

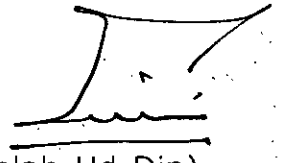
09.09.2022

Syed Abdul Haq, Advocate, for the appellant present. Mr. Muhammad Usman, ADEO (Litigation) alongwith Mr. Riaz Ahmad Painsdakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has to proceed to his home due to some domestic engagement. Adjourned. Last opportunity given. To come up for arguments on 07.11.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)  
Member (Executive)  
Camp Court Swat



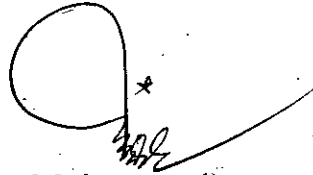
(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

14

9<sup>th</sup> June, 2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Muhammad Usman, ADEO for respondents present.

Counsel are on strike. To come up for arguments on 06.07.2022 before the D.B at camp court Swat.



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

06.07.2022

Appellant present through counsel.

Noor Zaman Khattak, learned District Attorney for respondents present.

Former requested for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 04.08.2022 before D.B at Camp Court, Swat.




(Fareeha Paul)  
Member (E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat


4-8-22

*Due to members vacation the case is adjourned to 9-9-22 for the same.*



07.03.2022

Due to retirement of the Hon'ble Chairman, the case is adjourned to 09.05.2022 for the same as before.

  
Reader

09.05.2022


Due to non-availability of the Bench, the case is adjourned to 11.05.2022 for the same as before.

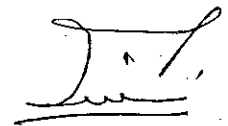
  
Reader

11.05.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present.

Previous two dates were changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 09.06.2022 before the D.B at Camp Court Swat.

  
(Mian Muhammad)  
Member (E)  
Camp Court Swat

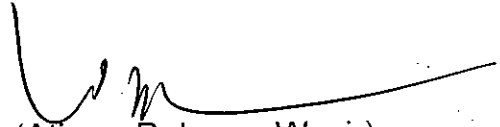
  
(Salah-ud-Din)  
Member (J)  
Camp Court Swat

08.12.2021

Counsel for appellant present.

Muhammad Rasheed learned Deputy District Attorney alongwith Usman ADEO for official respondents present. Sardar Muhammad Arif Tajik Advocate present and submitted wakalat nama in favor of private respondent No.5 present. Nemo for private respondent No.4, hence, placed ex-parte.


Official respondents No.1 to 3 submitted reply. Counsel for private respondent No.5 relied upon comments filed by respondents No.1 to 3. To come up for arguments on 05.01.2022 before D.B at Camp Court, Swat.


  
(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, Swat

05.01.2022

Brother of the appellant present. Mr. Jan Bakht Said, Superintendent alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 3 present. None present on behalf of private respondent No. 5, therefore, she is placed ex-parte.

Brother of the appellant requested for adjournment on the ground that learned counsel for the appellant is out of station today. Adjourned. To come up for arguments before the D.B on 07.03.2022 at Camp Court Swat.

  
(Mian Muhammad)  
Member (E)  
Camp Court Swat

  
(Salah-ud-Din)  
Member (J)  
Camp Court Swat

20.08.2021

Counsel for the appellant present. Preliminary arguments heard.

The grievance in the appeal relates to considering the appellant for promotion to the post of SDM as per her entitlement being senior to the private respondents. Points raised need consideration. The appeal is admitted to full hearing, subject to all just and legal objections, including that of limitation to be determined during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 05.10.2021 before the D.B, at camp court, Swat.

Appellant Deposited  
Security & Process Fee


  
Chairman


05.10.2021

Toseef Khan, brother of appellant on behalf of appellant present.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Muhammad Usman ADEO for respondents present.

Reply on behalf of respondents is still awaited. Representative of respondents made a request for time to furnish reply/comments; Last chance is given with direction to furnish the same within 10 days in office positively. To come up for arguments 07.12.2021 before D.B at Camp Court, Swat.

  
(Atiq ur Rehman Wazir)  
Member(E)  
Camp Court, Swat

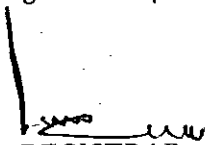
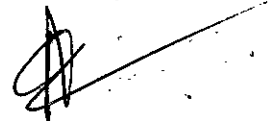
  
(Rozina Rehman)  
Member(J)  
Camp Court, Swat

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 6622 /2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/06/2021	<p>The appeal of Mst. Nabila Begum resubmitted today by Syed Abdul Haq Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing to be put up there on <u>20/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Mst. Nabila Begum D/o Ghulam Muhammad D.M GHS Rehanpur District Dir-  
lower received today i.e. on 27.05.2021 is incomplete on the following score which is returned  
to the counsel for the appellant for completion and resubmission within 15 days.

- ① Copy of application mentioned in para-5 of the memo of appeal is not attached with the appeal which may be placed on it.
- ② Copy of promotion order dated 4.1.2021 is not attached with the appeal which may be placed on it.
- 3- Page no. 30 & 31 of the appeal are illegible which may be replaced by legible/better one.
- ④ Appeal has not been flagged/marked with annexures' marks.
- 5- Two more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 904 /S.T,

Dt. 28/05 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Syed Abdul Haq Adv. Swat.

*Sis*

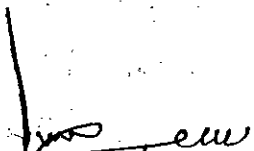
*Re Submitted after Completion  
Please Put in their Court.*

② objection seen on Page 38

  
Syed Abdul Haq


*Objections no. 1, 2 + 4 are still stands.  
Therefore, the appeal is returned again to  
the counsel for the appellant for completion  
and resubmission within 15 days.*

no. 990 /S.T  
dt. 15/06 /2021

  
Registrar

R/sir

The case may kindly be  
place / fixed to the Bench  
further you states that there  
is ~~not~~ no such Senivity list  
4.11.21 however the relevant Senivity  
list 13/11/21 is available on page 38  
of the petition so the case may kindly  
before along with objections.

  
Syed Abdul Haq



05.10.2021

Toseef Khan, brother of appellant on behalf of appellant present.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Muhammad Usman ADEO for respondents present.

Reply on behalf of respondents is still awaited. Representative of resp

ondents made a request for time to furnish reply/comments; Last chance is given with direction to furnish the same within 10 days in office positively. To come up for arguments 07.12.2021 before D.B at Camp Court, Swat.

(Atiq-ur Rehman Wazir)  
Member(E)  
Camp Court, Swat

(Rozina Rehman)  
Member(J)  
Camp Court, Swat

**BEFORE SERVICE TRIBUNAL KPK, PESHAWAR**

6622  
Service Appeal No. \_\_\_\_\_/2021

Mst. Nabila Begum .....Petitioner

Versus

Government of Pakistan & others .....Respondents

**INDEX**

S.No.	Description	Annexures	Pages
1.	Copy of service appeal		1-6
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3.	Addresses of the parties		8
4.	Copy of Advertisement		9
5.	Copy of appointment order and charge report	A & B	10-12
6.	Copy of seniority list for year 2019/20 where appellant was placed at serial No.7	C	13
7.	Copy of appointment of private respondents		14-15
8.	Copy of alleged seniority list where appellant was placed at serial No.21		16-18
9.	Copy of writ petition No. 2093/7		19-24
10.	Copy of judgment dated 28/06/2012		25-29
11.	Copy of Judgment of Supreme Court of Pakistan		30-31
12.	Copy of Service Appeal with judgment		32-37
13.	Copy of alleged promotion order		38-39
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16.	Wakalat nama		42

Appellant

Through



SYED ABDUL HAQ  
Advocate

Supreme Court of Pakistan  
Cell No. 0311-0950959

(1)

## BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. \_\_\_\_\_/2021

Mst. Nabila Begum Daughter of Ghulam Muhammad Resident of Odegram Tehsil Balambat District Dir Lower. (posted as D.M) in GGMS Rehanpur Now upgraded to GGHS Rehanpur.  
..... Appellant

### VERSUS

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Civil Secretariat Peshawar
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Female) District Dir Lower at Timergara
- 4) Mst. Gul Naz Begum Dauhter of Amir Azam Khan Resident of Karzina Tehsil Balambat (posted as D.M) at GGMS Malakabad
- 5) Mst. Rabia Sultan Dauther of Jehan Bacha resident of Karzina Malakand (posted as D.M) at GGMS Khema Tehsil Balambat ..... Respondents

**APPEAL UNDER SECTION 4 OF THE GOVT. OF**  
**KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL**  
**ACT, 1974 AGAINST THE ILLEGAL, UNLAWFUL**  
**ACTION WHEREIN THE APPELLANT WAS**  
**DROPPED FROM PROMOTION TO THE POST OF**

**SDM (BPS-16) VIDE IMPUGNED PROMOTION**

**ORDER DATED 13.01.2021**

**PRAYER IN APPEAL**

*On acceptance of this appeal, the impugned promotion order dated 13.01.2021 may kindly be declared as illegal, unlawful, against the spirit of law & be set aside, & the appellant be promoted to the post of SDM as per her entitlement being senior to the private respondents and also be awarded all the back benefits as per law.*

Respectfully Sheweth;

The facts of the instant are as under.

1. That the appellant is bonafide resident of Odigram Tehsil Balambat District Dir Lower, having high qualification, was selected by the Selection committee and was appointed as D.M (Drawing Master) vide office order

dated 17.12.2012 moreover, she assumed the charge of such post on 01.03.2013 (Copies of order dated 17.12.2012 and charge assumption dated 01.03.2013 are attached as annexure- A and B respectively)

2. That the private respondents who were appointed on 20.6.2013 though junior to the appellant as per appointment order (enclosed as annexure-C).

3. That the official respondents issued a tentative seniority list of Female Drawing Master teachers wherein the appellant was not listed, although the private respondents being junior to the appellant were placed at serial No. 3 and 4 of the said allege tentative seniority list, *and appellant challenge the same* (Copy of tentative seniority list is attached).

4. That some of the colleagues of appellant has filed a writ petition for seeking appointment which was allowed by the Peshawar High Court Mingora Bench, vide Judgment dated 28.06.2012, however the same was challenged before the apex Court but was dismissed, furthermore, the private respondents filed service appeals bearing No. 68/2014 and 71/2014 before this honourable tribunal

wherein this tribunal hold/directed the respondent department to prepare their seniority list according to rules. (Copy of the judgment of this Honourable tribunal in service appeal 51/2014 is attached May be considered part of this petition)

5. That the appellant file an application before Respondent No.3 for correction/enlisting her name in the in question but no response whatsoever was given to the appellant, however In the meanwhile respondent No.3 Issued promotion order bearing No. 12397-13429 dated 13.01.2021. (Copy of allege promotion order is attached as annexure-D)

6. That after the appellant filed an appeal before the respondent No.2 on 28.01.2021 impugning the promotion order but till date the official respondent failed to respond, so the appellant having no other remedy except to file the instant appeal inter alia on the following grounds amongst orders. (Copy of appeal before Respondent No.2 is attached).

**GROUND**

- A. That the act of respondent as dropping the appellant from promotion in spite of her entitlement is unlawful, against the rules, policy hence, liable to be set at naught.
  
- B. That the appellant was appointed on 27.12.2012 while the private respondents were promoted to the Post of SDM though they were appointed on 20.06.2013 being junior so, such act of official respondents is based on mala fide and due to such allege act the seniority of the appellant has been badly effected so the promotion order to the extent of appellant is not maintainable.
  
- C. That when a civil servant was eligible for promotion to the next higher grade but had been ignored and other ineligible candidates were promoted, then this Honourable tribunal has ample power to redress the grievances of such civil servant.
  
- D. That denial of promotion to the appellant as no inquiry pending against her but even then the appellant was deprived of her seniority and promotion, however, the

appellant is entitled to be promoted from the date when her junior were promoted.

E. That under the promotion policy when a civil servant has been superseded by promoting her juniors without any reason, so this honourable tribunal as well as apex Court of Pakistan has safeguarded the rights of appellant that no one is above the law and all the employees be treated alike.


F. That further grounds with leave of this honourable Court would be raised at the time of arguments.

*On acceptance of this appeal, the impugned promotion order dated 13.01.2021 may kindly be declared as illegal, unlawful, against the spirit of law & be set aside, & the appellant be promoted to the post of SDM as per her entitlement being senior to the private respondents and also be awarded all the back benefits as per law*

Appellant

Through

Counsel

  
SYED ABDUL HAQ,  
Advocate Supreme Court.



**BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Nabila Begum.....Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary E&SE & others  
.....Respondents

***Affidavit***

*I, Tauseef Ahmad Son of Ghulam Muhammad resident of Odigram Tehsil Balambat District Dir Lower, do hereby affirm that the contents of the above titled Service Appeal are true and correct to the best of my knowledge and belief and nothing is concealed from this honourable Tribunal.*

**DEPENDENT**

(CNIC \_\_\_\_\_)

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No. \_\_\_\_\_/2021

Mst. Nabila Begum.....Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary E&SE & others  
.....Respondents

**ADDRESSES OF THE PARTIES**

**APPELLANT**

Mst. Nabila Begum Daughter of Ghulam Muhammad Resident of Odegram Tehsil Balambat District Dir Lower. (posted as D.M) in GGMS Rehanpur Now upgraded to GGHS Rehanpur.

