thereof.
5. Charge Report should be submitted to all concerned.

(SAID MOHAMMAD)
Agency Education Officer
Mohmand Agency at Ghallanai.

Endst No. 193-99 /Dated 29-4-2014.

Copy of the above is forwarded to the:-

1. Director of Education FATA,K.P.K,Peshawar .
2. Political Agent Mohmand Agency
3. Agency Accounts Officer,Mohmand Agency at Ghallanai.
1. Agency Surgon Mohmand Agency at Ghallanai.
3. Candidates Concerned.

Agency Education Officer
Mohmand Agency at Ghallanai.



11

FATA SECRETARIAT
DIRECTORATE OF EDUCATION
KHYBER PAKHTUNKHWA, WARSAK ROAD PESHAWAR, PAKISTAN
PHONE. 091-9210166 FAX 091-9210216
No. 1098
Date Pesh: the /27 / 01 /2015

To

The Agency Education Officer,
Mohmand Agency.

Subject:

REVISED ORDER OF PROMOTION FROM CLASS-IV TO THE POST OF
JUNIOR CLERK

Memo:

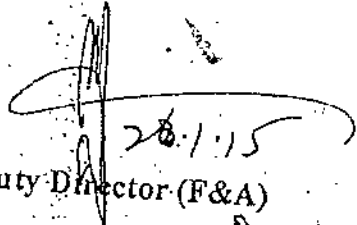
I am directed to enclose herewith an application / appeal along with other relevant documents in respect Mr. Shah Hussain Ex. Class-IV Govt. Girls High School Mian Mandi, Mohmand Agency on the above noted subject. (Who was promoted to Laboratory Assistant, while the official concerned was legible for Junior Clerk post, having Metric with Arts Subjects) and to ask you to dispose-off the case i.e. revise the order of the above named official in the light of the existing rules & policy in vogue, being a competent authority, please.

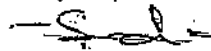
Encls; (A.A)

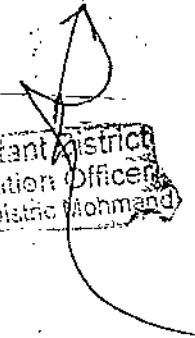
No. & Date as Even Above

Copy to the:-

1. PA to Director Education FATA.


26/1/15
Deputy Director (F&A)


Deputy Director (F&A)


Assistant District
Education Officer,
Tribal District Mohmand

12

OFFICE OF THE AGENCY EDUCATION OFFICER

MOHMAND AGENCY

NO _____ /DATED _____ /2015

OFF

Subject: OFFICE ORDER.

Memo,

Reference Director of Education (FATA) letter no 1098, dated 27.1.2015.

In Continuation of this Office Issued Vide appointment order no 193-99 dated 29.4.2014 at S.No 3 may be read as Shah Hussain S/O Islam Jan Chowkidar GGHS Mian Mandi Promoted as as Junior Clerk against vacant Post at GGHS Mian Mandi with effect from the date of issued appointment order 193.99 dated 29/4/2004.

sd
Agency Education Officer
Mohmand Agency

Endost No S12-13 /Dated 30/01 /2015:

Copy to Director of Education (FATA) w/r to his office no cited above.

[Signature]
Agency Education Officer
Mohmand Agency.

[Signature]
Assistant District
Education Officer
Tribal District Mohmand



Wazirullah
Please do the
needful.

No. _____
Dated ____/____/2008

25-9-08

TRANSFER/ ADJUSTMENT

Mr. Azizur Rehamn Lab: Assistant GHS Haji Yar Jan (Mohmand Agency) is hereby transferred / adjusted at GHSS Ghallanai (Mohmand Agency) against vacant SI Clerk post on his own pay & scale w.e.f the date of taking over charge in the interest of Public Service.

NOTE:

1. Charge report should be submitted to all concerned.
2. TA/DA, etc, are not allowed.

(Fazli Manan)
Director Education FATA

Endst: No. *16993-97* III-AE/Lab: Asstt: V-II *2417108*
Copy forwarded to the:

1. Agency Education Officer Mohmand Agency at Ghallanai.
2. Principal GHSS Ghallanai.
3. Head Master GHS Haji Yar Jan Killi Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency at Ghallanai.
5. Official concerned.

Fazli Manan
By: Director Education

14-

APPOINTMENT ORDER JUNIOR CLERKS

Consequent upon the recommendations of the Departmental Selection Committee, appointment of the following (02) Male candidates under Deceased Quota are hereby ordered against the vacant posts of Junior Clerk Male in PPS-11@ (12650-1316-50959) on Regular Basis plus usual allowances as admissible under the rules on the terms and conditions given below with immediate effect in the interest of public service.

