31<sup>st</sup> Oct., 2022 Counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for respondents present.

> Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Adjourned To come up for arguments on 29.11.2022 before the D.B.

Member (E)

(Kalim Arshad Khan) Chairman

Junior of learned counsel for the appellant present. Mr. 29.11.2022 Muhammad Jan, District Attorney for the respondents present.

> Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 26.01.2023 before D.B.

(Mian Muhammad) Member (E)

(Salah-ud-Din) Member (J)

26-1-23
PROPED DR is not quailable,
The case is adjumed to 8-5-23

03.06.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Addl. AG the respondents present.

Umar Khayam Naib Clerk on behalf of respondents No. 1, 4, and 5 present and submitted written reply/comments alongwith with amount of cost Rs. 1000/- which is paid to the counsel of the appellant and receipt is also placed on file. A copy of the reply/comments handed over to the counsel of the appellant. To come up for rejoinder/arguments on 22.08.2022 before D.B.

(FAREEHA PAUL) Member (E)

22.08.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

File to come up alongwith connected Service Appeal No.52/2019 titled "Mst. Rohi Bibi Vs. Government of Khyber Pakhtunkhwa" on 31.10.2022 before D.B.

(Rozina Rehman) Member(J) (Salah-Ud-Din) Member(J) 31.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Another last opportunity is Granted. To come up for reply/comments before the S.B on 31.03.2022.

(Atiq-Ur-Rehman Wazir) Member (E)

31.03.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Written reply/comments on behalf of respondents not submitted despite last opportunity. Today no one is present on behalf of the respondents. Requested for further adjournment. Adjournment granted subject to payment of cost of Rs. 1000/-which shall be borne by respondents from their own pockets. Adjourned. To come up for written reply/comments of the comments of t

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(MIAN MUHAMMAD) MEMBER(E) 07.07.2021

stipulated period his possed and reply his not been sub-theel.

Counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Learned AAG seeks further time to submit reply/comments. He is required to contact the official respondents and submit reply/comments in office within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 30.11.2021 before the D.B.

Chamman

P.S

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

Chairman

30.11.2021

Clerk of learned for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Written reply/comments on behalf of respondents not submitted. Learned AAG seeks further time to contact the respondents for submission of written reply/comments. Requesters is acceded to but as a last chance. Adjourned. To come up for written reply/comments on 31.01.2022/before S.B.

(MIAN MUHAMMAD) MEMBER (E) 18.01.2021

Petitioner present through counsel.

Kabir Ullah Khattak learned Additional Advocate General present.

Written reply of respondents was not submitted. Case is adjourned on the request of learned A.A.G. To come up for written reply/comments on 11.03.2021 before S.B.

(Rozina Rehman) Member (J)

11.03.2021

Junior to counsel for the appellant present. Addl: AG for respondent present.

Written reply on behalf of respondents not submitted.

Learned AAG seeks time to contact the respondents for submission of written reply/comments.

Adjourned to 20.05.2021 before S.B.

(Mian Muhammad) Member (E)

20.05.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 07.07.2021 for the same as before.

Reader

Miss. Rooeda Khan, Advocate, for petitioner is present. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents, is also present.

Arguments on restoration application heard and record perused.

The record reflects that despite having been noticed on account of her absence recorded on 13.05.2019 the petitioner did not appear nor her counsel attended the Tribunal in pursuance thereof, to deposit security and process fee within the stipulated period of time, therefore, the appeal was dismissed for non deposit of fee and charges as well as for default in appearance whereas the restoration application has been submitted on 22.07.2019 which is time barred. The reasons assigned by the petitioner are that she appeared through her counsel who marked her attendance before the Reader who was informed to deposit the process fee by handing him over 17.07.2019 as the next date of hearing but surprisingly when on that date of hearing the petitioner was communicated information with regard to dismissal of her appeal in default.

While keeping in view the facts of the case and the right involved on the one hand and the fact that the appeal is in its initial stage on the other and when the merit of the case has not been touched so far, and the reasons assigned for the restoration application are accepted however, for the purpose of admonition cost of Rs. 2000/- is imposed directing appellant to be vigilant in future. On realization of the cost it be delivered to the other party on obtaining receipt to be placed on file. File to come up for written reply/comments on 18.01.2021 before S.B.

(MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)

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20.04.2020 Due to COVID19, the case is adjourned to 20.07.2020 for the same as before.

Reader

20.07.2020

Mr. Naseer-ud-Din Shah, Advocate, is present. Since no notice to the respondents has been issued and consequently served, therefore, arguments on application for restoration could not be heard. Office is directed to issue notice to the respondents directing them to submit their reply. To come up for reply and arguments on restoration application on 29.09.2020 before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER

29.09.2020

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present.

The record shows that requisite notices in accordance with last order were issued to the respondents. It is already past 1.40 P.M and no representative of respondents has turned up despite repeated calls. Learned DDA is, therefore, required to take up the matter with the respondents and facilitate the submission of reply on next date of hearing.

Adjourned to 26.11.2020 before S.B.

Chairman

29.10.2019

Counsel for the petitioner present.

Learned counsel requests for time to further prepare the brief. Adjourned to 11.12.2019 before S.B.

Chairman

11.12.2019

Junior to counsel for the petitioner present.

Requests for adjournment due to general strike of the Bar. Adjourned to 20.01.2020 before S.B.

Chairman

20.01.2020

Junior to counsel for the petitioner present.

Requests for adjournment due to general strike of the

Bar. Adjourned to 04.03.2020 before S.B.

Chairman'

04.03.2020

Miss. Roeeda Khan, Advocate present and submitted her Vakalatnama in favour of the appellant. The same is placed on record. Newly engaged learned counsel for the appellant seeks adjournment. Adjourned to 20.04.2020 before S.B.

(MUHAMMAD AMIN KHAN KUNDI) MEMBER

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# Form- A FORM OF ORDER SHEET

Court of			
Restoration application No.	279	/2019	:
	<del></del>		

	Restorat	ion application No. 2/7 /2019
S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	22/07/2019	The application for restoration of appeal No. 54/2019 submitted by Mr. Nasir ud Din Shah Advocate, may be entered in the relevant register and put up to the Court for further order
		please.
		REGISTRAR
	20/08/19.	This Restoration application be put up before
		S.B on 13 109 119
	•	
	13.09.2019	Mrs. Shabana Tanoli, Advocate on behalf of learned counsel for the petitioner present.
		A request for adjournment is made due to indisposition of
		learned counsel for the petitioner.
		Adjourned to 29.10.2019 before S.B.
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30.05.2019

Nemo for the appellant.

Instant appeal was admitted for regular hearing on 26.03.2019 and the appellant was required to deposit the security and process fee within 10 days. The requisite fee, however, was not deposited within the prescribed period. Further, the appellant was not represented on 13.05.2019, therefore, notice to her was ordered on the last date. The record shows that a notice was duly issued through registered post to the appellant for appearance today. Similar notice was issued to her learned counsel also which was received by him on 28.05.2019. Despite the exercise, no one is in appearance today on behalf of the appellant nor the requisite security and process fee is deposited till date.

The appeal is therefore, dismissed for non-deposit of fee and charges as well as for default in appearance by the appellant.

Chairman

**ANNOUNCED** 

30.05.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (PST) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 on the ground that juniors to the appellant have been promoting to the post of SPST while ignoring the appellant; that upon approaching the competent authority the appellant was told that the rest of the teachers shall be promoted soon however no action wis taken so far; that the departmental representation of the appellant also went un-responded.

Points urged need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 13.05.2019 before S.B

Member

On the present on behalf of appellant, Security and process for any reposited Notice & Assured to the appellant and there cours it with direction to respondents for writen thereafter notices be issued to the respondents for writen creatly comments. Adjourned to 1457, 2019 before S.B.



13.05.2019

No one present on behalf of appellant. Security and process fee not deposited. Notice be issued to the appellant and her counsel for 30.05.2019 before S.B.

Member

# Form- A FORM OF ORDER SHEET

Court of	
Case No	54 <b>/2019</b>

	Case No	54 <b>/2019</b>
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/1/2019	The appeal of Mst. Sabiha Khanum resubmitted today by Mr.  Naseer-ud-Din Shah Advocate, may be entered in the Institution Register
2-	16-1-19	and put up to the Worthy Chairman for proper order please.  REGISTRAR  This case is entrusted to S. Bench for preliminary hearing to be put up there on 13-2-19.
on to	te.	Clerk to counsel for the appellant present and seeks adjournment as learned counsel for the appellant is not in attendance. Adjourn. To come up for preliminary hearing on 26.03.2019 S.B.
	e processor	Member Member
-		
3		

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No54 of 20184
Mst: Sabiha KhanumPetitioner
. <b>Vs</b>
District Education Officer(Female) Nowshera & Others.
Respondents

#### PARA WISE REPLY TO THE OBJECTIONS LEVELED.

Respected sir: Para wise reply is as under: -

- 1. Para No.1 to 6 has been complied with as directed by your excellence.
- 2. In reply to Para No.7 it is submitted that as the relief claimed is not affecting any civil servant rather the grievance of the appellant is against the department therefore there is no such party which needs to be made a party.
- 3. Para No. 8 has already been complied with and the requisite spare copies have already been placed on file.

Reply is submitted for further consideration before

your excellence.

Appellant

Through

Naseer Udden Shah Advocate High Court, Peshawar. This is an appeal filed by Mst. Sabiha Khanum today on 19/11/2018 against the order dated 11/07/2012 against which she preferred/made departmental appeal/ representation on 13.09.2018 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

Memorandum of appeal may be got signed by the appellant.

Annexures of the appeal may be attested.

Annexures of the appeal may be flagged.

49 The law under which appeal is filed is not mentioned.

Copy of promotion notification dated 11.07.2012 mentioned in para-4 of the appeal (Annexure-A) is not attached with the appeal which may be placed on it.

© Copy of impugned order is not attached with the appeal which may be placed on it.

it.
Sub-4 of rule-6 of the Khyber pakhtunkhwa Service Tribunal rules 1974 requires that every civil servant to whom the relief claimed may affect shall also be shown as respondents.

84 Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 2257/ST,

Dt. 20-11/2018

Mst. Naseeruddin Shah Adv. Pesh.

REGISTRAR SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Sin!

objection No. 1 to 8 how been complich with and rumoved and resubmitted for consideration

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Naseesuldi Shar

Respected Sin!

Discretions complied with and resubmittel

for Kind Consideration.

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### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No Of 2018	•
Mst: Sabiha Khanum	Appellant
Vs	
District Education Officer(Female) Nows	shera & Others

#### <u>Index</u>

.....Respondents

S.No.	Description of documents	Annexure	Pages
1	Grounds of appeal with affidavit	-	1-6
2.	Addresses of the parties		7
3.	Copy of promotion list	"A"	8-47
4.	Copy of memo of departmental	"B"	
	appeal		98-5
5.	Wakalat Nama		In
-			original

Dated 23/10/2018

Through

Appellar

eruddin shah

**Advocate High Court** 

Peshawar.

Off: C-3 Rehman Plaza Khyber Bazaar Peshawar. Cell # 0333-9552292

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No.

Mst: Sabiha Khanum wife of Dad Muhammad r/o Mohallah Batakzai, Kheshgi Bala Tehsil & District Nowshera.

.....Appellant

Khyber Pakbiakhwa Service Tribunal

Versus

- District Education Officer (Female) Nowshera. 1.
- 2. SDEO (F) Nowshera.
- 3. District Accounts officer Nowshera.
- 4. Secretary Elementary & Secondary Education Department Peshawar.
- 5. Director (E&SE)kpk Peshawar.
- 6. Govt. of KPK through its Chief Secretary.

.....Respondents

APPEAL UNDER SECTION 4, ACCORDING TO THE DEPARTMENTAL APPEAL AGAINST THE VIOLATION OF SENIORITY LIST OF 12 IN DEO FEMALE NOWSHERA EDUCATION DEPARTMENT WHERE IN THE APPELLANT WAS LEFT MALA FIDELY FROM SENIORITY LIST AND OTHER JUNIOR TEACHERS WERE PROMOTED THROUGH NOTIFICATION NO. SO(B&A)/1-18/E&SE/2012 DATED 11/07/2012 AND AGAINST THE ORDER OF THE APPELATE AUTHORITY WHERE BY THE APPELLATE AUTHORITY REFUSED TO ENTERTAIN THE APPEAL OF THE APPELLANT.

ledto-day sirar .

and filed.

Re-submitted to -day PRAYER

On the acceptance of this appeal, the impugned order/notification be set aside and respondents be directed to make promotions according to the seniority list and the appellant may kindly be given her due right and the respondents may kindly be directed to

(2)

issue orders of promotion of the appellant and may also kindly be awarded with all back benefits. Any other remedy which deems fit appropriate may also be granted in favour of the appellant.