CNIC: MOB: 0345-555-0682

**RESPONDENTS**

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Civil Secretariat Peshawar
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Female) District Dir Lower at Timergara
- 4) Mst. Gul Naz Begum Dauhter of Amir Azam Khan Resident of Karzina Tehsil Balambat (posted as D.M) at GGMS Malakabad
- 5) Mst. Rabia Sultan Dauhter of Jehan Bacha resident of Karzina Malakand (posted as D.M) at GGMS Khema Tehsil Balambat

**Appellant, through Counsel**



**SYED ABDUL HAQ (ASC)  
HIGH COURT DARULQAZA  
BAR ROOM SWAT  
Cell No 03110950959**

A number 70 A

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-9

# بوٹیوں کی طرح دکھانے سے لڑنا

خبردارن انقلابی لڑنے میں تیار رہیں۔ لڑنے میں تیار رہیں۔ لڑنے میں تیار رہیں۔

گوریلا جنگ کا آغاز ہوا۔ گوریلا جنگ کا آغاز ہوا۔ گوریلا جنگ کا آغاز ہوا۔

اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔

Aaj. The Largest Circulated Publication of NWFP

# آج

روزنامہ

پشاور

پاکستان

عبدالاحد پتینی

19 جولائی 2007ء - 22 جولائی 2007ء - 1428 - 136

39

# آج

اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔

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## درخواستیں مطلوب ہیں

گورنمنٹ ایجوکیشن سروس (جی ایس ایس) کے لیے درخواستیں قبول کرنا شروع کر دی گئی ہیں۔

سری نمبر	آئی ایس ای	سیکل	تعداد
1	DM (گورنمنٹ سروس)	DM FAFSc	08
2	TT (گورنمنٹ سروس)	DM FAFSc	14
3	AT (گورنمنٹ سروس)	DM FAFSc	15
4	Qat (گورنمنٹ سروس)	DM FAFSc	07
5	PST (گورنمنٹ سروس)	DM FAFSc	07
6	کیڑا پڑا (گورنمنٹ سروس)	DM FAFSc	10



لوگوں کو ترقی دینا۔ لوگوں کو ترقی دینا۔ لوگوں کو ترقی دینا۔

اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔

Year	Exam	Merit	Post
18-03-2007	B.ED/CT/PTC	4000	DM
12-03-2007	B.ED/CT/PTC	4000	TT/AT/Qat
09.03.2007	AT least 2nd class FAFSc with statistic, Economics/mathematics physics as on of the subjects and one year diploma in computer science/IT from any recognised technical board/university/Govt.Institutions.	10	PST/EFA Trs. Computer Open

A this text

گوریلا جنگ کا آغاز ہوا۔ گوریلا جنگ کا آغاز ہوا۔ گوریلا جنگ کا آغاز ہوا۔

اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔ اسرائیلیوں کے خلاف لڑنا۔



OFFICE OF THE  
EXECUTIVE DISTRICT OFFICER  
(E&SE)DIR LOWER.

OFFICE ORDER:

Consequent upon the recommendation / approval of the Departmental Selection Committee (Elementary & Secondary Education) Dir Lower in its meeting held on 18/12/2012, the following Female candidates are hereby appointed as Drawing Mistress in BPS-15 (Rs.8500-700-29500) plus usual allowances as admissible to them under the rules, against the vacant posts at the schools noted against their names with effect from 01/03/2013(after expiry of winter vacation), in the interest of public service subject to the following terms and conditions.

S#	NAME	FATHER'S NAME	RESIDENCE	MERT	SCHOOL WHERE APPOINTED
1.	Shahi Parveen	Wasiur-Rahman	Paito	50.25	GGMS Tangi T/Gara A.V.Post
2.	Nabila Begum	Ghulam Muhammad	Odigram	49.40	GGMS Rehanpur A.V.Post
3.	Ishrat Begum	Muhammad Obaidullh Khan	Koto	48.16	GGHS Koto A.V.Post

TERMS AND CONDITIONS:

- 1.They will be governed by such rules and regulations as may be prescribed by the government from time to time for the category of government servants to which they belong.
- 2.Their appointments are purely on temporary basis liable to termination at any time without notice. In case leaving the service, they shall be required to submit one month prior notice OR deposit one month's pay in to government treasury in lieu thereof.
- 3.They are directed to produce their Health & Age certificate from the Civil Surgeon Dir lower at Timergara.
- 4.The appointment of the candidates mentioned above is subject to the condition that they are domiciled in District Dir Lower.
- 5.NO TA/DA will be paid to them on joining the post.
- 6.Their age may not exceed 35 years or below 18 years.
- 7.Charge reports should be submitted to all concerned,
- 8.Drawing & Disbursing Officers concerned are directed to collect photo copies of their testimonials along with verification fees and submit the same to the office of the undersigned for further verification from the institutions concerned.
- 9.This office will issue clearance certificate regarding verification of documents and release of pay, till then their pay may not be released.
- 10.This order is issued, errors and omissions accepted, as a notice only.
- 11.80 % candidates have been initially recruited from amongst those candidates who have qualified ETEA test for the purpose purely on merit.
- 12.They shall be on probation for a period of two years which is extendible to one year more.
- 13.They will get all the benefits of civil servants except GP Fund, pension & gratuity vide letter No.6.(E&AD)1-13/2006 dated 10-8-2005 and Act 2003.NWFP 23-7-2005.
- 14.They are directed to take over charge w.e.f 01/03/2013.

(MAHMOOD ASLAM WAZIR)  
DISTRICT CO-ORDINATION OFFICER  
DIR LOWER

27/12/2012

Gum

dost; No. 22750-56 /Estab;/2012/19-21 Dated Timergara the 27/12 /2012

py of the above is forwarded to:

1. The PS to Secretary Elementary & Secondary Education Department Khyber Pukhtunkhv Peshawar.
2. The Director Elementary & Secondary Education Khyber Pukhtunkhwa, Peshawar.
3. The District Coordination Officer, Dir Lower.
4. The District Account Officer, Dir Lower.
5. The Distt;Officer(M) Local office.
6. All the Principals / Head Mmistress-Concerned.
- 7.- The Candidates concerned.

  
**EXECUTIVE DISTRICT OFFICER  
(E&SE) DISTRICT DIR LOWER.**



CHARGE REPORT

Reference to Letter No. 22750-56/Estab;/2012/19-21 Dated: Timergara the 27/12/2012, From EDO Office (E&SE) Timergara District Dir Lower, I Miss Nabila Begum D/O Shulam Muhammad took over charge of my duties as DM at GGMS Rehanpur Dir Lower on 01/03/2013 before noon.

(12)

*Nabila*

Nabila Begum  
DM GGMS Rehanpur  
Date: 01/03/2013

Head Mistress  
GGMS Rehanpur  
Date: 01/03/2013

Copy to:

DDEO (F) E&SE Timergara Dir Lower

*MS*

(13)

Seniority List 2019-20

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DIR LOWER AT TIMERGARA												
Tentative Seniority List of Female DM Teachers BPS-15 on 23-10-2019												
S#	Name of School	Name of Teacher	Father Name	Domicile	BPS	Acadmic Qual;	BA Div;	Prof; Qual;	D.O Birth	D.O.1st App; in Edu Deptt;	D.O Reg; Aptt:against the Post	D.O taking O/C against the present Post
1	GGMS Asigai	Nirgas	Amin Ullah	Dir Lower	B-15	MA		DM/Bed	01/03/1965	15/08/1995	15/08/1995	15/08/1995
2	GGHS Khadagzai	Nihayat Bibi	Khan Nazif	Dir Lower	B-15	BA		DM	01/05/1975	01/02/1997	13/05/1997	13/05/1997
3	GGMS Bajowaro (T)	Tasleem Bibi	Ahmad Jalal	Dir Lower	B-15	MA	2nd	DM B.Ed	01/05/1977	01/07/1997	29/03/2001	29/03/2001
4	GGMS Khall Payeen	Rabi Naz	Jehan Badshah	Dir Lower	B-15	BA	2nd	DM	14/01/1985	21/08/2007	21/08/2007	21/08/2007
5	GGMS Qazi Abad	Farzana Kanwal	M. Mushfiq Khan	Dir Lower	B-15	F.A		DM	04/03/1983	21/08/2007	21/08/2007	21/08/2007
6	GGHS Tikas Brangi	Kalsoon	Muhammad Shad	Dir Lower	B-15	MA (Islamiyat)	2nd	DM B.Ed	01/01/1985	24/08/2007	24/08/2007	24/08/2007
7	GGHS Rehanpur	Nabila Begum	Ghulam Muhammad	Dir Lower	B-15	BA		DM		27/012/2012	27/012/2012	27/012/2012
8	GGHSS Koto	Ishrat Begum	Muhammad Obaidullah	Dir Lower	B-15	BA		DM		27/012/2012	27/012/2012	27/012/2012
9	GGHS Malakand	Gul Naz Begum	Amir Azam Khan	Dir Lower	B-15	BA		DM	28/02/1986	20/06/2013	20/06/2013	20/06/2013
10	GGMS Kherna	Rabia Sultan	Jehan Badshah	Dir Lower	B-15	BA		DM	10/01/1978	20/06/2013	20/06/2013	20/06/2013
11	GGMS Shaffiam	Fatima Bibi	Rahim nu Din	Dir Lower	B-15	BA		DM	05/08/1984	20/06/2013	20/06/2013	20/06/2013
12	GGHS Tangi Timergara	Tawhid Begum	Noor Ahmad Jan	Dir Lower	B-15	FA		DM	14/18/1977	20/06/2013	20/06/2013	20/06/2013
13	GGMS Warsak	Zahida Begum	Wazir Muhammad	Dir Lower	B-15	FA		DM	01/04/1977	20/06/2013	20/06/2013	20/06/2013
14	GGMS Khongai	Nuzhat Ali	Khair ur Rahman	Dir Lower	B-15	MA		DM/B.Ed/M.Ed	10/08/1980	20/06/2013	20/06/2013	20/06/2013
15	GGHSS Shahtai	Ghazala Shams	Shamsul Haq	Dir Lower	B-15	BA		DM	01/01/1987	20/06/2013	20/06/2013	20/06/2013
16	GGMS Chat Pat	Noorshida	Muhammad Zamin Khan	Dir Lower	B-15	BA		DM/Bed	01/06/1978	20/06/2013	20/06/2013	20/06/2013
17	GGMS Bandagai	Farhana Bibi	Gull Nawaz Khan	Dir Lower	B-15	BA		DM	07/04/1980	20/06/2013	20/06/2013	20/06/2013
18	GGHS Danwa	Faryal Bano	Muhammad Akbar Khan	Dir Lower	B-15	BA		DM/B.Ed	01/03/1987	20/06/2013	20/06/2013	20/06/2013
19	GGMS Khall Colony	Rifat Bibi	Sadullah Khan	Dir Lower	B-15							
20	GGMS Mandash	Fareeda Bibi	Muhammad Gull	Dir Lower	B-15	FA		DM	13/04/1976	20/06/2013	20/06/2013	20/06/2013
21	GGMS KOTKAY MAIDAN	Farzana Tabasum	Muhammad Gull	Dir Lower	B-15							
22	GGMS Baroon	Rabia Bibi	Fazal Amin	Dir Lower	B-15	BA		DM	08/02/1982	20/06/2013	20/06/2013	20/06/2013
23	GGHS Kotkay Payesichel	Hina Sumbal	Muhammad Akbar Khan	Dir Lower	B-15	BA		DM	02/03/1986	20/06/2013	20/06/2013	20/06/2013
24	GGHS Malakand	Salma Bibi	Muhammad Iqbal	Dir Lower	B-15	BA		DM	15/01/1985	20/06/2013	20/06/2013	20/06/2013
25	GGMS Garhra	Mehnaz Begum	Habib Said	Dir Lower	B-15	BA		DM/B.Ed	02/02/1985	20/06/2013	20/06/2013	20/06/2013
26	GGMS Shontia	Shaujat Bibi	Amir Muhammad	Dir Lower	B-15	MA		DM/Bed	16/02/1982	20/06/2013	20/06/2013	20/06/2013
27	GGMS Sarai Bala	Hamayat Shaheen	Shamsul Haq	Dir Lower	B-15	BA		DM	04/06/1983	20/06/2013	20/06/2013	20/06/2013
28	GGMS Makahai	Farha Naz	Habib Said	Dir Lower	B-15	BA		DM	18/08/1979	20/06/2013	20/06/2013	20/06/2013
29	GGMS Takani Payar	Farzana Begum	Naiz Muhammad	Dir Lower	B-15	BA		DM	13/04/1981	22/10/2000	28/10/2014	28/10/2014
30	GGHS Khall	Ayisha Begum	Dilwar Kahn	Dir Lower	B-15	BA		DM	10/03/1986	14/04/2006	28/10/2014	28/10/2014
31	GGHSS Kumbhar	Shabina Bibi	Siad Anwar Shah Jan	Dir Lower	B-15	BA	2nd	DM B.Ed	30/04/1981	27/12/2004	30/10/2014	30/10/2014
32	GGMS Khan Abad	Shehla Bibi	Inayat Ul Haq	Dir Lower	B-15	Ma		DM B.ed	10/04/1988	01/11/2014	01/11/2014	01/11/2014
33	GGMS Sohgalay	Nodia	Siraj Ud din	Dir Lower	B-15	MA		DM	15/02/1979	01/11/2014	01/11/2014	01/11/2014
34	GGHS Bishgram	Naila Begum	Gull Nawaz Khan	Dir Lower	B-15	MA		DM B.ed	02/03/1989	01/11/2014	01/11/2014	01/11/2014

m



OFFICE OF THE  
DISTRICT EDUCATION OFFICER  
FEMALE DISTRICT DIM LOWER.