S.#	Name	Father Name	Merit No.	Date of Birth	CNIC #	Name of School	Remarks
1	Safi Ullah	Taj Muhammad	07	07.03.1994	2140317236511	GHS Mosa Kore Anbar	A.Y.P
2	Bakht Bilal	Alif Zada	16	21.02.2004	2140237761829	GHS Azeem Kor Safi	A.Y.P

TERMS & CONDITIONS

- No TA/DA is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointments is subject to the condition that the certificates/degrees must be verified from the concerned authorities by Office of the District Education Officer Mohmand Tribal District. Anyone found producing bogus Documents / Testimonials will be reported to the law enforcing agencies for further action.
- Their services are liable to termination on One Month notice from either side. In case of resignation without notice their One Month pay/allowances shall be forfeited to the Government.
- Pay will not be drawn until and unless a certificate to this effect by Office of the District Education Officer Mohmand is issued that his certificates/degrees are verified.
- They should join their posts within 15 days. In case of failure to join their posts within 30 days, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
- Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
- They will be governed by such rules and regulations, as may be issued from time to time by the Government.
- Before handing over charge once again their original documents must be checked by the concerned DEOS/DEO if they have not the required qualification or average they may not be handed over charge.
- They should not be handed over charge if they exceeds thirty five (35) years or below eighteen (18) years of age.
- Drawing & Disbursing Officer should personally verify this order from the Office of the DEO Mohmand Tribal District before handing over charge to the officials.
- District Account Officer (DAO) Mohmand should release their salaries on the production of any certificate duly signed by the principal/HM/DDO concerned and countersigned by District Education Officer Mohmand.
- Pay will not be drawn by the DDO concerned until any release order as issued by the Competent Authority.
- Posting/adjustment on the available vacancies is the discretionary power of the appointing authority and no one has the right to claim for adjustment at the Specific School.

(ABDUL NAWAZ)
District Education Officer
(Male) District Mohmand

Endst: No. 1 6333-42 (Appointee/Deceased Order) : 24/12/2022

Copy forwarded for information.

- PS to the Secretary to Govt. Khyber Pakhtunkhwa E&SE Department.
- Director E&SE Khyber Pakhtunkhwa, Peshawar.
- Add: Director Education (AMD) Khyber Pakhtunkhwa, Peshawar
- Deputy Commissioner, District Mohmand.
- District Account Officer District Mohmand.
- Principal/Head Masters Concerned.
- Accountant District Education Office Mohmand
- Pay Clerk District Education Office Mohmand.
- Officials Concerned.
- Master File.

[Signature]
District Education Officer
(Male) District Mohmand



Wazirullah
Please do the
modification.

FATA SECRETARIAT
Directorate of Education
NWFP, Warsak Road Peshawar, Pakistan
PHONE: 091-9210166 Fax 091-9210216

No. _____
Dated ____/____/2008

15-

25-9-08

TRANSFER/ ADJUSTMENT

Mr. Azizur Rehman Lab: Assistant GHS Haji Yar Jan (Mohmand Agency) is hereby transferred / adjusted at GHSS Ghallanai (Mohmand Agency) against vacant S/ Clerk post on his own pay & scale w.e.f the date of taking over charge in the interest of Public Service.

NOTE:

1. Charge report should be submitted to all concerned.
2. TA/DA, etc, are not allowed.

(Fazli Manan)
Director Education FATA

Endst: No. *16993-97* III-AE/Lab: Asstt: V-II *2419108*

Copy forwarded to the:

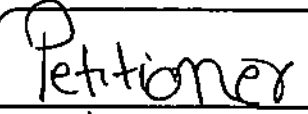

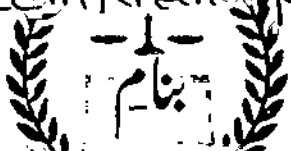
1. Agency Education Officer Mohmand Agency at Ghallanai.
2. Principal GHSS Ghallanai.
3. Head Master GHS Haji Yar Jan Killi Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency at Ghallanai.
5. Official concerned.

Fazli Manan
By: Director Education

Personal No		Name	Designation
91558	11	FAZAL AMIN	JUNIOR CLERK
1008263	11	MUHAMMAD YOUSAF KHAN	JUNIOR CLERK
91462	11	INAYAT ULLAH	JUNIOR CLERK
91460	11	ADIL KHAN	JUNIOR CLERK
89061	11	MUSTAJAB	JUNIOR CLERK
50184573	11	WISAL KHAN	JUNIOR CLERK
976503	11	SYED MUHAMMAD WASEEM KHAN	JUNIOR CLERK
50189221	11	SALMAN RAUF	JUNIOR CLERK
415707	11	BASMATA W/O SAHIB GUL	JUNIOR CLERK
947621	11	SAMI UR REHMAN	JUNIOR CLERK
50314066	11	YASIR KHAN	JUNIOR CLERK
91466	11	TARIQ PERVEZ	JUNIOR CLERK
972318	11	SAMI ULLAH SAEED	JUNIOR CLERK
84373	11	IKRAMULLAH	JUNIOR CLERK


4763			
ایڈویکٹ: 			
بار کونسل ایسوسی ایشن نمبر: 11-1888			
رابطہ نمبر: 0334-9091114	پشاور بار ایسوسی ایشن، خیبر پختونخواہ		

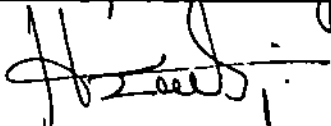
Before The Service Tribunal K.P.K. Peshawar بعد ازاں جناب

Petitioner: 	مخائب: 	Execution Petition: دعویٰ
Saleem Khan, Petitioner	Nil	علت نمبر:
	17-1-2023	مورثہ
Govt of K.P.K. Sothas	Nil	جرم:
Respondents	Nil	تھانہ

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام پشاور میں (سین) زید علی اللہ کوٹلیہ صاحب کو روک کر لکھنا اور
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقریر 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 ذکر کی یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل عمرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اتنے ہمارا یا اتنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جائے اتوائے 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: 17-1-2023


Accepted by 
 17/1/2023

نوٹ: اس وکالت نامہ کی فونو کاپی قابل قبول ہوگی۔

سید عزیز خان والو لونو علی