#### Respectfully Sheweth

- 1) That appellant is a permanent resident of Nowshera and belongs to a respectable family and a law abiding citizen.
- 2) That the appellant is qualified up to master and was appointed by the respondents department in 2006.
- 3) That the appellant served the department since 1982 with utmost satisfaction of her seniors and kept unblemished record.
- 4) That in 2012 DEO female issued promotion order of some teachers vide Notification No. SO(B&A)/1-18/E&SE/2012 dated 11/07/2012 who were junior to the appellant and thus seniority list was violated without any justification.(Copy of promotion list is annexure A)
- 5) That when the appellant approached the DEO female, she was told that the rest of the teachers will be promoted soon in next pool but no action was taken so far.
- 6) That later on 2014-15 again some junior teachers were promoted by violating seniority list and thus violated the fundamental right of the appellant.
- 7) That now in January 2018 yet again few junior and blue eyed teachers have been promoted by neglecting the appellant and thus shear violation of the seniority list.
- 8) That a departmental representation was made to the appellate authority but the same has not been entertained so far (Copy of the departmental appeal is annexure B).

3

That appellant is constrained to approach to the Hon'ble Tribunal for redressal of her grievances inter alia on the following grounds:

#### **GROUNDS:**

- A. That the act and omission of the respondents/department is illegal, unconstitutional, without jurisdiction, without lawful authority against facts and materials on the record therefore, needs the interference of this Hon'ble Tribunal.
- B. That the act and omission of the department is not only factually incorrect and legally untenable but also is against the principles of natural justice.
- C. That the appellant is senior to those who have been promoted out of turn which is illegal and against the legal norms.
- D. That at the time of the impugned notification/order the long service period and the seniority of the appellant in the department has been completely ignored due to which the appellant has suffer a lot.
- E. That the appellant has performed duties efficiently, honestly and without giving any chance of complaint to her superior which fact also goes in her favor and there is no law which permits the respondents to promote a junior leaving out a senior without any reason and without informing her. It is pertinent to mention here that the appellant was kept ignorant of the fact of promotion.
- F. That the appellant is a civil servant and legal and constitutional guarantee is available to him to be dealt with in accordance with law she however, has not been treated as such.

- G. That the act and omission of the department is clear violation/disregard of the fundamental rights of the appellant, Therefore, the said act and omission of the department is not effective on the right of the appellant and the same has caused gross miscarriage of justice to the appellant.
- H. That the department is legally/constitutionally bound to follow the directions of law and justice.
- I. That the respondents have failed to apply their independent/administrative mind to the matter and therefore have reached to an erroneous conclusion which is not sustainable in the eye of law.
- J. That the appellant has never given any chance of compliant to the seniors and superiors and also cordial to the staff concerned.
- K. That out of turn promotion of the junior teachers without any justification is the clear violation of seniority list which is not the mandate of law and as per superior courts judgments it has strictly been prohibited.
- L. That out of turn promotion has been strictly prohibited as per dictums of the Apex court of the federation but even then the respondents promoted their blue eyed teachers without any reason out of turn.
- M. That the said promotions were kept secret from the knowledge of the appellant and when the appellant came to knowledge and contacted the respondents they used delaying tactics and also assured appellant that her promotion order will be issued soon but so far no order has been issued.
- N. That as the seniority list has been violated by the respondents therefore it's a re-occurring cause of action and limitation does not run against it.

(5)

- O. That at the time of promotion of the junior teachers the appellant was not informed about the activity rather the appellant got information at first instance from her personal sources, which shows that the promotions were kept secret.
- P. That when the appellant is otherwise fit and competent she cannot be bypassed in such a manner and in this regard record needs to be examine in order to bring truth to surface.
- Q. That It is the constitutionally guaranteed right of appellant to be treated with equality but here the appellant is being discriminated and was neglected without applying the proper procedure.
- R. That appellant seeks permission of this Honorable Tribunal to raise other grounds at the time of hearing of the instant appeal.

It is, therefore, humbly prayed that On acceptance of this appeal, the impugned promotion be set aside and respondents be directed to make promotions according to the seniority list and the appellant may kindly be given her due right and the respondents may kindly further be directed to issue orders of promotion of the appellant and may also kindly be awarded with all back benefits. Any other remedy which deems fit appropriate may also be granted in favour of the appellant.

Dated 23/10/2018

Appellant

Through

Naseeruddin shah

Advocate High Court Peshawar

# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Mst: Sabiha Khanum		
Mst: Sabiha Khanum		
wst. Saoma Khanum	Petitione	

#### Versus

District Education Officer(Female) Nowshera & Others.

.....Respondents

### AFFIDAVIT

I Mst: Sabiha Khanum wife of Dad Muhammad r/o Mohallah Batakzai, Kheshgi Bala Tehsil & District Nowshera. do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Auvocation Min

Deponent



# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No of 2018
Mst Sabiha KhanumPetitioner
Vs
District Education Officer(Female) Nowshera & Others.
Respondents

#### ADDRESSES OF THE PARTIES

#### Petitioner:

Mst: Sabiha Khanum wife of Dad Muhammad r/o Mohallah Batakzai, Kheshgi Bala Tehsil & District Nowshera.

#### Respondents:

- 1. District Education Officer (Female) Nowshera.
- 2. SDEO (F) Nowshera.
- 3. District Accounts officer Nowshera.
- 4. Secretary Elementary & Secondary Education Department Peshawar.
- 5. Director (E&SE)kpk Peshawar.
- 6. Govt. of KPK through its Chief Secretary.

Dated 23/10/2018

Appellan Through

Naseeruddin sha

Advocate High Court Peshawar.

# 258 First Appointment of 2006

Office of the Executive Distr. Officer - Schools & literacy Deptt: Nowshern,

No. 3/2 - 4/2 / 30th June 2006.

#### NOTIFICATION

As have been approved by the District Selection Board / Departmental Promotion Confinitive, the competent authority is pleased to appoint the following candidates as PST / PTC Female tenefices in BPS-07 plus usual allowances, in Schools & Literacy Department Nowshera, on contract basis will effect from 01-09-2006, and posted to the (102) Newly Created Pasts I Facunt Posts mentioned against their names, on the following terms and conditions:

- Your services will be governed under the Government of NWFP Contract Policy 2002, amended thereafter.
- Your initial contract will be for a period of three(3) years which shall be extendable, subject to your satisfactory performance.
- Your services can be terminated on one month notice or one month salary in lieu thereof.
   You will avail the benefit of Contributory Provident Fund (CPF) through 5% contribution of minimum of your pay and 5% contribution to be made by the Government.
  - You will not contribute to GPF and shall not be entitled for pension and gratuity benefits thereof

S.No.	Name & Address	Score	Selection / Remarks	Posted to
	; 25% Ope	en Merit	-	
1	Shakila naz D/O Kashinir Khan	61.48	23% Oben	CMS Abmad Nagar
7	Raana D/O Qalandar Khan	60.51	Merit Do	GGPS Nawab Sher
3	Shabana Shabeen D/O Mir Khatam Shah	59.91	130	GGPs Belgam killi
4	Samina Kosar D/O Muhammad Rhaliq	59.52	Do	GGPS Miraji Payan
5	Kousar D'O Niaz Muhammad	59.38	100	GGPS-sorya Khel Manki Sianit
()	Zahala DO Tuj Muhammud	59.29	120	GGPS Hamid Khan
7	harzana jan 120 Anduliah Jun : ,	58.70	120	GGPS Aba Khel Wall
8	Saheed Akhtar D/O Raj Mad Khin	58.62	130	GGPS Zara Mlana
<u> </u>	Tehseen Begum D/O Soun ullah	58.57	Do	GGPS Umar Khan
10	Farida Bagum D/O Said Mulanmad	58.14	Do	GGPS, Malik Aman Koroona
11	Robina Yasmin D/O Mohnmasl-Khan	58.07	De	GGPS Tor Delier
12	Farzana Zeb D/O/Awrang Zeb.	57.24	Do	GGPS/Sheikhi
13	Afsheen Sultan D/O S Sultan shah	56.16	Do	GGPS # 2 Kana Khel
11	Thuneeda Rafiq D/O Muhammad Rafiq	56.16	Do	GGPS Chishmay
15	Uzma D/O Zia aliah	56.03	Do	GGPS # 3 Spin Khak
[6	Samon D39 Afzal Roza	55.76	Do	GGPS Sher-Khan Killi
17	Tanzeela Gul D/O Anar Gil 🦂	55.67	Do -	GGPS No Unzari
18	Noreen Rehman D/O Said Rehman -	55.55	. Do	GGPS Hisar tang
195	Sonia Habib D/O Habib t/Lhuq	55.42	:50	GGPS Tapwan
20	Malika Bibi D/O Sakhi Muhammad	54.90	Do	GGPS Khaisari
21	Saceda Amir D/O Mir Haidar	54.84	Do	GGPS Kallinger
22	S Najaf Gul DiO Sher Afzal	54.77	Do	GGPS Mygbalki
21	Shahida Gul D/O Muhummad Salim	5-4-76	Do	GGPS For Deher
24	Faiza D/O.Zia of Islam	54,75	Do	GGPS Turlandi
25	Nadia Gohar D/O Goliar Ali	.   54.73	Do	GGPS Baba Jee Killi
	75% U	/C Wise	-	
\ <u>26.</u> ; 27	Shaista Gul D/O Ghulam Nabi	53.84	Adam zni	GGPS Umary Killi
	Schi Gul D/O Gul Rehman	48,97	Do	GGPS Dargai
28	Farzana D/O Pir Ghulam	46.78	Do	GGPS Mali Khel Payan
79	Nahid Khun D/O Rambail Khan	52.26	Dara Banda	GGPS Meta Kliel
(0)	Shabana D/O Shah Jehan	51.45	Dag Besood	GGPS Mera wazir Garhi
31	Asmai D/O Qumar Zaman	30.49	Do	GGPS Hakim Garhi
32	Fasneem Begum D/O Rahat Shalt	a ≤6.06	Do	GGPS Hakim Garhi
33	Sabiha Taj D/O Taj Muhammad	47.42	Inzari -	GGPS Toha
34	Waheeda D/O Din Muhammad	.p.24	Do	GGPS Toba
	Nihayat Begum D/O Hakim Khan	14.27	Do	GGPS No 1 Inzari
36	Fahira Naz. D/O Fazal Rahiya	: 2,47	Jalozai	GGP\$ Shabara
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	GGPS #1 PYK/Khat	12/13/3/4	20.23	( Zkk Sb.) ( Zkk Sb.)	16 .
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	GGPS Chapali Ko	90]	00.71,	Masseem Akhtar DAO Sakhawat Shah	1-8
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102	Ruzina DrO Sabaz Ali	*	12:88	Disable	Cicir a State State 150

The INDO Will release I draw their monthly salaries after verification of their documents Note:from The concerned Board / University.

> All the above tenchers are directed to join their new posts within 15 days of the issuance of this appointment order, otherwise their appointment order will be considered as cancelled.

> As per policy Notification NO SO (S) / 6-2 / 98 (Service Rules) diaed 15-1-1999 & Revised Notification No SO (O) / S&L / 1-28 / SSRC dated 15-11-2003. SNO of & 61 are appointed in

Executive District: Officer (Schools & Literacy) District: Nowshera NWFP

Copy forwarded for information & necessary action to:-

- The Secretary Schools & Literacy Department, Govt: of NWFP Peshawar.
- The Director Schools & Literacy Department, NWFP Peshawar.
- Dist: Coordination Officer Nowshera. 3.:
- The District Officer(F), Schools & Literacy Department Nowshera.
- Dy: Distt Officer (F) Distt: Nowshera.
- The District Accounts Officer, Nowshera. 6...
- Head Teachers, concerned. 7.
- The officials concerned. If the above offer of appointment on contract basis, is acceptable to you, you are advised to submit your arrival report to the office of I secutive District Officer, Schools & Literacy Department, Nowshera as well as Head Teachers concerned, for duty, after Medical examination from the Medical Superintendent, DHQ lospital, Nowshera,
- Assu: Distr. Officer, Circle (F) Distr. Nowshem.

Office copy.

Executive District: Officer (Schools & Literacy) District: Nowshera NWFP.