Tel: 0945-9250063 - 14

0945-9250082

E. mail: emisdilower@yahoo.com

Appointment:-

In pursuance of the direction of the Honorable Apex court of Pakistan in CPLA No.456-P/2012 dated 19/5/2013 the following Female petitioners are hereby appointed as DM in BPS-15 (Rs.8500-700-29500) plus usual allowances as admissible to them under the rules, against the vacant posts at the schools noted against their names from the date decided by August court in the interest of public service, subject to the following terms and conditions:

S#	NAME	FATHERS NAME	RESIDENCE	SESSION	MERIT SCORE	SCHOOL APPOINTED against vacant post	WHERE against
1	Shahi Parveen	Wasir Rahman	Saddo	16/05/2005	41.55	GGMS Toormang	
2	Gul Naz Begum	Amir Azam Khan	Karzina	16/05/2005	40.16	GGMS Malakand(P)	
3	Rabia Sultan	Jahan Badshah	Karzina	16/5/2005	39.46	GGMS Khema	
4	Fatima Bibi	Rahman U Ddin	Shalfalam	16/05/2005	39.02	GGMS Shalfalam	
5	Tawhid Begum	Noor Ahmad Jan	Koto Shah	16/05/2005	37.93	GGMS Tangai T/gara	✓
6	Nagina	Jehan Zeb	Khungi (B)	16/05/2005	35.94	GGMS Narai Tangai	
7	Zahida Begum	Wasir Ahmad	Saddo	16/05/2005	31.49	GGMS Warsak	
8	Farha Naz	Sharif Ahmad	Saddo	18/08/2005	43.04	GGMS Hanafia	
9	Nuzhat Ali	Khairu Rahman	Timergara	18/08/2005	47.54	GGMS Mandish	
10	Najla Bibi	Bahrawar Jan	Shezadi	18/08/2006	46.23	GGMS Sher Khani	
11	Ghazala Shams	Shamsul Haq	S.khawra	18/08/2006	46.09	GGMS Shatal	
12	Noor Sheeda	Muhammad Zamin	Timergara	18/08/2006	45.88	GGMS Chatpat	
13	Farhana Bibi	Gul Nawaz Khan	Shagukas	18/08/2006	42.14	GGMS Bandagal	
14	Faryal Bano	M. Akbar Khan	Saddo	18/08/2006	42.07	GGMS Khan Abad	
15	Rifat Bibi	Sadullah Khan	Khall	18/08/2006	41.14	GGMS Khall Colony	
16	Farida Bibi	Muhammad Gul	Sadugai	18/08/2006	40.8	GGHSS Kumbar	
17	Farzana Tabasum	Muhammad Gul	Sadugai	18/08/2006	40.45	GGMS Kotkal (M)	
18	Rabia Bibi	Fazal Amin	Adokay	18/08/2006	40.32	GGMS Baroon	
19	Hina Sunbal	M. Akbar Khan	Saddo	18/08/2006	39.17	GGMS Kotkal (Phy)	
20	Salma Bibi	Muhammad Iqbal	Piata Dara	18/08/2006	38.63	GGMS Malakand (B)	
21	Mehnaz	Habib Said	Shekowly	18/08/2006	38.44	GGMS Garrah	
22	Sneha Bibi	Amir Muhammad	Sfuntala	18/08/2006	37.2	GGMS Shuntala	
23	Hemayat Shanteen	Shamsul Haq	Dehri (I)	18/08/2006	37.1	GGMS Sarai Bala	
24	Farah Naz	Habib Said	Shekowly	18/08/2006	36.86	GGMS Makhai	

Terms & conditions

1. They will be governed by such rules and regulations as may be prescribed by the government from time to time for the category of government servants to which they belong.
2. Their appointment is purely on temporary basis liable to termination at any time without notice. In case leaving the service, they shall be required to submit one month prior notice OR deposit one month's pay in the government treasury in lieu thereof.

AM



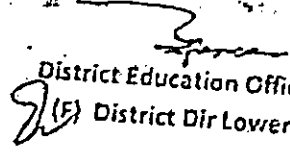
3. They are directed to produce their fitness certificate from the Civil Surgeon Dir Lower at Timergara.
4. The appointment of the candidates mentioned above are subject to the condition that they are having domiciled in district Dir lower.
5. NO TA/DA will be paid to her on joining the post.
6. Charge reports should be submitted to all concerned.
7. Drawing & Disbursing Officers concerned are directed to check / verify their documents from the concerned boards / Institutions before handing over the charge to them.
8. This order is issued, errors and omissions accepted, as notice only.
9. They will get all the benefits of civil servants except pension & gratuity vide letter No.6.(E&AD)1-13/2005 dated 10-8-2005 and Act 2003 NWFP 23-7-2005.

(SABIRA PARVEEN)  
 District Education Officer  
 (F) District Dir Lower

Dated Timergara the 20/06/2013.

Enst: No. 9963-67

- Copy to:-
1. Additional Registrar Supreme Court of Pakistan.
  2. Additional Advocate General Peshawar High Court Peshawar.
  3. The District Accounts Officer Dir lower at Timergara.
  4. The Principals/Headmistress concerned.
  5. The Official concerned.

  
 District Education Officer  
 (F) District Dir Lower

Attested  
 to be true copy



**OFFICE OF THE DISTRICT EDUCATION OFFICER (F) DIR LOWER AT TIMERGARA.**  
Tentative Seniority List of Female DM Teachers BPS-15

Note: All Principal/HMs/Incharges of GGHS/GGHS/GGMS are requested to check all the below mentioned columns, the data if any is missing please properly filled the said columns and submit to DEO Female Office within 3-days i.e(15-08-2200) positively. No appeal will be entertained after the due date.

S#	Name of School	Name of Teacher	Father Name	Domicile	BPS	Acadmic Qual;	BA Div;	Prof: Qual;	D.O Birth	D.O.1st App; in Edu Dept;	D.O Reg; Aptt:against the Post	D.O taking O/c against the present Post	Remarks
1	GGMS Khal Payeen	Rabi Naz	Jehan Badshah	Dir Lower	B-15	BA	2nd	DM	14/01/1985	21/08/2007	21/08/2007	21/08/2007	
2	GGMS Qari Abad	Farzana Kanwal	M. Mushfiq Khan	Dir Lower	B-15	F.A		DM	04/03/1983	21/08/2007	21/08/2007	21/08/2007	
3	GGMS Malakand	Gul Naz Begum	Amir Azam Khan	Dir Lower	B-15	M.A		DM, B.Ed	28/02/1986	20/06/2013	20/06/2013	20/06/2013	✓
4	GGMS Khema	Rabia Sultan	Jehan Badshah	Dir Lower	B-15	BA		DM	10/01/1978	20/06/2013	20/06/2013	20/06/2013	✓
5	GGMS Shaflam	Fatima Bibi	Rahim nu Din	Dir Lower	B-15	BA		DM	05/06/1984	20/06/2013	20/06/2013	20/06/2013	
6	GGHS Tangi Timergara	Tawhid Begum	Noor Ahmad Jan	Dir Lower	B-15	BA		DM	14/13/1977	20/06/2013	20/06/2013	20/06/2013	
7	GGMS Warsak	Zahida Begum	Wazir Muhammad	Dir Lower	B-15	FA		DM	01/04/1977	20/06/2013	20/06/2013	20/06/2013	
8	GGMS Khungal	Nuzhat Ali	Khair ur Rahman	Dir Lower	B-15	MA		DM/B.Ed/M.Ed	10/08/1980	20/06/2013	20/06/2013	20/06/2013	
9	GGHS Shahtai	Ghazala Shams	Shamsul Haq	Dir Lower	B-15	M.A		DM, B.Ed/M.Ed	01/01/1987	20/06/2013	20/06/2013	20/06/2013	
10	GGMS Chat Pat	Noorshida	Muhammad Zaman Khan	Dir Lower	B-15	BA		DM/Bed	01/06/1978	20/06/2013	20/06/2013	20/06/2013	
11	GGMS Bandagai	Farhana Bibi	Gull Nawaz Khan	Dir Lower	B-15	BA		DM	07/04/1980	20/06/2013	20/06/2013	20/06/2013	
12	GGMS Danwa	Faryal Bano	Muhammad Akbar Khan	Dir Lower	B-15	BA		DM/B.Ed	01/03/1987	20/06/2013	20/06/2013	20/06/2013	
13	GGMS Mandash	Fareeda Bibi	Muhammad Gull	Dir Lower	B-15	FA		DM	13/04/1976	20/06/2013	20/06/2013	20/06/2013	
14	GGMS Baroon	Rabia Bibi	Fazal Amin	Dir Lower	B-15	BA		DM	08/02/1982	20/06/2013	20/06/2013	20/06/2013	
15	GGHS Kotkay Payeechel	Hina Sumbal	Muhammad Akbar Khan	Dir Lower	B-15	BA		DM	02/03/1986	20/06/2013	20/06/2013	20/06/2013	
16	GGHS Malakand	Salma Bibi	Muhammad Iqbal	Dir Lower	B-15	BA		DM	15/01/1985	20/06/2013	20/06/2013	20/06/2013	
17	GGMS Garhra	Mehnaz Begum	Habib Said	Dir Lower	B-15	BA		DM/B.Ed	02/02/1985	20/06/2013	20/06/2013	20/06/2013	
18	GGMS Shontlla	Shaujat Bibi	Amir Muhammad	Dir Lower	B-15	MA		DM	16/02/1982	20/06/2013	20/06/2013	20/06/2013	
19	GGMS Sarai Bala	Hamayat Shaheen	Shamsul Haq	Dir Lower	B-15	BA		DM	04/06/1983	20/06/2013	20/06/2013	20/06/2013	
20	GGMS Makahal	Farha Naz	Habib Said	Dir Lower	B-15	BA		DM	18/08/1979	20/06/2013	20/06/2013	20/06/2013	due court case
21	GGHS Rehanpur	Nabila Begum	Ghulam Muhammad	Dir Lower	B-15	BA		DM	03/04/1987	27/12/2012	01/03/2013	27/12/2012	due court case
22	GGHS Koto	Ishrat Begum	Muhammad Obaidullah	Dir Lower	B-15	BA	3rd	DM	16/02/1982	27/12/2012	01/03/2013	27/12/2012	
23	GGMS Takand Payan	Farzana Begum	Naz Muhammad	Dir Lower	B-15	BA		DM	13/04/1981	22/10/2000	28/10/2014	28/10/2014	
24	GGMS Khal	Ayisha Begum	Dilwar Kahn	Dir Lower	B-15	BA	2nd	DM	10/03/1986	14/04/2006	28/10/2014	28/10/2014	
25	GGHS Kumber	Shabina Bibi	Stad Anwar Shah Jan	Dir Lower	B-15	MA		DM B.Ed	30/04/1981	27/12/2004	30/10/2014	30/10/2014	
26	GGMS Khan Abad	Shehla Bibi	Inayat Ul Haq	Dir Lower	B-15	MA		DM	10/04/1988	01/11/2014	01/11/2014	01/11/2014	
27	GGMS Sohgalay	Nadia	Siraj Ud din	Dir Lower	B-15	MA		DM	15/02/1979	01/11/2014	01/11/2014	01/11/2014	
28	GGHS Bishgram	Naila Begum	Gull Nawaz Khan	Dir Lower	B-15	MA		DM B.ed	02/03/1989	01/11/2014	01/11/2014	01/11/2014	
29	GGMS Lajbook	Seema Gull		Dir Lower	B-15	MA		DM, B.Ed		01/11/2014	01/11/2014	01/11/2014	
30	GGMS Khal Colony	Adila	Fazal Qahar	Dir Lower	B-15	MA		DM	31/12/1981	01/11/2014	01/11/2014	01/11/2014	
31	GGMS Hanfia	Nageena Begum	Rahim nu Din	Dir Lower	B-15	MA		DM	12/06/1989	01/11/2014	01/11/2014	01/11/2014	
32	GGMS Daroo Maidan	Khashia Begum	Zinul Abideen	Dir Lower	B-15	MA		DM	05/01/1987	01/11/2014	01/11/2014	01/11/2014	
33	GGHS Inzaro	Salma	Hussan Muhammad	Dir Lower	B-15	MA		DM	27/04/1984	01/11/2014	01/11/2014	01/11/2014	
34	GGMS Daro Ramora	Ghazala Naz	Fathe Khon	Dir Lower	B-15	MA		DM B.ed	30/12/1986	01/11/2014	01/11/2014	01/11/2014	

Distt. Education Officer  
Dir Lower (L)

Attestat  
(Signature)

