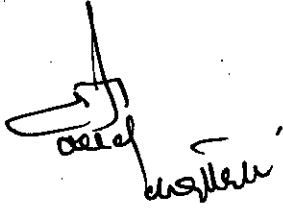


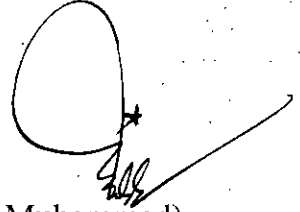
13.07.2020

None for the petitioner present. Addl. AG for respondent present.

Notices be issued to the petitioner and her counsel.

Adjourned to 14.09.2020 before S.B.


21/7



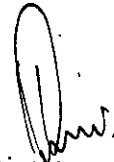
(Mian Muhammad)
Member(E)

14.09.2020

Counsel for the petitioner and Addl. AG for respondents present.

Former states that the judgment under execution has been implemented by the respondents, therefore, requests for consigning of the proceedings to the record.

Order accordingly.



Chairman

10.02.2020

Learned counsel for the petitioner present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Fawad Afzal Senior Clerk on behalf of Additional Director Elementary & Secondary Education Marged Districts Khyber Pakhtunkhwa, present. No one present on behalf of respondent No.2. Fresh notice be issued to the respondent No.2 for implementation report. Adjourned to 17.03.2020 for further proceedings/implementation report before S.B.



Member

17.03.2020

deliberate Clerk to counsel for the petitioner present. Mr. Kabirullah Khattak learned Addl. *Pilub* for the respondents present. Implementation report not submitted, therefore, notice be issued to the respondents to submit implementation report on the next date positively. Adjourned. To come up for further proceedings/implementation report on 23.04.2020 before S.B.



Member

23.04.2020

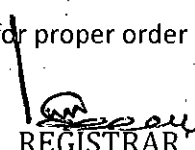


Due to public holiday on account of COVID-19, the case is adjourned to 13.07.2020 for the same. To come up for the same as before S.B.



Reader

Form- A
FORM OF ORDER SHEET

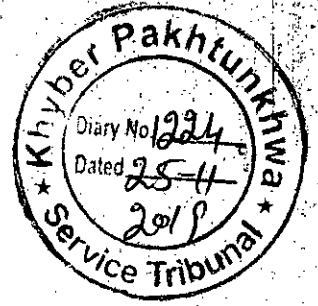
Court of _____
Execution Petition No. 433/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25.11.2019	<p>The execution petition of Mst. Gulshan Ara submitted today by Mr. Muhammad Saeed Khattak Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	26/11/19.	<p>This execution petition be put up before S. Bench on <u>20/12/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	20.12.2019	<p>Counsel for petitioner present.</p> <p>Issue notice to respondents for submission of implementation report on 10.02.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Execution Petition No. 433/2019



C.M. No. _____/2019

In

Service Appeal No. 519/2018

Gulshan Ara, Ex-Senior Primary School Teacher, Government Girls Primary School Taj Ali Kot, Miran Shah, District North Waziristan.....(Applicant/Appellant)

VERSUS

1. Director Elementary & Secondary Education, Peshawar.
2. District Education Officer, District North Waziristan at Miran Shah.....(Respondents)

APPLICATION FOR IMPLEMENTATION OF

JUDGMENT DATED 30/08/2019.

Respectfully Sheweth:

1. That the applicant filed the titled Service Appeal having a prayer as under:

“On acceptance of the instant Service Appeal, the impugned order dated 13/12/2017 passed by respondent No. 2 may very graciously be set aside

and the appellant may kindly be re-instated on the post with all back benefits”

2. That this Hon'ble Tribunal was pleased in allowing the same vide judgment dated 30/08/2019 in the following terms:

“In view of above, the impugned orders of removal from service dated 13/12/2017 in relation to the appellants are set aside and appellants are re-instated in service and their absence period and intervening period shall be treated as leave without pay”

3. That after getting the attested copy of above mentioned judgment, the applicant presented the same to the respondents and visited their offices time and again but every time she was turned on one pretext or the other.

4. That the attitude/ conduct of the respondents is likely to delay the benefit of the judgment in favour of the applicant/ appellant and reluctant to adjust her on the post.

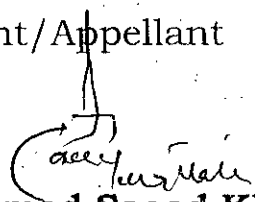
5. That being left with no other option the applicant prefers the instant application for implementation of the mentioned judgment.

In view of the above submissions it is respectfully prayed that the application in hand may kindly be accepted and appropriate proceedings may be initiated against the respondents so that they may be brought to book, and be dealt with according to law and to rehabilitate the faith of the general public and a lot re-esteem the prestige of the judicial system. Any other relief which deems fit may also be granted.