Promotion order of PST to SPST



# OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) NOWSHERA Ph: # 0923-9220105

#### **Notification**

Consequent upon the recommendation of the Departmental Promotion Committee and in pursuance of the Govt. of Khyber Pakhtunkhwa Elementary and Secondary Education Department Notification No SO(8&A)/1-18/E&SE/2012 dated 11/7/2012 and Finance Department Endorsement No. SO(FR)/FD/10-22(E)/2010 dated 16/7/2012, the following Female Primary School Teachers (PSTs) B-12 are hereby promoted to the post of Senior Primary School Teachers SPST B-14 (8000-610-26300) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Provincial Government, in Teaching cadre on the terms and condition given below with immediate effect and further posted in the schools noted against each:-

S.	Sy.	Name of	Father Name	Date of	Present	Place of	Remarks
#	list #	Teacher		Birth	School	Posting	
1	3	Rahat Perveen	Muhammad Ashoor	20/01/1957	GGCMS, Pir Pla	GGCMS, Pir Pia	in the same school being senior most
2	7	Nelofer	Muhabat Khan	15/05/1959	GGCMS, Pir Pla	GGCMS, Pir Pia	in the same school being senior most.
3	21	Shahnaz Begum	Muhammad Hanif	01/01/1958	GGPS, Zinda Patti	GGPS, Zinda Patti	in the same school being senior most.
4	25	Shagufta Naz	Irshadullah	01/01/1968.	GGPS, Kabul River	GGPS, Kandar (Risalpur)	In the same UC
5	34	Nasrin Subhani	Ghulam Subhani	05/02/1963	GGPS, Risəlpur	GGPS, Risalpur	in the same school being senior most.
6	37	Anjum Shaheen	Mir Hassan Khan	24/10/1962	GGCMS, Pir Pia	GGCMS, Pir Pia	In the same school being senior most,
7	44	Farzana Shaheen	Abdul Latif	15/11/1968	GGPS, No.01 Nsr Kalan	GGPS, No.01 Nsr Kalan	in the same school being senior most.
8	57	Rashida Rani	Ghulam Ali	17/04/1971	GGPS, Meraji Bala	GGPS, Meraji Baia	in the same school being senior most.
9	58	Shaheen	Khan Zeb	01/12/1970	GGPS, Hawai	GGPS, Hawai	in the same school being senior most.
10	65	Nagina Khanum	Hayatullah	21/06/1967	GGPS, Nawan Killi	GGPS, Nawan Killi	in the same school being senior most.
11	72	Shaheen Begum	Fəqir Khan	24/05/1966	GGPS, Taru jabba	GGPS, Qasam Killi- 2	in the Adjacent U.C due to non availability of post in the home UC
12 :	72	Irshad Begum	Khan Bahadar	02/11/1966	GGPS, Khat Killi	GGPS, Khat Killi	in the same school being senior most.

%<u>\</u>^

13		order of PST to SPST Naznin	D-0-121	On ton to a	<del></del>	<del></del>	
	^	' Naznin	Daud Khan	02/02/1970	1	GGCMS,	. In the adjac
	1			ĺ	No.01	Spin Kani	Circle due to
	1				Azakhel	Kalan .	non availability (
			ļ		Payan		post in
	Ì		1	1			the home t
14	83	DIFF			·		and home -
	05	Riffat Jehan	Abdul	25/09/1967	GGCMS,	GGCMS,	In the sa
	<u></u>	·	Qudous	ł	ASC Colony	ASC Colony	school be senior mos
15	89	Fakhrun Nisa	· Amanullah	02/02/1970	GGPS,	·	
				,,	Chowki	GGPS, No. 2 Kandi Taza	. circle
			}		Mamriz	Din	
16	9€	Kalsoom Begum	Said	16/08/1965		GGPS,	In the sa
			Mohammad	, , , , , , ,	Risalpur		school be
		1 .	I .		cantt:	Risalpur	senior mos
17	104	A 14	khan		<u></u>	cantt:	
4,	1 -104	Azra Yasmin	Inayat	14/09/1964	GGPS, No.1	GGPS, No.1	in the sa
			Hussain		Khairabad	Khairabad	school be
18	119	Mumlikat	Fazal Dad	15/04/1970		CODO	senior mos
			1 azai Dau	15/04/13/0	1,	1 '.	In the sa school be
19	120	A - L 2 - B-41 -	<del></del>		Garh	Garh	senior mos
	120	Ashia Bibi	Abdur Raziq	01/01/1971	GGP5, Aba	GGPS, Hoti	In the same
		}	· ·		Khel Nsr.	Khel	circle
		- <del></del>			Kalan		
20	125	Tasleem Begum	Azeem Khan	14/04/1970	GGPS,	GGPS, Umar	In the same
_		<u> </u>		İ	D.I.Khel	Khan Killi	circle
21	134	Farzana Bibi	Bashir	03/12/1969	GGPS, Akbar	GGPS, Garhi	In the same
			Muhammad		Pura	Pegham	circle
			, was a same		1	Shah	
22	135	Shahzia	Mir Dad	01/04/1970	GGPS, Aman	<del></del>	
İ			Khan	1	Garh	GGPS, Aman	in the same school being
23	136	Neci Ditt	<del></del>	<u> </u>	Garn	Garh	senior most.
	130	Nagina Bibi	Sajjad Haider	01/06/1971	GGPS,	GGPS,	in the sai
				j	Hạmid Abad	Hamid Abad	school be
24	139		<del> </del>		Kấhi	Kahl	Senior most
`	139	Aqila Khatoon	Syed Kalim	21/03/1972	GGPS,	GGPS,	In the same
			Shah		Tekadaran	Khattak Kor.	circle
25	141	Shafaat Begum	Muhammad	01/04/1959			
		0		02/04/1555	GGCMS,	GGPS, ASC	in the adjacent UC
26	145	Anila	Shamoon		ASC Colony	Centre	aojacent oc
1		Anna	Inamullah	08/03/1973	GGPS, Bara	GGPS, Bara	in the sar
_		<u> </u>	<u>                                       </u>		Banda	Banda	school : bei senior most.
!7	146	Robina Begum	Ali Akbar	05/06/1973	GGPS, Spin	GGPS, Spin	in the san
		-		,	Kani Khurd	Kani Khurd	school bei
28	147	Alia Khatoon	Umanll	35/32/4074	<u></u>	<del> </del> ,,	senior most
		· ma matoon	Umar Hayat	15/12/1974	GGPS, No.2	GGCMS,	in the adjace
-					Azakhel	Spin Kani	Circle due to
		•			Payan .	Kalan	availability of
- 1	i		1		4		post in
- [				ĺ	4		the home UC
9	151		<u> </u>	. <u>.                                   </u>			and home circle.
-	1	Farzana Musanif	Mian	14/03/1970	GGPS, Akbar	GGPS, Ali	In the same
.			Musanif		Pura	Beg :	circle.
_			Shah		1.3	.	
٥Ì	154	Shabana Bibi	<del></del>	14/00/4075			
- }		S. ISSUITE DID!	Akhtar Gul		GGPS,	GGPS, Balu	In the
	j				Saadat Abad		adjacent UC
1	157	Ampa .	<del>                                     </del>		(zakhi)		
_	/	Amna	Mohammad	08/03/1971	GGPS,	GGPS,	in the sam
			Ali Shah		Railway	Railway	school bein
			<u></u>		Station	Station	senior most.
┯┝		II I					
2	163	Baseerat	Dilbar Khan	01/01/1973	GGPS,	GGPS,	in the same ·:

	Committee of the state of the s
Wyali 12/02/1975 GGPS N	
34 171 Rules Muhammad 12/02/1975 GGPS, No.1 GGPS No.1	
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Mithon Majan Majan Majan Majan Majan	
36 176 C	
Name   GGPS	
1 37 ( All Same ) Addition of the Same (	. •
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Zaman Khan 10/06/1968 GGPS Jabbi In the same	·
1 485 (p. 1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	
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Azakhel Ch In the same	
Payan Chowki circle due to	1
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As lead Shah   Driester   Description   Description	•
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Fozia Kachi, Sepior Sep	
Khan   Nachkol   Nill   Nill   In the same	
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Dil Ara GGPs GGPs	
Abdul Aziz 15/04/2 Kor. Hanifullah school being	
Shagufta M. Senior most Senior most	
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45 214 Ch. Khan 15/04/1973 GCPr Garh School being	
Garh GGPS, Aman GGPS, Aman G	
Constitution most	
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1 231   F   1 AShant   1 237   GCho	
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Mohamma 16/03/1970 GGpc Rott school being	·
233 Yasmin Sull	0
rasmin Subhani M. Ghulam 03/01/1073 Chowki School being Series Series	١٠;
Subhani 03/01/1973 GGPS, GGPs senior most.	•
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adjacent ric	/3°//
Home and adjacent UC	<i>X</i>
	<b>~</b>
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54		der of PST to SPST. Aisha Moeen	Moeenullah	20/09/1977	GGPS, ASC	GGPS, ASC	in the same school being
		Alama Wiscon	-1:		centre	centre	senior most.
55	242	Fahmeeda Begum	Haider khan	20/12/1977	GGPS, Narri	GGF3. NOTELL	in the same school being senior most.
56	244	Sadaf Bibi	Faridul Haq	25/08/1979	GGPS,	GGPS, Spin	in the same
					Sapari Saidan	Kani Khurd	UC
57	248	Salma	Raj Wali	01/01/1976	GGPS, No.1 Dagi ladeed	GGPS, No.1 Dagl Jadeed	in the same school being senior most.
58	249	Bibi Zainab	Ghuncha Gul	12/08/1976	GGPS,	GGPS,	In the same
					Habibullah Kor.	jehangira Deri	ctrcle
59	250	Meena Gul	Misal Khan	12/04/1977	GGPS, Deri Mian ishaq	GGPS, Deri Mian Ishaq	in the same school being senior most.
60	261	Jamila Begum	Said Daud	01/01/1969	GGPS, No.1	GGPS,	In the same circle
					Azakhel Payan	Chowki Drab-1	CII ÇIC
61	264	Saira	Israr	03/08/1980	GGPS, No.2	GGPS, No.2	in the same school being
	· -		Badshah		Pabbi	Pabbi	senior most.
62	265	Robina Babar	Wilayat Khan	07/01/1970	GGPS, Khat Killi	GGPS, Khat Killi	in the sam school bein senior most.
63	268	Saiqa Begum	S. Izhar Shah	19/10/1975	GGPS, Spin Kani Khurd	GGPS, Spin Kani Khurd	in the sam school bein senior most.
64	271	Shazia	Lal Faraz	01/03/1978	GGPS, Badrashi	GGPS, Badrashi	in the sam school bein senior most.
65	274	Tajda	: Mohammad Ali	16/11/1978	GGPS, Zao Banda	GGPS, Zao Banda	in the sam school being senior most.
66	277	Safina Hilal	S. Abdullah Shah	12/12/1978	GGPS, No.1 ZKKSb	GGPS, Awan Tangi Khattak	In the same circle
67	282	Asia Perveen	Ghulam Murtaza	01/05/1974	GGPS, No.1 Khairabad	GGPS, Kati Miana	In the same circle
-68	287	Sabiha	Mohammad Ghulam	26/02/1978	GGPS, Jabba Taru	GGPS, Babi Qadeem	In the adjace
<b>6</b> 9	289	Asia Gul	Safdar Shah	06/11/1979	GGPS, Balu	GGPS, Balu	in the sam school bein senior most.
70	291	Dil Naz	Faizul Manan	20/01/1981	GGPS, Azakhel Payan	GGPS, Chowki Drab 1	In the same circle
71	29:	Nafees Khattak	Raees khan	16/03/1976	(Taj Abad)	GGPS, Inzari(Ta) Abad)	in the sar school bei senior most
72	29	4 Tasmeen	Abdul Jabbar		Banda Nabi	GGPS, Banda Nabi	In the sam school bei senior.
-₩	3 29	5 Faiza .	Akbar Khan	05/05/1979	GGPS, Dagi Qadeem	GGPS, Dagi Qadeem	in the sa school be senior most
7.	4 29	<sup>6</sup> Bibi Naeema	Salim Khan	05/03/193	GGPS, Amar Köt	GGPS, Aman Kot	in the ser school bei senior most
7	5 29	7 Shehla Raees	Raees khan	03/03/197	8 GGPS, No.2 Dagi Jadeed	3 - 1	<del>_</del>
7	6 29	Roheeda Tabasum	Hikmat Shah	01/05/197	B GGPS, Bında Nəbi	GGPS, Dagi Qadeem -2	In the san
<u> </u>	7 25	9 Shabana	Shamshad -	20/04/197	9 CGPS,	GGPS,	In the sam