16


S#	Name of School	Name of Teacher	Father Name	Domicile	BPS	Acadmic Qual;	BA Div;	Prof; Qual;	D.O .Birth	D.O.1st App; In Edu Dept;	D.O Reg; Aptt:against the Post	D.O taking O/C against the present Post	Remarks
35	GGHS Zindara	Sumaira Bibi		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
36	GGMS Sodbar Kalal	Alia Begum	Gul Nawaz	Dir Lower	B-15	MA		DM	04/02/1988	01/11/2014	01/11/2014	01/11/2014	
37	GGMS Seer Tormang	Ruqla Begum	Zinul Abideen	Dir Lower	B-15	MA		DM	15/11/1988	01/11/2014	01/11/2014	01/11/2014	
38	GGMS Jongo	Fazilat		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
39	GGMS Safigram	Taj Begum	M.Kareem	Dir Lower	B-15	MA		DM,CT	13/04/1990	01/11/2014	01/11/2014	01/11/2014	
40	GGMS Maskani	Nahida Begum		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
41	GGMS Atto	Malak Fakhra Naz	Malak Wazir Zada	Dir Lower	B-15	BA		DM	24/12/1981	01/11/2014	01/11/2014	01/11/2014	
42	GGMS Shal Kandai	Zainab Begum	M.Zamin Khan	Dir Lower	B-15	MA		DM	13/04/1992	01/11/2014	01/11/2014	01/11/2014	
43	GGMS Adam Dheri	Bushra Ghafoor	Muhammasd Ghafoor	Dir Lower	B-15	MA		DM B.Ed	19/04/1985	01/11/2014	01/11/2014	01/11/2014	
44	GGHS Beyaral	Rukhsana Nasir	Nasir Ul Haq	Dir Lower	B-15	MA		DM,B.ed	01/02/1985	01/11/2014	01/11/2014	01/11/2014	
45	GGHS Samarbagh	Uzma Sundass	M.Naeem	Dir Lower	B-15	MA		DM	14/08/1986	01/11/2014	01/11/2014	01/11/2014	
46	GGMS kando Machla	Faiza Faiz	Feez Muhammad	Dir Lower	B-15	MA		DM/B.Ed/M.Ed	13/10/1979	01/11/2014	01/11/2014	01/11/2014	
47	GGMS Ajabay	Hidayat Begum	Fatih Muhammad	Dir Lower	B-15	MA		DM/B.Ed/M.Ed	04/03/1985	01/11/2014	01/11/2014	01/11/2014	
48	GGHS Moranai	Shazia Aziz	Aziz Ullah	Dir Lower	B-15	BA		DM	23/03/1981	01/11/2014	01/11/2014	01/11/2014	
49	GGMS Khair Abad	Ghausla Khan	Qareeb Ullah	Dir Lower	B-15	BA		DM	03/10/1988	01/11/2014	01/11/2014	01/11/2014	
50	GGMS Matoro	Shabina Saeed	Saeed Khan	Dir Lower	B-15	BA		DM	01/05/1988	01/11/2014	01/11/2014	01/11/2014	
51	GGMS Bagh Kandai	Salma Israr	M.Israr	Dir Lower	B-15	MA		DM,B.ed	10/01/1985	01/11/2014	01/11/2014	01/11/2014	
52	GGHS Manyal	Lubna Begum	Mubarak Saïd	Dir Lower	B-15	BA		DM	01/03/1987	01/11/2014	01/11/2014	01/11/2014	
53	GGMS Markhani	Sakma Bibi	Fati ur Rehman	Dir Lower	B-15	MA		DM, B.Ed,M.Ed	04/02/1989	01/11/2014	01/11/2014	01/11/2014	
54	GGMS Likor Kambot	Abida	Muhib Ullah	Dir Lower	B-15	BA		DM	30/12/1990	01/11/2014	01/11/2014	01/11/2014	
55	GGMS Toormang	Uzma Balg	Amir Ul Haq	Dir Lower	B-15	MA		DM	08/05/1987	01/11/2014	01/11/2014	01/11/2014	
56	GGMS Bandal Maidan	Saimon Huma		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
57	GGMS Tekni Bala	Salca		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
58	GGMS Terona	Nagina Bibi	Amir Baz Khan	Dir Lower	B-15	MA		DM	12/04/1986	01/11/2014	01/11/2014	01/11/2014	
59	GGMS Galkor	Shabina bibi	Muhammad Wali	Dir Lower	B-15	BA		DM	05/12/1983	01/11/2014	01/11/2014	01/11/2014	
60	GGHS Tall Sai	Shaheen Kanwal	Khan Muhammad	Dir Lower	B-15	BA		DM	10/10/1982	01/11/2014	01/11/2014	01/11/2014	
61	GGMS Shagai	Uma Bibi		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
62	GGMS Bomboli	Fauheed Ahmad		Dir Lower	B-15					01/11/2014	01/11/2014	01/11/2014	
63	GGMS MusaAbad	HAMEEDA BEGUM	Muhammad Zamin Khan	Dir Lower	B-15	MA		DM	14/02/1984	14/03/2015	14/03/2015	14/03/2015	
64	GGMS Dehral	ROBINA SALMA RAHMA	Ghawsu Rahman	Dir Lower	B-15	MA		DM	04/01/1991	14/03/2015	14/03/2015	14/03/2015	
65	GGMS Babagam	NERGUS BEGUM	Zinul Abideen	Dir Lower	B-15	MA		DM B.Ed	15/02/1984	14/03/2015	14/03/2015	14/03/2015	
66	GGMS ToorQ'ila	SUNDAS HANIF	Hanif ur Rahman	Dir Lower	B-15	BA		DM	08/12/1992	14/03/2015	14/03/2015	14/03/2015	
67	GGMS Mina Betan	SHABANA	Bahar Sher	Dir Lower	B-15	MA		Dir B.Ed	10/03/1982	14/03/2015	14/03/2015	14/03/2015	
68	GGHS Mian Barngola	MEHNAZ AKHTAR	M.Gull	Dir Lower	B-15	MA		DM,B.ed	05/07/1982	14/03/2015	14/03/2015	14/03/2015	
69	GGMS Beroo	SUMERA	Sata ud Din	Dir Lower	B-15	MA		DM	04/03/1985	14/03/2015	14/03/2015	14/03/2015	
70	GGMS Band Ouch	FAZEELAT BIBI	Muhammad Wali	Dir Lower	B-15	MA		DM B.Ed	03/03/1987	14/03/2015	14/03/2015	14/03/2015	
71	GGMS Banda Talash	ROBINA BEGUM		Dir Lower	B-15					14/03/2015	14/03/2015	14/03/2015	
72	GGHS Dantal	SHABANA UZMA	Amir Azam Khan	Dir Lower	B-15	MA		DM,B.ed	10/04/1990	14/03/2015	14/03/2015	14/03/2015	

Attended  
10-06-2015

Dir: M. W. Khan  
10-06-2015

81-

Sr	Name of School	Name of Teacher	Father Name	Domicile	BPS	Acadmic Qual;	BA Div;	Prof; Qual;	D.O .Birth	D.O.1st App; In Edu Dept;	D.O Reg; Appt: against the Post	D.O taking O/C against the present Post	Remarks
73	GGHS Tawda China	SANAM	Said Bakhat Zamin	Dir Lower	B-15	MA		DM	15/05/1987	14/03/2015	14/03/2015	14/03/2015	
74	GGMS LARAM	ASMA SHEHZADI	Abdul Qahar	Dir Lower	B-15	MA		DM/B.Ed	05/04/1989	14/03/2015	24/04/2015	24/04/2015	
75	GGMS SARGOLAI	DILSHAD BEGUM	Sahib Ud Din	Dir Lower	B-15	MA		DM	20/02/1984	14/03/2015	24/04/2015	24/04/2015	
76	GGMS BOCHAKAY	NAZIA ALAM	AJam Slad	Dir Lower	B-15	MA		DM	02/03/1985	14/03/2015	24/04/2015	24/04/2015	
77	GGMS Naral Tangl	ASMA GUL	Taj Ud Din	Dir Lower	B-15	MA		DM	22/06/1991	05/03/2016	05/03/2016	05/03/2016	
78	GGMS Darmal Paycen	FOUWZIA BEGUM	Ahmad Gul	Dir Lower	B-15	MA		DM	06/06/1983	05/03/2016	05/03/2016	05/03/2016	
79	GGMS Salaray Maidan	NASMA NOOR		Dir Lower	B-15					05/03/2016	05/03/2016	05/03/2016	
80	GGMS GALL	SHABANA DARSHKHAN	Wazir Muhammad	Dir Lower	B-15	MA		DM	12/06/1986	25/04/2016	25/04/2016	25/04/2016	
81	GGHS MUNDA	NAFEESA SARDAR	Sardar Abdul Hakim	Dir Lower	B-15	MA		DM	28/02/1983	28/03/2017	28/03/2017	28/03/2017	
82	GGMS BARKHANAY	AZRA BEGUM		Dir Lower	B-15					28/03/2017	28/03/2017	28/03/2017	
83	GGMS KOTKAY MAIDAN	AZRA SARDAR		Dir Lower	B-15					28/03/2017	28/03/2017	28/03/2017	
84	GGMS OUCH MIANA	NASRA SULTAN	Ahmad Sultan	Dir Lower	B-15	MA		DM	04/05/1990	28/03/2017	28/03/2017	28/03/2017	
85	GGMS AJOD	SUMAIRA BIBI		Dir Lower	B-15					28/03/2017	28/03/2017	28/03/2017	
86	GGMS KOWARO MANAI	ASIA		Dir Lower	B-15					28/03/2017	28/03/2017	28/03/2017	
87	GGMS DALGRAM	SEEMA	Fatih Rahman	Dir Lower	B-15	BSC		DM	01/09/1990	28/03/2017	28/03/2017	28/03/2017	
88	GGMS DARMAL BALA	PUKRAJ	Fazal Khaq	Dir Lower	B-15	MA		DM B.Ed	17/04/1987	28/03/2017	28/03/2017	28/03/2017	
89	GGMS Tikhal	GHAZALA ANJUM	Muhammad Afzal Khan	Dir Lower	B-15	MA		DM	10/03/1986	13-05-2017	13-05-2017	13-05-2017	

  
 District Education Officer, Kotliana officer,  
 Dir Lower Dist. (L)  
 (D) Dist: Dir (L)

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- 12 -

19

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

- 19

W.P.No. 2093 of 2007

1. Khaista Rehman S/o Fateh Rehman  
R/O Inzaro situated within the limits of Dushkhel,  
Tehsil Timergara, District Dir Lower.
2. Muhammad Ishaq S/O Habib Said  
R/O Shikawlai, Tehsil Timergara District Dir Lower.
3. Rehman Said S/O Gul Said R/O Tora Teega,  
Tehsil Timergara District Dir Lower. . . . . Petitioners

Versus

1. Executive District Officer, Schools and Literacy,  
District Dir Lower.
2. District Coordination Officer Dir Lower at Timergara.
3. Director of Schools and Literacy NWFP, Peshawar.
4. Govt. of NWFP Schools and Literacy Department, through  
Secretary Schools and Literacy, NWFP, Peshawar.
5. Muhammad Jamal Khan S/o Muhammad Asif Khan  
R/O Khaal, Bar Kaley, Tehsil Khaall District Dir Lower.
6. Noor Zamin S/O Bakht Sher  
R/O Sia Tehsil Adinzai, District Dir Lower.
7. Azam Khan S/O Mashooq Ahmad  
R/O Shalam Baba, Tehsil Balambat, District Dir Lower.
8. Islam Bahadar S/O Khan Bahadar  
R/O Hisarak Tehsil Adenzai, District Dir Lower.
9. Habibullah S/O Fateh Mehmood  
R/O Gumbatai, Maidan, Tehsil Lal Qila, District Dir Lower.

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A

- 10. Bakht Barzeb S/O Alam Zeb  
R/O Peto Darra, Tehsil Timergara District Dir Lower.
- 11. Parhaizgar S/O Ahmad  
R/O Ouch, Tehsil Adinzai District Dir Lower.
- 12. Ahmad Hussain S/O Fazal Ghafoor  
R/O Battan, Tehsil Adenzai, District Dir Lower.
- 13. Rehman Akhtar S/O Akhtar Gul R/O Ouch,  
Tehsil Adinzai District Dir Lower. . . . . Respondents

(20)

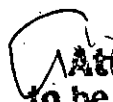
Through  
order of  
this court  
dated 23-2-12  
the following  
names are  
impleaded as  
respondents.  
P.T.O

\_\_\_\_\_  
**PETITION UNDER ARTICLE 199 OF THE  
 CONSTITUTION OF THE ISLAMIC REPUBLIC OF  
 PAKISTAN, 1973 AS AMENDED UPTO DATE.**  
 \_\_\_\_\_

*Respectfully Sheweth,*

Brief facts giving rise to this writ petition:-

- 1. That the department of respondents No.1 to 4 through respondent No.1 published an advertisement inviting applications for recruitment of trained drawing masters in the Schools and Literacy Department, providing qualifications as FA, F.Sc with DM. (Copy of the advertisement is attached as Annexure "A").
- 2. That the petitioners who were qualified and trained drawn masters applied to respondent No.1 for their recruitment as drawn masters and accordingly the petitioners submitted their academic record showing their respective qualifications. (Copy of the academic record of petitioner No.1 is attached as Annexure "B to "B/8" respectively, copy of academic record of petitioner No.2 namely Muhammad Ishaq is attached as Annexure "C to C/6" respectively while copy of the academic record of petitioner No.3 is attached as Annexure "D to D/6" respectively).

