

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Appeal No.1672/2022

Date No. 3295

Dated 30-1-2023

Muhammad din, TT, Government Primary School derpa khel North Waziristan.

VERSUS

Government of Khyber Pakhtunkhwa, through Secretary Elementary and secondary education, Khyber pkhtunkhwa, Peshawar and others.

APPLICATION FOR PLACING ON FILE/MENTIONING THE OFFICE ORDER DATED 19.12.2022 IN THE WITHDRAWAL ORDER DATED 12.01.2023


Respectfully sheweth:

The applicant submits as under.

- 1- That the captioned appeal along with other connected appeal was pending before this honorable tribunal which came up for hearing on 12.01.2023.
- 2- That on the date of hearing a letter dated 19.12.2022 was produced and this honorable tribunal was requested to withdraw the appeal in light of letter mentioned above.
- 3- That however in the order dated 12.01.2023 the office order mentioned above was not referred and that the withdrawal is conditional in nature and if the grievance of the appellant/applicant is not redressed the appellant would reserve to re-file the appeal before this honorable tribunal.
- 4- That this honorable tribunal has ample power to entertain the matter for the ends of justice and to avoid the complications in future.

It is therefore prayed the application may be allowed keeping in view the above facts.


YASIR SALEEM


AFRASIB KHAN WAZIR



AFFIDAVIT:

I do hereby solemnly affirm and declare that contents of the above application are true and correct to best of knowledge and belief.


Deponent

(2)

IN THE COURT OF SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR



Service Appeal No. 1672 /2022

Muhammad Din TT, Government Primary School Badshah Mir Khan Kot
North Waziristan R/O Officer Garden Warsak Road Peshawar.

.....Appellant

VERSUS

1. **Government of Khyber Pakhtunkhwa**, through the Secretary Elementary & Secondary Education, Peshawar.
2. **Secretary Elementary & Secondary Education**, (FATA Secretariat Merged Areas) Warsak Road Peshawar.
3. **Director Elementary & Secondary Education**, (FATA Secretariat Merged Areas) Warsak Road Peshawar
4. **District Education Officer**, North Waziristan.

.....Respondents

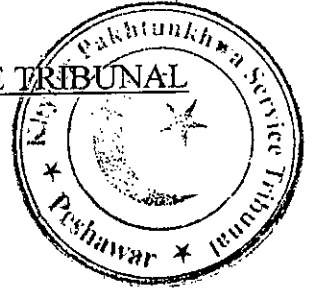
APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT AGAINST INACTION OF THE RESPONDENTS REGARDING THE RELEASE OF SALARIES OF THE APPELLANT DESPITE THE FACT THAT HE IS STILL ON THE ROLL OF THE DEPARTMENT AS PERFORMING HIS DUTIES AND HAS NOT RESPONDED THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF 90 DAYS.

Prayer-in-Appeal:

On acceptance of this Service Appeal, respondents may kindly be directed to release the salaries of the appellant from the date of stoppage.

Certified to be true copy
[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR



Service Appeal No. 1672/2022

Muhammad Din TT, Government Primary School Badshah Mir Khan Kot
North Waziristan R/O Officer Garden Warsak Road Peshawar.

VERSUS

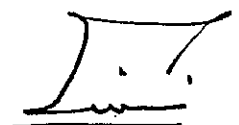
Government of Khyber Pakhtunkhwa, through the Secretary Elementary
& Secondary Education, Peshawar.

ORDER
12.01.2023

Mr. Afrasiab Khan Wazir, Advocate for the appellant present and stated at the bar that as the grievance of the appellant has been redressed, therefore, as per instruction of the appellant, he wants to withdraw the instant appeal. In this regard, written endorsement of learned counsel for the appellant obtained at margin of order sheet.

In view of the above, the appeal in hand stands dismissed as withdrawn. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.01.2023


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 26-1-23
Number of Words 27
Copying Fee 10/-
Urgent _____
Total 10/-
Name of _____
Date of Completion 27-1-23
Date of Delivery of Copy 27-1-23

The grievances of the appellant are redressed, thus withdrawn. 21/1/23

**OFFICE OF THE DISTRICT EDUCATION OFFICER,
NORTH WAZIRISTAN TRIBAL DISTRICT.**

No. 35001-06 / dated Miranshah the 19 / 12 / 2022.

To,

The District Accounts Officer,
North Waziristan tribal district.

Subject:- **RELEASE OF SALARIES.**
Memo :-

In pursuance of the approval of Director of Education Merged District vide order No.2149-51 dated, 07.02.2019 and reminder dated, 29.9.2019 and Secretary Education No.SO(PE)/E&SED/5-1/Gen Misc/2022 dated,11.8.2022 and this office letter No.9755-60 dated, 20-11-019 and the recommendation of the inquiry officer dated, 05.9.2022. The outstanding salaries of the following teachers are hereby released from the date of stoppage i.e. 01.01.2019 on the basis of not terminated and they are regular employees of this office. They are performing their duties and there is no compliant/inquiries against them.

1. Ihsan ullah TT
2. Gul Rauf TT
3. Atiq ur Rehman TT
4. Nasir uddin TT
5. Shams ul Haq TT
6. Sajid ur Rehman TT
7. Israr Ullah TT

8. Muhammad Din TT
9. Hamid ur rehman TT
10. Rahmat Noor TT
11. Qasmat Ullah TT
12. Qari Huzoor TT
13. Qari Muhammad Kabir


DISTRICT EDUCATION OFFICER
NORTH WAZIRISTAN MIRANSHAH.

No. /DEO / NWD dated _____ / 2022
Copy forwarded to:-

01. The Director Education Merged districts with reference his No. quoted above.
02. The SO (PE) Peshawar with reference to his no. quoted above.
03. The Deputy Commissioner North Waziristan tribal district.
04. The District Accounts Officer NWTD with the request to release the salaries being genuine and Low paid Govt: Servants.
05. Accountant local office.
06. Candidate concerned.


DISTRICT EDUCATION OFFICER
NORTH WAZIRISTAN MIRANSHAH.