Phoissione & Court Peshors

Pron	notion o	rder of PST to SPST					
78	300	Shahla	Razaul Haq	02/03/1979	GGPS, Banda Nabi	GGPS, Kandi Taza Din-1	In the sam
79	302	Rahat Meena	Mohammad Alif Gul	24/10/1981	GGPS, Aso Khel	GGPS, Aso Khel	in the san school beil senior most
80	. 303	Rozeena	Qaisar Khan	13/04/1974	GGPS, Khuder Zai	GGPS, Babe Qadeem	In the same circle
81	304	Jehan Ara	Jehan Zeb Khan	06/02/1976	GGPS, Ashor Abad	GGPS, Ashor Abad	in the sar school bei senior most
82	307	Shagufta	Seyd Ghafar	15/04/1982	GGPS, Sadat	GGPS, Sadat Abad	In the same school
83	308	Haleem Bibi	Nabi Gul	02/02/1980	GGPS, Kutar Pan	GGPS, Kutar Pan	in the sar school bei senior most
84	310	Shaheen Akhtar	Lal Zadin	12/08/1971	GGPS, Gaju Khel	GGPS, Gaju Khel	Adjusted the sar
85	311	Samina Mughul	Faqir	01/01/1980	GGPS,	GGPS, No.2	senior most, in the same
85	313	Zakia	Hussain Masaib Khan	10/04/1983	Jammu GGP <b>S</b> ,	Khairabad GGPS,	circle In the sar
87	314	Shagufta	Jan	01/03/1980	No.02 Inzarl GGPS No.2	No.02 Inzari GGPS No.2	school being senior most.  In the san
			Muhammad		Pahar Kati Khel	Pahar Kati Khel	school bei senior most
88	315	Nargis	Taj Muhammad	13/01/1982	GGPS, Gul Deri	GGPS, Wattar	In the adjace circle.
89 	316	Farhat Saba	Gul Haider	05/04/1982	GGPS, Qadir Abad	GGPS, Qadir Abad	in the same school being disabled
90	317	Shazia Waheed	Abdul Waheed	31/07/1975	GGPS, No.2 Khairabad	GGPS, No.2 Khairabad	in the sail school be senior most
91	319	Shazia	Hawaldar Khan	25/12/1978	GGPS, No.2 ·	GGPS, No.2 Kana Khel	In the sat school bei
92	320	Amina Begum	Mir Jafar Khan	12/04/1979	GGPS, Aman Pura	GGP\$, Aman Pura	In the sar school bei
93	321	Khadija Naz	Sheraz Gul	20/06/1979	GGPS, Nizampur	GGPS, Nizampur	senior most in the sat school be
94	322	Fatima Bibi	Naseeb Gul	13/08/1979		GGPS, Meraji	senior most. In the san school beir
95	323	Waheeda Bibi	Samar Gul	01/04/1980	Payan GGPS,	Payan GGPS,	senior most.  In the sam
14		,	;		Banda Karim	Nizampur	circle
96	324	Shazia ,	Ghuncha Gul	15/10/1983	GGPS, Habibullah	GGPS, Jehangira	In the same circle
97	324	Zubaida Bibi	Ayub Shah	15/04/1980	Kor. GGPS, Mian	GGPS,	In the sam
98	326	Ume Kulsoom	Dost	16/04/1973	Essa GGPS, Aman Kot	Mughulki GGPS, Kurvi	circle In the san circle
99	328	Naznin Subhan	Muhammad Subhanud	03/07/1980	GGPS, Umar Abad Shaidu,	GGPS, Umar Abad Shaidu	in the sar school bei
100	329	Irum Naz	Din Janab Gul	03/01/1981	GGCMS,	GGPS, Toha	senior most
101	330	Shah Zari	Sher Gulab	15/09/1982	Måndoori GGPS, Gaju	GGPS, Garu	circle on the same circle
102	332	Nabila Akhtar .	Mir Hassan	13/08/1974	Khel GGP5, ASC 201	eGPS, ASC centre	In the san school beir senior mr

Canada A Court per No.

103 334 Zainab Misal Khan 03/02/1980 GGPS, Shiekhi Shiekhi Shool being senior most.  104 335 Shazia Nasrin Hazrat ud 15/02/1975 GGPS, Bahadar Khel Khel Khel School being senior most.  105 336 Samina Naz Zia ul Haq 16/08/1979 GGPS, No.1 Khairabad Shaheen Circle Abad
---

## Terms and Conditions:-

- 1:- They would be on probation for a period of one year extendable for another one year
- 2:- They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3:- Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
- 4:- Charge report should be submitted to all concerned.
- 5:- Their inter se-seniority on lower post will be remain intact.
- 6;-No TA/DA is allowed for Joining their duty.
- ि:- They will give an under taking to be recorded in their service book to the effect that if any over payment is made to her in light of this order will be recovered and if the is wrongly promoted, she will be reversed.

(Muhammad Inam Toru) District Education Officer (Female) Nowshera

\_/DEO (F)/Estt.(Pry:)Pro:PSHT/Dated Nsr the 23/05/2015 \_989-95

Copy forwarded for information and necessary action to the:-

- 1. PS to Secretary E/S Education Khyber Pakhtunkhwa Peshawar
- . 2. Director, E/S Education Khyber Pakhtunkhwa Peshawar
- 3. Senior District Accounts Officer Nowshera
- 4. Sub Divisional Education Officer (Female) Nowshera
- 5 ADEO (F) Estabt. Pry: Local Office
- 6. Superintendent Establishment Local Office
- 7. Officials Concerned
- 8. Master File

District Education Officer (Female) Nówshera





## DISTRICT EDUCATION OFFICER

(M&F) NOWSHERA

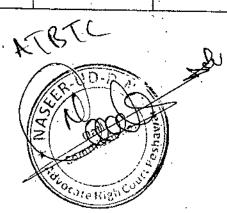
Phone/Fax No. 0923-9220228

## Notification:

Consequent upon recommendation of the Departmental Promotion committee (DPC), the following Female Senior Primary School Teachers (SPSTs) are hereby promoted to the post of Primary School Head Teacher (PSHT) in BPS-15 (16120-1330-56020) plus usual allowances as admissible under the rules on regular basis under the existing policy of the Private and Government, in Teaching cadre on the terms and condition given below with immediate silect and further posted in the schools noted against each:

## PROMOTION OF SPST B-14 TO PSHT BPS-15 POST

Š.;	ļ;	Sy:	Present GGPS/GGCMS	Name		Place of Posting	Remarks
		\ : 			Father		
	l`	, 1 	GGPS, Mughul Baz Shardu	Nasreen Begum	Mir Akbar Khan	GGPS, Khairabad #2	AVP
		2	GGPS, Akora Khattak		Muhammad Atiq	GGPS, Usman Khel	Against newly
	3	3	GGPS, Shahi Abad	Tasleem	Hameedullah	GGPS, Mali Khel Bata	AVP *
`	1	4	GGPS, Shahi Abad	Shagufta Bibi	Muhammad Umar Bakhsh	GGPS, Mali Khel Payan	AVP
-	5	G	GGPS, Azakhel Payan U1	Ghazala Khatoon	Zaibullah	GGPS, Nazar Muhammad Korun	AVP
	Ü	19	GGPS, Azakhel Bala 01	Mussarat	Ahmed Gul	GGPS, Khaisari	AVP
	7	22	GGPS, Ali Garh	Saira Noureen	Ali Akbar	GGPS, Dargai	AVP
	8	23	GGPS, Pashtoon Gari	Rukhsana	Dalii Khan	GGPS, Tapwan	AVP





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9		GGP5, #2 Azakhel	4.	Wadan Shah	GGPS, Kana Khel	
	26	Payan	Rafaqat		No.01	
10			1,74	Abdul Ghafoor	GGP5, Farid	יז/ים
	27	GGPS, Baghban Pura	Saeeda Anjum	Siddiqi	Khan	
11	ļ			Ahmad Hussaln	GGPS, Sharif	A /0
	30	GGPS, ASC Centre	Zeenat Ara		Abad Walai	
, 12	1	GGPS, Farid Khan		Fazli Rahman	GGPS, Bashir	AVA.
<del>.</del>	33	Akora	Rukhsana Naz		Abad	
13	1			Hussain Shah	GGPS, Mera	A'///
	34	G 3P\$, Dag Besud	Hameeda		. Wazir Gari	
14			1	Naeem Shah	GGPS, Hakim.	AVP
	38	GGPS, Hakim Abad	Shazia Naeem		Abad	
15	1	·		. Muhammad Rafiq	GGPS, Mera	Age
	45	G 3PS, Habibullah kor	Gul Dasta Rafiq		Narai	
16	46	GGPS, Hawai	Waheeda Hameed	Hameedullah	GGP5, Hawai	Ayp :
17				Madar Khan	GGPS, Nader	AVP
	52	G 3PS, Nader Abad	Nazakat Begumi		Abad	
18				Fazal Rahim	GGPS, Bara	AVP.
6	66	GGPS, Bara Banda	Tahir Nasim		Banda	
/19	71	GGPS, Batakzai	L'inime Hani	Chan Badshah	Baba Jee Killi	A*, (*
20	 			Said Akbar	GGPS, Hassan	170° ×
	74	GGPS, Farid Khan	Farjerat Jabeen		Dara	
21		GrāPS, Zakhi		Aziz ur Rahman	GGPS, Noor	AVP
	75	Charbagh	Nagina		Abad Shah Kot	
22		GGPS, #1 Nowshera		Ilhaf ud Din	GGPS, Mubarik	W.B.
	81	Kalaŋ :	Bakhmina Bibi		Shah Koruna	
23	85	GGPS, #1 Kandar	Dure Shahwar	Ziarat Gul	GGPS, #2 Qasfin	**- " <u>\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \</u>
24				Taj Mali Khan	GGPS, Usman	- AVE
	90	G 3PS, Iraq Abad	Zainab Bibi		Abad Mughulki	-
25				Tila Muhammad	GGPS, HO1 Spin	 • '!
	95	G 3PS, Khuderzai	Εοχιή		Khak	
26				Shahenshah	GGPS, Kalango.	
<u> </u>	98	G 3PS, ≠1 Rashakai	Sarwat Shaheen	Shaheen		•
27	106	GGPS, Baloo	Sajida Begum	Atlas khan	GGPS, Noor	ATBI
					<del></del>	1300

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		205	GGPS,Kotar pan	Madia Bibi	Sulemaan Shah	GGPS, Kutar Pan	
, <u></u> -		207	GGPS, Darwazgai	Naseem Akhtar	Halim Muhamr	nad GGPS, Darwaz Gal	
	43	208	GGPS,Badrashi	Zaibi	Duran ud din	GGPS, #2 Pahari Kati Khel	
	19   2	212	GGPS,Shagai	Zubaida Rahma	n Fazal Rahman	GGP5, Shagai	
	2	13	GGPS,Spin khak No	.5 Noor ul Huda	Subhan ullah	GGPS, #3 Spin Khak	<u></u>
5	1 2	14 -	GriPS,Bakhtai	Romia	. Wilayat khan	GGPS, Bakhtai	
*=		15	GGPS, Bakhtai	Shakiba	Wilayat Khan	GGPS, # 01 Salch Khana	
5.	2.	16	GtiPS, Bakhtai	Afsana Nigar	Haji Sadem Khan		. :
54	21	17	GCiPS, Bakhtai	Mehnax	Johar Khan	GGPS, Kotli Kalan	- + <del></del>
55	22	1	GGPS, Sadat Abad		Muhammad Islan		 Aylı
56	230	0 0	GGCMS, Pir Pia	Neelofer	Muliabat Khan	GGPS, Kund Khairabad	5 July (5 July 19 19 19 19 19 19 19 19 19 19 19 19 19
57	222		GGPS, #2 Kheshgi Payan		Muhammad Gul	GGPS, Hanifullah Koruna	2
58	i 233	G	GCPS, #1 Pir Pia	Anium Shaheen	Mir Hassan Khan	GGPS, Lakaria	Ayr
59	235	G	GPS, Mairaji Payan	Rashida Rani	Ghulam Ali	GGPS, Zando Mera	A' I
60	236	G	GPS, Jabbi Payan	Gul Rukh	Abdul Akbar	GGPS, Jabbi Payan	57.15
61	237	G	GPS, Nawan Killi	Nagina Khanum	Hayatullah ,	GGPS, Zando Banda Chail	7.77.7
62	243	GC	5PS, Akbar Pura	Shahida Parveen	Sher Gul	GGPS, Katli Khurd	AVE
53	244	GG	iPS, Hoti Khel	Ayesha Bibi	Abdur Raziq	GGPS, #1 Pir Sabaq	· .