  
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- 21
- (14) Latifur Rahman s/o Mohammad Rahman.
  - (15) Mohammad Nurhan s/o Mohammad Usman.
  - (16) Karamuddin s/o Shafiuddin Khan
  - (17) Yasinullah s/o Abdur Rahman
  - (18) Alamzeb Khan s/o Zardad Khan
  - (19) Jfti Khan s/o Jehanzeb Khan.
  - (20) Mst: Nabila Begum s/o Ghul Mohammad  
Residents of P.O. Lower Through  
Council Abhtar Numeer Khan ADVOCATE  
Zahoor Market New Road Mirjora Swat.

/s/

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3. That after testing the petitioner in written test the petitioners' names were displayed in the merit list, prepared by respondent No.1 and the petitioners qualified the test. (Copy of the merit list showing the petitioners to have qualified the test is attached as Annexure "E").
4. That later on the petitioners were not invited for interview and in the meanwhile respondent No.1 passed the impugned order dated 22.08.2007 by virtue of which respondents No.5 to 13 were appointed as Drawing Masters and the petitioners were ignored and it was verbally told to them that they have not accepted the certificates of the petitioners as trained drawing masters. (Copy of the impugned order dated 22.08.2007 is attached as Annexure "F").
5. That the petitioners who were feeling aggrieved of the impugned order of respondent No.1 preferred appeal/ complaint to respondent No.2 questioning the injustice of respondent No.1 but the appeal/ complaints of petitioners were ignored completely without giving any attention to the same by respondent No.2. (Copy of the appeal/ complaint preferred before respondent No.2 is attached as Annexure "G").
6. That now, the petitioners who are still feeling aggrieved of the impugned order of respondent No.1 have got no adequate remedy available to them and therefore, are questioning the order of respondent No.1 in the constitutional jurisdiction of this hon'ble court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 on the following grounds amongst others:

**GROUND S :-**

- a. That the impugned order of respondent No.1 making appointment of respondents No.5 to 13 is without jurisdiction, without lawful authority and of no legal effect.

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- b. That the petitioners were trained drawing masters and apart from the same qualification they were master degree holders as well and the drawing masters certificates were issued to them by the Govt. of Sindh Bureau of Curriculum and Extension Wing Sindh Jamshoro, but respondent No.1 instead of giving cogent reason for not accepting the certificates ignored the petitioners without hearing them as such the impugned order of respondent No.1 is void ab-initio and is liable to be declared ultra vires on this score alone.
- c. That the order of respondent No.1 making recruitment of respondents No.5 to 13 cannot be upheld by the simple reason that the petitioners had applied for their recruitment as drawing masters against the same posts and as such they have qualified the written test and they cannot be thrown out by respondent No.1 simply because they had drawing master certificates from an educational institution which is situated in Sindh.
- d. That the impugned order of respondent No.1 is obviously illegal and as much as ignoring the certificates of the petitioners can only be made by respondent No.1 if the same happened to have been issued by an institution which is not recognized one but in fact the certificates of the petitioners have been issued to them by educational institution which is Govt. of Sindh Bureau of Curriculum and Extension Wing, Sindh, Jamshoro and the same is an institution having the same legal position as such an institution is in N.W.F.P. therefore, the petitioners cannot be discriminated upon and thrown out of the interview simply because the drawing master certificates have been obtained from an institution which is situated in Sindh.
- e. Any other ground may be argued with the permission of this hon'ble court at the time of arguments.
- f. That many legal questions relating to the grant of certificates of academic record and its validity for recruitment in government service will be discussed in this writ petition.

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Under circumstances mentioned above, it is, therefore, very humbly prayed that on acceptance of this Writ Petition, this hon'ble court may be pleased to declare the impugned order of respondent No.1 bearing No.3864-79 dated 22.08.2007 as without lawful authority, without jurisdiction and of no legal effect and it may be directed to respondent No.1 to consider the petitioners as drawing masters on the basis of their academic qualifications including the certificates of drawing masters that have been issued to them by the Govt of Sindh Bureau of Curriculum and Extension Wing Sindh, Jamshoro with cost throughout.

**INTERIM RELIEF:**

In the meanwhile impugned order of respondent No.1 dated 22.08.2007 may be suspended till final disposal of writ petition.

Petitioners  
through   
Qazi Zaki-ud-Din  
Advocate Peshawar.

**Note:**

Respondents No.5 to 13 are through respondent No.1.

**CERTIFICATE:**

Certified that no such writ petition has been filed earlier on the subject matter in this honourable court.

**LAW BOOKS:**

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. Service Laws.
3. Case Law.

  
ADVOCATE

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27.08.2007

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**JUDGMENT SHEET**  
**IN THE PESHAWAR HIGH COURT, MINGORA BENCH**  
**(DAR-UL-QAZA), SWAT**  
(Judicial Department)

W.P. No.2093/2007.

**JUDGMENT**

Date of hearing: 28.6.2012.

Appellant-Petitioners (Khaista Rehman & others)

by Mr. Khalid Rehman Advocate.

Respondent (EDO & others) by

Messrs. Akhtar Muneer Khan Advocate & DAG.

KHALID MAHMOOD, J.- This judgment shall dispose of writ petitions No.2093, 1896 of 2007, 294 of 2008, 3402 of 2009, 3620 & 4378 of 2010, 2288 & 159 of 2011, as same question of law is involved in all these petitions.

2. The brief facts of the case are that in response to advertisement for different posts of teachers in the Education Department, petitioners applied for the same. After conducting the test and interview for the said posts, the petitioners were ignored in the matter of appointment and the appointment orders dated 22.8.2007 etc, issued by the respondents department are illegal, without lawful authority and of no legal effect. According to petitioners, they were not invited for interview, rather vide impugned order dated 22.8.2007, appointment of respondents No.5 to 13 was made.

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Petitioners have prayed for directing the respondents concerned to appoint the petitioners being trained and qualified for the said posts.

3. On 23.02.2012, during course of hearing, this Court come to the conclusion that all the certificates produced by the petitioners with regard to their professional qualification should be examined by Secretary Education, the Province of Sindh as to whether the same are genuine and have been issued by the concerned Institution and also to verify that the certificates produced by the petitioners are equivalent to Drawing Master. The petitioners were also directed to submit their original certificates with the Additional Registrar of this Court within a week time for sending for the above-said purpose. Prior to that comments and rejoinder were filed by the parties concerned.

*Amal*

4. Counsel for petitioners argued that impugned order issued by respondent No.1/ department is against law, without jurisdiction and of no legal effect; that the petitioners were trained drawing masters; that respondent concerned had totally ignored the petitioners while making the impugned order of appointment in spite of the fact that they were placed at high pedestal of merit and qualified for the appointment.

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On the other hand, it was argued on behalf of respondents that all the appointments were made in accordance with law and policy of the Government governing the subject.

5. With the valuable assistance of the counsel for the parties, the record perused.

6. The main grievances of all the petitioners in the present case that all the petitioners had submitted their requisite qualification along with certificate of Drawing Master before the respondent for their appointment. After test and interview, the merit list was prepared by the respondent concerned wherein the petitioners were declared higher in merit but later on instead of appointment of petitioners, the other candidates were appointed on the ground that the Drawing Master certificate obtained by the petitioners from Institutions situated in Jamshoru and Karachi are not equivalent to the certificate which was prerequisite for the post of Drawing Master. Counsel for the petitioners referred to the recruitment policy. He also referred to the advertisement published on 11.02.2007 in which the required qualification was F.A/F.Sc. with certificate of Drawing Master from any recognized institution. According to the recruitment policy as well as said publication petitioners on the patch-

*Deputy*

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wise criteria had passed their examined on 31.5.1997. In the first merit list displayed by the respondents, the petitioners had qualified and stood first in the merit list. The respondents on the pretext that the certificate of Drawing Master is not obtained from the recognized institution, who were ignored in the said appointment and the case of the petitioners remained pending after verification of the Drawing Master certificate. Thereafter, the concerned institution wherefrom the petitioners had obtained the D.M. certificate were asked for the verification of the said certificate. This Court too, had directed the concerned institution for the verification of the certificate.

*De Muel*

7. In the similar nature case wherein the D.M. certificate was obtained from Jamshoru verified in a case by Abbottabad Bench of this Court, in WP No. 66 of 2009 titled "Muhammad Banaris vs. Govt. of Khyber Pakhtunkhwa" wherein it is held that the D.M. certificate by Jamshoru is competent and the recognized one.

8. In the present case, the D.M. certificate qualify from all corners as a genuine certificate issued by the recognized institution, which was the requirement of the recruitment policy as mentioned above. We have gone through the merit list which clearly indicates that the

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petitioners have been deprived on lame excuse on the ground of delaying tactics regarding the verification of D.M. certificate obtained by the petitioners. It was also pointed out that respondent in subsequent appointment had also appointed other candidates who had obtained DM certificates from the same Institutions whereas, petitioners has been deprived though they have also qualified from the same Institutions, hence act of respondents is discriminatory and is utter violation of Article 25 of the Constitution. Instead of petitioners who were at better pedestal in the merit list, the other candidates who were below at the merit list as compared to the petitioners have been appointed which apparently shows the mala fide on the part of respondents. After thrashing the entire record, we have come to the conclusion that petitioners have wrongly been deprived for appointment against the post of D.M. which requires interference by this Court.

In the light above discussions, facts and circumstances of the case, all the writ petitions are allowed and respondents are directed to appoint the petitioners against the said post positively.

Announced.  
Dt: 28.6.2012.

*Majumdar*  
 JUDGE

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*Muhammad*  
 JUDGE

Office  
 20/07/12

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

PRESENT:  
MR. JUSTICE NASIR-UL-MULLA  
MR. JUSTICE SAJJAD JALAL CHISHTY

Civil Petitions No. 454P/12, 7-P 12, 11-P/2013 and  
19-P & 20-P of 2013

Against the judgment dated 28.6.2012 passed by Peshawar  
High Court, Mingora Bench (Lar-ul-Quran) Suit No. W.P.  
No 2092 of 2007. 36/2/2009, 3620/2010, 4370/2010,  
139/2011, 2243/2011, 1096/2011, 1097/2011

1. J. & J. District Officer, Schools & ..... Petitioners  
2. J. & J. District, Dir Lower, etc

VERSUS

1. Mr. J. & J. District Officer, Schools & ..... in CP 450-P/2013  
2. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2012  
3. Mr. J. & J. District, Dir Upper, etc ..... in CP 456-P/2012  
4. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2013  
5. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2013  
6. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2013  
7. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2013  
8. Mr. J. & J. District, Dir Lower, etc ..... in CP 456-P/2013

Respondents

For the Petitioners: Mr. Neelum, Advocate, AAO, KPK  
Mr. Sajid Hussain, Advocate

For the Respondents: Mr. P. Khan, Advocate

Opinion: Nil

Date of hearing: 21.06.2013

ORDER

Nasir-ul-Mulla, J. These petitions for leave to  
appeal have been filed by the J. & J. District Officer, Schools &  
J. & J. District, Dir Lower, Dir Upper and District Officer against  
the judgment of the Peshawar High Court, Mingora Bench  
delivered in writ petition No.2092 of 2007 whereby a number of  
similar writ petitions were disposed of. The respondents had filed  
writ petitions challenging the decision of the petitioners and  
the respondents to the post of Drawing Master, who taught Urdu  
in the Government Schools of Peshawar.