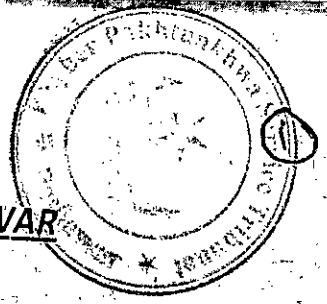
Applicant/Appellant

Through

Dated: 22/11/2019


Muhammad Saeed Khattak
Advocate High Court,
Peshawar.

(31/4)



BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 519 /2018

Gulshan Ara Ex. Senior Primary School Teacher GGPS Taj Ali Kot Miran Shah
North Waziristan Agency.

(Appellant) Khyber Pakhtunkhwa Service Tribunal

VERSUS

Diary No. 551

1. Director Education, FATA, KPK, Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

Dated 13-4-2018

(Respondents)

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 13 /12 /2017, PASSED BY RESPONDENT NO.2 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT TO RESPONDENT NO. 1 AGAINST THE ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 IS/WAS NOT DISPOSED WITHIN STATUTORY PERIOD.

PRAYER - IN - APPEAL

ON ACCEPTANCE OF THE INSTANT APPEAL THE IMPUGNED ORDER DATED 13.12.2017 PASSED BY RESPONDENT NO. 2 MAY VERY GRACIOUSLY BE SET ASIDE AND THE APPELLANT MAY KINDLY BE RE-INSTATED ON THE POST WITH ALL BACK BENEFITS.

Respectfully Sheweth;

1. That the appellant consequent upon the approval of Departmental Education Committee was appointed as PTC (Female) in BPS 07 on 13.09.2007. (Copy of the appointment order is attached as annexure A)
2. That the appellant thereafter took the charge of her duties and performed her duties during the service whole heartedly and to the quite satisfaction of officials concerned as well as according to the demand and nature of her duties.

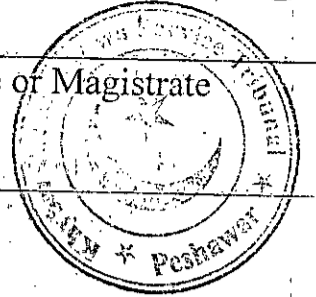
Filed to-day
Registrar
13/4/18

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

That the appellant came to know about a publication published in daily "Mashriq" dated 03.12.2017 regarding an appellant's absence from the duty along with other female teachers. Further in the said publication a show cause notice has been mentioned, which is/was issued to the appellant but the appellant has received no show cause notice. (Copy of the publication is attached as annexure B)

(8) (4)



Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
Service Appeal No. 519/2018

Date of Institution 13.04.2018
Date of Decision 30.08.2019

Gulshan Ara Ex-Senior Primary School Teacher GGPS Taj Ali Kot
Miran Shah North Waziristan Agency.

Appellant

Versus

1. Director Education FATA, Khyber Pakhtunkhwa Peshawar.
2. Agency Education Officer, North Waziristan Agency at Miran Shah.

Respondents

30.08.2019


Mr. Muhammad Hamid Mughal-----Member(J)
Mr. Ahmad Hassan-----Member(E)

JUDGMENT

MUHAMMAD HAMID MUGHAL, MEMBER: - Learned counsel for appellant and Mr. Zia Ullah learned Deputy District Attorney present.

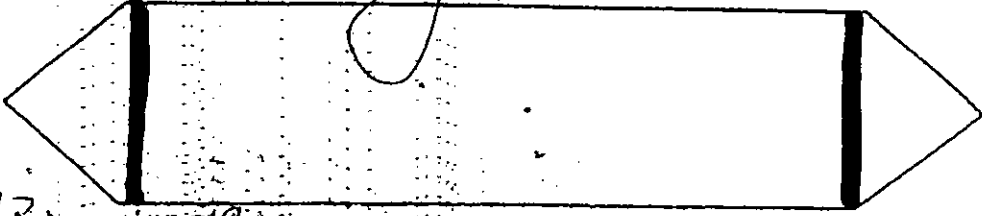
2. This Single/common judgment in the above captioned service appeal shall also dispose of service appeal bearing No.520/2018 filed by Mst. Salma, service appeal bearing No.521/2018 filed by Mst. Akhtar Numana, service appeal bearing No.522/2018 filed by Mst. Nusrat Kalsoom, service appeal bearing No.523/2018 filed by Mst. Zainab Bibi, service appeal bearing No.524/2018 filed by Mst. Kauser Shabana, service appeal bearing No.525/2018 filed by Mst. Mehnaz,

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

30.8.2019

بعد الت سوس ٹریڈنگ کمپنی



درخواست گزارہ
2019ء پنجاب
دائر رجسٹریشن و ٹریڈنگ

طسٹن آرا

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آئنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کا دعویٰ متعلقہ
آن مقام صفا ویر کیلئے محمد سعید شریک احمد
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار دیا گیا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرراتالہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں 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 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 اختیارات حاصل ہوں گے اور اس کا ساتھ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائزہ 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
مذکورہ کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 22
ماہ نومبر 2019ء

بمقام

کے لئے منظور ہے۔

سند

Attended
acceptance

Acceptance