A Count Pesting

			1		Abad Jabba	
13	107	GGPS, Marhathi Banda	Rukhsana, Begum	Pic Shah	GGPS, Gul Abad	AVP
٠,,	108	GGPS, Farid khan Akora	Ghazala Luqman	Luqman ud Din	GGPS, Mian Essa	AVP
 () ()	109	GGCMS, Zakhi Qabristan	Mussarat Shaheen	Abdul Halim	GGPS, Haji Abad	AVP
: :	•	GGCMS, Zaklii Gobristan	Zubaida Begum	Faqir Hussain	GGPS, Shah Kot Payan	AVP
:    -		GGCMS, Jabba Daudzai	Humaira Naz	Muhammad Aslam	GGPS, Darvesh Abad	AVP
! ! !	132	GGPS, Aba Khel NSR Kalan	Safia Jan	Jan Muhammad	GGPS, Fagir Killi	AVP
	141	GGPS,Kander No.2	Nadia Ahmad	Mian Ali Ahmad	GGPS, Hameed Abad	Аур
	142	GGPS, #2 Rashakar	Jasmeen Begum	Raza Khan	GGPS, #2 Rashakai	AVP
	150	GGCMS, Spin kanı kiturd	Rabia Begum	Ajmir Shash	GGPS, Patawo Bala	AVP
	163	GGPS,Aza Khel Bala mera	Asmat	Raza khan	GGPS, Jabba Tar	AVP
1	178	GGPS,Khur Abad Rashakai	Falak Naz	Karimullah	GGPS, Spin Kani Mera	AVP
		GGPS, Dud Gal Koroota	Nasiha Taus	Taus khan	GGPS, Ibad Gul korunn	AVP
	183   -A	GGPS, Balo	Asia Gul	Səfdar Shah	GGPS, Gul Din Koruna	AVP
!	184	GGPS,Rashakai No.2	Azra Begum	Abdul Shakoor	GGPS, Tor Dher	AVP
:	R זה5	GGPS, Sadu Khel	Shabnani Bibi	Mutawakil	GGPS, Sadu Khel	AVP
90	194	GGPS, Jalozai NO.1	Noreen	Badshah Gul	GGPS, #2 Jalozai	AVP
<b>-</b>	197	GGPS,Gul Abad	Shahnaz Begum	Ikram ullah	GGPS, Muazam Koruna	AVP
ı'. i	200	GGPS, Tetara	Basmeen	Misəl khan	GGPS, Wahid	AVP



	,	]	Bashir	GGPS, Jaroba	AVP
.146	GGPS, Akbar Pura	Farzana Bibi	Muhammad		
₹ ./4 <b>0</b>	GGCM5, ASC Centre	Shafaat Begum	Muhammad Shamoon	GGPS, Helar *	ΑVÞ
5250	GGPS, Bara Banda	Seyda Ancela	Mian Inamuliah	, GGPS, Sherin Koty	qVA

#### t, et mis and Conditions:-

the would be on probation for a period of one year extendable for another one year

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Their services can be terminated at any time, in case their performance is found unsatisfactory p my probation period. In case of misconduct, they shall be preceded under the rules framed is time to time.

marge report should be submitted to all concerned.

their inter se-seniority on lower post will be remain intact.

13. TADA are allowed for joining their duty.

they will give an under taking to be recorded in their service book to the effect that if any a payment is made to her in light of this order will be recovered and if she is wrongly a and she will be reversed.

> (FAYAZ HUSSAIN) District Education Officer (M&F) Nowshera 1

子・テラー /DEO (F)/Estt(Pry:)Pro: PSHT/Dated NSR the <u>ウ/ /02</u>/2018

Copy forwarded for information and necessary action to the:-Senior District Accounts Officer Nowshera

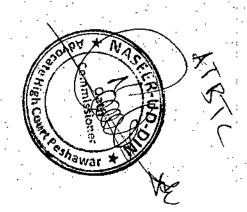
- 2. Sub Divisional Education Officer (Female) Nowshern, Pabbi & Jehangira
- Superintendent Establishment Local Office
- ADEO (F) Establ. Pry: Local Office
- PA to Director, E/S Education Khyber Pakhtunkhwa Peshawar
- Officials Concerned

District/Education Ø

(M&F) Nowshé

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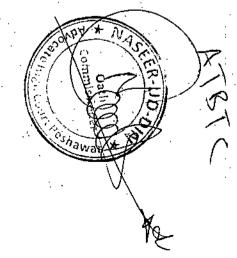
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		38/01/06	39/10/BB	3.771.0/88	89/10/20	PIC	355	NSF	Favaz ud Din	farhad Beguni	GGPs Shahi Abad	23
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-		11/01/86	11/01/88	<u> </u>	17/05/79	МC	590	NSR NSR	And Navaz	herain.	20 GGPS Babe Cadeem	20
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;		07/10/87	07/10/87	07/10/87	01/05/66	FIC	FA	NSR	Abdul Hameed	Noorun Nisa	17 GGPS Subban Killi	17
		06/09/87	03/10/02	01/10/82	18/01/60	PIC	286	NSR	Surder Hussein	Sədaqat Parveen	GGPS Eson Paysa	16
-		20/06/87	11/10/87	<u> </u>	20/04/68	PTC	SSC	NSR	Abbas Ali Shah	Nafeesa Abbas	15 GCPS, Shahi Abad	15
		21/04/87	21/04/87	I	31/05/58	PTC	2555	RZW	Abdul Qadir	Sinhich Kauser	14 GGPS Badrashi	14
		20/10/86	08/10/77	08/10/77	12/09/58	PIC	388	NSR	Alangir	Mehrun Nisa	13 GGPS Khattak Building	13
		14/07/86	13/03/82		15/06/58	PIC	SSC	NSR	Mir Akber Khan	Mainer um nisa	12 GGPS Mughal baz	12
		12/04/86	12/04/86	12/04/86	19/0/61	PAC	SSC	NSR	Dar yadam	Safin		11
		25/01/86	25/09/84	26/09/84	03/03/58	PTC	FA.	器器	Mulian Man	Y बड़ार्क	10 GCPS Dagai ladid no 1	15
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		58/01/10	58/01/10	01/10/25	01/05/65	PTC	EA.	NS.	Ast Jan	Nacema .	GGPS Walsi No.01	7
		20/08/85	13/04/81	13/04/81	26/09/63	PIC	FA.	NSR	Ihsao Habi	Khurshed Jahan	GGPs Baghbaroura	gı
		20/08/85	01/11/82	11/01/82	15/02/59	PTC	. 743	HSR	Abdul Karim	Zaib-up-Nisa	GGPS Ali Garh	
,		01/08/85	15/12/82	15/12/82	05/04/60	PTC	¥3	NSR	Abdul Karim	Zakia		4
		25/07/85	26/10/82	25/10/82	03/10/00	PTC	385	NSR	Sultan Makemmad	Bi Bi Shehnaz	Kalan	tu .
		11,07785	11/07/85	11/07/65	01/03/66	MC	388	PSH	Haji Muhananed	Shacuta		2
		10/12/80	<u>l</u>	10/12/80	10/07/58	PTC	SSC	HSN.	Humby khan	Youras	GCPS Azakhel Bols I	
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1	Remarks.	D,O Taking	Date of	Date of IstiDate of	D/O Sirth	Prof:	1)		Eather's Marie	Teacher Name	Cobool Name	r
		-	VEER.	TRICT NOWESHERA	STONDIE	STABLES	S OF ELEMIAND S	TERCHER !	IMAL SENIORITY LIST DE PST. BPS-12/FEMALE) TEACHERS OF ELEMAND SECY EDITCATION DISTRIC	SENIORITY LIST D	TOTAL	<del>,</del>
				;	SHRA	ALE) NO	ON OFFICER (FEM	T EDUCATI	JEFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) NOWSHIRA	Ü		



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<u>8</u>	2	8	2	6	8	4	<u>\$</u>	25	2	8	뱋	监	37	쌝	8	<u>w</u>	띦	22	122	B	128	126	23	26	1-2	<b>.</b>	*
50 GGCMS, ASC Colony	49 GGPS Water	48 GGPS.Khattak Bullding	47 GGPS.L.C Amangarh	46 GGPS Ali shah	45 GGCMS Wazirgari	44 GGPS Azakhel payto 1	43 IGGPS Kander no1	42 OGPS Water	41 GGPS Wali jan Kor,	40 GGPS Bara Banda	39 GCEPS Pago 1	38 GGPS Darwazgsi	37 GGPS Armour Col;	36 GGPS Mema Khel	35 GGPS Pir Pai No.03	34 GOPS Jhangira Dairy	33 GGPS.NSR Kalon No.1	32 GGPS, Gathi Momin	31 GGPS Shekhan No.1	- 20 GGPS khanak Building	29 GGPS Jakoni No.1	28 GGPS Day besud	27 GGPS Akota Khattak	26 GGPS Jaliozai No.1	2		School Name
Asmat Jehan	Rukhsana Usman	Nisar Aktsor	Khalida Parveen	Ulfat	Romania	Nazrún	Nichal	Taslim Akhtar	Mukhtiar Begun	Nasim Began	Rohida	Bibi Zainsb	Haseena Begum	Beginn Nishni	Adeebo	Abda Kharoon	Sajida Parveen	Hussan Azz	Javeed Begum	Robina Zareen	Sabina	Sudiana	Rifat Sardar	ाक्षे Sanauza	1.2		SENIORITY LIST C
Abdul Quácus	Usatua Ghani	Gulab Khan	Arab Khan	Fazie marçan	Dilawar Khan	Dawsod klan	Said Retion shan	Wahid uliah	Fazzi Muhammad	Famun Ali	Rahajulah	Nobat khan	Mutahir Sheh	Sultan Muhammad	Sambullah	Muhammad lishad	Dost Muhammad	Sadaget Sheis	Fazal Refunen	Mühammad Zareen	Mashed Ali	Syed Ut Harer	Sardar Akbar	Atam Gu			TRAL SENIORITY LIST OF PST BBS-12/FEMALEL TEACHERS OF ELEMISAND SECY EDUCATION DISTR
NSR	NSR	NSR	NSR	NSR	MSR	PSH.	NSR	NSR	NSR	NSR	NSR	NSR	NSR	NSR	NSR	HSSH	Baruru	MSR	T-SF2	NSR	PSH.	MSR	NSR	至	5	DOMICILE	EL TEACHED
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S. & School Name	Teacher Name	Teacher Name   Father's Name					Sales Assessment	CHECK CO.		
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52 GOPs Shahi Abad	Shokut Shaheen	Oizen ud Dún	NSR	355	퀽	13/06/6#	01/12/86	01/12/86	14/03/91	
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57 GGPS.AC Coxter	Niaz Bibi	Madad Shah	NSR	FA	PIC	04/04/73			1000	
58 GGPS.Hald Bands	Fuhra	Aman Ulter	NSR	SSC.	77.	COOK BO		ľ	Targer .	
59 GGPS No.1 Kheshgi Payan	Zajbul Haran	Ali Akbar	NSR	FA	<b>.</b>	06/03/70		31/01/92	CONTOLLE	
60 GGPS.Khattak Building	Shakila Regun	Nasudla Jzo	NSR	FA	ਰੋ	DANK*		. I:	3	
61 GGPS AC Ocnter	Nasoem Akhar	Façir Muhanımad	NSR	FA	मृत	92/05/67			TOTAL ST	
62 OGPS Khet Killi	Ishumi Sultanse	Sultan Muhammanad	NSR	FA	OLG.	01/01/67	J	07/04/07	DAMO:	1
63 GGPS.Pit Pai No.01	Afia Begun	Munawar Khao	K)	SSC	न्न	01.00		$oldsymbol{\perp}$	o company	
64 GGPS.SPN KHK 5	Plasim Autor	Sher Alon Khan	NSR	₽		_	SATORE	SWWW.	7240/07	
65 GGPS Spin Kani Khurd	Neclofar	Misn Muhammad Zafflar	NSR	388	PIC				77/10/87	
66 OGPS Mender Risalper	Shumi Kishan	Kistan Lel	NSR	FA	ਰੋ				20/11/92	
67 GGPS Batto	Robina fity	Sakhawai char)	NSR	288	PAC	0B/01/72	O ESTINATION	OJASAN K		
68 OGPS.Habim abad	Rashida Begum	Amb Ali Khan	NSR	288	PTC				TO TOUR	
69 GGPS, Alta Khel NSR Kalen	Rabcela Begun	Sabirullah	NSR	FA	ř		- 1	_	en la	
70 GGPS Mandar Riselpur	Ghazala Aşılı	Abdail Aziz	NSR	Fλ					21/02/93	
71 GGPs Shahi Ahad	Tabira Begum	Sardar Ali	NSR	38				_İ	EG/YOUX	
72 GGCNS Jathe Devood zei	Februita	Facility sheet	NSR	SSC	770	OLOUE:			romo	ŀ
73 GBCNS, Mandori	Sadios Baigum	Mahammad Amin	NSR	×		_]	XXXXII.		Addition .	
74 GGPS Siyavi	Nishat Shahaen	Fazal karim	NSS	FA	큠		_	- [	09/07/93	
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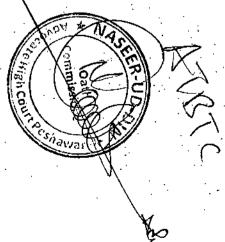
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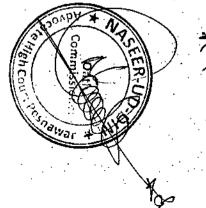
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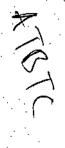
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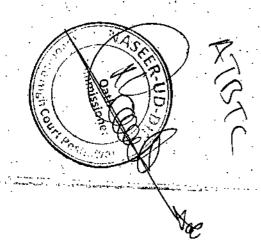




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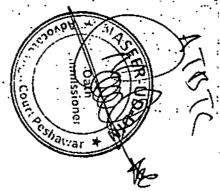
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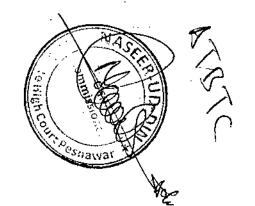
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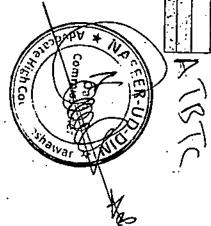
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District Education Officer (Female) Novshera



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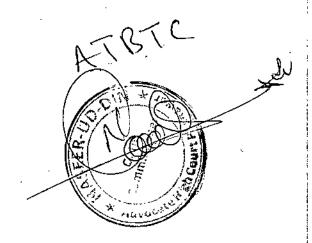
The Secretary Education KP

Subject: <u>DEPARTMENTAL</u> REPRESENTATION AGAINST THE VIOLATION OF SENIORITY 12, 14 AND 15 <u>IN</u> DEO <u>Nows</u>hera **EDUCATION** <u>DEPARTMENT WHERE IN THE APPELLANT</u> FIDELY AND TEACHERS WERE PROMOTED TWICE THROUGH DIFFERENT DATES.