ATTESTED

*[Signature]*  
Registrar,  
Court of Peshawar  
Peshawar

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**IN THE SUPREME COURT OF PAKISTAN**  
**(Appellate Jurisdiction)**

**PRESENT:****Mr. Justice Nasir ul Mulk****Mr. Justice Sarmad Jalal Osmany**

**Civil Petitions No. 456-P/12, 7-P to 11-P/2013 and 19-P & 20-P of 2013**

Against the judgment dated 28.6.2012 passed by Peshawar High Court, Mingora Bench (Dar-ul-Qaza) Swat in WPs No. 2098 of 2007, 3402/2009, 3620/2010, 4378/2010, 159/2011, 2288/2011, 1896/2007 and 294/2008

Executive District Officer, Schools &  
Literacy District Dir Lower, etc

..... **Petitioners**

**VERSUS**

Khaista Rehman etc  
Lazim Khan, etc  
Mst Laida Tabassum, etc  
Shireenzada, etc  
Gul Rasool Khan, etc  
Mst Nageena, etc  
Ghulam Hazrat

(in CP 456-P/2012)  
(in CP 456-P/2012)  
(in CP 456-P/2012)  
(in CP 456-P/2012)  
(in CP 456-P/2012)  
(in CP 456-P/2012)  
(in CP 456-P/2012)

..... **Respondents**

For the Petitioners:

Ms. Neelam Khan, AAG, KPK  
Ms. Naghmana Sardar, DEO

For the Respondents:  
(MCPs 8-20 & 19-20)

Mr. Esa Khan, ASC

Others:

N.R

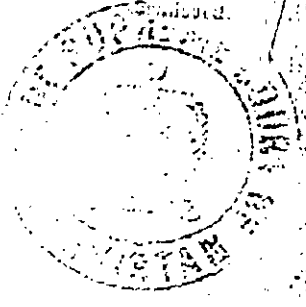
Date of hearing

21.06.2013

**ORDER**

**Nasir-ul-Mulk, J:-** These petitions for leave to appeal have been filed by the Executive District Officer, Schools of three Districts Dir Upper and District Buner against the judgment of the Peshawar High Court, Mingora Bench delivered in Writ Petition No. 2093 of 2007 whereby a number of similar writ petitions were disposed of. The Respondents had filed writ petitions challenging the decision of the Petitioners for appointment to the post of Drawing Master, who though had

... obtained the required merits but their  
 ... were declined on the ground that they had obtained  
 ... qualifications from the institutions situated in  
 ... and Karachi. The petitions were accepted by the High  
 ... on the ground that distinction could not be drawn between  
 ... of degrees or degrees by the institutions of Sindh and  
 ... of this Province. Thus on the grounds of  
 ... of respondents were obtained and  
 ... were directed to appoint the respondents to the post  
 ... no merits in these petitions as apparently no  
 ... distinction exists between the qualifications obtained  
 ... from the said institutions and from those in Province of K.P.K since  
 ... respondents selection was made way back in the year 2007  
 ... years have passed, we had therefore directed the  
 ... to issue appointment orders of the respondents. Today  
 ... have been produced before us. The respondents,  
 ... except for one Larin Khan, in Civil Petition No. 97-P of 2013 (all  
 ... been duly appointed. Learned Law Officer states that said the  
 ... respondent shall also be appointed in due course after his papers  
 ... are found in order. These petitions have no merits and therefore



*Sd/- Nazir - C.C. - Mark, J.*  
*Sd/- Saad Tahir, Clerk, J.*  
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*[Signature]*  
 Deputy Registrar  
 High Court of Sindh  
 Hyderabad

24th of June, 2013  
*[Signature]*

Not approved for reporting

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*[Signature]*

(sic) selection attained the required merits but their appointments were declared on the ground that they had obtained the requisite qualifications from the institutions situated in Jamshuro and Karachi. The petitions were accepted by the High Court on the ground that destination could not drawn between the award of degrees or services by the institutions of Jamshoru and Karachi and that of this Province. Thus on the ground of determination the writ petitions of the Respondents were allowed and the Petitioners were directed to appoint the Respondents to the said posts. We find no merits in these petitions as apparently no reasonable classification exists between the qualification obtained from the said institutions and from those in Province of K.P.K since the Respondents selection was made way back in the year 2007 and six years have passed. We had therefore directed the petitioners to issue appointment orders of the Respondents. Today the said orders have been produced before us. The Respondents, except for on Lazim Khan, in Civil Petition No. 07-P of 2013s has been duly appointed. Learned Law Officer states that said the Respondent shall be also appointed in due course after his papers are found in order. These petitions have no merits and therefore dismissed.

**Sd/-Mr. Justice Nasir ul Mulk**  
**Sd/-Mr. Justice Sarmad Jalal Osmany**

**Peshawar, the**  
**21<sup>st</sup> of June, 2013**

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 84 /2014



NEW P. PROVINCE  
CORPORATE PESHAWAR  
Stamp No. 84  
dated 17-1-2014

ATTA ULLAH S/O BAHADAR KHAN  
DM, GHS JAWZO, DISTRICT LOWER DIR

APPELLANT

VERSUS

1. DISTRICT EDUCATION OFFICER (MALE) DIR LOWER
2. DISTRICT COORDINATION OFFICER, DIR LOWER
3. DIRECTOR (SCHOOL & LITERACY) KHYBER PAKHTUNKHWA, PESHAWAR
4. SECRETARY FINANCE, GOVT OF KHYBER PAKHTUNKHWA, PESHAWAR

RESPONDENTS

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 for grant of Arrears and Seniority to the appellant from the date of application i.e. 22/08/2007 for the post or alternatively, from the date of decision of the Hon'ble Peshawar High Court, Peshawar dated June 28, 2012 till June 19, 2013

84/14

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07.11.2016

Counsel for the appellant and Mr. Muhammad Zubair, Senior Government Pleader alongwith Mr. Fayazud Din, ADO for respondents present. Arguments heard. Record perused.

Vide our detailed judgment of to-day placed in connected service appeal No. 51/2014, tilted "Khaista Rahman versus District Education Officer (Male) Dir Lower and 3 others", this appeal is also accepted as per detailed judgment. Parties are left to bear their own costs. File be consigned to the record room.

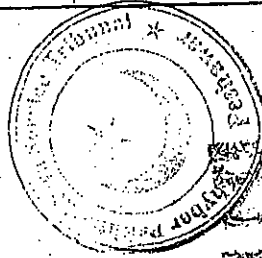
Certified to be true copy  
Khyber Pakhtunkhwa Services Tribunal  
Peshawar

*Self*  
Member

*Self*  
Chairman

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 51 /2014



60  
13-1-14

KHAISTA REHMAN S/O FATEH REHMAN  
DM, GMS, MALYANO BANDA, DISTRICT LOWER DIR

APPELLANT

VERSUS

1. DISTRICT EDUCATION OFFICER (MALE) DIR LOWER
2. DISTRICT COORDINATION OFFICER, DIR LOWER
3. DIRECTOR (SCHOOL & LITERACY) KHYBER PAKHTUNKHWA, PESHAWAR
4. SECRETARY FINANCE, GOVT OF KHYBER PAKHTUNKHWA, PESHAWAR

RESPONDENTS

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 for grant of Arrears and Seniority to the appellant from the date of application i.e. 22/08/2007 for the post or alternatively, from the date of decision of the Hon'ble Peshawar High Court, Peshawar dated June 28, 2012 till June 19, 2013

Respectfully submitted as under.

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Brief facts of the case are as follows.

That the appellant got appointed with the respondents as DM, BPS-15 vide office order dated 20.06.2013.

(Appointment order is appended herewith as Annexure "A").

The appointment of the appellant was the result of the Writ Petition No. 2093/ 2007 titled "Khaista Rehman and Others Vs EDO & Others where the Divisional Bench of Hon'ble Peshawar High Court, Dar Ul - Qaza at

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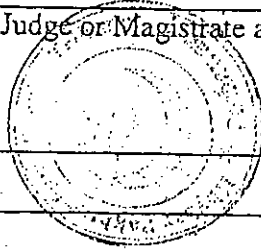
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ATTESTED

Seal of the Khyber Pakhtunkhwa Service Tribunal, Peshawar

Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.

Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
CAMP COURT SWAT

1. Appeal No. 51/2014, Khaista Rahman,
2. Appeal No. 52/2014, Muhammad Ishaq,
3. Appeal No. 53/2014, Rehman Said,
4. Appeal No. 54/2014, Mst. Noorsheda,
5. Appeal No. 55/2014, Mst. Fatima Bibi,
6. Appeal No. 56/2014, Mst. Rabia Bibi,
7. Appeal No. 57/2014, Mst. Salma Bibi,
8. Appeal No. 58/2014, Mst. Mehnaaz,
9. Appeal No. 59/2014, Mst. Nuzhat Ali,
10. Appeal No. 60/2014, Mst. Thaohced Begum,
11. Appeal No. 61/2014, Mst. Hemayat Shaheer,
12. Appeal No. 62/2014, Mst. Faryal Bano,
13. Appeal No. 63/2014, Mst. Farah Naz,
14. Appeal No. 64/2014, Mst. Zahida Begum,
15. Appeal No. 65/2014, Mst. Farzana Tabasum,
16. Appeal No. 66/2014, Mst. Farida Bibi,
17. Appeal No. 67/2014, Mst. Farhana Bibi,
18. Appeal No. 68/2014, Mst. Gul Naz Begum
19. Appeal No. 69/2014, Mst. Ghazala Shams
20. Appeal No. 70/2014, Mst. Nagina Bibi,
21. Appeal No. 71/2014, Mst. Rabia Sultan,
22. Appeal No. 72/2014, Mst. Hina Sumbal,
23. Appeal No. 73/2014, Mst. Sujaat Bibi,
24. Appeal No. 84/2014, Atta Ullah,
25. Appeal No. 88/2014, Shariq Zada,
26. Appeal No. 86/2014, Ghulam Hazrat,

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KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
SWAT

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27. Appeal No. 87/2014, Shahid Mahmood,  
 28. Appeal No. 88/2014, Ikram Ullah,  
 29. Appeal No. 89/2014, Hafiz Ul Haq,  
 30. Appeal No. 90/2014, Gul Rasool Khan,  
 Versus District Education Officer(Male) Dir Lower & 3 others.

JUDGMENT

07.11.2016

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-

Counsel for the appellant and Mr. Muhammad Zubair, Senior Government Pleader alongwith Mr. Fayazud Din, ADO for respondents present.

2. This judgment shall dispose of the instant service appeals No. 51/2014 as well as connected service appeals No. 52/2014 to 73/2014 and service appeals No. 84/2014 to 90/2014 as identical questions of facts and law are involved therein.
3. Brief facts of the afore-stated cases are that the appellants were declined appointments against posts advertised by the respondents constraining them to prefer Writ Petitions No. 1896, 2093 of 2007, 294 of 2008, 3402 of 2009, 3620 and 4378 of 2010, 159 and 2288 of 2011 before the august Peshawar High Court, Mingora Bench (Dar-ul-Qaza) Swat which were allowed vide worthy judgment dated 28.06.2012 and respondents were directed to appoint the appellants against the said posts. The said worthy Judgment of the Hon'ble High Court was challenged before the august Supreme Court of Pakistan in Civil Petitions No. 456-P of 2012, 7-P to 11-P of 2013 and 19-P & 20-P of 2013. The said appeals were dismissed vide worthy judgment of the apex court dated 21.06.2013 as the appellants were appointed and their

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appointments orders were produced before the august Supreme Court of Pakistan. There-after Review Petitions were preferred by certain petitioners in the said Writ Petitions before the Peshawar High Court, Mingora Bench (Dar-ul-Qaza) Swat which was allowed vide worthy judgment dated 22.10.2013 and the petitioners seeking relief were allowed to be considered as appointees from the dates when other candidates were appointed, without any financial benefits.

4. Learned counsel for the appellants has argued that the appellants are also entitled to similar treatment as extended to similarly placed employees by the Hon'ble High Court in Review Petition No. 7-M/2012 in Writ Petition No. 3620/2012(D).

5. In support of his stance he placed reliance on case-laws reported as 2009-SCMR-1 (Supreme Court of Pakistan), 1998-SCMR-2472 (Supreme Court of Pakistan) and 1999-SCMR-988 (Supreme Court of Pakistan).

6. Learned Senior Government Pleader has argued that the appellants are not entitled to the relief claimed as they have not preferred any Review Petition against the judgment and appointment orders before the Hon'ble High Court.

7. We have heard arguments of learned counsel for the parties and perused the record.

8. The august Supreme Court of Pakistan in the reported cases referred to above, had ruled that if a Tribunal or the Supreme Court decides a point of law relating to the terms and conditions of a civil

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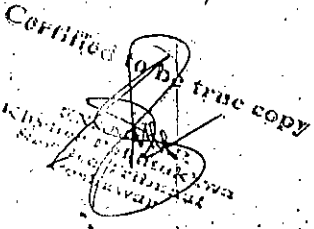
servant who litigated, and there were other civil servants, who may not have taken any legal proceedings, in such a case, the dictates of justice and rule of good governance demand that the benefit of the said decision be extended to other civil servants also, who may, not be parties to that litigation, instead of compelling them to approach the Tribunal or any other legal forum.

9. Though the appellants have not preferred any review petition before the Hon'ble High Court but in view of the case-laws as discussed above, appellants are entitled to the benefits of the decision of the Hon'ble High Court as they are similarly placed civil servants.

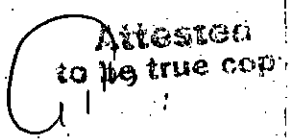
10. In view of the above, we hold that the appellants are entitled to be considered as appointees with effect from the dates when other similarly placed candidates were appointed. The appellants would however not be entitled to any financial back benefits. The respondent-department is to prepare their seniority list according to rules. The appeals are accepted in the above terms, leaving the parties to bear their own costs. File be consigned to the record room.

Announced 07.11.2016 *Sd/- M. Azim Khan Afidi,*  
Chairman

*Sd/- Abdul Latif,*  
Member

Certified to be true copy  


Date of Presentation 15-11-16  
 Number of Copies 2000  
 Copying Fee 12/-  
 Urgent 2/-  
 Total 14/-  
 Name of Officer Sd/-  
 Date of Issue 15-11-16  
 Date of Receipt 15-11-16

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OFFICE OF THE  
DISTRICT EDUCATION OFFICER (F)  
DISTRICT DIR LOWER

Tel: 09459250083  
FAX# 0945824083  
Email: emlsdeofdirlower@gmail.com

38

**OFFICE ORDER**

Consequent upon the promotion of CTs, DMs, ATs, TTs, Female B-15 to SCTs, SDMs, SATs, STTs Female B-16 on regular basis as notified by the Director Elementary & Secondary Education Khyber Pakhtunkhwa Notification issued vide Endst. No.8757-62 /A-17/DPC-2020/KPK Dated Peshawar the 04/01/2021 The following Female Teachers are hereby adjusted/ Posted in the schools mentioned against their names.