Respected Sir,

The appellant submits as under:

- That appellant is a permanent resident of Nowshera 1) and belongs to a respectable family and a law abiding citizen.
- That the appellant is qualified up to master and was 2) appointed by your excellence department in 2006 vide Notification attached herewith.
- That in 2013 DEO female issued promotion order of 3) some teachers who were junior to the appellant and thus seniority list was violated without any justification,
- That when the appellant approached the DEO 4) female, she was told that the rest of the teachers will be promoted soon in next pool but no action was taken so far.
- That later on 2014-15 again some junior teachers 5) were promoted by violating seniority list and thus violated the fundamental right of the appellant.
- That now in January 2018 yet again few junior and 6) blue eyed teachers have been promoted by neglecting the appellant and thus shear violation of the seniority list.



That appellant is constrained to approach to the Hon'ble Authority for redressal of her grievances inter alia on the following grounds:

#### **GROUNDS:**

- A. That the appellant is senior to those who have been promoted out of turn which is illegal and against the legal norms.
- B. That out of turn promotion of the junior teachers without any justification is the clear violation of seniority list which is not the mandate of law and as per superior courts judgments it has strictly been prohibited.
- C. That at the time of promotion of the junior teachers the appellant was not informed about the activity rather the appellant got information at first instance from her personal sources, which shows that the promotions were kept secret.
- D. That no chance of hearing was bestowed upon the appellant and no inquiry was conducted against the appellant and condemned unheard.
- E. That when the appellant is otherwise fit and competent she cannot be bypassed in such a manner and in this regard record needs to be examine in order to bring truth to surface.
- F. That It is the constitutionally guaranteed right to be treated with equality but here the appellant is being discriminated and was neglected without applying the proper procedure.

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That appellant seeks permission of your excellence to raise other grounds at the time of hearing of the instant representation.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order be set aside and promotions may kindly be made according to the seniority list and the appellant may kindly be given her due right in the best interest of justice.

Dated 13/09/2018

Appellant Sabiha Khanum w/o Dad Muhammad r/o Mohallah Batagzai, Koshgai bala, P.O Koshgai Payan, Nowshera. Cell NO.03139468520



مماة ميسمرى ن بنام زاريري دعوى باعث تحريرا نكه مقدمه مندرجه عنوان بالامیں اپن طرف ہے واسطے ہیروی وجواب دہی وکل کاروا کی متعلقہ آن مقام على وركيك كثير رسي س مقرر کر کے اقر ارکیا جاتا ہے۔ کہ صاحب موصوف کومقد مہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وكيل صاحب كوراضي نامه كرنے وتقرر ثالث و فيصله نير صلف ديئے جواب دہی اورا قبال دعویٰ اور بصورت ڈ گری کرنے اجراءاوزوصولی چیک وروپیدارعرضی دعوی اوږدرخواست ہرشم کی تصدیق Accepted by زرایں پردستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یاڈ ٹری پکطرفہ یاا پیل کی برامدگ اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر تانی و پیروی کرنے کا مختار ہوگا۔ ازبصورت ضرورت مقدمہ مذکور کے کل یاجزوی کاروائی کے واسطے اور وکیل یا مخار قانونی کوایے ہمراہ یا اپنے بجائے = Nosegudi-9m تقرر کا ختیار ہوگا۔اورضاحب مقرر شدہ کو بھی وہی جملہ ندکورہ بااختیارات حاصل ہوں کے اوراین کاساخت پرداخته منظور وقبول ہوگا دوران مقدمہ میں جوخر چہ ہرجاندالتوائے مقدمہ نے BURKE سبب سے وہوگا۔کوئی تاریخ پیشی مقام دورہ پر ہو یا صدیے باہر ہوتو دیل صاحب یا بند ہوں گے۔ کہ بیروی ندکورکریں ۔ لہٰذاو کالت نامہ کھندیا کہ سندرہے۔ :20/8 ه چوک مشتگر ی میثاد رخی نون 220193

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# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

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# "A"

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

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# BEFORE THE KHYBER PAKHTUNKHWA TRIBUNAL PESHAWAR

# Service Appeal No.54/2019

Mst: Sabiha Khanum.....Appellant

#### Versus

The District Education Officer (Female),

District Nowshera and others......Respondents.

#### INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Para wise comments on behalf of respondents with affidavit.			1-5
2.	Copy of Promotion Order of appellant to the post of PSHT.	22-09-2021	R-1	6-8

Respondents

Dated: 02/08/2022

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

#### Service Appeal No.54/2019

Mst: Sabiha Khanum	Appellant.
•	
Versus	
The District Education Officer (Female),	
District Nowshera and others	Respondents

#### PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS.

## Preliminary Objections:-

- I. That appellant has no cause of action and locus standi.
- II. That appellant has been promoted to the post of PHST (BPS-15) vide order dated 22-09-2021 and her seniority has also been fixed accordingly. The present appeal is therefore has become infructuous and liable to be disposed of accordingly. Copy of promotion order is attached as Annexure/R-1.
- III. That the appellant has not come to the Tribunal with clean hands and has suppressed material facts from this Hon'ble Tribunal..
- IV. That appeal is bad for mis-joinder and non-joinder.
- V. That the appeal is not maintainable in the present form.
- VI. That appeal is badly time barred.
- VII. That the principle of estoppel lies against the appellant.
- VIII. That the appellant is not an aggrieved person within the meaning of section 4 of the Service Tribunal Act, 1974.

#### Reply to Facts

- 1) That para No.1 pertains to record.
- 2) That para No 2 relates to record.

- 3) That Para No 3 is incorrect, hence denied. Appellant was removed from service but later on reinstated in 2007 therefore, does not have unblemished and clean sheeted conduct record.
- That Para No.4 is incorrect, hence denied. Appellant has no grievances at all. Appellant has been promoted to the post of PSHT (BPS-15) vide order Endst. No.822-894 dated 22-09-2021 wherein the name of appellant lies at Sr. No.28 and her seniority position has also been fixed accordingly. On this score, the present appeal has become infractuous and is liable to be disposed of accordingly.
- 5) That para No. 5 is incorrect, hence denied. Appellant has been promoted to PSHT on her own turn vide Notification 22-09-2021.
- 6) That para No. 6 is incorrect hence denied. In the year 2014-15 no teacher juniorAppellant has been promoted to the post in question.
- 7) That para No.7 is incorrect hence denied. The answering respondents are unable to understand as to how appellant has been neglected in promotion and junior to her have been promoted.
- 8) That para No.8 pertains to record.
- 9) That para No.9 is incorrect hence denied. Appellant is not an aggrieved person within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

#### Reply to Grounds:

- A. That Ground A is incorrect hence denied. The grievances of the appellant has been redressed in accordance with law, rules and policy.
- B. That Ground B is incorrect hence denied. The answering respondents have acted in a lawful manner and appellant has not been discriminated.

- C. That Ground C is incorrect hence denied. Appellant has failed to establish her seniority position as per law and rules.
- D. That Ground D is incorrect hence denied. Promotion is carried out under the criteria of seniority cum fitness. Appellant has been promoted to the post of PSHT (BPS-15) on her own turn in accordance with her seniority position vide order dated 22-09-2021.
- E. That Ground E is incorrect hence denied. Appellant was promoted against higher post on her own turn.
- F. That Ground F is incorrect hence denied. Appellant has been dealt with in accordance with law, rules and policy on the subject.
- G. That Ground G is incorrect hence denied. The answering respondents have acted in accordance with law and no violation has been committed on their part.
- H. That Ground H is incorrect hence denied. The answering respondents are aware of their lawful exercise of powers and have acted within their lawful jurisdiction.
- I. That Ground I is incorrect hence denied. The appellant has been treated in accordance with law, rules and policy and have not been discriminated.
- J. That Ground J is incorrect hence denied. The appellant has been treated in accordance with law, rules and policy and have not been discriminated.
- K. That Ground K is incorrect hence denied. The detail answer has already been submitted.
- L. That Ground L is incorrect hence denied. No out of turn promotion has been notified on the part of answering respondents.
- M. That Ground M is incorrect hence denied. The promotion orders are always notified through gazette notification and not secretly.
- N. That Ground N is incorrect hence denied. Appellant has no lawful grievances at all.
- O. That Ground O is incorrect hence denied. The detail answer has already been submitted.

- P. That Ground P is incorrect hence denied. Promotion are carried through specified formula which cannot be interfered through extraneous means. All notified promotions are / were lawful in all respect.
- Q. That Ground Q is incorrect hence denied. The detail answer has already been submitted.
- R. That the answering respondents seek the permission of this Hon'ble Tribunal to advance more grounds at the time of arguments.

It is therefore requested that on acceptance of this para wise comments, this Hon'ble Tribunal may graciously be pleased to dismiss the appeal of the appellant with cost.

Respondent No.4

Secretary E&SE

Govt. of Khyber Pakhtunkhwa

Respondent No.5

Director Education (E&SE)

Govt. of Khyller Pakhtunkhwa

Respondent No.1

DEO (E&SE) (Female)

Nowshera

Dated: 02/03/2022

# FORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Mst: Sabiha Khanum..... Versus The District Education Officer (Female)

# **AFFIDAVIT**

I, Sajida Bano ADO Legal (E & SE) department Nowshera, do hereby solemnly affirm and declare on oath that the contents of this Parawise Comments/Reply are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.

Deponent 2022

That Ground Q is incorrect hence denied. The detail answer has already been submitted.

That the answering respondents seek the permission of this Hon'ble . Tribunal to advance more grounds at the time of arguments.

It is therefore requested that on acceptance of this reply, the service appeal of the appellant may kindly be dismissed.

Respondent No.1

The District Education Officer (Female),

District Nowshera.

Dated:

Service Minarial Cap



## OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) NOWSHERA

Phone/Fax No. 0923-9220105 Email: deofemalensr@gmail.com

Notification: -

Consequent upon recommendation of the Departmental Promotion Committee(DPC), the following Female Senior Primary School Teachers (SPSTs) BPS-14 are hereby promoted to the post of Primary School Head Teacher (PSET) in BPS-15 (16120-1330-56020) plus usual allowances as admissible under the rules on acquiar basis under the existing policy of the Provincial Government, in teaching cadre on the terms and condition given below with immediate effect and further posted in the schools noted against each:

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9			Salma Beggon	Hiaz Ali	GGPs, Zando Barda Gul	- 1- 11
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2.		GGPS NO 1 RASHAKAI	Saluba Taj	Taj Muhaminad	CGPs, Tij Alaid	, ky
13	250		Saima Naz	Zahir or Behman	GGP5, Miskeen	
4	251	Jica Jallozai	Shazia Bang	Mukammil Shah	Aband GGPS, Garu	WA
5 !	252	GGPS Jabbi payan	Fatima Shalmaz	Islam Mehmood	GGPS, Jabba	, AY:
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54	263	GGPS Inzari No 1	Walieeda	Din Muhammad	GGP's, #1 Invari /	15
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56	273	GGPS, #2 Kheshgi Payan	Amina Taj	Taj Badshah	GGP5, II2	77 972
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58	273	GGPS, Akhon Panjoo	Zarshad Bibi	Ikramul Hag	GGPS, Mir Kalan A	17 1-4
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60	277	GGPS Jabba Taru	Noreen Rehman	Mian Syed Rehman	f GGPS, Koth Khurd A	 '78
61	278	GGPS Khattak Colony Ashoor Abad	Shehnaz Begum	Muhammad Sarwar	GGPS, Peeran	۷P .
G2	279	GGPS Khattak Building	Bibi Zuhra	Noor Aziz	GGPS, Sura Toha A	/?
63	280	GGPS Narri	Nadia Wahab	Abdul Wahab	GGPS, Aso Khel A	18
64	282	GGPS Dag Behsud	Nabila Khan	Shah Jehan	GGPS, Amiro	J?

#### Terms and Conditions: -

- 1:-They would be on probation for a period of one year extendable for another one year.
- 2:-They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 3:- Their services can be terminated at any time, in ease their performance is found unsetisfactory during probation period. In case of misconduct, they shall be preceded under the rules framed from time to time.
- 4:- Charge report should be submitted to all concerned.
- 5:- Their inter se-seniority on lower post will be remain intact.
- 6:-No TA/DA are allowed for joining their duty.
- 7:- They will give an under taking to be recorded in their service book to the effect that if any over payment is made to them in light of this order will be recovered and if they are wrongly promoted, they will be reversed.
- 8- If any senior official is deprived of promotion by this order, the promotion order of the lowest official will be withdrawn on acceptance of an appeal and promotion order will be reviewed accordingly as per seniority, if necessary.
- 09: Errors and omissions will be accepted within the specified period.

(DURE SHAWAR)
District Education Officer
(Female) Nowshera

Endst. No. <u>822-894</u> /DEO (F)/Estt (Pry:)Pro: PSHT/Dated NSR the <u>22/09/2021</u> Copy forwarded for information and necessary action to the: -

- 1. Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar
- 2. Deputy Commissioner Nowshera
- 3. District Monitoring Officer Nowshera
- 4. Senior District Accounts Officer Nowshern
- 5. Sub Divisional Education Officer (Female) Nowshera, Pabbi & Jehangira
- 6. Superintendent Establishment Local Office
- 7. ADEO (F) Establ. Pry: Local Office
- 8. Officials Concerned

District Education Offiger (Female) Nowsherif

#### BEFORE THE KHYBER PAKHTUNKHWA TRIBUNAL PESHAWAR

Service Appeal # 54/2019....,R.No 279/2019

Mst: Sabiha உடிரித் இரு இ	
District Education	
Nowshera	Appellant
Versus	
The District Education Officer (Fema	le),
District Nowshera and others	Respondents

### **INDEX**

S.N 0.	Description of Documents	Date	Annexure	Pages
1.	Para wise Comments			1-3
2.	Affidavit			4
3.	Authority Letter			
4.				

Deponent

### BEFORE THE KHYBER PAKHTUNKHWA TRIBUNAL PESHAWAR

### Service Appeal # 54/2019....,R.No 279/2019

Mst	Mst: Sabiha and Chars VS						
	rict Education sheraAppellant						
	Versus						
The	District Education Officer (Female),						
Dist	rict Nowshera and othersRespondents						
Para	wise comments on behalf of respondents No.1 to 2.						
Prel	iminary Objections:-						
I.	That appellant has no cause of action and locus standi.						
II.	That the periconer has not come to the court with clean hands.						
III.	That periculate is bad for mis-joinder and non-joinder.						
IV.	That the petition is not maintainable in the present form.						
V.	That petition is hit by principle of laches.						
VI.	That the principle of estoppel lies against the petitioner.						
VII.	That deptable has suppressed the material facts from the notice of						
	this Honorable Court.						
VIII.	That the price is not an aggrieved person within the meaning						
	of section 199 of the Constitution of Pakistan, 1973.						

#### 2

## Reply to application for restoration of service appeal No 52-/2019 Respectfully shewet

The answering respondent is submitted as under.

- 1) That para No 1 is incorrect, hence denied. The subject Appeal was fixed for hearing not for attendance.
- 2) That para No 2 is incorrect, hence denied. the Appeal was fixed for hearing on 30-05-2019 but neither appellant nor her council appeared, therefore, this Honorable court was constrained after acting the parties appeal fall hearing but no one was present, therefore, The appeal was dismissed in default.
- 3) That Para No 3 is incorrect, hence denied. Law fallower those who are vigilant and not those goes into deep sleep. And the instant case the appellant/applicant was not interested in pursuing her case their appeal was rightly dismissed in default. The restoration application is badly time barred under the rules of 19 of Khyber Pakhtunkhwa 1974. The restoration application could only be made within 15 days of the order and instant case the order of this Honorable tribunal court has been made on 30-05-2019 and whereas the restoration application was filled after expiry of prescribed period of the limitations. In view of the above prescribed limitation period under the stellate instant application is hit by limitation, therefore, cannot be restored.
- 4) That para NO 4 is incorrect, hence denied. The applicant/appellant has failed to show sufficient cost for enabling this Honorable tribunal court to restored her appeal in the absence of sufficient cause the appeal cannot be restored.
- 5) That para NO 5 is incorrect, hence denied. The detailed answer has been already be submitted the instant application is badly time barred.

6) That para NO 6 is incorrect hence denied. Law, justice ,equity and fair play demand that applicant/ appellant/ petitioner shall always be vigilant and any time barred application give to the adverse party of valuable right of defense score of the limitation ACT 1908.

In view of the above explain position it is requested that the application of the appellant being badly time barred may be dismissed.

1. Respondent No.1

The District Education Officer (Female),

District Nowshera.

#### IN THE PESHAWAR HIGH COURT PESHAWAR

Service Appeal # 54/2019....,R.No 279/2019

Nowshera	 Annel	lant
District Education District	,	
Mst: Sabiha		

Versus

### Affidavit:-

I Miss Roheen ADO legal (E & SE)(Female) District, Nowshera do hereby solemnly affirms on Oath that the contents of this reply/comments are true and correct to the best of my knowledge and belief and nothing has been concealed from the Notice of this Honorable Court.

Deponent

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### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Restorator Applicate 279/19

Mst: Sabiha Khanum

#### **VERSUS**

District Education Officer(Female) Nowshera & Others.

# APPLICATION FOR RESTORATION OF APPEAL NO. 54/2019 WHICH WAS DISMISSED IN DEFAULT ON 30 /05/2019.

Respectfully Sheweth:

The petitioner submits as under:

- 1) That the above titled Appeal was filed in this Hon'ble Tribunal and it was fixed in attendance before this Hon'ble Tribunal.
- That on the date fixed the petitioner appeared 2) through counsel and marked his attendance before the reader of the court in the case where in the counsel for the petitioner was informed to submit the process fees and the petitioner was given 17/07/2019 as next date and the petitioner was directed submit process fees but astonishingly when on the next date of petitioner appearance the entered Honorable Tribunal he was informed that his appeal has been dismissed in default on 30/05/2019.
- 3) That the valuable rights of the petitioner are involved and there is no hurdle / bar in the

restoration of the Appeal, as the same is well within time.

- 4) That the above mentioned appeal was in its initial stage and the attendance of the respondents was not procured so far hence requires restoration of the appeal.
- 5) That the instant application is well within time and this petition is not hit by limitation Act.
- 6) That the law requires the decision of cases on merits rather than on technicalities.

It is, therefore, most humbly prayed that on acceptance of this petition/application the Appeal mentioned above may kindly be restored to its previous position and be decided on merits after hearing the petitioner counsel.

Dated 20/07/2019

Petitioner

Through

Nascer ud din shah Advocate High Court, Peshawar.

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Mst: Sabiha Khanum

#### **VERSUS**

DistrictEducation Officer(Female) Nowshera & Others.

#### **AFFIDAVIT**

I, Naseer Uddin Shah Advocate High Court, as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

DEPONENT

COURT PESTIVE 2019

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No\_\_\_\_\_\_\_ of 2019

Mst: Sabiha Khanum wife of Dad Muhammad r/o Mohallah Batakzai, Kheshgi Bala Tehsil & District Nowshera.

.....Appellant

#### Versus

1654

- 1. District Education Officer (Female) Nowshera.
- 2. SDEO (F) Nowshera.
- 3. District Accounts officer Nowshera.
- 4. Secretary Elementary & Secondary Education Department Peshawar.
- 5. Director (E&SE)kpk Peshawar.
- 6. Govt. of KPK through its Chief Secretary.

.....Respondents

APPEAL UNDER SECTION 4, ACCORDING TO THE DEPARTMENTAL APPEAL AGAINST THE VIOLATION OF SENIORITY LIST OF 12 INDEO FEMALE NOWSHERA EDUCATION DEPARTMENT WHERE IN THE APPELLANT WAS LEFT MALA FIDELY FROM SENIORITY LIST AND OTHER TEACHERS WERE PROMOTED THROUGH NOTIFICATION NO. SO(B&A)/1-18/E&SE/2012 DATED 11/07/2012 AND AGAINST THE ORDER OF THE APPELATE AUTHORITY WHERE BY THE APPELLATE AUTHORITY REFUSED TO ENTERTAIN THE APPEAL OF THE APPELLANT.

### Propries of the Prayer

On the acceptance of this appeal, the impugned order/notification be set aside sed respondents be directed to make promotions according to the seniority list and the appellant may kindly be given her due right and the respondents may kindly be directed to

ATTESTED

Kilykar Ing Tamaning
Sarvice Tribunal

30.05.2019

Nemo for the appellant:

Instant appeal was admitted for regular hearing on 26.03.2019 and the appellant was required to deposit the security and process fee within 10 days. The requisite fee, however, was not deposited within the prescribed period. Further, the appellant was not represented on 13.05.2019, therefore, notice to her was ordered on the last date. The record shows that a notice was duly issued through registered post to the appellant for appearance today. Similar notice was issued to her learned counsel also which was received by him on 28.05.2019. Despite the exercise, no one is in appearance today on behalf of the appellant nor the requisite security and process fee is deposited till date.

The appeal is therefore, dismissed for non-deposit of fee and charges as well as for default in appearance by the appellant.

Chairman

#### ANNOUNCED

30.05.2019

Peshawar

and of Presentation of Application
Number of Words 1600
Copying Fee 20-00
Urgent
Total 20-00
Name of Copyley
Date of Complection of Copy 18-7-19
Date of Delivery of Copy 18-7/8

26.03.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (PST) has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 on the ground that juniors to the appellant have been promoting to the post of SPST while ignoring the appellant; that upon approaching the competent authority the appellant was told that the rest of the teachers shall be promoted soon however no action is taken so far; that the departmental representation of the appellant also went un-responded.

Points urged need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 13.05.2019 before S.B

Member

13,05,2019

No one present on behalf of appellant. Security and process fee not deposited. Notice be issued to the appellant and her counsel for 30.05.2019 before S.B.

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Member

A Tolshi

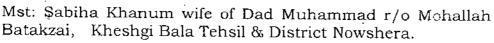
# Form- A FORM OF ORDER SHEET

Court of	· · · · · · · · · · · · · · · · · · ·		
Case No	<i>,</i>	54 <b>/2019</b>	

	54/ <b>2019</b>				
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	2				
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,					
1-	11/1/2019	The appeal of Mst. Sabina Khanum resubmitted today by Mr.			
		Naseer-ud-Din Shah Advocate, may be entered in the Institution Register			
		and put up to the Worthy Chairman for proper order please.			
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2-	16-1-19	This case is entrusted to S. Bench for preliminary hearing to be			
,		put up there on $13.2 - 19$			
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·		CHAÌŘMAN			
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	12.02.2010				
	13.02.2019	Clerk to counsel for the appellant present and seeks			
		adjournment as learned counsel for the appellant is not			
		in attendance. Adjourn. To come up for preliminary			
		hearing on 26.03.2019 S.B.			
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### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No 54 of 2018



.....Appellant

#### Versus

1654

- 1. District Education Officer (Female) Nowshera.
- 2. SDEO (F) Nowshera.
- 3. District Accounts officer Nowshera.
- 4. Secretary Elementary & Secondary Education Department Peshawar.
- 5. Director (E&SE)kpk Peshawar.
- 6. Govt. of KPK through its Chief Secretary.

.....Respondents

APPEAL UNDER SECTION 4, ACCORDING TO THE DEPARTMENTAL APPEAL AGAINST THE VIOLATION OF SENIORITY LIST OF 12 IN DEO FEMALE NOWSHERA EDUCATION DEPARTMENT WHERE IN THE APPELLANT WAS LEFT MALA FIDELY FROM SENIORITY LIST AND OTHER JUNIOR TEACHERS WERE PROMOTED THROUGH NOTIFICATION NO. SO(B&A)/1-18/E&SE/2012 DATED 11/07/2012 AND AGAINST THE ORDER OF THE APPELATE AUTHORITY WHERE BY THE APPELLATE AUTHORITY REFUSED TO ENTERTAIN THE APPEAL OF THE APPELLANT.

#### uboniyadi 149 -d**a**y **PRAYER** Pod.

On the acceptance of this appeal, the impugned order/notification be set aside and respondents be directed to make promotions according to the seniority list and the appellant may kindly be given her due right and the respondents may kindly be directed to

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Khyurt
Service Industry
Peshawar

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issue orders of promotion of the appellant and may also kindly be awarded with all back benefits. Any other remedy which deems fit appropriate may also be granted in favour of the appellant.