**1. PROMOTION OF CTs TO THE POST OF SCT B-16**

S.No	Name of Teacher(SCTs)	BPS	Present Station	Place Of Posting	Remarks
1	ZAINAB BIBI	16	GGMS SEER TOORMANG	GGHS KHALL	A.V. Post
2	NAHID BEGUM	16	GGMS KAWRO MANO BANDA	GGHS KADH	A.V. Post
3	FUZIA BIBI	16	GGMS SIYAR QALAGAI	GGHSS RANI	A.V. Post
4	HAMIDA	16	GGMS MANDISH	GGHSS RABAT	A.V. Post
5	NARGAS ARA	16	GGMS BANDA TALASH	GGHSS NAGARI PAYEEN	A.V. Post
6	SIDRA	16	GGHS DARA RAMORA	GGHS RAMORA	A.V. Post
7	NOREENA BIBI	16	GGHSS CHAKDARA	GGHSS CHAKDARA	Already Occupied
8	KALSOOM BEGUM	16	GGHS KHAZANA	GGHSS SADDO	A.V. Post
9	ABGINA	16	GGMS BANDA TALASH	GGHSS NAGRI PAYEEN	A.V. Post
10	UZLEFAT	16	GGMS TIKNAI PAYEEN	GGHS KHANPUR	A.V. Post
11	SABIHA NASEEM	16	GGMS TOOR QILA	GGHSS MIANKALAY	A.V. Post
12	SHAKILA NAZ	16	GGHS ZIMDARA	GGHSS KUMBER	A.V. Post
13	RAZIA	16	GGHS INZARO	GGHS BAJAWRO	A.V. Post
14	SUMAYYA	16	GGHSS SHATAI	GGHSS SHATAI	Already Occupied

**2. PROMOTION OF DM TO THE POST OF SDM B-16**

S.No	Name of Teacher(SDMs)	BPS	Present Station	Place Of Posting	Remarks
1	RABI NAZ	16	GGMS KHALL PAYEEN	GGHS KHALL	A.V. Post
2	GUL NAZ BEGUM	16	GGHS MALAKAND	GGHS MALAKAND	Already Occupied
3	RABIA SULTAN	16	GGMS KHEMA	GGHSS SADDO	A.V. Post

**3. PROMOTION OF ATs TO THE POST OF SATs B-16**

S.No	Name of Teacher (SATs)	BPS	Present Station	Place Of Posting	Remarks
1	KALSOOM BIBI	16	GGHS SALIGRAM	GGHS SALIGRAM	Already Occupied
2	WAHIDA BIBI	16	GGMS MINA BATTAN	GGHS TALAI SIA	A.V. Post
3	SHEHNAZ BEGUM	16	GGMS KHALL(P)	GGHSS KOTO	A.V. Post
4	ABIDA NOUREEN	16	GGMS SADBAR KALI	GGHSS MIANKALAY	A.V. Post
5	NOORUL AZAM BIBI	16	GGHS M.BRONGOLA	GGHS M.BRONGOLA	Already Occupied
6	UZMA BIBI	16	GGMS DARA RAMORA	GGMS DARA RAMORA	Already Occupied

Distt. Education Officer  
(F) Dir Lower

13/01/2021

**4. PROMOTION OF TTs TO THE POST OF STT B-16**

S.No	Name of Teacher(STTs)	BPS	Present Station	Place Of Posting	Remarks
1	SHAMIM BEGUM	16	GGMS MINA BATAN	GGHS JANGO	A.V. Post

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3	SHAH WASRIN	16	GGMS KHALL(P)	GGHS KHALL	A.V. Post
4	ABIDA PARVEEN	16	GGHS MORANA	GGHS MAKHAI	A.V. Post
4	UZMA BEGUM	16	GGMS KHEMA	GGHS KANDARO	A.V. Post
5	SAJIDA AKHTER	16	GGMS TIKNAI PAYEEN	GGHSS KITYARI	A.V. Post

**Note:** 1. Terms and conditions will remain the same as in notification referred above.

(ASMAT ARA QURESHI)  
District Education Officer  
(F) District Dir Lower.

Endst: No. 12397-13429 Dated Timergara the 13/10/2021

Copy forwarded for information and necessary action to the:-

1. District Account Officer District Dir Lower.
2. All the Principals/ Head Mistresses concerned.
3. PA to the Director E&SE Khyber Pakhtunkhwa, Peshawar.
4. Officials Concerned.
5. Master File.

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GIS

*Asmat Ara*  
District Education Officer  
(F) District Dir Lower. 13/10/2021

بخدمت جناب ڈائریکٹر صاحب محکمہ ایجوکیشن خیبر پختونخواہ بمقام پشاور

40

درخواست نظر ثانی کرنے بغرض پروموشن سائیکل نیبلہ بیگم ڈی ایم 15-BPS گورنمنٹ گرلز ہائی سکول  
ریحان پور ضلع دیرپائین بمطابق سناری لٹ

جناب عالی! حسب ذیل عرض ہے۔

یہ کہ سائیکل بمورخہ 27/12/2012 کو محکمہ تعلیم ضلع دیرپائین میں بحیثیت DM بمقام GGHS ریحان پور ضلع دیرپائین تعیناتی ہوئی ہے اور تا حال GGHS ریحان پور میں ڈیوٹی سرانجام دے رہی ہے۔  
یہ کہ سائیکل نے سی ٹی، ڈی ایم، بی ایڈ اور ماسٹر لیا ہے۔

یہ کہ از روئے لٹ دفتر ہذا بمورخہ 15/8/2020 سائیکل کے سناری کو نظر انداز کیا جا کر جو نیئر مسماہ گل ناز بیگم اور رابعہ سلطان وغیرہ جن کی تقرری محکمہ ہذا میں بمورخہ 20/6/2013 کو ہوئی ہے۔ جو کہ سن سائیکل سے جو نیئر ہو کر دفتر ہذا میں سناری دے کر پروموٹ کی گئی ہیں۔

یہ کہ سائیکل نے بمورخہ 25/09/2020 ڈائری نمبری 1750 بمورخہ 26/9/2020 کو ایک عدد درخواست اپیل بغرض نظر ثانی کرنے سناری لٹ میں درستگی کرنے کے لئے ڈسٹرکٹ ایجوکیشن آفیسر صاحبہ (زنانہ) دیرپائین میں جمع کی تھی جس پر آج تک کوئی کارروائی عمل میں نہیں لائی گئی ہے اور سائیکل کو اس اپیل کے باوجود سناری لٹ میں درستگی نہ کرنے کی وجہ سے حق تلفی ہوئی ہے۔

یہ کہ سائیکل کی تقرری کے لحاظ سے مسماہ گل ناز بیگم اور رابعہ سلطان وغیرہ سے سنیر ہے جبکہ محکمہ ہذا نے سائیکل کو سناری لٹ میں جو نیئر شو کیا ہے۔ جبکہ سائیکل کی سناری کو مس کیا گیا ہے۔ جس کی وجہ سے سائیکل کو پروموشن DM بی پی ایس 15 سے SDM بی پی ایس 16 میں ترقی سے محروم رکھا گیا ہے۔ جس کی وجہ سے سائیکل کو سخت ذہنی کوفت اور اذیت پہنچا ہے۔

لہذا استدعا کی جاتی ہے کہ محکمہ تعلیم ضلع دیرپائین کی طرف سے جاری کردہ پروموشن آرڈر 12397-13429  
محررہ 13/1/2021 کو کینسل کیا جائے اور سائیکل کا پروموشن آرڈر جاری کیا جائے۔

مورخہ 28/1/2021

العارض

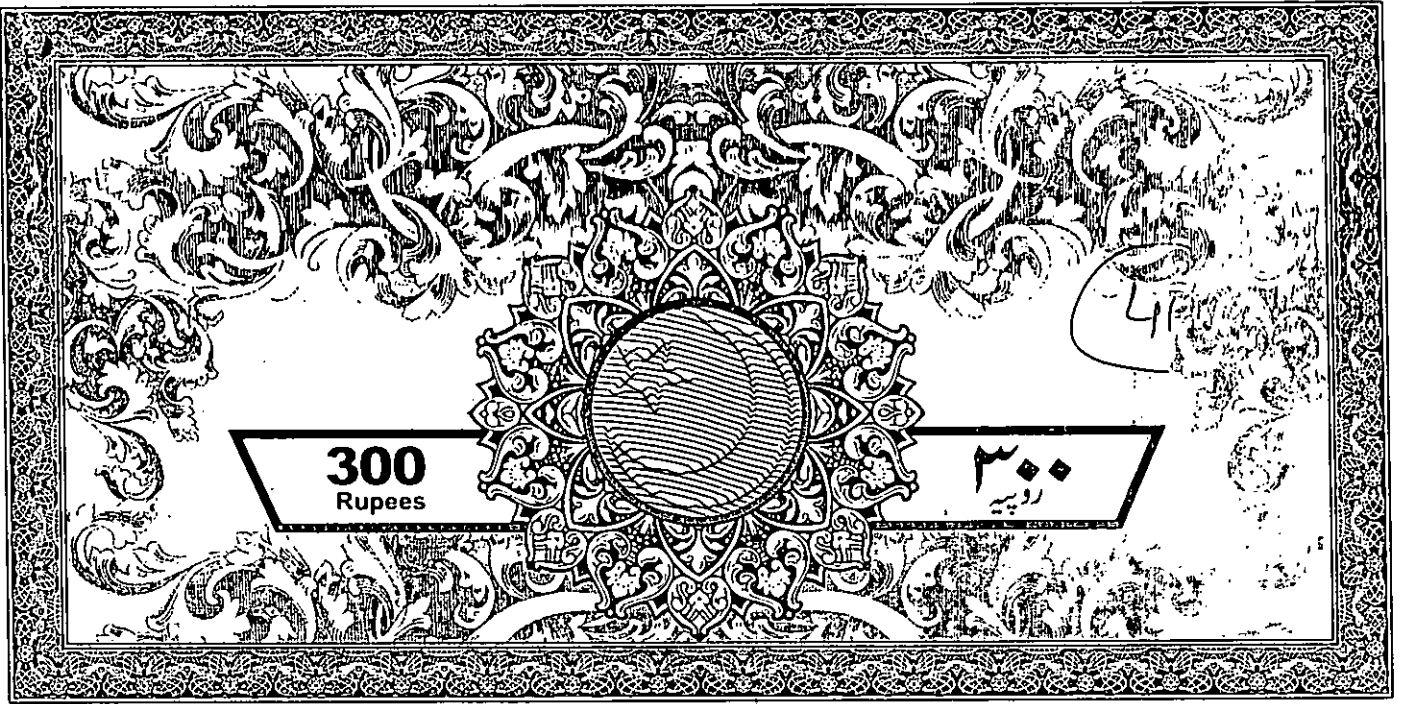
28-1-2021  
28-1-2021

سائیکل: نیبلہ بیگم ڈی ایم بی پی ایس 15 گورنمنٹ گرلز ہائی سکول ریحان پور ضلع دیرپائین

0341-7874303

کاپی برائے اطلاعاتی: 1- سیکرٹری ایجوکیشن خیبر پختونخواہ بمقام پشاور

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## عدالت عالیہ پشاور ہائی کورٹ اینگورہ پنچ دارالقضاء سوات

نبیلہ بیگم  
بنام  
محکمہ تعلیم (نی میل) ضلع دیرپائین وغیرہ  
رٹ پیشین

مختیار نامہ خاص توصیف احمد ولد غلام محمد سکند اوڈیگرام تحصیل بلا مٹ ضلع دیرپائین

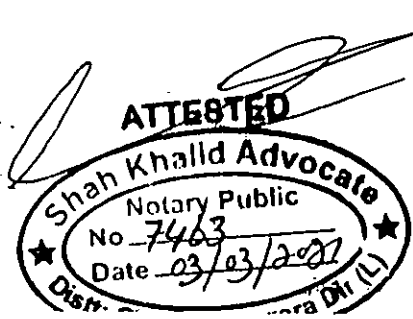
منکہ مسماۃ نبیلہ بیگم دختر غلام محمد سکند اوڈیگرام تحصیل بلا مٹ ضلع دیرپائین بروئے تحریر ہذا اقرار کر کے لکھ دیتی ہوں کہ ہم مقدمہ عنوان بالا میں عدالت حضور میں اصالتاً حاضری سے قاصر ہیں اس لئے من مقررہ اپنی جانب سے برادر خود سکی توصیف احمد ولد غلام محمد سکند اوڈیگرام تحصیل بلا مٹ ضلع دیرپائین۔ کو مختیار خاص مقرر کر کے لکھ دیتی ہوں کہ مختیار موصوف ہمارے جانب سے، رٹ پیشین جمع کرے اپیل دائر کرے۔ کاغذات پر اپنا دستخط کرے عدالت حضور میں پیروی مقدمہ کرے۔ تصدیق کرے۔ بیان حلفی دیں۔ حلف لیں۔ ثالث ا مصلح مقرر کرے۔ وکیل مقرر کرے۔ درخواست، جواب درخواست دیں۔ بصورت عدم پیروی درخواست برآمدگی کرے۔ گواہ طلب کرے۔ روپیہ جمع کرے یا واپس لیں۔ عذر داری میں پیروی کرے۔ اپیل نگرانی، نظر ثانی، تجویز ثانی کرے۔ ہائی کورٹ، دارالقضاء و سپریم کورٹ میں دائر کرے۔ کاروائی اجراء کرے۔ راضی نامہ کرے۔ غرضیکہ مقدمہ بالا میں جو جو اختیارات ہم کو حاصل ہیں وہ سب مختیار خاص کو تفویض کر دیتے ہیں۔ لہذا مختیار نامہ خاص ہذا سنداً تحریر