#### Respectfully Sheweth

- 1) That appellant is a permanent resident of Nowshera and belongs to a respectable family and a law abiding citizen.
- 2) That the appellant is qualified up to master and was appointed by the respondents department in 2006.
- 3) That the appellant served the department since 1982 with utmost satisfaction of her seniors and kept unblemished record.
- 4) That in 2012 DEO female issued promotion order of some teachers vide Notification No. SO(B&A)/1-18/E&SE/2012 dated 11/07/2012 who were junior to the appellant and thus seniority list was violated without any justification.(Copy of promotion list is annexure A)
- 5) That when the appellant approached the DEO female, she was told that the rest of the teachers will be promoted soon in next pool but no action was taken so far.
- 6) That later on 2014-15 again some junior teachers were promoted by violating seniority list and thus violated the fundamental right of the appellant.
- 7) That now in January 2018 yet again few junior and blue eyed teachers have been promoted by neglecting the appellant and thus shear violation of the seniority list.
- 8) That a departmental representation was made to the appellate authority but the same has not been entertained so far.(Copy of the departmental appeal is annexure B)

ATTESTED

Khyber Pakas philipia Service Tribunal,

Peshawar

That appellant is constrained to approach to the Horrble Tribunal for redressal of her grievances inter alia on the following grounds:

#### **GROUNDS:**

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- A. That the act and omission of the respondents/department is illegal, unconstitutional, without jurisdiction, without lawful authority against facts and materials on the record therefore, needs the interference of this Hon'ble Tribunal.
- B. That the act and omission of the department is not only factually incorrect and legally untenable but also is against the principles of natural justice.
- C. That the appellant is senior to those who have been promoted out of turn which is illegal and against the legal norms.
- D. That at the time of the impugned notification/order the long service period and the seniority of the appellant in the department has been completely ignored due to which the appellant has suffer a lot.
- E. That the appellant has performed duties efficiently, honestly and without giving any chance of complaint to her superior which fact also goes in her favor and there is no law which permits the respondents to promote a junior leaving out a senior without any reason and without informing her. It is pertinent to mention here that the appellant was kept ignorant of the fact of promotion.
- F. That the appellant is a civil servant and legal and constitutional guarantee is available to him to be dealt with in accordance with law she however, has not been treated as such.

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Dechawar

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- G. That the act and omission of the department is clear violation/disregard of the fundamental rights of the appellant, Therefore, the said act and omission of the department is not effective on the right of the appellant and the same has caused gross miscarriage of justice to the appellant.
- H. That the department is legally/constitutionally bound to follow the directions of law and justice.
- I. That the respondents have failed to apply their independent/administrative mind to the matter and therefore have reached to an erroneous conclusion which is not sustainable in the eye of law.
- J. That the appellant has never given any chance of compliant to the seniors and superiors and also cordial to the staff concerned.
- K. That out of turn promotion of the junior teachers without any justification is the clear violation of seniority list which is not the mandate of law and as per superior courts judgments it has strictly, been prohibited.
- L. That out of turn promotion has been strictly prohibited as per dictums of the Apex court of the federation but even then the respondents promoted their blue eyed teachers without any reason out of turn.
- M. That the said promotions were kept secret from the knowledge of the appellant and when the appellant came to knowledge and contacted the respondents they used delaying tactics and also assured appellant that her promotion order will be issued soon but so far no order has been issued.
- N. That as the seniority list has been violated by the respondents therefore it's a re-occurring cause of action and limitation does not run against it.

Crycer Pakingskinwa Service Tribunal,

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- O. That at the time of promotion of the junior teachers the appellant was not informed about the activity rather the appellant got information at first instance from her personal sources, which shows that the promotions were kept secret.
- P. That when the appellant is otherwise fit and competent she cannot be bypassed in such a manner and in this regard record needs to be examine in order to bring truth to surface.
- Q. That It is the constitutionally guaranteed right of appellant to be treated with equality but here the appellant is being discriminated and was neglected without applying the proper procedure.
- R. That appellant seeks permission of this Honorable Tribunal to raise other grounds at the time of hearing of the instant appeal.

It is, therefore, humbly prayed that On acceptance of this appeal, the impugned promotion be set aside and respondents be directed to make promotions according to the seniority list and the appellant may kindly be given her due right and the respondents may kindly further be directed to issue orders of promotion of the appellant and may also kindly be awarded with all back benefits. Any other remedy which deems fit appropriate may also be granted in favour of the appellant.

Dated 23/10/2018

Appellant

Through

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2-7-19 18-7-19 0-7-18

Naseeruddin shah

Advocate High Court Peshawar

Certificat to Active copy



# AZAAN LAW ASSOCIATES POWER OF ATTORNEY Cell:0333-9552292

Before The Honographo Coguico	Tribunal Parhaure
Mal. Sobiha Khawu VERUS Ed	
Nature of Case Rest Appl. On be	ehalf of Applicant
FIR #U/Ss	PS
I do here by appoint Naseer-ud-Di	<u>in Shah</u>
	ed as <b>Advocates</b> ). As my counsel in
this case with the following terms &conditions:-	
<ol> <li>That to sign and verity, pleading &amp; all kind application includes execution etc.</li> </ol>	ding those for notices, appeal, review,
<ol><li>To withdraw, compromise, refer to arbitration, bind me by c Give discharge;</li></ol>	
<ol> <li>To appoint with him another lawyer and Generally for me &amp; acts, deeds, matters &amp; things relating to the case in all its s Instrument had not been executed.</li> </ol>	in my name and on my behalf to do al stages that I personally could do if this
<ol> <li>If at any time, the said counsel is unable to attend the court he will make arrangement with some lawyer to appear for</li> </ol>	t through liness or absence from station him, but he shall not responsible for
Any lose caused to me, if his arrangement fails.  5. I will make my own arrangement for attending the court	t on every hearing, to inform my said
Counsel, when the case is called. The counsel shall in no we to me through my failure to so inform him.	way be responsible for any loss caused
<ol><li>The fee paid or agreed to be paid, to the said counsel is for</li></ol>	r his work in this court alone, the
Retainer, fees in respect of appeal, revision, review, transf or orders.	fer proceeding and execution of decree
<ol> <li>Unless the whole amount of fee is paid the said counsel is He bound to do so (unless specially paid in separate arra Court house beyond the usual court hours, on a public holi</li> <li>Not part of the said counsel's fee is returnable under any ci</li> </ol>	ingement) at any place other than the iday or in any other court. ircumstances and cost of adjournments
Payable by the opposite party will received and retained me.	by him in addition to his fee payable by
I have read the above terms & conditions & the same have Them as binding in witness where of have set my hand this	been explained to me and I accept 322 day of 7 20 19
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Accepted & Attested, Subject to the terms mentioned above.	
- Rand	
Nasee-ru-din Shah	Rizwana Naz
Advocate High Court	Advocate
M.Ishaq	Huma Jan

Advocate

Huma Jan

Advocate

pi mange 200g Co باعث تحريراً نكه مقدمه مندرجه عنوان بالامیں اپنی طرف سے واسطے پیروی وجواب دہی وکل کا روائی متعلقه آن مقام كي كيك لوسكاه الله و مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کومقد مدکی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کوراضی نامه کرنے وتقر ر ثالث و فیصله پر حلف دیئے جواب دہی اورا قبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیدار عرضی دعوی اور درخواست ہرشم کی تقیدیق زرایں پردستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یاڈ گری میکطرفہ یا پیل کی برامدگی اورمنسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی و پیروی کرنے کا مختار ہوگا۔ ازبصورت ضرورت مقدمہ مذکور کے کل یاج وی کاروائی کے واسطے اوروکیل یا مختار قانونی کوایئے ہمراہ یا ہے بجائے تقرر کا ختیار ہوگا۔اورصاحب مقرر شدہ کوبھی وہی جملہ مدکورہ بااختیارات حاصل ہوں گے اوراس کاساختہ پر داختہ منظور وقبول ہوگا دوران مقدمہ میں جوخرچہ ہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔کوئی تاریخ پیشی مقام دورہ پر ہو یا حدسے باہر ہوتو وکیل صاحب پابند ہوں گے۔ کہ پیروی ندکورکریں۔لہذاوکالت نامہ ککھدیا کہ سندر ہے۔ ألرقوم ر 20

عدادات مستيشنوي مارت چک شتگري چاورځی اون 2220193 Mob: 0345-9223239 کے لئے منظور ہے۔

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Mst: Sabiha Khanum

#### **VERSUS**

District Education Officer(Female) Nowshera & Others.

# APPLICATION FOR RESTORATION OF APPEAL NO. 54/2019 WHICH WAS DISMISSED IN DEFAULT ON 30 /05/2019.

Respectfully Sheweth:

The petitioner submits as under:

- 1) That the above titled Appeal was filed in this Hon'ble Tribunal and it was fixed in attendance before this Hon'ble Tribunal.
- 2) That on the date fixed the petitioner appeared through counsel and marked his attendance before the reader of the court in the case where in the counsel for the petitioner was informed to submit the process fees and the petitioner was given 17/07/2019 as next date and the petitioner was directed submit process fees but astonishingly when on the next date of appearance the petitioner entered the Honorable Tribunal he was informed that his appeal has been dismissed in default on 30/05/2019.
- 3) That the valuable rights of the petitioner are involved and there is no hurdle / bar in the

restoration of the Appeal, as the same is well within time.

- 4) That the above mentioned appeal was in its initial stage and the attendance of the respondents was not procured so far hence requires restoration of the appeal.
- 5) That the instant application is well within time and this petition is not hit by limitation Act.
- 6) That the law requires the decision of cases on merits rather than on technicalities.

It is, therefore, most humbly prayed that on acceptance of this petition/application the Appeal mentioned above may kindly be restored to its previous position and be decided on merits after hearing the petitioner counsel.

Dated 20/07/2019

Petitioner Through

37

Naseer ud din shah Advocate High Court, Peshawar.

### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Mst: Sabiha Khanum

#### **VERSUS**

DistrictEducation Officer(Female) Nowshera & Others.

#### **AFFIDAVIT**

I, Naseer Uddin Shah Advocate High Court, as per instruction of my client do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

DEPONENT

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.
No.
Appeal No. 54 frequence 27 40f 20 19  KASt. Ser baha Whan was ppellant/Petitioner
1 Ser biha Whom was ppellant / Petitioner
/ Versus
290 - D. E. C. France le Nowfherespondens Respondent No. 1
Respondent No
Notice to: — Distr. Education Offices,  WHEREAS at appeal/petition under the provision of the North-West Frontier
(Finale) Nowshere.
Province Service Tribunal Act, 1974, has been presented/registered for consideration, in
the above case by the petitioner in this Court and notice has been ordered to issue. You are
hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal/petition is fixed for hearing before the Tribunal on the said appeal of the s
onat 8.00 A.M. If you wish to urge anything against the appellant/pet/tioner you are at liberty to do so on the date fixed, or any other day to which
the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
this Court at least seven days before the date of hearing 4 copies of written statement
alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the
appeal/petition will be heard and decided in your absence.
Notice of any alteration in the date fixed for hearing of this appeal/petition will be
given to you by registered post. You should inform the Registrar of any change in your
address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further
notice posted to this address by registered post will be deemed sufficient for the purpose of
this appeal/petition.
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
Registrar
Khyber Pakhtunkhwa Service Tribunal,  Yang Peshawar.
resnawar.

Note:

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

<sup>·</sup> **2**,

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHY ER ROAD,
PESHAWAR. P.R
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Appeal No. 54/19/10 No. 27.9520 19  Mist Sabiha Whan u.m. Appellant/Petitioner
Mist Sabiha Whan um Appellant/Petitioner
D. E. O. (Female) Nowskespondens
Respondent No
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Notice to: _ SDEO(F) Nowshera.
WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on
Copy of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice Nodateddated
Given under my hand and the seal of this Court, at Peshawar this
Day of
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'Registrar,
, (Khyber Pakhtunkhwa Service Tribunal,

Peshawar.

Note:

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

JUDICIAL COMPLEX (OLD), KHYBER ROAD,

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	Appeal No. 54/19 (NO) 790f 20  MSt. Sabiha Khanum  Appellant/Petitioner  Versus
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-	Respondent No3
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A	Advocate, duly supported by your power of Attorney. You are, therefore, required to file in
	his Court at least seven days before the date of hearing 4 copies of written statement dongwith any other documents upon which you rely. Please also take notice that in
	lefault of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.
	Notice of any alteration in the date fixed for hearing of this appeal/petition will be
	given to you by registered post. You should inform the Registrar of any change in your
	address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further
	notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.
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	Given under my hand and the seal of this Court, at Peshawar this
]	Day of
	Registrar, Khyber Pakhtunkhwa Service Tribunal,
	Peshawar.

. 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.

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JUDICIAL CO	MPLEX (OLD), KHYBE	R ROAD,
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Peshawar.

Note:

The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.

<sup>1.</sup> 2. Always quote Case No. While making any correspondence.

### KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD,

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WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on the control of the tribunal of the tribunal of the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.							
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.  Copy of appeal is attached. Copy of appeal has already been sent to you vide this							
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The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays. Always quote Case No. While making any correspondence.

# KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD

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

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