مورخہ 03/03/2021

۔

نبیلہ بیگم

15306-9551170-7



گواہ العہد  
راعیہ احمد ولد غلام محمد  
اوڈیگرام تحصیل بلا مٹ ضلع دیرپائین

گواہ شہادت العہد  
سعید اللہ خان ولد گل ملّا خان  
شیخان جنگلی تیرگرہ ضلع دیرپائین

کتابخانه و اسناد کتب و کتب (روزانه)  
در روزهای مختلف

کتابخانه و اسناد کتب و کتب  
در روزهای مختلف

کتابخانه و اسناد کتب و کتب  
در روزهای مختلف

کتابخانه و اسناد کتب و کتب  
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در روزهای مختلف

کتابخانه و اسناد کتب و کتب  
در روزهای مختلف

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

**WAKALAT NAMA**

Service Appeal No. \_\_\_\_\_/2021

CASE TITLE

**MST. NABILA BEGUM**

**VERSUS**

**GOVT OF KPK & OTHERS**

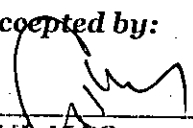
I, \_\_\_\_\_, do hereby appoint **SYED ABDUL HAQ Advocate, Supreme Court of Pakistan** in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct prosecution or defence of the said case at all its stages.
3. To receive payment of and issue receipts for, all money that may be or become due and payable to us during the course of proceedings.
4. To do any act necessary or ancillary to the above acts, deed and things.
5. To appoint any other counsel to do any/all of the acts, deeds and things.
6. I/We shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our non-appearance, any adverse judgment/order/decree is passed, they will not be held responsible.

In witness whereof I/We have signed this Wakalatnama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this, \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.

\_\_\_\_\_  
Signature of Executant

Attested & Accepted by:

  
\_\_\_\_\_  
**SYED ABDUL HAQ**  
Advocate, Supreme Court of Pakistan  
Cell No. 0311-0950959


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

Service Appeal No. 6622/2021

Mst.Nabeela Begum-----VS-----Govt. of Khyber Pakhtunkhwa and others

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District Education Officer (F)

District Dir Lower

**(Respondent No.3)**



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

Service Appeal No. 6622/2021

Mst.Nabeela Begum VS *on behalf of* Govt. of Khyber Pakhtunkhwa and others

**REPLY/COMMENTS OF RESPONDENT NO 1 to 3.**

RESPECTFULLYSHEWITH.

PRELIMINARY OBJECTIONS.

- 1. That the Appellant is not an "aggrieved" person with the meaning of Article 212 of the Constitution of the Islamic Republic of Pakistan 1973.
- 2. That the Appellant has got no cause of action /locus standi to file the instant petition.
- 3. That the Appellant has not come to this Honorable <sup>tribunal</sup> court with clean hands and concealed material facts in the petition.
- 4. That the Appellant is estopped by his own conduct.
- 6. That the instant service appeal <sup>is badly time barred</sup> suffers from laches, hence not maintainable in the present form.

**REPLY ON FACTS.**

- 1. Para 1 of the appeal pertains to the record, hence ~~needs no comments.~~
- 2. Para-2 of the facts is correct up to the extent of appointment of the private respondent No.4 and 5 but it is pertinent to mention here that in the year 2007 different cadre teaching posts were advertised including D.M at Serial No.1 (advertisement already available at page -9 WITH SERVICE APPEAL) for which required qualification was F.A/F.sc along with DM certificate, the private respondents along with other applied to the said post and were not considered for appointment for the reason that the private respondents had D.M certificate from Hyder Abad Jamshoro (Karachi), the private respondents filed representation to the competent authorities but was <sup>replied</sup> ~~repeled~~, hence challenged the department for non consideration in the Honorable Peshawar High Court Peshawar through a writ petition reported as **2013 PLC(CS) 142 PESHAWAR-HIGH-COURT** which was allowed in the favour of petitioners , later on, Department filed a CPLA against the judgment of the Honorable Peshawar High

Court Peshawar and the appeal of the official respondents were dismissed and the private respondents were appointed on the post of D.M vide Judgment dated 21-03-2013 of the August Supreme Court of Pakistan .Mean while the private respondents along with other filed another Service Appeal bearing No.68/2014 and,70/2017 in the service tribunal Peshawar for seniority as well as financial back benefits , the appeals ibid was allowed in favour of the private respondents with the direction that ,

**“In view of the above, we hold that the appellants are entitled to be considered as appointees with effect from the dates when other similarly placed candidates were appointed, the appellant would however not be entitled to any financial benefits, the respondents department is to prepare their seniority list according to rules. The appeals are accepted in the above terms, leaving the parties to bear their own cost. File is consigned to the record room”.**

(Copies of the judgment already attached with the service appeal)

3. Para-3 is correct up to the extent of issuing of seniority list, but it is incorrect that the private respondents are Junior to the appellant. The private respondents were enlisted in the tentative as well as the final seniority list as per judgment & order of this Honorable Court.
4. Para -4 is correct and as per direction of this Honorable court the private respondents were placed senior and at their own position in the seniority list.
5. Para-5 is incorrect regarding the appellant application whereas the private respondents were eligible and also senior in the seniority list and enlisted as per Court order hence promoted. Furthermore, the judgment and order of this Hon'able court become final and as the matter in hands comes in the ambit of past and closed transaction as the judgment of this Hon'able court have never been challenged before the competent forum.
6. Para 6 pertain to record, further more details has also been submitted in the facts above.

**REPLY ON GROUNDS**

- A. Para "A" of the grounds is in correct, hence denied in detail, it is stated that the official respondent i.e. respondents No.1 to 3 always follows rules and policies in its letter and spirit ,whereas the appellant is junior to the private respondent so not considered for promotion to the post of SDM.
- B. Para "B "of the grounds above may be considered as reply of Para 2 of the facts.
- C. Para" C" Needs no comments.
- D. Para "D "of the grounds above may also be considered as reply of Para 2 of the facts
- E. Para "E" is correct , needs no comments
- F. Legal, however, the respondents also seeks permission to submit/argue additional points/case law at the time of arguments.

It is therefore very humbly requested with the above facts and ground that the appeal of the appellant may be dismissed in favour of the answering respondents with heavy cost.

*Submitted for Vetting*

Secretary  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

*M. Khan  
20/10/2021*

Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

*Smat Am*  
District Education Officer Female  
District Lower Dir

*Please vet  
DA II*

*P. Khan  
20/10/21*

*Vetted  
subjected to  
annexed all  
documents  
index-  
along with  
corrected  
delement  
20/10/21  
Dy. Dir  
District Education  
Khyber Pakhtunkhwa  
Service Tribunal Peshawar*

**BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT  
PESHAWAR.**

C.M \_\_\_\_\_-M/2021 IN

Service appeal No. 6622/2021

Nabila Begum.....Applicant/appellant

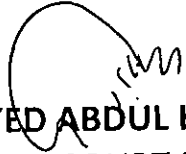
**VERSUS**

Govt of Khyber Pakhtunkhwa through Secretary Education & others  
.....Respondents

**INDEX**

S.NO	DESCRIPTION	ANNEXURE	PAGES
1.	Copy of Application alongwith Affidavit		

Applicant/appellant through Counsel

  
**SYED ABDUL HAQ (ASC)**  
HIGH COURT DARULQAZA  
BAR ROOM SWAT  
Cell No 03110950959

**BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA AT  
PESHAWAR.**

C.M \_\_\_\_\_-M/2021 IN

Service appeal No. 6622/2021

Nabila Begum.....Applicant/appellant

**VERSUS**

Govt of Khyber Pakhtunkhwa through Secretary Education & others  
.....Respondents

**APPLICATION FOR RESTRAINING THE OFFICIAL  
RESPONDENTS TO PROCEED THE PROMOTION  
PROCESS TO THE EXTENT OF SENIOR DRAWING  
MISTRESS (SDM) AS THE MATTER IS UNDER  
PROCESS BEFORE THE PROMOTION COMMITTEE.**

Respectfully Sheweth;

The facts of the instant application are, as under.

1. That the applicant/appellant has filed the service appeal bearing No. 6622 of 2021 which has been admitted for full hearing vide order dated 20.8.2021 & this honourable tribunal have called comments from the concerned respondents.

2. That the next date of hearing in the case *ibid* is fixed for 08.12.2021 before Camp Court Mingora, however the applicant recently got knowledge regarding the alleged promotion process of other categories including DM so the applicant/appellant have left no other adequate remedy except to file the instant application on the following grounds.

## GROUND

- A. That the applicant has been appointed on 27.10.2012 as Drawing Mistress, the appointment order is available on page 10 of the appeal while the respondent being junior who were appointed on 20.6.2013 & their appointment orders are available on page 14 of the petition.
- B. That as per seniority list available on page 13 of the file the applicant/appellant has outlined at serial No.7 of the seniority list while the respondent is reflected at Serial No.9 & 10 of the seniority list, so the applicant has a prima facie case.

*the concerned authority to keep vacant*

- C. That there are total 18 posts of SDM available in District Education Office Dir Lower, wherein 2 candidates/private respondents have been promoted while the remaining 16 posts are going to filled from amongst the junior most D.Ms so the applicant/appellant seeks relief to the extent of one post of SDM if the remaining 16 posts of SDMs were filled amongst the DMs, than the purpose of the instant petition would become infructuous, so balance of convenience would lies in favour of applicant, furthermore, such shortfall would never be cured.
- D. That this honourable Court having ample power under the canopy of law to restrain the respondent to keep one post of SDM vacant just to safeguard the fundamental rights of applicant.
- E. That the grounds already taken in the service appeal may kindly be read as part of this application.

*It is, therefore, humbly prayed that  
on acceptance of this application this  
honourable tribunal may kindly restrain  
the concerned authority to keep vacant*


one post of SDM till the final disposal of  
main service appeal.

**NOTE:**

it is also prayed that the instant applicant may kindly be fixed on urgent basis as the official respondent are going to finalized the allege promotion process & the applicant/appellant is senior most, while the official respondents mere on political exertion going to promote the junior colleagues, hence if the application was not fixed at earliest then the purpose of the pending appeal would be badly damaged & the applicant/appellant would face a new round of litigation, so the instant application may kindly be fixed before the principal seat at Peshawar.

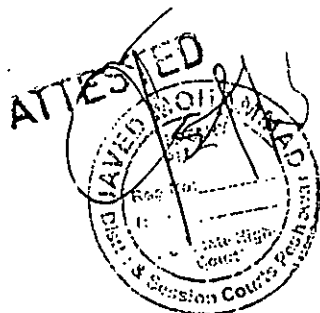
Applicant/Petitioner.

Through  
Counsel

  
SYED ABDUL HAQ,  
Advocate, Supreme Court.  
03110950959

**AFFIDAVIT**

I Tauseef Ahmad Son of Ghulam Muhammad resident of Odigram Tehsil Balambat District Dir Lower do hereby solemnly affirm and declare on oath that all the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this honourable Tribunal.



  
DEPONENT

20 OCT 2021



**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Recd*  
No. \_\_\_\_\_

*TJB Sweet*

APPEAL No. 5672 of 20 21

Mst Nabila Begum

Appellant/Petitioner

Versus

Through Gays (G&ST)

RESPONDENT(S)

Notice to Appellant/Petitioner

Mst Nabila Begum D/o  
Ahulam Mohammad R/o Adgram teh Balambut  
Posted as DM in GAMS Rehampur now upgrade  
to GHS Rehampur Div lower

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 9-6-22 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at court*

*Sweet*

Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

*Regd*  
No.

*TBSwat*

APPEAL No. *6622* of 20 *21*

*Mst Nabila Begum*

Appellant/Petitioner

Versus

*Through Secy (F&SE) Pesh*

RESPONDENT(S)

*Counsel Syed Abdul Haq*  
Notice to Appellant/Petitioner

*Supreme Court of Pakistan  
Bar Room Swat.*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *9-6-22* at *8:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at camp court*

*Swat*

*[Signature]*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

*Pesd*

APPEAL No.....

*6622*

of 20

*21*

*TJB Sweet*

*Mst Nabila Begum*

Appellant/Petitioner

Versus

*Through Secys (E&SF)*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Mst Nabila Begum D/o  
Ahulam Mohammad R/o Adegarami Teh Balambut  
Posted as DM in GGMS Reharpur Now Upgrade  
to GGHS Reharpur Dist Lower*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... at.....

*9-6-22*

*8:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at court*

*Sweet*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

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

Regd  
No.

TBSwat

APPEAL No. 6672 of 20 21

Mst Nabita Begum

Appellant/Petitioner

Versus

Through Secys (EBSK) Pesh

RESPONDENT(S)

Notice to Appellant/Petitioner

Syed Abdul Haq  
Supreme Court of Pakistan  
Box Room Swat.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal

on 9-6-22 at 8:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at camp court  
Swat

[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.